

SCHEDULE OF PROPOSED CHANGES TO THE CONSTITUTION
PARTS 2b, 2f, 3b, 3c, 3h, 4f and 4h

Part of current constitution	Reference (paragraph or section number)	Current wording	New wording & reason
Throughout		Chairman	Chair Reason: Gender neutrality
2b	1.18	Making orders relating to car parks or other off-street parking	Move from Council to Executive, with onward delegation of authority to the Head of Street Scene Services to amend the parking order to implement changes to fees and charges agreed by the relevant body, change the terms and conditions of parking permits, change parking restrictions (such as bay restrictions and time limits), update and implement legislation within the parking order in line with changes at a national level. Reason: Not reserved to Council in legislation
2f	Throughout	<ul style="list-style-type: none"> • Director (Community Services) • Director (Corporate Services) / Monitoring Officer • Director (Environment & Planning) 	<ul style="list-style-type: none"> • Director (Community & Development Services) • Director (Corporate & Street Scene Services) / Monitoring Officer • Remove reference to Director (Environment & Planning) • Reassign delegated powers from the Director (Environment & Planning) to the Director (Community & Development Services) and Director (Corporate & Street Scene Services) as appropriate • Update other job titles as necessary.

Part of current constitution	Reference (paragraph or section number)	Current wording	New wording & reason
			Reason: Physical update to the document following the senior management restructure and agreement of areas of responsibility (already approved by Council)
2f	5.2	New addition under the 'governance' sub-heading of the Scheme of Delegation for the Director (Corporate & Street Scene Services)	<ul style="list-style-type: none"> • Declare the office of councillor vacant under the six month rule • Make appointments to parish councils. <p>Reason: If a member does not attend a meeting for six months without Council having accepted a reason for failure to attend, they cease to be a councillor. Without delegated authority, the vacancy must be declared at a meeting of Council which could lead to a delay between the person ceasing to be a member and the vacancy officially occurring. The delegation of appointments to parish councils has already been approved by Council and is included here as a physical change to the constitution only.</p>
2f	8.2	The Head of Planning has delegated authority to...	<p>Addition of bullet point under 'conservation':</p> <ul style="list-style-type: none"> • Exercise functions in relation to Planning (Listed Buildings and Conservation Areas) Act 1990 including serving urgent works notices. <p>Reason: To be able to carry out essential duties</p>
2f	10.1	The Head of Street Scene Services is responsible for refuse, recycling, garden waste, street cleaning, grounds maintenance, green spaces, neighbourhood wardens, street furniture and cemeteries	<p>The Head of Street Scene Services is responsible for refuse, recycling, garden waste, street cleaning and neighbourhood officers, grounds maintenance, green spaces, cemeteries and car parks.</p> <p>Reason: To reflect current responsibilities</p>

Part of current constitution	Reference (paragraph or section number)	Current wording	New wording & reason
2f	10.2	<p>The Head of Street Scene Services has delegated authority to:</p> <ul style="list-style-type: none"> • Administer the council’s responsibilities and take action in accordance with the Anti-Social Behaviour Crime and Policing Act 2014 • Monitor and take action to deal with dangerous trees under relevant legislation • Liaise with the highways authority on traffic management and highways maintenance • Manage and recommend policies relating to the management of car parks in the borough • Serve notices or recommend legal action in relation to dog fouling, refuse, refuse containers, abandoned vehicles, litter and graffiti under relevant legislation • Manage the council’s vehicle fleet and related contracts including acquisition, disposal and maintenance • Hold the operator’s licence on behalf of the council • Hold an environmental permit to operate a waste transfer station • Progress and monitor improvement schemes in relation to parks and open spaces within approved budgets • Negotiate terms and recommend for adoption public open space in accordance with S106 agreements. 	<p>The Head of Street Scene Services has delegated authority to:</p> <ul style="list-style-type: none"> • Administer the council’s responsibilities and take action in accordance with the Anti-Social Behaviour Crime and Policing Act 2014 • Monitor and take action to deal with dangerous trees under relevant legislation • Manage and recommend policies relating to the management of car parks in the borough • Amend the parking order to implement changes to fees and charges agreed by the relevant body, change the terms and conditions of parking permits, change parking restrictions (such as bay restrictions and time limits) and update & implement amendments within the parking order in line with legislative changes at a national level. • Serve notices or recommend legal action in relation to dog fouling, refuse, refuse containers, abandoned vehicles, litter and graffiti under relevant legislation • Manage the council’s vehicle fleet and related contracts including acquisition, disposal and maintenance, and HGV operator licencing requirements in accordance with the financial procedure rules • Hold an environmental permit to operate a waste transfer station • Progress and monitor improvement schemes in relation to parks and open spaces within approved budgets

Part of current constitution	Reference (paragraph or section number)	Current wording	New wording & reason
			<ul style="list-style-type: none"> • Negotiate terms and recommend for adoption public open space in accordance with S106 agreements. <p>Reason: Update to better reflect current responsibilities</p>
2f	12.2	<p>The Head of Housing has delegated authority to:</p> <p>Anti social behaviour and tenancy management</p> <ul style="list-style-type: none"> • Exercise any function in relation to crime and disorder and anti-social behaviour in accordance with relevant legislation • Administer the housing rents service and manage arrears • Apply for a rent repayment order • Manage tenancies in accordance with council policy and relevant legislation • Administer the council's housing, social and welfare policies and initiatives • Sign notices of seeking possession. <p>Housing repairs</p> <ul style="list-style-type: none"> • Manage the delivery of reductions in carbon emissions in council-owned property • Carry out planned maintenance and improvements for homes to the decent homes standard • Deal with repair requests on a priority basis in accordance with the council's policies. 	<p>The Head of Housing has delegated authority to:</p> <p>Anti social behaviour and tenancy management</p> <ul style="list-style-type: none"> • Exercise any function in relation to crime and disorder and anti-social behaviour in accordance with relevant legislation • Administer the housing rents service and manage arrears • Apply for a rent repayment order • Manage tenancies in accordance with council policy and relevant legislation • Administer the council's housing, social and welfare policies and initiatives • Sign notices of seeking possession. • Approve the transfer and mutual exchanges of council house tenants. <p>Housing repairs</p> <ul style="list-style-type: none"> • Manage the delivery of reductions in carbon emissions in council-owned property • Carry out planned maintenance and improvements for homes to the decent homes standard • Deal with repair requests on a priority basis in accordance with the council's policies

Part of current constitution	Reference (paragraph or section number)	Current wording	New wording & reason
		<p>Housing options</p> <ul style="list-style-type: none"> • Carry out all processes and procedures related to the council’s housing function • Effect the allocation of tenancies for all council dwellings in accordance with the council’s allocations policy • Let or allocate council-owned garages, sites and parking plots • Lease on behalf of the council accommodation on a short-term basis for use of temporary housing of homeless families • Approve the transfer and mutual exchanges of council house tenants • Carry out duties in relation to the council’s responsibilities for homelessness, including the provision of hostels, in accordance with relevant legislation • Provide a housing advice service • Administer the council’s housing, social and welfare policies and initiatives • Review any decision made under relevant housing legislation in relation to homelessness and housing allocations. <p>Private sector housing</p> <ul style="list-style-type: none"> • Serve notices and notifications in relation to drainage, sanitary convenience, earth closets, 	<ul style="list-style-type: none"> • Encourage tenant participation in the housing service. <p>Housing options</p> <ul style="list-style-type: none"> • Carry out all processes and procedures related to the council’s housing function • Effect the allocation of tenancies for all council dwellings in accordance with the council’s allocations policy • Let or allocate council-owned garages, sites and parking plots • Lease on behalf of the council accommodation on a short-term basis for use of temporary housing of homeless families • Carry out duties in relation to the council’s responsibilities for homelessness, including the provision of hostels, in accordance with relevant legislation • Provide a housing advice service • Administer the council’s housing, social and welfare policies and initiatives • Review any decision made under relevant housing legislation in relation to homelessness and housing allocations. <p>Private sector housing</p> <ul style="list-style-type: none"> • Serve notices and notifications in relation to drainage, sanitary convenience, earth closets,

Part of current constitution	Reference (paragraph or section number)	Current wording	New wording & reason
		<p>food storage accommodation and ruinous and dilapidated buildings under relevant legislation</p> <ul style="list-style-type: none"> • Serve abatement notices for statutory nuisance under relevant legislation • Keep housing conditions under review and identify any action required under relevant housing legislation, including serving notices • Carry out all functions, including notices, in relation to smoke & carbon monoxide alarms • Carry out all functions in relation to prohibition orders, remedial action and improvement notices • Carry out all duties in relation to empty dwellings and management orders • Serve overcrowding notices • Demand recovery of expenses incurred by local authority for service of housing notices and other action • Require documents to be produced in accordance with legislation • Carry out all duties in relation to demolition orders and closing orders, except those reserved for Council • Carry out all duties in relation to Houses in Multiple Occupation, including mandatory licensing • Determine applications for all types of housing financial assistance in accordance with the financial procedure rules in accordance with the housing renewal policy, including revisions to the amount of grant approved is the actual cost is less than the approved estimate and all types of 	<p>food storage accommodation and ruinous and dilapidated buildings under relevant legislation</p> <ul style="list-style-type: none"> • Serve abatement notices for statutory nuisance under relevant legislation • Keep housing conditions under review and identify any action required under relevant housing legislation, including serving notices • Carry out all functions, including notices, in relation to smoke & carbon monoxide alarms • Carry out all functions in relation to prohibition orders, remedial action and improvement notices • Carry out all duties in relation to empty dwellings and management orders • Serve overcrowding notices • Demand recovery of expenses incurred by local authority for service of housing notices and other action • Require documents to be produced in accordance with legislation • Carry out all duties in relation to demolition orders and closing orders in accordance with the financial procedure rules, except those reserved for Council • Carry out all duties in relation to Houses in Multiple Occupation, including mandatory licensing • Determine applications for all types of housing financial assistance in accordance with the financial procedure rules in accordance with the housing renewal policy, including revisions to the amount of grant approved if the actual cost is less

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		<p>financial assistance which include the provision of dwellings by conversion or a reduction in the number of dwellings</p> <ul style="list-style-type: none"> • Oversee all functions in relation to energy efficiency in private dwellings • Carry out all actions in relation to redress schemes for lettings agency work and property management work • Take action in relation to mobile homes • Serve notices to protect buildings not adequately secured • Taking action under the Protection from Eviction Act 1977. <p>Housing assets and support</p> <ul style="list-style-type: none"> • Operate a warden scheme and central control • Encourage tenant participation in the housing service • Arrange for and provide valuations to the Legal Services Manager in respect of Right to Buy applications • Determine right to buy applications • Manage tenancies in accordance with council policy and relevant legislation. 	<p>than the approved estimate and all types of financial assistance which include the provision of dwellings by conversion or a reduction in the number of dwellings</p> <ul style="list-style-type: none"> • Oversee all functions in relation to energy efficiency in private dwellings • Carry out all actions in relation to redress schemes for lettings agency work and property management work • Take action in relation to mobile homes • Serve notices to protect buildings not adequately secured • Taking action under the Protection from Eviction Act 1977. <p>Housing assets and support</p> <ul style="list-style-type: none"> • Operate a warden scheme and central control • Arrange for and provide valuations to the Legal Services Manager in respect of right to buy applications • Determine right to buy applications • Lead the housing service to ensure compliance with fire safety requirements • Manage tenancies in accordance with council policy and relevant legislation. <p>Reason: reordering of functions and addition of compliance with fire safety requirements.</p>

2f	13	<p>Community Safety & Performance Manager</p> <p>The Community Safety & Performance Manager has delegated authority to:</p> <ul style="list-style-type: none"> • Support, in partnership, a domestic violence refuge • Exercise any function in relation to crime and disorder and anti-social behaviour in accordance with relevant legislation. 	<p>Community Safety & Safeguarding Manager</p> <p>The Community Safety & Safeguarding Manager has delegated authority to:</p> <ul style="list-style-type: none"> • Support, in partnership, a domestic abuse refuge • Exercise any function in relation to crime and disorder and anti-social behaviour in accordance with relevant legislation • Coordinate the involvement of young people in decision making • Exercise functions as designated safeguarding lead for the authority in accordance with relevant legislation • Exercise functions as designated lead officer for Prevent – preventing people from being drawn into extremism of any kind, in accordance with statutory legislation • Oversee the development and delivery of the voluntary & community sector (VCS) support arrangements for the borough via the VCS Partnership • Oversee the development and delivery of the annual SLA with Citizens Advice • Exercise functions in relation to the serious violence duty. <p>Reason: update to reflect role and reassignment of duties from Strategy & Community Planning Manager</p>
2f	14.1	<p>The Cultural Services Manager has delegated authority to:</p> <ul style="list-style-type: none"> • Coordinate the involvement of young people in decision making • Manage and sustain the Hinckley markets • Manage and deliver the CCTV operations 	<p>The Cultural Services Manager has delegated authority to:</p> <ul style="list-style-type: none"> • Strategically and operationally support the development of Hinckley town centre • Manage and sustain the Hinckley markets

		<ul style="list-style-type: none"> • Support rural town centres in their development • Work alongside the leisure centre operation to ensure high quality provision • Support the provision of sports facilities with the aim to increase participation • Support the creative arts sector • Work with third parties to undertake a programme of general tourism destination marketing to support the local tourism sector and to work with them to promote product quality and co-ordinate marketing • Provide access to information to incoming visitors and local citizens • Provide street furniture and bus shelters • Work with partner organisations to improve the health of all people in the borough • Implement a GP referral scheme • Improve access to services which can contribute to health. 	<ul style="list-style-type: none"> • Manage and deliver the council's CCTV operations • Support rural town centres in their development • Work alongside the Hinckley leisure centre operator to ensure high quality provision and to oversee the fulfilment of the contractual arrangements • Support the provision, including securing external funding to enhance sports and leisure facilities with the aim to increase participation • Support the creative arts sector • Work with tourism sector colleagues to ensure the destination is promoted and marketed to visitors and residents • Provide access to information to incoming visitors and local citizens • Work with partner organisations to improve the health and wellbeing of all people in the borough, where possible via preventative interventions • Coordinate the involvement of key stakeholders in shaping development and delivery of services. • Oversee the development and delivery of the borough's rural strategy, including the coordination and delivery of parish forum meetings and the annual rural conference • Act as a first point of contact for parish councils and provide support to the lead member for rural affairs <p>Reason: update to reflect role and reassignment of duties from the Strategic & Community Planning Manager</p>
2f	15.1	Strategic & Community Planning Manager	Delete reference here and throughout Reason: Deletion of post

2f	19	Human Resources & Transformation Manager New delegation	Addition to delegated duties: <ul style="list-style-type: none"> Act as Deputy Electoral Registration Officer Reason: Capacity and resilience
3b	12.2	Notice of questions by the public A question may only be asked if notice has been given by delivering it in writing or by email to the Democratic Services Officer no later than midday five working days before the day of the meeting.	Notice of questions by the public A question may only be asked if notice has been given by delivering it in writing or by email to the Democratic Services Manager no later than 5pm five clear working days before the day of the meeting. Reason: consistency with other questions / motions deadlines (see amendments to paragraphs 14.3 and 17.1 of part 3b below)
3b	14.3	Questions by members Notice of questions A member may only ask a question if either <ul style="list-style-type: none"> Notice has been given by delivery it in writing or by email to the Democratic Services Officer no later than midday five clear working days before the day of the meeting. 	Questions by members Notice of questions A member may only ask a question if either <ul style="list-style-type: none"> Notice has been given by delivering it in writing or by email to the Democratic Services Manager no later than 5pm five clear working days before the day of the meeting. Reason: Request of working group.
3b	17.1	Motions on notice Except for motions which can be moved without notice in accordance with the relevant procedure rule, written notice of every motion or other item of business raised by a member must be delivered to the Democratic Services Officer no later than 12pm seven clear working days before the date of the meeting.	Motions on notice Except for motions which can be moved without notice in accordance with the relevant procedure rule, written notice of every motion or other item of business raised by a member must be delivered to the Democratic Services Manager in writing or by email no later than 5pm seven clear working days before the date of the meeting.

			Reason: Request of working group.
3c	1.1	<p>Seating arrangements at Planning Committee</p> <p>Members of the committee will sit in their allocated seats, with members in attendance who are not on the Planning Committee sitting at the outer circle of desks.</p>	<p>Members of the committee will sit in their allocated seats, with members in attendance who are not members of the Planning Committee visibly separate.</p> <p>Reason: To take account of post-covid seating plan.</p>
3c	2.14	New paragraph	<p>2.14 If a decision on an application is deferred, there will be no opportunity for members of the public, parish or county councillors to speak unless the application is considered by the Head of Planning in consultation with the chair to have been the subject of subsequent, significant amendment.</p> <p>Reason: To avoid repetition and focus decision making.</p>
3h	2.8	<p>Revenue budgets – variations</p> <p>Variations up to £1,000:</p> <ul style="list-style-type: none"> • Directors can approve virements and supplementary budgets on codes relating to their own directorate to a maximum annual aggregate of £20,000 (virements between the general fund and the HRA are not allowed). <p>Variations up to £10,000:</p> <ul style="list-style-type: none"> • S151 Officer can approve virements to a maximum of £200,000 per year in aggregate • Directors, in consultation with the S151 Officer, can approve virements across their individual 	<p>Revenue budgets – variations</p> <p>Variations up to £1,000:</p> <ul style="list-style-type: none"> • Directors can approve virements and supplementary budgets on codes relating to their own directorate to a maximum annual aggregate of £40,000 (virements between the general fund and the HRA are not allowed). <p>Variations up to £10,000:</p> <ul style="list-style-type: none"> • S151 Officer can approve virements to a maximum of £300,000 per year in aggregate

		<p>directorate budget heads within the same fund to a maximum of £100,000 per year in aggregate</p> <ul style="list-style-type: none"> • S151 Officer can approve supplementary budget requests to a maximum of £200,000 per year in aggregate. 	<ul style="list-style-type: none"> • Directors, in consultation with the S151 Officer, can approve virements across their individual directorate budget heads within the same fund to a maximum of £200,000 per year in aggregate <p>S151 Officer can approve supplementary budget requests to a maximum of £400,000 per year in aggregate.</p> <p>Reason: the limits not having been increased for many years, this is now necessary in line with inflation</p>
3h	8.5	<p>Supplementary and virement approval</p> <p>Overspend up to £25,000 on a capital project:</p> <ul style="list-style-type: none"> • The Chief Executive or S151 Officer will be authorised to vire across budget heads up to a maximum of £250,000 per year in aggregate, with a limit per individual virement of £25,000. All such proposals must be reported to the accountancy section • The Chief Executive, in consultation with the S151 Officer, is authorised to approve supplementary estimates up to a maximum of £250,000 per year in aggregate, with a limit per individual supplementary estimate of £25,000. <p>Overspend between £25,001 and £50,000 on a capital project:</p> <ul style="list-style-type: none"> • Executive will be authorised to vire across budget heads up to a maximum of £500,000 per year in aggregate, with a limit per individual virement of £50,000 	<p>Supplementary and virement approval</p> <p>Overspend up to £50,000 on a capital project:</p> <ul style="list-style-type: none"> • The Chief Executive or S151 Officer will be authorised to vire across budget heads up to a maximum of £500,000 per year in aggregate, with a limit per individual virement of £50,000. All such proposals must be reported to the accountancy section • The Chief Executive, in consultation with the S151 Officer, is authorised to approve supplementary estimates up to a maximum of £500,000 per year in aggregate, with a limit per individual supplementary estimate of £50,000. <p>Overspend between £50,001 and £100,000 on a capital project:</p> <ul style="list-style-type: none"> • Executive will be authorised to vire across budget heads up to a maximum of £500,000 per year in aggregate, with a limit per individual virement of £50,000

		<ul style="list-style-type: none"> Executive will be authorised to approve an individual supplementary estimate of £50,000 up to a maximum of £500,000 per annum in aggregate <p>Overspend greater than £50,000 on a capital project</p> <ul style="list-style-type: none"> Council will be authorised to approve a virement across budget heads above £50,000 per individual virement Council will be authorised to approve an individual supplementary estimate above £50,000. 	<ul style="list-style-type: none"> Executive will be authorised to approve an individual supplementary estimate of £100,000 up to a maximum of £500,000 per annum in aggregate <p>Overspend greater than £50,000 on a capital project</p> <ul style="list-style-type: none"> Council will be authorised to approve a virement across budget heads above £100,000 per individual virement Council will be authorised to approve an individual supplementary estimate above £100,000. <p>Reason: the limits not having been increased for many years, this is now necessary in line with inflation</p>
4f	2	In deciding whether it is proper to accept any gift or hospitality, you should apply the following principles.	In deciding whether it is proper to accept any gift or hospitality, you should apply the following principles and comply with the code of conduct. Reason: To ensure consistency and cross-referencing with the code of conduct.
4f	4.1	Where you accept any gift or hospitality... which you estimate to have a market value or cost of provision of £25 or greater...	Where you accept any gift or hospitality... which you estimate to have a market value or cost of provision of £50 or greater... Reason: To ensure consistency with the code of conduct
4f	4.2	Even if the value of the gift or hospitality is less than £25...	Even if the value of the gift or hospitality is less than £50... Reason: To ensure consistency with the code of conduct
4h	2	Additions to list of politically restricted posts	Electoral Services Manager Senior Electoral Services Officer

			Electoral Services Officer Democratic Services Officer. Reason: updated structure
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