

APPENDIX A

CHANGES TO THE CONSTITUTION

Delegation to officers and deputies	<u>Proposed amendment</u>
DIRECTORS AND CORPORATE MANAGERS	<p>Insert amendment:</p> <p>Under 1. Insert additional sentence – and to authorise such signing by the appropriate Service Lead.</p>
<p>CITY DEVELOPMENT Service Lead City Development</p>	<p>Insert: <u>Responses to consultations</u> Provide responses on behalf of the Council to consultations from government, government agencies, regional bodies, other Councils and local planning authorities, in consultation with the Executive Member with Relevant Portfolio.</p>
<p>HOUSING Assistant Director of Housing (Tenancy Services)</p>	<p>Under 1. Grant, administer and, where necessary, terminate any flexible tenancy.</p> <p>Insert: Additional Deputy: Business Systems Team Lead</p>
<p>HOUSING Assistant Director of Housing (Tenancy Services)</p>	<p>Under 2. To terminate any tenancy or licence where necessary, by relying on the absolute grounds for possession introduced by the Anti-Social Behaviour Crime and Policing Act 2014 (the ASBCP Act 2014).</p> <p>Insert: Additional Deputy: Business Systems Team Lead</p>
<p>HOUSING Assistant Director of Housing (Tenancy Services) (Moved from Service Lead Revenues, Benefits & Customer Access)</p>	<p>Insert: 5. To authorise the service, in relation to rent arrears, of Notice of Intention to Seek Possession (secure tenancies) and Notice to Quit (non-secure tenancies); and Notice of Proceedings for Possession of an Introductory Tenancy (introductory tenancies).</p>

	<p>Deputy – Revenues Lead</p> <p><i>Deleted from: Service Lead Revenues, Benefits & Customer Access</i></p>
<p>HOUSING Assistant Director of Housing (Tenancy Services)</p> <p>(Moved from Service Lead Revenues, Benefits & Customer Access)</p>	<p>Insert:</p> <p>6. Initiation and conduct of legal proceedings for possession in respect of cases where rent arrears are outstanding. This shall include the power to authorise officers to appear in the County Court to represent the Council in respect of rent arrears.</p> <p>Deputy – Revenues Lead</p> <p><i>Deleted from: Service Lead Revenues, Benefits & Customer Access</i></p>
<p>HOUSING Assistant Director of Housing (Tenancy Services)</p> <p>(Moved from Service Lead Revenues, Benefits & Customer Access)</p>	<p>Insert:</p> <p>7. To accept payment of arrears of rent by instalments.</p> <p>Deputy – Revenues Lead</p> <p><i>Deleted from: Service Lead Revenues, Benefits & Customer Access</i></p>
<p>HOUSING Assistant Director of Housing (Tenancy Services)</p> <p>(Moved from Service Lead Revenues, Benefits & Customer Access)</p>	<p>Insert:</p> <p>8. Authority to apply for a warrant for Possession of Property in relation to rent arrears.</p> <p>Deputy – Revenues Lead</p> <p><i>Deleted from: Service Lead Revenues, Benefits & Customer Access</i></p>
<p>HOUSING Assistant Director of Housing (Tenancy Services)</p>	<p>Insert:</p> <p>9. To appoint enforcement agents for the recovery of any outstanding debts.</p> <p>Deputy – Business Systems Team Lead</p>
<p>HOUSING Assistant Director of Housing (Tenancy Services)</p>	<p>Insert:</p> <p>10. In consultation with Service Lead, Legal Services, authority to institute legal proceedings where fraudulent activity is suspected in relation to Housing related activities.</p> <p>Deputy Business Systems Lead and Tenancy Services Team Lead</p>
FINANCE	To remove:

Deputy Chief Finance Officer (Deputy Section 151 Officer)	<p>1. To determine interest rates and their applicable dates in respect of new and existing mortgages.</p> <p>Deputy – Finance Manager – Corporate</p>
<p>FINANCE Deputy Chief Finance Officer (Deputy Section 151 Officer)</p>	<p>To remove: 2. In consultation with the Service Lead, Legal Services to initiate court proceedings for the recovery of arrears in respect of mortgages.</p> <p>Deputy – Finance Manager – Corporate</p>
<p>FINANCE Deputy Chief Finance Officer (Deputy Section 151 Officer)</p>	<p>To remove: 12. In accordance with the Housing Act 1980 and the Council’s agreed policy to accept/refuse applications for mortgages, including further advances to administer and monitor payments of mortgage instalments and where necessary issue possession proceedings for mortgage arrears in consultation with the Service Lead, Legal Services.</p> <p>Deputy – Finance Manager – Corporate</p>
<p>DIRECTOR CORPORATE SERVICES AND MONITORING OFFICER</p>	<p>Insert Deputy - Service Lead Legal Services For Sections 1, 2, 3 and 4a</p>
<p>ENVIRONMENT AND CITY MANAGEMENT Insert: Director Net Zero and City Management</p>	<p>Insert: Exercising the role of the Duty Holder for the Exeter Port Authority, as the Director responsible for the City’s waterways.</p>

<u>Reference</u>	<u>Current entry</u>	<u>Proposed amendment</u>
Section 4c – FINANCIAL REGULATIONS		<p>New Entry – INSERT 7d The Officer authorising an order shall be senior to the Officer ordering the goods. This authorisation may be made either by e-mail or in writing if the relevant Officer is not able to authorise directly on the system.</p>
Standing Order No. 54 – Dismissal of Statutory Officers	<p>Standing Order 54 Dismissal of Statutory Officers</p> <p>(1) A decision to dismiss the Head Paid of Service, Monitoring Officer and Section 151 Finance Officer may only be taken by Full Council in accordance with the procedure set out in the Local Authorities (Standing Orders) (England) Regulations 2015/881, as may be amended from time to time.</p>	<p>Standing Order 54 Dismissal of Statutory Officers</p> <p>(1) A decision to dismiss the Head Paid of Service, Monitoring Officer and Section 151 Finance Officer may only be taken by Full Council in accordance with the procedure set out in the Local Authorities (Standing Orders) (England) Regulations 2001/3384, as may be amended from time to time.</p>