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SUMMONS TO ATTEND A MEETING OF THE
NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

Time/Date 6.30 pm on TUESDAY, 23 MAY 2023
Location Forest Room, Stenson House, London Road, Coalville, LE67 3FN
Officer to contact Democratic Services (01530 454512)



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Chief Executive

AGENDA

Item	Pages
PRAYERS	
1. APOLOGIES FOR ABSENCE	
2. DECLARATION OF INTERESTS	
Under the Code of Conduct members are reminded that in declaring interests you should make clear the nature of that interest and whether it is a disclosable pecuniary interest, registerable interest or other interest	
3. APPOINTMENT OF CHAIRMAN	
To appoint the Chairman of the Council for the ensuing municipal year.	
4. APPOINTMENT OF DEPUTY CHAIRMAN	
To appoint the Deputy Chairman of the Council for the ensuing municipal year.	
5. APPOINTMENT OF LEADER	
To appoint the Leader of the Council for the ensuing municipal year.	

Item	Pages
6. CHAIRMAN'S ANNOUNCEMENTS	
7. LEADER'S AND PORTFOLIO HOLDERS' ANNOUNCEMENTS	
Members are reminded that under paragraph 11.1 of part 4 of the Constitution, questions can be asked of the Leader and Cabinet Members without notice about any matter contained in any address. Questions shall be limited to five minutes in total for each announcement.	
8. QUESTION AND ANSWER SESSION	
To receive questions from members of the public under procedure rule no.10. The procedure rule provides that members of the public may ask members of the Cabinet any question on any matter in relation to which the Council has powers or duties which affect the District, provided that three clear days' notice in writing has been given to the Head of Legal and Commercial Services.	
9. QUESTIONS FROM COUNCILLORS	
To receive members' questions under procedure rule no.11. The procedure rule provides that any member may ask the Chairman of a board or group any question on any matter in relation to which the Council has powers or duties which affect the District, provided that three clear days' notice in writing has been given to the Head of Legal and Commercial Services.	
10. MOTIONS	
To consider any motions on notice under procedure rule no. 12.	
11. PETITIONS	
To receive petitions in accordance with the Council's Petition Scheme.	
12. MINUTES	
To confirm the minutes of the meeting of the Council held on 23 February 2023.	5 - 20
13. APPOINTMENTS TO COMMITTEES AND GROUPS, ELECTION OF CHAIRS AND DEPUTY CHAIRS	
Report of the Monitoring Officer	21 - 58
14. SCHEME OF DELEGATION	
Report of the Monitoring Officer	59 - 86
15. APPOINTMENT OF REPRESENTATIVES ON COMMUNITY BODIES	
Report of the Monitoring Officer	87 - 90
16. SCHEDULE OF MEETINGS 2023/24	
Report of the Monitoring Officer	91 - 94

Item	Pages
17. ANNUAL MEMBER CONDUCT REPORT	
Report of the Monitoring Officer	95 - 104
18. EVENTS LIST	
Report of the Chief Executive	105 - 110

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MINUTES of a meeting of the COUNCIL held in the Council Chamber, Council Offices, Coalville on THURSDAY, 23 FEBRUARY 2023

Present: Councillor R Boam (Chairman)

Councillors J Bridges, R Ashman, R D Bayliss, C C Benfield, D Bigby, R Blunt, A J Bridgen, R Canny, J Clarke, D Everitt, T Eynon, M French, J Geary, L A Gillard, S Gillard, T Gillard, D Harrison, B Harrison-Rushton, M D Hay, G Houlst, J Houlst, R Johnson, J Legrys, K Merrie MBE, V Richichi, N J Rushton, A C Saffell, C A Sewell, S Sheahan, J G Simmons, N Smith, J Windram, A C Woodman and M B Wyatt

Officers: Mrs A Crouch, Mrs C Hammond, Mr G Hammons, Ms R Haynes, Mrs A Thomas, Mrs R Wallace and Miss E Warhurst

44. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors E Allman, A Black and R Morris.

45. DECLARATION OF INTERESTS

Councillors J Legrys and S Sheahan declared a non-pecuniary interest in item 15, Corporate Leadership Team Restructure as retired members of the GMB Union.

Councillor J Legrys declared a registerable interest in item 12, General Fund Budget and Council Tax 2023/24 as an attendee of Friends of Coalville Park meetings.

Councillor J Geary declared a registerable interest in item 12, General Fund Budget and Council Tax 2023/24 as a Council representative on Coalville Town Football Club, and item 15, Corporate Leadership Team Restructure as a lifetime member of the GMB Union.

Councillor R Johnson declared a registerable interest in item 12, General Fund Budget and Council Tax 2023/24 as Chair of Hugglescote and Donington le Heath Parish Council.

Ms E Warhurst, Head of Legal and Commercial Services (Monitoring Officer) declared a disclosable pecuniary interest in item 15, Corporate Leadership Team Restructure as a member of the Corporate Leadership Team and would therefore leave the meeting for the discussion and voting thereon. It was noted that the Legal Services Team Manager (Deputy Monitoring Officer) would step in to advise Members from that point onwards.

46. CHAIRMAN'S ANNOUNCEMENTS

The Chairman made no announcements.

47. LEADER'S AND PORTFOLIO HOLDERS' ANNOUNCEMENTS

The Leader of the Council, Councillor R Blunt, made the following announcements:

The new Customer Centre had been very successful since opening and seemed to be very popular due to its location in Coalville town centre. It was noted that there had been more than 1000 face-to-face enquiries so far which was an increase in comparison to the same period last year. The centre was also being used for face-to-face meetings with the housing service and tenants, plus police surgeries.

Plans were moving forward with the former market hall in Coalville town centre, advertisements were now in place for commercial use. Members would be kept updated.

The accommodation refit in the Council Chamber would start the day after the Council meeting and was due to be completed in time for Annual Council in May. Members were informed that there would be some relocation of committee meetings, but all Members would be notified in due course.

In relation to the current proposals to use Kegworth Yew Lodge Hotel as temporary accommodation for refugees which had caused a great deal of concern from the people in the village; it was confirmed that the Leader would be writing to the Home Office for more information and to express concerns over the lack of consultation for local people.

To conclude, Councillor R Blunt thanked all Members for the quality of debate and the way business had been conducted over the last four years.

Several Members commented on the situation at Kegworth, they thanked Councillor R Blunt for his response to the concerns and asked that they be kept updated.

The Housing, Property and Customer Services Portfolio Holder, Councillor R D Bayliss announced that following a unanimous decision by the Appointments Committee, Jane Rochelle would be joining the Council as Head of Housing in the coming months.

48. QUESTION AND ANSWER SESSION

There were no questions received.

49. QUESTIONS FROM COUNCILLORS

There were three questions asked which are set out below together with the responses. Each Member who asked a question was invited by the Chairman to ask one supplementary question which is also set out together with the response.

Question from Councillor R Johnson

‘Could the portfolio holder, inform me what the cost of heating the Current Council Offices has been in the last 3 months considering most staff are hybrid?’

Response by Councillor R D Bayliss

Heating costs for the council offices over the period in question were £6,685.57 excluding vat. This includes standing charges of £1,150.72.

Supplementary question and response

Councillor R Johnson stated that considering the building is mostly empty, he had noticed radiators on in empty rooms, therefore he felt was it money spent unnecessarily. Councillor R D Bayliss acknowledged the comment but explained that as long as people were in the building, it needed to be heated to an appropriate standard. He concluded that the new office building was much better, so this was only a short term issue.

Question from Councillor T Eynon

‘Please could the portfolio holder provide the following information regarding the sheltered accommodation at St Mary’s Court and Fairfield Court, Hugglescote?’

- Current EPC ratings and expiry of the same
- The number of properties which have had loft insulation or windows upgraded under the Warm Homes Scheme
- The timing of planned replacement of double-glazed windows and number of reports of blown double glazed windows, including details of the Council’s repairs response

- The condition of the roofs of the bungalows and whether they remain watertight.'

Response from Councillor R D Bayliss

Regarding EPCs – these are provided for each of the properties individually. They are all either C or D. Individual properties details can be viewed via the government website - [Find an energy certificate - GOV.UK \(www.gov.uk\)](https://www.gov.uk) or officers can provide a full list.

The EPCs are all from various dates – the earliest being in 2013 with the remainder in 2014 and 2015, with one undertaken in 2021 as part of the renewal process. EPCs are regarded as a ten-year life and are on a programme on renewal in line with that.

Regarding ratings being adequate, it is widely acknowledged that any properties that fall under an EPC rating of D or below can be classed as in fuel poverty depending on disposable income. We do not hold information on tenants' income with asset management as this is protected under the relevant data protection legislation. A new project to assess heating systems and controls in our sheltered schemes has been proposed for 23/24 with a review being undertaken in April 2023 subject to budget approvals.

Turning to the Warm Homes scheme - We have not upgraded properties under Warm Home Scheme. This scheme is automatically applied by the energy supplier and not the landlord. We have been reviewing the ECO4 and Social Housing Decarbonisation Fund (SHDF) funding and we are awaiting confirmation from the Department of Business, Energy and Industrial Strategy whether our bid for SHDF funding is approved. We will find out within the next 3-4 weeks if we are successful.

Regarding Window replacements and updates there have been a number of window replacements and updates mainly when properties have been void. A full list can be provided by officers.

Turning to Roofs - These properties were constructed circa 1970's and roof renewals are not due for another 20 years, we are not aware of any particular failures, however as with all our homes repairs are undertaken as necessary.

Supplementary question and response

Councillor T Eynon was curious about the response in relation to EPC inspections undertaken as she was aware of a tenant that had one in 2021. She asked for the number of blown windows, plus assurances that all improvements required for sheltered housing would be carried out. Councillor R D Bayliss explained that the recent EPC referred to was likely to be a change in tenancy, which required an inspection, he added that the service was planning more inspections next year. It was agreed to look into an accurate number of blown windows and report back to Councillor T Eynon outside of the meeting.

Question from Councillor M B Wyatt

'Residents on Haslyn Walk in Greenhill have suffered flooding on numerous occasions and horrendous parking problems due to the lack of parking. Residents have been promised action and plans have been agreed upon by all parties involved but to date, nothing has happened.

Can the portfolio holder give an update on the situation so we can finally have this issue sorted out asap.'

Response from Councillor R D Bayliss

There have been some delays in moving this project forward, primarily due to investigations around the flooding issues. We have engaged with Seven Trent to explore these issues further and to identify the correct owner and who is responsible. But it remains Seven Trent's responsibility to identify this, and we are awaiting a response. The parking element of the scheme is being actively progressed and it is intended for a planning application to come forward for this work by 31 March this year, and subject to that being permitted, works are likely to start this, Summer. Should works be required by the Council to address flooding issues that are our responsibility these will be incorporated into the above if possible or addressed a second scheme so as not to delay the parking improvements further.

Councillor M B Wyatt declined the opportunity to ask a supplementary question.

50. MOTIONS

No motions were received.

51. PETITIONS

No petitions were received.

52. MINUTES

Consideration was given to the minutes of the meeting held on 15 November 2022.

It was moved by Councillor R Boam, seconded by Councillor J Bridges and

RESOLVED THAT:

The minutes of the meeting held on 15 November be approved and signed by the Chairman as a correct record.

53. ROBUSTNESS OF BUDGET ESTIMATES AND ADEQUACY OF RESERVES

Cllr N J Rushton presented report to members.

The recommendations detailed within the report were moved by Councillor N J Rushton and seconded by Councillor S Gillard. A recorded vote being required, the voting was as detailed below. It was

RESOLVED THAT:

The advice of the Section 151 Officer as set out in section seven be noted and the content of the report be considered as part of the approval of the General Fund Budget and Council Tax 2023/24, the Housing Revenue Account Budget 2023/24 and Treasury Management Strategy 2023/24.

Approve the recommendations as set out in the report (Motion)	
Councillor Russell Boam	For
Councillor John Bridges	For
Councillor Robert Ashman	For
Councillor Roger Bayliss	For
Councillor Carl Benfield	Abstain
Councillor Dave Bigby	For
Councillor Richard Blunt	For
Councillor Alexander Bridgen	For
Councillor Rachel Canny	For
Councillor John Clarke	For
Councillor David Everitt	For
Councillor Dr Terri Eynon	For
Councillor Marie French	For
Councillor John Geary	For
Councillor Louise Gillard	For
Councillor Stuart Gillard	For
Councillor Tony Gillard	For
Councillor Dan Harrison	For
Councillor Bertie Harrison-Rushton	For
Councillor Michael Hay	For
Councillor Gill Hout	For
Councillor Jim Hout	For
Councillor Russell Johnson	For
Councillor John Legrys	For
Councillor Keith Merrie MBE	For
Councillor Virge Richichi	For
Councillor Nicholas Rushton	For
Councillor Tony Saffell	For
Councillor Carol Sewell	For
Councillor Sean Sheahan	For
Councillor Jenny Simmons	For
Councillor Nigel Smith	For
Councillor Jake Windram	For
Councillor Andrew Woodman	For
Councillor Michael Wyatt	For
Carried	

54. CAPITAL STRATEGY, TREASURY MANAGEMET STRATEGY AND PRUDENTIAL INDICATORS

Cllr N J Rushton presented report to Members.

The recommendations as detailed within the report were moved by Councillor N J Rushton and seconded by Councillor R Blunt. A recorded vote being required, the voting was as detailed below. It was

RESOLVED THAT:

1. The financial indicators required under the prudential code detailed in section 3 be noted and the following limits be approved:
 - a) The authorised limit and operational boundary for external debt as detailed in table B of the Treasury Management Strategy 2023-24 (appendix 2)

- b) The maturity structure of borrowing as detailed in paragraph 6.6 of the Treasury Management Strategy 2023-24 (appendix 2)
2. The main changes to the Capital Strategy and Minimum Revenue Provision (MRP) statement as detailed in paragraph 2.2 be noted and
- a) Authority be delegated to cabinet to move a Capital Scheme from the development pool to the active programme as long as the scheme is within the approved budget.
- b) The following addition to the MRP Statement for 2022/23 be approved at paragraph 1.5:
- ‘MRP will only be charged once the asset is fully operational and will not be charged whilst the asset is under construction. The MRP will commence the year after the asset becomes operational.’
3. The following be approved:
- a) Capital strategy 2023-24 (appendix 1)
- b) Treasury Management Strategy 2023-24 (appendix 2)
- c) Minimum Revenue Provision (MRP) Statement 2023-24 (appendix 3)
- d) Investment Strategy 2023-24 (appendix 4)
- e) Revised Minimum Revenue Provision (MRP) Statement 2022-23 (appendix 5).
- f) Authority be delegated to the Head of Finance and Section 151 officer to make any necessary changes to appendices 1-4 if any amendments are agreed to the General Fund and Housing Revenue Budgets at this meeting.

Approve recommendations as set out in the report (Motion)	
Councillor Russell Boam	For
Councillor John Bridges	For
Councillor Robert Ashman	For
Councillor Roger Bayliss	For
Councillor Carl Benfield	For
Councillor Dave Bigby	For
Councillor Richard Blunt	For
Councillor Alexander Bridgen	For
Councillor Rachel Canny	For
Councillor John Clarke	For
Councillor David Everitt	For
Councillor Dr Terri Eynon	For
Councillor Marie French	For
Councillor John Geary	For
Councillor Louise Gillard	For
Councillor Stuart Gillard	For
Councillor Tony Gillard	For
Councillor Dan Harrison	For
Councillor Bertie Harrison-Rushton	For
Councillor Michael Hay	For
Councillor Gill Hoult	For
Councillor Jim Hoult	For

Councillor Russell Johnson	For
Councillor John Legrys	For
Councillor Keith Merrie MBE	For
Councillor Virge Richichi	For
Councillor Nicholas Rushton	For
Councillor Tony Saffell	For
Councillor Carol Sewell	For
Councillor Sean Sheahan	For
Councillor Jenny Simmons	For
Councillor Nigel Smith	For
Councillor Jake Windram	For
Councillor Andrew Woodman	For
Councillor Michael Wyatt	For
Carried	

55. GENERAL FUND BUDGET AND COUNCIL TAX 2023/24

Councillor N J Rushton presented the report to Members and thanked the Finance Team for all their hard work. He referred to the route the budget had taken to get to this stage, where Members' comments were invited.

The recommendations as detailed within the report were moved by Councillor N J Rushton and seconded by Councillor R Blunt.

The Chairman referred to the amendments to the motion, which had been circulated in the additional papers. He invited Councillor S Sheahan to put forward his amendment.

Councillor S Sheahan outlined the amended budget as detailed within the additional papers and thanked the Finance Team for assisting with the amended budget. The motion was seconded by Councillor J Geary.

A full and lengthy debate was held before the Chairman put the motion to the vote. A recorded vote being required, the voting was as detailed below.

The amendment was declared LOST.

The Chairman referred Members to the substantive motion as set out within the agenda.

A further debate was held which received wide support for the budget, however, there was some opposition to the zero percent increase in council tax and a heated discussion ensued in relation to some members' perception of the regeneration of Coalville Town Centre.

The Chairman then put the substantive motion to the vote. A recorded vote being required, the voting was as detailed below.

The motion was declared CARRIED.

RESOLVED THAT:

1. The General Fund Revenue Budget for 2023/24 as summarised in section 2 of the report be approved. This includes:
 - a) Freezing the District Council's share of Council Tax in 2023/24.

- b) Changes to the fees and charges as detailed in appendix 3(a) to 3(c), effective from 1 April 2023.
 - c) The authority be delegated to the Head of Community Services to consider any objections received in relation to the proposed variation of fees for vehicle and operators licenses under S.70 of the Local Government (Miscellaneous Provisions) Act 1976, to determine whether in light of any objections the variation in fees should be modified and to set another date on which the variation in fees will come into force, with or without modification, after consideration of said objections.
2. The General Fund Revenue Budget for 2024/25 to 2027/28 (appendix 1) be noted.
 3. The Corporate Charging Policy 2023 – 2026 (appendix 3D) be approved.
 4. The proposed General Fund Capital Programme (appendix 4) for 2023/24 and planned financing, as set out in section 3 of the report be approved.
 5. The remaining elements of the General Fund Capital Programme 2024/25 – 2027/28 be noted.
 6. The Fleet replacement Programme for 2024/25, be approved to allow vehicles to be ordered in advance once approval has been given to move from this development to the active pool (appendix 4).
 7. The Special Expenses Revenue Budget for 2023/24 (appendix 6) be approved as summarised in section 4. This includes:
 - a) Setting the Special Expense Band D Council Tax at the levels detailed in table 4 of the report.
 8. The continuation of NWLDC in the Leicestershire and Leicestershire Enterprise Partnership (LLEP) Business Rates Pol in 2023/24 be approved.
 9. The drawdown of reserves to fund the one-off budget proposals as detailed in the General Fund Budget Summary 2023/24 to 2027/28 (appendix 1) be approved.
 10. The contribution to reserves as detailed in the General Fund Budget Summary 2023/24 to 2023/28 (appendix 1) be approved.
 11. The authority to be delegated to the S151 Officer in conjunction with the Corporate Portfolio Holder to action a virement on grounds maintenance and events to realign the budgets on special expenses.

Amendment to the budget at submitted by Councillor S Sheahan (Motion)	
Councillor Russell Boam	Against
Councillor John Bridges	Against
Councillor Robert Ashman	Against
Councillor Roger Bayliss	Against
Councillor Carl Benfield	Abstain
Councillor Dave Bigby	For
Councillor Richard Blunt	Against
Councillor Alexander Bridgen	Against
Councillor Rachel Canny	Against
Councillor John Clarke	Against
Councillor David Everitt	For
Councillor Dr Terri Eynon	For
Councillor Marie French	Abstain
Councillor John Geary	For
Councillor Louise Gillard	Against
Councillor Stuart Gillard	Against
Councillor Tony Gillard	Against
Councillor Dan Harrison	Against
Councillor Bertie Harrison-Rushton	Against
Councillor Michael Hay	For
Councillor Gill Hout	Against
Councillor Jim Hout	Against
Councillor Russell Johnson	For
Councillor John Legrys	For
Councillor Keith Merrie MBE	Against
Councillor Virge Richichi	Against
Councillor Nicholas Rushton	Against
Councillor Tony Saffell	Against
Councillor Carol Sewell	For
Councillor Sean Sheahan	For
Councillor Jenny Simmons	Against
Councillor Nigel Smith	Against
Councillor Jake Windram	Abstain
Councillor Andrew Woodman	For
Councillor Michael Wyatt	Abstain
Rejected	
Substantive Motion (Motion)	
Councillor Russell Boam	For
Councillor John Bridges	For
Councillor Robert Ashman	For
Councillor Roger Bayliss	For
Councillor Carl Benfield	Abstain
Councillor Dave Bigby	Against
Councillor Richard Blunt	For
Councillor Alexander Bridgen	For
Councillor Rachel Canny	For
Councillor John Clarke	For
Councillor David Everitt	Against
Councillor Dr Terri Eynon	Against
Councillor Marie French	Against
Councillor John Geary	Against
Councillor Louise Gillard	For
Councillor Stuart Gillard	For
Councillor Tony Gillard	For
Councillor Dan Harrison	For

Councillor Bertie Harrison-Rushton	For
Councillor Michael Hay	Abstain
Councillor Gill Hout	For
Councillor Jim Hout	For
Councillor Russell Johnson	Against
Councillor John Legrys	Against
Councillor Keith Merrie MBE	For
Councillor Virge Richichi	For
Councillor Nicholas Rushton	For
Councillor Tony Saffell	For
Councillor Carol Sewell	Against
Councillor Sean Sheahan	Against
Councillor Jenny Simmons	For
Councillor Nigel Smith	For
Councillor Jake Windram	Against
Councillor Andrew Woodman	For
Councillor Michael Wyatt	Against
Carried	

56. HOUSING REVENUE ACCOUNT BUDGET & RENTS 2023/24

Councillor R D Bayliss presented the report to Members.

The recommendations as detailed within the report were moved by Councillor R D Bayliss and seconded by Councillor N J Rushton.

The Chairman referred to the amendments to the motion, which had been circulated in the additional papers. He invited Councillor S Sheahan to put forward his amendment.

Councillor S Sheahan outlined the amendment as detailed within the additional papers and it was moved by Councillor D Everitt.

A full and lengthy debate was held before the Chairman put the motion to the vote. A recorded vote being required, the voting was as detailed below.

The amendment was declared LOST.

The Chairman referred Members to the substantive motion as set out within the agenda.

A further debate was held which received wide support for the budget, along with further discussions on the plans for zero carbon targets.

The Chairman then put the substantive motion to the vote. A recorded vote being required, the voting was as detailed below.

The motion was declared CARRIED.

RESOLVED THAT:

1. The Housing Revenue Account (HRA) Budget for 2023/24 (appendix 1) as summarised in section 2 of the report be approved. This includes:
 - a) Increasing rents by up to 7%
 - b) Changes to fees and charges as detailed in appendix 3.

2. The HRA Budget for 2023/25 – 2027/28 (appendix 1) be noted.
3. The proposed HRA Capital Programme for 2023/24 (appendix 4) and planned financing as set out on section 3 of the report be approved.
4. The HRA Budget for 2024/25 (appendix 4) be approved, to allow vehicles to be ordered in advance once approval has been given to move the scheme from the development pool to the active pool.
5. The remaining elements of the HRA Capital Programmes 2024/25 – 2027/28 as detailed in appendix 4 be noted.

Amendment as submitted by Councillor S Sheahan (Motion)	
Councillor Russell Boam	Against
Councillor John Bridges	Against
Councillor Robert Ashman	Against
Councillor Roger Bayliss	Against
Councillor Carl Benfield	For
Councillor Dave Bigby	For
Councillor Richard Blunt	Against
Councillor Alexander Bridgen	Against
Councillor Rachel Canny	Against
Councillor John Clarke	Against
Councillor David Everitt	For
Councillor Dr Terri Eynon	For
Councillor Marie French	For
Councillor John Geary	For
Councillor Louise Gillard	Against
Councillor Stuart Gillard	Against
Councillor Tony Gillard	Against
Councillor Dan Harrison	Against
Councillor Bertie Harrison-Rushton	Against
Councillor Michael Hay	For
Councillor Gill Hout	Against
Councillor Jim Hout	Against
Councillor Russell Johnson	For
Councillor John Legrys	For
Councillor Keith Merrie MBE	Against
Councillor Virge Richichi	Against
Councillor Nicholas Rushton	Against
Councillor Tony Saffell	Abstain
Councillor Carol Sewell	For
Councillor Sean Sheahan	For
Councillor Jenny Simmons	Against
Councillor Nigel Smith	Against
Councillor Jake Windram	For
Councillor Andrew Woodman	Against
Councillor Michael Wyatt	For
Rejected	
Substantive Motion (Motion)	
Councillor Russell Boam	For
Councillor John Bridges	For
Councillor Robert Ashman	For
Councillor Roger Bayliss	For
Councillor Carl Benfield	Against

Councillor Dave Bigby	Against
Councillor Richard Blunt	For
Councillor Alexander Bridgen	For
Councillor Rachel Canny	For
Councillor John Clarke	For
Councillor David Everitt	Against
Councillor Dr Terri Eynon	Against
Councillor Marie French	Against
Councillor John Geary	Against
Councillor Louise Gillard	For
Councillor Stuart Gillard	For
Councillor Tony Gillard	For
Councillor Dan Harrison	For
Councillor Bertie Harrison-Rushton	For
Councillor Michael Hay	Against
Councillor Gill Hout	For
Councillor Jim Hout	For
Councillor Russell Johnson	Against
Councillor John Legrys	Against
Councillor Keith Merrie MBE	For
Councillor Virge Richichi	For
Councillor Nicholas Rushton	For
Councillor Tony Saffell	Abstain
Councillor Carol Sewell	Against
Councillor Sean Sheahan	Against
Councillor Jenny Simmons	For
Councillor Nigel Smith	For
Councillor Jake Windram	Against
Councillor Andrew Woodman	For
Councillor Michael Wyatt	Against
Carried	

57. COUNCIL TAX RESOLUTION 2023/24

Councillor N J Rushton presented the report to Members.

The recommendations as detailed within the report were moved by Councillor N J Rushton and seconded by Councillor R Blunt. A recorded vote being required, the voting was as detailed below. It was

RESOLVED THAT:

The Council Tax Resolution 2023/24 as set out in section two of the report be approved.

Approve the recommendations as set out in the report (Motion)	
Councillor Russell Boam	For
Councillor John Bridges	For
Councillor Robert Ashman	For
Councillor Roger Bayliss	For
Councillor Carl Benfield	Abstain
Councillor Dave Bigby	Abstain
Councillor Richard Blunt	For
Councillor Alexander Bridgen	For
Councillor Rachel Canny	For
Councillor John Clarke	For
Councillor David Everitt	Abstain

Councillor Dr Terri Eynon	Abstain
Councillor Marie French	Against
Councillor John Geary	Abstain
Councillor Louise Gillard	For
Councillor Stuart Gillard	For
Councillor Tony Gillard	For
Councillor Dan Harrison	For
Councillor Bertie Harrison-Rushton	For
Councillor Michael Hay	Against
Councillor Gill Hoult	For
Councillor Jim Hoult	For
Councillor Russell Johnson	Abstain
Councillor John Legrys	Abstain
Councillor Keith Merrie MBE	For
Councillor Virge Richichi	For
Councillor Nicholas Rushton	For
Councillor Tony Saffell	For
Councillor Carol Sewell	Abstain
Councillor Sean Sheahan	Abstain
Councillor Jenny Simmons	For
Councillor Nigel Smith	For
Councillor Jake Windram	Against
Councillor Andrew Woodman	For
Councillor Michael Wyatt	Against
Carried	

58. CORPORATE LEADERSHIP TEAM RESTRUCTURE

Councillor N Smith left the meeting at 8.30pm and returned at 8.34pm during the presentation of the report.

Councillor R Johnson left the meeting at 8.30pm.

After declaring an interest in the following item, the Head of Legal and Commercial Services (Monitoring Officer) left the meeting during the discussion and voting thereon. The Legal Services Team Manager (Deputy Monitoring Officer) joined the meeting to provide advice to Members as required.

The Chief Executive presented the report to Members.

There were mixed views across the Chamber with some Members in full support of the recommendations and others raising concerns that such decisions should be taken after the District Council elections in May. Reference was made to the concerns of staff during consultation and comments from trade unions, however the need for a Director of Finance role was acknowledged.

The recommendations within the report were moved by Councillor R Blunt, seconded by Councillor N J Rushton and

RESOLVED THAT:

1. The objectives of the Corporate Leadership Team review be noted.
2. The revised Senior Management structure as set out in Appendix A be approved.

3. Authority be given to the Appointments Committee to approve the assimilation of the current Finance Team Manager (Deputy S151 Officer) into the Head of Finance role.
4. A decision on consequential amendments to the constitution under a separate item on this agenda be noted.

59. REVIEW OF THE CONSTITUTION

Councillor R Ashman presented the report to Members.

The recommendations as detailed within the report were moved by Councillor R Ashman and seconded by Councillor R Blunt.

Some Members were strongly against the proposal to not allow Members to sit on both the Audit and Governance Committee and Scrutiny Committees. Although the guidance on the matter from CIPFA was acknowledged, those Members not in favour found it difficult to see any reason why this had to be a constitutional requirement. Particularly as it was felt it would be detrimental to smaller political groups.

Therefore, an amendment was moved by Councillor S Sheahan and seconded by Councillor J Legrys to disregard the addition to the Constitution to not allow Members to sit on both the Audit and Governance Committee and Scrutiny Committees.

Further discussion was had in relation to the CIPFA guidance and the take up from other Local Authorities. It was noted that there would be more opportunities to make further constitutional changes in the future as it continued to be updated each year.

The Chairman then put the amendment to the vote.

The motion was LOST.

The Chairman referred Members to the substantive motion as set out within the agenda.

In relation to the Coalville Special Expenses Working Party, discussions were had on the future of the group and agreed it was not currently fit for purpose. It was acknowledged that it was an advisory body which needed to have a closer relationship with the Cabinet.

The Chairman then put the substantive motion to the vote.

RESOLVED THAT:

1. The proposed new constitution as set out in Appendix A be adopted with effect from 9 May 2023.
2. Authority to make the changes to the proposed new constitution as set out in Appendix D, as approved earlier on the agenda, be delegated to the Monitoring Officer.

60. PAY POLICY STATEMENT 2023/24

Councillors J Clarke, K Merrie and J Windram left the meeting at 9.11pm and returned at 9.14pm during the presentation of the item.

Councillor R Ashman presented the report to Members.

The recommendations as detailed within the report were moved by Councillor R Ashman, seconded by Councillor R Blunt and

RESOLVED THAT:

The Council's Pay Policy Statement 2023/24 as set out in appendix 1 of the report be approved.

61. GENDER PAY GAP REPORT 2022

Councillor R Ashman presented the report to Members.

The recommendations within the report were moved by Councillor R Ashman, seconded by Councillor R Blunt and

RESOLVED THAT:

The report be noted and reported to Government.

62. REQUEST FROM SWEPSTONE PARISH COUNCIL TO CHANGE ITS NAME TO SWEPSTONE AND NEWTON BURGOLAND PARISH COUNCIL

Councillor R Ashman presented the report to Members.

The recommendations within the report were moved by Councillor R Ashman, seconded by Councillor R Blunt and

RESOLVED THAT:

1. A change in the name of Swebstone Parish Council to Swebstone and Newton Burgoland Parish Council be approved.
2. Authority to make any necessary legal orders and notifications to enact the above changes be delegated to the Head of Legal and Commercial Services.

63. APPOINTMENT OF DEPUTY ELECTORAL REGISTRATION OFFICERS

Councillor R Ashman presented the report to Members.

The recommendations within the report were moved by Councillor R Ashman, seconded by Councillor R Blunt and

RESOLVED THAT:

1. The Democratic Services Team Manager be appointed as the Deputy Electoral Registration Officer, with the full powers of the Electoral Registration Officer in their absence with immediate effect.
2. The Head of Legal and Commercial Services and the Electoral Services Officer be appointed as Deputy Electoral Registration Officers, with limited powers of the Electoral Registration Officer to sign temporary Voter Authority Certificates on 4 May 2023.

64. URGENT DECISIONS TAKEN BY CABINET

Councillor R Blunt presented the report to Members.

The recommendations within the report were moved by Councillor R Blunt, seconded by Councillor R Ashman and

RESOLVED THAT:

The report be noted.

Councillor R Johnson left the meeting at 8.30pm.

Councillor N Smith left the meeting at 8.30pm and returned at 8.34pm.

Councillors J Clarke, K Merrie and J Windram left the meeting 9.11pm and returned at 9.14pm.

The meeting commenced at 6.30 pm

The Chairman closed the meeting at 9.18 pm

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL
COUNCIL – TUESDAY, 23 MAY 2023



Title of Report	APPOINTMENTS TO COMMITTEES AND GROUPS, ELECTION OF CHAIRS AND DEPUTY CHAIRS	
Presented by	Elizabeth Warhurst Monitoring Officer	
Background Papers	The Council's Constitution Review of the Constitution Council Report – 23 February 2023	Public Report: Yes
Financial Implications	<p>There are no direct additional financial implications connected with appointment to the committees and groups listed in 1.2. However, over the next year and the across the medium term the Council faces a range of financial challenges including:</p> <ul style="list-style-type: none"> • Making decisions to maintain its financial sustainability • Local government funding reform • The regulatory/control environment within which the Council operates being strengthened following a number of high profile issues at councils within the local government sector • A change in its External Auditor <p>In determining the membership of committees Council should ensure legislative, constitutional and best practice professional guidance in local governance are followed. This will provide the Council with a good governance framework for its financial decision making and promote a strong internal control process.</p>	
	Signed off by the Section 151 Officer: Yes	
Legal Implications	<p>In determining the membership of committees, account must be taken of the requirements of the Local Government (Committees and Political Groups) Regulations 1990 and 1991 made under sections 15 and 16 of the Local Government and Housing Act 1989. These Regulations require that seats on committees and sub-committees are allocated to the political groups in a way which reflects the overall balance on the Council; with some exceptions to any committees/working groups established under the Constitution. All appointments adhere to the requirements under the Constitution.</p>	
	Signed off by the Monitoring Officer: Yes	
Staffing and Corporate Implications	There are no implications	
	Signed off by the Head of Paid Service: Yes	

Purpose of Report	To appoint the committees and groups of the Council and members to serve thereon and also to elect the Chairs and Deputy Chairs.
Recommendations	<p>THAT COUNCIL</p> <ol style="list-style-type: none"> 1. ENDORSES THE TERMS OF REFERENCE OF THE COMMITTEES AND GROUPS IN APPENDIX A 2. MAKES THE APPOINTMENTS TO THE COMMITTEES AND GROUPS LISTED IN PARAGRAPH 1.2 OF THE REPORT. 3. APPOINTS CHAIRS AND DEPUTY CHAIRS FOR THE COMMITTEES AND GROUPS LISTED IN PARAGRAPH 3.1 OF THE REPORT.

1.0 APPOINTMENT TO COMMITTEES AND GROUPS

1.1 In accordance with the Constitution Members must, at the Council's Annual Meeting, endorse committee Terms of Reference, receive nominations of Councillors to serve on each board or committee and appoint to those boards or committees.

1.2 The committees and groups include:

- Appointments Committee (four Members plus appropriate Portfolio Holder)
- Audit and Governance Committee (10 Members)
- Electoral Review Working Party (five Members)
- Employee Joint Consultative Committee (six Members)
- Investigatory Committee (five Members)
- Licensing Committee (15 Members)
- Local Plan Committee (11 Members)
- Planning Committee (11 Members)
- Community Scrutiny Committee (10 Members)
- Corporate Scrutiny Committee (10 Members)

1.3 The Terms of Reference are attached at appendix A.

2.0 POLITICAL BALANCE REQUIREMENTS

2.1 In determining the membership of committees, account must be taken of the requirements of the Local Government (Committees and Political Groups) Regulations 1990 and 1991 made under sections 15 and 16 of the Local Government and Housing Act 1989. These Regulations require that seats on committees and sub-committees are allocated to the political groups in a way which reflects the overall balance on the Council; with some exceptions to any committees/working groups established under the Constitution. The allocation of seats on ordinary committees must be the same proportion as the number of members of the Authority as a whole. The Council has a duty when allocating or reviewing the allocation of seats on committees to give effect so far as is reasonably practicable to the following four principles:

- (i) all the seats are not allocated to the same political group;
- (ii) the majority of the seats go to the political group in the majority on the full Council;
- (iii) subject to the above two principles, the total number of seats on the ordinary committees of the Authority are allocated to each political group in the same proportion as the group's representation on the full Council; and
- (iv) subject to the above three principles, the number of seats on each committee are allocated to each political group in the same proportion as the group's representation on the Council.

2.2 Advice has been provided to the groups on proportionality and the requirements for appointments of the constitution, including any legal, best practice professional guidance or constitutional restrictions to members being appointed to more than one committee.

3.0 APPOINTMENT OF CHAIRS AND DEPUTY CHAIRS

3.1 Members are asked to appoint the Chairs and Deputy Chairs to the following:

- Appointments Committee
- Audit and Governance Committee
- Community Scrutiny Committee
- Corporate Scrutiny Committee
- Investigatory Committee
- Licensing Committee
- Local Plan Committee
- Planning Committee

4.0 NOMINATIONS

4.1 Nominations for the seats on the above committees and groups will be circulated at the meeting.

Policies and other considerations, as appropriate	
Council Priorities:	Supporting Coalville to be a more vibrant, family friendly town Support for businesses and helping people into local jobs Developing a clean and green district Local people live in high quality, affordable homes Our communities are safe, healthy and connected
Policy Considerations:	The Local Government (Committees and Political Groups) Regulations 1990 and 1991 made under sections 15 and 16 of the Local Government and Housing Act 1989.
Safeguarding:	Not applicable.
Equalities/Diversity:	The process ensures that all committees have a politically balanced make up.

Customer Impact:	Not applicable.
Economic and Social Impact:	Not applicable.
Environment and Climate Change:	Not applicable.
Consultation/Community Engagement:	Political Group Leaders
Risks:	Failure to appoint to the relevant Committees would put the Council in breach of its duties and compromise the legality and integrity of any future decisions.
Officer Contact	Elizabeth Warhurst Head of Legal and Commercial Services elizabeth.warhurst@nwleicestershire.gov.uk

SECTION D1 - LICENSING COMMITTEE

1 COMMITTEE FORM AND STRUCTURE

Composition

- 1.1 The full **Licensing Committee** will comprise 15 Councillors in **Political Balance**.
- 1.2 The Chair will be appointed by **Full Council** annually.
- 1.3 Where **Sub-Committees** are established by the **Licensing Committee** on an ad hoc basis to deal with matters under the Licensing Act 2003 and the Gambling Act 2005 and 'general' licensing matters they will comprise 3 Councillors from the full Licensing Committee.

Quorum

- 1.4 The **Licensing Committee Quorum** will be 5 **Councillors**. The **Sub-Committee Quorum** will be 3 Councillors.

Substitutes

- 1.5 Each group may appoint substitutes under the **Councillors' Substitute Scheme Procedure Rules** in **Part 3**.

2 MATTERS RESERVED FOR THE LICENSING COMMITTEE

- 2.1 Functions under both the Licensing Act 2003 and the Gambling Act 2005:
 - 2.1.1 To consider all outstanding licensing matters;
 - 2.1.2 To recommend to Council to resolve not to issue a casino licence;
 - 2.1.3 To determine all licensing matters referred to it with the exception of:
 - (a) The Statements of Licensing Policy under both the Licensing Act 2003 and the Gambling Act 2005;
 - (b) the power to resolve not to issue a casino licencewhich shall be reserved to Council.
- 2.2 To decide on any other matter where it is necessary or desirable for Councillors to make that decision.
- 2.3 Where **Sub-Committees** are convened they will have the following functions under the Licensing Act 2003:
 - 2.3.1 To determine applications to vary designated premises supervisors

following police objections;

- 2.3.2 To determine applications for transfer of premises licences following police and/or Secretary of State objections;
 - 2.3.3 To consider police and/or Secretary of State objections made to interim authority notices;
 - 2.3.4 To determine applications for premises licences and club premises certificates where relevant representations have been made;
 - 2.3.5 To determine applications for provision statements where relevant representations have been made;
 - 2.3.6 To determine applications to vary premises licences and club premises certificates where relevant representations have been made;
 - 2.3.7 To determine valid applications for review of premises licences and club premises certificates;
 - 2.3.8 To decide whether to give counter notices following objections from police and/or environmental health to standard temporary event notices;
 - 2.3.9 To determine applications for grants of personal licences following police objections;
 - 2.3.10 To determine applications for renewals of personal licences following police objections;
 - 2.3.11 To decide on revocation of personal licences where convictions come to light after grant;
 - 2.3.12 To decide whether to object when the local authority is the consultee and not the relevant authority considering the application.
- 2.4 Where **Sub-Committees** are convened they will have the following functions under the Gambling Act 2005:
- 2.4.1 To determine applications for premises licences where relevant representations have been made and not withdrawn.
 - 2.4.2 To determine applications for provisional statements where relevant representations have been made and not withdrawn;
 - 2.4.3 To determine valid applications for review of premises licences;
 - 2.4.4 To determine applications for variations of premises licences where relevant representations have been made and not withdrawn;

- 2.4.5 To determine applications for transfers of premises licences following representations by the Gambling Commission or others;
 - 2.4.6 To determine applications for the re-instatement of premises licences where relevant representations have been made;
 - 2.4.7 To decide whether to give counter notices following objections to temporary use notices;
 - 2.4.8 To determine applications for the grant or renewal of club gaming permits and club machine permits where valid objections have been received and not withdrawn;
 - 2.4.9 To determine proposals to cancel club gaming permits and club machine permits where the holder requests a hearing;
 - 2.4.10 To determine applications for the grant of temporary use notices where objections have been made.
- 2.5 Where a **Hackney Carriage and Private Hire Sub-Committee** is convened it will have the following function:
- 2.5.1 To consider all outstanding hackney carriage and private hire licensing issues which are referred to it.

SECTION D2 - APPOINTMENTS COMMITTEE

1 COMMITTEE FORM AND STRUCTURE

Composition

- 1.1 The **Appointments Committee** will comprise 4 Councillors in **Political Balance**, one of whom must be a **Cabinet Member**, plus the relevant portfolio holder.
- 1.2 Members and the **Chair** will be appointed by **Full Council** annually.

Quorum

- 1.3 The **Appointments Committee Quorum** will be 3 Councillors.

2 MATTERS RESERVED FOR THE APPOINTMENTS COMMITTEE

- 2.1 With regard to appointments of the Councils' **Statutory Officers, Chief Officers** and **Deputy Chief Officers**:
 - 2.1.1 To interview shortlisted candidates for **Head of Paid Service, Strategic Director** and **Head of Service** posts;
 - 2.1.2 To make recommendations to **Full Council** on the appointment of the **Chief Executive/Head of Paid Service**;
 - 2.1.3 To make decisions about all permanent appointments to **Strategic Director** and **Head of Service** posts.
 - 2.1.4 Undertake an annual appraisal of the performance of the **Chief Executive/Head of Paid Service**.
 - 2.1.5 To hear appeals from the **Investigatory Committee**.

SECTION D3 - INVESTIGATORY COMMITTEE

1 COMMITTEE FORM AND STRUCTURE

Composition

- 1.1 The **Investigatory Committee** will comprise 5 Councillors in **Political Balance**.
- 1.2 Members and the **Chair** will be appointed by **Full Council** annually.
- 1.3 When advising the Council in relation to the proposed dismissal of the **Head of Paid Service, Strategic Directors** and Heads of Service (including Statutory Officers) the Committee will co-opt two (voting) **Independent Persons** in accordance with the Local Authorities (Standing Orders) (England) Regulations 2001 (as amended).

Quorum

- 1.4 The **Investigatory Committee Quorum** will be 3 Councillors.

2 MATTERS RESERVED FOR THE INVESTIGATORY COMMITTEE

- 2.1 To appoint an independent investigator and independent advisors, if required.
- 2.2 To determine whether or not any of the following should be suspended pending investigation into allegations of misconduct or incapability:
 - **Head of Paid Service**
 - **S151 Officer**
 - **Monitoring Officer**
 - **Strategic Director**
 - **Head of Service**
- 2.3 To make a recommendation to Council to dismiss a Statutory Officer.
- 2.4 When making a recommendation to Council to dismiss a Statutory Officer, to meet and consider the matter with an **Independent Person** and prepare a report for Council.
- 2.5 To approve any proposed severance payment to the Head of Paid Service that is no more than £100,000.

SECTION D4 - PLANNING COMMITTEE

1 COMMITTEE FORM AND STRUCTURE

Committee scope

- 1.1 The majority of planning applications are dealt with by Officers under delegated powers from the **Planning Committee**, as they are relatively straightforward. Consequently, the determination of all non-executive decisions under the Planning Acts is delegated to the Strategic Directors, apart from those matters reserved to the Planning Committee under this Section D4.
- 1.2 Where development control functions are discharged by the **Planning Committee**, the meeting will consider applications and related planning matters which are being determined or considered by the Council as the Local Planning Authority.
- 1.3 Without prejudice to the generality of paragraph 1.1 above, the Planning Committee has delegated responsibility for determining the following to the Strategic Directors:
- Agricultural Prior Approval
 - East Midlands Airport Informal Notification
 - Certificate of Alternative Appropriate Development
 - Certificate of Lawful Development – Existing
 - Certificate of Lawful Development – Proposed
 - County Council Consultation
 - Demolition Prior Approval
 - Discharge of Conditions
 - Habitat Regulations Assessment
 - Hedgerow Removal Notice
 - Neighbouring Authority Consultation
 - Non-Material Amendment
 - Overhead Lines Notification
 - Pre-Application Advice
 - Pre-Application Advice - Major
 - Applications querying whether Planning Permission is required
 - Prior Approval for Householder development
 - Works to trees in a conservation area

Composition

- 1.4 The **Planning Committee** will comprise 11 Councillors in **Political Balance**.
- 1.5 The Chair will be appointed by **Full Council** annually.

Quorum

- 1.6 The **Planning Committee Quorum** will be 3 **Councillors**.

Substitutes

- 1.7 Each group may appoint substitutes in accordance with the **Councillors' Substitute Scheme Procedure Rules** in **Part 3**.

2 MATTERS RESERVED FOR THE PLANNING COMMITTEE

- 2.1 The determination of an application that is contrary to the provisions of an approved or draft development plan policy and is recommended for permission, which in the opinion of the relevant Strategic Director the application is likely to:
 - (a) be potentially controversial; or
 - (b) be of significant public interest; or
 - (c) have a significant adverse impact on the environment; or
 - (d) raise matters which should be referred to the Planning Committee.
- 2.2 The determination of an application that is submitted by or on behalf of the Council for its own development, except for the approval of development which is unlikely to have any major impacts and to which no material planning objections (in the opinion of the relevant Strategic Director) have been received.
- 2.3 The determination of an application where a legal agreement (S106 or similar) is required, except in the case of minor non-contentious agreements or minor amendments to existing legal agreements.
- 2.4 Excluding those types of applications detailed at paragraph 1.3 above, the determination of an application where:
 - (a) a ward member of the ward to which the application relates or the ward member of an adjoining ward (if that adjoining ward is materially impacted by the application) has notified the relevant Strategic Director (in writing or by email within 4 weeks of being notified of the application) that the application should be determined by the Planning Committee; and
 - (b) in the opinion of the Chair having consulted the relevant Strategic Director (or his nominated officer):

- (i) the notification is supported by one or more material planning grounds; and
- (ii) the item relates to a matter of local concern,

Provided that where the relevant ward member or neighbouring ward member has a disclosable pecuniary interest in the application in question, this “call-in” shall automatically be triggered for consideration by the Chair under (b) above.

Where the Chair decides that an application does not satisfy (b)(i) or (ii) above, written reasons shall be given to the requesting member.

2.5 The determination of an application that is recommended for approval by officers and is submitted by:

- (a) a serving member or officer of the Council; or
- (b) the close relative of a serving member or officer of the Council

except for the approval of an application which in the opinion of the relevant Strategic Director (or a nominated officer) is unlikely to have any major impacts and to which no objections have been received.

2.6 The determination of any application or matter that the relevant Strategic Director refers to the Planning Committee, including (but not limited to) any consultation on an executive function, provided that where the matter referred to the Committee relates to an executive function, the Committee’s view shall be subject to being agreed with the relevant portfolio holder or agreed by Cabinet.

2.7 The making of orders to revoke or modify planning permissions, to impose conditions to remove buildings or repair listed buildings.

2.8 To consider objections or other representations in relation to making tree preservation orders.

2.9 Serving Building Preservation Notices or Listed Building Repair Notices, except where it is necessary to serve a notice in an emergency.

2.10 To determine matters referred to it following the receipt of objections or other representations in relation to:

- (a) Public Footpath Orders under the Town and Country Planning Act 1990;
- (b) Footpath Diversion Orders under the Highways Act 1980.

SECTION D5 - LOCAL PLAN COMMITTEE

1 COMMITTEE FORM AND STRUCTURE

Committee Scope

- 1.1 The **Local Plan Committee** will meet at least once every two months but may meet more frequently where necessary.
- 1.2 Other **Councillors** may (at the discretion of the Chair) be invited to speak at meetings of the **Local Plan Committee** on any particular matter. Requests to be so invited must be submitted by Councillors to the Democratic and Support Services **Team Manager** no later than 12pm on the last clear working day before the meeting. Councillors so invited shall not be entitled to vote.
- 1.3 If appropriate to a particular matter being discussed by the **Local Plan Committee**, the Chair may permit relevant experts to speak at a meeting.
- 1.4 Rule 11 of the **Council and Committee Procedure Rules** in **Part 3** which allows members of the public to ask questions shall apply to the **Local Plan Committee** provided that references to "Council" or **Cabinet Members** shall be deemed to refer to the Local Plan Committee or its **Councillors**.
- 1.5 Neither the **Chair** nor **Deputy Chair** of the **Local Plan Committee** shall be the same person who is the Chair or Deputy Chair of the **Planning Committee**.

Composition

- 1.6 The **Local Plan Committee** will comprise 11 Councillors in **Political Balance**.
- 1.7 The Chair will be appointed by **Full Council** annually.

Quorum

- 1.8 The **Local Plan Committee Quorum** will be 7 **Councillors**.

Substitutes

- 1.9 Each group may appoint substitutes in accordance with the **Councillors' Substitute Scheme Procedure Rules** in **Part 3**.

2 MATTERS RESERVED FOR THE LOCAL PLAN COMMITTEE

- 2.1 In relation to Development Plan Documents (DPDs) (the Council's Local Plan is a DPD):
 - 2.1.1 To receive reports and drafts from **Cabinet** on:
 - (a) proposed DPDs; and

- (b) the functioning of and proposed revisions to existing DPDs;
 - 2.1.2 To consider and comment on documents that relate to DPDs including (but not restricted to) policy options and draft policies having regard to evidence prepared to support each DPD;
 - 2.1.3 To provide updates to other Councillors who do not sit on the **Local Plan Committee** and to champion the Committee's work on the Local Plan;
 - 2.1.4 To keep DPDs under review and monitor progress on the preparation of revisions and updates to DPDs (including the Local Plan);
 - 2.1.5 Instructing **Cabinet** to reconsider drafts of DPDs and revisions of them;
 - 2.1.6 Deciding to publish DPDs and revisions of them for public consultation;
 - 2.1.7 Deciding to submit DPDs and revisions of them for examination by a Planning Inspector;
- (Adoption of DPDs and revisions of them following examination remains a function of **Full Council**).
- 2.2 In relation to Supplementary Planning Documents (SPDs):
 - 2.2.1 To receive reports from the Cabinet on:
 - (a) proposed SPDs; and
 - (b) the functioning of and proposed revisions to existing SPDs;
 - 2.2.2 To consider and comment on documents that relate to SPDs including (but not restricted to) draft SPDs;
 - 2.2.3 To keep SPDs under review and monitor progress on the preparation of revisions and updates to SPDs;
 - 2.2.4 Instructing the executive (i.e. Portfolio Holder/Officers) to reconsider drafts of SPDs and revisions of them;
 - 2.2.5 Deciding to publish SPDs and revisions of them for public consultation;
 - 2.2.6 Deciding to adopt SPDs and revisions of them following public consultation.
 - 2.3 In relation to HS2:
 - 2.3.1 To keep the Council's HS2 strategy under review and monitor developments on the ground against the parameters set out in the Council's Strategy;

2.3.2 To decide to adopt an amended HS2 Strategy from time to time.

2.4 In relation to other Council functions:

2.4.1 To determine any matters referred to it by **Full Council**.

2.5 Advisory functions (non-decision-making):

2.5.1 Duty to Co-operate:

- (a) To consider and comment on responses to plans being prepared by other local planning authorities or by multiple local authorities working in partnership (such as the Strategic Growth Plan) as part of the “Duty to Cooperate” contained in s33A of the Planning and Compulsory Purchase Act 2004;
- (b) To recommend to Council that a particular inter-authority plan or strategy is adopted in compliance with the “Duty to Cooperate”.

SECTION D6 - SCRUTINY COMMITTEES

1 COMMITTEE FORM AND STRUCTURE

Committee Scope

- 1.1 North West Leicestershire District Council adopts the Cabinet system to operate its decision making and there are two **Scrutiny Committees** comprising non-Cabinet Members – the Corporate Scrutiny Committee and the Community Scrutiny Committee.
- 1.2 Where there are references to the “relevant Scrutiny Committee” in this Constitution and there is any doubt as to which Scrutiny Committee it is, the decision of the Monitoring Officer shall be final.
- 1.3 Scrutiny is central to the Council's decision-making process and has two main roles:
 - 1.3.1 The development and review of policies for a wide range of subjects and services; and
 - 1.3.2 The critical examination of the Council's performance and effectiveness of its decisions.
- 1.4 The **Scrutiny Committees** look into areas of local concern and recommend improvements the Council can make to ensure quality of life is improved for all. The main tasks of the **Committees** are:
 - 1.4.1 Performance Monitoring - The Council has to meet corporate priorities set out in the Council Delivery Plan and report against those indicators. **Scrutiny Committees** can examine any aspect of the Council's performance, including services that it delivers through partnerships with other organisations;
 - 1.4.2 Holding the Cabinet to Account - Decisions made by the Cabinet but not yet put into practice can be reviewed by the **Scrutiny Committees** and challenged;
 - 1.4.3 Policy review and development - **Scrutiny Committees** can propose new policies or review existing policies and recommend changes to Cabinet; and
 - 1.4.4 External Scrutiny - Any issue directly affecting the residents of North West Leicestershire can be scrutinised by the **Scrutiny Committees**, including services provided by another organisation.
- 1.5 The **Scrutiny Committees** are not able to take decisions but make recommendations to either **Cabinet** or **Full Council**.

- 1.6 Below is a non-exhaustive list of the respective areas of responsibility for each **Scrutiny Committee**. Each Committee may receive reports and comment on matters of policy or items of business of a reasonably similar nature to those listed:

Corporate Scrutiny Committee	Community Scrutiny Committee
Asset Management	Business/Economy
Estates and property	Planning and Building Control
Audit	Tourism
Communications	Partnerships
Customer Services	Community Safety
Finance	Leisure
Human Resources	Health and Wellbeing
ICT	Stronger Safer Communities
Legal Services	Environmental Health
Revenue and Benefits	Licensing
Shared Services	Environmental Protection
	Statutory Crime and Disorder Committee
	Strategic Housing - Housing Strategy
	Housing Management
	Economic Development
	Regeneration
	Waste Services

Composition

- 1.7 The **Scrutiny Committees** will each comprise 10 Councillors in **Political Balance**.
- 1.8 Members of the **Scrutiny Committees** must not be **Cabinet Members** or members of the **Audit and Governance Committee**.
- 1.9 The Chair and Deputy Chair will be appointed by **Full Council** annually.
- 1.10 The **Scrutiny Committees** shall be entitled to recommend to Council the appointment of a number of people as non-voting co-optees.

Quorum

- 1.11 The **Quorum** for each **Scrutiny Committee** will be 3 **Councillors**.

2 MATTERS RESERVED TO THE SCRUTINY COMMITTEES

The two **Scrutiny Committees** shall have equal status and equal functions as set out below. The Scrutiny Committees:

- 2.1 will discharge the Council's functions under section 9F of the Local Government Act 2000;
- 2.2 will be responsible for the Council's scrutiny function including the preparation, implementation, monitoring and review of an annual **Work Plan** for scrutiny in accordance with the objectives of the Council Delivery Plan and arrangements for the scrutiny of other public bodies particularly where required to do so by law;
- 2.3 may establish such **task and finish groups**, appointing the Chair in accordance with the Council's criteria and with such membership as it sees fit, to undertake scrutiny on a task and finish basis;
- 2.4 will, as part of the overall role, ensure the **Chief Executive** and Senior Leadership Team discharge their responsibilities effectively and efficiently in relation to the scrutiny function;
- 2.5 will scrutinise decisions of or actions taken by the **Cabinet**, and offer advice or make recommendations on the matter under scrutiny once the Committee has considered the issues;
- 2.6 may scrutinise matters coming before **Cabinet** for decision and respond appropriately to the Cabinet on the matter once the Committee has considered the issues fully;
- 2.7 will review or scrutinise decisions or actions taken in respect of any functions which are not the responsibility of the **Cabinet** and make reports or recommendations to the **Full Council**, or appropriate body of the Council;
- 2.8 may refer to the Council or appropriate Committee/**Sub-Committee** any matter which, following scrutiny, the Committee determines should be brought to the attention of the **Full Council** or the Committee or **Sub-Committee** and may, if requested, offer any views or advice to the **Cabinet** in relation to any matter referred to the Committee for consideration;
- 2.9 may undertake reviews with a cross-service approach wherever possible and make reports and recommendations to the **Full Council** (or other appropriate Council body) or the **Cabinet** to assist in the review of policies and strategies;
- 2.10 may offer advice and make recommendations to the appropriate body of the Council on the review of policy, services and aspects of services where there is an identifiable need, by itself or through setting up a **Task and Finish Group**;

- 2.11 in performing its role, the Committee may consult and involve the local community and other local public, private and voluntary bodies or organisations;
- 2.12 may review the Council's response to its obligations in respect of the overall performance management regime and, where appropriate, to advise the **Cabinet** or appropriate body of the Council of its findings;
- 2.13 may recommend that a decision made but not yet implemented, and taken in respect of a function which is the responsibility of the **Cabinet**, be reconsidered by the Cabinet;
- 2.14 may scrutinise decisions after implementation to examine their effect and outcomes;
- 2.15 may make reports or recommendations to the appropriate body of the Council in respect of any matters which affect the Council's area or its inhabitants;
- 2.16 may review and make recommendations in relation to matters which are not the direct responsibility of the Council but which affect the social, economic or environmental well-being of an area or the Council's area as a whole or under any statutory requirement or Council contract, procedure or practice;
- 2.17 may invite expert witnesses, Councillors, Officers and partners to answer questions;
- 2.18 will consider and advise the **Cabinet** in respect of "Call-in" notices under the Council's relevant procedures;
- 2.19 will create **Task and Finish Groups** and set their Terms of Reference, to fulfil the scrutiny requirements of the Council and the annual **Work Plan**;
- 2.20 will approve an annual **Work Plan**, to be kept under review and updated as required;
- 2.21 will produce an annual report to **Full Council** for the scrutiny process;
- 2.22 will report to **Full Council** as required on the Committee's performance in relation to the terms of reference and the effectiveness of the Committee in meeting its purpose;
- 2.23 will discharge the Council's scrutiny functions in relation to the reduction of crime and disorder pursuant to the Crime and Disorder Act 1998 and:
 - 2.23.1 shall have power to scrutinise decisions or actions taken in connection with the discharge of its crime and disorder functions by any responsible authority and make recommendations or reports to the Council in relation to the discharge of those functions;

2.23.2 may co-opt additional members to serve on the Committee;

2.23.3 may require the attendance before it of any Officer or employee of any responsible authority or co-operating body;

2.23.4 may make a report or recommendation to a responsible authority or co-operating body; and

2.23.5 shall exercise its functions in accordance with any appropriate regulations.

2.24 Notwithstanding the above, the **Scrutiny Committees** shall not review any decisions of development control or other quasi-judicial matters.

SECTION D7 - AUDIT AND GOVERNANCE COMMITTEE

1 COMMITTEE FORM AND STRUCTURE

Committee scope

- 1.1 The **Audit and Governance Committee** has specific responsibility for governance issues, including audit functions.
- 1.2 The Committee's scope is to:
- 1.2.1 provide independent assurance to those charged with governance of the adequacy of the risk management framework and the internal control environment;
 - 1.2.2 provide independent review of the **Council's** governance, risk management and control frameworks and oversee the financial reporting and annual governance process;
 - 1.2.3 oversee internal audit and external audit arrangements, helping to ensure efficient and effective assurance mechanisms are in place.
- 1.3 The success of the **Audit and Governance Committee** in exercising its audit functions depends upon its ability to remain apolitical. It must adopt a non-political approach to its meetings and discussions at all times. Remaining apolitical also places a duty on **Councillors** not to make inappropriate use of information provided to the Committee for other purposes.

Composition

- 1.4 The **Audit and Governance Committee** will comprise 10 Councillors in **Political Balance**.
- 1.5 Members of the **Committee** should not be members of **Cabinet** or **Scrutiny**.
- 1.6 The Chair will be appointed by **Full Council** annually.
- 1.7 Two **Independent Persons** may be co-opted as required to the Audit and Governance Committee to advise on finance matters or to a **Sub-Committee** of the Audit and Governance Committee in relation to standards matters but will not be entitled to vote at meetings.
- 1.8 At least one parish councillor may be present when matters relating to parish councils or their Councillors are being considered. Parish councillors are co-opted to the Audit and Governance Committee as required and will not be entitled to vote at meetings.

Quorum

- 1.9 The **Audit and Governance Committee Quorum** will be 3 **Councillors**.

2 MATTERS RESERVED FOR THE AUDIT AND GOVERNANCE COMMITTEE

Governance, Risk and Controls

- 2.1 The Committee has the right to access all the information it considers necessary to undertake the work of the Committee and may receive reports and refer matters to internal and external auditors.
- 2.2 To review the Council's corporate governance arrangements against the good governance framework, including the ethical framework and consider the local code of governance.
- 2.3 To review and approve the **Annual Governance Statement** and consider whether it properly reflects the risk environment and supporting assurances, taking into account internal audit's opinion on the overall adequacy and effectiveness of the **Council's** framework of governance, risk management and control.
- 2.4 To consider the **Council's** arrangements to secure value for money and to review and scrutinise assurances and assessments on the effectiveness of these arrangements.
- 2.5 To consider the **Council's** framework of assurance and ensure that it adequately addresses the risks and priorities of the Council.
- 2.6 To monitor the effective development and operation of risk management in the **Council**.
- 2.7 To monitor progress in addressing risk related issues reported to the **Committee** such as the [Corporate Risk Register](#).
- 2.8 To consider reports on the effectiveness of internal controls and monitor the implementation of agreed actions.
- 2.9 To review the assessment of fraud risks and potential harm to the **Council** from fraud and corruption.
- 2.10 To monitor the [Anti-Fraud and Corruption Strategy](#), actions and resources.
- 2.11 To review the governance and assurance arrangements for significant partnerships or collaborations.
- 2.12 To review and monitor the **Council's** compliance with public sector financial and audit standards and guidance, in accordance with the **CIPFA** Codes and Accounts and Audit Regulations.

2.13 To review and monitor the Council's **Treasury Management** arrangements in accordance with the **CIPFA** Treasury Management Code of Practice.

3 **INTERNAL AUDIT**

3.1 To approve the internal audit charter.

3.2 To approve (but not direct) the risk-based internal audit plan, including internal audit's resource requirements, the approach to using other sources of assurance and any work required to place reliance upon those other sources.

3.3 To approve significant interim changes to the risk-based internal audit plan and resource requirements.

3.4 To make appropriate enquiries of both management and the Head of Internal Audit (currently the Audit Manager) to determine if there are any inappropriate scope or resource limitations.

3.5 To consider any impairments to independence or objectivity arising from additional roles or responsibilities outside of internal auditing of the Head of Internal Audit. To approve and periodically review safeguards to limit such impairments.

3.6 To consider reports from the Head of Internal Audit on internal audit's performance during the year.

3.7 To consider internal audit's annual report:

3.7.1 The statement of the level of conformance with the **Public Sector Internal Audit Standards** and the results of the Quality Assurance and Improvement Programme that supports the statement – these will indicate the reliability of the conclusions of internal audit;

3.7.2 The opinion on the overall adequacy and effectiveness of the **Council's** framework of governance, risk management and control together with the summary of the work supporting the opinion – these will assist the Committee in reviewing the **Annual Governance Statement**.

3.8 To consider summaries of specific internal audit reports in accordance with agreed protocols.

3.9 To receive reports outlining the action taken where the Head of Internal Audit has concluded that management has accepted a level of risk that may be unacceptable to the Council or there are concerns about progress with the implementation of agreed actions.

3.10 To contribute to the Quality Assurance and Improvement Programme and in particular, to the external quality assessment of internal audit that takes place at least once every five years.

- 3.11 To provide free and unfettered access to the **Audit and Governance Committee** Chair for internal audit, including the opportunity for a private meeting with the Committee.

4 **EXTERNAL AUDIT**

- 4.1 To support the independence of external audit through consideration of the external auditor's annual assessment of its independence and review of any issues raised.
- 4.2 To consider the external auditor's annual audit letter, relevant reports and the report to those charged with governance.
- 4.3 To consider specific reports as agreed with the external auditor.
- 4.4 To comment on the scope and depth of external audit work and to ensure it gives value for money.
- 4.5 To advise and recommend on the effectiveness of relationships between external and internal audit and other inspection agencies or relevant bodies.

5 **FINANCIAL REPORTING**

- 5.1 To review and approve the annual statement of accounts. Specifically, to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the **Full Council**.
- 5.2 To consider the external auditor's report to those charged with governance on issues arising from the audit of the accounts.
- 5.3 To seek assurances that the **Council** has complied with the **Treasury Management** Strategy and Practices by demonstrating effective control of the associated risks and pursuing optimum performance consistent with those risks.

6 **ACCOUNTABILITY ARRANGEMENTS**

- 6.1 To report to those charged with governance on the Committee's findings, conclusions and recommendations concerning the adequacy and effectiveness of their governance, risk management and internal control frameworks, financial reporting arrangements and internal and external audit functions.
- 6.2 To report to **Full Council**, as required, on the Committee's performance in relation to the terms of reference and the effectiveness of the Committee in meeting its purpose.
- 6.3 To publish an annual report on the work of the Committee.

7 RELATED FUNCTIONS

- 7.1 Subject to the requirements set out below, to consider all findings of the Local Government and Social Care Ombudsman, including reports resulting in a finding of maladministration against the **Council**, and to make recommendations as to actions that may be necessary in connection with the Ombudsman's findings.

There are statutory obligations which will, in some circumstances, require reports to be taken to **Cabinet** or **Full Council**.

The Ombudsman operates protocols in relation to the timing of the publication of findings. The Council would have to give consideration to those protocols when determining how to manage the **Audit and Governance Committee's Agenda**.

- 7.2 To review any issue referred to it by the **Chief Executive, S151 Officer, Monitoring Officer** or any **Council** body.

8 STANDARDS FUNCTIONS

- 8.1 To assist the Council in fulfilling its duty under the Localism Act 2011 to promote and maintain high standards of conduct by **Councillors** and **co-opted Councillors** of district and parish councils.

- 8.2 To advise the Council on the adoption or revision of its **Councillors' Code of Conduct** in **Part 4**.

- 8.3 To monitor and advise the Council about the operation of its **Councillors' Code of Conduct** in **Part 4** in light of best practice and any changes in the law.

- 8.4 Advising, training or arranging to train councillors and co-opted members on matters relating to the **Councillors' Code of Conduct** in **Part 4**.

- 8.5 Dealing with any report from the **Monitoring Officer** on any matter concerning governance.

- 8.6 To establish **Sub-Committees** for the assessment or determination of matters concerning allegations in relation to Councillor conduct.

- 8.7 To grant dispensations to **Councillors** who require such dispensations for more than one meeting or on more than one occasion from requirements relating to interests set out in the **Councillors' Code of Conduct** in **Part 4** as appropriate.

- 8.8 To advise the Council on, and review as necessary, the arrangements for dealing with complaints or any local protocols regulating the conduct of **Councillors** and to deal with allegations of breach of any such protocol.

- 8.9 To consider and make recommendations to **Full Council** on any other matter

that may be referred to the **Audit and Governance Committee** relating to the conduct and training of Councillors.

- 8.10 To consider amendments to the **Constitution** and recommend proposals to **Full Council** for approval, except where specifically delegated to the **Monitoring Officer**.
- 8.11 To undertake an annual review of the **Corporate Governance Policies** and make recommendations to **Cabinet**.

Local Assessment of Complaints About Councillor Conduct

- 8.12 **Sub-Committees** of the **Audit and Governance Committee** are formed on an ad hoc basis to deal with local assessment of **Councillor** conduct complaints.
- 8.13 All **Audit and Governance Committee** members will form a pool from which members will be drawn based on their availability and the requirements of the particular **Sub-Committee** as and when required.
- 8.14 The **Sub-Committee** may co-opt at least one parish councillor when decisions are taken concerning a parish matter.
- 8.15 The **Sub-Committee** may co-opt at least one **Independent Person** as appropriate.
- 8.16 No member who considered a complaint at the initial **Assessment/ Determination Sub-Committee** may consider the same complaint at the **Review Sub-Committee**.
- 8.17 The **Quorum** of the **Sub-Committees** is 3 **Councillors**.
- 8.18 The **Chair** of each **Sub-Committee** will be a **Councillor**.
- 8.19 The **Sub-Committees** and their functions are set out below:

Assessment Sub-Committee

Assessment of complaints in accordance with the **Council's Councillors' Code of Conduct** in **Part 4** and to either:

- Accept the **Monitoring Officer's** recommendation of no failure to comply with the **Councillor's Code of Conduct**;
- Refer the matter for full investigation; or
- Refer the matter for other action.

Review Sub-Committee

Consideration of requests for a review in accordance with the **Council's Councillors' Code of Conduct in Part 4.**

Determinations Sub-Committee

To receive reports from the **Monitoring Officer** or his/her appointed investigating officer and to decide either:

- to determine finding of no failure to comply with the **Councillors' Code of Conduct in Part 4;**
- to determine finding of failure to comply with the **Councillors' Code of Conduct in Part 4** and impose relevant sanctions; or
- Refer the matter for other action;

in accordance with the **Council's Councillors' Code of Conduct in Part 4.**

SECTION D8 - EMPLOYEE JOINT CONSULTATIVE COMMITTEE

1 COMMITTEE FORM AND STRUCTURE

Scope

- 1.1 The **Employee Joint Consultative Committee** shall meet as and when required. The **Chair** or Deputy Chair may request the **Monitoring Officer** to call a meeting at any time. A meeting shall also be called within 7 days of the receipt of a requisition signed by not less than one third of the members of either side. The matters to be discussed at any meeting of the Committee shall be stated upon the notice summoning the meeting, provided that any other business may be considered if admitted by a majority vote of those present at such meeting.
- 1.2 No resolution shall be regarded as carried unless it has been approved by a majority of the members present on each side of the **Committee**.
- 1.3 The proceedings of any meeting of the **Committee** shall be reported to **Cabinet**.

Composition

- 1.4 The **Employee Joint Consultative Committee** will comprise 6 Councillors in **Political Balance** on behalf of the Council as employer and 6 representatives from the recognised trade unions on behalf of employees, in the following proportions:

General and Municipal Union (GMB)	2 representatives
Unite	1 representative
UNISON	3 representatives

- 1.5 If a representative on behalf of the employees ceases to be an Officer of the Council, he/she shall thereupon cease to be a member of the **Employee Joint Consultative Committee** and any vacancy shall be filled by the Council.
- 1.6 The Chair and a Deputy Chair will be appointed by the **Employee Joint Consultative Committee** annually, at its first meeting following the statutory **Annual Meeting** of the Council. If the Chair appointed is a Councillor on behalf of the Council, the Deputy Chair shall be appointed from the representative on behalf of the employees, and vice versa. The Chair of the meeting shall not have a second or casting vote.

Quorum

- 1.7 The **Employee Joint Consultative Committee Quorum** will be 3 **Councillors** and 3 representatives on behalf of the employees.

Substitutes

- 1.8 Each group may appoint substitute Councillors in accordance with the **Councillors' Substitute Scheme Procedure Rules in Part 3**.
- 1.9 Each representative on behalf of the employees may appoint a substitute and is responsible for making their own arrangements.

Advisors and Observers

- 1.10 The following Officers may attend meetings of the **Employee Joint Consultative Committee** in an advisory capacity:

The **Chief Executive**

The **Strategic Directors**

Head of Human Resources and Organisational Development

- 1.11 The Monitoring Officer will be responsible for convening meetings and shall be represented by a Democratic Services Officer for the sole purpose of recording the minutes of the meeting.
- 1.12 Trade Union Officials or organisers will be allowed to attend the meetings and may speak to the meeting. Trade Union Representatives (other than the designated members of the **Employee Joint Consultative Committee**) will be permitted to attend as observers, subject to the provision of two working days' notice to the Head of Human Resources and Organisational Development.

2 FUNCTIONS OF THE EMPLOYEE JOINT CONSULTATIVE COMMITTEE

- 2.1 To provide a means of resolution for those matters that the Employee Consultation Group has been unable to resolve, provided that the decision is not one that should be made elsewhere.
- 2.2 To consider any relevant matter referred to it by a Committee of the Council or by any of the recognised trades unions.
- 2.3 To discharge any other functions specifically assigned to the **Employee Joint Consultative Committee**.
- 2.4 The **Employee Joint Consultative Committee** may refer any question coming before it for the consideration and advice of the East Midlands Regional Joint Council for Local Government Services.

SECTION D9 - INDEPENDENT REMUNERATION PANEL

1 PANEL FORM AND STRUCTURE

Composition

1.1 The Independent Remuneration Panel will comprise 5 independent members. In order to maintain the independence of the Independent Remuneration Panel, members shall not be:

- a person who has within the period of 5 years before receiving the date of appointment been a **Councillor** or Officer of the Council;
- a person who is a relative or close friend of a **Councillor** or Officer of the Council; and/or
- a person who does not either live or work in the **District**.

1.2 The term of office for members of the Independent Remuneration Panel is four years.

1.3 The Chair will be appointed at the first meeting of the Independent Remuneration Panel each year. The Chair shall have a casting vote.

Quorum

1.4 The **Independent Remuneration Panel Quorum** will be 3 members of the panel.

2 MATTERS RESERVED FOR THE INDEPENDENT REMUNERATION PANEL

To make recommendations to Council:

2.1 as to the amount of basic allowance that should be payable to its **Councillors**;

2.2 about the responsibilities or duties which should lead to the payment of a special responsibility allowance and as to the amount of such an allowance;

2.3 about the duties for which a travelling and subsistence allowance can be paid and as to the amount of this allowance;

2.4 as to the amount of co-optees' allowance;

2.5 as to whether the Council's allowances scheme should include an allowance in respect of the expenses of arranging for the care of children and dependents and if it does make such a recommendation, the amount of this allowance and the means by which it is determined;

- 2.6 on whether any allowance should be backdated to the beginning of a financial year in the event of the scheme being amended;
- 2.7 as to whether annual adjustments of allowance levels may be made by reference to an index and, if so, for how long such a measure should run;
- 2.8 as to which members of the Council are to be entitled to pensions in accordance with a scheme made under section 7 of the Superannuation Act 1972;
- 2.9 on whether basic allowances and special responsibility allowances should be treated as amounts in respect of which such pensions are payable.

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ANNUAL COUNCIL

APPOINTMENT OF COMMITTEES AND GROUPS, ELECTION OF CHAIRS AND DEPUTY CHAIRS

NOMINATIONS

APPOINTMENTS COMMITTEE (Four members plus appropriate Portfolio Holder)

Current Membership	Nominees for 2023/24
Chair: Councillor R Blunt Deputy Chair: Councillor R Ashman Councillor A C Saffell Councillor S Sheahan Appropriate Portfolio Holder	Chair: Councillor Deputy Chair: Councillor Councillor Councillor Appropriate Portfolio Holder
Substitutes: Councillors R D Bayliss, C Benfield, D Bigby, R Canny, T Gillard, J Legrys, K Merrie and N J Rushton.	Substitutes: Councillors

AUDIT AND GOVERNANCE COMMITTEE (10 members)

Current Membership	Nominees for 2023/24
Chair: Councillor S Gillard Deputy Chair: Councillor N Smith Councillor E Allman Councillor C Benfield Councillor J Clarke Councillor M Hay Councillor R Morris Councillor S Sheahan Councillor V Richichi Councillor M B Wyatt	Chair: Councillor Deputy Chair: Councillor Councillor Councillor Councillor Councillor Councillor Councillor Councillor

COALVILLE SPECIAL EXPENSES WORKING PARTY

Current membership	Nominees for 2023/24
Ward members for Bardon, Broom Leys, Castle Rock, Coalville East, Coalville West, Greenhill, Snibston North, Snibston South and Thringstone: Councillor E Allman Councillor A Black Councillor A Bridgen Councillor D Everitt Councillor M French	Ward members for Bardon, Broom Leys, Castle Rock, Coalville East, Coalville West, Greenhill, Snibston North, Snibston South and Thringstone: Councillor Councillor Councillor Councillor Councillor

Councillor J Geary Councillor J Legrys Councillor J Windram Councillor M B Wyatt	Councillor Councillor Councillor Councillor
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COMMUNITY SCRUTINY COMMITTEE (10 members)

Current membership	Nominees for 2023/24
<p>Chair: Councillor J Hoult Deputy Chair: Councillor R Morris</p> <p>Councillor A Bridgen Councillor C Benfield Councillor Dr T Eynon Councillor J Geary Councillor M Hay Councillor G Hoult Councillor J Simmons Councillor M B Wyatt</p>	<p>Chair: Councillor Deputy Chair: Councillor</p> <p>Councillor Councillor Councillor Councillor Councillor Councillor Councillor Councillor</p>
<p>Substitutes: Councillors D Bigby, A Black, R Canny, J Clarke, M French, L Gillard, S Gillard, J Legrys, A C Saffell, C Sewell and S Sheahan.</p>	<p>Substitutes: Councillors</p>

CORPORATE SCRUTINY COMMITTEE (10 members)

Current membership	Nominees for 2024/23
<p>Chair: Councillor N Smith Deputy Chair: Councillor V Richcihi</p> <p>Councillor E Allman Councillor D Bigby Councillor A Bridgen Councillor G Hoult Councillor J Simmoms Councillor A C Saffell Councillor S Sheahan Councillor M B Wyatt</p>	<p>Chair: Councillor Deputy Chair: Councillor</p> <p>Councillor Councillor Councillor Councillor Councillor Councillor Councillor Councillor</p>
<p>Substitutes: Councillors C Benfield, J Bridges, R Canny, D Everitt, Dr T Eynon, M French, L Gillard, S Gillard, D Harrison, B Harrison-Rushton M Hay, R Johnson, R Morris, and J Windram.</p>	<p>Substitutes: Councillors</p>

ELECTORAL REVIEW WORKING PARTY (Five members)

Current membership	Nominees for 2023/24
Councillor R Ashman Councillor R Blunt Councillor N J Rushton Councillor S Sheahan Councillor M B Wyatt	Councillor Councillor Councillor Councillor Councillor
Substitutes: Councillors R D Bayliss, D Bigby, M French, T Gillard, K Merrie, R Morris, C Sewell and J Windram.	Substitutes: Councillors

EMPLOYEE JOINT CONSULTATIVE COMMITTEE (Five members)

Current membership	Nominees for 2023/24
Councillor J Clarke Councillor J Geary Councillor G Hout Councillor J Hout Councillor A C Saffell	Councillor Councillor Councillor Councillor Councillor
Substitutes: Councillors C Benfield, R Canny, Dr T Eynon, L Gillard, R Johnson, R Morris and J Simmons.	Substitutes: Councillors

INVESTIGATORY COMMITTEE (Five members)

Current membership	Nominees for 2023/24
Chair: Councillor R Blunt Deputy Chair: Councillor R Ashman Councillor J Clarke Councillor S Sheahan Councillor M B Wyatt	Chair: Councillor Deputy Chair: Councillor Councillor Councillor Councillor
Substitutes: Councillors R D Bayliss, A Black, D Everitt, M French, J Geary, G Hout, J Hout, R Morris.	Substitutes: Councillors

LICENSING COMMITTEE (15 members)

Current membership	Nominees for 2023/24
Chair: Councillor J Clarke Deputy Chair: Councillor K Merrie Councillor E Allman Councillor D Everitt	Chair: Councillor Deputy Chair: Councillor Councillor Councillor

<p>Councillor M French Councillor S Gillard Councillor M Hay Councillor G Houtt Councillor J Houtt Councillor R Morris Councillor V Richichi Councillor A C Saffell Councillor C Sewell Councillor S Sheahan Councillor J Simmons Councillor N Smith Councillor M B Wyatt</p>	<p>Councillor Councillor Councillor Councillor Councillor Councillor Councillor Councillor Councillor Councillor Councillor</p>
<p>Substitutes: Councillors C Benfield, R Bayliss, D Bigby, A Black, R Boam, J Bridges, R Canny, J Geary, L Gillard, T Gillard, D Harrison, R Johnson, J Legrys and J Windram.</p>	<p>Substitutes: Councillors</p>

LOCAL PLAN COMMITTEE (11 members)

Current membership	Nominees for 2023/24
<p>Chair: Councillor J Bridges Deputy Chair: Councillor J Simmons</p> <p>Councillor D Bigby Councillor D Everitt Councillor D Harrison Councillor J Houtt Councillor J Legrys Councillor A C Saffell Councillor R Morris Councillor N Smith Councillor M B Wyatt</p>	<p>Chair: Councillor Deputy Chair: Councillor</p> <p>Councillor Councillor Councillor Councillor Councillor Councillor Councillor Councillor Councillor</p>
<p>Substitutes: Councillors R Bayliss, C Benfield, A Black, A Bridgen, R Canny, J Clarke, Dr T Eynon, M French, J Geary, B Harrison-Rushton, G Houtt, R Johnson, C Sewell, A Woodman.</p>	<p>Substitutes: Councillors</p>

PLANNING COMMITTEE (11 members)

Current membership	Nominees for 2023/24
<p>Chair: Councillor R Morris Deputy Chair: Councillor R Boam</p> <p>Councillor D Bigby Councillor A Bridgen Councillor J Bridges Councillor D Everitt Councillor D Harrison</p>	<p>Chair: Councillor Deputy Chair: Councillor</p> <p>Councillor Councillor Councillor Councillor Councillor</p>

<p>Councillor J Houtt Councillor J Legrys Councillor J Simmons Councillor M B Wyatt</p>	<p>Councillor Councillor Councillor Councillor</p>
<p>Substitutes: Councillors E Allman, R Ashman, M French, J Geary, S Gillard, T Gillard, B Harrison-Rushton, G Houtt, R Johnson, C Sewell, S Sheahan and J Windram.</p>	<p>Substitutes: Councillors</p>

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Title of Report	SCHEME OF DELEGATION	
Presented by	Elizabeth Warhurst – Monitoring Officer	
Background Papers	The Council's Constitution Council Report 23 February 2023 re Review of the Constitution	Public Report: Yes
Financial Implications	There are no financial implications arising from this report	
	Signed off by the Section 151 Officer: Yes	
Legal Implications	As detailed in report.	
	Signed off by the Monitoring Officer: Yes	
Staffing and Corporate Implications	There are no staffing or corporate implications arising from this report.	
	Signed off by the Head of Paid Service: Yes	
Purpose of Report	To ask Council to agree the Scheme of Delegation in order to comply with the requirement in the Constitution for the Scheme of Delegation to be agreed at the Annual Meeting of Full Council.	
Recommendations	THAT THE COUNCIL AGREES THE SCHEME OF DELEGATION IN PART 2 – SECTION G OF THE CONSTITUTION.	

1.0 BACKGROUND

- 1.1 Following the work of a cross party working group, Council agreed to adopt a new constitution at its meeting on 23 February 2023 and that constitution came into effect on 9 May 2023. A link to the Constitution is in the background section above.
- 1.2 Under paragraph 1.4.15 of Section A2 of the Council and Committee Procedure Rules in Part 3 of the Constitution, Council is asked to reaffirm the Scheme of Delegation each year at its Annual Meeting.
- 1.3 There have been no changes to the Scheme of Delegation since that date. Council is, therefore, being asked to agree the Scheme of Delegation on this basis. A copy of the Scheme of Delegation is attached at Appendix A.
- 1.4 The Monitoring Officer will agree the timetable for the next review of the Constitution with the Leader.

Policies and other considerations, as appropriate	
Council Priorities:	The Scheme of Delegation helps the Council to make robust and effective decisions and deliver corporate priorities.
Policy Considerations:	N/A
Safeguarding:	N/A
Equalities/Diversity:	N/A
Customer Impact:	The Constitution, which includes the Scheme of Delegation, is made available to customers on the Council's website.
Economic and Social Impact:	N/A
Environment and Climate Change:	N/A
Consultation/Community Engagement:	N/A
Risks:	The Scheme of Delegation enables officers to make day to day decisions to deliver corporate priorities. Without such a scheme all decisions would have to be made by Councillors which would not be practicable.
Officer Contact	Elizabeth Warhurst Head of Legal and Support Services elizabeth.warhurst@nwleicestershire.gov.uk

SECTION G - OFFICER SCHEME OF DELEGATION

This part of the **Constitution** sets out the ways in which the Officers of the Council can make decisions and which decisions they have the power to make. It is called the **“The Officer Scheme of Delegation”**

It is separated into four parts:

Section G1 - Introduction to the Officer Scheme of Delegation

Section G2 - General Delegations to Designated Officers

Section G3 - Delegations to Head of Paid Service and Statutory Officers

Section G4 - Proper Officer and Specified Officer Functions

SECTION G1 - INTRODUCTION TO THE OFFICER SCHEME OF DELEGATION

- 1 “Officers” is the term used to refer to the people employed, retained or appointed by the Council to advise and support Councillors and implement their decisions. The term “Officers” in this **Constitution** includes all the people who operate in this capacity including contractors, consultants and agency staff.
- 2 The Council operates a “cascade” principle of delegation to ensure that decisions are taken at the most appropriate level closest to those who will be affected. This means that the majority of the Council's decisions and actions will fall into the category of operational day to day decisions taken by its Officers.
- 3 In order to ensure the smooth functioning of the Council and the efficient delivery of services, **Full Council** and the **Cabinet** have delegated to Officers the powers that they need to perform their roles.
- 4 Certain Officers have specific legal duties to ensure that the Council acts within the law, uses its resources wisely and exercises its powers properly. These Officers are known as “Statutory” or “Proper” Officers and some have specific legal titles in addition to their job titles.
- 5 The way the Council structures its services and its officer arrangements changes from time to time to reflect changes in service delivery and best practice. The current arrangements include a **Chief Executive** (as the most senior officer of the Council) supported by the other senior roles which are set out below and which together are referred to as the “**Senior Officers**”:
 - 5.1 **Strategic Directors** one of whom will be the **S151 Officer**;
 - 5.2 Head of Legal and Support Services (**Monitoring Officer**); and
 - 5.3 Heads of Service.
- 6 The **Head of Paid Service**, the **S151 Officer** and the **Monitoring Officer** are also called “**Statutory Officers**” (because every Council is required by statute - the law - to have these posts).
- 7 It is possible (subject to any legal restrictions) for the roles of the **S151 Officer** and/or the **Monitoring Officer** to be combined with another of the **Senior Officer** posts (or with other Officer posts in the Council).
- 8 There are also a number of formal functions which the Council has to allocate to named Officers called “**Proper Officers**”.
- 9 **Section A** of this Part 2 shows the current management structure of the Council, showing more detail about the roles and responsibilities of the **Chief Officers** and the Officers supporting them to deliver all the Council's services.

General Principles Relating to Officer Delegation

- 10 For the purposes of Officer delegated powers, both within this part and any other part of the **Constitution**, the term “**Designated Officers**” shall include the following Officers:
 - 10.1 The **Chief Executive**;
 - 10.2 The **Strategic Directors**;
 - 10.3 Head of Legal and Support Services (**Monitoring Officer**); and
 - 10.4 All **Heads of Service**.
- 11 This scheme gives the power for the **Designated Officers** to take decisions and institute any process or take any steps in relation to all the functions in their areas of responsibility except where:
 - 11.1 a matter is prohibited by law from being delegated to an **Officer**, or
 - 11.2 a matter has been specifically reserved to **Councillors** or excluded from delegation by this scheme, by a decision of the **Full Council**, the **Cabinet/Executive** or a **Committee** or **Sub-Committee**.
- 12 No Officer may take **Key Decisions** unless specifically provided for within the **Constitution** or specifically delegated by the **Leader**, the **Cabinet**, a Committee of Cabinet or a **Cabinet Member**.
- 13 The cascade principle under which this Scheme operates means that any Officer given powers under this scheme can further delegate those powers to other Officers either:
 - 13.1 through a Local Scheme of Delegation (which sets out all the standing delegations given to specific Officers in defined areas of the Council's service areas). There is a list of the [Local Schemes of Delegation](#); or
 - 13.2 through a Specific Delegation in relation to an individual decision which must be evidenced in writing using the agreed standard form, dated and signed by the Officer delegating the power and saved on the register of [Specific Delegations](#). A Specific Delegation does not need to be given where an Officer is given delegated powers to action a particular decision by Council, Cabinet or a Committee or Sub-Committee.

General limitations on exercise of powers

- 14 Any matters falling within the scope of the Scheme will be subject to any limitation, imposed by statute, by the **Full Council** or **Cabinet** and/or any duly authorised Committee. In addition, in exercising these powers each **Designated Officer**:

- 14.1 Will comply with relevant Procedure Rules including the **Financial Procedure Rules** in **Part 3** and **Contract Procedure Rules** in **Part 3**. In the event of any inconsistency or conflict between the **Financial Procedure Rules** and/or **Contract Procedure Rules** and these delegations then the former shall prevail. In the event that the inconsistency or conflict cannot be resolved by the application of this rule then the matter shall be settled by the **Chief Executive** with advice, where necessary and appropriate, from the **S151 Officer** and/or the **Monitoring Officer**;
 - 14.2 Will not depart from any approved policies, scheme, or, any direction of the **Full Council** or **Cabinet** and/or appropriate Committee;
 - 14.3 Will have due regard to the Public Sector Equality Duty;
 - 14.4 Will consult the appropriate professional or technical Officer of the Council, in particular the **Monitoring Officer** and **S151 Officer**, in any case involving professional or technical consideration not within the capacity of the Officer concerned; and
 - 14.5 Will take account of any Council Strategy and the **Budget and Policy Framework** approved by Council in relation to the management functions for which he/she is authorised.
- 15 The exercise by Officers of the powers delegated under this **Constitution** involving the incurring of any expenditure is subject to there being sufficient approved provision within the budget to cover that expenditure.
 - 16 Any delegation under the Scheme will be without prejudice to the overriding right of the **Council** or **Cabinet** and any duly authorised **Committee** to withdraw or amend the powers or to decide any matter and, in particular, any **Designated Officer** may, in any case, instead of exercising their powers under the Scheme, refer any matter to the **Council**, the **Cabinet** or **Committee** for decision.
 - 17 The Scheme will also be subject to the right of the **Council** or **Cabinet** and/or any duly authorised Committee to rescind the Scheme or any part or parts of the Scheme.

SECTION G2 - GENERAL DELEGATIONS TO DESIGNATED OFFICERS

1 General

- 1.1 To exercise any functions, powers and duties of the Council to secure the effective management of their service areas including the authorisation of any procedures or contracts within the framework of **Financial Procedure Rules in Part 3** and **Contract Procedure Rules in Part 3**, and taking and implementing decisions to maintain the operational effectiveness of their service areas where these fall within a policy decision made by the Council or Cabinet.
- 1.2 To implement and develop initiatives within the strategic policy framework and other Council plans and policy documents.
- 1.3 To carry out, or authorise the carrying out, of the functions of the **Proper Officer** of the Council in any legislation relating to those areas of responsibility assigned to **Designated Officers**.
- 1.4 To exercise the general power of competence under the Localism Act 2011 where appropriate.

2 Incidental powers

- 2.1 In addition to any of their general and/or specific delegated functions and powers set out below, to enter into arrangements or do anything else which is calculated to facilitate, or is conducive or incidental to, the discharge of such delegated functions.

3 Service Performance

- 3.1 To make arrangements to secure value for money in respect of their service areas, to secure continuous improvement in the way functions are exercised having regard to a combination of economy, efficiency and effectiveness, and to maximise economic, environmental and social value.
- 3.2 To arrange consultation with tax payers, non-domestic rate-payers, service users and other local representatives about fulfilment of the best value duties and to involve representatives of local persons in the exercise of Council functions.
- 3.3 To meet business critical and key performance indicator targets.
- 3.4 To enter into any agreement with any other public body for the supply of goods and/or services subject to this being in accordance with the Council's **Budget and Policy Framework**, the **Financial Procedure Rules in Part 3** and the **Contract Procedure Rules in Part 3**.
- 3.5 To make arrangements for co-ordinating the activities of the Council and those of any charity established for purposes similar or complementary to services provided by the Council in the interests of persons who may benefit from

those services or from the charity and to disclose to any such charity any information obtained in connection with the services provided by the Council.

- 3.6 To approve any severance payment to any Officer up to £20,000 in consultation with the **S151 Officer** and **Monitoring Officer**, provided that any proposed severance payment to the **Head of Paid Service** will be dealt with either by the **Investigatory Committee** or **Full Council** (dependent on the value of the proposed severance payment).

4 **Legal**

- 4.1 To recommend to the **Head of Legal and Support Services**, where it is necessary to give effect to a decision of the Council, the need to institute, prosecute, defend, conduct, participate in, withdraw or settle any legal proceedings brought by or against the Council, to make any necessary applications and to take steps to enhance or protect the Council's legal position or interest.
- 4.2 To recommend to the **Head of Legal and Support Services**, the negotiation and settling of claims and disputes without recourse to court proceedings including the use of alternative dispute resolution.
- 4.3 Subject to the agreement of the **Head of Legal and Support Services**, to authorise Officers to appear on the Council's behalf in proceedings before any Court or Tribunal.
- 4.4 To prepare, issue and serve any statutory notice, demand, certificate, order, or requisition for information in respect of functions in their area, including the authentication of such documents save that the authentication of documents necessary for any legal procedure or proceedings is reserved to the **Head of Legal and Support Services**.
- 4.5 To authorise Officers to enter and/or inspect any land or premises in respect of which the Council has a statutory power or duty to enter or inspect including the obtaining and enforcement of a search warrant.
- 4.6 To authorise any Officer exercising a power to enter and/or seize items found on premises to exercise the powers of seizure, to give the required notice and to perform the duties to return certain items seized and to secure certain items seized.
- 4.7 To apply, or to authorise other Officers to apply, to a Court for a warrant to enter any land or premises, in exercise of his/her responsibilities.
- 4.8 To certify that any document forms part of the records of the Council for the purpose of admitting that document as evidence in civil proceedings.
- 4.9 To authorise the recovery of sundry debts of any sum to which the Council is entitled.

- 4.10 To take the action necessary to comply with any court order made against the Council.
- 4.11 To appoint Officers as authorised Officers for any statutory purpose.
- 4.12 To accept, hold and administer any property on trust (in consultation with the **Head of Legal and Support Services** and **S151 Officer**).
- 4.13 To supply photocopies of documents to the general public subject to making such charges as may be agreed in an approved scheme in accordance with the provisions of the Copyright, Designs and Patents Act 1988.

5 **Administrative Matters**

- 5.1 Power to deal with requests for access to Council premises by the media.
- 5.2 Power to waive charges, where justified in exceptional circumstances and where this is legally permissible.

6 **Finance**

- 6.1 Officers are referred to the **Financial Procedure Rules** in **Part 3** of the **Constitution**.

7 **Contracts**

- 7.1 Officers are referred to the **Contract Procedure Rules** in **Part 3** of the **Constitution**.

8 **Property Matters**

- 8.1 Any decision concerning the management or use of land held for the operational requirements of the Officers of a service area, subject to the following provisions.
- 8.2 Powers to take any action or sign any document under the Land Registration Rules, including the release of mortgages or charges; and powers to give any undertaking are reserved to the **Head of Legal and Support Services**.
- 8.3 Subject to the agreement of the **S151 Officer**, the power to acquire any land or property with a capital value up to or equalling £100,000 except by use of compulsory powers is reserved to the **Chief Executive** and the **Strategic Directors** in consultation with the relevant Portfolio Holder. The power to acquire any land or property with a capital value over £100,000 is reserved to Cabinet.
- 8.4 Subject to the agreement of the **S151 Officer**, the power to dispose of any land or property with a capital value up to or equal to £30,000 is reserved to the **Chief Executive** and the **Strategic Directors** in consultation with the relevant Portfolio Holder. Disposal of any land or property with a capital value over

£30,000 is reserved to Cabinet.

- 8.5 Subject to the agreement of the **S151 Officer**, the power to take a lease or licence of any land or property for any period where the rent is up to £100,000 per annum is reserved to the **Chief Executive** and the **Strategic Directors** in consultation with the relevant Portfolio Holder. Taking a lease or licence of any land or property for any period where the rent is over £100,000 per annum is reserved to Cabinet.

9 **Emergencies (e.g. flooding, power failure etc.)**

- 9.1 Where an emergency or disaster involving destruction of or danger to life or property occurs or is imminent or there is reasonable ground for apprehending such an emergency or disaster, all **Designated Officers** may:

9.1.1 incur such expenditure as is considered necessary in taking action (either by the Council itself or jointly with any other person or body and either in their area or elsewhere in or outside the United Kingdom) which is calculated to avert, alleviate or eradicate in the **District** or among its inhabitants the effects or potential effects of the event; and

9.1.2 make grants or loans to other persons or bodies in respect of any such action taken by those persons or bodies, subject to ratification where necessary, as soon as possible, and subject to agreement of a **Strategic Director** or the **Chief Executive**.

- 9.2 The preparation of Civil Emergency Plans for the Council, in consultation with all necessary outside bodies and organisations.

10 **Responding to consultations and proposals**

- 10.1 To respond to consultations and to make comments and representations on matters notified to the Council by third parties including (but not limited to) Government Departments, statutory undertakers and local authorities, in consultation with the relevant Strategic Director and **Portfolio Holder**.

11 **Submission of grant funding bids**

- 11.1 To submit bids for grant funding and/or other financial assistance to Government departments and other organisations and bodies for projects and initiatives consistent with Council policies, following consultation with the relevant Strategic Director and **Portfolio Holder**, and to enter into any such agreements and arrangements as necessary to secure such funding, in accordance with the **Contract Procedure Rules** in **Part 3** and the **Financial Procedure Rules** in **Part 3**.

12 **Complaints**

- 12.1 To take action regarding complaints received.

- 12.2 To settle any Ombudsman / Complaint Cases:
- 12.2.1 cases of alleged maladministration where there has not been a finding of maladministration by the Ombudsman; and
 - 12.2.2 complaints that have been brought against the Council under any of its internal complaints procedures in conjunction with the **Head of Legal and Support Services**.
- 12.3 To approve compensation payments to remedy complaints in accordance with the Council's Complaints Procedure and **Financial Procedure Rules** in **Part 3**.
- 13 **Attestation of the Common Seal of the Council**
- 13.1 A decision of the Council, Cabinet, a Committee or any Officer with delegated authority, will be sufficient authority for sealing any document necessary to give effect to the decision.
 - 13.2 The Common Seal will be affixed to those documents which in the opinion of the **Head of Legal and Support Services** should be sealed or where required by the **Contract Procedure Rules** in **Part 3**.
 - 13.3 The affixing of the Seal on documents shall be attested by the **Head of Legal and Support Services** or any Officer authorised by him/her.

SECTION G3 - DELEGATIONS TO THE HEAD OF PAID SERVICE AND STATUTORY OFFICERS

The Council is required to designate a number of Officers to discharge statutory functions. The legal provisions and the Officer designated by the Council to discharge each function are listed in the table below. Further detail about the responsibilities of the **Head of Paid Service** and each **statutory Officer** then follows.

A table of designated **Proper Officers** is set out below:

Legislative Provision	Statutory Power the Council Must Delegate to an Officer	Officer Designated as the Statutory Officer
S4 Local Government and Housing Act 1989	Designate one of their Officers as the Head of Paid Service	Chief Executive
S151 Local Government Act 1972	Appoint an Officer responsible for the administration of the authority's financial affairs	Strategic Director for Resources
S5 Local Government and Housing Act 1989	Designate one of their Officers as the Monitoring Officer	Head of Legal and Support Services
S36 Freedom of Information Act 2000	Qualified person in relation to s36 of the Act	Head of Legal and Support Services

1 **Functions delegated to the Head of Paid Service (Chief Executive)**

- 1.1 To act as the Council's statutory Head of Paid Service pursuant to section 4 of the Local Government and Housing Act 1989 and carry out the responsibilities assigned to the Head of Paid Service under the **Constitution** generally.
- 1.2 Where he/she considers it appropriate to do so, to prepare a report to the Council setting out their proposals as to:
 - 1.2.1 the manner in which the discharge by the Council of their different functions is co-ordinated;
 - 1.2.2 the number and grades of staff required by the Council for the discharge of their functions;
 - 1.2.3 the organisation of the Council's staff;
 - 1.2.4 the appointment and proper management of the Council's staff.

- 1.3 To be responsible for and take action in relation to corporate strategy, policy initiatives and integrated planning and service delivery.
- 1.4 The corporate management of the Council and, specifically:
 - 1.4.1 Advice to the Council on the **Policy Framework**;
 - 1.4.2 Preparation of, and consultation on, the draft of the **Executive Decision Notice** on a monthly basis;
 - 1.4.3 The responsibility for the discharge of the Council's functions in implementation of statutory and non-statutory plans including the modernisation, collation, indexation and publication of policies and practices of the Council within the evolving Policy Framework as the **Full Council** and the **Executive** shall determine.
- 1.5 As required to exercise any function delegated to any other Officer of the Council, with the exception of those functions delegated exclusively to the Council's **S151 Officer** or the **Monitoring Officer**. Further, in the event of any dispute or doubt as to the delegated powers of any other **Designated Officer**, the **Chief Executive** shall have the authority to determine which **Designated Officer** is to exercise that power.
- 1.6 To provide the 'certificate of opinion' for an employee making an application to the **Audit and Governance Committee** for exemption of his/her post from political restriction under section 3 of the Local Government and Housing Act 1989 (opinion as to whether the duties of the post involve regularly giving advice to **Councillors** or speaking to journalists/broadcasters).
- 1.7 The power to determine that an emergency has occurred, namely, an event or situation which threatens serious damage to human welfare or to the environment in the **District** or war or terrorism which threatens serious damage to the security of the United Kingdom.
- 1.8 The power to incur expenditure and take any necessary action within local authority statutory functions, including jointly with other authorities, in the event of an emergency or where urgent action is needed to enable the Council to fulfil its functions.
- 1.9 To nominate other **Senior Officers** of the **Council**, whether orally or in writing, to take administrative decisions in the event of an emergency.
- 1.10 In the event that the **Chief Executive** is absent or unable to act for any reason, the **Strategic Directors** may exercise these powers. In the event that the Strategic Directors are absent or unable to act for any reason, the powers in paragraphs 1.8, 1.9 and 1.10 above may be exercised by any other **Chief Officer** who is available to act.
- 1.11 To take urgent **Key Decisions** in place of the **Executive** in accordance with the **Cabinet (Executive) Procedure Rules** in **Part 3**.

- 1.12 In the event that all **Cabinet Members** are removed from office, to exercise all **Executive Functions** in consultation with the **Chair of the Council** until a new Cabinet has been appointed.
- 1.13 To discharge the functions of Electoral Registration Officer and to appoint Deputy Electoral Registration Officers.
- 1.14 To act as Returning Officer, Local, Acting or Deputy Returning Officer in local elections, parliamentary elections, police and crime commissioners' elections and referenda.
- 1.15 The review of electoral arrangements and **District** boundaries.
- 1.16 To carry out all activities in connection with the Council's Human Resources function including:
 - 1.16.1 To determine all staffing matters in accordance with the **Officer Employment Procedure Rules** in **Part 3**. This includes determining matters relating to structure (additions, reductions and other changes to the establishment) as he/she considers appropriate following consultation with the Leader and Deputy Leader.
 - 1.16.2 The appointment, dismissal or discipline of staff, except in relation to those posts listed in paragraph 1.2 of the said Rules.
 - 1.16.3 Where the decision of the Head of Paid Service taken under (a) above requires consideration of the financial/budgetary implications and a decision in that respect only, then the matter will be referred to the Cabinet, provided that the remit of the Cabinet shall be limited to decisions on financial matters only.
 - 1.16.4 To approve any severance payment to any Officer between £20,000 and £100,000 with the agreement of the **Leader** and in consultation with the **S151 Officer** and **Monitoring Officer**, provided that any proposed severance payment to the Head of Paid Service will be dealt with either by the **Investigatory Committee** or **Full Council** (dependent on the value of the proposed severance payment).
 - 1.16.5 The Head of Paid Service may delegate the discharge of this function to another Officer.
- 1.17 To co-ordinate, direct and monitor the Council's initiatives to achieve Best Value in the delivery of its functions.
- 1.18 To be responsible for performance review issues.
- 1.19 To suspend the Strategic Directors where their continued presence at work may prejudice an investigation or where there is a prima facie case of gross misconduct (Cabinet to be notified as soon as possible after the action is taken in accordance with the Employment Procedure Rules contained in the

Constitution).

- 1.20 To make interim appointments to fill vacancies, and to make interim designations as **S151 Officer** and **Monitoring Officer** where a vacancy arises in such position, the term of each such appointment or designation not to extend beyond 18 months without the confirmation of the **Appointments Committee**.
- 1.21 To make agreements with other local authorities and external agencies in compliance with the **Contract Procedure Rules** in **Part 3** for the placing of staff and joint working arrangements (including committing expenditure within authorised budgets).
- 1.22 To authorise the use of juveniles and vulnerable adults as covert human intelligence sources under the Regulation of Investigatory Powers Act 2000.

2 Functions delegated to the S151 Officer (Strategic Director for Resources)

- 2.1 To act as the Council's statutory chief finance Officer pursuant to section 114A Local Government Finance Act 1988 and carry out the responsibilities assigned to the S151 Officer under the Council's **Financial Procedure Rules** in **Part 3** and under the **Constitution** generally, including carrying out all **Treasury Management** functions and activities in accordance with the approved **Treasury Management Strategy**.
- 2.2 To make arrangements for the proper administration of the Council's financial affairs in accordance with section 151 of the Local Government Act 1972.
- 2.3 To contribute to the corporate management of the Council, in particular through the provision of professional financial advice.
- 2.4 Maintaining strong financial management underpinned by effective financial controls by:
 - 2.4.1 Advising on effective systems of internal management and financial control;
 - 2.4.2 Ensuring that financial management arrangements are sound and effective;
 - 2.4.3 Ensuring a prudential financial framework is in place;
 - 2.4.4 Ensuring that any partnership arrangements (or other innovative structures for service delivery) are underpinned by clear and well documented internal financial controls;
 - 2.4.5 Securing effective arrangements for prudential borrowing, **Treasury Management**, pensions and trust funds;
 - 2.4.6 Ensuring there is an effective internal audit function and assisting management in providing effective arrangements for financial scrutiny;

- 2.4.7 Advising on anti-fraud and anti-corruption strategies and measures;
 - 2.4.8 Securing effective systems of financial administration; and
 - 2.4.9 Ensuring that statutory and other accounts and associated claims and returns in respect of grants are prepared.
- 2.5 To approve the detailed format of the financial plan and the budget prior to approval by the **Full Council**.
 - 2.6 To approve the annual calculation of the Council's council tax requirement in accordance with section 31A Local Government Finance Act 1992 prior to approval by the **Full Council**.
 - 2.7 To report annually to Council on the robustness of the budget and adequacy of reserves as required by section 25 Local Government Act 2003.
 - 2.8 To provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and **Budget and Policy Framework** issues to Council Officers and **Councillors**.
 - 2.9 To report to Councillors, in consultation with the **Monitoring Officer**, if there is or there is likely to be unlawful expenditure or an unbalanced budget as required by sections 111-116 Local Government Finance Act 1988.
 - 2.10 To establish and maintain the general fund and collection fund of the Council in accordance with the provisions of the Local Government Act 1988.
 - 2.11 To manage the capital programme flexibly and to make adjustments to the phasing of approved projects within the limits of available capital resources.
 - 2.12 To approve the draft Council's Accounts and Accounting Policies each year in accordance with the Accounts and Audit (England) Regulations 2015.
 - 2.13 To approve the terms of release of staff aged 55 or over and made redundant or retired early with a claim on the pension scheme, in accordance with agreed procedures, save in relation to **Chief Officers** which is reserved to the Independent Remuneration Panel.
 - 2.14 To write off uncollectible debts relating to the management of tenanted properties, up to the level equivalent to four months' rent. All debts written off this way would be reported to **Cabinet** for information through the quarterly reporting procedures.
 - 2.15 To provide financial information to the media, members of the public and the community.

3 **Functions delegated to the Monitoring Officer (Head of Legal and Support Services)**

- 3.1 To act as the Council's statutory **Monitoring Officer** pursuant to section 5 and 5A Local Government and Housing Act 1989 and carry out the responsibilities assigned to the Monitoring Officer under the **Constitution** generally.
- 3.2 To ensure that the Council, its Officers and its elected **Councillors** maintain the highest standards of conduct.
- 3.3 To contribute to the corporate management of the Council, in particular through the provision of professional legal advice.
- 3.4 To establish and maintain the **Councillors' Code of Conduct** in **Part 4** to address the conduct that is expected of **Councillors** and co-opted members of the Council when they are acting in that capacity.
- 3.5 To establish and maintain a register of interests of Councillors and co-opted members of the Council in accordance with the provisions of the Localism Act 2011.
- 3.6 To contribute to the promotion and maintenance of high standards of conduct through provision of support to the **Audit and Governance Committee**.
- 3.7 To receive and act on reports made by the **Audit and Governance Committee**.
- 3.8 To consider complaints against **Councillors** including conducting investigations into matters as appropriate and the making of reports or recommendations in respect of them to **Sub- Committees** of the Audit and Governance Committee.
- 3.9 To provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and **Budget and Policy Framework** issues to Council Officers and **Councillors**.
- 3.10 To report to **Councillors** on any actual or potential breaches of the law or maladministration as required by section 5 Local Government Housing Act 1989.
- 3.11 To advise whether decisions of the **Cabinet** are in accordance with the **Budget and Policy Framework**.
- 3.12 To be responsible for the maintenance and operation of the **Constitution**. The **Monitoring Officer** has authority to make minor amendments and corrections to the Constitution to ensure that:
 - 3.12.1 legislative references are updated;
 - 3.12.2 it reflects the Council's structures and decision-making requirements;

3.12.3 consequential amendments are made as a result of Council, Executive (Leader, Cabinet, Cabinet Member) and Committee decisions; and

3.12.4 it is clear and unambiguous and maintains efficiency of operations.

- 3.13 To advise and assist the Democratic and Support Services **Team Manager** with the proper performance of the **Access to Information Procedure Rules** in **Part 3**.
- 3.14 To fulfil the requirements of the ‘qualified person’ in relation to section 36 of the Freedom of Information Act 2000.
- 3.15 To designate “Proper Officers” for the purpose of particular statutory functions and to make any changes needed to the table at 1.5 in Section G4 of this Part of the **Constitution**.
- 3.16 After consultation with the Chair of the **Audit and Governance Committee**, to make compensation payments of up to £500 to victims of maladministration.
- 3.17 To instruct Counsel and to retain the services of costs specialists, parliamentary agents or outside solicitors and to obtain expert advice on any matter affecting or likely to affect the interests of the Council.
- 3.18 Authority to sign any document necessary in legal proceedings on behalf of the Council and authority to sign informations and complaints, and lay them on behalf of the Council for the purpose of Magistrates Court proceedings unless Statute provides otherwise.
- 3.19 May grant dispensations to **Councillors** who require such dispensations for one meeting or on one occasion from requirements relating to interests set out in the **Councillors’ Code of Conduct** in **Part 4** as appropriate.

For the purpose of carrying out these functions, the **Monitoring Officer** shall be provided with the following resources:

- 3.20 The right of access to all documents and information held by or on behalf of the Council, including documents and information held by any Officer or **Councillor** of the Council. For the purpose of clarification, this right does not extend to documents and information held by or on behalf of any political group represented on the Council;
- 3.21 The right of access to any meetings of Officers or **Councillors** (or both) of the Council, whether or not such meetings include any other persons. For the purpose of clarification, this right does not extend to any meetings held by or on behalf of any political party represented on the Council;
- 3.22 The right to require any Officer or **Councillor** of the Council, or any contractor of the Council, to provide an explanation of any matter under investigation;

- 3.23 A right to report to the **Full Council**, the **Audit and Governance Committee**, and to the **Cabinet**, including a right to present a written report and to attend and advise verbally;
- 3.24 The right to require the assistance of any Officer of the Council in carrying out an investigation and to delegate to that Officer any of the powers of the post of Monitoring Officer;
- 3.25 A power to mediate a local resolution to any complaint of breach of the **Councillors' Code of Conduct** in **Part 4**, in accordance with the **Council's** relevant procedures;
- 3.26 The right of access to the **Head of Paid Service/Chief Executive, Strategic Directors** and the **S151 Officer**; and
- 3.27 The right, after consultation with the **Head of Paid Service/Chief Executive** and/or the **S151 Officer** where appropriate to notify the Police, the Council's auditors and other regulatory agencies of his/her concerns in respect of any matter and to provide them with information and documents in order to assist them with their statutory functions.

SECTION G4 - PROPER OFFICER AND SPECIFIED OFFICER FUNCTIONS

- 1.1 Many legislative provisions require the appointment of a "**Proper Officer**" or "Specified Officer" to undertake formal responsibilities on behalf of the Council.
- 1.2 Statutory provisions and regulations are from time to time amended, replaced or re-enacted. When a statutory provision or regulation is amended, replaced or re-enacted, the appointments in the table below shall be effective in relation to the corresponding new provision.
- 1.3 Substitutes are identified to act where the Proper Officer is absent or otherwise unable to act.
- 1.4 The **Chief Executive/Head of Paid Service** shall be the **Proper Officer** of the Council for the purposes of the Local Government Act 1972, the Local Government Act 2000 and for all other statutory purposes unless:
- 1.4.1 such designation is given by the Council to any other Officer or
- 1.4.2 the Chief Executive/Head of Paid Service, exercising the powers given to him/her by this **Constitution**, appoints another Officer of the Council to be the **Proper Officer** for a specific service area or function.

SPECIFIED OFFICERS

Statutory Requirement	Allocated to	Substitute
Local Government and Housing Act 1989 Section 4 Head of Paid Service	Chief Executive	Strategic Directors
Representation of the People Act 1983 Section 8 Electoral Registration Officer	Chief Executive	A deputy, as appointed by the Electoral Registration Officer
Representation of the People Act 1983 Section 28 Acting Returning Officer (Parliamentary)	Chief Executive	As appointed by the Acting Returning Officer
Representation of the People Act 1983 Section 35 Returning Officer (Local Elections)	Chief Executive	As appointed by the Returning Officer

Local Government and Housing Act 1989 Section 5 Monitoring Officer	Head of Legal and Support Services (Monitoring Officer)	Legal Team Manager and Deputy Monitoring Officer
Local Government Act 1972 Section 151 Chief Finance Officer	Strategic Director for Resources (S151 Officer)	Head of Finance and Deputy S151 Officer

1.5 A table of designated **Proper Officers** is set out below:

Section of the Local Government Act 1972 and Proper Officer's Functions	Proper Officer	Alternative Proper Officer
Section 13 To act as a Parish Trustee	Chief Executive	Strategic Directors
Section 83 (1) to (4) Witness and receipt of Declarations of Acceptance of Office	Chief Executive	Head of Legal and Support Services (Monitoring Officer)
Section 84 Receipt of Declaration of Resignation of Office	Chief Executive	Head of Legal and Support Services (Monitoring Officer)
Section 86 Declare any vacancy in office	Chief Executive	Head of Legal and Support Services (Monitoring Officer)
Section 88 (2) Convening of meeting of Council to fill casual vacancy in the office of Chair	Chief Executive	Head of Legal and Support Services (Monitoring Officer)
Section 89 (1) (b) Receipt of notice of casual vacancy from two local government electors	Chief Executive	Head of Legal and Support Services (Monitoring Officer)
Section 99 Signature of summons to council meetings	Chief Executive	Head of Legal and Support Services (Monitoring Officer)

Section 100B Exclusion of reports, etc. from inspection	Head of Legal and Support Services (Monitoring Officer)	Legal Team Manager and Deputy Monitoring Officer
Section 100C Written Summary where minutes would disclose exempt information	Head of Legal and Support Services (Monitoring Officer)	Legal Team Manager and Deputy Monitoring Officer
Section 100D Compilation of list of background papers	Head of Legal and Support Services (Monitoring Officer)	Legal Team Manager and Deputy Monitoring Officer
Section 100F Exclusion from production to Councillors of documents disclosing exempt information	Head of Legal and Support Services (Monitoring Officer)	Legal Team Manager and Deputy Monitoring Officer
Section 115 (2) Receipt of money due from Officers	Strategic Director for Resources (S151 Officer)	Head of Finance and Deputy S151 Officer
Section 146 (1) (a) and (b) Declarations and service with regard to securities	Strategic Director for Resources (S151 Officer)	Head of Finance and Deputy S151 Officer
Section 191 Functions with respect to Ordnance Survey	Head of Legal and Support Services (Monitoring Officer)	Strategic Directors
Section 210 (6) and (7) Charity functions of holders of offices with existing authorities transferred to holders of equivalent offices with new authorities or, if there is no such office, to Proper Officer	Chief Executive	Strategic Directors
Section 223 Authorise Officers to appear in legal proceedings	Head of Legal and Support Services (Monitoring Officer)	Legal Team Manager and Deputy Monitoring Officer

Section 225 (1) Receipt and retention of documents deposited with the Authority	Head of Legal and Support Services (Monitoring Officer)	Strategic Directors
Section 228 (3) Making accounts open to inspection by any Councillor of the Authority	Strategic Director for Resources (S151 Officer)	Head of Finance and Deputy S151 Officer
Section 229 (5) Certification of Photographic copies of Documents	Head of Legal and Support Services (Monitoring Officer)	Strategic Directors
Section 234 Authentication of Documents	Head of Legal and Support Services (Monitoring Officer)	Legal Team Manager and Deputy Monitoring Officer
Section 234 Officer authorised to sign forms of notice to give effect to planning applications	Head of Planning and Regeneration	Planning and Development Team Manager
Section 236 (9) and (10) To send copies of byelaws to Parish Council	Head of Legal and Support Services (Monitoring Officer)	Legal Team Manager and Deputy Monitoring Officer
Section 238 Certification of byelaws	Head of Legal and Support Services (Monitoring Officer)	Legal Team Manager and Deputy Monitoring Officer
Section 248 Officer who will keep the Roll of Freemen	Head of Legal and Support Services (Monitoring Officer)	Strategic Directors
Schedule 12, Para 4 (2) (b) Signature of summonses to Council Meetings	Chief Executive	Head of Legal and Support Services (Monitoring Officer)

Schedule 12, Para 4 (3) Receipt of notice regarding address to which summonses to meetings are to be sent	Head of Legal and Support Services (Monitoring Officer)	Legal Team Manager and Deputy Monitoring Officer
Schedule 14, Para 25 (7) Certifying resolutions applying or dis-applying provisions of Public Health Acts 1875-1961	Head of Legal and Support Services (Monitoring Officer)	Strategic Directors
Local Government Act 1974	Proper Officer	Alternative Proper Officer
Section 30(5) To give notice that copies of an Ombudsman's report are available	Chief Executive	Head of Legal and Support Services (Monitoring Officer)
Section of the Local Government (Access to Information) Act 1985 amending the Local Government Act 1972 and Proper Officer's Functions	Proper Officer	Alternative Proper Officer
Section 100B (2) Exclusion of whole or part of reports from public inspection	Head of Legal and Support Services (Monitoring Officer)	Legal Team Manager and Deputy Monitoring Officer
Section 100B (5) Withholding of reports containing exempt information	Head of Legal and Support Services (Monitoring Officer)	Legal Team Manager and Deputy Monitoring Officer
Section 100B (7) (c) Supply of papers to press	Head of Legal and Support Services (Monitoring Officer)	Strategic Directors
Section 100C (2) Summaries of Minutes	Head of Legal and Support Services (Monitoring Officer)	Strategic Directors
Section 100D Inspection of background papers	Head of Legal and Support Services (Monitoring Officer)	Strategic Directors

Section 100F Councillors' right to papers	Head of Legal and Support Services (Monitoring Officer)	Strategic Directors
Section of the Local Government Finance Act 1988 and Proper Officer's Functions	Proper Officer	Alternative Proper Officer
Section 114 Duty to report etc	Strategic Director for Resources (S151 Officer)	Head of Finance and Deputy S151 Officer
Section of the Local Government and Housing Act 1989 and Proper Officer's Functions	Proper Officer	Alternative Proper Officer
Part 1 (s.2.4, 3, 4, 5, 15) and regulations made thereunder	Chief Executive	Strategic Directors
Section 2 and Section 3 Preparation and deposit of politically restricted posts and issue of certificate in respect of politically restricted posts	Chief Executive	Strategic Directors
Section of the Party Wall etc Act 1996 and Proper Officer's Functions	Proper Officer	Alternative Proper Officer
Section 10(8) Appointing Officer	Chief Executive	Strategic Directors
Section of the Public Health Act 1936 and the Public Health Act 1961	Proper Officer	Alternative Proper Officer
Sections 84 and 85 of the Public Health Act 1936 Proper Officer functions	Strategic Directors	Head of Community Services
Section of the Food Safety Act 1990	Proper Officer	Alternative Proper Officer
Section 5 Authorised Officer to act in matters arising under the Act	Strategic Directors	Head of Community Services

Section 27 Nomination of a Public Analyst	Strategic Directors	Head of Community Services
Section 49 Signature on documents authorised or required under the Act	Strategic Directors	Head of Community Services
Local Government Act 2000 and Regulations made thereunder and Proper Officer functions	Proper Officer	Alternative Proper Officer
Proper Officer functions	Chief Executive	Strategic Directors
Section of the Freedom of Information Act 2000 and Proper Officer Functions	Proper Officer	Alternative Proper Officer
Section 36 the “qualified person”	Head of Legal and Support Services (Monitoring Officer)	Legal Team Manager and Deputy Monitoring Officer
Section of the Regulation of Investigatory Powers Act 2000 and Proper Officer Functions	Proper Officer	Alternative Proper Officer
Part II Authorised Officers who may authorise, review or cancel the carrying out of directed surveillance or the use of covert human intelligence sources	Chief Executive Strategic Directors	Heads of Service
Part II Senior Responsible Officer	Chief Executive	Strategic Directors

Miscellaneous: Statutory Provision and Proper Officer Functions	Proper Officer	Alternative Proper Officer
Section 41 Local Government (Miscellaneous Provisions) Act 1976 Certifying true copies of minutes	Head of Legal and Support Services (Monitoring Officer)	Legal Team Manager and Deputy Monitoring Officer
Section 321 (3) Highways Act 1980 Certifying copies of approved plans	Chief Executive	Strategic Directors
Section 61 Building Act 1984 Receive notification of and having free access to repairs of drains	Strategic Directors	As delegated by the Strategic Directors
Section 149 Environmental Protection Act 1990 Discharging functions relating to stray dogs	Head of Community Services	Environmental Health Team Manager
Section 2 Planning (Listed Buildings and Conservation Areas) Act 1990 Lists of protected buildings	Strategic Directors	Head of Planning and Regeneration
Proceeds of Crime Act 2002 Part 7 Nominated Officer to receive disclosures of suspected Money Laundering	Strategic Director for Resources (S151 Officer)	Head of Finance and Deputy S151 Officer

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NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL
COUNCIL – TUESDAY, 23 MAY 2023



Title of Report	APPOINTMENT OF REPRESENTATIVES ON COMMUNITY BODIES	
Presented by	Elizabeth Warhurst Monitoring Officer	
Background Papers	Correspondence from Community Bodies requesting nominations held in Room 122 (Democratic Services).	Public Report: Yes
Financial Implications	There are no financial implications.	
	Signed off by the Section 151 Officer: Yes	
Legal Implications	The Constitution advises that the Council has nomination rights to a large number of different organisations, referred to as community bodies. The practice of making nominations to community bodies is a benefit to the Council and the links created contribute to the social well-being of the district.	
	Signed off by the Monitoring Officer: Yes	
Staffing and Corporate Implications	There are no staffing and corporate implications.	
	Signed off by the Head of Paid Service: Yes	
Purpose of Report	To approve the nominations for representatives on community bodies for the forthcoming year.	
Recommendations	THAT THE REPRESENTATIVES BE APPOINTED TO SERVE ON THE COMMUNITY BODIES LISTED AT APPENDIX 1	

1.0 COMMUNITY BODIES

1.1 The Council appoints representatives to various community bodies as attached at Appendix 1. The list of community bodies is reviewed regularly to ensure it remains current.

1.2 A review was last undertaken in February 2023. During the review, it was established that the following community bodies no longer require representation: -

- CCTV Operations Management Group
- Mantle Community Arts
- New Albion revised Liaison Committee
- Bardon Hill Quarries Liaison Committee

1.3 In February 2023, correspondence was received from Charnwood Forest regional Park Steering Group inviting the Council to appoint a District Councillor as representative to the group.

1.4 Members are asked to appoint representatives to the remaining community bodies for the forthcoming municipal year. Members are reminded that any community bodies they are appointed to by Council need to be recorded on their register of interests. The requisite form will be circulated to members following the meeting.

2.0 NOMINATIONS

2.1 Nominations to the community bodies will be circulated at the meeting.

Policies and other considerations, as appropriate	
Council Priorities:	<ul style="list-style-type: none"> - Supporting Coalville to be a more vibrant, family-friendly town - Support for businesses and helping people into local jobs - Developing a clean and green district - Local people live in high quality, affordable homes - Our communities are safe, healthy and connected
Policy Considerations:	Terms of reference for each community body
Safeguarding:	Not applicable.
Equalities/Diversity:	The process ensures that the most appropriate member is appointed to the community body.
Customer Impact:	Not applicable.
Economic and Social Impact:	Not applicable.
Environment and Climate Change:	Not applicable.
Consultation/Community Engagement:	Political Group Leaders
Risks:	Failure to appoint to the relevant community bodies would put the Council in breach of its duties and compromise the integrity of its relationship with community bodies in the district.
Officer Contact	Elizabeth Warhurst Monitoring Officer elizabeth.warhurst@nwleicestershire.gov.uk

ANNUAL COUNCIL

APPOINTMENT OF REPRESENTATIVES ON COMMUNITY BODIES

NOMINATIONS

Body	Current Appointments	Nominees for 2023/24
Alderman Newton Education Foundation (1 seat)	Councillor J Clarke	
Ashby de la Zouch Endowed Schools Foundation (1 seat appointed for District term (every 4 years))	Councillor R Bayliss (Appointment to roll forward until 2023)	
Bredon Quarry Liaison Committee (1 seat)	Councillor R Morris	
Charnwood Forest regional Park Steering Group (1 seat)	New Community body for 2023	
Cliffe Hill Quarry Liaison Committee (1 seat)	Councillor V Richichi	
Coalville and District Town Twinning Association (2 seats)	Councillors J Clarke and G Houlst	
Coalville Town Football Club Committee (1 seat)	Councillor J Geary	
East Midlands Airport Independent Consultative Committee (1 seat & 1 substitute)	Councillor R Morris (as Chair of Planning Committee) (sub R Boam (as Deputy Chair of Planning Committee))	Chair of Planning Committee (sub Deputy Chair of Planning Committee)
Former Lount Landfill Site Liaison Committee (2 seats)	Councillors R Boam and R Morris	
Grace Dieu Priory Trust (2 seats)	Councillors D Everitt and N Smith	
Home Start - North West Leicestershire (1 seat)	Councillor R D Bayliss (as relevant Portfolio Holder)	Housing Portfolio Holder
Interlink South Country Park Board Meeting (1 seat)	Councillor K Merrie	
Leicester, Leicestershire and Rutland Police and Crime Panel (1 seat)	Councillor A Woodman (as relevant Portfolio Holder)	Community Services Portfolio Holder
Local Government Association – General Assembly (1 seat)	Councillor R Blunt (as Leader of the Council)	Leader of the Council
Moira Furnace Trust (1 seat)	Councillor D Bigby	

Body	Current Appointments	Nominees for 2023/24
MSV Donington Park Consultative Forum (7 seats)	Councillors R Canny (as Castle Donington Central Ward Member), B Harrison-Rushton (as Kegworth Ward Member), M Hay (as Castle Donington Park Ward Member), N J Rushton (as Long Whatton and Diseworth Ward Member), A C Saffell (as Castle Donington Castle Ward Member), C Sewell (as Daleacre Hill Ward Member) and R Morris (as Worthington and Breedon Ward Member)	Councillors (as Castle Donington Central Ward Member), (as Kegworth Ward Member), (as Castle Donington Park Ward Member), (as Long Whatton and Diseworth Ward Member), (as Castle Donington Castle Ward Member), (as Daleacre Hill Ward Member) and (as Worthington and Breedon Ward Member)
North West Leicestershire Hackney Carriage and Private Hire Taxi Licensing Forum (3 seats)	Councillors J Bridges, J Clarke (as Chairman of Licensing Committee) and K Merrie (as Deputy Chairman of Licensing Committee)	Councillors , Chair of Licensing Committee and Deputy Chair of Licensing Committee
North West Leicestershire Staying Healthy Partnership (1 seat)	Councillor A Woodman (as relevant Portfolio Holder)	
PATROL (Parking and Traffic Regulations Outside London) Adjudication Joint Committee	Councillor A Woodman (as relevant Portfolio Holder)	Community Services Portfolio Holder
Ravenstone Hospital Charity (2 seats)	Councillors E Allman and K Merrie	
Redbank Manufacturing Liaison Committee (1 seat)	Councillor S Sheahan	
Safer North West Leicestershire Partnership (1 seat)	Councillor A Woodman (as relevant Portfolio Holder)	Community Services Portfolio Holder
Whitwick Quarry Liaison Committee (3 seats)	Councillors L Gillard, S Gillard and T Gillard	

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL
COUNCIL – TUESDAY, 23 MAY 2023



Title of Report	SCHEDULE OF MEETINGS 2023/24	
Presented by	Elizabeth Warhurst Monitoring Officer	
Background Papers	None	Public Report: Yes
Financial Implications	There are no financial implications.	
	Signed off by the Section 151 Officer: Yes	
Legal Implications	The Constitution advises that the Council will agree its schedule of meetings each forthcoming municipal year.	
	Signed off by the Monitoring Officer: Yes	
Staffing and Corporate Implications	There are no staffing and corporate implications.	
	Signed off by the Head of Paid Service: Yes	
Purpose of Report	To agree the schedule of meetings for the forthcoming municipal year.	
Recommendations	THAT THE PROPOSED SCHEDULE OF MEETINGS FOR 2023/24 BE AGREED.	

1.0 BACKGROUND

- 1.1 Each year Council is asked to approve the schedule of meetings for the forthcoming year. The proposed schedule of meetings is attached at Appendix 1 to the report.
- 1.2 For reasons of administrative efficiency, the schedule of meetings for 2023/24 includes dates for June 2024. This is to enable members to have notice of these meetings well in advance.

2.0 MAIN FEATURES OF THE SCHEDULE

- 2.1 When compiling the schedule of meetings, regard has been had to the Council's service and financial planning timetable which includes the budget process, and the proposed schedules of Leicestershire County Council and the Parish Council's within North West Leicestershire.
- 2.2 Meetings of the main committees have been programmed for the municipal year as follows:

Audit and Governance Committee	6
Cabinet	12
Coalville Special Expenses Working Party	5
Corporate Scrutiny Committee	5
Community Scrutiny Committee	5
Council	6 + Annual meeting
Licensing Committee	4
Local Plan Committee	5
Planning Committee	13

- 2.3 Please note that the Cabinet meetings are included in the schedule for information only as the frequency, dates and times are agreed by the Leader.
- 2.4 The meetings of the Coalville Special Expenses Working Party are also included for information only as the dates are agreed by the Working Party.
- 2.5 Due to Chair's/member's availability, meetings of the two scrutiny committees will now take place on Thursdays.

Policies and other considerations, as appropriate	
Council Priorities:	All Council Priorities.
Policy Considerations:	The terms of reference for each committee.
Safeguarding:	Not applicable.
Equalities/Diversity:	Not applicable.
Customer Impact:	Not applicable.
Economic and Social Impact:	Not applicable.
Environment and Climate Change:	Not applicable.
Consultation/Community Engagement:	Corporate Leadership Team Strategy Group Performance Team Leicestershire County Council
Risks:	Failure to agree the schedule of meetings will put the Council in breach of its constitutional duties and compromise the integrity of its decision-making processes.
Officer Contact	Elizabeth Warhurst Monitoring Officer elizabeth.warhurst@nwleicestershire.gov.uk

DRAFT SCHEDULE OF MEETINGS

Jul 2023 – June 2024

Audit & Governance Committee (6.30pm)

Weds, 26 July 2023
Weds, 27 September 2023
Weds, 25 October 2023
Weds, 24 January 2024
Weds, 13 March 2024
Weds, 24 April 2024

Cabinet (5.00pm)

Tues, 27 June 2023
Tues, 25 July 2023
Tues, 22 August 2023
Tues, 19 September 2023
Tues, 24 October 2023
Tues, 21 November 2023
Tues, 12 December 2023
Tues, 9 January 2024
Tues, 30 January 2024
Tues, 27 February 2024
Tues, 26 March 2024
Tues, 23 April 2024
Tues, 21 May 2024
Tues, 25 June 2024

Coalville Special Expenses Working Party (6.30pm)

Tues, 13 June 2023
Tues, 15 August 2023
Tues, 10 October 2023
Tues, 2 January 2024
Tues, 13 February 2024
Tues, 11 June 2024

Community Scrutiny Committee (6.30pm)

Thurs, 13 July 2023
Thurs, 28 September 2023
Thurs, 7 December 2023
Thurs, 8 February 2024
Thurs, 4 April 2024
Thurs, 27 June 2024

Corporate Scrutiny Committee (6.30pm)

Tues, 11 July 2023
Thurs, 31 August 2023 (Q1)
Thurs, 23 November 2023 (Q2)
Thurs, 4 January 2024
Tues, 20 February 2024 (Q3)
Thurs, 23 May 2024

Council (6.30pm)

Tues, 20 June 2023
Tues, 5 September 2023
Tues, 14 November 2023
Tues, 23 January 2024
Thu, 22 February 2024
Tues, 7 May 2024 (Annual Council)
Tues, 18 June 2024

Licensing Committee (6.30pm)

Weds, 21 June 2023
Weds, 13 September 2023
Weds, 1 November 2023
Weds, 14 February 2024
Weds, 19 June 2024

Local Plan Committee (6.00pm)

Weds, 5 July 2023
Weds, 6 September 2023
Weds, 15 November 2023
Weds, 17 January 2024
Weds, 20 March 2024
Weds, 22 May 2024
Weds, 12 June 2024

Planning Committee (6.00pm)

Tues, 6 June 2023
Thur, 22 June 2023
Tues, 4 July 2023
Tues, 1 August 2023
Tues, 12 September 2023
Tues, 3 October 2023
Tues, 7 November 2023
Tues, 5 December 2023
Weds, 10 January 2024
Tues, 6 February 2024
Tues, 5 March 2024
Wed, 3 April 2024
Tues, 30 April 2024
Tues, 4 June 2024

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NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL
COUNCIL – TUESDAY, 23 MAY 2023



Title of Report	ANNUAL MEMBER CONDUCT REPORT	
Presented by	Elizabeth Warhurst Head of Legal and Support Services (Monitoring Officer)	
Background Papers	Member Conduct Annual Report and Minutes – A&G Committee – 26 April 2023	Public Report: Yes
Financial Implications	There are no financial implications.	
	Signed off by the Section 151 Officer: Yes	
Legal Implications	There are no direct legal implications arising from the report.	
	Signed off by the Monitoring Officer: Yes	
Staffing and Corporate Implications	There are no staffing and corporate implications	
	Signed off by the Head of Paid Service: Yes	
Purpose of Report	To receive and endorse the Member Conduct Annual Report	
Recommendations	THAT COUNCIL BE RECOMMENDED TO ENDORSE THE MEMBER CONDUCT ANNUAL REPORT 2022/23.	

1.0 BACKGROUND

- 1.1 It is important that the work of the Audit and Governance Committee should be visible to the Authority and wider public. It is felt that the annual report acts as a helpful tool in communicating the work undertaken by the Audit and Governance Committee to the public and to Members.
- 1.2 The Annual Report of the North West Leicestershire District Council's Audit and Governance Committee covering the period 1 April 2022 to 31 March 2023 was considered by the Audit and Governance Committee at its meeting on 26 April 2023 and is appended. The minutes of the Audit and Governance Committee are attached as background papers to this report.
- 1.3 Audit and Governance Committee agreed to recommend the report to Council.

Policies and other considerations, as appropriate	
Council Priorities:	Supporting Coalville to be a more vibrant, family friendly town Support for businesses and helping people into local jobs Developing a clean and green district Local people live in high quality, affordable homes Our communities are safe, healthy and connected
Policy Considerations:	Code of Conduct and Constitution.
Safeguarding:	None
Equalities/Diversity:	None
Customer Impact:	None
Economic and Social Impact:	None
Environment and Climate Change:	None
Consultation/Community Engagement:	None
Risks:	Audit and Governance Committee has responsibility for the overseeing the conduct of members. It receives quarterly reports and ensures that an annual report is considered by Council.
Officer Contact	Elizabeth Warhurst Head of Legal and Commercial Services and Monitoring Officer elizabeth.warhurst@nwleicestershire.gov.uk



MEMBER CONDUCT ANNUAL REPORT 2022-23

This is the Member Conduct Annual Report of North West Leicestershire District Council's Audit and Governance Committee and covers the period from 1 April 2022 to 31 March 2023.

In addition to the responsibilities detailed in the Terms of Reference below, the Audit and Governance Committee promotes high standards of conduct by District Council Members and Members of Town / Parish Councils in North West Leicestershire. The Audit and Governance Committee complies with the requirements of the Localism Act 2011, the Regulations and the guidance provided under that legislation, together with Council's adopted Arrangements.

In September 2021, Council adopted the latest version of North West Leicestershire Code of Conduct for Members. The code is based on the Local Government Association Model Code of Conduct and, following collaboration across Leicestershire, the same Code has been adopted by other Leicestershire District and Borough Councils and Leicestershire County Council.

2. Audit and Governance Committee Terms of Reference

Membership: Ten District Councillors

Quorum: Three District Councillors

Terms of Reference during the 2022-2023 financial year:

Statement of purpose

1. The Audit and Governance Committee is a key component of North West Leicestershire District Council's corporate governance. It provides an independent and high-level focus on the audit, assurance and reporting arrangements that underpin good governance and financial standards.
2. The purpose of the Audit and Governance Committee is to provide independent assurance to those charged with governance of the adequacy of the risk management framework and the internal control environment. It provides independent review of North West Leicestershire District Council's governance, risk management and control frameworks and oversees the financial reporting and annual governance processes. It oversees internal audit and external audit arrangements, helping to ensure efficient and effective assurance mechanisms are in place.

Governance, risk and control

3. To review the Council's corporate governance arrangements against the good governance framework, including the ethical framework and consider the local code of governance.
4. To review the Annual Governance Statement prior to approval and consider whether it properly reflects the risk environment and supporting assurances, taking into account internal audit's opinion on the overall adequacy and effectiveness of the council's framework of governance, risk management and control.
5. To consider the Council's arrangements to secure value for money and review assurances and assessments on the effectiveness of these arrangements.
6. To consider the Council's framework of assurance and ensure that it adequately addresses the risks and priorities of the council.
7. To monitor and provide scrutiny over the effective development and operation of risk management in the council.
8. To monitor progress in addressing risk-related issues reported to the committee such as the Corporate Risk Register.

9. To consider reports on the effectiveness of internal controls and monitor the implementation of agreed actions.
10. To review the assessment of fraud risks and potential harm to the council from fraud and corruption.
11. To monitor the Anti-Fraud and Corruption strategy, actions and resources.

Internal audit

12. To approve the internal audit charter.
13. To approve (but not direct) the risk-based internal audit plan, including internal audit's resource requirements, the approach to using other sources of assurance and any work required to place reliance upon those other sources.
14. To approve significant interim changes to the risk-based internal audit plan and resource requirements.
15. To make appropriate enquiries of both management and the head of internal audit to determine if there are any inappropriate scope or resource limitations.
16. To consider any impairments to independence or objectivity arising from additional roles or responsibilities outside of internal auditing of the head of internal audit. To approve and periodically review safeguards to limit such impairments.
17. To consider progress reports from the head of internal audit on internal audit's performance during the year
18. To consider the Head of Internal Audit's annual report, including the statement of the level of conformance with the Public Sector Internal Audit Standards and the results of the Quality Assurance and Improvement Programme that supports the statement. Fundamental to the annual report is the opinion on the overall adequacy and effectiveness of the council's framework of governance, risk management and control together with the summary of the work supporting the opinion. These will assist the committee in reviewing the Annual Governance Statement.
19. To consider summaries of specific internal audit reports in accordance with agreed protocols.
20. To receive reports outlining the action taken where the Head of Internal Audit has concluded that management has accepted a level of risk that may be unacceptable to the authority or there are concerns about progress with the implementation of agreed actions.
21. To contribute to the QAIP and in particular, to the external quality assessment of internal audit that takes place at least once every five years.
22. To provide free and unfettered access to the audit committee chair for the head of internal audit, including the opportunity for a private meeting with the committee.

External audit

23. To support the independence of external audit through consideration of the external auditor's annual assessment of its independence and review of any issues raised.
24. To consider the external auditor's annual letter, relevant reports and the report to those charged with governance.
25. To consider specific reports as agreed with the external auditor.

26. To comment on the scope and depth of external audit work and to ensure it gives value for money.

Financial reporting

27. To review the annual statement of accounts. Specifically, to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the council.
28. To consider the external auditor's report to those charged with governance on issues arising from the audit of the accounts.
29. To seek assurances that the council has complied with the Treasury Management Strategy and Practices by demonstrating effective control of the associated risks and pursuing optimum performance consistent with those risks.

Accountability arrangements

30. To report to those charged with governance on the committee's findings, conclusions and recommendations concerning the adequacy and effectiveness of their governance, risk management and internal control frameworks, financial reporting arrangements, and internal and external audit functions.
31. To report to full council on a regular basis on the committee's performance in relation to the terms of reference and the effectiveness of the committee in meeting its purpose.
32. To publish an annual report on the work of the committee.

Functions	Matters reserved for a Decision
The Council has determined under the powers conferred on it by Section 28(6) of the Localism Act 2011 to appoint an Audit and Governance Committee and it has the following roles and functions:	To determine any issues referred to the Committee (except for any matter reserved to the Council).
Promoting and maintaining high standards of conduct by councillors and co-optees Assisting the councillors and co-optees to observe the Members' Code of Conduct Advising the Council on the adoption or revision of the Members' Code of Conduct Monitoring the operation of the Members' Code of Conduct Advising, training or arranging to train councillors and co-opted members on matters relating to the Members' Code of Conduct Granting dispensations to councillors who require such dispensations for more than one meeting or on more than one occasion from requirements relating to interests set out in the Members Code of Conduct as appropriate	

<p>Dealing with any report from the Monitoring Officer on any matter concerning Governance</p> <p>To establish Sub-committees for the Assessment of Determination of matters concerning allegations of Members Conduct</p> <p>And in addition the Audit and Governance Committee also oversees the ethical framework of the Council including oversight of:</p> <ul style="list-style-type: none"> • the Whistle Blowing Policy • complaints handling • Ombudsman investigations 	
<p>To exercise the above functions for the parish councils wholly or mainly in its area and the members of those parish councils.</p>	

Sub-committees of the Audit and Governance Committee

All Audit and Governance Committee members will form a pool from which members will be drawn based on their availability and the requirements of the particular Sub-committee as and when required.

Assessment Sub-committee

Assessment of complaints in accordance with the Council's Guidance and to either:

- Accept the Monitoring Officer's recommendation of no failure to comply with the Code of Conduct
- Refer the matter for full investigation
- Refer the matter for other action

Review Sub-committee

Consideration of requests for a review in accordance with the Council's Guidance.

Determinations Sub-committee

To receive reports from the Monitoring Officer or her appointed investigating officer and to decide either:

- To determine finding of no failure to comply with the Code of Conduct
- To determine finding of failure to comply with the Code of Conduct and impose relevant sanctions
- Refer the matter for other action

in accordance with the Council Guidance

3. Composition

District Councillors

All appointed by Council on 10 May 2022

Chairman: Councillor S Gillard

Deputy Chairman: Councillor N Smith
Councillor E Allman
Councillor C Benfield
Councillor J Clarke
Councillor M Hay
Councillor R Morris
Councillor V Richichi
Councillor S Sheahan
Councillor M Wyatt

Parish Representatives

The following parish councillors were appointed as Parish Representatives for the remainder of the Administration (May 2023):

Councillor Patricia Thomas – Ashby Woulds Town Council
Councillor Ray Woodward – Whitwick Parish Council
Councillor Brian Beggan – Ashby Town Council
Councillor Nick Antill-Holmes - Oakthorpe and Donisthorpe

After the May elections the Council will re-advertise the Parish Representative roles and invite applications. If more than four Councillors apply, a ballot will go out to determine who should receive the Parish Representative roles. These positions will then be ratified by Full Council before they are formally appointed.

Independent Persons

The legislation requires the Council to appoint at least one Independent person who potentially advises all those involved in a Standards complaint, including the Monitoring Officer, and who must be consulted prior to the determination of a complaint.

Through an open advertising process conducted with partner authorities the Council appointed the following pool of independent persons from whom one can be drawn as and when required:

Michael Pearson
Mark Shaw
Gordon Grimes
Richard Gough
Michael Gibson
Laurence Faulkner

The IP's were appointed by Full Council on the 25 May 2021 until May 2025.

The main officer support for the Committee is provided by the Monitoring Officer (Elizabeth Warhurst), the Deputy Monitoring Officer (Kate Hiller) and the Democratic Support Officer (Rachel Wallace).

4. Meetings and Work Programme

The Audit and Governance Committee meets a minimum of four times per annum. In addition to its scheduled meetings, sub committees still meet on an ad hoc basis in order to consider and determine allegations of Member conduct. The Committee has its main work planned in advance through a Work Programme which enables it to be more proactive, strategic and focused in its approach to key issues.

5. Reporting Arrangements

The Audit and Governance Committee receives quarterly reports which have enabled Members to be reminded of the issues it has dealt with during each quarter and address any issues which this has highlighted.

6. Procedures and Workloads

(a) Dispensations

During 2022/23, there were no applications received for a dispensation from either District or Parish members.

(b) Complaints made to the Monitoring Officer under the Code of Conduct during 2022/23

<u>Qtr</u>	<u>Complaint from</u>	<u>About district/parish councillor</u>	<u>Regarding</u>	<u>status</u>
<u>Q1</u> <u>22/23</u>	No complaints in Q1			
<u>Q2</u> <u>22/23</u>	No complaints in Q2			
<u>Q3</u> <u>22/23</u>	Parish Cllr	District Cllr	Behaviour at a Council meeting	Resolved informally 11.10.2022 Q3
	District Cllr	District Cllr	Register of interests [this comprises individual complaints about 7 District Cllrs]	Resolved informally 26 / 27.10.2022 Q3
	Parish Cllr	Parish Cllr	Various issues relating to declarations of interests and access to information	Resolved informally 16.11.2022 Q3
	Member of the public	District Cllr	Failure to comply with obligations	Not acting in capacity as Cllr 07.12.2022 Q3
	Member of the public	Parish Cllr	Treatment at a Parish Council meeting	Assessment sub-committee held on 06.03.2023 Outcome - referred to Monitoring Officer for further action. Action completed and complaint closed in Q4.
<u>Q4</u> <u>22/23</u>	No complaints in Q4			

(c) Complaints referred to the Standards Assessment Sub Committee

From the above-mentioned complaints: 1

(d) Members' Register of Interests

The Democratic Services Officers undertake regular checks of the Register of Members' Interests and provide advice and assistance to Parish Councils on the completion of the Registers.

(e) Advice and Training

The Monitoring Officer and Deputy Monitoring Officer continue to provide both parish and district members with advice, both proactively and on request, on member's interests and governance.

Training will be provided on the members code of conduct as part of the members induction programme in May 2023.

7. Policies & Procedures

The Audit and Governance Committee oversees the ethical framework of the Council including oversight of:

- Anti Fraud and Corruption Policy
- Anti Money Laundering Policy
- Confidential Reporting (Whistle Blowing Policy)
- Risk Management Policy
- RIPA Policy
- Information Management Policy
- Data Protection Policy
- ICT & Cyber Security Policy
- Local Code of Corporate Governance

These corporate governance policies are reviewed annually by the Committee before consideration and adopted by Cabinet. The Committee considered the policies at its meeting on 27 July 2022 and Cabinet adopted the policies at its meeting on 20 September 2022.

**Elizabeth Warhurst
Monitoring Officer**

Councillor S Gillard Chairman

OUR VISION

North West Leicestershire will be a place where people and businesses feel they belong and are proud to call home

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

COUNCIL – TUESDAY, 23 MAY 2023



Title of Report	EVENTS LIST	
Presented by	Allison Thomas Chief Executive	
Background Papers	None	Public Report: Yes
Financial Implications	There are no direct financial implications arising from the report.	
	Signed off by the Section 151 Officer: Yes	
Legal Implications	There are no direct legal implications arising from this report.	
	Signed off by the Monitoring Officer: Yes	
Staffing and Corporate Implications	The staffing resource is contained within the existing workforce.	
	Signed off by the Head of Paid Service: Yes	
Purpose of Report	To seek members views and agreement on the events that should be marked or celebrated by the Council as part of its community leadership role.	
Recommendations	THAT THE EVENTS LIST AT APPENDIX A BE ADOPTED BY THE COUNCIL FOR THE 2023/24 FINANCIAL YEAR.	

1. BACKGROUND

- 1.1 During the previous term of this Council, the Chairman asked the Chief Executive to develop a list of local, national, and international events and dates that should be marked by the Council during the civic year to promote the Council's community leadership role. This report outlines the suggested list for members consideration. If agreed, the list will be publicised on the Council's Website and shared with relevant partners and organisations.
- 1.2 Throughout the year - globally, nationally, regionally, and locally - communities recognise historic and other events relating to equality, diversity, and inclusion. These events tend to **celebrate** and / or **commemorate** and, where possible, **educate** the communities on the importance of these issues with the aim of supporting a fair and inclusive society.

- 1.3 In compiling the list officers have considered census information and reviewed the events that are promoted by neighbouring districts, boroughs, and the County Council to ensure consistency where appropriate.
- 1.4 This initial work resulted in a very extensive list of ideas being suggested but it was recognised that it is not practical to mark every event on the calendar. The resource and cost implications of recognising many events, would mean that it would not be prudent to the objective of having an annual calendar of events that is corporate, consistent, and one that has a positive impact on Council staff and local communities.
- 1.5 The full list of proposed events is listed at Appendix A, and these are split into areas highlighting whether they relate to Equality, Diversity and Inclusion or other events.
- 1.6 The proposed events list detailed in Appendix A have been categorised into events that the Council will either.
- Celebrate - Events where to the Council will join with the community to promote and celebrate.
 - Commemorate - Events where the Council would want to recognise their significance in history as a Council and as a district, or
 - Educate - Events where there is an opportunity to educate staff and people in the district.
- 1.7 The list in Appendix **A** suggests that some events that mark protected characteristics, as outlined by the Equality Act 2010, are condensed into a singular event, for example instead of holding various events throughout the year to celebrate / educate on the LGBTQ+ topic / community, it may be more appropriate to celebrate one of these events such as 'Pride'. As a further example, Race Equality Week, as currently the race characteristic can encompass race, ethnicity, and nationality. Therefore, instead of focusing on any one element of this characteristic, one event could be marked to cover all races / ethnicities and nationalities.
- 1.8 The list also outlines the proposed way in which the events might be celebrated to ensure an appropriate and proportional response in each case.

2. CHARITABLE CAUSES

- 2.1 Each year the Council's Chairman chooses a charity or charities to fundraise for during their term.
- 2.2 It is proposed that the Council position on fundraising should be to corporately fundraise only for the Chairman's chosen charities in any given year.

Policies and other considerations, as appropriate	
Council Priorities:	<ul style="list-style-type: none"> - Supporting Coalville to be a more vibrant, family-friendly town - Support for businesses and helping people into local jobs. - Developing a clean and green district - Local people live in high quality, affordable homes. - Our communities are safe, healthy, and connected.
Policy Considerations:	No direct implications for policy.

Safeguarding:	No considerations
Equalities/Diversity:	Detailed in the report
Customer Impact:	Customers are encouraged to be involved in the events to commemorate, educate, and celebrate
Economic and Social Impact:	No impacts
Environment and Climate Change:	No impacts
Consultation/Community Engagement:	Internal consultation with managers and corporate Leadership Team.
Risks:	No specific risks.
Officer Contact	Mike Murphy Head of Human Resources and Organisation development. Mike.murphy@nwleicestershire.gov.uk

Appendix A

Equality, Diversity, and Inclusion Events

Date/ Month	Occasion	What we currently do or did	What we could do	Celebrate, educate, or commemorate?	Protected Characteristic
Jan 27	Holocaust Memorial Day 27 January is the day for everyone to remember the millions of people killed in the Holocaust, Nazi Persecution and in subsequent genocides in Cambodia, Rwanda, Bosnia, and Darfur	This represents an opportunity to fulfil the commitment made at full council regarding Remembering Srebrenica	An opportunity to remember the millions of people killed in the Holocaust and in subsequent genocides throughout the world. Get-involved-guide-for-local-authorities.pdf (hmd.org.uk) Holocaust Memorial Day Outdoor Quality Flag – Mr Flag	Commemorate / Educate	Religion
Feb – 7 - 13	Race Equality Week	N/A	Distribute information. Hold information sessions	Educate	Race/ Ethnicity
March 8	International Women’s Day	N/A	Development events Talking to and about women in senior roles	Celebrate	Sex
June – full month 108	National Pride month	N/A	Awareness blogs Signposting to information	Celebrate	Sexual Orientation/ Gender reassignment Sex/ Gender
July 18	Disability Awareness Day	N/A	Signpost to relevant organisations, helpful information Hold information sessions as part of wider Equalities Training	Educate	Disability
October 10	World Mental Health Day	N/A	Signpost to employee assistance program service (EAP) Information sharing	Educate	Disability

Other Events

Date/ Month	Occasion	What we currently do or did	What we could do	Celebrate, educate, or commemorate?	Protected Characteristic
March 6 to 12	Food Waste Action Week 2023	We support the week on social media with the assets WRAP provide. In 2022 we invited Leicestershire County Council (LCC) to have a food waste and	Share the assets created by WRAP on social media, along with their messages created around the theme ‘Win. Don’t Bin.’ Create a blog for the recycling news webpage focusing on advice and messages that support the theme.	Educate	N/A

		composting stall at Newmarket	Add an inclusion into the Winter NWL Enviro e-newsletter.		
March 25 – April 10	Great British Spring Clean 2023		National scheme focussing on litter picking / collection	Educate/Celebrate	N/A
April 19	125 th Anniversary of the Whitwick Colliery Disaster	Various activities planned in 2023, including a Fire Memorial Project	Engage with the partnership and ensure council involvement in the memorial initiative.	Commemorate/ Educate	N/A
May 8	Victory in Europe Day	The Chairman is invited to attend a short service at Memorial Clock Tower to lay a wreath		Commemorate	N/A
May 7 – 13	International Compost Awareness Week	Supported with messages on social media	Retweet / share messages from Leicestershire County Council on Facebook and Twitter	Educate	N/A
June 22	Windrush Day			Educate	Race/ Ethnicity
June 24	Armed Forces Day	Fly a flag from Stenson House Flag Pole and small gathering of invited guests (including RBL representatives)	Request from Royal British Legion (RBL) to assist with an Armed Forces Day event in Coalville Town Centre	Commemorate	
September/ October 109	Great Big Green Week – The Great Big Green Week is a nationwide celebration of action on climate change, taking place across the UK from the 24 September to 2 October (2022 dates)	Recycling team	Celebrating Community Action to tackle climate change and protect nature.	Educate	N/A
September	Recycle Week (date TBC)	Support the week on social media using WRAPs assets and messages In 2022, although the week was postponed, a children's activity was held at Newmarket to make a robot out of recycled materials.	Set up a recycling stall at Newmarket & activity for children. Advertise for recycling talks during and around this week. Support the week on social media using WRAPs assets and messages based around the 2023 theme (TBC) Produce a staff blog advertising the week, with messages from the theme to help staff lead by example when recycling.	Educate	N/A
October (last Saturday in the month)	Launch of the RBL Poppy Appeal.	Fly the Poppy Appeal Flag (Stenson House) Light key council builds red (Stenson House, Memorial Clock Tower) Gathering at Memorial Clock Tower to launch the appeal – photo opportunity. RBL selling poppy merchandise.		Commemorate	N/A

November 11	Armistice Day	Short service at Memorial Clock Tower to mark the two minutes silence		Commemorate	
November 12	Remembrance Sunday Service and Parade	A civic church service and public parade and service at Memorial Clock Town		Commemorate	
November 25	White Ribbon Day	Internal promotion	Engaging men and boys to end violence against women and girls.	Educate	Sex
November 27 – December 5	National Tree Week	Free Tree Scheme – thousands of trees given away to residents and groups		Educate/Celebrate	
December 8	Christmas Jumper Day	Christmas Jumper Day is an annual charity event.	Promoted internally to the workforce.	Celebrate	
December	Chairman's Carol Service	A civic / community church service to celebrate Christmas		Celebrate	Religion / Community