

Record of Officer's Decision

The Openness of Local Government Bodies Regulations 2014 and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

Date of Decision:	12 th August 2024
Decision Maker (Officer):	Damian Williams
Authority for Delegated Decision (Cabinet/Committee Decision or Scheme of Delegation – provide reference):	Part 3, Schedule 3 – Responsibility for Executive Functions delegated to Officers paragraph 4.3 (1) – the Corporate Director has delegated authority to discharge executive functions within their respective service areas (Part 3.38). All delegations are subject to consultation where considered appropriate in the circumstances (paragraph 4.3 (4(ii) – Part 3.39). The Corporate Director (Operations & Delivery) has delegated operational matters relating to the Civil Penalty Policy to the Assistant Director of Housing & Environment.
Identify which Portfolio Holder(s)/Committee Chairman consulted?	Cllr Andy Baker- Portfolio Holder for Housing
Ward Member(s) consulted?	N/A
Is it a Key Decision?	No
Is it subject to call-in?	No
Decision Made:	To agree minor amendments to The Civil Penalty Policy 2018 (amended August 2024)
Reason for Decision (if a report was produced to support the Decision, refer to or attach it):	Report submitted in 2018 which was approved by cabinet. Minutes for the meeting agreed minor changes are to be agreed by the Corporate Director of Operations & Delivery with Portfolio Holder consultation.

Highlight any associated risks/finance/legal/equality considerations:	None. The issuing of a Civil Penalty requires officers following legislative guidance as contained within the policy. Any Civil Penalty is to be discussed with Legal Services before being served.	
Details of any Alternative Options Considered and rejected (together with reasons):	None. Council's are required to have a Civil Penalty Policy in accordance with current legislation.	
Details of any declarations of interest (by Portfolio Holder/Committee Chairman who was consulted by the officer, which related to the decision) If relevant, a note of the dispensation granted by the Monitoring Officer:	N/A	
Reason Decision, or supporting Report, is not published:	X	Not applicable – Decision [and report] to be published
<i>Tick one or more of the specific exemptions,</i> <u>and</u> <i>Give more information in the final box with regards to why the exemption applies and outweighs the public interest test (which is in favour of disclosure).</i>	If Report is not to be published – tick one of the following boxes:	
		The report supporting the Decision contains confidential information
		The Report supporting the Decision falls within an exemption pursuant to Schedule 12A of the Local Government Act 1972 Information:
		• Relates to an individual
		• Likely to reveal the identity of an individual
		• Relating to financial or business affairs of a person or organisation
		• Relates to a claim for legal professional privilege in legal proceedings
		• Reveals that the Council proposes to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or to make an order or direction under any enactment
	• Relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime	

	<u>And</u> is exempt if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information Reasons: None
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Officers

Signed: Title: Corporate Director of Operations & Delivery

Signed: Title: Assistant Director of Housing & Environment

In consultation with:

Signed: **Portfolio Holder For Housing – Cllr Andy Baker**

Signed: **Section 151 Officer (if required)**

Signed: **Monitoring Officer (if required)**

Dated: 12th August 2024