



Council

Mon 24 May
2021
7.00 pm

Sports Hall,
The Abbey Stadium,
Birmingham Rd,
Redditch
B97 6EJ

REDDITCH BOROUGH COUNCIL

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a
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**If you have any queries on this Agenda please contact
Jess Bayley**

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GUIDANCE ON FACE-TO-FACE MEETINGS

Due to the current Covid-19 pandemic Redditch Borough Council will be holding this meeting in accordance with the relevant social distancing arrangements for holding face-to-face meetings at a local authority.

Please note that this is a public meeting and will be live streamed for general access via the Council's YouTube channel.

You are able to see and hear the livestream of the meeting from the Committee Pages of the website, alongside the agenda for the meeting.

<https://youtu.be/BJbKP2QRrKY>

If you have any questions regarding the agenda or attached papers, please do not hesitate to contact the officer named above.

GUIDANCE FOR ELECTED MEMBERS ATTENDING MEETINGS IN PERSON

In advance of the Committee meeting, Members are encouraged to consider taking a lateral flow test, which can be obtained for free from the NHS website. Should the test be positive for Covid-19 then the Member should not attend the Committee meeting, should provide their apologies to the Democratic Services team and should self-isolate in accordance with national rules.

Members and officers are encouraged to wear face masks during the Council meeting, unless exempt. Face masks should only be removed temporarily if the Councillor requires a sip of water and should be reapplied as soon as possible. Refreshments will not be provided by the venue, therefore Members are encouraged to bring your own supply of water.

Hand sanitiser will be provided for Members to use throughout the meeting.

The meeting venue will be fully ventilated and Members may need to consider wearing appropriate clothing in order to remain comfortable during proceedings.

PUBLIC ATTENDANCE

The meeting will be live streamed on the Council's YouTube channel. Members of the public can watch the meeting on this live stream of the meeting, which can be accessed from the above link.

Members of the public will still be able to access meetings of Council/ Planning Committee in person if they wish to do so. However, due to social distancing requirements to ensure the

safety of participants during the Covid-19 pandemic there will be limited capacity and members of the public will be allowed access on a first come, first served basis. Members of the public in attendance are encouraged to wear face-masks, to use the hand sanitiser that will be provided and will be required to sit in a socially distanced manner at the meeting. It should be noted that members of the public who choose to attend in person do so at their own risk.

In line with Government guidelines, any member of the public who has received a positive result in a Covid-19 test on the day of a meeting should not attend in person and should self-isolate in accordance with the national rules.

Notes:

Although this is a public meeting, there are circumstances when Council might have to move into closed session to consider exempt or confidential information. For agenda items that are exempt, the public are excluded and for any such items the live stream will be suspended and that part of the meeting will not be recorded.



Council

Monday, 24th May, 2021

7.00 pm

Sports Hall, The Abbey
Stadium, Birmingham Rd,
Redditch B97 6EJ

Agenda

Membership:

Cllrs:

Gareth Prosser
(Mayor)
Julian Grubb
(Deputy Mayor)
Salman Akbar
Tom Baker-Price
Joanne Beecham
Juliet Brunner
Michael Chalk
Debbie Chance
Brandon Clayton
Matthew Dormer
Peter Fleming

Andrew Fry
Ann Isherwood
Wanda King
Anthony Lovell
Gemma Monaco
Nyear Nazir
Mike Rouse
David Thain
Craig Warhurst
Jennifer Wheeler

1. Welcome
2. Apologies for Absence
3. Declarations of Interest

To invite Councillors to declare any Disclosable Pecuniary Interests or Other Disclosable Interests they may have in items on the agenda, and to confirm the nature of those interests.

4. Election of the Mayor for 2021/22
5. Election of the Deputy Mayor for 2021/22
6. Minutes (Pages 1 - 8)
7. Announcements

To consider Announcements under Procedure Rule 10:

- a) Mayor's Announcements
- b) The Leader's Announcements
- c) Chief Executive's Announcements.

8. Returning Officer's Report (Pages 9 - 12)

To consider whether to hold a break in the meeting

9. Leader's Appointments (To follow)

10. Appointment of Committees, Panels etc. and their Chairs and Vice Chairs
(Pages 13 - 46)

Appendix 1 to the report has been attached to provide notice of the number of spaces per Committee available to each political group. However, the nominations from each group to the Committees will be circulated separately in a supplementary pack for the meeting.

11. Outside Bodies (Pages 47 - 60)

Report attached, appendix to be circulated at the meeting.

12. Officer Scheme of Delegations (Pages 61 - 150)

13. Urgent Business - Record of Decisions (Pages 151 - 152)

An urgent decision has been taken on the following subject since the last Council meeting:

- Delegations to the Head of Worcestershire Regulatory Services in respect of Taxi Licensing

Any further urgent decisions taken after the publication of the main agenda for this meeting will be published in a supplementary pack.

14. Urgent Business - general (if any)

To consider any additional items exceptionally agreed by the Mayor as Urgent Business in accordance with the powers vested in him by virtue of Section 100(B)(4)(b) of the Local Government Act 1972.

(This power should be exercised only in cases where there are genuinely special circumstances which require consideration of an item which has not previously been published on the Order of Business for the meeting.)

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Council

Monday, 12th April, 2021

MINUTES

Present:

Councillors Gareth Prosser (Mayor), Julian Grubb (Deputy Mayor), Salman Akbar, Joe Baker, Tom Baker-Price, Roger Bennett, Joanne Beecham, Juliet Brunner, Michael Chalk, Debbie Chance, Greg Chance, Brandon Clayton, Matthew Dormer, John Fisher, Peter Fleming, Andrew Fry, Bill Hartnett, Ann Isherwood, Wanda King, Anthony Lovell, Gemma Monaco, Nyear Nazir, Mike Rouse, Mark Shurmer, Yvonne Smith, David Thain, Craig Warhurst and Jennifer Wheeler

Officers:

Kevin Dicks, Claire Felton, Chris Forrester, Sue Hanley and James Howse

Democratic Services Officers:

Jess Bayley and Jo Gresham

1. WELCOME

The Mayor welcomed all those present to the meeting.

During consideration of this item the Mayor led Members in paying tribute to His Royal Highness, Prince Philip, the Duke of Edinburgh by observing a minute silence.

2. APOLOGIES FOR ABSENCE

There were no apologies for absence.

3. DECLARATIONS OF INTEREST

There were no declarations of interest.

4. MINUTES

RESOLVED that

the minutes of the meeting of Council held on Monday, 22nd February 2021 be approved as a true and correct record and signed by the Mayor.

Chair

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Monday, 12th April, 2021

5. ANNOUNCEMENTS

a) The Mayor's Announcements

The Mayor advised that he had no announcements to make with respect to civic engagements on this occasion.

During consideration of this item the Mayor announced that Councillors Roger Bennett, John Fisher, Mark Shurmer and Yvonne Smith would be standing down as Councillors in May 2021. On behalf of the Council, the Mayor thanked each of these Members for their hard work and public service during their time as Councillors.

Further comments in respect of the Members who were standing down were provided by other Councillors. Members commented that during his time as an elected Member, Councillor Bennett had served as the Mayor of the Borough of Redditch as well as serving on a number of Committees. It was noted that Councillor John Fisher had first been elected in 2012 and during his time as a Councillor had served as both the Portfolio Holder for Corporate Management and the Chair of the Audit, Governance and Standards Committee. Similarly, Councillor Yvonne Smith had first been elected in 2012 and since her election had been an active member of the Overview and Scrutiny process, though had also served as Portfolio Holder for Community Safety. Councillor Shurmer had first been elected over 20 years' ago and during his time had served as Mayor of the Borough of Redditch and Portfolio Holder for Housing. There was general consensus amongst Members that all four Councillors would be missed.

b) The Leader's Announcements

The Leader opened his announcements by expressing his condolences, on behalf of the Council, following the death of His Royal Highness, Prince Philip, the Duke of Edinburgh. Council was informed that the Duke of Edinburgh had visited Redditch in 1978 to open the YMCA building in the Borough. The Duke of Edinburgh had served in the navy and provided support to the armed forces as well as to young people, particularly through the Duke of Edinburgh Award. During consideration of this item, Members joined the Leader in expressing their condolences to the Royal Family in respect of His Royal Highness, Prince Philip, the Duke of Edinburgh.

Members were asked to note that it had been a difficult year due to the Covid-19 pandemic. This had created challenges in

respect of holding civic events during the year. In this context, the Leader and other Members praised the Mayor for his hard work and fortitude.

Reference was made to the regulations that had enabled Councils to hold meetings remotely during the Covid-19 pandemic. The Leader explained that from the 7th May 2021 onwards, local authorities would be required to return to holding meetings in person. The Leader and leader of the opposition had jointly written to the Right Honourable Robert Jenrick MP, Secretary of State for Housing, Communities and Local Government, urging the government to extend powers to Councils to continue to hold meetings virtually. In addition, the requirement to return to holding meetings in person was being challenged through the courts and this case was due to be considered on Wednesday, 21st April 2021. The Leader commented that, regardless of the outcome of the court case, it was envisaged that all informal and private meetings involving elected Members, such as Scrutiny Task Group meetings, would continue to take place virtually.

c) The Chief Executive's Announcements

The Chief Executive confirmed that he had no announcements to make on this occasion.

6. EXECUTIVE COMMITTEE

Green Homes Funding

Members discussed the £280,000 that had been allocated from the national Green Homes Funding Grant to Redditch Borough. This funding would be used to upgrade the energy efficiency of properties in the Borough that had an EPC rating of E, F or G. Households at risk of fuel poverty, on means tested benefits or with an income of under £30,000 would be eligible to apply for funding under this scheme.

There was general consensus amongst Members that the funding would have a positive impact on carbon emissions in the Borough. Questions were raised about the proportion of the grant funding that would be received by the Council for expenditure on Council properties. Officers confirmed that this information would be provided outside the meeting.

Financial Monitoring Report – Quarter 3 2020/21

The proposals detailed in the report in respect of the Council's budget position were briefly debated. Members commented that

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there had been an underspend in the Housing Revenue Account (HRA) in 2020/21, though this was primarily due to a reduction in the works carried out by the Repairs and Maintenance team during the Covid-19 pandemic for safety reasons. This work would be delivered at a later date.

During consideration of this item, clarification was requested with respect to the £200,000 that had been allocated to the bridge at Green Lane, Studley. The Portfolio Holder for Environmental Services explained that the funding had been allocated to negotiations between the Council and Stratford-on-Avon District Council and Warwickshire County Council, which would take time to complete. Any updates would be reported through the Executive Committee on to Council.

Reference was also briefly made to the hard work of the Financial Services team in respect of the Council's balanced budget position for 2021/22. Members extended their thanks in particular to the Head of Financial and Customer Services and the Senior Accounting Technician for their hard work.

Worcestershire Regulatory Services Board – Budget Recommendations 2021/22

Council was informed that the proposals detailed in the minutes from the latest meeting of the Worcestershire Regulatory Services (WRS) Board related to the budget for the service in 2021/22. Wyre Forest District Council had withdrawn a request for an increase in their fee to host IT services and to provide accommodation to WRS. Instead, this subject would be debated further by partner organisations in the summer. This change in position had resulted in a reduction in the budget contributions required from partner authorities towards WRS for 2021/22.

RESOLVED that

the minutes of the meeting of the Executive Committee held on Tuesday, 23rd March 2021 be approved and all recommendations adopted.

7. POLITICAL BALANCE (REPORT TO FOLLOW)

Members considered a report setting out Committee seat allocations and the proposed political balance for the Council for the remainder of the 2020/21 municipal year.

RESOLVED that

- 1) the Political balance of the Committees of the Council be agreed as set out in paragraph 4.5;
 - 2) the arrangement where the seats on the Overview and Scrutiny Committee are not allocated in accordance with the political balance requirements be continued;
 - 3) the arrangement where the seats on the Crime and Disorder Scrutiny Panel are not allocated in accordance with the political balance requirements be continued;
 - 5) appointments by political group leaders to the places on each Committee etc. be noted;
 - 6) the Council appoints Chairs and Vice-Chairs to the Committees and other bodies as set out in Appendix 1; and
 - 7) appointments to Working Groups and other bodies listed in the appendix be agreed.
8. **OVERVIEW AND SCRUTINY COMMITTEE'S ANNUAL REPORT 2020/21**

The Chair of the Overview and Scrutiny Committee, Councillor Joe Baker, presented the Committee's Annual Report for the 2020/21 municipal year.

Councillor Baker commented that it had been a privilege to serve as the Chair of the Committee during the year. There had been a lot of cross-party working and this had helped the Committee to explore a range of subjects in detail in line with best practice. This had included scrutiny of the following subject areas:

- An update on the Council's community lottery
- The e-scooter scheme
- Skills in the local workforce
- Town centre regeneration
- An update on the new cemetery for Redditch
- The Church Green conservation area.
- The Dementia Task Group
- The Unicorn Hill Short Sharp Review.

Councillor Baker concluded by thanking all of the Overview and Scrutiny Committee Members for their hard work during the year. In particular, Councillor Baker thanked Councillors Michael Chalk,

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Peter Fleming, Andrew Fry, and Jenny Wheeler, who all chaired specific scrutiny groups, for their hard work. Thanks were also extended to the Democratic Services Officer, Jo Gresham, for her hard work and support.

Following the presentation of the report, Members raised a number of points in relation to the work of the Overview and Scrutiny Committee during the 2020/21 municipal year:

- The extensive preparatory work required from the Chair of the Overview and Scrutiny Committee to ensure that meetings ran smoothly.
- The valuable contribution that had been made by Councillor Michael Chalk, through the provision of written updates on the work of external scrutiny bodies, such as the Worcestershire Health Overview and Scrutiny Committee (HOSC) and West Midlands Combined Authority (WMCA) Overview and Scrutiny Committee.
- The important role of Overview and Scrutiny within the local democratic process as a critical friend to the Executive Committee.
- The attendance of Portfolio Holders at meetings of the Overview and Scrutiny Committee to speak on items within their remit.
- The support that had been provided by the Overview and Scrutiny Committee in respect of the many improvements that had been made to Housing Services over the past two years.
- The update that had been provided to the Overview and Scrutiny Committee in respect of the new cemetery provision in September 2020 and the extent to which further information on this subject would be made available for the Committee's consideration in due course. The Portfolio Holder for Environmental Services explained that a report in respect of the new cemetery was being advertised on the Executive Committee's Work Programme for consideration in August 2021 and the Overview and Scrutiny Committee would have an opportunity to pre-scrutinise this report.

RESOLVED that

the Overview and Scrutiny Committee's Annual Report 2020/21 be noted.

9. URGENT BUSINESS - RECORD OF DECISIONS

There were no urgent decisions for consideration at this meeting of Council.

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10. URGENT BUSINESS - GENERAL (IF ANY)

There was no further urgent business for consideration on this occasion.

The Meeting commenced at 7.00 pm
and closed at 8.02 pm

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Election of BOROUGH COUNCILLORS for the Wards of Redditch Borough Council Summary of Results

Date of Election : Thursday 06 May 2021

Contested Elections

Batchley & Brockhill

Name of Candidate	Description (if any)	Number of Votes
BERRY Philip Stuart	Labour Party	682
HARRISON Lucy Rebecca	The Conservative Party Candidate	1,152 ELECTED
ROOM Lea James	The Green Party	140

Vacant Seats: 1 Electorate: 6,471 Ballot Papers Issued: 1,996 Turnout: 30.85%

Rejected Votes: No Marks: 0 Excess Marks: 7 Voter Identity: 0 Void: 14 Rejected: 0

Central

Name of Candidate	Description (if any)	Number of Votes
ALTAFI Imran	The Conservative Party Candidate	702 ELECTED
CHANCE Gregory Phillip	Labour Party	657
GEE David Howard	Liberal Democrat	81
LEES Victoria Jane	The Green Party	109

Vacant Seats: 1 Electorate: 4,494 Ballot Papers Issued: 1,565 Turnout: 34.82%

Rejected Votes: No Marks: 0 Excess Marks: 6 Voter Identity: 0 Void: 10 Rejected: 0

Church Hill

Name of Candidate	Description (if any)	Number of Votes
ASHLEY Karen Anne	The Conservative Party Candidate	907 ELECTED
HARTNETT William Patrick Anthony	Labour Party	565
SERGEANT Steven Alan Robert	The Green Party	83
TOMES Mark Adrian Wayne	Liberal Democrat	334

Vacant Seats: 1 Electorate: 5,887 Ballot Papers Issued: 1,899 Turnout: 32.26%

Rejected Votes: No Marks: 0 Excess Marks: 3 Voter Identity: 0 Void: 4 Rejected: 0

Greenlands

Name of Candidate	Description (if any)	Number of Votes
BAKER Joseph Thomas George	Labour Party	649
MARSHALL Emma Dawn	The Conservative Party Candidate	956 ELECTED
PITT Anthony	Liberal Democrat	82
WHITE Rylma Elaine	The Green Party	80

Vacant Seats: 1 Electorate: 6,810 Ballot Papers Issued: 1,780 Turnout: 26.14%

Rejected Votes: No Marks: 0 Excess Marks: 5 Voter Identity: 0 Void: 7 Rejected: 0

Headless Cross & Oakenshaw

Name of Candidate	Description (if any)	Number of Votes
EVANS Aled Owain	The Conservative Party Candidate	1,436 ELECTED
KING Lisa Marie	Labour Party	553
MARSH John Malcolm	Liberal Democrat	130
WAUGH Alistair Derek	The Green Party	163

Vacant Seats: 1 Electorate: 6,539 Ballot Papers Issued: 2,293 Turnout: 35.07%

Rejected Votes: No Marks: 0 Excess Marks: 2 Voter Identity: 0 Void: 9 Rejected: 0

Lodge Park

Name of Candidate	Description (if any)	Number of Votes
HUDSON Christopher James	The Green Party	65
KANE Joanna Catherine	Labour Party	487
PEARMAN Timothy	The Conservative Party Candidate	591 ELECTED
WEBSTER Ian David	Liberal Democrat	33

Vacant Seats: 1 Electorate: 3,811 Ballot Papers Issued: 1,182 Turnout: 31.02%

Rejected Votes: No Marks: 0 Excess Marks: 1 Voter Identity: 0 Void: 5 Rejected: 0

Matchborough

Name of Candidate	Description (if any)	Number of Votes
BEVAN Andrew	Labour Party	535
FOGG Alexander Paul	The Conservative Party Candidate	813 ELECTED
NICOLL Claire Suzanne	The Green Party	109
THOMPSON Andrew David Melvyn	Liberal Democrat	83

Vacant Seats: 1 Electorate: 4,533 Ballot Papers Issued: 1,554 Turnout: 34.28%

Rejected Votes: No Marks: 0 Excess Marks: 3 Voter Identity: 0 Void: 11 Rejected: 0

West

Name of Candidate	Description (if any)	Number of Votes
DORMER Matthew Victor	The Conservative Party Candidate	1,267 ELECTED
FRY Monica Millicent	Labour Party	382
THOMAS Diane Elizabeth	Liberal Democrat	91
VENABLES Simon Edward John	The Green Party	112

Vacant Seats: 1 Electorate: 4,873 Ballot Papers Issued: 1,860 Turnout: 38.17%

Rejected Votes: No Marks: 0 Excess Marks: 2 Voter Identity: 0 Void: 7 Rejected: 0

Winyates

Name of Candidate	Description (if any)	Number of Votes
ARMSTRONG Isabel Margaret	Independent	156
COURT Luke Roger Joseph	The Conservative Party Candidate	1,230 ELECTED
GEE Pamela Ann	Liberal Democrat	79
HARVEY Sharon Evelyn	Labour Party	516
HEMMING Gabrielle Louise	The Green Party	105

Vacant Seats: 1 Electorate: 6,191 Ballot Papers Issued: 2,097 Turnout: 33.87%

Rejected Votes: No Marks: 0 Excess Marks: 6 Voter Identity: 0 Void: 5 Rejected: 0

Totals for District Election

Ballot Papers Issued	=	16,226	Votes Cast	=	16,115
Electorate	=	49,609	Votes Rejected	=	107
Turnout %	=	32.71 %			

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Council24th May 2021**Report title: Committee Appointments Report**

Relevant Portfolio Holder	To be confirmed
Portfolio Holder Consulted	No
Relevant Head of Service	Claire Felton, Head of Legal, Democratic and Property Services
Report Author	Job Title: Senior Democratic Services Officer (Redditch) Contact email: jess.bayley@bromsgroveandredditch.gov.uk Contact Tel: (01527) 64252 Ext: 3268
Wards Affected	N/A
Ward Councillor(s) consulted	N/A
Relevant Strategic Purpose(s)	An Effective and Sustainable Council
Non-Key Decision	
If you have any questions about this report, please contact the report author in advance of the meeting.	

1. RECOMMENDATIONS**Council is asked to RESOLVE that:-**

- 1) **the Political balance of the Committees of the Council be agreed as set out in paragraph 4.5;**
- 2) **appointments by political group leaders to the places on each Committee etc. be noted;**
- 3) **the Council appoints Chairs and Vice-Chairs to the Committees and other bodies as set out in Appendix 1;**
- 4) **appointments to Working Groups and other bodies listed in the appendix be agreed;**
- 5) **the terms of reference for the Audit, Governance and Standards Committee be amended, as detailed at Appendix 2; and**
- 9) **the terms of reference for the Committees as set out at Appendix 3 be confirmed.**

2. BACKGROUND

- 2.1 This report sets out the proposed political balance of the Council's Committees and seeks the Council's agreement to these.

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2.2 Once the Council has agreed the political balance, the Leaders of each of the Political Groups on the Council can nominate to the places on each for their group. Councillors who are not members of a political group are appointed to Committees by the Council.

2.3 The Council also makes appointments to other bodies which are not required to be politically balanced.

3. FINANCIAL IMPLICATIONS

3.1 There are no financial implications arising from this report. The level of Members' allowances, based on the current number of positions as set out in this report, has been agreed previously by the Council.

4. LEGAL IMPLICATIONS

4.1 With the exception of the Executive Committee, the Council is required by law and / or its own constitution to allocate places on its main Committees in accordance with its political make-up and to approve the Committee terms of reference. The main requirements are that:

- the number of seats on each Committee allocated to each Political Group reflects the proportion it holds of the total number of seats on the Council;
- the Group with the majority of seats on the Council should hold the majority of seats on each Committee.

4.2 The definition of a Political Group for these purposes is that it has a minimum of 2 members. The current composition of the Council is 24 Conservative, 4 Labour and 1 non-aligned Member.

4.3 When considering the political balance, the group leaders took into account the current rules in the Council's constitution in respect of the Chair and Vice chair of the Overview and Scrutiny Committee and Chair and Vice Chair of the Audit, Governance and Standards Committee. These rules require that:

- The Chair and the Vice Chair of the Audit, Governance and Standards Committee shall not be a member of the controlling group.
- The Chair and Vice Chair of the Overview and Scrutiny Committee will be a member of a political group not forming part of the ruling administration.

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4.4 The table on the next page shows the political balance based on current sizes of Committees. In order for the figures to then balance overall:

- The Labour Group released a seat on the Licensing Committee and a seat on the Statutory Officers Action Disciplinary Panel in order to take an extra seat on the Overview and Scrutiny Committee, thereby balancing at 9 appointments overall.
- The Conservative Group takes a space place on the Licensing Committee and Planning Committee respectively, in order to balance at 52 appointments overall.
- The non-aligned Members takes the remaining seats on the Audit, Governance and Standards Committee and Statutory Officers disciplinary Panel.

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Committee	Total places	Conservative Group Places – entitled to	Labour Group Places – entitled to	Non-aligned Member
Audit, Governance & Standards	9	7 (7.45)	1 (1.24)	1 (0.31)
Licensing	11	10 (9.10)	1 (1.52)	0 (0.31)
Planning	9	8 (7.45)	1 (1.24)	0 (0.31)
Overview and Scrutiny	9	7 (7.45)	2 (1.24)	0 (0.31)
Crime and Disorder Panel	5	4 (4.14)	1 (0.69)	0 (0.17)
Statutory Officers Disciplinary Panel	5	4 (4.14)	0 (0.69)	1 (0.17)
Appointments Committee	5	4 (4.14)	1 (0.69)	0 (0.17)
Shareholders Committee	5	4 (4.14)	1 (0.69)	0 (0.17)
Electoral Matters Committee	5	4 (4.14)	1 (0.69)	0 (0.17)
Actual Entitlement	63	<i>52.14</i>	<i>8.69</i>	<i>2.17</i>
Total entitlement (rounded figure)	63	52	9	2
Actual number (taken subject to suspending the political balance)	63	52	9	2

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5. STRATEGIC PURPOSES - IMPLICATIONS**Relevant Strategic Purpose**

- 5.1 The proposals detailed in this report support the strategic purpose 'An Effective and Sustainable Council'.
- 5.2 The Council is required to consider the political balance when changes are made to the composition of the membership of the authority and this report enables the Council to address this requirement.

Climate Change Implications

- 5.2 There are no climate change implications.

6. OTHER IMPLICATIONS**Equalities and Diversity Implications**

- 6.1 There are no equalities and diversity implications.

Operational Implications

- 6.2 Once the Council has agreed the allocation of seats to the main Committees, the leaders of each political group will nominate members to fill them so that the business of the Council can continue to run smoothly. It is planned to have a list of the nominations available for noting at the Council meeting.
- 6.3 At a meeting of the Constitutional Review Working Group held on 3rd November 2020 Members discussed the membership requirements in respect of the Audit, Governance and Standards Committee. At that time, members of the Executive Committee were permitted to serve on the Committee. However, the Constitution Review Working Group concluded that, in accordance with national best practice, it would be better to arrange for no members of the Executive Committee to serve on the Audit, Governance and Standards Committee. To minimise disruption to Council business, it was agreed at that time that this proposal should be brought forward for further consideration at the Annual Council meeting in May 2021, for implementation in the 2021/22 municipal year.
- 6.4 Appendix 2 to this report sets out proposed changes to the terms of reference for the Audit, Governance and Standards Committee in respect of the membership of the Committee.

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- 6.5 Members are asked to note that, should the proposed changes to the terms of reference for the Audit, Governance and Standards Committee be approved, the Portfolio Holder for Finance would still be expected to attend meetings of the Committee to speak on items, though could not be a member of the Committee.

7. RISK MANAGEMENT

- 7.1 There are no specific risks arising from this report.

8. APPENDICES and BACKGROUND PAPERS

Appendix 1 – Committee Appointments (to follow).

Appendix 2 – Amended Terms of Reference for the Audit, Governance and Standards Committee

Appendix 3 – Terms of Reference for Committees (not including the Audit, Governance and Standards Committee)

9. REPORT SIGN OFF

Department	Name and Job Title	Date
Group Leaders	The political group leaders have both been consulted about the political balance figures as has the non-aligned Member.	Various dates May 2021
Lead Director / Head of Service		
Legal Services		

Annual Council24th May 2021**Appendix 1 - Nominations and Appointments to Offices, Committees, Sub-Committees etc.**

Committee / Sub-Committee etc.	Size (Members)	Conservative	Labour	Non-aligned Member
Audit, Governance and Standards Committee	9	7 Cllrs	1 (Ch) Cllr	1 (V Ch) Cllr Brunner
Licensing Committee (note the sub-committees are now selected from the committee membership)	11	10 (Ch) (V Ch) Cllrs,	1 Cllr	-
Planning Committee (A pool of named substitutes would be welcomed for this Committee from both groups)	9	8 (Ch) (V Ch) Cllrs, <u>Named substitutes:</u> Cllrs	1 Cllr <u>Named Substitutes:</u> Cllrs	-
Overview and Scrutiny Committee	9	7 Cllrs	2 (Ch) Cllr (VC) Cllr	-
Crime and Disorder Scrutiny Panel	5	4 Cllrs	1 (Ch) Cllr	-

REDDITCH BOROUGH COUNCIL**Annual Council**24th May 2021

Committee / Sub-Committee etc.	Size (Members)	Conservative	Labour	Non-aligned Member
Corporate Health, Safety and Welfare Committee	1	1 Member Cllr	-	-
Members' Support Steering Group	5	4 (Ch) (V Ch) Cllrs	1 Cllr	-
Worcestershire Shared Services Joint Committee	2 (+ 2 subs)	1 Member Cllr Sub: Cllr	1 Member Cllr Sub: Cllr	-
Planning Advisory Panel	5	4 Members (Ch) Cllr (V Ch) Cllr Cllrs	1 Member Cllrs	-
Climate Change Advisory Panel	5	4 Members (Ch) Cllrs	1 Member (V Ch)	-
Constitutional Review Working Party	5	4 Members (Ch) Cllrs	1 Member Cllrs	-
Appointments Committee	5	4 Members (Ch) (V Ch)	1 Member Cllr	-
Shareholders Committee (Rubicon Leisure)	5	4 Members (Ch) Cllr (V Ch) Cllr	1 Member Cllr	-
Electoral Matters Committee	5	4 Members (Ch) Cllr (V Ch) Cllr	1 Member Cllr	-

REDDITCH BOROUGH COUNCIL**Annual Council**24th May 2021

Committee / Sub-Committee etc.	Size (Members)	Conservative	Labour	Non-aligned Member
Statutory Officers Disciplinary Panel	5	4 Members (Ch) Cllr (V Ch) Cllr	-	1 Cllr Brunner
Holocaust Memorial Steering Group	5	4 Members (Ch) Cllr (V Ch) Cllr	1 Member Cllr	-
Redditch Matters Editorial Panel	3	2 Members Cllrs	1 Member Cllr	-

Annual Council24th May 2021**Scrutiny Groups****(political proportionality not required)**

Working Group / Task Group / Short Sharp Review	Size (Members)	Conservative	Labour	Non- Aligned
Budget Scrutiny Working Group	5 (maximum)	Cllrs	(Ch) Cllrs	Cllr
Performance Scrutiny Working Group	5 (maximum)	Cllrs	(Ch) Cllrs	Cllr
Dementia Task Group (As this review is close to completion and has only one meeting left to take place it is suggested that the membership should not change)	3	Cllr Chalk (Ch) Cllr Beecham	Cllr Wheeler	
Unicorn Hill Short, Sharp Review (This review is half completed)	4	Cllr (Ch) Cllr Beecham	Cllrs	

*The Chairs of each of these scrutiny groups must be a member of the Overview and Scrutiny Committee.

**APPENDIX 2 - AUDIT, GOVERNANCE AND STANDARDS COMMITTEE
TERMS OF REFERENCE**

Number of members	9 Councillors
Number of Co-opted, non-voting members	1 Independent non-voting Member for the purpose of Audit and Governance. 1 Parish Representative, who may not also be a Borough Councillor, for the purpose of Standards.
Politically Balanced Y/N	Y
Quorum	4 (to include at least one member of the Majority Group)
Procedure Rules applicable	Council Procedure Rules (with the exception of Council Procedure Rules 1-4, 10, 14, 18.2, 20.1 and 22)
Chair	The Chair and Vice-Chair of the Committee and any of its Sub-Committees will be a Borough Councillor.
Special provisions as to the Chair	For the sake of independence, the Chair and Vice-Chair shall not be a member of the controlling political group.
Terms of Reference	<u>Audit and Governance</u> <u>Internal and External Audit</u> a. To review and monitor the annual audit plans of both the internal and external auditors. b. To receive and comment upon the external auditors' reports. c. To monitor the adequacy and effectiveness of the Council's system of internal control by

	<p>ensuring that an adequate and effective system of internal financial controls is maintained, that financial procedures are regularly reviewed.</p> <p>d. To consider, monitor and review the Council's overall corporate governance arrangements.</p> <p>e. To enhance the profile, status and authority of the internal audit function which will demonstrate its independence.</p> <p>f. To focus audit resources by agreeing, and periodically reviewing, audit plans and monitoring delivery of the audit service.</p> <p>g. To receive and consider such internal audit reports that the Chair and/or Deputy Chief Executive considers necessary.</p> <p><u>Risk</u></p> <p>h. To consider, monitor and review the effectiveness of the Council's risk strategies, policies and management arrangements and seek assurances that action is being taken to address identified risk related issues.</p> <p><u>Finance and Value for Money</u></p> <p>i. To consider and approve the Council's Annual Statements of Accounts.</p> <p>j. To consider any report from the Internal Audit Manager in pursuance of Financial Regulations.</p> <p>k. To ensure good stewardship of the Council's resources and assist the Council to achieve value for money in the provision of its services.</p> <p>l. To keep under review, and make recommendations on, proposed amendments to Financial Regulations.</p> <p>m. To consider and make recommendations if appropriate on, the Annual Governance Statement.</p> <p><u>Standards</u></p> <p>n. To promote and maintain high standards of conduct by Councillors and any co-opted members of Council bodies.</p>
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	<ul style="list-style-type: none"> o. To assist the Councillors and co-opted members to observe the Members' Code of Conduct. p. To advise the Council on the adoption or revision of the Members' Code of Conduct. q. To monitor the operation of the Members' Code of Conduct. r. To advise, train or arrange to train Councillors and co-opted members on matters relating to the Members' Code of Conduct. s. To grant dispensations to Councillors and co-opted members from requirements relating to interests set out in the Members' Code of Conduct. t. To deal with any report from the Monitoring Officer following an investigation into a complaint concerning the Members' Code of Conduct. u. To consider and determine allegations that a Councillor or co-opted Councillor may have failed to follow the Code of Conduct and where a breach of the Code is established making recommendations as to any sanctions to the appropriate person or body. v. The exercise of t – u above in relation to the Parish Councils in the Council's area and the members of those parish Councils. w. To monitor and review the operation of the Member Officer Relations Protocol.
Special provisions as to membership	<p>The Committee to comprise elected Members representing all interests of the Authority, preferably with relevant areas of expertise, where possible (such areas as accountancy, audit, business and commerce.)</p> <p><u>Executive Committee members may not be, or act as substitutes for, members of the Committee. Can be members of the Executive Committee, but in addition,</u> Party Group Leaders may not be, or act</p>

	<p>as substitutes for, members of the Committee.</p> <p><u>The lead Portfolio Holder for finance is required to attend meetings of the Committee though cannot be a member of the Committee.</u></p>
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APPENDIX 3 - APPOINTMENTS COMMITTEE TERMS OF REFERENCE

Number of members	6 made up of Redditch Borough Council and the Leader of Bromsgrove District Council as a co—optee. (Co-option will not apply to any members of staff who will work for Redditch Borough Council only).
Politically Balanced Y/N	Y
Quorum	6 (5 in cases where the employee will work for Redditch Borough Council only).
Procedure Rules applicable	Officer Procedure rules and Council Procedure Rules (with the exception of Council Procedure rules 1-4, 10, 14, 18.2, 20.1 and 22).
Terms of Reference	<p>a) To consider and recommend to Council matters relating to the appointment of the Head of Paid Service (Chief Executive), the Monitoring Officer and Section 151 Officer as defined in the Local Authorities (Standing Orders) Regulations 2001;</p> <p>b) To consider and recommend to Council matters relating to the appointment of Chief Officers in cases where the Chief Executive is not in a position to act on his her delegated powers;</p> <p>c) For the same officers but excluding the Head of Paid Service, the Monitoring Officer and the Chief Finance Officer, to consider and decide on matters relating to disciplinary action in cases where the Chief Executive is not able to act on his/her delegated powers; and</p> <p>d) To consider and decide on any other disciplinary and appointment matters involving other senior officers as and when required.</p>

Special provisions as to the Chair	None.
Special provisions as to membership	<p>When considering the appointment of the Head of Paid Service, the Monitoring Officer or Chief Finance Officer, or the appointment or dismissal of the other Chief Officers as defined at paragraph 3 of the Officer Procedure Rules, one Member of the Panel must be a member of the Executive Committee.</p> <p>Only those Members who have undertaken appropriate training may sit on the Appointments Committee.</p> <p>The Shared Service arrangements between Redditch Borough Council and Bromsgrove District Council require the Chief Executive, Monitoring Officer, Section 151 Officer and other Chief Officers to carry out work for both authorities. In light of this the Leader of Bromsgrove district Council will be co-opted onto the Appointments Committee as a non-voting member.</p>

CRIME & DISORDER SCRUTINY PANEL

Number of Members	5
Politically Balanced Y/N	N
Quorum	3
Procedure Rules applicable	Council Procedure Rules (with the exception of Council Procedure Rules 1-4, 10, 14, 18.2, 20.1 and 22)
Terms of Reference	<ul style="list-style-type: none"> a. to hold the Redditch Community Safety Partnership to account for its decision making; b. to scrutinise the performance of the Redditch Community Safety Partnership; c. to undertake policy reviews of specific crime and disorder issues; d. to highlight and challenge people's perceptions of crime and disorder in the local area; e. to undertake community engagement and consultation to establish local people's priorities for crime and disorder issues; and f. to promote the positive work of the Redditch Community Safety Partnership.
Provisions relating to appointment of Chair	The Chair of the Panel will be a member of a political group not forming part of the ruling administration. The Chair will also be a member of the parent Overview and Scrutiny Committee.

	Cannot be members of the Executive Committee.
Special provisions as to membership	Training is highly recommended for members who sit on the Crime & Disorder Scrutiny Panel.

ELECTORAL MATTERS COMMITTEE

Number of members	5
Politically Balanced Y/N	Y
Quorum	3
Procedure Rules applicable	Council Procedure Rules (with the exception of Council Procedure rules 1-3, 9 -11, 14, 18.2 and 22.5 – 22.7).
Terms of Reference	To exercise powers and undertake functions relating to electoral matters and elections.
Special provisions as to the Chair	None.
Special provisions as to membership	None

EXECUTIVE COMMITTEE

Number of Members	9, including the Leader and the Deputy Leader
Politically Balanced Y/N	N
Quorum	4
Procedure Rules applicable	Executive Committee Procedure Rules
Terms of Reference	To carry out all the Council's functions which are not the responsibility of any other part of the Council, whether by law or under this Constitution.
Special rules as to the Chair	The Leader to preside; in his/her absence the Deputy Leader to preside
Whipping arrangements	N/A
Special Provisions as to membership	Cannot be members of the Overview and Scrutiny Committee. Named substitutes not permitted.

LICENSING COMMITTEE

Number of Members	11
Politically Balanced Y/N	Y
Quorum	3
Procedure Rules applicable	Council Procedure Rules (with the exception of Council Procedure Rules 1-4, 10, 14, 19.1, 19.2 and 21)
Terms of Reference	Functions relating to the Licensing Act 2003 (Premises and Personal Licences), the Gambling Act 2005, and miscellaneous other licensing and enforcement matters.
Special provisions as to the Chair	None
Whipping arrangements	N/A
Special provisions as to membership	None

LICENSING SUB-COMMITTEE A**LICENSING SUB-COMMITTEE - Personal/Premises/Gambling Act
Parent Committee – Licensing Committee**

Number of Members	3 members of the Licensing Committee <i>Membership to be agreed by Officers, in consultation with the Chair, as required per application and to include a 4th reserve member.</i>
Politically Balanced Y/N	N
Quorum	3
Procedure Rules applicable	Council Procedure Rules (with the exception of Council Procedure Rules 1-4, 10, 14, 18.2, 20.1 and 22). Quasi-judicial meetings rules apply.
Terms of Reference	To determine applications referred to it arising from the Licensing Act 2003, the Gambling Act 2005 and the Scrap Metal Dealers Act 2013.
Special provisions as to the Chair	None – the Chair to be elected for each meeting of the Sub-Committee.
Special provisions as to membership	Only those Councillors who have undertaken *appropriate training may sit on the Licensing Sub-Committee. <i>*Quasi-Judicial meetings training / Licensing and Gambling Act requirements training.</i>

LICENSING SUB-COMMITTEE B**Taxis/sex establishments/other****Parent Committee – Licensing Committee**

Number of Members	3 members of the Licensing Committee <i>Membership to be agreed by Officers, in consultation with the Chair, as required per application and to include a 4th reserve member.</i>
Politically Balanced Y/N	N
Quorum	3
Procedure Rules applicable	Council Procedure Rules (with the exception of Council Procedure Rules 1-4, 10, 14, 18.2, 20.1 and 22). Quasi-judicial meetings rules apply.
Terms of Reference	To determine all matters referred to it including (but not limited to):- (1) private hire and hackney carriage driver, operator and vehicle licensing; (2) street trading consents; (3) sex shop applications; (4) pet shop licences; (5) animal boarding licences; (6) riding establishment licences.
Special provisions as to the Chair	The Chair must be a member of the Licensing Committee and must have received relevant quasi-judicial meetings training. The Chair to be elected for each meeting of the Sub-Committee.
Special provisions as to membership	Only those Councillors who have undertaken *appropriate training may sit on the Licensing Sub-Committee. <i>*Quasi-Judicial meetings training.</i>

OVERVIEW AND SCRUTINY COMMITTEE

Number of Members	9 Members of the Overview and Scrutiny Committee, or of any of its Task and Finish Groups, shall not be members of the Executive Committee.
Politically Balanced Y/N	Currently N (by annual <u>Council resolution to vary</u>)
Quorum	3
Procedure Rules applicable	Overview and Scrutiny Procedure Rules and Council Procedure Rules (with the exception of Council Procedure Rules 1-4, 10, 14, 18.2, 20.1 and 22).
Terms of Reference	<ul style="list-style-type: none"> a. agree the scrutiny programme and the terms of reference for each scrutiny; b. establish time limited Task and Finish Groups to investigate issues in depth; or itself undertake selected reviews; c. agree reports prepared by the Task and Finish Groups; d. act as an interface with the Executive Committee; e. receive, comment and advise on the Council's policy framework such as the Corporate Plan and on other major policies; f. have responsibility for budget scrutiny and performance management scrutiny issues (with Task and Finish Groups established as necessary to take up any detailed work over the year); g. review and /or scrutinise decisions made or actions taken in connection with the discharge of any of the Council's functions whether or not the responsibility of the Executive Committee; h. exercise the right to call in, for reconsideration of decisions made but not yet implemented by

	<p>the Executive Committee;</p> <ul style="list-style-type: none"> i. decide how to deal with call ins (with Task and Finish Groups established as necessary to take up any detailed work); j. Undertake the role of a Crime and Disorder Overview and Scrutiny Committee under the Police and Justice Act 2006 through the Crime and Disorder Scrutiny Panel, a Sub Committee of the main Committee; k. Establish arrangements for any review of the performance of relevant external organisations which impact on the Council's functions and services and submit reports after comment, as appropriate, by the Executive and external organisations, to the Council; l. Monitor the quality of scrutinies; m. Monitor the implementation of any scrutiny recommendations accepted by the Executive Committee; and n. Oversee the development of Member skills and competencies in scrutiny.
Special provisions as to the Chair	The Chair and Vice-Chair will be a Member of a political group not forming part of the ruling administration.
Whipping arrangements	When considering any matter in respect of which a member of the Overview Committee is subject to a party whip, the Councillor must declare the existence of the whip, and the nature of it before the commencement of the Overview Committee's deliberations on the matter. The declaration, and the detail of the whipping arrangements, shall be recorded in the minutes of the meeting.
Special provisions as to membership	All Councillors except members of the Executive Committee may be Overview and Scrutiny members. However, no Member may be involved in scrutinising a decision in which he / she has been directly involved.

PLANNING COMMITTEE

Number of Members	9
Politically Balanced Y/N	Y
Quorum	3
Procedure Rules applicable	Planning Procedure Rules and Council Procedure Rules (with the exception of Council Procedure Rules 1-4, 10, 14, 18.2, 20.1 and 22).
Terms of Reference	<ol style="list-style-type: none"> 1. To exercise all powers and duties of the Council on all matters relating to development control, including but not limited to:- <ol style="list-style-type: none"> a. considering and determining applications for planning permission b. enforcement of planning control c. building preservation, Listed Buildings and Conservation areas d. Tree preservation orders e. Control of advertisements f. Footpath diversion orders under the Town and Country Planning legislation g. Certificates of Lawfulness 2. To comment on proposals for development submitted by Worcestershire County Council and other public authorities 3. To determine High Hedges applications in accordance with Part 8 of the Anti-Social Behaviour Act 2003
Special provisions as to the Chair	The Chair and the Vice-Chair, if members of the controlling Party Group, shall not be members of the Executive Committee.

<p>Special provisions as to membership</p>	<p>Only those Councillors who have undertaken appropriate training as agreed by the Member Support Steering Group may sit on the Planning Committee.</p>
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SHAREHOLDER COMMITTEE TERMS OF REFERENCE

Number of members	5
Politically Balanced Y/N	Y
Quorum	3
Procedure Rules applicable	Council Procedure Rules (with the exception of Council Procedure rules 1-4, 10, 14, 18.2, 20.1 and 22).
Terms of Reference	<ol style="list-style-type: none"> 1) To approve Rubicon Leisure's annual business plan. This should be determined in the financial year prior to the application of the plan. 2) To approve the appointment of the Managing Director of Rubicon Leisure. 3) To approve the dismissal / departure of the Managing Director of Rubicon Leisure. 4) To monitor the performance of Rubicon Leisure. 5) To monitor Rubicon Leisure's budget position. 6) To undertake all other functions divested in the Committee as shareholder of Rubicon Leisure on behalf of the Council.
Special provisions as to the Chair	To avoid any potential conflict, this should not be the relevant Portfolio Holder for Leisure and Cultural Services.
Special provisions as to membership	To avoid any potential conflict the Portfolio Holder for Leisure and Cultural Services should not be a member of this Committee.

STANDARDS HEARINGS SUB-COMMITTEES
(Parent Committee – Audit, Governance and Standards Committee)

Number of Members	3 The Audit, Governance and Standards Committee may from time to time determine procedures for membership of its sub-committees.
Politically Balanced Y/N	N
Quorum	3
Procedure Rules applicable	Council Procedure Rules (with the exception of Council Procedure Rules 1-4, 10, 14, 18.2, 20.1 and 22)
Terms of Reference	To carry out assessment of allegations that a Borough Councillor or co-opted Parish Councillor with voting rights may have failed to follow the Code of Conduct.
Chair	A member of the Audit, Governance and Standards Committee. When assessing a complaint, the Chair will not be from the same political group as the Councillor who is the subject of the complaint.
Whipping arrangements	N/A
Substitutes	The Audit, Governance and Standards Committee may from time to time determine procedures for substitution at meetings of the Standards Hearings Sub-Committees.
Special provisions as to membership	Only those Councillors who have undertaken *appropriate training may sit on the Standards Hearings Sub-Committees. * <i>Specific Standards Hearing-related training.</i>

STATUTORY OFFICERS DISCIPLINARY ACTION PANEL

Number of Members	8 made up of 5 Borough Council Members, 2 Independent Persons with voting rights and the Leader of Bromsgrove District Council as co-optee
Politically Balanced Y/N	Y
Quorum	7
Procedure Rules applicable	Officer Employment Procedure Rules (incorporating the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015) and applicable Council Procedure Rules
Terms of Reference	In relation to disciplinary action affecting the statutory posts of head of the authority's paid service, monitoring officer and chief finance officer, to consider the issues, including the conclusions of any investigation, and make recommendations to Full Council as to dismissal or alternative action.
Special provisions as to the Chairman	None
Officer attendance	When meeting to determine an issue relating to disciplinary action the committee will be supported by independent external legal advisors.
Special provisions as to membership	The shared service arrangements between Bromsgrove District and Redditch Borough Councils require the Chief Executive, Monitoring Officer, Section 151 officer and other Chief Officers to carry out work for both authorities. In the light of this the Leader of Bromsgrove District Council will be co-opted onto the Committee as a non-voting member.

	<p>Only those Councillors who have undertaken appropriate training may sit on the Statutory Officers Disciplinary Action Panel.</p>
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**Annual Council
2021**24th May**Outside Body Appointments 2021/22**

Relevant Portfolio Holder	To be confirmed
Portfolio Holder Consulted	No
Relevant Head of Service	
Report Author Jess Bayley	Job Title: Senior Democratic Services Officer (Redditch) Contact email: jess.bayley@bromsgroveandredditch.gov.uk Contact Tel: (01527) 64252 Ext: 3268
Wards Affected	No specific ward relevance
Ward Councillor(s) consulted	N/A
Relevant Strategic Purpose(s)	An Effective and Sustainable Council
Non-Key Decision	
If you have any questions about this report, please contact the report author in advance of the meeting.	

1. RECOMMENDATIONS

It is recommended that the Council makes appointments to the bodies listed in the appendix to the report.

2. BACKGROUND

- 2.1 This report sets out proposed appointments to outside bodies and seeks nominations accordingly.

3. FINANCIAL IMPLICATIONS

- 3.1 There are no financial implications.

4. LEGAL IMPLICATIONS

- 4.1 No specific legislation governs the appointment or nomination of members to outside bodies by the Council. Depending on the nature of the relationship the Council has with the organisation, the legal status of the organisation, its corporate, charity or other status and its constitution, there are differing legal implications for the members sitting on these bodies.
- 4.2 The Local Authorities (Indemnities for Members and Officers) Order 2004 governs the Council's ability to indemnify members sitting on outside bodies

**Annual Council
2021**24th May

5. STRATEGIC PURPOSES - IMPLICATIONS**Relevant Strategic Purpose**

- 5.1 The action proposed in this report supports the strategic purpose “an effective and sustainable Council”.
- 5.2 It is good practice to consider outside body appointments on an annual basis and for Council to review the outside bodies list, as attached at Appendix 1 to this report.

Climate Change Implications

- 5.3 There are no climate change implications.

6. OTHER IMPLICATIONS**Equalities and Diversity Implications**

- 6.1 There are no equalities and diversity implications.

Operational Implications

- 6.2 A number of bodies ask the Council to make appointments to them for terms of office which vary from one year upwards.
- 6.3 Some of these appointments, usually to national or regional bodies, are usually made by office. Where there are specific requirements for appointments these are shown against the organisations in the appendix.
- 6.4 Members are asked to note the following changes which have occurred during 2020/21:-
- The Redditch Business Improvement District (BID) has been established and the Council is invited to nominate a Member to serve as a Director on the BID board.
- 6.5 For ease of reference the list at Appendix 1 includes all the outside bodies to which appointments are required to be made at the Annual Meeting of Council. There are some additional bodies that have been omitted from the list because the appointment(s) have already been made and no further nominations are needed for 2021/22.

**Annual Council
2021**24th May**7. RISK MANAGEMENT**

- 7.1 There would be risks arising if the Council failed to make appointments to the Outside Bodies listed in this report; the nature of the risk would vary depending on the type of body in question. The Council needs to participate in certain Outside Bodies to ensure that existing governance arrangements can be complied with. On other bodies the risk would be less severe but non-participation would detract from the Councils ability to shape and influence policies and activities which affect the residents of Redditch.

8. APPENDICES and BACKGROUND PAPERS

Appendix 1 – List of Outside Bodies

Details of the various organisations referred to are held by Democratic Services. A protocol for appointments to outside bodies, Part 27 of the constitution, gives advice for councillors appointed.

9. REPORT SIGN OFF

Department	Name and Job Title	Date
Lead Director / Head of Service		
Legal Services		

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REDDITCH BOROUGH COUNCIL**Annual Council**24th May 2021**BOROUGH COUNCIL REPRESENTATIVES ON
OUTSIDE BODIES – NOMINATIONS FOR 2020/2021****STRATEGIC APPOINTMENTS TO NOTE:**

Organisation	Appointee 2020/21	Appointment Requirements	Nomination 2021/22
Local Government Association	Councillor Matt Dormer	1 Representative (usually Leader) must be a Councillor Term : 1 year No liability issues identified.	
West Mercia Police and Crime Panel	Councillor Nyear Nazir Sub: Councillor Julian Grubb	1 representative (Relevant Portfolio Holder) and 1 substitute Term: 1 year No liability issues identified	
Assembly of the District Councils' Network	Councillor Matt Dormer (as Leader of the Council)	1 Nomination To represent the Council on the Assembly of this body which is a voice for District Councils within the Local Government Association. The Assembly of the DCN comprises the Leaders of the Member Authorities or equivalent. Term : 1 year No liability issues identified.	

REDDITCH BOROUGH COUNCIL**Annual Council**24th May 2021

Greater Birmingham and Solihull Local Enterprise Partnership (GBSLEP) [Also referred to as the LEP Board]	Councillor Karen May (Bromsgrove) Sub: Councillor Matt Dormer	1 (plus 1 Substitute) representing the 3 North Worcestershire District Councils.	
GBSLEP – Joint Committee (Local Supervisory Board)	Councillor Matt Dormer Leader Ex-officio for Redditch BC Councillor Mike Rouse Deputy Leader Ex-officio for Redditch BC	1 Member (Leader) from each constituent Authority plus substitute	
GBSLEP - Local Enterprise Partnership - EU Structural and Investment Fund Strategy Committee (ESIF)	Councillor Fran Oborski (Wyre Forest) Sub: Councillor Matt Dormer	1 Representative and 1 Substitute from the three North Worcestershire Districts.	
Worcestershire Local Transport Board (WLTB)	Councillor Nyear Nazir Wyre Forest Councillor	2 representatives from North Worcestershire Councils plus one substitute. 2 representatives not to be drawn from the Council supplying the “main” representative on Worcestershire LEP	

REDDITCH BOROUGH COUNCIL**Annual Council**24th May 2021

Corporate Parenting Steering Group (Worcestershire County Council)	Councillor Nyear Nazir	1 RBC Representative (elected) <u>Must be relevant Portfolio Holder</u> Until next RBC Annual Meeting. (Monthly meetings – approx. 2 hrs each time – generally Friday mornings – 9.30a.m. start) No liability issues identified.	
Redditch Partnership (Local Strategic Partnership)	Councillor Matt Dormer Leader by Office	1 Member Representative Leader Term : 1 year No liability issues identified.	Councillor Matt Dormer
Redditch Partnership Business Leaders Group (formerly an Economic Theme Group)	Councillor Matt Dormer	Following changes this group is now operating under a new title and promoting greater links with local business leaders. For 2020/21 representatives required, by office: <ul style="list-style-type: none"> • Leader • Economic Development Portfolio Holder 	Councillor Matt Dormer
Redditch BID Limited (Company number 11964088)	New appointment	1 RBC Representative to act as a Director of the company Term: 2.5 years No liability issues identified	

REDDITCH BOROUGH COUNCIL**Annual Council**24th May 2021

North Worcestershire Community Safety Partnership	Councillor Nyear Nazir	1 representative and one named substitute Term: 1 year Terms of Reference indicate the representative should be the relevant Portfolio Holder. Each district Council has a place on the Partnership Board as an Invitee to Participate. No liability issues identified.	
Waste Management Board (Lead Officer – Guy Revans)	Councillor Brandon Clayton (as relevant Portfolio Holder) Sub – Councillor Anthony Lovell	1 representative Representative must be a Councillor and relevant Portfolio Holder Term : 1 year <u>Note: Meets Friday mornings -</u> 4 times per year No liability issues identified	
Worcestershire Health and Wellbeing Board	Councillor Shirley Webb Bromsgrove DC Sub: Councillor Nyear Nazir	1 representative and 1 substitute from North Worcestershire Councils	
Health Improvement Group	Councillor Nyear Nazir Sub: Councillor Julian Grubb	1 RBC Representative (Elected) Relevant Portfolio	

REDDITCH BOROUGH COUNCIL**Annual Council**24th May 2021

West Midlands Combined Authority Board	Councillor Matt Dormer Sub: Councillor Mike Rouse	1 nomination and one substitute Leader by office	
West Midlands Combined Authority Housing and Land Delivery Board	Councillor Matt Dormer Sub: Councillor Craig Warhurst	1 RBC Representative (Elected) Relevant Portfolio <u>Must be relevant Portfolio Holder (function to include Housing and/or Land Use</u>	

REDDITCH BOROUGH COUNCIL**Annual Council**24th May 2021**LOCAL APPOINTMENTS**

West Midlands Combined Authority Audit Committee	Councillor Tom Baker-Price Sub: Councillor David Thain	1 nomination and one substitute Must be members of the majority group	
West Midlands Combined Authority Overview and Scrutiny Committee	Councillor Michael Chalk Sub: Councillor Julian Grubb	1 nomination and one substitute Must be members of the majority group and ideally members of O&S	
Greater Birmingham & Solihull Local Enterprise Partnership (GBSLEP) – Joint Scrutiny Board	Councillor Michael Chalk Councillor Julian Grubb (alternate)	1 representative and 1 substitute Term: 1 year	
Health Overview and Scrutiny Committee (Worcestershire County Council)	Councillor Mike Chalk	1 representative (Must be a member of Redditch Borough Council's Overview and Scrutiny Committee). Term: 1 year. Comprises 8 County Councillors and 6 District Councillors who scrutinise the local NHS and are consulted by the NHS on any proposed substantial changes to local health services.	
Redditch Highways & Transportation	Councillor Michael Chalk	Up to 2 Representatives (Must be Councillors)	

REDDITCH BOROUGH COUNCIL**Annual Council**24th May 2021

Forum Members Discussion Group (Worcestershire County Council)	Councillor Yvonne Smith	Term: To RBC AGM Role is that of non-voting observers only. No liability issues identified.	
Worcestershire Local Access Forum (Worcestershire County Council)	Councillor Julian Grubb Membership comprises 1 County Council Member; one Member from North District Councils and one Member from the Southern Districts Bromsgrove DC do not participate.	1 nomination from north Worcestershire District Councils (must be a Councillor) Term : 1 year (<u>Note</u> : Would be beneficial if the representative had a keen interest in countryside access and recreation issues.) No liability issues identified.	
Redditch Eastern Gateway Steering Group (Contact Officer Simon Jones)	Councillor Peter Fleming	1 Representative to be a ward member for Winyates Ward Term : 1 year Group of local stakeholders set up by Stratford on Avon District Council to consider proposals regarding the Eastern Gateway Development as to reserved matters and routing strategy/survey. No liability issues identified.	

REDDITCH BOROUGH COUNCIL**Annual Council**24th May 2021

Citizens Advice Bromsgrove and Redditch	New 2016 No appointments made since 2017	1 representative and 1 substitute Appointments will be trustees of the CAB which is a charitable company limited by guarantee Term: 3 years	
Redditch Co-operative Homes	Councillors Joe Baker, Brandon Clayton, Bill Hartnett and Ann Isherwood and	4 Nominations (must be Councillors) Term : 1 year Nature of representation: to primarily represent the Organisation and not the Borough Council. Notified in 2014 that only 4 nominations were now required Liability appears to be limited providing there are no breaches of duty or trust.	
Redditch One World Link Executive Committee	Councillor Joanne Beecham and Peter Fleming	2 Representatives Nominations should not include the Mayor who is a Member ex-officio*. Term : 1 year Liability appears to be limited, provided there are no breaches of duty or trust.	
PATROL Traffic Penalty Tribunal (Civil Parking Enforcement)	Councillor Gareth Prosser	1 Representative plus 1 Deputy (must be Councillors) Term: AGM to AGM No liabilities identified / unlikely to be any liabilities.	

REDDITCH BOROUGH COUNCIL**Annual Council**24th May 2021

<p>'Where Next' Association</p>	<p>Councillors Anthony Lovell and Wanda King</p>	<p>2 Representative must be Councillors – 2 <i>places variation previously agreed</i></p> <p>Term : 1 year to Council's AGM</p> <p>Nature of representation: to represent the Borough Council.</p> <p>Liability appears to be limited.</p>	
<p>Eadie Mews Trust</p>	<p>Current appointee Councillor Andy Fry</p>	<p>1 representative.</p> <p>Term: 4 years (current term of office expiring in May 2021)</p> <p>This organisation is registered as a charity and governed in accordance with the Charity Commission Scheme.</p>	
<p>Tardebigge Relief in Need and Sickness Charities</p>	<p>Councillor Gemma Monaco (until May 2022)</p> <p>Vacant position</p>	<p>2 representatives.</p> <p>One new appointment is required to replace the vacancy left by the late Cllr Pattie Smith</p> <p>Term: 4 years</p> <p>This organisation is registered as a charity and governed in accordance with the Charity Commission Scheme.</p>	

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**Annual Council
2021**24th May**Officer Scheme of Delegations**

Relevant Portfolio Holder	To be confirmed
Portfolio Holder Consulted	No
Relevant Head of Service	Claire Felton, Head of Legal, Democratic and Property Services
Report Author Jess Bayley	Job Title: Senior Democratic Services Officer (Redditch) Contact email: jess.bayley@bromsgroveandredditch.gov.uk Contact Tel: (01527) 64252 Ext: 3268
Wards Affected	N/A
Ward Councillor(s) consulted	N/A
Relevant Strategic Purpose(s)	An Effective and Sustainable Council
Non-Key Decision	
If you have any questions about this report, please contact the report author in advance of the meeting.	

1. RECOMMENDATIONS**Council is asked to RESOLVE that:-****The current version of the Officer Scheme of Delegations is agreed as set out at Appendix 1.****2. BACKGROUND**

- 2.1 The Council is required to review its scheme of delegations on an annual basis. This report presents the scheme for noting.

3. FINANCIAL IMPLICATIONS

- 3.1 There are no specific financial implications.

4. LEGAL IMPLICATIONS

- 4.1 Review and revision of the Constitution is governed by Article 15 of the Constitution.
- 4.2 Section 101 of the Local Government Act 1972 (as amended) gives a general power to local authorities to discharge functions through officers. Local Authorities are required by the same Act to maintain a list of these, which is referred to as the Scheme of Delegation. This sets out those powers of the Council which can be carried out by officers of the Council.

**Annual Council
2021**24th May

5. STRATEGIC PURPOSES - IMPLICATIONS**Relevant Strategic Purpose**

- 5.1 The action proposed in this report supports the strategic purpose “an effective and sustainable Council”.
- 5.2 A report in respect of the current Officer Scheme of Delegations is considered at the Annual Council meeting, in line with requirements set out Article 15 of the Council’s constitution. This provides an opportunity for Members to review those delegations to ensure that they continue to meet the needs of the Council and communities it serves.

Climate Change Implications

- 5.2 There are no climate change implications.

6. OTHER IMPLICATIONS**Equalities and Diversity Implications**

- 6.1 there are no equalities and diversity implications.

Operational Implications

- 6.2 The Council’s Constitution currently requires that the Officer Scheme of Delegations be approved by Members at the Annual Meeting of the Council.
- 6.3 The Officer Scheme of Delegations is the part of the Constitution that gives authority for certain decisions to be delegated from Council, the Executive or other committees to certain specified officers. It sets out the decisions which are delegated by Council to officers and the decisions which are delegated by the Executive / Leader to officers. In relation to certain regulatory decisions, the delegation is from Council to the relevant Committee, namely Planning Committee or Licensing Committee.
- 6.4 The Scheme of Delegations is regularly altered and updated to reflect changes in the operation of the Council and changes to legislation. Changes have been made by the Monitoring Officer in accordance with the delegation that currently exists to amend the scheme to reflect changes in legislation, job titles and reallocation of functions. They do not extend the delegations.

**Annual Council
2021**24th May

7. RISK MANAGEMENT

- 7.1 The main risks associated with the details included in this report are failure to comply with governance requirements which may expose the Council to the risk of challenge by way of judicial review or appear which may result in awards of damages and costs against the Council and loss of reputation.

8. APPENDICES and BACKGROUND PAPERS

Appendix 1 – the Officer Scheme of Delegations.

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Redditch Borough Council

Scheme of Delegation

1. This Scheme of Delegation will be updated regularly. However:
 - a) any reference to specific legislation or to statutory provisions shall be deemed to refer to any relevant aspects of any successive legislation or statutory provisions;
 - b) reference to a post holder shall be deemed to refer to any successor post holder(s) who is/are charged with the same responsibilities following any reorganisation or reallocation of functions, save that where there is any ambiguity as to who shall exercise a particular delegation of authority, the delegation shall refer to the higher-ranking Officer(s). For the avoidance of doubt, successor post holder(s) include Officers placed at the disposal of the Council under secondment arrangements pursuant to s113 of the Local Government Act 1972 or any other enactment or power.

Delegations to Committees and Sub-Committees

2. This Scheme of Delegation is not an exhaustive list of matters delegated to Committees and Sub-Committees. The Scheme of Delegation must be read in conjunction with the Terms of Reference for each Committee and Sub-Committee.

Delegations to Officers

3. All powers, duties and responsibilities appropriate and necessary for day to day operational activities shall be deemed to be delegated to the relevant Head of Service with the responsibility for the discharge of that function or the exercise of that power unless otherwise specifically prescribed and shall include authority to incur normal revenue expenditure in the discharge of day to-day operational activities in accordance with Financial Regulations and where budgetary provision has been made unless the Executive Committee or Section 151 Officer has placed a conditional approval on any such item. The Scheme of Delegations is not intended to be an exhaustive and complete list of delegations to officers.
4. Notwithstanding that functions are delegated to an Officer, the relevant parent committee or other member body with decision-making powers will retain concurrent powers. An Officer may decide not to exercise any function in relation to a particular matter and invite the relevant committee or member body with decision-making powers to do so instead.
5. Where an Officer whose post is named under this Scheme is unable to act or is absent the powers delegated to him/her may be exercised by any officer authorised by him in writing or by any more senior Officer in that Officer's hierarchical line of management up to and including the Chief Executive except where this is not permitted in law or is subject to other qualification. Any delegation to the Chief Executive may in his/her absence be exercised by the Deputy Chief Executive, Executive Directors, Monitoring Officer or Section 151 Officer as may be appropriate.

APPENDIX 1 CONSTITUTION – PART 5 – INTRODUCTION

6. There are further delegations of powers which can be exercised by officers under Contract Procedure Rules.

Interpretation of the Scheme of Delegations

7. The Monitoring Officer shall be the final arbiter in relation to the interpretation and application of the Scheme.

APPENDIX 1 CONSTITUTION – PART 5.01 – Chief Executive

CHIEF EXECUTIVE’S OFFICE AND CORPORATE DELEGATIONS			
1. <u>Miscellaneous</u> See service-specific delegations elsewhere			
Subject	Detail	Delegated by:	Delegated to:
Secretariat / Civic Support	To agree expenditure in relation to civic support / civic events.	Council	[Chief Executive]
Town Twinning	To agree expenditure in relation to town-twinning events, based on the principle of equitable sharing of available funds over time between the Borough’s link towns, but with variation permitted to deal with exceptional events / activity.	Executive Committee	[Chief Executive]
Legal Proceedings – Occupation of Council Land	To pursue legal proceedings (whether by possession action, injunction or otherwise) to recover possession of Council-owned land occupied without consent, or to secure the removal from other land (not in the Council's ownership) of a person or persons (and his/her/their possessions, including motor or other vehicles) occupying such land without, or in contravention of, any authority or consent (statutory or otherwise), or to prevent or stop any activity in contravention of legislation which it is the responsibility of the Council to administer or enforce.	Council / Executive Committee	[Chief Executive] or in his/her absence the [Duty Officer (Deputy Chief Executive)] or in his/her absence – [another Director]
Flags	To agree variations to approved protocols for the flying of flags at the Town Hall.	Executive Committee	[Chief Executive] following consultation with [Portfolio Holder - Corporate Management]
National Care Standards – Responsible Individual	To identify and notify the National Care Standards Commission of the “Responsible Individual” for the purposes of the Care Standards Act 2000. See Community Services delegations for reference to the registered provider and manager.	Council	[Chief Executive]

APPENDIX 1 CONSTITUTION – PART 5.01 – Chief Executive

Returning Officer / ERO Functions	To fulfil the duties of Returning Officer and Electoral Registration Officer for Redditch in accordance with statute.	External / Council	[Deputy Chief Executive]
Urgent Business	To determine urgent matters where there is insufficient time to convene a meeting of the Council, Executive or other Committee, or it would be disproportionate to do so in relation to the scale of the decision required.	Council or Executive Committee/Leader as appropriate	[Chief Executive] following consultation with the [Executive/Leader], [S 151 Officer] and the [Monitoring Officer].
General Delegations	<p>1) In the absence of the Chief Executive, to exercise the various specific delegations (referred to elsewhere within Scheme of Delegations to Officers, etc.)</p> <p>2) In the absence of the Chief Executive, to exercise the Proper Officer functions which are the responsibility of the Chief Executive.</p> <p>3) In the absence of the relevant Director, to exercise the various specific delegations set out in the Scheme, except in circumstances where statute debars such action.</p> <p>4) To reply on the Council's behalf, where time limits require, to all consultations from adjoining local authorities, the County Council, the LGA, the Government and other bodies.</p> <p>5) Other than as detailed elsewhere in this Scheme of Delegation to Officers and subject to the agreed policy of the Council to accept bookings of all other Council accommodation.</p>	<p>Council / Executive Committee</p> <p>Council / Executive Committee</p> <p>Council / Executive Committee</p> <p>Council / Executive Committee</p> <p>Executive Committee</p>	<p>[Duty Officer (Deputy Chief Executive)]</p> <p>[Deputy Chief Executive] or [other Chief Executive Nominee]</p> <p>[Chief Executive]/ [Duty Officer (Deputy Chief Executive)]</p> <p>Directors / relevant 3rd and 4th Tier Officers</p> <p>[Chief Executive]/ [Deputy Chief Executive]/ Directors</p>
Miscellaneous delegations	To apply for Licences, on behalf of the Council.	Executive Committee	Directors/Officers authorised by Directors

APPENDIX 1 CONSTITUTION – PART 5.01 – Chief Executive

2. <u>Proper Officer Delegations</u>			
Subject:	Detail:	Delegated by:	Delegated to:
Council Summons	To sign summonses to Council Meetings and to receive notices regarding addresses to which summons to meeting is to be sent under provisions of paragraphs 4(2)(b) and 4(3) of Schedule 12 to the Local Government Act 1972.		[Chief Executive] or in his/her absence the [Monitoring Officer]
Local Government Act 1972	To be appointed "Proper Officer" in relation to the following provisions of the Local Government Act 1972: <ul style="list-style-type: none"> a. Sections 83(1) to (4) - Witness and receipt of acceptance of office b. Section 84 – Receipt of declaration of resignation of office c. Section 89 (1) (b): Receipt of notice of casual vacancy from two local electors d. Section 229(5): Certification of photographic copies of document e. Sections 234(1) and (2): Authentication of documents f. Section 88 (2): Convening of meeting to fill casual vacancy in the office of Mayor g. Section 210 (6) and (7): Charity functions of holders of offices with existing authorities transferred to holders of equivalent office with new authorities, or, if there is no such office to "Proper officers". 		<ul style="list-style-type: none"> a. [Chief Executive] b. [Chief Executive] c. [Head of Legal, Democratic and Property Services] d. [Legal, Democratic and Property Services] e. [Head of Legal, Democratic and Property Services] f. [Chief Executive] g. [Head of Legal, Democratic and Property Services]

APPENDIX 1 CONSTITUTION – PART 5.01 – Chief Executive

	<p>h. Section 212(1) and (2): Proper Officer to act as Local Registrar for Land Charges Act 1925</p> <p>i. Section 225: Deposit of documents</p> <p>j. Section 236(9): To send copies of byelaws for parish records</p> <p>k. Section 236(10): To send copies of byelaws to the County Council</p> <p>l. Section 238: Certification of byelaws</p> <p>m. Section 228 (3): Accounts of “any Proper Officer” to be open to inspection by any member.</p> <p>n. Section 191: Function with respect to ordnance survey</p> <p>o. Sections 115(2) and 146(1)(a) and (b): Receipt of money due from officers declaration and certificates with regard to securities</p> <p>p. Section 151</p>		<p>h. [Head of Legal, Democratic and Property Services]</p> <p>i. [Head of Legal, Democratic and Property Services]</p> <p>j. [Head of Legal, Democratic and Property Services]</p> <p>k. [Head of Legal, Democratic and Property Services]</p> <p>l. [Executive Director of Finance and Corporate Resources}</p> <p>m. [Head of Planning, Regeneration and Leisure Services]</p> <p>n. [Head of Planning, Regeneration and Leisure Services]</p> <p>o. [Executive Director of Finance and Resources]</p> <p>p. [Executive Director of Finance and Resources]</p>
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APPENDIX 1 CONSTITUTION – PART 5.01 – Chief Executive

3. Regulation of Investigatory Powers Act (RIPA)			
Subject:	Detail:	Delegated by:	Delegated to:
	<ol style="list-style-type: none"> 1. To review, revise and update the Council's RIPA policy. 2. Under the provisions of Part 1 chapter 2 of the Regulation of Investigatory Powers Act 2000 relating to the Accessing of Communications Data, to appoint officers to act as SPOCs (Single Point of Contact). 3. To grant authorisations, subject to approval by the Magistrate's Court, under the Regulation of Investigatory Powers Act (RIPA) 2000 to conduct covert surveillance. 4. In relation to requests for Directed Surveillance, including authorisation as referred to above, to sign all necessary documents and forms whether by way of Authorisation, Review, or Cancellation 5. In relation to requests for Covert Human Intelligence Sources where the source is aged under 18, to sign all necessary documents and forms whether by way of Authorisation, Review, or Cancellation. 6. To maintain the central record of documents relating to RIPA policy, including authorisations. <p><i>(See also Transformation and Organisational Development delegations)</i></p>	1 – 7 Council	<ol style="list-style-type: none"> 1. [Head of Legal, Democratic and Property Services.] 2. [Head of Legal, Democratic and Property ServicesService s.] 3. Heads of Service authorised to do so under Appendix 2 of the RIPA policy. 4. Heads of Service authorised to do so under Appendix 2 of the RIPA policy. 5. [Chief Executive] or in his absence the [Deputy Chief Executive. 6. The Information Management Team under the supervision of the [Head of Transformation, Organisational Development and Digital Strategy].

APPENDIX 1 CONSTITUTION – PART 5.01 – Chief Executive

	7. To carry out all necessary action to ensure that the Office of Surveillance Commissioners is satisfied with the Council's Policy and Procedures in respect of RIPA.		7. [Head of Legal, Democratic and Property Services].
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Appendix 1 Constitution Part 5 Table 5.02 – Transformation and OD

TRANSFORMATION, ORGANISATIONAL DEVELOPMENT AND DIGITAL STRATEGY			
1. <u>IT Services</u>			
Subject	Detail	Delegated by:	Delegated to:
Members' IT	To supply and maintain Members' IT facilities in accordance with approved Policy(-ies)	Executive Committee	[Head of Service – Transformation, Organisational Development and Digital Services] / [IT Manager]
Corporate IT New Proposed Delegation	To determine all the Council's IT Policies and Strategies	Council	[Head of Service – Transformation, Organisational Development and Digital Services] / [IT Manager]
Land and Property Gazetteer	To keep and maintain the Council's Local Land & Property Gazetteer (LLPG) and act as "Custodian" for this purpose.	Executive Committee	[Head of Service - Transformation, Organisational Development and Digital services]
Street Naming	To be responsible for Street / Property naming, in accordance with Council-approved Policy, and to maintain a list of candidate street and property names.	Executive Committee	[Head of Transformation, Organisational Development and Business Services], following consultation with Ward and other relevant Members /Portfolio Holder

Appendix 1 Constitution Part 5 Table 5.02 – Transformation and OD

Street Numbering	To prescribe street numbers and renumber premises where necessary, in accordance with approved policy.	Executive Committee	[Head of Service - Transformation, Organisational Development and Digital Services]
Regulation of Investigatory Powers Act (RIPA) (See also Chief Executive's/ Corporate delegations)	To maintain the central record of documents relating to RIPA policy, including authorisations.	Council	The Information Management Team under the supervision of the [Head of Service – Transformation, Organisational Development and Digital Services]

Appendix 1 Constitution Part 5 Table 5.02 – Transformation and OD

2. <u>Policy, Performance & Partnerships</u>			
<u>Subject:</u>	<u>Detail:</u>	<u>Delegated by:</u>	<u>Delegated to:</u>
Publicity & Communication	To determine applications for non-commercial organisations to use the Borough Crest or Logo.	Executive Committee	[Communications Manager]
Policy, Equalities and Engagement New Proposed Delegation	To determine all the Council's policies and strategies relating to Equalities, Engagement and Performance (including the Equalities Strategy, Equal Opportunities Strategy, Engagement Strategy and Performance Strategy)	Executive Committee	[Head of Service Transformation, Organisational Development and Digital Services] / [IT Manager]

Appendix 1 Constitution Part 5 Table 5.02 – Transformation and OD

3. Human Resources			
<u>Employees</u>	<p><u>Staffing Matters</u></p> <p>Within the terms of the Council's agreed policies and employment objectives, to deal with the following matters without reference to Committee:</p> <p>a. Appointments:</p> <p>i) to appoint Executive Directors</p> <p>ii) to appoint Heads of Service</p> <p>iii) to appoint staff below the level of Head of Service</p> <p>b. Disciplinary and Capability Action</p> <p>i) Within the Council's approved disciplinary and capability procedures and National Conditions of Service, to dismiss the Head of Paid Service, s151 Officer or Monitoring Officer subject to compliance with the Local Authorities (Standing Orders) (England) Regulations 2001 (as amended).</p> <p>ii) Within the Council's approved disciplinary and capability procedures, to take action against including (except in the case of the monitoring officer or the section 151 officer) dismissal of Executive Directors, subject, in the case of any Officer designated as Chief Finance Officer or Monitoring Officer, to compliance with the Local Authorities (Standing Orders) (England) Regulations</p>		
		Council	[Chief Executive]
		Council	[Chief Executive]/ Executive Directors
		Council	Heads of Service
		N/a	Council
		Council	[Chief Executive]

Appendix 1 Constitution Part 5 Table 5.02 – Transformation and OD

	<p>2001.</p> <p>iii) Within the Council's approved disciplinary and capability procedures, to take action against including (except in the case of the monitoring officer or the section 151 officer) dismissal of Heads of Service and Assistant Chief Executive subject, in the case of any Officer designated as Chief Finance Officer or Monitoring Officer, to compliance with the Local Authorities (Standing Orders) (England) Regulations 2001 (as amended).</p> <p>iv) Within the Council's approved disciplinary and capability procedures, to take disciplinary action against (including dismissal of) any member of staff in the department concerned below Head of Service level.</p> <p>v) To consider and determine appeals in respect of discipline and dismissal for staff below the level of Head of Service.</p> <p>c. Terms and conditions of employment</p> <p>To determine all employment/ HR policies and procedures and terms and conditions of employment (save where specified by statutory provisions) in respect of all staff <u>except</u> the Chief Executive).</p>	<p>Council</p> <p>Council</p> <p>Council</p> <p>Council</p>	<p>[Chief Executive]/ Executive Directors</p> <p>Heads of Service</p> <p>Any one of the following: The Chief Executive, the Deputy Chief Executive or any Directors.</p> <p>[Head of Service – Transformation, Organisational Development and Digital Strategy]</p>
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Appendix 1 Constitution Part 5 Table 5.02 – Transformation and OD

	<p>d. Restructures</p> <p>To make decisions on service restructures, additions and deletions of posts and on adjustments to working conditions (but not generally) within the agreed budgets decided by Council. This does not apply to changes that impact on service delivery.</p>	Executive Committee	[Chief Executive], [Deputy Chief Executive], Executive Directors and Heads of Service as appropriate.
	<p>e. Appeals (job evaluation)</p> <p>To consider and determine appeals in respect of salary grading.</p>	Council	Any Officer of Head of Service level or above or a consultant selected by the [Head of Service – Transformation, Organisational Development and Digital Services
	<p>f. Posts – Grading</p> <p>Within the policy and budgets decided by the Council, to make decisions on the grading of posts and on adjustments to working conditions applying to particular posts (but not generally).</p>	Council	[Head of Service – Transformation, Organisational Development and Digital Services]
	<p>g. Early Retirement Payments</p> <p>To exercise discretionary powers under the Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations 2006 to make a single lump sum payment (including any redundancy payment where necessary) of up to no more than 52 weeks actual pay to any employee in accordance with agreed criteria.</p>	Council	[Chief Executive] following consultation with Head of Service – Transformation, Organisational Development and Digital Services] and the relevant Portfolio Holder
	<p>h. Overtime Payments</p>	Council	[Chief Executive/

Appendix 1 Constitution Part 5 Table 5.02 – Transformation and OD

	<p>Within the budget determined by Council, to approve payments for overtime working where staff are required to work such overtime in pursuance of the Council's obligations or objectives.</p>		Deputy Chief Executive]/ Executive Directors/ Heads of Service
	<p>i. Pay Award</p> <p>Within the budget determined by Council, to implement increases in respect of the annual cost of living pay award as negotiated and agreed by the National Joint Councils or the Joint national Council for all staff.</p>	Council	[Financial Services Manager]
	<p>j. Pay Protection</p> <p>To determine an appropriate pay protection policy for all staff</p>	Council	[Head of Service – Transformation, Organisational Development and Digital Services] in consultation with the [Chief Executive] and Executive Director - Finance and Corporate Resources
	<p>k. Travel Allowances</p> <p>i) To implement increases in respect of the lump sum and mileage allowance payable to all staff in accordance with circulars issued by the Joint National Council and National Joint Council.</p> <p>ii) To implement and review increases in respect of subsistence allowances on an annual basis.</p>	Council	[Financial Services Manager]
	<p>l. Training</p>	Executive	[Chief Executive/

Appendix 1 Constitution Part 5 Table 5.02 – Transformation and OD

	<p>To provide training activities for the Council in accordance with the Council's stated requirements, through either direct provision of in-house training or external resources);</p> <p><u>Day to Day Activities</u></p> <p>a. To control and manage own Directorates</p> <p>b. In the absence of any specific delegation and subject to supervision by their immediate line Managers, Service Managers are authorised to perform the duties for which they are employed, including the day-to-day management of their specific Service.</p> <p>c. The day-to-day discharge of functions not otherwise covered by this scheme in accordance with any requirements of the Chief Executive.</p> <p>d. To respond to miscellaneous enquiries for which no delegated authority currently exists and to determine whether further formal decision is required and, if so, what.</p>	<p>Cttee</p> <p>Council/ Executive Committee</p> <p>Council/Execut ive Committee</p> <p>Executive Committee</p> <p>Executive Committee</p>	<p>Deputy Chief Executive]/ Directors</p> <p>[Chief Executive/ Deputy Chief Executive]/ Directors or their nominated managers</p> <p>Various</p> <p>[Chief Executive] or in his absence the [Deputy Chief Executive]</p> <p>[Chief Executive], in consultation with Group Leaders and Monitoring Officer</p>
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Appendix 1 Constitution Part 5 Table 5.02 – Transformation and OD

4. <u>Health and Safety</u>			
<u>Subject</u>	<u>Detail:</u>	<u>Delegated by:</u>	<u>Delegated to:</u>
Approval of Health and Safety policies	To determine all health and safety policies	Council	[Head of Service – Transformation, Organisational Development and Digital Services], following consultation with the Corporate Management Team, the Joint Corporate Health, Safety and Welfare Committee (where applicable), the Leader of the Council and the relevant Portfolio Holder

Appendix 1 Constitution – Part 5 – Table 5.03 – Community Services

COMMUNITY SERVICES			
1.Community Safety			
Subject	Detail	Delegated by:	Delegated to:
Civil Injunctions	To seek a civil injunction in accordance with Sections 1 –21 of the Anti Social Behaviour, Crime and Policing Act 2014.	Council	[Head of Community and Housing Services] and in consultation with the [Principle Solicitor].
Community Protection Notices and Fixed Penalty Notices	To serve Community Protection notices (and Fixed Penalty Notices in the event of a breach) in accordance with Section 43 – 58 of the Anti Social Behaviour, Crime and Policing Act 2014.	Council	[Head of Community and Housing Services], [Head of Environmental and Housing Property Services] [Head of Worcestershire Regulatory Services] and the [Head of Planning, Regeneration and Leisure Services].
Public Space Protection Orders (PSPOs)	To initiate and implement the consultation process required to make a Public Space Protection Order (PSPO) in accordance with Sections 59 – 75 of the Anti Social Behaviour, Crime and Policing Act 2014.	Council	[Head of Community and Housing Services], , [Head of Environmental and Housing Property Services] and [Head of Planning, Regeneration and Leisure Services]

Appendix 1 Constitution – Part 5 – Table 5.03 – Community Services

Closure Notices and Closure Orders	To issue Closure notices (up to 48 hours) and to apply for a Closure Order in accordance with Sections 76 – 93 of the Anti Social Behaviour, Crime and Policing Act 2014.	Council	[Head of Community and Housing Services], [Head of Environmental and Housing Property Services], [Head of Planning, Regeneration and Leisure Services] and [Head of Worcestershire Regulatory Services].
Absolute Grounds for Possession of a Secure or Assured tenancy	To seek Absolute Grounds for Possession of a secure or assured tenancy where anti-social behaviour or criminality have been proven in court, subject to the required conditions being met in accordance with Sections 94 – 100 of the Anti Social Behaviour, Crime and Policing Act 2014.	Council	[Head of Community and Housing Services]

Appendix 1 Constitution – Part 5 – Table 5.03 – Community Services

2. Private Sector Housing			
Subject	Detail	Delegated by:	Delegated to:
Power of entry	To exercise the powers of Authorised Officers in respect of entry, inspection and investigation in relation to housing conditions as specified in any legislation the enforcement of which is delegated to Director of Leisure, Environment and Community Services	Executive Committee	[Head of Community and Housing Services]/[Housing Strategy Manager]/[Private Sector Housing Team Leader]/[Housing Strategy & Enabling Team Leader]/[Private Sector Housing Officer]
Service of Notices and obtaining warrants	To exercise the powers of Authorised Officers for the purposes of the legislation listed below, serve notices and obtain warrants of entry from a Justice of the Peace for the purposes of that legislation Housing Acts 1985, 2004 Management of Houses in Multiple Occupation Regulations 2006 Licensing & Management of HMO & other Houses (Miscellaneous Provisions) (England) Regulations 2006 Environmental Protection Act 1990 Building Act 1984 Local Government (Miscellaneous Provisions) Acts 1976, 1982 Prevention of Damage by Pests Act 1949 Public Health Act 1961 Licensing and Management of Houses in Multiple Occupation (additional provisions) (England) Regulations 2007 Mobile Homes Act 2013 Caravan Sites & Control of Development Act 1960		[Head of Community and Housing Services]/ [Housing Strategy Manager]/[Private Sector Housing Team Leader]/[Housing Strategy & Enabling Team Leader]/[Private Sector Housing Officer]

Appendix 1 Constitution – Part 5 – Table 5.03 – Community Services

2. Private Sector Housing			
Subject	Detail	Delegated by:	Delegated to:
Caravan Site Licences	To approve a transfer or renewal of a Caravan Site Licence	Executive	[Head of Community and Housing Services]/ [Housing Strategy Manager]/[Private Sector Housing Team Leader]/[Housing Strategy & Enabling Team Leader]
Caravan Site Licences	To approve licence for new site	Council	[Head of Community and Housing Services]/ [Housing Strategy Manager]
Houses in multiple occupation - licences	To approve a Licence for House in Multiple Occupation under the provisions of the Housing Act 2004 Pt2.	Executive Committee	[Head of Community and Housing Services]/ [Housing Strategy Manager]/[Private Sector Housing Team Leader]/[Housing Strategy & Enabling Team Leader]
Houses in multiple occupation – licence	To refuse or revoke Licences for Houses in Multiple Occupation	Executive Committee	[Head of Community and Housing Services] following consultation with the [relevant Portfolio Holder]
Housing Act 2004 – notices etc	To issue notices and orders in relation to improvement, prohibition, revocation, hazard awareness and emergency action under the Housing Act 2004, sections 11,12,14,16, 20,21,23,25,28,29,40,41 &43 and undertake default work in respect of such notices where necessary.	Executive Committee	[Head of Community and Housing Services]/ [Housing Strategy Manager]/[Private Sector Housing Team Leader]/[Housing Strategy & Enabling Team Leader]
Houses in Multiple Occupation – Management Orders	To issue interim and final management orders in relation to a House in Multiple Occupation under provisions of the Housing Act 2004 sections 101,103,112,113,121 & 122.	Executive Committee	[Head of Community and Housing Services/ Housing Strategy Manager]

Appendix 1 Constitution – Part 5 – Table 5.03 – Community Services

2. Private Sector Housing			
Subject	Detail	Delegated by:	Delegated to:
Empty Dwellings - orders	To issue interim and final management orders in relation to empty dwellings under provisions of the Housing Act 2004 sections 133 & 136	Executive Committee	[Head of Community and Housing Services]/ [Housing Strategy Manager]
Mortgage Rescue Scheme	To Agree each case for purchase through the Government's Mortgage Rescue Scheme Executive Committee October 2013	Executive Committee	[Head of Community and Housing Services]
Overcrowding - notice	To issue notice in respect of overcrowding in non-licensable Houses in Multiple Occupation under provisions of the Housing Act 2004 section 139	Executive Committee	[Head of Community and Housing Services]/ [Housing Strategy Manager]/[Private Sector Housing Team Leader]/[Housing Strategy & Enabling Team Leader]
Property Tribunal	To make application to a Residential Property Tribunal in relation to enforcement or other provisions under the Housing Act 2004	Executive Committee	[Head of Community and Housing Services]/ [Housing Strategy Manager]
Illegal evictions and harassment	To institute legal proceedings in respect of illegal evictions and harassment under provisions of the Protection From Eviction Act 1977 and Housing Act 1988	Executive Committee	[Head of Community and Housing Services]/ [Housing Strategy Manager]/[Private Sector Housing Team Leader]/[Housing Strategy & Enabling Team Leader]
Building Act notices	To serve notices under the Building Act 1984, Sections 59, 63, 64, 70, 72(1)(a) & 76 in relation to housing conditions, to undertake work in default and recover expenses.	Executive Committee	[Head of Community and Housing Services]/ [Housing Strategy Manager]/[Private Sector Housing Team Leader]/[Housing Strategy & Enabling Team Leader]/[Private Sector Housing Officer]

Appendix 1 Constitution – Part 5 – Table 5.03 – Community Services

2. Private Sector Housing			
Subject	Detail	Delegated by:	Delegated to:
Lifetime Grants - approval	To approve applications for Lifetime Grants under the Housing Assistance Scheme and any subsequent schemes for works of repair, improvement, adaptation or thermal efficiency and applications for Landlord (HMO) Lifetime Grant	Executive Committee	[Deputy Chief Executive]/[Head of Community and Housing Services]/[Strategic Housing Manager]/[Private Sector Housing Team Leader]/[Housing Strategy & Enabling Team Leader]
Disabled Facilities Grants	To approve applications for mandatory Disabled Facilities Grant	Executive Committee	[Head of Community and Housing Services]/[Strategic Housing Manager]/[Private Sector Housing Team Leader]/[Housing Strategy & Enabling Team Leader]
Disabled Facilities Grant - Repayment	To waive the condition requiring repayment of a Disabled Facilities Grant in accordance with the Government's Criteria set out in Section 5.19(b) of the report to the Executive Committee on 7 th January 1999	Executive Committee	[Head of Community and Housing Services] following consultation with the [relevant portfolio holder].
Lifetime Grants - cancellation	To cancel Lifetime Grant and recover interim payments for failure to complete eligible work within 12 months of approval date or to grant extensions of time for completion	Executive Committee	[Head of Community and Housing Services]/[Strategic Housing Manager]/[Private Sector Housing Team Leader]/[Housing Strategy & Enabling Team Leader]

Appendix 1 Constitution – Part 5 – Table 5.03 – Community Services

Council land and premises - dealing with Trespassers	To authorise the exercise of Local Authority powers under the Criminal Justice & Public Order Act 1994 relating to occupation of council land and premises by trespassers.	Executive Committee	[Head of Community and Housing Services]/[Strategic Housing Manager]/[Private Sector Housing Team Leader]/[Housing Strategy and Enabling Team Leader].
Proceedings for possession	To authorise the instigation of civil legal proceedings for possession of council land and premises occupied by trespassers without permission and further legal proceedings for their eviction from such land and premises.	Executive Committee	[Head of Community and Housing Services]/[Strategic Housing Manager]/[Private Sector Housing Team Leader]/[Housing Strategy & Enabling Team Leader].
Council land - bunding	In connection with the construction of bunding to prevent trespass on council land or removal of bunding provided for such purpose the Executive Director of Leisure, Environmental & Community Services shall, before taking action, consult with relevant Ward Members and residents in the vicinity likely to be affected. The decision to construct or remove bunding shall be delegated to the Director of Leisure, Environment & Community Services following consultation with the relevant Ward Members	Executive Committee	[Deputy Chief Executive]/[Head of Community and Housing Services]/[Strategic Housing Manager]following consultation with Ward Members
Home Improvement Agency	To deal with day to day management of the Home Improvement Agency Service	Executive Committee	[Head of Community and Housing Services]/[Strategic Housing Manager]/[Private Sector Team Leader]
Civil Penalty Notices	to approve the use of Civil Penalties in appropriate housing related offences as an alternative to prosecution	Council	[Head of Community and Housing Services]

Appendix 1 Constitution – Part 5 – Table 5.03 – Community Services

3. <u>Transport & Concessionary Fares</u>			
Subject	Detail	Delegated by:	Delegated to:
Dial-a-Ride / Shop-mobility	To deal with day-to-day management of the Dial-a-Ride and Shopmobility Schemes.	Executive Committee	[Head of Community and Housing Services]/[Dial a Ride and Shopmobility Manager]

(Bus passes, concessionary fares operators and eligibility removed as functions passed to Worcestershire County Council)

Appendix 1 Constitution – Part 5 – Table 5.03 – Community Services

4. <u>Miscellaneous other</u>			
Subject	Detail	Delegated by:	Delegated to:
CCTV/Lifeline	Day to day management of the 24 hour CCTV/NEW Lifeline Monitoring Centre, Installation Team and telephone answering out of hours service, in accordance with the Council's adopted codes of practice and industry best practice. To include entering in to contracts to provide services on behalf of external organisations following consultations with Legal Services.	Executive Committee	[CCTV and Lifeline Manager]
License under Housing Act 2004	To issue and refuse licences as appropriate under the provisions of the Housing Act 2004.	Executive Committee	[Deputy Chief Executive]
Councillor Grants	To approve and to pay grants to Voluntary and Community Sector (VCS) organisations which have been recommended for approval by elected Members through the Councillor Community Grant Scheme (CCGS).	Executive Committee	[Head of community and Housing Services]
Concessionary Rents	To administer the Concessionary Rents Policy and approve rent Relief following consultation with the Grants Panel.	Executive Committee	[Head of Community and Housing Services] in consultation with the [Deputy Chief Executive].

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APPENDIX 1 CONSTITUTION – PART 5 – TABLE 5.04 – Env Services

ENVIRONMENTAL SERVICES			
1. <u>Cemeteries / Crematorium</u>			
<u>Subject:</u>	<u>Detail:</u>	<u>Delegated by:</u>	<u>Delegated to:</u>
Cemeteries & Crematorium.	To deal with day-to-day cemetery and crematorium matters.	Executive Committee.	[Head of Environmental and Housing Property Services]/[Environmental Services Manager]/ [Bereavement Services Manager].
Memorial Masons Registration Scheme.	To make decisions in accordance with the Memorial Masons Registration Scheme presented to Executive Committee on 25th September 2002 and approved by Council on 21st October 2002.	Executive Committee.	[Head of Environmental and Housing Property Services] / [Environmental Services Manager]/ [Bereavement Services Manager].
Unsafe Monuments.	To make decisions and take appropriate action in respect of unsafe memorials in the Abbey, Edgioake and Plymouth Road Cemeteries in accordance with Council policy.	Executive Committee.	[Head of Environmental and Housing Property Services] / [Bereavement Services Manager].

CONSTITUTION – PART 5 – TABLE 5.04

2. <u>Grounds Maintenance and Landscaping</u>			
<u>Subject:</u>	<u>Detail:</u>	<u>Delegated by:</u>	<u>Delegated to:</u>
Grounds Maintenance & Landscaping.	Day-to-day management of all Council-owned parks, woodlands and open spaces.	Executive Committee.	[Head of Environmental and Housing Property Services] / [Head of Planning, Regeneration and Leisure]/[Environmental Services Manager].
Tree Preservation Orders	<p>1. All planning decisions, actions or advice/responses on behalf of the Local Planning Authority that relate to the protection of trees and falls within the list of Planning and Associated legislation/regulations are considered to fall within the delegation scheme and will be determined by officers, unless:</p> <p>a. Objections have been received where it is proposed that a tree preservation order protects a tree/trees previously unprotected; or</p> <p>b. It is proposed that a tree be protected which is located on Council-owned land.</p> <p>In all cases relating to trees, decisions made using delegated powers shall be reported to</p>	Council	[Head of Environmental and Housing Property Services]

CONSTITUTION – PART 5 – TABLE 5.04

	<p>members at Planning Committee within six months of the decision being made, for information purposes.</p> <p>2. To initiate Tree Preservation Orders.</p>	Council	[Head of Environmental and Housing Property Services]
Trees - Dangerous.	<p>1. Where notice is received under s23(2) of the Local Government (Miscellaneous Provisions) Act 1976 that trees are in such condition that they are likely to cause damage to persons or property on the land of the person giving notice:</p> <p>a. To take any steps necessary to make the trees safe (whether by felling or otherwise) where the owner of the land is not known.</p> <p>b. to serve a notice under s23 (3) of the Act on the owner or occupier of the land on which the trees are growing where the name and address of such or occupier is known requiring the taking of steps to make the</p>	Planning Committee.	[Head of Environmental and Housing Property Services].

CONSTITUTION – PART 5 – TABLE 5.04

	<p>trees safe and if the Notice is not complied with to take the steps specified therein and recover such expenses.</p> <p>2. To take any necessary action under s23 – 26 of the Local Government (Miscellaneous Provisions) Act 1976 to secure the removal of dangerous trees and to deal with dangerous excavations.</p>	Planning Committee.	[Head of Environmental and Housing Property Services].
High Hedges.	<p>1. To determine High Hedge applications submitted in accordance with Part 8 of the Anti-Social Behaviour Act 2003 and to issue a remedial notice where appropriate when:</p> <p>a. such applications are submitted by or on behalf of any officer of the Council or any Parish Council within the Borough of Redditch.</p> <p>b. such applications are submitted by</p>	1. Council.	Planning Committee

CONSTITUTION – PART 5 – TABLE 5.04

	<p>or on behalf of any County, District or Parish Councillor whose ward is within the Borough of Redditch.</p> <p>c. any County, District or Parish Councillor whose ward is within the Borough of Redditch is affected by such an application.</p> <p>2. In all other circumstances to determine all High Hedge applications submitted in accordance with Part 8 of the Anti-Social Behaviour Act 2003 and to issue a remedial notice where appropriate.</p>	<p>2. Planning Committee</p>	<p>[Head of Environmental and Housing Property Services].</p>
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CONSTITUTION – PART 5 – TABLE 5.04

3. <u>Highways</u>			
<u>Subject:</u>	<u>Detail:</u>	<u>Delegated by:</u>	<u>Delegated to:</u>
Dedication of Land.	Acceptance of offers of dedication of land for highway purposes.	Executive Committee.	[Head of Environmental and Housing Property Services] in consultation with County Council.
New Street Byelaws.	Issue of consents under New Street Byelaws following approval of applications by the Executive Committee.	Executive Committee	[Head of Environmental and Housing Property Services] in consultation with County Council.
Licences to Plant trees / Dangerous Trees.	Issue of licences to plant trees, shrubs etc. and to deal with dangerous trees in a highway.	Executive Committee.	[Head of Environmental and Housing Property Services] in consultation with County Council.
Action – Highways Act 1989.	To take action in accordance with Highways Act 1989 Sections 219 – 225.	Executive Committee.	[Head of Environmental and Housing Property Services] / [Principal Solicitor], in consultation with County Council.
Street Signs and Bus Stops.	Siting of street signs and bus stops.	Executive Committee.	[Head of Environmental and Housing Property Services].
Street Furniture.	Siting of street furniture other than bus shelters.	Executive Committee.	[Head of Environmental and Housing Property Services].
Land Drainage.	To carry out the Council's function under the Land Drainage Act 1991 and Flood and Water Management Act 2010.	Executive Committee.	[Head of Environmental and Housing Property Services].

CONSTITUTION – PART 5 – TABLE 5.04

Traffic Management.	To approve or otherwise, local traffic management proposals and associated works.	Executive Committee.	[Head of Environmental and Housing Property Services] in consultation with Worcestershire County Council.
Road Closures.	To deal with applications for temporary road closures for special events.	Executive Committee.	[Head of Environmental and Housing Property Services]
Orders – Town Police Clauses Act.	To make, in appropriate cases, Orders under Section 21 of the Town Police Clauses Act 1847.	Executive Committee.	[Principal Solicitor].

CONSTITUTION – PART 3 – TABLE 3.04**SCHEME OF DELEGATION TO OFFICERS**

4. <u>Waste Management</u>			
<u>Subject:</u>	<u>Detail:</u>	<u>Delegated by:</u>	<u>Delegated to:</u>
Abandoned Vehicle Notices.	To issue abandoned vehicles notices under the Refuse Disposal (Amenity) Act 1978.	Executive Committee.	[Head of Environmental and Housing Property Services].
Fixed Penalty Notices – Environmental Protection Act.	To exercise the powers, including the issuing of Fixed Penalty Notices, within Section 47ZA of the Environmental Protection Act 1990.	Executive Committee	[Head of Environmental and Housing Property Services] or his/her nominee(s)
Abandoned Vehicles.	Removal, storage and disposal of abandoned vehicles.	Executive Committee.	[Head of Environmental and Housing Property Services] / [Waste Management Manager].
Vehicle Amnesties.	To organise vehicle amnesties as and when required.	Executive Committee.	[Head of Environmental and Housing Property Services]/ [Waste Management Manager].
Garden Waste - Charges.	To set and/or vary the level of charges for the opt-in chargeable garden waste collection service, in relation to the overall agreed.	Executive Committee.	[Head of Environmental and Housing Property Services], following consultation with [Portfolio Holder for Local Environment].

CONSTITUTION – PART 3 – TABLE 3.04

5. <u>Home Energy and Conservation</u>			
<u>Subject:</u>	<u>Detail:</u>	<u>Delegated by:</u>	<u>Delegated to:</u>
Home Energy Conservation Reports.	Home Energy Conservation Act 1996 - to prepare, publish and submit to the Secretary of State, the Council's Home Energy Conservation Reports.	Executive Committee.	[Head of Environmental and Housing Property Services].

CONSTITUTION – PART 3 – TABLE 3.04

6. Energy Efficiency and Climate Change			
<u>Subject:</u>	<u>Detail:</u>	<u>Delegated by:</u>	<u>Delegated to:</u>
Low Emissions Vehicle Strategy	<p>To act, following consultation with the relevant Portfolio Holder, to apply for, accept, and administer (including in partnership with other local authorities) future funding in line with this strategy.</p> <p><i>(Agreed by Council in July 2019)</i></p>	Executive Committee.	[Head of Environmental and Housing Property Services] and [Head of Community and Housing Services].

APPENDIX 1 CONSTITUTION – PART 5 – TABLE 5.05 - Housing

HOUSING SERVICES			
1. Housing Management - General			
<u>Subject:</u>	<u>Detail:</u>	<u>Delegated by:</u>	<u>Delegated to:</u>
Health & Social Care Act 2008	To identify and register with the Commission for Care Standards Inspection the “Registered Provider” and the “Registered Manager” for the purposes of the Health & Social Care Act 2008 and The Care Quality Commission Regulations 2009.	Executive Committee	[Deputy Chief Executive & Executive Director of Leisure, Environmental & Community Services]/[Head of Community and Housing Services]/[St. David’s House Manager]
Day to day management of St David’s House	Day to day management of St David’s House, Extra Care Housing Scheme	Executive Committee	[Head of Community and Housing Services]/[St. David’s House Manager]
Day-to-day management of housing stock	Day-to-day management of the Council’s housing stock, housing land and housing landlord services: <ul style="list-style-type: none"> • Repairs and Maintenance* • Capital Works* • Voids management*** • Allocations management (in accordance with the Housing Allocations Policy)** • Tenancy management** • Rent account management** • Equipment and Adaptations management*** • Garage waiting list/allocation management** 	Executive Committee	[Chief Executive & Deputy Chief Executive & Executive Director for Leisure, Environment & Community Services] [/[Head of Community and Housing Services]/ [Head of Environmental and Housing Services] [Repairs & Maintenance and Capital Manager]* [Housing Services Manager]** Repairs & Maintenance /Housing Services managers***

APPENDIX 1 CONSTITUTION – PART 5 – TABLE 5.05 - Housing

Home Support Service	Day to day management of the Home Support Service to include the collection and recovery of support service charges	Executive Committee	[Head of Community and Housing Services]/[Housing Services Manager]/[Housing Performance and Database Manager]
Support Service Charges	To collect and recover support service charges within the Charging Policy adopted by the Council and to refer cases to the Head of Legal Equalities and Democratic Services to institute proceedings to recover such charges.	Executive Committee	[Head of Community and Housing Services] (with [Head of Legal, Democratic and Property Services])
Day-to-day management of the housing register	Management of the Councils Housing Register in accordance with the Council's Allocations Policy.	Executive Committee	[Head of Community and Housing Services]/ [Housing Options Manager] /[Housing Services Manager]
Housing Allocations Policy	To make any future amendments to the Council's Housing Allocations Policy that are deemed to be necessary and which do not trigger the statutory obligation to consult the persons affected by the changes pursuant to section 168(3) of the Housing Act 1996.	Executive Committee	[Deputy Chief Executive and Executive Director for Leisure, Environment and Community services] in conjunction with the [Principle Solicitor] following consultation with the relevant Portfolio Holder.
Staff/Elected Member relations Housing Applications	In accordance with the Council's Allocations Policy, to approve a housing application for staff members, Elected Members or relatives of either. To make any offers of accommodation in above cases.	Executive Committee Executive Committee	[Head of Community and Housing Services]/ [Housing Options Manager]/ [Housing Services Manager] [Chief Executive] & in their absence [Deputy Chief Executive & Executive Director for Leisure, Environment & Community Services] & in their absence [Executive Director of Finance & Corporate Resources]

SCHEME OF DELEGATION TO OFFICERS

<u>Subject:</u>	<u>Detail:</u>	<u>Delegated by:</u>	<u>Delegated to:</u>
Homelessness Cases	In accordance with the Council's stated policies and guidelines on homelessness, to deal with all such cases under the Housing Act 1985 (applications for accommodation, etc.).	Executive Committee	[Head of Community and Housing Services]/ [Housing Options Manager]/ [Housing Strategy Manager]
Temporary Accommodation license breaches	In respect of the management of Temporary accommodation for the purposes temporary housing for homeless families let under licences to authorise: <ul style="list-style-type: none"> • the service of notice to quit • Referral to the principle Solicitor to institute and complete proceedings for possession 	Executive Committee	[Head of Community and Housing Services]/ [Housing Options Manager]
Housing Management: Introductory and Secure Tenancy breaches and unlawful occupiers	In respect of the management of Introductory and Secure housing tenancies to authorise: <ul style="list-style-type: none"> • The Service of Notice Seeking Possession (introductory and secure tenancies) • Referral to the Principal Solicitor and complete proceedings for possession 	Executive Committee	[Head of Community and Housing Services]/ [Housing Services Manager]
Enforcement of possession proceedings for introductory and secure tenancy breaches	To sanction applications for Warrants of Possession in above cases. <u>Warrants for no access for adherence to Health & Safety/ statutory requirements</u>	Executive Committee	[Deputy Chief Executive & Executive Director for Leisure, Environment & Community Services] / [Head of Community and Housing Services]/ [Housing Services Manager] [Head of Environmental and Housing Property Services]/ Repairs & Maintenance/ Housing Services Managers

SCHEME OF DELEGATION TO OFFICERS

Offer of Alternative accommodation / Family of Deceased Tenant	To make one offer of suitable alternative accommodation to occupants who are members of the family of a deceased tenant and who have been in occupation for one year or more prior to the death of the tenant, and who are under-occupying property where they have no right of succession upon the death of the tenant; and,	Executive Committee	[Head of Community and Housing Services]/ [Housing Services Manager] / [Head of Legal, Democratic and Property Services]
Multi-Agency Public Protection Arrangements and emergency re-housing requests	To accept cases referred to the Council by the Police and the Probation Service through the Multi-Agency Public Protection Arrangements and protocols	Executive Committee	[Head of Community and Housing Services]
Housing Management; Tenancy changes	In respect of secure tenancies authorise within the guidelines of the Housing Act 1985 and Housing Management policy and procedures <ul style="list-style-type: none"> • Tenancy changes • Decants (temporary or permanent re-housing) 	Executive Committee	[Housing Services Manager]
Housing Rents / other Housing-related Debts	To collect and recover current housing rents and other housing-related debts.	Executive Committee	[Housing Services Manager]
Rent Account Write – offs of Debt and Credit balances	To authorise rent and sub-account credit balances and write-off's in accordance with Write-off policy.	Executive Committee	[Housing Services Manager]
Tenant Rent Account credit refunds	To authorise rent account credit refunds where a tenant has overpaid their rent leaving a credit in accordance with procedures up to £3,000.	Executive Committee	[Housing Performance and Database Manager] / [Housing Services Manager]

SCHEME OF DELEGATION TO OFFICERS

Right to Buy	<p>In respect of the management of the right to buy process within the guidance of the Housing Act 1985 within policy and procedure to authorise:</p> <ul style="list-style-type: none"> • acceptance or denial of a Right to Buy application • To agree/disagree waiver of the discount period of a completed right to buy 	Executive Committee	[Head of Community and Housing Services]/ [Housing Performance & Database Manager]/[Housing Services Manager]
Council Housing Growth Programme	To approve the necessary delivery agents for commissioning the construction of new HRA stock from the Council Housing Growth Programme budget.	Executive Committee	[Deputy Chief Executive & Executive Director for Leisure, Environment & Community Services] / [Head of Community and Housing Services]
Enforcement Action Inspection and Maintenance	<p>To take enforcement action in relation to the Inspection and Maintenance e.g. gas, electrical and other statutory or essential inspections or maintenance</p> <p>To gain entry to properties where a tenant does not permit access to the Council or Council's contractor to undertake safety inspections, routine servicing or maintenance .</p>	<p>Executive Committee</p> <p><u>Executive Committee</u></p>	<p>[Head of Community and Housing Services] / [Head of Environmental and Housing Property Services] / [Repairs & Maintenance and Capital Manger] following consultation with [Principal Solicitor]</p> <p>[Head of Community and Housing Services] or [Repairs & Maintenance and Capital Manger], following consultation with the [Principal Solicitor].</p>

SCHEME OF DELEGATION TO OFFICERS

Powers to Force Entry	To exercise the Council's powers within the guidelines of the Housing Act 1985 acting within policy and procedure to enforce entry to Council-owned properties in cases of emergency.	Executive Committee	[Deputy Chief Executive & Executive Director for Leisure, Environment & Community Services] / [Head of Environmental and Housing Property Services]/[Head of Community and Housing Services]/ [Housing Services Manager] / [Repairs & Maintenance and Capital Manager], in consultation with [Principal Solicitor] or if out of hours, the [Duty Officer]
To agree inspections and maintenance requirements to Council Housing Stock	Day to day repairs and maintenance of tenanted properties and voids	Executive Committee	[Head of Environmental and Housing Property Services]/ [Head of Community Services] and [Repairs & Maintenance and Capital Manager]
Improvements and Alternations	To approve an application of a secure tenant to make an alternation or improvement to their home	Executive Committee	[Head of Environmental and Housing Property Services]/ [Head of Community and Housing Services] / [Repairs & Maintenance and Capital Manager]
Major property Medical Adaptation works	To authorise major property works for OT recommended medical adaptations costing more than £5k	Executive Committee	[Head of Community and Housing]/[Head of Environmental and Housing Property Services]/ [Repairs & Maintenance and Capital Manager]/[Housing Services Manager]

SCHEME OF DELEGATION TO OFFICERS

Major property void works	To authorise major void works costing more than £10k	Executive Committee	[Deputy Chief Executive & Executive Director for Leisure, Environment & Community Services] / [Head of Environmental and Housing Property Services] / [Head of Community and Housing Services]
Tenant Recharges	To authorise tenant recharges where works have been carried out and deemed as tenant responsibility	Executive Committee	[Head of Environmental and Housing Property Services] / [Head of Community and Housing Services] / [Repairs & Maintenance and Capital Manager]

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APPENDIX 1 CONSTITUTION PART 5 - Table 5.06

LEGAL, EQUALITIES AND DEMOCRATIC			
1. <u>Democratic Services - General</u>			
Subject	Detail	Delegated by:	Delegated to:
Constitution	To make minor variations to the form, but not the substance, of the Council's Constitution and associated documents where errors or omissions (previously approved) are found, including those of a grammatical and typographical nature.	Council	[Head of Legal, Democratic and Property Services] / [Senior Democratic Services Officer]
Scheme of Delegation	To make any necessary minor administrative amendments to the Scheme of Delegation, subject to report in due course to the relevant parent body.	Council / Executive Committee.	[Chief Executive] following consultation with [Portfolio Holder for Corporate Management]
Committee Membership	To accept nominations and fill vacancies which arise in any Council-approved Committee membership.	Various	[Chief Executive] following consultation with [Leader] / Group Leaders
Outside Bodies	To appoint Officer representatives to outside bodies.	Council	[Chief Executive]
Calendar of Meetings	To set the annual Calendar of Meetings, provided that existing agreed patterns and frequency of meetings are observed.	Council and Executive Committee	[Senior Democratic Services Officer] following consultation with relevant Chairs
Variations to the Calendar of Meetings	Within the municipal year, to set and vary dates for Council / Committee meetings, in accordance with relevant statutory and constitutional provisions.	Various	[Senior Democratic Services Officer], following consultation with relevant Members
Petitions	To respond to Petitions, in accordance with the approved Protocol.	Council	[Monitoring Officer]/ [Chief Executive]/ [Deputy Chief Executive] / Directors / Relevant Officers

APPENDIX 1 CONSTITUTION PART 5 - Table 5.06

2. <u>Democratic Services - Members</u>			
Subject	Detail	Delegated by:	Delegated to:
Members Allowances	To keep, maintain, and operate the Scheme of Allowances to Members.	Exec.	[Senior Democratic Services Officer]
Outside Bodies - Members	To fill vacancies on outside bodies where there is no contest for places.	Council	[Chief Executive] in consultation with [Leader] / Group Leaders / [Senior Democratic Services Officer]
Outside Bodies - Members	To confirm nominations of Council representatives to outside bodies when any issues of liability have been satisfactorily resolved.	Council	[Chief Executive]
Outside Bodies	To maintain and amend a list of external bodies and organisations to which Members have been appointed by the Council.	Council	[Monitoring Officer], in following consultation with the [Leader]
Outside Bodies - Indemnity insurance	To issue forms of indemnity (to be agreed by Chief Executive) and to arrange insurance of any of the Council's Members or Officers in relation to work in connection with Outside Bodies (whether by attending meetings or otherwise) where it is lawful to do so.	Council / Standards Committee – 02.02.05	[Executive Director Finance & Corporate Resources]
Indemnity insurance – other circumstances	To agree indemnities, issue forms of indemnity and arrange insurance of any of the Council's Members and Officers in other circumstances where it is lawful to do so.	Council / Standards Committee – 02.02.05	[Executive Director Finance & Corporate Resources]

APPENDIX 1 CONSTITUTION PART 5 - Table 5.06

3. <u>Legal Services</u> <i>(See also separate delegations in other Sections)</i>			
Subject	Detail	Delegated by:	Delegated to:
Legal Advice / Legal Proceedings	To provide, on behalf of the Council, legal advice and to take all necessary action in relation thereto, including the institution and defending of proceedings in the courts and other tribunals.	Executive Committee Council	[Principal Solicitor]
Proceedings and prosecutions	To sign any document required as part of any court procedure including statutory demands or bankruptcy petitions.	Council	[Principal Solicitor]
Proceedings and Prosecutions - Authorising officers to appear in the Magistrate's Court	To authorise officers to appear on the Council's behalf in Court proceedings, including RIPA matters	Council	[Head of Legal, Democratic and Property Services]
Signature of Documents	To sign any document necessary to any legal procedure or proceedings on behalf of the Council (- unless any enactment otherwise authorises or requires, or the Council has given requisite authority to some other person).	Council	[Chief Executive] or [Head of Legal, Democratic and Property Services] or [Principal Solicitor] or other person authorised by them.
Signature of Contracts	To sign any contract entered into on behalf of the local authority in the course of the discharge of an Executive Committee function or made under the common seal of the Council attested and duly attested.	Council (Constitution – Article 14.04).	[Chief Executive] or [Head of Legal, Democratic and Property Services] or [Principal Solicitor].

APPENDIX 1 CONSTITUTION PART 5 - Table 5.06

Subject:	Detail:	Delegated by:	Delegated to:
Contracts	to sign or seal any document, Order or Notice on behalf of the Council and to serve or receive any documents on behalf of the Council to include contracts falling under the Contract Procedure Rules	Council	[Head of Legal, Democratic and Property Services] and [Principal Solicitor]
Independent Person Selection	To undertake the Independent Person selection process for the Standards Committee, in consultation with an elected Member Appointment Panel.	Council / Standards Committee	[Head of Legal, Democratic and Property Services] / [Principal Solicitor] / [Senior Democratic Services Officer]
Standards Committee Procedure	Together with the Standards Committee, to administer the Standards procedures and processes relating to the Code of Conduct and arrangements for managing Standards complaints as adopted by the Council.	Council/ Standards Committee	[Head of Legal, Democratic and Property Services]
Affidavits etc.	To authorise Officers to sign statements of truth, Statutory Declarations and Affidavits on behalf of the Council.	Council	[Principal Solicitor], or their nominees duly authorised by them in writing.
Authorised Officer – Misc Provisions	To act as an authorised Officer for the purposes of paragraph 14 of schedule 1 of the Local Government (Miscellaneous Provisions) Act 1982.		[Head of Legal, Democratic and Property Services] or nominee(s).

APPENDIX 1 CONSTITUTION PART 5 - Table 5.06

Miscellaneous delegations	<p>1) Where an Officer has delegated powers to issue legal proceedings, they are also authorised to take action to enforce any judgment obtained.</p> <p>2) To pursue such urgent legal action when required in the future, in cases where existing authority is not sufficient, where the proposed action is not politically controversial, or in conflict with current decision, policy and practice, and where there are no other circumstances which, in the view of the Officer concerned or the Portfolio Holder, might suggest the need for a full Committee (or Council) decision.</p>	<p>Council / Exec / Planning / Licensing Committees</p> <p>Council / Exec / Planning / Licensing Committees</p>	<p>Various</p> <p>Various Officers, following consultation with [relevant Portfolio Holder]</p>
Local Land Charges	To keep and maintain the Register of Local Land Charges. To respond to applications for Searches on the Register, and to co-ordinate answers in respect of CON 29 and associated questions.	Executive Committee	[Head of Planning, Regeneration and Leisure Services]
RIPA	See Chief Executive's / Corporate Delegations	-	-

APPENDIX 1 CONSTITUTION PART 5 - Table 5.06

4. Monitoring Officer			
Subject	Detail	Delegated by:	Delegated to:
Constitution and Scheme of Delegation – amendments	1. To make amendments to the Scheme of Delegation and other areas of the Constitution in order to reflect changes in legislation or regulations, job titles and the reallocation of functions of the Council between departments, provided that the amendments do not extend or reduce the existing delegations or other powers and duties currently listed in the Constitution	Council	[Monitoring Officer]
	2. To make amendments to that part of the Constitution which comprises the Management Arrangements to the extent that such amendment reflects either a change in personnel or changes to the corporate structure which have been agreed by Council	Council	[Monitoring Officer]

APPENDIX 1 CONSTITUTION – PART 5 – TABLE 5.07 Leisure & Culture

LEISURE AND CULTURE			
1. <u>Leisure - General</u>			
Subject	Detail	Delegated by:	Delegated to:
Allotments – Notices to Quit, etc.	To grant, transfer and accept the termination of allotment tenancies.	Executive Committee.	[Head of Planning, Regeneration Leisure Services] / [Head of Environmental and Housing Property]
Play Areas	Day-to-day management of play areas	Executive Committee	[Head of Planning, Regeneration and Leisure Services]
Forge Mill / Bordesley Abbey Visitor Centre	Day-to-day operation and normal lettings in respect of the Forge Mill Museum and Bordesley Abbey Visitor Centre.	Executive Committee	Rubicon Leisure
Circuses / Fairs / Fetes / Rallies, etc	Applications, and negotiation of charges for, use of Leisure facilities and open spaces for circuses, fairs fetes, rallies, tournaments and display purposes, where Committee approval has been given in previous years and where any necessary planning permission, and/or relevant licence, has been obtained.	Executive Committee	[Head of Planning, Regeneration and Leisure Services] for open spaces. Rubicon Leisure if their facilities
Annual Events	To approve the use of facilities for various annual events.	Executive Committee	[Head of Planning, Regeneration and Leisure Services], or other appropriate Head of Service

APPENDIX 1 CONSTITUTION – PART 5 – TABLE 5.07 Leisure & Culture

Sports Development	Day-to-day operation of Sports Development, and the setting of fees and charges for their activities.	Executive Committee	[Head of Planning, Regeneration and Leisure Services]
Play Areas – Representations	To determine representations (retrospective or otherwise) received which fall within the standards and policies to be applied for play areas within residential estates and that in all other cases they be referred to the Executive Committee for consideration.	Executive Committee	[Head of Planning, Regeneration and Leisure Services]
Off-Peak Charges at Sports Facilities	To negotiate off-peak charges for specific amenity events at Sports Centres	Executive Committee	Rubicon Leisure
Varying Charges	To vary charges at Leisure Facilities, in response to additional competition over 5% from previous year	Executive Committee	Rubicon Leisure in consultation with [RBC Client Officer]
Palace Theatre / Arts Development / Negotiation of Fees	Day-to-day operation of the Palace Theatre and Arts Development function; normal lettings and negotiation with artists and organisations of performing fees where appropriate.	Exec	[Head of Planning, Regeneration and Leisure Services] for Arts Development functions, Rubicon Leisure for Palace Theatre
Bank Holiday Closures	To determine dates for the closure of recreational facilities for the Christmas and New Year Holidays.	Exec	Rubicon Leisure in consultation with [RBC Client Officer]

APPENDIX 1 CONSTITUTION – PART 5 – TABLE 5.07 Leisure & Culture

Subject	Detail	Delegated by:	Delegated to:
Community Meeting Rooms	Normal lettings and day-to-day operation, in consultation with various Management Committees (where applicable), of the Community Meeting Rooms.	Executive Committee	Rubicon Leisure
Promotions – Short-Term / One-Off	To approve and implement short-term and one-off promotions at all Sports and Leisure facilities.	Executive Committee	Rubicon Leisure
Roundabout Sponsorship	To agree sponsorship fees with a maximum of 20% plus/minus variance of approved charges	Executive Committee	[Head of Planning, Regeneration and Leisure Services] following consultation with the [appropriate Portfolio Holder].

APPENDIX 1 CONSTITUTION – PART 5 – TABLE 5.07 Leisure & Culture

2. <u>Civic Suite Hire</u>			
Subject	Detail	Delegated by:	Delegated to:
Fees & Charges	To set charges in respect of the Civic Suite and to vary fees and charges set by the Council, in response to commercial considerations, in the light of experience of the new charges.	Executive Committee	[Head of Planning, Regeneration and Leisure Services] following consultation with [Chief Executive]
Bookings	Subject to the agreed policies of the Council, to accept bookings of the Town Hall Civic Suite.	Executive Committee	[Head of Planning, Regeneration and Leisure Services] following consultation with [relevant Portfolio Holder]
Concessionary Use	To agree requests for concessionary use of the Civic Suite.	Executive Committee	[Head of Planning, Regeneration and Leisure Services] and his/her authorised Managers, following consultation with [relevant Portfolio Holder].

APPENDIX 1 CONSTITUTION – PART 5 – TABLE 5.07 Leisure & Culture

2. <u>Parks and Open Spaces</u>			
Subject	Detail	Delegated by:	Delegated to:
Public Open Space	To adopt Public Open Space on behalf of the Council which has previously been agreed as part of a Section 106 Agreement.	Executive / Leader	[Head of Planning, Regeneration and Leisure Services]
Playing Pitches	To grant hire agreements for the use of such facilities in line with the Budget and Policy Framework.	Executive	[Head of Planning, Regeneration and Leisure Services]
Recreational Land	To decide on arrangements for the access, usage and leasing of recreational land or facilities to Parish councils and other organisations and to determine any applications for consents required by such leases.	Executive / Leader	[Executive Director of Finance and Corporate Resources] and [Head of Planning, Regeneration and Leisure Services]

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APPENDIX 1 CONSTITUTION – PART 5 – TABLE 5.08 – Plg & Regen

2. <u>Development Management / Plans</u>			
Subject	Detail	Delegated by:	Delegated to:
Calling in procedure for Ward Members for Planning Committee	<p>When a ward member wishes to call in an application to Planning Committee for consideration, they will, within 21 days of receipt of the notification of that application, contact the case officer and set out their reasons for wanting the application to be considered at committee rather than by officer delegation. The Case Officer will, in writing, record the request and reasons and send a written record to the Portfolio Holder, Planning Committee Chair and any other ward member(s) for the area in which the application site is situated, of the request and reasons.</p> <p>If a request is made after the deadline set out above, the Planning Committee Chair shall make the final decision, taking into account all relevant matters, as to whether the application is considered by the Planning Committee, and will inform the Case Officer of his/her decision within 2 working days of receiving the request from the Case Officer. The ward member who made the request will also be informed of the Chair's decision.</p>		
Planning Applications	All planning decisions, actions or advice / responses on behalf of the Local Planning Authority within the list of Planning and Associated legislation / regulations, are considered to fall within the delegation scheme and will be determined by Officers,	Council	[Head of Planning, Regeneration and Leisure Services]

UNLESS:

	<ol style="list-style-type: none"> 1. A Member makes a written request within 21 days of the application receipt for the application to be considered by the Planning Committee. <i>(see procedure set out above)</i> 2. The Planning Officer considers that the application should be considered by Committee. 3. The approval of the application would represent a departure from the policies of the statutory development plan. 4. The proposal involves the Borough or County Council either as applicant or landowner. 5. The applicant is a Councillor or known to be an employee of either Redditch 		[Head of Planning, Regeneration and Leisure Services]/ Planning officers
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APPENDIX 1 CONSTITUTION – PART 5 – TABLE 5.08 – Plg & Regen

	<p>Borough Council or Bromsgrove District Council, or employed by other local authorities who provide services for or on behalf of Redditch Borough Council under shared service arrangements.</p> <p>6. There is a known involvement by a Council employee or other employee as in 5 above in any capacity - e.g. as agent or adviser</p> <p>7. The application is for major development (as defined in the BV109 returns i.e. more than 10 dwellings - more than 1000 sq m new industrial / commercial floor space) where the recommendation is for approval or where five or more letters of support have been received.</p>		
	<p>8. The Council will be required to become party to a Planning Legal Agreement under Section 106 (applies only to those agreements where RBC would be a signatory and bear an obligation under the agreement – not to Unilateral Undertakings)</p> <p>9. a) The application is a Householder application and between 11 and 20 individual letters of objection from separate addresses and raising material planning considerations are received from separate members of the public and the Officer recommendation is for approval, in which case, the application will be determined by the Head of Planning, Regeneration and Leisure Services/Planning Officers in conjunction with the Chair of Planning Committee (or in their absence the Vice Chair)</p> <p>More than 21 individual letters of objection from separate addresses and raising material planning considerations are received from separate members of the public and the Officer recommendation is for approval.</p> <p>b) The application is not a Householder application and between 5 and 10 individual letters of objection from separate addresses and raising material planning considerations are received</p>		

APPENDIX 1 CONSTITUTION – PART 5 – TABLE 5.08 – Plg & Regen

	<p>from separate members of the public and the Officer recommendation is for approval, in which case, the application will be determined by the Head of Planning, Regeneration and Leisure Services/Planning Officers in conjunction with the Chair of Planning Committee (or in their absence the Vice Chair)</p> <p>More than 11 individual letters of objection from separate addresses and raising material planning considerations are received from separate members of the public and the Officer recommendation is for approval.</p> <p>10. The application has resulted in a formal objection being received (and has not been resolved through Officer negotiation) from a statutory consultee.</p> <p>11. The application seeks erection of a new, or Change of Use <u>to</u>, A4 (Pubs and wine bars), A5 (hot food take away), or D2 (assembly and leisure – cinemas, sports halls, dance halls etc), or seeks (change of use or erection of a new) consent for a night club, theatre or casino.</p> <p>12. The action involves responding to a consultation request from an adjoining Local Planning Authority, in which case, and if a response is justified, this will be prepared by the Head of Planning, Regeneration and Leisure Services/Planning Officers in conjunction with the Chair of Planning Committee (or in their absence the Vice Chair)</p> <p><i>Legislation / regulations under which decisions will be taken include:-</i></p> <ul style="list-style-type: none"> • Town & Country Planning Act 1990 (as amended) • Planning and Compensation Act 1991 • Town & Country Planning (General Permitted Development) Order 1995 (as amended) • Town & Country Planning (General 		
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APPENDIX 1 CONSTITUTION – PART 5 – TABLE 5.08 – Plg & Regen

	<p>Development Procedure) Order 1995 (as amended)</p> <ul style="list-style-type: none"> • Planning (Listed Buildings & Conservation Areas) Act 1990 (as amended) • Building Act 1984 (as amended) 		
	<ul style="list-style-type: none"> • Circular 5/2000: Planning Appeals: Procedures (including inquiries into Called in Planning Applications) • Circular 18/1984: Crown Land & Crown Development • Town & Country Planning (Environmental Impact Assessment) Regulations 2011 • Highways Act 1980 • Planning (Hazardous Substances) Act 1990 • Hedgerow Regulations 1997 • Goods Vehicles (Licensing of Operators) Act 1995 • Goods Vehicles (Licensing of Operators) Regulations 1995 • Town & Country Planning (Control of Advertisements) Regulations 2007 • Wildlife and Countryside Act 1981 • Caravan Sites and Control of Development Act 1960 • Acquisition of Land Act 1981 • Telecommunications Act 1991 • Electricity Act 1989 • Planning and Compensation Act 1991 • Flood and Water Management Act 2010 		

APPENDIX 1 CONSTITUTION – PART 5 – TABLE 5.08 – Plg & Regen

	<ul style="list-style-type: none"> • Ancient Monuments and Archaeological Areas Act 1979 		
	<ul style="list-style-type: none"> • Local Government Planning and Land Act 1980 • Planning Listed Buildings and Conservation Areas Regulations 1990 (as amended) • Planning Act 2000 • Planning and Compulsory Purchase Act 2004 • Clean Neighbourhoods and Environment Act 2005 • Localism Act 2011 • The Town and Country Planning (Permission in Principle) Order 2017 (as amended) <p>Any reference to an Act of Parliament, Regulation or Order in this scheme of delegation shall be deemed to include reference to any statutory modification re-enactment or replacement thereof for the time being in force</p>		
Development Plans	Preparation of scoping reports and consultation with statutory consultees as required in connection with the preparation of draft SPD Sustainability Appraisals.	Council	[Head of Planning, Regeneration and Leisure Services] and/or [Development Plans Manager]
Planning Obligations	All planning obligation variations and discharges, other actions or advice / responses on behalf of the Local Planning Authority within the list of Planning and Associated legislation / regulations, are considered to fall within the delegation scheme and will be enacted by Officers	Council	[Head of Planning, Regeneration and Leisure Services]

APPENDIX 1 CONSTITUTION – PART 5 – TABLE 5.08 – Plg & Regen

	<p>unless any of the following apply:-</p> <ol style="list-style-type: none">1. Deletion or addition of one or more of the heads of terms.2. Significant change in overall area of land to be transferred to Redditch Borough Council.3. Significant change in financial contributions to be provided to Redditch Borough Council [except where this is a result of (an)other Member decision(s)].4. A Member makes a written request for a case to be considered by the Planning Committee, as set out above in the Calling in Procedure.		
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APPENDIX 1 CONSTITUTION - PART 5 – TABLE 5.09 – Reg Services**REGULATORY SERVICES****1. LICENSING****HEAD OF REGULATORY SERVICES (WORCESTERSHIRE REGULATORY SERVICES)**

To determine applications made for licences of premises for acupuncture, tattooing, ear piecing and electrolysis.

To determine applications for the registration of animal trainers and exhibitors.

To be responsible for inspections of premises are undertaken to ensure compliance with animal welfare licensing legislation and to engage veterinary surgeons for these purposes where necessary.

To authorise officers for the purpose of Part II of the Local Government (Miscellaneous Provisions) Act 1976.

To be designated as “Proper Officer” for the provisions of the Breeding of Dogs Act 1973 and to act on behalf of the Council in respect of the provisions of the Act and to engage veterinary surgeons for the purpose of inspecting premises under the Act.

To determine applications for house to house and street collections.

To respond to applications where the Council is a responsible authority or consultee.

To be designated as “Proper Officer” for the purposes of the administration of the Dangerous Wild Animals Act 1976 and to be authorised to carry out all appropriate functions including the entering of premises.

To grant consents for uncontested Street Amenity Consents under the Highways Act 1980

To authorise the entry of premises for the purpose of enforcing the provisions of the following legislation on behalf of the Council:

- Animal Boarding Establishments Act 1963.
- Breeding of Dogs Act 1973.
- Gambling Act 2005.
- Licensing Act 2003.
- Local Government (Miscellaneous Provisions) Acts 1976 and 1982.
- Town Police Clauses Act 1847.
- Zoo Licensing Act 1981.

APPENDIX 1 CONSTITUTION - PART 5 – TABLE 5.09 – Reg Services**To determine all matters under the Gambling Act 2005 except:**

- Determination of fee levels.
- Applications for variations to premises licences, provisional statements, club gaming/club machine permits and other permits where representations have been received and not withdrawn.
- Applications for transfer of premises licences where representations have been made by the Gambling Commission.
- Review of premises licenses.
- Decision to give a counter notice to a temporary use notice.
- Refusal of applications for registration by societies wishing to promote lotteries.

Hackney Carriages and Private Hire Operators, Vehicles and Drivers**To determine all matters in relation to Hackney Carriage Drivers and Private Hire Operators, Vehicles and Drivers except:****Hackney Carriage and Private Hire Driver's**

- Determination of applications where the applicant does not meet the Council's application criteria.
- Suspension / revocation of a drivers licence, where suspension / revocation is required with immediate effect (in consultation with the Licensing Committee Chairman / Vice-Chairman) that since the grant of the licence they have:-
 - (i) been convicted of an offence involving dishonesty, indecency or violence; or
 - (ii) been convicted of an offence under or has failed to comply with the provision of the Act of 1847 or section 61 of the Local Government (Miscellaneous Provisions) Act 1976; or
 - (iii) any other reasonable cause.

subject to a report being presented to a meeting of the Licensing Sub-Committee

Hackney Carriage and Private Hire Vehicles

- Determination of an application where the vehicle does not meet the Council's criteria.
- Suspension / revocation / refuse to renew a vehicle licence, where suspension / revocation is required with immediate effect (in consultation with the Licensing Committee Chairman / Vice-Chairman) on any of the following grounds:-
 - (i) that the vehicle is unfit for use as a hackney carriage or private hire vehicle;
 - (ii) any offence under, or non-compliance with, the provision of the Act of 1847 or section 60 of the Local Government (Miscellaneous Provisions) Act 1976; or
 - (iii) any other reasonable cause.

APPENDIX 1 CONSTITUTION - PART 5 – TABLE 5.09 – Reg Services

subject to a report being presented to a meeting of the Licensing Sub-Committee.

Operator's

Determination of an application where the applicant does not meet the Council's criteria in respect of character

Fares/Stand

- Revisions to the Council's Table of Hackney Carriage Fares.
- Appointment of Hackney Carriage stands/revisions to existing Hackney Carriage stands.

To suspend Premises and Club Premises Licences following non payment of fees under sections 55A and 92A of the Licensing Act 2003 (as amended)**To determine all matters under the Licensing Act except:**

- Application to vary designated premises supervisors if representations are made.
- Applications for personal licences, premises licences/ club premises licences and provisional statements where representations have been received.
- Applications for Interim Authorities if a police representation is made.
- Application to vary premises licences/ club premises certificates if representations are made.
- Applications to review premises/ club premises certificate.
- Any interim steps following an application for an expedited review.
- Determination of Temporary Event Notices where representations have been made by the Police.
- Applications to transfer premises licences if representations are made.
- Applications for minor variations if representations are made by the Police.

To determine all matters relating to Market and Street Trading except:

- Designation of consent streets and non consent streets under Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982.
- Deciding the Council's policy in relation to the issue of street trading consents.

To determine applications for licences for riding establishments**To determine applications for Zoo Licensing****To carry out any other function or responsibility in relation to the legislation listed at RS1 not specifically referred to above****RS1**

- Animal Boarding Establishments Act 1963.
- Animal Welfare Act 2006.
- Breeding and Sale of Dogs (Welfare) Act 2006.

APPENDIX 1 CONSTITUTION - PART 5 – TABLE 5.09 – Reg Services

- Breeding of Dogs Act 1973 and 1991.
- Dangerous Wild Animals Act 1976.
- Gambling Act 2005.
- Licensing Act 2003.
- Local Government (Miscellaneous provisions) Acts 1976 and 1982.
- Pet Animals Act 1951.
- Police Factories Act (miscellaneous provisions) Act 1916.
- Riding establishments Acts 1964 and 1970.
- Scrap Metal Dealers Act 2013.
- Vehicle Crime Act 2001 - Section 4 (13) - Motor Salvage Operators.
- Town Police Clauses Act 1847.
- Video Recordings Act 1984 and 1993.
- Licensing Act 2003.
- Hackney carriage licensing.
- Private Hire (including driver, vehicle and operator) licensing.
- Control of sex establishments (including lap dancing and sexual entertainment venues).
- Street Trading.
- Street amenity licences.
- Zoo Licensing Act 1981.

APPENDIX 1 CONSTITUTION - PART 5 – TABLE 5.09 – Reg Services**2. ENVIRONMENTAL HEALTH****HEAD OF REGULATORY SERVICES (WORCESTERSHIRE REGULATORY SERVICES)**

(i) In accordance with the legal agreement for Regulatory Services Shared Service, the Council has delegated to the Head of Service of Worcestershire Regulatory Services all the duties and functions listed below arising out of the legislation set out in Appendix RS 2.

- (a) Appointment of Inspectors, Authorised Officers or similar designated persons.
- (b) Undertaking inspections and investigation of complaints.
- (c) Signing and service of notices.
- (d) Signing and issuing, revoking and varying, any licence, permit, order or other document.
- (e) Executing, or arranging for the execution of, works in default.
- (f) Purchasing or otherwise procuring samples, seize equipment, goods and animals.
- (g) The exercise of powers of entry.
- (h) The engagement of specialist advisors/contractors to support/supplement service activity.
- (i) The institution of legal proceedings (in consultation with the Head of Legal Services of the Relevant Authority).
- (j) The obtaining of warrants of entry.

(ii) The Head of Service has authority to delegate further, in writing, all or any of their delegated functions to other officers, and may authorise certain of those officers to further delegate to officers under their management or control.

RS2

Accommodation Agencies Act 1953.

Administration of Justice Act 1970 (Section 40).

Agriculture (Safety, Health & Welfare Provisions) Act 1956.

Agriculture Act 1970.

Agriculture Produce (Grading & Marking) Acts 1928 & 1931.

Animal Boarding Establishments Act 1963.

Animal By-Products Regulations 2005.

Animal Health & Welfare Act 1984.

Animal Health Act 1981.

Animal Health Act 2002.

Animal Welfare Act 2006.

Animals and Animal Products (Import & Export) (England) Regs 2006.

Anti-Social Behaviour Act 2003.

Avian Influenza (Preventative Measures)(England) Regulations 2006.

Avian Influenza (Vaccination)(England) Regulations 2006.

Biofuel (Labelling) Regulations 2004.

APPENDIX 1 CONSTITUTION - PART 5 – TABLE 5.09 – Reg Services

Bluetongue Regulations 2008.
Breeding and Sale of Dogs (Welfare) Act 1999.
Breeding of Dogs Act 1973 and 1991.
Building Act 1984.
Business Protection from Misleading Marketing Regulations 2008.
Cancellation of Contracts made in a Consumers House or Place of Work etc Regulations 2008.
Caravan Sites Act 1968.
Caravan Sites and Control of Development Act 1960.
Cat and Dog Fur (Control of Import, Export and Placing on Market) Regulation 2008.
Cattle Identification Regs 2007.
Charities Act 1993.
Children & Young Persons (Protection from Tobacco) Act 1991.
Children & Young Persons Act 1933.
Chronically Sick and Disabled Persons Act 1970.
Cinemas Act 1985.
Civic Amenities Act 1967.
Civil Defence Act 1948 and Regulations made thereunder.
Clean Air Act 1993.
Clean Neighbourhoods and Environment Act 2005.
Construction Products Regulations 1991.
Consumer Credit Act 1974.
Consumer Protection (Distance Selling) Regulations 2000.
Consumer Protection Act 1987.
Consumer Protection from Unfair Trading Regulations 2008.
Control of Pollution Act 1974.
Copyright, Designs and Patents Act 1988.
Criminal Justice and Immigration Act 2008.
Criminal Justice and Public Order Act 1994.
Crystal Glass (Descriptions) Regs 1973.
Dangerous Wild Animals Act 1976.
Dangerous Dogs Act 1990
Deer Act 1991.
Defective Premises Act 1972.
Development of Tourism Act 1969 (Section 18).
Disabled Persons Act 1981.
Distance Selling Regulations 2000.
Ecodesign for Energy-Using Product Regulations 2007.
Education Reform Act 1988.
Eggs (Marketing Standards) Regulations 2005.
Eggs and Chicks (England) Regulations 2008.
Electromagnetic Compatibility Regs 1992.
Electro-medical Equipment (EEC Requirements) Regs 1988.
Energy Act 1976 (Section 18).
Energy Conservation Act 1981 (Section 20).
Energy Efficiency (Refrigerators and Freezers) Regs 1997.
Energy Information (Combined Washer-driers) Regs 1997.
Energy Information (Dishwashers) Regs 1999.
Energy Information (Household Air Conditioners) (No.2) Regulations 2005.
Energy Information (Household Electric Ovens) Regulations 2003.

APPENDIX 1 CONSTITUTION - PART 5 – TABLE 5.09 – Reg Services

Energy Information (Household Refrigerators and Freezers) Regs 2004.
Energy Information (Lamps) Regs 1999.
Energy Information (Tumble Driers) Regs 1996.
Energy Information (Washing Machines) Regs 1996.
Energy Performance of Buildings (Certificates and Inspections) (England and Wales) Regulations 2007.
Enterprise Act 2002.
Environment Act 1995.
Environmental Protection (Controls on Substances that Deplete the Ozone Layer) Regs 2002.
Environmental Protection Act 1990.
Estate Agents Act 1979.
Explosives Act 1875.
Export Restrictions (Foot and Mouth Disease) Regulations 2007.
Factories Act 1961.
Fair Trading Act 1973.
Farm and Garden Chemicals Act 1967.
Feed (Hygiene and Enforcement) (England) Regulations 2005.
Firework Act 2003.
Firework Regulations 2004.
Food & Environmental Protection Act 1985.
Food (Jelly Mini-Cups) (Emergency Control) (England) Regulations 2009.
Food (Suspension of the use of E128 Red 2G as food colour) (England) Regulations 2007.
Food Act 1984.
Food Hygiene (England) Regulations 2006.
Food of Particular Nutritional Uses (Addition of Substances for Specific Nutritional Purposes)(England) Regs 2009.
Food Safety Act 1990.
Food Standards Act 1999.
Forgery and Counterfeiting Act 1981 Part 1.
Fraud Act 2006.
Game Act 1831.
General Food Regulations 2004.
General Product Safety Regulations 2005.
Guard Dogs Act 1975.
Hallmarking Act 1973.
Health & Safety at Work etc Act 1974.
Health Act 2006.
Highways Act 1980.
Home Energy Conservation Act 1995.
Home Information Pack Regulations 2007.
Home Safety Act 1961.
Horse Passports Regulations 2009.
House to House Collections Act 1939.
Housing & Planning Act 1986.
Housing Act 1980, 1985, 2004.
Hypnotism Act 1952.
Imported Food Regulations 1997.
Imported Food Regulations 2007.
Intoxicating Substances (Supply) Act 1985.

APPENDIX 1 CONSTITUTION - PART 5 – TABLE 5.09 – Reg Services

Land Drainage Acts 1976 & 1991.
Litter Act 1983.
Local Government & Housing Act 1989.
Local Government (Miscellaneous Provisions) Acts 1976 & 1982.
Manufacturing and Storage of Explosives Regulations 2005.
Materials and Articles in Contact with Food England Regs 2007.
Measuring Instruments (Automatic Catchweighers) Regulations 2006.
Measuring Instruments (Automatic Discontinuous Totalisers) Regulations 2006.
Measuring Instruments (Automatic Gravimetric Filling Instruments) Regulations 2006.
Measuring Instruments (Beltweighers) Regulations 2006.
Measuring Instruments (Capacity Serving Measures) Regulations 2006.
Measuring Instruments (Cold Water Meters) Regulations 2006.
Measuring Instruments (Liquid Fuel and Lubricants) Regulations 2006.
Measuring Instruments (Liquid Fuel delivered from Road Tankers) Regulations 2006.
Measuring Instruments (Material Measures of Length) Regulations 2006.
Measuring Instruments (Non prescribed Instruments) Regulations 2006.
Measuring Instruments (Rail - Weighbridges) Regulations 2006.
Medicines Act 1968.
Mobile Homes Acts 1975 & 1993.
Motor Cycle Noise Act 1987.
National Assistance Act 1948 Sec 47.
Natural Mineral Water, Spring Water & Bottled Water England Regs 1999.
Noise & Statutory Nuisance Act 1993.
Noise Act 1996.
Non-Automatic Weighing Instruments (EEC Requirements) Regs 2000.
Offensive Weapons Act 1996.
Offices, Shops & Railway Premises Act 1963.
Official Controls (Animal Feed and Food) (England) Regs 2006.
Official Feed & Food Controls (England) Regs 2007.
Olive Oil (Marketing Standards) Regs 2003.
Olympic Symbol etc. (Protection) Act 1995.
Organic Product Regulations 2009.
Package Travel, Package Holidays & Package Tours Regs 1992.
Packaging (Essential Requirements) Regs 2003.
Party Wall Act 1966.
Performing Animals (Regulation) Act 1925.
Personal Protective Equipment Regulations 2002.
Pet Animals Act 1951.
Petroleum (Transfer of Licences) Act 1936.
Petroleum Consolidation Act 1928.
Planning (Hazardous substances) Act 1990.
Plastic Materials and Articles in Contact with Food England Regs 2009.
Poisons Act 1972.
Police, Factories etc (Miscellaneous Provisions) Act 1916.
Pollution Prevention and Control Act 1999.
Poultry Meat (Water Content) Regs 1984.
Prevention of Damage by Pests Act 1949.
Prices Acts 1974 and 1975.
Private Security Industries Act 2001.
Proceeds of Crime Act 2002.

APPENDIX 1 CONSTITUTION - PART 5 – TABLE 5.09 – Reg Services

Products of Animal Origin (Disease Control) (England) Regulations 2008.
Products of Animal Origin (Import and Export) Regulations 1996 (as amended).
Products of Animal Origin (Third Country Imports) (England) Regulations 2006.
Property Mis-descriptions Act 1991.
Protection of Animals Act 1911 as amended.
Protection of Children (Tobacco) Act 1986.
Public Health (Control of Disease) Act 1984.
Public Health Acts (Amendment) Act 1907.
Public Health Acts 1875, 1925, 1936 & 1961.
Quick Frozen Food Stuffs (England) Regulations 2007.
Radio Equipment and Telecommunications Terminal Equipment Regs 2000.
REACH Enforcement Regulations 2008.
Refuse Disposal (Amenity) Act 1978.
Regulation (EC) No. 178/2002.
Regulation (EC) No. 852/2004.
Regulation (EC) No. 853/2004.
Regulation (EC) No. 854/2004.
Regulation (EC) No. 2073/2005.
Rent Act 1977.
Rice Products (Restrictions on First Packaging on the Market) (England) Regs 2006.
Riding Establishments Acts 1964 & 1970.
Road Traffic (Consequential Provisions) Act 1988.
Road Traffic (Foreign Vehicles) Act 1972.
Road Traffic Acts 1988 and 1991.
Road Traffic Offenders Act 1988.
Road Traffic Regulation Act 1984 (Section 5).
Safety of Sports Grounds Act 1975.
Sale of Goods Act 1979.
Scotch Whisky Act 1988.
Scrap Metal Dealers Act 2013.
Simple Pressure Vessels (Safety) Regs 1991.
Slaughter of Poultry Act 1967.
Slaughterhouses Act 1974.
Smokefree (Exemptions and Vehicles) Regulations 2007.
Smokefree (Penalties and Discounted Amounts) Regulations 2007.
Smoke-free (Premises and Enforcement) Regulations 2006.
Smokefree (Signs) Regulations 2007.
Smokefree (Vehicle Operators and Penalty Notices) Regulations 2007.
Sunday Trading Act 1994.
Supply of Goods and Services Act 1982.
Supply of Machinery (Safety) Regs 1992.
Telecommunications Act 1984.
Textile Products (Indications of Fibre Content) Regs 1986.
Theft Acts 1968 and 1978.
Timeshare Act 1992.
Town Police Clauses Act 1847.
Trade Descriptions Act 1968.
Trade Marks Act 1994.
Trading Standards - Agricultural (Miscellaneous Provisions) Act 1968.
Transmissible Spongiform Encephalopathies (England) Regulations 2008.

APPENDIX 1 CONSTITUTION - PART 5 – TABLE 5.09 – Reg Services

Unfair Terms in Consumer Contracts Regulations 1999.
Unsolicited Goods and Services Acts 1971 and 1975.
Video Recordings Acts 1984 and 1993.
Warm Homes & Energy Conservation Act 2000.
Water Acts 1973-2003.
Water Industry Act 1991.
Water Industry Act 1999.
Weeds Act 1959.
Weights and Measures Act 1985.
Wildlife and Countryside Act 1981.
Wine Regulations 2009.
Worcester City Act 1985.
Zoo Licensing Act 1981.

APPENDIX 1 CONSTITUTION – PART 5 – TABLE 5.10 - Resources

RESOURCES			
1. <u>Finance - Accounts, Financial Management & Advice</u>			
<u>Subject:</u>	<u>Detail:</u>	<u>Delegated by:</u>	<u>Delegated to:</u>
Grant of Housing / Council Tax Reduction	Granting of Housing Benefit and Local Council Tax Reduction Scheme in all cases including matters of individual discretion and back-dating, except that, where a claimant is dissatisfied with the Officer's decision, the matter be referred to: The Social Security and Child Support Tribunal for Housing Benefit (and Council Tax Reduction) Valuation Office Agency for Local Council Tax Reduction Scheme.	Executive Committee	[Head of Financial and Customer Services]
Reduction of Council Tax payable	To reduce the Council Tax payable on a case by case basis, as provided by Section 13A 1 (c) of the Local Government Finance Act 1992.	Council	[Executive Director Finance and Resources] and [Financial Support Manager]
Debt Collection / Recovery	To collect and recover all debts, except housing rents.	Executive Committee	[Head of Financial and Customer Services]
Council Tax – Non – Domestic Rates - Refund of overpayments	To refund all overpayments of Council Tax and National Non-Domestic Rates including statutory interest.	Executive Committee	[Executive Director of Finance and Resources]
Council Tax Support Scheme	To carry out statutory consultation on draft Council Tax Support Schemes in accordance with legislative guidelines.	Council	[Head of Financial and Customer Services] following consultation with the [Portfolio Holder]

APPENDIX 1 CONSTITUTION – PART 5 – TABLE 5.10 - Resources

Discretionary Rate Relief	To grant applications under the Non-Domestic Rates – Discretionary Rate Relief Scheme recommended for approval by Executive Committee on 11th February 2004 where within budget with reference to Section 47 of the Local Government Finance Act 1988.	Executive Committee	{Financial Support Manager]
Local Discretionary Relief Scheme	To adjust the percentage relief awarded in order to ensure that the maximum level of support is provided to businesses and that the Government funding meets the overall costs of the relief.	Executive Committee / Council	[Executive Director of Finance and Resources] After consultation with the [relevant Portfolio Holder].
Collection Fund	To administer the Collection Fund in accordance with Section 89(3) of the Local Government Finance Act 1988.	Executive Committee	[Executive Director of Finance and Resources]
Offences under Social Security Administration Act	To administer formal cautions for offences under the Social Security Administration Act 1992.	Executive Committee	[Head of Financial and Customer Services] or [Principal Solicitor], as the cautioning Officer
Discretionary Housing Payments	To administer the scheme of Discretionary Housing Payments in accordance with the policy statement attached at Appendix 1 to the “Revised Discretionary Housing Payments” report presented to the Executive Committee on 23rd August 2011.	Executive Committee	Benefits Officers
Essential Living Allowance	To administer the Essential Living Allowance scheme in accordance with Council Policy (agreed 12 th March 2013)	Executive Committee	[Head of Financial and Customer Services] and [Head of Community and Housing Services]
Stock Exchange Transactions	To seal Stock Exchange Transactions.	Executive Committee	[Executive Director of Finance and Resources]

APPENDIX 1 CONSTITUTION – PART 5 – TABLE 5.10 - Resources

Investment of Balances	To invest balances, other and special funds.	Executive Committee	[Executive Director of Finance and Resources]
Investments	To determine action to be taken in respect of the Council's funds invested by approved external Fund Managers.	Executive Committee	[Executive Director of Finance and Resources]
Legal Processes- Rates, Council Tax , NNDR	In respect of rates, Council Tax, penalties and the National Non-Domestic Rate and representation in the Valuation Tribunal, Issue of all legal processes, including applications for committal.	Executive Committee	[Executive Director of Finance and Resources]
Empty Property Rates - Exemptions	To determine legal exemption under the empty property rate provisions in accordance with Section 44(A) of the Local Government Finance Act 1988 in respect of national non-domestic rates except in cases of dispute.	Executive Committee	[Head of Financial and Customer Services]
Borrowing	To borrow money.	Executive Committee	[Executive Director of Finance and Resources]
Applications under LG Finance Act	To determine applications under Sections 43, 45, 49 and 64 of the Local Government Finance Act 1988.	Executive Committee	[Head of Financial and Customer Services]
Insolvency Procedures	To commence insolvency procedures, both against individuals and companies.	Executive Committee	[Head of Financial and Customer Services]/ [Principal Solicitor]
Debts - Write-off – Insolvency Cases	To write off any debt, irrespective of value, where insolvency proceedings have occurred and where the Council's claim has been formally acknowledged.	Executive Committee	[Head of Financial and Customer Services]/ [Head of Community and Housing Services]

APPENDIX 1 CONSTITUTION – PART 5 – TABLE 5.10 - Resources

Debts - Write-off – Imprisonment Cases	To write off any debt, irrespective of value, where the Magistrates have remitted or committed an individual to prison at committal proceedings.	Executive Committee	[Head of Financial and Customer Services] / [Head of Community and Housing Services]
West Mercia Police and Crime Panel	To agree the budget for administrative support to the West Mercia Police and Crime Panel, subject to no financial contribution being sought from the Council	Council	[Executive Director of Finance and Resources]
Sure Start - Accounting	To take on the accounting duties of the accountable body of the Sure Start Programme.	Executive Committee	[S151 Officer] or in his/her absence the [Financial Services Manager]/ Finance Team [Head of Community and Housing Services], with assistance from [Sure Start Finance and Evaluation Officer]
Debts – Write off – Admin Orders	To write off the balance of all outstanding debts in cases where an Administration Order has been made without prior Executive Committee approval (Bankruptcy and Liquidation).	Executive Committee	[Head of Financial and Customer Services] / [Head of Community and Housing Services]
Debts – Write-off - Irrecoverables	To write off debts due to the Council in accordance with Council policy.	Executive Committee	[S151 Officer] in consultation with other relevant Directors

APPENDIX 1 CONSTITUTION – PART 5 – TABLE 5.10 - Resources

Deputy Money Laundering Officer	To appoint a Deputy Money Laundering Officer to act in absence of Executive Director of Finance and Resources	Council	[Deputy S151 Officer]
Budgetary Control	1) To incur normal revenue expenditure, in accordance with Financial Procedure Rules and within the terms of budgets set by the Council.	Council / Executive Committee	[Chief Executive] / [Deputy Chief Executive / Directors
	2) To approve and submit tenders on behalf of the Council up to a value of £250,000. The inclusion of an item in the capital programme shall not confer authority to incur expenditure until a financial report in a form specified in the Council's Procedure rules has been submitted to and approved by the Executive Committee.	Executive Committee	[Chief Executive] / [Deputy Chief Executive/ Directors
	3) To adopt revised Statutory Fees and Charges, in cases where the Council has no discretion, subject to their annual notification to Members as part of the Fees and Charges Review report.	Executive Committee	[Chief Executive] / [Deputy Chief Executive] / Directors / Heads of Service
	4) In setting Fees and Charges, as a general principle, to round up or down to the nearest practical amount, any of the proposed fees and charges which it is felt would cause administrative difficulties.	Executive Committee	[Chief Executive] / [Deputy Chief Executive]/ Directors / Heads of Service
Tenders and Contracts	1) To invite tenders for contracts from the approved list in the case of selective tendering where provision had been made for those items within the revenue budget and capital budget.	Executive Committee	[Chief Executive]/[Deputy Chief Executive]/ Directors / Heads of Service
	2) Subject to Contract Procedure Rules, to engage the services of consultants operating within their own sphere of professional	Executive Committee	[Chief Executive]/ [Deputy Chief Executive]/ Directors/Heads of Service

APPENDIX 1 CONSTITUTION – PART 5 – TABLE 5.10 - Resources

	competence.		
	3) (In instances where professions in other Directorates are involved, the Director of that Directorate is to be contacted to establish whether the necessary expertise is available in-house and, if not, to advise and engage outside consultants accordingly.)	Council	Various
	4) If there is no available professional advice within the Council the Director is authorised to seek appropriate consultants direct.)	Council	Various
	5) Further separate delegations under the Contract Procedure Rules.	Council	Various
Section 106 Monies	Authority to spend S106 monies up to a value of £50k to spend in line with the S106 agreement which caused the receipt of the S106 monies.	Council	S151 Officer

APPENDIX 1 CONSTITUTION – PART 5 – TABLE 5.10 - Resources

2. <u>Property, Assets and Facilities Management - Estates & Valuation</u>			
<u>Subject:</u>	<u>Detail:</u>	<u>Delegated by:</u>	<u>Delegated to:</u>
Day-to-Day Management	Day-to-day management of Land and Property matters including implementing management measures for assets detailed in the Asset Management Plan.	Executive Committee	[Head of Financial and Customer Services]
Acceptance of Offers at Auction	The acceptance of an offer when a sale is effected by auction.	Executive Committee	[Head of Financial and Customer Services]/ [Principal Solicitor]
Leased / Tenanted Properties - Management	To manage and control all leased / tenanted properties excluding houses / flats let on residential secure tenancies under the Housing Act including those available for letting and to include those held by the Council in advance of requirements or surplus or appropriated properties.	Executive Committee	[Head of Financial and Customer Services]
Agreements - Various	Easements / wayleaves / rights of way / garden licences / grazing licences / cultivation licences and all similar agreements – to enter into such agreements on behalf of the Council for any Council-owned land or property.	Executive Committee	[Head of Financial and Customer Services]/ [Principal Solicitor]
Agreements - Minor	To enter into miscellaneous agreements of a minor nature affecting any land and / or property not provided for elsewhere including street trading licences.	Executive Committee	[Head of Financial and Customer Services]/ [Principal Solicitor]
Disturbance / Home Loss Payments	To negotiate and settle all disturbance or home loss payments, within prior approved budgets, or where such payments are to be funded from a capital receipt.	Executive Committee	[Head of Financial and Customer Services]/ [Principal Solicitor]
Assignment / Sub-letting – Leased Properties	The assignment or sub-letting of leased properties, subject to appropriate satisfactory references.	Executive Committee	[Head of Financial and Customer Services]/ [Principal

APPENDIX 1 CONSTITUTION – PART 5 – TABLE 5.10 - Resources

			Solicitor]
Rent Review Notices	To serve Rent Review Notices and agree new rents where proposal is to review rent to market value.	Executive Committee	[Head of Financial and Customer Services]
Voluntary and Community Sector Rent Relief	To agree applications for up to 70% rent relief for voluntary and community sector organisations, following recommendation from the Grants Panel	Executive Committee	[Executive Director, Finance and Resources]
New Leases, Lettings and Rents	To approve new leases, lettings and rents, where the proposal is to rent at market value, and accept surrenders, where a re-grant to the same or different tenant is requested.	Executive Committee	[Head of Financial and Customer Services]
Breach of Terms – Obtaining Possession, etc.	To obtain possession of premises, terminate agreements, authorise distraint or to institute proceedings to forfeit business leases, licences and agreements if the rent, payment or other terms are being breached.	Executive Committee	[Head of Financial and Customer Services]
Notices under Landlord and Tenant Act	To serve notices under the Landlord and Tenant Act 1954 to renew or terminate business tenancies and to serve other notices on any tenant for the remedy of any breaches of other covenants under the terms of leases as appropriate.	Executive Committee	Head of Financial and Customer Services/ Principal Solicitor
Sub-letting-Business Tenants	To approve applications from business tenants to sub-let maisonettes and garages no longer required in connection with shop premises, subject to satisfactory references and details of the sub-lease being approved by the Head of Legal, Equalities and Democratic Services / Head of Customer Access and Financial Support to include that vacant possession be granted to Council on determination of the lease.	Executive Committee	[Head of Financial and Customer Services] with [Head of Legal, Democratic and Property Services]
District Centres – Commercial Leases	To negotiate delays in exercising the redevelopment clause within a commercial lease for units in the Council's District Centres in appropriate cases.	Executive Committee	[Head of Financial and Customer Services]/ [Principal Solicitor]

APPENDIX 1 CONSTITUTION – PART 5 – TABLE 5.10 - Resources

Miscellaneous Delegation	1) To serve requisitions for information as to ownership of property.	Executive Cttee	All Directors / or in their absence, other relevant Heads of Service / Managers
	2) To seek Planning Permission on behalf of the Council.	Council	Directors and Heads of Service, subject to prior consultation with Ward Members

APPENDIX 1 CONSTITUTION – PART 5 – TABLE 5.10 - Resources

<u>Subject:</u>	<u>Detail:</u>	<u>Delegated by:</u>	<u>Delegated to:</u>
Disposals of Surplus Assets	To deal fully with all disposals of surplus assets approved by the Executive Committee / Council, subject to reports being submitted to the Executive Committee on the receipts generated from major land or building sales.	Executive Committee	[Director of Finance & Resources] / [Head of Financial and Customer Services]
'Minor Land' * Sales	<p><i>* Defined as any land and/or building of less than half a hectare where the value is £49,999 or less, plus VAT / fees, but excluding land previously designated as a play area or sites to be developed for one or more dwellings, unless it has specifically been declared surplus by the Executive Committee in accordance with the Minor Land Disposal Policy.</i></p> <p>To conduct and conclude negotiations for the sale of the freehold or leasehold interest of any land or property falling within the limits described above (or such limit that may be revised at any time by the Executive Committee, to reflect rising prices).</p>	Executive Committee	[Head of Financial and Customer Services]/ [Principal Solicitor]
Dedication of Council Land	To approve, and complete documentation in respect of, the dedication of Council land for the purposes of either footpaths, bridleways, cycle routes or roads, as requested in consultation with Worcestershire County Council.	Executive Committee	[Principal Solicitor]
Public Open Space	To accept, on behalf of the Council, land for Public Open Space, or land for other public purposes, in connection with the provisions of Section 106 of the Town & Country Planning Act 1990, or Section 111 of the Local Government Act 1972, following consultation with other appropriate Officers.	Executive Committee	[Head of Financial and Customer Services]/ [Principal Solicitor]

CONSTITUTION – PART 5 – TABLE 5.10

4. Right to Buy			
<u>Subject:</u>	<u>Detail:</u>	<u>Delegated by:</u>	<u>Delegated to:</u>
Right to Buy	To administer the Right-to-Buy scheme and carry out valuations of dwellings under the Right to Buy Scheme and for repurchases, including the interest to be sold with any necessary rights of way over Council land, as appropriate.	Executive Committee	[Head of Customer Financial and Customer Services]
Notices re Right to Buy	To serve notices in association with the Right to Buy Scheme.	Executive Committee	[Head of Financial and Customer Services]/ [Principal Solicitor]
Buy Back	To refuse (but not accept) requests to buy back properties sold under the Right to Buy Scheme, in accordance with Council policy.	Executive Committee	[Head of Financial and Customer Services]
Repayment of Discount	To refuse (but not to agree) to waive the Council's entitlement to repayment of discount.	Executive Committee	[Head of Financial and Customer Services]
Discount for Disposals	To determine the level of discount to be repaid for relevant disposals under the Housing Act 2004.	Executive Committee	[Head of Financial and Customer Services]

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REDDITCH BOROUGH COUNCIL

RECORD OF DECISION TAKEN UNDER URGENCY PROCEDURES**SUBJECT: Licensing Delegations - Taxis****BRIEF STATEMENT OF SUBJECT MATTER:**

The following urgent decision is required to facilitate the continued functioning of Council business during the Covid-19 pandemic.

Members have previously agreed, in urgent decisions 02/2020 and 09/2020, subsequently extended at a meeting of the Annual Council held on 22nd June 2020 and a Council meeting held on 16th November 2020, to delegate authority to the Head of Regulatory Services (Worcestershire Regulatory Services) to determine all matters in relation to Hackney Carriage and Private Hire Operators, vehicles and drivers. A further extension to this delegation is requested up to 1st July 2021 to ensure that efficient Council business can continue during the current road map out of lockdown.

Should the extension to this delegation not be granted Members and Officers would need to physically attend meetings at the Town Hall and to collectively inspect vehicles. This would place Members, Officers and potentially members of the public, specifically taxi drivers, at risk of breaking social distancing rules.

DECISION:

for a temporary period up to 1st July 2021, the delegation to the Head of Regulatory Services (Worcestershire Regulatory Services) shall be to determine all matters in relation to Hackney Carriage and Private Hire Operators, Vehicles and Drivers.

(Council decision)**GROUND FOR URGENCY:**

The decision is required urgently to ensure the continuation of Council business during the Covid-19 pandemic and prior to the easing of restrictions nationally at the end of June 2021.

DECISION APPROVED BY:*(Deputy)* **CHIEF EXECUTIVE****EXECUTIVE DIRECTOR FINANCE & RESOURCES***(if financial implications)*

.....
(Signature) (Sue Hanley / Kevin Dicks - (D)CX)

.....
(Signature) (James Howse)

Date: May 2021

PROPOSED ACTION SUPPORTED *(amend as appropriate)*

..... (Signature) (Signature) (Signature) (Signature) (Signature)
<i>(Block Capitals)</i>	<i>(Block Capitals)</i>	<i>(Block Capitals)</i>	<i>(Block Capitals)</i>	<i>(Block Capitals)</i>
MAYOR *	PF HOLDER	LEADER / LABOUR Group	LEADER / LDR CONSERVATIVE Group	CHAIR O&S Committee
Date:	Date:	Date:	Date:	Date:

Notes:

* In addition to the Executive decision above regarding the matter under consideration, the Mayor is signing to agree both that the Executive decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency. This is to ensure that the call-in procedures as set out in Part 8 of the Constitution shall not apply where an Executive decision being taken is urgent.