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Date: 12th May 2023

Our Ref: KB

Dear Sir/Madam,

Annual Council – 17th May 2023

I refer to item no's. 6, 9, 10 and 11 on the Agenda for the meeting of Annual Council on Wednesday, 17th May 2023 and attach the Minutes of the Full Council Meeting 19th April 2023, the report 'Composition and Membership of Committees and Appointments to Outside Bodies for 2023/2024', the Appointment of Monitoring Officer report, and the Scheme of Delegation marked 'to follow' on the agenda.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Brent Davis'.

BRENT DAVIS

Chief Executive

To: Members of the Council

Items

6. Minutes of the Full Council Meeting 19th April 2023 **(Page 2)**
9. Composition and Membership of Committees and Appointments to Outside Bodies 2023/2024 **(Page 29)**
10. Appointment of Monitoring Officer report of the Chief Executive **(Page 43)**
11. Scheme of Delegation **(Page 46)**

NUNEATON AND BEDWORTH BOROUGH COUNCIL

COUNCIL

19th April, 2023

A Council meeting of the Nuneaton and Bedworth Borough Council was held on Wednesday, 19th April which was live streamed and recorded.

Present

The Mayor (Councillor J. Clarke)
The Deputy Mayor (Councillor M. Walsh)

Councillors R. Baxter-Payne, D. Brown, C. Cape, T. Cooper, J. Coventry-Moreton, S. Croft, L. Cvetkovic, L. Downs, K. Evans, C. Golby, M. Green, J. Gutteridge, B. Hammersley, S. Harbison, J. Kennaugh, K. Kondakor, S. Markham, G. Moreton, B. Pandher, N. Phillips, J. Sheppard, T. Sheppard, E. Shiers, J. Singh, R. Smith, M. Tromans, R. Tromans, C. Watkins, K. Wilson, and M. Wright.

Apologies were received for Councillors B. Beetham and T. Sheppard.

CL72 **Minutes**

Councillor Wilson moved that the minutes of 13th February 2023 be amended to include the Cabinet resolution of the budget line items that were passed by Cabinet be read into the Council minutes as the approved budget for 2023-24. This was seconded by Councillor Golby.

RESOLVED that subject to the amendment moved by Councillor Wilson, the minutes of the Ordinary Council meeting held on 13th February 2023, and the two Extraordinary Meetings held on 29th March 2023 were confirmed, and signed by the Mayor.

CL72 **Declarations of Interests**

Councillor Downs declared is a Co-Director of Little Caesar's Donuts and holds a contract for a market pitch with Nuneaton and Bedworth Borough Council.

Councillor Evans declared that he no longer works for the UK Parliament and now works for the Local Government Association of which the Council is a member.

RESOLVED that the Declarations of Interests for this meeting are as set out in the schedule attached to these minutes with the amendments as set out above.

CL73 **Announcements**

The Mayor presented Josie Moore, Ray Moore, Roy Moore, Lella Gascoigne and Merv Lawrence with the Mayor's Awards for Communities for their work with the Mayor's Appeal throughout this year.

The Mayor also announced that he had received a thank you letter from Dave Leach following his award of Freeman of the Borough, and noted that all Councillors would be welcome to view this.

CL74 **Public Participation**

Question 1 – Mrs Michele Kondakor asked the following question to the Portfolio Holder for Public Services.

As a regular visitor, I view Nuneaton's Museum and Art Gallery as a massive asset to the Borough. It was very disappointing to see that it was closed over part of the Easter weekend; the reason given, being staff shortages. There have also been rumours on social media that the Museum will be closed for a year, whilst the extension is built. I hope this is not true. Please would the Portfolio holder clarify the situation regarding staffing and opening hours and confirm that the Museum will not be closed entirely during the building works for the extension?

Councillor S. Markham, Portfolio Holder for Public Services, responded as follows:

Thank you for your question. The operational delivery and opening times at the Museum are actually under review, following the Council budget setting process, which included a reduction of staff to open the building and deliver its programme of activity. Whilst this process is happening, despite the best efforts of the team, it is not always able to manage to open the museum fully.

In relation to the future extension and refurbishment of the Museum and Art Gallery, in order to achieve the works, the building will be closed for a period of time, which has not yet been confirmed. The development will include, not only putting up two new extensions, but extensive works to the ground floor including replacing mechanical and electrical equipment, as well as works to the roof. For the safety of visitors, staff, contractors and the precious collections the museum cares for, it will not be possible to be open to the public during the construction period.

We are however, looking at the feasibility to have certain activities of the museum, such as the readings, at a different location.

Question 2 – Mr Sam Margrave asked the following question to the Leader of the Council.

Thank you Mr Mayor. I along with many residents, am concerned about the condition of our roads, street signs and street furniture in Bedworth and Nuneaton, including some parts of our town centres. For example the Griff Roundabout, Donnithorne Avenue in Nuneaton and George Street in Bedworth.

While this is in many respects a matter for the Conservative run County Council, its an issue that really concerns people in our Borough and it deserves to be raised in this Chamber on behalf of local people. We need action from the Borough Council who used to run the highways and repair our roads when they were in charge.

As a driver I've noticed the roads being left in an increasingly poor condition, and have myself had to have my wheels balanced or replaced because of the impact of pot holes. This situation can't continue. Our roads and pavements here in Nuneaton and Bedworth seem to be deteriorating and while I appreciate we've had difficult weather or increased movement of heavy goods vehicles due to housing developments, it's no excuse.

For years now roads have been left or filled in poorly, only to have the problem again days later and often issues aren't addressed when reported. When I travelled to the south of the County, I noticed that the roads there seemed in a much better condition than here. Nuneaton and Bedworth always seem to lose out to Warwickshire. That is why I have launched a petition at change.org/potholepetition to fix our roads in Nuneaton and Bedworth.

I am asking for the two Councils in our area to create a task force to tackle head on the issue of pot holes and to replace or fix and clean road signs or street furniture in our Borough. That means undertaking a review to see why the North of the County is so poorly served and to take action to fill in pot holes, to make our Borough the clean, tidy and pleasant place it once was.

Will the Leader of the Council support this campaign and write to the leader of the Tory run County Council in Warwick to express concerns about the state of local roads and footpaths?

The Leader of the Council, Councillor K. Wilson, gave the following response:

It's pleasing to see that Mr Margrave has returned to more local issues, since he had a little sojourn off bashing the Bishops. But he knows that he's answered part of his question already, because indeed he quite rightly identified that this is a County council issue and not something which we as a Borough Council have any control over. He is harking back to the 70's and possibly the 80's in terms of when this Authority had any responsibility for roads. Indeed we used to have education and health responsibilities in the dim and distant past and we no longer have them. Whilst personally I would love to see them return to the Borough Council we are where we are and local government in my view doesn't need any further reorganisation in Warwickshire.

He also partly identifies some of the problem as well in terms of the weather. It doesn't take a genius to work out Mr Mayor, that we have had a very wet, wet winter and it has continued to be wet. That means that when the water does actually get into the roads and they freeze, the ice when it expands forces the tarmac to then expand and cause cracks, that is simple physics Mr Mayor not something which is a political issue.

Also, whilst residents might not appreciate this, there is also the Covid impact that we have to factor in during the two years of Covid that we had. Whilst it may seem a long time ago, there were works which were actually programmed in during the two years that we had Covid, most of which had to be delayed and rescheduled and reprofiled into further years, on top of the existing maintenance which will have already been needed for the post-Covid years. So we are in a situation not of our making and not of our control and I don't blame my colleagues in the south of the county at Shire Hall for that. Indeed, I happen to know that a number of the County Councillors, certainly on this side of the chamber, are most vociferous in terms of their representations regarding the state of our roads where it happens to happen, and I've been given a list just for May 2023 of the works being conducted in Nuneaton and Bedworth. There are works scheduled on Woodlands Lane and Woodlands Road in Bedworth, there's also work on Bedworth Lane in Bedworth. There is work on Exall Road and New Road in Kearsley and indeed Milby Drive in Weddington which we all know has needed works for years despite the previous County Councillor. I've also been passed some works in just one particular area of the of the Borough, courtesy of Councillor Markham which I thanked her for, about the works plan for her patch and some other patches actually, which include the entire carriageway of the A444 being redone during this financial year, a footpath being done in Newtown Road and some and the other works that I mentioned earlier.

In addition, Mr Margrave may be interested to know, I don't know whether it's been delivered around his neck of the woods yet, but we have, as many residents will know, the Local Rock which gets delivered through a number of households in the east of Nuneaton certainly. And there is an article in here, if I just find it, that says that as part of the spring budget a further 2.8 million pounds has been allocated to the County Council for pothole repairs. I do not believe it is a unique situation to Nuneaton and Bedworth. Indeed I have to travel to the south of the County at least weekly as part of my day job. Believe it or not, not all politicians in this Chamber are full-time politicians, we are normal and have day jobs, and when I have to go to the south of the County, actually there are a number of issues going on there too. Indeed Mr Mayor, part of the problem that I see on Facebook, half of the time with social media is people complaining that road works are going on and causing traffic issues. So you can't win if you do Mr Mayor, and you can't win if you don't.

In respect of the campaign that Mr Margrave is raising, we all know it is a pseudo campaign designed towards his new Bedworth Independence Party even though he lives in Attleborough, so nothing to do with Bedworth. And I will not sign up to his new political campaign, or support anyone who happens

to have the view and this is a quote Mr Mayor, not mine, this is a quote that "Pride (i.e. Gay Pride,) Mr Mayor is the nation's next Jimmy Savile." That was posted on Mr Margrave's Twitter on the 20th of June 2022. We will not align ourselves as a Council or any of that.

The Mayor asked those in the public gallery to be quiet and warned the meeting would be suspended.

Mr Sam Margrave asked the following supplementary question:

Thank you Mr Mayor. Councillor Wilson acknowledges there is a problem. This isn't political, in fact none of this has been political, what this is about is building a better Borough and getting something done for our community. So I would ask the Leader of the Council whether he would look to ask for the OSP, or a Council Committee, just to look at the quality of our roads and for the Borough Council to write to the County Council to ask more to be done, so that that money that he mentions comes to Nuneaton and Bedworth because there is a problem with our roads, and this place is meant to be a voice for local people on all issues.

I would also finally ask Mr Mayor just for an apology for the abuse and the Punch and Judy politics from the Leader of the Opposition who's very abusive whenever I come here and I'm a resident.

The Leader of the Council responded:

Thank you Mr Mayor, because I would start off by saying there is a reason why I'm a Councillor and he is a Mister. Even the Labour party couldn't stand him as a Councillor which is why he is no longer one. I think that says something.

The Mayor suspended/adjourned the meeting at 18:31 until 18:41.

Thank you Mr Mayor. The simple answer is no, I have no powers to direct the OSP's here to do anything as a Member of the Cabinet, but also it does not fall within any of the OSP's remit or responsibility, it sits with the County Council. If anyone wishes to raise it with the County Council they can email their Democratic Services and ask for it to be raised through their channels.

Councillor Kondakor then asked:

Mr Mayor, I'd like this matter referred to a Scrutiny Committee so it can be debated in a civilised manner. We've got lots of issues and we're getting only four resurfacings in Nuneaton, where Rugby is getting ten, so I do think this needs to be discussed properly in a civilised manner. So I use the Constitution, and I can ask for this matter to go to a Scrutiny Panel Mr Mayor.

The proposal was seconded by Councillor Wright. A vote was taken. The motion was lost.

Question 3 – Ms Nikki Smith submitted the following question to the Portfolio Holder for Public Services.

Our goal at Bedworth Civic Hall CIC is to save the Civic Hall and Arts Centre, to ensure it remains in community ownership, run by and for local people.

What will the criteria be to decide who is, as Councillor Wilson said at the cabinet meeting of the 12th April, “the best bid” and will there be a requirement for all bidders to provide the same level of Community use that was previously provided at the Civic Hall and Arts Centre to maintain a vital service for Bedworth, Bulkington and our whole Borough.

Councillor S. Markham, Portfolio Holder for Public Services, responded as follows:

Thank you for your question. The criteria for the next stage of the process will be provided to relevant parties in the near future. This will include information, to ensure that the facility can be managed & operated, within accordance of a venue of this size and complexity, and also be financially sustainable. It will be third parties’ decisions as to what they commit to for outcomes around Community Use, Private shows, and other entertainment delivery, but ultimately it will need to be financially viable for the medium/long-term operation by a partner.

Question 4 – Mr Rob Batterbee submitted the following question to the Portfolio Holder for Public Services.

This question also relates to the Civic Hall. The Council asked for Expressions of Interest from those who will run all the services that take place at the Civic Hall and Arts Centre including Community uses. You asked us to provide the existing service.

The Civic Hall and Arts Centre is a themed community centre catering to a wide variety of culture based community groups. The update doesn't mention the Arts Centre or other space. Will this be included in any lease arrangements?

Councillor S. Markham, Portfolio Holder for Public Services, responded as follows:

Thank you for your question. The Cabinet report of 12th April mentioned the ‘Venue’ – this includes all spaces within the Civic Hall building, including the space previously used by the Arts Centre. To be clear, based on a point raised in your question - the Council have never specified that the existing service must be provided within the Venue, only that during the EOI process, a plan for the potential viable operation of the Civic Hall building, with no financial contribution from the Borough Council be provided.

Question 5 – Ms Rachel Hardy submitted the following question to the Portfolio Holder for Public Services.

The Cabinet recently decided to pursue a lease option for the Civic Hall.

Will the lease be offered, if a community group takes it on, at a Peppercorn rent lease and with a lease longer than 15 years as with Nuneaton's Abbey Theatre and in line with the requirements of the Community Ownership Fund so the Bedworth community volunteers get as good a deal as Nuneaton when it comes to taking on a Council asset, and if not, why is a peppercorn rent or long lease good enough for a Nuneaton Theatre for the community to run the venue but not for a Bedworth Community Group to run the Civic Hall?

Councillor S. Markham, Portfolio Holder for Public Services, responded as follows:

Thank you for your question. The council has numerous lease agreements with different people/organisations, and they are not all the same.

The Abbey Theatre does not have an up-to-date lease because Labour failed to renew it 12 years ago and we are currently in discussions and looking to renew it for them. The appropriate level of rent, peppercorn or otherwise, will be informed by the nature and condition of the property and the wider Legislative, Policy and/or financial benefits and issues. As stated at Cabinet on 18th April each applicant will negotiate both rents and length of lease, therefore the details of the terms of the lease will be provided during the lease process, and through negotiations with the successful applicant at that stage.

Question 6 – Mr Paul Hardy submitted the following question to the Portfolio Holder for Public Services.

Bedworth Civic Hall CIC has received no timetable for the EOI or procurement process despite the Localism Act guidance expecting this to be provided. I am worried that unreasonable pressure will be put on local volunteers, not giving a fair chance to put forward the best bid.

The Council has delayed things, meaning we haven't even been able to apply for an awards for all bid to help write our business plan. We haven't been allowed in to look at the condition of the building. We had nearly three months to develop and submit an EOI, which it now seems wasn't assessed as the documentation said it will be.

We are volunteers trying to do right by our community and it would be wrong if the Council demand a response in a matter of weeks or a few months. This needs to be a fair process with a reasonable amount of time for residents to respond.

Will the Council give bidders a longer time to get support in place for a community group and to write a business plan / viability study?

The Portfolio Holder for Public Services, Councillor S. Markham, provided the following written response:

Thank you for your question. The Council have not delayed the process, but must follow the required timetable for approval of decisions, and therefore have a formal process to follow. The expression of interest process as identified on the portal, had a purpose to seek the views of the local community, arts organisations, and potential venue operators to help understand if there were viable options for the Venue, and therefore for the Council to understand if there was a need to move forward to a formal process. The formal process is what was approved at Cabinet on 12th April 2023 based on EOIs received. The criteria for the next stage of the process will be provided to relevant parties in the near future. This will include information, to ensure that the facility can be managed & operated within accordance of a venue of this size and complexity, and also be financially sustainable, this stage will include a site visit.

Question 7 – Mr Steve Young submitted the following question to the Portfolio Holder for Public Services.

Last year the Council said "The EOIs will be evaluated by a panel of NBBC officers (and may seek some external professional advice, TBC) and assessment guidelines have been shared under supporting documents' '.

However we are now told there has been "no assessments, evaluation, or criteria for awarding points" to decide on who goes through to the next stage and both bids are being put through, in the Words of the Leader of the Council, so "neither party can claim foul that their bid has been rejected at this stage".

That isn't the process we were told would be undertaken to decide who would get through the EOI process. The Council seem to be changing to goal posts and despite previously committing to a third sector bid are now allowing a private business to apply.

Can the Leader of the Council explain why there has been no assessment of the EOIs and publish how the criteria was met by those who submitted an expression of interest?

The Portfolio Holder for Public Services, Councillor S. Markham, provided the following written response:

Thank you for your question. As stated within the 'Expression of Interest Requirements – Evaluation' document shared during the EOI process, 'The Borough Council is only allowed to base its decision on whether to accept, accept with modification or reject an expression of interest on the information requested in the Questionnaire'. In the guidance documentation it clearly stated the grounds whereby an expression of interest may be rejected. This is the guidance that Officers have followed throughout the EOI process.

Question 8 – Mr Alan Baxter asked the following question to the Portfolio Holder for Finance and Corporate.

Back in financial year 2013/2014 the grant given to Nuneaton And Bedworth Borough Council by H.M. Government was almost five million pounds. Now, a decade later it is zero. Cut by Conservative "austerity".

In the intervening time, across the Borough, we have seen public loos demolished and flower-beds removed. We have been told we cannot afford a Civic Hall or Community Centres, education and outreach programs have been cut, Britain in Bloom is a thing of memory. The Town Centre is a mess.

What action has this Council taken to Lobby Marcus Jones M.P, our Conservative M.P. and H.M. Government to highlight the damage and limitation of opportunity these austerity cuts are doing to Boroughs like our own and what response has been given?

Councillor S. Croft, Portfolio Holder for Finance and Corporate, responded as follows:

Thank you, before going any further I must begin by rejecting the premise of the question.

Mr Baxter refers to the Government grant to this Council reducing from just shy of five million to zero today, but what he does not refer to or specify is that that nearly five million in 2013/14 referred to two specific grants the Revenue Support Grant (RSG) and the Local Council Tax Support Grant (LCTSG), which we now no longer receive.

Since then, the way in which Government funds local councils has changed.

Instead of RSG and LCTSG, we now receive the New Homes Bonus, (£1.3 million in 2023-24) and the Lower Tier Services Grant (£143,000 in 23-24) which are our unallocated core funding grants.

We also receive other grants from the Government earmarked for more specific items such as £200,000 for homelessness support, £80,000 for New Burdens Funding, £600,000 Benefits Admin Grant, £250,000 in Discretionary Housing payment.

In addition, as the RSG wound down, the Government adjusted our formula for the retention of business rates so that in 23-24 we will retain nearly £2 million more from NNDR income than we did a decade ago. This does not include the grants we have received out of government for capital funding which I will come on to shortly.

So Mr Mayor while the model of our funding has changed, central Government financing of local authorities is now based much more on KPIs

and earmarks, but the suggestion that our level of grant from the Government is now zero is not true.

Of course Mr Mayor, it is true that our unallocated funding has decreased. This is in part due to growth in our cost base and the inflationary situation that I outlined on budget night in February, but also there is the inescapable fact that as a country we have been living beyond our means for far too long.

This country has had a budget deficit in its national finances for over 20 years, in 2010 it was 10% of GDP.

You cannot go on borrowing that and you cannot go on buying more in the world than you're producing and selling. The idea that the Government can play Santa Clause is now long gone, so over the last 13 years there have been absolutely necessary corrections in Government expenditure. What Mr Baxter calls "Conservative Austerity" I call "the economic facts of life".

Everyone who works and makes their own way in life knows that you have to make ends meet, you have to balance spending with earnings, and if you take on any debt it should be for assets and investments that will bring a return, not on day to say spending.

They understand the old truths that the world does not owe us a living. This applies to countries and councils as much as to people. That is why we have reviewed, and are reviewing, every service we provide to ensure we are only focusing on those essential services which we alone as an authority can provide leadership on.

We must retrench into our core business areas, such as regeneration, sanitation and refuse, economic development, housing, and the homelessness support I referred to a moment ago. In an age of economic realism and hardship the choice between Britain in Bloom and housing the homeless is no choice at all.

Finally, Mr Baxter's question referred to lobbying Marcus Jones, our MP here in Nuneaton. Now Mr Mayor, it would be inappropriate for me to reveal the details of private conversations, and I'm not going to do that. What I will say is that we make representations to the national Government in advance of every budget setting process, and that Marcus has been a tireless voice within Parliament within the national administration for funding for Nuneaton.

Marcus's lobbying and interventions have helped us secure the £23.2 million from the Towns Fund, £13 million from the Future High Streets Fund, £4 million from the UK Shared Prosperity Fund, and assisted in winning the £15 million from the Levelling-Up Fund for Bedworth leisure centre. All in all, he has won £46 million funding for Nuneaton alone in the past few years. Not to mention the areas that don't even concern this Council, so he has helped us get funding for the new primary and secondary schools that are opening up in the north and the east of Nuneaton.

Now you will notice Mr Mayor that these figures are considerably higher than the £5 million referred to in Mr Baxter's question, that is because this Government is committed to investing in capital projects that will have long term return, rather than short term general spending. And of course Mr Mayor, as these programmes bear fruit, they will assist our budget position by growing our local economy and increasing our business rate income.

So, Mr Mayor, I reject the premise of the question, we are still funded by the Government, on a much more economically realist grounds.

With that support from Government, the support of Marcus Jones MP, and the leadership of this administration, we will fulfil our programme of transformation in this council and our programme of regeneration and development in this borough, and we will restore that economic opportunity and civic pride which was referred to in the question.

Mr Alan Baxter asked the following supplementary question:

Would you say the current economic position of the Council is weaker or stronger than in 2013 or 14?

Councillor Croft responded to the supplementary question as follows:

I refer him to the budget speech I gave in February which set out at great length the inflationary pressures we have faced Mr Mayor.

CL75 **Questions by Members**

Question 1 – Councillor Kyle Evans asked the following question to the Portfolio Holder for Housing and Communities:

Can I ask the Deputy Leader of the Council what steps the Council is taking to improve home insulation in the social housing stock to support the most vulnerable residents in our Borough?

Councillor C. Golby, Portfolio Holder for Housing and Communities, responded as follows:

Thank you for the question, it gives me the opportunity to sing the praises of the teams who are dealing with quite a lot at the moment.

The Council has taken a number of steps to improve home insulation for our social housing stock. My team have so far insulated 414 homes with external wall insulation and are predicted to insulate a further 191 homes by March 2025.

External wall insulation not only keeps out the cold also reduces something called 'cold bridging' which I have spoken about in the Chamber before, and this can have the added effect of causing damp and mould in our properties, if

they are not sufficiently ventilated by our tenants which does happen sometimes. We are targeting the worst insulated properties, to maximise the benefit to our residents.

In relation to topping up of loft insulation this is captured within the Council's roofing programme on an annual basis. We also have ad hoc requests for roofing insulation top ups from tenants and these go through the normal Capital Projects route, who will survey to check if the insulation is up to decent homes standard and if not will take the appropriate action. We also do proactive condition surveys too and these will be carried out by an external contractor.

The level of insulation within the loft will be picked up when these surveys are completed, together with other elements that we need to understand the overall condition of our properties. This is going to happen across our estates, and so we need to get a good picture of what we've got, where we've got it and what we need to do.

So the undertaking of the conditions surveys is to be completed by December 2023. The aim is to understand what we've got, where we've got it and the level of investment we need for our Council housing stock over a longer period of time. So I'm not looking just at the short term fix, we're actually looking at a longer term period as well so 5, 10, 15, 20 years.

The level of insulation will be one important factor to be considered within this.

Currently, the total investment that we've got covering my tenure, and up to 2025, will be more than £13.5 million pounds for all of this.

This will result in over 600 homes being improved once the project has been completed. But insulating these houses alone is not enough. This figure also includes additional measures such as replacement doors, windows, and where necessary boilers. So we're looking at the whole piece.

And just because there will be criticism about the boilers, clearly, the race to achieve carbon neutrality and Net Zero is not the priority of the most vulnerable people who we deal with. Actually having a safe, warm home is, so that's what we're concentrating on.

The aim is primarily to provide that for residents, and an unintended consequence of that is actually the reduction of fuel poverty, which is pounds in people's pockets which is another driver for doing all this, and then carbon Net Zero will follow as a consequence of all the other stuff that we do.

Question 2 – Councillor Emma Shiers asked the following question to the Portfolio Holder for Housing and Communities :

The grant awarded by the Police and Crime Commissioner for Camp Hill to install measures to reduce Anti-Social Behaviour, including lighting and CCTV Cameras. Can you confirm who will have overall responsibility to monitor and maintain the cameras and lights, and will the lighting remain on throughout the night? Thank you.

Councillor C. Golby, Portfolio Holder for Housing and Communities, responded as follows:

Thank you Councillor Shiers, this gives me the opportunity to again remind people of the good work my teams are doing. So, the Communities Team applied for 'Safer Streets funding' from the PCC's Office and we were successful in this bid and were awarded £130,000. That was to do projects in the Camp Hill area which will include:

- Improving entrances and site with hardening to slow or deter motorbikes which I know is an issue in the area, we've had many discussions about that;
- to enhance entrances for pedestrians and the disabled residents where possible;
- adding missing bits of path and adding new metal trip rail;
- repairing existing stretches of trip rail or and removing obsolete trip rail.

And yes, there will be lighting and CCTV as part of this project. So the lampposts that have got CCTV cameras on will be on all night and the other lights will be on the usual timing frame that we've got until we've gone through the process with the County, to add it on to all the other stuff that's going on in Camp Hill with regards to lights. Not all the lights go off in Camp Hill, we don't turn the lights off wholesale.

The cameras will be monitored and maintained in exactly the same way as all the other cameras that we monitor and maintain. It will be done in conjunction with the Police, and they will have access as and when required.

Councillor Shiers asked the following supplementary question:

Thank you for that. You mentioned timings, can I ask specifically with regards timings for The Dingle and Stubbs area? As we know a lot of the antisocial behaviour occurs during the evenings and it's when its dark people are feeling particularly unsafe to walk about. Also, you say the cameras are going to be monitored in conjunction with the Police, has additional funding then been put in place to ensure that the resources are there to act on any anti-social behaviour that's occurring, or ensure that we have the service there to ensure everything is monitored correctly.

Councillor Golby responded to the supplementary question as follows:

So, the timings will be, when the lights first go on we have to put them on as per the timings that the County control, we then apply to have the lights put on. Yes I agree with the anti-social behaviour and everything else, however,

as I've just pointed out Camp Hill has the lights on and it's the highest crime area that we've got in Nuneaton. So maybe turning the lights off may deter people from ASB, rather than allow them to safe space to commit ASB. We've got evidence that in other areas where the lights have gone off ASB has dropped, so its potentially the wrong thing to do maybe. But we don't control the timings of the lights, we put them in and the County then control them, but there is a process to then get the County to add them on to the same schedule as all the rest of Camp Hill.

As far as the monitoring and maintaining, that's just in addition to what we're doing. I can't tell you whether operationally the Police have got extra people to respond if there is an incident in Camp Hill at any given time, because that's operational Police stuff. I can't tell you that, you could probably take it up with them, but I think we all know that the areas where these cameras are going in, are hotspots for ASB anyway. So its in addition to what's already going on not instead of something else, somewhere else.

Question 3 – Councillor Keith Kondakor asked the following question to the Portfolio Holder for Planning and Regulation :

Over the last decade we have major housing developments completed in Weddington and St Nicolas Wards that have yet to have the open spaces and play areas adopted by this Borough Council. Some of this was initially due to developers but it seems that this council has not had the capacity to chase up the process over the last few years. For open spaces, the adoption process includes a 12 month handover period. Can the Cabinet Member for planning explain when the Planning Department will be able to coordinate the start of the developer's adoption hand-over period for Davidson's Church Fields, Taylor Wimpey's Lower Farm (both off Weddington Road) and the first phase of Bellway off The Long Shoot? Thank you.

Councillor R. Smith, Portfolio Holder for Planning and Regulation, responded as follows:

Thank you Mr Mayor, and thank you Councillor Kondakor for the question. This issue that you raise is an important one, and your concerns are shared by myself and the other Ward Members for Weddington and Saint Nicholas. That area has seen an unprecedented amount of development over recent years, and its right to expect that open spaces and play areas are adopted and maintained by the Council at the earliest opportunity, for the benefits of the many new and existing residents. Historically, there's been no fixed time scale set for the adoption of these areas, and typically this would rely on the developer preparing the sites to a standard acceptable to the Council, that complies with the original drawings and terms, and they need to pass a Council inspection before they can be adopted. It would be wrong for this Council to accept maintenance of any area that does not meet the agreed standards, and may burden the taxpayer with unnecessary costs for maintenance and repairs. Enforcement in this area has been difficult because of ongoing capacity problems in the team, due to unfilled vacancies However, this will be resolved in the next couple of weeks with vacancies filled and an

Enforcement Team back to capacity. To support the potential enforcement, there's some work to do tightening the system, and I have asked Officers to review section 106 trigger points to focus developers on the need to deliver these open spaces and play areas earlier in the process, and provide us with an enforceable timeline, should they fall short. With regards to the specific issues in your question around Davidson's Church Fields, Taylor Wimpey's Lower Farm and the first phase of Bellway off The Long Shoot, these are all at various stages of completion and whilst I won't go into detail now, I have asked Officers to set up a briefing session both for yourself and the other Ward Councillors for the area so you can better understand the detail and ask any questions you may have at that point.

Councillor Kondakor asked the following supplementary question:

Thank you very much for your answer, because obviously this is going to be a bigger problem, and they're the very first three developments we've had in the Borough. Can we have a date, and almost like have a KPI, because some of these things have been going on for years, so it will be useful if your Officers, if we could, Councillor Smith, have a KPI of how long it is after the development's finished before the open space is developed, thank you.

Councillor Smith responded to the supplementary question:

That will be included in the briefing. I've asked them to look at this, get all the specifics from the developers and give you an exact position of where we're at, what the hurdles might be, and when we might get some resolution.

Question 4 – Councillor Damon Brown asked the following question to the Portfolio Holder for Housing and Communities:

At the Cabinet meeting on the 8th of March this year, Cllr Kondakor claimed the housing teams are failing to do maintenance jobs on and around our estates. He claimed that the Council has stopped the estate walkabouts, which I know is not the case as I've been on some myself recently, and that "grounds maintenance is virtually non-existent" in lots of places in his ward. He also said "The maintenance is really appalling" and then went in to claim he was at Carisbrook Road where nothing had been done and a bag of fly tipping had been left for 3 years.

Can Cllr Golby please advise us, are these claim's correct?

Councillor C. Golby, Portfolio Holder for Housing and Communities, responded as follows:

Thank you Council Brown, and to put it in a concise sentence, no, these claims are nowhere near correct.

So firstly I'll address the point of estate walkabouts. Estate walkabouts for

for those that don't know, are when Officers would literally walk around housing Estates. Good use of time? probably not, so they were stopped. But not by me, they were stopped by the pandemic. Plus, when we did do them, hardly anybody turned up, so you know, they were time consuming and proved a little value. Sometimes the staff were out for hours walking miles around areas with few issues, so we, under my tenure, decided to do things a little bit differently. We examined where we get most of our complaints from, and we're targeting regular visits to these places. Far more efficient, and we're getting much better results. We also have a focused program of block inspections, which involves Tenancy Management Officers fully inspecting all their blocks of flats on a monthly basis. These are quantifiably where we receive most of our complaints from. We've got items left in communal areas, fly tipping, anti-social behaviour, all of that sort of thing. The block inspections also double down on fire safety, because we all know fire safety is quite important.

So this new approach not only ensures we meet our responsibilities as a landlord in terms of regulatory fire reforms, but it's also provided better and more meaningful presence on our estates as well as a fully accountable audit trail, should issues have been raised. Councillor Kondakor has been advised previously by my Housing Team, that we are carrying out monthly block inspections, the reasons why, and with the emphasis on the importance of fire safety.

We are looking at reintroducing estate walkabouts in the summer, but if we do we are likely to have a focus initially on the areas with high levels of ASB or estate issues because that is where the time is best spent. So despite this, my team have also offered Councillors walkabouts in their Ward. As Councillor Brown has just alluded to, he's been on one, even if they felt that there aren't any issues now. Councillor Kondakor has been offered estate walkabouts, and he actually attended one, so it's entirely wrong of him to say that we've cancelled them.

So now to address the claims, I mean it's ludicrous, so now how to address the claims that "grounds maintenance is virtually non-existent" in lots of places in his Ward and that the "maintenance is really appalling". Again, I had the Customer Service teams check for calls logged, and I've asked my teams to confirm if they had any direct communication with Councillor Kondakor relating to grounds maintenance issues. Do you want to guess, do you want to guess what the answer is? So it was a big fat no. So they've received nothing. In terms of grounds maintenance issues, Councillor Kondakor has been repeatedly advised he must log calls for the teams to respond to. Not only that but he has been repeatedly advised on the grounds maintenance programmes that we've got. So again to clarify on the public record, shrub bed maintenance is cutting top down once every five years or sooner, or if it's causing any major issues we will attend to things, and, cut back the sides, up to three times a year.

The works are generally brought forward if there is a risk of severe health and safety issues or nuisance, but no work is prioritised for aesthetic purposes.

So, to double check the claims made at Cabinet, my team went out and photographed the area which had been mentioned. There were no issues, shrubs are being well maintained and in one case scheduled for removal because they're causing a problem. We're already on it. The team also checked other housing areas in Weddington, just to, you know, get it all out there. Niton Road, Reg Hadden, the Chines, Carisbrooke Road and the bungalows, all sites are well within the grounds maintenance specification. But Cllr Kondakor already knows this, because there are no calls logged. The teams also received no further contact from Councillor Kondakor after they emailed him asking for clarification of the issues raised in March. So, going forward my team will not be attending any complaint Councillor Kondakor raises in this Chamber, unless it is logged through the correct process. That is the way we do things, and that is the way that my team's time is best spent.

He's publicly slated my staff for no reason, other than perhaps they work for me. He's demoralised and angered them, and done nothing more than wasted a lot of time and resource. This isn't the first time he stood in this Chamber either and criticised my staff unnecessarily on grounds maintenance. Once is a mistake, more than that could be seen as malicious, especially after all the advice he's already been given by Officers.

So if any of my team, or if the ground's maintenance team, want to put a formal standards complaint through on this matter I will happily support them. And in reference to the grab bag, it was supposedly left for three years on housing land. However, it wasn't housing land, it probably wasn't even left for three years either, because it was pretty clean when we went and had a look. I've got the pictures I'll send it to you. However, we did take steps to remove it, which after three years is more than failing Councillor Kondakor did. Thank you.

The Mayor suspended/adjourned the meeting at 19:19 until 19:29.

Question 5 – Councillor Brian Hammersley asked the following question to the Leader of the Council:

Does the leader welcome the fact that we have received £719,000 from the UK Shared Prosperity Fund and what does it mean to NBBC?

Councillor K. Wilson, Leader of the Council, responded as follows:

Thank you Mr Mayor, and thank you very much to Councillor Hammersley for the question. Just to put the answer in some context, the UK Shared Prosperity Fund has allocated Nuneaton and Bedworth Borough Council just over £4m pounds for projects over three years, which we are now just, yes, we are now in year two of three of which £719, 000 pounds has been allocated in year three so that will be 2024-25 for Bedworth Town Centre. Work has already been, as part of the UK Shared Prosperity Fund commissioned to look at the viability of works on a possible replacement for the Bedworth indoor market, and that is part of the UK SPF funding

in this current year. The Consultants have already been commissioned, and they are looking at a couple of options, which include either repairing and upgrading the current indoor market, or whether there is a possibility of relocating the market to the core of the Town Centre in or around All Saints Square, which may include conversion of an existing building for use by small businesses or Market Traders, installation of new covered space with semi-permanent units for use by small businesses and Market Traders. Sort of like the startup units that we have now in the indoor market, and any other further options that could be identified to provide small businesses or Market Traders with the spaces that they need to trade in Bedworth. I think having £719,000 pounds out of £4m awarded to us is a fantastic achievement for Bedworth Town Centre, and recognition of the importance that we hold of the future and viability and prosperity of Bedworth Town Centre. I look forward to the results coming back to the council as to what the possible options will be for using that funding, and there will also be engagement at the relevant time with businesses and stakeholders in Bedworth Town Centre, and I've already had a conversation as part of the Bedworth Town Centre Partnership, with those who turned up about that and said that at the relevant time we could also go out to the Town Centre Partnership, and have that. But it is also part of a wider ambitious project, or projects I should say, across the Borough which will include works to our great parks, works to our community parks as well, and also looking at funding that can be provided for local businesses, to help them and stimulate the businesses within our Town Centres and the general Borough area.

Because that is precisely what we need Mr Mayor, to help grow our Borough in the right way. Where we have higher paid, better value jobs in the Borough, which will mean that there are people paying more into the Borough, spending more in the Borough and generally helping the whole economic ecosystem of our Town Centres. Also, it should be noted Mr Mayor, that part of the works that we've had done as part of the UK Shared Prosperity Fund, can be seen in action if you just walk literally five minutes from this very Town Hall. You can see that the grotesque Lily Pad Fountain has been removed, and I have to say that the operatives who actually worked on that were outstanding Mr Mayor, because they have turned it around in a very short space of time. Indeed, a number of us went to The Artisan Market. Indeed, I believe Councillors Downs and Harbison were there trading, and Councillors Morton and Coventry-Morton came along for a visit, and Councillor Tromans. We actually saw the workers there that very day, on a Sunday, doing the block pavement, so if that is what we can do there with outstanding work, I am very hopeful for the future of Bedworth Town Centre, once we get the options evaluated and we know what the right direction is for the indoor market. Thank you very much Mr Mayor.

CL76 Cabinet

The Leader of the Council submitted the Leaders report on behalf of Cabinet. The report highlighted matters considered at the Cabinet meetings held on 8th March 2023 and 12th April 2023 and details of reports from the West Midlands Combined Authority Board (WMCAB), which has a direct impact on

NBBC, namely the WMCA Board meetings held on 10th February 2023 and 17th March 2023.

RESOLVED that the report be noted.

CL77 **Timetable of meetings**

The Strategic Director – Finance & Governance submitted a report of the timetable of Committee meetings for the 2023-24 municipal year.

RESOLVED that the timetable of meetings be approved.

CL78 **Overview and Scrutiny Annual Reports**

The Chairs of the Business, Regeneration and Planning Overview and Scrutiny Panel, Finance and Public Service Overview and Scrutiny Panel and the Housing, Environment and Health Overview and Scrutiny Panel submitted reports summarising the work undertaken by the Overview and Scrutiny Panels in the 2022-23 municipal year.

RESOLVED that the contents of the reports be noted

CL79 **Recommendations from Cabinet and Other Committees**

i) **Capital Budget Monitoring**

At the meeting of Cabinet held on 8th March 2023 a report on the above was submitted by the Strategic Director – Finance & Governance was considered and a recommendation was then put forward to Council for approval. Councillor S. Croft proposed the recommendation for approval. This was seconded by Councillor C. Golby.

RESOLVED that the addition of five new project budgets on the General Fund as detailed in the report be noted and approved.

ii) **Pay Policy Statement**

At the meeting of the Employment Committee held on 15th March 2023 a report on the above was submitted by the Head of People and Culture was considered and a recommendation was then put forward to Council for approval. Councillor S. Croft proposed the recommendation for approval. This was seconded by Councillor D. Brown.

RESOLVED that the Pay Policy be ratified and published as required by Section 38 of the Localism Act 2011.

iii) **Overview and Scrutiny Guide**

The Overview and Scrutiny Guide was submitted to the Business, Regeneration & Planning OSP, the Finance & Public Service OSP and Housing, Environment & Health OSP for review and consideration and a recommendation was then put forward to Council for approval. Councillor M. Walsh proposed the recommendation for approval. This was seconded by Councillor K. Evans.

RESOLVED that:

- a) The Overview and Scrutiny Guide be approved; and
- b) The Council's Constitution be amended accordingly to include the Overview and Scrutiny Guide

Mayor

Council - Schedule of Declarations of Interests – 2022/2023

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
	General dispensations granted to all members under s.33 of the Localism Act 2011			Granted to all members of the Council in the areas of: <ul style="list-style-type: none"> - Housing matters - Statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992 - An allowance, payment given to members - An indemnity given to members - Any ceremonial honour given to members - Setting council tax or a precept under the Local Government Finance Act 1992 - Planning and Licensing matters - Allotments - Local Enterprise Partnership
	R. Baxter-Payne	Manager Brinklow Quarry Ltd, Brinklow; County Councillor - WCC	Spouse: Self-employed childminder Member of the following Outside Bodies: <ul style="list-style-type: none"> • West Midlands Combined Audit, Risk and Assurance Committee • Warwickshire Adult Social Care and Health Overview and Scrutiny Committee (substitute) 	
	B. Beetham	Employed at The George Eliot Hospital; Warwickshire County Council – Camp Hill	Member of the following Outside Bodies: <ul style="list-style-type: none"> • Camp Hill Urban Village: Pride in Camp Hill Board • Committee of Management of Hartshill and Nuneaton Recreation Ground 	
	D. Brown	Employed by H.M Land Registry	Regional Coordinator, Ragdoll Rescue Charity. Representative on the following Outside Bodies: <ul style="list-style-type: none"> • Exhall Education Foundation (Council appointment). 	
	C. Cape	Director of Capability Coaching and Consultancy Ltd.	Member of the following Outside Bodies: <ul style="list-style-type: none"> • Armed Forces Covenant Meeting 	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
	J. Clarke	Employed by Marcus Jones MP	County Councillor W.C.C. Nuneaton Conservative Association; Deputy Chairman Officer of the Abbey Preceptory No.541 - Nuneaton Member of the following Outside Bodies: <ul style="list-style-type: none"> • Nuneaton Festival of Arts 	
	T. Cooper	None	Member on the following Outside Bodies: <ul style="list-style-type: none"> • Camp Hill Urban Village: Pride in Camp Hill Board • Committee of Management of Hartshill and Nuneaton Recreation Ground 	
	J. Coventry-Moreton	School Receptionist – St Nicholas Chamberlaine School, Bedworth	Share in rental dwelling at Sealand Drive, Bedworth and Tresilian Road, Bedworth.	
	S. Croft	Employed at Holland & Barrett Retail Ltd	Treasurer of the Conservative Association Member of the following Outside Bodies: <ul style="list-style-type: none"> • Champion for Safeguarding (Children and Adults) • Local Government Superannuation Scheme Consultative Board • West Midlands Employers 	
	L. Cvetkovic	Head of Geography (Teacher), Sidney Stringer Academy, Coventry	The Bulkington Volunteers (Founder); Bulkington Sports and Social Club (Trustee) Member on the following Outside Bodies: <ul style="list-style-type: none"> • Building Control Partnership Steering Group 	
	L. Downs	River Bars Limited; Coventry Plus Beyond the Plane	Member on the following Outside Body: <ul style="list-style-type: none"> • Hammersley, Smith and Orton Charity 	
	K. Evans	Employed by the Local Government Association	Sponsorship: Election Expenses – North Warwickshire Conservative Association	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			Membership of Other Bodies: <ul style="list-style-type: none"> • Substitute Member of the West Midlands Combined Audit, Risk and Assurance Committee Member of the Bedworth Conservative Club Member of the Conservative Party.	
	C. Golby		Member of Warwickshire County Council Membership of Other Bodies: <ul style="list-style-type: none"> • Nuneaton and Bedworth Safer and Stronger Communities Partnership • Nuneaton and Bedworth Community Enterprises Ltd. • Nuneaton and Bedworth Home Improvement Agency • Safer Warwickshire Partnership Board • Warwickshire Housing and Support Partnership • Warwickshire Police and Crime Panel • George Eliot Hospital NHS Trust – Public/User Board • George Eliot Hospital NHS Foundation Trust Governors • District Leaders (substitute) • Local Enterprise Partnership (substitute) • Coventry, Warwickshire and Hinckley and Bosworth Joint Committee (substitute) 	
	M. Green	Employed by Horiba Mira – Calibration Technician	Chair of Education Standards Committee – St Thomas Moore School Executive Member – Nuneaton Conservatives. President – St Vincent De Paul Society at Our Lady of the Angels Church. Our Lady of the Angels Church. Member of the George Eliot Fellowship Member of the Nuneaton Education Strategy Board	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			Member on the following Outside Bodies: <ul style="list-style-type: none"> • Friendship Project for Children. 	
	J. Gutteridge		Representative on the following Outside Bodies: <ul style="list-style-type: none"> • Warwickshire Health and Wellbeing Board • Age UK (Warwickshire Branch) • Committee of Management of Hartshill and Nuneaton Recreation Ground • West Midlands Combined Authority Wellbeing Board 	
			Member of NABCEL	
	B. Hammersley	County Councillor – W.C.C.	Member on the following Outside Bodies: <ul style="list-style-type: none"> • Hammersley, Smith and Orton Charity 	
	S. Harbison	Self Employed	Member of Conservative and Unionist Party. Member on the following Outside Bodies: <ul style="list-style-type: none"> • Astley Charity 	
	J. Hartshorn	Employed by Asda Nuneaton	Member of Nuneaton Conservatives	
	J. Kennaugh	County Councillor W.C.C. Employed by FedEx Express UK Ltd	Member of the W.C.C. Regulatory Committee Member of the Conservative Party Member of UNITE the Union Member on the following Outside Bodies: <ul style="list-style-type: none"> • EQUiP 	
	K.A. Kondakor	Electronic and Embedded Software Design Engineer (self-employed)	Unpaid Director of 100% Renewables UK Ltd Green Party (E&W)	
	S. Markham	County Councillor – W.C.C.	Governor at Ash Green School Member of the following Outside Bodies: <ul style="list-style-type: none"> • Nuneaton and Bedworth Sports Forum • Warwickshire Direct Partnership • Warwickshire Waste Partnership 	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			<ul style="list-style-type: none"> Sherbourne Asset Co Shareholder Committee 	
	G. Moreton	Member of School Appeals Panels at Warwickshire County Council	Share in rental dwellings at Sealand Drive, Bedworth and Tresillian Road, Exhall. Member on the following Outside Bodies: <ul style="list-style-type: none"> Bedworth Neighbourhood Watch Committee 	
	B. Pandher		Member of Warwickshire County Council Treasurer & Trustee of Nanaksar Gurdwara Gursikh Temple; Coordinator of Council of Sikh Temples in Coventry; Secretary of Coventry Indian Community; Trustee of Sikh Monument Trust Vice Chair Exhall Multicultural Group Member of the following Outside Bodies: <ul style="list-style-type: none"> Foleshill Charity Trustee – Proffitt's Charity 	
	N. Phillips	Employee of DWP	Member of: <ul style="list-style-type: none"> Nuneaton Labour CLP The Fabian Society The George Eliot Society The PCS Union Central Credit Union Stockingford Sports and Allotment Club Haunchwood Sports and Social Club 	
	J. Sheppard		Partnership member of the Hill Top and Caldwell Big Local. Director of Wembrook Community Centre. Member of Labour Party	Dispensation to speak and vote on any matters of Borough Plan that relate to the Directorship of Wembrook Community Centre
	T. Sheppard		Member of Unite Union Member of Labour Party	
	E. Shiers	Employed by and Director of Cannon Enterprise Ltd. Director of The Fresh Dessert Company	The Labour Party Coventry East Credit Union Member of the Pride in Camp Hill Board.	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			<p>Member of the governing board for Camp Hill Primary School.</p> <p>Member of the Board of Trustees of Camp Hill Community Association.</p> <p>Volunteer for the Coventry and Warwickshire district RSPCA</p>	
	J. Singh			
	R. Smith		<p>Chairman of Volunteer Friends, Bulkington; Trustee of Bulkington Sports and Social Club;</p> <p>Member of the following Outside Bodies:</p> <ul style="list-style-type: none"> • A5 Member Partnership; • PATROL (Parking and Traffic Regulation Outside of London) Joint Committee; • Building Control Partnership Steering Group • Bulkington Village Community and Conference Centre • West Midlands Combined Authority and Land Delivery Board 	
	M. Tromans	RTC Ltd, Nuneaton; WCC, Warwick	Nuneaton Acorns WI	
	R. Tromans	<p>Director of RTC Ltd, Nuneaton</p> <p>Compliance, GIM, Coventry</p> <p>Warwickshire County Councillor (Weddington)</p> <p>Share in a rental property in Hydes Pastures, Nuneaton</p>	<p>W.C.C Warwick</p> <p>Member of the Conservative Party</p> <p>Member of the Chartered Institute of Credit Management</p>	
	M. Walsh	Employed by Maclnnes Tooling Ltd. – UK Sales Manager		

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
	C.M. Watkins	Employee of Nutri Pack	Representative on the following outside bodies: <ul style="list-style-type: none"> • Nuneaton and Bedworth Community Enterprises Ltd. (NABCEL) 	
	K.D. Wilson	Acting Delivery Manager, Nuneaton and Warwick County Courts, HMCTS, Warwickshire Justice Centre, Nuneaton	Deputy Chairman – Nuneaton Conservative Association Corporate Tenancies: properties are leased by NBBC to Nuneaton and Bedworth Community Enterprises Ltd, of which I am a Council appointed Director. Representative on the following Outside Bodies: <ul style="list-style-type: none"> • Director of Nuneaton and Bedworth Community Enterprises Ltd (NABCEL) • Coventry, Warwickshire and Hinckley & Bosworth Joint Committee • District Council Network • Local Government Association • Director of Coventry and Warwickshire Local Enterprise Partnership Ltd (CWLEP) • West Midlands Combined Authority 	
	M. Wright			

NUNEATON AND BEDWORTH BOROUGH COUNCIL

ANNUAL MEETING OF THE COUNCIL

17th May 2023

AGENDA ITEM NO. 9

Recommendations for Adoption on:-

- (a) The Cabinet**
- (b) Composition of Committees and Overview and Scrutiny Panels**
- (c) Membership of Committees and Overview and Scrutiny Panels**
- (d) Representatives on Outside Bodies**
- (e) Appointment of Co-opted Members**

NUNEATON AND BEDWORTH BOROUGH COUNCIL

THE CABINET (2023/2024)

RECOMMENDED that the Cabinet appointments and the Cabinet Support Members made by the Leader be noted.

Portfolio Holder	Member Appointed
Leader (Business and Regeneration)	Councillor Kris Wilson
Deputy Leader (Housing and Communities)	Councillor Clare Golby
Finance and Corporate	Councillor Sam Croft
Public Services	Councillor Sue Markham
Planning and Regulation	Councillor Richard Smith
Health and Environment	Councillor Julian Gutteridge

The Cabinet Support Members appointed are as follows:

- Planning & Regulation – Councillor Richard Baxter-Payne
- Health & Environment – Councillor Michael Green
- Public Services – Councillor Kyle Evans

AGENDA ITEM No. 9(b)

NUNEATON AND BEDWORTH BOROUGH COUNCIL

COMPOSITION OF COMMITTEES AND OVERVIEW AND SCRUTINY PANELS (2023/2024)

RECOMMENDED that it be noted that having regard to the provisions relating to political balance, the composition of the following Committees/Scrutiny Panels be as indicated below:

Committee Size	Seats to Allocate	Conservative	Labour	Green		Total Membership
Cabinet	6	6				
Business, Regeneration & Planning OSP	9	7	1	1		9
Finance & Public Services OSP	9	7	1	1		9
Housing, Environment & Health OSP	9	7	1	1		9
Employment	5	4	1	0		5
Audit & Standards (Excl co-optees)	11	9	2	0		11
Planning	11	9	2	0		11
Licensing	11	9	2	0		11
Appeals	10	8	1	1		10
NABCEL	6	5	1	0		6
Borough Plan	9	7	1	1		9
Total	90	72	13	5		90

NUNEATON AND BEDWORTH BOROUGH COUNCIL

MEMBERSHIP OF COMMITTEES AND OVERVIEW AND SCRUTINY PANELS (2023/2024)

RECOMMENDED that:

(a) the membership of committees/scrutiny panels for 2023/2024 be as follows and the Chairs and Vice-chairs be appointed as indicated:

Appeals (10)

Councillors: B. Beetham, K. Evans, M. Green, C. Golby, K. Kondakor, S. Markham, R. Smith, T. Sheppard, M. Tromans, and M. Walsh

Notes:

1. 5 members will be selected from the pool as required.
2. The Chair will be appointed at each particular meeting.

Audit and Standards Committee (11)

Councillor R. Baxter-Payne (Chair),
Councillor J. Sheppard (Vice-chair)

Councillors: B. Beetham, D. Brown, T. Cooper, L. Cvetkovic, L. Downs, J. Hartshorn, J. Kennaugh, N. Phillips and R. Tromans

Licensing (11)

Councillor R. Tromans (Chair),
Councillor T. Sheppard (Vice-Chair)

Councillors: J. Clarke, S. Croft, K. Evans, J. Gutteridge, J. Coventry-Moreton, G. Moreton, N. Phillips, J. Singh, M. Tromans,

Planning Applications (11)

Councillor L. Cvetkovic (Chair),
Councillor J. Sheppard (Vice-Chair)

Councillors: C. Cape, M. Green, B. Hammersley, J. Hartshorn, S. Markham
B. Pandher, E. Shiers, R. Smith, and K. Wilson

Business, Regeneration and Planning Overview and Scrutiny (9)

Councillor J. Clarke (Chair)
Councillor N. Phillips (Vice-Chair)

Councillors: D. Brown, C. Cape, J. Coventry-Moreton, M. Green, J. Hartshorn, G. Moreton, M. Walsh, and M. Wright

Finance & Public Services Overview and Scrutiny (9)

Councillor D. Brown (Chair)
Councillor C. Watkins (Vice-Chair)

Councillors: R. Baxter-Payne, L. Downs, K. Kondakor, B. Hammersley, S. Harbison, J. Kennaugh, and M. Tromans

Housing, Environment & Health Overview and Scrutiny (9)

Councillor K. Evans (Chair)
Councillor E. Shiers (Vice-Chair)

Councillors: B. Beetham, C. Cape, T. Cooper, S. Harbison, K. Kondakor, B. Pandher, and J. Singh

Borough Plan (9)

Councillor R. Smith (Chair)

Councillors: R. Baxter-Payne, L. Cvetkovic, J. Kennaugh, K. Kondakor, N. Phillips, J. Singh, R. Tromans and M. Walsh,

Employment (5)

Councillor S. Croft (Chair)

Councillors: D. Brown, M. Green, T. Sheppard and M. Tromans

Nuneaton and Bedworth Community Enterprise Limited Shareholder Committee (NABCEL) (6)

Councillor J. Gutteridge (Chair)

Councillors: J. Clarke, L. Downs, B. Hammersley, S. Harbison and J. Sheppard

REPRESENTATIVES ON OUTSIDE BODIES

RECOMMENDED that consideration be given to appointments to outside bodies
- lists showing existing appointments attached (Appendix A).

Note:

Schedule A - Appointments by office where no decisions are required.

Schedule B - Appointments where decisions are required.

Schedule C - Appointments for which the term of office have not yet expired
and therefore, no appointments need to be made.

APPOINTMENT OF CO-OPTED MEMBERS

RECOMMENDED that the Co-opted members be appointed as follows:

Audit and Standards Committee

Vacancy

Finance & Public Services Overview and Scrutiny Panel

Mrs D. Ross

Business, Regeneration and Planning Overview and Scrutiny Panel

Vacancy

Housing, Environment & Health Overview and Scrutiny Panel

Vacancy

SCHEDULE 'A'APPOINTMENTS BY OFFICE (Period of Office 12 Months Commencing in May, 2023)

<u>Body</u>	<u>Present Representative</u>	<u>Number of Representatives</u>	<u>Travel and Subsistence</u>	<u>Indemnity</u>
A5 Member partnership	Cabinet Member for Planning and Regulation	1	Yes	Indemnity Applies
Champion for Safeguarding (Children and Adults)	Cabinet Member for Finance and Corporate	1	Yes	Indemnity Applies
Coventry, Warwickshire and Hinckley and Bosworth Joint Committee	Leader (Deputy Leader as substitute)	1	Yes	Indemnity Applies
District Leaders	Leader (Deputy Leader as substitute)	1	Yes	Indemnity Applies
Local Government Association	Leader (Cabinet Member as Substitute)	1	Yes	Indemnity Applies
Local Government Superannuation Scheme Consultative Board	Cabinet Member for Finance and Corporate	1	Yes	Indemnity Applies
Nuneaton and Bedworth Home Improvement Agency	Cabinet Member for Housing and Communities	1	Yes	Indemnity Applies
Nuneaton and Bedworth Safer and Stronger	Cabinet Member for Housing and Communities	1	Yes	Indemnity Applies

Communities Partnership				
Nuneaton and Bedworth Community Enterprises Ltd	Leader, Cabinet Member (Cllr Richard Smith) and Leader of the Opposition or his/her representative	1	Yes	Indemnity Applies
Sherbourne Asset Co Shareholder Committee	Cabinet Member for Public Services	1	Yes	
Nuneaton and Bedworth Sports Forum	Cabinet Member for Public Services	1	Yes	No indemnity – Member decision
Nuneaton Festival of Arts	The Mayor	1	Yes	No Indemnity – Member decision
PATROL (Parking and Traffic Regulations Outside of London) Joint Committee Services	Cabinet Member for Planning and Regulation	1	Yes	Indemnity Applies
Safer Warwickshire Partnership Board	Cabinet Member for Housing and Communities	1	No	No Indemnity – Member Decision
Warwickshire Direct Partnership	Cabinet Member for Public Services	1	Yes	Indemnity Applies
Warwickshire Health and Wellbeing Board	Cabinet Member for Health and Environment	1	Yes	Indemnity Applies
Warwickshire Housing Support Partnership	Cabinet Member for Housing and Communities	1	Yes	Indemnity Applies
Warwickshire Police and Crime Panel	Cabinet Member for Housing and Communities	1	Yes	Indemnity Applies
Warwickshire Waste Partnership	Cabinet Member for Public Services	1	Yes	Indemnity Applies

West Midlands Combined Authority Board	Leader (Cabinet Member as Substitute)	1	Yes	Indemnity Applies
West Midlands Employers	Cabinet Member for Finance and Corporate	1	Yes	No Indemnity - Member Decision
Warwickshire Adult Social Care and Health Overview and Scrutiny Committee	Member of Housing, Environment and Health OSP – Cllr Colin Cape Sub – Cllr Richard Baxter Payne	1	Yes	No Indemnity - Member Decision

SCHEDULE 'B'

APPOINTMENTS NOT NECESSARILY BY OFFICE

Body	Representation	Terms of Office	Present Representative (s)	Travel and Subsistence	Indemnity
Age UK (Warwickshire Branch)	1 Councillor	1 Yr	Councillor J. Gutteridge	No	No indemnity - Member decision
Armed Forces Covenant Meeting	1 Councillor	1 Yr	Councillor C. Cape	No	No indemnity Member decision
Astley Charity	1 Councillor	1 Yr	Councillor S. Harbison	No	No indemnity Member decision
Biodiversity Champion	1 Councillor	1 Yr	Councillor D. Brown	Yes	Indemnity Applies
Building Control Partnership Steering Group	Cabinet Member for Planning and Regulation plus 1 Councillor	1 Yr	Cabinet Member for Planning and Regulation, Councillor R. Smith, and Councillor L. Cvetkovic	Yes	Indemnity Applies
Bulkington Village Centre Project	1 Representative (not necessarily a Councillor)	1 Yr	Councillor R. Smith	Yes	No Indemnity – Member Decision
Camp Hill Urban Village: Pride in Camp Hill Board	1 Councillor	1Yr	Councillors T. Cooper and B. Beetham	Yes	Indemnity applies
Committee of Management of Hartshill and Nuneaton Recreation Ground	Portfolio Holder for Health and Environment + 2 Councillors	1 Yr	Councillors J. Gutteridge, T. Cooper and B. Beetham	No	No Indemnity – Member Decision

Exhall Education Foundation	Trustee (not necessarily a Councillor and preferably from Exhall Parish)	1 Yr	Councillor D. Brown	No	No Indemnity – Member Decision
Friendship Project for Children	1 Councillor	1 Yr	Councillor M. Green	No	No Indemnity – Member decision
George Eliot Hospital NHS Trust – Public/User Board	1 Councillor	1 Yr	Councillor C. Golby	Yes	Indemnity Applies
George Elliot Hospital NHS Foundation Trust Governors	1 councillor	1 Yr	Councillor B. Beetham	Yes	Indemnity Applies
Nuneaton and Bedworth Older People’s Forum	1 Councillor	1 Yr	Councillor R. Smith	Yes	Indemnity Applies
Nuneaton Neighbour Watch Committee	1 Councillor	1 Yr	Councillor R. Tromans	No	No Indemnity – Member decision
Bedworth Neighbourhood Watch Committee	1 Councillor	1 Yr	Councillor G. Moreton	No	No Indemnity – Member decision
Warwickshire Joint Overview and Scrutiny Committee	1 Councillor	1 Yr	Councillor D. Brown	Yes	Indemnity Applies
EQUIP:	1 Councillor	1 Yr	Councillor J. Kennaugh	No	No Indemnity

Equality and Inclusion Partnership					- Member decision
West Midlands Combined Audit, Risk and Assurance Committee	1 Councillor (plus 1 substitute)	1 Yr	Councillors R Baxter-Payne and K. Evans (Sub)	Yes	Indemnity Applies
West Midlands Combined Authority Housing and Land Delivery Board	1 Councillor	1 Yr	Councillor R. Smith		
West Midlands Combined Authority Wellbeing Board	1 Councillor	1 Yr	Councillor J. Gutteridge		
Foleshill Charity Trustee – Proffitt's Charity	1 Trustee (not necessarily a Councillor)		Councillor B. Pandher	No	No indemnity – Member decision
NABCEL – Appointment of Executive Directors	2 Officer Representatives		Deputy Chief Executive – Tom Shardlow Strategic Director for Housing & Community Safety – Dawn Dawson		
Nicholas Chamberlaine's School Foundation Nicholas Chamberlaine's Hospital and Sermon Charity	1 Representative (Not necessarily a Councillor)	4 Yrs to May 2027	Vacancy	Yes	No Indemnity – Member decision

Hammersley Smith and Orton Charity	2 Representatives (not necessarily Councillors)	4 Yrs to May 2027	Cllr M. Walsh and Cllr S. Markham	Yes	No indemnity – Member decision
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SCHEDULE 'C'

TERMS OF OFFICE NOT YET EXPIRED

<u>Body</u>	<u>Representation</u>	<u>Term of Office</u>	<u>Present Representative (s)</u>	<u>Travel and Subsidence</u>	<u>Indemnity</u>
Hammersley Smith and Orton Charity	2 Representatives (not necessarily Councillors)	4 Yrs to Oct 2025	Councillor B. Hammersley and Councillor L. Downs	Yes	No indemnity – Member decision
Hospice Charity	1 Representative (not necessarily a Councillor)	4 Yrs to May 2026	Councillor R. Tromans	No	No indemnity – Member decision

NUNEATON AND BEDWORTH BOROUGH COUNCIL

Report to: Council – 17th May 2023

From: Brent Davis, Chief Executive and Head of Paid Service

Subject: APPOINTMENT OF MONITORING OFFICER

Portfolio: All Portfolios

Building a Better Borough Priority: All

Building a Better Borough Aim : All

1. Purpose of Report

This report requests Council's approval to appoint Waheeda Sheikh, the Borough Council's current Legal Services Manager and Deputy Monitoring Officer, to the role of Monitoring Officer with effect from 1st July 2023.

2. Recommendations

2.1 That Waheeda Sheikh be appointed to the role of Monitoring Officer with effect from 1st July 2023.

3. Background

3.1 Under Section 5 of the Local Government and Housing Act 1989 the Council has a duty to designate one of its officers as Monitoring Officer to ensure the lawfulness and fairness of Council decision making. The Monitoring Officer has a specific duty to ensure that the Council, its officers and its Elected Members maintain the highest standards of conduct.

3.2 In order to ensure separation of roles, the Monitoring Officer cannot also fulfil the duties of either of the Council's other Statutory Officers – the Head of Paid Service and the Chief Finance Officer [Section 151] (CFO).

3.3 The list of functions below [reproduced from Article 11.3 of the Council's Constitution] reflect the statutory duties and powers of Monitoring Officers. These duties must be carried out personally by the Monitoring Officer, although he/she can nominate a deputy to cover for periods of absence or illness, and the Monitoring Officer must do so [Note it is the responsibility of the Monitoring Officer, not the Council, to nominate a deputy]. The Council shall ensure that the Monitoring Officer has free and unfettered access, as necessary, to meetings, documentation, Members and employees to enable him/her to carry out these statutory duties.

a) Maintaining the Constitution

The Monitoring Officer will maintain an up-to-date version of the Constitution and will ensure that it is widely available for consultation by Members, employees and the public.

b) Ensuring Lawfulness and Fairness of Decision-Making

After consulting with the Head of Paid Service and Chief Finance Officer, the Monitoring Officer will report to the Full Council (or to the Cabinet in relation to an Executive function) if he or she considers that any proposal, decision or omission would give rise to unlawfulness, or if any decision or omission has given rise to maladministration. Such a report will have the effect of stopping the proposal or decision being implemented until the report has been considered.

c) Supporting the Audit and Standards Committee

The Monitoring Officer will contribute to the promotion and maintenance of high standards of conduct through provision of support to the Audit and Standards Committee.

d) Receiving Complaints about Councillor Conduct

The Monitoring Officer will receive and act on a complaint in accordance with the Council's approved procedures for dealing with a complaint against an Elected Member.

e) Conducting Investigations

The Monitoring Officer will conduct investigations and make reports or recommendations in respect of them to the Audit and Standards Committee. 2 - 38 Constitution Version 1 May 2022 (updated July 2022)

f) Advising whether Executive Decisions are within the Budget and Policy Framework

The Monitoring Officer will advise whether decisions of the Cabinet are in accordance with the Budget and Policy framework.

g) Providing Advice

The Monitoring Officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and Budget and Policy framework issues to all Members.

4 Report

- 4.1 Members will recall that at the Extraordinary Council meeting held on 29th March 2023, Council resolved, amongst other things:

“That the Council’s Monitoring Officer. be dismissed on the grounds of redundancy of his substantive post of Director - Planning and Regulation.”

- 4.2 In accordance with the above Council resolution, the Council’s current Monitoring Officer will leave the Council’s employment on 30th June 2023. Therefore, the Council needs to appoint a new Monitoring Officer with effect from 1st July 2023. In respect of this need it is recommended that Waheeda Sheikh, the Borough Council’s current Legal Services Manager and Deputy Monitoring Officer is appointed to the role of Monitoring Officer with effect from 1st July 2023.

Brent Davis

3A RESPONSIBILITY FOR LOCAL CHOICE FUNCTIONS

Table 4 – Responsibility for Local Choice Function

Item	Decision Making Body
Any function under a local Act other than a function specified or referred to in Regulation 2 or Schedule 1 of The Local Authorities (Functions and Responsibilities) (England) Regulations 2000	Full Council
The determination of an appeal against any decision made by or on behalf of the Authority	Appeals Committee
The appointment of Review Boards under Regulations under Subsection (4) of Section 34 (Determination of Claims and Reviews) of The Social Security Act 1998	Full Council
The making of arrangements pursuant to subsection (1) of Section 67 of, and Schedule 18 to, the 1998 Act (appeals against exclusion of pupils)	County function
The making of arrangements pursuant to Section 94(1) (1A) and (4) of, and Schedule 24 to the 1998 Act (admission appeals)	County function
The making of arrangements pursuant to Section 95(2), the 1998 Act (children to whom section 87 applies; appeals by governing bodies)	County function
The making of arrangements under Section 20 (questions on Police matters at Council meetings) of The Police Act 1996 for enabling questions to be put on the discharge of the functions of a Police Authority	County function
The making of appointments under paragraphs 2 to 4 (appointment of Members by relevant Councils) of Schedule 2 (Police authorities established under Section 3) to The Police Act 1996	County function
The conducting of best value reviews in accordance with the provisions of any Order for the time being having effect under Section 5 (Best Value Reviews) of The Local Government Act 1999	Overview & Scrutiny Panels conducting Reviews and making recommendations to Full Council for decision.
Any function relating to contaminated land	Cabinet and Assistant Director - Environment & Enforcement
The discharge of any function relating to the control of pollution or the management of air quality	Cabinet and Assistant Director - Environment & Enforcement

Item	Decision Making Body
The service of an Abatement Notice in respect of a statutory nuisance	Assistant Director - Environment & Enforcement and Assistant Director - Strategic Housing
The passing of a resolution that Schedule 2 to the Noise and Statutory Nuisance Act 1993 should apply in the Authority's area	Cabinet
The inspection of the Authority's area to detect any statutory nuisance	Assistant Director - Environment & Enforcement and Director – Assistant Director - Strategic Housing
The investigation of any complaint as to the existence of a statutory nuisance	Assistant Director - Environment & Enforcement and Assistant Director - Strategic Housing
The obtaining of information under Section 330 of the Town and Country Planning Act 1990 as to interests in land	Head of Development & Building Control
The obtaining of particulars of persons interested in land under Section 16 of The Local Government (Miscellaneous Provisions) Act 1976	All Directors
The making of agreements for the execution of highways works	Assistant Director - Social Housing & Community Safety
The appointment of any individual: a) to any office other than an office in which he is employed by the Authority to any body other than:- i. the Authority ii. a joint Committee of two or more authorities; or b) to any Committee or Sub-Committee of such a body, and the revocation of any such appointment	Full Council or, if A4.3(f) applies, the Cabinet

3B RESPONSIBILITY FOR COUNCIL FUNCTIONS

List of functions which cannot be discharged by the Executive

N.B. Where appropriate, functions in this table include the imposition of conditions, limitations, restrictions or other terms on any approval, consent, licence, permission or registration; amending, deleting and revoking the same; and dealing with enforcement of such functions.

NB

- "TCPA90" = Town and Country Planning Act 1990
- "LBA90" = Planning (Listed Buildings and Conservation Areas) Act 1990
- "TCP" = Town and Country Planning
- "LGA" = Local Government Act
- "LAFRER" = Local Authorities (Functions and Responsibilities) (England) Regulations 2000
- "LGMPA" = Local Government (Miscellaneous Provisions) Act
- "Pigs Order" = Pigs (Records, Identification and Movement) Order 1995 (si 1995/11)
- "RPA" = Representation of the People Act.
- "LGPIH" = Local Government and Public Involvement in Health Act 2007

Table 5 – Responsibility for Council Functions

Statutory Provision	Function	Who Discharges
S.18 Local Government and Housing Act 1989	Making, amending, revoking or replacing a scheme for Members allowances and fixing the rate of allowances thereunder.	Full Council
Ss.3(5), 5(4), 173, 175 LGA '72	Determining miscellaneous Member allowances.	Full Council

Statutory Provision	Function	Who Discharges
Reg 2(5) LAFRER	Whether and what amount of charge should be made for any approval, consent, licence, permit or registration which is not an Executive function	The relevant body or person according to the function involved
S.102 LGA 1972	Appointments to Committees	Full Council
Reg 2(11) LAFRER	Any function of a Local Authority expressed in previous legislation as being only by an authority	Full Council
The Gambling Act 2005	Final approval of three year Licensing Policy	Full Council
	Policy not to permit casinos	Full Council
A. Functions Relating to Town and Country Planning and Development Control		
S 70(1)(a) and (b) and S 72, TCPA90(c8)	1. Power to determine application for planning permission	Planning Applications Committee
S 73, TCPA90.	2. Power to determine applications to develop land without compliance with conditions previously attached	Planning Applications Committee
S 73A, TCPA90.	3. Power to grant planning permission for development already carried out	Planning Applications Committee
S 70A, TCPA90.	4. Power to decline to determine application for planning permission	Planning Applications Committee
Ss 69, 76 and 92, TCPA90 and Articles 8, 10 to 13, 15 to 22 and 25 and 26, TCP (General Development Procedure) Order 1995 and directions thereunder.	5. Duties relating to the making of determinations of planning applications	Planning Applications Committee

Statutory Provision	Function	Who Discharges
S 316, TCPA90 and TCP General Regulations 1992.	6. Power to determine application for planning permission made by a Local Authority, alone or jointly with another person	Planning Applications Committee
Parts 6, 7, 11, 17, 19 to 24, 26, 30 and 31 of Sched 2 to the TCP (General Permitted Development) Order 1995.	7. Power to make determinations, give approvals and agree certain other matters relating to the exercise of permitted development rights	Planning Applications Committee
S 106, TCPA90.	8 Power to enter into agreement regulating development or use of land	Planning Applications Committee
Ss 191(4) and 192(2), TCPA90	9. Power to issue a certificate of existing or proposed lawful use or development	Planning Applications Committee
S 94(2), TCPA90.	10. Power to serve a Completion Notice	Planning Applications Committee
S 220, TCPA90 and TCP (Control of Advertisements) Reg 1992.	11. Power to grant consent for the display of advertisements	Planning Applications Committee
S 196A, TCPA90.	12. Power to authorise entry onto land	Planning Applications Committee
S 102, TCPA90.	13. Power to require the discontinuance of a use of land	Planning Applications Committee
Ss 171C, 187A and 183(1) TCPA90.	14. Power to serve a Planning Contravention Notice, Breach of Condition Notice or Stop Notice	Planning Applications Committee

Statutory Provision	Function	Who Discharges
Section 171E, TCPA90	15a Power to issue a temporary Stop Notice	Planning Applications Committee
S 172, TCPA90.	16. Power to issue an Enforcement Notice	Planning Applications Committee
S 187B, TCPA90	17. Power to apply for an injunction restraining a breach of planning control	Planning Applications Committee
Ss 9(1) and 10, Planning (Hazardous Substances) Act 1990.	18. Power to determine applications for hazardous substances consent, and related powers	Planning Applications Committee
Para. 2(6)(a) of, and Sched 2 to the Planning and Compensation Act 1991, para. 9(6) of Sched 13, Environment Act 1995 and para 6(5) of Sched 14 to that Act.	19. Duty to determine conditions to which old mining permissions, relevant planning permissions relating to dormant sites or active Phase I or II sites, or mineral permissions relating to mining sites, as the case may be, are to be subject	Planning Applications Committee
S 215(1), TCPA90.	20. Power to require proper maintenance of land	Planning Applications Committee
Ss 16(1) and (2), 17, and 33(1), LBA90	21. Power to determine application for Listed Building Consent, and related powers	Planning Applications Committee
S 16(1), LBA90, as applied by S74(3) of that Act	22. Power to determine applications for Conservation Area Consent	Planning Applications Committee

Statutory Provision	Function	Who Discharges
S13(1) and 14(1) and (4) of the LBA90 and Reg 3 to 6 and 13, of the Planning (Listed Buildings and Conservation Areas) Reg 1990 (SI 1990/1519) and para 8, 15 and 26 Department of the Environment, Transport and the Regions Circular 01/01.	23. Duties relating to applications for Listed Building Consent and Conservation Area Consent	Planning Applications Committee
Ss 3(1) and 4(1), LBA90.	24. Power to serve a Building Preservation Notice, and related powers	Planning Applications Committee
S 38, LBA90	25. Power to issue an Enforcement Notice in relation to demolition of a [listed] building in conservation area	Planning Applications Committee
Ss 47 and 48, LBA90	26. Powers to acquire a listed building in need of repair and to serve a Repairs Notice	Planning Applications Committee
S 44A, LBA90	27. Power to apply for an injunction in relation to a listed building	Planning Applications Committee
S 54, LBA90	28. Power to execute urgent works	Planning Applications Committee
B. Licensing and Registration Functions		
S 3(3) Caravan Sites and Control of Development Act 1960	1. Power to issue licences authorising the use of land as a caravan site ("site licences")	Planning Applications Committee

Statutory Provision	Function	Who Discharges
S 269(1) Public Health Act 1936	2. Power to license the use of moveable dwellings and camping sites	Planning Applications Committee
14. as to Hackney Carriages, the Town Police Clauses Act 1847 as extended by S.171 Public Health Act 1875, and S.15 Transport Act 1985 and Ss. 47, 57, 58, 60 and 79 LGMPA 1976; (b) as to Private Hire Vehicles, Ss. 48, 57, 58, 60 and 79, LGMPA1976.	3. Power to license Hackney Carriages and Private Hire Vehicles	Licensing Committee
Ss 51, 53, 54, 59, 61 and 79, LGMPA 1976.	4. Power to license drivers of Hackney Carriages and Private Hire Vehicles	Licensing Committee
Ss 55 to 58, 62 and 79, LGMPA 1976.	5. Power to license operators of Hackney Carriages and Private Hire Vehicles	Licensing Committee
Sched 2, Betting, Gaming and Lotteries Act 1963	6. Power to register pool promoters	Licensing Committee
Sched 3, Betting, Gaming and Lotteries Act 1963	7. Power to grant track betting licences	Licensing Committee
Sched 5ZA, Betting, Gaming and Lotteries Act 1963	8. Power to license inter-track betting schemes	Licensing Committee
Sched 9, Gaming Act 1968	9. Power to grant permits in respect of premises with amusement machines	Licensing Committee
Sched 1, Lotteries and Amusements Act 1976	10. Power to register societies wishing to promote lotteries	Licensing Committee
Sched 3, Lotteries and Amusements Act 1976	11. Power to grant permits in respect of premises where amusements with prizes are provided	Licensing Committee
S 1 Cinema Act 1985	12. Power to issue Cinema and Cinema Club Licences	Licensing Committee

Statutory Provision	Function	Who Discharges
Ss 12 to 14 Theatres Act 1968	13. Power to issue Theatre Licences	Licensing Committee
S 12 of the Children and Young Persons Act 1933 (c 12), S 52 of, and Sched 12 to, the London Government Act 1963 (c 33), S 79 of the Licensing Act 1964 (c 26), S 1 to 5 and 7 of, and Parts I and II of the Sched to, the Private Places of Entertainment (Licensing) Act 1967 (c 19) and Part I of, and Sched 1 and 2 to, the Local Government (Miscellaneous Provisions) Act 1982 (c 30)	14. Power to issue Entertainments Licences.	Licensing Committee
S.5 to 8 of the Licensing Act 2003 S.29 of the Gambling 2005 Act S.30 of the 2005 Act S.39 of the 2005 Act	14a Functions relating to licensing 14aa Duty to comply with requirements to provide information to Gambling Commission 14ab Functions relating to exchange of information 14ac Functions relating to Occasional Use Notices	Licensing Committee Licensing Committee Licensing Committee Licensing Committee
S.166 of the 2005 Act	14b Power to resolve not to issue a Casino Premises Licence	Licensing Committee

Statutory Provision	Function	Who Discharges
S.304 of the 2005 Act	14c Power to designate officer of a Licensing Authority as an authorised person for a purpose relating to premises	Licensing Committee
S.284 of the 2005 Act	14ca Power to make Order disapplying S.279 or 282(1) of the 2005 Act in relation to specified premises	
S.346 of the 2005 Act	14d Power to institute criminal proceedings	Licensing Committee
S.350 of the 2005 Act	14e Power to exchange information	Licensing Committee
The Gambling Act (Premises Licence Fees) (England and Wales) Reg 2007	14f Functions relating to the determination of fees for Premises Licences	Licensing Committee
Part 5 of Sched 11 to the 2005 Act	14g Functions relating to the registration and regulation of small society lotteries	Licensing Committee
The Gambling Act 2005	14h Determination of application for a variation to a Licence where representations have been received and not withdrawn	Licensing Committee
The Gambling Act 2005	14i Determination of application for a transfer of a Licence where representations have been received from the Commission	Licensing Committee
The Gambling Act 2005	14j Determination of application for a provisional Statement where representations have been received and not withdrawn	Licensing Committee
The Gambling Act 2005	14k Review of a Premises Licence	Licensing Committee
The Gambling Act 2005	14l Application for Club Gaming/Club Machine Permits where objections have been made and not withdrawn	Licensing Committee

Statutory Provision	Function	Who Discharges
The Gambling Act 2005	14m Cancellation of Club Gaming/Club Machine Permits	Licensing Committee
The Gambling Act 2005	14n Decision to give a counter notice to a Temporary Use Notice	Licensing Committee
The LGMPA 1982, S.2 and Sched 3.	15. Power to license sex shops and sex cinemas	Licensing Committee
The Hypnotism Act 1952	16. Power to license performances of hypnotism	Licensing Committee
Ss.13 to 17, LGMPA 1982	17. Power to license premises for acupuncture, tattooing, ear-piercing and electrolysis	Assistant Director - Environment & Enforcement
S.94 Public Health Acts Amendment Act 1907	18. Power to license pleasure boats and pleasure vessels	Assistant Director - Environment & Enforcement
Paras 1(2) and 9 of Sched 12 to the London Govt Act 1963 and Part V of London Local Authorities Act 1995	19. Power to register door staff	N/a
Part III of, and Sched 4 to, the Local Government (Miscellaneous Provisions) Act 1982, Part III of the London Local Authorities Act 1990 (c vii) and S.6 of the London Local Authorities Act 1994 (c xii)	20. Power to license market and street trading	Full Council
S.2 of the Late Night Refreshment Houses Act 1969 (c 53), Part II of the London Local Authorities Act 1990 and S.5 of the London Local Authorities Act 1994	21. Power to license night cafes and take-away food shops	Assistant Director - Environment & Enforcement

Statutory Provision	Function	Who Discharges
Ss. 3(1)(b)(ii), 5, 6 and 11, Poisons Act 1972	22. Duty to keep list of persons entitled to sell non-medicinal poisons	County
Ss.5, 6, 17, 18 and 21 to 23 Game Act 1831, Ss.2 to 16, Game Licensing Act 1860, S 4 Customs and Inland Revenue Act 1883, Ss.12(3) and 27 LGA 1874 and S.213 LGA 1972	23. Power to license dealers in game and the killing and selling of game	Assistant Director - Environment & Enforcement
S 19 Food Safety Act 1990	24. Power to register and license premises for the preparation of food	Assistant Director - Environment & Enforcement
S 1 Scrap Metal Dealers Act 1964	25. Power to license scrap yards	Assistant Director - Environment & Enforcement
The Safety of Sports Grounds Act 1975	26. Power to issue, amend or replace safety certificates (whether general or special) for sports grounds	County
Part III, Fire Safety and Safety of Places of Sport Act 1987	27. Power to issue, cancel, amend or replace safety certificates for regulated stands at sports grounds	County
S 5 Fire Precautions Act 1971	28. Power to issue fire certificates	County
S 1 Breeding of Dogs Act 1973 and S 1 Breeding and Sale of Dogs (Welfare) Act 1999	29. Power to license premises for the breeding of dogs	Assistant Director - Environment & Enforcement

Statutory Provision	Function	Who Discharges
S 1 Pet Animals Act 1951; S 1 Animal Boarding Establishments Act 1963; the Riding Establishments Acts 1964 and 1970; S 1 Breeding of Dogs Act 1973, and Ss 1 and 8 Breeding and Sale of Dogs (Welfare) Act 1999	30. Power to license pet shops and other establishments where animals are bred or kept for the purposes of carrying on a business	Assistant Director - Environment & Enforcement
S 1 Performing Animals (Reg) Act 1925	31. Power to register animal trainers and exhibitors	County
S 1 Zoo Licensing Act 1981	32. Power to license zoos	Licensing Committee
S 1 Dangerous Wild Animals Act 1976	33. Power to license dangerous wild animals	Assistant Director - Environment & Enforcement
S 4 Slaughterhouses Act 1974 and Animal By-Products Order 1999.	34. Power to license knackers' yards	Assistant Director - Environment & Enforcement
Part II Children and Young Persons Act 1933, byelaws thereunder, and Part II Children and Young Persons Act 1963	35. Power to license the employment of children	County
S 46A Marriage Act 1949 and Marriages (Approved Premises) Reg 1995	36. Power to approve premises for the solemnisation of marriages	County

Statutory Provision	Function	Who Discharges
Reg 6 Commons Registration (New Land) Reg 1969	37. Power to register common land or town or village greens, except where the power is exercisable solely for the purpose of giving effect to a) an exchange of lands effected by an Order under S.19(3) of, or paragraph 6(4) of Sched 3 to the Acquisition of Land Act 1981, or b) an Order under S.147 Enclosure Act 1845	County
Reg 29 Commons Registration (General) Reg 1966	38. Power to register variation of rights of common	County
S 5 Police, Factories, Etc. Miscellaneous Provisions Act 1916 and S 2 House to House Collections Act 1939	39. Power to license persons to collect for charitable and other causes	Licensing Committee
Sched 2, Noise and Statutory Nuisance Act 1993	40. Power to grant consent for the operation of a loudspeaker	Assistant Director - Environment & Enforcement
S 50 New Roads and Street Works Act 1991	41. Power to grant a Street Works Licence	County
S 2 Nurses Agencies Act 1957	42. Power to license agencies for the supply of nurses	County
Article 12 Pigs Order 1995	43. Power to issue licences for the movement of pigs	County
Article 13 Pigs Order 1995	44. Power to license the sale of pigs	County
Article 14 Pigs Order 1995	45. Power to license collecting centres for the movement of pigs	County
Article 5(2) Cattle Identification Regs 1998	46. Power to issue a licence to move cattle from a market	County

Statutory Provision	Function	Who Discharges
Ss 115E, 115F and 115K of the Highways Act 1980	46a Power to grant permission for provision, etc. of services, amenities, recreation and refreshment facilities on highway, and related powers	Assistant Director - Economy
S 139 Highways Act 1980	47. Power to permit builder's skip on highway	County
Section 115G of the Highways Act 1980	47a Duty to publish notice in respect of proposal to grant permission under Section 115E of the Highways Act 1980	Assistant Director - Economy
S 142 Highways Act 1980.	48. Power to license planting, retention and maintenance of trees, etc. in part of highway	County
S 147 Highways Act 1980.	49. Power to authorise erection of stiles, etc. on footpaths or bridleways	County
S 169 Highways Act 1980.	50. Power to license works in relation to buildings, etc. which obstruct the highway	County
S 171 Highways Act 1980.	51. Power to consent to temporary deposits or excavations in streets	County
S 172 Highways Act 1980.	52. Power to dispense with obligation to erect hoarding or fence	County
S 178 Highways Act 1980.	53. Power to restrict the placing of rails, beams, etc. over highways	County
S 179 Highways Act 1980	54. Power to consent to construction of cellars, etc. under streets	County
S 180 Highways Act 1980.	55. Power to consent to the making of openings into cellars, etc. under streets, and pavement lights and ventilators	County
S 1 Celluloid and Cinematograph Film Act 1922	56. Power to sanction use of parts of buildings for storage of celluloid	County
Regs. 4 and 5 Meat Products (Hygiene) Regs. 1994	57. Power to approve meat product premises	Assistant Director - Environment & Enforcement

Statutory Provision	Function	Who Discharges
Reg 4 Minced Meat and Meat Preparations (Hygiene) Regs 1995	58. Power to approve premises for the production of minced meat or meat preparations	Assistant Director - Environment & Enforcement
Regs. 6 and 7 Dairy Products (Hygiene) Regs 1995	59. Power to approve dairy establishments	Assistant Director - Environment & Enforcement
Reg 5 Egg Products Reg 1993	60. Power to approve egg product establishments	Assistant Director - Environment & Enforcement
Schedule 1A to the Food Safety (General Food Hygiene) Regs 1995	61. Power to issue licences to retail butchers' shops carrying out commercial operations in relation to unwrapped raw meat and selling or supplying both raw meat and ready-to-eat foods	Assistant Director - Environment & Enforcement
Reg 24 Food Safety (Fishery Products and Live Shellfish) (Hygiene) Regs 1998	62. Power to approve fish products premises	Assistant Director - Environment & Enforcement
Reg 11 Food Safety (Fishery Products and Live Shellfish) (Hygiene) Regs 1998.	63. Power to approve dispatch or purification centres	Assistant Director - Environment & Enforcement
Reg 21 Food Safety (Fishery Products and Live Shellfish) (Hygiene) Regs 1998.	64. Power to register fishing vessels on board which shrimps or molluscs are cooked	Assistant Director - Environment & Enforcement
Reg 24 Food Safety (Fishery Products and Live Shellfish) (Hygiene) Regs 1998.	65. Power to approve factory vessels and fishery product establishments	Assistant Director - Environment & Enforcement
Reg 26 Food Safety (Fishery Products and Live Shellfish) (Hygiene) Regs 1998.	66. Power to register auction and wholesale markets	Assistant Director - Environment & Enforcement

Statutory Provision	Function	Who Discharges
Reg 5 Food Premises (Registration) Regs 1991	67. Duty to keep register of food business premises	Assistant Director - Environment & Enforcement
Reg 9 Food Premises (Registration) Regs 1991	68. Power to register food business premises	Assistant Director - Environment & Enforcement
Ss. 16 to 19 and 21 London Local Authorities Act 1995	69. Power to issue Near Beer Licence	n/a
S.28 Greater London Council (General Powers) Act 1984	70. Power to register premises or stalls for the sale of goods by way of competitive bidding	n/a
Part 1 of the Vehicles (Crime) Act 2001	71. Power to register motor salvage operators	Assistant Director - Environment & Enforcement
Part I of the Commons Act 2006 (c 26) and the Commons Registration (England) Regs 2008	72. Functions relating to the registration of common land and town or village greens	n/a
C. Functions Relating to Health and Safety at Work		

Statutory Provision	Function	Who Discharges
Part I Health and Safety at Work Etc. Act 1974	Functions under any of the “relevant statutory provisions” within the meaning of Part I (health, safety and welfare in connection with work, and control of dangerous substances) of the Health and Safety at Work Etc. Act 1974, to the extent that those functions are discharged otherwise than in the Authority’s capacity as an employer	Assistant Director - Environment & Enforcement
D. Functions Relating to Elections		
S 8(2) RPA 1983	1. Duty to appoint an Electoral Registration Officer	Full Council
S 52(4) RPA 1983	2. Power to assign officers in relation to requisitions of the Registration Officer	Full Council
Part II Local Government and Rating Act 1997 and subordinate legislation under that Part	3. Functions in relation to parishes and parish councils	Full Council
S 10 LGA 1972	4. Power to dissolve small parish councils	Full Council
S 11 LGA 1972	5. Power to make orders for grouping parishes, dissolving groups and separating parishes from groups	Full Council
S 35 RPA 1983	6. Duty to appoint Returning Officer for Local Government Elections	Full Council
Para. 6(7) and (8) of European Parliamentary Elections Act 2002	7. Duty to provide assistance at European Parliamentary Elections	Full Council
S 18A to 18E of, and Sched A1 to RPA 1983	8. Duty to divide constituency into polling districts	Full Council
S 31 RPA 1983	9. Power to divide electoral divisions into polling districts at Local Government Elections	Full Council
S 39(4) RPA 1983	10. Powers in respect of holding of elections	Full Council

Statutory Provision	Function	Who Discharges
S 54 RPA 1983	11. Power to pay expenses properly incurred by Electoral Registration Officers	Full Council
S 21 RPA 1985	12. Power to fill vacancies in the event of insufficient nominations	Full Council
S 86 LGA 1972	13. Duty to declare vacancy in office in certain cases	Head of Paid Service Monitoring Officer
S 87 LGA 1972	14. Duty to give public notice of a casual vacancy	Head of Paid Service Monitoring Officer
S 91 LGA1972	15. Power to make temporary appointments to parish Councils	Full Council
S 10 RPA 2000	16...	Full Council
S 10 of the Representation of the People Act 2000	17. Power to submit proposals to the Secretary of State for an Order under Section 10 (pilot schemes for local elections in England and Wales) of the Representation of the People Act 2000	Full Council
LGPIH Ss 33(2), 38(2) and 40(2) of the 2007 Act	18. Duty to consult on change of scheme for elections	Full Council
Ss 35, 41 and 52 of the 2007 Act	19. Duties relating to publicity	Head of Paid Service Monitoring Officer
Ss 36 and 42 of the 2007 Act	20. Duties relating to notice to Electoral Commission	Head of Paid Service Monitoring Officer
S 53 of the 2007 Act	21. Power to alter years of ordinary elections of parish councillors	
S 59 of the 2007 Act	22. Functions relating to change of name of electoral area	Full Council
E. Functions Relating to Name and Status of Areas and Individuals		

Statutory Provision	Function	Who Discharges
S 74 LGA 1972	1. Power to change the name of a county, district or London Borough	Full Council
S 75 LGA 1972	2. Power to change the name of a parish	Full Council
S 249 LGA 1972	3. Power to confer title of Honorary Alderman or to admit to be an Honorary Freeman	Full Council
S 245b LGA 1972	4. Power to petition for a charter to confer Borough status	Full Council
EA. Functions Relating to Changing Governance Arrangements		
EB. Functions Relating to Community Governance		
S 79 of the 2007 Act	1. Duties relating to community governance reviews	Full Council
Ss 80, 83 to 85 of the 2007 Act	2. Functions relating to community governance petitions	Full Council
Ss 81(4) to (6)	3. Functions relating to terms of reference of review	Full Council
S 82 of the 2007 Act	4. Power to undertake a community governance review	Full Council
Ss 87 to 92 of the 2007 Act	5. Functions relating to making of recommendations	Full Council
S 93 to 95 of the 2007 Act	6. Duties when undertaking review	Full Council
S 96 of the 2007 Act	7. Duty to publicise outcome of review	Head of Paid Service Monitoring Officer
S 98(1) of the 2007 Act	8. Duty to send two copies of Order to Secretary of State and Electoral Commission	Full Council
S 99 of the 2007 Act	9. Power to make agreements about incidental matters	Full Council
F. Power to Make, Amend, Revoke, Re-Enact or Enforce Byelaws		

Statutory Provision	Function	Who Discharges
Any provision of any enactment (including a local Act), whenever passed, and section 14 of the Interpretation Act 1978	Power to make, amend, revoke or re-enact byelaws	Full Council
FA. Functions Relating to Smoke-Free Premises etc.		
S 10(3) of the 2006 Act	1. Duty to enforce Chapter 1 and regulations made under it	Assistant Director - Environment & Enforcement
S 10(5) of, and para 1 of Sched 2 to, the 2006 Act	2. Power to authorise officers	Assistant Director - Environment & Enforcement
Paras 13, 15 and 16 of Sched 1 to the 2006 Act Smoke-free (Vehicle Operators and Penalty Notices) Regs 2007 (SI 2006/760)	3. Functions relating to Fixed Penalty Notices	Assistant Director - Environment & Enforcement
Smoke-free (Premises and Enforcement) Regs 2006 (SI 2006/3368)	4. Power to transfer enforcement functions to another enforcement authority	Assistant Director - Environment & Enforcement
G. Power to promote or oppose local or personal Bills		
S 239 LGA 1972	Power to promote or oppose local or personal Bills	Full Council
H. Functions Relating to Pensions etc		
Regs under S 7, 12 or 24 Superannuation Act 1972	1. Functions relating to Local Government pensions, etc.	County

Statutory Provision	Function	Who Discharges
Ss 34 and 36 of the Fire and Rescue Services Act 2004	2. Functions under the Fireman's Pension Scheme relating to pensions, etc as respects persons employed by fire and rescue authorities pursuant to S 1 of the Fire and Rescue Services Act 2004	County
I. Miscellaneous Functions	Part I: Functions Relating to Public Rights of Way	
S. 25 Highways Act 1980	1. Power to create footpath [bridleway or restricted byway] by agreement	Planning Applications Committee
S. 26 Highways Act 1980.	2. Power to create footpaths [bridleways and restricted byways]	Planning Applications Committee
S.31A Highways Act 1980.	3. Duty to keep register of information with respect to maps, statements and declarations	County
S.118 Highways Act 1980.	4. Power to stop up footpaths [bridleways and restricted byways]	Planning Applications Committee
Ss. 118ZA and 118C(2) Highways Act 1980.	5. Power to determine application for Public Path Extinguishment Order	Planning Applications Committee
S. 118A Highways Act 1980.	6. Power to make a Rail Crossing Extinguishment Order	Planning Applications Committee
S. 118B Highways Act 1980.	7. Power to make a Special Extinguishment Order	Planning Applications Committee
S. 119 Highways Act 1980.	8. Power to divert footpaths [bridleways and restricted byways]	Planning Applications Committee
Ss. 119ZA and 119C(4) Highways Act 1980.	9. Power to make a Public Path Diversion Order	Planning Applications Committee
S. 119A Highways Act 1980.	10. Power to make a Rail Crossing Diversion Order	Planning Applications Committee
S. 119B Highways Act 1980.	11. Power to make a Special Diversion Order	Planning Applications Committee

Statutory Provision	Function	Who Discharges
S. 119C(3) Highways Act 1980.	12. Power to require applicant for Order to enter into Agreement	Planning Applications Committee
S. 119D Highways Act 1980.	13. Power to make an SSSI Diversion Order	Planning Applications Committee
S. 121B Highways Act 1980.	14. Duty to keep Register with respect to applications under ss. 118ZA, 118C, 119ZA and 119C Highways Act 1980	Assistant Director - Planning
S. 121C Highways Act 1980.	15. Power to decline to determine certain applications	Planning Applications Committee
S. 130 Highways Act 1980.	16. Duty to assert and protect the rights of the public to use and enjoyment of highways	County
S.130A Highways Act 1980.	17. Duty to serve Notice of Proposed Action in relation to obstruction	County
S.130B(7) Highways Act 1980.	18. Power to apply for variation of Order under S.130B Highways Act 1980	County
S.135 Highways Act 1980.	19. Power to authorise temporary disturbance of surface of footpath [bridleway or restricted byway]	County
S.135A Highways Act 1980.	20. Power temporarily to divert footpath [bridleway or restricted byway]	County
S.135B Highways Act 1980.	21. Functions relating to the making good of damage and the removal of obstructions	County
S.149 Highways Act 1980.	22. Powers relating to the removal of things so deposited on highways as to be a nuisance	County
S.32 Acquisition of Land Act 1981	23. Power to extinguish certain public rights of way	Full Council
S.53 Wildlife and Countryside Act 1981	24. Duty to keep definitive map and statement under review	County
S.53A Wildlife and Countryside Act 1981.	25. Power to include modifications in other Orders	County

Statutory Provision	Function	Who Discharges
S.53B Wildlife and Countryside Act 1981.	26. Duty to keep Register of prescribed information with respect to applications under S. 53(5) of the Wildlife and Countryside Act 1981	County
S.54 Wildlife and Countryside Act 1981	27. Duty to reclassify roads used as public paths	County
S.57A Wildlife and Countryside Act 1981.	28. Power to prepare map and statement by way of consolidation of definitive map and statement	County
S.3 Cycle Tracks Act 1984	29. Power to designate footpath as cycle track	County
S.294 Housing Act 1981	30. Power to extinguish public right of way over land acquired for clearance	Planning Applications Committee
S.247 of the Town and Country Planning Act 1990	30a. Power to authorise stopping up or diversion of highway	Planning Applications Committee
S.257 TCPA90.	31. Power to authorise stopping-up or diversion of footpath [or bridleway or restricted byway]	Planning Applications Committee
S.258 TCPA90.	32. Power to extinguish public rights of way over land held for planning purposes	Planning Applications Committee
S.35 Countryside and Rights of Way Act 2000	33. Power to enter into agreements with respect to means of access	County
S.37 Countryside and Rights of Way Act 2000.	34. Power to provide access in absence of agreement	County
	Part II: Other Miscellaneous Functions	
Ss.1, 2, 10 and 19 Sea Fisheries Reg Act 1966	35. Functions relating to sea fisheries	County
S.106 of, and Para. 42 of Sched. 12 to, the LGA 1972	36. Power to make Standing Orders	Full Council
S.112 LGA 1972.	37. Power to appoint staff, and to determine the terms and conditions on which they hold office (including procedures for their dismissal)	Full Council, Head of Paid Service

Statutory Provision	Function	Who Discharges
S.135 LGA 1972.	38. Power to make standing orders as to contracts	Full Council
S.151 LGA1972.	39. Duty to make arrangements for proper administration of financial affairs etc.	Full Council
S.270(3) LGA 1972.	40. Power to appoint officers for particular purposes (appointment of “proper officers”)	Full Council
S.34(2) Wildlife and Countryside Act 1981.	41. Power to make Limestone Pavement Order	County
S.4 LGMPA 1982	42. Power to make Closing Order with respect to take-away food shops	Assistant Director - Environment & Enforcement
S.4(1) Local Government and Housing Act 1989	43. Duty to designate officer as the Head of the Authority’s Paid Service, and to provide staff, etc.	Full Council
S.5(1) Local Government and Housing Act 1989.	44. Duty to designate officer as the Monitoring Officer, and to provide staff, etc.	Full Council
S82A(4) and (5) of the Local Government Act 2000	44a Duty to provide staff, etc, to person nominated by Monitoring Officer	Full Council
Para 12 and 14 of Sched 3 to the Local Government Act 2000	44b Powers relating to Overview & Scrutiny Committees (voting rights of co-opted members)	Full Council
The Accounts and Audit Regs 1996	45. Duty to approve Authority's Statement of Accounts, Income and Expenditure and Balance Sheet, or record of payments and receipts (as the case may be)	Full Council
The Hedgerows Regs 1997	46. Powers relating to the protection of important hedgerows	Assistant Director - Planning
Ss.197 to 214D TCPA90, and the Trees Regs 1999	47. Powers relating to the preservation of trees	Planning Applications Committee

Statutory Provision	Function	Who Discharges
Part 8 of the Anti-Social Behaviour Act 2003	47a. Powers relating to complaints about high hedges	Assistant Director - Planning
S.92 LGA 2000	48. Power to make payments or provide other benefits in cases of maladministration, etc.	Full Council
S13(2) of the Criminal Justice and Police Act 2001	49. Power to make an Order identifying a place as a designated public place for the purposes of Police powers in relation to alcohol consumption	Full Council
S.16 of the Violent Crime Reduction Act 2006 (c 38)	50. Power to make or revoke an Order designating a locality as an alcohol disorder zone	Full Council
S.41 of the Commons Act 2006	51. Power to apply for an Enforcement Order against unlawful works on common land	Full Council
S.45(2) of the Commons Act 2006	52. Power to protect unclaimed registered common land and unclaimed town or village greens against unlawful interference	Full Council
S.45(2)(b) of the Commons Act 2006	53. Power to institute proceedings for offences in respect of unclaimed registered common land and unclaimed town or village greens	Full Council

3D OFFICER DELEGATIONS - Part A - General Delegations

Functions Allocated to the Chief Executive, Strategic Directors & Assistant Directors or such other officer or post identified by the Chief Executive, Strategic Director, or Assistant Director in a Scheme of Delegation, such scheme to be held by the Monitoring Officer and made available at all times for public inspection.

3D.1 General

- a) Proper officer, appointed officer or inspector in respect of the following statutory provisions

S.100D Local Government Act 1972 (background papers for reports)
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- b) Take any action on matters relating to the day to day administration of services within their unit.
- c) Take any action to maintain the operation and effectiveness of services within their unit.
- d) Take any action incidental to, or to give effect to, decisions taken by elected Members within their sphere of responsibility.
- e) Determine the allocation of and responsibility for matters within their unit.
- f) Delegate any of their powers and appointments to employees within their unit who possess the relevant qualification, experience and skills for the task - a list of such powers indicating the post to which they have been delegated must be kept by the Monitoring Officer and made available for public inspection.
- g) Serve notices and obtain information as to interests in land - S.16 Local Government (Miscellaneous Provisions) Act 1976.
- h) Keep any statutory register concerning aspects within their sphere of responsibility.
- i) The receipt of Notices concerning aspects within their sphere of responsibility.
- j) In consultation with the relevant Overview & Scrutiny Committee Chair, settle any best value review documents for submission to Inspectors.
- k) Respond to any consultation document on Executive functions in consultation with the Leader and/or relevant portfolio holder.

3D.2 Financial Resources

- a) Incur normal expenditure up to the limit of provision within the budgets under his/her control, subject to compliance with contract standing orders, financial standing orders, financial regulations and financial instructions.
- b) Invite and accept tenders or quotations for contracts, subject to contract standing orders, financial standing orders, financial regulations and financial instructions.

- c) Provide administrative, professional or technical services to outside bodies using any spare capacity PROVIDED this does not interfere with the proper service provision of the Council.
- d) Pay full compensation for loss where the Council is likely to be liable if sued.
- e) Pay compensation for complaints up to £1000 or higher in consultation with the portfolio holder.
- f) To annually review fees and charges.

3D.3 Human Resources

- a) Appoint persons to posts below Director level within the unit (as nominated by the Chief Executive where necessary), in accordance with the Recruitment and Selection Policy from time to time in force.
- b) Employ and dismiss persons on temporary contracts, in accordance with the Recruitment and Selection and Disciplinary Policies from time to time in force.
- c) Discipline and dismiss employees within the unit, subject to Disciplinary Policies from time to time in force.
- d) In consultation with the Finance & Corporate Portfolio Holder and Human Resources Officers take any action relating to terms and conditions of service for employees within their unit.

3D.4 Other

- a) Apply for planning permission for Council development within his/ her sphere of responsibility.
- b) To recover any sum owed to the Council under a contract made between the Council and a third party.
- c) To submit bids for and enter into agreements for grants and other funding sources.
- d) Arrange bookings or limited exhibitions and other commercial events on Council land within the responsibility of the Portfolio Holder.

3D.5 Functions allocated to the Chief Executive & Deputy Chief Executive

- a) Any function delegated to a Strategic Director or Assistant Director or other officer.
- b) Any action arising from an appointment given to a Director or other officer if that Director or other officer is absent or otherwise unable to act.
- c) Take all steps to ensure the Council receives additional supplementary credit approval re Council house sales.
- d) Delegate any of their powers and appointments to employees who possess the relevant qualification, experience and skills for the task - a list of such powers, indicating the post to which they have been delegated, must be kept by the Monitoring Officer and made available for public inspection.

- e) Respond to any consultation document on Executive functions in consultation with the Leader and/or relevant portfolio holder.

3D.6 **Functions allocated to the Strategic Directors**

- a) Any function delegated to an Assistant Director or other officer.
- b) Any action arising from an appointment given to an Assistant Director or other officer if that Assistant Director or other officer is absent or otherwise unable to act.
- c) Delegate any of their powers and appointments to employees who possess the relevant qualification, experience and skills for the task - a list of such powers, indicating the post to which they have been delegated, must be kept by the Monitoring Officer and made available for public inspection.
- d) Respond to any consultation document on Executive functions in consultation with the Leader and/or relevant portfolio holder.

3E OFFICER DELEGATIONS - Part B - Specific Delegations

The specific delegations set out below to the Chief Executive /Strategic Directors/ Assistant Director of Development & Building Control or such other officer or post identified by the Chief Executive /Director/Head of Development & Building Control in a Scheme of Delegation, such scheme to be held by the Monitoring Officer and made available at all times for public inspection are without prejudice to the general Delegations in 3D above.

3E.1 Chief Executive (Head of Paid Service, Electoral Registration & Returning Officer)

- a) Proper officer, appointed officer or inspector in respect of the following statutory provision

Statutory Provision	Brief Description
S.4 Local Government and Housing Act 1989	Head of Paid Service
Ss. 84,84,88,89, 100B, 100C, 100F, 210, 225, 229, 234, 236, 238, 248, Schedules 12 and 14 Local Government Act 1972	Secretary to the Council
S.41 Local Government (Miscellaneous Provisions) Act 1976	Certification of reports and minutes
Local Government Act 2000 and Regs made there under	Executive Arrangements
S.3, LGHA89. Modify the list of Politically restricted posts and give any certificate of opinion under it.	Duty to keep a list of politically restricted posts
Crime and Disorder Act 1998 and amendments thereto	
Ss. 83, 100B, 200F, 115, 229, 234, Local Government Act 1972	Secretary to the Council
Representation of the People Act 1983	Ss. 8 and 35 Representation of the People Act 1983, and any other provision relating to electoral registration and elections.
Any reference in pre 1972 legislation to the Clerk of a Council or the Town Clerk, which, by virtue of the Local Government Act 1972, is to be construed as a Proper Officer Proper, or authorised, officer or inspector for any statutory purpose where no specific authorisation has been given	

- b) Suspend the exercise of Delegated Authority by any officer where he/she considers a particular case should be considered by elected Members.
- c) Authorise any person acting for the Council to enter any land, for any statutory purpose.
- d) The Chief Executive shall have authority for Cabinet in the case of an emergency:
 1. requiring a non-key decision, where it is not possible in the time to convene either a special meeting of Cabinet or a Single Member Decision, or the Single Member is not available, and in consultation with the Leader, or in his absence any Member of the Cabinet, to make decisions on behalf of the Cabinet, all such decisions to be reported to the next Ordinary Meeting of the Cabinet
 2. subject to consultation with the aforesaid and the Chair of the relevant OSP, to make such urgent decisions which are key decisions on behalf of the Cabinet, all such decisions to be reported to the next Ordinary Meeting of the Council.
 3. for Committee in cases of urgency and in consultation with the Chairman of the relevant Committee and Chair of the relevant OSP, to make decisions on behalf of the Committee, all such decisions to be reported to the next Ordinary Meeting of the relevant Committee.
 4. To consider oral representations pursuant to the Scrap Metal Dealers Act 2013.
- e) Make any necessary and consequential changes to the Council's Scheme of Delegation to Officers to give effect to any changes in personnel, legislation, or the structure of the Council, to ensure its efficient and effective operation, in consultation with the Leader of the Council.
- g) Change the staff structure in consultation with the Leader and/or the relevant portfolio holder(s), the S.151 Officer, the Monitoring Officer and the Unions.
- h) In consultation with the Leader, the Housing & Communities portfolio holder and ward Members, take every step necessary (including compulsory purchase and determination of tenancies) to implement the Camp Hill Urban Village Scheme.
- i) Apply for and hold licences for premises owned by the Council in respect of regulated activities.
- j) Authorise the use and display of the Council's badge.
- k) In consultation with the S. 151 Officer and Leader of the Council approve proposals for Members or officers to make foreign visits and receive foreign visitors where the cost is to be met in whole or part by the Council, subject to any protocol in this regard that may apply from time to time.

- l) Authorise applications renewals, reviews and cancellations under the Regulation of Investigatory Powers Act 2000 including surveillance likely to obtain confidential information.

- m) Increase the scale of fees for elections and electoral registration in line with the average salary awards for Joint National Council scales and taking into account any nationally agreed fees.

3E.2 Assistant Director – Central Operations

Exercise any power of the Local Authority under the following statutory provisions or pursuant to regulations made (now or in future) under them.

Statutory Provision	Brief Description
Data Protection Act 2018	Data Protection obligations
Freedom of Information Act 2000	Duty to comply with requests for information and to maintain the Council's Publication Scheme
Environmental Information Regulations 2004	Duty to comply with requests for information

- a) Monitor the use of the Council's IT systems including internet and e-mail (where appropriate following appropriate authorisation) – Regulation of Investigatory Powers Act 2000.
 - b) Manage the Council's telephonic and Information technology systems, in accordance with the Policy of the Council.
 - c) Undertake functions relating to street name and numbering.
 - d) Be the Council's Nominated Officer for the purpose of the Local Government Pension (Amendment) Regulations 2004 - Internal Dispute Resolution Procedure.
 - e) Authorise applications renewals, reviews and cancellations under the Regulation of Investigatory Powers Act 2000.
 - f) Approve press releases and official statements to press enquiries on behalf of the Authority as and when required.
 - g) Manage and undertake the Council's duties under the Civil Contingencies Act 2003.
 - h) Take appropriate action in relation to emergencies and to produce and update the Council's Emergency Plan and Business Continuity Plan, all powers under Section 138 of the Local Government Act 1972 and all relevant legislation.
 - i) Incur any expenditure through making grants and loans where an emergency or disaster involves danger to life or property, or is imminent and to incur expenditure for the purposes for contingency planning.
- a) To take all actions and make decision not reserved to the Council relating to the Council's functions in respect of Communications.
 - b) Approve and pay death grants under schemes adopted by the Council.
 - c) Serve all Notices under the Pensions Acts.

- d) Implement national awards affecting wages, salaries and conditions of service.
- e) Administer and review the Council's car loan, and car user allowance schemes.
- f) Assess value for pension purposes of emoluments in kind paid to employees and giving effect thereto.
- g) Exercise any power of the Local Authority relating to human resources under the following statutes or regulation or by-laws made (now or in the future) under them:
 - Health & Safety at Work Act 1974
 - Employment Rights Act 1996
- h) Enter into any initiatives with the Occupational Health Service seen as beneficial to the employees of the Council
- i) Hold premises licences for Council property in connection with any functions assigned.
- j) In consultation with the relevant Portfolio Holder, set promotional and other charges.
- k) Fix and charge the appropriate hire fee for external bookings for the Civic Suite in order to cover the Council's costs.
- l) Undertake all facilities management activities for Council office buildings
- m) Be duty holder for the purposes of the Control of Asbestos Regulations 2012
- n) Undertake day to day management of Stockingford and Keresley Community Centre.
- o) Public Health Act 1925
- p) Administer the arrangements for the discharge of all matters relating to the Council's Local Land Charges Register.

3E.3 Assistant Director – Democracy & Governance

- a) Proper officer, appointed officer or inspector in respect of the following statutory provisions
- b) Exercise any power of the Local Authority under the following statutory provisions or pursuant to regulations made (now or in future) under them.

Statutory Provision	Brief Description
S116, S116A & 110A Social Security Administration Act 1992	Benefit fraud including investigations on behalf of the Department of Work and Pensions
Ss. 41 - 67 Local Government Finance Act 1988; Local Government Finance Act 1992 (with the exception of setting the Council Tax base save Ss.32 - 37); Social Security Administration Act 1992; ss.123 - 137 and 172 - 177 Social Security Contributions and Benefits Act 1992; Social Security Act 1998; Welfare Reform and Pensions Act 1999;	Council Tax, rating, Council Tax Benefit, Housing Benefit and Discretionary Rate Relief (DRR)
S110A Social Security Administration Act 1992 Benefit Fraud Matters.	Investigation and prosecution of fraud
Child Protection Legislation	Discharge the duties under the Childrens Acts
Equalities Act 2010	Responsibility to ensure compliance with the Public Sector Equalities Duty
Ss. 83, 100B, 100F, 229, 234, 238, Sched 14 Local Government Act 1972	Byelaws
S. 41 Local Government (Miscellaneous Provisions) Act 1976	Lost or uncollected property
Ss. 191 Local Government Act 1972	Ordnance Survey
Local Government Act 2000 and regulations thereunder	Executive Arrangements
Ss. 26, 118, 119 Highways Act 1980 and S.257 Town and Country Planning Act 1990	Public Footpath Orders
Ss.191 to 194, Town and Country Planning Act 1990	Certificate of lawful use or development except when called in for decision by Planning Applications Committee pursuant to the process outlined in Part 3E.10(b) iv.

Statutory Provision	Brief Description
Ss.14-16A Road Traffic Regulation Act 1984	Orders to prohibit or restrict traffic
Crime and Disorder Act 1998 (as amended)	ASBOs and other Orders
S.116 Local Government Finance Act 1988	Investigation and Prosecution of fraud
Any reference in pre 1972 legislation to the surveyor, which, by virtue of the Local Government Act 1972, is to be construed as a Proper Officer	

- a) Authorise any person acting for the Council to enter any land, for any statutory purpose.
- b) Authorise applications renewals, reviews and cancellations under the Regulation of Investigatory Powers Act 2000 including surveillance likely to obtain confidential information.
- c) Authorise proceedings for recovery of any sums due to the Council and possession of property held as security for same.
- d) Take any enforcement action, including any application to a court or tribunal, in respect of powers delegated to him/her or in respect of functions for which he/she is a proper officer, appointed officer or inspector.
- e) Coordinate the collection and provision of performance data and arrange for the publication of performance information and strategy reporting.
- f) Conduct internal audit of financial transactions of the council
- g) Take all steps regarding risk management within the Council.
- h) Manage the development and implementation of the Council's Equality Scheme
- i) Hold premises licences for Council property in connection with any functions assigned.
- j) In consultation with the Monitoring Officer, coordinate the formulation of the Corporate Plan and Corporate Plan Delivery Plan.
- k) Amend the Members' Allowance Scheme in accordance with increases fixed by the Secretary of State.
- l) Provide the role of Mayor's Secretary.
- m) Make arrangements in connection with Civic matters/engagements relating to Mayoralty.
- n) Where any delegation proposed to be relied upon or procedure proposed to be utilised refers to any office-holder, Cabinet, Committee or Ward Member, or forum that no longer

exists, the Monitoring Officer shall determine how the power shall be appropriately exercised or procedure interpreted.

- o) Take all necessary steps relating to Purchase Notices served on the Council

3E.4 Assistant Director – Economy

Exercise any power of the Local Authority under the following statutory provisions or pursuant to regulations made (now or in future) under them.

Statutory Provision	Brief Description
Ss. 35A and 112 Road Traffic Reg Act 1964	Enforcement of Car parking Order or Nuneaton Bus Station Order
Sch. 4 Local Government (Miscellaneous Provisions Act 1982	Licensing of Street Traders
Local Government Act 2003	BIDS (Customer Services & Business Improvement Districts)
Markets and Fair Clauses Act 1847	Markets
Food Act 1984	Markets
Ss. 191 Local Government Act 1972	Ordnance Survey
Party Wall Etc. Act 1996 (Appointing Officer)	Power to appoint surveyor

- a) Be duty holder for the purposes of the Control of Asbestos Regulations 2012
- b) Arrange bookings or limited exhibitions and other events in Town Centre pedestrianised areas.
- c) Manage the operation of the Nuneaton and Bedworth Markets in accordance with the Market Regulations as made by the Council from time to time.
- d) As a consequence of any decision of Cabinet or Council in consultation with the Portfolio Holder with responsibility for markets, make any necessary changes to the markets, the layout, or their regulations.
- e) Be the Radio Terminal Custodian for the Airwave Service.

- f) Undertake all the Town Centre management activities including Delivery of Town Centre Master Plan, including street scene enhancement activities.
- g) Manage the Council's off street car park in accordance with the Council's Off Street Parking Order.
- h) In Consultation with the relevant Portfolio Holder, waive car park charges from time to time.
- i) Undertake all matter relating to the provisions of public conveniences.
- j) Manage the Council's car parks and resident parking schemes.
- k) Manage the Bus Station
- l) Undertake all functions relating to CCTV.
- m) Undertake management of the Council's Commercial Property Portfolio.
- n) Arrange bookings or limited exhibitions and other commercial events on Council land (other than town centre).
- o) Authority to undertake Land/Asset Disposal and Acquisitions on behalf of the Council, in consultation with the relevant Portfolio Holder.
- p) Exercise the Council's responsibilities in respect of Economic Development
- q) Authority to take action on Closure Orders under the Anti-Social Behaviour, Crime and Policing Act 2014.
- r) Exercise functions under any Agency agreement with Warwickshire County Council.
- s) Undertake management of the Council's Commercial Property Portfolio.
- t) Public Health Acts Amendment Act 1907

- u) Conclude any land transactions required to complete the Camp Hill Urban Village Scheme.
- v) All Property Management steps in respect of the Council's land and buildings and related transactions in accordance with any relevant Council Policy, and the Council's Budget and Policy framework, including creating, renewing and terminating interests in land, reviewing and recovering rents, disposing of and acquiring interests including:
 - a. Carry out urgent repairs to private streets
 - b. Renew plant, equipment and vehicles within the budget provision, and dispose of items being so renewed.
 - c. Be a duty holder for the purposes of the Control of Asbestos Regulations 2012.
 - d. Take all actions necessary to implement the Council's Planned and Reactive Maintenance Programme including to corporate operational and non-operational buildings, including car parks and the Bus Station (not including day to day responsive repairs and gas servicing activities).

3E.5 Assistant Director – Environment & Enforcement

- a. Exercise any power of the Local Authority under the following statutory provisions or pursuant to regulations made (now or in future) under them.

Statutory Provision	Brief Description
Ss.14-16A Road Traffic Regulation Act 1984	Orders to prohibit or restrict traffic
Crime and Disorder Act 1998 (as amended)	ASBOs and other Orders
The Anti-social Behaviour, Crime and Policing Act 2014	
Environmental Protection Act 1990	Search and seizure of vehicles and street litter control
Anti-Social Behaviour Act 2003	Graffiti
Clean Neighbourhoods and Environmental Act 2005	
Town and Country Planning Act 1990 - S.215-219, 224–225, 330 and 324 and Town and Country Planning (Control of Advertisement) Regs	Miscellaneous Planning enforcement
Liaison Officer under Food Safety Act 1990	Link officer with the Food Standards Agency
Any reference in pre 1972 legislation to the medical officer of health or public health inspector, which, by virtue of the Local Government Act 1972, is to be construed as a Proper Officer	
S.2 and Sched 3 to the Local Government (Miscellaneous Provisions) Act 1982	Control of Sex Establishments
Licensing Act 2003 provided no objections are received	
Animal Welfare Act 2006 and The Microchipping of Dogs (England) Regs 2015	
S.61 Local Government (Miscellaneous Provisions) Act 1976	Revoke and Suspend licences
S.75(3) Local Government (Miscellaneous Provisions) Act 1976	<i>Applications for Certificates of Exemption re PHVs</i>
Health and Safety at Work Act 1974	Duty to enforce
Environment Act 1995 S. 82 & Sched. 11	Air Quality
S.15 Local Government (Miscellaneous Provisions) Act 1976	Authorise staff to survey land where no specific power is available
Environmental Protection Act 1990 s.2	Appoint any other person including third party contractors to discharge the Council's functions pursuant to Part II and Sched 3 of the Act
S.19 & 20 Health and Safety at Work Etc Act 1974	Authorise inspectors and enforcement and other technical experts to discharge functions including powers of entry
Refuse Disposal (Amenity) Act 1978	Remove and deal with abandoned vehicles

- a. Be a duty holder for the purposes of the Control of Asbestos Regulations 2012.

- b. Authority to take action relevant to their service under the Anti-social Behaviour, Crime and Policing Act 2014.
- c. Undertake all functions relating to amenity lighting.
- d. Undertake all functions relating to transport.
- e. Deal with requests for the loan of equipment and materials to charitable and voluntary organisations regarding refuse collection and cleansing.
- f. Provide a trade refuse service when required and fix appropriate charges.
- g. Manage the Council's refuse collection and street cleaning service.
- h. Undertake all functions relating to land drainage.
- i. Exercise functions under any Agency agreement with Warwickshire County Council
- j. Authorisation of officers to serve Fixed Penalty Notices for litter enforcement pursuant to the Clean Neighbourhoods and Environment Act 2005.
- k. In consultation with Chair and (Vice-Chair) of Licensing Committee determine applications for permits for house to house or street collections which cannot be considered by Licensing Committee at its November meeting (unless objection has been submitted).
- l. Administer the Council's arrangements for the Licensing of hackney carriage and private hire vehicles including the grant and renewal of hackney carriage and private hire vehicle licences, and private hire operators' licences, unless either there are unspent convictions or objections are received, or both.
- m. Authority to take action relevant to their service under the Crime and Policing Act 2014.
- n. Exercise any power of the Local Authority relating to environmental health under the following statutory provisions or pursuant to regulations or by-laws made (now or in future) under them:
 - a. Animal Boarding Establishments Act 1963
 - b. Animal Welfare Act 2006
 - c. Anti-Social Behaviour Act 2003
 - d. Anti-Social Behaviour, Crime and Policing Act 2014
 - e. Breeding of Dogs Act 1973 & 1991
 - f. Building Act 1984
 - g. Clean Air Act 1993
 - h. Clean Neighbourhoods and Environment Act 2005
 - i. Criminal Justice and Public Order Act 1994
 - j. Crime and Disorder Act 1998
 - k. Control of Pollution Act 1974
 - l. Dangerous Wild Animals Act 1976
 - m. Dangerous Dogs Act 1991

- n. Dogs (Fouling of Land) Act 1996
- o. Enterprise and Reform Act 2013
- p. Environment Act 1995
- q. Environment and Safety Information Act 1988
- r. Environmental Protection Act 1990
- s. Equality Act 2010
- t. European Communities Act 1972
- u. Factories Acts 1961
- v. Food Act 1984
- w. Food and Environment Protection Act 1985
- x. Food Safety Act 1990
- y. Gambling Act 2005
- z. Guard Dogs Act 1975
- aa. Health Act 2006
- bb. Health and Safety at Work Etc Act 1974
- cc. Highways Act 1980
- dd. House to House Collections Act 1939
- ee. Housing and Planning Act 2016
- ff. Land Compensation Act 1973
- gg. Licensing Act 2003
- hh. Local Government (Misc Prov) Act 1976
- ii. Local Government (Misc Prov) Act 1982
- jj. Local Government and Housing Act 1989
- kk. Noise Act 1996
- ll. Noise and Statutory Nuisance Act 1993
- mm. Offices, Shops & Railway Premises Act 1963
- nn. Performing Animals (Regulation) Act 1925
- oo. Pet Animals Act 1951
- pp. Police, Factories Etc (Misc Prov) Act 1916
- qq. Pollution Prevention and Control Act 1999
- rr. Prevention of Damage by Pests Act 1949
- ss. Public Health Acts 1936 & 1961
- tt. Public Health (Control of Disease) Act 1984
- uu. Refuse (Disposal) Amenity Act 1978
- vv. Regulatory Reform Act 2001
- ww. Riding Establishments Acts 1964 & 1970
- xx. Scrap Metal Dealers Act 1964
- yy. Scrap Metal Dealers Act 2013
- zz. Slaughter of Poultry Act 1967
- aaa. Slaughterhouses Act 1974
- bbb. Sunbeds (Regulation) Act 2010
- ccc. Sunday Trading Act 1994
- ddd. Town Police Clauses Act 1847
- eee. Town and Country Planning Act 1990 s.215-219, 224-225, 330, 324
- fff. Town and Country Planning (Control of Advertisement) England Regs 2007
- ggg. Vehicles (Crime) Act 2001
- hhh. Water Industry Act 1991
- iii. Zoo Licensing Act 1981

Licensing Act 2003

- a) Issue notices of exemption to taxi drivers relating to the carriage of guide dogs etc. in certain circumstances (see minute 586 of 8.2.01).
- b) Deal with applications for Personal Licence, if no objection made.
- c) Deal with applications for Premises Licence/Club Premises Certificate, if no relevant representation made.
- d) Deal with applications for Provisional Statement, if no relevant representation made.
- e) Deal with applications to vary Premises Licence/Club Premises certificate, if no relevant representation made.
- f) Deal with applications to vary Designated Premises Supervisor if no notice of objection is received.
- g) Deal with requests to be removed as designated premises supervisor, all cases.
- h) Deal with applications for transfer of Premises Licence if no Notice of Objection is received.
- i) Deal with applications for interim authorities if no Notice of Objection is received.
- j) Deal with decisions on whether a complaint is irrelevant, frivolous vexatious, etc., all cases.

Gambling Act 2005

- a. Fee setting where appropriate.
- b. Determination of application for premise's Licences where no representations received/representations have been withdrawn.
- c. Determination of application for a variation to a Licence where no representations received/representations have been withdrawn.
- d. Determination of application for a transfer of a Licence where no representations received from the Gambling Commission.
- e. Determination of application for a Provisional Statement where no representations received/representations have been withdrawn.
- f. Application for Club Gaming/Club Machine Permits where no objections made/objections have been withdrawn.
- g. Applications for other permits.

- h. Cancellation of Licensed Premises Gaming Machine Permits.
- i. Consideration of Temporary Use Notices.
- j. Determination as to whether representation is frivolous or vexatious, or will not influence decision.

3E.6 Assistant Director – Finance

- a) Proper officer, appointed officer or inspector in respect of the following statutory provisions
- Ss. 115, 146, 151 (as Deputy) Local Government Act 1972
 - Ss. 26 and 114 Local Government Finance Act 1988
 - Local Government Act 2003 Part I
- b) Exercise any power of the Local Authority under the following statutory provisions or pursuant to regulations made (now or in future) under them.

Statutory Provision	Brief Description
Sch.13 Local Government Act 1972; ss. 39 – 66 Local Government and Housing Act 1989	Loans and other financial provisions
s.438 and Sch. 16, Housing Act 1985	Vary interest rates to meet legislative requirements
Local Government Act 2003 Parts I & II	Capital Finance
S116, S116A & 110A Social Security Administration Act 1992	Benefit fraud including investigations on behalf of the Department of Work and Pensions
Ss. 41 - 67 Local Government Finance Act 1988; Local Government Finance Act 1992 (with the exception of setting the Council Tax base save Ss.32 - 37); Social Security Administration Act 1992; ss.123 - 137 and 172 - 177 Social Security Contributions and Benefits Act 1992; Social Security Act 1998; Welfare Reform and Pensions Act 1999;	Council Tax, rating, Council Tax Benefit, Housing Benefit and Discretionary Rate Relief (DRR)
S110A Social Security Administration Act 1992 Benefit Fraud Matters.	Investigation & prosecution of fraud
S. 41 Local Government (Miscellaneous Provisions) Act 1976	Lost or uncollected property
S.116 Local Government Finance Act 1988	Investigation & prosecution of fraud

- a) Operate scheme for transfer of Council's mortgage debt to private sector.
- b) Authorise any person acting for the Council to enter any land, for any statutory purpose.

- c) Authorise applications renewals, reviews and cancellations under the Regulation of Investigatory Powers Act 2000 including surveillance likely to obtain confidential information.
- d) Assess and grant gratuities within the terms of and up to maxima approved by Policy decisions of the Council.
- e) Manage and invest the special and reserve funds and acquire and dispose of securities comprising such funds.
- f) Approve (but not refuse) loans for house purchase and improvement.
- g) Be the Council's Money Laundering Reporting Officer.
- h) Set the Council Tax base.
- i) Authorise proceedings for recovery of any sums due to the Council and possession of property held as security for same.
- j) Take any enforcement action, including any application to a court or tribunal, in respect of powers delegated to him/her or in respect of functions for which he/she is a proper officer, appointed officer or inspector.
- k) Make virements and write offs in excess of the Authority delegated to officers in consultation and agreement with the Leader.
- l) Carry out relevant research and surveys including incurring necessary expenditure in relation to such research and surveys as one appropriate to help facilitate the Council's functions.
- m) Write –off irrecoverable debts within financial limits laid down in the Council's Financial Procedure Rules.
- n) Grant (but not refuse) mandatory rate relief in line with the Council's policy.
- o) Deal with applications for discretionary rate relief in line with the Council's policy.
- p) Collect and enforce Council Tax.
- q) Coordinate the collection and provision of performance data and arrange for the publication of performance information and strategy reporting.
- r) To approve the business rates forecast as part of the budget setting process.
- s) In consultation with the Monitoring Officer, coordinate the formulation of the Corporate Plan and Corporate Plan Delivery Plan.

3E.7 Assistant Director - Planning

a. Exercise any power, take any enforcement or other action of the Local Authority under the following statutory provisions or pursuant to regulations made (now or in future) under them.

Statutory Provision – Assistant Director - Planning

Statutory Provision	Brief Description
Parts III, VII, VIII Town and Country Planning Act 1990	Planning enforcement and rights of entry
S.330 Town and Country Planning Act 1990	Notices requiring information
Town and Country Planning (General Development Procedure) Order 1995	Procedure for dealing with applications and appeals
S.70A Town and Country Planning Act 1990	Decline to determine planning application
Town and Country Planning (Environmental Impact Assessment)(England & Wales) Regs 1999	Various
Housing and Planning Act 2016	Various
S137 and 139 Town and Country Planning Act 1990	Respond to all Purchase Notices
S198, 201 and 203 Town and Country Planning Act 1990	Making of Tree Preservation Orders
Part VIII Anti-Social Behaviour Act 2003	High Hedges
Planning (Listed Buildings and Conservation Areas)Act 1990 and Planning (Hazardous Substances) Act 1990	Listed buildings and conservation areas and rights of entry

b. To process and make decisions on all planning applications as defined in Schedule 1 below except in any one of the following cases:

i. Where an Environmental Impact Assessment has been submitted with a planning application.

ii. Where five or more letters of objections have been received from neighbours, interested parties or statutory consultees within the 21 day consultation period, unless the objection does not, in the Assistant Director's opinion, relate to valid planning considerations (which are set out in the leaflet 'Having Your Say on Planning Applications' and in Schedule 2 below) or where the objections will be addressed by the decision of the officer either by the refusal of the application, or by attaching suitable conditions, or where amendments to the application overcome the objections.

iii. Where the application is recommended for refusal and the Assistant Director has informed the applicant and objectors of this, the ward Members will be given notice of this and allowed five working days in which they can request that the application be referred to Committee.

iv. Where five or more letters of support have been received from neighbours, interested parties or statutory consultees within the 21 day consultation period and the officer is minded to approve the application.

v. Where a Member requests and the Assistant Director agrees (having consulted the chair of the Planning Applications Committee that:

- i. in the case of a minor application in their ward; or
- ii. in the case of a major application, any 3 Councillors,

that application be dealt with by the Planning Applications Committee.

The request has to be made to the Assistant Director in writing or by e-mail within 28 days of the date of the relevant weekly list of planning applications (or 14 days in the case of a non-material amendment or proposals submitted to other authorities). In both cases above, sufficient and rational reasons need to be given for the call in to be determined by the Assistant Director, in consultation with the chair of Planning Application Committee.

vi. The Assistant Director considers the application or notified matter should be considered by the Planning Applications Committee.

vii. The terms of a legal agreement needs to be agreed other than where a contribution is in accordance with a tariff agreed in adopted Supplementary Planning Guidance.

viii. The proposal involves the Borough Council either as applicant or land owner, and the scheme is not of a minor nature, as defined in statistical returns to the Government.

ix. The applicant is a member or an employee of the Development Control or Building Control Section.

Schedule 1

1. Planning Permission
2. Approval of Reserved Matters
3. Minor Amendments to Approved Schemes
4. Consent to Display Advertisements
5. Listed Building Consent
6. Conservation Area Consent
7. Proposals Submitted to Other Local Authorities
8. Non-Material Amendments

Schedule 2

1. Developers/applicants' motives or morals
2. Loss of views over other people's land
3. Impact on property value
4. Impact on private rights and/or covenants
5. Boundary disputes or objections arising from disputes unrelated to the planning application.

- c. Determine applications for consent or approval required by any conditions attached to a planning permission (other than reserved matters) where indicated in the Schedule of Applications.
- d. To process and initiate enforcement procedures against breaches of planning control, and in the making of Tree Preservation Orders.
- e. Where (s)he feels urgent action is required, take any step pursuant to Town and Country Planning or related legislation.
- f. Where no adverse representations have been received, (i) confirm Tree Preservation Orders, and (ii) grant any consent necessary for works to trees.
- g. After consultation with Ward Members, determine applications for telecommunications masts which cannot be considered by Planning Applications Committee within 56 days of receipt.
- h. Negotiate terms of S106 TCPA90 obligations.
- i. Lodge representations to the Traffic Commissioner in respect of Goods Vehicles Operators' Licence applications.

3E.8 Assistant Director – Recreation & Culture

- a. Exercise any power of the Local Authority under the following statutory provisions or pursuant to regulations made (now or in future) under them.

Statutory Provision	Brief Description
Any reference in pre 1972 legislation to the medical officer of health or public health inspector, which, by virtue of the Local Government Act 1972, is to be construed as a Proper Officer	
Health and Safety at Work Act 1974	Duty to comply on leisure sites

- a. Manage the Council's parks and open spaces and horticultural services
- b. Manage allotments.
- c. Manage cemeteries.
- d. Subject to the agreement of the Highway Authority, enter into licenses to cultivate land under S.142 Highways Act 1980.
- e. Authorise the use of Council controlled water for one-off angling events for children's competition practice sessions.
- f. In consultation with the Assistant Director of Planning & Building Control, settle terms for agreements to acquire open space, amenity, play or recreation areas in new developments and negotiate S.106 agreements in connection with Parks & Leisure.
- g. Conclude agreements made pursuant to the Code of Practice for Members and officers on boards of voluntary organisations.
- h. Be a duty holder for the purposes of the Control of Asbestos Regulations 2012.
- i. Authority to take action relevant to their service under the Anti-social Behaviour, Crime and Policing Act 2014.
- j. In Consultation with the relevant Portfolio Holder, manage the arrangements in connection with the managements of the Council's Leisure Centres and the related activities undertaken by any contractor appointed.
- k. Enter into arrangements for the letting and/or use by organisations or individuals of leisure facilities provided by the Council, in accordance with the Policy of the Council.

- l. In consultation with the relevant Portfolio Holder amend Arts Grant criteria if appropriate.
- m. Manage the Museums in accordance with any associated Policies.
- n. Accept or reject potential gifts or bequests to the Museum and Art Gallery.
- o. Solicit gifts of historical or artistic material for the Collections within the terms of the Nuneaton Museum and Art Gallery Acquisition and Disposal Policy.
- p. Make recommendations and take all necessary action on the purchase of historical or artistic material and pictures, in accordance with the Council's financial and contract procedures.
- q. Accept items on loan for finite period for display or specific study.
- r. Manage the Civic Hall.
- s. Hold premises licences for Council property in connection with any functions assigned.
- t. Undertake all functions relating to amenity lighting.
- u. Undertake all functions relating to land drainage.
- v. Enter into arrangements for the letting and/or use by organisations or individuals of parks and open spaces provided by the Council, in accordance with the Policy of the Council.
- w. Exercise functions under any Agency agreement with Warwickshire County Council
- x. Enter into arrangements for the provision of entertainments, in accordance with the Policy of the Council.
- y. Deal with issues relating to Health Inequalities.
- z. Exercise any power of the Local Authority relating to environmental health under the following statutory provisions or pursuant to regulations or by-laws made (now or in future) under them:

3E.9 Assistant Director – Regeneration

Exercise any power of the Local Authority under the following statutory provisions or pursuant to regulations made (now or in future) under them.

Statutory Provision	Brief Description
Health & Safety at Work (etc.) Act 1974	Duty to comply with legislation on schemes

- a) Be duty holder for the purposes of the Control of Asbestos Regulations 2012
- a) Authority to undertake Land/Asset Disposal and Acquisitions on behalf of the Council, in consultation with the relevant Portfolio Holder.
- b) Exercise the Council's responsibilities in respect of Economic Development
- c) Conclude any land transactions required to complete the Camp Hill Urban Village Scheme.

3E.10 Assistant Director – Social Housing & Community Safety

- a) Proper officer, appointed officer or inspector in respect of the following statutory provisions or regulations made under them.

Statutory Provision	
The Prevention of Social Housing Fraud Act 2013	Investigation and Prosecution of housing fraud
The Prevention of Social Housing Fraud (Power to Require Information) Regs 2014	Investigation of housing fraud
The Anti-Social Behaviour, Crime and Policing Act 2014	Investigation and enforcement against anti-social behaviour and related powers
Homeless Reduction Act 2017	
Housing Acts 1985 and 1996	Management of Council owned property for rent
Ss.25 and 26 Local Government (Miscellaneous Provisions) Act 1976	Any steps concerning dangerous excavations
Highways Act 1980	Various District Council functions

- b) Exercise any power of a Local Authority relating to Housing services under the following statutes or regulations or byelaws made (now or in the future) under them:

- Anti-Social Behaviour Act 2003
- Anti-Social Behaviour, Crime and Policing Act 2014
- Building Act 1984
- Caravan Sites Act 1968
- Caravan Sites and Control of Development Act 1960
- Care Act 2014 (as delegated from WCC)
- Construction Design and Management Regulations 2015
- Crime and Disorder Act 1998
- Criminal Justice and Public Order Act 1994
- Energy Act 2011
- Enterprise and Reform Act 2013
- Land Compensation Act 1973
- Housing Acts 1985, 1988 1996 & 2004
- Housing & Regeneration Act 2008
- Housing (Consequential Provisions) Act 1985
- Housing Grants Construction and Regeneration Act 1996
- Housing and Planning Act 2016
- Infrastructure Act 2015

- Land compensation Act 1973
 - Landlord and Tenant Act 1985
 - Local Government and Housing Act 1989
 - Local Government (Miscellaneous Provisions) Acts 1976 & 1982
 - Home Safety Act 1961
 - Home Energy Conservation Act 1995
 - The Homeless Reduction Act 2017
 - Housing (Consequential Provisions) Act 1985
 - Landlord and Tenant Act 1985
 - Mobile Homes Act 1983
 - Mobile Homes Act 2013
 - National Assistance Act 1948
 - Police, Crime, Sentencing and Courts Act 2022
 - Prevention of Damage by Pests Act 1949
 - Prevention of Social Housing Fraud Act 2013
 - Protection From Eviction Act 1977
 - Regulatory Reform Act 2001

 - Water Industries Act 1991
 - Health and Safety at Work Act 1974
 - Equality Act
 - Regulatory Reform (Fire) Order 2005
 - Control of Asbestos regulations 2006.
- a) Take any enforcement action, including any application to a court or tribunal, in respect of powers delegated to him/her or in respect of functions for which he/she is a proper officer, appointed officer or inspector
 - b) Take all necessary action to implement the Council's Planned Maintenance and Major Improvement Programmes to all dwellings, shops and garages provided under the Housing Act powers.
 - c) Take all necessary action to implement the Council's reactive maintenance functions to all dwellings, shops, and garages provided under Housing Act powers.
 - d) Manage and facilitate the operation of the Nuneaton and Bedworth Safer Community Partnership and the development of the Crime and Disorder and Substance Misuse Plan.
 - e) Assess grants within the terms of and up to a maximum approved by the Policy decisions of the Council.
 - f) Manage Community Safety Schemes and take action in relation to Nuneaton and Bedworth's Crime and Disorder and Substance Misuse Plan, and the Council's powers under the Crime and Disorder Act 1998 (as amended).
 - g) Take all actions and make all decisions relating to the Council's functions in respect of Community Cohesion.
 - h) Take all appropriate action and to exercise all powers and duties in relation to Community Development in consultation with the Portfolio Holder.

- i) Consult with and respond to requests for consultation from Warwickshire Police and other organisations to act as a consultee in relation to applications for Criminal Behaviour Orders, Closure Orders, Dispersal Orders or other relevant specific items included in the ASB, Crime and Policing Act.
- j) Respond to requests for consultation from Warwickshire Police and other organisations to act as a consultee in relation to applications for Anti-Social Behaviour Orders.
- k) Consult with Warwickshire Police and other agencies in relation to applications for Anti-Social Behaviour Orders.
- l) Respond to requests for consultation under the Anti-social Behaviour Act 2003, including with reference to making Dispersal Orders under Section 30 of the Act.
- m) Take all actions and make all decisions not reserved to the Council relating to the Council's functions in respect of Consultation.
- n) Authority to take action relevant to their service under the Anti-social Behaviour, Crime and Policing Act 2014.
- o) Be duty holder for the purposes of the Control of Asbestos Regulations 2012.
- p) Exercise all management aspects regarding dwellings, shops and other accommodation and garages provided under Housing Act powers, and other dwellings owned or formerly owned by the Council save that eviction of any resident shall be made in consultation with the relevant Portfolio Holder.
- q) Arrange for the valuation of properties pursuant to the Right to Buy and the issuing of offers.
- r) Take all steps regarding the right to buy including anything to achieve the targets set by the Secretary of State.
- s) Settle the terms of nomination agreements with housing associations.
- t) Take relevant court action to deal with anti-social behaviour (having previously informed Ward Members).
- u) In consultation with the relevant Portfolio Holder, make temporary accommodation available to refugees or asylum seekers
- v) To authorise proceedings for possession of Council owned property and recovery of rent arrears under the Housing Act powers.
- w) Authority to take action on Closure Orders under the Anti-Social Behaviour, Crime and Policing Act 2014.

3E.11 Assistant Director – Strategic Housing

- a) Proper officer, appointed officer or inspector in respect of the following statutory provisions or regulations made under them.

Statutory Provision	
Housing Grants Construction and Regeneration Act 1996	Home Improvement Grants
Public Health (Control of Disease) Act 1984	Filthy & Verminous premises
Public Health Acts 1936 and 1961	Filthy & Verminous premises
Prevention of Damage by Pests Act 1949	Filthy & Verminous premises
Environmental Protection Act 1990	Statutory Nuisance
Housing Act 2004	Enforcement of fitness standards
Homeless Reduction Act 2017	
Ss.25 and 26 Local Government (Miscellaneous Provisions) Act 1976	Any steps concerning dangerous excavations
Highways Act 1980	Various District Council functions

- b) Exercise any power of a Local Authority relating to Housing services under the following statutes or regulations or byelaws made (now or in the future) under them:

- Anti-Social Behaviour Act 2003
- Anti-Social Behaviour, Crime and Policing Act 2014
- Building Act 1984
- Caravan Sites Act 1968
- Caravan Sites and Control of Development Act 1960
- Care Act 2014 (as delegated from WCC)
- Construction Design and Management Regulations 2015
- Crime and Disorder Act 1998
- Criminal Justice and Public Order Act 1994
- Energy Act 2011
- Enterprise and Reform Act 2013
- Land Compensation Act 1973

- Housing Acts 1985, 1988 1996 & 2004
- Housing & Regeneration Act 2008
- Housing (Consequential Provisions) Act 1985
- Housing Grants Construction and Regeneration Act 1996
- Housing and Planning Act 2016
- Infrastructure Act 2015
- Land compensation Act 1973
- Landlord and Tenant Act 1985
- Local Government and Housing Act 1989
- Local Government (Miscellaneous Provisions) Acts 1976 & 1982
- Home Safety Act 1961
- Home Energy Conservation Act 1995
- The Homeless Reduction Act 2017
- Housing (Consequential Provisions) Act 1985
- Landlord and Tenant Act 1985
- Mobile Homes Act 1983
- Mobile Homes Act 2013
- National Assistance Act 1948
- Police, Crime, Sentencing and Courts Act 2022
- Prevention of Damage by Pests Act 1949
- Prevention of Social Housing Fraud Act 2013
- Protection From Eviction Act 1977
- Regulatory Reform Act 2001

- Water Industries Act 1991
- Health and Safety at Work Act 1974
- Equality Act
- Regulatory Reform (Fire) Order 2005
- Control of Asbestos regulations 2006.

- a) Take any enforcement action, including any application to a court or tribunal, in respect of powers delegated to him/her or in respect of functions for which he/she is a proper officer, appointed officer or inspector
- b) Assess grants within the terms of and up to a maximum approved by the Policy decisions of the Council.
- c) Take all actions and make all decisions not reserved to the Council relating to the Council's functions in respect of Consultation.
- d) Settle the terms of nomination agreements with housing associations.
- e) In consultation with the relevant Portfolio Holder, make temporary accommodation available to refugees or asylum seekers
- f) Deal with functions relating to Home Environment Assessment and Response Team Partnership Agreement.

- g) Waive licence conditions regarding clear boundary space at mobile home sites subject to consultation with the Fire Officer.

3E.12 Head of Legal Services

- a) Act for any officer of the Council in proceedings before a court or a tribunal relating to the officer's role for the Council.
- b) Institute, defend or participate in any legal proceedings in any case where such action is necessary to give effect to a decision of the Council or in any case where he/she considers that such action is necessary to protect the Council's interests.
- c) Sign any document necessary to any legal procedure or proceedings on behalf of the Council, unless any enactment otherwise authorises or requires.
- d) Keep in safe custody the Common Seal of the Council, and affix and attest the Common Seal to those documents, which in his/her opinion should be sealed.
- e) Be the designated co-ordinator responsible for making the necessary arrangements for monitoring all authorisations signed on behalf of the Council pursuant to the Regulation of Investigatory Powers Act 2000.
- f) Take any enforcement action, including any application to a court or tribunal, in respect of powers delegated to him/her or in respect of functions for which he/she is a proper officer, appointed officer or inspector.
- g) Proper officer, appointed officer or inspector in respect of the following statutory provisions.

Statutory Provision	Brief Description
Solicitor to the Council and Clerk to the Benefit Review Boards	Solicitor to the Council and Clerk to the Benefit Review Boards
S.5 & 5A Local Government and Housing Act 1989	Monitoring Officer (w.e.f 1/7/23)
Ss. 52(2) Representation of the People Act 1983	Deputy Registration Officer

3E.13 The Proper Officer for Health

Exercise any power of the Local Authority under the following statutory provisions or pursuant to regulations made (now or in the future) under them.

<p>Public Health (Control of Diseases) Act 1984 and in any subordinate regulations or orders National Assistance Act 1948 as amended by the National Assistance (Amendment) Act 1951, S.47</p>	<p>Consultant for Communicable Disease Control for Nuneaton and Bedworth as designated by the Public Health England West Midlands (East) Health Protection Unit or by any successor agency and any equivalently medically deputising officer, also as designated by the Public Health England West Midlands (East) Health Protection Unit or by any successor agency</p>
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3C RESPONSIBILITY FOR EXECUTIVE FUNCTIONS

a) **List of Functions Not to be the Sole Responsibility of the Executive**

Statutory Provision	Item	Part for Cabinet	Part for Full Council
S.1(2) of the Public Libraries and Museums Act 1964	Annual Library Plan	N/A	N/A
S.6(1) of the Local Government Act 1999	Best Value Performance Plan	Formulate and produce the Plan (see Reg 4 of S.I.2000/2853 as amended)	Approve the final version (see Reg 4 of S.I.2000/2853 as amended)
Children and Young People's Plan (England) Regs 2005	Children and Young People's Plan	N/A	N/A
S 5 and 6 Crime and Disorder Act 1998	Crime and Disorder Reduction Strategy	Formulate and produce the Plan (see Reg 4 of S.I.2000/2853 as amended)	Approve the final version (see Reg 4 of S.I.2000/2853 as amended)

Statutory Provision	Item	Part for Cabinet	Part for Full Council
S.15 of the Planning & Compulsory Purchase Act 2004	Development Plan documents	Formulate and produce the documents	The giving of instructions to Cabinet to reconsider any draft document, the approval of draft documents for consultation or examination and the adoption of the documents
S. 349 of the Gambling Act 2005	Licensing Authority Policy Statement	Formulate and produce the Policy	Adoption of the Policy Statement
S.108(3) of the Transport Act 2000	Local Transport Plan	N/A	N/A
S.54 Town and Country Planning Act 1990	Plans and alterations which together comprise the Development Plan	Formulate and produce the Plan (see Reg 4 of S.I.2000/2853 as amended)	Approve final version (see Reg 4 of S.I.2000/2853 as amended)
S.40 of the Crime and Disorder Act 1998	Youth Justice Plan	N/A	N/A

Statutory Provision	Item	Part for Cabinet	Part for Full Council
S.135 Leasehold Reform Act 1993 and ss.32 and 43 Housing Act 1985	Disposal of housing land and buildings	All except that reserved to Full Council	Authorising making the application (see Reg 4 of S.I.2000/2853 as amended)
Ss. 32-37, 43-49, 52I, 52J, 52T, 52U and Chapter IV of Part I of the Local Government Finance Act 1992	Making a calculation or issuing a precept leading to setting of Council Tax	Prepare submission of estimates or revised estimates	All other steps (see Reg 4 of S.I.2000/2853 as amended)
S.70 Deregulation and Contracting Out Act 1994	Authorising a person to exercise a function, or revoking that authorisation	To the extent that the function is an Executive function	In all other cases (see Reg 4 of S.I.2000/2853 as amended)
	Council's Corporate Plan	Produce version for adoption	Adoption of the Plan
	Local Agenda 21 Strategy	Produce version for adoption	Adoption of the Plan

a) Cabinet Member Delegation

A Cabinet Member may authorise the Head of Paid Service or Director, to take any action concerning matters within his/her portfolio, in accordance with policies and strategies set by the Cabinet and Full Council, unless any legal rule requires otherwise.

b) Cabinet Delegation

The Cabinet collectively may authorise any Cabinet Member, the Head of Paid Service, Director or other Officer to whom delegation has been made in the Council's Scheme of Delegation, unless any legal rule requires otherwise (see Cabinet procedural rule 4D.1.3(b))

c) Delegation of Decisions to Single Members

- i. A Single Member may take any decision which:
 1. is required to implement a Policy that is part of the framework, provided the decision is:
 - within budget, and does not amend either the Policy framework or the budget
 - wholly within the remit of the Service Development Plans (SDPs) or services for which the Member is responsible; and
 - not a key decision.
 - i. is to adopt a new Policy or procedure to deliver the SDPs or services for which the Member is responsible, provided that the decision:
 - does not amend or alter any Policy that is part of the Policy framework (without the prior approval of Council); and
 - does not amend or alter the budget, nor requires the budget to be amended; and
 - falls entirely within his/her portfolio.
 - ii. Where a decision is to adopt a new Policy or procedure to deliver the SDPs or services for which the Member is responsible AND it does not fall entirely within his/her portfolio then the decision must be taken jointly with the other portfolio holder(s) affected.
 - iii. The procedure for Individual Cabinet Member Decisions is set out in Part 5F of this Constitution