

TONBRIDGE & MALLING BOROUGH COUNCIL

COUNCIL

12 December 2006

Report of the Monitoring Officer

Part 1- Public

Matters For Decision

1 UPDATE TO THE CONSTITUTION: CLEAN NEIGHBOURHOODS AND ENVIRONMENT ACT 2005 - FIXED PENALTY NOTICES

1.1 Introduction

1.1.1 Article 15 in Part 2 of the Constitution sets out the procedure for review and revision of the constitution. Changes to the Constitution may only be approved by the full Council after consideration of a report on the proposal from the Council's Monitoring Officer. In preparing the report, the Monitoring Officer is required, amongst other things, to compare practices in this authority with those in other comparable authorities and national examples of best practice (where appropriate). He is also required to consult the Council's other statutory officers, the Head of Paid Service and the Chief Financial Officer, which I have done in respect of the proposals contained in this report.

1.2 Appointment of Authorised Officers

1.2.1 At its meeting on 22 November 2006, the Cabinet appointed various officers as "authorised officers" for the purpose of issuing fixed penalty notices under the Clean Neighbourhoods and Environment Act 2005 and related legislation (Decision Notice D060230CAB). The purpose of this report is to seek the Council's authorisation for the necessary changes to be made to the Council's Constitution to record these appointments.

1.3 Recommendation

1.3.1 It is **recommended** that the Monitoring Officer be authorised to make the changes to the Constitution referred to in this report.

Background papers:

Constitution of the
Tonbridge and Malling Borough Council

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