

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
B4 Power to license drivers of hackney carriages and private hire vehicles. Ss. 51,53,54,59,61 and 79 Local Government (Misc Prov) Act 1976	Sub-delegation; (i) Power to license driver delegated to the relevant Head of Service with the ability to further sub-delegate. (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 (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. (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>	Subscribing to the DBS service is a new requirement of licensed drivers in compliance with Welsh Government and Department for Transport Guidance.

	<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>	
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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.

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