

## RECORD OF DECISION MADE UNDER DELEGATED AUTHORITY

### **\*PART 1 – PUBLIC DOCUMENT**

Any interest to declare/ or conflict and any dispensation granted *None*

### **SERVICE DIRECTORATE: MANAGING DIRECTOR**

#### **1. DECISION TAKEN**

1.1 To implement a temporary restructure of the Leadership Team to address current capacity and resourcing issues within the Legal and Community directorate, by moving the reporting line of the Licensing and Community Safety teams to the Service Director for Housing and Environmental Health from 29 July 2024 until 13 February 2025.

1.2 To make consequential amendments to the relevant sections of the Constitution and delegations, to reflect the above.

#### **2. DECISION TAKER**

Anthony Roche, Managing Director

#### **3. DATE DECISION TAKEN:**

25 July 2024

#### **4. REASON FOR DECISION**

4.1 There are current and ongoing capacity and resourcing issues with the Legal and Community directorate, specifically within the Legal Services team. Whilst the Service Director Legal and Community seeks to find solutions to those issues, in order to provide greater support and capacity for the Service Director it has been agreed to temporarily transfer the reporting line of Licensing and Community Safety teams to a different Service Director.

#### **5. ALTERNATIVE OPTIONS CONSIDERED**

5.1 One alternative would have been to keep the Licensing and Community Safety teams in their current directorate, however that would not have addressed the reasons for the temporary arrangements. Other alternatives could have been to move a different team, or ask a different Service Director to take on temporary arrangements. However it was considered that the Service Director Housing and Environmental Health was best positioned to assist and that the Licensing and Community Safety teams were the best fit with existing responsibilities and Executive Member portfolios.

#### **6. CONSULTATION (INCLUDING THE EFFECT ON STAKEHOLDERS, PARTNERS AND THE PUBLIC)**

6.1 The Leader, Deputy Leader and relevant Executive Members have been consulted on the proposals and are in agreement with the temporary arrangements.

- 6.2 The Service Directors for Legal and Community, and Housing and Environmental Health, have been consulted on the proposals and are in agreement with the temporary arrangements.
- 6.3 The Licensing and Community Safety Manager has been consulted on the proposals and is in agreement with the temporary arrangements.
- 6.4 The HR Services manager has advised that as this is a temporary arrangement and all parties are in agreement, a formal consultation process with affected staff is not required.

## **7. FORWARD PLAN**

- 7.1 This decision is not a key Executive decision and has therefore not been referred to in the Forward Plan.

## **8. BACKGROUND/ RELEVANT CONSIDERATIONS**

- 8.1 The Legal Services team has faced resourcing and capacity issues for some time, in large part due to challenges with recruitment and retention within the team. Due to further imminent resource challenges within the team the Service Director Legal and Community needs to focus on supporting and increasing the capacity within Legal Services and therefore needs additional capacity herself in order to provide that support.
- 8.2 Following discussion with the Leadership Team it was agreed to implement a temporary restructure whereby the Licensing and Community Safety teams would be transferred to the line management of the Service Director Housing and Environmental Health, a role that was created on an interim basis on secondment from Hertfordshire County Council to provide additional capacity to the Leadership Team. The temporary arrangements will be in place until the end of the secondment.

## **9. LEGAL IMPLICATIONS**

- 9.1. Paragraph 14.6.5(a)(i)B of the Council Constitution sets out that the Managing Director shall exercise the following functions:-

*To carry out the duties of the Head of Paid Service (section 4 of the Local Government & Housing Act 1989) which includes all necessary powers for:*

*B Exercising overall managerial responsibility for staff.*

The above is a non-Executive function.

- 9.2. Section 14.6 of the Council's Constitution (the Scheme of Delegation to Officers) will need to be updated to reflect the temporary restructure arrangements.. The Monitoring Officer will be able to do this under existing delegated authority as per section 2.6.2 (d) for practical purposes, in order to ensure the proper administration of the Council. The Managing Director can, however, in effect exercise/ instruct the Monitoring Officer to do this under section 14.6.2(f). A link through to this decision will be provided to the next Council meeting in compliance with section 2.6.3.

## **10. FINANCIAL IMPLICATIONS**

- 10.1. There are no financial implications from this decision, as the temporary restructure does not incur additional cost over currently approved budgets.

## **11. RISK IMPLICATIONS**

- 11.1 Good Risk Management supports and enhances the decision-making process, increasing the likelihood of the Council meeting its objectives and enabling it to respond quickly and effectively to change. When taking decisions, risks and opportunities must be considered.
- 11.2. There is a risk that not proceeding with the temporary restructure arrangements will mean that the support required by the Legal Services team is not in place and the team is unable to support the operation of the Council.

**12. EQUALITIES IMPLICATIONS**

- 12.1 There are no equalities implications from this restructure. A failure to address the challenges faced by the Legal and Community team could have had equalities implications for individuals within that directorate.

**13. SOCIAL VALUE IMPLICATIONS**

- 13.1 The Social Value Act and “go local” policy do not apply to this decision.

**14. ENVIRONMENTAL IMPLICATIONS**

- 14.1. There are no known Environmental impacts or requirements that apply to this decision.

**15. HUMAN RESOURCE IMPLICATIONS**

- 15.1 As this is a temporary restructure with all parties in agreement a formal consultation process is not required. Support will be provided to ensure that the transition from one Service Director to another is as smooth as possible.


**16. BACKGROUND PAPERS**

- 16.1 None.

**17. APPENDICES**



- 17.1 None.

**NOTIFICATION DATE 26.7.24**

**Signature of the Leader.....** 

**Date: 25.7.24**

**Signature of Executive Member Consulted** 

**Date 25.7.24**

Signature of Decision Taker ..... 

**Please Note:** that *unless urgency provisions apply* EXECUTIVE decisions cannot be implemented until 5 clear working days have elapsed after the decision has been taken to allow for scrutiny call-in.

**Call-in does not apply to NON-EXECUTIVE DECISIONS**