

**Nuneaton  
&  
Bedworth  
United to Achieve**



**AGENDA  
for  
ANNUAL MEETING OF  
THE COUNCIL**

to be held on

**Wednesday, 20<sup>th</sup> May, 2026**

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Date: 12<sup>th</sup> May 2026

Our Ref: KB

To: All Members of the Borough Council

THE ANNUAL MEETING OF THE COUNCIL will be held at the Town Hall, Council Chamber, on **Wednesday, 20<sup>th</sup> May, 2026 at 6.00 p.m.**

All members of the Council are summoned to attend to determine the business as set out below.

### **A G E N D A**

1. **EVACUATION PROCEDURE**

A fire drill is not expected, so if the alarm sounds, please evacuate the building quickly and calmly. Please use the stairs and do not use the lifts. Once out of the building, please gather outside the Lloyds Bank on the opposite side of the road.

Please exit by the door by which you entered the room or by the fire exits which are clearly indicated by the standard green fire exit signs.

If you need any assistance in evacuating the building, please make yourself known to a member of staff.

Please make sure all your mobile phones are turned off or set to silent.

The meeting may be recorded for future broadcast.

2. **APOLOGIES** - to receive apologies for absence from the meeting.

3. **ELECTION OF CHAIR (THE MAYOR)** – for the ensuing year.

4. **VOTE OF THANKS**

5. **ELECTION OF VICE-CHAIR (THE DEPUTY MAYOR)** - for the ensuing year.

6. **MINUTES** - to confirm the minutes of the meeting held on 29<sup>th</sup> April 2026  
**(Page 6)**

7. DECLARATIONS OF INTEREST - To receive declarations of disclosable pecuniary interests and other interests in matters under consideration pursuant to Council procedure Rule 4A.2(iii).

### **Declaring interests at meetings**

If there is any item of business to be discussed at the meeting in which you have a disclosable pecuniary interest or non-pecuniary interest (Other Interests), you must declare the interest appropriately at the start of the meeting or as soon as you become aware that you have an interest.

Arrangements have been made so that interests that are declared regularly by members can be viewed in a schedule on the Council website ([Councillor Declarations of Interests](#)) Any interest noted in the schedule on the website will be deemed to have been declared and will be minuted as such by the Democratic Services Officer. As a general rule, there will, therefore, be no need for those Members to declare those interests as set out in the schedule.

**There are, however, TWO EXCEPTIONS to the general rule:**

**1. When the interest amounts to a Disclosable Pecuniary Interest that is engaged in connection with any item on the agenda and the member feels that the interest is such that they must leave the room. Prior to leaving the room, the member must inform the meeting that they are doing so, to ensure that it is recorded in the minutes.**

**2. Where a dispensation has been granted to vote and/or speak on an item where there is a Disclosable Pecuniary Interest, but it is not referred to in the Schedule (where for example, the dispensation was granted by the Monitoring Officer immediately prior to the meeting). The existence and nature of the dispensation needs to be recorded in the minutes and will, therefore, have to be disclosed at an appropriate time to the meeting.**

**Note: Following the adoption of the new Code of Conduct, Members are reminded that they should declare the existence and nature of their personal interests at the commencement of the relevant item (or as soon as the interest becomes apparent). If that interest is a Disclosable Pecuniary or a Deemed Disclosable Pecuniary Interest, the Member must withdraw from the room.**

Where a Member has a Disclosable Pecuniary Interest but has received a dispensation from Audit and Standards Committee, that Member may vote and/or speak on the matter (as the case may be) and must disclose the existence of the dispensation and any restrictions placed on it at the time the interest is declared.

Where a Member has a Deemed Disclosable Interest as defined in the Code of Conduct, the Member may address the meeting as a member of the public as set out in the Code.

**Note: Council Procedure Rules require Members with Disclosable Pecuniary Interests to withdraw from the meeting unless a dispensation**

allows them to remain to vote and/or speak on the business giving rise to the interest.

Where a Member has a Deemed Disclosable Interest, the Council's Code of Conduct permits public speaking on the item, after which the Member is required by Council Procedure Rules to withdraw from the meeting.

8. ANNOUNCEMENTS - to receive announcements from the Mayor, Leader, Members of the Cabinet or the Chief Executive.

9. RETURNING OFFICERS REPORT –

Nuneaton and Bedworth Borough Council's Chief Executive Officer acted as Returning Officer for the Nuneaton and Bedworth Ward 2026 Elections

Following the election, the makeup of the council is now:

<b>Conservative Party</b>	<b>9</b>
<b>Green Party</b>	<b>3</b>
<b>Labour Party</b>	<b>11</b>
<b>Reform UK</b>	<b>15</b>

10. ELECTION OF THE LEADER – for the ensuing 4-year term in accordance with Article 7 of the Council Constitution

11. COMPOSITION AND MEMBERSHIP OF COMMITTEES AND APPOINTMENTS TO OUTSIDE BODIES FOR 2026/2027

- (a) **The Cabinet** – to note the Leader's appointments to and allocation of responsibilities for the Cabinet Portfolios presented at the meeting
- (b) **Composition of Committees and Overview and Scrutiny Panels** – to note the current political composition of the Council and, having regard to the political balance, to receive recommendations regarding the number of members on each committee presented at the meeting
- (c) **Membership of Committees and Overview and Scrutiny Panels** – to receive recommendations on the membership of committees and panels and the appointment of Chairs and Vice Chairs where appropriate presented at the meeting
- (d) **Representatives on Outside Bodies** – to receive recommendations on appointments to outside bodies (**Page 20**)
- (e) **Appointment of Co-opted Members** – to receive the recommendations on the appointment of co-opted members (**Page 28**)

12. MEMBER ALLOWANCES – a report of the Assistant Director – Democracy and Governance (**Page 29**)
13. TIMETABLE OF MEETINGS a report of the Assistant Director – Democracy and Governance attached (**Page 32**)
14. SCHEME OF DELEGATION
  - (a) to agree the scheme of delegation from Council excluding those functions which are executive functions (Part 3 of the Constitution attached) (**Page 38**); and
  - (b) to note the scheme of delegation from the Leader for those functions which are executive functions (Part 3 of the Constitution attached). (**Page 66**)



Tom Shardlow  
Chief Executive

**NUNEATON AND BEDWORTH BOROUGH COUNCIL**

**COUNCIL**

**29<sup>th</sup> April, 2026**

A Council meeting of the Nuneaton and Bedworth Borough Council was held on Wednesday, 29<sup>th</sup> April 2026.

**Present**

The Mayor (Councillor B. Saru)  
The Deputy Mayor (Councillor T. Sheppard)

Councillors E. Amaechi, M. Bird, J. Bonner, D. Brown, A. Bull, J. Clarke, J. Collett, T. Cooper, S. Croft, L. Cvetkovic, S. Dhillon, M. Etienne, J. Gutteridge, W. Hancox, J. Hartshorn, S. Hey, P. Hickling, B. Hughes, T. Jenkins, A. Khangura, N. King, M. Kondakor, S. Markham, W. Markham, B. Pandher, C. Phillips, K. Price, R. Roze, J. Sheppard, C. Smith, R. Smith, T. Venson, M. Walsh, C. Watkins K. Wilson and M. Wright.

No apologies received.

CL75 **Minutes**

**RESOLVED** that

- a) the minutes of the Ordinary Council meeting held on 25<sup>th</sup> February 2026 were confirmed and signed by the Mayor; and
- b) the minutes of the Extraordinary Council meeting held on 18<sup>th</sup> March 2026 were confirmed and signed by the Mayor.

CL76 **Declarations of Interests**

**RESOLVED** that the Declarations of Interests for this meeting are as set out in the schedule published on the Council website be approved;

CL77 **Announcements**

The Mayor made the following announcement:

- Congratulations to Coventry City FC on moving back into the Premier League and Nuneaton Borough FC for winning their group this year.

Councillor Steve Hey, Leader of the Council, expressed his thanks to all members of the council for their service in the last couple of years and for making meetings respectful and conducted with professionalism and good grace. In addition, he wished to thank the Mayor Cllr Bhim Saru, Councillor Bill Hancox and their wives for their excellent service as Mayors. Lastly to place on record his thanks to the members who are standing down this year and for their many years of service to the residents of the Borough, these included Councillors:

Christian Smith	–	2 years' service
Ann-Marie Bull	–	2 years' service
Richard Smith	–	9 years' service
Mark Etienne	–	2 years' service
Tim Jenkins	–	2 years' service
Jonathan Collett	–	2 years' service
Samuel Croft	–	8 years' service
Amrit Khangura	–	2 years' service
Jill Sheppard	–	20 years' service
Julian Gutteridge	–	14 years' service

Councillor Kris Wilson, Leader of the Opposition, also placed on record his thanks and happy retirement to those members standing down and good luck to all those members re-standing in the election.

Councillor Jill Sheppard announced that she would be standing down after first being elected in 1996. She has been Mayor of the Borough and Mayoress when her husband Bill Sheppard served as Mayor and has worked with many directors over the years. She hoped that the residents of Wembrook and St Mary have been happy with her as their councillor, she has thoroughly enjoyed the opportunity.

#### CL78 **Public Participation**

##### **Question 1 – County Councillor Keith Kondakor asked the following question to the Portfolio Holder for Business and Regeneration:**

At the Business, regeneration and planning OSC meeting on 8<sup>th</sup> December 2022 I stated that “I am absolutely horrified that we are paying to build a cinema .... A Cinema operator can come in and if they are just leasing it can go broke within a year... to actually have the council owning a cinema, taking 100% of the risk of the cost of building it, is an absolutely suicidal thing to do.”

At the 14<sup>th</sup> December 2022 full council meeting I asked;-  
“Given the significant risks the building of a cinema carries, will the leader of the council confirm that the project has an updated robust business case; that it will

require no long term subsidy and that the tax-payer has some protection should the operator fail.”

The written response from the Conservative leader of the council at that time failed to address these issues.

I spent three years warning the council about the viability of the cinema and chosen operator, the Really Local Group. All five of the operators’ cinemas have failed spectacularly and along with the holding company gone into liquidation. Sutton council alone have spent almost £3million on their failed cinema project with RLG.

I have just had a partial response to a Freedom of Information from this council, which shows not taking my advice has directly cost the taxpayer £230,962. I am going to keep chasing this.

Can the cabinet member explain why the rest of my request to provide the Contracts and Correspondence with failed firm has not happened given that there is no need to protect the commercial interest of this failed firm?

**Councillor N. King, Portfolio Holder for Business and Regeneration responded as follows:**

After taking control in 2024, we realised that the whole of Grayson's Place, phase 2-3, needed urgent attention. Part of this was to review the cinema proposal, which we decided to stop and reconsider the use of the leisure box. The reason I won't be providing contracting correspondence with any of our companies is because it's a robust legal agreement and is commercial sensitivity, which I'm sure Councillor Kondakor, being a County Councillor, you would totally understand this.

**Question 2 – Jill Dagnan asked the following question to the Portfolio Holder for Leisure and Health:**

Re - land at Park Lane

I am the current manager of Nuneaton and North Warwickshire Equestrian Centre, and we have not received a formal consultation regarding the proposal from the council.

From my understanding the land we currently lease is proposed for a cemetery. As previously stated, we are unaware of this proposal. On behalf of the charity and the hundreds of people both locally and within the wider community who use

the services we need to understand what effect this proposal would have on the future of the charity and the licence for grazing etc

I would like to understand what is happening

**Councillor B. Hughes, Portfolio Holder for Leisure and Health responded as follows:**

I understand that there is a lease in place with yourselves and the council and therefore nothing is going to happen at this time. This council, like many others across the country, have a shortage of burial ground, which has not been addressed historically. This is, as I'm sure you're aware, is an extremely emotive subject.

This administration is committed to address this, therefore undertook many site visits and a report went to the overview and scrutiny panel for consideration.

Our first proposal is to look at current cemeteries, and we have identified budget to rectify a short to medium term problem.

The Overview and Scrutiny Panel recommendation for the longer term was to address other NBBC land such as Haunchwood Recreation Ground and the Attleborough Recreation Ground. We cannot afford to use valuable recreation ground. Another proposal is for the use of the land opposite.

It is at this stage only a proposal with no budget identified. And a full feasibility study would be required. And if it were to be done, full consultation would be taken into account with yourselves. Thank you.

**Councillor K. Wilson proposed that the due to the proposals agreed by Cabinet were different to the recommendations from OSP, he moved the question and answer be referred to the relevant OSP for further consideration given the significant public concern.**

**Councillor S. Markham seconded the procedural motion**

**A vote was taken**

**RESOLVED** that Jill Dagnan question and Councillor B. Hughes answer be referred to the relevant OSP for further consideration.

CL79 **Questions by Members**

**Question 1 – Councillor Michele Kondakor submitted the following question to the Portfolio Holder for Housing:**

Recently I have been contacted by residents, concerned that they have seen flats that are empty for long periods. Obviously, when council properties are vacated, there are often remedial works that need to be carried out before the property can be re-let. How many Council homes are currently empty, and what is the length of the average void time, currently? With so many people on the waiting lists for properties, what action is being taken to reduce any delays?

**Councillor C. Watkins, Portfolio Holder for Housing, responded as follows:**

The Council has 153 void properties. The average letting time, measured from the date keys are returned to the point the property is re-let, is currently 94 days.

Analysis of performance data over the last 18 months indicates a material increase in the number of properties becoming void. A growing proportion of these voids are non-standard or complex, requiring extensive remedial works and higher levels of investment to achieve a lettable standard. These properties have had a disproportionate impact on overall void turnaround times. When properties assessed as difficult-to-let are excluded, the average void turnaround time reduces to 78 days, evidencing a clear performance differential linked to property condition and complexity rather than process inefficiency alone.

A Service Manager – Responsive Repairs and Maintenance was appointed on 1 April 2026, with a specific remit to improve void performance. Key priorities include:

- Reviewing the voids letting standard to ensure it remains proportionate, deliverable and aligned with regulatory and customer expectations;
- Streamlining end-to-end void processes to remove duplication and unnecessary delays;
- Improving coordination between housing management, repairs, procurement and contractors to reduce time lost between void stages;
- Strengthening performance management and data quality to better distinguish between standard and complex voids.

**Question 2 – Councillor Lubs Cvetkovic asked the following question to the Portfolio Holder for Business and Regeneration:**

At the previous Full Council meeting I asked Cllr King to provide information regarding the criteria for the Pride in Place funding. Other Councillors also requested this information following on from my question and supplementary question. Is there any reason why this information has not shared with all Councillors?

**Councillor Nicky King, Portfolio Holder for Business and Regeneration, responded as follows:**

I can only apologise for the oversight of them not being circulated, but I do believe now that everybody has them. So, I can only apologise for that oversight.

**Question 3 – Councillor Mike Wright submitted the following question to the Portfolio Holder for Planning and Enforcement:**

Could the responsible cabinet member clarify what the survival rates are for trees planted by the borough in recent years; and what measures are being taken to ensure that this rate is kept as high as possible, that tree-planting is never reduced to a tokenistic gesture, and that we are always getting the maximum biodiversity for our buck?

**Councillor B. Hughes, Portfolio Holder for Leisure and Health responded as follows:**

I'll answer your question with each specific section. The first on the survival rates of the trees planted, it's the current survival rate is not currently available. However, trees do get planted to BS 8545 and Warwickshire County Council standards, which are designed by professionals

to promote high survival rates. In addition to natural failure, vandalism does remain a significant issue in impacting survival. Detailed assessments of tree vitality and formative pruning requirements will be conducted this year with a focus on practical monitoring during the summer as winter reviews are less effective. The need for replanting will be assessed in light of the possibility of repeated vandalism, though this does not imply long-term overlooking of sites in terms of tree stocking.

In terms of measure to ensure high survival rates, trees are planted with experienced contractors with careful species selection and additional support such as mulch and irrigation bags to aid establishment. Best practises and

guidelines are consistently followed to ensure the best possible chance of success.

Tree planting is guided by strategic approach, ensuring trees are planted in suitable locations with adequate space to promote long-term health and ecological value. The Parks First ethos ensures that tree planting is not merely symbolic or number driven, but truly impactful. This approach also takes into account the amenity value of trees, ensuring they meet aesthetic and functional requirements of the park. Non-tree planting considered negative space is also seen a positive park contribution. In terms of maximising biodiversity,

This is enhanced by avoiding monoculture planting schemes, considering the phase succession of stock. We prioritise planting trees in locations that avoid conflicts, such as meadows, and focus on creating and maintaining appropriate continuous canopy cover where feasible. In our recently adopted tree strategy, the aim is a considered approach to tree planting and replacement and our goal is to ensure that all new tree planting is sustainable, context driven and enhances the character and function of our green spaces, avoiding the creation of future conflicts, which goes to the centre of our ethos right tree, right place, right reason. As part of this strategy, we have an action plan and one of the high priority aims is to develop a formal planting and replacement policy.

However, I have just had it confirmed this week from a reform councillor that the Warwickshire Sustainability Partnership has had support axed. We have to be mindful if reform are the future of this council, there will be no priority for the reduction of carbon emissions and sustainability.

CL80 **Special Urgency Decisions**  
None taken

CL81 **Cabinet**  
The Leader of the Council submitted the Leaders report on behalf of Cabinet. The report highlighted matters considered at the Cabinet meetings held on 25<sup>th</sup> February 2026 and 4<sup>th</sup> March 2026 and details of reports from the West Midlands Combined Authority Board (WMCAB), which has a direct impact on NBBC.

**RESOLVED** that the report be noted.

CL82 **Annual Overview and Scrutiny Panel Reports**  
The Chairs of the Overview and Scrutiny Panels presented their annual reports to Council detailing the work undertaken by the panels in 2025/26

Councillor J. Sheppard moved the report for noting.

Councillor M. Walsh seconded the recommendation.

**Councillor K. Wilson moved an amendment that the Monitoring Officer be requested to take a report to the Constitution Review Working Party to consider providing an annual report on the work of the Shareholder Committee.**

**Councillor S. Hey seconded the amendment**

**A vote was taken.**

**The amendment was carried.**

**A vote was taken on the substantive motion**

**RESOLVED** that

a) the report be noted; and

b) the Monitoring Officer be requested to produce an Annual Report on the work of the Shareholder Committee

**CL83 Preparations for the Local Elections 7<sup>th</sup> May 2026 – Progress Report**

A report from the Chief Executive was taken to Council providing an update on the progress of the election preparation and to outline the personal liability taken on by the Chief Executive, in their capacity as Registration Officer and Returning Officer.

Councillor S. Hey moved the recommendations in the report.

Councillor C. Watkins seconded the recommendations

A vote was taken

**RESOLVED** that

a) the continuing preparations for the election that is taking place on 7 May 2026 as outlined in the report be endorsed;

b) in the event of such insurance carrying an 'excess' clause by which an initial portion of risk is not insured, the Council, through its internal insurance fund or otherwise, will fully indemnify the Returning Officer and any appointed Deputy Returning Officer(s) appointed by the Returning

Officer up to the value of such excess and/or where not covered by Insurance

- c) the Indemnity Resolution set out in Appendix A of the report be approved; and
- d) further to c) above, an amendment to the Constitution at section 5F.6 – Indemnity and Insurance to include this Indemnity Resolution for ease of reference in future be approved.

#### CL84 **Recommendations from Cabinet and Other Committees**

##### **i) Bedworth Physical Activity Hub Update**

At the Cabinet meeting held on the 4<sup>th</sup> March 2026 a report by Assistant Director – Recreation and Culture was submitted and recommendations put forward for Council approval.

Councillor B. Hughes moved the recommendations for council approval.

Councillor C. Watkins seconded the recommendations.

A vote was taken.

**RESOLVED** that

- a) the Strategic Director - Public Services in consultation with the Portfolio Holder for Leisure & Health be given delegated authority to progress the additional works required in Appendix A of the report;
- b) an additional contingency fund of £100k from the BPAH Section 106, to be used if required, to support demolition of the existing Bedworth Leisure Centre site and amend the budget accordingly; and
- c) the BPAH budget be amended to £31.2m, using the funds collected from the S.106 agreements further to a) and b) above and any unspent budget be used to support the original financial strategy in repaying the prudential borrowing element.

##### **ii) Capital Monitoring Quarter 3**

At the Cabinet meeting held on the 4<sup>th</sup> March 2026, a report by the Assistant Director – Finance was submitted and a recommendation put forward for Council approval.

Councillor S. Hey moved the recommendation for Council approval.

Councillor C. Watkins seconded the recommendation

A vote was taken

**RESOLVED** that an update to the budget for S106 projects and Disabled Facilities Grant – HEART as detailed in section 5 of the report be approved.

**iii) Constitution Update – Report from the Constitution Review Working Party**

At the Audit and Standards Committee meeting held on the 17<sup>th</sup> March 2026 a report by Assistant Director – Democracy and Governance (Monitoring Officer) was submitted and recommendations put forward for Council approval.

Councillor J. Bonner moved the recommendations for council approval.

Councillor C. Smith seconded the recommendations.

A vote was taken:

**RESOLVED** that the constitution be updated as follows:

- a) the Scheme of Delegation for the Assistant Director - Planning be updated to align with Section 5D.7 (as per 4.2.7 of the report); and
- b) amendments to Section 5D.7 of the constitution (as per 4.3.3 of the report) be endorsed and approved.

**iv) Anti Money Laundering Framework and Anti-Fraud, Corruption and Bribery Strategy**

At the Audit and Standards Committee meeting held on the 17<sup>th</sup> March 2026 a report by the Assistant Director – Democracy and Governance was submitted and recommendations put forward for Council approval.

Councillor J. Bonner moved the recommendation for Council approval.

Councillor C. Smith seconded the recommendation.

A vote was taken

**RESOLVED** that

- a) the revised Anti Money Laundering Framework be approved and adopted, and the Constitution be updated accordingly; and
- b) the revised Anti-Fraud, Corruption and Bribery Strategy be approved and adopted, and the Constitution be updated accordingly.

**v) Local Code of Corporate Governance**

At the Audit and Standards Committee meeting held on the 17<sup>th</sup> March 2026 a report by the Assistant Director – Democracy and Governance was submitted and a recommendation put forward for Council approval.

Councillor J. Bonner moved the recommendation for council approval.

Councillor C. Smith seconded the recommendation.

A vote was taken.

**RESOLVED** that the revised Local Code of Corporate Governance be approved and adopted.

**vi) Constitution Update – Report from Constitution Review Working Party – Chairmanship of OSP's and Political Balance**

At the Audit and Standards Committee meeting held on the 14<sup>th</sup> April 2026 a report by the Assistant Director – Democracy and Governance (Monitoring Officer) was submitted and recommendations put forward for Council approval

Councillor J. Bonner moved the recommendations for Council approval.

Councillor C. Smith seconded the recommendations

**Councillor K. Wilson moved an amendment that the item be deferred to be considered at Annual Council.**

**Councillor S. Markham seconded the amendment.**

A recorded vote was taken on the amendment as follows:

FOR: Councillors, M. Bird, D. Brown, J. Clarke, J. Collett, S. Croft, L. Cvetkovic, M. Etienne, J. Hartshorn, A. Khangura, S. Markham, B. Pandher, R. Smith, M. Walsh, and K. Wilson (18)

AGAINST: Councillors E. Amaechi J. Bonner A. Bull S. Dhillon W. Hancox S. Hey, P. Hickling, B. Hughes, T. Jenkins, N. King, M. Kondakor, C. Phillips, K. Price, R. Roze, B. Saru, C. Smith T. Venson C. Watkins and M. Wright (18)

ABSTENTIONS: Councillors J. Sheppard, and T. Sheppard (2)

**The vote was tied, in this event the Mayor as Chair of the meeting is given the casting vote, the Mayor Councillor B. Saru voted against the amendment.**

**The amendment was lost.**

A recorded vote was taken on the substantive motion as follows:

FOR: Councillors E. Amaechi, J. Bonner, A. Bull, S. Dhillon, S. Hey, P. Hickling, B. Hughes, T. Jenkins, N. King, M. Kondakor, C. Phillips, K. Price, B. Saru, C. Smith T. Venson C. Watkins and M. Wright (17)

AGAINST: Councillors M. Bird, D. Brown, J. Clarke, J. Collett, S. Croft, L. Cvetkovic, M. Etienne, J. Hartshorn, A. Khangura, S. Markham, B. Pandher, R. Roze, R. Smith, M. Walsh, and K. Wilson (18)

ABSTENTIONS: Councillors W. Hancox, J. Sheppard, and T. Sheppard (3)

**RESOLVED** that the recommendation to Council to update the constitution be not approved.

**vii) Pay Policy Statement 2026/27**

At the Cabinet meeting held on the 22<sup>nd</sup> April 2026, a report by the People Services Manager was submitted and a recommendation put forward for Council approval.

Councillor S. Hey moved the recommendation for Council approval.

Councillor C. Watkins seconded the recommendation

**RESOLVED** that the Pay Policy Statement for 2026-2027 and for previous years 2024/25 and 2025/26 be ratified and published as required by Section 38 of the Localism Act 2011

**viii) Adoption of Supplementary Planning Documents (SPDs)**

At the Cabinet meeting held on the 22<sup>nd</sup> April 2026, a report by the Assistant Director – Planning was submitted and a recommendation put forward for Council approval.

Councillor T. Venson moved the recommendation for Council approval.

Councillor S. Hey seconded the recommendation

A vote was taken.

**RESOLVED** that the Affordable Housing SPD (2026), Health Impact Assessment SPD (2026), Heritage SPD (2026), Creating a Healthier Food Environment- Hot Food Takeaways SPD (2026), Sustainable Design and Construction SPD (2026) and Transport Demand Management Matters– Parking Standards SPD (2026) be adopted.

**ix) Culture Update**

At the Cabinet meeting held on the 22<sup>nd</sup> April 2026, a report by the Assistant Director – Recreation and Culture was submitted and recommendations put forward for Council approval.

Councillor B. Hughes moved the recommendations for Council approval.

Councillor S. Hey seconded the recommendations

A vote was taken

**RESOLVED** that

- a) the 2026/2027 General Fund Revenue budget be amended to include the grant funding of £750,000; and
- b) delegated authority be given to the Assistant Director– Recreation and Culture to enter a contract with Artichoke Trust to deliver the programme

**x) Development Management Funding and Local Plan Implement Funding awarded by Ministry for Housing, Communities and Local Government**

At the Cabinet meeting held on the 22<sup>nd</sup> April 2026, a report by the Assistant Director – Planning was submitted and recommendations put forward for Council approval.

Councillor T. Venson moved the recommendations for Council approval.

Councillor S. Hey seconded the recommendation

A vote was taken.

**RESOLVED** that

- a) the 2026/27 General Fund Planning Budget be updated to account for:
  - The Development Management Grant Funding of £92,340.78, and

- The Local Plan Implementation Grant Funding of £108,474.57.

b) delegated authority be given to the Strategic Director for Public Services and the Assistant Director for Planning to spend the funding in consultation with the Portfolio Holder for Planning and Enforcement.

**xii) Bedworth Regeneration and Investment Plan**

At the Cabinet meeting held on the 22<sup>nd</sup> April 2026, a report by the Assistant Director – Economy and Regeneration was submitted and recommendations put forward for Council approval.

Councillor N. King moved the recommendation for Council approval.

Councillor B. Hughes seconded the recommendation

A vote was taken

**RESOLVED** that an increase to the Bedworth Market refurbishment budget of £25k, as detailed at section 6 of the report be approved

**xii) Regeneration Projects Update**

At the Cabinet meeting held on the 22<sup>nd</sup> April 2026, a report by the Strategic Director – Communities and Place and Strategic Director – Culture and Environment was submitted and a recommendation put forward for Council approval.

Councillor N. King moved the recommendation for Council approval.

Councillor S. Hey seconded the recommendation.

A vote was taken

**RESOLVED** that the changes to the budget as detailed at Section 8 of the report be approved.

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Mayor

SCHEDULE 'A'

APPOINTMENTS BY OFFICE (Period of Office 12 Months Commencing in May, 2026)

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

Sherbourne Asset Co Shareholder Committee	Cabinet Member for Communities and Public Services	1	Yes	
Nuneaton and Bedworth Sports Forum	Cabinet Member for Leisure and Health	1	Yes	No indemnity – Member decision
Nuneaton Festival of Arts	The Mayor	1	Yes	No Indemnity – Member decision
PATROL (Parking and Traffic Regulations Outside of London) Joint Committee Services	Cabinet Member for Planning and Enforcement	1	Yes	Indemnity Applies
Safer Warwickshire Partnership Board	Cabinet Member for Communities and Public Services	1	No	No Indemnity – Member Decision
Warwickshire Direct Partnership	Cabinet Member for Communities and Public Services	1	Yes	Indemnity Applies
Warwickshire Health and Wellbeing Board	Cabinet Member for Leisure and Health	1	Yes	Indemnity Applies
Warwickshire Housing Support Partnership	Cabinet Member for Housing	1	Yes	Indemnity Applies
Warwickshire Police and Crime Panel	Cabinet Member for Communities and Public Services	1	Yes	Indemnity Applies
Warwickshire Waste Partnership	Cabinet Member for Communities and Public Services	1	Yes	Indemnity Applies
West Midlands Combined Authority Board	Leader (Cabinet Member as Substitute)	1	Yes	Indemnity Applies
West Midlands Employers	Cabinet Member for Resources and Central Services	1	Yes	No Indemnity - Member Decision

Warwickshire Adult Social Care and Health Overview and Scrutiny Committee	Member of Health and Corporate Resources OSP – Vacancy  Sub – C. Watkins	1	Yes	No Indemnity - Member Decision
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**Continued....**

SCHEDULE 'B'

APPOINTMENTS NOT NECESSARILY BY OFFICE

Body	Representation	Terms of Office	Present Representative (s)	Travel and Subsistence	Indemnity
Age UK (Warwickshire Branch)	1 Councillor	1 Yr	Vacancy	No	No indemnity - Member decision
Armed Forces Covenant Meeting	1 Councillor	1 Yr	Councillor B. Saru	No	No indemnity Member decision
Astley Charity	1 Councillor	1 Yr	Vacancy	No	No indemnity Member decision
Biodiversity Champion	1 Councillor	1 Yr	Vacancy	Yes	Indemnity Applies
Building Control Partnership Steering Group	Cabinet Member for Planning and Enforcement plus 1 Councillor	1 Yr	Cabinet Member for Planning and Enforcement, and Councillor C. Watkins	Yes	Indemnity Applies
Bulkington Village Centre Project	1 Representative (not necessarily a Councillor)	1 Yr	Vacancy	Yes	No Indemnity – Member Decision
Camp Hill Urban Village: Pride in Camp Hill Board	1 Councillor	1Yr	Vacancy	Yes	Indemnity applies
Committee of Management of Hartshill and Nuneaton Recreation Ground	Portfolio Holder for Leisure and Health + 2 Councillors	1 Yr	Councillors B. Hughes, 2 x vacancy	No	No Indemnity – Member Decision
Exhall Education Foundation	Trustee (not necessarily a Councillor and	1 Yr	Vacancy	No	No Indemnity – Member Decision

	preferably from Exhall Parish)				
Friendship Project for Children	1 Councillor	1 Yr	Councillor P. Hickling	No	No Indemnity – Member decision
George Eliot Hospital NHS Trust – Public/User Board	1 Councillor	1 Yr	Vacancy	Yes	Indemnity Applies
George Elliot Hospital NHS Foundation Trust Governors	1 councillor	1 Yr	Councillor B. Hughes	Yes	Indemnity Applies
Housing Complaints Champion	1 Councillor	1 Yr	Councillor C. Watkins	Yes	Indemnity Applies
Nuneaton and Bedworth Older People’s Forum	1 Councillor	1 Yr	Vacancy	Yes	Indemnity Applies
Nuneaton Neighbour Watch Committee	1 Councillor	1 Yr	Vacancy	No	No Indemnity – Member decision
Bedworth Neighbourhood Watch Committee	1 Councillor	1 Yr	Councillor B. Hancox	No	No Indemnity – Member decision
Warwickshire Joint Overview and Scrutiny Committee	1 Councillor	1 Yr	Councillor T. Venson	Yes	Indemnity Applies
EQuIP:	1 Councillor	1 Yr	Vacancy	No	No Indemnity

Equality and Inclusion Partnership					- Member decision
West Midlands Combined Audit, Risk and Assurance Committee	1 Councillor (plus 1 substitute)	1 Yr	Councillors <b>Vacancy</b> and W. Markham (Sub)	Yes	Indemnity Applies
West Midlands Combined Authority Housing and Land Delivery Board	1 Councillor	1 Yr	Councillor C. Watkins		
West Midlands Combined Authority Wellbeing Board	1 Councillor	1 Yr	<b>Vacancy</b>		
West Midlands Employers Board	1 Councillor	1 Yr	<b>Vacancy</b>		
Foleshill Charity Trustee – Proffitt’s Charity	1 Trustee (not necessarily a Councillor)		<b>Vacancy</b>	No	No indemnity – Member decision
NABCEL – Appointment of Executive Directors	Up to 2 NBBC Officer Representatives		Assistant Director – Recreation & Culture.  2 x Non Executive Directors  1 x Managing Director	No	Yes
Nuneaton Town Deal Board	Leader of the Council		Councillor N. King		
Long Term Plan for Towns - Bedworth	Leader of the Council		Councillor N. King		

Hammersley Smith and Orton Charity	2 Representatives (not necessarily Councillors)	4 Yrs to May 2030	Mr. B. Hammersley and Vacancy	Yes	No indemnity – Member decision
Hospice Charity	1 Representative (not necessarily a Councillor)	4 Yrs to May 2026	Vacancy	No	No indemnity – Member decision
Charity Trustees of Abbey Theatre	1 Representatives (not necessarily a councillor)	3 Yrs to May 2029	Vacancy	No	No indemnity – Member decision
Grayson Place (NBBC) Limited – Appointment of Executive Directors	3 Officer Representatives		Strategic Director – Communities and Place, Assistant Director – Economy and Communities, People Services Manager	No	Yes
Sherbourne Recycling Limited - Appointment of Executive Directors	1 Officer Representative		Strategic Director – Culture and Environment	No	Yes

**Continued....**

SCHEDULE 'C'

TERMS OF OFFICE NOT YET EXPIRED

<u>Body</u>	<u>Representation</u>	<u>Term of Office</u>	<u>Present Representative (s)</u>	<u>Travel and Subsistence</u>	<u>Indemnity</u>
Hammersley Smith and Orton Charity	2 Representatives (not necessarily Councillors)	4 Yrs to May 2027	Mr M. Walsh and Cllr S. Markham	Yes	No indemnity – Member decision
Charity Trustees of Abbey Theatre	1 Representatives (not necessarily a councillor)	3 Yrs to December 2026	Councillor S. Markham	No	No indemnity – Member decision
Nicolas Chamberlaine's School Foundation  Nicholas Chamberlaine's Hospital and Sermon Charity	1 Representative (Not necessarily a Councillor)	4 Yrs to May 2028	Councillor B. Hancox	Yes	No Indemnity – Member decision

**APPOINTMENT OF CO-OPTED MEMBERS**

Council is RECOMMENDED to note the appointment of the Co-opted Members for the period 1 January 2026 to 31 December 2029 (subject to Local Government Reorganisation), as set out below:

**Audit and Standards Committee**

Mr A Morgan

**Health and Corporate Resources Overview and Scrutiny Panel**

Mrs D Ross

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

Mr J Healy

**Housing and Communities Overview and Scrutiny Panel**

Mr A Morgan

**Environment and Leisure Overview and Scrutiny**

Mr J Healy

**Members Allowances**

**Amounts payable from May, 2026**

**Note:** The Basic Allowance, Special Responsibility Allowances, Co-optees' Allowance and Independent Persons Allowance are to be indexed to the annual percentage salary increase for Local Government staff (at spinal point 49) to be implemented from the start of the municipal year rather than the financial year for which it is applicable.

<b>Basic Allowance</b>	Payable annually to each Councillor	£6,058
<b>Special Responsibility Allowances</b>	The following are specified as the special responsibilities in respect of which Special Responsibility Allowances are payable annually and the amounts of those allowances: -	
Leader of the Council		£15,145
Deputy Leader		£9,087
Cabinet Members (Portfolio Holders):		£7,573
Chairs of Scrutiny Panels:		£3,786
Chairs of Regulatory and Other Committees:		
Licensing		£1,515
Planning Applications		£5,300
Audit and Standards		£4,544

<p>Leader of the Political Group, which is not the controlling Group, or if there are more than two Political Groups, the Leader of the larger or largest of the Groups other than the controlling Group. In the event of there being two Political Groups other than the controlling Group, of equal size, the allowance shall be split equally between the Leaders of those two Groups.</p>	<p>£3,786</p>
<p>All Members - Allowance for Use of Telephone</p>	<p>£248</p>
<p>Co-opted Members (Standards &amp; Scrutiny (plus travel, etc.))</p>	<p>£361</p>
<p>Independent Persons – per half day session (no longer than four hours)</p>	<p>This payment is made for:  i. Attending a meeting of Audit and Standards Committee or any Sub-Committee of Audit and Standards Committee  ii. Attending a meeting where the Chair of the Audit and Standards Committee or Monitoring Officer is present.</p> <p>£30.83</p>

- I. As recommended by the Independent Remuneration Panel to Full Council and approved by Full Council 11th December 2024

- II. One-SRA only rule is maintained and stipulated to avoid confusion.
- III. Basic Allowance, SRAs, Co-optees' Allowances and the Telephone
  - Allowance: Indexed to the annual percentage salary increase for local government staff set at SCP 43 to be applied for the same year that applies to staff.*
- IV. iv. Subsistence Allowances: Indexed to the same rates that apply to staff.
- V. Travel Allowance – Mileage Rates: Indexed to HMRC approved mileage rates for motor, hybrid and electric vehicles, motor cycles and bicycles.
- VI. Dependants' Carers' Allowance – Maximum Rates:
  - a. Childcare element: indexed to the 'national living wage' hourly rate
  - b. Elderly or Other Dependant Relatives element: indexed to median hourly rate charged by Warwickshire County Council Social Services Department Adult Social Care for home help.
- VII. For the avoidance of doubt, the allowance for the Mayor (£5,000) and Deputy Mayor (£1,000) is not a Special Responsibility Allowance and therefore falls outside of the scheme (the allowances determined as part of the 2018/2019 budget setting report). Therefore, these allowances are fixed (not subject to indexation) and also fall outside scope of the one SRA rule.

Please note, as per the Local Government Act 1972, the Mayor cannot be a member of Cabinet.

AGENDA ITEM NO. 13

NUNEATON AND BEDWORTH BOROUGH COUNCIL

Report to:	Annual Council
Date of Meeting:	20 May 2026
Subject:	Timetable of Committee Meetings for 2026/27
Portfolio:	Not Applicable
Responsible Officer:	Assistant Director – Democracy and Governance
Corporate Plan – Theme:	Your Council
Corporate Plan – Aim:	Value for Money Delivering services effectively and efficiently while ensuring value for money for our taxpayers.  Transparency Strive for transparency and accountability, in all that we do. Increase public scrutiny.
Ward Relevance:	None
Public or Private:	Public
Amendment to Budget:	No Council Tax Related: No
Recommendation to Council	Yes
Forward Plan:	Not applicable
Subject to Call-in:	Not applicable

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1. Purpose of report

- 1.1. In accordance with the Local Government Act 1972 and Part 4 - Rules of Procedure 4A – Council Procedure Rules of the Constitution, the programme of meetings must be approved

and decided at the Council's Annual Meeting. Therefore, this report provides Council with the timetable for the Municipal year for approval at Council's Annual Meeting.

- 1.2. This report seeks approval from Council to implement a Timetable of Meetings for the 2026/27 Municipal Year as detailed at Appendix A.

2. Recommendations

- 2.1. It is recommended that Council approves the Timetable of Meetings for 2026-2027, as set out at Appendix A.

3. Background

- 3.1. The Council is required within procedural rules to agree a schedule of meetings for the formal decision-making bodies of the Council. Therefore, a draft Timetable of Meetings for 2026-2027 has been prepared to enable the effective consideration of Council business. It covers the period from May 2026 to May 2027. A copy of the Timetable of Meetings is attached at Appendix A.

4. Body of report and reason for recommendations

- 4.1. The Council is required within procedural rules to agree a schedule of meetings for the formal decision-making bodies of the Council. This assists Members, Officers, and the public in knowing when meetings are to be held during the following twelve months.
- 4.2. Therefore, a draft Timetable of Meetings for 2026-2027 has been prepared to enable the effective consideration of Council business and covers the period from May 2026 to May 2027. A copy of the Timetable of Meetings is attached at Appendix A.

- 4.3. Reasons for recommendations

- 4.3. Adopting a Timetable of Meetings provides a framework for the democratic and decision-making process of the Council.

5. Consultation with the public, members, officers, and associated stakeholders
  - 5.1. Senior leaders were consulted on the draft Timetable of meetings prior to the election in preparation of Annual Council. The Timetable of Council and Committee meetings will continue to be promoted across the Council's corporate communications channels to inform and engage the public in the democratic process and business of the Council.
  
6. Financial Implications
  - 6.1. There are no resources or financial implications arising from the proposals. The cost to resource the committee meeting schedule is within the allocated resource budget.
  
7. Legal Implications
  - 7.1. The proposed Timetable of Meetings ensures that the Council complies with various statutory function, including Access to Information Regulations.
  
8. Equalities implications
  - 8.1. No specific equality implications have been identified.
  
9. Health implications
  - 9.1. No specific health implications have been identified.
  
10. Climate and environmental implications
  - 10.1 The public is able to attend all meetings of Council and Committees in person, however they can also view meetings remotely as the Council offers a live recording service which is accessible after the event.
  
11. Section 17 Crime and Disorder Implications
  - 11.1. No direct Section 17 crime and disorder implications have been identified.

12. Risk management implications

- 12.1. No direct risk management implications have been identified. However, determination of the Timetable will assist Members, Officers and the public, ensuring that proposed meeting times and dates are known well in advance. It will also allow for the early booking of appropriate venues.
- 12.2. Officers will be able to plan when matters for Member determination need be tabled.

13. Human resources implications

- 13.1. No direct human resource implications have been identified.

14. Biodiversity Implications

- 14.1. No direct biodiversity implications have been identified.

15. Local Government Reorganisation (LGR) Implications

- 15.1. No direct LGR implications have been identified.

16. Options considered and reason for their rejection

- 16.1. In formulating this report and recommendations, the following other options were identified. Reasons for their rejection or why the option and recommendation proposed in section 2 of the report has been selected are outlined below.

Option Ref	Option Title	Reason for rejection or why the option and recommendation proposed in section 2 of the report has been selected
A	Do nothing – Not produce a Timetable of meetings	To not produce a Municipal timetable for approval, however this would be contrary to the requirements of the Constitution and contrary to effective planning.

17. Conclusion

- 17.1. This report asks Council to consider and approve the Timetable of Council and Committee meetings for 2026/27.

18. Appendices

18.1. Please note the following appendices:

- i. Appendix A – Timetable of Council and Committee Meetings for 2026/27.

19. Background papers

19.1 Nuneaton and Bedworth Borough Council - Constitution

20. Report Writer Details:

Officer Job Title: Elections and Democratic Services Manager

Officer Name: Tracy Tiff

Committee	Day	Committee Date
Annual Council 26-27	Wednesday	20/05/26
Planning	Tuesday	26/05/26
Cabinet	Wednesday	27/05/26
Housing and Communities OSP	Thursday	04/06/26
Remuneration Panel	Tuesday	09/06/26
Business, Regeneration & Planning OSP	Thursday	11/06/26
Planning	Tuesday	16/06/26
Cabinet	Wednesday	17/06/26
Environment and Leisure OSP	Thursday	18/06/26
Audit & Standards	Tuesday	23/06/26
Licensing	Wednesday	24/06/26
Health and Corporate Resources OSP	Thursday	25/06/26
Borough Plan Committee	Tuesday	30/06/26
Shareholder Committee	Thursday	02/07/26
Council	Wednesday	08/07/26
Cabinet	Wednesday	15/07/26
Planning	Tuesday	21/07/26
Planning	Tuesday	01/09/26
Licensing	Wednesday	02/09/26
Cabinet	Wednesday	09/09/26
Audit & Standards	Tuesday	15/09/26
Planning	Tuesday	22/09/26
Civic Honours sub-Committee	Wednesday	23/09/26
Housing and Communities OSP	Thursday	24/09/26
Borough Plan Committee	Tuesday	29/09/26
Council	Wednesday	30/09/26
Business, Regeneration & Planning OSP	Thursday	01/10/26
Cabinet	Wednesday	07/10/26
Shareholder Committee	Tuesday	13/10/26
Environment and Leisure OSP	Thursday	15/10/26
Planning	Tuesday	20/10/26
Health and Corporate Resources OSP	Thursday	22/10/26
Cabinet	Wednesday	04/11/26

Committee	Day	Committee Date
Licensing	Tuesday	10/11/26
Planning	Tuesday	17/11/26
Extraordinary Council (Prov Date)	Wednesday	18/11/26
Civic Honours sub-Committee	Wednesday	25/11/26
Audit & Standards	Tuesday	01/12/26
Cabinet	Wednesday	09/12/26
Remuneration Panel	Thursday	10/12/26
Planning	Tuesday	15/12/26
Council	Wednesday	16/12/26
Planning	Tuesday	12/01/27
Licensing	Thursday	14/01/27
Audit & Standards	Tuesday	19/01/27
Cabinet	Wednesday	20/01/27
Housing and Communities OSP	Thursday	21/01/27
Shareholder Committee	Tuesday	26/01/27
Extraordinary Council (Civic)	Wednesday	27/01/27
Business, Regeneration & Planning OSP	Thursday	28/01/27
Audit & Standards	Tuesday	02/02/27
Environment and Leisure OSP	Thursday	04/02/27
Health and Corporate Resources OSP	Thursday	11/02/27
Planning	Tuesday	16/02/27
Cabinet (Budget & Council Tax Setting)	Wednesday	24/02/27
Council (Budget & Council Tax Setting)	Wednesday	24/02/27
Borough Plan Committee	Thursday	25/02/27
Cabinet	Wednesday	03/03/27
Licensing	Wednesday	10/03/27
Planning	Tuesday	16/03/27
Audit & Standards	Tuesday	13/04/27
Shareholder Committee	Thursday	15/04/27
Planning	Tuesday	20/04/27
Cabinet	Wednesday	21/04/27
Council	Wednesday	28/04/27
Licensing	Tuesday	04/05/27
Annual Council 27-28	Wednesday	12/05/27

**3A RESPONSIBILITY FOR LOCAL CHOICE FUNCTIONS**

*Table 4 – Responsibility for Local Choice Function*

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

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

### **3B RESPONSIBILITY FOR COUNCIL FUNCTIONS**

#### ***List of functions which cannot be discharged by the Executive***

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

#### **NB**

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

*Table 5 – Responsibility for Council Functions*

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

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

<b>Statutory Provision</b>	<b>Function</b>	<b>Who Discharges</b>
Ss 69, 76 and 92, TCPA90 and Articles 8, 10 to 13, 15 to 22 and 25 and 26, TCP (General Development Procedure) Order 1995 and directions thereunder.	5. Duties relating to the making of determinations of planning applications	Planning Applications Committee
S 316, TCPA90 and TCP General Regulations 1992.	6. Power to determine application for planning permission made by a Local Authority, alone or jointly with another person	Planning Applications Committee
Parts 6, 7, 11, 17, 19 to 24, 26, 30 and 31 of Sched 2 to the TCP (General Permitted Development) Order 1995.	7. Power to make determinations, give approvals and agree certain other matters relating to the exercise of permitted development rights	Planning Applications Committee
S 106, TCPA90.	8. Power to enter into agreement regulating development or use of land	Planning Applications Committee
Ss 191(4) and 192(2), TCPA90	9. Power to issue a certificate of existing or proposed lawful use or development	Planning Applications Committee
S 94(2), TCPA90.	10. Power to serve a Completion Notice	Planning Applications Committee
S 220, TCPA90 and TCP (Control of Advertisements) Reg 1992.	11. Power to grant consent for the display of advertisements	Planning Applications Committee
S 196A, TCPA90.	12. Power to authorise entry onto land	Planning Applications Committee

<b>Statutory Provision</b>	<b>Function</b>	<b>Who Discharges</b>
S 102, TCPA90.	13. Power to require the discontinuance of a use of land	Planning Applications Committee
Ss 171C, 187A and 183(1) TCPA90.	14. Power to serve a Planning Contravention Notice, Breach of Condition Notice or Stop Notice	Planning Applications Committee
Section 171E, TCPA90	15a Power to issue a temporary Stop Notice	Planning Applications Committee
S 172, TCPA90.	16. Power to issue an Enforcement Notice	Planning Applications Committee
S 187B, TCPA90	17. Power to apply for an injunction restraining a breach of planning control	Planning Applications Committee
Ss 9(1) and 10, Planning (Hazardous Substances) Act 1990.	18. Power to determine applications for hazardous substances consent, and related powers	Planning Applications Committee
Para. 2(6)(a) of, and Sched 2 to the Planning and Compensation Act 1991, para. 9(6) of Sched 13, Environment Act 1995 and para 6(5) of Sched 14 to that Act.	19. Duty to determine conditions to which old mining permissions, relevant planning permissions relating to dormant sites or active Phase I or II sites, or mineral permissions relating to mining sites, as the case may be, are to be subject	Planning Applications Committee
S 215(1), TCPA90.	20. Power to require proper maintenance of land	Planning Applications Committee

<b>Statutory Provision</b>	<b>Function</b>	<b>Who Discharges</b>
Ss 16(1) and (2), 17, ..... and 33(1), LBA90	21. Power to determine application for Listed Building Consent, and related powers	Planning Applications Committee
S 16(1), LBA90, as applied by S74(3) of that Act	22. Power to determine applications for Conservation Area Consent	Planning Applications Committee
S13(1) and 14(1) and (4) of the LBA90 and Reg 3 to 6 and 13, of the Planning (Listed Buildings and Conservation Areas) Reg 1990 (SI 1990/1519) and para 8, 15 and 26 Department of the Environment, Transport and the Regions Circular 01/01.	23. Duties relating to applications for Listed Building Consent and Conservation Area Consent	Planning Applications Committee
Ss 3(1) and 4(1), LBA90.	24. Power to serve a Building Preservation Notice, and related powers	Planning Applications Committee
S 38, LBA90	25. Power to issue an Enforcement Notice in relation to demolition of a [listed] building in conservation area	Planning Applications Committee
Ss 47 and 48, LBA90	26. Powers to acquire a listed building in need of repair and to serve a Repairs Notice	Planning Applications Committee
S 44A, LBA90	27. Power to apply for an injunction in relation to a listed building	Planning Applications Committee

<b>Statutory Provision</b>	<b>Function</b>	<b>Who Discharges</b>
S 54, LBA90	28. Power to execute urgent works	Planning Applications Committee
<b>B. Licensing and Registration Functions</b>		
S 3(3) Caravan Sites and Control of Development Act 1960	1. Power to issue licences authorising the use of land as a caravan site ("site licences")	Planning Applications Committee
S 269(1) Public Health Act 1936	2. Power to license the use of moveable dwellings and camping sites	Planning Applications Committee
14. as to Hackney Carriages, the Town Police Clauses Act 1847 as extended by S.171 Public Health Act 1875, and S.15 Transport Act 1985 and Ss. 47, 57, 58, 60 and 79 LGMPA 1976; (b) as to Private Hire Vehicles, Ss. 48, 57, 58, 60 and 79, LGMPA1976.	3. Power to license Hackney Carriages and Private Hire Vehicles	Licensing Committee
Ss 51, 53, 54, 59, 61 and 79, LGMPA 1976.	4. Power to license drivers of Hackney Carriages and Private Hire Vehicles	Licensing Committee
Ss 55 to 58, 62 and 79, LGMPA 1976.	5. Power to license operators of Hackney Carriages and Private Hire Vehicles	Licensing Committee
Sched 2, Betting, Gaming and Lotteries Act 1963	6. Power to register pool promoters	Licensing Committee
Sched 3, Betting, Gaming and Lotteries Act 1963	7. Power to grant track betting licences	Licensing Committee

<b>Statutory Provision</b>	<b>Function</b>	<b>Who Discharges</b>
Sched 5ZA, Betting, Gaming and Lotteries Act 1963	8. Power to license inter-track betting schemes	Licensing Committee
Sched 9, Gaming Act 1968	9. Power to grant permits in respect of premises with amusement machines	Licensing Committee
Sched 1, Lotteries and Amusements Act 1976	10. Power to register societies wishing to promote lotteries	Licensing Committee
Sched 3, Lotteries and Amusements Act 1976	11. Power to grant permits in respect of premises where amusements with prizes are provided	Licensing Committee
S 1 Cinema Act 1985	12. Power to issue Cinema and Cinema Club Licences	Licensing Committee
Ss 12 to 14 Theatres Act 1968	13. Power to issue Theatre Licences	Licensing Committee
S 12 of the Children and Young Persons Act 1933 (c 12), S 52 of, and Sched 12 to, the London Government Act 1963 (c 33), S 79 of the Licensing Act 1964 (c 26), S 1 to 5 and 7 of, and Parts I and II of the Sched to, the Private Places of Entertainment (Licensing) Act 1967 (c 19) and Part I of, and Sched 1 and 2 to, the Local Government (Miscellaneous Provisions) Act 1982 (c 30)	14. Power to issue Entertainments Licences.	Licensing Committee

<b>Statutory Provision</b>	<b>Function</b>	<b>Who Discharges</b>
S.5 to 8 of the Licensing Act 2003 S.29 of the Gambling 2005 Act  S.30 of the 2005 Act  S.39 of the 2005 Act	14a Functions relating to licensing  14aa Duty to comply with requirements to provide information to Gambling Commission 14ab Functions relating to exchange of information 14ac Functions relating to Occasional Use Notices	Licensing Committee Licensing Committee Licensing Committee Licensing Committee
S.166 of the 2005 Act	14b Power to resolve not to issue a Casino Premises Licence	Licensing Committee
S.304 of the 2005 Act  S.284 of the 2005 Act	14c Power to designate officer of a Licensing Authority as an authorised person for a purpose relating to premises 14ca Power to make Order disapplying S.279 or 282(1) of the 2005 Act in relation to specified premises	Licensing Committee
S.346 of the 2005 Act	14d Power to institute criminal proceedings	Licensing Committee
S.350 of the 2005 Act	14e Power to exchange information	Licensing Committee
The Gambling Act (Premises Licence Fees) (England and Wales) Reg 2007	14f Functions relating to the determination of fees for Premises Licences	Licensing Committee
Part 5 of Sched 11 to the 2005 Act	14g Functions relating to the registration and regulation of small society lotteries	Licensing Committee

<b>Statutory Provision</b>	<b>Function</b>	<b>Who Discharges</b>
The Gambling Act 2005	14h Determination of application for a variation to a Licence where representations have been received and not withdrawn	Licensing Committee
The Gambling Act 2005	14i Determination of application for a transfer of a Licence where representations have been received from the Commission	Licensing Committee
The Gambling Act 2005	14j Determination of application for a provisional Statement where representations have been received and not withdrawn	Licensing Committee
The Gambling Act 2005	14k Review of a Premises Licence	Licensing Committee
The Gambling Act 2005	14l Application for Club Gaming/Club Machine Permits where objections have been made and not withdrawn	Licensing Committee
The Gambling Act 2005	14m Cancellation of Club Gaming/Club Machine Permits	Licensing Committee
The Gambling Act 2005	14n Decision to give a counter notice to a Temporary Use Notice	Licensing Committee
The LGMPA 1982, S.2 and Sched 3.	15. Power to license sex shops and sex cinemas	Licensing Committee
The Hypnotism Act 1952	16. Power to license performances of hypnotism	Licensing Committee
Ss.13 to 17, LGMPA 1982	17. Power to license premises for acupuncture, tattooing, ear-piercing and electrolysis	Assistant Director - Environment & Enforcement
S.94 Public Health Acts Amendment Act 1907	18. Power to license pleasure boats and pleasure vessels	Assistant Director - Environment & Enforcement

<b>Statutory Provision</b>	<b>Function</b>	<b>Who Discharges</b>
Paras 1(2) and 9 of Sched 12 to the London Govt Act 1963 and Part V of London Local Authorities Act 1995	19. Power to register door staff	N/a
Part III of, and Sched 4 to, the Local Government (Miscellaneous Provisions) Act 1982, Part III of the London Local Authorities Act 1990 (c vii) and S.6 of the London Local Authorities Act 1994 (c xii)	20. Power to license market and street trading	Full Council
S.2 of the Late Night Refreshment Houses Act 1969 (c 53), Part II of the London Local Authorities Act 1990 and S.5 of the London Local Authorities Act 1994	21. Power to license night cafes and take-away food shops	Assistant Director - Environment & Enforcement
Ss. 3(1)(b)(ii), 5, 6 and 11, Poisons Act 1972	22. Duty to keep list of persons entitled to sell non-medicinal poisons	County
Ss.5, 6, 17, 18 and 21 to 23 Game Act 1831, Ss.2 to 16, Game Licensing Act 1860, S 4 Customs and Inland Revenue Act 1883, Ss.12(3) and 27 LGA 1874 and S.213 LGA 1972	23. Power to license dealers in game and the killing and selling of game	Assistant Director - Environment & Enforcement
S 19 Food Safety Act 1990	24. Power to register and license premises for the preparation of food	Assistant Director - Environment & Enforcement

<b>Statutory Provision</b>	<b>Function</b>	<b>Who Discharges</b>
S 1 Scrap Metal Dealers Act 1964	25. Power to license scrap yards	Assistant Director - Environment & Enforcement
The Safety of Sports Grounds Act 1975	26. Power to issue, amend or replace safety certificates (whether general or special) for sports grounds	County
Part III, Fire Safety and Safety of Places of Sport Act 1987	27. Power to issue, cancel, amend or replace safety certificates for regulated stands at sports grounds	County
S 5 Fire Precautions Act 1971	28. Power to issue fire certificates	County
S 1 Breeding of Dogs Act 1973 and S 1 Breeding and Sale of Dogs (Welfare) Act 1999	29. Power to license premises for the breeding of dogs	Assistant Director - Environment & Enforcement
S 1 Pet Animals Act 1951; S 1 Animal Boarding Establishments Act 1963; the Riding Establishments Acts 1964 and 1970; S 1 Breeding of Dogs Act 1973, and Ss 1 and 8 Breeding and Sale of Dogs (Welfare) Act 1999	30. Power to license pet shops and other establishments where animals are bred or kept for the purposes of carrying on a business	Assistant Director - Environment & Enforcement
S 1 Performing Animals (Reg) Act 1925	31. Power to register animal trainers and exhibitors	County
S 1 Zoo Licensing Act 1981	32. Power to license zoos	Licensing Committee

<b>Statutory Provision</b>	<b>Function</b>	<b>Who Discharges</b>
S 1 Dangerous Wild Animals Act 1976	33. Power to license dangerous wild animals	Assistant Director - Environment & Enforcement
S 4 Slaughterhouses Act 1974 and Animal By-Products Order 1999.	34. Power to license knackers' yards	Assistant Director - Environment & Enforcement
Part II Children and Young Persons Act 1933, byelaws thereunder, and Part II Children and Young Persons Act 1963	35. Power to license the employment of children	County
S 46A Marriage Act 1949 and Marriages (Approved Premises) Reg 1995	36. Power to approve premises for the solemnisation of marriages	County
Reg 6 Commons Registration (New Land) Reg 1969	37. Power to register common land or town or village greens, except where the power is exercisable solely for the purpose of giving effect to a) an exchange of lands effected by an Order under S.19(3) of, or paragraph 6(4) of Sched 3 to the Acquisition of Land Act 1981, or b) an Order under S.147 Enclosure Act 1845	County
Reg 29 Commons Registration (General) Reg 1966	38. Power to register variation of rights of common	County

<b>Statutory Provision</b>	<b>Function</b>	<b>Who Discharges</b>
S 5 Police, Factories, Etc. Miscellaneous Provisions Act 1916 and S 2 House to House Collections Act 1939	39. Power to license persons to collect for charitable and other causes	Licensing Committee
Sched 2, Noise and Statutory Nuisance Act 1993	40. Power to grant consent for the operation of a loudspeaker	Assistant Director - Environment & Enforcement
S 50 New Roads and Street Works Act 1991	41. Power to grant a Street Works Licence	County
S 2 Nurses Agencies Act 1957	42. Power to license agencies for the supply of nurses	County
Article 12 Pigs Order 1995	43. Power to issue licences for the movement of pigs	County
Article 13 Pigs Order 1995	44. Power to license the sale of pigs	County
Article 14 Pigs Order 1995	45. Power to license collecting centres for the movement of pigs	County
Article 5(2) Cattle Identification Regs 1998	46. Power to issue a licence to move cattle from a market	County
Ss 115E, 115F and 115K of the Highways Act 1980	46a Power to grant permission for provision, etc. of services, amenities, recreation and refreshment facilities on highway, and related powers	Assistant Director - Economy
S 139 Highways Act 1980	47. Power to permit builder's skip on highway	County
Section 115G of the Highways Act 1980	47a Duty to publish notice in respect of proposal to grant permission under Section 115E of the Highways Act 1980	Assistant Director – Economy and Communities

<b>Statutory Provision</b>	<b>Function</b>	<b>Who Discharges</b>
S 142 Highways Act 1980.	48. Power to license planting, retention and maintenance of trees, etc. in part of highway	County
S 147 Highways Act 1980.	49. Power to authorise erection of stiles, etc. on footpaths or bridleways	County
S 169 Highways Act 1980.	50. Power to license works in relation to buildings, etc. which obstruct the highway	County
S 171 Highways Act 1980.	51. Power to consent to temporary deposits or excavations in streets	County
S 172 Highways Act 1980.	52. Power to dispense with obligation to erect hoarding or fence	County
S 178 Highways Act 1980.	53. Power to restrict the placing of rails, beams, etc. over highways	County
S 179 Highways Act 1980	54. Power to consent to construction of cellars, etc. under streets	County
S 180 Highways Act 1980.	55. Power to consent to the making of openings into cellars, etc. under streets, and pavement lights and ventilators	County
S 1 Celluloid and Cinematograph Film Act 1922	56. Power to sanction use of parts of buildings for storage of celluloid	County
Regs. 4 and 5 Meat Products (Hygiene) Regs. 1994	57. Power to approve meat product premises	Assistant Director - Environment & Enforcement
Reg 4 Minced Meat and Meat Preparations (Hygiene) Regs 1995	58. Power to approve premises for the production of minced meat or meat preparations	Assistant Director - Environment & Enforcement

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

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

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

<b>Statutory Provision</b>	<b>Function</b>	<b>Who Discharges</b>
S 39(4) RPA 1983	10. Powers in respect of holding of elections	Full Council
S 54 RPA 1983	11. Power to pay expenses properly incurred by Electoral Registration Officers	Full Council
S 21 RPA 1985	12. Power to fill vacancies in the event of insufficient nominations	Full Council
S 86 LGA 1972	13. Duty to declare vacancy in office in certain cases	Head of Paid Service Monitoring Officer
S 87 LGA 1972	14. Duty to give public notice of a casual vacancy	Head of Paid Service Monitoring Officer
S 91 LGA1972	15. Power to make temporary appointments to parish Councils	Full Council
S 10 RPA 2000	16...	Full Council
S 10 of the Representation of the People Act 2000	17. Power to submit proposals to the Secretary of State for an Order under Section 10 (pilot schemes for local elections in England and Wales) of the Representation of the People Act 2000	Full Council
LGPIH Ss 33(2), 38(2) and 40(2) of the 2007 Act	18. Duty to consult on change of scheme for elections	Full Council
Ss 35, 41 and 52 of the 2007 Act	19. Duties relating to publicity	Head of Paid Service Monitoring Officer
Ss 36 and 42 of the 2007 Act	20. Duties relating to notice to Electoral Commission	Head of Paid Service Monitoring Officer
S 53 of the 2007 Act	21. Power to alter years of ordinary elections of parish councillors	

<b>Statutory Provision</b>	<b>Function</b>	<b>Who Discharges</b>
S 59 of the 2007 Act	22. Functions relating to change of name of electoral area	Full Council
<b>E. Functions Relating to Name and Status of Areas and Individuals</b>		
S 74 LGA 1972	1. Power to change the name of a county, district or London Borough	Full Council
S 75 LGA 1972	2. Power to change the name of a parish	Full Council
S 249 LGA 1972	3. Power to confer title of Honorary Alderman or to admit to be an Honorary Freeman	Full Council
S 245b LGA 1972	4. Power to petition for a charter to confer Borough status	Full Council
<b>EA. Functions Relating to Changing Governance Arrangements</b>		
<b>EB. Functions Relating to Community Governance</b>		
S 79 of the 2007 Act	1. Duties relating to community governance reviews	Full Council
Ss 80, 83 to 85 of the 2007 Act	2. Functions relating to community governance petitions	Full Council
Ss 81(4) to (6)	3. Functions relating to terms of reference of review	Full Council
S 82 of the 2007 Act	4. Power to undertake a community governance review	Full Council
Ss 87 to 92 of the 2007 Act	5. Functions relating to making of recommendations	Full Council
S 93 to 95 of the 2007 Act	6. Duties when undertaking review	Full Council

<b>Statutory Provision</b>	<b>Function</b>	<b>Who Discharges</b>
S 96 of the 2007 Act	7. Duty to publicise outcome of review	Head of Paid Service Monitoring Officer
S 98(1) of the 2007 Act	8. Duty to send two copies of Order to Secretary of State and Electoral Commission	Full Council
S 99 of the 2007 Act	9. Power to make agreements about incidental matters	Full Council
<b>F. Power to Make, Amend, Revoke, Re-Enact or Enforce Byelaws</b>		
Any provision of any enactment (including a local Act), whenever passed, and section 14 of the Interpretation Act 1978	Power to make, amend, revoke or re-enact byelaws	Full Council
<b>FA. Functions Relating to Smoke-Free Premises etc.</b>		
S 10(3) of the 2006 Act	1. Duty to enforce Chapter 1 and regulations made under it	Assistant Director - Environment & Enforcement
S 10(5) of, and para 1 of Sched 2 to, the 2006 Act	2. Power to authorise officers	Assistant Director - Environment & Enforcement
Paras 13, 15 and 16 of Sched 1 to the 2006 Act Smoke-free (Vehicle Operators and Penalty Notices) Regs 2007 (SI 2006/760)	3. Functions relating to Fixed Penalty Notices	Assistant Director - Environment & Enforcement
Smoke-free (Premises and Enforcement) Regs 2006 (SI 2006/3368)	4. Power to transfer enforcement functions to another enforcement authority	Assistant Director - Environment & Enforcement

<b>Statutory Provision</b>	<b>Function</b>	<b>Who Discharges</b>
<b>G. Power to promote or oppose local or personal Bills</b>		
S 239 LGA 1972	Power to promote or oppose local or personal Bills	Full Council
<b>H. Functions Relating to Pensions etc</b>		
Regs under S 7, 12 or 24 Superannuation Act 1972	1. Functions relating to Local Government pensions, etc.	County
Ss 34 and 36 of the Fire and Rescue Services Act 2004	2. Functions under the Fireman's Pension Scheme relating to pensions, etc as respects persons employed by fire and rescue authorities pursuant to S 1 of the Fire and Rescue Services Act 2004	County
<b>I. Miscellaneous Functions</b>	<b>Part I: Functions Relating to Public Rights of Way</b>	
S. 25 Highways Act 1980	1. Power to create footpath [bridleway or restricted byway] by agreement	Planning Applications Committee
S. 26 Highways Act 1980.	2. Power to create footpaths [bridleways and restricted byways]	Planning Applications Committee
S.31A Highways Act 1980.	3. Duty to keep register of information with respect to maps, statements and declarations	County
S.118 Highways Act 1980.	4. Power to stop up footpaths [bridleways and restricted byways]	Planning Applications Committee
Ss. 118ZA and 118C(2) Highways Act 1980.	5. Power to determine application for Public Path Extinguishment Order	Planning Applications Committee
S. 118A Highways Act 1980.	6. Power to make a Rail Crossing Extinguishment Order	Planning Applications Committee
S. 118B Highways Act 1980.	7. Power to make a Special Extinguishment Order	Planning Applications Committee

<b>Statutory Provision</b>	<b>Function</b>	<b>Who Discharges</b>
S. 119 Highways Act 1980.	8. Power to divert footpaths [bridleways and restricted byways]	Planning Applications Committee
Ss. 119ZA and 119C(4) Highways Act 1980.	9. Power to make a Public Path Diversion Order	Planning Applications Committee
S. 119A Highways Act 1980.	10. Power to make a Rail Crossing Diversion Order	Planning Applications Committee
S. 119B Highways Act 1980.	11. Power to make a Special Diversion Order	Planning Applications Committee
S. 119C(3) Highways Act 1980.	12. Power to require applicant for Order to enter into Agreement	Planning Applications Committee
S. 119D Highways Act 1980.	13. Power to make an SSSI Diversion Order	Planning Applications Committee
S. 121B Highways Act 1980.	14. Duty to keep Register with respect to applications under ss. 118ZA, 118C, 119ZA and 119C Highways Act 1980	Assistant Director - Planning
S. 121C Highways Act 1980.	15. Power to decline to determine certain applications	Planning Applications Committee
S. 130 Highways Act 1980.	16. Duty to assert and protect the rights of the public to use and enjoyment of highways	County
S.130A Highways Act 1980.	17. Duty to serve Notice of Proposed Action in relation to obstruction	County
S.130B(7) Highways Act 1980.	18. Power to apply for variation of Order under S.130B Highways Act 1980	County
S.135 Highways Act 1980.	19. Power to authorise temporary disturbance of surface of footpath [bridleway or restricted byway]	County

<b>Statutory Provision</b>	<b>Function</b>	<b>Who Discharges</b>
S.135A Highways Act 1980.	20. Power temporarily to divert footpath [bridleway or restricted byway]	County
S.135B Highways Act 1980.	21. Functions relating to the making good of damage and the removal of obstructions	County
S.149 Highways Act 1980.	22. Powers relating to the removal of things so deposited on highways as to be a nuisance	County
S.32 Acquisition of Land Act 1981	23. Power to extinguish certain public rights of way	Full Council
S.53 Wildlife and Countryside Act 1981	24. Duty to keep definitive map and statement under review	County
S.53A Wildlife and Countryside Act 1981.	25. Power to include modifications in other Orders	County
S.53B Wildlife and Countryside Act 1981.	26. Duty to keep Register of prescribed information with respect to applications under S. 53(5) of the Wildlife and Countryside Act 1981	County
S.54 Wildlife and Countryside Act 1981	27. Duty to reclassify roads used as public paths	County
S.57A Wildlife and Countryside Act 1981.	28. Power to prepare map and statement by way of consolidation of definitive map and statement	County
S.3 Cycle Tracks Act 1984	29. Power to designate footpath as cycle track	County
S.294 Housing Act 1981	30. Power to extinguish public right of way over land acquired for clearance	Planning Applications Committee
S.247 of the Town and Country Planning Act 1990	30a. Power to authorise stopping up or diversion of highway	Planning Applications Committee
S.257 TCPA90.	31. Power to authorise stopping-up or diversion of footpath [or bridleway or restricted byway]	Planning Applications Committee

<b>Statutory Provision</b>	<b>Function</b>	<b>Who Discharges</b>
S.258 TCPA90.	32. Power to extinguish public rights of way over land held for planning purposes	Planning Applications Committee
S.35 Countryside and Rights of Way Act 2000	33. Power to enter into agreements with respect to means of access	County
S.37 Countryside and Rights of Way Act 2000.	34. Power to provide access in absence of agreement	County
	<b>Part II: Other Miscellaneous Functions</b>	
Ss.1, 2, 10 and 19 Sea Fisheries Reg Act 1966	35. Functions relating to sea fisheries	County
S.106 of, and Para. 42 of Sched. 12 to, the LGA 1972	36. Power to make Standing Orders	Full Council
S.112 LGA 1972.	37. Power to appoint staff, and to determine the terms and conditions on which they hold office (including procedures for their dismissal)	Full Council, Head of Paid Service
S.135 LGA 1972.	38. Power to make standing orders as to contracts	Full Council
S.151 LGA1972.	39. Duty to make arrangements for proper administration of financial affairs etc.	Full Council
S.270(3) LGA 1972.	40. Power to appoint officers for particular purposes (appointment of "proper officers")	Full Council
S.34(2) Wildlife and Countryside Act 1981.	41. Power to make Limestone Pavement Order	County
S.4 LGMPA 1982	42. Power to make Closing Order with respect to take-away food shops	Assistant Director - Environment & Enforcement

<b>Statutory Provision</b>	<b>Function</b>	<b>Who Discharges</b>
S.4(1) Local Government and Housing Act 1989	43. Duty to designate officer as the Head of the Authority's Paid Service, and to provide staff, etc.	Full Council
S.5(1) Local Government and Housing Act 1989.	44. Duty to designate officer as the Monitoring Officer, and to provide staff, etc.	Full Council
S82A(4) and (5) of the Local Government Act 2000	44a Duty to provide staff, etc, to person nominated by Monitoring Officer	Full Council
Para 12 and 14 of Sched 3 to the Local Government Act 2000	44b Powers relating to Overview & Scrutiny Committees (voting rights of co-opted members)	Full Council
The Accounts and Audit Regs 1996	45. Duty to approve Authority's Statement of Accounts, Income and Expenditure and Balance Sheet, or record of payments and receipts (as the case may be)	Full Council
The Hedgerows Regs 1997	46. Powers relating to the protection of important hedgerows	Assistant Director - Planning
Ss.197 to 214D TCPA90, and the Trees Regs 1999	47. Powers relating to the preservation of trees	Planning Applications Committee
Part 8 of the Anti-Social Behaviour Act 2003	47a. Powers relating to complaints about high hedges	Assistant Director - Planning
S.92 LGA 2000	48. Power to make payments or provide other benefits in cases of maladministration, etc.	Full Council
S13(2) of the Criminal Justice and Police Act 2001	49. Power to make an Order identifying a place as a designated public place for the purposes of Police powers in relation to alcohol consumption	Full Council

Statutory Provision	Function	Who Discharges
S.16 of the Violent Crime Reduction Act 2006 (c 38)	50. Power to make or revoke an Order designating a locality as an alcohol disorder zone	Full Council
S.41 of the Commons Act 2006	51. Power to apply for an Enforcement Order against unlawful works on common land	Full Council
S.45(2) of the Commons Act 2006	52. Power to protect unclaimed registered common land and unclaimed town or village greens against unlawful interference	Full Council
S.45(2)(b) of the Commons Act 2006	53. Power to institute proceedings for offences in respect of unclaimed registered common land and unclaimed town or village greens	Full Council

### 3C RESPONSIBILITY FOR EXECUTIVE FUNCTIONS

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

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

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

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

**a) Cabinet Member Delegation**

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

**b) Cabinet Delegation**

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

**c) Delegation of Decisions to Single Members**

i. A Single Member may take any decision which:

1. is required to implement a Policy that is part of the framework, provided the decision is:

- within budget, and does not amend either the Policy framework or the budget
- wholly within the remit of the services for which the Member is responsible; and
- not a key decision.

i. is to adopt a new Policy or procedure to deliver services for which the Member is responsible, provided that the decision:

- does not amend or alter any Policy that is part of the Policy framework (without the prior approval of Council); and
- does not amend or alter the budget, nor requires the budget to be amended; and
- falls entirely within his/her portfolio.

ii. Where a decision is to adopt a new Policy or procedure to deliver the services for which the Member is responsible AND it does not fall entirely within his/her portfolio then the decision must be taken jointly with the other portfolio holder(s) affected.

iii. The procedure for Individual Cabinet Member Decisions is set out in Part 5H of this Constitution

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

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

#### 3D.1 General

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

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

#### 3D.2 Financial Resources

- a) Incur normal expenditure up to the limit of provision within the budgets under his/her control, subject to compliance with contract standing orders, financial standing orders, financial regulations and financial instructions.
- b) Invite and accept tenders or quotations for contracts, subject to contract standing orders, financial standing orders, financial regulations and financial instructions.
- c) Provide administrative, professional or technical services to outside bodies using any spare capacity PROVIDED this does not interfere with the proper service provision of the Council.
- d) Pay full compensation for loss where the Council is likely to be liable if sued.
- e) Pay compensation for complaints up to £1000 or higher in consultation with the portfolio holder.
- f) To annually review fees and charges.

### **3D.3 Human Resources**

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

### **3D.4 Other**

- a) Apply for planning permission for Council development within his/ her sphere of responsibility.
- b) To recover any sum owed to the Council under a contract made between the Council and a third party.
- c) To submit bids for and enter into agreements for grants and other funding sources.
- d) Arrange bookings or limited exhibitions and other commercial events on Council land within the responsibility of the Portfolio Holder.
- e) In the event of the invocation of the Council's emergency plan, or the declaration of an incident by the Local Resilience Forum, or Emergency Service partner, that requires a Council response, the relevant officer on duty (Chief Executive, Strategic Director and/or Assistant Director)

is granted delegated authority to take such decisions as necessary for the immediate management of the Council's response and to liaise with appropriate partners as necessary under the Civil Contingencies Act 2004.

- f) Approve press releases and official statements to press enquiries on behalf of the Authority as and when required.

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

- a) Any function delegated to a Strategic Director or Assistant Director or other officer.
- b) Any action arising from an appointment given to a Director or other officer if that Director or other officer is absent or otherwise unable to act.
- c) Take all steps to ensure the Council receives additional supplementary credit approval re Council house sales.
- d) Delegate any of their powers and appointments to employees who possess the relevant qualification, experience and skills for the task - a list of such powers, indicating the post to which they have been delegated, must be kept by the Monitoring Officer and made available for public inspection.
- e) Respond to any consultation document on Executive functions in consultation with the Leader and/or relevant portfolio holder.
- f) Exercise any power of the Local Authority relating to human resources under the following statutes or regulation or by-laws made (now or in the future) under them:

Health & Safety at Work Act 1974  
Employment Rights Act 1996

- g) Implement national awards affecting wages, salaries and conditions of service.

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

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

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

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

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

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

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

- b) Suspend the exercise of Delegated Authority by any officer where he/she considers a particular case should be considered by elected Members.
- c) Authorise any person acting for the Council to enter any land, for any statutory purpose.

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

- k) Authorise applications renewals, reviews and cancellations under the Regulation of Investigatory Powers Act 2000 including surveillance likely to obtain confidential information.
- l) Increase the scale of fees for elections and electoral registration in line with the average salary awards for Joint National Council scales and taking into account any nationally agreed fees.
- m) Be the Council's Nominated Officer for the purpose of the Local Government Pension (Amendment) Regulations 2004 - Internal Dispute Resolution Procedure.
- n) Approve and pay death grants under schemes adopted by the Council.
- o) Serve all Notices under the Pensions Acts.
- p) Administer and review the Council's car loan, and car user allowance schemes.
- q) Assess value for pension purposes of emoluments in kind paid to employees and giving effect thereto.
- r) Enter into any initiatives with the Occupational Health Service seen as beneficial to the employees of the Council.
- s) In consultation with the relevant Portfolio Holder, set promotional and other charges.
- t) Returning Officer Indemnity - Note

Further to the Chief Executive (Head of Paid Service) being appointed as Electoral Registration Officer and Returning Officer, Full Council resolved to grant an indemnity to the officer acting in that capacity, as well as to any appointed Deputy Returning Officer(s). This indemnity applies in relation to local elections, and any other elections falling within the scope of those functions, and covers the reasonable costs incurred in obtaining appropriate legal advice and representation in respect of any civil or criminal proceedings, together with any costs awarded by a court following the presentation of an election petition.

The full terms of the indemnity are set out in agenda item 11 of the Full Council report and agenda for the meeting held on Wednesday 29 April 2026, minute reference CL83.

### 3E.2 Assistant Director – Digital & Business Change

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

Statutory Provision	Brief Description
Regulation of Investigatory Powers Act 2000	Authorisation of covert surveillance
Data Protection Act 2018	Data Protection obligations and structure contains the appointment of the Data Protection Officer (DPO)
Environmental Information Regulations 2004	Duty to comply with requests for information
Freedom of Information Act 2000	Duty to comply with requests for information and to maintain the Council's Publication Scheme

- b) Monitor the use of the Council's IT systems including internet and e-mail (where appropriate following appropriate authorisation) – Regulation of Investigatory Powers Act 2000.
- c) Manage the Council's telephonic and Information technology systems, in accordance with the Policy of the Council.
- d) Authorise applications renewals, reviews and cancellations under the Regulation of Investigatory Powers Act 2000.
- e) To be the Council nominated Senior Information Risk Officer (SIRO) with corporate responsibility for information risk management and information governance assurance.
- f) Take all steps regarding risk management within the Council.
- g) Coordinate the collection and provision of performance data and arrange for the publication of performance information and strategy reporting.

### 3E.3 Assistant Director – Democracy & Governance

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

<b>Statutory Provision</b>	<b>Brief Description</b>
S.5 & 5A Local Government and Housing Act 1989	Monitoring Officer
S110A, S116 & S116A Social Security Administration Act 1992	Benefit fraud including investigations on behalf of the Department of Work and Pensions
Children Act 1989	Discharge the duties under the Childrens Acts
Equalities Act 2010	Responsibility to ensure compliance with the Public Sector Equalities Duty
Ss. 83, 100B, 100F, 229, 234, 238, Sched 14 Local Government Act 1972	Byelaws
S. 41 Local Government (Miscellaneous Provisions) Act 1976	Lost or uncollected property
Ss. 191 Local Government Act 1972	Ordnance Survey
Local Government Act 2000 and regulations thereunder	Executive Arrangements
Ss. 26, 118, 119 Highways Act 1980 and S.257 Town and Country Planning Act 1990	Public Footpath Orders
Ss.191 to 194, Town and Country Planning Act 1990	Certificate of lawful use or development except when called in for decision by Planning Applications Committee pursuant to the process outlined in Part 3E.7 iv.
Ss.14-16A Road Traffic Regulation Act 1984	Orders to prohibit or restrict traffic
Any reference in pre 1972 legislation to the surveyor, which, by virtue of the Local Government Act 1972, is to be construed as a Proper Officer	
Regulation of Investigatory Powers Act 2000	Authorisation of Cover Surveillance

- b) Authorise any person acting for the Council to enter any land, for any statutory purpose.
- c) Authorise applications renewals, reviews and cancellations under the Regulation of Investigatory Powers Act 2000 including surveillance likely to obtain confidential information.
- d) Authorise proceedings for recovery of any sums due to the Council and possession of property held as security for same.
- e) Take any enforcement action, including any application to a court or tribunal, in respect of powers delegated to him/her or in respect of functions for which he/she is a proper officer, appointed officer or inspector.
- f) Conduct internal audit of financial transactions of the council
- g) Hold premises licences for Council property in connection with any functions assigned.
- h) Amend the Members' Allowance Scheme in accordance with increases fixed by the Secretary of State.
- i) Provide the role of Mayor's Secretary.
- j) Make arrangements in connection with Civic matters/engagements relating to Mayoralty.
- k) Where any delegation proposed to be relied upon or procedure proposed to be utilised refers to any office-holder, Cabinet, Committee or Ward Member, or forum that no longer exists, the Monitoring Officer shall determine how the power shall be appropriately exercised or procedure interpreted.
- l) Take all necessary steps relating to Purchase Notices served on the Council.
- m) In consultation with the Leader of the relevant political group, appoint a substitute Member to Audit and Standards Committee where a prejudicial interest precludes a Member hearing a complaint.
- n) To take all actions and make decision not reserved to the Council relating to the Council's functions in respect of Communications.
- o) Fix and charge the appropriate hire fee for external bookings for the Civic Suite in order to cover the Council's costs.

### 3E.4 Assistant Director – Economy and Communities

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

<b>Statutory Provision</b>	<b>Brief Description</b>
Road Traffic Regulation Act 1984 Ss. 35A and 112	Enforcement of Car parking Order & Nuneaton Bus Station Order
Local Government (Miscellaneous Provisions) Act 1982 Sch. 4	Licensing of Street Traders
Local Government Act 2003	BIDS (Business Improvement Districts)
Markets and Fair Clauses Act 1847	Markets
Food Act 1984	Markets
Landlord & Tenant Act 1954	Management of Commercial Tenancies
Localism Act 2011	General Power of Competence to promote economic development
Local Government Act 1972 Ss. 191	Ordnance Survey
Local Government Act 1972 S123	Disposal & Acquisition of land & property
Local Government Act 1972 S 101	Agency arrangements
Party Wall Etc. Act 1996 (Appointing Officer)	Power to appoint surveyor
Planning & Compulsory Purchase Act 2004	Compulsory Purchase
Regulation of Investigatory Powers Act 2000	Authorisation of covert surveillance
Children Act 1989	Discharge the duties under the Children's Acts
Equalities Act 2010	Responsibility to ensure compliance with the Public Sector Equalities Duty
The Anti-Social Behaviour, Crime and Policing Act 2014	Investigation and enforcement against anti-social behaviour and related powers

- b) Be duty holder for the purposes of the Control of Asbestos Regulations 2012
- c) Manage the operation of the Nuneaton and Bedworth Markets in accordance with the Market Regulations as made by the Council from time to time.

- d) As a consequence of any decision of Cabinet or Council in consultation with the Portfolio Holder with responsibility for markets, make any necessary changes to the markets, the layout, or their regulations.
- e) Be the Radio Terminal Custodian for the Airwave Service.
- f) Undertake all the Town Centre management activities including Delivery of Town Centre Master Plan, including street scene enhancement activities.
- g) Manage the Council's off street car park in accordance with the Council's Off Street Parking Order.
- h) In Consultation with the relevant Portfolio Holder, waive car park charges from time to time.
- i) Undertake all matter relating to the provisions of public conveniences.
- j) Manage the Council's car parks and resident parking schemes.
- k) Manage the Bus Station
- l) Undertake all functions relating to CCTV.
- m) Arrange bookings or limited exhibitions and other commercial events on Council land (other than town centre).
- n) Authority to undertake Land/Asset Disposal and Acquisitions on behalf of the Council, in consultation with the relevant Portfolio Holder.
- o) Exercise the Council's responsibilities in respect of Economic Development
- p) Authority to take action on Closure Orders under the Anti-Social Behaviour, Crime and Policing Act 2014.
- q) Exercise functions under any Agency agreement with Warwickshire County Council.
- r) Undertake management of the Council's Commercial Property Portfolio.
- s) Conclude any land transactions required to complete the Camp Hill Urban Village Scheme.
- t) All Property Management steps in respect of the Council's land and buildings and related transactions in accordance with any relevant Council Policy, and the Council's Budget and Policy framework, including creating, renewing and terminating interests in land, reviewing and recovering rents, disposing of and acquiring interests including:
  - a. Carry out urgent repairs to private streets
  - b. Renew plant, equipment and vehicles within the budget provision, and dispose of items being so renewed.

- c. Be a duty holder for the purposes of the Control of Asbestos Regulations 2012.
- d. Take all actions necessary to implement the Council's Planned and Reactive Maintenance Programme including to corporate operational and non-operational buildings, including car parks and the Bus Station (not including day to day responsive repairs and gas servicing activities).
- u) Exercise any power of the Local Authority relating to environmental health under the following statutory provisions or pursuant to regulations or by-laws made (now or in future) under them:
  - Anti-Social Behaviour Act 2003
  - Anti-Social Behaviour, Crime and Policing Act 2014
  - Care Act 2014 (as delegated from WCC)
  - Crime and Disorder Act 1998
  - Criminal Justice and Public Order Act 1994
  - Equality Act
  - Building Safety Act 2022
- v) Manage and facilitate the operation of the Nuneaton and Bedworth Safer Community Partnership and the development of the Crime and Disorder and Substance Misuse Plan.
- w) Manage Community Safety Schemes and take action in relation to Nuneaton and Bedworth's Crime and Disorder and Substance Misuse Plan, and the Council's powers under the Crime and Disorder Act 1998 (as amended).
- x) Take all actions and make all decisions relating to the Council's functions in respect of Community Cohesion.
- y) Take all appropriate action and to exercise all powers and duties in relation to Community Development in consultation with the Portfolio Holder.
- z) Consult with and respond to requests for consultation from Warwickshire Police and other organisations to act as a consultee in relation to applications for Criminal Behaviour Orders, Closure Orders, Dispersal Orders or other relevant specific items included in the ASB, Crime and Policing Act.
- aa) Respond to requests for consultation from Warwickshire Police and other organisations to act as a consultee in relation to applications for Anti-Social Behaviour Orders.
- bb) Consult with Warwickshire Police and other agencies in relation to applications for Anti-Social Behaviour Orders.

- cc) Respond to requests for consultation under the Anti-social Behaviour Act 2003, including with reference to making Dispersal Orders under Section 30 of the Act.
- dd) Authority to take action relevant to their service under the Anti-social Behaviour, Crime and Policing Act 2014.
- ee) Take relevant court action to deal with anti-social behaviour (having previously informed Ward Members).
- ff) Manage the development and implementation of the Council's Equality Scheme

### **3E.5 Assistant Director – Environment & Enforcement**

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

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

Business and Planning Act 2020 Part 7A of the Highways Act 1980 The Levelling Up and Regeneration Act 2023	Pavement Licences subject to provisions under the Licensing Act 2003 section below.
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- b) Be a duty holder for the purposes of the Control of Asbestos Regulations 2012.
- c) Authority to take action relevant to their service under the Anti-social Behaviour, Crime and Policing Act 2014.
- d) Undertake all functions relating to amenity lighting.
- e) Undertake all functions relating to transport.
- f) Deal with requests for the loan of equipment and materials to charitable and voluntary organisations regarding refuse collection and cleansing.
- g) Provide a trade refuse service when required and fix appropriate charges.
- h) Manage the Council's refuse collection and street cleaning service.
- i) Undertake all functions relating to land drainage.
- j) Exercise functions under any Agency agreement with Warwickshire County Council
- k) Authorisation of officers to serve Fixed Penalty Notices for litter enforcement pursuant to the Clean Neighbourhoods and Environment Act 2005.
- l) In consultation with Chair and (Vice-Chair) of Licensing Committee determine applications for permits for house to house or street collections which cannot be considered by Licensing Committee at its November meeting (unless objection has been submitted).
- m) Administer the Council's arrangements for the Licensing of hackney carriage and private hire vehicles including the grant and renewal of hackney carriage and private hire vehicle licences, and private hire operators' licences, unless either there are unspent convictions or objections are received, or both.
- n) Authority to take action relevant to their service under the Crime and Policing Act 2014.
- o) Undertake enforcement action where appropriate under the Renters' Rights Act 2015.
- p) Exercise any power of the Local Authority relating to environmental health under the following statutory provisions or pursuant to regulations or by-laws made (now or in future) under them:
  - a. Animal Boarding Establishments Act 1963
  - b. Animal Welfare Act 2006
  - c. Anti-Social Behaviour Act 2003
  - d. Anti-Social Behaviour, Crime and Policing Act 2014

- e. Breeding of Dogs Act 1973 & 1991
- f. Building Act 1984
- g. Caravan Sites Act 1968
- h. Clean Air Act 1993
- i. Clean Neighbourhoods and Environment Act 2005
- j. Criminal Justice and Public Order Act 1994
- k. Crime and Disorder Act 1998
- l. Control of Pollution Act 1974
- m. Dangerous Wild Animals Act 1976
- n. Dangerous Dogs Act 1991
- o. Dogs (Fouling of Land ) Act 1996
- p. Enterprise and Reform Act 2013
- q. Environment Act 1995
- r. Environment and Safety Information Act 1988
- s. Environmental Protection Act 1990
- t. Equality Act 2010
- u. European Communities Act 1972
- v. Factories Acts 1961
- w. Food Act 1984
- x. Food and Environment Protection Act 1985
- y. Food Safety Act 1990
- z. Gambling Act 2005
- aa. Guard Dogs Act 1975
- bb. Health Act 2006
- cc. Health and Safety at Work Etc Act 1974
- dd. Highways Act 1980
- ee. House to House Collections Act 1939
- ff. Housing and Planning Act 2016
- gg. Land Compensation Act 1973
- hh. Licensing Act 2003
- ii. Local Government (Misc Prov) Act 1976
- jj. Local Government (Misc Prov) Act 1982
- kk. Local Government and Housing Act 1989
- ll. Noise Act 1996
- mm. Noise and Statutory Nuisance Act 1993
- nn. Offices, Shops & Railway Premises Act 1963
- oo. Performing Animals (Regulation) Act 1925
- pp. Pet Animals Act 1951
- qq. Police, Factories Etc (Misc Prov) Act 1916
- rr. Pollution Prevention and Control Act 1999
- ss. Prevention of Damage by Pests Act 1949
- tt. Public Health Acts 1936 & 1961
- uu. Public Health (Control of Disease) Act 1984
- vv. Refuse (Disposal) Amenity Act 1978
- ww. Regulatory Reform Act 2001
- xx. Renters' Rights Act 2015
  
- yy. Riding Establishments Acts 1964 & 1970
- zz. Scrap Metal Dealers Act 1964

- aaa. Scrap Metal Dealers Act 2013
- bbb. Slaughter of Poultry Act 1967
- ccc. Slaughterhouses Act 1974
- ddd. Sunbeds (Regulation) Act 2010
- eee. Sunday Trading Act 1994
- fff. Town Police Clauses Act 1847
- ggg. Town and Country Planning Act 1990 s.215-219, 224-225, 330, 324
- hhh. Town and Country Planning (Control of Advertisement) England Regs 2007
- iii. Vehicles (Crime) Act 2001
- jjj. Water Industry Act 1991
- kkk. Zoo Licensing Act 1981

### **Licensing Act 2003**

- q) Issue notices of exemption to taxi drivers relating to the carriage of guide dogs etc. in certain circumstances (see minute 586 of 8.2.01).
- r) Deal with applications for Personal Licence, if no objection made.
- s) Deal with applications for Premises Licence/Club Premises Certificate, if no relevant representation made.
- t) Deal with applications for Provisional Statement, if no relevant representation made.
- u) Deal with applications to vary Premises Licence/Club Premises certificate, if no relevant representation made.
- v) Deal with applications to vary Designated Premises Supervisor if no notice of objection is received.
- w) Deal with requests to be removed as designated premises supervisor, all cases.
- x) Deal with applications for transfer of Premises Licence if no Notice of Objection is received.
- y) Deal with applications for interim authorities if no Notice of Objection is received.
- z) Deal with decisions on whether a complaint is irrelevant, frivolous vexatious, etc., all cases.
- aa) be authorised to issue pavement licences under Part 1 of the Business and Planning Act 2020, subject to both Part 7A of the Highways Act 1980 and The Levelling Up and Regeneration Act 2023 where:
  - i. no objections are received; or
  - ii. following withdrawal of representations and/or negotiated conditions being agreed between applicants and interested parties/responsible authorities.
- bb) Be authorised in consultation with the Chair of Licensing or Vice Chair (where the Chair is unavailable following reasonable period of delay) to reject applications for

pavement licences under Part 1 of the Business and Planning Act 2020 (subject to both Part 7A of the Highways Act 1980 and The Levelling Up and Regeneration Act 2023) where conditions of licence are not met or relevant objections are received.

### **Gambling Act 2005**

- cc) Fee setting where appropriate.
- dd) Determination of application for premise's Licences where no representations received/representations have been withdrawn.
- ee) Determination of application for a variation to a Licence where no representations received/representations have been withdrawn.
- ff) Determination of application for a transfer of a Licence where no representations received from the Gambling Commission.
- gg) Determination of application for a Provisional Statement where no representations received/representations have been withdrawn.
- hh) Application for Club Gaming/Club Machine Permits where no objections made/objections have been withdrawn.
- ii) Applications for other permits.
- jj) Cancellation of Licensed Premises Gaming Machine Permits.
- kk) Consideration of Temporary Use Notices.
- ll) Determination as to whether representation is frivolous or vexatious, or will not influence decision.

### 3E.6 Assistant Director – Finance

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

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

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

### 3E.7 Assistant Director – Planning

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

#### *Statutory Provision – Assistant Director - Planning*

<b>Statutory Provision</b>	<b>Brief Description</b>
Parts III, VII, VIII Town and Country Planning Act 1990	Planning enforcement and rights of entry
S.330 Town and Country Planning Act 1990	Notices requiring information
Town and Country Planning (General Development Procedure) Order 1995	Procedure for dealing with applications and appeals
S.70A Town and Country Planning Act 1990	Decline to determine planning application
Town and Country Planning (Environmental Impact Assessment)(England & Wales) Regs 1999	Various
Housing and Planning Act 2016	Various
S137 and 139 Town and Country Planning Act 1990	Respond to all Purchase Notices
S198, 201 and 203 Town and Country Planning Act 1990	Making of Tree Preservation Orders
Part VIII Anti-Social Behaviour Act 2003	High Hedges
Planning (Listed Buildings and Conservation Areas) Act 1990 and Planning (Hazardous Substances) Act 1990	Listed buildings and conservation areas and rights of entry
Local Land Charges Act 1975	Maintenance of Local Land Charges Register
Public Health Act 1925	Street naming & Numbering

- b) To process and make decisions on all planning applications as defined in Schedule 1 below except in any one of the following cases:
- i. Where an Environmental Impact Assessment has been submitted with a planning application.
  - ii. Where letters of objection that meet the criteria as set out in the table at Annex A below have been received from neighbours, interested parties or statutory consultees within the 21 day consultation period, (unless the objection does not, in the Assistant Director – Planning’s opinion, relate to valid planning

considerations (which are set out in the leaflet ‘Having Your Say on Planning Applications’) or are matters as set out in Schedule 2 below).

- iii. Where the application is recommended for refusal, the ward Members will be given notice of this and allowed five working days in which they can request that the application be referred to Committee.
- iv. Where letters of support that meet the criteria as set out in the table at Annex A below have been received from neighbours, interested parties or statutory consultees within the 21 day consultation period (unless the letter of support does not, in the Assistant Director – Planning’s opinion, relate to valid planning considerations (which are set out in the leaflet ‘Having Your Say on Planning Applications’) or are matters as set out in Schedule 2 below) and the Assistant Director - Planning is minded to refuse the application.
- v. Where a Member requests and the Assistant Director - Planning agrees (having consulted the chair and vice-chair of the Planning Applications Committee that:
  - i. A Councillor in the case of a minor application in their ward; or
  - ii. in the case of a major application, any three individual Councillors request(s) and the Assistant Director - Planning agrees (having consulted the chair and vice-chair of the Planning Applications Committee),

that application be dealt with by the Planning Applications Committee.

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

- vi. The Assistant Director - Planning considers the application or notified matter should be considered by the Planning Applications Committee.
- vii. The terms of a legal agreement needs to be agreed other than where a contribution is in accordance with a tariff agreed in adopted Supplementary Planning Documents; or where a viability assessment submitted with the planning application has been scrutinised by an independent viability consultant instructed by the Council who has then advised that the scheme is not viable and therefore cannot make all or some of the contributions that would ordinarily be sought in accordance with a tariff agreed in adopted Supplementary Planning Documents.

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

### **Schedule 1**

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

### **Schedule 2**

1. Developers/applicants' motives or morals
  2. Loss of views over other people's land
  3. Impact on property value
  4. Impact on private rights and/or covenants
  5. Boundary disputes or objections arising from disputes unrelated to the planning application.
- c. Determine applications for consent or approval required by any conditions attached to a planning permission (other than reserved matters) where indicated in the Schedule of Applications.
  - d. To process and initiate enforcement procedures against breaches of planning control, and in the making of Tree Preservation Orders.
  - e. Where (s)he feels urgent action is required, take any step pursuant to Town and Country Planning or related legislation.
  - f. To (i) confirm Tree Preservation Orders, and (ii) grant any consent necessary for works to trees.
  - g. After consultation with Ward Members, determine applications for telecommunications masts which cannot be considered by Planning Applications Committee within 56 days of receipt.
  - h. Negotiate terms of S106 TCPA90 obligations.
  - i. Lodge representations to the Traffic Commissioner in respect of Goods Vehicles Operators' Licence applications.

- j. Following consultation with the Chair and Vice-chair of the Planning Applications Committee, to defer applications listed on an agenda for Planning Applications Committee where there is a good reason to do so and subject to ensuring that all applicants and objectors can be notified of the deferral in advance of the meeting date.
- k. Determine applications for Non-Material Amendments

**Annex A: Criteria for letters of Objection**

1. For an objection to be valid, it shall be a letter or e-mail from a single household. Multiple letters from one property address shall be treated as a single objection, unless the premises are a registered house in multiple occupation;
2. Objectors must be aged 16 or over
3. The number of objectors required for an application to be referred to Planning Applications Committee shall be as set out in the table below (subject to the test of planning relevance applied by the Assistant Director – Planning mentioned at b ii) above:

<b>Scale of Application</b>	<b>Number of valid objections required</b>
Non-major (residential - less than 10 dwellings, or sites of less than 0.5 hectares; non-residential, less than 1,000 sqm gross floorspace, or sites less than 1 hectare)	At least 5 valid objections
10 to 50 dwellings and commercial non-residential between 1,000	At least 10 valid objections

and 3,750 sqm of  
floorspace

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Over 50 dwellings or more  
than 3,750 sqm  
commercial floorspace

At least 15  
valid  
objections

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- c) Undertake functions relating to street name and numbering.
- d) Administer the arrangements for the discharge of all matters relating to the Council's Local Land Charges Register.

### 3E.8 Assistant Director – Recreation & Culture

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

Statutory Provision	Brief Description
Any reference in pre 1972 legislation to the medical officer of health or public health inspector, which, by virtue of the Local Government Act 1972, is to be construed as a Proper Officer	
Health and Safety at Work Act 1974	Duty to comply on leisure sites
Civil Contingencies Act 2004	Emergency Planning

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

- l) Enter into arrangements for the letting and/or use by organisations or individuals of leisure facilities provided by the Council, in accordance with the Policy of the Council.
- m) In consultation with the relevant Portfolio Holder amend Arts Grant criteria if appropriate.
- n) Manage the Museums in accordance with any associated Policies.
- o) Accept or reject potential gifts or bequests to the Museum and Art Gallery.
- p) Solicit gifts of historical or artistic material for the Collections within the terms of the Nuneaton Museum and Art Gallery Acquisition and Disposal Policy.
- q) Make recommendations and take all necessary action on the purchase of historical or artistic material and pictures, in accordance with the Council's financial and contract procedures.
- r) Accept items on loan for finite period for display or specific study.
- s) Hold premises licences for Council property in connection with any functions assigned.
- t) Undertake all functions relating to amenity lighting.
- u) Undertake all functions relating to land drainage.
- v) Enter into arrangements for the letting and/or use by organisations or individuals of parks and open spaces provided by the Council, in accordance with the Policy of the Council.
- w) Exercise functions under any Agency agreement with Warwickshire County Council
- x) Enter into arrangements for the provision of entertainments, in accordance with the Policy of the Council.
- y) Arrange bookings or limited exhibitions and other events in Town Centre pedestrianised areas.
- z) Manage and undertake the Council's duties under the Civil Contingencies Act 2004.
- aa) Take appropriate action in relation to emergencies and to produce and update the Council's Emergency Plan and Business Continuity Plan, all powers under Section 138 of the Local Government Act 1972 and all relevant legislation.

### 3E.10 Assistant Director – Assets & Compliance

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

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

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

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

- Land compensation Act 1973
  - Landlord and Tenant Act 1985
  - Local Government and Housing Act 1989
  - Local Government (Miscellaneous Provisions) Acts 1976 & 1982
  - Home Safety Act 1961
  - Home Energy Conservation Act 1995
  - The Homeless Reduction Act 2017
  - Housing (Consequential Provisions) Act 1985
  - Landlord and Tenant Act 1985
  - Mobile Homes Act 1983
  - Mobile Homes Act 2013
  - National Assistance Act 1948
  - Police, Crime, Sentencing and Courts Act 2022
  - Prevention of Damage by Pests Act 1949
  - Prevention of Social Housing Fraud Act 2013
  - Protection From Eviction Act 1977
  - Regulatory Reform Act 2001
  - Renters' Rights Act 2015
  - Social Housing (Regulation) Act 2023/Hazards in Social Housing (Prescribed Requirements) (England) Regulations 2025.
- Water Industries Act 1991
- Health and Safety at Work Act 1974
  - Equality Act
  - Regulatory Reform (Fire) Order 2005
  - Control of Asbestos regulations 2006.
- c) Take any enforcement action, including any application to a court or tribunal, in respect of powers delegated to him/her or in respect of functions for which he/she is a proper officer, appointed officer or inspector
- d) Take all necessary action to implement the Council's Planned Maintenance and Major Improvement Programmes to all dwellings, shops and garages provided under the Housing Act powers.
- e) All Property Management steps in respect of the Council's land and buildings and related transactions in accordance with any relevant Council Policy, and the Council's Budget and Policy framework including:
- i. Renew plant, equipment and vehicles within the budget provision, and dispose of items being so renewed.
  - ii. Taking all actions necessary to implement the Council's Planned and Reactive Maintenance Programme including to corporate operational and non-operational buildings, including car parks and the Bus Station.
- f) Take all necessary action to implement the Council's reactive maintenance functions to all dwellings, shops, and garages provided under Housing Act powers.

- g) Assess grants within the terms of and up to a maximum approved by the Policy decisions of the Council.
- h) Take all actions and make all decisions not reserved to the Council relating to the Council's functions in respect of Consultation.
- i) Be duty holder for the purposes of the Control of Asbestos Regulations 2012.
- j) Exercise all management aspects regarding dwellings, shops and other accommodation and garages provided under Housing Act powers, and other dwellings owned or formerly owned by the Council save that eviction of any resident shall be made in consultation with the relevant Portfolio Holder.
- k) Arrange for the valuation of properties pursuant to the Right to Buy and the issuing of offers.
- l) Take all steps regarding the right to buy including anything to achieve the targets set by the Secretary of State.
- m) Settle the terms of nomination agreements with housing associations.
- n) To authorise proceedings for possession of Council owned property and recovery of rent arrears under the Housing Act powers.
- o) Undertake all facilities management activities for Council office buildings.

### 3E.11 Assistant Director – Housing Services

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

<b>Statutory Provision</b>	
Housing Grants Construction and Regeneration Act 1996	Home Improvement Grants
Public Health (Control of Disease) Act 1984	Filthy & Verminous premises
Public Health Acts 1936 and 1961	Filthy & Verminous premises
Prevention of Damage by Pests Act 1949	Filthy & Verminous premises
Environmental Protection Act 1990	Statutory Nuisance
Housing Act 2004	Enforcement of fitness standards
Homeless Reduction Act 2017	
Ss.25 and 26 Local Government (Miscellaneous Provisions) Act 1976	Any steps concerning dangerous excavations
Highways Act 1980	Various District Council functions
The Prevention of Social Housing Fraud Act 2013	Investigation and Prosecution of housing fraud
The Prevention of Social Housing Fraud (Power to Require Information) Regs 2014	Investigation of housing fraud
The Anti-Social Behaviour, Crime and Policing Act 2014	Investigation and enforcement against anti-social behaviour and related powers
Housing Acts 1985 and 1996	Management of Council owned property for rent

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

- Anti-Social Behaviour Act 2003
- Anti-Social Behaviour, Crime and Policing Act 2014
- Building Act 1984
- Caravan Sites Act 1968
- Caravan Sites and Control of Development Act 1960
- Care Act 2014 (as delegated from WCC)
- Construction Design and Management Regulations 2015
- Crime and Disorder Act 1998
- Criminal Justice and Public Order Act 1994
- Energy Act 2011
- Enterprise and Reform Act 2013
- Land Compensation Act 1973
- Housing Acts 1985, 1988 1996 & 2004
- Housing & Regeneration Act 2008
- Housing (Consequential Provisions) Act 1985
- Housing Grants Construction and Regeneration Act 1996
- Housing and Planning Act 2016
- Infrastructure Act 2015
- Land compensation Act 1973
- Landlord and Tenant Act 1985
- Local Government and Housing Act 1989
- Local Government (Miscellaneous Provisions) Acts 1976 & 1982
- Home Safety Act 1961
- Home Energy Conservation Act 1995
- The Homeless Reduction Act 2017
- Housing (Consequential Provisions) Act 1985
- Landlord and Tenant Act 1985
- Mobile Homes Act 1983
- Mobile Homes Act 2013
- National Assistance Act 1948
- Police, Crime, Sentencing and Courts Act 2022
- Prevention of Damage by Pests Act 1949
- Prevention of Social Housing Fraud Act 2013
- Protection From Eviction Act 1977
- Regulatory Reform Act 2001
- Renters' Rights Act 2015
- Social Housing (Regulation) Act 2023/Hazards in Social Housing (Prescribed Requirements) (England) Regulations 2025.

- Water Industries Act 1991
  - Health and Safety at Work Act 1974
  - Equality Act
  - Regulatory Reform (Fire) Order 2005
  - Control of Asbestos regulations 2006.
- c) Take any enforcement action, including any application to a court or tribunal, in respect of powers delegated to him/her or in respect of functions for which he/she is a proper officer, appointed officer or inspector
- d) Assess grants within the terms of and up to a maximum approved by the Policy decisions of the Council.
- e) Take all actions and make all decisions not reserved to the Council relating to the Council's functions in respect of Consultation.
- f) Settle the terms of nomination agreements with housing associations.
- g) In consultation with the relevant Portfolio Holder, make temporary accommodation available to refugees or asylum seekers
- h) Deal with functions relating to Home Environment Assessment and Response Team Partnership Agreement.
- i) Waive licence conditions regarding clear boundary space at mobile home sites subject to consultation with the Fire Officer.
- j) Authority to take action relevant to their service under the Anti-social Behaviour, Crime and Policing Act 2014.
- k) Take relevant court action to deal with anti-social behaviour (having previously informed Ward Members).
- l) Consult with and respond to requests for consultation from Warwickshire Police and other organisations to act as a consultee in relation to applications for Criminal Behaviour Orders, Closure Orders, Dispersal Orders or other relevant specific items included in the ASB, Crime and Policing Act.
- m) Authority to take action relevant to their service under the Anti-social Behaviour, Crime and Policing Act 2014.
- n) In consultation with the relevant Portfolio Holder, make temporary accommodation available to refugees or asylum seekers

### 3E.12 Solicitor to the Council

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

<b>Statutory Provision</b>	<b>Brief Description</b>
Solicitor to the Council and Clerk to the Benefit Review Boards	Solicitor to the Council and Clerk to the Benefit Review Boards

### 3E.13 The Proper Officer for Health

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

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