

**RECORD OF EXERCISE OF DELEGATED AUTHORITY BY OFFICER PURSUANT TO REGULATION 13 OF THE LOCAL AUTHORITIES (EXECUTIVE ARRANGEMENTS) (MEETINGS AND ACCESS TO INFORMATION) (ENGLAND) REGULATIONS 2012 & THE OPENNESS OF LOCAL GOVERNMENT BODIES REGULATIONS 2014**

<u>SUBJECT OF DECISION</u>	
Revision to the Constitution regarding the Scheme of Delegation for the Assistant Director – Democracy and Governance following Monitoring Officer appointment.	
<u>DECISION REFERENCE</u>	<u>SOURCE OF AUTHORITY AND REFERENCE</u>
DO/69/2025 (TS)	<p>Constitution:</p> <ul style="list-style-type: none"> <li>• 3E OFFICER DELEGATIONS - Part B - Specific Delegations</li> <li>• 3E.1 Chief Executive (Head of Paid Service, Electoral Registration &amp; Returning Officer)</li> <li>• e) Make any necessary and consequential changes to the Council’s Scheme of Delegation to Officers to give effect to any changes in personnel, legislation, or the structure of the Council, to ensure its efficient and effective operation, in consultation with the Leader of the Council.</li> </ul> <p>11 December 2024 – Full Council:</p> <ul style="list-style-type: none"> <li>• CL44 Appointment of Monitoring Officer</li> </ul>
<u>DATE OF DECISION</u>	<u>DECISION MAKER (Name and Job Title)</u>
10/02/2025	<p>Tom Shardlow Chief Executive Officer</p> 

## RECORD OF THE DECISION

### a) The issue

The Council's Officer delegations within the OFFICER DELEGATIONS - Part B – Specific Delegations of the Constitution need to be revised to ensure that the Monitoring Officer duties are assigned to the correct role following a decision at Full Council on 11 December 2024.

### b) The Decision

To amend the Officer delegations at 3E.12 by removing under g) Statutory Provisions

S.5 & 5A Local Government and Housing Act 1989	Monitoring Officer
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and including under 3E.3 Assistant Director – Democracy and Governance within the table at a).

Furthermore, the following be moved into the Scheme of Delegation for the Assistant Director – Democracy and Governance.

### **Scheme of Delegations**

S.5 and S.5A Local Government and Housing Act 1989 (Monitoring Officer)
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Local Government Act 2000
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Where any delegation proposed to be relied upon or procedure proposed to be utilised refers to any officeholder, Cabinet, Committee or Ward Member, or forum that no longer exists, the Monitoring Officer shall determine how the power shall be appropriately exercised or procedure interpreted
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In consultation with the Leader of the relevant political group, appoint a substitute Member to Audit & Standards Committee where a prejudicial interest precludes a Member hearing a complaint
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## REASON FOR THE DECISION

To ensure the correct delegations are assigned following the Full Council decision on 11 December 2024.

## ALTERNATIVE OPTIONS CONSIDERED AND REJECTED IN MAKING THE DECISION

Not to revise.

Rejected as this would be factually incorrect, and thus would not align with Full Council decision dated 11 December 2024.

## WARD RELEVANCE

All Wards

<p><u>FINANCIAL AND BUDGET IMPLICATIONS</u></p> <p>None.</p>
<p><u>CONSULTATION UNDERTAKEN WITH MEMBERS/OFFICERS</u></p> <p>Assistant Director – Democracy &amp; Governance Deputy Monitoring Officer Solicitor to the Council</p>
<p><u>ANY CONFLICT OF INTEREST DECLARED BY ANY MEMBER CONSULTED</u></p> <p>N/A</p>
<p><u>IN RESPECT OF ANY DECLARED CONFLICT BY A CABINET MEMBER, ANY DISPENSATION GIVEN BY THE HEAD OF PAID SERVICE</u> (Note if the decision is a non-executive decision, no dispensation can be given).</p> <p>N/A</p>
<p><u>EQUALITIES IMPLICATIONS (including any Equality Impact Assessment)</u></p> <p>No impacts identified.</p>
<p><u>HUMAN RESOURCES IMPLICATIONS</u></p> <p>No impacts identified</p>
<p><u>FINANCIAL IMPLICATIONS</u></p> <p>N/A</p>
<p><u>HEALTH EQUALITIES IMPLICATIONS</u></p> <p>No Impacts Identified.</p>
<p><u>SECTION 17 CRIME &amp; DISORDER IMPLICATIONS</u></p> <p>No direct impacts identified.</p>
<p><u>RISK MANAGEMENT IMPLICATIONS</u></p> <p>Failing to make this decision would create a risk management implication in that it would be factually incorrect, and thus would not align with Full Council decision dated 11 December 2024.</p>
<p><u>SME (SMALL/MEDIUM ENTERPRISES) &amp; LOCAL ECONOMY IMPLICATIONS</u></p> <p>None identified</p>

ENVIRONMENTAL IMPLICATIONS

N/A

LEGAL IMPLICATIONS

Please see risk management implications.

ANY OTHER COMMENTS

N/A