



Cannock Chase Council

Council Meeting

Wednesday 19 April 2023 at 6:00pm

Meeting to be held in the Council Chamber, Civic Centre, Cannock

Part 1

Notice is hereby given of the above-mentioned meeting of the Council, which you are summoned to attend for the purpose of transacting the business set out below:

- 1. Apologies**
- 2. Declarations of Interests of Members in Contracts and Other Matters and Restriction on Voting by Members**

To declare any interests in accordance with the Code of Conduct.
Members should refer to the guidance included as part of this agenda.
- 3. Minutes**

To confirm the Minutes of the Meeting held on 1 March 2023, Minute Numbers 73 – 83; Page Numbers 51 – 58.
- 4. Chair's Announcements and Correspondence**

To receive any announcements and correspondence from the Chair of the Council.
- 5. Leader's Announcements and Correspondence**

To receive any announcements and correspondence from the Leader of the Council.

6. Recommendations Referred from Cabinet, Committees, etc.

Council is requested to consider recommendations from the Cabinet meetings held on 2 and 30 March 2023 in respect of the following matters:

(i) Development of the Community Sport and Recreation Hub Stadium Site Phase 2 - Proposed Wheeled Activity Play Area - Phase 2 Revised (Part A) (Cabinet 02/03/23, Minute Number 103)

“That Council be recommended to include £264,100 from existing Community Infrastructure Levy funds and £10,900 from Forest of Mercia in the Capital Programme for 2023-24.”

The accompanying report for the above recommendation can be viewed on the [2 March 2023 Cabinet](#) meeting page on the Council’s website.

(ii) Shared Services - Framework and Delegations (Cabinet 30/03/23, Draft Minute Number 112)

“That:

- (A) The framework agreement (underlying the principles upon which shared services will progress), attached as Appendix 1 to the report be approved, and recommended to Council.
- (B) It be approved and recommended to Council that Cannock Chase District Council be the Lead Authority for the provision of shared services in respect of Regulatory Services, Wellbeing, Housing & Corporate Asset Management, Finance and Transformation & Assurance functions listed in Appendix 3 of the report, and that Stafford Borough Council be the Lead Authority for the provision of shared services in respect of the Economic Development & Planning, Operations, Transformation & Assurance and Law & Governance functions listed in Appendix 2 of the report.
- (C) It be recommended that Council delegate all non-Executive functions that relate to town and country planning and development control (including functions relating to Tree Preservation Orders, hedgerow protection and high hedge regulation), except where decisions on those functions have been reserved to full Council or to one of its committees, to Stafford Borough Council under section 101 of the Local Government Act 1972 with immediate effect.
- (D) It be recommended that Council accept the delegation by Stafford Borough Council of all non-Executive functions that relate to licensing and registration, except where decisions on those functions have been reserved to full Council or one of its committees, and agree that those functions be delegated to Officers of Cannock Chase District Council in accordance with the scheme of delegations for its own licensing and registration functions.
- (E) It be recommended to Council that all Council officers are placed at the disposal of Stafford Borough Council, under section 113 of the Local Government Act 1972, for the purposes of any functions undertaken by a shared service.”

The accompanying report for the above recommendations can be viewed on the [30 March 2023 Cabinet](#) meeting page on the Council’s website.

7. Constitution Amendments

Report of the Monitoring Officer (Item 7.1 - 7.20).

8. Appointment of Returning Officer and Electoral Registration Officer

Report of the Leader of the Council (Item 8.1 - 8.3).

9. Comments and Questions on Part 1 Minutes of Cabinet, Committees, Sub-Committees and Panels under Rule 9

To receive any comments or questions submitted under Rule 9 on Part 1 Minutes of meetings of Cabinet, Committees, Sub-Committees or Panels as included in the Minutes Record circulated alongside this agenda.

10. Exclusion of the Public

The Chair to move the following motion:

"That the public be excluded for the remainder of the meeting because of the likely disclosure of exempt information as defined in Paragraphs 1, 2, 3, and 7, of Part 1, Schedule 12A, Local Government Act, 1972."

Cannock Chase Council

Council Meeting

Wednesday 19 April 2023 at 6:00pm

Meeting to be held in the Council Chamber, Civic Centre, Cannock

Part 2

11. Comments and Questions on Part 2 Minutes of Cabinet, Committees, Sub-Committees and Panels under Rule 9

To receive any comments or questions submitted under Rule 9 on Part 2 Minutes of meetings of Cabinet, Committees, Sub-Committees or Panels as included in the Minutes Record circulated alongside this agenda.



**T. Clegg
Chief Executive**

11 April 2023

Guidance on Declaring Interests at Meetings

Declaring Interests at Full Council

The Code of Conduct requires that where you have an interest in any business of the Council, and where you are aware or ought reasonably to be aware of the existence of the interest, and you attend a meeting of the Council at which the business is considered, you must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.

The following interests must be disclosed where they may be affected by any matter arising at the meeting:

- (a) A **Disclosable Pecuniary Interest** is an interest of yourself or your partner (which means spouse or civil partner, a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners) in respect of employment, office, trade, profession or vocation carried out for profit or gain; sponsorship; contracts; land; licences; corporate tenancies; or securities, as defined with the Localism Act, 2011.
- (b) A **Registerable Interest** includes any unpaid directorships or any body of which you are a member, or are in a position of general control, and (i) to which you are appointed by the Council, or (ii) which exercises functions of a public nature, or (iii) which is directed to charitable purposes, or (iv) one of whose principal purposes includes the influence of public opinion or policy.
- (c) A **Non-Registerable Interest** is any other matter affecting your financial interest or well-being, or a financial interest or well-being of a relative or close associate.

Where the matter **directly relates** to the interest, you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

Where the matter **affects** the interest, but does not **directly relate** to it, you can remain in the meeting and take part **unless** the matter affects the financial interest or well-being to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision, and a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest.

Please make the nature of the interest clear to the meeting

It would be helpful if, prior to the commencement of the meeting, Members informed the Monitoring Officer of any declarations of interest, of which you are aware. This will help in the recording of the declarations in the Minutes of the meeting.

Some items will be mentioned in the papers for full Council but are not actually being considered by Full Council. In such circumstances the Monitoring Officer's advice to Members is that there is no need to declare an interest unless the particular matter is mentioned or discussed. As a general rule, Members only need to declare an interest at full Council in the following circumstances:

- Where a matter is before the Council for a decision and/or
- Where the matter in which the Member has an interest is specifically mentioned or discussed at the Council meeting.

Cannock Chase Council
Minutes of the Meeting of the Council
Held in the Council Chamber, Civic Centre, Cannock
On Wednesday 1 March 2023 at 6:00 p.m.

Part 1

Present: Councillors:

Jones, P.G.C. (Vice-Chair)

Arduino, L.	Jones, P.T.
Bancroft, J.T.	Jones, V.
Beach, A.	Kenny, B.
Boucker, A.S.	Kraujalis, J.T.
Dunnett, A.J.	Kruskonjic, P.
Elson, J.S.	Lyons, N.
Fisher, P.A.	Lyons, O. (Leader)
Fitzgerald, A.A.	Molineux, G.N.
Foley, D.	Muckley, A.M.
Frew, C.L.	Newbury, J.A.A.
Haden, P.K.	Preece, J.P.T.L.
Hoare, M.W.A.	Prestwood, J.
Hughes, R.J.	Theodorou, P.C.
Johnson, J.P.	Thompson, S.L.
Johnson, P.	Thornley, S.J.
Johnson, T.B.	Wilson, L.J.
Jones, B.	

73. Apologies

Apologies were submitted for Councillors M.S. BATTERY (Chair); S. M Cartwright; S.K. Crabtree; J.B. McMahon; A.R. Pearson; M. Sutherland; and P.E. Woodhead.

In the absence of the Chair, the meeting was chaired by the Vice-Chair).

74. Declarations of Interests of Members in Contracts and Other Matters and Restriction on Voting by Members

No other Declarations of Interests were made in addition to those already confirmed by Members in the Register of Members' Interests.

75. Minutes

Resolved:

That the Minutes of the meeting held on 15 February 2023 be approved as a correct record and signed.

(Cllr. J.P.T.L. Preece requested that the Leader follow up on a promise made at the meeting, but not minuted, to circulate copies to Members of correspondence with the local MP and Government Departments regarding financial support to leisure centres in respect of fuel charges. The Leader confirmed that she would do so.)

76. Chair's Announcements and Correspondence

None.

77. Leader's Announcements and Correspondence

(i) Anniversary of Invasion of Ukraine

The Leader reminded Members that 24 February, 2023 had marked the first anniversary of Russia's invasion of Ukraine, and asked that a minute's silence be observed in remembrance of the lives lost and as a mark of continued solidarity.

(ii) Community Engagement Event

The Leader advised that the Council would be hosting a residents' drop-in event on Friday, 3 March which would bring together various Council departments, partners and support services to offer advice and support to residents. The event would take place between 10.00am and 3.00pm at Avon Business and Leisure Centre in Cannock

(iii) Jobs Fair

The Council would also be hosting a local Jobs Fair in partnership with Jobs 22 and Jobcentre plus on Thursday, 30 March, 2023 at Rugeley Youth and Community Centre, Burnthill Lane, Rugeley WS15 2HX between 11.00am and 3.00pm.

(iv) Cannock & Rugeley Law Clinic

The Leader congratulated Cllr. Paris Theodorou on the successful launch of a free community legal advice clinic which offers legal advice, from qualified solicitors, free of charge.

(v) UK Big Swim

The Leader reported that she had joined Chris Derbyshire, Managing Director of IHL, to open up the swimming pools at both Rugeley and Cannock leisure centres to offer a day of free swimming for local residents.

The pools were well attended and part of a national initiative to promote the importance of local pools and swimming. Awareness raising was also undertaken in respect of rising energy costs and both the Leader and Deputy continued to lobby the Government for additional support.

(vi) Cannock Chase Can App

The Leader advised that she was pleased to report that the Cannock Chase Can app had been shortlisted in the 'Innovation' category of the Local Government Chronicle awards.

78. Recommendations Referred from Cabinet, Committees, etc.

Consideration was given to the following recommendations to Council, made by Cabinet at its meetings held on 26 January and 16 February 2023, in respect of:

(i) UK Shared Prosperity Fund (Cabinet 26/01/23, Minute Number 85)

“That Council be recommended to amend the current Capital Programme to accommodate the sum of £932,000 to ensure delivery of capital projects identified in the UK Shared Prosperity Fund Investment Plan.”

Resolved:

That the current Capital Programme be amended to accommodate the sum of £932,000 to ensure delivery of capital projects identified in the UK Shared Prosperity Fund Investment Plan.

(ii) Proposed Improvements to Barnard Way Play Area (Cabinet 26/01/23, Minute Number 86)

“That Council be recommended to include in the Council’s capital programme 2023-24 the sum of £88,000 from Cannock East ward allocated Community Infrastructure Levy funds, and £8,750 income from the Forest of Mercia.”

Resolved:

That the sum of £88,000 from Cannock East ward allocated Community Infrastructure Levy funds and £8,750 income from the Forest of Mercia be included in the Council’s capital programme 2023-24, to deliver the Barnard Way Open Space Improvement project, as set out in the 26 January 2023 Cabinet report.

(iii) Treasury Management Strategy, Minimum Revenue Provision Policy and Annual Investment Strategy 2023-24 (Cabinet 16/02/23, Draft Minute Number 93)

“That Council be recommended to approve:

- (i) The Prudential and Treasury Indicators,
- (ii) The Minimum Revenue Provision Policy Statement,
- (iii) The Treasury Management Policy, and
- (iv) The Annual Investment Strategy for 2023-24.”

Resolved:

That the Prudential and Treasury Indicators, Minimum Revenue Provision Policy Statement, Treasury Management Policy, and Annual Investment Strategy for 2023-24, as set out in the 16 February 2023 Cabinet report, be approved.

79. Council Tax Resolution

Consideration was given to the Joint Report of the S151 Officer & Deputy Chief Executive and the Council Solicitor (Item 7.1 - 7.6).

In accordance with Council Procedure Rule 15(4)(b), a named vote was held on the proposals:

For**Against****Abstain**

Arduino, L.

Bancroft, J.T.

Beach, A.

Boucker, A.S.

Dunnett, A.J.

Elson, J.S.

Fisher, P.A.

Fitzgerald, A.A.

Foley, D.

Frew, C.L.

Haden, P.K.

Hoare, M.W.A.

Hughes, R.J.

Johnson, J.P.

Johnson, P.

Johnson, T.B.

Jones, B.

Jones, P.G.C.

Jones, P.T.

Jones, V.

Kenny, B.

Kraujalis, J.T.

Kruskonjic, P.

Lyons, N.

Lyons, O.

Molineux, G.N.

Muckley, A.M.

For	Against	Abstain
Newbury, J.A.A.		
Preece, J.P.T.L.		
Prestwood, J.		
Theodorou, P.C.		
Thompson, S.L.		
Thornley, S.J.		
Wilson, L.J.		
34	0	0

In addition, Councillors M.S. Buttery; S.M. Cartwright; S.K. Crabtree; J.B. McMahon; A.R. Pearson; M. Sutherland, and P.E. Woodhead were absent from the meeting.

Resolved:

That the Council Tax Resolutions 1 to 6 for 2023/24, as included at Appendix 1 of the report, be approved.

80. Motions Received Under Council Procedure Rule 6

(i) Consideration was given to the following Motion submitted in accordance with Council Procedure Rule 6 by Councillor J.A.A. Newbury, Deputy Leader of the Opposition:

This Council notes that:

- Each year, the Carers Trust organises Young Carers Action Day to raise public awareness of the challenges faced by young people because of their caring role, and to campaign for greater support for young and young adult carers to meet their needs.
- Young Carers Action Day will be held on 15th March and this year's theme is 'Make Time for Young Carers'.
- A 2018 estimate from the University of Nottingham suggests that as many as one in five schoolchildren could be young carers, with this number having increased during and since the COVID-19 pandemic.
- Caring for someone can be very isolating, worrying, and stressful. For young carers, this can negatively impact on their experiences and outcomes in education, having a lasting effect on their life chances.

This Council resolves to:

- Commend the young carers across our District who do vital work, often completely unpaid.
- Use Young Carers Action Day as an opportunity to thank our young carers, to raise awareness of the work they do and the challenges they face, and to signpost to sources of support.

- Ask the Chief Executive to write to the Minister of State for Social Care asking her to do everything she can to ensure young carers are actively identified and provided with the support they need.
- Write to the Member of Parliament for Cannock Chase to ask her to join the All-Party Parliamentary Group for Young Carers and Young Adult Carers.

This motion was adapted from a model motion produced by the Carers Trust.

Amendment (Addition) to Motion

Cllr. P. Kruskonjic moved the following amendment (addition) to the Motion which was seconded. The amendment was accepted by the Proposer of the original Motion and became the substantive Motion:

- That Council also resolves that the Chief Executive should write to the Leader of Staffordshire County Council (SCC), Cllr. Alan White, to express our support for the work that SCC already undertakes in helping 'Young Carers'.
- That this Council informs Cllr. White of this Motion and that we urge SCC to recognise Young Carers Day in the same manner as ourselves and commend 'Young Carers' accordingly.

Resolved:

That Council:

- (A) Commends the young carers across our District who do vital work, often completely unpaid.
- (B) Use Young Carers Action Day as an opportunity to thank our young carers, to raise awareness of the work they do and the challenges they face, and to signpost to sources of support.
- (C) Asks the Chief Executive to write to the Minister of State for Social Care asking her to do everything she can to ensure young carers are actively identified and provided with the support they need.
- (D) (Asks the Chief Executive to) write to the Member of Parliament for Cannock Chase to ask her to join the All-Party Parliamentary Group for Young Carers and Young Adult Carers.
- (E) (Asks) the Chief Executive to write to the Leader of Staffordshire County Council (SCC), Cllr. Alan White, to express our support for the work that SCC already undertakes in helping 'Young Carers'.
- (F) Informs Cllr. White of this Motion and urges SCC to recognise Young Carers Day in the same manner as ourselves and commend 'Young Carers' accordingly.

(ii) Consideration was given to the following Motion submitted in accordance with Council Procedure Rule 6 by Councillor J.A.A. Newbury, Deputy Leader of the Opposition:

This Council notes that:

- Hate crimes are increasing across England and Wales; figures for 2021/22 show an increase of 24% overall with hate crimes related to gender identity up by 56%.
- In the last two years, even more countries have introduced measures such as allowing self-identification of gender and banning conversion therapy, including Finland, Spain, Switzerland, and New Zealand.

- In 2021, the Welsh Government requested the devolution of as many as aspects of the Gender Recognition Act 2004 as possible.
- In December 2022, the Scottish Parliament passed the Gender Recognition Reform Bill by a large margin, but this was prevented from being submitted for Royal Assent.
- The UK Government previously pledged to reform the Gender Recognition Act 2004 but later opted to simply move the application process online and reduce the payable fee.
- The UK Government has pledged to introduce a ban on so-called ‘conversion therapy’ but as of April 2022, this is not planned to cover gender identity.

This Council believes that:

- Trans people in our District, including those identifying as non-binary, should be able to live as their true selves without fear of discrimination or denial of their identity.
- Since a motion on rights for trans people was unanimously passed by this council in November 2020, rights have not improved and in many ways, life has gotten worse for the trans community.
- The public debate around rights for trans people is all too often characterised by hostility, intolerance of other views and oversimplification, all of which create a toxic atmosphere that is harmful to the trans community.

This Council resolves to:

- Work with LGBT+ charities and community groups on communications activity during Pride Month in June to raise awareness of issues such as gender identity, usage of pronouns, pride festivals and how we can support the diversity in our District.
- Explore the possibility of setting up an LGBT+ staff network within the council which could advise on LGBT+ awareness campaigns and efforts to ensure the council is as inclusive an employer as possible.
- Ask that the Chief Executive writes to the Minister for Women and Equalities and the Member of Parliament for Cannock Chase to encourage them to:
 - work towards UK-wide reform of the Gender Recognition Act 2004 which takes into account the diversity of opinion that exists across the country.
 - introduce a ban on ‘conversion therapy’ which encompasses gender identity as well as sexual orientation.

Resolved:

That the Council will:

- (A) Work with LGBT+ charities and community groups on communications activity during Pride Month in June to raise awareness of issues such as gender identity, usage of pronouns, pride festivals and how we can support the diversity in our District.
- (B) Explore the possibility of setting up an LGBT+ staff network within the council which could advise on LGBT+ awareness campaigns and efforts to ensure the council is as inclusive an employer as possible.

- (C) Ask that the Chief Executive writes to the Minister for Women and Equalities and the Member of Parliament for Cannock Chase to encourage them to:
- (i) work towards UK-wide reform of the Gender Recognition Act 2004 which takes into account the diversity of opinion that exists across the country.
 - (ii) introduce a ban on 'conversion therapy' which encompasses gender identity as well as sexual orientation.

81. Localism Act 2011 - Pay Policy Statement 2023-24

Consideration was given to the Report of the Interim Head of Human Resources (Item 9.1 - 9.10).

Resolved:

That the Policy Pay Statement 2023-24, as set out in Appendix 1 of the report be approved, and that it be published on the Council's website.

82. Calendar of Meetings 2023-24

Consideration was given to the Report of the Chief Executive (Item 10.1 - 10.11).

Resolved:

- (A) The calendar of meetings 2023-24, as included at Appendix 1 of the report be approved.
- (B) The Chief Executive, in consultation with the Chair of the Council, relevant Chairs of Committees and / or Leader of the Council, as appropriate, be authorised to amend the calendar of meetings, through convening additional meetings, or the postponement / cancellation of meetings, if required.

83. Comments and Questions on Part 1 and Part 2 Minutes of Cabinet, Committees, Sub-Committees and Panels under Rule 9

None received.

The meeting closed at 8:12 p.m.

Chair

Report of:	Monitoring Officer
Contact Officer:	Matt Berry
Contact Number:	01543 464 589
Portfolio Leader:	Leader of the Council
Report Track:	Council: 19/04/23

Council
19 April 2023
Constitution Amendments

1 Purpose of Report

- 1.1 To present to Council for consideration proposed amendments to the Constitution.

2 Recommendation(s)

- 2.1 That the proposed amendments to the Constitution, as detailed in Appendix 1, be approved.

3 Key Issues and Reasons for Recommendations

Key Issues

- 3.1 Under section 12 of the Constitution (Review and Revision of the Constitution), the Monitoring Officer, in conjunction with the Constitution Working Group, is required to monitor and review the Constitution on an annual basis.
- 3.2 The Constitution Working Group met on 6 February 2023 to undertake its latest review. The amendments considered and agreed by the Working Group are detailed in Appendix 1.

Reasons for Recommendations

- 3.3 To ensure the Constitution remains up to date, Council is recommended to approve the proposed amendments detailed in Appendix 1 of this report.

4 Relationship to Corporate Priorities

- 4.1 The Constitution provides for the proper governance of the Council and cuts across all priorities.

5 Report Detail

- 5.1 The process for reviewing the Constitution on an annual basis was adopted as part of the review undertaken in 2015 to ensure that it remained up to date and allowed for amendments to be made in a timely manner if the need was identified during the year.
- 5.2 The latest review undertaken by the Monitoring Officer, in conjunction with the Constitution Working Group, considered several proposed amendments to the Constitution, along with the reasons for why the amendments had been put forward. The proposals are detailed at Appendix 1, and the required changes to the Constitution detailed in Appendix 2.
- 5.3 Any updates to the Scheme of Delegations approved by Cabinet or Council since May 2022 will also be inserted into the Constitution as part of this update.

6 Implications

6.1 Financial

None.

6.2 Legal

Keeping the Constitution under regular review ensures that it complies with any relevant legal requirements currently in force.

6.3 Human Resources

None.

6.4 Risk Management

None.

6.5 Equality & Diversity

None.

6.6 Climate Change

None.

7 Appendices to the Report

Appendix 1: List of proposed changes to the Constitution.

Appendix 2: Tracked changes amendments to the Constitution.

Proposed Changes to the Constitution

Part / Section to be Reviewed	Pages and Paragraphs to be Reviewed	Proposed Wording to be Inserted / Deleted / Amended	Reasons for Requesting Review
Part 3, Section 23 - Appointments Panel Terms of Reference	Whole Section	<p>Rename to 'Joint Appointments Committee and Investigatory and Disciplinary Committee Terms of Reference'</p> <p>Joint Appointments Committee:</p> <p>Insert terms of reference for Joint Appointments Committee as agreed by full Council on 18 January 2023.</p> <p>Appointments Panel:</p> <p>Rename to 'Investigatory and Disciplinary Committee'</p> <p>Delete text shown in red, and insert text shown in bold, below:</p> <p>23.1 Status</p> <p>The Appointments Panel Investigatory and Disciplinary Committee is a committee of the Council with the purpose of dealing with appointments of Heads of Service with the exception considering allegations relating to the conduct, capability, or breakdown of trust of the Chief Executive, S.151 Officer, and the Monitoring Officer.</p> <p>23.2 Membership and Method of Appointment</p> <p>The Council will appoint the membership to the Appointments Panel Investigatory and Disciplinary Committee which will include at least one Cabinet Member.</p>	To ensure the terms of reference are correct and in line with procedures laid out elsewhere in the Constitution.

Part / Section to be Reviewed	Pages and Paragraphs to be Reviewed	Proposed Wording to be Inserted / Deleted / Amended	Reasons for Requesting Review
		<p>23.3 Chair and Vice-Chair</p> <p>The appointment, by election, of the Chair of the Appointments Panel Investigatory and Disciplinary Committee amongst those Members present shall be the first item of business of the Appointments Panel Investigatory and Disciplinary Committee.</p> <p>23.4 Attendance by Councillors Who Are Not Members of the Panel Investigatory and Disciplinary Committee</p> <p>There is no provision for attendance by non-members.</p> <p>23.5 Frequency of Meetings</p> <p>Meetings of the Appointments Panel Investigatory and Disciplinary Committee will be convened by the Managing Director, or the Monitoring Officer, as required.</p> <p>23.6 Agenda</p> <p>Prior to the meeting of the Panel, Investigatory and Disciplinary Committee the Managing Director, or the Monitoring Officer, will circulate to all Members on the Panel Investigatory and Disciplinary Committee the Agenda and Reports to be considered.</p> <p>23.8 Functions</p> <p>The Appointments Panel Investigatory and Disciplinary Committee will deal with the appointment of Officers to posts at Head of Service level within the Authority, with the exception of the S.151 Officer and the Monitoring Officer.</p>	

Part / Section to be Reviewed	Pages and Paragraphs to be Reviewed	Proposed Wording to be Inserted / Deleted / Amended	Reasons for Requesting Review
		<p>To consider allegations relating to the conduct, capability, or breakdown of trust of the Chief Executive, the Section 151 Officer, and the Monitoring Officer.</p> <p>23.9 Delegated Powers</p> <p>(a) The Panel has delegated authority to appoint to a Head of Service level vacancy subject to complying with the Procedural Requirements set out in paragraph 6.1 of Annex 1 to the Scheme of Delegation.</p> <p>(b) To consider allegations relating the conduct, capability, or breakdown of trust of the Chief Executive, the Section 151 Officer, and the Monitoring Officer, and to take action in accordance with the Council's approved disciplinary procedure for these officers, including suspension, appointment of an Independent Investigator, and disciplinary action short of dismissal.</p> <p>(c) Suspend those employees in the posts of Head of Paid Service, Monitoring Officer and/or Section 151 Officer, whilst an investigation takes place into alleged misconduct. That suspension will be on full pay and last no longer than two months. The suspension periods may only be extended beyond two months following a decision by the Appointments Panel Investigatory and Disciplinary Committee.</p>	

Part / Section to be Reviewed	Pages and Paragraphs to be Reviewed	Proposed Wording to be Inserted / Deleted / Amended	Reasons for Requesting Review
Part 3, Section 26 - Scheme of Delegations	Page 3-26-6 Paragraph 26.3 (<i>Managing Director's delegations</i>)	Insert new paragraph 26.3.23: 'To appoint Deputy Electoral Registration Officers to carry out the powers and duties of the Electoral Registration Officer either in full or in part in accordance with section 52(2) of the Representation of the People Act 1983.'	<p>The Council's responsibilities for the registration of electors are discharged by the ERO and in certain circumstances must be carried out by the ERO personally. The main duties of the role includes the provision and maintenance of electoral registers, and to deal with any disputes arising therefrom.</p> <p>In circumstances where the ERO is unavailable, to ensure that there is usually an officer to discharge this function, it would be prudent to make arrangements for the Managing Director to be able to delegate the ERO's powers and duties. The appointment of Deputy Electoral Registration Officers is a Council function, but may be delegated to officers under section 101 of the Local Government Act 1972.</p>
Part 3, Section 26 - Scheme of Delegations	Page 3-26-6 Paragraph 26.3 (<i>Managing Director's delegations</i>)	Insert new paragraph 26.3.24: 'Authority to designate an officer as Data Protection Officer.'	<p>This role does not need to be specifically allocated to a post within the Constitution.</p> <p>This delegation would therefore provide flexibility to the Chief Executive as to who should be designated the Council's DPO.</p>

Part / Section to be Reviewed	Pages and Paragraphs to be Reviewed	Proposed Wording to be Inserted / Deleted / Amended	Reasons for Requesting Review
Part 3, Section 26 - Scheme of Delegations	Page 3-26-13 Paragraph 26.5.19 <i>(Head of Economic Prosperity's delegations)</i>	At the start of the paragraph, delete text shown in red, below: 'In consultation with the Legal Service, to issue: (a) Certificates of lawfulness of proposed use and development. (b) Certificate of lawfulness of use or development. (c) Building Preservation Notices.'	Planning Officers are capable of determining these certificates / notices in most cases and should only require legal advice in more complex cases. The current situation creates unnecessary duplication of council officers' time.
Part 3, Section 26 - Scheme of Delegations	Page 3-26-18 Paragraph 26.6 <i>(Head of Housing and Partnerships' delegations)</i>	Insert new paragraph 26.6.18 (under Housing Revenue Account functions): 'Authority to approve repairs to property damage which are covered by the Council's insurance.'	At present there is no delegated authority for such approvals and therefore a report will need to be submitted to Cabinet/Council to seek approval of necessary repairs.
Part 3, Section 26 - Scheme of Delegations	Page 3-26-19 Paragraph 26.7 <i>(Head of Governance and Corporate Services' delegations)</i>	Delete paragraph 26.7.2: 'The management of the Community Alarm Scheme and the sale of alarms to individuals in bulk (including power to offer a discount) whether a private or residential occupier or a Council tenant and whether or not resident in the District.'	The Council no longer operates the Community Alarm Scheme and therefore this delegation is no longer required.
Part 3, Section 26 - Scheme of Delegations	Page 3-26-19 Paragraph 26.7 <i>(Head of Governance and Corporate Services' delegations)</i>	Delete paragraph 26.7.3 'To act as the Council's Data Protection Officer and Freedom of Information Officer.'	These functions no longer sit with the Head of Governance & Corporate Services.

Part / Section to be Reviewed	Pages and Paragraphs to be Reviewed	Proposed Wording to be Inserted / Deleted / Amended	Reasons for Requesting Review
Part 3, Section 26 - Scheme of Delegations	Page 3-26-25/26 Paragraph 4	<p>Delete text shown in red, and insert text shown in bold, below:</p> <p>Appointments Panel</p> <p>Joint Appointments Committee and Investigatory and Disciplinary Committee</p> <p>4.1 The appointment of Heads of Services shall be made by the Appointments Panel Joint Appointments Committee appointed by the Council.</p> <p>4.2 Subject to the Terms of Reference, the Appointments Panel Investigatory and Disciplinary Committee may suspend the Head of Paid Service (the Managing Director), Monitoring Officer or Section 151 Officer, in accordance with their relevant terms and conditions of employment, whilst an investigation takes place into alleged misconduct.</p> <p>Such suspension must be on full pay and last no longer than two months. The suspension periods may only be extended beyond two months following a decision by the Appointments Panel Investigatory and Disciplinary Committee.</p>	To ensure the Scheme of Delegations is consistent with the Committees' terms of reference.
Part 5, Section 35 - Code of Conduct for Employees	Page 5-35-3 Paragraph 4.2	Amend reference to 'Data Protection Act' to read: 'current data protection legislation'	To future proof the Constitution in the event of new/amend data protection laws and regulations.

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Part / Section to be Reviewed	Pages and Paragraphs to be Reviewed	Proposed Wording to be Inserted / Deleted / Amended	Reasons for Requesting Review
Part 5, Section 37 - Protocol for Member-Officer Relations	Page 5-37-8 Paragraph 12.1	Amend reference to 'Data Protection Act' to read: 'current data protection legislation'	To future proof the Constitution in the event of new/amend data protection laws and regulations.
Part 5, Section 37 - Protocol for Member-Officer Relations	Page 5-37-10 Paragraph 14.3	Amend reference to 'data protection legislation' to read: 'current data protection legislation'	To future proof the Constitution in the event of new/amend data protection laws and regulations.
Part 5, Section 39 - Local Protocol for Planning Decision Making	Page 5-39-8 Paragraph 7.4	Delete text shown in red , below: Decisions on planning and other applications submitted under the Town & Country Planning Acts including applications for listed building consent, conservation area consent, consent to display an advertisement, certificates of lawful use or development and prior notification of agricultural, telecommunication development and demolitions (referred to and defined as Planning Applications under paragraph 7.4(A)(1) below) are made by one of the following two methods:	Certificates of lawfulness must be granted if the facts show that development is immune from enforcement. This is a legal test rather than a democratic consideration of planning policy. Therefore, they should not be treated in the same way as planning "applications". Prior notifications require adherence to strict deadlines that cannot be accommodated within a committee cycle. Therefore, officers should be able to make quick delegated decisions.
Part 5, Section 39 - Local Protocol for Planning Decision Making	Page 5-39-8 Paragraph 7.4(A)	Delete text shown in red , and insert text shown in bold , below: By the Head of Service or a manager in the Planning Division in the following circumstances:	This part of the protocol should mirror provisions within the Scheme of Delegations. Rather than reprint those delegations within the Protocol, it would be

Part / Section to be Reviewed	Pages and Paragraphs to be Reviewed	Proposed Wording to be Inserted / Deleted / Amended	Reasons for Requesting Review
		<p>(1) All applications seeking planning consent that have been duly accepted for determination by the Council (“Planning Applications”) that are not referred to Planning Control Committee under the Council’s Scheme of Delegation. but, in the reasonable opinion and judgement of the officer(s) duly authorised by the Managing Director to determine Planning Applications (“Authorised Officer(s)), substantially fail to meet the express requirements of applicable Council policies and/or are considered contrary to the objectives of relevant Council policies, may be refused (on behalf of the Council) by the Authorised Officer(s).</p> <p>(2) All Planning Applications that are considered, in the reasonable opinion and judgement of the Authorised Officer(s), to meet all applicable Council policies notwithstanding any objections that have been received in response to any publicity and/or consultation, may be determined and approved by the Authorised Officer(s).</p> <p>(3) All Planning Applications which in the reasonable opinion and judgement of the Authorised Officer(s) should be approved despite not fully complying with applicable Council policies, shall be reported to the Planning Control Committee for determination (whether or not any objections are received) with a recommendation from the Authorised Officer(s) that the Planning Applications be approved.</p> <p>(4) No Authorised Officer(s) shall exercise any powers of determination as confirmed in paragraphs 1-3 above in respect of any Planning Applications that:</p>	<p>preferable to reference back to the Scheme of Delegations, just in case there are any amendments to the Scheme in future.</p>

Part / Section to be Reviewed	Pages and Paragraphs to be Reviewed	Proposed Wording to be Inserted / Deleted / Amended	Reasons for Requesting Review
		<p>(a) Generates/leads to significant public opposition.</p> <p>(b) Has been made by a serving Member of the Council or an employee of the Council.</p> <p>(c) Is a major application and has been made by or on behalf of the Council.</p> <p>(d) Relates to a telecommunications development which involve the erection or installation of new masts to which there has been recorded public opposition.</p> <p>(e) Results in a request being received from an objector or the applicant seeking to address the Planning Control Committee in connection with the determination of the Planning Application, and/or</p> <p>(f) Members of the Council have asked be referred to the Planning Control Committee for determination.</p> <p>(g) When a Parish Council objects to an application which Officers are not intending to refuse using delegated powers, the application be determined by Committee rather than by Officers.</p>	
<p>Part 5, Section 39 - Local Protocol for Planning Decision Making</p>	<p>Page 5-39-9 Paragraph 7.4(B)</p>	<p>Delete text shown in red, and insert text shown in bold, below: Council's Planning Control Committee: (5) (2) All Planning Applications that are referred to the Planning Control Committee under the Council's</p>	<p>This part of the protocol should mirror provisions within the Scheme of Delegations. Rather than reprint those delegations within the Protocol, it would be</p>

Part / Section to be Reviewed	Pages and Paragraphs to be Reviewed	Proposed Wording to be Inserted / Deleted / Amended	Reasons for Requesting Review
		<p>Scheme of Delegation. Where any sub-paragraph under clause 4 applies to a Planning Application, then that Planning Application shall be reported to the Planning Control Committee for determination.</p> <p>(6) (3) Where a Member of the Council seeks to refer an application to Planning Control Committee invoke and rely upon clause 4 sub-paragraph (f) then:</p> <p>(a) the Member shall be afforded the opportunity to have an informal site visit with the appropriate case officer to determine whether it should be recommended to the Planning Control Committee that a formal site visit be undertaken, and then shall</p> <p>(b) proceed to making a written request (using the necessary referral form available from the Council's Planning Section), which must:</p> <p>(i) set out clear and relevant material planning reasons for why the request is being made for the Planning Application to be referred to the Planning Control Committee for determination, and</p> <p>(ii) be received by the Council's Planning Section within the initial 21-day consultation period.</p>	<p>preferable to reference back to the Scheme of Delegations, just in case there are any amendments to the Scheme in future.</p>

Part / Section to be Reviewed	Pages and Paragraphs to be Reviewed	Proposed Wording to be Inserted / Deleted / Amended	Reasons for Requesting Review
<p>Part 5, Section 39 - Local Protocol for Planning Decision Making</p>	<p>Page 5-39-10 Paragraph 7.5</p>	<p>Delete text shown in red, below: Decisions to take formal enforcement action under the Town & Country Planning Acts, to make Tree Preservation Orders (TPO) and to determine applications to carry out works to TPO trees are made by senior officers. Where there is an unresolved objection to a proposed TPO or an unresolved complaint about a planning enforcement matter where officers are not recommending formal enforcement action, the final decision on these matters is also made by the Planning Control Committee.</p>	<p>This part of the protocol should mirror provisions within the Scheme of Delegations. Rather than reprint those delegations within the Protocol, it would be preferable to reference back to the Scheme of Delegations, just in case there are any amendments to the Scheme in future.</p>

Tracked Changes Amendments to the Constitution

Section 23
~~Appointments Panel~~
Joint Appointments Committee and
Investigatory and Disciplinary Committee

Joint Appointments Committee

23.1 Status

The Joint Appointments Committee is a joint committee of Cannock Chase District Council and Stafford Borough Council, established in accordance with Section 102(1)(b) of the Local Government Act 1972.

23.2 Functions

Appointment of Chief Officers:

- (i) Subject to (ii), below, to undertake and determine on behalf of the Councils all aspects of the process for the recruitment and selection of Joint Chief Officers, including final approval of the terms and conditions of employment (based on current provisions) for that post.
- (ii) The final decision as to the appointment of the Joint Chief Executive, Section 151 Officer, and Monitoring Officer, shall be reserved to full meetings of both Councils, and subject to no material or well-founded objection to the making of an offer of appointment being received by either Leader on behalf of their respective executives.

23.3 Delegations

The Joint Appointments Committee shall have delegated power to act on any matter within its terms of reference which may be lawfully delegated to it.

23.4 Frequency of Meetings

Meetings of the Committee will be convened by the Chief Executive, or the Monitoring Officer, as required.

23.5 Membership and Method of Appointment

The Joint Appointments Committee shall comprise of six Members, including the respective Leaders of both Councils, plus two Members appointed by Cannock Chase District Council and two Members appointed by Stafford Borough Council.

Appointments shall be made in accordance with the Local Government (Committees and Political Groups) Regulations 1990.

23.6 Quorum

The quorum of the Joint Appointments Committee shall be 3 Members (subject to each Council being represented at a meeting by at least 1 Member).

23.7 Host Chair

The Joint Appointments Committee shall be chaired by the Leader of the council (or substitute Executive member) who will act as the employer of the relevant Chief Officer.

23.8 Substitutes

Substitutes shall be allowed as notified in advance by the relevant Group Leader, provided that there must be at least member of the Executive of each Council present.

23.9 Voting

Any matter will be decided by a simple majority of those Members of the Joint Appointments Committee present and voting at the time the question was put. A vote shall be taken either by show of hands, or, if there is no dissent, by the affirmation of the meeting. In the event of a tie in voting, the Host Chair will have a second and casting vote.

Investigatory and Disciplinary Committee

23.10 Status

The ~~Appointments Panel~~ Investigatory and Disciplinary Committee is a committee of the Council with the purpose of considering allegations relating to the conduct, capability, or breakdown of trust of the Chief Executive, S.151 Officer, and the Monitoring Officer.

23.11 Membership and Method of Appointment

The Council will appoint the membership to the ~~Appointments Panel~~ Investigatory and Disciplinary Committee which will include at least one Cabinet Member.

23.12 Chair ~~and Vice-Chair~~

The appointment, by election, of the Chair of the ~~Appointments Panel~~ Investigatory and Disciplinary Committee amongst those Members present shall be the first item of business of the ~~Appointments Panel~~ Investigatory and Disciplinary Committee.

23.13 Attendance by Councillors Who Are Not Members of the Committee

There is no provision for attendance by non-members.

23.14 Frequency of Meetings

Meetings of the ~~Appointments Panel~~ Investigatory and Disciplinary Committee will be convened by the Managing Director, or the Monitoring Officer, as required.

23.15 Agenda

Prior to the meeting of the ~~Panel~~ Committee, the Managing Director, or the Monitoring Officer, will circulate to all Members on the Panel the Agenda and Reports to be considered.

23.16 Functions

The ~~Appointments Panel~~ Investigatory and Disciplinary Committee will ~~deal with the appointment of Officers to posts at Head of Service level within the Authority, with the exception of the S.151 Officer and the Monitoring Officer.~~

~~To~~ consider allegations relating to the conduct, capability, or breakdown of trust of the Chief Executive, the Section 151 Officer, and the Monitoring Officer.

23.17 Delegated Powers

~~(a) The Panel has delegated authority to appoint to a Head of Service level vacancy subject to complying with the Procedural Requirements set out in paragraph 6.1 of Annex 1 to the Scheme of Delegation.~~

(a) To consider allegations relating the conduct, capability, or breakdown of trust of the Chief Executive, the Section 151 Officer, and the Monitoring Officer, and to take action in accordance with the Council's approved disciplinary procedure for these officers, including suspension, appointment of an Independent Investigator, and disciplinary action short of dismissal.

(b) Suspend those employees in the posts of Head of Paid Service, Monitoring Officer and/or Section 151 Officer, whilst an investigation takes place into alleged misconduct. That suspension will be on full pay and last no longer than two months. The suspension periods may only be extended beyond two months following a decision by the ~~Appointments Panel~~ Investigatory and Disciplinary Committee.

Section 26 Scheme of Delegations

26.3 Managing Director

26.3.23 To appoint Deputy Electoral Registration Officers to carry out the powers and duties of the Electoral Registration Officer either in full or in part in accordance with section 52(2) of the Representation of the People Act 1983.

26.3.24 Authority to designate an officer as the Data Protection Officer.

26.5 Head of Economic Prosperity

26.5.19 ~~In consultation with the Legal Service~~, to issue:

- (a) Certificates of lawfulness of proposed use and development.
- (b) Certificate of lawfulness of use or development.
- (c) Building Preservation Notices.

26.6 Head of Housing and Partnerships

26.6.18 Authority to approve repairs to property damage which are covered by the Council's insurance.

26.7 Head of Governance and Corporate Services

~~26.7.2 The management of the Community Alarm Scheme and the sale of alarms to individuals in bulk (including power to offer a discount) whether a private or residential occupier or a Council tenant and whether or not resident in the District.~~

~~26.7.3 To act as the Council's Data Protection Officer and Freedom of Information Officer.~~

Annex 1

~~Appointments Panel~~ Joint Appointments Committee and Investigatory and Disciplinary Committee

- 4.1 The appointment of Heads of Services shall be made by the ~~Appointments Panel~~ Joint Appointments Committee appointed by the Council.
- 4.2 Subject to the Terms of Reference, the ~~Appointments Panel~~ Investigatory and Disciplinary Committee may suspend the Head of Paid Service (the Managing Director), Monitoring Officer or Section 151 Officer, in accordance with their relevant terms and conditions of employment, whilst an investigation takes place into alleged misconduct.

Such suspension must be on full pay and last no longer than two months. The suspension periods may only be extended beyond two months following a decision by the ~~Appointments Panel~~ Investigatory and Disciplinary Committee.

Section 35 Code of Conduct for Employees

4. Disclosure of Information

- 4.2 However, some information is safeguarded from disclosure by ~~the Data Protection Act~~ current data protection legislation and if you disclose such information, you could be liable to criminal prosecution and/or dismissal for gross misconduct. Also, some information is necessarily confidential, and you must only make it available on a 'need to know' basis. You must ensure that you are aware of what information can and cannot be released. If in doubt, ask your Manager or Head of Service.
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Section 37

Protocol for Member-Officer Relations

12. Member Access to Documents and Information

12.1 The Council will at all times comply with the provisions of ~~the Data Protection Act~~ current data protection legislation and the Freedom of Information Act. Members should seek the advice of the Data Protection Officer in relation to matters concerning these Acts.

14. Correspondence

14.3 All correspondence should normally be open to the inspection of the public in accordance with the Council's adopted policies. This does not apply to correspondence written in connection with legal proceedings, contractual matters or any other matter where papers can remain 'exempt' within the meaning of Schedule 12A to the Local Government Act 1972, as amended, or if this would be in conflict with ~~the~~ current data protection legislation.

Section 39

Local Protocol for Planning Decision Making

7. Decision Making Procedures

7.4 **Decisions on planning and other applications** submitted under the Town & Country Planning Acts including applications for listed building consent, conservation area consent, consent to display an advertisement. ~~certificates or lawful use or development and prior notification of agricultural, telecommunication development and demolitions~~ (referred to and defined as Planning Applications under paragraph 7.4(A)(1) below) are made by one of the following two methods:

(A) By the Head of Service or a manager in the Planning Division in the following circumstances:

(1) All applications seeking planning consent that have been duly accepted for determination by the Council ("Planning Applications") that are not referred to the Planning Control Committee under the Scheme of Delegation. ~~but, in the reasonable opinion and judgement of the officer(s) duly authorised by the Managing Director to determine Planning Applications ("Authorised Officer(s)), substantially fail to meet the express requirements of applicable Council policies and/or are considered contrary to the objectives of relevant Council policies, may be refused (on behalf of the Council) by the Authorised Officer(s).~~

(2) ~~All Planning Applications that are considered, in the reasonable opinion and judgement of the Authorised Officer(s), to meet all applicable Council policies notwithstanding any objections that have been received in response to any publicity and/or consultation, may be determined and approved by the Authorised Officer(s).~~

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- ~~(3) All Planning Applications which in the reasonable opinion and judgement of the Authorised Officer(s) should be approved despite not fully complying with applicable Council policies, shall be reported to the Planning Control Committee for determination (whether or not any objections are received) with a recommendation from the Authorised Officer(s) that the Planning Applications be approved.~~
- ~~(4) No Authorised Officer(s) shall exercise any powers of determination as confirmed in paragraphs 1-3 above in respect of any Planning Applications that:
 - ~~(h) Generates/leads to significant public opposition.~~
 - ~~(i) Has been made by a serving Member of the Council or an employee of the Council.~~
 - ~~(j) Is a major application and has been made by or on behalf of the Council.~~
 - ~~(k) Relates to a telecommunications development which involve the erection or installation of new masts to which there has been recorded public opposition.~~
 - ~~(l) Results in a request being received from an objector or the applicant seeking to address the Planning Control Committee in connection with the determination of the Planning Application, and/or~~
 - ~~(m) Members of the Council have asked be referred to the Planning Control Committee for determination.~~
 - ~~(n) When a Parish Council objects to an application which Officers are not intending to refuse using delegated powers, the application be determined by Committee rather than by Officers.~~~~

(B) Council's Planning Control Committee:

- ~~(2) Where any sub-paragraph under clause 4 applies to a Planning Application, then that Planning Application shall be reported to the Planning Control Committee for determination. All Planning Applications that are referred to the Planning Control Committee under the Council's Scheme of Delegations.~~
- ~~(3) Where a Member of the Council seeks to invoke and rely upon clause 4 sub-paragraph (f) then:~~ refer an application to the Planning Control Committee: the Member shall be afforded the opportunity to have an informal site visit with the appropriate case officer to determine whether it should be recommended to the Planning Control Committee that a formal site visit be undertaken, and then shall proceed to making a written request (using the necessary referral form available from the Council's Planning Section), which must:
 - (i) set out clear and relevant material planning reasons for why the request is being made for the Planning Application to be referred to the Planning Control Committee for determination, and

- (ii) be received by the Council's Planning Section within the initial 21-day consultation period.

7.5 Decisions to ~~take formal enforcement action under the Town & Country Planning Acts, to~~ make **Tree Preservation Orders** (TPO) and to determine applications to carry out works to TPO trees are made by senior officers. Where there is an unresolved objection to a proposed TPO. ~~or an unresolved complaint about a planning enforcement matter where officers are not recommending formal enforcement action, the final decision on these matters is also made by the Planning Control Committee.~~



Report of:	Leader of the Council
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Portfolio Leader:	Leader of the Council
Report Track:	Council: 19/04/23

Council
19 April 2023
Appointment of Returning Officer and Electoral Registration Officer

1 Purpose of Report

- 1.1 To appoint a Returning Officer and Electoral Registration Officer in accordance with the Representation of the People Act 1983.

2 Recommendation(s)

- 2.1 That Chris Forrester, Deputy Chief Executive - Resources, be appointed as the Returning Officer and Electoral Registration Officer for Cannock Chase District Council.

3 Key Issues and Reasons for Recommendations

Key Issues

- 3.1 Since the resignation of the former Managing Director, Judith Aupers, Head of Governance & Corporate Services, has acted as the Returning Officer and Electoral Registration Officer. Following the decision to share services and the creation of a new shared senior management team, it is now necessary to appoint a new Returning Officer and Electoral Registration Officer.

Reasons for Recommendations

- 3.2 It is a legal requirement under the Representation of the People Act 1983 to appoint to the roles of Returning Officer and Electoral Registration Officer.

4 Relationship to Corporate Priorities

- 4.1 The appointment of a Returning Officer and Electoral Registration Officer is a statutory requirement.

5 Report Detail

- 5.1 The Returning Officer is an officer of the Council, but the role of the Returning Officer is independent and separate from their duties as an employee of the Council, and in carrying out this duty they have personal responsibility for the conduct of elections and are directly accountable to the High Court. The Returning Officer may appoint one or more persons (Deputy Returning Officers) to discharge all or any of his/her functions.
- 5.2 Section 8, Representation of the People Act 1983, requires the Council to appoint an Electoral Registration Officer. They are the person with the statutory responsibility for the creation and maintenance of the register of electors and the lists of absent voters. This person takes responsibility for publishing a revised electoral register and issuing monthly alteration notices. The Electoral Registration Officer is also the Acting Returning Officer for UK Parliamentary Elections.
- 5.3 The Electoral Registration Officer is an officer of the Council, but the role is a personal responsibility, independent and separate from their duties as an employee of the Council. The roles of Returning Officer and Electoral Registration Officer are both Council appointments and are typically combined and performed by a single person.
- 5.4 It is proposed to appoint Chris Forrester, the Council's Deputy Chief Executive - Resources to fulfil the roles of Returning Officer and Electoral Registration Officer on permanent basis. In order to prepare Mr Forrester for the role, he will be shadowing the current Returning Officer for the May 2023 elections and further training is to be arranged. Mrs Aupers has also agreed to act as one of the Deputy Returning Officers for forthcoming elections to ensure a smooth transition.

6 Implications**6.1 Financial**

None.

6.2 Legal

The proposals outlined in the paper fulfil the Council's duty under the Representation of the People Act 1983 to appoint a Returning Officer and Electoral Registration Officer.

6.3 Human Resources

None.

6.4 Risk Management

None.

6.5 **Equality & Diversity**

None.

6.6 **Climate Change**

None.

7 Appendices to the Report

None.