

# Public Document Pack

<b>MEETING:</b>	Full Council	
DATE:	Friday, 20 May 2022	
TIME:	6.00 pm	
VENUE: Council Chamber, Barnsley Town Hall		

# AGENDA

1. Election of Mayor for the Municipal Year 2022/23

To receive nominations for and elect to the office of Mayor of the Barnsley Metropolitan Borough for the Municipal Year 2022/23.

(At this stage the meeting will adjourn to enable the Mayor to robe).

2. Mayor's Declaration

To receive the declaration prescribed by law from the newly-elected Mayor.

**3.** Mayor's Response

The Mayor will respond to their appointment.

**4.** Thanks to the Retiring Mayor

To convey the best thanks of the Council to the retiring Mayor, Councillor Makinson, for the manner in which she has discharged her duties.

**5.** Presentation to the Retiring Mayor

To present to Councillor Makinson a replica of the medallion attached to the chain of office as Mayor for the years 2020 - 22 in recognition of the Council's appreciation of the services rendered by her to the Borough during this period.

6. Retiring Mayor Response

The Retiring Mayor will make a response.

7. Election of Deputy Mayor for the Municipal Year 2022/23

To receive nominations for and elect to the office of Deputy Mayor for Barnsley Metropolitan Borough of Barnsley for the Municipal Year 2022/23.

8. Deputy Mayor's Declaration

To receive the declaration prescribed by law from the newly appointed Deputy Mayor. The Chain of Office will be affixed at this stage.

**9.** Young Mayor of Barnsley

To note the appointment of a Young Mayor of Barnsley to represent young people of the Borough and to receive the declaration of that newly appointed Young Mayor.

- **10.** Local Government and Public Involvement in Health Act 2007
  - a) Appointment of Executive Leader

To confirm the appointment of the Executive Leader for a fixed term of four years until the Annual Council meeting 2026.

b) <u>Response by the Leader</u>

The Leader will respond to their appointment.

c) <u>Appointment of Cabinet Members, Cabinet Support Members and Member</u> <u>Community Cohesion Champion</u>

To note the appointment by the Leader, in accordance with the Local Government and Public Involvement in Health Act 2007, the following Cabinet Members, Cabinet Support Members and Member Community Cohesion Champion:-

Portfolio	Cabinet Member	Cabinet Support Member
Deputy Leader	Councillor Lamb	-
Without Portfolio	Councillor Howard	Councillor Cherryholme
Core	Councillor Gardiner	Councillor Franklin
Adults and Communities	Councillor Platts	Councillor Eastwood
Children's Services	Councillor T. Cave	Councillor Newing
Place (Environment and Transportation)	Councillor Higginbottom	Councillor Makinson
Place (Regeneration and Culture)	Councillor Frost	Councillor Osborne

**11.** Appointment of Chairpersons of the Area Councils

To note the appointment by the Leader of the following Chairpersons of the Area Councils detailed:-

Central Area Council	Councillor Williams
Dearne Area Council	Councillor Coates
North Area Council	Councillor Leech
North East Area Council	Councillor Hayward
Penistone Area Council	Councillor Barnard
South Area Council	Councillor Markham

**12.** Allocation of Seats on the Overview and Scrutiny Committee and Regulatory Boards (*Pages 11 - 14*)

To receive a report of the Executive Director Core Services on the allocation of seats on the Overview and Scrutiny Committee and Regulatory Boards.

### **13.** Appointment of Overview and Scrutiny Committee

To receive nominations for and appoint to membership of the Overview and Scrutiny Committee for the ensuing year:

Proposed: Councillors Bellamy, Bowler, Bowser, Cain, Clarke, Denton. Eastwood, Ennis OBE, P Fielding, W Fielding, Felton, Green, Hand-Davis, Hayward, Lodge, Lowe-Flello, Makinson, Markham, McCarthy, Mitchell, Moyes, Newing, Osborne, Peace, Pickering, Richardson, Risebury, Shirt, Smith, Sumner, Webster, Wraith MBE, Wilson, and Wray, together with Co-opted Member Ms G Carter.

Sustainable Barnsley Workstream (to be drawn from the membership of the Overview and Scrutiny Committee)

Proposed: Councillors Bellamy, Eastwood, Ennis OBE, P Fielding, W Fielding, Hand-Davis, Hayward, Moyes, Newing, Osborne, Pickering, and Richardson.

Growing Barnsley Workstream (to be drawn from the membership of the Overview and Scrutiny Committee)

Proposed: Bowler, Clarke, Denton, Ennis OBE, Felton, Lodge, Markham, McCarthy, Smith, Sumner, Webster, Wraith MBE.

Healthy Barnsley Workstream (to be drawn from the membership of the Overview and Scrutiny Committee)

Proposed: Bowser, Cain, Ennis OBE, Green, Lowe-Flello, Makinson, Mitchell, Peace, Risebury, Shirt, Wilson, and Wray.

**14.** Appointment of Chairpersons of the Overview and Scrutiny Committee and the Scrutiny Task and Finish Group Leads

To receive nominations for the appointment of the Chairpersons of the Overview and Scrutiny Committee and the Task and Finish Group Leads of the bodies indicated until the next Annual Council meeting:

	Proposed Chairpersons
Overview and Scrutiny Committee	Councillor Ennis OBE
Task and Finish Group 1	Councillor to be confirmed
Task and Finish Group 2	Councillor Hand-Davis
Task and Finish Group 3	Councillor P Fielding

### **15.** Appointment of Regulatory Boards

To receive nominations for and appoint to membership of the following Regulatory Boards for the ensuing year:

### Planning

Proposed – Councillors Bellamy, Bowler, Cain, Coates, Crisp, Danforth, M Dyson,

Eastwood, P Fielding, Gillis, Greenhough, Hayward, Leech, Lofts, Makinson, McCarthy, Mitchell, Moyes, Peace, Richardson, Shirt, Smith, Tattersall, Webster, White, and Wray.

<u>General Licensing</u> (15 members of whom will form the Statutory Licensing Regulatory Board)

Proposed – Councillors Bowser, A Cave, Cherryholme, Clarke, Danforth, K Dyson, Franklin, Green, Greenhough, Hunt, Kitching, Lodge, Markham, Newing, Osborne, Pickering, Ramchandani, Risebury, Shepherd, Stowe, Sumner, Webster, White, Williams, Wilson, and Wraith MBE.

### Statutory Licensing

Proposed – Councillors Bowser, A Cave, Cherryholme, Clarke, Danforth, Green, Greenhough, Hunt, Markham, Osborne, Shepherd, Stowe, Webster, Wilson, and Wraith MBE.

#### Appeals, Awards and Standards

Proposed – Councillors Barnard, Bowser, A Cave, Cherryholme, Coates, Denton, K Dyson, M Dyson, Eastwood, Ennis OBE, W Fielding, Franklin, Gillis, Kitching, Leech, Lowe-Flello, Makinson, Mitchell, Osborne, Pickering, Ramchandani, Shepherd, Stowe, Tattersall, Williams and Wilson, together with Mrs J Cairns and Mr D Waxman Independent persons for the purposes of the relevant provisions of the Local Government Act 2000 as amended by the Localism Act 2011 with regard to the investigation of ethical standards complaints

**16.** Appointment of Chairpersons of Regulatory Boards

To receive nominations for the appointment of Chairpersons to the following Regulatory Boards:

Board	Proposed Chairperson
Planning Regulatory	Councillor Richardson
General Licensing Regulatory	Councillor Green
Statutory Licensing Regulatory	Councillor Green
Appeals, Awards and Standards	Councillor Shepherd

### **17.** Appointment of Audit Committee

Proposed – Councillors Barnard, Hunt, Lofts and Richardson, together with Mrs K Armitage, Mr G Bandy, Mr S Gill, Mr P Johnson and Mr M Marks

**18.** Appointment of Chairperson and Vice Chairperson of the Audit Committee

Proposed – Councillor Lofts to be confirmed and one member from the independent co-opted members as the Vice-Chairperson.

**19.** Appointment of Joint Employees Consultative Committee

Proposed – Councillors T Cave, Frost, Gardiner, Higginbottom, Howard, Sir Stephen Houghton CBE, Kitching, Lamb, and Platts.

**20.** Appointment of Member Development Working Party

Proposed – Councillors Barnard, A Cave, Cherryholme, Clarke, Eastwood, Howard, Richardson, Tattersall and Williams together with one vacancy.

**21.** Appointment of Fostering Panel

Proposed – Councillor Ramchandani.

**22.** Appointment of Corporate Parenting Panel

Proposed – Councillors T Cave, Cain, Eastwood, Greenhough, Lofts, Moyes, Newing, Shirt, William, and Wilson.

**23.** Appointment of Adoption Panel

Proposed – Councillor Newing.

**24.** Appointment of Armed Forces Champion

Proposed – Councillor Hayward.

**25.** Constitution of the Ward Alliances, Area Councils, Appointment of Joint Authority Representatives and Appointment to Outside Bodies

### (a) To confirm the constitution of the Ward Alliances and Area Councils as follows for the ensuing Municipal Year

Ward Alliances\*

Each Ward Alliance to comprise all Members of the relevant Wards:

Central Cudworth Darfield Darton East Darton West Dearne North Dearne South Dodworth Hoyland Milton Kingstone Monk Bretton North East Old Town Penistone East Penistone West Rockingham Royston

St Helen's Stairfoot Wombwell Worsbrough

\*Note: Ward Alliances also comprise Community Representatives.

### Area Councils

Each Area Council to comprise all Members from the relevant Wards based on the following groupings:

- Central Area Council Central, Dodworth, Kingstone, Stairfoot and Worsbrough
- **Dearne Area Council** Dearne North and Dearne South
- North Area Council Darton East, Darton West, St Helen's and Old Town
- North East Area Council Cudworth, Monk Bretton, North East and Royston
- **Penistone Area Council** Penistone East and Penistone West
- South Area Council Darfield, Hoyland Milton, Rockingham and Wombwell

# (b) To receive nominations for persons to represent the Council on the following Joint Committees and Bodies for the ensuing year:

Mayoral Combined Authority

Proposed – Leader and Deputy Leader (Substitute) with the Cabinet Spokesperson for Core Services (Rotational Member)

Sheffield City Region Local Enterprise Partnership Board

Proposed - Leader and Deputy Leader (Substitute)

Sheffield City Region Business, Recovery and Growth Board

Proposed – Deputy Leader and Leader (Substitute)

Sheffield City Region Education, Skills and Employability Board

Proposed – Cabinet Spokesperson Place (Regeneration & Culture and Cabinet Support Member Place (Regeneration & Culture) (Substitute)

Sheffield City Region Housing and Infrastructure Board

Proposed – Cabinet Spokesperson Place (Regeneration & Culture) and Cabinet Support Member Place (Regeneration & Culture) (Substitute)

Sheffield City Region Transport and the Environment Board

Proposed – Cabinet Spokesperson Place (Environment & Transport) and Cabinet Support Member Place (Environment & Transport) (Substitute)

Sheffield City Region Combined Authority Audit and Standards Committee

Proposed – Councillors Lofts, Richardson, Clarke (Substitute) and Stowe (Substitute)

Sheffield City Region Combined Authority Overview and Scrutiny Committee

Proposed – Councillors Ennis, 1 Councillor to be confirmed, Green (Substitute) and Osborne (Substitute)

South Yorkshire Fire and Rescue Authority

Proposed – Councillors Smith (Section 41) and Cherryholme

South Yorkshire Pensions Authority

Proposed – Councillors Stowe (Section 41) and Bowser

# (c) To receive nominations for persons to represent the Council on the following Outside Bodies for the ensuing year:

Barnsley and District Citizen's Advice Bureau

Proposed – Councillors Hayward and Richardson (Substitute)

Cooper Art Gallery

Proposed – Councillors Makinson, Richardson and Shepherd

Health and Wellbeing of Children in Care and Care Leavers Steering Group

Proposed – Cabinet Support Member for Children's Services

Joint Advisory Committee for the South Yorkshire Archaeology Service

Proposed – Councillors Richardson and Franklin

Joint Advisory Committee for the South Yorkshire Archives Committee

Proposed – Councillors Franklin and Richardson

Joint Health Overview and Scrutiny Committee to Support Health Service Change in South Yorkshire and North Derbyshire

Proposed – Scrutiny Committee Chair

Leeds City Region Partnership Committee

Proposed – Leader and Deputy Leader (Substitute)

### LGA General Assembly

Proposed – Leader, Deputy Leader, Cabinet Spokesperson without Portfolio and Councillor Hand-Davis

South Yorkshire Police and Crime Panel

Proposed – Councillors Pickering (also Vice Chair) and Councillor Moyes

South Yorkshire Sub-Regional Migration Group

Proposed – Cabinet Spokesperson Adults and Communities

Transport for the North Scrutiny Committee

Proposed – Cabinet Spokesperson Place (Environment and Transportation)

Virtual School Governors

Proposed – Cabinet Spokesperson Children's Services and Cabinet Support Member Children's Services plus Councillor Bowser, Cain, Lodge, Platts, Williams and Wilson

Yorkshire and the Humber (Local Authority) Employers' Association

Proposed – Cabinet Spokesperson Core Services

Yorkshire Purchasing Organisation

Proposed – Councillors Gardiner and Barnard

Yorkshire Purchasing Organisation Audit and Scrutiny Sub Committee

Proposed – Councillor Barnard

Yorkshire Purchasing Organisation JCC/Appointments Sub Committee

Proposed – Councillor Gardiner

Yorkshire Purchasing Organisation Procurement Holdings Ltd

Proposed – Councillor Gardiner

# (d) To receive nominations to fill vacancies on the following outside bodies:

Barnsley and Rotherham Chamber of Commerce

Proposed – Councillor Frost

Barnsley Business and Innovation Centre

Proposed – Cabinet Spokesperson Place (Regeneration and Culture), Deputy Leader, Councillor Howard and Councillor Cherryholme as Reserve Member

Barnsley Civic Enterprise Limited Board

Proposed – Councillor Frost

**BDR Joint Waste Board** 

Proposed – Cabinet Spokesperson Place (Environment and Transport) and Cabinet Support Member Place (Environment and Transport)

**Design Advisory Panel** 

Proposed – Cabinet Spokesperson Place (Regeneration and Culture)

Dodworth Miners Welfare Scheme

Proposed – Councillors P Fielding and Wray

Environment Protection UK

Proposed – Councillors Higginbottom, Lofts and Williams

George Beaumont Foundation

Proposed – Councillors T Cave, Howard and Hunt

Local Pensions Board

Proposed – Councillor Richardson for a 3 Year Term

Oakwell Community Assets Joint Venture Company

Proposed – Cabinet Spokesperson Core Services and Cabinet Spokesperson Place (Regeneration and Culture)

### Safer Barnsley Partnership

Proposed – Cabinet Spokesperson Adults and Communities, Section 41 Representative on the Fire and Civil Defence Authority and Councillor Pickering.

Schools Forum

Proposed – Councillor Moyes and 1 x Vacancy (for a 3 year Term)

Sheffield City Region Music Board

Proposed – Councillor Higginbottom

South Yorkshire Leaders Meeting

Proposed – Councillor Frost (Substitute)

The Industrial Communities Alliance

Proposed – Councillors Franklin and Shepherd plus Cherryholme (Substitute)

**26.** Terms of Reference of Full Council, Regulatory Boards and Committees and Functions Delegated to Officers *(Pages 15 - 50)* 

To approve the Terms of Reference of the Full Council, Regulatory Boards and Committees and functions delegated to officers.

**27.** Appointment of the Monitoring Officer (*Pages 51 - 52*)

To receive a report of the Executive Director Core Services on the appointment of the Monitoring Officer for the Council.

- **28.** Council Timetable 2022/23 (*Pages 53 124*)
  - a) To confirm the dates of the ordinary meetings of the Council for the Municipal Year 2022/23, all commencing at 10.00am;
  - b) To agree that the next Annual Meeting of the Council will be held on Friday 19<sup>th</sup> May, 2023;
  - c) To confirm the dates of the remaining meetings shown in the Council Calendar for the Municipal Year 2022/23.

Sarah Norman Chief Executive

Thursday, 12 May 2022

# Item 12

### BARNSLEY METROPOLITAN BOROUGH COUNCIL

### Report of the Executive Director Core Services to Annual Council on 20<sup>th</sup> May 2022

### Local Government and Housing Act 1989: Review of Allocation of Seats to Political Groups

### 1. Purpose of Report

To enable the Council to review the allocation of seats on the Scrutiny Committee and Regulatory Boards as required by Section 15 of the Local Government and Housing Act 1989.

### 2. <u>Recommendations</u>

- 2.1 That the allocation of seats on the Scrutiny Committee and Regulatory Boards be reviewed in accordance with Section 15 of the Local Government and Housing Act 1989;
- 2.2 That seats be allocated to Political Groups on the basis set out on Section 6 of the report.

### 3. <u>Background</u>

Section 15 of the Local Government and Housing Act 1989 requires the Council to review the allocation of seats on its ordinary committees (i.e. Overview and Scrutiny Committee and Regulatory Boards) at each Annual Council Meeting.

In accordance with the Local Government (Committees and Political Groups) Regulations 1990 the Proper Officer has been advised of the following Groups:

- Labour Group
- Liberal Democrat Group
- Conservative Group
- Barnsley Independent and Independent Group

### 4. <u>Current Position</u>

The composition of political groups on the Council is now as follows:

- Labour Group 46 Members
- Liberal Democrat Group 9 Members
- Conservative Group 4 Members
- Barnsley Independent and Independent Group 3 Members

1 Member has chosen not to join a political group.

### 5. <u>The Relevant Principles</u>

- 5.1 Section 15 of the Local Government and Housing Act 1989 requires the allocation of seats on the Ordinary Committees of the Authority to be reviewed at each Annual Council Meeting. The "Ordinary Committees" of the Authority represent, in the case of Barnsley, the Overview and Scrutiny Committee, the Planning Regulatory Board, the General Licensing Regulatory Board and the Appeals, Awards and Standards Regulatory Board.
- 5.2 The legislation does not require the review of the allocation of seats to Political Groups on either the Cabinet, the Area Councils and Ward Alliances, nor on the Statutory Licensing Regulatory Board, or the Audit and Governance Committee.

These are not "Ordinary Committees" of the Authority. Appointments to Outside Bodies are also not affected by the legislation.

- 5.2 The following principles are applied in carrying out such a review in accordance with the legislation and the Council's Constitution:
  - (i) The majority of the seats on each body should be allocated to the Political Group with the majority on the Full Council.
  - (ii) Each Political Group should be represented on each relevant body.
  - (iii) Each Elected Member should serve on at least one Regulatory Board.
  - (iv) Subject to the above, as far as practicable, the number of seats on all of the Ordinary Committees of the Authority allocated to each Political Group must reflect the proportion of the representation of that Group on the Full Council.

### 6. Application of the Relevant Principles

- 6.1 The following allocation reflects the above principles.
- 6.2 Allocation of Seats

Applying the above principles would lead to the following allocation:

### 6.2.1 Overview and Scrutiny Committee: 34 Members

(Under the Council's Constitution, the Members of each of the Work Stream meetings are appointed from those Members appointed to the Overview and Scrutiny Committee)

Labour Group 25 Barnsley Independent and Independent Group 1 Conservative Group 2 Independent 1 Liberal Democrat Group 5

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### 6.2.3 Sustainable Barnsley Work Stream: 12 Members

Labour Group 9 Conservative 1 Liberal Democrat 2

### 6.2.4 Growing Barnsley Work Stream: 12 Members

Labour Group 9 Barnsley Independent and Independent Group 1 Independent 1 Liberal Democrat Group 1

### 6.2.5 Healthy Barnsley Work Stream: 12 Members

Labour Group 9 Conservative Group 1 Liberal Democrat Group 2

### 6.2.6 Planning Regulatory Board: 26 Members

Labour Group 19 Barnsley Independent and Independent Group 2 Conservative Group 1 Liberal Democrat Group 4

### 6.2.7 General Licensing Regulatory Board: 26 Members

Labour Group 19 Barnsley Independent and Independent Group 1 Conservative Group 2 Independent 1 Liberal Democrat Group 3

### 6.2.8 Appeals, Awards and Standards Regulatory Board: 26 Members

Labour Group 19 Barnsley Independent and Independent Group 1 Conservative Group 2 Liberal Democrat Group 4

### 6.2.9 Statutory Licensing Regulatory Board

The Licensing Act 2005 prescribes that the number of Members on a Local Authority Licensing Committee shall not exceed 15. Applying the principle of proportionality that is applied to the "regular" Committees gives rise to the following composition:

Labour Group 11 Barnsley Independent and Independent Group 1 Conservative Group 1 Liberal Democrat Group 2

Under the Council's Constitution, the 15 Members of the Statutory Licensing Regulatory Board are appointed from those Members appointed to the General Licensing Regulatory Board.

6.3 Items 13 and 15 on the Summons address the appointment of individual Members to the relevant Bodies. Nominations are to be proposed in respect of individual Members to be appointed to the relevant Bodies to reflect the above allocation.

Officer Contact: S Lal Telephone No: (01226) 773001 Date: May 2022

# Item 26

# Terms of Reference of the full Council, Regulatory Boards and Committees and Functions Delegated to Officers

## Full Council

The full Council will discharge the following functions, which may or may not be determined upon the receipt of recommendations from the Cabinet, unless otherwise stated:-

- 1. The approval of the financial and overall policy framework for the authority, and the making of such additional policy proposals as it deems appropriate from time to time.
- 2. The adoption, approval, or variation of plans, strategies, and policies of the Council upon recommendation of the Cabinet, which together constitute the authority's Policy Framework.
- 3. The Council's Constitution prepared in accordance with section 37 of the Local Government Act 2000, including the terms of reference and delegations in respect of non-executive functions, Standing Orders of the Council, financial regulations, the Code of Practice on Financial Regulations, the Procedure Rules for Contracts, the purchasing policy of the Council and its Code of Practice, and associated documents.
- 4 The appointment of the Leader of the Council on a four year term, in accordance with the requirements of the Local Government and Public Involvement in Health Act 2007.
- 5. The annual appointment of the Mayor and Deputy Mayor, Regulatory Boards, the Audit and Governance Committee, Scrutiny Committees, and Area Councils. Council also appoints the Chairs of Regulatory Boards, the Audit and Governance Committee, and Scrutiny Committees.
- 6. The approval of the authority's statement of accounts, income and expenditure, and balance sheets.
- 7. The preparation and financing of an overall capital expenditure programme, and the review of or necessary adjustments to that programme as required.
- 8. The preparation and financing of an overall revenue expenditure programme, including the Housing Revenue Account, the adoption of a Council Tax or like tax and a review of or necessary adjustments to that programme as required, insofar as such adjustments may not be agreed by the Cabinet within the approved arrangements for the virement of expenditure.

- 9. The determination of the levels and pensionability of Elected Members' Allowances, upon receipt of a report from the Independent Members' Remuneration Panel established by the Council for such a purpose.
- 10. The formulation of financial regulations, including approval of virement limits.
- 11. The establishment of overall management and disposal policies for the Council's land and property assets.
- 12. The authorisation of applications to the Secretary of State for the transfer of housing stock out of Council ownership and of applications to the Secretary of State to join the annual disposals programmes and to transfer housing land.
- 13. Recommendations and / or reports made to the Cabinet from time to time by Area Councils, where these would involve a change in the policy and financial framework of the authority or have financial implications outside the approved budget.
- 14. Recommendations from the Cabinet on action proposed in response to reports from external statutory bodies (e.g. Ofsted, CQC, External Auditor, and in the cases of reports from the Local Government Ombudsman and from the Appeals, Awards, and Standards Regulatory Board), except where the external statutory body has a right of direct access to the Council (meeting as such) and chooses to exercise that right.
- 15. The distribution of non-Executive functions, powers, and duties of the Council, the establishment of new arrangements for the discharge of such functions and the delegation of powers and duties within committees, and for the cycle of meetings within the frequency established under the Council's approved Constitution.
- 16. All matters relating to the boundaries or status of the borough or the reform or reorganisation of local government, so far as the particular interests of the Council are affected.
- 17. The conferment of the title of honorary alderman or the admittance to be an honorary freeman.
- 18. The promotion of bills in Parliament by the Council or their support of, or opposition to, bills otherwise affecting the Council's interests.
- 19. The making, amendment, or revocation of byelaws available to the Council under legislation.
- 20. Electoral issues under the European Parliamentary Elections Act 1978 and the Representation of the Peoples Acts 1983 to 2000 requiring Council decisions and approval.

- 21. Matters relating to Parish Councils that require Council consent.
- 22. Periodic reports from the Cabinet on its operation and the "state of the borough".
- 23. Matters relating to local government pensions.
- 24. Policy matters relating to the attendance of Council Members and officers at conferences and seminars.
- 25. The approval of special national and European policies and programmes.
- 26. The Council's relations with other countries, including requests for assistance on further twinning.
- 27. The nomination or appointment of Members of the Council to outside bodies, unless the nomination is to a body dealing with functions within the purview of the executive.
- 28. To approve the Community Strategy, insofar as the Council is concerned, and the Corporate Plan, and any similar policy plans, strategies, or initiatives.
- 29. All policy plans and strategies and new proposals relating to partnerships with external agencies and local authority companies.
- 30. To confirm the appointment by the appropriate Appointment Panel of the Head of Paid Service.
- 31 To approve the designation of officers as the Council's Chief Finance Officer (Local Government Act 1972, Section 151), Head of Paid Service (Local Government and Housing Act 1989, Section 4) and Monitoring Officer (Local Government and Housing Act 1989, Section 5).
- 32. To approve the annual pay policy statement for Council staff, in accordance with Sections 38 to 43 of the Localism Act 2011.
- 33. To approve the remuneration packages of new staff appointments where these exceed £100,000 per annum, or any other amount stipulated by the Secretary of State concerned.
- 34. Receipt of responses by the designated Council representatives on Joint Authorities to questions on the business of those Authorities.
- 35. The Code of Conduct for Members and the Code of Conduct for Officers on recommendation of the Appeals, Awards, and Standards Regulatory Board.

Note: The Council has the responsibility for the determination and discharge of the above functions. In the case of matters that may be the subject of Cabinet recommendations, the Scrutiny Committees may exercise the right to refer these back to the Cabinet once only.

## **Delegations to Officers from the full Council**

### A. General Provisions

- 1. The Officer Delegations from Council are to be read in conjunction with Financial Regulations, the Contract Procedure Rules, and the Purchasing Policy of the Council and its Codes of Practice, in which will be found certain other specific delegated powers, and which may limit or qualify the powers conferred by this document.
- 2. For the purposes of this document, 'the Council' refers to non-executive powers exercised by the full Council, and 'committees' refers to bodies designated as such under the Local Government Acts 1972 and 2000, namely the Regulatory Boards, the Audit and Governance Committee, the Appeals, Awards, and Standards Regulatory Board, the Area Councils, and Overview and Scrutiny Committee(s), acting collectively or through officers acting under delegated powers conferred on them by this document. The executive powers of the Barnsley MBC are exercise by the Cabinet, Cabinet Spokespersons and officers and are detailed in other documents of the Constitution.
- 3. The exercise by officers of the Council in accordance with the Non-Executive powers conferred by the Local Government Act 1972 and Local Government Act 2000 and within the following Delegations is subject to:-
  - (a) Save in the cases of urgency referred to in paragraphs 16, 17 and 18, expenditure or income being within the approved estimates, approved arrangements for the virement of expenditure by the Executive and Council policy framework or having received the prior approval of the Council;
  - (b) Full consultation with the Executive Director, Core Services in matters involving legal considerations or where court proceedings are or may be involved; and
  - (c) All purchases, sales, leases or appropriations of land, not being transactions within the terms of sub-paragraph (a) above or the subject of delegations to the Executive Director, Core Services / Corporate Assets Manager, receiving the consent of the Council where such transactions are reserved to the Council for approval.
- 4. Where the same power referred to in this document as exercisable by the Council, a 'committee' or an officer, it shall be exercised at the lowest level (e.g. officer level) but no delegation shall preclude the reference of matters to the Council or a 'committee' as applicable for a decision nor preclude

the exercise of any powers within their competence by the Council, except where action has already been taken in the exercise of a power referred to in this document.

- 5. In accordance with section 101 of the Local Government 2000 and any order made thereunder the Council will indemnify officers and Members acting bona fide in the exercise of the functions of the Council in any case where proceedings may be taken against them in respect of acts done by them in discharge or purported discharge of functions delegated to them.
- 6. Reference in this document to an officer in relation to the exercise of powers shall, unless statute precludes, be deemed to include any employee of the Council and his/her deputy or any other officer or employee authorised by him/her to act in cases where the officer or employee concerned is not available to act provided that where services are provided under the terms of a contract won in competition this power shall only be exercised by the Employer's Representative or his/her representative, or by some person to whom he/she has delegated that power.
- 7. References herein to any enactment shall be deemed to include any statutory provisions which may from time to time replace, amend or extend the provisions of that enactment and any orders, directions, regulations, code or bylaws made thereunder and any ministerial circulars or advice notes relating thereto.
- 8. In urgent matters, and subject to subsequent report to the Council or a 'committee' for a decision for future reference, the Monitoring Officer shall resolve any doubt as to the appropriate decision-making route through which the same shall be referred for action.
- 9. The Scheme of Delegations does not derogate from the functions of the Chief Executive and Executive Directors in respect of the day to day management of their services or the disposition or direction of employees within their respective Directorates, Business Units, Departments and Divisions.
- 10. The Chief Executive and Executive Directors are authorised to exercise, concurrently, all powers delegated from time to time to relevant Service Directors within their Directorate except where limitations of statute prevent their exercise.
- 11. The Chief Executive, Executive Directors and Service Directors respectively are authorised in consultation with the Service Director, Business Improvement, Human Resources and Communications to approve appropriate payments under the Market Supplements, Recruitment and Retention Policy.

- 12. The Service Director, Business Improvement, Human Resources and Communications is authorised to approve restructurings resulting in changes to the grades, duties and numbers of posts or staff where the cost in any one year does not exceed £250,000 and the sum(s) can be contained within the cash limited budget for the service concerned for current and future years on receipt of a report from the Executive Director or Service Director in question.
- 13. The Service Director, Business Improvement, Human Resources and Communications is authorised to approve, in consultation with the Cabinet Spokesperson for Core Services, the incurring of costs arising to the Council in relation to Selective Voluntary Early retirement or retirement in the efficiency of the service or the exercise of the Council's discretionary powers under the Local Government Pension Scheme Regulations 2013 in accordance with the relevant policies of the Council where the cost in respect of any particular business case does not exceed £250,000.
- 14. The Chief Executive, Executive Directors and Service Directors are authorised to appoint officers on JNC Terms and Conditions of Employment within the relevant Directorate or Business Unit, provided that such posts are on previously agreed grades and establishments and subject to such other approvals and procedures as are in force from time to time.
- 15. The appointment of all staff not appointed in accordance with specific delegated authority contained elsewhere in these Delegations or the Constitution shall be carried out by Appointments Panels constituted in accordance with procedures approved from time to time by the Council.
- 16. The Chief Executive, Executive Directors and Service Directors respectively are authorised, in compliance with Council policies and procedures in force from time to time:-
  - to approve special leave of absence up to five days, with or without pay;
  - (b) to determine applications under the Annual Leave Purchase Scheme
  - (c) to authorise leave of absence for attendance at vocational conferences and courses and at post-entry training courses and seminars
  - (d) to approve car and motor cycle user allowances;
  - (e) to decide the eligibility of employees to receive payment:

(i) of telephone and / or fax charges;

(ii) for temporarily undertaking additional duties and responsibilities where provided for in the conditions of service;

(iii) in accordance with the Ex-gratia Payment Scheme, such maximum sum to be determined by the Service Director, Business Improvement, Human Resources and Communications and the Service Director, Finance, which is currently up to £500

(iv) in accordance with the Removal and Disturbance Scheme

- (f) to take action, including dismissal, against an employee in accordance with the Council's Disciplinary, Performance in Employment (Capability) and Incapacity due to Sickness or Industrial Injury Procedures;
- (g) to determine the award of facilities to employees to undertake postentry training;
- (h) to approve work breaks and secondments for employees in accordance with the scheme and procedures approved by the Council.
- 17. The Chief Executive, Executive Directors and Service Directors in consultation with the Service Director, Business Improvement, Human Resources and Communications are authorised as follows:-
  - (a) to determine matters relating to the acceleration of increments where not provided for in the Conditions of Service;
  - (b) to determine questions relating to payments to employees temporarily undertaking additional duties where not specifically provided for in the conditions of service or established grading structures;
  - (c) to approve special leave of absence over five days, with or without pay;
  - (d) to extend sick pay, where the application is supported by a medical report of the Council's Medical Referee.
- 18. The Executive Director, Core Services is authorised to commence legal proceedings whether civil or criminal as they deems appropriate under any statutory provisions within the powers and duties of the Council, whether or not such powers and duties are exercisable by the Council, a 'Committee' or 'Sub-Committee' or officer, in consultation with the Chief Executive or relevant Executive Director or Service Director.

- 19. The Chief Executive, Executive Directors and Service Directors respectively are empowered, after consultation with the Leader and Deputy Leader of the Cabinet (or either of them if the other is not reasonably available) and the Chair of the relevant Regulatory Board (or the Vice-Chair if the Chair not reasonably available) to take or authorise any action on any matter which they consider cannot await a meeting of the Regulatory Board in question, provided that such action shall be reported for information to the next available meeting of the Regulatory Board.
- 20. Where any action or matter is to be considered which is contrary to or would require a variation to the Council's Budget (except for virement between budget heads within prescribed limits) and/or Policy Framework as defined within paragraph 1 of the matters reserved for Council but requires a decision before the next scheduled meeting of the Full Council, such a decision may be taken by the Cabinet, if it is impractical to convene a quorate meeting of the Full Council in the time available before a decision must be made, subject to the responsible Officer consulting the Chairman of the relevant Scrutiny Committee, or in his/her absence the Mayor or the Deputy Mayor, and reporting the outcome of this consultation at the relevant Cabinet meeting. Any decision so taken will be reported to the next ordinary meeting of the full Council.
- 21. Where any action or matter is within the purview of full Council, other than described at paragraphs 18 and 19 above, but requires a decision before the next scheduled meeting, the relevant Chief Executive, Executive Directors and Service Directors are empowered to taken such a decision, if it is impractical to convene a quorate meeting of the full Council in the time available before a decision must be made, and subject to the responsible Officer consulting the Chairman and/or Vice- Chairman of Cabinet and the Chair of the Overview and Scrutiny Committee, or in his/her absence the Mayor or the Deputy Mayor. Any decision so taken will be reported to the next ordinary meeting of the full Council.
- 22. The Executive Director, Core Services is authorised to negotiate, conclude and execute on behalf of the Authority any document or agreement required to give effect to any decision taken by or on behalf of the Council or a 'committee', whether or not that decision specifically records such an authorisation, provided that where expenditure is authorised under paragraph 11 above, any documentation giving effect to that expenditure may be entered into by the officer incurring the expenditure.
- 23. For the avoidance of doubt, where a power or duty or authority is exercisable by an officer within these Delegations, that officer is hereby given authority to further delegate any such power, duty or authority to any other officer he may nominate, in the interests of the Council or for the better performance of any such power, duty or authority.

### B. Delegations to Specific Officers

### 1. Chief Executive

- (a) To undertake the duties of the Head of the Paid Service in accordance with section 4 of the Local Government and Housing Act 1989.
- (b) To undertake the duties of Proper Officer for the purposes of Part I of the Local Government and Housing Act 1989 other than those which are the responsibility of the Monitoring Officer.
- (c) To take all such action as he / she considers appropriate in any emergency (as defined by the Chief Executive) in consultation with such Members and officers as he considers the circumstances will allow, subject to report to Members on action taken.
- (d) To undertake the duties of Proper Officer for the exercise of functions under section 83 of the Local Government Act 1972 (Declarations of Acceptance of Office).
- (e) To exercise the functions and duties of the Local Returning Officer and Electoral Registration Officer under the Representation of the People Acts 1983 2000.

### 2. Executive Director, Core Services

- (a) To undertake the duties of Monitoring Officer in accordance with Section 5 of the Local Government and Housing Act, 1989 and the relevant provisions of Part III of the Local Government Act 2000.
- (b) In consultation with the Mayor, to grant permission for the use of the Council Coat of Arms.
- (c) In consultation with the Mayor, to take all such action as the Director may deem appropriate for the promotion and protection of the mayoralty and the image of the Borough.

## Appeals, Awards and Standards Regulatory Board

- (a) To exercise the functions of the Council in relation to the hearing and determination of any appeal, admission or award in respect of which the Council is vested with the responsibility of deciding the outcome either finally or as part of an appeals mechanism.
- (b) To consider matters about the standard of behaviour of Elected Members of the Council and investigate complaints about whether or not they comply with the Code of Conduct.

Appeals Panels will carry out their business in accordance with the relevant statutory provisions governing the matter the subject of the appeal

Guidance Notes on Council Membership of Panels of the Appeals, Admissions and Awards Regulatory Board are enclosed as an Appendix to the Constitution

## Delegations to Officers from the Appeals, Awards and Standards Regulatory Board

### 1. Executive Director, Core Services

- (a) To determine the composition of any panels being selected from the Board, in consultation with the Chairperson of the Board and in accordance with the relevant statutory provisions governing the matter the subject of the appeal
- (b) To determine whether or not a complaint under the Ethical Standard Framework and Member Code of Conduct should be investigated, following consultation with the Independent Person, and to make arrangements for any complaint to be investigated accordingly.
- (c) To determine applications for dispensations from the Code of Conduct where the number of Members otherwise precluded from taking part in a decision would impede the conduct of business or interfere with the political balance of the decision making body, following consultation with the Independent Person.

# Appointment Panels

To exercise the functions of the Council in respect of the interviewing and appointment of the Chief Executive and, Executive Directors, in accordance with Regulations made under the Local Government and Housing Act 1989.

Appointment Panels to appoint the Chief Executive and Deputy Chief Executive will comprise the Leader of the Council (as Chairperson of the Panel) and all other Cabinet Members and such other members of the Council as is necessary to achieve political proportionality.

Appointment Panels to appoint other officers will comprise the relevant Cabinet Spokesperson (as Chairperson), the Cabinet Support Member to that Spokesperson, two other Cabinet members, and such other members of the Council as is necessary to achieve political proportionality but including the chairperson of the relevant Overview and Scrutiny Committee.

Any appointment made by the Panel to the post of Head of Paid Service (currently the Chief Executive) must be reported to the full Council for confirmation. Any other appointments made will be subject to consultation with Cabinet Members prior to confirmation in line with the requirements of mandatory standing orders.

In exceptional cases where it is necessary to hold a disciplinary hearing in respect of any member of the Senior Management Team, a Panel would be constituted on a similar basis. In the case of the Head of the Paid Service, Monitoring Officer and Chief Financial Officer the formal provisions of the Local Government (Standing Orders) Regulations 1993 which require any such Panel to have regard to the recommendation of an Independent Person also apply.

## **Delegations to Officers in respect of Appointment Panels**

### 1. Executive Director, Core Services

(a) To determine the composition of any Appointment Panel, in line with the requirements set out above, in consultation with the Chairperson of the Panel.

# Planning Regulatory Board

Within the overall policy framework approved by the Council to exercise the functions of the Council (with exceptions relating to preparation of the Local Plan, supplementary planning documents, designation of conservation areas, areas of archaeological interest and nature reserves, removal of permitted development rights through Article 4 Directions and making compulsory purchase orders which are the responsibility of the Executive) in relation to:-

All matters of town and country planning regarding development and listed building control and related regulatory functions, including the making of appropriate statutory orders, public rights of way; minerals and waste disposal planning and control; building control matters; matters connected with the safety of sports grounds; supervision of all land subject to reclamation for the time being owned by the Council; and, in particular, the following are reserved for Board unless expressly delegated:-

- 1. Planning applications or reserved matters where any Member of the Council raises in writing any material planning consideration that the Head of Planning and Building Control, in consultation with the Chair, agrees should be determined by the Board:
- 2. Planning applications that would be contrary to the provisions of the adopted Development Plan but are recommended for approval.
- 3. Major Planning applications (i.e. of 10 or more dwellings, more than 1,000 sq.m. of development or a site area of more than 0.5 ha) where a member of the public has submitted a material objection and has requested to speak at the Board and where the Head of Planning and Building Control, in consultation with the Chair, agrees that the application should be determined by the Board.
- 4. The issue of repairs notices and making compulsory purchase orders under sections 47 & 48 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 5. Confirming Tree Preservation Orders where they have been opposed.

Arrangements for the Public to address the Planning Regulatory Board are set out in an Appendix to the Constitution.

### Delegations to Officers from the Planning Regulatory Board

### 1. Executive Director, Core Services

(a) The issue, replacement, amendment, suspension or revocation of a General Safety Certificate and the service of Prohibition Notices under the Safety of Sports Grounds Act 1975.

### 2. Head of Planning & Building Control in consultation with the Service Director, Legal

- (a) All Notices served under the Building Act 1984 but excluding those under Sections 80, 81 and 82 which are expressly delegated to the Head of Highways and Engineering.
- (b) Notices under Part II of the Mines and Quarries (Tips) Act 1969.
- (c) To determine applications for and issue of Certificates of Lawfulness under the Town and Country Planning Act 1990.
- (d) To exercise the Council's powers and functions under Part 7 of the Town and Country Planning Act 1990 (enforcement), and section 330 (but excluding sections 191 to 196 relating to certificates of lawfulness of existing or proposed development or use).
- (e) To exercise the Council's powers and functions under Sections 215 to 219 (proper maintenance of land) and 224 225 (enforcement and removal of advertisements and posters) of the Town and Country Planning Act 1990.
- (f) To undertake enforcement action in relation to sections 220 and 224 of the Town and Country Planning Act 1990 and the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.
- (g) To undertake enforcement under part 1 chapter 4 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in respect of breaches of control under the said Act
- (h) To decide a complaint and serve, withdraw or enforce a High Hedge Remedial Notice under Part 8 of the Anti-Social Behaviour Act 2003
- (i) The service of Notices in relation to trees under part 8 of the Town and Country Planning Act 1990, and the making of Tree Preservation Orders and the confirming of unopposed Tree Preservation Orders.
- 3. Head of Planning and Building Control following consultation with Planning and Regulatory Board Members (subject to members rights in I and III of this scheme)
- (a) Planning applications submitted on behalf of the Council for its own development.
- (b) Planning applications submitted by or on behalf of a Member of the authority or any officer employed in Development Management, or their respective spouse or partner.

(c) The determination of the matters to be included in Section 106 Agreements or Unilateral Undertakings in relation to Planning Applications within the officers delegation.

### 4. Head of Planning and Building Control

- (a) To process and determine all applications under the Building Regulations.
- (b) In consultation with the Service Director, Finance, to make recommendations to the Place (Regeneration and Culture) Cabinet Spokesperson for the variation of the standard scales of Building Regulation Fees in the Local Government Model Scheme by plus or minus 10% in appropriate cases.
- (c) To approve the numbering of properties.
- (d) To determine proposals submitted under the Hedgerow Regulations and to serve hedgerow retention notices where appropriate.
- (e) To determine applications made under the South Yorkshire Act 1980.
- (f) In consultation with Yorkshire Water the granting of consent to building over sewers.
- (g) To deal with any matters related to safety under the Safety of Sports Grounds Act 1975 and the Fire Safety and Safety of Places of Sport Act 1987, including the issue and service of prohibition notices.
- (h) To advise appropriate licensing bodies in respect of applications received under various licensing legislation on matters relating to Building Regulations or other safety issues.
- (i) In consultation with the Chairperson of the Planning Regulatory Board, to determine submissions of development details in Enterprise Zones in respect of which approval is not granted under the scheme, but in accordance with the overall requirements of the planning schemes.
- (j) To determine submissions under the prior notification procedure pursuant to the Town and Country Planning (General Permitted Development) Order 2015 (as amended).
- (k) To respond to consultations from Government and other bodies in relation to Town and Country Planning and related matters.
- (I) To respond to appeals (written representations, hearings and public inquiries) made under Town and Country Planning Acts and Regulations.

(m) To determine all other matters (not dealt with in this scheme) relating to Town and Country Planning (save for matters expressly dealt with in this scheme of delegation).

# 5. Head of Highways and Engineering in consultation with the Service Director, Legal

- (a) Enforcement action under the Highways Act 1980.
- (b) The prosecution of persons who fail to pay or secure advance payment deposits under section 219 of the Highways Act 1980.
- (c) The making and advertising of Orders under section 21 of the Town Police Clauses Act 1847 or section 16A of the Road Traffic Regulation Act 1984 for the purpose of appropriate events in highways.
- (d) The temporary closure of public rights of way under the Road Traffic Regulation Act 1984.

### 6. Head of Highways and Engineering

- (a) To administer the provisions of the New Roads and Street Works Act 1991 as respects Streets, Street Works and Undertakers.
- (b) Protection of the rights of the public to use a highway under section 130 of the Highways Act 1980.
- (c) To control the placing of builders' skips on highways under section 139 of the Highways Act 1980.
- (d) To take enforcement action considered necessary in pursuance of the Council's duty to protect the rights of the public to the use of public highways and/or public rights of way as prescribed in the Highways Act 1980.
- (e) The enforcement of legislation on obstruction to public rights of way under sections 134 and 137 of the Highways Act 1980 as amended by the Rights of Way Act 1990.
- (f) The granting of consent for licensed obstructions (e.g. gates, stiles, etc.) under the Highways Act 1980.
- (g) To accept dedications of public rights of way under section 25 of the Highways Act 1980 subject to consultation with user groups, Local Members and, where appropriate, parish councils.

- (h) To approve or refuse any proposal to divert, create or stop up a public right of way under the Highways Act 1980 or Town and Country Planning Act 1990, following consultations with user groups, Ward Members and, where applicable, Parish Councils, except where:
  - A Member of the Council requests that the proposal be considered by the Planning Regulatory Board.
  - The Head of Highways and Engineering is of the opinion that the issues raised should be considered by the Planning Regulatory Board.
- (i) To determine whether the Definitive Map and Statement should be modified following the discovery of relevant evidence.
- (j) To enter into permissive path agreements under Section 39(1) of the Wildlife and Countryside Act 1981.
- (k) To accept deposits made under section 31(6) of the Highways Act 1980.
- (I) To grant consent to planting in the highway by individuals under section 142 of the Highways Act 1980.
- (m) To control the erection of scaffolding on the highway under section 169 of the Highways Act 1980.
- (n) To control the deposit of building materials and the making of excavations in the highway under section 171 of the Highways Act 1980.
- (o) To control the erection of hoardings adjacent to the highway under section 172 of the Highways Act 1980.
- (p) To regulate the placing of cables, pipes, wires etc. over highways under section 178 of the Highways Act 1980.
- (q) To regulate the construction of cellars under highways under section 179 of the Highways Act 1980.
- (r) To regulate the construction of openings into cellars under streets under section 180 of the Highways Act 1980.
- (s) To grant consent to the placing of private apparatus within the highway under sections 50 of the New Roads and Street Works Act 1991.
- (t) Notices and appeals under sections 81 and 82 of the Building Act 1984.
- (u) Content and enforcement of notice requiring works under section 99 of the Building Act 1984.

- (v) Appeal against notice requiring works under section 102 of the Building Act 1984.
- (w) To determine applications for modifications to the Definitive Map and Statement of Public Rights of Way.
- (x) To grant permission for provision etc of services, amenities, recreation and refreshment facilities on the highway under Section 115 of the Highways Act 1980.

# General Licensing Regulatory Board

Subject to:

- the overall policy framework of the Council; and
- having regard to the Council's safeguarding arrangements and duties and particularly in relation to the prevention of Child Sexual Exploitation;

to exercise the functions of the Council in relation to:-

- 1. In respect of hackney carriage and private hire licences:
  - a. To determine licence applications which have not been determined by the Service Director Law and Governance Legal Services pursuant to their delegated powers, where consideration by the Sub-Committee is not appropriate.
  - b. To receive reports for information on the suspension and revocation of licences and also to suspend and/or revoke licences where adverse reports have been received in those instances where the Service Director Law and Governance has referred the matter to the Board for a decision as to whether disciplinary action would be appropriate.
  - c. To receive, at regular intervals, a report of all licences issued, renewed, or refused.
  - d. To receive an annual report of all hackney carriage and private hire licences issued or renewed where the vehicle in question is over the age of five years.
  - e. To receive periodic reports of the Service Director Law and Governance on random inspections carried out.
  - f. To vary, amend or revoke the standard conditions of hackney carriage or private hire operators, vehicle and drivers' licences.
  - g. To determine the fees payable for the issue and renewal of hackney carriage and private hire licences (including inspections), subject to the consideration of any policy aspects by Cabinet and/or full Council as appropriate.
  - h. To determine the hackney carriage tariff from time to time, subject to the consideration of any policy aspects by Cabinet and/or full Council as appropriate.
  - i. After consultation with the Head of Highways and Engineering to approve the siting or relocation or removal of hackney carriage ranks and to authorise the appropriate statutory notices.

- 2. In relation to amusements with prizes permits and licences, betting track licences, sex establishments and house to house collections etc:
  - a. To grant and renew licences and permits on recommendations from the appropriate officers and outside bodies and to impose conditions, except for the renewal of Sex Shop licences where officers have delegated powers in the circumstances referred to at 2(h) below.
  - b. To vary the conditions attached to an existing licence.
  - c. To determine the licence fee payable in respect of sex establishments.
  - d. To vary, amend or revoke the standard conditions imposed upon the grant of amusements with prizes permits and licences.
  - e. The receive reports on applications for permits for small lotteries where adverse comments have been received from the police and to determine the application.
- 3. To determine, where there is discretion, the amount to be charged for such approvals, licences, permits or registrations falling within the remit of the Board, subject to the consideration of any policy aspects by Cabinet and/or full Council as appropriate.
- 4. To receive reports on applications for permits for house to house collections and street collections where adverse reports are received and to determined the application.
- 5. To determine appeals received in respect of the refusal of applications for the registration of premises for civil marriages.

## **General Licensing Sub-Committee**

- 1. To determine hackney carriage and private hire licence applications which have not been determined by the Service Director Law and Governance pursuant to their delegated powers.
- 2. To suspend and / or revoke hackney carriage and private hire licences where adverse reports have been received in those instances where the Service Director Law and Governance has referred the matter to the Board for a decision as to whether disciplinary action would be appropriate.
- 3. To determine appeals against the suspension or revocation of hackney carriage or private hire operators, vehicle and drivers' licences.

4. To determine applications for or suspension / revocation of licences or appeals against suspension or revocation of licenses falling within the remit of the General Licensing Regulatory Board when referred to it for a decision by the Service Director Law and Governance.

The General Licensing Sub-Committee is comprised of any 3 Members of the General Licensing Regulatory Board

## Delegations to Officers from the General Licensing Regulatory Board

### 1. Executive Director, Core Services

(a) To receive and administer the registration of charities including those under the War Charities Act 1940 and the National Assistance Act 1948.

### 2. Service Director Customer Information and Digital Services

(a) As Proper Officer for Registration, to approve those applications for approval of premises for civil marriages which comply with the standard conditions and to refuse those which do not, and to determine as to whether or not premises are seemly and dignified.

### 3. Head of Service Customer Support and Development

(a) To act as the Representative of the Proper Officer for Registration, as appropriate.

### 4. Service Director Law and Governance

- (a) To exercise the Council's powers in relation to the Licensing aspects of the following legislation:
  - Caravan Sites and Control of Development Act 1960
  - Celluloid and Cinematograph Act 1922
  - Children and Young Persons Act 1933
  - The Health Protection (Coronavirus, Collection of Contact Details etc and Related Requirements) Regulations 2020
  - Food Safety Act 1990
  - Health Protection (Coronavirus Restrictions) (England) Regulations 2020
  - Health Protection (Coronavirus, Restrictions) (England) (No. 4) Regulations 2020
  - The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020 (2020 No 1374)
  - Housing Act 1985 (Parts 9 and 10 Slum Clearance and Overcrowding)

- Housing Act 2004 (Part 1 [Housing Conditions], Part 2 [Licensing of houses in multiple occupation], Part 3 [Selective licensing areas], Part 4 [management orders], Section 216 [overcrowding], Part 7 [supplementary provisions] insofar as it relates to any of these functions, Section 232 (maintenance of register of licences and management orders)
- Local Government Miscellaneous Provisions Acts 1976 and 1982
- Local Government Act 2003, Section 120 (insofar as it amends Section 15 of the Local Government (Miscellaneous Provisions) Act to add the regulation of cosmetic piercing and semi-permanent skin colouring businesses)
- Noise and Statutory Nuisance Act 1993
- Nurses Agencies Act 1957
- Performing Animals (Regulations) Act 1925
- Pet Animals Act 1951
- Poisons Act 1972
- Public Health Acts 1936-1961
- Public Health (Control of Disease) Act 1984
- Scrap Metal Dealers Act 1964
- Scrap Metal Dealers Act 2013 (when legislation allows)
- Slaughterhouses Act 1974
- Town Police Clauses Act 1847
- Zoo Licensing Act 1981

And, notwithstanding the generality of the above:

- (b) Under the Town Police Clauses Act 1847 and Part II of the Local Government (Miscellaneous Provisions) Act 1976 to:
  - (i) issue hackney carriage licences and private hire licences, when he
     / she is satisfied that the application fulfils the statutory
     requirements and any criteria or policies of the Council for the time
     being in force;
  - (ii) in consultation with the Chairperson of the Licensing Regulatory Board, refuse applications for hackney carriage and private hire licences where he is not satisfied that the application fulfils the statutory requirements and any criteria or policies of the Council for the time being in force, subject to any such decisions being reported for information to the next meeting of the Licensing Regulatory Board;
  - (iii) to suspend Hackney Carriage and Private Hire Vehicle Licences on vehicle defects being found.
  - (iv) to suspend or revoke licences in other circumstances those at (iii) above, and to report the action to a subsequent meeting of the General Licensing Regulatory Board or Sub-Committee.

- (c) To grant, vary, transfer and revoke licences in respect of cinemas and theatres after consultation with the appropriate officers and outside bodies.
- (d) To issue permits in respect of house to house collections, street collections, and to receive returns in respect of the same and where adverse reports are received to refer the matter to the General Licensing Regulatory Board for determination.
- (e) To issue permits in respect of small lotteries after consultation with the police and where adverse reports are received to refer the matter to the General Licensing Regulatory Board or Sub-Committee for determination.
- (f) To determine applications for minibus permits of those vehicles under the control of the Council.
- (g) To receive and administer applications for the registration of motor salvage operators under the Vehicles (Crime) Act 2001 (Motor Salvage Operators Regulations 2002), to approve applications for registration where statutory consultation with the Police reveals no contrary indications and to maintain a register which shall be available for public inspection;
- (h) To determine, following consultation with the Chairperson of the General Licensing Regulatory Board, applications for the renewal of Sex Shop premises Licences where no adverse comments have been received to the statutory consultation process and where there are no concerns or substantial changes made regarding the operation of the premises.

### 5. Service Director Public Health and Regulation

- (a) To exercise the Council's powers in relation to the Licensing aspects of the following legislation:
  - The Public Health Control of Disease Act 1984
  - The Health Protection (Coronavirus, Restrictions) (No. 2) (England) Regulations 2020
  - The Health Protection (Coronavirus, Restrictions) (No.3) (England) Regulations 2020
  - Health Protection (Coronavirus Collection of Contact Details etc. & related requirements) Regulations 2020
  - The Health Protection (Coronavirus, Restrictions) (Obligations of Undertakings) (England) Regulations 2020
  - Health Protection (Coronavirus, Restrictions) (England) (No. 4) Regulations 2020
  - The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020 (2020 No 1374)

### Statutory Licensing Regulatory Board

Subject to:

- the overall policy framework of the Council; and
- having regard to the Council's safeguarding arrangements and duties and particularly in relation to the prevention of Child Sexual Exploitation;

to exercise the functions of the Council in relation to the Licensing Act 2003:-

- 1. To monitor the operation of the Council's Licensing Policy Statement
- 2. To monitor the operation and performance of the Sub Committees (comprising three Members each) established to determine applications for and reviews of licences.
- 3. To determine the procedure/protocol to be adopted by the Sub Committees in dealing matters referred to them.

### **Statutory Licensing Sub Committees**

To determine, in accordance with the procedure/protocol agreed by the Statutory Licensing Regulatory Board, applications for and reviews of Licences made under the provisions of the Licensing Act 2003 where adverse comments have been received.

### **Delegations to Officers from the Statutory Licensing Board**

### 1. Service Director Legal Services

- (a) To exercise the Council's powers in relation to the Licensing aspects of the Licensing Act 2003.
- (b) To exercise powers under the Criminal Justice Act 2001 to close premises that are in breach of the conditions of licences granted under the Licensing Act 2003

### Audit and Governance Committee

### The Terms of Reference of the Audit and Governance Committee are as follows:

As regulated via the Non-Disclosure Agreement signed annually by members of the Committee, members will have appropriate access to information to discharge their responsibilities in fulfilment of these Terms of Reference.

### A. General Remit

- 1. To provide independent assurance of the adequacy of the risk management framework and the associated control environment.
- 2. To provide independent scrutiny of the authority's financial and nonfinancial performance to the extent that it affects the authority's exposure to risk and weakens the control environment.
- 3. To oversee the financial reporting process.
- 4. To promote the application of and compliance with effective governance arrangements across the Authority and its partner organisations.

### B. Internal Control incorporating Risk Management, Financial Probity and Stewardship

- a. To consider the overall adequacy and effectiveness of the system of internal control and the arrangements for risk management, control and governance processes and securing economy, efficiency and effectiveness (value for money).
- b. To ensure that the highest standards of financial probity and stewardship are maintained throughout the Authority, within policies set by the Council from time to time.
- c. To consider such policies for consideration and approval by the Council.
- d. To promote effective internal control by the systematic appraisal of the Authority's internal control mechanisms and by the development of an antifraud culture.
- e. To promote effective risk management throughout the Council in accordance with the Council's Risk Management Policy Objectives Statement.
- f. To periodically review the Authority's strategic risk register and to invite, when appropriate, a Member of the Senior Management Team to meetings to discuss strategic risks within their specific service area.

- g. To consider, challenge and comment on the Annual Governance Statement.
- h. To receive periodic reports on additional corporate functions contributing to overall assurance against the corporate priorities and specifically in relation to:
  - Business Improvement, Human Resources and Communications
  - Health & Safety
  - Business Continuity and Emergency Resilience
  - Governance, Member and Business Support
  - Information Governance
  - Procurement
  - Asset Management
  - Ethical Framework
  - Equality and Inclusion
  - Partnership and Collaboration Governance
  - Environmental Governance
- i. To encourage wider dialogue with members of the Senior Management Team by inviting them to meetings on a periodic basis to give assurance about issues identified within reports relating to various Directorate activities and in particular those which are subject to Internal Audit recommendations.

### C. Internal Audit

- j. To oversee, in consultation with internal auditors, the preparation and approval of an annual audit plan for the Authority and to receive periodic reports from the internal auditor on performance against the plan.
- k. To monitor compliance with internal audit reports following their consideration by management.
- I. To examine reports previously submitted to the Cabinet in respect of ongoing activities and investigations conducted by internal auditors and to make appropriate comments and recommendations.
- m. To review the performance of the internal audit function by way of quarterly performance management reports.
- n. To consider the Head of Internal Audit and Corporate Anti-Fraud's annual audit report and opinion, and a summary of internal audit activity (actual and planned) and the level of assurance it can give over the Council's corporate governance arrangements.
- o. To enhance the profile, status and authority of the internal audit function and demonstrate its independence.

p. To approve and periodically review the Internal Audit Strategy and Audit Charter

### D. External Audit and other Inspectorates or Regulatory Bodies

- q. To oversee, in consultation with external auditors, the preparation of the annual audit plan for the Authority and to receive periodic reports from the external auditor on performance against the plan.
- r. To consider and report to Cabinet and the Council the annual audit and inspection letter.
- s. To consider the appointment of the Council's external auditor.
- t. To monitor compliance with external audit, external inspectorate and Ombudsman reports following their consideration and resolution by the Cabinet and/or Council.
- u. To consider any payments in excess of £2000 or provide other benefits in cases of maladministration by the Authority within the scope of section 92 of the Local Government Act 2000 or as directed by the Local Government and Social Care Ombudsman (LGSCO) and any other recommendations made by the LGSCO falling under the remit of the Committee.

### E. Other

- v. To consider general issues and statistics in relation to the Council's Confidential Reporting (Whistleblowing Policy) "Whistleblowing" Policy.
- w. To review the Authority's arrangements for establishing appropriate antifraud policies and procedures.
- x. To monitor compliance with and the effectiveness of anti-fraud and corruption policies and procedures.
- y. To monitor compliance with the Authority's Partnership Governance Framework.
- z. To consider and review compliance with the Authority's Treasury Management policy.

### F. Accounts

- aa. To review the financial statements, external auditor's opinion and reports to Members, and monitor management action in response to the issues raised by External Audit.
- bb. To contribute to the annual review, consideration and challenge of the financial statements.

### Procedures for recording decisions taken by officers

### Background

- 1. Regulations in 2012 introduced a requirement for officers taking an executive decision to publish a written statement about the decision as soon as practically possible after the decision is taken. Further Regulations in 2014 extended this requirement to non-executive decisions taken by officers.
- 2. Whilst the 2012 regulations simply identify the need to record executive decisions taken by officers, the 2014 regulations make reference to decisions that would otherwise have been taken by the Council or a committee / sub-committee if not otherwise delegated to officers. This therefore includes delegated decisions on non-executive functions.
- 3. The 2014 regulations also state that the requirement to record applies to decisions made:
  - (a) under a specific express authorisation; or

(b) under a general authorisation to officers to take such decisions and the effect of the decision is to:

- (i) grant a permission or licence;
- (ii) affect the rights of an individual; or

(iii) award a contract or incur expenditure which, in either case, materially affects that relevant local government body's financial position.

- 4. A specific express authorisation is an issue where full Council, Cabinet, a Cabinet Spokesperson or Regulatory Board has authorised an officer to take action on a specific matter.
- 5. A general authorisation is an issue where the authority derives from a function listed in the Schemes of officer delegations and otherwise meets the requirements of 3(b) above. The Council has determined that the amount of a contract or expenditure that materially affects the Council's financial position is £250,000.
- 6. In the case of officer executive decisions, the record must include:
  - (a) the decision taken, including the date it was made;
  - (b) the reasons for the decision;

(c) details of any alternative options considered and rejected by the officer when making the decision;

(d) any conflict of interest declared by any executive member consulted by the officer which relates to the decision; and

(e) in respect of any declared conflict of interest, a note of dispensation granted by the relevant local authority's head of paid service.

- 7. In the case of other officer decisions covered by the 2014 regulations, the record must include:
  - (a) the date the decision was taken;
    (b) a record of the decision taken along with reasons for the decision;
    (c) details of alternative options, if any, considered and rejected; and
    (d) where the decision falls under paragraph 3(a) above, the names of any Member who has declared a conflict of interest in relation to the decision
- 8. The regulations also require that the statement and any supporting documents be available for inspection by the public and on the Council's website.

### Guidance on decisions to be recorded

- 9. The regulations require the recording of all executive officer decisions and those non-executive decisions that fall under the requirements set out at paragraph 3 above. These will either be as stated in the officer delegations (see links below) or as a result of a specific express authorisation given by Council or a Regulatory Board.
- 10. This will inevitably give rise to concerns about the officer decisions that should be recorded under the Regulations. The intention of the Regulations is to give the public access to information about local authority decisions. However, it can be assumed that Parliament would expect this to be interpreted in a common sense way, and not result in a bureaucratic burden that would have no public benefit nor meet any reasonable public interest. The intention, therefore, is to give access to information on those decisions that they would reasonably expect to be publicly available and which are appropriate for public access
- 11. On this basis, any decision that is merely administrative in nature, with only a remote connection with an executive function, or otherwise minor and routine need not be reported. Although the decision might involve large amount of expenditure, the nature of the decision might still mean it is minor (for example, paying a gas bill), so doesn't need to be recorded separately.
- 12. Equally, where the decision affects one individual rather than the general public and/or contains confidential or exempt information, this need not be published. However, the service concern will need to maintain records on the decision made and the background to it.
- 13. It should be borne in mind that an apparently minor decision might be taken against a wider context that makes it more sensitive than would otherwise be the case. A key consideration is whether an individual or group might seek to challenge the decision in the light of this. This will always be a matter for judgement and the officer should take this into

account in deciding how to record and report the decision and if a Member decision-making route should be followed.

14. A general principle of delegated officer decision making is that particularly sensitive issues might be "referred up" for approval by the relevant Cabinet Spokesperson or Cabinet. As a result of the Regulations, officers should consider if a decision is sufficiently important and/or sensitive so that a reasonable member of the public would reasonably expect it to be "referred up". If so, the officer responsible should arrange for this to be done. The decision would then be recorded as part of the normal Member decision-making process.

### Procedure for recording decisions

- 15. The officer named in the Officer Delegations as responsible for specific decisions should use the form ('the decision notice') attached at Appendix 1 to record the decision taken. This provides space to give basic information about the subject and date of the decision taken and the authority/delegated power under which the decision is taken. The decision notice should be signed by the officer(s) taking the decision, and, if required, by any Cabinet Spokesperson who should be consulted.
- 16. If services already use a pro forma to record decisions taken by officers, this can continue to be used, provided it complies with the recording requirements set out in this procedure. If services use a system to record and publish decisions taken (e.g. Planning Explorer, YorTender), there is no requirement to produce a separate record provided that the record meets the requirements set out at paragraph 6 or 7, as appropriate.
- 17. The decision notice should be accompanied by documentation that provides information on the reasons for any decision and any options considered, where this is too detailed or complex to be set out on the decision notice itself. Provided it gives the necessary information, this documentation need not be in the same format as a report for Cabinet or Spokesperson delegated decision.
- 18. Officers should take care not to include in the supporting documentation any confidential or exempt information that might prejudice the public interest if published. Where information of this type has been referred to in the course of making the decision, this should be stated as one of the background papers. A reference should be made to it containing confidential information or exempt information under the Local Government Act 1972, Part 1, Schedule 12A.
- 19. Where an executive decision is being taken, any conflict of interest declared by an Executive Member on that matter should be recorded, together with any dispensation granted. Where a non-executive decision is being taken under a specific express authorisation, the record should include any conflict of interest declared by a Member on that matter.

20. Once the notice of decision and any supporting documentation has been fully completed, the officer making the decision should make arrangements for it to be scanned as one document and e-mailed to the Council Governance Unit at <u>governance@barnsley.gov.uk</u> for publication in the website. The original documentation should be kept on file by the decision making officer according to their normal procedures.

### Appendices

Appendix 1 Pro forma notice of decision

Appendix 2 Categories of exempt information as described in the Local Government Act, Part 1, Schedule 12A

### Links to Regulations:

Executive Decisions: Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 Non-Executive Decisions: Openness of Local Government Bodies Regulations 2014

Details of the schemes of officer delegations are available in <u>the Council's</u> <u>Constitution</u>

### Officer Decision Record (ODR)

The following decision was taken on (insert date) by the (insert officer title)

IMPORTANT NOTE: This information will be published on the Council's website as a record of the decision. Any exempt or confidential information should be detailed within the Not for Publication – Exempt Information box.

#### Title

Insert a short title to be displayed on the Council's website.

#### **Decision Taken**

Provide a clear and succinct description of the decision taken.

#### **Reasons for Decision**

Include a statement of reasons for the decision taken. Information on those consulted on the proposed action/decision should also be included.

#### Alternatives Considered

Outline any options for action considered and rejected.

#### Authority

Insert reference to relevant section of the Scheme of Delegation or Council/ Cabinet/Regulatory Board Minute Number, where appropriate, to show where the delegated powers on this matter was authorised.

### NOT FOR PUBLICATION – EXEMPT INFORMATION

This information is not available to the public and press because it contains exempt information described in paragraph **X** [insert relevant Paragraph Number from the table on page 2] of Schedule 12 A to the Local Government Act 1972 as amended.

Insert any information in relation to the decision taken that is not for publication on the Council's website here.

### **Elected Member Conflicts of Interest**

Record any conflicts of interest, and dispensations granted

Signature

(Insert Officer name)

(Insert more Officer names as required)

Signature Cabinet Spokesperson (if required)

### **EXEMPT / PRIVATE PARAGRAPHS**

A report may only be exempt from publication if the public interest in maintaining confidentiality outweighs the public interest in disclosing the information.

The categories of exempt information referred to above are described as follows:

Paragraph	Description
1	Information relating to any individual - This information may subsequently be disclosed when the public interest would no longer be served by withholding publication.
2	Information which is likely to reveal the identity of an individual.
3	Financial and Business Affairs – Information which, if disclosed to the public would, or would be likely to, prejudice the financial or business affairs of any particular person (including the Local Authority holding the information). Financial or business affairs include contemplated, as well as past or current activities.
4	Labour Relations – Information which, if disclosed to the public would, or would be likely to, prejudice consultations or negotiations, or contemplated consultations or negotiations in connection with any labour relations matter, as defined in Section 218 (1) of the Trade Union and Labour Relations (Consolidation) Act 1992, arising between the Authority or a Minister of the Crown and employees of, or office holders under, the Authority. This information may subsequently be disclosed once the consultations or negotiations are concluded.
5	Legal Privacy – Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6	<ul> <li>Enforcement Proceedings – Information which, if disclosed to the public, would reveal that the authority proposes:</li> <li>(a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or</li> <li>(b) to make an order or direction under any enactment.</li> </ul>
7	Crime Prevention – Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of a crime.

### Restrictions on the Publication of Reports Considered by Meetings within the Council

The Cabinet and other Council meetings are generally required to consider all reports in public. However, the facility exists to consider a report in private if it contains certain categories of information. The relevant legal provision is Schedule 12A to the Local Government Act 1972.

This note gives practical guidance on how exemptions from publication can be "claimed" and what qualifications to this apply. However, on a general note, any information which gives rise to an exemption must be specific, not theoretical, and must be relevant to the decision being sought from Members. The whole intention of the Freedom of Information Act is to ensure the availability of information, including reports, to the public and the starting point, therefore, is that all reports will be made available for publication.

Report authors are encouraged to contact the Council Governance Unit for assistance and advice in applying these provisions.

### Exempt Information under the Terms of the Local Government Act 1972, Schedule 12A (as amended)

Council meetings may consider reports following the exclusion of the public and press from the meeting if it contains some types of information, other than personal information, as described above. These categories of so-called exempt information are set out in Schedule 12A to the Local Government Act 1972, which has been amended to be consistent with the Freedom of Information Act.

The Categories of Exempt Information are given below and report authors need to consider these when seeking an exemption from publication, having regard to the qualifications that apply to each of the exemptions.

A particular issue that report authors need to bear in mind is the application of the public interest test included in the Freedom of Information Act. This means that a report cannot be exempt from publication unless, in all circumstances of the case, the public interest in maintaining confidentiality outweighs the public interest in disclosing the information. Even so, the exemption from publication may be time limited: For example it may not be in the public interest to publish the budget allocation for a particular contract, as this might affect the tender bids received; however, once the contract has been let there is no reason for this report to continue to be withheld from publication. Therefore, where there is a valid public interest justification for withholding the publication but this is time limited, report authors should include this information in the report. To identify that a report contains exempt information, report authors should complete the Public or Private information at the top of the Cabinet report template.

The categories of exempt information are as follows:-

Paragraph Number/ Information Type	Qualification
<b>Paragraph 1</b> Information relating to any individual.	Information falling within this Paragraph is subject to the public interest test referred to above. Exemption from publication will also generally be time limited, requiring report authors to consider the date on which the public interest will no longer be served by withholding publication.
	Information in this Paragraph is not exempt if it relates to proposed development for which the local planning authority may grant itself planning permission pursuant to Regulation 3 of the Town and Country Planning General Regulations 1992
<b>Paragraph 2</b> Information which is likely to reveal the identity of an individual.	Information falling within this Paragraph is subject to the time-limited public interest test referred to above.
	Information in this Paragraph is not exempt if it relates to proposed development for which the local planning authority may grant itself planning permission pursuant to Regulation 3 of the Town and Country Planning General Regulations 1992
<b>Paragraph 3</b> Information relating to the financial or business affairs	Information falling within this Paragraph is subject to the time-limited public interest test

financial or business affairs of any particular person (including the Local Authority holding the information).

referred to above. Financial or business affairs includes contemplated, as well as past or current activities. Paragraph Number/ Information Type

### **Qualification**

Paragraph 3 (cont/d...)

Information falling within this Paragraph is not exempt information by virtue of that Paragraph if it is required to be registered under:

- a. The Companies Act 1985
- b. The Friendly Societies Act 1974
- c. The Friendly Societies Act 1992
- d. The Industrial & Provident Societies Acts 1965 to 1978
- e. The Building Societies Act 1986 or
- f. The Charities Act 1993

Information in this Paragraph is not exempt if it relates to proposed development for which the local planning authority may grant itself planning permission pursuant to Regulation 3 of the Town and Country Planning General Regulations 1992

### Paragraph 4

Information relating to any consultations or negotiations, or contemplated consultations or negotiations in connection with any labour relations matter arising between the Authority or a Minister of the Crown and employees of, or office holders under, the Authority. Information falling within this Paragraph is subject to the time-limited public interest test referred to above. Note that it is therefore likely that, once the consultations or negotiations are concluded, the information is no longer exempt from publication.

In this context, "Labour relations matters" means (a) any of the matters specified in Paragraphs (a) to (g) of Section 218(I) of the Trade Union and Labour Relations (Consolidation) Act 1992 (ie matters which may be the matter of a trade dispute within the meaning of that Act) or (b) any dispute about a matter falling within Paragraph (a) above.

Information in this Paragraph is not exempt if it relates to proposed development for which the local planning authority may grant itself planning permission pursuant to Regulation 3 of the Town and Country Planning General Regulations 1992

### Paragraph Number/ Information Type

### Paragraph 5

Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings Information falling within this Paragraph is subject to the time-limited public interest test referred to above.

Qualification

Information in this Paragraph is not exempt if it relates to proposed development for which the local planning authority may grant itself planning permission pursuant to Regulation 3 of the Town and Country Planning General Regulations 1992

### Paragraph 6

Information which, if disclosed to the public, would reveal that the authority proposes:

(a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or Information falling within this Paragraph is subject to the time-limited public interest test referred to above.

Information in this Paragraph is not exempt if it relates to proposed development for which the local planning authority may grant itself planning permission pursuant to Regulation 3 of the Town and Country Planning General Regulations 1992

(b) to make an order or direction under any enactment

### Paragraph 7

Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of a crime Information falling within this Paragraph is subject to the time-limited public interest test referred to above.

Information in this Paragraph is not exempt if it relates to proposed development for which the local planning authority may grant itself planning permission pursuant to Regulation 3 of the Town and Country Planning General Regulations 1992

### BARNSLEY METROPOLITAN BOROUGH COUNCIL

### **REPORT OF: EXECUTIVE DIRECTOR CORE SERVICES**

### TITLE:APPOINTMENT OF MONITORING OFFICER IN ACCORDANCEWITH s.5 LOCAL GOVERNMENT AND HOUSING ACT 1989

REPORT TO:	Full Council
Date of Meeting	20 May 2022
Cabinet Member Portfolio	Core Services
Key Decision	No
Public or Private	Public

### Purpose of report

To appoint to the position of Monitoring Officer following the departure of Martin McCarthy with effect from 14<sup>th</sup> May 2022.

### Council Plan priority

Enabling Barnsley

### **Recommendation:**

In accordance with s.5 Local Government and Housing Act 1989, Shokat Lal, Executive Director Core Services be appointed the Council's Monitoring Officer with effect from 14th May 2022 until Sukdave Ghuman, the newly appointed Service Director for Law and Governance takes up post on 18<sup>th</sup> July 2022, from which point he assumes the role.

### 1. INTRODUCTION

- 1.1 In accordance with Section 5 of the Local Government and Housing Act 1989 (as amended) the Council is required by law to appoint a Monitoring Officer. whose main responsibilities are:
- 1.2 The Monitoring Officer has a number of statutory duties and responsibilities relating to the Council's Constitution and the arrangements for effective governance. These duties include maintaining the constitution, ensuring that no decision or omission of the Council is likely to give rise to illegality or maladministration and promoting high standards of conduct

1.3 Martin McCarthy, the Council's Monitoring Officer left the Council on 13<sup>th</sup> May 2022. The Council has appointed Sukdave Ghuman as Service Director Law and Governance (this includes assuming the role of Monitoring Officer) with effect from 18<sup>th</sup> July 2022. In the interim it has been agreed that Shokat Lal, Executive Director Core Services, will assume the role of Monitoring Officer until Sukdave commences work with the Council.

### 2. IMPLICATIONS OF THE DECISION

### **3.1** Financial and Risk – Below.

### 3.2 Legal

The statutory requirement to appoint a Monitoring Officer in accordance with s.5 of the Local Government and Housing Act 1989.

### 3.3 Equality

Not applicable.

### 3.4 Sustainability

Not applicable.

### 3.5 Employee

Not applicable.

### 3.6 Communications

Not applicable.

### 4. CONSULTATION

Not applicable.

### 5. ALTERNATIVE OPTIONS CONSIDERED

5.1 Not applicable.

### 6. REASONS FOR RECOMMENDATIONS

6.1 Legal Requirement.

### Report Author: Martin McCarthy Post: Monitoring Officer and Service Director, Governance, Member and Business Support Date: 25 April 2022

# Item 28 May 2022 June 2022 23 May 2022 -Mo TuWe Th Fr Sa Su Mo TuWe Th Fr Sa Su 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 29 May 2022 23 May 26 May 10:00 - 10:30 Council 14:00 - 14:30 North East Area Council 24 May 27 May 28 May 25 May Reserved for Member Training **09:00 - 10:00 Cabinet** (Reception Room, Town Hall) - Tague , Carol (HEAD OF GOVERNANCE) 29 May

## 30 May 2022 -5 June 2022

May 2022	June 2022
Mo TuWe Th Fr Sa Su	Mo TuWe Th Fr Sa Su
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30 May	2 June
5	Spring Bank Holiday
31 May	3 June
	Platinum Jubilee Bank Holiday
10:00 - 10:30 Reserved for General/Statutory Licensing Panel (to be cancelled if not required)	
14:00 - 14:30 Overview and Scrutiny Committee	
-	
1 June	4 June
10:00 - 10:30 Cabinet	
14:00 - 14:30 Audit Committee	
	5 June
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## 6 June 2022 -12 June 2022

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6 June Reserved for Member Training	<ul> <li>9 June</li> <li>10:00 - 10:30 Penistone Area Council</li> <li>14:00 - 14:30 Health and Wellbeing Board (Business Meeting)</li> </ul>
<b>7 June</b> 14:00 - 14:30 Planning	10 June
8 June Reserved for Member Training	11 June
Governance	12 June 18/05/2022 10:53

## 13 June 2022 -19 June 2022

13 June	16 June 09:30 - 10:00 Cabinet (please note change of day and time) 16:00 - 16:30 Mayors Civic Service
14 June	17 June
15 June	18 June
Governance	19 June 18/05/2022 10:53
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### 20 June 2022 -26 June 2022

 June 2022
 July 2022

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20 June	23 June
Reserved for Member Training	
Reserved for Member Training 10:00 - 10:30 Armed Forces Raising of the Flag Service	
21 June	24 June
	10:00 - 10:30 South Area Council
<ul> <li><b>22 June</b> <ul> <li>14:00 - 14:30 Reserved for General/Statutory Licensing Regulatory Board (to be cancelled if not required)</li> </ul> </li> </ul>	25 June
Governance	26 June

## 27 June 2022 -3 July 2022

June 2022	July 2022
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27 June	30 June
10:00 - 10:30 Cabinet(moved to Monday to avoid clash with LGA)	LGA Conference (TBC) 🗂
28 June	1 July
LGA Conference (TBC)	LGA Conference (TBC)
10:00 - 10:30 Reserved for General/Statutory Licensing Panel	
(to be cancelled if not required)	
14:00 - 14:30 Overview and Scrutiny Committee	
29 June	2 July
LGA Conference (TBC) 🔁	
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	3 July
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# 4 July 2022 -10 July 2022

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4 July	7 July
14:00 - 14:30 Member Development Working Party	Reserved for Member Information Briefing
5 July	8 July
14:00 - 14:30 Planning	
5 July	9 July
14:00 - 14:30 Central Area Council	
	10 July
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# 11 July 2022 -July 2022 August 2022 Mo TuWe Th Fr Sa Su Mo TuWe Th Fr Sa Su 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 17 July 2022 11 July 14 July 14:00 - 14:30 Dearne Area Council 14:00 - 14:30 North East Area Council 12 July 15 July 13 July 16 July 10:00 - 10:30 Cabinet Mayors Family Fun Day 17 July

# 18 July 2022 -24 July 2022

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18 July 14:00 - 14:30 North Area Council	21 July 10:00 - 10:30 Penistone Area Council
<ul> <li>19 July</li> <li>10:00 - 10:30 Reserved for General/Statutory Licensing Panel (to be cancelled if not required)</li> <li>14:00 - 14:30 Overview and Scrutiny Committee</li> </ul>	22 July
20 July	23 July 24 July
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# 25 July 2022 -31 July 2022

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25 July	28 July 10:00 - 10:30 Council
26 July 14:00 - 14:30 Planning	29 July
<b>27 July</b> <ul> <li>10:00 - 10:30 Cabinet</li> <li>14:00 - 14:30 Audit Committee (subject to legislative change)</li> </ul>	30 July
	31 July
Governance Pag	ge 62

# August 2022 September 2022 1 August 2022 -Mo TuWe Th Fr Sa Su Mo TuWe Th Fr Sa Su 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 7 August 2022 1 August 4 August 14:00 - 14:30 Health and Wellbeing Board (Workshop Meeting) 2 August 5 August 3 August 6 August 7 August 18/05/2022 10:53 Governance

# August 2022 September 2022 8 August 2022 -Mo TuWe Th Fr Sa Su Mo TuWe Th Fr Sa Su 1 2 3 4 5 6 7 8 9 0 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 14 August 2022 8 August 11 August 9 August 12 August 10 August 13 August 14 August 18/05/2022 10:53 Governance

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15 August	18 August	
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10:00 - 10:30 Cabinet (subject to sufficient business)		
	21 August	
Governance	Page 65	18/05/2022 10:5

## 22 August 2022 -28 August 2022

August 2022 <u>Mo Tu We Th Fr Sa Su</u> 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31

22 August	25 August
Holiday Week	Holiday Week
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# August 2022 September 2022 29 August 2022 -Mo TuWe Th Fr Sa Su Mo TuWe Th Fr Sa Su 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 4 September 2022 **1** September 29 August August Bank Holiday 30 August 2 September 10:00 - 10:30 Reserved for General/Statutory Licensing Panel 10:00 - 10:30 South Area Council (to be cancelled if not required) **3 September** 31 August **4 September**

# September 2022 October 2022 5 September 2022 -Mo TuWe Th Fr Sa Su Mo TuWe Th Fr Sa Su 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 11 September 2022 **5** September 8 September 14:00 - 14:30 Dearne Area Council 6 September 9 September 14:00 - 14:30 Planning **10 September** 7 September 10:00 - 10:30 Cabinet 14:00 - 14:30 Reserved for General/Statutory Licensing Regulatory Board (to be cancelled if not required) **11 September**

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<b>12 September</b> 14:00 - 14:30 North Area Council	15 September	
13 September	16 September	
14:00 - 14:30 Overview and Scrutiny Committee		
14 September	17 September	
14:00 - 14:30 Audit Committee		
	18 September	
Governance	Page 69	18/05/2022 10:5

19 September 2022 -	September 2022October 2022Mo TuWe Th Fr Sa SuMo TuWe Th Fr Sa Su
25 September 2022	$\begin{array}{cccccccccccccccccccccccccccccccccccc$
<b>19 September</b> 14:00 - 14:30 Member Development Working Party	<b>22 September</b> 10:00 - 10:30 Penistone Area Council 14:00 - 14:30 North East Area Council
20 September Reserved for Member Information Briefing	23 September
<b>21 September</b> 10:00 - 10:30 Cabinet 14:00 - 14:30 Central Area Council	24 September
	25 September
Governance	Page 70

26 September 2022 - 2 October 2022	September 2022         October 2022           Mo TuWe Th Fr Sa Su         Mo TuWe Th Fr Sa Su           1         2         3           5         6         7         8         9           12         13         14         15         16         17         18           19         20         21         22         23         24         25         26         27         28         29         30
<b>26 September</b> 14:00 - 14:30 Reserved for Audit Committee (subject to legislative changes)	31 29 September 10:00 - 10:30 Council
27 September	30 September
14:00 - 14:30 Planning	
28 September	1 October
	2 October
Governance	Page 71

3 October 2022 - 9 October 2022	October 2022         November 2022           Mo TuWe Th Fr Sa Su         1         2         3         4         5         6         7         8         9         7         8         9         10         11         12         13         14         15         16         14         15         16         14         15         16         17         18         19         20         21         22         23         24         25         26         27         28         29         30         31         31         30 <t< th=""></t<>
3 October	6 October 14:00 - 14:30 Health and Wellbeing Board (Business Meeting)
4 October 10:00 - 10:30 Reserved for General/Statutory Licensing Panel (to be cancelled if not required)	7 October
<b>5 October</b> 10:00 - 10:30 Cabinet	8 October
Governance	<b>9 October</b>

10 October 2022 - 16 October 2022	October 2022 <u>Mo TuWe Th Fr Sa Su</u> 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	November 2022 <u>Mo TuWe Th</u> Fr Sa Su 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30
10 October	13 October	
11 October 14:00 - 20:00 Overview and Scrutiny Committee	14 October 10:00 - 10:30 South Area Council	
12 October 14:00 - 14:30 Audit Committee Training Session	15 October	
	16 October	
Governance	<sup>21</sup>	18/05/2022 10:53

#### 17 October 2022 -23 October 2022

October 2022 Mo TuWe Th Fr Sa Su 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31

November 2022 Mo TuWe Th Fr Sa Su 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30

17 October	20 October	
Reserved for Member Training	Reserved for All Member Briefing	l
18 October	21 October	
19 October	22 October	
10:00 - 10:30 Cabinet		
	23 October	
Governance	- 77 - 1	18/05/2022 10:53
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24 October 2022 - 30 October 2022	October 2022 Mo Tu We Th Fr Sa Su 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	November 2022 Mo TuWe Th Fr Sa Su 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30
24 October	27 October	
25 October 14:00 - 14:30 Planning	28 October	
26 October 14:00 - 14:30 Reserved for General/Statutory Licensing Regulatory Board (to be cancelled if not required)	29 October 30 October	
Governance	23	18/05/2022 10:53

31 October 2022 - 6 November 2022	October 2022 <u>Mo TuWe Th Fr Sa Su</u> 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20
31 October	3 November	
<b>1 November</b> 14:00 - 14:30 Overview and Scrutiny Committee	4 November	
<b>2 November</b> 10:00 - 10:30 Cabinet	5 November	
Governance	6 November	18/05/2022 10:53

# November 2022 December 2022 7 November 2022 -Mo TuWe Th Fr Sa Su Mo TuWe Th Fr Sa Su 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 **13 November 2022** 7 November **10 November** 14:00 - 14:30 Member Development Working Party Reserved for All Member Briefing 8 November 11 November 10:00 - 10:30 Reserved for General/Statutory Licensing Panel 11:00 - 11:30 Armistace Day (to be cancelled if not required) **12 November** 9 November 14:00 - 14:30 Central Area Council 13 November 11:00 - 11:30 Rememberance Sunday

14 November 2022 - 20 November 2022	November 2022 <u>Mo TuWe Th Fr Sa Su</u> 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30	December 2022 <u>Mo TuWe Th Fr Sa Su</u> 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31
14 November 14:00 - 14:30 North Area Council	17 November Reserved for Member Training	
15 November	18 November	
<b>16 November</b> 10:00 - 10:30 Cabinet 14:00 - 14:30 Audit Committee	19 November	
	20 November	
Governance	age 78	18/05/2022 10:53

21 November 2022 - 27 November 2022	November 2022         December 2022           Mo         Tu We         Th         Fr         Sa         Su         Mo         Tu We         Th         Fr         Sa         Su         1         2         3         4         5         6         7         8         9         10         11         12         13         5         6         7         8         9         10         11           14         15         16         17         18         19         20         12         13         14         15         16         17         18           21         22         23         24         25         26         27         28         29         30         31
21 November 14:00 - 14:30 Dearne Area Council	24 November 10:00 - 10:30 Council 14:00 - 14:30 North East Area Council
22 November 14:00 - 14:30 Planning	25 November
23 November	26 November
	27 November
Governance P	Page 79

28 November 2022 -	November 2022December 2022Mo TuWe Th Fr Sa SuMo TuWe Th Fr Sa Su
4 December 2022	$\begin{array}{cccccccccccccccccccccccccccccccccccc$
28 November	1 December 10:00 - 10:30 Penistone Area Council
<b>29 November</b> 14:00 - 14:30 Overview and Scrutiny Committee	2 December
<b>30 November</b> 10:00 - 10:30 Cabinet	3 December
	4 December
Governance	28 18/05/2022 10:53

5 December 2022 -	December 2022January 2023Mo TuWe Th Fr Sa SuMo TuWe Th Fr Sa Su
11 December 2022	$\begin{array}{c ccccccccccccccccccccccccccccccccccc$
5 December 10:00 - 10:30 JECC Annual meeting	8 December 14:00 - 14:30 Health and Wellbeing Board (Workshop Meeting)
6 December 10:00 - 10:30 Reserved for General/Statutory Licensing Panel (to be cancelled if not required)	9 December
7 December	10 December
	11 December
Governance	<sup>29</sup> 18/05/2022 10:53

12 December 2022 - 18 December 2022	December 2022 <u>Mo TuWe Th Fr Sa Su</u> 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	January 2023 <u>Mo TuWe Th Fr Sa Su</u> 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22
12 December	26 27 28 29 30 31 <b>15 December</b> 16:00 - 16:30 Civic Carol Service	23 24 25 26 27 28 29 30 31
13 December	16 December	
Reserved for Member Information Briefing	10:00 - 10:30 South Area Council	
<b>14 December</b> 10:00 - 10:30 Cabinet	17 December	
	18 December	
Governance	30	18/05/2022 10:53

19 December 2022 -	December 2022 Mo TuWe Th Fr Sa Su	January 2023 Mo TuWe Th Fr Sa Su
25 December 2022	$\begin{array}{cccccccccccccccccccccccccccccccccccc$	$\begin{array}{cccccccccccccccccccccccccccccccccccc$
19 December	22 December	
<b>20 December 1</b> 4:00 - 14:30 Planning	23 December	
21 December 14:00 - 14:30 Reserved for general/Statutory Licensing	24 December	
Regulatory Board (to be cancelled if not required)		
	25 December	
	Christmas Day	
Governance	31	18/05/2022 10:5

#### 26 December 2022 -1 January 2023

December 2022 <u>Mo TuWe Th</u> Fr Sa Su 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 January 2023 Mo TuWe Th Fr Sa Su 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31

26 December	29 December
Boxing Day	Office Closed
27 December	30 December
Special Bank Holiday in Lieu of Christmas Day	Office Closed
28 December	31 December
Office Closed	
	1 January
	New Years Day
Governance	18/05/2022 10:53
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#### 2 January 2023 -8 January 2023

January 2023 Mo Tu We Th Fr Sa Su 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31

Mo TuWe Th Fr Sa Su 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28

February 2023

2 January	5 January
Special Bank Holiday in Lieu of New Years Day	
3 January	6 January
4 January	7 January
	8 January
Governance	Page 85

9 January 2023 - 15 January 2023	January 2023 Mo TuWe Th Fr Sa Su 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	February 2023 Mo TuWe Th Fr Sa Su 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28
9 January 14:00 - 14:30 Dearne Area Council	12 January	
<b>10 January</b> 10:00 - 10:30 Reserved for General/Statutory Licensing Panel (to be cancelled if not required) 14:00 - 14:30 Overview and Scrutiny Committee	13 January	
<b>11 January</b> 10:00 - 10:30 Cabinet	14 January	
	15 January	
Governance	<sup>34</sup> ade 86	18/05/2022 10:53

16 January 2023 - 22 January 2023	January 2023 <u>Mo TuWe Th Fr Sa Su</u> 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	February 2023 Mo TuWe Th Fr Sa Su 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28
16 January 14:00 - 14:30 North Area Council	19 January  Reserved for Member Training	
<b>17 January</b> Reserved for Member Information Briefing	20 January	
18 January 14:00 - 14:30 Audit Committee	21 January	
	22 January	
Governance	- 35	18/05/2022 10:53

23 January 2023 - 29 January 2023	January 2023         February 2023           Mo         Tu We         Th         Fr         Sa         Su           2         3         4         5         6         7         8         9         10         11         12         3         4         5         6         7         8         9         10         11         12         13         14         15         13         14         15         16         17         18         19         20         21         22         20         21         22         20         21         22         22         24         25         26           23         24         25         26         27         28         27         28           30         31         31         31         31         31         31         31         31         31         31         31         31         31         31         31         31
<b>23 January</b> 14:00 - 14:30 Member Development Working Party	26 January 14:00 - 14:30 North East Area Council
24 January 14:00 - 14:30 Planning	27 January
<b>25 January</b> 10:00 - 10:30 Cabinet	28 January
	29 January
Governance	Page 88

30 January 2023 - 5 February 2023	January 2023         February 2023           Mo         Tu We         Th         Fr         Sa         Mo         Tu         Th         Fr         Sa         Su         1         1         2         3         4         5         G         7         8         9         10         11         12         3         4         5         6         7         8         9         10         11         12         13         14         15         13         14         15         16         17         18         19         20         21         22         20         21         22         23         24         25         26         27         28         27         28           30         31         T
30 January Reserved for Member Training	2 February 10:00 - 10:30 Council (including HRA) 14:00 - 14:30 Health and Wellbeing Board (Business Meeting)
31 January	3 February
1 February 14:00 - 14:30 Central Area Council	4 February 5 February
	18/05/2022 10:53

#### 6 February 2023 -12 February 2023

 February 2023
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6 February	9 February
Reserved for Member Training	10:00 - 10:30 Penistone Area Council
<b>7 February</b> 10:00 - 10:30 Reserved for General/Statutory Licensing Panel	10 February
(to be cancelled if not required) 14:00 - 14:30 Overview and Scrutiny Committee	
8 February	11 February
10:00 - 10:30 Cabinet	
	12 February
Governance	18/05/2022 10:53
Pa	ge 90

# 13 February 2023 -February 2023 March 2023 Mo TuWe Th Fr Sa Su Mo TuWe Th Fr Sa Su 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 **19 February 2023 13 February 16 February** Reserved for Member Training **14 February** 17 February 10:00 - 10:30 South Area Council 14:00 - 14:30 Planning 18 February 15 February 14:00 - 14:30 Reserved for General/Statutory Licensing Regulatory Board (to be cancelled if not required) **19 February**

# February 2023 20 February 2023 -March 2023 Mo TuWe Th Fr Sa Su Mo TuWe Th Fr Sa Su 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 26 February 2023 20 February 23 February 10:00 - 10:30 Council (Budget) 21 February 24 February Reserved for Member Training 25 February 22 February 10:00 - 10:30 Cabinet 26 February

27 February 2023 -	February 2023         March 2023           Mo         Tu We         Th         Fr         Sa         Su         Th         Sa         Su         Sa         Su         Sa         Su         Sa         Sa
5 March 2023	1       2       3       4       5         6       7       8       9       10       11       12       6       7       8       9       10       11       12         13       14       15       16       17       18       19       13       14       15       16       17       18       19         20       21       22       23       24       25       26       20       21       22       32       24       25       26         27       28       28       27       28       29       30       31
27 February	2 March 10:00 - 10:30 Provisional Council (for Budget if not approved on 23rd Feb)
28 February	3 March
1 March	4 March
	5 March
Governance	Page 93

### 6 March 2023 -12 March 2023

 March 2023
 April 2023

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6 March	9 March
7 March 10:00 - 10:30 Reserved for General/Statutory Licensing Panel (to be cancelled if not required) 14:00 - 14:30 Overview and Scrutiny Committee	10 March
8 March	11 March
10:00 - 10:30 Cabinet	
	12 March
Governance	ge 94

# March 2023 April 2023 13 March 2023 -Mo TuWe Th Fr Sa Su Mo TuWe Th Fr Sa Su 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 19 March 2023 13 March 16 March 14:00 - 14:30 North Area Council 14 March 17 March 14:00 - 14:30 Planning Regulatory Board 18 March 15 March 14:00 - 14:30 Audit Committee 19 March 18/05/2022 10:53 Governance

20 March 2023 - 26 March 2023	March 2023April 2023Mo TuWe Th Fr Sa SuMo TuWe Th Fr Sa Su1234567891011121314151620212222272829303124252627282930
20 March 14:00 - 14:30 Dearne Area Council	23 March 14:00 - 14:30 North East Area Council
21 March 14:00 - 14:30 Overview and Scrutiny Committee	24 March
<b>22 March</b> <ul> <li>10:00 - 10:30 Cabinet</li> <li>14:00 - 14:30 Central Area Council</li> </ul>	25 March
	26 March
Governance	Page 96

27 March 2023 - 2 April 2023	$\begin{array}{c ccccccccccccccccccccccccccccccccccc$
<b>27 March</b> 14:30 Member Development Working Party	30 March 10:00 - 10:30 Council 14:00 - 14:30 Health and Wellbeing Board (Workshop Meeting)
<b>28 March</b> Reserved for Member Information Briefing	31 March
29 March	1 April
	2 April
Governance	Page 97

# 3 April 2023 -9 April 2023

April 2023	May 2023
Mo TuWe Th Fr Sa Su	Mo TuWe Th Fr Sa Su
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31

3 April	6 April 10:00 - 10:30 Penistone Area Council
<b>4 April</b> 10:00 - 10:30 Reserved for General/Statutory Licensing Panel	7 April Good Friday
(to be cancelled if not required)	
5 April 10:00 - 10:30 Cabinet	8 April
	9 April
Governance Pag	ge 98

# 10 April 2023 -16 April 2023

 April 2023
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10 April	13 April
Easter Monday	Reserved Member Training
11 April	14 April
14:00 - 14:30 Planning Regulatory Board	14 April 10:00 - 10:30 South Area Council
12 April	15 April
	16 April
Governance Page	ge 99

# 17 April 2023 -23 April 2023

April 2023	May 2023
Mo TuWe Th Fr Sa Su	Mo TuWe Th Fr Sa Su
$\begin{array}{cccccccccccccccccccccccccccccccccccc$	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31

17 April	20 April
Reserved Member Training	Reserved for Member Information Briefing
18 April	21 April
<ul> <li><b>19 April</b></li> <li>10:00 - 10:30 Cabinet</li> <li>14:00 - 14:30 Reserved for General/Statutory Licensing Regulatory Board (to be cancelled if not required)</li> </ul>	22 April
	23 April
Governance	ge 100

## 24 April 2023 -30 April 2023

April 2023	May 2023
Mo TuWe Th Fr Sa Su	Mo TuWe Th Fr Sa Su
$\begin{array}{cccccccccccccccccccccccccccccccccccc$	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31

24 April	27 April
25 April	28 April
14:00 - 14:30 Overview and Scrutiny Committee	
-	
26 April	29 April
14:00 - 14:30 Audit Committee	
	30 April
Governance 4	18/05/2022 10:53

# 1 May 2023 -7 May 2023

		Ma	y 20	)23					Jun	e 20	023		
Мо	Tu	We	Th	Fr	Sa	Su	Мо	Tu	We	Th	Fr	Sa	Su
8 15 22	2 9 16 23 30	10 17 24	11 18	12 19	13 20	14 21	12 19	6 13 20 27	14 21	8 15 22	9 16 23	17	11 18

1 May	4 May
May Day Bank Holiday	Local Elections
2 May	5 May
<ul> <li>10:00 - 10:30 Reserved for General/Statutory Licensing Panel (to be cancelled if not required)</li> <li>14:00 - 14:30 Planning Regulatory Board</li> </ul>	5 Way
3 May 10:00 - 10:30 Cabinet	6 Мау
	7 84
	7 May
Governance	50 18/05/2022 10:53

## 8 May 2023 -14 May 2023

May 2023	June 2023
Mo TuWe Th Fr Sa Su	Mo TuWe Th Fr Sa Su
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	$\begin{array}{cccccccccccccccccccccccccccccccccccc$

8 May	11 May			
	Reserved Member Training			
9 Мау	12 May			
10 May	13 May			
Reserved Member Training	-			
	14 May			
	14 May			
Governance _ 5	1 18/05/2022 10:53			
Pag	ge 103			

# 15 May 2023 -21 May 2023

May 2023	June 2023
Mo TuWe Th Fr Sa Su	Mo TuWe Th Fr Sa Su
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	$\begin{array}{cccccccccccccccccccccccccccccccccccc$

15 May	18 May
14:00 - 14:30 North Area Council	Reserved Member Training
16 May	19 Мау
Reserved for Member Information Briefing	18:00 - 18:30 Annual Council
17 Mars	20 Mars
17 May	20 Мау
<b>1</b> 0:00 - 10:30 Cabinet	
	21 May
Governance	18/05/2022 10:53
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22 May 2023 - 28 May 2023	May 2023 <u>Mo TuWe Th Fr Sa S</u> 1 2 3 4 5 6 8 9 10 11 12 13 15 16 17 18 19 20 2 22 23 24 25 26 27 2 29 30 31	$\begin{array}{c ccccccccccccccccccccccccccccccccccc$
22 May 14:00 - 14:30 Dearne Area Council	<b>25 May</b> 10:00 - 10:30 Full Council 14:00 - 14:30 North East Area	Council
23 May Reserved Member Training	26 May	
<b>24 May</b> 14:00 - 14:30 Central Area Council	27 May	
	28 May	
Governance	Page 105	18/05/2022 10:5

### 29 May 2023 -4 June 2023

May 2023	June 2023
Mo TuWe Th Fr Sa Su	Mo TuWe Th Fr Sa Su
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	$\begin{array}{cccccccccccccccccccccccccccccccccccc$

29 May Spring Bank Holiday	1 June
<ul> <li>30 May</li> <li>10:00 - 10:30 Reserved for General/Statutory Licensing Panel (to be cancelled if not required)</li> <li>14:00 - 14:30 Overview and Scrutiny Committee</li> </ul>	2 June
<b>31 May</b> 10:00 - 10:30 Cabinet 16:00 - 16:30 Audit Committee	3 June 4 June
Governance Pag	₄ 18/05/2022 10:53 ge 106

5 June 2023 -	June 2023 July 2023 Mo TuWe Th Fr Sa Su Mo TuWe Th Fr Sa Su
11 June 2023	1       2       3       4       1       2         5       6       7       8       9       10       11       3       4       5       6       7       8       9         12       13       14       15       16       17       18       10       11       12       13       14       15       16         19       20       21       22       23       24       25       17       18       19       20       21       22       23         26       27       28       29       30       24       25       26       27       28       29       30         31       31       31       31       34       36       37       36       31       36       31       36       31       36       31       36       31       36       31       36       31       36       31       36       31       36       31       36       31       36       31       36       31       31       31       36       31       36       31       36       31       36       31       36       31       36       31       36
<b>5 June</b> 14:00 - 14:30 Member Development Working Party	8 June 10:00 - 10:30 Penistone Area Council 14:00 - 14:30 Health and Wellbeing Board (Business Meeting)
6 June 14:00 - 14:30 Planning Regulatory Board	9 June
7 June	10 June
	11 June
Governance	

### 12 June 2023 -18 June 2023

June 2023 July 2023 Mo TuWe Th Fr Sa Su Mo TuWe Th Fr Sa Su 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30

12 June 15 June Reserved Member Training 13 June 16 June Reserved Member Training 17 June 14 June 10:00 - 10:30 Cabinet 18 June Governance

### 19 June 2023 -25 June 2023

June 2023	July 2023
Mo TuWe Th Fr Sa Su	Mo TuWe Th Fr Sa Su
$\begin{array}{cccccccccccccccccccccccccccccccccccc$	$\begin{array}{cccccccccccccccccccccccccccccccccccc$

19 June	22 June
20 June	23 June
	10:00 - 10:30 South Area Council
21 June	24 June
14:00 - 14:30 Reserved for General/Statutory Licensing Regulatory Board (to be cancelled if not required)	
Regulatory Board (to be cancelled if not required)	
	25 June
Governance	7 18/05/2022 10:53
Pag	ge 109

### June 2023 July 2023 26 June 2023 -Mo TuWe Th Fr Sa Su Mo TuWe Th Fr Sa Su 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 2 July 2023 26 June 29 June 10:00 - 10:30 Cabinet (Moved to Monday to avoid clash with 🗌 LGA Conference (TBC) 💮 LGA Conference) Reserved Member Training 27 June 30 June 🗌 LGA Conference (TBC) 😷 🗌 LGA Conference (TBC) 10:00 - 10:30 Reserved for General/Statutory Licensing Panel (to be cancelled if not required) 14:00 - 14:30 Overview and Scrutiny Committee 1 July 28 June LGA Conference (TBC) 😷 2 July

### 3 July 2023 -9 July 2023

July 2023	August 2023
Mo TuWe Th Fr Sa Su	Mo TuWe Th Fr Sa Su
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3 July	6 July		
	Reserved for Member Information Briefing		
4 July	7 July		
14:00 - 14:30 Planning Regulatory Board			
5 July	8 July		
	9 July		
Governance	ge 111		
Pa	је пп		

10 July 2023 - 16 July 2023		July 2023 <u>Mo TuWe Th Fr Sa Su</u> 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	August 2023 Mo TuWe Th Fr Sa Su 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31
10 July 14:00 - 14:30 North Area Council	13 July		
11 July	14 July		
<b>12 July</b> 10:00 - 10:30 Cabinet	15 July		
	16 July		
Governance			18/05/2022 10:53

### July 2023 17 July 2023 -August 2023 Mo TuWe Th Fr Sa Su Mo TuWe Th Fr Sa Su 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 23 July 2023 17 July 20 July 14:00 - 14:30 Dearne Area Council 10:00 - 10:30 Penistone Area Council 14:00 - 14:30 North East Area Council 18 July 21 July 10:00 - 10:30 Reserved for General/Statutory Licensing Panel (to be cancelled if not required) 14:00 - 14:30 Overview and Scrutiny Committee 22 July 19 July 14:00 - 14:30 Central Area Council 23 July

### 24 July 2023 -July 2023 August 2023 Mo TuWe Th Fr Sa Su Mo TuWe Th Fr Sa Su 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 30 July 2023 24 July 27 July 16:00 - 16:30 Audit Committee 10:00 - 10:30 Full Council 25 July 28 July 14:00 - 14:30 Planning Regulatory Board 29 July 26 July 10:00 - 10:30 Cabinet 16:00 - 16:30 Audit Committee (subject to legislative change) 30 July

31 July 2023 - 6 August 2023	July 2023         August 2023           Mo         TuWe         Th         Fr         Sa         Su         Mo         Tu         Sa         Su         Mo         Tu         Sa         Su         Sa         Sa
<b>31 July</b> 14:00 - 14:30 Member Development Working Party	31 <b>3 August</b> 14:00 - 14:30 Health and Wellbeing Board (Workshop Meeting)
1 August	4 August
2 August	5 August
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### 7 August 2023 -13 August 2023

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14 August 2023 - 20 August 2023	August 2023         September 2023           Mo         TuWe         Th         Fr         Sa         1         2         3         4         5         6         7         8         9         10         11         12         13         4         5         6         7         8         9           14         15         16         17         18         19         20         11         12         13         14         15         16         12         23         24         25         26         27         28         29         30         31         25         26         27         28         29         30	Su 3 10 17 24
14 August	17 August	
15 August	18 August	
<b>16 August</b> 10:00 - 10:30 Cabinet	19 August	
	20 August	
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### 21 August 2023 -27 August 2023

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21 August	24 August
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## September 2023 August 2023 28 August 2023 -Mo TuWe Th Fr Sa Su Mo TuWe Th Fr Sa Su 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 3 September 2023 31 August 28 August Summer Bank Holiday 29 August **1** September 10:00 - 10:30 Reserved for General/Statutory Licensing Panel 10:00 - 10:30 South Area Council (to be cancelled if not required) 2 September 30 August **3 September**

4 September 2023 -	September 2023October 2023Mo TuWe Th Fr Sa SuMo TuWe Th Fr Sa Su
10 September 2023	$ \begin{array}{cccccccccccccccccccccccccccccccccccc$
4 September 14:00 - 14:30 Dearne Area Council	7 September
5 September 14:00 - 14:30 Planning Regulatory Board	8 September
6 September 10:00 - 10:30 Cabinet 14:00 - 14:30 Reserved for General/Statutory Licensing Regulatory Board (to be cancelled if not required)	9 September
	10 September

17 September 2023	4 5 6 7 8 9 10 11 12 13 14 15 16 17	2345678
	18 19 20 21 22 23 24 25 26 27 28 29 30	9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31
11 September 14:00 - 14:30 North Area Council	14 September	
12 September	15 September	
14:00 - 14:30 Overview and Scrutiny Committee		
13 September 16:00 - 16:30 Audit Committee	16 September	
	17 September	

18 September 2023 -	September 2023October 2023Mo TuWe Th Fr Sa SuMo TuWe Th Fr Sa Su11
24 September 2023	$ \begin{array}{cccccccccccccccccccccccccccccccccccc$
<b>18 September</b> 14:00 - 14:30 Member Development Working Party	21 September 10:00 - 10:30 Penistone Area Council 14:00 - 14:30 North East Area Council
19 September	22 September
<b>20 September</b> 10:00 - 10:30 Cabinet 14:00 - 14:30 Central Area Council	23 September
	24 September
Governance	<sup>70</sup> 18/05/2022 10:53

# September 2023 October 2023 25 September 2023 -Mo TuWe Th Fr Sa Su Mo TuWe Th Fr Sa Su 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 **1 October 2023** 25 September 28 September 10:00 - 10:30 Full Council 26 September 29 September 14:00 - 14:30 Planning Regulatory Board 27 September **30 September** 1 October

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