

Public Document Pack



Neuadd y Sir / County Hall, Llandrindod, Powys, LD1 5LG

Os yn galw gofynnwch am - If calling please ask for
Carol Johnson

Ffôn / Tel: carol.johnson@powys.gov.uk

Ffôn Symudol / Mobile:

Llythyru Electronig / E-mail: carol.johnson@powys.gov.uk

DEMOCRATIC SERVICES COMMITTEE

Monday, 22nd April, 2024

The use of Welsh by participants is welcomed. If you wish to use Welsh please inform us by noon, two working days before the meeting

SUPPLEMENTARY PACK

1.	CONSTITUTION
----	---------------------

To note minor amendments made to the Constitution and to consider a report regarding other proposed amendments.

(Pages 1 - 2)

This page is intentionally left blank

CYNGOR SIR POWYS COUNTY COUNCIL

**Democratic Services Committee
22 April 2024**

REPORT AUTHOR: Clive Pinney, Head of Legal Services and Monitoring Officer

REPORT TITLE: Minor Amendments to the Constitution

REPORT FOR: Decision

1. Purpose

1.1 To advise the Democratic Services Committee of minor amendments to the Constitution undertaken by the Monitoring Officer under delegated authority as set out in Rules 2.4, 2.7 and 2.8 of the Constitution.

2. Minor Amendments proposed.

Section 13 – Responsibility for functions

Rule	Amendment	Reason
<p>B4 Power to license drivers of hackney carriages and private hire vehicles.</p> <p>Ss. 51,53,54,59,61 and 79 Local Government (Misc Prov) Act 1976</p>	<p>Sub-delegation;</p> <p>(i) Power to license driver delegated to the relevant Head of Service with the ability to further sub-delegate.</p> <p>(ii) Where in the officers opinion the applicant does not meet the “Suitability Criteria” and the DVLA medical fitness criteria the matter will be referred to the sub-committee</p> <p>(iii) In respect of licensed drivers who in the officers opinion no longer meet the ‘Suitability criteria, and the DVLA medical fitness criteria, power is delegated to the relevant Head of Service with the ability to further sub-delegate to suspend the licence.</p> <p>(iv) <i>In respect of licensed drivers who fail to comply with the licensing requirement to subscribe to the DBS update service or supply a new DBS to the Authority at 6 monthly intervals , power is delegated to the relevant Head of Service with the ability to further subdelegate to suspend the licence</i></p>	<p>Subscribing to the DBS service is a new requirement of licensed drivers in compliance with Welsh Government and Department for Transport Guidance.</p>

	<p>(iv) (v) Following suspension under (iii) <i>or (iv)</i> above, for those licensed drivers who in the officers opinion no longer meet the 'Suitability' criteria and the DVLA medical fitness criteria, <i>or fail to subscribe to the DBS update service or supply a new DBS to the Authority at 6 monthly intervals</i>, power is delegated to the sub-committee to revoke the licence.</p> <p>(vi) Where the licence holder has been disqualified from driving the licence can be revoked by the relevant Head of Service with the ability to further sub-delegate.</p>	
--	---	--

3. Recommendation

Recommendation to the Democratic Services Committee:	Reason for Recommendation:
To note the minor amendments made to the Constitution by the Head of Legal Services and Monitoring Officer.	To monitor, review and make minor amendments to the Constitution in accordance with Rules 2.4, 2.7 and 2,8 of the Constitution.

<p>Contact Officer: Tel: Email:</p>	<p>Clive Pinney, Head of Legal Services and Monitoring Officer 01597 826746 clive.pinney@powys.gov.uk</p>
<p>Corporate Director: Emma Palmer- Chief Executive</p>	