

Annual Council Meeting

15 May 2019

Time 6.00 pm **Public Meeting?** YES **Type of meeting** Full Council

Venue Council Chamber - 4th Floor - Civic Centre

Membership (Quorum for this meeting is 15 Councillors)

Mayor Cllr Phil Page (Lab)

Deputy Mayor Cllr Claire Darke (Lab)

Labour

Cllr Obaida Ahmed
Cllr Harman Banger
Cllr Mary Bateman
Cllr Philip Bateman MBE
Cllr Payal Bedi-Chadha
Cllr Peter Bilson
Cllr Olivia Birch
Cllr Paul Birch
Cllr Alan Bolshaw
Cllr Greg Brackenridge
Cllr Ian Brookfield
Cllr Paula Brookfield
Cllr Alan Butt
Cllr Craig Collingswood
Cllr Jacqui Coogan
Cllr Jasbinder Dehar

Cllr Steve Evans
Cllr Val Evans
Cllr Bhupinder Gakhal
Cllr Dr Michael Hardacre
Cllr Celia Hibbert
Cllr Keith Inston
Cllr Jasbir Jaspal
Cllr Milkinderpal Jaspal
Cllr Rashpal Kaur
Cllr Rupinderjit Kaur
Cllr Roger Lawrence
Cllr Linda Leach
Cllr Hazel Malcolm
Cllr Asha Mattu
Cllr Barbara McGarrity
Cllr Louise Miles

Cllr Beverley Momenabadi
Cllr Lynne Moran
Cllr Anwen Muston
Cllr Rita Potter
Cllr John Reynolds
Cllr Susan Roberts MBE
Cllr John Rowley
Cllr Zee Russell
Cllr Sandra Samuels OBE
Cllr Caroline Siarkiewicz
Cllr Stephen Simkins
Cllr Clare Simm
Cllr Mak Singh
Cllr Paul Sweet
Cllr Jacqueline Sweetman
Cllr Martin Waite

Conservative

Cllr Paul Appleby
Cllr Simon Bennett
Cllr Jonathan Crofts
Cllr Christopher Haynes
Cllr Sohail Khan
Cllr Paul Singh
Cllr Udey Singh
Cllr Jane Stevenson
Cllr Wendy Thompson
Cllr Jonathan Yardley

Information for the Public

If you have any queries about this meeting, please contact the Democratic Services team:

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Agenda

Item No. Title

MEETING BUSINESS ITEMS

- 1 **Apologies for absence**
- 2 **Declarations of interest**
- 3 **Minutes of previous meeting** (Pages 5 - 12)
[To receive minutes of the previous meeting held on 3 April 2019.]

DECISION ITEMS

- 4 **To elect a Mayor**
[To elect a Mayor for the municipal year.]
- 5 **To appoint a Deputy Mayor**
[To appoint a Deputy Mayor for the municipal year.]
- 6 **To pass a vote of thanks to the retiring Mayor and Mayoress**
[The Council to express to the retiring Mayor and Mayoress appreciation of the service they have rendered to the Council during his term of office.]
- 7 **To receive a return of the Councillors elected on 2 May 2019**
[The Deputy Monitoring Officer to present a return of the Councillors elected on 2 May 2019.]
- 8 **Welcome new Councillors and to move the vote of thanks to former**
[The Mayor to welcome new Councillors and to move the vote of thanks to former Councillors.]
- 9 **Communications**
[To receive the Mayor's announcements.]
- 10 **Election of the Leader of the Council**
[To elect a Leader of the Council.]
- 11 **Political balance, appointment of the Cabinet, appointments to Scrutiny and Regulatory and other Committees, and appointments to outside bodies for 2019-2020** (Pages 13 - 18)
[To approve appointment of the Cabinet and Cabinet Panels, the Scrutiny Board and Scrutiny Panels, Regulatory and other Committees, and representation on Joint Authorities/Committees and outside bodies. **Appendices 1 -6 To be tabled**]
- 12 **Interim Appointment of Monitoring Officer** (Pages 19 - 22)
[To approve the appointment of an interim Monitoring Officer.]

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CITY OF WOLVERHAMPTON COUNCIL	Meeting of the Council Minutes - 3 April 2019
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Attendance

Mayor Cllr Phil Page (Lab)
Deputy Mayor Cllr Claire Darke (Lab)

Labour

Cllr Obaida Ahmed	Cllr Bhupinder Gakhal	Cllr Lynne Moran
Cllr Harbans Bagri	Cllr Val Gibson	Cllr Anwen Muston
Cllr Harman Banger	Cllr Dr Michael Hardacre	Cllr Peter O'Neill
Cllr Mary Bateman	Cllr Celia Hibbert	Cllr Rita Potter
Cllr Philip Bateman MBE	Cllr Keith Inston	Cllr John Reynolds
Cllr Payal Bedi-Chadha	Cllr Jasbir Jaspal	Cllr Susan Roberts MBE
Cllr Peter Bilson	Cllr Milkinderpal Jaspal	Cllr John Rowley
Cllr Alan Bolshaw	Cllr Rupinderjit Kaur	Cllr Zee Russell
Cllr Greg Brackenridge	Cllr Roger Lawrence	Cllr Sandra Samuels OBE
Cllr Ian Brookfield	Cllr Linda Leach	Cllr Stephen Simkins
Cllr Alan Butt	Cllr Hazel Malcolm	Cllr Clare Simm
Cllr Craig Collingswood	Cllr Asha Mattu	Cllr Mak Singh
Cllr Jasbinder Dehar	Cllr Barbara McGarrity	Cllr Paul Sweet
Cllr Steve Evans	Councillor Louise Miles	Cllr Jacqueline Sweetman
Cllr Val Evans	Cllr Beverley Momenabadi	Cllr Martin Waite

Conservative

Cllr Simon Bennett	Cllr Udey Singh
Cllr Christopher Haynes	Cllr Jane Stevenson
Cllr Sohail Khan	Cllr Wendy Thompson
Cllr Paul Singh	Cllr Jonathan Yardley

Employees

Tim Johnson	Managing Director
Tracey Christie	Deputy Monitoring Officer
Ross Cook	Service Director City Environment
Ian Fegan	Head of Communications
Claire Nye	Director of Finance
Meredith Teasdale	Director of Education
David Watts	Director of Adult Services
Jaswinder Kaur	Democratic Services Manager
Kirsty Tuffin	Democratic Services Officer

The proceedings opened with Prayers

Item No. Title

1 Apologies for absence

Apologies for absence were received from Councillor Ian Angus.

2 Declarations of interest

Tracey Christie, Deputy Monitoring Officer advised that the following declarations of interest had been made:

Item 7 – Wolverhampton Homes Business Plan 2019-2023

Councillor	Interest	Reason
Payal Bedi-Chadha	disclosable non-pecuniary	Wolverhampton Homes Landlord
Alan Bolshaw	disclosable non-pecuniary	Wolverhampton Homes' Tenant
Ian Brookfield	Disclosable non-pecuniary	Wolverhampton Homes' Leaseholder
Sohail Khan	Disclosable non-pecuniary	Wolverhampton Homes' Leaseholder
Linda Leach	Disclosable non-pecuniary	Wolverhampton Homes' Leaseholder
Asha Mattu	Disclosable non-pecuniary	Wolverhampton Homes' Board Member
Peter O'Neill	Disclosable non-pecuniary	Wolverhampton Homes' Tenant
Rita Potter	Disclosable non-pecuniary	Wolverhampton Homes' Board Member
Zee Russell	Disclosable non-pecuniary	Wolverhampton Homes' Board Member
Susan Roberts MBE	Disclosable non-pecuniary	Wolverhampton Homes' Tenant
Paul Singh	Disclosable non-pecuniary	Wolverhampton Homes' Board Member

Item 8 – Senior Management Restructure – April 2019

Employee	Interest	Reason
Ross Cook	Pecuniary interest	Employee directly impacted by recommendations.
Ian Fegan	Pecuniary interest	Employee directly impacted by recommendations.

Item 9 – Senior Pay Policy Statement 2019-2020

Employee	Interest	Reason
Tim Johnson	Pecuniary interest	Employee directly impacted by recommendations.
Ross Cook	Pecuniary interest	Employee directly impacted by recommendations.
Ian Fegan	Pecuniary interest	Employee directly impacted by recommendations.
Claire Nye	Pecuniary interest	Employee directly impacted by recommendations.
Meredith Teasdale	Pecuniary interest	Employee directly impacted by recommendations.
David Watts	Pecuniary interest	Employee directly impacted by recommendations.

No other declarations of interests were made.

3 Minutes of previous meeting

The Mayor proposed, the Deputy Mayor seconded, and it was resolved:

That the minutes of the previous meeting, held on 6 March 2019, be agreed as a correct record and signed accordingly by the Mayor.

4 Communications

1. Retiring Members of the Council

The Mayor expressed his thanks to the following Councillors who were not seeking re-election in May 2019:

- Councillor Val Gibson
- Councillor Ian Angus
- Councillor Peter O'Neill
- Councillor Harbans Bagri
- Councillor Welcome Koussoukama
- Councillor Arun Photay

2. Letter of condolence to Christchurch, New Zealand

The Mayor condemned the recent terror attack which had taken place on Friday 15 March in Christchurch, New Zealand, where 50 people attending Friday prayers in a mosque were killed. The Mayor and Mayoress had sent a letter of condolence to Mayor Dalziel on behalf of the City and as a sign of respect the City flag was lowered to half-mast.

3. Former Mayoress Miss Beryl Hart

The Mayor announced that there was further cause for sadness, as former Mayoress Miss Beryl Hart, to Former Mayor and Councillor, Alan Hart in 2004 - 2005 passed away Wednesday 27 March 2019. The Mayor and Mayoress had sent a condolence card on behalf of the Council to the family.

4. Leader of the Council

The Mayor reported that this evening's meeting was a major milestone for the Leader, Councillor Roger Lawrence. It was his last Full Council meeting as Leader, after 15 years in the role. On behalf of all Councillors the Mayor thanked Roger for his service to the City and the region and added the Council would find an appropriate way to recognise and celebrate his contribution in the coming months.

5 Our Council Plan 2019-2024

The Leader of the Council, Councillor Roger Lawrence presented the Our Council Plan 2019-2024 for approval. He advised the current Our Council Plan had been refreshed following extensive consultation with over 3000 people which consisted of Councillors, residents, businesses, partners, voluntary and community sector etc.

The Leader of the Council, Councillor Roger Lawrence advised the outcomes of the Our Council Plan was "Wulfrunians will live longer, healthier and more fulfilling lives, this was underpinned by six key priorities; children and young people getting the best possible start in life, well skilled people working in an inclusive economy, more good jobs and investment in our city, better homes for all, strong, resilient and healthy communities and a vibrant, green city we can all be proud of".

The Leader of the Council, Councillor Roger Lawrence added the Our Council Plan was also supported by a performance framework to ensure priorities were being delivered by the relevant director.

The Leader of the Council, Councillor Roger Lawrence proposed the recommendation and Councillor Peter Bilson seconded the recommendation.

The report was debated by Council.

Resolved:

That the Council's Our Council Plan 2019-2024 be approved.

6 Wolverhampton Strategic Economic Plan 2019-2024

Councillor John Reynolds presented the Wolverhampton Strategic Economic Plan 2019-2024 for approval. He advised the Wolverhampton Strategic Economic Plan (SEP) 2019-2024 had been widely consulted upon and that the refreshed SEP would sit within a hierarchy of plans. The outcomes of the SEP were: delivering prosperity for all, aims to deliver inclusive growth and create conditions for growth through four key themes; an enterprising city, a working and inclusive city, a vibrant city and a future city. The updated SEP plan also detailed the key achievements of the City, challenges faced and priority actions.

Councillor John Reynolds proposed the recommendation and the Leader of the Council, Councillor Roger Lawrence seconded the recommendation.

The report was debated by Council.

Resolved:

That the Wolverhampton Strategic Economic Plan 2019-2024 be adopted.

7 Wolverhampton Homes Business Plan 2019-2023

Councillor Peter Bilson presented the Wolverhampton Homes Business Plan 2019-2023 for approval. He advised the Business Plan was a four year plan which would allow for long-term service and financial planning. The four year plan ends in 2023, inline with the management agreement between the Council and Wolverhampton Homes.

Councillor Peter Bilson added the Business Plan replaced the previous delivery plan which was an operational document whereas the Business Plan detailed how Wolverhampton Homes would contribute to meeting the wider strategic objectives of the Council Plan and contribute the priority of better homes for all.

Councillor Peter Bilson proposed the recommendation and Councillor Louise Miles seconded the recommendation.

The report was debated by Council.

Resolved:

That the Wolverhampton Homes Business Plan 2019-2023 be approved.

8 Review of Senior Management Restructure - April 2019

Having declared a disclosable pecuniary interest in this item Ross Cook (Service Director of City Environment) and Ian Fegan (Head of Communications) left the Council Chamber and took no part in the discussion of this item.

The Leader of the Council, Councillor Roger Lawrence presented the Review of Senior Management Restructure – April 2019 for approval. He advised the recently appointed Managing Director had undertaken a thorough review of the current Senior Management Structure and had taken into consideration budget reductions set by the Leader.

The Leader of the Council, Councillor Roger Lawrence advised the recommendations in this report were designed to strengthen the Council's Senior Management Structure whilst making cost savings. The outcome of the wider proposed changes equated to a £350,000 saving to the General Fund.

The Leader of the Council, Councillor Roger Lawrence added the changes to the posts reflected the increased responsibility allocated and empowered directors to lead their service areas. The changes would also ensure a consistent approach was adopted across the Council.

The Leader of the Council, Councillor Roger Lawrence proposed the recommendations and Councillor Val Gibson seconded the recommendations.

Councillor Val Gibson clarified that the grades detailed within this report referred to the current grading system and the grades detailed in the Senior Pay Policy Statement referred to the new pay grading system. She added that Directors would transfer across on their current spinal point.

The report was debated by Council.

Resolved:

1. That the Director of Pensions post to be regraded from Grade 14 to Grade 15 be approved.
2. That the Assistant Director – Investment and Pensions post to be regraded from Grade 13 to Grade 14 be approved.
3. That the establishment of an Assistant Director – Pensions post Grade 14 subject to appointment by a Special Appointments Committee be approved.
4. That the Service Director for City Environment post be redesignated to Director for City Environment and the post be regraded from Grade 13 to Grade 14 be approved.
5. That the Service Director for Housing post be redesignated to Director for City Housing and the post be regarded from Grade 13 to Grade 14 be approved.
6. That the Head of Communications post be redesignated to Director of Communications and External Relations and the post be regraded from Grade 12 to Grade 14 be approved.
7. That the Director of Black Country Transport post be regraded from Grade 13 to Grade 14 be approved.

9 **Senior Pay Policy Statement 2019-2020**

Having declared a disclosable pecuniary interest in this item Tim Johnson (Managing Director), Claire Nye (Director of Finance), Meredith Teasdale (Director of Education) and David Watts (Director of Adults Service) left the Council Chamber and took no part in the discussion of this item.

Councillor Val Gibson presented the Senior Pay Policy Statement 2019-2020 for approval. She advised the Council had a responsibility under the Localism Bill 2011 to prepare and publish an annual pay policy statement which detailed the remuneration of chief officers, the remuneration of its lowest paid employees and the relationship of remuneration between chief officers and employees.

Councillor Val Gibson added that Lord Hutton recommended a pay ratio a ratio of 20:1, the Councils ratio was at 8.61:1 which exceeds its target of 10:1, the private sectors ratio was at 111:1.

Councillor Val Gibson proposed the recommendations and Councillor Peter Bilson seconded the recommendation.

In response to Councillor Wendy Thompson's request, Councillor Val Gibson agreed to inform the Shadow Leader if the delegation detailed in recommendation four to this report was exercised.

In response to Councillor Jane Stevenson's question on the pay grades Councillor Val Gibson agreed to provide a written response.

The report was debated by Council.

Resolved:

1. That the Senior Pay Policy Statement for 2019 – 2020 be approved.
2. That the publication of the Senior Pay Policy Statement be approved in line with the requirements of the Localism Act 2011.
3. That it be noted, the Service Director and Director grades become a single grade 13 recognising the parity of the roles and responsibilities of the postholders.
4. That it be noted, the Senior Pay Policy Statement 2019-2020 now incorporated a delegation to the Leader of the Council, in consultation with the Head of Paid Service, to approve additional payments to senior management, upon cessation of employment, in addition to redundancy payments where these amount to less than £100,000 in total.
5. That it be noted, the constitution would require some changes to comply with legislation and this Senior Pay Policy. These would be reported to a future Governance Committee.

Senior Employees re-entered the Council Chamber.

10

Questions to Cabinet Members

Councillor Jonathan Yardley asked the Cabinet Member for City Environment:

Can the Cabinet Member for City Environment confirm when the works to repair Tettenhall Pool will commence, and whether he anticipates the pool will reopen in time for the Summer?

The Cabinet Member for City Environment, Councillor Steve Evans responded that he would be in a position to confirm the opening date once the contract had been signed with the specialist contractor this month. He anticipated that the pool would open in time for the summer.

Councillor Jonathan Yardley asked the following supplementary question:

Will the pool be open by Whitson Bank Holiday as usual ?

The Cabinet Member for City Environment, Councillor Steve Evans responded that this would be dependent on the specialist contractor completing the work in time and ensuring work was completed to the correct PWTAG standard.

a. Household Waste Recycling Centres

Councillor Udey Singh to ask the Cabinet Member for City Environment:

Earlier this month, the Leader of Walsall Council, Councillor Mike Bird, announced that he would be opening the two tips in his authority seven days a week on a trial basis to tackle fly-tipping. We know that fly-tipping continues to be a problem in Wolverhampton, and that the Council has recently launched a new campaign to combat it. But this does not go far enough, so will the Cabinet Member for City Environment now also commit this Council to opening its tips seven days a week?

The Cabinet Member for City Environment, Councillor Steve Evans responded that Wolverhampton had two tips which were accessible over seven days and that one of the tips operated extended hours on a Wednesday, to ensure the tips were accessible to working residents too. He added that Wolverhampton's residents also had a shorter distance to travel to a tip when compared to Walsall.

He added that Wolverhampton took an evidence based approach to decision making and evidence proved that fly tipping occurred at times when tips were open. Wolverhampton's campaign was proving a success and to date fly tipping had reduced by 50% and in Walsall it was on the increase.

Councillor Udey Singh asked the following supplementary question:

Can the Cabinet Member confirm if hardworking residents of Wolverhampton would continue to foot the bill of hundreds and thousands of pounds which is a direct result of fly tipping at no fault of their own?

The Cabinet Member for City Environment, Councillor Steve Evans responded no. The Council had taken action against fly tippers and that fly tipping occurred irrespective whether tips were open or closed.

He added following the trial at Walsall it would be interesting to compare the results of the two authorities. The council operated a number of initiatives to reduce fly tipping and keep the city clean. The council had issued a number of fixed penalty notices, seized a vehicle, crushed a car and taken a case to court.

He added Councillors also needed to lead the way in their ward and support residents, by organising community clean up days and helping to catch fly tippers.

Resolved:

That the responses to written questions be noted.

CITY OF WOLVERHAMPTON COUNCIL	Meeting of the City Council 15 May 2019
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Report title	Political balance, appointment of the Cabinet, appointments to Scrutiny and Regulatory and other Committees, and appointments to outside bodies for 2019-2020	
Referring body	n/a	
Councillor to present report	Leader of the Council	
Wards affected	All Wards	
Cabinet Member with lead responsibility	Leader of the Council	
Accountable director	Tim Johnson, Managing Director	
Originating service	Governance	
Accountable employee(s)	Jaswinder Kaur Tel Email	Democratic Services Manager 01902 550320 jaswinder.kaur@wolverhampton.gov.uk
Report to be/has been considered by	n/a	

Recommendations for decision:

The Council is recommended to:

1. Approve the political composition of the Council, and how this is applied to appointments to Council bodies, in accordance with the political balance model set out in Appendix 1.
2. Note the appointment, by the Leader of the Council, of Councillors to the Cabinet, the specified lead Cabinet Member roles and Cabinet Panels set out in Appendix 2.
3. Approve the appointment of Councillors to the Scrutiny Board, and Scrutiny Panels, including Chairs and Vice-chairs, as set out in Appendix 3.
4. Approve the appointment of Councillors to Regulatory, Oversight and other Committees and advisory groups, including Chairs and Vice-Chairs, and the appointment of Councillor Champions for Equalities and Councillor Development and IT, as set out in Appendix 4.

5. Approve the appointments to Joint Authorities/Committees and Outside Bodies, as set out in Appendices 5 and 6, including lead, substitute lead and voting Councillors.

1.0 Purpose

- 1.1 This report deals with a number of matters which must be determined at the Annual Council Meeting in accordance with the Council's Constitution, principally covering the appointment of the Cabinet and Cabinet Panels, the Scrutiny Board and Scrutiny Panels, Regulatory and other Committees, and representation on Joint Authorities/Committees and outside bodies.

2.0 Background

Political Balance

- 2.1 The Local Government and Housing Act 1989 requires the Council to review periodically the political composition of the Authority, and how this is applied to appointments to Council bodies.
- 2.2 The rules for securing political balance on Committees and Sub-Committees appointed by local authorities are contained in sections 15 and 16 of the Act and the Local Government (Committees and Political Groups) Regulations, 1990.
- 2.3 The Council is under a duty to:
- ensure that the membership of those committees and sub-committees covered by the rules reflect the political composition of the Council, as far as practicable;
 - review the allocation of seats to political groups at or as soon as practical after the Annual Council meeting and at certain other specified times e.g. as a result of changes in political balance or an increase in the number of committees established;
 - allocate seats on the committees to the political groups in proportion to their numerical strength on the Council, as far as practicable;
 - accept nominations made by the groups for the filling of seats allocated to them.
- 2.4 In determining the allocation of seats, the Council must also apply the following four principles, as far as reasonably practicable:
- (a) not all seats to be allocated to the same political group;
 - (b) if a political group has a majority on the Council, it must have a majority of seats on committees;
 - (c) subject to (a) – (b) above, the total of all seats on ordinary committees should be allocated to the groups in proportion to their respective strength on the Council; and
 - (d) subject to (a) – (c) The number of seats on ordinary committees or sub-committees to be allocated to each political group in proportion to the number of all the seats on the committee or sub-committee in proportion to their respective strength on the Council.
- 2.5 Under Section 17 of the Local Government and Housing Act, 1989 and Regulation 20 of the Local Government (Committees and Political Groups) Regulations, 1990, certain bodies of the Council are exempt from the requirements relating to political balance as they are established under separate legislation. For this reason, the following bodies are not covered by these arrangements:-

- The Cabinet
- Cabinet Panels
- Standards Committee
- Licensing Sub-Committee

2.6 Additionally, where meetings are (a) advisory in nature or (b) where the Council has determined otherwise, and no Councillor has voted against, the political balance requirements need not apply.

2.7 The current political balance of the Council is:

Labour	50
Conservative	10
Total	60

2.8 Appendix 1 sets out the proposed allocation of Councillors to the Cabinet, Scrutiny Board and Panels, Regulatory and other Committees to reflect the political balance of the Council. For completeness, it includes those bodies which are not subject to the balance requirements set out in paragraph 2.5 above.

The Cabinet

2.9 Under the Local Government Act, 2000, the Cabinet may comprise no more than ten members. As indicated in paragraph 15(iii), under the provisions of the Local Government and Public Involvement in Health Act 2007, the Council has adopted the Leader and Cabinet Executive model for the future governance arrangements of the Council. Under this model, Cabinet Members are appointed by the Leader from members of the Council.

2.10 The Council is asked to note the appointments to the Cabinet and Cabinet Panels, including the nominations for the specified lead Cabinet Member roles, set out in Appendix 2.

Overview and Scrutiny

2.11 The Council is asked to appoint Councillors, including Chairs and Vice-chairs, to the Scrutiny Board and Scrutiny Panels, as listed in Appendix 3 and in accordance with the nominations of the political groups.

Regulatory and Oversight, Other Panels/Committees/Boards and Advisory Groups

2.12 The Council is asked to appoint Councillors to the various Regulatory and Oversight, other Panels/Committees/Boards and Advisory Groups, including Chairs and Vice-chairs, as listed in Appendix 4. The allocation of seats is in accordance with the political balance rules, with the exception of the Standards Committee, and the nominations of the political groups.

Councillor Champion

- 2.13 The proposals for the appointment of Councillor Champions are set out in Appendix 4.

Joint Authorities/Committees and Outside Bodies

- 2.14 Appendices 5 and 6 set out the proposed appointments to the various Joint Authorities/Committees, including lead, substitute lead and voting Councillors, and various outside bodies based on the nominations received from the political groups. (It is necessary formally to terminate the appointment of any existing Member of a Joint Authority who is replaced at the Annual Meeting, or at any other time.)

3.0 Financial implications

- 3.1 A number of roles, such as Cabinet Members and Scrutiny Panel chairs, attract the payment of Special Responsibility Allowances. These are funded from the £972,000 budget set aside for all Councillor allowances within Democratic Services.
[GE/02052019/E]

4.0 Legal implications

- 4.1 Paragraphs 2.2, 2.3, 2.4, 2.6 and 2.10 above detail the legal implications of this report.
[TC/07052019/C]

5.0 Equalities implications

- 5.1 There are no specific equalities implications arising from this report.

6.0 Environmental implications

- 6.1 There are no specific environmental implications arising from this report.

7.0 Human resources implications

- 7.1 There are no specific human resources implications arising from this report.

8.0 Schedule of background papers

- 8.1 None.

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CITY OF WOLVERHAMPTON COUNCIL	Meeting of the City Council 15 May 2019
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Report title	Interim Appointment of Monitoring Officer	
Referring body	n/a	
Councillor to present report	Leader of the Council	
Wards affected	All Wards	
Cabinet Member with lead responsibility	Leader of the Council	
Accountable Director	Mark Taylor, Deputy Managing Director	
Originating service	Governance	
Accountable employee	Jaswinder Kaur	Democratic Services Manager
	Tel	01902 550320
	Email	Jaswinder.kaur@wolverhampton.gov.uk
Report to be/has been considered by	n/a	

Recommendations for decision:

The Council is recommended to:

1. Approve that Tracey Christie, Chief Legal Officer be appointed as Monitoring Officer on an interim basis until a permanent Director of Governance is appointed.
2. Authorise that the Interim Monitoring Officer can exercise delegations assigned to the Director of Governance and Chief Legal Officer as detailed in the Constitution.

1.0 Purpose

- 1.1 The post of Director of Governance is currently vacant with a recruitment process underway. The Council is required by law to appoint a Monitoring Officer and this report recommends the appointment of a Monitoring Officer on an interim basis until the Director of Governance is recruited to on a permanent basis.

2.0 Background

- 2.1 The Monitoring Officers' legal basis is found in Section 5 of the Local Government and Housing Act 1989, as amended by Schedule 5 paragraph 24 of the Local Government Act 2000.
- 2.2 Neither the Head of Paid Service (Managing Director) nor the Chief Finance Officer (Director of Finance) can hold the position of Monitoring Officer.
- 2.3 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 are contained in the Council's constitution and include:
- To report on matters he/she believes are, or are likely to be, illegal or amount to maladministration.
 - To be responsible for matters relating to the conduct of Councillors and Officers.
 - To be responsible for the operation of the Council's Constitution.
- 2.4 Whoever is appointed must though ensure that the Council receives correct and appropriate advice on the lawfulness of its decision making.

3.0 Interim Arrangements

- 3.1 Tracey Christie is currently employed by the Council as Chief Legal Officer. She has a number of years' experience at this Council as senior legal officer and as Deputy Monitoring Officer. Tracey Christie is considered to have the appropriate skills, experience at a senior level and ability to undertake the duties of the role.
- 3.2 It is therefore recommended that Tracey Christie is appointed as Monitoring Officer on an interim basis until the vacant post of Director of Governance is recruited to on a permanent basis.

4.0 Evaluation of alternative options

- 4.1 Council does not appoint a Monitoring Officer. This is not a tenable option as it would leave the Council in breach of its statutory duty to appoint such an officer.
- 4.2 Council appoints another Officer of the Council as Monitoring Officer - this is not recommended and will lead to delay in putting in place suitable

arrangements; or

4.3 Council approves the appointment of Tracey Christie as Monitoring Officer as set out in this report.

5.0 Reasons for decision

5.1 The Council has a statutory obligation to recruit to the position of Monitoring Officer.

6.0 Financial implications

6.1 The additional monthly cost associated with the Head of Legal Services acting as Interim Monitoring Officer is just under £1,000. This will be funded by the budget set aside for the currently vacant Director of Governance post. [GE/07052019/N]

7.0 Legal implications

7.1 The Monitoring Officers' legal basis is found in Section 5 of the Local Government and Housing Act 1989, as amended by Schedule 5 paragraph 24 of the Local Government Act 2000. [JB/30042019/W]

8.0 Equalities implications

8.1 There are no specific equalities implications arising from this report.

9.0 Environmental implications

9.1 There are no specific environmental implications arising from this report.

10.0 Health and Wellbeing Implications

10.1 There are no specific health and wellbeing implications arising from this report.

11.0 Human resources implications

11.1 There are no specific human resources implications arising from this report.

12.0 Corporate landlord implications

12.1 There are no specific corporate landlord implications arising from this report.

13.0 Schedule of background papers

13.1 None

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