

## APPENDIX

### SUBJECT: AMENDMENTS TO CONSTITUTION

Notification No. 15

Date 18<sup>th</sup> February 2013

#### Notification of amendments to the constitution

#### Amendments made by the Monitoring Officer

Part 2, Article 11.02(c) of the constitution provides that the Monitoring Officer has a limited authority to amend the constitution. The Monitoring Officer is authorised to amend the constitution to correct errors or to comply with any legal requirement or to reflect organisational changes to the Council's structure. The Governance Committee must be notified of any such amendment at the first reasonable opportunity.

In accordance with this authority, the Monitoring Officer gives notice of the following amendments to the constitution.

Part and article/ section	Page reference	Substance of amendment / amended wording	Reason for amendment
Part 3.6.2	82	<b>Amend:</b>  <b>(l)The Benefits Manager</b> is authorised to lay informations on behalf of the Council before the Magistrates Court and to prosecute or defend all actions before the Court in respect of benefit fraud offences  <b>To read:</b>  <b>(l) The Council Tax, Internal Audit and Corporate Risk Manager</b> is authorised to lay informations on behalf of the Council before the Magistrates Court and to prosecute or defend all actions before the Court in respect of housing benefit and Council tax support fraud offences	Restructure and Legislation Change
Part 3.6.2	82	To move the following powers from the Head of Customer Services and add to Head of Financial & Procurement after <b>(j)</b>  <b>Part 3.7.3</b>  <b>(k)</b> To be responsible for the implementation, management and administration of the Council's prosecution policy in relation to housing benefits and Council Tax fraud.	Restructure and Legislation Change

Part and article/ section	Page reference	Substance of amendment / amended wording	Reason for amendment
		<p><b>To delete</b></p> <p><b>(l)</b> To authorise activity under the Regulation of Investigatory Powers Act 2000.</p> <p><b>Internal Audit &amp; Corporate Risk Manager</b> is authorised to lay informations on behalf of the Council before the Magistrates Court and to prosecute or defend all actions before the Court in respect of benefit fraud offences</p>	
Part 3.6.2	81	<p><b>From 1<sup>st</sup> April 2013</b></p> <p><b>Head of Customer Services</b></p> <p><b>Replace (g), (h), (h)(i), (k)</b></p> <p>Housing and Council Tax</p> <p><b>To Read:</b></p> <p>Housing Benefit and Council Tax Support</p>	Legislation Change
Part 3.6.2	81	<p><b>Amend:</b></p> <p><b>(h) (v)</b> exercising the Council's discretionary powers in relation to the administration of housing and council tax benefits and discretionary housing payments</p> <p><b>To read</b></p> <p><b>(h) (v)</b> exercising the Council's discretionary powers in relation to the administration of housing benefit and council tax support and (for housing benefit) discretionary housing payments</p>	Legislation Change