



Council

Mon 23 May
2022
7.00 pm

Council Chamber
Redditch Town Hall

REDDITCH BOROUGH COUNCIL

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a
difference*

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

**Town Hall, Walter Stranz Square, Redditch, B98 8AH
Tel: (01527) 64252 (Ext. 3072)
e.mail: jess.bayley-hill@bromsroveandredditch.gov.uk**

GUIDANCE ON FACE-TO-FACE MEETINGS

At the current time, seating at the meeting will be placed in such a way as to achieve as much space as possible for social distancing to help protect meeting participants.

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

Members and Officers who still have access to lateral flow tests (LFTs) are encouraged to take a test on the day of the meeting. Meeting attendees who do not have access to LFTs are encouraged not to attend the meeting if they have common cold symptoms or any of the following common symptoms of Covid-19 on the day of the meeting; a high temperature, a new and continuous cough or a loss of smell and / or taste.

Whilst the Council acknowledges that it is no longer a legal requirement to wear face masks, we would really appreciate if the Members who attend a meeting in person would consider wearing a face covering throughout the meeting unless they are exempt or speaking.

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

PUBLIC ATTENDANCE

Members of the public will be able to access the meeting in person if they wish to do so to observe proceedings. Seating will be placed in such a way as to achieve as much space as possible for social distancing to help protect meeting participants. Whilst the Council acknowledges that it is no longer a legal requirement to wear face masks, it would be really appreciated if members of the public who attend a meeting in person would consider wearing a face covering throughout the meeting unless they are exempt or speaking. It should be noted that members of the public who choose to attend in person do so at their own risk.

Members of the public who still have access to lateral flow tests (LFTs) are encouraged to take a test on the day of the meeting. Meeting attendees who do not have access to LFTs are encouraged not to attend the meeting if they have common cold symptoms or any of the following common symptoms of Covid-19 on the day of the meeting; a high temperature, a new and continuous cough or a loss of smell and / or taste.

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.

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Monday, 23rd May, 2022

7.00 pm

Council Chamber Town Hall

Agenda

Membership:

Cllrs:

Gareth Prosser
(Mayor)
Ann Isherwood
(Deputy Mayor)
Salman Akbar
Imran Altaf
Karen Ashley
Joe Baker
Tom Baker-Price
Joanne Beecham
Juma Begum
Juliet Brunner
Michael Chalk
Brandon Clayton
Luke Court
Matthew Dormer
Aled Evans

Peter Fleming
Alex Fogg
Andrew Fry
Lucy Harrison
Bill Hartnett
Sharon Harvey
Joanna Kane
Sid Khan
Anthony Lovell
Emma Marshall
Nyear Nazir
Timothy Pearman
David Thain
Craig Warhurst

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. Mayor's Opening Remarks

The existing Mayor, Councillor Gareth Prosser, will provide opening remarks and report on his Mayoral year.

5. Election of the Mayor for 2022/23

Once the new Mayor has been elected s/he will make the declaration of acceptance of office, receive the chain of office and take the Mayor's seat in the front of the chamber.

6. Election of the Deputy Mayor for 2022/23

When the new Deputy Mayor has been elected s/he will make the declaration of acceptance of office and receive the badge of honour.

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7. Minutes (Pages 1 - 10)

8. Announcements

To consider Announcements under Procedure Rule 10:

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

9. Leader of the Council

Members are invited to appoint a Member of the Council to hold the office of Leader of the Council for the ensuing four years.

10. Leader's Appointments

The Leader of the Council decides how the Executive powers of the Council will be carried out. Currently, Executive decisions are taken by the Executive Committee. The Leader also allocates Portfolios and will announce arrangements for these for the coming year.

The Leader's Appointments will be published in a supplementary pack for this meeting.

11. Appointments of Committees, Panels etc. and their Chairs and Vice Chairs (Pages 11 - 38)

The covering report and Appendix 3 to the report are attached to this agenda pack. Appendices 1 and 2 to the report will follow in a supplementary pack.

12. Outside Bodies (Pages 39 - 54)

13. Scheme of Delegations (Pages 55 - 146)

14. Members Code of Conduct - Recommendation from the Audit, Governance and Standards Committee (Pages 147 - 176)

15. Electoral Review Redditch - Ward Patterning Submission (Pages 177 - 194)

16. Urgent Business - Record of Decisions

To note any decisions taken in accordance with the Council's Urgency Procedure Rules (Part 9, Paragraph 5 and/or Part 10, Paragraph 15 of the Constitution), as specified.

(None to date).

17. 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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MINUTES

Present:

Councillor Gareth Prosser (Mayor), Councillor Ann Isherwood (Deputy Mayor), and Councillors Salman Akbar, Imran Altaf, Karen Ashley, Tom Baker-Price, Joanne Beecham, Juliet Brunner, Debbie Chance, Brandon Clayton, Luke Court, Matthew Dormer, Andrew Fry, Julian Grubb, Lucy Harrison, Anthony Lovell, Gemma Monaco, Timothy Pearman, Mike Rouse and David Thain

Officers:

Kevin Dicks, Claire Felton, Sue Hanley and James Howse

Principal Democratic Services Officer:

Jess Bayley-Hill

66. WELCOME

The Mayor welcomed all those present to the meeting.

67. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillors Michael Chalk, Peter Fleming, Alex Fogg, Wanda King, Emma Marshall, Nyear Nazir and Craig Warhurst.

68. DECLARATIONS OF INTEREST

There were no declarations of interest.

69. MINUTES

RESOLVED that

the minutes of the meeting of Council held on Monday 21st February 2022 be approved as a true and correct record and signed by the Mayor.

70. ANNOUNCEMENTS

The following announcements were made at the meeting:

Chair

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a) The Mayor's Announcements

The Mayor explained that he had been unable to attend civic engagements for a period of time due to experiencing the symptoms of long Covid. However, he had attended a performance of 42nd Street at the Palace Theatre, which had been performed by the Studley Operatic Society.

During consideration of this item, Members congratulated Councillor Alex Fogg and his partner on the birth of their baby daughter, Felicity, the previous day. Council was informed that both mother and baby were doing well.

On behalf of the Council, the Mayor thanked those Members who were due to stand down at the forthcoming local elections in May 2022. They were thanked for their hard work and public service during their time as Councillors.

Members joined the Mayor in paying tribute to the Councillors who were due to stand down. In respect of Councillor Debbie Chance, it was commented that she had been a long-serving Member who had acted as both a Portfolio Holder and the Chair of the Overview and Scrutiny Committee during her time as a Councillor. In relation to Councillor Julian Grubb, Members commented that during his term of office he had been the Deputy Mayor, a Portfolio Holder, the Vice Chair of the Planning Committee and the authority's Armed Forces Champion.

b) The Leader's Announcements

The Leader added his tributes to the Councillors who were due to retire at the forthcoming local elections.

c) The Chief Executive's Announcements

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

71. MEMBERSHIP OF THE COUNCIL

The Mayor announced that former Councillor, Jenny Wheeler, had resigned as a Member with immediate effect from 14th March 2022. On behalf of the Council, the Mayor thanked Mrs Wheeler for her hard work and public service during her two terms of office serving as a Councillor.

During consideration of this item, both group leaders paid tribute to former Councillor Wheeler on behalf of the Council. Members were

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advised that Mrs Wheeler had been in the unusual position of having been both Mayor and Deputy Mayor of the Borough of Redditch after previously having served as the consort of another Mayor and Deputy Mayor of the Borough of Redditch, her husband, former Councillor Steve Wheeler, in previous years. Council noted that during her time in office, former Councillor Wheeler had served in a range of additional positions, including Chair of the Audit, Governance and Standards Committee, Chair of the Crime and Disorder Scrutiny Panel, Vice Chair of the Overview and Scrutiny Committee and Chair of both the Budget and the Performance Scrutiny Working Groups. She had also been an active member of a number of scrutiny Task Groups over the years. Members commented that she had always been inclusive and worked constructively with Members from all parties. There was general consensus that she was a lovely person.

72. MOTIONS ON NOTICE (PROCEDURE RULE 11)

The Mayor advised that two Motions on Notice had been received for consideration at the meeting. Usually, in line with requirements detailed in the constitution, Motions on Notice were not permitted for discussion at meetings of Council held during the pre-election period. However, on this occasion, the Mayor had chosen to agree that these Motions should be accepted for debate at the meeting under exceptional circumstances, on the basis that they had received cross-party support and focused on matters of interest to all Councillors.

Remote Meetings

Councillor Gemma Monaco proposed a Motion which called on the Government to permit Councils to hold remote and hybrid Council and Committee meetings. This Motion was seconded by Councillor Andrew Fry.

In proposing the Motion, Councillor Monaco commented that during 2020, in the first year of the Covid-19 pandemic, Councils were permitted to hold formal Committee meetings remotely. At Redditch Borough Council, virtual Committee meetings were successfully held on Skype for Business and then subsequently on Microsoft Teams. This helped to ensure that Council business continued at a challenging time whilst also protecting meeting participants from contracting Covid-19.

The regulations that permitted Councils to hold formal Committee meetings remotely expired on 6th May 2021. Since that time, elected Members had been required to attend formal Committee meetings in person if they were to participate in the debate and vote on Council business. The same rule did not apply to Officers (with

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some exceptions) who could participate remotely, and steps had been taken to ensure that they could participate in these meetings from home. The public could also participate in Council and Committee meetings both in person and remotely.

Councillor Monaco expressed the view that the option to attend meetings remotely should be extended to elected Members. She suggested that remote meeting arrangements could enable greater participation of Members from a wider variety of backgrounds in Council business. For example, Councillors with work commitments might find it easier to juggle their work and Council duties if they could attend meetings from home or from their place of work. In addition, remote meeting arrangements could help Members with caring responsibilities or specific medical requirements to participate safely in Council and Committee meetings.

Members were reminded that a climate emergency was declared by the Council in September 2019. Remote and hybrid meetings provided opportunities for participants to reduce their carbon footprint, as they would not need to travel to and from Redditch Town Hall. Creating an environment where any participant, including elected Members, could attend a meeting without having a negative impact on the environment would be a positive development for the Council and would support collective aims to address the climate emergency.

In proposing this Motion, Councillor Monaco explained that she was not suggesting that the Council would necessarily want to hold all Council and Committee meetings remotely. Instead, she commented that Councils should be provided with the choice to determine when remote or hybrid meeting arrangements would be most appropriate for their authority and communities. Councils had the software, skills and resources to enable them to hold remote and hybrid meetings and in Redditch these were used when holding informal and private meetings. There was no reason why this should not be extended to formal Committee meetings. Should the Government legislate to allow Councils to hold meetings remotely, the authority would determine what arrangements to have in place in Redditch.

The Motion had been drafted by the Association of Democratic Services Officers (ADSO) and Lawyers in Local Government (LLG). The Motion had received the support of a lot of other Councils across the country, which had already written to the Government regarding this matter. Councillor Monaco urged Members to join her in voting for this Motion, which she suggested would benefit the local democratic process.

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In seconding the Motion, Councillor Fry commented that as the Council already had the technology available to participate in remote meetings it was important to ensure that it was used. Council meetings held on a face-to-face basis were effective, however, sometimes it was not possible for all Members to join these meetings in person. Council was advised that if the Government agreed to grant powers to Councils to hold remote meetings, it would be necessary to ensure that Councillors' IT equipment and software remained up to date, to ensure that Members could participate in debates and vote on business on the agenda regardless of their location. Equally, it would be important to ensure that the public could continue to participate in and observe Council and Committee meetings, both in person and remotely.

Members subsequently discussed the Motion in detail and in so doing noted that the Government would need to issue primary legislation to enable Councils to hold formal Committee meetings remotely or in hybrid form. Whilst ongoing financial investment in updated ICT equipment and software might be required to enable Members' participation in remote and hybrid meetings, it was suggested that this would be offset by savings in terms of travel mileage claims as well as the positive impact on carbon emissions in the Borough.

RESOLVED that

this Council supports the petition launched by ADSO and LLG on 5th January with regard to remote and hybrid meetings. We agree to write to the Secretary of State for Levelling Up, Housing and Communities calling on the Government to change the law to allow councils the flexibility to hold such meetings when they deem appropriate within agreed rules and procedures.

Support for Ukraine

Councillor Matthew Dormer proposed a Motion on Notice in respect of support for Ukraine. This Motion was seconded by Councillor Debbie Chance.

In proposing the Motion, Councillor Dormer commented that it was with huge regret at the situation that the Motion had been brought forward. However, he welcomed the cross-party support in the Chamber, and this being an opportunity for the Council to recognise the plight and humanitarian devastation caused to those directly affected in Ukraine, and beyond.

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The Council was working closely with partners to play a full role in providing support in many practical areas, including accommodation checks, welfare support and funding allocations, and dealing with those in crisis.

Councillor Dormer also commented on his sincere gratitude to the Voluntary and Community Sector (VCS) for their immense work in providing support, and to individuals and families in Redditch and wider afield, who had volunteered as sponsors to open their homes to Ukrainian families and individuals. The Council wanted to recognise the many residents and communities in Redditch for their giving and support to those affected.

In seconding the Motion on Notice, Councillor Chance commented that the situation in Ukraine was horrendous and she paid tribute to Ukrainian citizens who had been impacted by the conflict. Councillor Chance commented that she was proud of the support that the Council had already provided to address this situation and suggested that the authority should do everything possible to increase the speed and efficiency with which visas for Ukrainian refugees were processed and issued. Ordinary citizens and local businesses had been working hard to provide humanitarian assistance and the Council needed to be available to help with this relief effort.

Members subsequently discussed the Motion and welcomed news that Redditch residents were inviting Ukrainian refugees to join them in their homes. The Government would be providing funding to local government to help cover the financial costs arising from supporting Ukrainian refugees, although it was uncertain on the date of the meeting whether this funding would be provided to the County Councils or to the Borough Council. Reference was also made to the timescales for the processing of visas for Ukrainian refugees and it was noted that Worcestershire County Council were working as quickly as possible to process associated DBS checks.

Members expressed great sadness that Ukrainian citizens were suffering during a war in Europe at a time when nations had hoped that there would be no further wars on the continent and that lessons had been learned from previous conflicts. The Council had a moral duty in this context to provide as much support as possible, working alongside partner organisations such as Worcestershire County Council.

RESOLVED that

Redditch Borough Council is saddened and disturbed by the aggression against Ukraine, which has caused horrific devastation, and created an escalating humanitarian crisis with

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millions displaced or affected. In light of this, and as a way of expressing support for the people of Ukraine and members of our communities who are from or who have ties with Ukraine this Council;

- a) **Condemns the invasion of Ukraine and stands in solidarity with the people of Ukraine and their families and friends, including those local to Redditch.**
- b) **Stands ready to provide support and open our arms to innocent people displaced and affected.**
- c) **Will work with and support the efforts of our local communities to provide help, support and comfort to those in need**
- d) **Will work to facilitate the safeguarding of any Ukrainian guests alongside the relevant agencies with community partners.**
- e) **Where possible we will deploy a person-centred approach to any funding that is provided by government to support Ukrainian guests, ensuring transparency and accountability of spending to ensure as much funding as possible reaches the people it intends to help**

73. EXECUTIVE COMMITTEE

The Mayor explained that there were two sets of minutes from meetings of the Executive Committee held on 21st February and 22nd March 2022. The recommendations that had been made at the meeting of the Executive Committee on 21st February 2022 had been agreed at the Council meeting held on the same date. There had been no recommendations arising at the meeting of the Executive Committee held on 22nd March 2022.

RESOLVED that

the minutes of the meetings of the Executive Committee held on 21st February and 22nd March 2022 be noted.

74. OVERVIEW AND SCRUTINY ANNUAL REPORT 2021/22

Councillor Debbie Chance, Chair of the Overview and Scrutiny Committee, presented the Overview and Scrutiny Annual Report 2021/22.

Councillor Chance thanked all Members who had participated in the Overview and Scrutiny process during the year, as well as the

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Members, officers and representatives of external organisations who had submitted evidence. In particular, she thanked members of the Committee for their hard work, especially the Vice Chair of the Committee, former Councillor Jenny Wheeler. Members of the Budget Scrutiny Working Group, the Performance Scrutiny Working Group and the Dementia Task Group were also thanked for their hard work. Council Chance concluded by wishing the Overview and Scrutiny Committee well for the 2022/23 municipal year.

Following the presentation of the report, the Leader welcomed the update. He thanked Councillor Chance, in her capacity as Chair of the Overview and Scrutiny Committee, for her hard work as well as the rest of the Committee. Members were reminded that Overview and Scrutiny was an important part of the local democratic process and the diligence of scrutiny Members was welcomed.

RESOLVED that

the Overview and Scrutiny Annual Report 2021/22 be noted.

**75. CONSTITUTIONAL REVIEW WORKING PARTY -
RECOMMENDATIONS**

The Portfolio Holder for Finance and Enabling presented a report detailing recommendations that had been made at the latest meeting of the Constitutional Review Working Party (CRWP).

Members were advised that the report proposed that senior officers should have delegated authority to act in the event of an emergency. It was suggested that it would be sensible to introduce this delegation, which would only be used in the event of an emergency.

In addition, the CRWP had also recommended that no Council meetings should be held during the pre-election period, unless considered to be necessary. Again, Members were advised that this would be a sensible proposal as there were limits on the amount of business that generally could be debated at Council meetings held during these periods.

RESOLVED that

- 1) that the Officer Scheme of Delegations be amended to grant Chief Officers delegated authority to act in the event of an emergency; and**
- 2) as a general rule there should be no full Council meetings in the pre-election period before a Borough election,**

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unless the Proper Officer determines that a meeting is required.

76. APPOINTMENTS TO COMMITTEES

Council was advised that, following publication of the agenda for the meeting, it had been determined that a decision in respect of the appointment of a new Chair of the Audit, Governance and Standards Committee would be deferred until the following meeting of Council. Consequently, the Vice Chair of the Committee, Councillor Juliet Brunner, would Chair the meeting due to take place on 14th April 2022.

77. URGENT BUSINESS - RECORD OF DECISIONS

Members were advised that no urgent decisions had been taken since the previous meeting of Council.

78. URGENT BUSINESS - GENERAL (IF ANY)

There was no urgent business for consideration on this occasion.

The Meeting commenced at 7.00 pm
and closed at 7.38 pm

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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: Principal Democratic Services Officer (Redditch) Contact email: jess.bayley-hill@bromsgroveandredditch.gov.uk Contact Tel: (01527) 64252 Ext: 3072
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 at Appendix 1;**
- 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 2;**
- 4) appointments to Working Groups and other bodies listed in the appendix be agreed;**
- 5) 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.
- 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.

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- 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 20 Conservative, 7 Labour, 1 Green Party Councillor and 1 independent 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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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.

7. RISK MANAGEMENT

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

8. APPENDICES and BACKGROUND PAPERS

Appendix 1 – Political Balance (to follow)
Appendix 2 - Committee Appointments (to follow).
Appendix 3 – Terms of Reference for Committees

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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>

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 ensuring that an adequate and effective

	<p>system of internal financial controls is maintained, that financial procedures are regularly reviewed.</p> <ul style="list-style-type: none"> d. To consider, monitor and review the Council's overall corporate governance arrangements. e. To enhance the profile, status and authority of the internal audit function which will demonstrate its independence. f. To focus audit resources by agreeing, and periodically reviewing, audit plans and monitoring delivery of the audit service. g. To receive and consider such internal audit reports that the Chair and/or Deputy Chief Executive considers necessary. <p><u>Risk</u></p> <ul style="list-style-type: none"> 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><u>Finance and Value for Money</u></p> <ul style="list-style-type: none"> i. To consider and approve the Council's Annual Statements of Accounts. j. To consider any report from the Internal Audit Manager in pursuance of Financial Regulations. 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. l. To keep under review, and make recommendations on, proposed amendments to Financial Regulations. m. To consider and make recommendations if appropriate on, the Annual Governance Statement. <p><u>Standards</u></p> <ul style="list-style-type: none"> n. To promote and maintain high standards of conduct by Councillors and any co-opted members of Council bodies.
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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>Executive Committee members may not be, or act as substitutes for, members of the Committee. In addition, Party Group Leaders may not be, or act as substitutes for, members of the Committee.</p>

	The lead Portfolio Holder for finance is required to attend meetings of the Committee though cannot be a member of the Committee.
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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	<p>The Chair of the Panel will be a member of a political group not forming part of the ruling administration.</p> <p>The Chair will also be a member of the parent Overview and Scrutiny Committee.</p>

	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;

	<ul style="list-style-type: none"> h. exercise the right to call in, for reconsideration of decisions made but not yet implemented by the Executive Committee; 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.

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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.

Special provisions as to membership	Only those Councillors who have undertaken appropriate training as agreed by the Member Support Steering Group may sit on the Planning Committee.
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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.

<p>Special provisions as to membership</p>	<p>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> <p>Only those Councillors who have undertaken appropriate training may sit on the Statutory Officers Disciplinary Action Panel.</p>
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REDDITCH BOROUGH COUNCIL**Annual Council
2022**

23rd May

Outside Body Appointments 2022/23

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: Principal Democratic Services Officer (Redditch) Contact email: jess.bayley-hill@bromsgroveandredditch.gov.uk Contact Tel: (01527) 64252 Ext: 3072
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

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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 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 2022/23.

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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 Council's 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.

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REDDITCH BOROUGH COUNCIL**Annual Council**

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**APPENDIX 1: BOROUGH COUNCIL REPRESENTATIVES ON
OUTSIDE BODIES – NOMINATIONS FOR 2022/2023****STRATEGIC APPOINTMENTS TO NOTE:**

Organisation	Appointee 2021/22	Appointment Requirements	Nomination 2022/23
Local Government Association	Councillor Matt Dormer	1 Representative (usually Leader) must be a Councillor Term : 1 year No liability issues identified.	Councillor
West Mercia Police and Crime Panel	Councillor Nyear Nazir Sub: Councillor Joanne Beecham	1 representative (Relevant Portfolio Holder) and 1 substitute Term: 1 year No liability issues identified	Councillor Sub: Councillor
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.	Councillor

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Greater Birmingham and Solihull Local Enterprise Partnership (GBSLEP) [Also referred to as the LEP Board]	Councillor Matt Dormer Sub: Councillor Helen Dyke (Wyre Forest Councillor)	I (plus 1 Substitute) representing the 3 North Worcestershire District Councils.	Councillor Sub:
GBSLEP – Joint Committee (Local Supervisory Board)	Councillor Matt Dormer Councillor Gemma Monaco Deputy Leader Ex-officio for Redditch BC	1 Member (Leader) from each constituent Authority plus substitute	Councillor Sub: Councillor
GBSLEP - Local Enterprise Partnership - EU Structural and Investment Fund Strategy Committee (ESIF)	Councillor Matt Dormer Sub: Councillor Tom Baker-Price	1 Representative and 1 Substitute from the three North Worcestershire Districts.	Councillor Sub: Councillor
Worcestershire Local Transport Board (WLTB)	Councillor Adam Kent (Bromsgrove) 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	Councillor

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Corporate Parenting Board (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.	Councillor
Redditch Partnership (Local Strategic Partnership)	Councillor Matt Dormer Leader by Office	1 Member Representative Leader Term : 1 year No liability issues identified.	Councillor
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 2022/23 representatives required, by office: <ul style="list-style-type: none"> • Leader • Economic Development Portfolio Holder 	Councillor
Redditch BID Limited (Company number 11964088)	Councillor Matt Dormer	1 RBC Representative to act as a Director of the company Term: to be confirmed No liability issues identified	Councillor

REDDITCH BOROUGH COUNCIL**Annual Council****23rd May 2022**

North Worcestershire Community Safety Partnership	Councillor Nyear Nazir Sub: Councillor Joanne Beecham	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.	Councillor Sub: Councillor
Waste Management Board (Lead Officer – Guy Revans)	Councillor Aled Evans 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	Councillor Sub: Councillor
Worcestershire Health and Wellbeing Board	Councillor Nyear Nazir Sub: Councillor Shirley Webb (Bromsgrove Councillor)	1 representative and 1 substitute from North Worcestershire Councils	Councillor Sub:
Health Improvement Group	Councillor Nyear Nazir Sub: Councillor Joanne Beecham	1 RBC Representative (Elected) Relevant Portfolio	Councillor Sub: Councillor

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West Midlands Combined Authority Board	Councillor Matt Dormer Sub: Councillor Gemma Monaco	1 nomination and one substitute Leader by office	Councillor Sub: Councillor
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>	Councillor Sub: Councillor
West Midlands Combined Authority – Audit Risk and Assurance Committee	Councillor Tom Baker-Price Sub: Councillor Aled Evans	Worcestershire Non-constituent Authorities 2022/23 Redditch Borough Council to make appointment 1 nomination and one substitute Must be members of the majority group	Councillor Sub: Councillor
West Midlands Combined Authority – Economic Growth Board	Councillor Matt Dormer	Non-constituent Authorities	Councillor
West Midlands Combined Authority – Overview and Scrutiny Committee	Councillor Mike Chalk Sub: Councillor Julian Grubb	Worcestershire Non-constituent Authorities 2022/23 Redditch Borough Council to make appointment 1 nomination and one substitute Must be members of the majority group and ideally members of O&S	Councillor Sub: Councillor

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Worcestershire Local Enterprise Partnership	Councillor Karen May (Bromsgrove) Sub: Councillor Helen Dyke (Wyre Forest)	1 representative on behalf of the 3 North Worcestershire authorities <i>No appointee RBC are not a member of the Worcestershire LEP</i>	No appointment to be made on this occasion
Worcestershire Local Enterprise Partnership - European Structural and Investment Funds Strategy Committee (ESIF)	Councillor Matt Dormer (Redditch) Sub: Councillor Tom Baker- Price	1 representative from the North Worcestershire Councils and 1 substitute <i>No appointee RBC are not a member of the Worcestershire LEP</i>	No appointment to be made on this occasion

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LOCAL APPOINTMENTS

Greater Birmingham & Solihull Local Enterprise Partnership (GBSLEP) – Joint Scrutiny Board	Councillor Michael Chalk Councillor Julian Grubb	1 representative and 1 substitute Term: 1 year	Councillor Sub: Councillor
Health Overview and Scrutiny Committee (Worcestershire County Council)	Councillor Michael 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.	Councillor
Redditch Highways & Transportation Forum Members Discussion Group (Worcestershire County Council)	Councillor Michael Chalk Councillor Andy Fry	Up to 2 Representatives (Must be Councillors) Term: To RBC AGM Role is that of non-voting observers only. No liability issues identified.	Councillors

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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.	Councillor
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.	Councillor

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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 Tom Baker-Price and Emma Marshall Councillors Debbie Chance and Andrew Fry	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.	Councillors
Redditch One World Link Executive Committee	Councillors Emma Marshall and Karen Ashley	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.	Councillors

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PATROL Traffic Penalty Tribunal (Civil Parking Enforcement)	Councillor Gareth Prosser Deputy: Councillor Joanne Beecham	1 Representative plus 1 Deputy (must be Councillors) Term: AGM to AGM No liabilities identified / unlikely to be any liabilities.	Councillor Deputy: Councillor
'Where Next' Association	Councillors Anthony Lovell Councillor Wanda King	2 Representative must be Councillors – 2 <i>places variation previously agreed</i> Term: 1 year to Council's AGM Nature of representation: to represent the Borough Council. Liability appears to be limited.	Councillors
Worcestershire Armed Forces Covenant Partnership	Councillor Julian Grubb	1 Representative to serve as Armed Forces Champion. Term: 1 year to Council's AGM Nature of representation: to represent the Borough Council.	Councillor

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Tardebigge Relief in Need and Sickness Charities	Councillor Gemma Monaco (until May 2022) Councillor Lucy Harrison (until May 2025)	2 representatives. One new appointment is required in 2022. Term: 4 years This organisation is registered as a charity and governed in accordance with the Charity Commission Scheme.	Councillor
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REDDITCH BOROUGH COUNCIL**Annual Council
2022**23rd 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-Hill	Job Title: Principal Democratic Services Officer (Redditch) Contact email: jess.bayley-hill@bromsgroveandredditch.gov.uk Contact Tel: (01527) 64252 Ext: 3072
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
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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 in 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 Committee 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.

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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 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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CONSTITUTION – PART 5 – INTRODUCTION**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.

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.

CONSTITUTION – PART 5.01 – Chief Executive**CHIEF EXECUTIVE'S OFFICE AND CORPORATE DELEGATIONS****1. Miscellaneous** 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]

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

CONSTITUTION – PART 5.01 – Chief Executive

Civil Emergencies	<ol style="list-style-type: none"> 1. To act in accordance with the delegated procedures set out in the Emergency Plan. 2. To enable Officers to undertake appropriate communications activity during an emergency without recourse to Members, should the situation require an immediate response. 3. To take any action and to incur expenditure essential to meet any immediate needs created by an emergency in accordance with the Financial Regulations. 4. To take any decisions, including key decisions, where any delay in taking the decision would seriously prejudice the Council's or the public interest to the extent that it is appropriate to exercise emergency powers. The Chief Executive will report any such decision to the next meeting of Council. 	Executive Committee / the Leader	The Chief Executive, Deputy Chief Executive, Executive Director and Heads of Service, following consultation with the Leader or, in his/her absence, the Deputy Leader
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]

CONSTITUTION – PART 5.01 – Chief Executive

Local Government Act 1972	<p>To be appointed "Proper Officer" in relation to the following provisions of the Local Government Act 1972:</p> <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". h. Section 212(1) and (2): Proper Officer to act as Local Registrar for Land Charges Act 1925 i. Section 225: Deposit of documents 		<ul style="list-style-type: none"> a.[Chief Executive] b.[Chief Executive] c.[Head of Legal, Democratic and Property Services] d.[Legal, Democratic and PropertyService s] e.[Head of Legal, Democratic and PropertyService s] f. [Chief Executive] g.[Head of Legal, Democratic and Property Services] h.[Head of Legal, Democratic and Property Services] i. [Head of Legal, Democratic and Property Services]
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CONSTITUTION – PART 5.01 – Chief Executive

	<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>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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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].

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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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

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]

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	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]

Constitution Part 5 Table 5.02 – Transformation and OD

3. Human Resources			
<u>Employees</u>	<u>Staffing Matters</u> Within the terms of the Council's agreed policies and employment objectives, to deal with the following matters without reference to Committee: a. Appointments: i) to appoint Executive Directors ii) to appoint Heads of Service iii) to appoint staff below the level of Head of Service b. Disciplinary and Capability Action 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). 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		
		Council	[Chief Executive]
		Council	[Chief Executive]/ Executive Directors
		Council	Heads of Service
		N/a	Council
		Council	[Chief Executive]

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 section151 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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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> <p>e. Appeals (job evaluation)</p> <p>To consider and determine appeals in respect of salary grading.</p> <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> <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> <p>h. Overtime Payments</p>	<p>Executive Committee</p> <p>Council</p> <p>Council</p> <p>Council</p> <p>Council</p>	<p>[Chief Executive], [Deputy Chief Executive], Executive Directors and Heads of Service as appropriate.</p> <p>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> <p>[Head of Service – Transformation, Organisational Development and Digital Services]</p> <p>[Chief Executive] following consultation with Head of Service – Transformation, Organisational Development and Digital Services] and the relevant Portfolio Holder</p> <p>[Chief Executive/</p>
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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]
	l. Training	Executive	[Chief Executive/

Miscellaneous	<p><u>Operation of Scheme of Delegations</u></p> <p>a. Any Officer with a delegated power under this Scheme may authorise other Officers to exercise the powers on their behalf. Any such authorisation should be in writing, which in most cases, will be by way of Job Description.</p> <p>b. Any of the powers delegated to a specific Officer within this Scheme may be exercised by any of their line Managers, except where such exercise is not permitted in law or subject to other qualification. (Some powers may only be exercised by a specific type of Officer.)</p>	<p>Council / Executive Committee/ Planning / Licensing Committees</p> <p>Council / Executive Cttee/ Planning / Licensing Committees</p>	<p>[Chief Executive/ Deputy Chief Executive]/ Directors</p> <p>Various</p>
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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

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]

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]

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]

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]

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]

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]

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]

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)

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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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>		
		2. Planning Committee	[Head of Environmental and Housing Property Services].

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].

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***

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 Council's 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 [Principal 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.	Executive Committee	[Head of Community and Housing Services]/ [Housing Options Manager]/ [Housing Services Manager]
	To make any offers of accommodation in above cases.	Executive Committee	[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	<p>In respect of the management of Temporary accommodation for the purposes temporary housing for homeless families let under licences to authorise:</p> <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]
<p>Housing Management: Introductory and Secure Tenancy breaches and unlawful occupiers</p> <p>Enforcement of possession proceedings for introductory and secure tenancy breaches</p>	<p>In respect of the management of Introductory and Secure housing tenancies to authorise:</p> <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 <p>To sanction applications for Warrants of Possession in above cases.</p> <p><u>Warrants for no access for adherence to Health & Safety/ statutory requirements</u></p>	<p>Executive Committee</p> <p>Executive Committee</p>	<p>[Head of Community and Housing Services]/ [Housing Services Manager]</p> <p>[Deputy Chief Executive & Executive Director for Leisure, Environment & Community Services] / [Head of Community and Housing Services]/ [Housing Services Manager]</p> <p>[Head of Environmental and Housing Property Services]/ Repairs & Maintenance/ Housing Services Managers</p>

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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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] / [Principal 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	[Principal 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	[Principal 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

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.	[Principal 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 / [Principal 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]

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].

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).

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	-	-

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]

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

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]

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].

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].

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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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. (see procedure set out above) 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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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>		

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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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 		

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]

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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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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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]

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]

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]

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

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

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

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 Solicitor]

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]

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

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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Audit, Governance & Standards Committee

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MINUTES

Present:

Councillor Juliet Brunner (Vice-Chair) and Councillors Salman Akbar (present for items 43 - 48), Tom Baker-Price, Luke Court, Julian Grubb, Emma Marshall and Timothy Pearman

Also Present:

Jackson Murray – Engagement Lead for Grant Thornton

Officers:

Peter Carpenter, Clare Flanagan and James Howse

Democratic Services Officers:

Jo Gresham

43. NEW MODEL CODE OF CONDUCT

The Principal Solicitor presented the New Model Code of Conduct report and explained the history of the adoption of a new model code and reminded Members that they had been informed that this item would be considered at the last meeting of the Committee. In addition to this, the following was also highlighted for Members' consideration:

- Members had previously expressed a preference for the New Model Code of Conduct that applied across all tiers of local government throughout the County. At a previous meeting of the Committee, it had been agreed that all Monitoring Officers across the County would consider feedback from the Committee and other Committees in Worcestershire in order

Chair

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to produce a pan-Worcestershire code for consideration and adoption.

Following the presentation of the report Members indicated that they wished to make two amendments to the New Model Code of Conduct.

The proposed amendments were as follows:

Amendment 1

That the text underlined below be removed from the New Model Code of Conduct:

“Respect means politeness and courtesy in behaviour, speech and in the written word. Debate and having different views are all part of a healthy democracy. As a councillor **engaging in a political debate** with other councillors you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not however, subject individuals, groups of people or organisations to personal attack.”

Therefore, the paragraph would read:

“Respect means politeness and courtesy in behaviour, speech and in the written word. Debate and having different views are all part of a healthy democracy. As a councillor you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not however, subject individuals, groups of people or organisations to personal attack.”

Amendment 2

That the text underlined below be removed from the New Model Code of Conduct:

“The robust manner in which councillors engage with each other during political debate is not appropriate when engaging

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with local authority employees, employees and representatives of partner organisations and those volunteering for the local authority. As strategic leaders and employers, it is expected that councillors will set a positive example to staff by treating them with politeness and courtesy at all times.”

And be replaced with the following statement, as detailed in the protocol on Member and Officer relations contained within the Council’s Constitution:

“Councillors have the right to criticise reports, or the actions taken by officers but they should always be constructive, relate to the subject matter of the report and should not be personal”

There was detailed discussion regarding the amendments which included consideration of the following in respect of the first proposed amendment:

- Members should be permitted to engage in robust debate with members of the public and as elected Members had a right to reply when challenged in public. It was felt by some Members that the wording suggested within the proposed New Model Code of Conduct stifled this right. Members were clear that this kind of debate should always be carried out in a respectful way. The Principal Solicitor explained that this paragraph had not been included to isolate Councillors and prevent robust debate with other Councillors but more to highlight the need for respect between Councillors as most complaints received by the Monitoring Officers were between Members. In respect of robust debate with the public it was explained that the Code of Conduct was followed as elected Members were expected to behave with high standards in public office. This paragraph contained within the new Model Code of Conduct had been included in order to highlight to Members that some behaviours on social media platforms could be considered less than acceptable.

In respect of the second proposed amendment the following was considered by the Committee:

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- The potential power imbalance between officers and Members, particularly less senior members of staff. It was explained to the Committee that the inclusion of the paragraph regarding robust debate with local authority employees or employees and representatives of partner organisations and those volunteering for the local authority was designed to ensure that despite the potential imbalance courtesy was shown at all times when engaging in debate with Officers. Some Members felt strongly that Officers should be criticised, when necessary, in a respectful manner and when appropriate. There was a suggestion that the word 'criticise' be amended to read 'challenge' however this was dismissed by Members as they felt that, although there was a subtle difference, Members should have the right to criticise officers when necessary.

Following the detailed discussion there was a suggestion, in respect of amendment 2, that a combination of the paragraph included in the new Model Code of Conduct and the existing protocol be considered. This would result in amendment 2 being proposed as follows:

"As strategic leaders and employers, it is expected that councillors will set a positive example to staff by treating them with politeness and courtesy at all times. Councillors have the right to criticise reports, or the actions taken by officers, but they should always be constructive, relate to the subject matter of the report and should not be personal."

Members agreed that this would be acceptable. On being put to the vote the following amendments were agreed for inclusion in the Worcestershire-wide new Model Code of Conduct:

"Respect means politeness and courtesy in behaviour, speech and in the written word. Debate and having different views are all part of a healthy democracy. As a councillor you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not however,

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subject individuals, groups of people or organisations to personal attack.”

“As strategic leaders and employers, it is expected that councillors will set a positive example to staff by treating them with politeness and courtesy at all times. Councillors have the right to criticise reports, or the actions taken by officers, but they should always be constructive, relate to the subject matter of the report and should not be personal.”

RECOMMENDED that

Subject to the amendments above the Worcestershire-wide draft Code of Conduct and its appendices, be adopted by the Council.

The Meeting commenced at 7.00 pm
and closed at 9.21 pm

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New Worcestershire-wide Member Code of Conduct

Relevant Portfolio Holder	Councillor Mike Rouse
Portfolio Holder Consulted	Yes
Relevant Head of Service	Claire Felton
Report Author	Job Title: Clare Flanagan Contact email:clare.flanagan@bromsgroveandredditch.gov.uk Contact Tel: 01527 534112 x 3173
Wards Affected	n/a
Ward Councillor(s) consulted	n/a
Relevant Strategic Purpose(s)	n/a
Non-Key Decision	
If you have any questions about this report, please contact the report author in advance of the meeting.	

1. RECOMMENDATIONS**The Committee is asked:**

- 1) to review the Worcestershire-wide draft Code of Conduct at Appendix 1 and its appendices, and consider whether it recommends its adoption by the Council**

2. BACKGROUND

2.1 The Committee will recall from previous reports that the National Committee on Standards and Public Life carried out a review of the operation of the Standards Regime under the Localism Act 2011. The report on the implementation of the Committee's recommendations and resulting changes to the Council's arrangements for handling member complaints was considered by this committee on 26 November 2020.

2.2 In December 2020 the Local Government Association (LGA) published a model Code of Conduct as part of its work in supporting the sector to continue to aspire to high standards of leadership and performance. It was broadly similar to the current Worcestershire-wide Code. The main areas where it differed were:

- The LGA Code included detailed guidance to explain the reasons for obligations and how they should be followed

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- It included a statement about a right to respectful behaviour from the public which is not referred to in the Worcestershire-wide Code
- It included an obligation to undertake Code of Conduct training provided by the local authority
- The value for registering gifts and hospitality is £50 compared to £15 in the Worcestershire Code
- There was more detail about registering and declaring **Other** Interests. The LGA Code states (in table 2) that Councillors have a personal interest in any business where it relates to or affects any body of which a Councillor is in general control or management and to which they are nominated or appointed by the Council. This is in direct contrast to the current situation in the Worcestershire Code where appointment to an outside body by the Council does not automatically mean that an Other Interest should be declared.

2.2 The LGA Model was offered as a template and it was recognised that councils might either adopt it or make local amendments to it.

2.3 Members have previously expressed a preference for a Code of Conduct that applies to all councils across the County and at all tiers of local government, as is currently the case in Worcestershire and so resolved at its meeting on 11 March 2021 to refer the LGA Model Code to the Monitoring Officers across the County to consider the feedback from this and the other Standards Committees, and bring back a new pan-Worcestershire Code for consideration / adoption.

2.4 Attached at Appendix 1 is the draft Code of Conduct as proposed by the Monitoring Officers following their discussions. The changes and/or additions to the LGA Model Code are highlighted in the attached draft so that members can see what they are. There are a number of appendices, which support the core document. These are:

- Appendix A: The Ten Principles of Public Life;
- Appendix B: Guide to Registerable Interests set out in
 - Table A – Disclosable Pecuniary Interests
 - Table B – Other Registerable Interests;
- Appendix C: Best Practice Recommendations
- Appendix D: to be read alongside:
 - ACAS Guide and
 - Guidance on The Public Sector Equalities Duty

This suite of documents comprises the proposed Code of Conduct. These are being referred to all of the local authorities across

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Worcestershire for consideration and adoption.

3. FINANCIAL IMPLICATIONS

- 3.1 There are no direct financial implications arising from this report.

4. LEGAL IMPLICATIONS

- 4.1 Under the Localism Act 2011, the Council is required to adopt a Code of Conduct, which it has. Following a review of the operation of the Standards regime under the Localism Act, carried out by the Committee for Standards in Public Life, the Local Government Association issued a new Model Code for adoption or local amendment.
- 4.2 Adoption by the Council will ensure compliance with the requirements of the Localism Act and the Code proposed here will meet members' requirement for a pan-Worcestershire Code of Conduct.

5. STRATEGIC PURPOSES - IMPLICATIONS

Relevant Strategic Purpose

- 5.1 n/a

Climate Change Implications

- 5.2 n/a

6. OTHER IMPLICATIONS

Equalities and Diversity Implications

- 6.1 n/a

Operational Implications

- 6.2 n/a

8. APPENDICES and BACKGROUND PAPERS

- Appendix 1 –Member Code of Conduct and supporting documents.

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9. REPORT SIGN OFF

Department	Name and Job Title	Date
Portfolio Holder	Councillor Mike Rouse	Various
Lead Director / Head of Service	Claire Felton	Various
Financial Services	N/A	
Legal Services	Claire Felton	Various
Policy Team (if equalities implications apply)	n/a	
Climate Change Officer (if climate change implications apply)	n/a	

**Local Government Association****Model Councillor Code of Conduct 2020****Joint statement**

The role of councillor across all tiers of local government is a vital part of our country's system of democracy. It is important that as councillors we can be held accountable and all adopt the behaviors and responsibilities associated with the role. Our conduct as an individual councillor affects the reputation of all councillors. We want the role of councillor to be one that people aspire to. We also want individuals from a range of backgrounds and circumstances to be putting themselves forward to become councillors.

As councillors, we represent local residents, work to develop better services and deliver local change. The public have high expectations of us and entrust us to represent our local area, taking decisions fairly, openly, and transparently. We have both an individual and collective responsibility to meet these expectations by maintaining high standards and demonstrating good conduct, and by challenging behaviour which falls below expectations.

Importantly, we should be able to undertake our role as a councillor without being intimidated, abused, bullied, or threatened by anyone, including the general public.

This Code has been designed to protect our democratic role, encourage good conduct and safeguard the public's trust in local government.

Introduction

The Local Government Association (LGA) has developed this Model Councillor Code of Conduct, in association with key partners and after extensive consultation with the sector, as part of its work on supporting all tiers of local government to continue to aspire to high standards of leadership and performance. It is a template for councils to adopt in whole and/or with local amendments.

All councils are required to have a local Councillor Code of Conduct.

The LGA will undertake an annual review of this Code to ensure it continues to be fit-for-purpose, incorporating advances in technology, social media and changes in legislation. The LGA can also offer support, training and mediation to councils and councillors on the application of the Code and the National Association of Local Councils (NALC) and the county associations of local councils can offer advice and support to town and parish councils.

The LGA Model Councillor Code of Conduct has been reviewed by councils across Worcestershire together with Hereford & Worcester Fire Authority and slightly amended to provide a pan-Worcestershire Code. The relevant Monitoring Officers will undertake further reviews of this Code should further significant changes be recommended by the LGA.

Definitions

For the purposes of this Code of Conduct, a “councillor” means a member or co-opted member of a local authority or a directly elected mayor. A “co-opted member” is defined in the Localism Act 2011 Section 27(4) as “a person who is not a member of the authority but who

- a) is a member of any committee or sub-committee of the authority, or;
- b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority;

and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee”.

For the purposes of this Code of Conduct, “local authority” includes county councils, district councils, London borough councils, parish councils, town councils, fire and rescue authorities, police authorities, joint authorities, economic prosperity boards, combined authorities and National Park authorities.

Purpose of the Code of Conduct

The purpose of this Code of Conduct is to assist you, as a councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow councillors, local authority officers and the reputation of local government. It sets out general principles of conduct expected of all councillors and your specific obligations in relation to standards of conduct. The LGA encourages the use of support, training and mediation prior to action being taken using the Code. The fundamental aim of the Code is to create and maintain public confidence in the role of councillor and local government.

General principles of councillor conduct

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, councillors and local authority officers; should uphold the [Ten Principles of Public Life](#), also known as the Nolan Principles. See Appendix A

Building on these principles, the following general principles have been developed specifically for the role of councillor.

In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty
- I act lawfully
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of councillor.

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.

Application of the Code of Conduct

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a councillor.

This Code of Conduct applies to you when you are acting in your capacity as a councillor which may include when:

- you misuse your position as a councillor
- Your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a councillor;

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and show leadership at all times when acting as a councillor.

Where you act as a representative of the Council:

- (a) on another relevant authority, you must, when acting for that other authority, comply with that other authority's code of conduct; or
- (b) on any other body, you must, when acting for that other body, comply with the authority's code of conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.

Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct. Town and parish councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring Officer.

Standards of councillor conduct

This section sets out your obligations, which are the minimum standards of conduct required of you as a councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance is included to help explain the reasons for the obligations and how they should be followed.

General Conduct

1. Respect

As a councillor:

1.1 I treat other councillors and members of the public with respect.

1.2 I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.

~~Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a councillor engaging in a political debate with other councillors you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations, to personal attack.~~

Respect means politeness and courtesy in behaviour, speech and in the written word. Debate and having different views are all part of a healthy democracy. As a councillor you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not however, subject individuals, groups of people or organisations to personal attack."

~~The robust manner in which councillors engage with each other during political debate is not appropriate when engaging with local authority employees, employees and representatives of partner organisations and those volunteering for the local authority. As strategic leaders and employers, it is expected that councillors will set a positive example to staff by treating them with politeness and courtesy at all times.~~

Commented [JGSDS01]: Remove this paragraph and replace with paragraph below

Commented [JGSDS02]: Remove this paragraph and replace with the paragraph below

As strategic leaders and employers, it is expected that councillors will set a positive example to staff by treating them with politeness and courtesy at all times. Councillors have the right to criticise reports, or the actions taken by officers, but they should always be constructive, relate to the subject matter of the report and should not be personal.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's councillor-officer protocol.

2. Bullying, harassment and discrimination

As a councillor:

2.1 I do not bully any person.

2.2 I do not harass any person.

2.3 I promote equalities and do not discriminate unlawfully against any person.

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services. **Councillors must not do anything that is likely to cause the Council to breach its public commitment to equality and fostering good relations with all communities.**

Appendix D sets out additional guidance that Councillors must read alongside this Code of Conduct.

3. Impartiality of officers of the council

As a councillor:

3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.

Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would

undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

You must:

- (a) when reaching decisions on any matter have regard to any relevant advice provided to you by the Council's officers and in particular by the Monitoring Officer and Section 151 Officer; and
- (b) give reasons for all decisions in accordance with any statutory requirement and any reasonable additional requirements imposed by the Council.

4. Confidentiality and access to information

As a councillor:

4.1 I do not disclose information:

- a. given to me in confidence by anyone
- b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless
 - i. I have received the consent of a person authorised to give it;
 - ii. I am required by law to do so;
 - iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or
 - iv. the disclosure is:
 - 1. reasonable and in the public interest; and
 - 2. made in good faith and in compliance with the reasonable requirements of the local authority; and
 - 3. I have consulted the Monitoring Officer prior to its release.

4.2 I do not improperly use knowledge gained solely as a result of my role as a councillor for the advancement of myself, my friends, my family members, my employer or my business interests.

4.3 I do not prevent anyone from getting information that they are entitled to by law.

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include information relating to ongoing negotiations or personal data relating to individuals.

With regards to personal data relating to individuals, you must not do anything that is likely to cause your authority to breach Data Protection law. You must seek to ensure you are familiar with how the Data Protection Act applies to your role in handling personal data through training, and if you are not sure you should seek advice from the Monitoring Officer.

5. Disrepute

As a councillor:

5.1 I do not bring my role or local authority into disrepute.

As a Councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other councillors and/or your local authority and may lower the public's confidence in your or your local authority's ability to discharge your/its functions. For example, behaviour that is considered dishonest and/or deceitful can bring your local authority into disrepute.

You are able to hold the local authority and fellow councillors to account and are able to constructively challenge and express concern about decisions and processes undertaken by the council whilst continuing to adhere to other aspects of this Code of Conduct.

6. Use of position

As a councillor:

6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.

Your position as a member of the local authority provides you with certain opportunities, responsibilities, and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

7. Use of local authority resources and facilities

As a councillor:

7.1 I do not misuse council resources.

7.2 I will, when using the resources of the local authority or authorising their use by others:

- (a) act in accordance with the local authority's requirements.**
- (b) ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed; and**
- (c) have regard to any applicable Local Authority Code of Publicity during elections.**

You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a councillor.

Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport
- access and use of local authority buildings and rooms.

These are given to you to help you carry out your role as a councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the local authority's own policies regarding their use.

8. Complying with the Code of Conduct

As a Councillor:

8.1 I undertake Code of Conduct training provided by my local authority.

8.2 I cooperate with any Code of Conduct investigation and/or determination.

8.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with any investigation or proceedings.

8.4 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.

It is extremely important for you as a councillor to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with your Monitoring Officer.

Protecting your reputation and the reputation of the local authority

9. Interests

As a councillor:

9.1 I register and disclose my interests.

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority .

You need to register your interests so that the public, local authority employees and fellow councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or disclose a disclosable pecuniary interest as set out in **Table 1**, is a criminal offence under the Localism Act 2011.

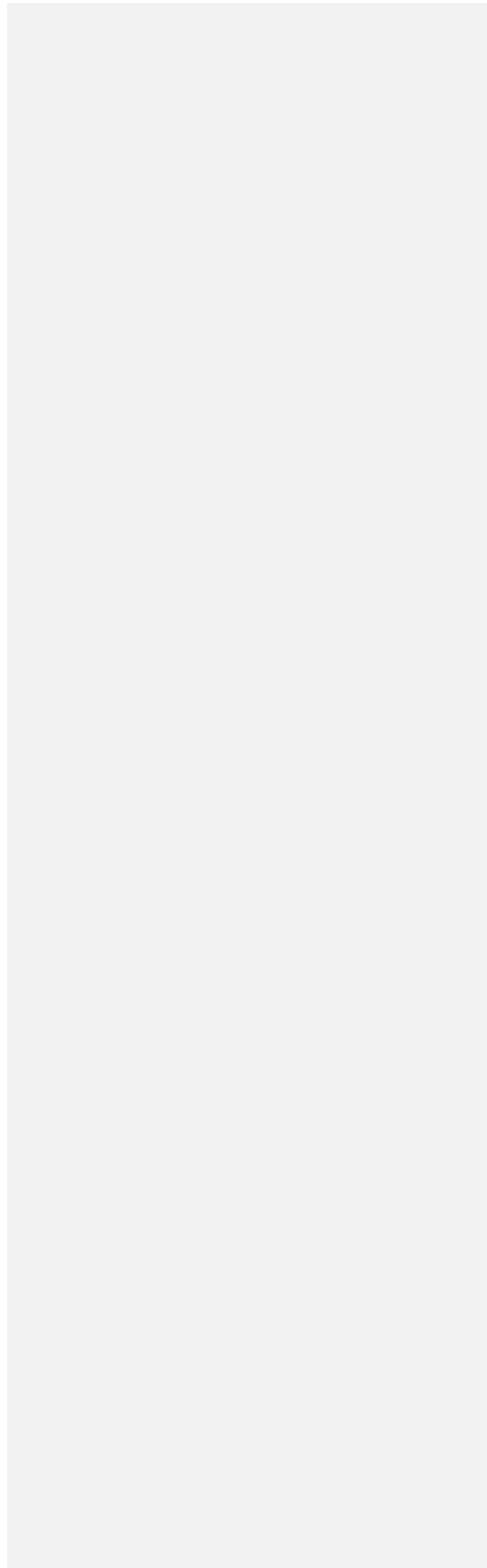
Appendix B sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from your Monitoring Officer.

10. Gifts and hospitality

As a councillor:

- 10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.**
- 10.2 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least **£15** within 28 days of its receipt.**
- 10.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.**

In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a councillor. If you are unsure, do contact your Monitoring Officer for guidance.



Appendices

Appendix A – The **Ten** Principles of Public Life

The principles are:

Selflessness – Members should serve only the public interest and should never improperly confer an advantage or disadvantage on any person.

Honesty and Integrity – Members should not place themselves in situations where their honesty and integrity may be questioned, should not behave improperly, and should, on all occasions, avoid the appearance of such behaviour.

Objectivity – Members should make decisions on merit, including when making appointments, awarding contracts, or recommending individuals for rewards or benefits.

Accountability – Members should be accountable to the public for their actions and the manner in which they carry out their responsibilities, and should co-operate fully and honestly with any scrutiny appropriate to their particular office.

Openness – Members should be as open as possible about their actions and those of their Authority and should be prepared to give reasons for those actions.

Personal judgement – Members may take account of the views of others, including their political groups, but should reach their own conclusions on the issues before them and act in accordance with those conclusions.

Respect for others – Members should promote equality by not discriminating unlawfully against any person, and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation or disability. They should respect the impartiality and integrity of the authority's statutory officers and its other employees.

Duty to uphold the Law – Members should uphold the law and, on all occasions, act in accordance with the trust that the public is entitled to place in them.

Stewardship – Members should do whatever they are able to do to ensure that their authorities use their resources prudently and in accordance with the law.

Leadership – Members should promote and support these principles by leadership, and by example, and should act in a way that secures or preserves public confidence.

Appendix B Registering interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

"Disclosable Pecuniary Interest" means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

"Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register. **The Monitoring Officer may state on the register that the councillor has an interest the details of which are withheld.**

Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. **If the interest has not already been recorded, notify the Monitoring Officer of the interest within 28 days beginning with the date of the meeting.** If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.
5. [Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it]

Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which **directly relates** to the financial interest or wellbeing of one of your Other Registerable Interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

8. Where a matter arises at a meeting which **affects** –
 - a. your own financial interest or well-being;
 - b. a financial interest or well-being of a relative or close associate; or
 - c. a financial interest or wellbeing of a body included under Other Registerable Interests as set out in **Table 2**

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied

9. Where a matter (referred to in paragraph 8 above) **affects** the financial interest or well-being:
 - a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
 - b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

10. [Where you have an Other Registerable Interest or Non-Registerable Interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it]

Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the

	councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council — (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land and Property	Any beneficial interest in land which is within the area of the council. 'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.
Licenses	Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer
Corporate tenancies	Any tenancy where (to the councillor's knowledge)— (a) the landlord is the council; and (b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.
Securities	Any beneficial interest in securities* of a body where— (a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and (b) either— (i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were
	spouses/civil partners have a beneficial interest exceeds one hundredth of the total issued share capital of that class.

* 'director' includes a member of the committee of management of an industrial and

provident society.

* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Table 2: Other Registrable Interests

You must register as an Other Registerable Interest :

- a) any unpaid directorships
 - b) any body of which you are a member or are in a position of general control or management and to which you not are **not** nominated or appointed by your authority
 - c) any body
 - (i) exercising functions of a public nature
 - (ii) directed to charitable purposes or
 - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)
- of which you are a member or in a position of general control or management

Appendix C – the Committee on Standards in Public Life and Best Practice Recommendations

The LGA has undertaken this review whilst the Government continues to consider the recommendations made by the Committee on Standards in Public Life in their report on [Local Government Ethical Standards](#). If the Government chooses to implement any of the recommendations, this could require a change to this Code.

The recommendations cover:

- Recommendations for changes to the Localism Act 2011 to clarify in law when the Code of Conduct applies
- The introduction of sanctions
- An appeals process through the Local Government Ombudsman
- Changes to the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012
- Updates to the Local Government Transparency Code
- Changes to the role and responsibilities of the Independent Person
- That the criminal offences in the Localism Act 2011 relating to Disclosable Pecuniary Interests should be abolished

Best Practice Recommendations

As included in The Local Government Ethical Standards report. These are:

Best practice 1: Local authorities should include prohibitions on bullying and harassment in codes of conduct. These should include a definition of bullying and harassment, supplemented with a list of examples of the sort of behaviour covered by such a definition.

Best practice 2: Councils should include provisions in their code of conduct requiring councillors to comply with any formal standards investigation and prohibiting trivial or malicious allegations by councillors.

Best practice 3: Principal authorities should review their code of conduct each year and regularly seek, where possible, the views of the public, community organisations and neighbouring authorities.

Best practice 4: An authority's code should be readily accessible to both councillors and the public, in a prominent position on a council's website and available in council premises.

Best practice 5: Local authorities should update their gifts and hospitality register at least once per quarter, and publish it in an accessible format, such as CSV.

Best practice 6: Councils should publish a clear and straightforward public interest test against which allegations are filtered.

Best practice 7: Local authorities should have access to at least two Independent Persons.

Best practice 8: An Independent Person should be consulted as to whether to undertake a formal investigation on an allegation, and should be given the option to

review and comment on allegations which the responsible officer is minded to dismiss as being without merit, vexatious, or trivial.

Best practice 9: Where a local authority makes a decision on an allegation of misconduct following a formal investigation, a decision notice should be published as soon as possible on its website, including a brief statement of facts, the provisions of the code engaged by the allegations, the view of the Independent Person, the reasoning of the decision-maker, and any sanction applied.

Best practice 10: A local authority should have straightforward and accessible guidance on its website on how to make a complaint under the code of conduct, the process for handling complaints, and estimated timescales for investigations and outcomes.

Best practice 11: Formal standards complaints about the conduct of a parish councillor towards a clerk should be made by the chair or by the parish council, rather than the clerk in all but exceptional circumstances.

Best practice 12: Monitoring Officers' roles should include providing advice, support and management of investigations and adjudications on alleged breaches to parish councils within the remit of the principal authority. They should be provided with adequate training, corporate support and resources to undertake this work.

Best practice 13: A local authority should have procedures in place to address any conflicts of interest when undertaking a standards investigation. Possible steps should include asking the Monitoring Officer from a different authority to undertake the investigation.

Best practice 14: Councils should report on separate bodies they have set up or which they own as part of their annual governance statement and give a full picture of their relationship with those bodies. Separate bodies created by local authorities should abide by the Nolan principle of openness and publish their board agendas and minutes and annual reports in an accessible place.

Best practice 15: Senior officers should meet regularly with political group leaders or group whips to discuss standards issues.

The LGA has committed to reviewing the Code on an annual basis to ensure it is still

fit for purpose.

[Appendix D](#)

This Code of Conduct must be read alongside:

ACAS Guidance "If You're Treated Unfairly at Work"

<https://www.acas.org.uk/if-youre-treated-unfairly-at-work/being-bullied>

Equality and Human Rights Commission – Public Sector Equality Duty Guidance

REDDITCH BOROUGH COUNCIL**Annual Council
2022****23 May****Local Government Boundary Commission for England Boundary Review
for Redditch – Warding Pattern Proposals**

Relevant Portfolio Holder	Councillor Dormer
Portfolio Holder Consulted	Yes
Relevant Head of Service	Claire Felton
Report Author	Job Title: Darren Whitney Contact email: darren.whitney@bromsgroveandredditch.gov.uk Contact Tel: (01527) 64252 Ext: 2547
Wards Affected	All
Ward Councillor(s) consulted	Not Applicable
Relevant Strategic Purpose(s)	All
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) Council endorse the Warding Pattern including any amendments made.**
- 2) Council delegates authority to the Chief Executive following consultation with Group Leaders to produce and submit the formal submission document to the Local Government Boundary Commission for England.**

2. BACKGROUND

- 2.1 Redditch Council has not been reviewed since 2002, and the Local Government Boundary Commission for England (LGBCE) has a policy to review all authorities from time to time. The LGBCE added Redditch to its current review programme after concluding that at 19 years since the last review it was time to revisit the borough. This will also allow the boroughs and districts in Worcestershire to all have a recent review before the next county council review.

3. FINANCIAL IMPLICATIONS

- 3.1 None at this stage other than officer time, the cost of the review is borne by the LGBCE.

**Annual Council
2022****23 May**

4. LEGAL IMPLICATIONS

- 4.1 The LGBCE is a statutory body accountable to Parliament that conducts reviews of local authority electoral arrangements in England. Its statutory obligations are set out in the Local Democracy, Economic Development and Construction Act 2009.
- 4.2 One of the objectives of the LGBCE is to provide electoral arrangements for English principal local authorities that are fair and deliver electoral equality for voters.

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

- 5.1 As the review will affect the number of Councillors and the size of wards in the future it will have a bearing on all Strategic Purposes. The results of the review will not be implemented until 2024.

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

- 6.1 No direct impact at this stage.

Operational Implications

- 6.2 The LGBCE will seek to deliver electoral equality for voters in local elections.
- 6.3 The electoral review examines and proposes new electoral arrangements for the whole local authority. These are:
- The total number of councillors to be elected to the council: council size.
 - The names, number and boundaries of wards.
 - The number of councillors to be elected from each ward.
- 6.4 The Commission will recommend a ward proposal that, in its judgement, enables the council to take its decisions effectively, to discharge the business and responsibilities of the council successfully, and to provide for effective community leadership and representation.

**Annual Council
2022****23 May**

- 6.5 The LGBCE is minded to recommend 27 councillors for the Council; this is in line with the council size submission approved by Council on 15 November 2021.
- 6.6 The draft Council Ward Pattern drawn up by officers and agreed at CMT is included at Appendix 1 and Council is invited to make any amendments it sees fit before recommending the Submission.
- 6.7 Proposals can be made by any interested party, elected member, political group or political party to the LGBCE by 31 May 2022.
- 6.8 The LGBCE will publish draft recommendations in July 2022. A consultation on the draft recommendations will run from August to October and final recommendations will be made in December 2022.
- 6.9 The legal order will be made in 2023 and be implemented at the 2024 elections.

7. RISK MANAGEMENT

- 7.1 Council could decide not to make a submission although this would severely restrict the Council's ability to influence the decision of LGBCE.

8. APPENDICES and BACKGROUND PAPERS

Appendix 1: Draft Warding Pattern

Background papers:

LGBCE – Electoral Review of Redditch: [Redditch | LGBCE Site](#)

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Redditch Borough Council Electoral Review – Ward Patterning Stage

Consultation Period: 22 Feb 22 – 31 May 22

Boundary Commission Recommendations

The LGBCE is recommending that 27 councillors should be elected to the council in future. They are now inviting proposals from the council, interested parties and members of the public on a pattern of electoral wards based on that number of councillors.

A public consultation inviting proposals will run from 22 February 2022 to 31 May 2022

In drawing up a pattern of electoral wards, we seek to:

- Make sure that, within an authority, each councillor represents a similar number of electors
- Reflect the electoral cycle so that each ward is represented by three councillors
- Create boundaries that are appropriate, and reflect community ties and identities
- Deliver reviews informed by local needs, views and circumstances

The approach to the ward patterning has been to look at natural existing boundaries as well as the current polling districts in order to get a sense of any community ties. Whilst every opportunity to not cross over any large boundaries such as highways has been taken, it is important to note that the highway infrastructure in Redditch means that this has not always been possible.

New Boundary Target Information

With the LGBCE recommendations in mind the council submission will have the following targets:

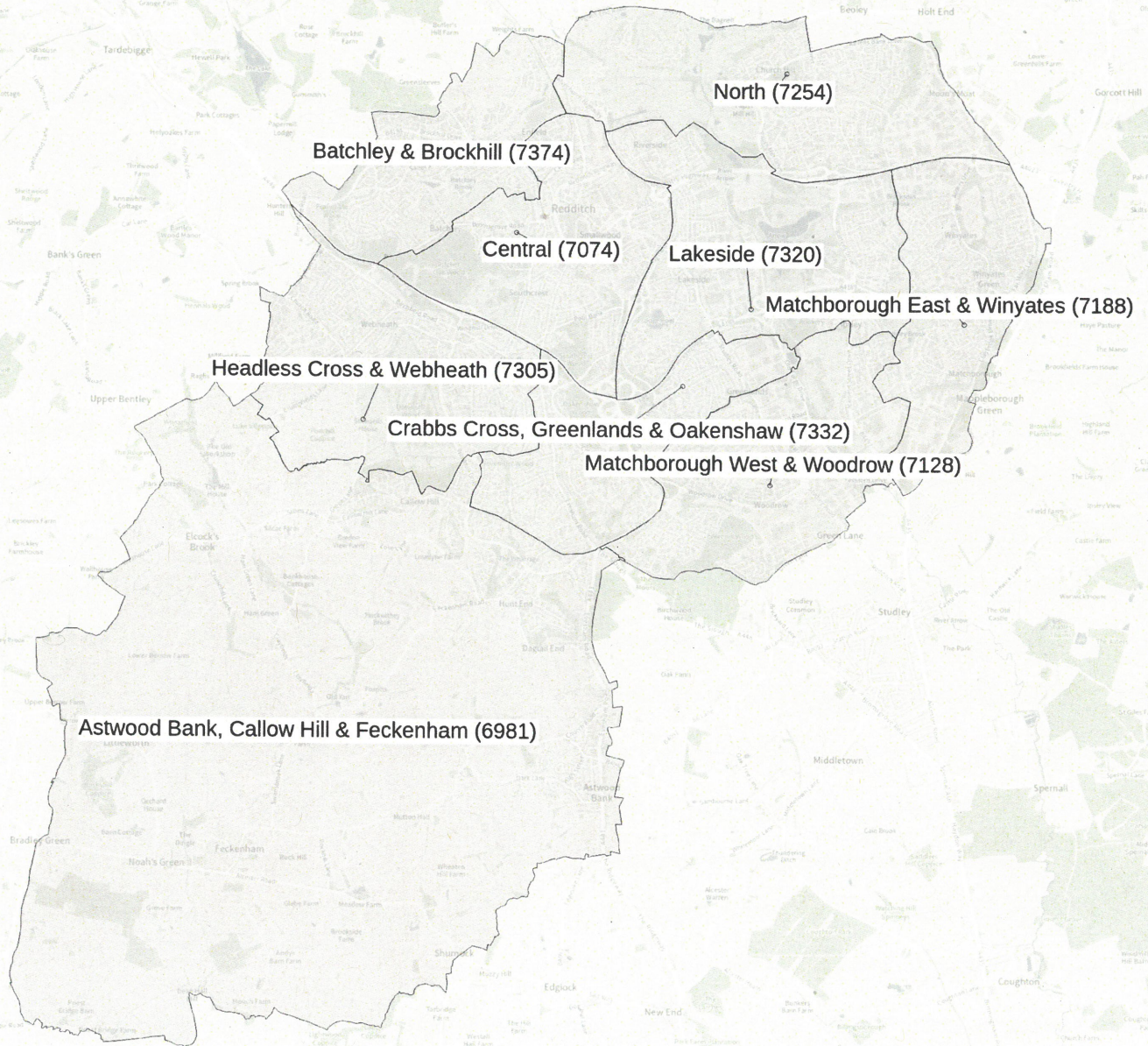
- The submission will divide the borough into 9 electoral wards
- Each electoral ward will be represented by 3 councillors
- Electorate as of 01 Feb 2022 is 63402
- We have also included future developments which include an additional 1507 Electors
- Target Electorate per councillor is 2404
- Each Boundary electorate target will be 7212. The submission should ensure that each boundary electorate is as close as possible to this figure for each electoral ward.

Overview of Changes in Scenario 1

- Astwood Bank and Feckenham Ward has taken on The Callow Hill/Southern part of Crabbs Cross ward

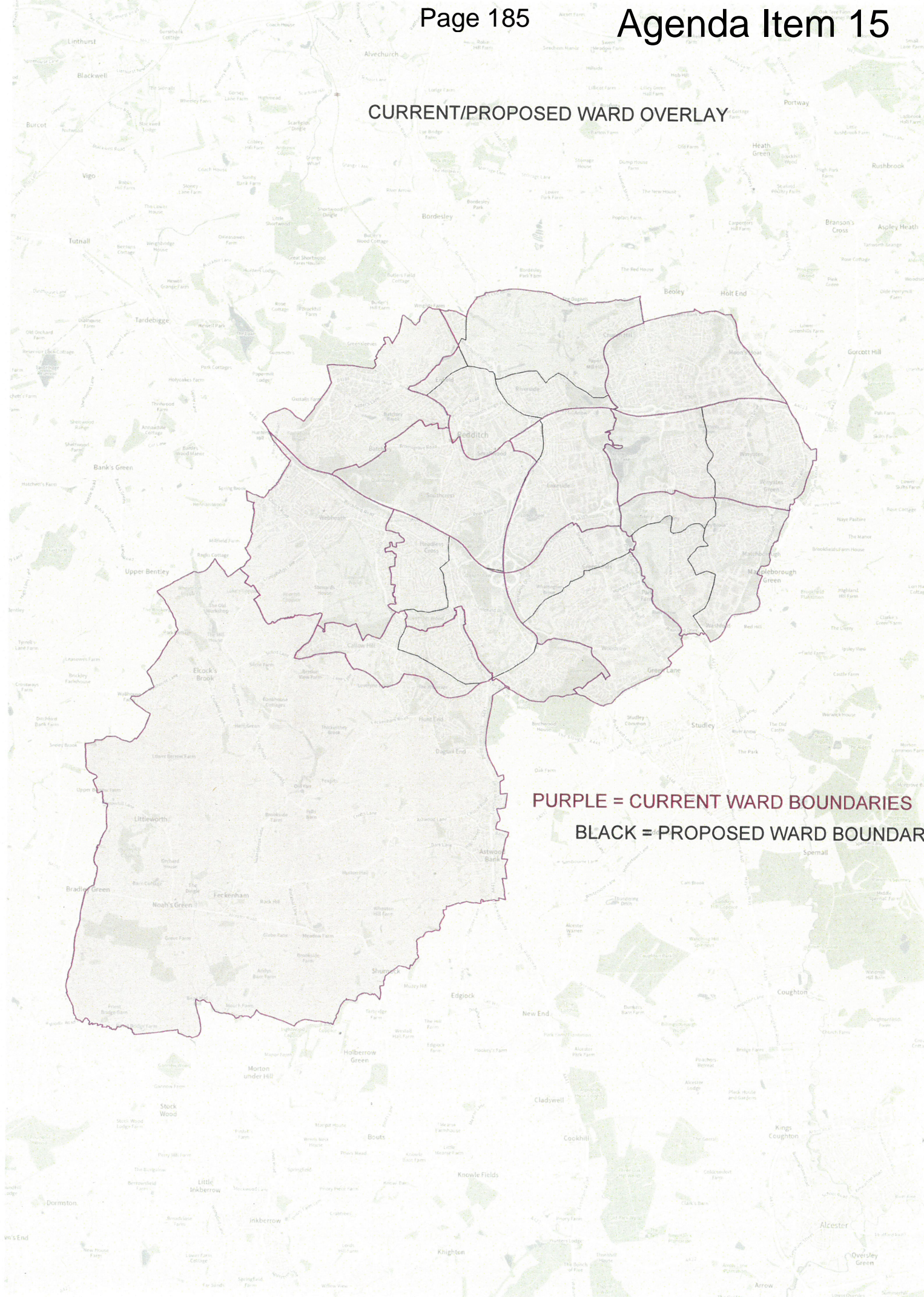
- West Ward has taken in a large portion of Headless Cross
- Headless Cross And Oakenshaw has lost the Headless Cross section to West Ward and taken on the Crabs Cross section of Crabbs Cross ward and the Throckmorton polling district of the Greenlands Ward
- The Woodrow Section of Greenlands has taken in the West of Matchborough Ward
- The East of Winyates ward has merged with the East of Matchborough Ward
- Lodge Park, the very West of Winyates and the Ipsley part of the Matchborough ward and Riverside of Abbey have been combined to make a new Lakeside ward
- Church Hill ward and the North of Abbey Ward have been combined to make a new North ward
- A small section of the Abbey ward has been added on to Batchley & Brockhill
- The inner Town section of Abbey ward has been added to the Central ward

PROPOSED NEW WARDS



This map shows the Reading area, with the city of Reading highlighted in a darker green. Surrounding areas like Epsom, Egham, and Twickenham are shown in lighter shades of green and yellow. The map includes labels for various wards and landmarks, such as Reading, Epsom, Egham, Twickenham, and the River Thames. The map is color-coded by ward, with various shades of green and yellow. Major roads and landmarks are visible.

CURRENT/PROPOSED WARD OVERLAY



PURPLE = CURRENT WARD BOUNDARIES
BLACK = PROPOSED WARD BOUNDARIES

Headless Cross & Webheath

Councillors: **3**

Property count: **4150**

Total Electorate: **7305**

Cllr electorate: **2435**

Electorate Status: **Balanced**

Electorate Target:

Date/Time **2164 - 2644**

Submitted: **20/04/2022 16:58**



Agenda Item 15

Astwood Bank, Callow Hill & Feckenham

Councillors: **3**
 Property count: **3884**
 Total Electorate: **6981**
 Cllr electorate: **2327**
 Electorate Status: **Balanced**
 Electorate Target:
 Date/Time **2164 - 2644**
 Submitted: **20/04/2022 16:58**

1

North

Councillors: **3**

Property count: **4407**

Total Electorate: **7254**

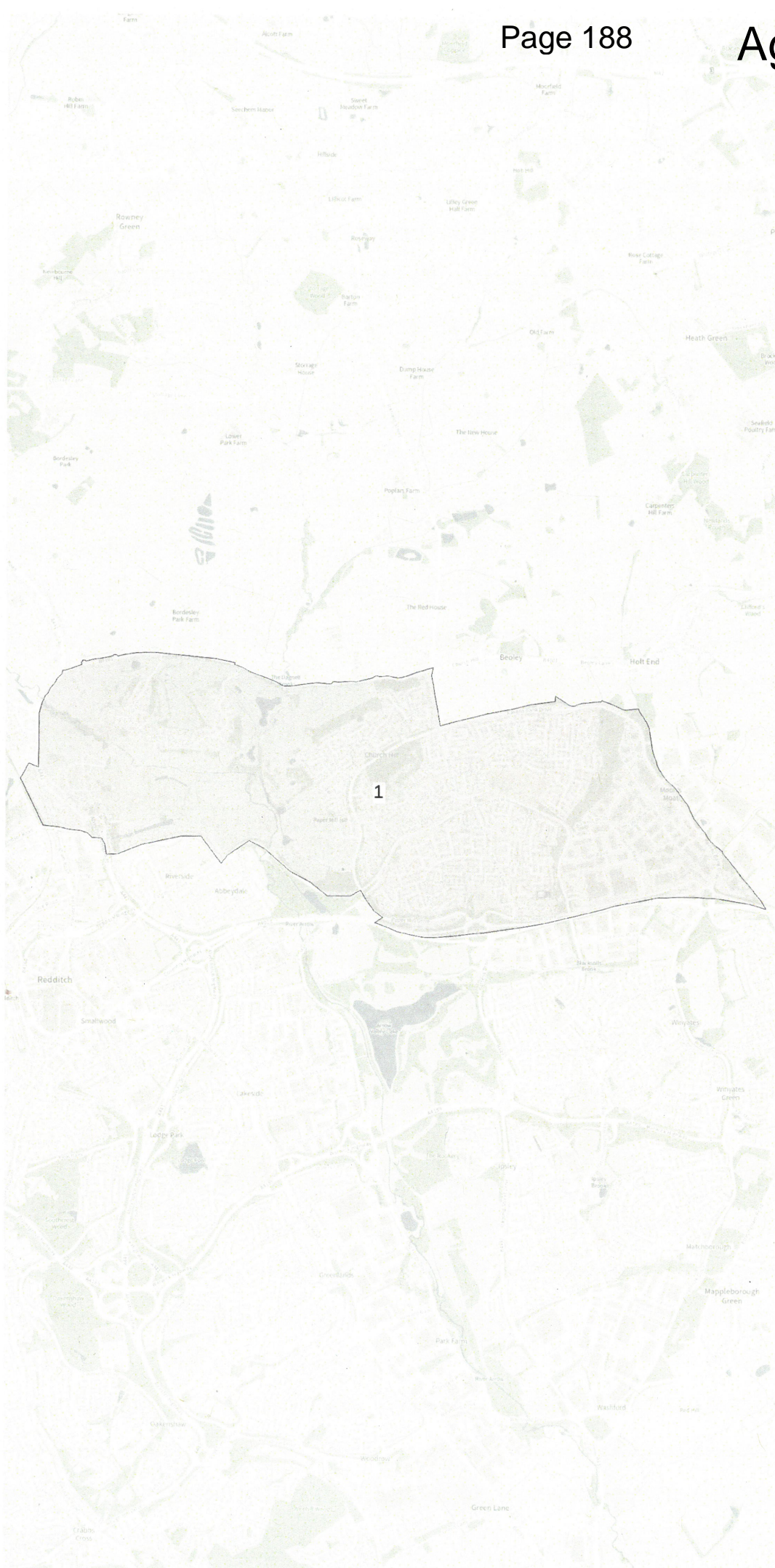
Cllr electorate: **2418**

Electorate Status: **Balanced**

Electorate Target:

Date/Time **2164 - 2644**

Submitted: **20/04/2022 16:58**



Agenda Item 15

Crabbs Cross, Greenlands & Oakenshaw

Councillors: **3**
 Property count: **4469**
 Total Electorate: **7332**
 Cllr electorate: **2444**
 Electorate Status: **Balanced**
 Electorate Target:
 Date/Time **2164 - 2644**
 Submitted: **20/04/2022 16:58**

1



Central

Councillors: 3

Property count: 4302

Total Electorate: 7074

Cllr electorate: 2358

Electorate Status: **Balanced**

Electorate Target:

Date/Time 2164 - 2644

Submitted: 20/04/2022 16:58



Batchley &

Brockhill

Councillors: 3

Property count: 4247

Total Electorate: 7374

Cllr electorate: 2458

Electorate Status: **Balanced**

Electorate Target:

Date/Time 2164 - 2644

Submitted: 20/04/2022 16:58



1

Matchborough

West & Woodrow

Councillors: 3

Property count: 4091

Total Electorate: 7128

Cllr electorate: 2376

Electorate Status: **Balanced**

Electorate Target:

Date/Time 2164 - 2644

Submitted: 20/04/2022 16:58

1

Lakeside

Councillors: 3

Property count: 4301

Total Electorate: 7320

Cllr electorate: 2440

Electorate Status: **Balanced**

Electorate Target:

Date/Time 2164 - 2644

Submitted: 20/04/2022 16:58

1

Matchborough

East & Winyates

Councillors: 3

Property count: 3843

Total Electorate: 7188

Cllr electorate: 2396

Electorate Status: **Balanced**

Electorate Target:

Date/Time 2164 - 2644

Submitted: 20/04/2022 16:58



1