

**HERTFORDSHIRE COUNTY COUNCIL**

**COUNTY COUNCIL**

**TUESDAY, 22 MAY 2018 AT 10.00AM**

Agenda Item No.

**10**

**CONSTITUTION UPDATE – ANNEX 3**

*Report of the Chief Legal Officer*

Author: Kathryn Pettitt, Chief Legal Officer (Tel: 01992 555527)

Executive Member: David Williams, Leader of the Council

**1. Purpose of report**

- 1.1 To inform County Council of changes made to the County Council's Constitution by me as Chief Legal Officer under my delegated power in Section 12 of the Constitution.

**2. Summary and Background**

- 2.1 At its meeting on 27 March 2018 Council agreed amendments to the Constitution to include a revised senior officer structure to include a new post of Director of Environment and Infrastructure. Council also delegated certain non-executive functions to the Director of Environment and Infrastructure.
- 2.2 Section 7.4 of the Constitution provides that the Leader of the Council allocates responsibility for discharging executive functions. The Leader of the Council has now allocated executive functions to the post of Director of Environment and Infrastructure and made some consequential amendments to the executive functions allocated to the Chief Executive and the Director of Resources as set out in the Annex to this Report.
- 2.3 Using the power delegated to the Chief Legal Officer in Section 12 of the Constitution to make changes to the Constitution in order to reflect changes in the responsibility for Executive functions decided upon by the Leader, I have amended Annex 3 to the Constitution (Executive Functions – Scheme of Delegation to Officers) to record the allocation of Executive functions by the Leader of the Council as mentioned in paragraph 2.2 above.

**3. Recommendation**

- 3.1 That Council notes the changes made to the Council's Constitution by the Chief Legal Officer as set out in the report.

#### **4. Financial Implications**

4.1 None arising directly from this report.

#### *Background Information*

None

**To the Chief Executive**

- (a) In cases of urgency, after consultation with the Leader of the Council and the relevant Executive Member, to take any decision which could be taken by the Executive.
- (b) To manage the co-ordination of budget processes, including overall strategy, planning, and information
- (c) To incur expenditure in the event of a civil emergency.
- (d) To authorise, after consultation with the Leader of the Council, twinning arrangements.

**To the Director of Environment and Infrastructure\*\*\***

- (a) To lead the County Council's engagement and negotiations with Hertfordshire's 10 Local Planning Authorities on growth, development and associated infrastructure
- (b) To secure infrastructure for County Council services
- (c) The functions of the Executive in relation to:
  - planning and strategic planning
  - highways (including highways management and maintenance)
  - transport infrastructure and planning & delivery
  - traffic and vehicle regulation, traffic management, passenger transport and car parking and road safety
  - the physical and economic environment of the County including, environmental management, rights of way and open spaces and tourism
  - economic well-being and economic development
  - housing strategy and delivery, securing County Council infrastructure needs;
  - waste management and disposal matters

Note 1:

The following matters are excluded from the delegations mentioned above:-

- (i) Local Development documents – approval of draft consultation.
- (ii) Major Trunk Road and major Motorway

improvement schemes – County Council response to public draft line, side road and compulsory purchase orders.

- (iii) Major Capital County Transportation Proposals:-
- Choosing a preferred route or option following public consultation
  - Authorising the promotion of Compulsory Purchase and Side Road Orders.

Note 2: The Director of Environment and Infrastructure is responsible for co-ordination of the Council's requirements for transport services.

2. The responsibilities of the Director of Resources are revised as follows:

There is excluded from his/her delegations the securing of infrastructure for County Council services and the making of representations in connection with the preparation and implementation of local and other plans/strategies relating to development of District and Borough Councils in Hertfordshire

***\*\*\* As this is a new post the responsibilities of the Director of Environment and Infrastructure mentioned above are allocated to the Chief Executive from 1 April 2018 until the Director of Environment and Infrastructure takes up post following the current recruitment exercise***