

## Addendum to Appendix 1 of Item 11 – Updates to Constitution

### Part 5 Who carries out Council responsibilities?

Paragraph	Current	Change	Reason
5.3 Planning (b) who carries out the responsibilities	deciding planning applications that would otherwise be decided by officers that have been called in by councillors by 5pm on the last day of the period of 21-days starting with the day on which notice of the application is sent to councillors (via the weekly planning list) (Part 17.3). <i>In instances where there are significant changes to material planning considerations, as determined by the Director of Planning and Regulation, after the initial notice of the application is sent to councillors via the weekly planning list, those applications should be re-notified as such to councillors via the weekly list. In instances such as these the period of 21-days would restart at the point at which the application is re-notified to councillors</i>	deciding planning applications that would otherwise be decided by officers that have been called in by councillors by 5pm on the last day of the period of 21-days starting with the day on which notice of the application is <b>published on the Council website</b> (Part 17.3). <i>In instances where there are significant changes to material planning considerations, as determined by the Director of Planning and Regulation, after the initial notice of the application is published on the Council website, those applications should be re-notified as such to councillors via the weekly list. In instances such as these the period of 21-days would restart at the point at which the application is re-notified to councillors</i>	This amends the call-in deadline to running from when it is published on the website.  Councillors will continue to receive the weekly planning list via email.
5.4 Licensing of alcohol, entertainment and late night refreshments (b) who carries out the responsibilities	Council sets policies on licensing. The Licensing and Gambling Acts Committee: <ul style="list-style-type: none"> <li>reviews and recommends those policies on licensing to Council</li> <li>reviews and recommends to Council fees and charges as necessary in line with the relevant legislation</li> </ul>	<b>Council sets policies on licensing as set out in the Licensing Act 2003 other than those reserved to Committee.</b> The Licensing and Gambling Acts Committee: <ul style="list-style-type: none"> <li>reviews and recommends those policies reserved to Council under S5 of the 2003 Act</li> </ul>	

	<ul style="list-style-type: none"> <li>• appoints licensing and gambling acts casework sub-committees to:             <ul style="list-style-type: none"> <li>○ decide whether to give, change to transfer premises licences or club registration certificates when there are objections</li> <li>○ decide whether to give a temporary premises licence to a replacement licence holder when there are objections</li> <li>○ review premises licences and club registration certificates after a closure order</li> <li>○ decide valid applications for a review of a premises licence or club registration certificate</li> <li>○ deal, when there are objections, with applications for a statement saying the Council expects to give a licence to premises that are yet to be built or converted</li> <li>○ decide whether to prevent one-off events when there are objections from the police</li> <li>○ decide applications to change the premises supervisor or appoint a temporary supervisor when there are objections from the police</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Approve all other policies not reserved to Council in the 2003 Act, including the Cumulative Impact / Saturation Policy</li> <li>• reviews and recommends to Council fees and charges as necessary in line with the relevant legislation</li> <li>• appoints licensing and gambling acts casework sub-committees to:             <ul style="list-style-type: none"> <li>○ decide whether to give, change to transfer premises licences or club registration certificates when there are objections</li> <li>○ decide whether to give a temporary premises licence to a replacement licence holder when there are objections</li> <li>○ review premises licences and club registration certificates after a closure order</li> <li>○ decide valid applications for a review of a premises licence or club registration certificate</li> <li>○ deal, when there are objections, with applications for a statement saying the Council expects to give a licence to premises that are yet to be built or converted</li> </ul> </li> </ul>	
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	<ul style="list-style-type: none"> <li>○ decide applications for personal licences when there are objections from the police</li> <li>○ decide whether to withdraw a personal licence on hearing of a conviction</li> <li>○ respond to consultation on an application by another body that gives licences.</li> </ul> <p>The Director of Planning and Regulation. has responsibility for everything else within the Licensing Act 2003.</p>	<ul style="list-style-type: none"> <li>○ decide whether to prevent one-off events when there are objections from the police</li> <li>○ decide applications to change the premises supervisor or appoint a temporary supervisor when there are objections from the police</li> <li>○ decide applications for personal licences when there are objections from the police</li> <li>○ decide whether to withdraw a personal licence on hearing of a conviction</li> <li>○ respond to consultation on an application by another body that gives licences.</li> </ul> <p>The Director of Planning and Regulation. has responsibility for everything else within the Licensing Act 2003.</p>	
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### Part 17 Call-in Procedures

Paragraph	Current	Change	Reason
17.3 Who can call in decisions and when do they have to be called in by? Decisions on planning applications (those	5pm on the last day of the period of 21- days starting with the day on which notice of the application is sent to councillors (via the	5pm on the last day of the period of 21- days starting with the day on which notice of the application is <b>published on the Council website</b> or, in instances where there are significant changes to	This brings the call-in deadline to be in line with when the decision is published on the website.  Councillors will continue to receive the weekly planning list via email.

seeking determinations within 5.3(a)) to be taken by the Director of Planning and Regulation	weekly planning list) or, in instances where there are significant changes to material planning considerations, as determined by the Director of Planning and Regulation, after the initial notice of the application is sent to councillors via the weekly planning list, 5pm on the last day of the period of 21-days starting with the day on which councillors are re-notified (via the weekly list).	material planning considerations, as determined by the Director of Planning and Regulation, after the initial notice of the application is sent to councillors via the weekly planning list, 5pm on the last day of the period of 21-days starting with the day on which councillors are re-notified (via the weekly list).	
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## Part 19 Contract Rules

Changes to table at 19.13:

<b>Contract Value Including VAT</b>	<b>Who can authorise use of an Exemption</b>	<b>Who can authorise a Waiver</b>
£0 - £29,999.99	Service Director in consultation with:  Strategic Procurement Manager	Service Director in consultation with the Strategic Procurement Manager, even with the requirement of one quote

£30,000 - public procurement regulatory threshold	Service Director in consultation with:  Strategic Procurement Manager and Legal Services	Legal Services Manager (on behalf of the Director of Law, Governance and Strategy)
public procurement regulatory threshold – up to Key Decision Threshold (where it is over the procurement regulatory threshold this is for Waivers only, exemptions are not allowed over threshold)	Deputy Chief Executive in consultation with:  Group Finance Director; Strategic Procurement Manager; and Director of Law, Governance and Strategy	Director of Law, Governance and Strategy with:  Group Finance Director and relevant Service Director
Over Key Decision Threshold ( where it is over the procurement regulatory threshold this is for Waivers only, exemptions are not allowed over threshold)	Cabinet	Director of Law, Governance and Strategy in consultation with:  Group Finance Director and relevant Deputy Chief Executive and Service Director

Changes to table at 19.16:

Value Including VAT	Type	Quotes or tendering	Process led by
up to £29,999.99	Goods Works Services Concession	Minimum one quote in writing, (local supplier if possible) or  Use of an approved Framework	Officer authorised by the relevant Service Director
£30,000.00 and over up to public procurement regulatory threshold	Goods Services	A minimum of three written quotes (one from a local supplier if possible). 6 recommended as best practice. or  Use of an approved Framework	Officer authorised by the relevant Service Director or the Procurement Team
£30,000.00 and over up to £999,999.99	Works Concession	Minimum 4 written quotes or  Use of an approved Framework  A full tender process recommended as best practice.	Officer authorised by the relevant Service Director with the Procurement Team taking the lead
Over public procurement regulatory threshold	Goods Services	Tender process in compliance with legal requirements undertaken via the Procurement Portal or  Use of an approved legally compliant Framework or Dynamic Market	

£1M and over up to public procurement regulatory threshold	Works Concession	Minimum 6 written quotes. A full tender process recommended as best practice or Use of an approved legally compliant Framework or Dynamic Market	Officer authorised by the relevant Service Director with the Procurement Team taking the lead
Over public procurement regulatory threshold	Works Concession	Tender process in compliance with legal requirements undertaken via the Procurement Portal or  Use of an approved legally compliant Framework or Dynamic Market	

Changes to table at 19.17:

<b>Contract Value Including VAT</b>	<b>Who may take the decision to award</b>
£0 – up to public procurement regulatory threshold	Service Director or relevant officer authorised by Service Director.
public procurement regulatory threshold - up to Key Decision Threshold	Group Finance Director or Deputy Chief Executive provided there is a budget and project approval has been given by OCB/Development Board, Corporate Leadership Team or Cabinet
Over Key Decision Threshold	Cabinet