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Date: 17<sup>th</sup> May 2021

# Annual Council 19<sup>th</sup> May 2021 - Addendums

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**NUNEATON AND BEDWORTH BOROUGH COUNCIL**

**COUNCIL**

**21<sup>st</sup> April 2021**

The meeting of the Nuneaton and Bedworth Borough Council was held on Monday, 21<sup>st</sup> April 2021. Due to government guidance during the COVID-19 pandemic this meeting was held virtually at various remote locations and live streamed.

**Present**

The Mayor (Councillor J. Tandy)  
The Deputy Mayor (Councillor W.J. Hancox)

Councillors J.B Beaumont, D. Brown, S. Croft, G. Daffern, S. Doughty, P.M. Elliott, K. Evans, D. Gissane, J. Glass, C. Golby, S. Gran, J. Gutteridge, L. Hocking, J.A. Jackson, K.A. Kondakor, A. Llewellyn-Nash, I.K. Lloyd, B. Longden, B. Pandher, N.J.P. Phillips, G.D. Pomfrett, M. Rudkin, A. Sargeant, J. Sargeant, J. Sheppard, T. Sheppard, R. Smith, R. Tromans, H. Walmsley, C. Watkins and K.D. Wilson.

CL41 **Minutes**

**RESOLVED** that the minutes of the meeting held on 15th February 2021, be deferred until the following amendments have been made:

- a) CL34 – Public Participation, under the statement proposed by Karl Mayer, which was missed off the minutes, and is as follows; Councillor Jackson replied to his statement, “We have undertaken a wide range of consultations with our residents and businesses in relation to the Borough Plan and taken account appropriately of the feedback received. Thank you”.
- b) CL39 a) Housing Revenue Account Budget and Capital Programme 2021/22, Councillor K. Wilson proposed an amendment to this item, which was seconded by Councillor S. Croft, and a recorded vote taken.

CL42 **Declarations of Interests**

**RESOLVED** that the Declarations of Interests for this meeting are as set out in the schedule attached to these minutes, with the following amendments:

- a) Councillor C. Golby asked for the removal of her published interest of employment as it was no longer valid;
- b) Councillor J. Sargeant asked for the removal of her published interest of being on the Board of Directors – Volunteer Friends, Bulkington, as she was no longer on this Board.

**CL43 Announcements**

A minute's silence in memory of His Royal Highness, The Duke of Edinburgh was observed at the start of the meeting. The Mayor noted that a letter of condolence had been sent to Her Majesty, the Queen, on behalf of Nuneaton and Bedworth Borough Council. Councillor Jackson, Councillor Wilson, Councillor A. Sargeant and Councillor K. Kondakor, all said a few words to reflect on his life and pay their respects on this sad loss.

The Leader of the Council, Councillor Jackson, wished to thank and pay tribute to all the members that will not be seeking re-election in May. These members are:

- Councillor J. Glass, first elected in 1984;
- Councillor G. Pomfrett, first elected in 2012;
- Councillor J. Beaumont, first elected in 2012;
- Councillor S. Doughty, first elected in 2012;
- Councillor B. Longden, first elected in 2012;
- Councillor D. Gissane, first elected in 2016;
- Councillor G. Daffern, first elected in 2016;
- Councillor K. Brindley-Edwards, first elected in 2016;
- Councillor S. Gran, first elected in 2016.

**CL44 Public Participation**

**Question/Statement 1**

**Sam Margrave asked the following question of Councillor J. Jackson, Leader of the Council:**

“At the last Council election, the Labour Group promised not to charge for green bins and then almost immediately after voters had gone to the polls, slapped a £40 charge on residents for green bin collections. Council elections are really important as we choose who will best represent us as residents and give a voice to our local community at the town hall. How will the Council build trust in what candidates promise and stop any impact on voter to turn due to apathy when there is an expectation like in 2018, that some candidates will fail to keep clear promises to local people?”

**Councillor Jackson responded as follows:**

“Thank you, Mr Margrave, for your question.

As you are aware since 2010 under Conservative Prime Ministers Councils up and down the Country have been subject to major cuts in Revenue Support Grant and the general austerity that has been inflicted upon us.

Many Councils have faced making very difficult decisions and Nuneaton and Bedworth has not been immune to this.

It is also worth noting that Conservatives at this Council have not sought to eradicate this charge in their latest budget proposals. Indeed, other

Conservative controlled Councils have introduced charges in regard to garden waste.

Labour will continue to secure the best possible services for residents while setting prudent budgets.”

### **Question /Statement 2**

**Michele Kondakor asked the following question of Councillor J. Beaumont, Portfolio Holder of Planning and Development and Health:**

“Residents on some of the developments off The Long Shoot are having serious issues with rubbish etc. being dumped in the ‘no-man’s land’ between the two fences that separate the various developments, for example between Davidson’s Heritage View and Bellway’s Royal Park developments. It seems that no-one is taking responsibility for what will be an on-going situation. Why is the Council not helping residents when they have allowed this ridiculous situation to arise and will the Council ensure that no future applications are allowed to leave unmanaged ‘gaps’ between boundaries?”

**Councillor Beaumont responded as follows:**

“With respect to the permitted schemes referenced in the question it is acknowledged that there is some land in between the two schemes which is being described as no mans land. When determining a planning application, the Local Planning Authority has to determine the application within a boundary that is submitted by the applicant. This boundary can often overlap with different land owners, but is effectively ‘absent’ from the legalities of ownership. There is nothing to compel the applicants to deal with the piece of land being referred to in the question. Therefore, when the authority received and determined these applications they could only reasonably consider the application boundary that was submitted. When considering the application, the council had to consider whether the application was acceptable in planning terms, which in both of these instances the applications were deemed acceptable subject to planning conditions and contributions.

While this has resulted in the referenced no man’s land there is nothing that we as the planning authority can do to prevent this. Investigations reveal that this land is in separate private ownership and it is the responsibility of the landowner to deal with accumulations on their land.”

### **Question/Statement 3**

**Karl Mayer asked the following question of Councillor J. Jackson, Leader of the Council:**

“Given the local elections are a couple of weeks away, could the leader of the council tell the residents of Bedworth Town the three things that you are most

proud of, that have started and finished in the Town since you became leader of NBBC between May 2018 until Today 21st April 2021?"

**Councillor Jackson answered as follows:**

"Thank you for your question Mr Mayer.

One of the pleas I received over many years and particularly from Cllr Bill Hancox was that we provide temporary accommodation within Bedworth for people who sadly find themselves homeless. Homelessness is awful on so many levels but having been able to provide such high quality accommodation at Spitalfields House is something I really welcome. It means that getting children to school is easier, having access to wider family support is less difficult and a central Bedworth location makes many other activities easier too.

We have built on our new Council Housing programme and completed an innovative modular housing development at Pine Tree Close in Bedworth, now called Centennial Close with 6 new 2-bedroom homes and 4 1 Bed apartments. Lots of people are waiting either for their first house or indeed need to move because they are overcrowded. It is really fabulous to see real, new provision and this programme will continue giving more people the family homes they need. I should of course say that while investing in new Council houses, we are also continuing to invest in our existing stock and many having major improvements going on each and every year. In Bedworth, since May 2018, 81 new kitchens, 56 new bathrooms and 272 new heating systems.

We have set aside £100,000 to pump prime the transformation of Bedworth Town Centre and have approached Tory Controlled Warwickshire County Council to do the same. We are committed to take up opportunities for grant funding for Bedworth Town Centre and beyond.

We have undertaken works at Bedworth Market including a deep clean and the installation of new units.

We have been awarded £154,000 from the British Cycling Places to Ride scheme for improved facilities at the Miners Welfare Park and let us not forget we have managed to progress Bedworth Leisure Centre to RIBA stage 3 well on the way to giving us new and improved facilities that we can all enjoy.

As we all know this pandemic has impacted us all. The Civic Hall is currently not able to be used as an entertainment venue and so I was delighted to approve its use as a mass vaccination centre for use by the NHS.

Free parking at the weekends is currently in place as well as after 3pm in the week. Reduced market rents helping market traders in this difficult period of recovery.

I could go on. You asked for three things I was most proud of, but clearly Bedworth and its future success is not bound by only 3 things. We need to look at a variety of measures that will see Nuneaton's sister town thrive for

years to come. The ambitious strategies in place around our parks and open spaces, alongside town centre regeneration and more localised high quality services will ensure our children and successive generations will continue to be proud to call Bedworth their home.”

#### **Question/Statement 4**

##### **Lubs Cvetkovic asked the following question to Councillor Jackson:**

“At the Full Council meeting dated Wednesday 16th September 2020, I asked the Leader of the Council why £5,000 allocated by the ruling Labour group in their Budget for VE Day 75 celebrations had not been spent and suggested alternative uses for this money supporting veterans charities (both the question and reply can be seen in appendix A taken from the minutes of that meeting).

The Leader of the Council assured me the money would be made available in the 2021 budget, however this money has not been made available in the current budget. Can the Leader of the Council explain if this is down to poor budgetary planning, that she has been unable to live up to her promise, or if she has deliberately misled myself, the public at large and to her fellow Councillors?”

##### **Councillor Jackson answered as follows:**

“Thank you for your question Mr Cvetkovic. The budget is available in the current financial year and we will consider how best to use it as we progress through the roadmap for easing Covid restrictions”.

#### **Question/Statement 5**

##### **Brian Walmsley asked the following question to Councillor Jackson:**

“Is it correct that Nuneaton and Bedworth Borough Council are the only national council to have received 100% of funding applied for, with respect to plans for the Nuneaton Town Deal, and will hopefully gain 100% of funding applications for any Bedworth plans, can the leader of the Council please confirm the situation?”

##### **Councillor Jackson answered as follows:**

“Thank you, Mr Walmsley, for your question.

101 Towns were invited to submit a Town Investment Plan. 52 Town Deals have been announced to date and Nuneaton and Bedworth Borough Council are 1 of only 6 Councils from the Town Deals announced thus far, that have received 100% of funding, some £23m, of course this is in addition to the £1m advance to convert unused retail space to small start up business units and the £13m that we received from the Future High Streets Fund.

Whilst the Borough Council is not in a position to state the percentage level of any funding it will receive, every effort will be made to maximise the level of funding it may receive for Bedworth as was the case for Nuneaton. We will continue to aim high for both our towns and build on the success as we move forward.”

#### CL45 **Special Urgency Decisions**

The following decisions have been taken under Special Urgency arrangements since the last Council meeting:

**a) Special Measures for Businesses**

To provide Cabinet with a report as in response to Covid-19, the Council was required to administer a number of business support grants. The Council has received a total of £3.7m of Additional Restrictions Support Grant (ARG) which can be used for wider business support measures as well as direct business grants.

**b) Housing Revenue Account – Void Cleaning and Clearance Service for Reactive Repairs**

That Council enters into a Teckal agreement with NABCEL for the provision of void clearance and cleaning services for reactive repairs, due to the external provider contract ending.

**c) Nuneaton Town Hall**

That Cabinet grant delegated authority to the Executive Directors to sign the Town Deal Heads of Terms, in order to progress to the second stage of the process of being shortlisted to apply for funding as Nuneaton is one of the 101 nominated towns.

**d) WCC Health and Wellbeing Strategy**

To provide Cabinet with an update of the Warwickshire County Councils Final Draft of the Health and Wellbeing Strategy for adoption. It sets out the ambitions and approach to ensure support is effective and available where it is most needed, using the findings from the Joint Needs Assessment (JSNA).

**RESOLVED** that the Special Urgency Decisions taken under delegated officer authority:

- a) by the Director – Regeneration & Housing on 10<sup>th</sup> March;
- b) by the Executive Director – Operations on 10<sup>th</sup> March;
- c) by the Director – Regeneration & Housing on 10<sup>th</sup> March;
- d) by the Director – Leisure, Recreation and Health on 14<sup>th</sup> April;

As detailed in the agenda, be noted.

#### CL46 **Cabinet**

The Leader of the Council submitted her report on behalf of Cabinet. The report highlighted matters considered at the Cabinet meetings held on the 10<sup>th</sup>



February, 10<sup>th</sup> March and 14<sup>th</sup> April 2021 and also details of reports from the West Midlands Combined Authority Board, which had a direct impact on NBBC, namely the Board meeting of 19<sup>th</sup> March 2021.

Several questions were raised to which the Leader of the Council, or the appropriate Portfolio Holder, gave a response.

**RESOLVED** that:

- a) the report be noted.

**CL47 Committee Timetables 2021-22 and 2022-23**

A report by the Director of Democracy, Planning & Public Protection to approve the timetables of meetings, for Council, Cabinet, Committees and Overview and Scrutiny Panels for 2021/22 and 2022/23. Councillor Jackson moved this motion and Councillor Beaumont seconded it that this report is accepted, as it had been given lots of consideration.

Councillor Evans moved the following amendment which was seconded by Councillor Walmsley:

“That every meeting, with the exception of Planning Applications, is moved to 6 p.m.”

A recorded vote was taken on Councillor Evans’s amendment as follows:

FOR: Councillors: D. Brown, S. Croft, K. Evans, D. Gissane, C. Golby, S. Gran, J. Gutteridge, A. Llewellyn-Nash, B. Pandher, R. Smith, R. Tromans, H. Walmsley, K. Wilson

AGAINST: Councillors: J. Beaumont, G. Daffern, S. Doughty, P. Elliott, J. Glass, W. Hancox, L. Hocking, J. Jackson, K. Kondakor, I. Lloyd, B. Longden, N. Phillips, G. Pomfrett, M. Rudkin, A. Sargeant, J. Sargeant, J. Sheppard, T. Sheppard, J. Tandy, C. Watkins

The amendment was lost.

A recorded vote was taken on the substantive motion proposed by Councillor J. Jackson , to accept the timetable as it currently stands, as follows:

FOR: Councillors: J. Beaumont, G. Daffern, S. Doughty, P. Elliott, J. Glass, W. Hancox, L. Hocking, J. Jackson, I. Lloyd, B. Longden, N. Phillips, G. Pomfrett, M. Rudkin, A. Sargeant, J. Sargeant, J. Sheppard, T. Sheppard, J. Tandy, C. Watkins

AGAINST: Councillors: D. Brown, S. Croft, K. Evans, D. Gissane, C. Golby, S. Gran, J. Gutteridge, K. Kondakor, A. Llewellyn-Nash, B. Pandher, R. Smith, R. Tromans, H. Walmsley, K. Wilson

The substantive motion was carried.

Councillor Walmsley had his microphone switched off during the debate on this matter. He asked for this allegation and matter to be referred to the Audit and Standards Committee for a full investigation and Councillor Evans seconded this motion.

A recorded vote was taken on Councillor Walmsley's recommendation as follows:

FOR: Councillors: D. Brown, S. Croft, K. Evans, D. Gissane, C. Golby, S. Gran, J. Gutteridge, K. Kondakor, A. Llewellyn-Nash, B. Pandher, A. Sargeant, J. Sargeant, R. Smith, R. Tromans, H. Walmsley, K. Wilson

AGAINST: Councillors: J. Beaumont, G. Daffern, S. Doughty, P. Elliott, J. Glass, W. Hancox, L. Hocking, J. Jackson, I. Lloyd, B. Longden, N. Phillips, G. Pomfrett, M. Rudkin, J. Sheppard, T. Sheppard, J. Tandy, C. Watkins

The amendment was lost.

**RESOLVED** that the report was noted with the following amendments:

- a) The Audit and Standards meeting scheduled for 7<sup>th</sup> September 2021 is moved 28<sup>th</sup> September, in order to fit in with the timetable for external audit;
- b) The Planning Applications meeting scheduled for 31<sup>st</sup> August 2021, is moved to 7<sup>th</sup> September, to separate it from the Bank Holiday;
- c) Licensing on 7<sup>th</sup> July included a location and time;
- d) Local Plan Committee on 17<sup>th</sup> November included a location and time.

#### CL48 **Annual Report of Overview and Scrutiny Panels**

The Council gave consideration to the work of the Overview and Scrutiny Panels during this municipal year. Thanks was given to everyone who worked on the panels and to the public for their participation.

Councillor Jackson moved the motion for the report to be noted and Councillor Pomfrett seconded the motion.

A recorded vote was taken as follows:

FOR: Councillors: J. Beaumont, G. Daffern, S. Doughty, P.

Elliott, J. Glass, W. Hancox, L. Hocking, J. Jackson, K. Kondakor, I. Lloyd, B. Longden, N. Phillips, G. Pomfrett, M. Rudkin, J. Sheppard, T. Sheppard, J. Tandy, C. Watkins

AGAINST: Councillors: D. Brown, S. Croft, K. Evans, D. Gissane, C. Golby, S. Gran, J. Gutteridge, A. Llewellyn-Nash, B. Pandher, A. Sargeant, J. Sargeant, R. Smith, R. Tromans, H. Walmsley, K. Wilson

The motion was carried.

**RESOLVED:** that the report be noted.

#### CL49 **Recommendations from Cabinet and Other Committees**

##### **a) Amendments to Cabinet Procedure Rules**

The Council gave consideration to this report, which recommended changes to Cabinet Procedure Rules to allow an opposition spokesperson to attend and speak at Cabinet meetings as an observer.

Councillor Jackson moved the motion to accept this report and Councillor Beaumont seconded this motion.

Councillor Kondakor asked that an amendment was made to this report, that all opposition leaders from all the parties be invited and allowed to speak at Cabinet meetings. Councillor A. Sargeant seconded this and a recorded vote was taken:

FOR: Councillors: D. Gissane, K. Kondakor, A. Sargeant, J. Sargeant

AGAINST: Councillors: J. Beaumont, D. Brown, S. Croft, G. Daffern S. Doughty, P. Elliott, K. Evans, J. Glass, C. Golby, S. Gran, J. Gutteridge, W. Hancox, L. Hocking, J. Jackson, A. Llewellyn-Nash, I. Lloyd, B. Longden, B. Pandher, N. Phillips G. Pomfrett, M. Rudkin, J. Sheppard, T. Sheppard, R. Smith, J. Tandy, R. Tromans, H. Walmsley, C. Watkins, K. Wilson

The motion was lost.

A vote was taken on the substantive motion:

FOR: Councillors: J. Beaumont, D. Brown, S. Croft, G. Daffern S. Doughty, P. Elliott, K. Evans, D. Gissane, J. Glass, C. Golby, S. Gran, J. Gutteridge, W. Hancox, L. Hocking, J.

Jackson, A. Llewellyn-Nash, I. Lloyd, B. Longden, B. Pandher, N. Phillips  
G. Pomfrett, M. Rudkin, J. Sheppard, T. Sheppard, R. Smith, J. Tandy, R. Tromans, H. Walmsley, C. Watkins, K. Wilson

AGAINST Councillors: K. Kondakor, A. Sargeant, J. Sargeant

The motion was carried.

**b) Audit and Standards Committee**

**i) Revised Gifts & Hospitality Policy and Protocol for Member/Employee Relations**

The committee approved this policy and an updated version of the Protocol for Member/Employee Relations. It was recommended that the Constitution be amended accordingly. Madam Mayor moved this motion and Councillor Beaumont seconded this. The proposal was accepted with no dissent. This motion did not go to a vote; it was just agreed.

**ii) Social Media Guidance and the Media Protocol**

The committee approved this policy and recommended that the Constitution be amended accordingly. Madam Mayor moved this motion and Councillor Beaumont seconded this. The proposal was accepted with no dissent. This motion did not go to a vote; it was just agreed.

**RESOLVED** that the Constitution be amended accordingly.

Councillor Hancox moved an extension that Standing Orders be suspended until the completion of business, which was seconded by Councillor Lloyd.

Councillor Tromans made an amendment to that proposal, that there was an extension to 10 p.m. to complete business, seconded by Councillor Evans

A recorded vote was taken on the amendment as follows:

FOR: Councillors: D. Brown, S. Croft, K. Evans, D. Gissane  
C.Golby, S. Gran, J. Gutteridge, A. Llewellyn-Nash, B. Pandher, R. Smith, R. Tromans, H. Walmsley, K. Wilson

AGAINST: Councillors: J. Beaumont, G. Daffern, S. Doughty, P. Elliott, J. Glass, W. Hancox, L. Hocking, J. Jackson, K. Kondakor, I. Lloyd, B. Longden, N. Phillips, G. Pomfrett, M. Rudkin, A. Sargeant, J. Sargeant, J. Sheppard, T. Sheppard, J. Tandy, C. Watkins

The amendment was lost.

The meeting having lasted for three hours stood adjourned and the remaining items will be considered at the next ordinary meeting.

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Mayor

## Council - Schedule of Declarations of Interests – 2020/2021

	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"> <li>- Housing matters</li> <li>- Statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992</li> <li>- An allowance, payment given to members</li> <li>- An indemnity given to members</li> <li>- Any ceremonial honour given to members</li> <li>- Setting council tax or a precept under the Local Government Finance Act 1992</li> <li>- Planning and Licensing matters</li> <li>- Allotments</li> <li>- Local Enterprise Partnership</li> </ul>
	J. Beaumont		Board member of Bulkington Community Library CIC in addition to an unpaid Manager of the library.  Representative on the following Outside Bodies: <ul style="list-style-type: none"> <li>• Nuneaton and Bedworth Older People's Forum</li> </ul>	
	K. Brindley-Edwards	Teacher and Head of 6 <sup>th</sup> Form at Beauchamp College	Representative on the following Outside Body: <ul style="list-style-type: none"> <li>• King Edward VI College Foundation - Trustee</li> </ul>	
	D. Brown	Employed by H.M Land Registry	Regional Coordinator, Ragdoll Rescue Charity	
	S. Croft	Employed at Holland & Barrett Retail Ltd	Treasurer of the Conservative Association	
	G. Daffern	Teacher at Finham Park 2	Member of NEU Staff Governor – Finham Park 2, Local Governing Body.	
	S. Doughty	Cherville Limited	Unite the Union	
	P. Elliott	Employee of CW Mind's Autism Support Service	Governor at Stockingford Nursery  Representative on the following Outside Bodies: <ul style="list-style-type: none"> <li>• Friendship Project for Children</li> </ul>	
	K. Evans	Employed by UK Parliament	Executive Officer at the North Warwickshire & Bedworth Conservative Association Association Representative of	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			Warwickshire Conservative Area Association	
	J. Glass	None	None	
	D. Gissane	Self employed trading as Huxo Creative	Member of Warwickshire County Council	
	S. Gran		Member of Warwickshire County Council	
	J. Gutteridge		Representative on the following Outside Bodies: <ul style="list-style-type: none"> <li>Age UK (Warwickshire Branch)</li> </ul>	To speak and vote on any matters involving the Borough Plan related to land at Leyland Road Bulkington
	W.J. Hancox		Daughter holds employment position within NBBC  Unite the Union  Representative on the following Outside Bodies: <ul style="list-style-type: none"> <li>Building Control Partnership Steering Group</li> <li>Hammersley Smith &amp; Orton Charity</li> </ul>	
	L. Hocking	Employed by Openreach	Member of: <ul style="list-style-type: none"> <li>Unite the Union</li> <li>Communication Workers Union</li> </ul> Representative on the following Outside Bodies: <ul style="list-style-type: none"> <li>Committee of Management of Hartshill and Nuneaton Recreation Ground</li> </ul>	
	J.A. Jackson	Any matter relating to the employment policies and procedures of Nuneaton & Bedworth Borough Council or any matter relating to the contractual arrangements with Sport & Leisure Management Ltd.	Unite the Union  <ul style="list-style-type: none"> <li>Non Executive Director with Nuneaton and Bedworth Community Enterprises Limited</li> <li>Director Coventry &amp; Warwickshire Local Enterprise Partnership</li> </ul> Representative on the following Outside Bodies: <ul style="list-style-type: none"> <li>Coventry, Warwickshire &amp; Hinckley and Bosworth Joint Committee</li> <li>District Leaders</li> <li>Local Government Association</li> <li>Local Enterprise Partnership</li> <li>West Midlands Combined Authority</li> </ul>	Dispensation to speak and vote on matters that do not relate specifically to her husband's contract of employment.  Dispensation to speak and vote

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			<ul style="list-style-type: none"> <li>Member Liaison of both Transforming Nuneaton and Transforming Bedworth</li> </ul>	
	K.A. Kondakor		Member of Warwickshire County Council  100PERCENTRENEWABLEUK LTD	
	A. Llewellyn-Nash	Employee of BMI Healthcare	Treasurer of Exhall Multi-cultural Group  Governor at Newdigate Primary and Nursery School, Bedworth	
	I. Lloyd		Non Executive Director with Nuneaton and Bedworth Community Enterprises Limited.	Dispensation to speak and vote
			Representative on the following Outside Bodies: <ul style="list-style-type: none"> <li>Nuneaton &amp; Bedworth Sports Forum</li> <li>Camp Hill Urban Village and Pride in Camp Hill</li> <li>Poor's Piece Charity</li> <li>Committee of Management of Hartshill &amp; Nuneaton Recreation Group</li> <li>Towns Board</li> </ul>	
	B.J. Longden		Daughter and son-in-law work in the NHS	
			Member of the Stockingford Community Centre	
			Ex-Officiate of the Veterans Contact Point Board	
			Representative on the following Outside Bodies: <ul style="list-style-type: none"> <li>George Eliot Hospital NHS Trust – Public/User Board</li> <li>George Eliot Hospital NHS Foundation Trust Governors</li> <li>Armed Forces Covenant Meeting</li> <li>Astley Charity</li> </ul>	
	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;	



	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			Trustee of Sikh Monument Trust Vice Chair Exhall Multicultural Group	
	G.D. Pomfrett	None	None	
	N. Phillips	Employee of DWP	Member of: <ul style="list-style-type: none"> <li>• Nuneaton Labour CLP</li> <li>• The Fabian Society</li> <li>• The George Eliot Society</li> <li>• The PCS Union</li> <li>• Central Credit Union</li> <li>• Stockingford Sports and Allotment Club</li> <li>• Haunchwood Sports and Social Club</li> </ul>	
	M. Rudkin	Employee of Coventry City Council	Unite the Union Representative on the following Outside Bodies: <ul style="list-style-type: none"> <li>• Bedworth Neighbourhood Watch Committee</li> </ul>	
	A. Sargeant		Member of Warwickshire County Council Chairman of The Nook (Nuneaton) Residents Association. Chair of Attleborough Community Matters group. Chair of Attleborough Neighbourhood Watch Volunteer at Volunteer Friends Bulkington. Member of Nuneaton Carnival Committee Representative on the following Outside Bodies: <ul style="list-style-type: none"> <li>• Advice Rights</li> </ul>	
	J. Sargeant	Head of Retail – Life Charity		
	J. Sheppard		Partnership member of the Hill Top and Caldwell Big Local. Director of Wembrook Community Centre. Member of the Management Committee at the Mental Health Drop in. Champion for Safeguarding (Children & Adults)	Dispensation to speak and vote on any matters of Borough Plan that relate to the Directorship of Wembrook Community Centre

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			Representative on the following Outside Bodies: <ul style="list-style-type: none"> <li>• Local Government Superannuation Scheme Consultative Board</li> <li>• Warwickshire Direct Partnership</li> <li>• Warwickshire Waste Partnership</li> <li>• West Midland Employers</li> <li>• Nuneaton Neighbour Watch Committee</li> </ul>	
	T. Sheppard	Employee of Dairy Crest	Representative on the following Outside Bodies: <ul style="list-style-type: none"> <li>• Warwickshire Adult Social Care and Health Overview and Scrutiny Panel</li> </ul>	
	R. Smith		Chairman of Volunteer Friends, Bulkington; Board member of Bulkington Village Community and Conference Centre Trustee of Bulkington Sports and Social Club	
	J.A. Tandy		Partnership member of the Hill Top and Caldwell Big Local. Member of Unite the union.  Representative on the following Outside Bodies: <ul style="list-style-type: none"> <li>• Nuneaton Festival of Arts</li> <li>• Warwickshire Race Equality Partnership</li> <li>• Warwickshire Race Equality Partnership</li> <li>• West Midlands Combined Authority Audit Group</li> </ul>	
	R. Tromans	Director of RTC Ltd		
	H. Walmsley	Chief of Staff to Julian Knight MP	Chartered Institute of Public Relations	Dispensation to speak and vote
	C.M. Watkins	Landlord of a privately rented property	Representative on the following outside bodies: <ul style="list-style-type: none"> <li>• Nuneaton and Bedworth Home Improvement Agency.</li> <li>• Nuneaton and Bedworth Safer and Stronger Communities Partnership.</li> <li>• Safer Warwickshire Partnership Board.</li> <li>• Warwickshire Housing Support Partnership.</li> <li>• Warwickshire Police and Crime Panel.</li> </ul>	

	<b>Name of Councillor</b>	<b>Disclosable Pecuniary Interest</b>	<b>Other Personal Interest</b>	<b>Dispensation</b>
	K.D. Wilson	Employee of the Courts Service	Non Executive Director with Nuneaton and Bedworth Community Enterprises Limited	

NUNEATON AND BEDWORTH BOROUGH COUNCIL

Report to: Council – 19<sup>th</sup> May 2021

From: Director – Democracy, Planning & Public Protection

Subject: Changes to the arrangements for Overview & Scrutiny Panels; Executive Arrangements; Council Procedure Rules; and Members' Allowances.

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1. Purpose of Report

1.1 To recommend changes to the Constitution at the start of the new municipal year.

2. Recommendation

2.1 The proposed changes to the Overview & Scrutiny Arrangements in Article 6 and Part 4E of the Constitution as shown in Appendix A be approved and the Constitution be amended accordingly;

2.2 The proposed changes by the incoming Leader of the Council to the Executive Arrangements in Article 7 of the Constitution as Shown in Appendix B and the amendments to the Cabinet Procedure Rules in Appendix D be noted and the Constitution be amended accordingly;

2.3 The Council Procedure Rules as shown in in Appendix C be approved and the Constitution be amended accordingly; and

2.4 The proposed Special Responsibilities Allowances at Appendix E be approved, subject to further consideration of the Independent Remuneration Panel's report at the July meeting of this Council;

2.5 Delegated authority be given to the Executive Director (Resources) to realign the Council's budget in accordance with the revised Executive arrangements in Appendix B, in consultation with the Leader of the Council and the portfolio-holder for Finance & Corporate; and

2.6 Delegated Authority be given to the Director – Democracy, Planning & Public Protection in consultation with the portfolio-holder for Finance & Corporate to amend the Council’s Committee timetable to accommodate the additional Overview & Scrutiny Panel as set out in Appendix A and to amend the start time for all meetings to 6pm (except for exempt items at Planning Applications Committee which shall be 5pm).

### 3. Background

3.1 Following the recent elections and in anticipation of the start of the Municipal Year, the incoming Leader of the Council has requested, on behalf of the controlling group, amendments to the Constitution. It is necessary to do this now as some of the changes directly impact upon the allocation of seats on Committees and the political balance, generally.

3.2 In brief, the proposals are:

- i. To amend the arrangements for Overview and Scrutiny, as shown in Appendix A;
- ii. To alter the Executive Arrangements by increasing the number of portfolios from 5 to 6 and to reallocate responsibilities between those portfolios. This is reserved to the Leader by the Local Government Act 2000 (as amended by the Localism Act 2011) but Council will need to amend the Constitution to reflect the changes;
- iii. To amend the Council Procedure Rules to increase participation as set out in Appendix C. The changes reverse the earlier decision to move members’ questions to later in the agenda; re-introduce the right to ask supplementary questions at Council; and to allow recorded votes for procedural motions;
- iv. To amend the Cabinet Procedure Rules at Appendix D to allow more member participation at Cabinet meetings;
- v. To seek approval, provisionally, for revised Special Responsibilities Allowances at Appendix E to ensure that the changes are within the existing budget and subject to further consideration of the Independent Remuneration Panel which is due to report to Council in July; and
- vi. To give officers delegated authority to realign budgets against the new portfolios and make consequential changes to the Committee

timetable to reflect those changes. In addition, the Leader has asked that Council review the start times of all formal meetings, with a view to amending them to 6pm (with the exception of confidential items for Planning Applications Committee which will be 5pm).

PHILIP RICHARDSON

## Changes to Overview & Scrutiny Arrangements: Appendix A

Business, Regeneration & Planning Overview and Scrutiny Panel	Portfolio
<ul style="list-style-type: none"> <li>• Transforming Nuneaton</li> <li>• Transforming Bedworth</li> <li>• Town Centre Regeneration</li> <li>• Town Centres and Marketing (including markets)</li> <li>• Tourism and Twinning</li> <li>• Economic Development (including LEP)</li> <li>• Sub Regional and Regional Partnerships (includes WMCA)</li> <li>• Car parks, bus shelters, bus station and CCTV</li> <li>• Public conveniences</li> </ul>	Business & Regeneration
<ul style="list-style-type: none"> <li>• Development Control and Planning Policy</li> <li>• Borough Plan</li> <li>• Building Control</li> <li>• Estates including land and property</li> <li>• Street names</li> <li>• Highway Agency arrangements</li> <li>• Land drainage</li> <li>• Health and Safety (Internal to NBBC Operations)</li> <li>• Public Spaces Protection Orders</li> </ul>	Planning & Regulation
Finance & Public Services Overview and Scrutiny Panel	Portfolio
<ul style="list-style-type: none"> <li>• Council Budget</li> <li>• Finance</li> <li>• Procurement</li> <li>• Revenues and Benefits</li> <li>• Audit and Performance</li> <li>• Legal</li> <li>• Elections</li> </ul>	Finance and Corporate

## Changes to Overview & Scrutiny Arrangements: Appendix A

<ul style="list-style-type: none"> <li>• Equalities and Insurance</li> <li>• Democratic Services including Mayoralty</li> <li>• Emergency Planning</li> <li>• Communications</li> <li>• Customer Services</li> <li>• IT</li> <li>• Business Support &amp; HR</li> <li>• Facilities Management and maintenance</li> </ul>	
<ul style="list-style-type: none"> <li>• Civic Hall</li> <li>• Museum and art galleries</li> <li>• Leisure and Community Centres and strategies</li> <li>• Culture</li> <li>• Refuse and Cleansing</li> <li>• Licensing Policy</li> <li>• Recycling and litter control</li> <li>• Drainage, sanitation and accumulations of rubbish</li> <li>• Sports Development</li> </ul>	Public Services
<p>Housing, Environment &amp; Health Overview and Scrutiny Panel</p>	<p style="text-align: center;">Portfolio</p>
<ul style="list-style-type: none"> <li>• Housing Revenue Account operation</li> <li>• Strategic Housing and Homelessness</li> <li>• Communities</li> <li>• Grants to Voluntary Sector</li> <li>• Private Sector Housing</li> <li>• HEART</li> <li>• NABSCOP</li> </ul>	Housing & Communities
<ul style="list-style-type: none"> <li>• Grounds maintenance and parks</li> <li>• Environmental Sustainability</li> <li>• Abandoned vehicles</li> <li>• Health</li> </ul>	Health & Environment



## Changes to Overview & Scrutiny Arrangements: Appendix A

<ul style="list-style-type: none"><li>• Climate Change</li><li>• Allotments</li><li>• Cemeteries and crematoria</li><li>• Amenity lighting Audit and Performance</li><li>• Equalities and Insurance</li><li>• Environmental Health to include food safety, pest control, dog fouling and strays and health and safety enforcement (external to NBBC operations)</li></ul>	

### 4E OVERVIEW AND SCRUTINY PROCEDURE RULES

#### 4E.1 ARRANGEMENTS FOR OVERVIEW & SCRUTINY PANELS

The Council will have the Overview & Scrutiny Panels ("OSPs") set out in Article 6. **The Council will appoint 9 Members to each OSP at its Annual Meeting** and may change such appointments as it considers appropriate from time to time. Such OSPs may appoint Select Committees for a fixed period or Working Groups to look into particular issues that report back to the parent OSP.

#### 4E.2 WHO MAY SIT ON OSPS?

All Members except Members of the Cabinet may be members of an OSP. However, no Member may be involved in scrutinising a decision in which he/she has been directly involved.

#### 4E.3 CO-OPTTEES

Each OSP shall be entitled to recommend to Council the appointment of a number of people as non-voting co-optees.

#### 4E.4 MEETINGS OF THE OSPS

There shall be at least four ordinary meetings of each OSP in each year. In addition, extraordinary meetings may be called from time to time as and when appropriate by the proper officer [or Chair of the relevant OSP or, in the Chair's absence, the Vice-Chair]. The time and date of each meeting may, if appropriate, be changed by the proper officer in consultation with the Chair of the relevant OSP or, in his or her absence, the Vice-Chair.

## Changes to Overview & Scrutiny Arrangements: Appendix A

### 4E.5 QUORUM

The quorum for an OSP shall be as set out for Committees in the Council Procedure Rules in Part 4 of this Constitution.

### 4E.6 WHO CHAIRS OSP MEETINGS?

The Council will appoint the Chair and Vice Chair of each OSP. The Chair of each OSP shall be nominated from the membership of the Controlling Group, unless at the meeting to appoint the Chair the Controlling Group determine otherwise, and the Vice-Chair shall be nominated from the main Opposition Group, unless at the meeting to appoint the Vice-Chair the main Opposition Group determine otherwise. If at any meeting neither the Chair nor Vice-Chair are present, the Members present will appoint a Chair for that meeting from any member of that OSP.

### 4E.7 WORK PROGRAMME

At the start of each municipal year the Members of each OSP will determine the annual work programme. This may include any items carried forward from the previous year, any new items that have been submitted and the standing items for that particular OSP.

### 4E.8 AGENDA ITEMS

- a) Any Member of the Council shall be entitled to give notice to the proper officer that he/she wishes an item relevant to the functions of the Committee to be included on the agenda for the next available meeting of the Committee. On receipt of such a request the proper officer will ensure that it is included on the next available agenda.
- b) Each OSP shall also respond, as soon as its work programme permits, to requests from the Council and the Cabinet to review particular areas of Council activity. If so, the OSP shall report its findings and any recommendations back to the Council or Cabinet as the case may be. The proper officer shall ensure it is included on the next available agenda of the Council or Cabinet.
- c) At the start of each Meeting of the OSPs, 20 minutes shall be set aside for questions to a member of the Cabinet from the panel in relation to matters in respect of which the panel has powers or duties.

## Changes to Executive Arrangements: Appendix B

Portfolio	Responsibilities and Services
Business Regeneration	<ul style="list-style-type: none"> <li>• Transforming Nuneaton</li> <li>• Transforming Bedworth</li> <li>• Town Centre Regeneration</li> <li>• Town Centres and Marketing (including markets)</li> <li>• Tourism and Twinning</li> <li>• Economic Development (including LEP)</li> <li>• Sub Regional and Regional Partnerships (includes WMCA)</li> <li>• Car parks, bus shelters, bus station and CCTV</li> <li>• Public conveniences</li> </ul>
Planning & Regulation	<ul style="list-style-type: none"> <li>• Development Control and Planning Policy</li> <li>• Borough Plan</li> <li>• Building Control</li> <li>• Estates including land and property</li> <li>• Street names</li> <li>• Highway Agency arrangements</li> <li>• Land drainage</li> <li>• Health and Safety (Internal to NBBC Operations)</li> <li>• Public Spaces Protection Orders</li> </ul>
Finance & Corporate	<ul style="list-style-type: none"> <li>• Council Budget</li> <li>• Finance</li> <li>• Procurement</li> <li>• Revenues and Benefits</li> <li>• Audit and Performance</li> <li>• Legal</li> <li>• Elections</li> <li>• Equalities and Insurance</li> <li>• Democratic Services including Mayoralty</li> <li>• Emergency Planning</li> <li>• Communications</li> <li>• Customer Services</li> </ul>

## Changes to Executive Arrangements: Appendix B

Portfolio	Responsibilities and Services
	<ul style="list-style-type: none"> <li>• IT</li> <li>• Business Support HR</li> </ul>
Housing & Communities	<ul style="list-style-type: none"> <li>• Housing Revenue Account operation</li> <li>• Strategic Housing and Homelessness</li> <li>• Communities</li> <li>• Grants to Voluntary Sector</li> <li>• Private Sector Housing</li> <li>• HEART</li> <li>• NABSCOP</li> </ul>
Public Services	<ul style="list-style-type: none"> <li>• Civic Hall</li> <li>• Museum and art galleries</li> <li>• Leisure and Community Centres and strategies</li> <li>• Culture</li> <li>• Refuse and Cleansing</li> <li>• Recycling and litter control</li> <li>• Drainage, sanitation and accumulations of rubbish</li> <li>• Licensing Policy</li> <li>• Sports Development</li> <li>•</li> </ul>
Health & Environment	<ul style="list-style-type: none"> <li>• Grounds maintenance and parks</li> <li>• Environmental Sustainability</li> <li>• Abandoned vehicles</li> <li>• Health</li> <li>• Climate Change</li> <li>• Allotments</li> <li>• Cemeteries and crematoria</li> <li>• Amenity lighting</li> <li>• Environmental Health to include food safety, pest control, dog fouling and strays and health and safety enforcement (external to NBBC operations)</li> </ul>

## PART 3 - RESPONSIBILITY FOR FUNCTIONS

### 3 TERMS OF REFERENCE FOR INDIVIDUAL PORTFOLIOS

#### **Business & Regeneration (Leader)**

In the Council's Corporate Plan the Key Themes and Priorities of particular importance to this Portfolio holder are:

#### **Theme one: Transformation**

**Priority one: Economy and business** – *building on our strong economic record, growing our economy, capitalising on our strengths, promoting our Borough, telling our story*

#### **Theme two: Collaboration – achieving more by working together**

**Priority one:** *we will work with our communities*

**Priority two:** *we will work with our partners, businesses, suppliers*

#### **Terms of Reference**

- As Leader of the Council, fulfil all roles required of him/her.
- Chair the Cabinet.
- Promote and encourage the economic development and regeneration of the Borough
- Transforming Nuneaton
- Transforming Bedworth
- Town Centre Regeneration
- Town Centres and Marketing (including markets)
- Tourism and Twinning
- Economic Development (including LEP)
- Sub Regional and Regional Partnerships (includes WMCA)
- Car parks, bus shelters, bus station and CCTV
- Promote and encourage tourism in the Borough.

Within the matters of his/her Terms of Reference, monitor budgets, Service Development Plans, best value and establishment change.

Anything not falling within any other Portfolio holder's Terms of Reference.

#### **Finance & Corporate**

In the Council's Corporate Plan, the Themes and Priorities of particular importance to this Portfolio holder are:

## Changes to Executive Arrangements: Appendix B

### Theme two: Collaboration – achieving more by working together

**Priority three:** *we will work with our employees and elected members*

### Theme Three: Investment – making the most of what we have

**Priority one: Getting the most from our assets** – *from our people, land and property*

**Priority two: Maximising funding** – *identifying and securing funding opportunities, being creative, maximising income streams*

**Priority three: Managing our resources** – *maintaining our robust financial management arrangements to deliver efficient, economic and effective services*

### Terms of Reference

- Council Budget
- Finance
- Revenues and Benefits
- Audit & Performance
- Legal
- Elections
- Equalities & Insurance
- Democratic Services including Mayoralty
- Emergency Planning
- Communications
- Customer Services
- IT
- Business Support HR
- Facilities Management & Maintenance

### Job Description

- Oversee and have responsibility for all aspects of his/her Terms of Reference that affect the Borough, its residents or its stakeholders.
- Promote equality of opportunity and work towards the elimination of unfair discrimination.
- Promote the effective deployment of Information and Communication Technology.
- Monitor the Council's financial position.
- Ensure the efficiency, effectiveness and economy in relation to the services within his/her Terms of Reference.

Within the matters of his/her Terms of Reference, monitor budgets, Service Plans, best value and establishment change.

### Planning & Regulation

In the Council's Corporate Plan, the Themes and Priorities of particular importance to this Portfolio holder are:

#### Theme one: Transformation

**Priority two: People** – *promoting skills and improving health within our communities, empowering and supporting our employees to deliver excellent services for residents*

**Priority three: Housing and communities** – *enabling housing development to match our aspirations for the Borough; building homes, investing in safe, empowered, sustainable communities*

**Priority four: Technology** – *maximising the opportunities presented by technology for our communities and services*

#### Theme two: Collaboration – achieving more by working together

**Priority one:** *we will work with our communities*

**Priority two:** *we will work with our partners, businesses, suppliers*

#### Theme Three: Investment – making the most of what we have

**Priority four: Promoting** *a sustainable, green economy; minimising our carbon footprint*

**Priority five: Empowering** *our communities to make the most of their resources*

#### Terms of Reference

- Development Control and Planning Policy
- Borough Plan
- Building Control
- Estates including land and property
- Street names
- Highway Agency arrangements
- Land drainage
- Health and Safety (Internal to NBBC Operations)
- Public Spaces Protection Orders

#### Job Description

- Oversee and have responsibility for all aspects of his/her Terms of Reference that affect the Borough, its residents or its stakeholders.
- Develop and review priority neighbourhood strategies for creating and sustaining employment opportunities.

## Changes to Executive Arrangements: Appendix B

- Ensure the efficiency, effectiveness and economy in relation to the services within his/her Terms of Reference.

Within the matters under his/her Terms of Reference, monitor budgets, Service Development Plans, best value and establishment change.

### **Housing & Communities**

In the Council's Corporate Plan Key Themes and Priorities of particular importance to this Portfolio holder are:

#### **Theme one: Transformation**

**Priority two: People** – *promoting skills and improving health within our communities, empowering and supporting our employees to deliver excellent services for residents*

**Priority three: Housing and communities** – *enabling housing development to match our aspirations for the Borough; building homes, investing in safe, empowered, sustainable communities*

**Priority four: Technology** – *maximising the opportunities presented by technology for our communities and services*

#### **Theme two: Collaboration – achieving more by working together**

**Priority one:** *we will work with our communities*

**Priority two:** *we will work with our partners, businesses, suppliers*

**Priority three:** *we will work with our employees and elected members*

#### **Theme Three: Investment – making the most of what we have**

**Priority one: Getting the most from our assets** – *from our people, land and property*

**Priority two: Maximising funding** – *identifying and securing funding opportunities, being creative, maximising income streams*

**Priority three: Managing our resources** – *maintaining our robust financial management arrangements to deliver efficient, economic and effective services*

**Priority four: Promoting a sustainable, green economy; minimising our carbon footprint**

**Priority five: Empowering our communities to make the most of their resources**

**Priority six: Environment** – *cherishing our physical environment; enhancing our built environment and open spaces, maximising the value of our green spaces, improving our infrastructure*

#### **Terms of Reference**

- Housing Revenue Account operation



## Changes to Executive Arrangements: Appendix B

- Strategic Housing and Homelessness
- Communities
- Grants to Voluntary Sector
- Private Sector Housing
- HEART
- NABSCOP

### Job Description

- Oversee and have responsibility for all aspects of his/her Terms of Reference that affect the Borough, its residents, or its stakeholders.
- Assess and keep under review the housing needs of the area, and secure so far as possible a provision of housing stock that meets that need.
- Oversee the Council's housing stock.
- Fulfil the Council's statutory obligations in regard to homelessness.
- Undertake the provision of grants for renovation and for the adaptation of property for disabled people.
- Ensure the efficiency, effectiveness and economy in relation to the services within his/her Terms of Reference.

Within the matters of his/her Terms of Reference, monitor budgets, Service Development Plans, best value and establishment change.

### Public Services

In the Council's Corporate Plan the Key Themes and Priorities of particular importance to this Portfolio holder are:

#### Theme one: Transformation

**Priority one: Economy and business** – *building on our strong economic record, growing our economy, capitalising on our strengths, promoting our Borough, telling our story*

**Priority two: People** – *promoting skills and improving health within our communities, empowering and supporting our employees to deliver excellent services for residents*

**Priority four: Technology** – *maximising the opportunities presented by technology for our communities and services*

#### Theme two: Collaboration – achieving more by working together

**Priority two:** *we will work with our partners, businesses, suppliers*

**Priority three:** *we will work with our employees and elected members*

#### Theme Three: Investment – making the most of what we have

**Priority one: Getting the most from our assets** – *from our people, land and property*

## Changes to Executive Arrangements: Appendix B

**Priority four: Promoting** *a sustainable, green economy; minimising our carbon footprint*

### Terms of Reference

- Civic Hall
- Museum & Art Galleries
- Leisure & Community Centres
- Refuse and Cleansing
- Recycling and litter control
- Drainage, sanitation and accumulations of rubbish
- Licensing Policy
- Sports Development

### Job Description

- Oversee and have responsibility for all aspects of his/her Terms of Reference that affect the Borough, its residents or its stakeholders.
- Maintain leisure, sports recreational, arts and cultural facilities within the Borough.
- Maintain and develop the Passport to Leisure Scheme
- Enhance opportunities for sports, leisure and recreational activities at an affordable price.
- Ensure the efficiency, effectiveness and economy in relation to the services within his/her Terms of Reference.

Within the matters of his/her Terms of Reference, monitor budgets, Service Development Plans, best value and establishment change.

## Health & Environment

In the Council's Corporate Plan the Key Themes and Priorities of particular importance to this Portfolio Holder are:

### Theme one: Transformation

**Priority one: Economy and business** – *building on our strong economic record, growing our economy, capitalising on our strengths, promoting our Borough, telling our story*

**Priority two: People** – *promoting skills and improving health within our communities, empowering and supporting our employees to deliver excellent services for residents*

### Theme two: Collaboration – achieving more by working together

**Priority one:** *we will work with our communities*

### **Theme Three: Investment – making the most of what we have**

**Priority one: Getting the most from our assets** – *from our people, land and property*

**Priority two: Maximising funding** – *identifying and securing funding opportunities, being creative, maximising income streams*

**Priority three: Managing our resources** – *maintaining our robust financial management arrangements to deliver efficient, economic and effective services*

**Priority four: Promoting a sustainable, green economy; minimising our carbon footprint**

**Priority five: Empowering our communities to make the most of their resources**

**Priority six: Environment** – *cherishing our physical environment; enhancing our built environment and open spaces, maximising the value of our green spaces, improving our infrastructure*

### **Terms of Reference**

- Grounds maintenance and parks
- Environmental Sustainability
- Abandoned Vehicles
- Health
- Climate Change
- Allotments
- Cemeteries and crematoria
- Amenity Lighting
- Environmental Health to include food safety, pest control, dog fouling and strays and health and safety enforcement (external to NBBC operations)

### **Job Description**

- Oversee and have responsibility for all aspects of his/her Terms of Reference that affect the Borough, its residents or its stakeholders.
- Promote events and activities within his/her Terms of Reference
- Enhance opportunities for sports, leisure and recreational activities at an affordable price.
- Develop an integrated programme of work to improve the health and wellbeing of local people.
- Ensure the efficiency and effectiveness and economy in relation to the services within his/her Terms of Reference.

Within the matters of his/her Terms of Reference, monitor budgets, Service Development Plans, best value and establishment change.

## Changes to Council Procedure Rules: Appendix C

### 4A.2 ORDINARY MEETINGS

Ordinary meetings of the Council will take place in accordance with a programme decided at the Council's Annual Meeting. Ordinary meetings will:

- (i) elect a person to preside if the Mayor and Deputy Mayor are not present;
- (ii) approve the accuracy of the minutes of the last meeting;
- (iii) receive any declarations of interest from Councillors;
- (iv) receive any announcements from the Mayor, Leader, and Members of the Cabinet or the Head of Paid Service;
- (v) provide answers to questions, and permit the making of statements from the public submitted in accordance with paragraph 4A.9;
- (vi) provide answers to questions from Councillors submitted in accordance with paragraph 4A.10
- (vii) consider any decisions taken urgently and not subject to call in (see Access to Information Procedural Rule 17.3);
- (viii) deal with any business from the last Council meeting;
- (ix) receive reports from the Cabinet and if appropriate the Council's Committees (as determined by the Chair of the relevant Committee) and receive questions and answers on any of those reports;
- (x) receive reports about, and receive questions and answers on, the business of joint arrangements and external organisations;
- (xi) consider motions; and
- (xii) consider any other business specified in the summons to the meeting, including consideration of proposals from the Cabinet in relation to the Council's Budget and Policy Framework and reports of the Overview & Scrutiny Panels for debate (see Overview & Scrutiny Panel Procedural Rule 8(b)).

### 4A.9 PUBLIC PARTICIPATION

#### 4.9.1 General

At each Ordinary Meeting or Extra Ordinary Meeting of the Council, 20 minutes (which can be extended at the discretion of the Mayor) shall be set aside for questions or statements from the public gallery by any resident of the Borough in relation to matters in respect of which the Council has powers or duties, or which affect the Borough. In the case of an Extra

## Changes to Council Procedure Rules: Appendix C

Ordinary Meeting the question or statement must relate to the business of that meeting.

### 4.9.2 Notice of Questions and Statements

No such question shall be asked, or statement made, unless it shall have been delivered in writing to the Head of Paid Service no later than 12 noon on the day before the meeting of the Council.

### 4.9.3 Scope of Questions and Statements

The Head of Paid Service may reject a question or statement if it:

- a) is not about a matter for which the Council has a responsibility or which doesn't affect the Borough;
- b) is defamatory, frivolous or offensive;
- c) is substantially the same as a question or statement which has been put at a meeting of the Council in the past six months;
- d) requires or involves the disclosure of confidential or exempt information; or
- e) It is not a question nor a statement, as provided for in these Procedure Rules.

4.9.4 For these Procedure Rules a question shall comprise of a small paragraph of no more than 3 sentences, with the purpose of seeking information on a single matter. A statement shall be an expression of opinion which does not seek nor require an answer or response.

4.9.5 The Mayor will invite the relevant Cabinet Member or Committee Chair to give a reply. Such reply shall not exceed five minutes. In the case of a question, on the discretion of the Mayor, a supplementary question may be asked if arising directly from the reply, provided that the original allocation of five minutes is not exceeded. The Mayor may reject a supplementary question on any of the grounds detailed in paragraph 4.9.3 above

## Changes to Council Procedure Rules: Appendix C

### 4A.10 QUESTIONS BY COUNCILLORS

4.10.1 A Member of the Council may ask the Leader of the Council or the Chair of a Committee any question without notice upon an item of the report of the Cabinet or a Committee (respectively) when that item is being received or under consideration by the Council.

#### 4.10.2 Questions on Notice at Full Council

At each meeting a Member of the Council may ask no more than one question (but see 4.10.3(b) below) on any matter in relation to which the Council has powers or duties, or which affects the Borough. For questions from Members, Paragraph 4.9.4 shall apply. A Member may choose to ask their permitted question of either:

- a Member of the Cabinet; or
- the Chair of any Committee, Panel or Sub-Committee

4.10.3 No such question under paragraph 4.10.2 shall be asked unless: (a) the question has been delivered in writing to the Head of Paid Service and Leader before 12 noon on the day before the meeting of the Council; or (b) where the question relates to urgent matters, they have the consent of the Mayor or the Leader of the Council or the Portfolio Holder to whom the question is to be put or in the case of a Committee, Panel or Sub-Committee, the Chair, and the content of the question is given to the Head of Paid Service at least three hours before the time that the meeting is due to start.

4.10.4 The Member who put the question may ask one supplementary question of the Member to whom the first question was asked if it arises directly out of the original question or the reply, and shall be put and answered without discussion.

#### 4.10.5 Response

An answer may take the form of:

- (a) a direct oral answer;
- (b) where the desired information is in a publication of the Council or other published work, a reference to that publication; or
- (c) where the reply cannot conveniently be given orally, a written answer circulated later to the questioner.

#### 4.15.4 Recorded Vote

## Changes to Council Procedure Rules: Appendix C

- (a) In accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, at any budget decision meeting there shall be recorded in writing and entered into the minutes the names for and against a motion or amendment or abstention from voting with respect to a budget decision as defined within the above-mentioned Regulations; and
- (b) In all other cases where a recorded vote is demanded at a meeting, the names for and against the substantive motion or amendment or abstention will be recorded in writing and entered into the minutes. A demand for a recorded vote will be shown by at least three Members standing to show their support.

## Changes to Cabinet Procedure Rules: Appendix D

### 4D.2 HOW ARE THE CABINET MEETINGS CONDUCTED?

#### 4.2.1 Who Presides?

If the Leader is present he/she will preside. In his/her absence, then a person appointed to do so by those present shall preside.

#### 4.2.2 Who May Attend?

The Cabinet meetings will be held in public except for consideration of matters which are confidential or for which the Cabinet has decided are exempt within Schedule 12A to the Local Government Act 1972. The Leader of the Main opposition group shall be invited to attend Cabinet meetings as an observer and may participate in any debate on an item under discussion (but shall not have voting rights). When the Leader of the main opposition group is unavailable to attend a meeting of Cabinet, the Deputy Leader of the main opposition group shall stand as a substitute, with the same right to speak (but not vote).

Any Member of the Council may attend Cabinet and, at the discretion of the Leader or person presiding, address the Cabinet (but shall not have voting rights).

Any Member of the public may attend Cabinet and, at the discretion of the Leader or person presiding, address the Cabinet for a maximum of three minutes in accordance with Council Procedural Rule 4A.9.

Members of the Council may, at the discretion of the Leader or person presiding, attend during consideration of exempt items where their attendance is necessary to better represent their constituents.



## Changes to Special Responsibilities Allowances: Appendix E

	Current SRA	Proposed SRA
Leader of the Council (1)	£12,835	£11,300
Deputy Leader of Council (1)	£8,344	£7,000
Other Cabinet Members (3 increase to 4)	£7,336	£6,000
Chairs Scrutiny Panels (current 2 to reprofile for 3)	£4,040	£2,650
Chair Planning Committee (1)	£4,771	£4,771
Chair Licensing Committee (1)	*	£1,000
Chair Audit & Standards Committee (1)	£2,692	£2,692
<b>£39 surplus compared to present.</b>		

**NUNEATON AND BEDWORTH BOROUGH COUNCIL**

**ANNUAL MEETING OF THE COUNCIL**

**19<sup>th</sup> May 2021**

**AGENDA ITEM NO. 12**

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 (2021/2022)**

**RECOMMENDED** that the Cabinet appointments and portfolio changes made by the Leader be noted.

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

**AGENDA ITEM No. 12(b)**

**NUNEATON AND BEDWORTH BOROUGH COUNCIL**

**COMPOSITION OF COMMITTEES AND OVERVIEW AND SCRUTINY PANELS (2021/2022)**

**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:

<u>Committee/ Scrutiny Panels</u>	<u>Cons</u>	<u>Lab</u>	<u>Green and Independent Alliance</u>	<u>Total Membership</u>
<b>Cabinet</b>	<b>6</b>			<b>6</b>
Business, Regeneration & Planning Overview and Scrutiny	6	2	1	9
Finance & Public Services Overview and Scrutiny	6	2	1	9
Housing, Environment & Health Overview and Scrutiny	6	2	1	9
Audit & Standards	8	2	1	11
Planning	8	2	1	11
Licensing	8	2	1	11
Appeals	7	2	1	10
NABCEL	4	2	0	6
Borough Plan	7	2	0	9
<b>TOTALS</b>	<b>60</b>	<b>18</b>	<b>7</b>	<b>85</b>

**NUNEATON AND BEDWORTH BOROUGH COUNCIL**

**MEMBERSHIP OF COMMITTEES AND OVERVIEW AND SCRUTINY PANELS  
(2021/2022)**

**RECOMMENDED** that:

(a) the membership of committees/scrutiny panels for 2021/2022 be as follows and the Chairs and Vice-chairs be appointed as indicated:

**Appeals (10)**

Councillors: S. Markham; K. Evans; B. Beetham, M. Tromans; R. Smith, M. Walsh; B. Hammersley, T. Sheppard, M. Rudkin, A Sargeant

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 H. Walmsley (Chair),  
Councillor M. Rudkin (Vice-chair)

Councillors: B. Beetham, R. Tromans, Kennaugh, L. Downs, T. Cooper, J. Singh, S. Markham, L. Hocking, K. Kondakor

**Licensing (11)**

Councillor S. Markham (Chair),  
Councillor T. Sheppard (Vice-Chair)

Councillors: R. Smith, K. Evans, S. Croft, J. Gutteridge, M. Tromans, J. Clarke, C. Golby, L. Hocking, A. Sargeant

**Planning Applications (11)**

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

Councillors: B. Pandher, R. Smith, B. Hammersley, K. Wilson, S. Markham, K. Evans, S. Croft, M. Rudkin, K. Kondakor

### **Business, Regeneration and Planning Overview and Scrutiny (9)**

Councillor M. Walsh (Chair)  
Councillor C. Watkins (Vice-Chair)

Councillors: B. Hammersley, B. Panther, L. Downs, J. Singh, R. Baxter-Payne,  
M. Rudkin, K. Kondakor

### **Finance & Public Services Overview and Scrutiny (9)**

Councillor D. Brown (Chair)  
Councillor N. Phillips (Vice-Chair)

Councillors: B. Beetham, M. Tromans, J. Kennaugh, J. Clarke, S. Harbison, T.  
Sheppard, J. Sargeant

### **Housing, Environment & Health Overview and Scrutiny (9)**

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

Councillors: B. Panther, S. Harbison, L. Downs, T. Cooper, D. Brown, T. Elliott,  
A. Sargeant

### **Borough Plan (9)**

Councillor R. Smith (Chair)

Councillors: L. Cvetkovic, R. Tromans, J. Kennaugh, M. Walsh, D. Brown, H.  
Walmsley, N. Phillips, P. Elliott

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

Councillor J. Gutteridge (Chair)

Councillors: J. Clarke, B. Hammersley, L. Downs, C. Watkins, M. Rudkin

**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 & Mr. G. Sonola

**Finance & Public Services Overview and Scrutiny Panel**

Vacancy & Mrs D. Ross

**Business, Regeneration and Planning Overview and Scrutiny Panel**

Ms..I Kabilsz

**Housing, Environment & Health Overview and Scrutiny Panel**

Mr I. Sheikh



**AGENDA ITEM: 12 (d) Appendix A****SCHEDULE 'A'****APPOINTMENTS BY OFFICE (Period of Office 12 Months Commencing in May, 2021)**

<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 Enterprise Partnership	Deputy Leader (Leader 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 Communities Partnership	Cabinet Member for Housing and Communities	1	Yes	Indemnity Applies

Nuneaton and Bedworth Community Enterprises Ltd	Leader, Deputy Leader 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

**SCHEDULE 'A' CONTINUED**

<u>Body</u>	<u>Present Representative(s)</u>	<u>Number of Representatives</u>	<u>Travel and Subsistence</u>	<u>Indemnity</u>
West Midlands Combined Authority Board	Leader (Cabinet Member as Substitute)	1	Yes	Indemnity Applies
West Midland Employers	Cabinet Member for Finance and Corporate	1	Yes	No Indemnity – Member Decision
Warwickshire Adult Social Care and Health Overview and Scrutiny Panel	Chair of Housing, Environment and Health Overview and Scrutiny Panel	1	Yes Environment	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 L. Downs	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	2 Councillors	1 Yr	Councillors 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

**SCHEDULE 'B' (CONTINUED)**

<u>Body</u>	<u>Representation</u>	<u>Term of Office</u>	<u>Present Representative</u>	<u>Travel and Subsistence</u>	<u>Indemnity</u>
Friendship Project for Children	1 Councillor	1 Yr	Councillor H. Walmsley	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 C. Golby	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 S. Markham	No	No Indemnity – Member decision
Warwickshire Joint Overview and Scrutiny Committee	1 Councillor	1 Yr	Councillor D. Brown	Yes	Indemnity Applies
Warwickshire Race Equality Partnership	1 Councillor	1 Yr	Councillor J. Kennaugh	No	No Indemnity – Member decision
West Midlands Combined Authority Audit Group	1 Councillor (plus 1 substitute)	1 Yr	Councillors H. Walmsley and K. Evans (Sub)	Yes	Indemnity Applies

**SCHEDULE 'B' CONTINUED**

<u>Body</u>	<u>Representation</u>	<u>Term of Office</u>	<u>Present Representative (s)</u>	<u>Travel and Subsistence</u>	<u>Indemnity</u>
Foleshill Charity Trustee – Proffitt's Charity	1 Trustee (not necessarily a Councillor)		Councillor B. Pandher	No	No indemnity – Member decision

## 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 Subsistence</u>	<u>Indemnity</u>
Charity of Willoughly and Others	1 Nomination Trustee (not necessarily a Councillor)	4 Yrs to May 2022	Mr D. J. Lewis	No	No indemnity – Member decision
Hammersley Smith and Orton Charity	2 Representatives (not necessarily Councillors)	4 Yrs to Oct 2022	Mr R. G. Copland and Mr J. Hunt	Yes	No indemnity – Member decision
Hospice Charity	1 Representative (not necessarily a Councillor)	4 Yrs to May 2022	Councillor A. Llewellyn-Nash	No	No indemnity – Member decision
Hospice Charity	1 Representative (not necessarily a Councillor)	4 Yrs to June 2022	Deferred for further clarification as to whether there are two positions.	No	No Indemnity – Member decision
Nicolas Chamberlaine's School Foundation  Nicholas Chamberlaine's Hospital and Sermon Charity	1 Representative (Not necessarily a Councillor)	4 Yrs to May 2022	Vacancy	Yes	No Indemnity – Member decision
Poor's Piece Charity	1 Nomination Trustee (not necessarily a Councillor)	4 Yrs to May 2022	Councillor S. Harbison	No	No Indemnity – Member Decision
William Bentley's and Job Potter's Charities	2 Representatives (not necessarily Councillors)	4 Yrs to May 2022	Mr D. Aldington and Mr B. L. Hawkes	No	No Indemnity – Member decision
William Bentley's and Job Potter's Charities	2 Representatives (not necessarily Councillors)	4 years to May 2022	Mrs D. F. Hawkes and Mr J. Haynes	No	No Indemnity – Member decision

### 3D OFFICER DELEGATIONS - Part A - General Delegations

Functions Allocated to Executive Directors/Directors/Head of Planning and Building Control or such other officer or post identified by the Executive Director/Director/Head of Planning and 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.

#### 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)

- 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 Executive Director - Resources 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 Central Services & Refuse 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 Executive Directors**

- a) Any function delegated to a 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.

### 3E OFFICER DELEGATIONS - Part B - Specific Delegations

The specific delegations set out below to the Executive Directors/Directors/ Head of Planning or such other officer or post identified by the Executive Directors/Director/Head of Planning 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 Executive Director - Operations (Head of Paid Service)

- a) Proper officer, appointed officer or inspector in respect of the following statutory provision and exercise any power of the Local Authority under the following statutory provisions or pursuant to regulations or by-laws made (now or in future) under them

Statutory Provision	Brief Description
Ss.25 and 26 Local Government (Miscellaneous Provisions) Act 1976	Any steps concerning dangerous excavations
Highways Act 1980	Various District Council functions
Ss. 35A and 112 Road Traffic Reg Act 1964	Enforcement of Car parking Order or Nuneaton Bus Station Order
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	
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
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	
S.41 Local Government (Miscellaneous Provisions) Act 1976	
Local Government Act 2000 and Regs made there under	
Anti – Social Behaviour Act 2003	
S.3, LGHA89. Modify the list of Politically restricted posts and give any certificate of opinion	

under it.	
Crime and Disorder Act 1998 and amendments thereto	
Secretary to the Council Ss. 83, 100B, 200F, 115, 229, 234, Local Government Act 1972	
Ss.25 and 26 Local Government (Miscellaneous Provisions) Act 1976	Any steps concerning dangerous excavations
Highways Act 1980	Various District Council functions
Ss. 35A and 112 Road Traffic Reg Act 1984	Enforcement of Car Parking Order or Nuneaton Bus Station Order
Environmental Protection Act 1990	Search and seizure of vehicles and street litter control
Anti-Social Behaviour Act 2003	Graffiti
Clean Neighbourhoods and Environment Act 2005	
Coronavires Act 2020 and Health Protection ( Coronavires, Business Closure ) England Regulations 2020	

- 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 Executive Director shall have authority :
- (a) 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 and

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.

(b) 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.

- 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.
- f) Subject to a) above make any minor amendments to the Constitution arising out of changes in legislation or the structure of the Council, in consultation with the Leader of the Council.
- g) Be the Chief Executive Officer for the Airwave Service.
- h) 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.
- i) Hold premises licences for Council property in connection with any functions assigned.
- j) In consultation with the Leader, the Housing portfolio holder and Ward Members, take every step necessary (including compulsory purchase and determination of tenancies) to implement the Camp Hill Urban Village Scheme.
- k) Authority to take action on Closure Orders under the Anti-Social Behaviour, Crime and Policing Act 2014.
- l) To take all actions and make decision not reserved to the Council relating to the Council's functions in respect of Communications.
- m) 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.
- n) Apply for and hold licences for premises owned by the Council in respect of regulated activities.
- o) Authorise the use and display of the Council's badge.
- p) Arrange bookings or limited exhibitions and other commercial events on Council land (other than town centre).
- q) In consultation with the Executive Director (Resources) 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.

- r) Enter into arrangements for the provision of entertainments, in accordance with the Policy of the Council.
- s) Apply for and hold licences for premises owned by the Council in respect of regulated activities.
- t) Arrange bookings or limited exhibitions and other events in Town Centre pedestrianised areas.
- u) Manage the operation of the Nuneaton and Bedworth Markets in accordance with the Market Regulations as made by the Council from time to time.
- v) 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.
- w) Be the Radio Terminal Custodian for the Airwave Service.
- x) Undertake all the Town Centre management activities including Delivery of Town Centre Master Plan, including street scene enhancement activities.
- y) Exercise any power of the Local Authority relating to housing and corporate property maintenance purposes under the following statutes or regulations or by laws (made or in the future) under them:
  - o Health and Safety at Work Act 1974
  - o Disability Discriminations Acts
  - o Regulatory Reform (Fire) Order 2005
  - o Control of Asbestos regulations 2006.
- z) Exercise functions under any Agency agreement with Warwickshire County Council
- aa) Carry out urgent repairs to private streets
- bb) Manage the Council's off street car park in accordance with the Council's Off Street Parking Order.
- cc) In Consultation with the Planning, Development & Health Portfolio Holder, waive car park charges from time to time.
- dd) Renew plant, equipment and vehicles within the budget provision, and dispose of items being so renewed.
- ee) Be a duty holder for the purposes of the Control of Asbestos Regulations 2012.
- ff) 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).

- gg) Undertake all matter relating to the provisions of public conveniences.
- hh) Manage the Council's car parks and resident parking schemes.
- ii) Manage the Bus Station
- jj) Undertake all functions relating to land drainage.
- kk) Undertake all functions relating to CCTV.
- ll) Undertake all functions relating to amenity lighting.
- mm) Undertake all functions relating to transport.
- nn) Deal with requests for the loan of equipment and materials to charitable and voluntary organisations regarding refuse collection and cleansing.
- oo) Provide a trade refuse service when required and fix appropriate charges.
- pp) Manage the Council's refuse collection and street cleaning service.
- qq) Renew plant equipment within the budget provision, and dispose of items being so renewed.
- rr) In consultation with the relevant Portfolio Holder, set promotional and other charges.
- ss) Enter into arrangements for the provision of entertainments, in accordance with the Policy of the Council.
- tt) Authorise applications renewals, reviews and cancellations under the Regulation of Investigatory Powers Act 2000 including surveillance likely to obtain confidential information.
- uu) To consider oral representations pursuant to the Scrap Metal Dealers Act 2013.
- vv) 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
- ww) Enter into any initiatives with the Occupational Health Service seen as beneficial to the employees of the Council.
- xx) Undertake functions relating to street name and numbering.
- yy) Approve and pay death grants under schemes adopted by the Council.
- zz) Serve all Notices under the Pensions Acts.

- aaa) Implement national awards affecting wages, salaries and conditions of service.
- bbb) Administer and review the Council's car loan, and car user allowance schemes.
- ccc) Assess value for pension purposes of emoluments in kind paid to employees and giving effect thereto.
- ddd) Be the Council's Nominated Officer for the purpose of the Local Government Pension (Amendment) Regulations 2004 - Internal Dispute Resolution Procedure.

### 3E.2 Director – Customer Revenues and Assurance

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

<b>Statutory Provision</b>	<b>Brief Description</b>
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
S116, S116A & 110A Social Security Administration Act 1992	Benefit fraud including investigations on behalf of the Department of Work and Pensions
Local Government Act 2003 Parts I & II	Capital Finance
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.	

- b) Monitor the use of the Council's IT systems including internet and e-mail
- c) Manage the Council's telephonic and Information technology systems, in accordance with the Policy of the Council.



- d) Authorise applications renewals, reviews and cancellations under the Regulation of Investigatory Powers Act 2000.
- e) Approve press releases and official statements to press enquiries on behalf of the Authority as and when required.
- f) 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.
- 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) Take any required action in respect of marketing
- j) Take all steps necessary to investigate any allegations relating to Council Tax Housing Benefit Fraud
- k) Authorise proceedings for recovery of any sums due to the Council and possession of property held as security for same.
- l) Write –off irrecoverable debts within financial limits laid down in the Council's Financial Procedure Rules.
- m) 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.
- 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 any community charge.
- q) Make virements and write offs in excess of the Authority delegated to officers in consultation and agreement with the Leader.
- r) 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.
- s) Coordinate the collection and provision of performance data and arrange for the publication of performance information and strategy reporting.
- t) Conduct internal audit of financial transactions of the council
- u) Take all steps regarding risk management within the Council.

### 3E.3 Director – Democracy, Planning and Public Protection

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

Solicitor to the Council and Clerk to the Benefit Review Boards	
Local Government Act 2000 and regulations thereunder	
Ss. 52(2) Representation of the People Act 1983	
Ss. 83, 100B, 100F, 229, 234, 238, Sched 14 Local Government Act 1972	
S.5 Local Government and Housing Act 1989 (Monitoring Officer)	
S. 41 Local Government (Miscellaneous Provisions) Act 1976	
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	
Ss. 191 Local Government Act 1972	
Party Wall Etc. Act 1996 (Appointing Officer)	
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	
Liaison Officer under Food Safety Act 1990	
S.40 & 41 Anti-Social Behaviour Act 2003	
Building Act 1984	
Health Protection (Coronavirus, Restrictions) (England) Regulations pursuant to Regulations 8 (12) (a) (iv) and Regulation 10 (11) (a) (iv) and take such action as is necessary, including the service of Prohibition Notices and the issuing of Fixed penalty Notices to enforce a closure or restriction imposed by those Regulations	
Environment Act 1995	
S.2 and Sched 3 to the Local Government (Miscellaneous Provisions) Act 1982	
Licensing Act 2003 provided no objections are received	
Town and Country Planning Act 1990 - S.215-219, 224–225, 330 and 324 and Town and Country Planning (Control of Advertisement) Regs	
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	Applications for Certificates of Exemption re PHVs

- b) Exercise any power of the Local Authority relating to environmental health and building control 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. Caravan Sites Act 1988
- h. Caravan Sites and Control of Development Act 1960
- i. Clean Air Act 1993
- j. Clean Neighbourhoods and Environment Act 2005
- k. Criminal Justice and Public Order Act 1994
- l. Control of Pollution Act 1974
- m. Construction Design and Management Regs 2007
- n. Dangerous Wild Animals Act 1976
- o. Dangerous Dogs Act 1991
- p. Dogs (Fouling of Land ) Act 1996
- q. Electrical Safety Standards in the Private Rented Sector (England) Regs 2020
- r. Energy Act 2011 and 2013
- s. Enterprise and Regulatory Reform Act 2013
- t. Environment Act 1995
- u. Environment and Safety Information Act 1988
- v. Environmental Damage ( Prevention and Remediation) Regulations 2009
- w. Environmental Permitting ( England and Wales) Regulations 2010
- x. Environmental Protection Act 1990
- y. Equality Act 2010
- z. European Communities Act 1972
- aa. Factories Acts 1961
- bb. Food Act 1984
- cc. Food and Environment Protection Act 1985
- dd. Food Safety Act 1990
- ee. Food Safety and Hygiene ( England) regulations 2013
- ff. Gambling Act 2005
- gg. General Food Regulations 2004
- hh. Guard Dogs Act 1975
- ii. Health Act 2006
- jj. Health and Social Care Act 2012
- kk. Health and Safety at Work Etc Act 1974
- ll. Highways Act 1980
- mm. Home Energy Conservation Act 1995
- nn. Home Safety Act 1961
- oo. Homeless Reduction Act 2018
- pp. House to House Collections Act 1939
- qq. Housing Act 1985, 1988, 1996 ,2002, 2004
- rr. Housing ( Consequential Provisions) Act 1985
- ss. Housing Grants Construction and Regeneration Act 1996
- tt. Housing and Planning Act 2016
- uu. Landlord and Tenant Act 1954, 1985, 1987, 1988
- vv. Law of Property Act 1925
- ww. Licensing Act 2003
- xx. Local Government Act 2000

yy. Local Government Finance Act 1988  
 zz. Local Government and Housing Act 1989  
 aaa. Local Government (Misc Prov) Act 1976  
 bbb. Local Government (Misc Prov) Act 1982  
 ccc. Local Land Charges Act 1975  
 ddd. Mobile Homes Act 1983 and 2013  
 eee. National Assistance Act 1948  
 fff. Noise Act 1996  
 ggg. Noise and Statutory Nuisance Act 1993  
 hhh. Offices, Shops & Railway Premises Act 1963  
 iii. Performing Animals (Regulation) Act 1925  
 jjj. Pet Animals Act 1951  
 kkk. Police, Factories Etc (Misc Prov) Act 1916  
 ll. Pollution Prevention and Control Act 1999  
 mmm. Prevention of Damage by Pests Act 1949  
 nnn. Protection From Eviction Act 1977  
 ooo. Public Health Acts Amendment Act 1907  
 ppp. Public Health Acts 1908, 1925, 1936 & 1961  
 qqq. Public Health (Control of Disease) Act 1984  
 rrr. Road Traffic Regulation Act 1984  
 sss. Refuse (Disposal) Amenity Act 1978  
 ttt. Regulatory Reform (Housing Assistance) England & Wales Regs 2002  
 uuu. Riding Establishments Acts 1964 & 1970  
 vvv. Scrap Metal Dealers Act 1964  
 www. Scrap Metal Dealers Act 2013  
 xxx. Slaughter of Poultry Act 1967  
 yyy. Slaughterhouses Act 1974  
 zzz. Smoke and Carbon Monoxide Alarms Regulations 2015  
 aaaa. Social Security Administration Act 1992  
 bbbb. Sunbeds (Regulation) Act 2010  
 cccc. Sunday Trading Act 1994  
 dddd. Town Police Clauses Act 1847  
 eeee. Town and Country Planning Act 1990  
 ffff. Town and Country Planning (Control of Advertisement) England Regs 2007  
 gggg. Vehicles (Crime) Act 2001  
 hhhh. Water Industry Act 1991  
 iii. Working Time Regulations 1988  
 jjjj. Zoo Licensing Act 1981

- c) Act for any officer of the Council in proceedings before a court or a tribunal relating to the officer's role for the Council.
- d) Amend the Members' Allowance Scheme in accordance with increases fixed by the Secretary of State.
- e) 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.

- f) Sign any document necessary to any legal procedure or proceedings on behalf of the Council, unless any enactment otherwise authorises or requires.
- g) 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.
- h) 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.
- i) Provide the role of Mayor's Secretary.
- j) Make arrangements in connection with Civic matters/engagements relating to Mayoralty.
- k) Take all necessary steps relating to Purchase Notices served on the Council.
- l) 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.
- m) Increase the scale of fees for elections and electoral registration in line with the average salary awards for Grades 1 – 6 of the National Scales and taking into account any nationally agreed fees.
- n) In consultation with the Leader of the relevant political group, appoint a substitute Member to Audit & Standards Committee where a prejudicial interest precludes a Member hearing a complaint.
- o) Authority to take action relevant to their service under the Anti-social Behaviour, Crime and Policing Act 2014.
- p) 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.
- q) In consultation with Chair and (Vice-Chair) of LIC determine applications for permits for house to house or street collections which cannot be considered by LIC at its November meeting (unless objection has been submitted).
- v) Administer the arrangements for the discharge of all matters relating to the Council's Local Land Charges Register.
- r) 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.
- s) Conclude any land transactions required to complete the Camp Hill Urban Village Scheme.

- t) Take all necessary steps in respect of the HEART advisory and support service
- u) Take all necessary steps to deliver the Council's Private Sector Housing Strategy
- v) Waive licence conditions regarding clear boundary space at mobile home sites subject to consultation with the Fire Officer.
- w) Take all necessary steps in respect of the Shared Service Agreement for Private Sector Housing with North Warwickshire Borough Council"

### **Licensing Act 2003**

1. 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).
2. Deal with applications for Personal Licence, if no objection made.
3. Deal with applications for Premises Licence/Club Premises Certificate, if no relevant representation made.
4. Deal with applications for Provisional Statement, if no relevant representation made.
5. Deal with applications to vary Premises Licence/Club Premises certificate, if no relevant representation made.
6. Deal with applications to vary Designated Premises Supervisor if no notice of objection is received.
7. Deal with requests to be removed as designated premises supervisor, all cases.
8. Deal with applications for transfer of Premises Licence if no Notice of Objection is received.
9. Deal with applications for interim authorities if no Notice of Objection is received.
10. Deal with decisions on whether a complaint is irrelevant, frivolous vexatious, etc., all cases.

### **Gambling Act 2005**

1. Fee setting where appropriate.
2. Determination of application for premise's Licences where no representations received/representations have been withdrawn.
3. Determination of application for a variation to a Licence where no representations received/representations have been withdrawn.
4. Determination of application for a transfer of a Licence where no representations received from the Gambling Commission.

5. Determination of application for a Provisional Statement where no representations received/representations have been withdrawn.
6. Application for Club Gaming/Club Machine Permits where no objections made/objections have been withdrawn.
7. Applications for other permits.
8. Cancellation of Licensed Premises Gaming Machine Permits.
9. Consideration of Temporary Use Notices.
10. Determination as to whether representation is frivolous or vexatious, or will not influence decision.
11. Negotiate and conclude land and property transactions up to £10,000 in value, subject to no objections from any Member or any neighbour adversely affected by the proposal.
12. Authorisation of officers to serve Fixed Penalty Notices for litter enforcement pursuant to the Clean Neighbourhoods and Environment Act 2005.

#### 3E.4 Executive Director – Resources and Housing

- a) Proper officer, appointed officer or inspector in respect of the following statutory provisions
  - Any reference in pre 1972 legislation to the Treasurer, which, by virtue of Local Government Act 1972, is to be construed as a Proper Officer
  - Ss. 115, 146, 151 Local Government Act 1972
  - Ss. 26 and 114 Local Government Finance Act 1988
  - Local Government Act 2003 Part I
  - Ss. 8 and 35 Representation of the People Act 1983, and any other provision relating to electoral registration and elections.
- b) Exercise any power of the Local Authority under the following statutory provisions or pursuant to regulations made (now or in future) under them.

<b>Statutory Provision</b>	<b>Brief Description</b>
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
S116, S116A & 110A Social Security Administration Act 1992	Benefit fraud including investigations on

Statutory Provision	Brief Description
	behalf of the Department of Work and Pensions
Local Government Act 2003 Parts I & II	Capital Finance
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.	
Housing Acts 1985 and 1996	Possession of Council owned property for rent arrears
Freedom of Information Act	
Equalities Act 2010	
Child Protection Legislation	
S. 8 Representation of the People Act 1983	
Data Protection Act 2018	
Coronavires Act 2020	

- c) Operate scheme for transfer of Council's mortgage debt to private sector.
- d) Suspend the exercise of Delegated Authority by any officer where he/she considers a particular case should be considered by elected Members.
- e) Authorise any person acting for the Council to enter any land, for any statutory purpose.
- f) The Executive Director shall have authority :
- (a) 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 and.
  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.



- (b) 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.
- g) To considers oral representations pursuant to the Scrap Metal Dealers Act 2013.
  - h) In consultation with the Leader, the Housing 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) Authority to take action on Closure Orders under the Anti-Social Behaviour, Crime and Policing Act 2014.
  - j) To take all actions and make all decisions not reserved to the Council relating to the Council's functions in respect of Communications.
  - k) Exercise functions under any Agency agreement with Warwickshire County Council.
  - l) Authorise applications renewals, reviews and cancellations under the Regulation of Investigatory Powers Act 2000 including surveillance likely to obtain confidential information.
  - m) To authorise proceedings for possession of Council owned property and recovery of rent arrears under the Housing Act powers.
  - n) Assess and grant gratuities within the terms of and up to maxima approved by Policy decisions of the Council.
  - o) Manage and invest the special and reserve funds and acquire and dispose of securities comprising such funds.
  - p) Approve (but not refuse) loans for house purchase and improvement.
  - q) Be the Council's Money Laundering Reporting Officer.
  - r) Set the Council Tax base.
  - s) 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.
  - t) In consultation with the Monitoring Officer, coordinate the formulation of the Corporate Plan and Corporate Plan Delivery Plan.
  - u) To approve the business rates forecast as part of the budget setting process.
  - v) Take all steps regarding risk management within the Council.
  - w) Manage the development and implementation of the Council's Equality Scheme.
  - x) Be responsible for the Council's Information Management arrangements and be the Senior Information Reporting Officer for the Council

- y) Manage the Coronavires Business Loan Scheme

### 3E.5 Director – Regeneration, Economy and Assets

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

<b>Statutory Provision</b>
<ul style="list-style-type: none"> <li>• Housing Grants Construction and Regeneration Act 1996</li> <li>• Public Health (Control of Disease) Act 1984</li> <li>• Public Health Acts 1936 and 1961</li> <li>• Prevention of Damage by Pests Act 1949</li> <li>• Environmental Protection Act 1990</li> <li>• Housing Act 2004</li> <li>• The Prevention of Social Housing Fraud Act 2013 (The Prevention of Social Housing Fraud (Power to Require Information) Regs 2014</li> <li>• The Anti-Social Behaviour, Crime and Policing Act 2014</li> <li>• Homeless Reduction Act 2017</li> </ul>

- 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
- Building Act 1984
- Caravan Sites Act 1968
- Caravan Sites and Control of Development Act 1960
- Land Compensation Act 1973
- Protection From Eviction Act 1977
- Mobile Homes Act 1983
- Mobile Homes Act 2013
- Housing Acts 1985, 1988 and 1996
- Housing (Consequential Provisions) Act 1985
- Landlord and Tenant Act 1985
- Local Government (Miscellaneous Provisions) Acts 1976 & 1982
- Local Government and Housing Act 1989
- Housing Grants Construction and Regeneration Act 1996
- Public Health (Control of Disease) Act 1984
- Public Health Acts 1936 and 1961
- Prevention of Damage by Pests Act 1949
- Environmental Protection Act 1990
- Home Safety Act 1961
- Home Energy Conservation Act 1995
- S. 77 Criminal Justice and Public Order Act 1994
- Crime and Disorder Act 1998
- Ss. 77-79 Water Industries Act 1991
- Housing Act 2004
- Regulatory Reform Act 2001
- Enterprise and Reform Act 2013

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- The Prevention of Social Housing Fraud Act 2013
  - The Anti-Social Behaviour, Crime and Policing Act 2014
  - Care Act 2014 (as delegated from WCC)
  - Housing and Planning Act 2016
  - The Homeless Reduction Act 2017
- c) 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.
- d) 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 Housing, Health and Communities Portfolio Holder.
- e) Arrange for the valuation of properties pursuant to the Right to Buy and the issuing of offers.
- f) Take all steps regarding the right to buy including anything to achieve the targets set by the Secretary of State.
- g) Settle the terms of nomination agreements with housing associations.
- h) Take relevant court action to deal with anti-social behaviour (having previously informed Ward Members).
- i) In consultation with the Housing, Health and Communities Portfolio Holder, make temporary accommodation available to refugees or asylum seekers.
- j) Waive licence conditions regarding clear boundary space at mobile home sites subject to consultation with the Fire Officer.
- k) 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.
- l) Take all necessary action to implement the Council's reactive maintenance functions to all dwellings, shops, and garages provided under Housing Act powers.
- m) Exercise any power of the Local Authority relating to housing property maintenance purposes under the following statutes or regulations or by laws (made now or in the future) under them:
- Health and Safety at Work Act 1974
  - Disability Discrimination Acts
  - Regulatory Reform (Fire) Order 2005
  - Control of Asbestos Regulations 2006
- n) 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.
- o) Assess grants within the terms of and up to a maximum approved by the Policy decisions of the Council.

- p) 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).
- q) Take all actions and make all decisions relating to the Council's functions in respect of Community Cohesion.
- r) Take all appropriate action and to exercise all powers and duties in relation to Community Development in consultation with the Portfolio Holder.
- s) 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.
- t) 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.
- u) Consult with Warwickshire Police and other agencies in relation to applications for Anti-Social Behaviour Orders.
- v) 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.
- w) Deal with issues relating to Health Inequalities.
- x) Take all actions and make all decisions not reserved to the Council relating to the Council's functions in respect of Consultation.
- y) Authority to take action relevant to their service under the Anti-social Behaviour, Crime and Policing Act 2014.
- z) Deal with functions relating to Home Environment Assessment and Response Team Partnership Agreement.
- aa) Be duty holder for the purposes of the Control of Asbestos Regulations 2012.
- bb) Undertake day to day management of Stockingford and Keresley Community Centre.
- cc) 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 amenity areas in new developments.
- dd) Take all necessary action in respect of the Council's commercialisation strategy and activity
- ee) Exercise the Council's responsibilities in respect of Tourism and Economic Development
- ff) Undertake management of the Council's Commercial Property Portfolio.
- gg) Take all necessary action in respect of the Council's regeneration programmes including Transforming Nuneaton and Transforming Bedworth

- hh) Conclude agreements made pursuant to the Code of Practice for Members and officers on boards of voluntary organisations.
- ii) Negotiate and conclude land and property transactions above £10,000 but less than £25,000 in consultation with the relevant Portfolio Holder(s)
- jj) Take all necessary action in respect of Building Surveying and Engineering [Non HRA], to include Plant Maintenance and Energy Officer
- kk) . Take all necessary action in respect of Facilities Management for Corporate Buildings to incorporate Climate Change

### **3E.6 Director - Leisure Recreation and Health**

- a) Take all necessary action to deliver the Council's Leisure Facilities; Sport, Active Recreation & Wellbeing and Parks & Open Spaces Strategies including making funding applications to national and regional sports, arts and cultural bodies
- b) Manage the Council's parks and open spaces and horticultural services.
- c) Manage allotments.
- d) Manage cemeteries.
- e) Subject to the agreement of the Highway Authority, enter into licenses to cultivate land under S.142 Highways Act 1980.
- f) Authorise the use of Council controlled water for one-off angling events for children's competition practice sessions.
- g) In consultation with the Head of Planning & Building Control, settle terms for agreements to acquire open space, amenity, play or recreation areas in new developments.
- h) 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.
- i) In Consultation with the relevant Portfolio Holder, manage the arrangements in connection with grounds maintenance and the related activities undertaken by any contractor appointed
- j) 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.
- k) In consultation with the Arts & Leisure Portfolio Holder amend Arts Grant criteria if appropriate.
- l) Manage the Museums in accordance with any associated Policies.

- m) Accept or reject potential gifts or bequests to the Museum and Art Gallery.
- n) Solicit gifts of historical or artistic material for the Collections within the terms of the Nuneaton Museum and Art Gallery Acquisition and Disposal Policy.
- o) 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.
- p) Accept items on loan for finite period for display or specific study.
- q) Manage the Civic Hall
- r) Take any action within the service area relating to improve health and life expectancy of residents of the borough

### 3E.7 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.

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	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
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### 3E.8 Head of Planning & Building Control

- 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	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 where the objection does not, in the Head of Planning'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. Where the application is recommended for refusal and the Head of Planning & Building Control has informed the applicant and objectors of this, the Ward Members be given notice of this, and allowed five working days in which they can refer the application to Committee.
  - iii. Where five or more letters of support have been received from neighbours, interested parties or statutory consultees within the 21 day consultation period, and where this will be addressed by the decision of the officer to approve the application.
  - iv. Where a Member requests that an application should be dealt with by the Planning Applications Committee, and that request has been made to the Head of Planning & Building Control in writing, by e-mail or telephone message 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).
  - v. The Head of Planning & Building Control considers the application or notified matter should be considered by the Planning Applications Committee.

- vi. 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.
- vii. 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.
- viii. 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.