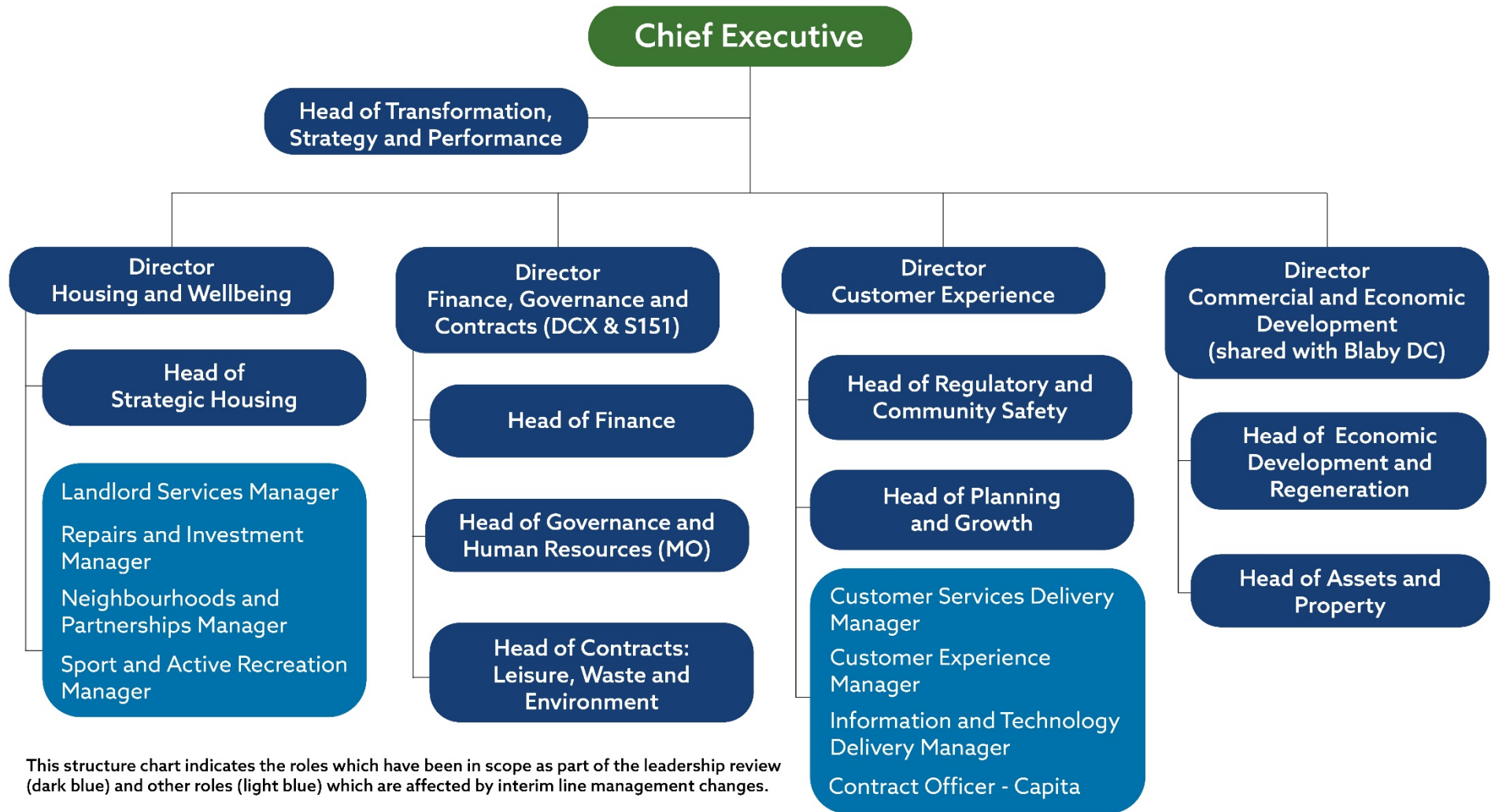


## Appendix 1 – Proposed structure



## Appendix 2 - Direct reports and corporate areas of responsibility for each Directorate

<b>Director of Housing and Wellbeing</b>			
<b>Head of Strategic Housing</b> <ul style="list-style-type: none"> <li>Housing Needs</li> <li>Housing Strategy and Support</li> <li>Private Sector Housing</li> <li>Resettlement Services</li> </ul>	<b>Landlord Services Manager</b> <ul style="list-style-type: none"> <li>Tenancy and income</li> <li>Customer Engagement</li> <li>Business Support</li> <li>Rent accounting and Leaseholders</li> </ul>	<b>Repairs &amp; Investment Manager</b> <ul style="list-style-type: none"> <li>H&amp;S</li> <li>Officer Repairs and Maintenance</li> <li>Investments and Delivery</li> <li>Compliance</li> </ul>	<ul style="list-style-type: none"> <li><b>Neighbourhoods and Partnerships Manager</b></li> <li><b>Sport and Active Recreation Manager</b></li> </ul>
<b>Director of Finance, Governance and Contracts</b>			
<b>Head of Finance</b> <ul style="list-style-type: none"> <li>Corporate and Project Accountant</li> <li>Group accountants</li> <li>Payroll</li> <li>Income</li> <li>Payments</li> </ul>	<b>Head of Governance and Human Resources</b> <ul style="list-style-type: none"> <li>Democratic Services</li> <li>Legal Services</li> <li>Elections &amp; Land Charges</li> <li>Emergency Planning</li> <li>HR</li> <li>H&amp;S</li> <li>Audit</li> </ul>		<b>Head of Contracts, Leisure, Waste and Environment</b> <ul style="list-style-type: none"> <li>Contracts</li> <li>Performance, Policy, and Development</li> <li>Leisure Contract, Town Hall and Museum</li> </ul>
<b>Director of Commercial and Economic Development</b>			
<b>Head of Economic Development and Regeneration</b> <ul style="list-style-type: none"> <li>Regeneration and Economic Development</li> <li>Town Deal</li> <li>Markets Fair and Town Centre Operations</li> <li>Business Support</li> </ul>	<b>Head of Assets and Property</b> <ul style="list-style-type: none"> <li>Corporate Landlord</li> <li>Asset Management</li> <li>Facilities including cleaning</li> <li>Business Centres</li> </ul>	<i>Corporate responsibility for:</i> <ul style="list-style-type: none"> <li>Climate change &amp; carbon neutral</li> <li>Capital project oversight</li> <li>Procurement</li> <li>Commercial Support to Blaby District Council</li> </ul>	
<b>Director of Customer Experience</b>			
<b>Head of Planning and Growth,</b> <ul style="list-style-type: none"> <li>Planning Policy and Place making</li> <li>Development Management</li> <li>Building Control</li> <li>Strategic planning, infrastructure</li> </ul>	<ul style="list-style-type: none"> <li><b>Customer Services Delivery Manager</b></li> <li><b>Customer Experience Manager</b></li> </ul>	<b>Head of Regulatory and Community Safety</b> <ul style="list-style-type: none"> <li>Food Safety</li> <li>Licensing</li> <li>Enviro Crime and Dog Control</li> <li>Env' Protection</li> <li>Car Parks and Civil Enforcement</li> <li>Community Safety</li> <li>Children's, Families &amp; Partnerships Manager</li> </ul>	<ul style="list-style-type: none"> <li><b>Information and Technology Delivery Manager</b></li> <li><b>Capita Contract Officer</b></li> </ul>
<b>HO Transformation, Strategy and Performance</b>			
<b>Communications Manager</b>	<b>Learning and Organisational Development Officer</b>	<i>Corporate responsibility for:</i> <ul style="list-style-type: none"> <li>Organisational Change</li> <li>Programmes and projects, including the SWaP programme</li> </ul>	

## **Appendix 3 - Updated Scheme of Officer Delegations for Council Functions'**

### **8.2 Delegation of Council functions**

#### **Delegation to the Chief Executive, Directors and Heads of Service**

1. To take such action as is required in the case of an emergency or urgency subject to:
  - (i) consultation with the Mayor, the Chair of the relevant committee, or, in the Chair's absence, the Vice-Chair.
  - (ii) consultation with the Chief Executive and relevant Directors in each case; and
  - (iii) a report on the action taken being made to the next meeting of the Council or relevant committee, as appropriate.
2. Following consultation with the Council's Human Resources team and subject to the decision complying with the Council's existing policies:
  - (i) to approve the payment of honoraria and acting up allowances in accordance with the Council's policy.
  - (ii) to approve payment of one accelerated increment on the grounds of special merit or ability, for employees within their existing grades.
  - (iii) to enter into apprenticeship agreements.
  - (iv) to authorise the extension of sick pay beyond normal entitlements.
  - (v) to approve essential and casual car allowances for individual posts where it is agreed that the post warrants such an allowance.
  - (vi) to approve post entry training of up to £5,000 per individual employee per financial year.
  - (vii) to make temporary appointments to be held against existing permanent posts or within the overall budget.
  - (viii) to change the grading of posts as a result of job evaluation, following consultation with the recognised trades unions.
  - (ix) to approve the extension of probationary periods.
  - (x) subject to the Officer Employment Procedure Rules and to any right of appeal which may be applicable, to undertake staff management, disciplinary and capability matters including dismissal within their Directorate or Service Area.

Note: in the first instance these functions will be exercised by the Head of Service with matters being determined by Chief Officers in relation to people reporting directly to them or in specific circumstances which make this appropriate or necessary.
3. To settle compensation payments in accordance with the Council's complaints procedure.
4. To negotiate and settle disputes without recourse to court proceedings including negotiating and agreeing terms through alternative dispute resolution.
5. To sign contracts up to a value of £50,000 entered into on behalf of the Council in the course of the discharge of a Council function.

## **Delegation to Heads of Service**

1. To undertake the periodic review of fees and charges raised within his or her service area and falling within the scope of the Council's Income and Charging Policy Framework.
2. To exercise statutory powers of entry.
3. To issue or serve any notice, warrant or direction for the purpose of enforcing any Council function or non-executive function.
4. To respond to consultation documents in relation to those Council functions for which he or she has responsibility, in consultation with the relevant Lead Member.

## **Delegation to the Head of Paid Service**

1. To exercise the functions of the Council's head of paid service under Section 4 of the Local Government and Housing Act 1989 and in this role:
  - to exercise overall responsibility for corporate management and operational issues (including overall management responsibility for all staff);
  - to give professional advice to all parties in the decision-making process (the Cabinet, scrutiny bodies, the Council and other committees);
  - together with the Head of Governance and Human Resources, to be responsible for a system of record keeping for all the Council's decisions.
2. Subject to the Officer Employment Procedure Rules and to any right of appeal which may be applicable, to undertake staff management, disciplinary and capability matters and dismissal, including the application of staffing related policies, the exercise of discretion in the application of those policies and the settlement of employee claims against the Council, except insurance claims.
3. To suspend non-statutory chief officers and deputy chief officers where their continued presence at work may prejudice an investigation or where there is a prima facie case of gross misconduct. The members of the Cabinet are to be notified as soon as possible after the action is taken in accordance with the Officer Employment Procedure Rules set out in Part 4 of this Constitution.
4. To determine cases of early retirement due to ill health
5. To appoint to posts below the level of chief officer.
6. To agree changes to the establishment, within budget and without major operational disruption or interruption of services or involving a change from direct to indirect provision or vice-versa or other policy implications.
7. In the exercise of 1. to 6. above, to authorise expenditure to be met from the Reinvestment Reserve for the purposes of meeting any redundancy or salary protection costs that might arise.
8. To make JNC salary progression awards.
9. To authorise urgent expenditure.
10. To deal with emergency issues or those that are urgent, including authority to make temporary changes to management arrangements for a period of up to three months, and generally to give effect to anything that is required to be done in those circumstances that are not otherwise provided for in the delegation arrangements.
11. To reject any application for the early payment of a pension on the grounds of compassion which does not meet the agreed criteria.

12. To act as Returning Officer, Acting Returning Officer or Deputy Returning Officer at:
  - (i) Local elections;
  - (ii) Police and Crime Commissioner Elections; and
  - (iii) Parliamentary elections.
13. To undertake other election duties not reserved by the Council.
14. To undertake the duties of Electoral Registration Officer.
15. To make local settlements in cases of maladministration.
16. To make agreements with other local authorities for the placing of staff at the disposal of those authorities.

### **Delegation to the Director of Finance, Governance and Contracts**

1. To exercise all the functions of the Council's Chief Financial Officer and Responsible Financial Officer, including proper administration of the Council's financial affairs under section 151 of the Local Government Act 1972, section 114 of the Local Government Finance Act 1988, the Accounts and Audit Regulations 2003 and the Audit Commission Act 1998.
2. To update and ensure compliance with the Council's Financial Procedure Rules.
3. To calculate and set the National Non-Domestic Rate and Council Tax Bases.

### **Delegation to the Director of Customer Experience**

- I. To determine which administrative area properties, fall into where electoral boundaries cross through the curtilage of a property.

### **Delegation to the Director of Commercial and Economic Development**

1. To update and ensure compliance with the Council's Contracts Procedure Rules.

### **Delegation to the Head of Contracts, Leisure, Waste and Environment**

#### Pavement Licences

1. To determine fees up to the Statutory Maximum
2. To determine applications for a Pavement Licence
3. To determine to vary a Pavement Licence
4. To determine to serve a Notice
5. To determine to revoke a Pavement Licence
6. To determine to apply or vary conditions of a Pavement Licence
7. To determine request for review in relation to any aspect
8. To take enforcement or other action to exercise powers under the Business and Planning Act.

### **Delegation to the Head of Planning and Growth**

#### Development Control

1. To determine all planning applications and applications for advertisement consent, listed building consent, conservation area consent and consent to carry out works to protected trees, except where:

- (i) the application is contrary to the provisions of the Development Plan and is recommended for permission;
  - (ii) in the opinion of the Head of Planning and Growth, the application is controversial or likely to be of significant public interest or would have a significant impact on the environment;
  - (iii) the application is submitted by or on behalf of the Council for its own development, except for the approval of development which in the opinion of the Head of Planning and Growth is not of major impact and to which no objections have been received;
  - (iv) the ward councillor(s) have made a valid request that the application should be referred to the Plans Committee for determination in accordance with the call-in procedure set out in section 12.12 of the Constitution<sup>1</sup>;
  - (v) the application is submitted by a serving member of the Council, or a serving officer.
  - (vi) an application is received to remove or vary a planning condition or to vary a s106 legal agreement and the planning permission for the development was granted by the Plans Committee except in cases where, following consultation with the Chair and Vice Chair of the Plans Committee and relevant ward councillors, the Head of Planning and Growth is of the opinion that the variation is minor in nature.
2. Subject to the provisions of 1(vi) above, to agree non-material amendments and minor material amendments to planning permissions where no demonstrable harm would be caused to an interest of acknowledged importance.
  3. To respond to requests for information from the Planning Inspectorate following notification of the start of an appeal against non-determination where an application would normally be reported to Plans Committee but there is insufficient time to do so. In such circumstances, in consultation with the Chair and Vice Chair of Plans Committee, to provide the local planning authority's view as to how it would have determined the planning application had it had the opportunity to do so.
  4. To determine applications for certificates of lawfulness for proposed or existing uses or development.
  5. To approve details submitted in compliance with conditions and planning obligations on planning permissions.
  6. Rights of entry:
    - (i) to initiate a proposal under Sections 196A and 324 of the Town and Country Planning Act 1990 (rights of entry);
    - (ii) to appoint officers to enter premises for the purpose of inspection in connection with (i) above;
    - (iii) to serve notices of intention to enter premises for the purpose of inspection in accordance with Sections 196A and 325 of the 1990 Act;
    - (iv) to apply for warrants authorising entry under Section 196B of the 1990 Act.
  7. To finally dispose of a planning application and remove them from the planning register under Article 40(3) and (13) the Town and Country Planning (Development Management Procedure) (England) Order 2015.
  8. To serve requisitions for information under Section 330 of the Town and Country Planning Act 1990.

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<sup>1</sup> Applications received on or before 30th June 2016 will follow the previous ward referral procedure.

9. To serve planning contravention notices under Section 171C of the Town and Country Planning Act 1990.
10. To serve breach of condition notices.
11. To take formal enforcement action in relation to cases of unauthorised development not covered by other specific delegated authority except where the details of an intended delegated decision on any recommendation to take enforcement action have been circulated to the ward councillor(s) concerned (or in the case of single-member wards, to another councillor nominated by the ward councillor) and by 5 pm on the second working day following the details being circulated, a councillor who has been consulted has advised the Head of Planning and Growth, via e-mail or in writing and giving relevant planning reason(s), that the matter should be referred to the Plans Committee for determination.
12. Subject to prior consultation with the appropriate ward councillor(s) (or in the case of single-member wards, with another councillor nominated by the ward councillor), to determine cases where it is not considered expedient to take formal enforcement action in relation to cases of unauthorised development where such development is in accordance with planning policies or standards, does not result in a significant loss of amenity to local residents and does not have a significant impact on the character and appearance of the area.
13. To take action under Section 224 of the Town and Country Planning Act 1990 and the Town and Country (Control of Advertisement) Regulations in respect of unauthorised advertisements.
14. To remove or obliterate posters under Section 225 of the Town and Country Planning Act 1990.
15. To determine whether an Environmental Impact Assessment is required to accompany a planning application, and the matters to be covered in the assessment.
16. To respond to notifications and applications for determinations under the Town and Country Planning (General Permitted Development) Order 2015 (as amended) and any subsequent revisions to the Order.
17. To serve notices under section 215 of the Town and Country Planning Act 1990 requiring the proper maintenance of land.
18. To respond to consultations by or on behalf of government departments, electricity undertakings and other local authorities about development proposals.
19. To make representations in respect of proposals for the installation of Cable TV apparatus in conservation areas or in the proximity of listed buildings and responding to any subsequent consultation by the Secretary of State for Trade and Industry.
- 20.. To impose conditions relating to the installation of Cable TV apparatus and opposing the installation of flown lines or poles in areas of the Borough not covered in 19. above.
21. To negotiate the heads of terms of section 106 agreements.
22. To decline to determine planning applications under section 70(a) of the Town and Country Planning Act 1990.
23. To submit an order to the Secretary of State for revocation of a Hazardous Substances Consent in circumstances where there are no objections from the Health & Safety Executive or site operator.
24. To serve completion notices under section 94 of the Town and Country Planning Act 1990.

25. To serve orders under section 102 of the Town and Country Planning Act 1990 requiring the discontinuance of a use of land.
26. To serve building preservation notices under section 3 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in consultation with the Chair of the Plans Committee.
27. To serve repairs notices on listed buildings under section 48 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
28. To execute urgent works under section 54 and determine the extent of urgent works under section 9(3) of the Planning (Listed Buildings and buildings in Conservation Areas) Act 1990.
29. To determine, in areas where no Town/Parish Council or Meeting exists, whether a community group is properly constituted, and a representative of that group is therefore able to address the Plans Committee in accordance with the Plans Committee Procedures and to establish criteria for that determination.
30. To determine applications for the discharge of planning conditions.

#### Conservation and Trees

31. To make, confirm where there are no objections, and revoke tree preservation orders in consultation with the Chair of the Plans Committee and relevant Ward Councillors.
32. To issue Article 5 certificates for protected trees.
33. To serve hedgerow retention and hedgerow replacement notices in consultation with the Chair of the Plans Committee.
33. To respond to notices of intention to carry out works to trees in conservation areas.

#### High Hedges

34. To determine complaints received under the provisions of the High Hedges Regulations 2005, specify remedial action required to resolve complaints received under the High Hedges Regulations 2005, specify remedial action to resolve the complaints in accordance with the national guidance and initiate enforcement action as necessary, except where the high hedge complaint relates to:
  - (i) the Council's own land;
  - (ii) land is occupied by a councillor or Council employee; or
  - (iii) where the complainant is a councillor or Council employee.

[Note: The above-mentioned exceptions will determined by the Plans Committee]

#### Footpaths

35. To make and, where no objections are received, confirm footpath diversion orders.

#### Other

36. To make amendments to the Climate Change Strategy in response to future legislative changes or changes at local or regional level in consultation with the relevant Lead Member.



## Delegation to the Head of Regulatory and Community Safety

### Environmental Health

1. To exercise powers generally under Environmental Protection, Public Protection, Food Hygiene and Food Safety, Health and Safety, Animal Welfare, Pest Control and Dog Control legislation, as amended from time to time, and in particular relating to: -
  - a. Statutory nuisances.
  - b. Air quality, water quality (recreational and drinking) and pollution control.
  - c. Prevention and control of notifiable infectious diseases.
  - d. Food safety and hygiene control
  - e. Noise control.
  - f. Contaminated land.
  - g. Stray dogs, dangerous dogs, and dog fouling.
  - h. The control of vermin and other pests.
  - i. Health Education and development.
  - j. The health safety and welfare of animals.
  - k. Health, safety, and welfare of people at work, at home or in pursuit of leisure.
  - l. Public health and infectious disease control
2. To make decisions on applications for, and renewal, variation, or transfer of, licences, registrations, permits, authorisations, approvals, certificates, or designation orders in respect of:
  - a. Premises for sale, storage, preparation, or manufacture of food.
  - b. Food export certificates and deferred port health inspection of imported foods
  - c. Offices and shops.
  - d. Animal welfare
  - e. Dangerous wild animals and guard dogs.
  - f. Designation orders for dog control.
  - g. Skin piercing, electrolysis, tattooing and acupuncture activities.
  - h. Chimney heights and furnaces.
  - i. Processes prescribed under the Pollution Prevention & Control Act.
  - j. Loudspeakers in the street.
  - k. Consent for noisy work on construction sites.
  - l. Persons with infectious diseases
3. To serve notices and authorise officers to issue fixed penalty notices, in pursuance of any statutory provisions relating to:
  - a. The maintenance repair and/or cleansing of defective, stopped up, leaking or overflowing drainage systems, water closets or soil pipes.
  - b. Filthy or verminous premises, articles or persons.
  - c. Nuisances, drainage of premises and water supplies.
  - d. Control of noise, air, and other forms of pollution.
  - e. Offences relating to burning of certain crop residues.
  - f. Food safety and food hygiene, shopping hours and trading.
  - g. Works relating to unoccupied buildings under Sections 29-32 of the Local Government (Miscellaneous Provisions) Act 1982.
  - h. Closing Orders in respect of take-away food shops.
  - i. Section 76 of the Building Act 1984 (defective premises).
  - j. Noise nuisance from domestic premises, vehicles, machinery or equipment in the street.

- k. Pest Control.
  - l. Dog Control.
  - m. Contaminated land.
  - n. Hazards in private sector properties.
  - o. Water quality.
  - p. Infectious diseases.
  - q. Health, safety and welfare of people at work, at home or in pursuit of leisure.
4. To take action to enforce the smoke-free requirements for premises and vehicles under the Health Act 2006.
  5. To engage the services of authorised veterinary practitioners to provide advice and other assistance in respect of the Council's statutory functions relating to animals.
  6. To make decisions and to enter into agreements under the relevant regulations for the purpose of enforcing controls for working with asbestos.
  7. To agree transfers of enforcement responsibilities under the Health and Safety (Enforcing Authority) Regulations 1989, as amended from time to time.
  8. To authorise any appropriate officers to act in matters arising under Food Safety legislation including: -
    - a. The power to enter any business premises in Great Britain in order to investigate offences occurring within the District Council's area.
    - b. The powers conferred for the purposes of entry, inspection, sampling, detention and destruction by Environmental Health Technical Officers.
    - c. To authorise a Veterinary Surgeon or such other person as considered appropriate to enter any other premises in Great Britain in order to investigate offences occurring within the District Council's areas.
  9. To approve premises for the purposes of production and/or processing of food as required by Food Safety legislation.
  10. To authorise Environmental Health Officers and Technicians who have received adequate training to enforce Part III of the Food and Environmental Protection Act 1985 and the Control of Pesticides Regulations 1986.
  11. To appoint inspectors under section 19 of the Health and Safety at Work etc. Act 1974 and other related Health and Safety legislation.
  12. To make appropriately qualified staff available to Leicestershire Local Authorities, Rutland County Council and the Health and Safety Executive under the terms of the Memorandum of Understanding for the Flexible Warrant Scheme.
  13. To appoint and authorise such persons as is considered necessary not being Council employees, to enter premises within the administrative area of the District Council for the purpose of assisting in the carrying into effect any of the relevant statutory provisions within Health and Safety legislation.
  14. To appoint, as and when necessary and in conjunction with the Proper Officer for infectious and communicable diseases, a clinician for the purposes of Section 35 of the Public Health (Control of Disease) Act 1984 and to authorise the removal of persons for treatment under the Act.
  15. To appoint alternate proper officers where specified or referred to in the Public Health (Control of Diseases) Act 1984, including any subordinate regulations or orders, and in respect of the National Assistance Act 1948 (as amended).

## Licensing

16. To issue or refuse any licences relating to the operation or driving of hackney carriages and private hire vehicles under the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976.
17. To suspend, renew or revoke any licences relating to the operation or driving of hackney carriages and private hire vehicles under the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976.
18. To determine whether qualifications meet the educational requirements for Hackney Carriage and Private Hire drivers.
19. To determine applications for charitable collections.
20. Subject to the provisions of the Council's Licensing Policy, to administer or determine the following in respect of the Council's role as Licensing Authority under the Licensing Act 2003:
  - (i) application for a personal licence where there are no relevant unspent convictions and where no relevant representation has been made;
  - (ii) application for a premises licence or club premises certificate where no relevant representation has been made;
  - (iii) application for a provisional statement where no relevant representation has been made;
  - (iv) application for variation to a premises licence or club premises certificate where no relevant representation has been made;
  - (v) application to vary a designated premises supervisor where no relevant representation has been made;
  - (vi) application for transfer of a premises licence where no relevant representation has been made;
  - (vii) application for interim authority where no relevant representation has been made;
  - (viii) a temporary event notice where there is no Police or Environmental Health objection and where no relevant representation has been agreed and conditioned;
  - (ix) application for minor variations to premises licences and club premises certificates under The Legislative Reform (Minor Variations to Premises Licences and Club Premises Certificates) Order 2009.
21. To take action in cases of a breach of licensing conditions.
22. To determine premises licence fees under section 212 of the Gambling Act 2005.
23. To determine an application for a premises licence under the Gambling Act 2005 where no relevant representations have been made.
24. To determine an application for the variation of a premises licence under the Gambling Act 2005 where no relevant representations have been made.
25. To determine an application for transfer of a premises licence where no representations have been made by the Gambling Commission.
26. To determine an application for a provisional statement under section 204 of the Gambling Act 2005 where no relevant representations have been made.
27. To determine an application for a club gaming permit or club machine permit under sections 271 and 273 of the Gambling Act 2005 where no relevant representations have been made.
28. To register small society lotteries under the Gambling Act 2005.
29. To renew sex establishment licences where no relevant representations have been made.

30. To make minor amendments and alterations, and amendments required to comply with changes to legislation and Government guidance, to the Hackney Carriage and Private Hire Licensing Policy, in consultation with the Chair of the Licensing Committee;
31. To authorise or reject applications regarding hypnotism, as a means of entertainment.

#### Pavement Licences

32. To determine fees up to the Statutory Maximum
33. To determine applications for a Pavement Licence
34. To determine to vary a Pavement Licence
35. To determine to serve a Notice
36. To determine to revoke a Pavement Licence
37. To determine to apply or vary conditions of a Pavement Licence
38. To determine request for review in relation to any aspect
39. To take enforcement or other action to exercise powers under the Business and Planning Act

#### Other

40. To grant consents and licences under the Highways Act 1980
41. To determine applications for street trading consent.

#### **Delegation to the Head of Strategic Housing**

1. To undertake all licensing activities under the Caravan Sites and Control of Development Act 1960 and the Mobile Homes Act 2013.
2. To undertake all licensing activities for moveable dwellings and camping sites under the Public Health Act 1936
3. To agree appropriate fee discounts for accredited sites and to amend the Park Homes Fees Policy accordingly, in consultation with the Chair of the Licensing Committee.
4. To serve notices and authorise officers to issue fixed penalty notices, in pursuance of any statutory provisions relating to:
  - a. The maintenance repair and/or cleansing of defective, stopped up, leaking or overflowing drainage systems, water closets or soil pipes.
  - b. Filthy or verminous premises, articles or persons.
  - c. Hazards in private rented properties
  - d. works relating to unoccupied buildings under Sections 29-32 of the Local Government (Miscellaneous Provisions) Act 1982
  - e. Section 76 of the Building Act 1984 (defective premises)

#### **Delegation to the Head of Governance and Human Resources**

##### Planning

1. To serve requisitions for information under Section 330 of the Town and Country Planning Act 1990.
2. Rights of entry:
  - (i) to initiate a proposal under Sections 196A and 324 of the Town and Country Planning Act 1990 (rights of entry);

- (ii) to appoint officers to enter premises for the purpose of inspection in connection with (i) above;
  - (iii) to serve notice of intention to enter premises for the purpose of inspection in accordance with Sections 196A and 325 of the 1990 Act;
  - (iv) to apply for warrants authorising entry under Section 196B of the 1990 Act.
3. To issue and serve enforcement notices (including an enforcement notice in relation to the demolition of an unlisted building in a conservation area) in cases of urgency and after notifying the Chair of the Plans Committee.
  4. To serve planning contravention notices under Section 171C of the Town and Country Planning Act 1990.
  5. To serve breach of condition notices.
  6. To determine applications for certificates of lawfulness for proposed or existing uses or development.
  7. To enter into and vary an agreement under Section 106 of the Town and Country Planning Act 1990.
  8. To take action, including legal proceedings where necessary, in order to remedy any breaches of the requirements of planning conditions, enforcement notices or any failure to comply with the obligations contained in an agreement under Section 106 of the Town and Country Planning Act 1990.
  9. To issue and serve a stop notice or temporary stop notice after notifying the Chair of the Plans Committee.
  10. To apply for an injunction restraining a breach of planning control.
  11. To apply for an injunction in relation to a listed building.
  12. To serve notices under section 215 of the Town and Country Planning Act 1990 requiring the proper maintenance of land.

#### Other

13. To institute, defend or settle any legal proceedings, including bankruptcy action, on behalf of the Council.
14. To take immediate legal action to enforce rights or obligations when he or she considers it to be in the interests of the area or its inhabitants so to do.
15. To issue formal cautions.
16. To negotiate and settle claims without recourse to court proceedings including the use of alternative dispute resolution.
17. To make minor changes to the constitution.
18. To appoint 'proper officers' for particular purposes.
19. To prepare and execute documents, including the affixing of the common seal, to give effect to a decision made by the Council or one of its committees or sub-committees or an officer in the exercise of delegated powers.
20. To make appointments to the Member Conduct Panel from members and reserve members of the Member Conduct Committee.
21. To consider and report on any report of the Local Government Ombudsman.
22. To co-ordinate and oversee the overview and scrutiny function.
23. To make appointments to the Licensing Sub-committee and Personnel Panels where necessary from among the members and reserve members of the parent committee.
24. To implement any adjustments in basic and special responsibility allowances once the relevant officers' pay awards are finalised, including updating the Scheme of Members' Allowances as required and back dating any such adjustments to the relevant effective dates.

25. To determine which administrative area properties, fall into where electoral boundaries cross through the curtilage of a property.

## **Appendix 4 – Requirements of the new leadership structure**

- Is cost efficient, providing value for money and delivers savings,
- Is customer focussed, supporting channel shift, digital opportunities, brings together more front-line interactions and the other agreed outcomes of the SWaP programme,
- Drives collaborative leadership along with greater opportunity for internal and external cross-working,
- Increases strategic focus, capability, and skill in priority areas,
- Supports our Councillors and partners to deliver their roles,
- Enables opportunities to continue to change our culture, be ambitious and work with other councils and partners to be “stronger together”,
- Is flexible and resilient enough to quickly adapt to changing circumstances and priorities,
- Ensures opportunity for development and succession planning,
- Groups services/interactions for the best customer outcome, consistency, best practice and removes duplication of effort across teams and silos,
- Enables empowerment and accountability at all levels, with operational queries being managed at the lowest level,
- Is committed to the Councils values and enables more opportunity for creative and innovative thinking,
- Work within our internal policies and procedures, supporting changes which enable us to deliver our very best, make savings and employ the best staff available,
- Provides clarity of role and consistency of approach within JNC across all our leadership roles,

### ***Our leadership will team need to:***

- share collective responsibility with the Chief Executive, Leader and Councillors to set a clear vision, ensuring all our services are aligned to deliver this,
- ensure the customer and community are placed at the centre of everything we do,
- take ownership and be accountable for driving and delivering the performance of our services,
- act as one, discussing and sharing thinking with each other, enabling us to provide consistent messaging, prioritisation, and confidence across all teams,
- take an entrepreneurial approach to thinking, focusing on delivering value for money to ensure cost effective delivery of services,
- have a transformative effect on ways of operating; challenging, using insight and data, and supporting others to do the same,
- make a difference; providing strong leadership, direction, and guidance, ensuring this is followed by all,
- be an authentic leader; coaching, inspiring and role modelling CBC’s values, and culture, to enable a climate of trust and mutual respect,
- work with partners and support others to work collaboratively internally and externally to help shape, explore new opportunities and deliver for the communities of CBC,
- create and develop high performing teams who learn, integrate, and create synergies and opportunities with others,

- support a way of working which enables people to have clear expectations and then deliver their best work, encouraging different working styles, whilst remaining unified in our values and behaviours,
- embrace digital, hybrid and outcome focussed working opportunities, coaching others to do the same,
- ensure all Council and statutory responsibilities as set out in relevant legislation, constitution, and CBC policies are followed by all staff.



## Appendix 5 – Equality Impact Assessment

### Equality Impact Assessment (EIA) Recording for Organisational Change

This Equality Impact Assessment is an improvement tool to assist with Organisational Change. It will assist you in ensuring that you have thought about the needs and impacts of staff in relation to the protected characteristics. It also enables a systematic approach to identifying and recording gaps and actions.

*Please note: This EIA template should only be used for organisational change purposes. A separate EIA template is available for assessing the equality impact upon policy/ procedure/ function/ service.*

#### Step 1- Introductory information

Title of Action Plan	Leadership redesign – <b>updated to version 5 on 21<sup>st</sup> June following the end of formal consultation and the final structure</b>
Department and Section	Corporate Leadership Team
Name of Officers and others undertaking this assessment	Rob Mitchell & Anna Cairns

#### Step 2 – Overview of Service/Team being assessed:

Department and Section subject to Organisational change	<b>Senior Leadership Team – tiers 2 &amp; 3 (who directly report into a Director)</b>			
	Tier 2	Director Community, Planning & Housing	Director Commercial Development, Asset & Leisure	Director Environmental and Corporate Services
	Tier 3	Head of Strategic & Private Sector Housing	Head of Leisure & Culture	Head of Customer Experience
		Head of Landlord Services	Strategic Asset Manager	Head of Strategic Support
		Head of Planning & Regeneration		Head of Financial Services
		Head of Regulatory Services		Head of Cleansing & Open Spaces
		Head of Neighbourhood Services		Improvement & Organisational Development Manager
No. of employees affected (i.e. number of employees who are being formally consulted)	<b>15</b>			

#### Step 3 – What we already know and where there are gaps in information:

What is the profile of the employee group likely to be affected? Please state %'s of employees within each group. To view workforce profile information about the Service or Council as a whole, please contact [Claire Richards](#) (Systems and Information Officer, Finance & Property).

(Note: Where there are less than 5 employees affected then it may not be possible / appropriate\* to report on this section).

<u>Age Profile</u>	<u>Disability</u> % disabled	<u>Race</u> % BME	<u>Religion or Belief</u> % from different faith groups	<u>Sex</u> % men % women	<u>Sexual Orientation</u> % LGB
60-64 = 7% 50-59 = 60% 40-49 = 33%	Disabled = 7% Not disable = 86% Not known = 7%	White British = 93% White – Other = 7%	Agnostic = 7% Atheist = 7% Christian orthodox = 13% Christian protestant = 13% Christian – Roman Catholic = 13% Other = 7% Prefer not to say = 27% Blank = 13%	Female = 47% Male = 53%	Heterosexual = 80% Blank = 13% Declined to specify = 7%

#### ■ Step 4 – Assessing the impact

What conclusions are you able to draw from the information collected above? Is a particular protected group likely to be disproportionately affected?

All current staff impacted by this review could be put at risk of redundancy, should the proposed structure be finalised through consultation and then approved. Due to the length of service and age of some of the group impacted, certain exit packages are substantial, and as voluntary redundancy is being offered as part of this process, it may be that these staff are more likely to want to exit CBC than move to a new role. There is a risk that the age equality group could be perceived to be more adversely impacted than others at this point.

The percentage of women is lower than men in the impacted group and therefore the impact to the percentages will be greater if women leave, than if men leave.

##### **9<sup>th</sup> May update:**

- All leaders were able to request voluntary redundancy.
- Two VR requests were received, both from female staff.
- Following the matching process to roles in the proposed new structure; two women and one man will be displaced, with the opportunity for a promotional role available for all those displaced.

##### **21st June update:**

- An additional VR request was received from a female staff member, resulting in three VR requests all by female members of staff. There were no other VR requests.
- This reduced the number of staff impacted; with one woman and one man displaced, they both have the opportunity for promotional roles

Outline any measures that could be taken to mitigate this change disproportionately affecting specific groups e.g. Amending the group affected, assistance with travel, changes to the work environment, flexible working opportunities.

The Chief Executive (CX) has discussed personal requests and situations with all those impacted ahead of designing the new structure. The CX has been very clear of his desire to try

and meet both personal and business needs. If this is not possible the CX has also stated moving to the new structure could be more of an evolution, than one major change.

**May 9<sup>th</sup> Update:**

- VR requests have been considered on their own merit and will where appropriate be going forward to full Council for approval.
- Promotional positions have been ringfenced to individuals who are displaced and have a partial match to the new role and to staff who have a partial match to the new role.
- External development support is being made available for all those who are displaced, this includes support for applying for the promotional roles.
- The interview panel for the Director positions (the promotional roles) will have an external/independent female on the panel.

**June 21<sup>st</sup> Update:** No further update to above

Will the proposed changes make it more difficult for employees from particular protected groups to comply with?

Is the work environment changing? Are new skills or qualifications required that employees from a particular protected group are less likely to have? If so, what can you do to mitigate this?

There is no protected group which would be more adversely impacted. However, CBC has a commitment to developing all its staff and this will continue to be offered regardless of age or other protected characteristic.

All leaders will require more generic leadership skills, as some roles may be combined meaning operational specialisms at the top leadership areas will no longer be required. Opportunities for all will be offered based on suitability for the role.

Does the selection process have the potential for some groups of employees to find it more difficult to comply with, and if so what adjustments are you able to make to the process?

*e.g. Have reasonable adjustments been considered for disabled applicants?*

*Is the language being used likely to be more difficult to some groups?*

*Is the timing of the any selection process likely to be difficult for some people?*

No, no groups will be impacted by selection.

If this change will result in a change to the way in which the service is to be delivered, then have you conducted a separate Equality Impact Assessment on the changes to the service? If not, then please explain why.

No, if an EIA for a particular service is required in the future, this will be completed at the time of producing the relevant structures.

Based on your answers to the questions above what equality impact do you consider that the restructure is likely to have?

<b>No Impact</b> <input type="checkbox"/>	<b>Positive Impact</b> <input type="checkbox"/>	<b>Neutral Impact</b> <input type="checkbox"/>	<b>Negative Impact / Impact Not Known</b> <input checked="" type="checkbox"/>
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What are the reasons for your decision?

Requests for voluntary redundancy are most likely to come from our older members of staff. However, all posts and selection to these will be available for all.

**Step 5 – Conclusion and sign-off**

<p><b>Approved by: Rob Mitchell</b></p>  <p>(Manager who is leading on the reorganisation)</p>
<p><b>Date: 24<sup>th</sup> March 2022 &amp; 10<sup>th</sup> May 2022 &amp; 21<sup>st</sup> June 2022</b></p>

**Once completed the manager should distribute a copy to the trade unions with the Action Plan at the start of the formal consultation process.**

\*If an employee(s) can be identified by this data, then it may not be appropriate to share the EIA with other employees. If this is the case managers should speak to the employee to consider how to manage this.