



Tuesday, 6 May 2025

Dear Sir/Madam

A meeting of the Council will be held on Wednesday, 14 May 2025 in the Council Chamber, Council Offices, Foster Avenue, Beeston NG9 1AB, commencing at 7.00 pm.

Should you require advice on declaring an interest in any item on the agenda, please contact the Monitoring Officer at your earliest convenience.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Ruth E Hyde'.

Chief Executive

To Councillors:	D Bagshaw	H Land
	S A Bagshaw	D L MacRae
	P J Bales	R D MacRae
	L A Ball BEM	T J Marsh
	R E Bofinger	G Marshall
	M Brown	J W McGrath
	R Bullock	W Mee
	G Bunn	J M Owen
	B C Carr	P J Owen
	C Carr	S Paterson
	S J Carr	D D Pringle
	A Cooper	M Radulovic MBE
	H L Crosby	H E Skinner
	T A Cullen	P A Smith
	S Dannheimer	V C Smith
	H J Faccio	A W G A Stockwell
	K A Harlow	C M Tideswell
	G S Hills	D K Watts
	S P Jeremiah	S Webb
	S Kerry	E Williamson
	H G Khaled MBE	E Winfield
	A Kingdon	K Woodhead

A G E N D A

1. Apologies for Absence

To receive any apologies.

2. Declarations of Interest

(Pages 5 - 12)

Members are requested to declare the existence and nature of any disclosable pecuniary interest and/or other interest in any item on the agenda.

3. Minutes

(Pages 13 - 40)

Council is asked to confirm as a correct record the minutes of the meetings held on 5 and 19 March 2025.

4. Recognition of The Youth Mayor

5. Appointment of Youth Mayor

6. Mayor's Announcements

7. Vote of Thanks

8. Election of Mayor

9. Presentation of the Former Mayor's Jewel of Office

10. Appointment of Deputy Mayor

11. Recognition of Political Leaders

The Council is requested to note the Members chosen as Leader and Deputy Leader of the Opposition and the Leaders and Deputy Leaders of any other group.

12. Appointments to Cabinet and Committees of the Cabinet

To note appointments to the Cabinet and Committees of the Cabinet by the Leader in accordance with the schedule to be laid before the Meeting.

13. Arrangement for the Discharge of Functions

1. Appointments to Committees/Overview & Scrutiny Committee/etc.

To make appointments in accordance with the schedule to be laid before the meeting.

2. **The Council is asked to NOTE that either the Leader of the Council or another Councillor being their nominated representative, and either the Leader of the Opposition or another Councillor being their nominated representative, have the right to attend any of the Council's Committees, which are not scrutiny Committees, as ex-officio Members and to speak but not vote at it provided that such nominated representatives may not be in attendance at the same meeting as their respective Leaders, unless they have been appointed as a Member of that Committee or are acting as a substitute for a named Member.**

14. Representation on Outside Bodies

15. Scheme of Delegation

(Pages 41 - 80)

To agree the Scheme of Delegation.

16. Appointment to the Liberty Leisure Board of Directors

The Council is asked to RESOLVE that Martin Paine, Assistant Director – Finance Services at Broxtowe Borough Council, be appointed to the Board of Liberty Leisure Limited.

17. Urgent Business

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Report of the Monitoring Officer

DECLARATIONS OF INTEREST

1. Purpose of Report

Members are requested to declare the existence and nature of any disclosable pecuniary interest and/or other interest in any item on the agenda. The following information is extracted from the Code of Conduct, in addition to advice from the Monitoring Officer which will assist Members to consider any declarations of interest.

Part 2 – Member Code of Conduct

General Obligations:

10. Interest

10.1 You will register and disclose your interests in accordance with the provisions set out in Appendix A.

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of Members of the Council. The register is publically available and protects you by demonstrating openness and willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting which allows the public, Council employees and fellow Councillors know which of your interests gives rise to a conflict of interest. If in doubt you should always seek advice from your Monitoring Officer.

You should note that failure to register or disclose a disclosable pecuniary interest as defined in Appendix A of the Code of Conduct, is a criminal offence under the Localism Act 2011.

Advice from the Monitoring Officer:

On reading the agenda it is advised that you:

1. Consider whether you have any form of interest to declare as set out in the Code of Conduct.
2. Consider whether you have a declaration of any bias or predetermination to make as set out at the end of this document
3. Update Democratic Services and the Monitoring Officer and or Deputy Monitoring Officers of any declarations you have to make ahead of the meeting and take advice as required.
4. Use the Member Interest flowchart to consider whether you have an interest to declare and what action to take.
5. Update the Chair at the meeting of any interest declarations as follows:

‘I have an interest in Item xx of the agenda’

'The nature of my interest is therefore the type of interest is
DPI/ORI/NRI/BIAS/PREDETERMINATION
'The action I will take is...'

This will help Officer record a more accurate record of the interest being declared and the actions taken. You will also be able to consider whether it is necessary to send a substitute Members in your place and to provide Democratic Services with notice of your substitute Members name.

Note: If at the meeting you recognise one of the speakers and only then become aware of an interest you should declare your interest and take any necessary action

6. Update your Member Interest Register of any registerable interests within 28days of becoming aware of the Interest.

Ask yourself do you have any of the following interest to declare?

1. DISCLOSABLE PECUNIARY INTERESTS (DPIs)

A "Disclosable Pecuniary Interest" is any interest described as such in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 and includes an interest of yourself, or of your Spouse/Partner (if you are aware of your Partner's interest) that falls within the following categories: Employment, Trade, Profession, Sponsorship, Contracts, Land, Licences, Tenancies and Securities.

2. OTHER REGISTERABLE INTERESTS (ORIs)

An "Other Registerable Interest" is a personal interest in any business of your authority which relates to or is likely to affect:

- a) any body of which you are in general control or management and to which you are nominated or appointed by your authority; or
- b) any body
 - (i) exercising functions of a public nature
 - (ii) anybody directed to charitable purposes or
 - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which you are a Member or in a position of general control or management.

3. NON-REGISTRABLE INTERESTS (NRIs)

"Non-Registrable Interests" are those that you are not required to register but need to be disclosed when a matter arises at a meeting which directly relates to your financial interest or wellbeing or a financial interest or wellbeing of a relative or close associate that is not a DPI.

A matter "directly relates" to one of your interests where the matter is directly about that interest. For example, the matter being discussed is an application about a particular property in which you or somebody associated with you has a financial interest.

A matter “affects” your interest where the matter is not directly about that interest but would still have clear implications for the interest. For example, the matter concerns a neighbouring property.

Declarations and Participation in Meetings

1. DISCLOSABLE PECUNIARY INTERESTS (DPIs)

- 1.1 Where a matter arises at a meeting which **directly relates** to one of your Disclosable Pecuniary Interests which include both the interests of yourself and your partner then:

Action to be taken

- **you must disclose the nature of the interest** at the commencement of that consideration, or when the interest becomes apparent, whether or not such interest is registered in the Council’s register of interests of Member and Co-opted Members or for which you have made a pending notification. If it is a sensitive interest you do not have to disclose the nature of the interest, just that you have an interest
- **you must not participate in any discussion** of that particular business at the meeting, or if you become aware of a disclosable pecuniary interest during the meeting you must not participate further in any discussion of the business, including by speaking as a member of the public
- **you must not participate in any vote** or further vote taken on the matter at the meeting and
- **you must withdraw from the room** at this point to make clear to the public that you are not influencing the meeting in anyway and to protect you from the criminal sanctions that apply should you take part, unless you have been granted a Dispensation.

2. OTHER REGISTERABLE INTERESTS (ORIs)

- 2.1 Where a matter arises at a meeting which **directly relates** to the financial interest or wellbeing of one of your Other Registerable Interests i.e. relating to a body you may be involved in:

- **you must disclose** the interest at the commencement of that consideration, or when the interest becomes apparent, whether or not such interest is registered in the Council’s register of interests of Member and Co-opted Members or for which you have made a pending notification. If it is a sensitive interest you do not have to disclose the nature of the interest, just that you have an interest
- **you must not take part in any discussion or vote** on the matter, but may speak on the matter only if members of the public are also allowed to speak at the meeting
- **you must withdraw from the room** unless you have been granted a Dispensation.

3. NON-REGISTRABLE INTERESTS (NRIs)

3.1 Where a matter arises at a meeting, which is not registrable but may become relevant when a particular item arises i.e. interests which relate to you and /or other people you are connected with (e.g. friends, relative or close associates) then:

- **you must** disclose the interest; if it is a sensitive interest you do not have to disclose the nature of the interest, just that you have an interest
 - **you must not take part in any discussion or vote**, but may speak on the matter only if members of the public are also allowed to speak at the meeting; and
 - **you must withdraw** from the room unless you have been granted a Dispensation.
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Dispensation and Sensitive Interests

A “Dispensation” is agreement that you may continue to participate in the decision-making process notwithstanding your interest as detailed at section 12 of the Code of the Conduct and the Appendix.

A “Sensitive Interest” is as an interest which, if disclosed, could lead to the Member, or a person connected with the Member, being subject to violence or intimidation. In any case where this Code of Conduct requires to you to disclose an interest (subject to the agreement of the Monitoring Officer in accordance with paragraph 2.4 of this Appendix regarding registration of interests), you do not have to disclose the nature of the interest, if it is a Sensitive Interest in such circumstances you just have to disclose that you have a Sensitive Interest under S32(2) of the Localism Act 2011. You must update the Monitoring Officer when the interest is no longer sensitive, so that the interest can be recorded, made available for inspection and published.

BIAS and PREDETERMINATION

The following are not explicitly covered in the code of conduct but are important legal concepts to ensure that decisions are taken solely in the public interest and not to further any private interests.

The risk in both cases is that the decision maker does not approach the decision with an objective, open mind.

This makes the local authority’s decision challengeable (and may also be a breach of the Code of Conduct by the Councillor).

Please seek advice from the Monitoring Officer or Deputy Monitoring Officers, if you need assistance ahead of the meeting.

BIAS

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias. If you have been involved in an issue in such a manner or to such an extent that the public are likely to perceive you to be biased in your judgement of the public interest:

- a) you should not take part in the decision-making process
- b) you should state that your position in this matter prohibits you from taking part
- c) you should leave the room.

PREDETERMINATION

Where a decision maker has completely made up his/her mind before the decision is taken or that the public are likely to perceive you to be predetermined due to comments or statements you have made:

- a) you should not take part in the decision-making process
- b) you should state that your position in this matter prohibits you from taking part
- c) you should leave the room.

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Registerable Interests

These are interests that you are required to register in accordance with the Code of Conduct. They are interests that you would know about in advance of an item coming up (e.g. land you own) and you should have included them when filling in your register of interests.

What type of Registerable Interest do you have in this matter?

Disclosable Pecuniary Interests

These are any interests that are described as DPIs under the Code of Conduct and include both the interests of yourself and of your partner.

Other Registerable Interests

These are personal interests that relate to certain types of bodies that you may be involved in as set out in the Code of Conduct.

Does the matter directly relate to one of your Disclosable Pecuniary Interests?

No

Does the matter directly relate to the financial interest or wellbeing of one of your Other Registerable Interests?

No

Does the matter affect a financial interest or the wellbeing of yourself or of a friend, relative or close associate?

No

Is the financial interest or wellbeing affected to a greater extent than the financial interests or wellbeing of the majority of inhabitants?

No

Would a reasonable member of the public knowing all the facts believe that it would affect your view of the wider public interest?

No

You must:

- Disclose the interest;
- Not speak on the matter;
- Not participate in any discussion or vote; and
- Not remain in the room unless you have a Dispensation

You must:

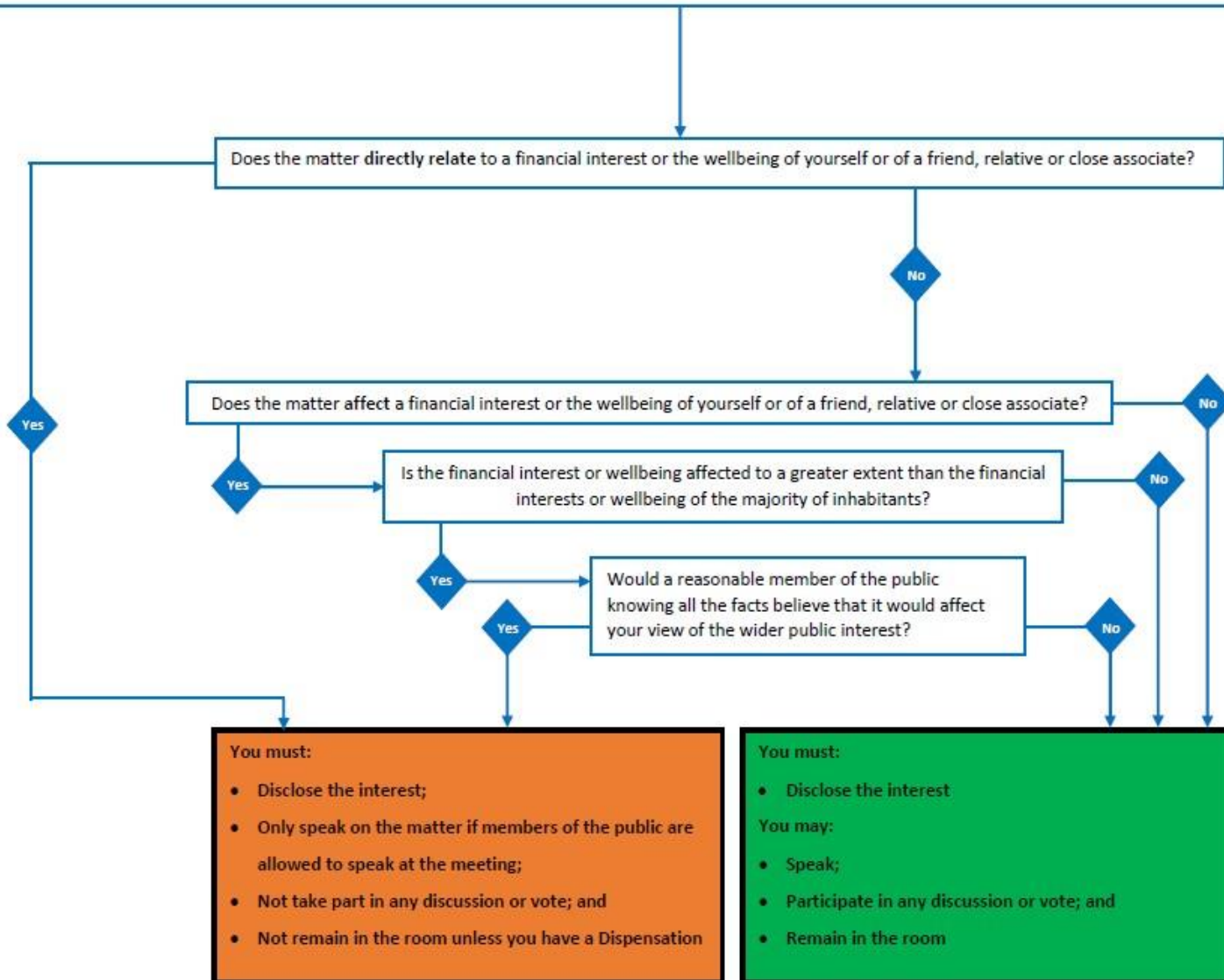
- Disclose the interest;
- Only speak on the matter if members of the public are allowed to speak at the meeting;
- Not take part in any discussion or vote; and
- Not remain in the room unless you have a Dispensation

You must:

- Disclose the interest
- You may:
- Speak;
 - Participate in any discussion or vote; and
 - Remain in the room

Non-Registerable Interests

These are interests that you are not required to register but may become relevant when a particular item arises. These are usually interests that relate to other people you are connected with (e.g. friends, relatives or close associates) but can include your own interests where you would not have been expected to register them.



COUNCIL

WEDNESDAY, 5 MARCH 2025

Present: Councillor S Paterson, Mayor

Councillors: P J Bales
L A Ball BEM
R E Bofinger
M Brown
R Bullock
G Bunn
B C Carr
C Carr
S J Carr
A Cooper
T A Cullen
S Dannheimer
H J Faccio
G S Hills
S P Jeremiah
S Kerry
H G Khaled MBE
A Kingdon
H Land
D L MacRae
R D MacRae
G Marshall
J W McGrath
W Mee
J M Owen
P J Owen
S Paterson
D D Pringle
M Radulovic MBE
H E Skinner
P A Smith
V C Smith
A W G A Stockwell
C M Tideswell
D K Watts
S Webb
E Williamson
E Winfield
K Woodhead

Apologies for absence were received from Councillors D Bagshaw, S A Bagshaw, H L Crosby, K A Harlow and T J Marsh.

72 DECLARATIONS OF INTEREST

There were no declarations of interest.

73 MINUTES

The minutes of the meeting held 11 December 2024 were confirmed as a correct record.

74 RECOGNITION OF POLITICAL LEADERS

It was noted that Councillor M Radulovic MBE was the Leader of the Council in addition to being Leader of the Broxtowe Alliance and Councillor G Marshall was the Deputy Leader. Councillor P J Owen was Leader of the Conservative Group with Councillor D D Pringle as the Deputy Leader. Councillor P Bales was Leader of the Labour Group with Councillor H J Faccio as Deputy Leader. Councillor R D MacRae was Leader of the Broxtowe Independent Group with Councillor E Williamson as the Deputy Leader, and Councillor D K Watts was the Leader of the Liberal Democratic Group with Councillor H Land as the Deputy Leader.

75 APPOINTMENTS TO COMMITTEES AND WORKING GROUPS

Members noted the appointments to the Cabinet and Committees of the Cabinet by the Leader in accordance with the schedule laid before the meeting.

Cabinet

M Radulovic MBE (Chair) - Portfolio Holder for Economic Development and Asset Management
G Marshall (Vice Chair) - Portfolio Holder for Resources and Personnel Policy
H E Skinner - Portfolio Holder for Environment and Climate Change
V C Smith - Portfolio for Housing
T A Cullen - Portfolio Holder for Leisure and Health
G Bunn - Portfolio Holder for Community Safety & Deputy Portfolio Holder for Economic Development and Asset Management
C Carr
J W McGrath

Policy Overview Working Group Membership

Broxtowe Alliance

P Smith (Chair)
G Bunn (Vice-Chair)
H Skinner
R Bullock
J W McGrath

Conservatives

D D Pringle
G S Hills
M Brown

Labour

D Bagshaw
S A Bagshaw

Broxtowe Independent Group

B C Carr
D L MacRae

Liberal Democrat Group

D K Watts

Events, Arts, Culture and Heritage Working Group Membership

Broxtowe Alliance

T Cullen (Chair)
C Carr
P Smith
V Smith
J McGrath
S Paterson

Conservative

L A Ball BEM
H G Khaled MBE
S Kerry

Labour

S A Bagshaw
W Mee

Broxtowe Independent Group

B C Carr (Vice-Chair)
D L MacRae

Shared Prosperity Fund Members Advisory Panel (UKSPF Panel) Membership

Broxtowe Alliance

M Radulovic MBE (Chair)
G Marshall (Vice-Chair)
G Bunn

Conservative

P J Owen

Labour

H J Faccio

Broxtowe Independent Group

R D MacRae

APPOINTMENTS TO COMMITTEES AND WORKING GROUPS

Planning Committee

Broxtowe Alliance

S Jeremiah (Chair)
P A Smith (Vice Chair)
G Marshall
R E Bofinger
H E Skinner
G Bunn

Substitutes 1. R Bullock
 2. S Webb
 3. K Woodhead
 4. V C Smith
 5. S Paterson

Conservative

L A Ball BEM
D D Pringle
G S Hills

Substitutes 1. H G Khaled MBE
 2. J M Owen
 3. P J Owen

Labour

D Bagshaw
P Bales

Substitutes 1 A Cooper
 2. W Mee

Broxtowe Independent Group

S J Carr

Substitute 1. E Williamson

Liberal Democrat Group

D K Watts

Substitute 1. H Land

Licensing & Appeals Committee

Broxtowe Alliance

R Bullock (Chair)
S Webb (Vice-Chair)
C M Tideswell
K Woodhead
S Jeremiah

Labour

A Cooper
E Winfield

Conservative

D D Pringle
G S Hills
S Kerry

Broxtowe Independent Group

B C Carr
E Williamson

Liberal Democrat Group

H Land

Overview & Scrutiny Committee

Broxtowe Alliance

S Dannheimer (Chair)
S Webb (Vice Chair)
K A Harlow
C M Tideswell
K Woodhead

Labour

E Winfield
H J Faccio

Conservatives

J M Owen
A W G A Stockwell
H L Crosby

Broxtowe Independent Group

E Williamson (Vice-Chair)
R D MacRae

Liberal Democrat Group

H Land

Governance, Audit & Standards Committee

Broxtowe Alliance

K Woodhead (Vice Chair)	Substitutes	1. P Smith
R Bullock		2. R Bofinger
S Dannheimer		3. C M Tideswell
S Jeremiah		4. S Paterson
K A Harlow		5. S Webb

Conservative

M Brown	Substitute	1. P J Owen
J M Owen		
G S Hills		

Labour

A Cooper	Substitutes	1. H J Faccio
E Winfield		2. P Bales
W Mee		3. T Marsh

Broxtowe Independent Group

S J Carr (Chair)	Substitute	1. B C Carr
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Liberal Democrat Group

A Kingdon	Substitute	1. D K Watts
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Advisory Shareholder Sub-Committee

Broxtowe Alliance

Sue Paterson (Chair)	Substitutes	1. K A Harlow
S Jeremiah (Vice Chair)		2. R Bullock
S Webb		3. K Woodhead

Conservative

G S Hills	Substitute	1. M Brown
D D Pringle		

Labour

W Mee	Substitutes	1. T Marsh
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Broxtowe Independent Group

B C Carr	Substitute	1. S J Carr
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Chief Officer Employment Committee

Broxtowe Alliance

G Marshall (Chair)	Substitutes	1. M Radulovic MBE
V C Smith (Vice Chair)		2. H E Skinner
K Woodhead		3. S Jeremiah
G Bunn		4. P Smith

Conservative

P J Owen	Substitute	1. J M Owen
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Labour

P Bales
H J Faccio

Broxtowe Independent Group

R D MacRae	Substitute	1. S J Carr
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Liberal Democrat Group

D K Watts

Independent Members

Two Independent Persons to be appointed to the Committee solely in relation to disciplinary matters for statutory chief Officers within the relevant Terms of Reference for the Chief Officer Employment Committee.

Local Joint Consultative Committee

Broxtowe Alliance

H E Skinner
G Marshall
P Smith

Labour

A Cooper

Conservative

D D Pringle
G S Hills

Broxtowe Independent Group

E Williamson

Bramcote Bereavement Services Joint Committee

Broxtowe Alliance

M Radulovic MBE

Conservative

H G Khaled MBE

Labour

E Winfield

REPRESENTATION ON OUTSIDE BODIES

<u>NO.</u>	<u>BODY/ORGANISATION</u>	<u>REPRESENTATIVE</u>
1	Age Concern, Eastwood	Cllr R Bullock
2	Attenborough Nature Reserve Forum	Cllr P A Smith Cllr T A Cullen Cllr H E Skinner
3	Beeston Consolidated Charity	Cllr S Webb Cllr H E Skinner
4	Beeston Rylands Community Centre	Cllr S Webb Cllr S Dannheimer
5	Broxtowe Citizens Advice Bureau	Cllr P A Smith
6	Canalside Heritage Centre	Cllr V C Smith (substitute Cllr R Bullock)
7	Chilwell Community Centre	Cllr S Jeremiah Cllr H E Skinner Cllr C M Tideswell
8	Core City Board/Joint Leadership Board	Cllr G Marshall
9	East Midlands Councils	Cllr M Radulovic MBE or nominated representative
10	Museum Service	Cllr K Woodhead
11	Eastwood Volunteer Bureau Management Committee	Cllr K Woodhead
12	Francis Dixon and Catherine Gregory Charity	Cllr H Land Cllr D Watts
13	Greater Nottingham Groundwork Trust	Cllr H E Skinner
14	Greenwood Partnership Board	Cllr H E Skinner
15	Joint Planning Advisory Board	Cllr M Radulovic MBE
16	Local Government Association	Cllr M Radulovic MBE or nominated representative
17	Local Government Information Unit	Cllr M Radulovic MBE
18	Nottingham Express Transit Development Board	Cllr W Mee
19	Nottingham Playhouse Trust	Cllr K A Harlow

<u>NO.</u>	<u>BODY/ORGANISATION</u>	<u>REPRESENTATIVE</u>
20	Nottinghamshire Local Government Leaders Group	Cllr M Radulovic MBE or nominated representative
21	United Charities of Abel Collins	Cllr B C Carr
22	Health Scrutiny - Lead Member	Cllr C M Tideswell (Substitute Cllr E Winfield)
23	Chilwell Family Hub (formerly Sure Start)	Cllr H J Faccio Cllr C M Tideswell
24	Health and Wellbeing Board	Cllr C M Tideswell
25	Notts Police and Crime Commissioner's Panel	H Faccio (Substitute Cllr T Cullen)
26	Armed Forces Champion	Cllr M Radulovic MBE
27	Liberty Leisure Board Member	Cllr R Bofinger Cllr C Carr Cllr S Dannheimer
28	Joint Waste and Recycling Committee	Cllr H E Skinner
29	East Midlands Airport Consultative Committee	Cllr P Smith or nominated representative
30	LGA General Assembly	Cllr M Radulovic MBE or nominated representative
31	District Councils Network	Cllr M Radulovic MBE or nominated representative
32	Refugee Steering Group	Cllr G Bunn Cllr B C Carr Cllr H G Khaled
33	Parking and Traffic Regulations Outside London Joint Committee	Cllr W Mee
34	Appointed every four years – Bramcote Consolidated Charities	(Bramcote Councillors, last appointed 2023)

RESOLVED that:

1. The appointments to committees and Outside Bodies in accordance with the schedule laid before the meeting be approved.
2. The Constitution be amended to reflect that the Advisory Shareholder Subcommittee be increased to seven members and the Chief Officer Employment Committee be increased to nine members.
3. The Council NOTED that either the Leader of the Council or another Councillor being their nominated representative, and either the Leader of the Opposition or another Councillor being their nominated representative, have the right to attend any of the Council's Committees, which are not scrutiny committees, as ex-officio members and to speak but not vote at it provided that such nominated representatives may not be in attendance at the same meeting as their respective leaders, unless they have been appointed as a member of that committee or are acting as a substitute for a named member.

76 PAY POLICY 2025/26

The Council debated the Pay Policy Statement for 2025/26, as required by the Localism Act 2011.

RESOLVED that the Pay Policy Statement 2025/26 be approved.

77 INDEPENDENT REMUNERATION PANEL – PAY AWARD AND REVIEW OF ALLOWANCES

The recommendations of the Independent Remuneration Panel were debated, including the recommendation for a rise in allowances in line with the employee pay award.

RESOLVED that:

1. Members allowances be increased for 2025/26 in line with the employee pay award (anticipated at 3%).
2. An increase of £600 be applied to the basic allowance to decrease the gap between this Council and the Council with the next lowest allowances in Nottinghamshire.
3. An allowance of £900 be awarded for the role of Deputy Portfolio Holder.

78 APPROVAL OF THE REVENUE AND CAPITAL BUDGETS, CAPITAL STRATEGY, TREASURY MANAGEMENT STRATEGY, INVESTMENTS STRATEGY, GENERAL FUND MEDIUM TERM FINANCIAL STRATEGY AND TO FIX THE COUNCIL TAX FOR THE YEAR COMMENCING 1 APRIL 2025

The Council debated the capital and revenue budget proposals together with the Capital Strategy, Prudential Indicators, Treasury Management Strategy, Investment Strategy and General Fund Medium Term Financial Strategy and Business Plans.

It was stated that there was a continuing serious economic context for local government but the Council had delivered another “no cuts to jobs and services” budget, which led the way in housing, house building and the environment. Next year’s budget would focus on a diverse programme of continued investment in Broxtowe’s town centre regeneration, council house delivery, parks and open spaces, and an exciting cultural offer, which continued to support financial sustainability, and improve the residents and tenants’ lives.

It was proposed by Councillor P J Owen and seconded by D D Pringle that the following amendment be made to the budget.

1. “Re-instate free car parking across Broxtowe:
additional budget - £250,000
2. Invest in improved street cleansing across Broxtowe:
additional budget - £100,000

Total additional budget	£350,000
Funding – Use of General Fund reserves	£350,000”

Prior to debate on the amendment there was a brief adjournment.

The debate on the amendment was had and included comments on car parking charges and the impact on local businesses. There was further debate on the balance of ensuring car parking charges were fair, but did not impact negatively on businesses. On being put to the meeting the motion was defeated. The vote was recorded and the voting was as follows:

<u>For</u>	<u>Against</u>	<u>Abstain</u>
L A Ball BEM	P Bales	
M Brown	R E Bofinger	
B C Carr	R Bullock	
S J Carr	G Bunn	
G S Hills	C Carr	
S J Kerry	A Cooper	
H G Khaled MBE	T A Cullen	
D L MacRae	S Dannheimer	
R D MacRae	H J Faccio	
J M Owen	S P Jeremiah	
P J Owen	A Kingdon	
D D Pringle	H Land	
A W G A Stockwell	G Marshall	
E Williamson	J W McGrath	
	W Mee	
	S Paterson	
	M Radulovic MBE	
	H E Skinner	
	P A Smith	
	V C Smith	
	C M Tideswell	
	D K Watts	
	S Webb	
	E Winfield	

The debate progressed on to the original motion. It was noted that the proposed budget included the work of the Community Safety Team and also work around health projects, including the CEDARS project and Bramcote Leisure Centre. There were concerns about weed killers, hosing repairs, the Council's ICT system and telephone answering. Discussion progressed on to homelessness, the East Midlands Combined Authority, affordable housing and austerity.

In accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, a recorded vote was required. The voting was as follows:

<u>For</u>	<u>Against</u>	<u>Abstain</u>
P Bales	L A Ball BEM	
R E Bofinger	M Brown	
R Bullock	G S Hills	
G Bunn	S Kerry	
B C Carr	H G Khaled MBE	
C Carr	J M Owen	
S J Carr	P J Owen	
A Cooper	D D Pringle	
T A Cullen	A W G A Stockwell	
S Dannheimer		
H J Faccio		
S P Jeremiah		
A Kingdon		
H Land		
D L MacRae		
R D MacRae		
G Marshall		
J W McGrath		
W Mee		
S Paterson		
M Radulovic MBE		
H E Skinner		
P A Smith		
V C Smith		
C M Tideswell		
D K Watts		
S Webb		
E Williamson		
E Winfield		
K Woodhead		

RESOLVED that:

- 1. The recommendations arising from the Cabinet meeting of 4 February 2025 as set out below be approved and adopted.**
 - **The Housing Revenue Account budget as submitted be approved.**
 - **The General Fund revenue budgets as submitted be approved.**

- The capital submissions and priorities within them be approved and the Deputy Chief Executive and Section 151 Officer be authorised to arrange the financing of the Capital Programme as necessary.
 - An amount of £50,000 be provided for a General Fund Contingency in 2025/26.
 - The Council Tax Requirement for 2025/26, excluding special expenses and local precepting requirements, be £6,862,179.
 - An amount of £1,332,559 be withdrawn from the General Fund reserves in 2025/26 to include:
 - a) £1,277,216 from General Fund balances.
 - b) £55,343 from General Fund earmarked reserves.
 - The Capital Strategy 2025/26 to 2027/28 be approved.
 - The Minimum Revenue Provision policy as set out be approved.
 - The Treasury Management Strategy Statement 2025/26 to 2027/28 be approved.
 - The Investments Strategy 2025/26 to 2027/28 be approved.
 - The General Fund Medium Term Financial Strategy to 2028/29 be approved.
2. It be noted that Cabinet, at its meeting on 3 December 2024, approved the following amounts for the year 2025/26 in accordance with the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012:
- (a) 35,568.23 being the amount calculated by the Council, in accordance with regulation 3 of the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012, as its council tax base for the year.
- (b) Part of the Council's area
- | | |
|------------------------------|-----------|
| Parish of Awsworth | 607.40 |
| Parish of Brinsley | 773.41 |
| Parish of Cossall | 246.43 |
| Parish of Eastwood | 3,088.63 |
| Parish of Greasley | 3,756.84 |
| Parish of Kimberley | 1,898.97 |
| Parish of Nuthall | 2,258.62 |
| Parish of Stapleford | 4,274.82 |
| Parish of Trowell | 842.43 |
| Beeston Special Expense Area | 17,645.38 |

being the amounts calculated by the Council, in accordance with regulation 6 of the Regulations as the amounts of its Council Tax Base for the year for dwellings in those parts of its area to which one or more special items relate.

The amount calculated for dwellings in those parts of its area to which no special item relates is 175.30.

3. The following amounts be now calculated by the Council for the year 2025/26 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992 (the Act) as amended:
- (a) £60,074,411 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (2) of the Act.

- (b) **£51,978,462** being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (3) of the Act.
- (c) **£8,121,949** being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council, in accordance with Section 31A (4) of the Act, as its council tax requirement for the year.
- (d) **£228.35** being the amount at 3(c) above divided by the amount at 2(a) above, calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its council tax for the year.
- (e) **£1,259,700** being the aggregate amount of all special items (including parish precepts and special expenses) referred to in Section 34(1) of the Act.
- (f) **£192.93** being the amount at 3(d) above less the result given by dividing the amount at 3(e) above by the amount at 2(a) above, calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its council tax for the year for dwellings in those parts of its area to which no special item relates.

(g) Part of the Council's Area

Parish of Awsworth	£344.89
Parish of Brinsley	£314.45
Parish of Cossall	£251.30
Parish of Eastwood	£261.57
Parish of Greasley	£253.88
Parish of Kimberley	£270.34
Parish of Nuthall	£247.47
Parish of Stapleford	£247.30
Parish of Trowell	£299.17
Beeston Special Expense Area	£194.40

being the amounts given by adding to the amount at 3(f) above the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned above divided in each case by the amount at 2(b) above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its council tax for the year for dwellings in those parts of its area to which one or more special items relate.

PART OF THE COUNCIL'S AREA	VALUATION BANDS							
	A £	B £	C £	D £	E £	F £	G £	H £
Parish of Awsworth	229.93	268.25	306.57	344.89	421.53	498.17	574.82	689.78
Parish of Brinsley	209.63	244.57	279.51	314.45	384.33	454.21	524.08	628.90
Parish of Cossall	167.53	195.46	223.38	251.30	307.14	362.99	418.83	502.60
Parish of Eastwood	174.38	203.44	232.51	261.57	319.70	377.82	435.95	523.14
Parish of Greasley	169.25	197.46	225.67	253.88	310.30	366.72	423.13	507.76
Parish of Kimberley	180.23	210.26	240.30	270.34	330.42	390.49	450.57	540.68
Parish of Nuthall	164.98	192.48	219.97	247.47	302.46	357.46	412.45	494.94
Parish of Stapleford	164.87	192.34	219.82	247.30	302.26	357.21	412.17	494.60
Parish of Trowell	199.45	232.69	265.93	299.17	365.65	432.13	498.62	598.34
Beeston Special Expense Area	129.60	151.20	172.80	194.40	237.60	280.80	324.00	388.80
All other parts of the Council's Area	128.62	150.06	171.49	192.93	235.80	278.68	321.55	385.86

being the amounts given by multiplying the amounts at 3(f) and 3(g) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in Valuation Band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

4. That it be noted for the year 2025/26, the Nottinghamshire and City of Nottingham Fire and Rescue Authority, Nottinghamshire County Council and the Nottinghamshire Police and Crime Commissioner are proposing the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:

PRECEPTING AUTHORITY	VALUATION BANDS							
	A £	B £	C £	D £	E £	F £	G £	H £
Nottinghamshire County Council	1,263.03	1,473.53	1,684.04	1,894.54	2,315.55	2,736.56	3,157.57	3,789.08
Nottinghamshire Police and Crime Commissioner	197.40	230.30	263.20	296.10	361.90	427.70	493.50	592.20
Nottinghamshire and City of Nottingham Fire and Rescue Authority	64.81	75.61	86.41	97.21	118.81	140.41	162.02	194.42

5. That, having calculated the aggregate in each case of the amounts at 3(h) and 4 above, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby sets the following amounts as the amounts of council tax for the year 2025/26 for each of the categories of dwellings shown below:

PART OF THE COUNCIL'S AREA	VALUATION BANDS							
	A £	B £	C £	D £	E £	F £	G £	H £
Parish of Awsworth	1,755.17	2,047.69	2,340.22	2,632.74	3,217.79	3,802.84	4,387.91	5,265.48
Parish of Brinsley	1,734.87	2,024.01	2,313.16	2,602.30	3,180.59	3,758.88	4,337.17	5,204.60
Parish of Cossall	1,692.77	1,974.90	2,257.03	2,539.15	3,103.40	3,667.66	4,231.92	5,078.30
Parish of Eastwood	1,699.62	1,982.88	2,266.16	2,549.42	3,115.96	3,682.49	4,249.04	5,098.84
Parish of Greasley	1,694.49	1,976.90	2,259.32	2,541.73	3,106.56	3,671.39	4,236.22	5,083.46
Parish of Kimberley	1,705.47	1,989.70	2,273.95	2,558.19	3,126.68	3,695.16	4,263.66	5,116.38
Parish of Nuthall	1,690.22	1,971.92	2,253.62	2,535.32	3,098.72	3,662.13	4,225.54	5,070.64
Parish of Stapleford	1,690.11	1,971.78	2,253.47	2,535.15	3,098.52	3,661.88	4,225.26	5,070.30
Parish of Trowell	1,724.69	2,012.13	2,299.58	2,587.02	3,161.91	3,736.80	4,311.71	5,174.04
Beeston Special Expense Area	1,654.84	1,930.64	2,206.45	2,482.25	3,033.86	3,585.47	4,137.09	4,964.50
All other parts of the Council's Area	1,653.86	1,929.50	2,205.14	2,480.78	3,032.06	3,583.35	4,134.64	4,961.56

The following item for urgent business was submitted by Councillor G Bunn:

“Council notes the Government’s decision in the recent budget to raise the single fare cap on bus journeys in England from £2 to £3 from January 1st, 2025, this represents an increase of 50%.

Council notes that this will increase the cost of journeys during a cost of living crisis at the most expensive time of year. It will also encourage people to choose car travel over public transport, at a time when we should be encouraging and supporting greener travel alternatives.

This decision follows the Labour Government’s previous choices to remove the Winter Fuel Allowance from pensioners and their failure to scrap the Two-Child Benefit Cap, as yet another choice that will negatively impact many of the poorest and most vulnerable residents across Broxtowe.

Council resolves to:

- Request the Portfolio Holder for Environment to write to the Secretary of State for Transport to urgently review the decision to raise the cap by 50%.
- In the absence of this reversal, call upon Nottinghamshire County Council, Nottingham City Council, and the mayor of the East Midlands to develop a local scheme, as other Mayoral Combined Authorities already have done, to maintain the capped fare at £2 to support the economy and people of the East Midlands. We also call upon Claire Ward, as Mayor of the East Midlands, to maintain her commitment to supporting public transport using the devolved funding, which includes over £40 million specifically to support and improve bus services across the area, to work with us to go beyond this basic commitment and find a way to make public transport free in future. This transformative step would demonstrate EMCCA's commitment to inclusive growth and a strategy that unlocks the economic potential of the region by increasing access to jobs, training and opportunities, while also ensuring that the authority maintains its commitment to combating climate change as net zero and transport are two of EMCCA's five core priorities.”

On being put to the meeting it was agreed that the item met the criteria for urgent business.

An amendment was proposed by Councillor W Mee as follows:

“Council notes the Government’s decision in the recent budget to raise the single fare cap on bus journeys in England. from £2 to £3 from January 1st, 2025, this funding is a subsidy of bus companies to lower fares, not a price ceiling, of which the subsidy was scheduled to run out. The way in which we improve our public transport is through integrated ticketing.

Council notes that through integrated ticketing fares will decrease the cost of journeys during a cost of living crisis at the most expensive time of year. It will also encourage

people to choose all modes of public transport (Tram, Train, Bus) over car travel, at a time when we should be encouraging and supporting greener travel alternatives.

This decision follows 10 years prior to the bus cap in which the conservatives took no action and let bus fares skyrocket, as well as no action on integrated ticketing.

This council also notes that the county council and the city council, the two Nottinghamshire councils with remit over transport are currently looking at improving current integrated ticketing plans. It is important we make a request that Broxtowe Borough is included in full.

Council resolves to:

- Write to both the city and county council transport portfolio holders (Councillors Neghat Khan and Neil Clarke MBE) to request that any reviews and improvements to the integrated ticketing include the north of the Borough of Broxtowe, Stapleford, Trowell, Awsworth, Cossall and Bramcote.
- Request that this integration is across all Tram, Train and Bus routes within the area.
- Emphasise the importance of bus provision improvements within the borough"

On being put to the meeting, the amendment was defeated.

It was proposed by Councillor S J Carr and seconded by Councillor B C Carr that the item be put to the vote. The proposal was carried.

RESOLVED that the motion submitted by Councillor G Bunn be approved.

COUNCIL

WEDNESDAY, 19 MARCH 2025

Present: Councillor S Paterson, Mayor

Councillors: D Bagshaw
P J Bales
L A Ball BEM
R E Bofinger
M Brown
R Bullock
G Bunn
C Carr
S J Carr
A Cooper
H L Crosby
T A Cullen
S Dannheimer
H J Faccio
K A Harlow
G S Hills
H G Khaled MBE
A Kingdon
H Land
D L MacRae
R D MacRae
G Marshall
J W McGrath
W Mee
J M Owen
P J Owen
S Paterson
M Radulovic MBE
H E Skinner
P A Smith
V C Smith
A W G A Stockwell
C M Tideswell
D K Watts
E Williamson
E Winfield

80 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors S A Bagshaw, B C Carr, S P Jeremiah, S Kerry, T J Marsh, D D Pringle, S Webb and K Woodhead.

81 DECLARATIONS OF INTEREST

Councillor D Bagshaw declared a non-registrable, pecuniary interest in item 4, minute number 83 refers.

82 LOCAL GOVERNMENT REORGANISATION IN NOTTINGHAM AND NOTTINGHAMSHIRE

Members considered a report which provided an overview of the government's requirement for plans for local government reorganisation to be developed in Nottingham and Nottinghamshire. The report outlined the work undertaken to respond to the requirements and noted the content and intention to submit an interim plan for the area of Nottingham and Nottinghamshire, in line with government requirements.

The original recommendation was as follows:

1. That Council notes the content and intention to submit the interim plan for local government reorganisation in Nottingham and Nottinghamshire to government by 21 March 2025.
2. That Council consider the statement of risks and concerns set out in appendix 4 and agree to endorse or amend this to accompany the submission of the interim plan on behalf of Broxtowe.
3. Provide delegated authority to the Deputy Chief Executive and Section 151 Officer to set aside an earmarked reserve of £150,000 or more from an anticipated General Fund underspend in 2024/25 for the purposes of funding the cost of Local Government Reorganisation in the event of central government capacity funding being delayed and/or not sufficient.

Councillor M Radulovic MBE stated an intention to move a number of amendments throughout the meeting and it was agreed that each would be debated in turn. The following motion was proposed by Councillor M Radulovic MBE and seconded by Councillor G Marshall.

"This Council notes the content and the intention to submit the interim plan for local government reorganisation in Nottingham and Nottinghamshire by 21 March 2025."

On being put to the meeting, the motion was carried.

The following amendment was proposed by Councillor M Radulovic MBE and seconded by Councillor G Marshall.

"This Council cannot support a merger with a new Council which encompasses the current City Council boundary which is in a dire financial position and disadvantages Broxtowe residents and ignores their concerns and wishes, making it impossible to have the frank and open discussions essential to forming a successful long-term plan based on service delivery."

Members debated the amendment and stated a reluctance to forward any proposals which involved a merger with Nottingham City Council, which it was stated had been subject to poor performance and mismanagement. Local Government Reform was not in the government's manifesto prior to the general election and it was stated that the City Council wished to reduce its debts by using this Council's assets. At this point in

the debate Councillor D K Watts presented a petition on behalf of several hundred residents who had expressed their opposition to proposed plans for local government reorganisation.

It was stated that this Council should be an equitable partner in any discussions and it was essential that this Council was viewed equally.

Furthermore, Broxtowe was a distinct community which should remain as such, this was evidenced by a survey which had been undertaken which suggested that residents had strongly expressed that they wished to remain associated with this Authority. Residents and Members were proud of this Council and wished to remain part of it.

Further statements were also expressed that reorganisation would enable the residents of Broxtowe to receive a greater share of finance that it had not had previously, moreover, all councils would be merged rather than 'taken over' and this would be an opportunity to share the good work of Broxtowe with the wider community.

Councillor M Radulovic MBE called for a recorded vote which was supported by at least four other Members. The voting was as follows:

<u>For</u>	<u>Against</u>	<u>Abstain</u>
L A Ball BEM		D Bagshaw
R E Bofinger		P Bales
M Brown		A Cooper
R Bullock		H J Faccio
G Bunn		W Mee
C Carr		E Winfield
S J Carr		
H Crosby		
T A Cullen		
S Dannheimer		
K A Harlow		
G S Hills		
H G Khaled MBE		
A Kingdon		
H Land		
D L MacRae		
R D MacRae		
G Marshall		
J W McGrath		
J M Owen		
P J Owen		
S Paterson		
M Radulovic MBE		
H E Skinner		
P A Smith		
V C Smith		
A W G A Stockwell		
C M Tideswell		
D K Watts		
E Williamson		

On being put to the meeting, the amendment was carried.

The following amendment was proposed by Councillor M Radulovic MBE and seconded by Councillor G Marshall.

“That Council considers the statement of risks and concerns set out in appendix 4 and agrees to endorse this to accompany submission of an interim plan on behalf of Broxtowe.”

It was proposed by Councillor P J Owen that the word ‘endorse’ be replaced with ‘note’. Both Councillors Radulovic and Marshall agreed to accept the amendment.

Members stated that there were concerns over the amount of homelessness in the City and the risks were not mitigated within the report. The number of risks and concerns showed how rushed the reorganisation was.

On being put to the meeting, the amendment was carried.

The following amendment was proposed by Councillor M Radulovic MBE and seconded by Councillor G Marshall.

“Any future reorganisation should be based on community needs and service delivery rather than plugging shortfalls in local government financing. Any process should empower local communities to share their voice and should not be confined to a narrow suite of options.”

It was proposed by Councillor P J Owen and seconded by Councillor A G W A Stockwell that the following amendment be considered:

“That Council endorses option 2 in the event of Local Government Reorganisation going ahead.”

Members debated the amendment and it was stated that Councillors must accept that the reorganisation would take place and that Councils would be merged. It was important for Members to state what they did not want to take place.

It was further stated that the amendment could not be supported as it would agree with the abolition of this Council. Broxtowe had worked hard to be in good financial order and this had not been the example at the City. It was stated that Officers are a positive influence rather than negative. Previous examples of merged councils had not been successful.

Councillor A G W A Stockwell called for a recorded vote which was supported by at least four other Members. The voting was as follows:

<u>For</u>	<u>Against</u>	<u>Abstain</u>
L A Ball BEM	D Bagshaw	
M Brown	P Bales	
H Crosby	R E Bofinger	
G S Hills	R Bullock	
H G Khaled MBE	G Bunn	
J M Owen	C Carr	
P J Owen	S J Carr	

A W G A Stockwell	A Cooper
	T A Cullen
	S Dannheimer
	H J Faccio
	K A Harlow
	A Kingdon
	H Land
	D L MacRae
	R D MacRae
	G Marshall
	J W McGrath
	W Mee
	S Paterson
	M Radulovic MBE
	H E Skinner
	P A Smith
	V C Smith
	C M Tideswell
	D K Watts
	E Williamson
	E Winfield

On being put to the meeting, the amendment proposed by Councillor P J Owen and seconded by Councillor A G W A Stockwell was defeated.

Following a brief adjournment, the meeting returned to consider the amendment proposed by Councillor M Radulovic MBE and seconded by Councillor G Marshall.

Councillor M Radulovic MBE called for a recorded vote which was supported by at least four other Members. The voting was as follows:

<u>For</u>	<u>Against</u>	<u>Abstain</u>
D Bagshaw	L A Ball BEM	
P Bales	M Brown	
R E Bofinger	H Crosby	
R Bullock	G S Hills	
G Bunn	H G Khaled MBE	
C Carr	J M Owen	
S J Carr	P J Owen	
A Cooper	A W G A Stockwell	
T A Cullen		
S Dannheimer		
H J Faccio		
K A Harlow		
A Kingdon		
H Land		
D L MacRae		
R D MacRae		
G Marshall		
J W McGrath		
W Mee		
S Paterson		
M Radulovic MBE		

H E Skinner
P A Smith
V C Smith
C M Tideswell
D K Watts
E Williamson
E Winfield

On being put to the meeting, the amendment was carried.

The following amendment was proposed by Councillor M Radulovic MBE and seconded by Councillor G Marshall.

“This Council calls upon the government to suspend the Local Government Review proposals in Nottingham and Nottinghamshire pending the financial stabilisation of Nottingham City Council which will allow a full democratic consultation with the residents of Broxtowe to take place.”

It was proposed by Councillor P J Owen and seconded by Councillor A G W A Stockwell that the following amendment be considered:

“That Council seeks to support its endorsement of option 2 by carrying out a full public consultation exercise.”

Members debated the amendment and on being put to the meeting, the amendment proposed by Councillor P J Owen and seconded by Councillor A G W A Stockwell was defeated.

Members then voted on the amendment proposed by Councillor M Radulovic MBE and seconded by Councillor G Marshall, on being put to the meeting the amendment was carried.

The following motion was proposed by Councillor M Radulovic MBE and seconded by Councillor G Marshall as it was part of the original recommendations included within the report considered by Council.

“This Council provides delegated authority to the Deputy Chief Executive and Section 151 Officer to set aside an earmarked reserve of £150,000 or more from an anticipated General Fund underspend in 2024/25 for the purposes of funding the cost of Local Government Reorganisation in the event of central government capacity funding being delayed and/or not sufficient.”

On being put to the meeting, the motion was defeated.

RESOLVED that:

- 1. This Council notes the content and the intention to submit the interim plan for local government reorganisation in Nottingham and Nottinghamshire by 21 March 2025.**
- 2. This Council cannot support a merger with a new Council which encompasses the current City Council boundary which is in a dire financial position and disadvantages Broxtowe residents and ignores their concerns and wishes, making it impossible to have the frank and**

- open discussions essential to forming a successful long-term plan based on service delivery.
3. That Council considers the statement of risks and concerns set out in appendix 4 and agrees to note this to accompany submission of an interim plan on behalf of Broxtowe.
 4. Any future reorganisation should be based on community needs and service delivery rather than plugging shortfalls in local government financing. Any process should empower local communities to share their voice and should not be confined to a narrow suite of options.
 5. This Council calls upon the government to suspend the Local Government Review proposals in Nottingham and Nottinghamshire pending the financial stabilisation of Nottingham City Council which will allow a full democratic consultation with the residents of Broxtowe to take place.
 6. This Council rejects providing delegated authority to the Deputy Chief Executive and Section 151 Officer to set aside an earmarked reserve of £150,000 or more from an anticipated General Fund underspend in 2024/25 for the purposes of funding the cost of Local Government Reorganisation in the event of central government capacity funding being delayed and/or not sufficient.

83 ATTENDANCE AT MEETINGS

The Local Government Act 1972 states that when a Councillor fails to attend any meeting for six consecutive months from the date of their last attendance, then, subject to certain exceptions, they cease to be a Member of the authority, unless the Council accepts a reason for the failure to attend before the six months expires. Councillor S A Bagshaw is currently unable to attend Council meetings and in the circumstances, it is put before Members to consider a dispensation under Section 85 (1) of the Local Government Act 1972 for the period of six months from 6 March 2024 before which forfeiture applies.

A recorded vote was proposed by Councillor P J Bales and seconded by at least four other councillors. The voting was as follows:

<u>For</u>	<u>Against</u>	<u>Abstain</u>
P Bales		G Bunn
L A Ball BEM		A Kingdon
R E Bofinger		H Land
M Brown		R D MacRae
R Bullock		V C Smith
C Carr		E Williamson
A Cooper		
H Crosby		
T A Cullen		
S Dannheimer		
H J Faccio		
K A Harlow		
G S Hills		
H G Khaled MBE		
D L MacRae		
G Marshall		

J W McGrath
W Mee
J M Owen
P J Owen
S Paterson
M Radulovic MBE
H E Skinner
P A Smith
A W G A Stockwell
C M Tideswell
E Winfield

RESOLVED that a dispensation be granted for Councillor S A Bagshaw for a period of six months from the date of this meeting.

(Having declared a non-registrable, pecuniary interest, Councillor D Bagshaw left the meeting for the duration of the item and did not vote thereon.)

(Councillors S J Carr and D K Watts left the meeting prior to debating or voting thereon.)

Report of the Monitoring Officer

Scheme of Delegation

1. Purpose of Report

To agree the Scheme of Delegation.

2. Recommendation

Council is asked to RESOLVE that the Scheme of Delegation be approved.

3. Detail

Part 1.1.9 of the Constitution states that at the annual meeting of the Council, it should:

“agree the scheme of delegations or such part of it as the Constitution determines it is for the Council to agree (as set out later in this Constitution)”.

The Scheme of Delegation is included at the **Appendix** for Councillors to consider and contains updates following the recent retitling of Senior Officers. It should also be noted that, this will be part of the review of the Constitution that is to be considered by a future full Council meeting and Members will be encouraged to provide feedback.

4. Financial Implications

There are no financial implications.

5. Legal Implications

There are no Legal implications.

6. Human Resources Implications

There are no Human Resources implications.

7. Union Comments

There were no Union Comments.

8. Climate Change Implications

There were no comments from the Waste and Climate Change Manager.

9. Data Protection Compliance Implications

This report does not contain any OFFICIAL (SENSITIVE) information and there are no Data Protection issues in relation to this report.

10. Equality Impact Assessment

As this is not a change to policy or a new policy, therefore an equality impact assessment not required.

11. Background Papers

Nil.

Broxtowe Borough Council Constitution

Chapter 3 – Part 1

Scheme of Delegation

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Chapter 3 Part 1: THE SCHEME OF DELEGATION

Introduction to the Scheme of Delegation

Under the Local Government Act 1972 and the Local Government Act 2000 the Council has arranged for the discharge of its functions and responsibilities by the Council bodies detailed below and as set out in the corresponding section of this Constitution:

- 1.1.1 The Council (Chapter 2 Part 1& 2);
- 1.1.2 The Cabinet (Chapter 2 Part 3);
- 1.1.3 Committees (Chapter 2 Part 8 -17);
- 1.1.4 Officers (Chapter 3 this Part 1 – the Officer Scheme of Delegation;

The exercise of delegated powers is subject to the restrictions set out at paragraph 3 below:

Where a power has been delegated, the Council, Cabinet or Committee, or in the case of an Officer Sub-Delegation, the delegating Officer, or that person's nominated substitute may still exercise that power in a particular instance if considered appropriate. Equally, any matter may be referred up to the source of the delegation for determination.

Where the name of a post is changed, or its relevant functions become vested in a different post, any delegated powers possessed by the post shall be retained by the renamed post or transferred to the different post as the case may be. This includes any delegated powers vested in a post by resolution of the Council, the Cabinet, or a Committee/Sub Committee.

In the event of a restructure the Chief Executive shall have authority to re-allocate the delegated powers to other posts and shall give notice of this to the Monitoring Officer and the Head of Legal Services. Any use of the Chief Executive's exercise of this delegated power over £25,000, which are not within the existing budget must be reported to the Council and/or to the Cabinet as soon as practicable.

The Officer Scheme of Delegation

1. Introduction to the Officer Scheme of Delegation

- 1.1 This Officer Scheme of Delegation (OSD) is for the Officers of the Council. 'Officers' are defined as all employees and staff employed or engaged by the Council to carry out its functions. It includes those under short-term, agency, or other non-employed situations. It does not apply to any person employed by contractors who are carrying out work or duties for the Council under contracts.

- 1.2 The OSD has been adopted by the Council and sets out the extent to which the powers and duties of the Council are delegated to Officers under the Local Government Act 1972, the Local Government Act 2000 (as amended) and all other powers enabling the delegation of Executive and Non-Executive functions to Officers.
- 1.3 The OSD is intended to provide a streamlined, clear and simple decision-making process and empower Officers to carry out their functions and deliver the Council's services within the Budget and Policy Framework set by the Council, and subject to the guidelines set by the Council, the Cabinet and the Council's management team. The OSD should be interpreted widely.
- 1.4 All references to legislation shall be deemed to include any subsequent amendments to such legislation.
- 1.5 In this OSD references to powers and functions of 'the Council' include the powers and functions of the Cabinet (Executive).
- 1.6 The delegations under this OSD are intended to be cumulative. Each delegation may be read on its own unless it is specifically expressed to be subject to another.
- 1.7 An Officer to whom a power has been delegated may Sub-Delegate that power to another appropriate Officer(s) following consultation with the Chief Executive and Monitoring Officer. A record of any delegations shall be provided to the Monitoring Officer, Head of Legal and Head of Democratic Services for their records.
- 1.8 Where an Officer has delegated powers, the Council, the Cabinet, a Committee or a delegating Officer (as the case may be) can still exercise that power in a particular case if it considers it appropriate to do so. It remains open to an Officer not to exercise delegated powers and instead refer the matter up to the source of their delegated power for determination.

2. Functions which are Not Delegated

- 2.1 This OSD does not delegate to Officers:
 - 2.1.1 any matter reserved to full Council by law or otherwise in accordance with this Constitution;
 - 2.1.2 any matter which by law may not be delegated to an Officer;
 - 2.1.3 any Key Decision;
 - 2.1.4 any matter expressly withdrawn from delegation by the Council, Committees, Leader or Cabinet or delegating Officer (as the case may be).

3. Restrictions

3.1 The exercise of delegated powers by an Officer is subject to:

- 3.1.1 any statutory restrictions;
- 3.1.2 the Budget and Policy framework;
- 3.1.3 any provision of this Constitution including the Financial Regulations, Procurement Regulations and Procedure Rules;
- 3.1.4 any financial limits set out in the revenue or capital budgets except as set out in the Financial Procedure Rules set out at Chapter 4 Part 1&2;
- 3.1.5 any policy set by the Council or its Committees, the Cabinet, the Leader or Chief Executive;
- 3.1.6 the Employee Code of Conduct;
- 3.1.7 consultation (as applicable).

4. Consultation and Liaison

4.1 When exercising delegated powers on non-routine matters, Officers must consult as considered appropriate, the relevant Portfolio Holder and/or the Leader and give due regard to any advice received and if considered appropriate, keep Councillors and relevant other Officers properly informed of actions arising within the scope the delegation exercised.

5. Transfer of Functions

- 5.1 Where the name of a post is changed, or its relevant functions become vested in a different post, any delegated powers possessed by the post shall be retained by the renamed post or transferred to the different post as the case may be. This includes any delegated powers vested in a post by resolution of the Council, the Cabinet, or a Committee/Sub Committee.
- 5.2 In the event of a restructure the Chief Executive shall have authority to re-allocate the delegated powers to other posts and shall give notice of this to the Monitoring Officer. Any use of this delegated power must be reported to the Council and/or to the Cabinet as soon as practicable.

6. Proper Officer Functions and Delegations

- 6.1 Officers designated by the Council as “Appropriate” or “Proper” Officer” for the purposes of any statutory function (including where necessary or convenient having regard to any professional or technical requirements of an Officer who is not an employee of the Council) and their functions are set out at the Schedule of Proper Officer Functions & Delegations below.

7. The Council’s Statutory Officers and Management Structure

The Council shall engage such Officers as considered necessary for the discharge of its functions.

The Statutory Officers & The General Management Team

- 7.1 The Council’s Statutory Officers are:

- 7.1.1 The Head of Paid Service (Chief Executive);
- 7.1.2 The Deputy Chief Executive/Section 151 Officer;
- 7.1.3 The Monitoring Officer.

- 7.2 The Statutory Officers together with the Executive Director are the Council’s ‘Chief Officers’ and comprise the Council’s General Management Team.

The Senior Management Team

- 7.3 The Senior Officers listed below are part of the Council’s Senior Management Team and they have delegated authority within the terms of this Constitution for their areas of responsibility as set out further below, without limitation, at paragraphs 13 – 24.

- 7.3.1 Head of Legal Services & Deputy Monitoring Officer;
- 7.3.2 Head of Democratic Services & Deputy Monitoring Officer;
- 7.3.3 Assistant Director – Finance Services;
- 7.3.4 Assistant Director – Planning & Economic Development;
- 7.3.5 Assistant Director – Asset Management;
- 7.3.6 Assistant Director – Housing;
- 7.3.7 Assistant Director – Environment Services;
- 7.3.8 Assistant Director – Revenue, Benefits & Customer Services;

7.3.9 Assistant Director – Corporate Services

7.3.10 Head of Environmental Health, Licensing and Private Sector Housing

7.3.11 Head of Communities and Community Safety

7.3.12 Head of Health and Safety, Compliance & Emergency Planning

7.3.13 Head of Economic Development

7.4 The following Senior Officers are also members of the Council's Senior Management Team:

7.4.1 Payroll and Job Evaluation Manager;

7.4.2 Communications, Cultural and Civic Services Manager.

7.4.3 Human Resources Manager;

7.4.4 Commercial Manager.

7.5 The Senior Officers of the Council are those who comprise the Senior Management Team as well as those who report directly to a Member of General Management Team as listed at paragraph 7.3 and 7.4.

8. Delegation of General Powers

8.1 The delegation to Chief Officers and Senior Officers shall include:-

8.1.1 All powers under all present and future legislation relevant to their areas of responsibility and the discharge of their duties and functions, including all powers incidental and/or conducive to that legislation, their areas of responsibility and the discharge of their duties and functions. All such functions must be managed in accordance with Council policies, strategies and procedures and all applicable law. It shall be the responsibility of each chief Officer to liaise with their senior Officers as to the discharge of their delegated functions to ensure it aligns with corporate policy.

8.1.2 The power to authorise the exercise of the delegated powers of decision by such other Officers as may be deemed appropriate for the proper and efficient performance of the work. A record of any delegations shall be provided to the Monitoring Officer and Head of Legal and Head of Democratic Services (The Deputy Monitoring Officers) for their retention.

8.2 If the Officer to whom a function has been delegated is unable to act due to a conflict of interest, a conflict of opinion with a Chief Officer or any other reason,

then it is for the Chief Executive to determine who should exercise that function. If the Chief Executive is unable to act due to a conflict of interest, or any other reason, then it is for the Deputy Chief Executive/Section 151 Officer to determine who should exercise that function. If the Chief Executive and Deputy Chief Executive/Section 151 Officer are unable to act due to a conflict of interest, or any other reason, then the function can be exercised by any Chief Officer from the General Management Team.

- 8.3 Subject to any statutory restrictions or as otherwise provided for in this Constitution, the powers of a Statutory Officer/Chief Officer, Proper Officer or Senior Officer may be exercised by their nominated deputies or any other authorised Officer.
- 8.4 A Statutory Officer/Chief Officer, Proper Officer or Senior Officer may, so far as permissible under the law or otherwise as provided for in this Constitution, sub-delegate their powers within their area of responsibility (including cross -service delegation where appropriate).

Chief Officer Responsibilities and Specific Delegated Powers

Without limitation the responsibilities and specific delegated powers of the Chief Officers are as set out below.

9. The Chief Executive (Head of Paid Service)

- 9.1 To act as the Council's Head of Paid Service and to undertake the associated duties as set out in Section 4 of the Local Government and Housing Act 1989.
- 9.2 To lead, manage and direct all Officers of the Council in providing a corporate, co-ordinated, cross-functional approach towards Strategy and Policy Development and the delivery of services for the Council.
- 9.3 To deal with the grant and supervision of exemptions from political restrictions in respect of the relevant Council's posts.
- 9.4 To review the Whistleblowing Procedure for Employees.
- 9.5 To review the Employee Code of Conduct.
- 9.6 In consultation with the HR Manager, as considered necessary, to deal with all employee matters, relating to the structure (additions, reductions and other changes to the establishment), the recruitment, conditions of service, grievance, discipline, suspension, dismissal (including settlement agreements after consultation with the Monitoring Officer and Deputy Chief Executive/Section 151

Officer), superannuation, qualifications, training, job evaluation, promotion, safety and provision of welfare facilities of all employees of the Council up to £25,000, or within existing budgets, which have not been delegated to a Committee or Cabinet, except that the following shall be reserved to Council:

The appointment and dismissal of the roles of:

- the Head of Paid Service (Chief Executive)
- the Monitoring Officer as appointed pursuant to Section 5 of the Local Government and Housing Act 1989 and
- the Officer having responsibility for the Council's financial affairs pursuant to Section 151 of the Local Government Act 1982 and any other Chief Officer.

9.7 To act as the Council's Returning Officer for Local and General Elections and Referendums, the Electoral Registration Officer for the Borough and Proper Officer for Parish polls under the Local Government Act 1972.

9.8 To make any necessary changes to polling stations at short notice before an election, with any permanent changes being approved at Full Council.

9.9 To act as the Council's Emergency Planning Officer in both wartime and peacetime emergencies and to liaise as necessary with neighbouring authorities, government departments, agencies and other bodies.

9.10 To perform the functions of the Council in respect of crime reduction including the payment of grants within the policy and budget of the Crime and Disorder Reduction Partnership.

9.11 The Chief Executive, following consultation with the Leader of the Council and, where possible, the Leader of the Opposition, shall have the power to allocate any new functions of the Council, or a function which has not been allocated under this Scheme, to the Officer (including the Chief Executive), which the Chief Executive considers most appropriate to perform the function. This enhances delegated urgency powers to the Chief Executive in light of any pandemic or other such circumstances.

9.12 In consultation with the Leader of the Council, and other recognised group Leaders, to nominate or recommend any appointment to Liberty Leisure Ltd on behalf of the Council as shareholder.

9.13 In consultation with the Leader of the Council and where possible, the Leader of the Opposition to authorise the taking or carrying out of action, notwithstanding anything on the Council's Procedure Rules or Financial Procedure Rules, where they consider that circumstances exist that make it expedient or necessary for action to be taken prior to the time when such action could be approved through the normal

Council procedures. A report on such action, and the circumstances justifying the exercise of the delegated powers, shall be made to the next meeting of the Cabinet or Council, as appropriate.

9.14 Any action in accordance with the Council's agreed policies and procedures with respect to the recruitment, appointment, promotion, training, grading, discipline, determination of wages and salary scales, determination of allowances, determination and application of conditions of service, including but not limited to allocation of leave, honorariums, ill health retirement and determination of establishment.

9.15 To sign and seal documents on behalf of the Council, as required.

10 The Deputy Chief Executive/Section 151 Officer

10.8 The Deputy Chief Executive shall deputise for the Chief Executive in their absence or where they are unable to act unless prohibited from doing so under the law or otherwise by any provision of this Constitution.

10.9 To perform the Council's commercial services function.

10.9.1 The Deputy Chief Executive is the Council's Section 151 Officer and in such capacity: -

10.9.2 Ensuring Lawfulness and Financial Prudence in Decision-Making

After consulting with the Head of Paid Service and the Monitoring Officer, the Deputy Chief Executive/Section 151 Officer shall report to the Council, the Cabinet or appropriate Committee (as the case may be) and the Council's external auditor, any proposal, decision or course of action which in the opinion of the Deputy Chief Executive/Section 151 Officer will incur unlawful expenditure or is otherwise unlawful and likely to cause a loss or deficiency, or where the Council is about to enter an item of account unlawfully.

10.9.3 Administration of Financial Affairs

10.9.3.1 The Deputy Chief Executive/Section 151 Officer shall be responsible for the administration of the financial affairs of the Council pursuant to section 151 of the Local Government Act 1972;

10.9.3.2 To make arrangements for the provision and operation of any treasury management, banking and insurance services including the authorisation of any transaction; signing of cheques or other financial instrument; provision of indemnities; agreement of terms for the raising, repayment or cancellation of loans, investments and leases;

- 10.9.3.3 To take any action to recover debts due to the Council and to write off debts considered to be irrecoverable for any proper reason;
- 10.9.3.4 To authorise arrangements for the disposal of surplus or obsolete assets and consequential accounting entries;
- 10.9.3.5 To determine all financial matters specified within statutory provisions and not reserved therein to the Council;
- 10.9.3.6 To allocate budgetary provision from approved contingencies and earmarked reserves; To make arrangements for the provision of an internal audit service to the Council;
- 10.9.3.7 Negotiate and settle the Council's insurance claims through insurers up to a financial limit determined by policy;
- 10.9.3.8 Together with the Chief Executive and the Monitoring Officer provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and budget and policy framework issues to all Councillors and support and advise Councillors and Officers in their respective roles.
- 10.9.4 In consultation with the Assistant Director – Finance Services and the Assistant Director – Revenue, Benefits & Customer Services:
- 10.9.5 Give financial information and provide financial information to the media, members of the public and the community;
- 10.9.6 Write off debts to the limit set in Financial Procedure Rules;
- 10.9.7 Grant non-domestic rating discretionary relief;
- 10.9.8 Assess and determine applications regarding the Policy on Discretionary Council Tax Discounts.
- 10.10 To discharge the Council's functions in respect of:
 - 10.10.1 The Administration of benefits, including determination of entitlement and the award of discretionary housing benefits;
 - 10.10.2 The Collection of revenues due to the Council under currently prevailing legislation relating to local government finance;
 - 10.10.3 The Determination and declaration of the appropriate local average rate in March and September each year in respect of Council mortgages and perform and consequential administration;

- 10.10.4 Appearance at hearings of the Valuation Tribunal;
- 10.10.5 The recovery of rates and Council Tax including the appointment of enforcement agents for this purpose and the pursuit of court proceedings in consultation with the Head of Legal Services, where appropriate; The Management of the Council's investments and debts, including the appointments of external investment managers and brokers, in accordance with the Council's adopted Treasury Policy Statement;
- 10.10.6 The Appointment of, and liaison with, insurers;
- 10.10.7 Unless otherwise delegated, the determination of tenders in respect of all activities in accordance with relevant legislative requirements and organisation and performance of all works in relation thereof;
- 10.10.8 The negotiation and acceptance of quotations from contractors for works classified as part of tenders within limits specified in the Financial Procedure Rules;
- 10.10.9 The reduction or remittance of the charge for non-domestic rates on occupied and unoccupied properties on grounds of hardship, under Section 49 of the Local Government Finance Act 1988.

11 The Monitoring Officer

- 11.1 The Monitoring Officer is the Council's Monitoring Officer for the purpose of section 5 of the Local Government and Housing Act 1989.
- 11.2 The Monitoring Officer has the following specific functions:
 - 11.2.1 To report to the Council, if they consider that any proposal, decision or omission would give rise to unlawfulness or if any decision or omission would give rise to a finding of maladministration, after such consultation with the Chief Executive and the Deputy Chief Executive/Section 151 Officer. Such a report, once issued, will have the effect of stopping the proposal or decision being implemented until the report has been considered.
 - 11.2.2 To maintain an up-to-date version of the Constitution and ensure that it is widely available to Members, employees, and public, to make changes to the Council's Constitution as she/he deems to be necessary and which are in the Council's interest and not major in nature, including but not limited to:
 - 11.2.3 Changes amounting to routine revision

- 11.2.4 To provide appropriate clarity
- 11.2.5 To correct typographical and other drafting errors
- 11.2.6 To reflect new legislation
- 11.2.7 To correct inconsistencies in drafting Officer delegations
- 11.2.8 To reflect new Officer structures and job titles, properly approved through Council processes ensuring that all administrative changes are made in consultation with the Chief Executive, Leader and Leader of the Opposition, save where such consultees object to the proposed changes in which case the matter shall be determined by the Council
- 11.2.9 To record any changes on the constitution document control log and to report these to Council annually.
- 11.2.10 To interpret the Constitution where the meaning is uncertain or there is a dispute about its meaning.
- 11.2.11 To provide support and advice to the Council, Cabinet, Committees and Officers;
- 11.2.12 To provide advice to all Members on issues in relation to the scope of powers and authority to take decisions, interests, maladministration, financial impropriety, probity and the Budget and Policy Framework;
- 11.2.13 In consultation with the with Head of Legal Services and/or other Senior Officers as may be appropriate, deal with matters concerning regulators and Ombudsmen.
- 11.2.14 To determine corporate complaints and to make payments for maladministration and other similar compensation awards by the Council up to a limit of £5,000.

12 Executive Director

- 12.1 To negotiate compensation claims by or against the Council up to the maximum currently set out in Financial Procedure Rules in capital consideration in each case or weekly compensation not exceeding that sum in each case.
- 12.2 To perform the Council's, Environmental Services, Payroll and Job Evaluation, Corporate Services, Health, Safety and Compliance and Emergency Planning, Communications, Culture and Civic functions.
- 12.3 To perform functions in relation to Climate Change matters.
- 12.4 To act as the Council's Data Protection Officer as required by relevant legislation.

12.5 To act as the Council's Senior Information Risk Owner (SIRO).

Senior Management Team Responsibilities and Specific Delegated Powers

Without limitation the responsibilities and specific delegated powers of the Senior Management Team are as set out below.

13 Head of Legal Services and Deputy Monitoring Officer

- 13.1 Legal services Affixing the Common Seal of the Council.
- 13.2 Certifying true copies.
- 13.3 To determine, authorise, issue and withdraw any Notice, decision, proceedings (to include criminal and civil proceedings) and appeals on behalf of the Council.
- 13.4 To exercise discretion in consultation with the Deputy Chief Executive/Section 151 Officer to settle court and tribunal proceedings and other potential proceedings.
- 13.5 To authorise, in conjunction with the Chief Executive, Officers under Section 223 of the Local Government Act 1972 to appear on behalf of the Council in proceedings before the Magistrates' Court where those Officers would otherwise not have rights of audience before the court.
- 13.6 To arrange and authorise the signing of a contract under seal such signing to be witnessed by an Officer or Member of the Council and registered in a book kept for that purpose by the Monitoring Officer.
- 13.7 To confirm unopposed public path orders and tree preservation orders.
- 13.8 To determine applications for the Register of Community Assets and applications for compensation.
- 13.9 To approve Wayleave Agreements.
- 13.10 To authorise any person or sign any Notice to enable the use of the Council's powers of entry to land or property including applications to the court to enforce or ensure that the power of entry can be exercised.
- 13.11 To determine, prepare and serve applications for Certificates of Lawful Use or Development notices and directions subject to prior approval with the Assistant Director - Planning and Economic Development or his or her nominated Officer.
- 13.12 To enter into an agreement regulating the development or use of land in consultation with the Assistant Director - Planning and Economic Development (Section 106 Town and Country Planning Act 1990).

- 13.13 To determine appeals in relation to compensation for matters relating to the Register of Community Assets.
- 13.14 To determine and issue any Notice, decision, proceedings, appeals not otherwise delegated to Officers (other than where prohibited by statute) or in circumstances where that Officer is unable to exercise his or her delegated authority.
- 13.15 To perform the Council's elections, electoral registration and Local Land Charges functions.

14 Head of Democratic Services & Deputy Monitoring Officer

- 14.1 To perform, the Council's Democratic Service functions.
- 14.2 To perform the Council's Complaints functions.
- 14.3 To ensure that all decisions, reasons for those decisions, relevant Officer reports and background papers are made publicly available as soon as possible and in accordance with the relevant legislation.

15 Assistant Director – Finance Services

- 15.1 To perform the Council's Financial Management functions to manage the finances in an efficient manner such that the Council has sufficient financial resources to enable it to successfully implement its policies and plans.
- 15.2 To perform the Council's Accountancy Services functions to prepare and monitor the Council's detailed financial plans and pay all creditors and collect all income due to the Council promptly.
- 15.3 To perform the Council's Treasury Management and Banking functions to manage the Council's debt portfolio, investments and banking arrangements, manage the risks associated with these activities and pursue optimum performance consistent with these risks.
- 15.4 To perform the Council's Internal Audit functions as a key component of the Council's governance framework to enhance and protect organisational value by providing risk- based and objective assurance, advice and insight.
- 15.5 To co-ordinate the Council's Fraud and Corruption prevention activity. The Council takes a zero-tolerance approach to fraud and corruption and is committed to establishing a strong anti-fraud and corruption culture.
- 15.6 To co-ordinate the Council's Business Planning and Performance Management framework, including support with the preparation of Business Plans and the suite of performance indicators and targets and the monitoring of these through the performance management system.
- 15.7 To perform the Council's Insurance and Risk Management functions to identify, arrange and monitor insurance requirements, including claims handling, and to implement risk management initiatives which minimise the risk of injury or loss to customers, employees and other stakeholders and safeguard the Council's assets.
- 15.8 To co-ordinate the Council's Procurement and Commissioning activity to improve the delivery and cost effectiveness of high-quality services across the organisation through the promotion of effective, prudent and innovative procurement and commissioning practices.
- 15.9 To perform the Council's Grant Aid activity to process applications for grant aid from voluntary organisations and individuals involved in sports or the arts.

16 Assistant Director – Planning & Economic Development

- 16.1 To perform the Council's Planning regeneration and development management functions.
- 16.2 To manage the Council's shared Building Control functions.
- 16.3 To perform the Council's Planning policy functions.
- 16.4 To perform the Council's functions in relation to Economic Development, Investment Regeneration, including involvement in Economic Development partnerships, government initiatives/investments and relevant Committees.
- 16.5 To determine applications for planning permission, the need for prior approval, consent for the display of advertisements and listed building consent and the determination of or response to any other application or matter received in respect of the town and country planning function, (excluding enforcement) including Article 4 directions subject in each case to the proviso that any Member of the Council may bring the application before the Planning Committee for decision, and subject also to the provisos below:
 - 16.5.1 Any application above that is
 - i) contrary to policy
 - ii) made by a Member of the Council or
 - iii) by an Officer involved in the planning process, namely: Directors, Assistant Directors, Heads of Service and employees of the planning and building control sections shall be referred to Planning Committee for decision;
 - 16.5.2 In consultation with Ward Members, the Chair and Vice Chair of the Planning Committee, the decision not to take enforcement action must only be made in consultation with the Head of Legal Services.
- 16.6 To determine planning enforcement action as may be necessary having due regard to the consultation response from Ward Members, the Chair of Planning Committee and the Head of Legal Services to include the:
 - 16.6.1 Investigation leading to breach of condition notices;
 - 16.6.2 Investigation leading to enforcement notices and injunctions;
 - 16.6.3 Investigation leading to stop and temporary stop notices;

16.6.4 Investigations leading to untidy land notices or community protection notices.

- 16.7 On a finding of breach of planning control, after consultation with Ward Members, Chair and Vice Chair of Planning Committee and Head of Legal Services to carry out the necessary action.
- 16.8 To manage the transfer of all Building Control Functions (under the provisions of Building Act 1984, Building Regulations 2010 and all other relevant legislation) to Erewash Borough Council.
- 16.9 To enforce in respect of complaints Part 8 of the Anti-Social Behaviour Act 2003, including high hedges.
- 16.10 To determine street naming and numbering.
- 16.11 Where Section 106 contributions have been approved at the relevant Committee to arrange payments of these in consultation with the Head of Legal Services.

17 Assistant Director – Asset Management & Development

- 17.1 To deal with Capital Works Housing stock management and modernisations.
- 17.2 To approve bids and adaptations to Council properties up to a maximum of £30,000.
- 17.3 House Building Delivery – To consider and recommend housing building schemes.
- 17.4 Estate Management - Property/land acquisition and disposal (except housing stock).
- 17.5 To carry into effect approved capital and revenue programmes with regard to the Council's housing stock.
- 17.6 To manage and maintain buildings and lands held for directorate purposes including public car parks, industrial and commercial property.
- 17.7 In common with the Head of Legal Services acquisitions, appropriations and disposals of land or property (except Council Houses) not exceeding the value currently set out in Financial Regulations.
- 17.8 To consider, negotiate and determine all of the Council's acquisitions, appropriations and disposals of any land or property (except Council houses), lettings, negotiations and settlement of leases and rents for Council owned land or property (except Council houses), easements, licences or other rights or interests affecting the land whether granted or to be granted to or by the Council not exceeding the rental or capital consideration currently set out in Financial Procedure Rules and in accordance with the Council's land disposal policy.

- 17.9 To negotiate and accept quotations from contractors for such related works classified as part of tenders within limits specified in the Financial Procedure Rules.
- 17.10 To perform the function of requesting the County Council to apply to the Secretary of State for the closure or diversion of a public right of way on the grounds of crime reduction, following consultation with any Ward Members and the Crime and Disorder Reduction Partnership, for the purposes of the Countryside and Rights of Way Act 2000.
- 17.11 To consider and recommend investment in, improvement of and carbon reduction of the Council's housing stock.
- 17.12 To negotiate and accept quotations from contractors for works to the Council housing stock classified as part of tenders within limits specified in the Financial Procedure Rules.

18 Assistant Director – Housing

- 18.1 To manage the Council's Landlord Functions within the provisions of Housing Act 1985, Housing Act 1996, Anti-Social Behaviour, Crime and Policing Act 2014 and all other relevant legislation. account.
- 18.2 To manage the Council's Strategic housing function within the provisions of Part 7 of the Housing Act 1996 and amendments by the Homelessness Reduction Act 2017 and all other relevant legislation.
- ~~18.3~~ To manage the Council's functions with regard to the Council's housing stock and housing revenue account property within the provisions of Part II Housing Act 1985, Housing Act 1998, Local Government and Housing Act 1989 Local Government Act 2003, Localism Act 2011 and all other relevant legislation.
- 18.4 To carry into effect approved capital and revenue programmes and approved policies with regard to the Council's housing stock in consultation with Assistant Director – Asset Management and Development.
- 18.5 To award compensation (up to a maximum of £3000) under the Secure Tenants of Local Authorities (Compensation for Improvement) Regulations 1994 (or other legislation) unless appropriate to exercise a discretion.
- 18.6 To determine compensation awards in relation to Stage 1 complaints up to a limit of £500 in consultation with the relevant Director.
- 18.7 To recover rent and other charges, (from the Council's housing stock), including the appointment of agents for this purpose and pursuit of Court proceedings.

18.8 In common with the Head of Legal Services deal with acquisitions, appropriations and disposals (lettings, negotiations and settlement of leases and rents) of Council Houses not exceeding the value currently set out in Financial Procedure Rules and in accordance with relevant Council policies.

18.9 To deal with Housing disrepair claims under the Pre-Action Protocol for Housing Conditions Claims (England) and Section 9A Landlord and Tenant Act 1985.

19 Assistant Director – Environment Services

19.1 To deal with Environmental services and waste collection services.

19.2 Vehicle, plant, equipment and facilities management, acquisition and disposal.

19.3 To deal with functions relating to Bereavement Services.

19.4 To carry into effect approved capital and revenue programmes with regards to the Council's vehicle fleet and improvements to public parks and green spaces.

19.5 To manage and maintain buildings and land held for Directorate purposes including Public Parks, Cemeteries, Woodlands, Play Areas, Recreational Grounds with associated Sports Facilities including Pavilions, Nature Reserves, The Nottingham Canal, public civil engineering assets and Allotments.

19.6 To manage and operate the licence, in accordance with statutory obligations, on behalf of the Council as Waste Collection Authority.

19.7 To manage and authorise the acquisition and disposal of all of the Council's vehicles and plant not exceeding the value currently set in the Financial Procedure Rules.

19.8 To deal with all matters in relation to the provision of vehicles, facilities and equipment within the overall capital programme including power to negotiate and execute all leases for items of plant and equipment within the capital programme.

19.9 To establish and review as necessary internal rates in respect of labour, plant and materials.

19.10 To perform the Council's functions in authorising the issuing of Community Protection Warnings for Anti-Social Behaviour

19.11 To perform the Council's functions with respect to Anti-Social Behaviour including Community Protection Notices and Fixed Penalties

20 Assistant Director – Revenue, Benefits & Customer Services

- 20.1 To perform the Council functions in relation to Revenues and Benefits.
- 20.2 To perform the Council functions in relation to Customer Services Contact Centre.
- 20.3 To perform the Council functions in relation to Council Tax and Business Rates including the assessment of all reliefs, discounts levys and exemptions.
- 20.4 To perform the Council's Quality & Control functions.
- 20.5 To appoint Officers (either internally or externally) to act on behalf of the Council to perform functions in relation to Revenues, Benefits and Customer Services.

21 Assistant Director – Corporate Services

- 21.1 To perform the Council's ICT functions.
- 21.2 To perform the Council's Business Support functions.
- 21.3 To perform the Council's Support Services & Cleaning functions.
- 21.4 To perform the Council's Information Governance functions
- 21.5 To perform the Council's Parking Services functions
- 21.6 To perform the Council's Surveillance functions
- 21.7 To act as the Council's Senior Responsible Officer under the Surveillance Commission Code of Practice

22 Head of Environmental Health, Licensing and Private Sector Housing.

- 22.1 To perform the Council's functions, with regards to public protection and environmental health under all current and new relevant legislation to include anti-social behaviour, occupational health and safety, control of diseases, control of pollution, air quality, contaminated land, public health, drainage, statutory nuisance, verminous persons and property, animal health and welfare, private sector housing, Sunday trading, food and water supplies, environmental protection, health protection unlawful encampments and smoking and the regulation and deregulation of businesses.
- 22.2 To approve and authorise the payment of housing grants.
- 22.3 To implement property charges on dwellings in respect of aids and adaptations.

22.4 To consider, determine and issue all of the Council's applications for approvals, licences, permits and registration for the Directorate, and if applicable vary, refuse, revoke or suspend such approvals, licences, permits and registration in relation to relevant Council functions and under the relevant current and new legislation including (but not limited to)

- skin piercing and special treatments
- pleasure boats and vessels
- premises for the preparation of food (including the Food Hygiene Rating Scheme)
- animal activities including but not exclusively; dog breeding, pet vending, premises where animals are bred or kept as part of a business, animal boarding, animal trainers and exhibitors, riding establishments, zoos, dangerous wild animals, guard dogs
- house in multiple occupation
- mobile homes
- scrap metal dealers (except for refusals which will go to Committee)
- pollution control
- private water supplies
- health protection
- Liquor (Licensing Act 2003)
- Gambling (Gambling Act 2005)
- street collections
- house to house collections
- sex shops and cinemas
- massage and special treatment
- vehicles, drivers and operators
- hypnotism
- pavement licences
- Scrap Metal Dealers (Sites and Collectors)

22.5 To perform the role of Hearing Officer on an application to review a decision to issue possession proceedings on the absolute ground.

22.6 To determine and maintain a matrix of competency and scope of enforcement levels of officers within environmental health.

22.7 To administer Simple Cautions in conjunction with an officer from Legal Services.

22.8 To be appointed as an Inspector in pursuance of section 19 of the Health and Safety at Work etc. Act 1974 authorised to carry out the powers vested in Inspectors by sections 20, 21, 22 and 25 of the Act and also the several provisions mentioned in the third column of Schedule 1 to the 1974 Act and any regulations, orders and instruments made hereunder:

- To authorise persons accompanying them on inspections for the purposes of section 20(2)(c)(i) of the Act.
- To request prosecution proceedings under Section 39 of the Health &

Safety at Work Etc. Act 1974.

- 22.9 To act as an authorised officer under Food Safety Act 1990.
- 22.10 To perform all the Council's functions with regard to moveable dwellings, caravan sites and unlawful encampments.
- 22.11 To perform the functions of the Council with respect to anti-social behaviour including Community Protection Notices and Fixed Penalties.
- 22.12 To enforce the powers of the Council in relation to smoking, save that the power to instigate legal proceedings is delegated to the Head of Legal Services.
- 22.13 To be authorised to carry out private sector housing functions including caravan sites, waste, filthy and verminous and HIMO's and improvement schemes (~~excluding~~ Housing Act Notices, Grant Approvals and Licences).
- 22.14 To exercise powers not otherwise provided for by committee under the Licensing Act 2003 and the Gambling Act 2005, including providing for the discharge of the Authority's functions as a responsible authority within the meaning of the Licensing Act 2003 and the Gambling Act 2005.
- 22.15 To issue licences for hackney carriage and private hire vehicles which are outside the current age limits under the Council's Exceptional Condition policy. To be authorised to carry out enforcement of all of the functions relating to the Licensing activities above.

23 Head of Communities and Community Safety

- 23.1 To perform the Council's functions, with regards to public protection and under all current and new relevant legislation to include anti-social behaviour and smoking.
- 23.2 To perform the Council's functions in the role of Independent Chair on an application to review Multi Agency Action in relation to Anti-Social Behaviour Case Review (community trigger) applications (Anti-Social Behaviour Crime and Policing Act 2014).
- 23.3 To perform the Council's functions in authorising the issuing of Community Protection Warnings for Anti-Social Behaviour.
- 23.4 To perform the Council's functions with respect to Anti-Social Behaviour including Community Protection Notices and Fixed Penalties.
- 23.5 To perform the Council's functions in enforcement of the powers of the Council in relation to smoking.

- 23.6 To perform the Council's functions in determining applications for Sanctuary Scheme in accordance with the Sanctuary Scheme Policy.
- 23.7 To perform the Council's functions in managing secure systems for Multi-Agency information sharing and Key Individuals Network Contact Systems.
- 23.8 To perform the Council's functions in managing the Local Strategic Partnership and Community Safety Partnership.
- 23.9 To perform the Council's functions in managing Partnership finances on behalf of South Notts Community Safety Partnership.
- 23.10 To perform the Council's functions in commissioning Domestic Homicide Reviews.
- 23.11 To perform the Council's functions in managing the Vetting Procedure.
- 23.12 To perform the Council's functions in managing and perform the role of Chair the Anti- Social behaviour and Complex Case Panels.
- 23.13 To perform the Council's functions in determining Safeguarding referrals and referrals into other services or agencies. To perform the Council's functions in determining applications for sharing personal information without consent in relation to vulnerable people.
- 23.14 To perform the Council's functions in determining referrals for Child Criminal Exploitation, Child Sexual Exploitation, PREVENT, Modern Slavery and Trafficking.
- 23.15 To perform the Council's functions in relation to Section 11 Children Act 2004 and Safeguarding Assurance Returns.
- 23.16 To perform the Council's functions in relation to the PREVENT Duty (The Counter-Terrorism and Security Act 2015).
- 23.17 To perform the Council's duties in relation to the Modern Slavery Act 2015

24 SEALING

- 24.1 The common seal of the Council shall be kept in a safe place in the custody of the Legal team.
- 24.2 The common seal of the Council shall only be affixed to a document on the authority of a Proper Officer, as detailed in the Schedule of Proper Officer Functions and Delegations or otherwise on the authority of the Council, or other Officer with delegated authority to commit the Council to enter into an instrument to which the Council's seal should be affixed.

24.3 An entry of every sealing of a document shall be made, and numbered consecutively, in a book kept for that purpose by the Monitoring Officer, and shall identify the persons who shall have attested the seal and the date when the seal was affixed. The seal may be witnessed and attested by any Officer or Member of the Council.

Schedule of Proper Officer Functions and Delegations

The Council has approved the appointment of the following Officers as Proper Officers.

The Chief Executive shall act as the Proper Officer in relation to any other enactment where specific arrangements have not been made under the following provisions.

The Deputy Chief Executive/Section 151 Officer shall act as the Proper Officer in respect of any other statute where specific arrangements for financial matters have not been made under the following provisions.

The Monitoring Officer shall act as the Proper Officer in respect of any other statute where specific arrangements for legal matters have not been made under the following provisions.

Proper Officer functions may be discharged by their Deputies or any other Officers duly authorised to act in the name of the Proper Officer concerned.

If the Officer to whom a function has been delegated is unable to act due to a conflict of interest or any other reason, then it is for the Chief Executive to determine who should exercise that function. If the Chief Executive is unable to act due to a conflict of interest, or any other reason, then it is for the Deputy Chief Executive/Section 151 Officer to determine who should exercise that function. If both the Chief Executive and Section 151 Officer is unable to act, then the powers shall be exercisable by any other Chief Officer of the Council's General Management Team.

STATUTE OR REGULATION	ACTION	PROPER OFFICER	SUBSTITUTE PROPER OFFICER
PUBLIC HEALTH ACT 1936			
S.79	Power to require removal of noxious matter	Chief Executive	Head of Environmental Health, Licensing and Private Sector Housing
S.84	Certificate relating to cleansing or destruction of filthy or verminous items	Chief Executive	Head of Environmental Health, Licensing and Private Sector Housing

STATUTE OR REGULATION	ACTION	PROPER OFFICER	SUBSTITUTE PROPER OFFICER
S.85(2)	Cleansing of verminous persons or articles	Chief Executive	Head of Environmental Health, Licensing and Private Sector Housing
LOCAL GOVERNMENT ACT 1972			
S.83 (1) to (4)	Witness and receipt of Declaration of Acceptance of Office	Monitoring Officer	Chief Executive
S.84	Receipt of notice of resignation of Elected Member	Chief Executive	Deputy Chief Executive/ Section 151 Officer
S.88(2)	Arranging a Council meeting to appoint to Chair of the Council	Chief Executive	Monitoring Officer
S.89(1)	Notice of casual vacancy	Chief Executive	Monitoring Officer
S.100B(2)	The Officer also may exclude from agendas any information which is likely to be dealt with in the absence of press and public	Monitoring Officer	Head of Democratic Services
S.100B(7)	Disclosure to newspapers of a copy of the agenda and/or any further copies of documents in connection with the item.	Monitoring Officer	Head of Democratic Services
S.100C(2)	Where parts of the published minutes have not been disclosed due to exempt information and the document does not provide members of the public with a reasonably fair and coherent record than the proper officer shall prepare a written summary of the proceedings at Cabinet/ Committees and Sub-Committees	Monitoring Officer	Head of Democratic Services

STATUTE OR REGULATION	ACTION	PROPER OFFICER	SUBSTITUTE PROPER OFFICER
S.100D(1) and (5)	The Officer responsible for identifying and compiling lists of background papers	Officer supporting the portfolio holder to compile the report.	The Director of the service compiling the report.
S.100F(2)	The Officer making decisions as to documents disclosing exempt information which are not required to be open to inspection by Council Members	Chief Executive	Monitoring Officer
S.115(2)	Receipt of money due from Officers	Deputy Chief Executive/Section 151 Officer	Assistant Director - Finance Services
S.137 and 137A	Receipt of statement provided in relation to financial assistance	Deputy Chief Executive/Section 151 Officer	Assistant Director - Finance Services
S.146(1) (a) and (b)	Declarations and certificates with regard to transfer of securities	Deputy Chief Executive/Section 151 Officer	Assistant Director - Finance Services
S.151 (and S.114 Local Government and Finance Act 1988)	The Officer responsible for the proper administration of the Council's financial affairs	Deputy Chief Executive/Section 151 Officer	Assistant Director - Finance Services
S.191	Officer to whom an application under S.1 of the Ordnance Survey Act 1841 will be sent	Head of Legal Services	Assistant Director - Planning and Economic Development
S.210	Charity functions of predecessor authorities transferred to the Council	Chief Executive	Monitoring Officer
S.225	Deposit of documents	Chief Executive	Head of Legal Services
S.228(3)	Accounts for inspection by any Member of the Council	Deputy Chief Executive/Section 151 Officer	Chief Executive

STATUTE OR REGULATION	ACTION	PROPER OFFICER	SUBSTITUTE PROPER OFFICER
S.229(5)	Certification of photographic copies of documents	Monitoring Officer	Head of Legal Services
S.234	Officer who may authenticate documents	Monitoring Officer	Head of Legal Services
S.236(9) and (10)	Sending of copies of byelaws to Parish Councils, Parish meetings and County Council	Monitoring Officer	Head of Legal Services
S.238	Certification of byelaws	Monitoring Officer	Head of Legal Services
S.248	Officer who will keep the Roll of Freemen	Chief Executive	Monitoring Officer
Para 4(2)(b) of Schedule 12	Signing of summons to Council meeting	Chief Executive	Monitoring Officer
Para 25 of Schedule 14	Certification of resolution passed under this paragraph	Monitoring Officer	Chief Executive
Schedule 29	To undertake those duties which arise at District and Parish Council elections which, under the Representation of the People Acts, are required to be undertaken not by the Returning Officer but by the Proper Officer.	Chief Executive	Head of Legal Services
LOCAL GOVERNMENT ACT 1974			
S.30(5)	To give notice that copies of an Ombudsman's report are available	Monitoring Officer	Chief Executive
LOCAL LAND CHARGES ACT 1975			
	Local Land Charges Registrar under the Land Charges Rules	Chief Executive	Head of Legal Services
LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976			
S.41(1)	The Officer who will certify copies of evidence of resolutions and minutes of proceedings	Monitoring Officer	Chief Executive
REPRESENTATION OF THE PEOPLE ACT 1983			

STATUTE OR REGULATION	ACTION	PROPER OFFICER	SUBSTITUTE PROPER OFFICER
S.8	Electoral Registration Officer	Chief Executive	Head of Legal Services
S.35	Returning Officer for local elections	Chief Executive	Head of Legal Services
S.52(2)	Deputy Electoral Registration Officer	Head of Legal Services	Chief Executive
S.67	Acting as the appropriate person for the purposes of Part II	Chief Executive	Head of Legal Services
S.128	Publishing a petition questioning a local election	Chief Executive	Head of Legal Services
S.131	Providing suitable accommodation for election court	Chief Executive	Head of Legal Services
S.145	Receipt of High Court Certificate at the conclusion of trial of local election petition	Chief Executive	Head of Legal Services
S.200	Posting notices required in relation to local elections	Chief Executive	Head of Legal Services
Paragraphs 3, 6 and 8 of Schedule 4	Receipt of an election expense declarations and returns and the holding of those documents for public inspection	Chief Executive	Head of Legal Services
PUBLIC HEALTH (CONTROL OF DISEASE) ACT 1984			
S.48	To issue certificates relative to the removal of bodies to mortuaries or for immediate burial	All Lead Consultants from Public Health England (East Midlands)	Chief Executive
S.60	Service of notices and other documents	Chief Executive	Head of Environmental Health, Licensing and Private Sector Housing
s.61	Powers to enter premises	Chief Executive	Head of Environmental Health, Licensing and Private Sector Housing

STATUTE OR REGULATION	ACTION	PROPER OFFICER	SUBSTITUTE PROPER OFFICER
BUILDING ACT 1984			
S.35A	Certifying evidence is sufficient to justify commencing proceedings for contravention of building regulations	Chief Executive	Head of Legal Services
S.61	Access to work to repair drain	Chief Executive	Head of Environmental Health, Licensing and Private Sector Housing
S.78	Taking immediate action in relation to dangerous building	Chief Executive	Head of Environmental Health, Licensing and Private Sector Housing
S.93	Authentication of documents	Chief Executive	Head of Legal Services
NOTTINGHAMSHIRE COUNTY COUNCIL ACT 1985			
Part II	Public Health	Chief Executive	Head of Environmental Health, Licensing and Private Sector Housing
Part III	Public Order & Safety	Chief Executive	Head of Environmental Health, Licensing and Private Sector Housing
Part IV	Establishments for massages or special treatment	Chief Executive	Head of Environmental Health, Licensing and Private Sector Housing
LOCAL GOVERNMENT FINANCE ACT 1988			
S114A, 115	Responsibility for Chief Financial Officer Reports.	Section 151 Officer	Chief Executive
S. 116	Notify auditor of meeting to consider financial report to the authority and decision at that meeting	Section 151 Officer	Chief Executive
LOCAL GOVERNMENT AND HOUSING ACT 1989			

STATUTE OR REGULATION	ACTION	PROPER OFFICER	SUBSTITUTE PROPER OFFICER
S.2(4)	Recipient of the list of politically restricted posts	Monitoring Officer	Chief Executive
S.4	Designation and reports of head of paid service	Deputy Chief Executive/S151 Officer	Chief Executive
S.5 (as amended by para 24 of schedule 5 of the Local Government Act 2000)	Designation and reports of Monitoring Officer	Monitoring Officer	Chief Executive
S.15,16	To undertake all matters relating to the formal establishment of political groups within the membership of the Council	Chief Executive	Deputy Chief Executive/Section 151 Officer
LOCAL GOVERNMENT (COMMITTEES AND POLITICAL GROUPS) REGULATIONS 1990 NO. 1553			
	For the purposes of the composition of Committees and nominations to political groups	Monitoring Officer	Chief Executive

STATUTE OR REGULATION	ACTION	PROPER OFFICER	SUBSTITUTE PROPER OFFICER
FOOD SAFETY ACT 1990			
s.5(6)	Authorised Officer for the purposes of the Council's functions	Chief Executive	Environmental Health Officers and Environmental Health Technical Officers
ENVIRONMENTAL PROTECTION ACT 1990			
S.149	Relating to stray dogs	Executive Director	Assistant Director - Environment
Part III	Relating to statutory nuisances	Chief Executive	Head of Environmental Health, Licensing and Private Sector Housing
Part II	Contaminated Land – declare and serve notices	Chief Executive	Head of Environmental Health, Licensing and Private Sector Housing
DATA PROTECTION ACT 1998			
	Data Protection Officer/Senior Information Risk Owner	Executive Director	Chief Executive
FREEDOM OF INFORMATION ACT 2000			
s.36 (2) and (5)	The qualified person for the purposes of deciding whether information is exempt from disclosure to the public relating to the prejudice to the conduct of public affairs	Monitoring Officer	Chief Executive
S.36	Determination of all exemptions apart from those relating to the prejudice to the conduct of public affairs	Monitoring Officer	Chief Executive
LOCAL GOVERNMENT ACT 2000			
S.52	Undertakings by Members and co-opted Members to observe the Council's Code of Conduct	Monitoring Officer	Chief Executive
REGULATION OF INVESTIGATORY POWERS ACT 2000			

STATUTE OR REGULATION	ACTION	PROPER OFFICER	SUBSTITUTE PROPER OFFICER
	Authorising Officer and Designated Person for the use of surveillance and the acquisition and disclosure of communications data	Deputy Chief Executive/Section 151 Officer Head of Legal Services, Assistant Directors - Housing, Revenues And Benefits	Chief Executive
LOCAL AUTHORITIES (REFERENDUMS) (PETITIONS AND DIRECTIONS) (ENGLAND) REGULATIONS 2011 NO. 2914			
Regulation 4	Publish the number that is equal to 5 per cent of the number of local government electors for the authority's area	Chief Executive	Head of Legal Services
Regulation 7	Post announcement and post directions – petitions	Chief Executive	Head of Legal Services
Regulation 8	Amalgamation of petitions	Chief Executive	Head of Legal Services
Regulation 11	Procedure on receipt of petition	Chief Executive	Head of Legal Services
Regulation 13	Publicity for valid petitions	Chief Executive	Head of Legal Services
Regulation 14	Publicity for invalid petitions	Chief Executive	Head of Legal Services
Regulation 19	Action following direction	Chief Executive	Head of Legal Services
THE LOCAL AUTHORITIES (EXECUTIVE ARRANGEMENTS) ACCESS TO INFORMATION (ENGLAND) REGULATIONS 2012 NO.2089			
Regulation 12	Recording of Executive decisions made at meetings	Monitoring Officer	Head of Democratic Services
Regulation 13	Recording of Executive decisions made by individual Members	Monitoring Officer	Head of Democratic Services
Regulation 14	Making documents available for inspection following Executive decisions	Monitoring Officer	Head of Democratic Services
Regulation 5	Compiling list of background papers for inspection	Monitoring Officer	Head of Democratic Services

STATUTE OR REGULATION	ACTION	PROPER OFFICER	SUBSTITUTE PROPER OFFICER
Regulation 15	Making report and background papers relating to key decision available for inspection	Monitoring Officer	Head of Democratic Services
Regulation 7	Access to agenda and connected reports	Monitoring Officer	Head of Democratic Services
STATUTE OR REGULATION	ACTION	PROPER OFFICER	SUBSTITUTE PROPER OFFICER
Regulation 9	Publicity in connection with key decisions	Monitoring Officer	Head of Democratic Services
Regulation 10	General exception	Monitoring Officer	Head of Democratic Services
Regulation 16	Members' rights of access to documents	Monitoring Officer	Head of Democratic Services
Regulation 20	Confidential/exempt information and exclusion of public from meetings	Monitoring Officer	Head of Democratic Services
LOCAL AUTHORITIES (MEMBERS' ALLOWANCES) (ENGLAND) REGULATIONS 2003			
Regulation 13	Receipt of notice in writing that a Councillor wishes to forgo any part of his entitlement to an allowance	Chief Executive	Deputy Chief Executive/Section 151 Officer
HOUSING ACT 2004			
Section 4	Where an official complaint about the condition of any residential premises in the district of a local housing authority is made to the proper Officer of the authority, and the circumstances complained of indicate – a) That any category 1 or category 2 hazard may exist on those premises, or b) That an area in the district should be dealt with as a clearance area, the proper Officer must inspect the premises or area.	Chief Executive	Head of Environmental Health, Licensing and Private Sector Housing

STATUTE OR REGULATION	ACTION	PROPER OFFICER	SUBSTITUTE PROPER OFFICER
LOCAL ELECTIONS (PARISHES AND COMMUNITIES) (ENGLAND AND WALES) RULES 2006 NO. 3305			
Rule 5	Receipt of request to fill a casual vacancy in the office of a Parish or Community Councillor	Chief Executive	Head of Legal Services
Paragraph 50 of Schedule 2	Receipt of declaration of result in Parish or Community election	Chief Executive	Head of Legal Services

STATUTE OR REGULATION	ACTION	PROPER OFFICER	SUBSTITUTE PROPER OFFICER
THE LOCAL AUTHORITIES (MAYORAL ELECTIONS) (ENGLAND AND WALES) REGULATIONS 2007 NO.1024			
Paragraph 54 of Schedule 1	Receive declaration of result	Chief Executive	Head of Legal Services
LOCAL AUTHORITIES (CONDUCT OF REFERENDUMS) (ENGLAND) REGULATIONS 2012 NO 323			
Regulation 4	Publicity in connection with referendums	Chief Executive	Head of Legal Services
Paragraphs 41 and 43 of Schedule 5	Receive declaration of result	Chief Executive	Head of Legal Services

Authentication of Documents

Any notice, order or other document which the Council are authorised or required by or under any enactment (including the Local Government Act 1972) to give, make or issue shall be signed or sealed on behalf of the Council by the proper Officer of the Council as defined below.

Proper Officer	Substitute	Purpose
Chief Executive	Appropriate Member of GMT	In accordance with their functions highlighted in the Constitution and the Proper Officer functions

Proper Officer	Substitute	Purpose
Deputy Chief Executive/Section 151 Officer	Assistant Director - Finance Services	In accordance with their functions highlighted in the Constitution and the Proper Officer functions
Monitoring Officer	Assistant Director - Planning & Economic Development	In accordance with their functions highlighted in the Constitution and the Proper Officer functions
	Head of Legal Services & Deputy Monitoring Officer	
Head of Legal Services	Chief Executive	In accordance with their functions highlighted in the Constitution and the Proper Officer functions
Head of Environmental Health, Licensing and Private Sector Housing	Chief Executive	In accordance with their functions highlighted in the Constitution and the Proper Officer functions
Assistant Director - Asset Management	Chief Executive	In accordance with their functions highlighted in the Constitution and the Proper Officer functions

Proper Officer	Substitute	Purpose
Assistant Director - Planning and Economic Development	Chief Executive	In accordance with their functions highlighted in the Constitution and the Proper Officer functions
Assistant Director - Housing	Chief Executive	In accordance with their functions highlighted in the Constitution and the Proper Officer functions

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