



Tuesday, 5 May 2026

Dear Sir/Madam

A meeting of the Council will be held on Wednesday, 13 May 2026 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,

Zulfiqar Darr
Interim Chief Executive

To Councillors:

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

AGENDA

1. Apologies for Absence

To receive apologies.

2. Declarations of Interest

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

Further information can be found at: [Member Code of Conduct of Broxtowe Borough Council](#)

3. Minutes

(Pages 5 - 18)

Council is asked to confirm as a correct record the minutes of the meeting held on Wednesday, 4 March 2026.

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 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 19 - 58)

To agree the Scheme of Delegation.

16. Annual Review of The Constitution (Pages 59 - 74)

To consider amendments to the Constitution following the Governance, Audit and Standards Committee Meeting on 23 March 2026.

17. Recommendations of the Chief Officer Employment Committee (Pages 75 - 76)

To receive the recommendations of the Chief Officer Employment Committee regarding the appointment of a permanent Chief Executive and Interim Directors for the Council.

18. Urgent Business

19. Exclusion of Public and Press

The Committee is asked to RESOLVE that, under Section 100A of the Local Government Act, 1972, the public and press be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1, 2, and 3 of Schedule 12A of the Act.

20. Recommendations of the Chief Officer Employment Committee - Appendices

(Pages 77 - 104)

COUNCIL

WEDNESDAY, 4 MARCH 2026

Present: Councillor R Bullock, Mayor

Councillors: D Bagshaw
P J Bales
L A Ball BEM
M Brown
R Bullock
G Bunn
S Camplin
C Carr
S J Carr
A Cooper
T A Cullen
S Dannheimer
H J Faccio
K A Harlow
S P Jeremiah
A Kingdon
H Land
D L MacRae
R D MacRae
T J Marsh
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

Prior to the meeting a minute's silence was held following the sad passing of Christine Bonser, a long-standing and much valued employee of the Council.

96 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors S A Bagshaw, B C Carr, J Couch, H Crosby, S Kerry and H G Khaled.

97 DECLARATIONS OF INTEREST

There were no declarations of interest.

98 MINUTES

The minutes of the meetings held on 17 December 2025, 2 January 2026 and 28 January 2026 were confirmed as a correct record.

99 MAYOR'S ANNOUNCEMENTS

The Mayor gave a brief résumé of his engagements since the previous Council meeting.

100 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 and that £600 be added to the basic allowance.

RESOLVED that:

1. **£600 be added to the basic allowance for 2026/27.**
2. **Members' Allowances be increased by 3% for 2026/27.**

101 PAY POLICY 2026/27

The Council debated the Pay Policy Statement for 2026/27, as required by the Localism Act 2011.

RESOLVED that the Pay Policy Statement 2026/27 be approved.

102 APPOINTMENTS TO COMMITTEES AND WORKING GROUPS

Members considered the appointments to Committees in accordance with the schedule laid before the meeting.

RESOLVED that:

1. **Councillors A Cooper and E Winfield be added as substitutes to the Chief Officer Employment Committee.**
2. **Councillor H Land be added as a substitute to the Chief Officer Employment Committee.**

3. **Councillor D D Pringle replace Councillor J M Owen on the Chief Officer Employment Committee.**
4. **Councillor S J Carr replace E Williamson on the Licensing and Appeals Committee.**

103 APPROVAL OF THE REVENUE AND CAPITAL BUDGETS, CAPITAL STRATEGY, TREASURY MANAGEMENT STRATEGY, INVESTMENTS STRATEGY, GENERAL FUND MEDIUM TERM FINANCIAL STRATEGY AND SETTING THE COUNCIL TAX FOR THE FINANCIAL YEAR COMMENCING 1 APRIL 2026

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. The 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.

“The Council shall –

- Reduce the General Fund revenue budget by £205,600 thereby resulting in a 0% increase for the Broxtowe Borough Council element of the Council Tax (a ‘tax freeze’).
- The cost of the tax freeze be funded by an increase in the Council’s employee savings target from the proposed £800k to up to £1.0m with the remaining shortfall being met by an additional withdrawal from General Fund Reserve balances.

The Council is therefore asked to RESOLVE that:

- Resolution 1 bullet point 2 be amended to read ‘The General Fund revenue budgets as submitted be reduced by £200,000 to allow for the additional employee savings target.
- Resolution 1 bullet point 4 be amended to read ‘The Council Tax Requirement for 2026/27, including special expenses (but excluding local precepting requirements), be £7,010,792.
- Resolution 1 bullet point 5 be amended to read ‘An amount of £765,934 be withdrawn from the General Fund reserves and an amount of £439,883 be taken from General Fund earmarked reserves in 2026/27.’
- The figures provided in resolutions 2, 3, 4 and 5 be amended accordingly to reflect the reduction in the Broxtowe Borough Council basic Council Tax amount for a band D property from £198.61 to £192.93.”

The debate on the amendment was had. 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	D Bagshaw	
M Brown	P Bales	
J M Owen	R Bullock	
P J Owen	G Bunn	
D D Pringle	S L Camplin	
A W G A Stockwell	C Carr	
	S J Carr	
	A Cooper	
	T A Cullen	
	S Dannheimer	
	H J Faccio	
	K A Harlow	
	S P Jeremiah	
	A Kingdon	
	H Land	
	D L MacRae	
	R D MacRae	
	T J Marsh	
	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	

The debate progressed on to the original motion. It was noted that the proposed budget included the work on Bramcote Leisure Centre. There were concerns about flooding, Local Government Reorganisation and the Housing Regulator's report. There were also measures to reduce anti-social behaviour through the budget process.

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>
D Bagshaw		L A Ball BEM
P Bales		M Brown
R Bullock		A Kingdon
G Bunn		H Land
S L Camplin		J M Owen
C Carr		P J Owen
S J Carr		D D Pringle
A Cooper		A W G A Stockwell
T A Cullen		D K Watts

S Dannheimer
H J Faccio
K A Harlow
S P Jeremiah
D L MacRae
R D MacRae
T J Marsh
G Marshall
J W McGrath
W Mee
S Paterson
M Radulovic MBE
H E Skinner
P A Smith
V C Smith
C M Tideswell
S Webb
E Williamson
E Winfield
K Woodhead

RESOLVED that:

1. **The recommendations arising from the Cabinet meeting of 3 February 2026, 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 Interim Deputy Chief Executive and Section 151 Officer be authorised to arrange the financing of the Capital Programme as necessary.**
 - **The Council Tax Requirement for 2026/27, including special expenses (but excluding local precepting requirements), be £7,216,416.**
 - **An amount of £760,309 be withdrawn from the General Fund reserves and an amount of £439,883 be taken from General Fund earmarked reserves in 2026/27.**
 - **The Capital Strategy 2026/27 to 2028/29 be approved.**
 - **The Minimum Revenue Provision policy as set out be approved.**
 - **The Treasury Management Strategy Statement 2026/27 to 2028/29 be approved.**
 - **The Investments Strategy 2026/27 to 2028/29 be approved.**
 - **The General Fund Medium Term Financial Strategy to 2029/30 be approved.**

2. It be noted that Cabinet, at its meeting on 27 November 2025, approved the following amounts for the year 2026/27 in accordance with the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012:

(a) 36,201.43 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	629.28
Parish of Brinsley	786.40
Parish of Cossall	237.99
Parish of Eastwood	3,183.61
Parish of Greasley	3,807.97
Parish of Kimberley	1,918.98
Parish of Nuthall	2,284.63
Parish of Stapleford	4,378.60
Parish of Trowell	849.81
Beeston Special Expense Area	17,947.93

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 176.23.

3. The following amounts be now calculated by the Council for the year 2026/27 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992 (the Act) as amended:

(a) £59,572,540 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (2) of the Act.

(b) £51,073,421 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (3) of the Act.

(c) £8,499,118 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) £234.77 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) £1,309,152 being the aggregate amount of all special items (including parish precepts and special expenses) referred to in Section 34(1) of the Act.

(f) £198.61 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)	<u>Part of the Council's Area</u>	
	Parish of Awsworth	£354.35
	Parish of Brinsley	£320.13
	Parish of Cossall	£261.85
	Parish of Eastwood	£268.62
	Parish of Greasley	£259.56
	Parish of Kimberley	£277.57
	Parish of Nuthall	£253.15
	Parish of Stapleford	£255.70
	Parish of Trowell	£308.04
	Beeston Special Expense Area	£200.08

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	236.23	275.61	314.98	354.35	433.09	511.84	590.58	708.70
Parish of Brinsley	213.42	248.99	284.56	320.13	391.27	462.41	533.55	640.26
Parish of Cossall	174.57	203.66	232.76	261.85	320.04	378.23	436.42	523.70
Parish of Eastwood	179.08	208.93	238.77	268.62	328.31	388.01	447.70	537.24
Parish of Greasley	173.04	201.88	230.72	259.56	317.24	374.92	432.60	519.12
Parish of Kimberley	185.05	215.89	246.73	277.57	339.25	400.93	462.62	555.14
Parish of Nuthall	168.77	196.89	225.02	253.15	309.41	365.66	421.92	506.30
Parish of Stapleford	170.47	198.88	227.29	255.70	312.52	369.34	426.17	511.40
Parish of Trowell	205.36	239.59	273.81	308.04	376.49	444.95	513.40	616.08
Beeston Special Expense Area	133.39	155.62	177.85	200.08	244.54	289.00	333.47	400.16
All other parts of the Council's Area	132.41	154.47	176.54	198.61	242.75	286.88	331.02	397.22

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 2026/27, 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	1,313.42	1,532.32	1,751.23	1,970.13	2,407.94	2,845.74	3,283.55	3,940.26
Nottinghamshire Police and Crime Commissioner	207.40	241.97	276.53	311.10	380.23	449.37	518.50	622.20
Nottinghamshire and City of Nottingham Fire and Rescue Authority	68.14	79.50	90.85	102.21	124.92	147.64	170.35	204.42

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 2026/27 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	1,825.19	2,129.40	2,433.59	2,737.79	3,346.18	3,954.59	4,562.98	5,475.58
Parish of Brinsley	1,802.38	2,102.78	2,403.17	2,703.57	3,304.36	3,905.16	4,505.95	5,407.14
Parish of Cossall	1,763.53	2,057.45	2,351.37	2,645.29	3,233.13	3,820.98	4,408.82	5,290.58
Parish of Eastwood	1,768.04	2,062.72	2,357.38	2,652.06	3,241.40	3,830.76	4,420.10	5,304.12
Parish of Greasley	1,762.00	2,055.67	2,349.33	2,643.00	3,230.33	3,817.67	4,405.00	5,286.00
Parish of Kimberley	1,774.01	2,069.68	2,365.34	2,661.01	3,252.34	3,843.68	4,435.02	5,322.02
Parish of Nuthall	1,757.73	2,050.68	2,343.63	2,636.59	3,222.50	3,808.41	4,394.32	5,273.18
Parish of Stapleford	1,759.43	2,052.67	2,345.90	2,639.14	3,225.61	3,812.09	4,398.57	5,278.28
Parish of Trowell	1,794.32	2,093.38	2,392.42	2,691.48	3,289.58	3,887.70	4,485.80	5,382.96
Beeston Special Expense Area	1,722.35	2,009.41	2,296.46	2,583.52	3,157.63	3,731.75	4,305.87	5,167.04
All other parts of the Council's Area	1,721.37	2,008.26	2,295.15	2,582.05	3,155.84	3,729.63	4,303.42	5,164.10

104 URGENT BUSINESS

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

This Council notes the appalling state of roads throughout Broxtowe and the lack of on-street parking enforcement when cars park blocking the pavement or parking on double yellow lines, both of which are the responsibility of Nottinghamshire County Council and create a substantial risk to Broxtowe residents' health and safety.

Figures show the percentage of roads managed by Nottinghamshire County Council that they classified as 'should have been considered for maintenance' in the latest figures, showing the scale of the issue and the significantly higher percentages of poor roads in Nottinghamshire compared to the national average

Anecdotal evidence suggests that percentages have increased significantly, with pothole complaints across Broxtowe becoming an almost daily occurrence. This is a significant health and safety issue, both for road users and pedestrians.

This Council acknowledges consistent reductions in local government funding from central government under successive governments since 2010, increasing pressure on services provided by local government and also their reliance on council tax revenue. Central government cut grant funding by 40.1% in real terms between 2009/10 and 2019/20, from £51.8bn to just £31.0bn (2025/26 prices). The proportion of local authorities' income from council tax rose from 34.1% in 2009/10 to 45.6% in 2024/25, from a third to nearly half of their overall income. This is a regressive form of taxation that increases the difficulties faced by low income households and districts with large amounts of lower band housing, making it hardest to support services in the areas of highest need. In Broxtowe, Council tax now makes up nearly 50% of the council's income, with the income received from central grants and business rates (NNDR) having increased by just 2.85% from 2025/26 to 2026/27, below the rate of inflation.

This Council notes, however, that Nottinghamshire County Council has just set their budget increase at 3.99%. In cash terms, this means a Band D property will see the county council tax element rise by £75.59 a year, to £1,970.13. (In contrast, Broxtowe Council has increased their rates by just 2.94%, which for a Band D property is an additional £5.51 for the year. This is expected to lead to additional revenue of £26m for Nottinghamshire County Council in 2026/27.

In total, Nottinghamshire County Council's funding has actually increased by over 31% in 2026/27 compared to 2025/26, due to an extra £160m from central government along with the increase in council tax.

Rather than using this significant uplift to fix the roads, however, as they promised to do if they were elected the Reform-led Nottinghamshire County Council's budget instead proposes a significant £1.7m reduction in the amount spent on road maintenance and renewals:

This Council therefore resolves to:

- Write to Notts County Council to demand that they acknowledge the significant deterioration and its impact and take immediate and comprehensive action to address the state of roads in Broxtowe and across the County.
- Call on Notts County Council to update their Local Highways Maintenance Transparency Report so that residents can clearly see how much money the Council has received for this work, where from, and how it is being spent.
- Call on Notts County Council to reinstate responsive on-street parking enforcement and respond to residents when they report issues in their areas.
- Write to Claire Ward, Mayor of East Midlands, to clarify how much additional funding has been allocated to Nottinghamshire County Council for the purpose of Highway maintenance, how this funding should be spent, and how EMCCA will ensure that these requirements are followed by all local authorities responsible for highways to ensure a rapid improvement in road infrastructure.

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

A recorded vote was proposed by Councillor M Radulovic MBE and seconded by at least five other Councillors.

On being put to the meeting the vote was as follows:

<u>For</u>	<u>Against</u>	<u>Abstain</u>
D Bagshaw		
P Bales		
L A Ball BEM		
M Brown		
R Bullock		
G Bunn		
S L Camplin		
C Carr		
A Cooper		
T A Cullen		
S Dannheimer		
H J Faccio		
K A Harlow		
S P Jeremiah		
A Kingdon		
H Land		
D L MacRae		
R D MacRae		
T J Marsh		
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

RESOLVED to:

- 1. Write to Nottinghamshire County Council to demand that they acknowledge the significant deterioration and its impact and take immediate and comprehensive action to address the state of roads in Broxtowe and across the County.**
- 2. Call on Nottinghamshire County Council to update their Local Highways Maintenance Transparency Report so that residents can clearly see how much money the Council has received for this work, where from, and how it is being spent.**
- 3. Call on Nottinghamshire County Council to reinstate responsive on-street parking enforcement and respond to residents when they report issues in their areas.**
- 4. Write to Claire Ward, Mayor of East Midlands, to clarify how much additional funding has been allocated to Nottinghamshire County Council for the purpose of Highway maintenance, how this funding should be spent, and how EMCCA will ensure that these requirements are followed by all local authorities responsible for highways to ensure a rapid improvement in road infrastructure.**

(Councillor S J Carr left the meeting before voting thereon.)

This page is intentionally left blank

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.

4. Financial Implications

The comments from the Interim Deputy Chief Executive were as follows:

There are no additional financial implications to consider as part of this report.

5. Legal Implications

The comments from the Head of Legal Services were as follows:

Section 37 of the Local Government Act 2000 requires local authorities operating executive arrangements to prepare and keep up to date a document which contains: (a) such information as the Secretary of State may direct (b) the authority’s standing orders (i.e. rules of procedure) (c) the code of conduct for members (d) such information as the authority considers appropriate. Broxtowe Borough Council’s Constitution is available on the Council’s website

6. Union Comments

Not applicable.

7. Climate Change Implications

Not applicable.

8. 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.

9. Equality Impact Assessment

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

10. Background Papers

Nil.

Broxtowe Borough Council Constitution

Chapter 3 – Part 1

Scheme of Delegation

This page is intentionally left blank

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 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. To perform the Council's Health, Safety and Compliance and Emergency Planning functions. To perform the Council's Corporate Services, Communications, Culture and Civic functions

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.
- 10.10.10 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.

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, staff 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.

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.

12 Head of Legal Services and Deputy Monitoring Officer

- 12.1 Legal services Affixing the Common Seal of the Council.
- 12.2 Certifying true copies.
- 12.3 To determine, authorise, issue and withdraw any Notice, decision, proceedings (to include criminal and civil proceedings) and appeals on behalf of the Council.
- 12.4 To exercise discretion in consultation with the Deputy Chief Executive/Section 151 Officer to settle court and tribunal proceedings and other potential proceedings.
- 12.5 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.
- 12.6 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.
- 12.7 To confirm unopposed public path orders and tree preservation orders.
- 12.8 To determine applications for the Register of Community Assets and applications for compensation.
- 12.9 To approve Wayleave Agreements.
- 12.10 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.
- 12.11 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.
- 12.12 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).
- 12.13 To determine appeals in relation to compensation for matters relating to the Register of Community Assets.
- 12.14 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.
- 12.15 To perform the Council's elections, electoral registration and Local Land Charges

functions.

13 Head of Democratic Services & Deputy Monitoring Officer

13.1 To perform, the Council's Democratic Service functions.

13.2 To perform the Council's Complaints functions.

13.3 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.

14 Assistant Director – Finance Services

- 14.1 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.
- 14.2 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.
- 14.3 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.
- 14.4 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.
- 14.5 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.
- 14.6 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.
- 14.7 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.
- 14.8 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.
- 14.9 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.

15 Assistant Director – Planning & Economic Development

- 15.1 To perform the Council's Planning regeneration and development management functions.
- 15.2 To manage the Council's shared Building Control functions.
- 15.3 To perform the Council's Planning policy functions.
- 15.4 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.
- 15.5 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:
 - 15.5.1 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;
 - 15.5.2 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.
- 15.6 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:
 - 15.6.1 Investigation leading to breach of condition notices;
 - 15.6.2 Investigation leading to enforcement notices and injunctions;
 - 15.6.3 Investigation leading to stop and temporary stop notices;

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

- 15.7 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.
- 15.8 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.
- 15.9 To enforce in respect of complaints Part 8 of the Anti-Social Behaviour Act 2003, including high hedges.
- 15.10 To determine street naming and numbering.
- 15.11 Where Section 106 contributions have been approved at the relevant Committee to arrange payments of these in consultation with the Head of Legal Services.

16 Assistant Director – Asset Management & Development

- 16.1 To deal with Capital Works Housing stock management and modernisations.
- 16.2 To approve bids and adaptations to Council properties up to a maximum of £30,000.
- 16.3 House Building Delivery – To consider and recommend housing building schemes.
- 16.4 Estate Management - Property/land acquisition and disposal (except housing stock).
- 16.5 To carry into effect approved capital and revenue programmes with regard to the Council's housing stock.
- 16.6 To manage and maintain buildings and lands held for directorate purposes including public car parks, industrial and commercial property.
- 16.7 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.
- 16.8 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.

- 16.9 To negotiate and accept quotations from contractors for such related works classified as part of tenders within limits specified in the Financial Procedure Rules.
- 16.10 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.
- 16.11 To consider and recommend investment in, improvement of and carbon reduction of the Council's housing stock.
- 16.12 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.

17 Assistant Director – Housing

- 17.1 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.
- 17.2 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.
- ~~17.3~~ 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.
- 17.4 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.
- 17.5 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.
- 17.6 To determine compensation awards in relation to Stage 1 complaints up to a limit of £500 in consultation with the relevant Director.
- 17.7 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.

17.8 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.

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

18 Assistant Director – Environment Services

18.1 To perform the Council's Environmental Services functions

18.2 To deal with Environmental services and waste collection services.

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

18.4 To deal with functions relating to Bereavement Services.

18.5 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.

18.6 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.

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

18.8 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.

18.9 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.

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

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

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

18.13 To perform functions in relation to Climate Change matters.

19 Assistant Director – Revenue, Benefits & Customer Services

19.1 To perform the Council functions in relation to Revenues and Benefits.

19.2 To perform the Council functions in relation to Customer Services Contact Centre.

19.3 To perform the Council functions in relation to Council Tax and Business Rates including the assessment of all reliefs, discounts levys and exemptions.

19.4 To perform the Council's Quality & Control functions.

19.5 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.

20 Assistant Director – Corporate Services

20.1 To perform the Council's ICT functions.

20.2 To perform the Council's Business Support functions.

20.3 To perform the Council's Support Services & Cleaning functions.

20.4 To perform the Council's Information Governance functions

20.5 To perform the Council's Parking Services functions

20.6 To perform the Council's Surveillance functions

20.7 To act as the Council's Senior Responsible Officer under the Surveillance Commission Code of Practice

20.8 To act as the Council's Data Protection Officer as required by relevant legislation.

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

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

21.1 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.

21.2 To approve and authorise the payment of housing grants.

21.3 To implement property charges on dwellings in respect of aids and adaptations.

21.4 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)

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

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

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

- 21.8 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.
- 21.9 To act as an authorised officer under Food Safety Act 1990.
- 21.10 To perform all the Council's functions with regard to moveable dwellings, caravan sites and unlawful encampments.
- 21.11 To perform the functions of the Council with respect to anti-social behaviour including Community Protection Notices and Fixed Penalties.
- 21.12 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.
- 21.13 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).
- 21.14 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.
- 21.15 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.

22 Head of Communities and Community Safety

- 22.1 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.
- 22.2 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).

- 22.3 To perform the Council's functions in authorising the issuing of Community Protection Warnings for Anti-Social Behaviour.
- 22.4 To perform the Council's functions with respect to Anti-Social Behaviour including Community Protection Notices and Fixed Penalties.
- 22.5 To perform the Council's functions in enforcement of the powers of the Council in relation to smoking.
- 22.6 To perform the Council's functions in determining applications for Sanctuary Scheme in accordance with the Sanctuary Scheme Policy.
- 22.7 To perform the Council's functions in managing secure systems for Multi-Agency information sharing and Key Individuals Network Contact Systems.
- 22.8 To perform the Council's functions in managing the Local Strategic Partnership and Community Safety Partnership.
- 22.9 To perform the Council's functions in managing Partnership finances on behalf of South Notts Community Safety Partnership.
- 22.10 To perform the Council's functions in commissioning Domestic Homicide Reviews.
- 22.11 To perform the Council's functions in managing the Vetting Procedure.
- 22.12 To perform the Council's functions in managing and perform the role of Chair the Anti- Social behaviour and Complex Case Panels.
- 22.13 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.
- 22.14 To perform the Council's functions in determining referrals for Child Criminal Exploitation, Child Sexual Exploitation, PREVENT, Modern Slavery and Trafficking.
- 22.15 To perform the Council's functions in relation to Section 11 Children Act 2004 and Safeguarding Assurance Returns.
- 22.16 To perform the Council's functions in relation to the PREVENT Duty (The Counter-Terrorism and Security Act 2015).
- 22.17 To perform the Council's duties in relation to the Modern Slavery Act 2015

23 SEALING

- 23.1 The common seal of the Council shall be kept in a safe place in the custody of the Legal team.
- 23.2 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.
- 23.3 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
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

STATUTE OR REGULATION	ACTION	PROPER OFFICER	SUBSTITUTE PROPER OFFICER
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
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

STATUTE OR REGULATION	ACTION	PROPER OFFICER	SUBSTITUTE PROPER 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
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

STATUTE OR REGULATION	ACTION	PROPER OFFICER	SUBSTITUTE PROPER OFFICER
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			
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			

STATUTE OR REGULATION	ACTION	PROPER OFFICER	SUBSTITUTE PROPER OFFICER
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
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			

STATUTE OR REGULATION	ACTION	PROPER OFFICER	SUBSTITUTE PROPER OFFICER
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			
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	Chief Executive	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	Deputy Chief Executive	Assistant Director – Corporate Services
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

This page is intentionally left blank

Report of the Monitoring Officer

Annual Constitution Review

1. Purpose of Report

To consider amendments to the Constitution following the Governance, Audit and Standards Committee Meeting on 23 March 2026.

2. Recommendation

Council is asked to CONSIDER the recommendations of the Governance, Audit and Standards Committee and RESOLVE accordingly.

3. Detail

The Governance, Audit and Standards Committee concluded its Annual Constitution Review on 24 November 2025 following acceptance of the Constitution Task and Finish Group's recommendations. On submission of the report to Council on 17 December 2025, Members resolved to refer the report back to the Governance, Audit and Standards Committee for reconsideration.

At its meeting on 23 March 2026 the Governance, Audit and Standards Committee resolved to resubmit the report and its recommendations to full Council, with the addition of information included in the change table regarding restrictions around Portfolio Holders' speeches.

Appendix 1 contains the recommendations and reasoning from the Governance, Audit and Standards Committee, **Appendix 2** contains a pro-forma for submitting motions for full Council and attached at **Appendix 3** is the change table.

4. Financial Implications

The comments from the Interim Deputy Chief Executive and Section 151 Officer were as follows:

There are no additional financial implications to consider as part of this report, with any costs being contained within existing budgets.

5. Legal Implications

The comments from the Head of Legal Services and Deputy Monitoring Officer were as follows:

Section 37 of the Local Government Act 2000 requires local authorities operating executive arrangements to prepare and keep up to date a document which contains: (a) such information as the Secretary of State may direct (b) the authority's standing orders (i.e. rules of procedure) (c) the code of conduct for members (d) such information as the authority considers appropriate. Broxtowe Borough Council's Constitution is available on the Council's website.

6. Human Resources Implications

Not applicable.

7. Union Comments

Not applicable.

8. Climate Change Implications

The are no climate change implications are contained within the report.

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

This is not a change to policy therefore no equality impact assessment is not required.

11. Background Papers

Nil.

Appendix 1

Recommendations from the Governance, Audit and Standards CommitteeOrder of Business

The Constitution under Chapter 2 Part 2 point 2, sets out the order of an ordinary meeting, which also allows for any variation to the programme as decided at a previous meeting of full Council. The Task and Finish Group (the Group) suggested the order of business be changed, as set out below. These changes were recommended to address concerns that at long meetings Councillors were not always able to stay for substantive items of business that are placed towards the end of agenda.

- Elect a person to preside if the Mayor and Deputy Mayor are not present;
- Receive any apologies for absence from Members;
- Receive any declarations of interest from Members;
- To approve the minutes of the last meeting;
- Receive any announcements from the Mayor;
- Receive a presentation from the Youth Mayor, as appropriate, (and/or the Deputy Youth Mayor), by invitation, for up to five minutes on the activities of Broxtowe Youth Voice (the Youth Mayor and/or the Deputy Youth Mayor will have the right to speak, but not to vote, on any item on the agenda at a full Council meeting whether annual or ordinary with the rules on speaking being as per these Council Procedure Rules);
- To receive a report from the Leader and receive questions and answers on the report if any;
- To deal with questions from Councillors in accordance with Rule 10;
- To receive questions from Councillors to those representing the Council on outside bodies;
- To receive reports from the Cabinet Portfolio Holders and receive questions and answers on the reports;
- To receive questions from, and provide answers to, the public in relation to matters which in the opinion of the Chief Executive are relevant to the Council's functions (subject to Rule 8.5);
- To consider motions;
- To receive reports from the Committees and receive questions and answers on the reports;
- To consider business which, in the opinion of the Chair or Vice-Chair of the Overview & Scrutiny Committee, or in their absence, the Mayor or Deputy Mayor, or in their absence the Chief Executive or their nominee's should be considered at the meeting as a matter of urgency;
- To receive petitions in relation to matters which in the opinion of the Chief Executive are relevant to the Council's functions;
- To receive items referred from the Committees or questions from Members on the business of the Committees;

- To approve a programme of ordinary meetings of the Council and Committees for the year at an appropriate time. The Council meeting to consider the budget shall be limited to only that substantive item unless by agreement of the Mayor; or the criteria for urgent business, at 2.1.21, is met.
- To approve amendments to the membership of Committees.
- receive updates from the Chair or Vice Chair of the Overview and Scrutiny Committee on the Scrutiny work programme.
- Receive an Annual Review of Scrutiny report at an appropriate time.
- To consider any other business specified in notice convening the meeting, including proposals from the Cabinet in relation to the Budget and Policy Framework and reports from the Overview and Scrutiny Committee;
- To consider urgent business.

It was further suggested by the Group that Portfolio Holders need only introduce their reports if reporting on new updates or changes that had arisen since their reports had been published, speeches would be limited to two minutes. This recommendation would allow more time to be spent on portfolio holders providing answers to Member questions.

Appointments to Committees and Working Groups

The Group considered the method by which Members are currently appointed to Committees and Working Groups. It was suggested that this can often be rushed between the period of group meetings and the Council meeting that approves the appointments. It was suggested that an alternative method would be for the Council meeting to approve the proportionality at the annual Council meeting and a resolution be passed authorising the Head of Democratic Services to make changes in the standing appointments to Committees and Sub Committees on the instructions of political groups. This ensures that the power to appoint remains with the groups as required by the Local Government (Committees and Political Groups) Regulations 1990, but the administrative action is carried out by the Head of Democratic Services. Nominations would have to be confirmed in writing at least a week before the meeting to allow for agendas to be despatched and substitutes to be informed.

Budget Council

Concern was raised that due to the schedule of meetings, and the business of budget and mayor-making Council meetings, there was no opportunity for other business between Council meetings held on December and July the following year. It was suggested that there be additions to the budget meeting to allow for Members' Questions and Portfolio Holders' Reports to allow for updates to be given on the business of the Council.

Advisory Shareholder Sub-Committee

The meetings of the Advisory Shareholder Sub-Committee were considered to be light. It was suggested that a recommendation be made to remove the Advisory Shareholder Sub-Committee from the Councils Committee structure and the terms of reference be subsumed into the Governance, Audit and Standards Committee to reduce the need for a separate meeting to be held and better utilise Councillors' time.

The Sub-Committee is currently scheduled for three meetings each year and the terms of reference are as follows:

1. Number of Members: 7 (politically proportionate)
2. The Advisory Shareholder Sub-Committee may co-opt and / or otherwise engage the services of such external consultants and advisors as may be required from time to time, including but not limited to, auditors.
3. Meetings shall be held as necessary and not less than once each year. The quorum for meetings is 3.
4. The Advisory Shareholder Sub-Committee acts in an advisory capacity and is not a decision-making body.
5. The Advisory Shareholder Sub-Committee shall assist, support and advise the Portfolio Holder for Resources and Personnel Policy and the Cabinet in its exercise of the Council's function as the shareholder of the Council's companies.
6. Without prejudice to the generality of clause 5 above, the Advisory Shareholder Sub-Committee shall consider the business plans and financial performance of the Council's companies in respect of which it may advise and make recommendations to the Portfolio Holder for Resources and Personnel Policy and the Cabinet in respect of its exercise of the shareholder function.

Proforma for Motions

Dual hatted Members on the Constitution Group raised examples of proforma being used for Council motions at other authorities. The proforma was received favourably as it was suggested that it would bring consistency of approach to motions submitted to full Council. It was further suggested that an amended proforma could be used for Public Questions, Members' Questions, Urgent Items and petitions submitted to full Council meetings. The draft proforma is attached at Appendix 2.

Planning Committee

The Group considered a number of issues regarding Planning Committee procedures. New paragraphs covering bias and predetermination at Planning Committee have been inserted to ensure Members are aware of the principles of bias and predetermination and to ensure accuracy in their decision making.

The number of speakers allowed to speak at Planning Committee has been amended. The Group considered that the current arrangements were too restrictive and ambiguous as they only allowed multiple speakers for large applications. This has now changed to two objectors and two supporters being allowed to speak on any type of application. This is to ensure fairness and impartiality when considering each application.

Supplementary questions, (to be put through the Chair only), are now proposed to be allowed once each speaker has spoken, this is something that the Members of Planning Committee were not allowed to do previously. The Group felt this was important to aid their understanding of the application and to ensure informed and accurate decision making. These amendments are included in the change table at Appendix 3.

Appendix 2

NOTICE OF MOTION FOR FULL COUNCIL	
Title of Motion:	
Date of Council meeting:	
Proposer of Motion: (Name and signature)	
Seconder of Motion: (Name and signature)	
Background/supporting information (maximum 100 words):	
Motion to be proposed (active section):	
Date and time received: <i>(for completion by Democratic Services)</i>	

Change Table

Constitution Chapter and Number	Current Wording/Suggested Change	Reason for Change
Chapter 2 Part 2 Ordinary Meetings	<p>To set the order of business at ordinary Council meetings as follows:</p> <ul style="list-style-type: none"> • Elect a person to preside if the Mayor and Deputy Mayor are not present; • Receive any apologies for absence from Members; • Receive any declarations of interest from Members; • To approve the minutes of the last meeting; • Receive any announcements from the Mayor; • Receive a presentation from the Youth Mayor, as appropriate, (and/or the Deputy Youth Mayor), by invitation, for up to five minutes on the activities of Broxtowe Youth Voice (the Youth Mayor and/or the Deputy Youth Mayor will have the right to speak, but not to vote, on any item on the agenda at a full Council meeting whether annual or ordinary with the rules on speaking being as per these Council Procedure Rules); • To receive a report from the Leader and receive questions and answers on the report if any; • To deal with questions from Councillors in accordance with Rule 10; • To receive questions from Councillors to those representing the Council on outside bodies; • To receive reports from the Cabinet Portfolio Holders and receive questions and answers on the reports; 	<p>To set the order for full Council meetings.</p> <p>To include Portfolio Holders' reports and Questions by Members at budget meetings.</p>

- | | | |
|--|--|--|
| | <ul style="list-style-type: none">• To receive questions from, and provide answers to, the public in relation to matters which in the opinion of the Chief Executive are relevant to the Council's functions (subject to Rule 8.5);• To consider motions;• To receive reports from the Committees and receive questions and answers on the reports;• To receive updates on the work of Scrutiny Committees• To consider business which, in the opinion of the Chair or Vice-Chair of the Overview & Scrutiny Committee, or in their absence, the Mayor or Deputy Mayor, or in their absence the Chief Executive or their nominee's should be considered at the meeting as a matter of urgency;• To receive petitions in relation to matters which in the opinion of the Chief Executive are relevant to the Council's functions;• To receive items referred from the Committees or questions from Members on the business of the Committees;• To consider any other business specified in notice convening the meeting, including proposals from the Cabinet in relation to the Budget and Policy Framework and reports from the Overview and Scrutiny Committee;• To approve a programme of ordinary meetings of the Council and Committees for the year at an appropriate time. The Council meeting to consider the budget shall be limited to only that substantive item with the addition of Portfolio Holders' Reports and Questions by Members unless by agreement of the Mayor; or the criteria for urgent business, at 2.1.21, is met.• To approve amendments to the membership of Committees.• receive updates from the Chair or Vice Chair of the Overview and Scrutiny Committee on the Scrutiny work programme.• Receive an Annual Review of Scrutiny report at an appropriate time.• To consider urgent business. | |
|--|--|--|

<p>Chapter 2 Part 2.1.7 Ordinary Meetings</p>	<ul style="list-style-type: none"> To receive reports from the Cabinet Portfolio Holders and receive questions and answers on the reports; <p>Suggested additional wording in bold below: Portfolio Holders need only introduce their reports if reporting on new updates or changes that had arisen since their reports had been published, speeches would be limited to two minutes.</p>	<p>To allow more time to be spent on portfolio holders providing answers to Member questions.</p>
<p>Chapter 2 Part 2 1.17 Appointments to Committees</p>	<p>Suggested wording</p> <p>Delegate to the Head of Democratic Services to make changes in the standing appointments to Committees and Sub Committees on the instructions of political groups Nominations to be confirmed in writing at least a week before the meeting</p>	
<p>Chapter 2 Part 8 1.17</p>	<p>To remove the Advisory Shareholder Sub-Committee and transfer the terms of reference to the Governance, Audit and Standards Committee's terms of reference.</p>	
<p>Appendices</p>	<p>To include a proforma for Members' Questions, Public Questions, Motions and Petitions.</p>	
<p>Chapter 5 Part 3 (Probity in Planning)</p>	<p>Insertion of new paragraph to deal with Bias and Predetermination:</p> <p>Bias and Pre-determination Members of the Planning Committee need to take account of the general public's expectation that a planning application will be processed and determined in a transparently open and fair manner, in which members taking the decision will take account of all the evidence presented before arriving at a decision, not take into account irrelevant evidence or representations and that to commit themselves one way or the other before hearing all the arguments and evidence makes them vulnerable</p>	<p>Ensure Members are aware of the principles of bias and predetermination. Ensure accuracy in their decision making.</p>

	<p>to an accusation of partiality. A Member may voice their concerns publicly before a meeting, but they should make it clear that they will not form a final opinion until they have considered all the information.</p> <p>Members must not prejudice their ability to participate in planning decisions at a Planning Committee by making up their mind or clearly appearing to have made up their mind on how they will vote on any planning matter prior to formal consideration of the matter at the relevant Planning Committee and hearing the officer’s presentation and evidence and arguments on both sides.</p> <p>Pre-determining a matter in this way and then taking part in the decision will put the Council at risk of a finding of maladministration and of legal proceedings on the grounds of there being a danger of bias or a failure to take into account all of the factors enabling the proposal to be considered on its merits.</p> <p>If a Member has made up their mind prior to the meeting or have made public comments which indicate that they might have done and is not able to reconsider their previously held view, then they will not be able to participate on the matter.</p> <p>Members who are members of a Planning Committee and who in that capacity attend any ancillary meeting or Committee need to avoid any appearance of bias or of having predetermined their views before taking a decision on a planning application or on planning policies. Section 25 of the Localism Act 2011 provides that a Member should not be regarded as having a closed mind simply because they previously did or said something that, directly or indirectly, indicated what view they might take in relation to any particular meeting, provided they remain open to listening to all the arguments and changing their mind in the light of all the information presented at a relevant meeting. A Member in this position will always be judged against an objective test of whether the</p>	
--	--	--

	<p>reasonable onlooker with knowledge of the relevant facts, would consider that the Member was biased.</p> <p>Circumstances may also arise where a Member has had significant personal involvement with an applicant, agent or interested party (whether or not in connection with the particular matter before the Planning Committee), which could lead an observer who knows the relevant facts to reasonably think the Member’s interest is so significant that it is likely to prejudice the Member’s judgement of the public interest.</p> <p>For advice on bias and predetermination, Members should seek the advice of the Monitoring Officer and/ or Deputy Monitoring Officers.</p>	
<p>Chapter 5 Part 3 Paragraph 4: Public Speaking at Planning Committee</p>	<p>Existing wording:</p> <p>one person objecting and the applicant or a supporter may speak. Where an application is a major planning application and affects a large area, additional speakers will be allowed, at the discretion of the Head of Legal and Head of Planning and Economic Development, if it is felt there is justification on the basis of a multiplicity of viewpoints and issues.</p> <p>If more than one person wishes to speak in objection to a particular application then, subject to the above discretion, the person living closest, or most likely to be affected by the development, will be allowed to speak. Head of Planning and Economic Development and the Head of Legal will make that decision. Other people may be put in touch with the chosen person in order that they may co-ordinate the views of others.</p> <p>A supporter may only speak if the applicant chooses not to. Following the registration deadline, the people selected to</p>	<p>To ensure fairness and impartiality.</p>

	<p>speakers will be notified by Democratic Services</p> <p>Suggested wording</p> <p>Two people objecting and two people supporting an application may speak. one person objecting and the applicant or a supporter may speak. Where an application is a major planning application and affects a large area, additional speakers will be allowed, at the discretion of the Head of Legal and Head of Planning and Economic Development, if it is felt there is justification on the basis of a multiplicity of viewpoints and issues.</p> <p>If more than one person wishes to speak in objection to a particular application then, subject to the above discretion, the person living closest, or most likely to be affected by the development, will be allowed to speak. Head of Planning and Economic Development and the Head of Legal will make that decision. Other people may be put in touch with the chosen person in order that they may co-ordinate the views of others.</p> <p>A supporter may only speak if the applicant chooses not to. Following the registration deadline, the people selected to speak will be notified by Democratic Services.</p>	
<p>Chapter 5 Part 3 Paragraph 4: Public Speaking at Planning Committee</p>	<p>Insertion of new paragraph</p> <p>Speakers may be asked supplementary questions from the Committee where clarification is required, these supplementary questions will be asked via the Chair.</p>	<p>To ensure informed and accurate decision making.</p>

<p>Chapter 2 Part 1, paragraph 2.</p>	<p>Suggested wording:</p> <p>2.1.21 The Council may deal with business even though it is not on the Agenda if that business is considered to be urgent. Urgent business means business that requires the urgent attention of Council in connection with a matter that affects the Borough, which needs to be dealt with before the next Ordinary meeting.</p> <p>The procedure for urgent business is as follows:</p> <ul style="list-style-type: none"> • the business is raised by a Motion on Notice under Rule 11 (Motions on Notice); • For the motion to be considered as urgent business, the issue will be expected to have arisen between 12 noon seven clear working days before the Council meeting and 12 noon midday on the day before the meeting • The Mayor at the meeting, or the Voting Councillors, decide that the business is urgent and • the agenda relating to the meeting states that the Council may deal with urgent business at that meeting. <p>The Chief Executive in discussion with the Leader of the Council may reject the motion if it:</p> <ul style="list-style-type: none"> • does not meet the definition of urgent business; • is vexatious, abusive or otherwise inappropriate; • relates to a planning decision; • relates to a licensing decision; • relates to any other matter relating to an individual or entity in respect of which that individual or entity has a right of recourse to a review or right of appeal conferred by or under any enactment; • requires the disclosure of confidential or exempt information; <p>the Mayor shall refer the urgent motion to the voting Councillors. the voting</p>	<p>Added again as dropped out of last adopted version.</p>
---	---	--

	<p>Councillors will then decide whether or not the motion on notice is urgent and required to be debated. if they decide that it is urgent, they will debate it under rule 13 rules of debate. if they decide that the matter is not urgent, the motion shall be deferred to the next ordinary Council meeting (i.e. not to an extraordinary Council meeting, an annual meeting, or a meeting to set the budget).</p>	
<p>Chapter 2 Part 1, paragraph 2.</p>	<p>11. Motions on Notice</p> <p>New wording highlighted in bold below:</p> <p>11.1 Except for motions which can be moved without notice under Rule 12 and Urgent Business under Rule 2.1.21 above, written notice of every motion, must be delivered to the Chief Executive not later than 12 noon seven clear working days before the Council meeting at which it is to be considered. Motions received will be recorded and open to public inspection.</p>	<p>Added to accommodate allowing Urgent Business under rule 2.1.21</p>

This page is intentionally left blank

Report of the Monitoring Officer

Recommendations of the Chief Officer Employment Committee

1. Purpose of Report

To receive the recommendations of the Chief Officer Employment Committee regarding the appointment of a permanent Chief Executive and Interim Directors for the Council.

2. Recommendation

It is RECOMMENDED to Council that:

- 1. The appointment of Zulfiqar Darr as the Council's Chief Executive be approved**
- 2. The appointment of Emma Georgiou as Interim Director of Environment and Leisure be approved.**
- 3. The appointment of Ryan Dawson as Interim Director of Planning and Economic Development be approved.**
- 4. The appointment of Rachel Shaw as Interim Director of Housing, Environmental Health and Communities be approved.**
- 5. Consequential amendments to the Constitution are made in relation to recommendations 1, 2, 3 and 4.**

3. Detail

The Chief Officer Employment Committee has held meetings on 6 February, 27 March, 22 April and 1 May 2026 following the resignation of the former Chief Executive in September 2025. The purpose of the meetings has been to consider the process of the recruitment of a new permanent Chief Executive and the appointment of Interim Directors to provide support for the General Management Team following the deletion of the Executive Director post.

The recommendations from the Chief Officer Employment Committee were agreed following interviews with the respective candidates. The relevant CV's and Expressions of Interest are included in the confidential appendices.

4. Financial Implications

The comments from the Interim Deputy Chief Executive and Section 151 Officer were as follows:

The salary costs of any new appointments would be contained within the approved establishment budget in 2026/27.

5. Legal Implications

The comments from the Head of Legal Services were as follows:

Under Chapter 2, Part 8-17 Committee Arrangements paragraph 11 of the Council's Constitution, the Chief Officer Employment Committee are able to 'recommend to full Council the appointment of the Head of Paid Service, the Monitoring Officer, Section 151 Officer and any other Chief Officer'.

Under Chapter 2 Part 1 & 2 paragraph 1.6.12 of the Constitution, full Council are responsible for the 'appointment and dismissal of the Chief Executive, Monitoring Officer, S151 Officer and other Chief Officers'.

Local Authorities (Standing Orders) (England) Regulations 2001 (the Regulations) set out the requirements for the appointment of Chief Officers and the relevant provisions of the Regulations are contained in the Chief Officer Employment Committee terms of reference, which are set out in the Constitution in Chapter 2 Part 8-17 Committee Arrangements.

6. Union Comments

There were no Union comments to be added.

7. Climate Change Implications

Not applicable.

8. 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.

9. Equality Impact Assessment

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

10. Background Papers

Nil.

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank