



Herbert Warehouse
The Docks
Gloucester
GL1 2EQ

Wednesday, 15 July 2015

TO EACH MEMBER OF GLOUCESTER CITY COUNCIL

Dear Councillor

You are hereby summoned to attend a **MEETING OF THE COUNCIL** of the **CITY OF GLOUCESTER** to be held at the Civic Suite, North Warehouse, The Docks, Gloucester, GL1 2EP on **Thursday, 23rd July 2015** at **7.00 pm** hours for the purpose of transacting the following business:

AGENDA

1. **APOLOGIES**

To receive any apologies for absence.

2. **MINUTES (Pages 9 - 14)**

To approve as a correct record the minutes of the Council Meeting held on 21 May 2015.

3. **DECLARATIONS OF INTEREST**

To receive from Members, declarations of the existence of any disclosable pecuniary, or non-pecuniary, interests and the nature of those interests in relation to any agenda item. Please see Agenda Notes.

4. **PUBLIC QUESTION TIME (15 MINUTES)**

The opportunity is given to members of the public to put questions to Cabinet Members or Committee Chairs provided that a question does not relate to:

- Matters which are the subject of current or pending legal proceedings or
- Matters relating to employees or former employees of the Council or comments in respect of individual Council Officers.

5. **PETITIONS AND DEPUTATIONS (15 MINUTES)**

A period not exceeding three minutes is allowed for the presentation of a petition or deputation provided that no such petition or deputation is in relation to:

- Matters relating to individual Council Officers, or
- Matters relating to current or pending legal proceedings

6. **ANNOUNCEMENTS (COUNCIL PROCEDURE RULE 2(VII))**

To receive announcements from:

- a) The Mayor
- b) Leader of the Council
- c) Members of the Cabinet
- d) Chair of Committees
- e) Head of Paid Service

ISSUES FOR DECISION BY COUNCIL

7. **SUSPENSION OF COUNCIL PROCEDURE RULES**

To waive Council Procedure Rules to allow the relevant officers to address the Council in respect of item 8 on the agenda.

8. **STATEMENT OF COMMUNITY INVOLVEMENT (Pages 15 - 50)**

To receive the report of the Cabinet Member for Housing and Planning which seeks formal adoption of the Council's Statement of Community Involvement following public consultation.

9. **APPOINTMENT OF ELECTORAL REGISTRATION OFFICER AND RETURNING OFFICER (Pages 51 - 54)**

To receive the report of the Monitoring Officer seeking approval for the appointment of an Electoral Registration Officer and a Returning Officer.

10. **DESIGNATION OF MONITORING OFFICER**

To receive the report of the Head of Paid Service seeking approval for the designation of a Monitoring Officer (to follow).

Please note that this report will be supplied as a supplement to the agenda when it is available.

11. **VARIOUS CONSTITUTIONAL AMENDMENTS (Pages 55 - 74)**

To receive the report of the Monitoring Officer which seeks approval for constitutional changes and which notes potential contractual changes required to comply with legislation on the dismissal of statutory officers.

12. **ANNUAL REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEE FOR 2014-15 (Pages 75 - 100)**

To receive the report of the Chair of the Overview and Scrutiny Committee which sets out the work and achievements of the Committee during the year 2014-15.

13. **ANNUAL REPORT OF THE AUDIT AND GOVERNANCE COMMITTEE 2014-15 (Pages 101 - 110)**

To receive the report of the Chair of the Audit and Governance Committee which sets out the work and achievements of the Committee during the year 2014-15.

14. **QUESTIONS BY MEMBERS (COUNCIL PROCEDURE RULE 12)**

a) Written questions to Cabinet Members

No written questions have been received.

b) Leader and Cabinet Members' Question Time (45 minutes)

Any Member of the Council may ask the Leader of the Council or any Cabinet Member any question without prior notice, upon:

- Any matter relating to the Council's administration
- Any matter relating to any report of the Cabinet appearing on the Council's summons
- A matter coming within their portfolio of responsibilities

Only one supplementary question is allowed per question.

c) Questions to Chairs of Meetings (15 Minutes)

MOTIONS FROM MEMBERS

15. **NOTICES OF MOTION**

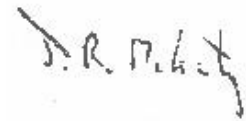
(1) MOVED BY COUNCILLOR HAIGH

"This Council agrees to set up a cross party working group to consider the implications of devolution within England for the City Council in the light of Leadership Gloucestershire's expression of interest to the DCLG to assume more powers."

(2) MOVED BY COUNCILLOR MCLELLAN

“This Council will write to the Local Government Association to ask them to seek government support for legislation to stop supermarkets throwing away food which has reached its sell by date and instead donate it to charity or use for animal feed and to support proposals by the EU Commission to recommend these ideas across the EU.”

Yours sincerely

A handwritten signature in dark ink, appearing to read 'J. R. McGinty', is written over a light grey rectangular background.

.....
Jon McGinty
Managing Director

NOTES

Disclosable Pecuniary Interests

The duties to register, disclose and not to participate in respect of any matter in which a member has a Disclosable Pecuniary Interest are set out in Chapter 7 of the Localism Act 2011.

Disclosable pecuniary interests are defined in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 as follows –

<u>Interest</u>	<u>Prescribed description</u>
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 or provided within the previous 12 months (up to and including the date of notification of the interest) in respect of any expenses incurred by you carrying out duties as a member, or towards your 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 which is made between you, your spouse or civil partner or person with whom you are living as a spouse or civil partner (or a body in which you or they have a beneficial interest) 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	Any beneficial interest in land which is within the Council's area. For this purpose "land" includes an easement, servitude, interest or right in or over land which does not carry with it a right for you, your spouse, civil partner or person with whom you are living as a spouse or civil partner (alone or jointly with another) to occupy the land or to receive income.
Licences	Any licence (alone or jointly with others) to occupy land in the Council's area for a month or longer.
Corporate tenancies	Any tenancy where (to your knowledge) – (a) the landlord is the Council; and (b) the tenant is a body in which you, your spouse or civil partner or a person you are living with as a spouse or civil partner has a beneficial interest
Securities	Any beneficial interest in securities of a body where – (a) that body (to your knowledge) has a place of business or

- land in the Council's area 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 you, your spouse or civil partner or person with whom you are living as a spouse or civil partner has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

For this purpose, “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.

NOTE: the requirements in respect of the registration and disclosure of Disclosable Pecuniary Interests and withdrawing from participating in respect of any matter where you have a Disclosable Pecuniary Interest apply to your interests and those of your spouse or civil partner or person with whom you are living as a spouse or civil partner where you are aware of their interest.

Access to Information

Agendas and reports can be viewed on the Gloucester City Council website: www.gloucester.gov.uk and are available to view five working days prior to the meeting date.

For further details and enquiries about this meeting please contact Tanya Davies, 01452 396125, tanya.davies@gloucester.gov.uk.

For general enquiries about Gloucester City Council's meetings please contact Democratic Services, 01452 396126, democratic.services@gloucester.gov.uk.

If you, or someone you know cannot understand English and need help with this information, or if you would like a large print, Braille, or audio version of this information please call 01452 396396.

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Any recording must take place in such a way as to ensure that the view of Councillors, Officers, the Public and Press is not obstructed. The use of flash photography and/or additional lighting will not be allowed unless this has been discussed and agreed in advance of the meeting.

FIRE / EMERGENCY EVACUATION PROCEDURE

If the fire alarm sounds continuously, or if you are instructed to do so, you must leave the building by the nearest available exit. You will be directed to the nearest exit by council staff. It is vital that you follow their instructions:

- You should proceed calmly; do not run and do not use the lifts;
- Do not stop to collect personal belongings;
- Once you are outside, please do not wait immediately next to the building; gather at the assembly point in the car park and await further instructions;
- Do not re-enter the building until told by a member of staff or the fire brigade that it is safe to do so.

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COUNCIL

MEETING : Thursday, 21st May 2015

PRESENT : Cllrs. Llewellyn (Mayor), Noakes (Sheriff & Deputy Mayor), James, Dallimore, Norman, Organ, Porter, Haigh, Hilton, McLellan, Smith, Hobbs, Lugg, C. Witts, Hanman, Lewis, Bhaimia, S. Witts, Field, Williams, Brown, Dee, Taylor, Beeley, Hansdot, Patel, Randle, Toleman, Chatterton, Pullen, Etheridge, Hampson, Norman and Pearsall

Others in Attendance

Martin Shields, Corporate Director of Services and Neighbourhoods
Ross Cook, Corporate Director
Sue Mullins, Head of Legal and Policy Development
Anthony Wilson, Head of Planning
Tanya Davies, Democratic and Electoral Services Manager

APOLOGIES : Cllrs. Gravells and Tracey

1. **ELECTION OF COUNCILLORS**

Abbey

Laura Pearsall
(Conservative – 2016)

Barton and Tredworth

Sajid Patel
(Conservative – 2016)

Kingsholm and Wotton

Sebastian Field
(Liberal Democrat – 2016)

Matson and Robinswood

Kate Haigh
(Labour – 2016)

Quedgeley Fieldcourt

Deb Llewellyn
(Conservative – 2016)

Westgate

Paul Toleman
(Conservative – 2016)

Barnwood

Tarren Randle
(Conservative – 2016)

Hucclecote

Chris Etheridge
(Conservative – 2016)

Longlevens

Kathy Williams
(Conservative – 2016)

Moreland

Neil Hampson
(Labour – 2016)

Quedgeley Severn Vale

Hannah Norman
(Conservative – 2016)

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2. ELECTION OF MAYOR

2.1 Moved by Councillor Brown, seconded by Councillor Hilton.

2.2 **RESOLVED** - That Councillor Sebastian Field be elected Mayor of the City of Gloucester until the Annual Council Meeting in 2016.

3. ELECTION OF SHERIFF AND DEPUTY MAYOR

3.1 Moved by Councillor McLellan, seconded by Councillor C. Witts.

3.2 **RESOLVED** - That Councillor Jim Beeley be elected Sheriff and Deputy Mayor of the City of Gloucester until the Annual Council Meeting in 2016.

The meeting was adjourned at 4.30pm for afternoon tea and reconvened at 5.30pm.

4. MINUTES

4.1 **RESOLVED** – That, subject to the replacement of the word ‘Conservative’ with the words ‘Liberal Democrat’ at paragraph 106.7, the minutes of the meeting held on 18 March 2015, be approved and signed by the Mayor.

5. DECLARATIONS OF INTEREST

5.1 Councillor Hilton declared a personal interest in Agenda Item 12, a report concerning the Adoption of the Constitution for 2015-16, as he was a Director of Gloucestershire Airport Limited.

6. ANNOUNCEMENTS (COUNCIL PROCEDURE RULE 2(VII))

6.1 There were no announcements.

7. ELECTION OF LEADER OF THE COUNCIL

7.1 The Mayor invited nominations for the position of Leader of the Council.

7.2 Councillor Organ moved the following motion, which was seconded by Councillor Pearsall:

“That for the 2015-16 municipal year, Councillor James be elected Leader of the Council.”

7.3 Councillor Haigh (Leader of the Labour Group) stated that the Labour Group did not support the proposed appointment. She noted that the Administration would have to deliver on significant challenges in respect of regeneration objectives and financial management and advised that she would be monitoring support to the voluntary and community sector and the Council’s relationship with the County Council. She stated that opposition members would hold the Administration to account and oppose any proposals to change their rights under the Constitution.

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- 7.4 Councillor Hilton (Leader of the Liberal Democrat Group) advised that the Liberal Democrat Group did not support the proposed appointment. He opposed proposals to end Group Leaders' meetings and verbal questions to Cabinet Members and warned emphasised the importance of cross-party agreement in respect of attracting investment and ensuring continuity.
- 7.5 Councillor Smith stated that proposals to abolish verbal questions to Cabinet Members was an erosion of democratic accountability and added that communication throughout the Council had not improved following the recommendations of the Peer Review.
- 7.6 Councillor Patel stated that verbal questions had been used to ask questions that could easily have been asked via email without the delay of waiting for a Council meeting.
- 7.7 Councillor Pullen stated that Members had a right to ask questions on behalf of the residents they represented.
- 7.8 Councillor James agreed that consensus on regeneration was important, but that Group Leaders' meetings were not utilised for that purpose; however, his door remained open for discussions with opposition Members. He stated that verbal questions to Cabinet Members did not benefit the Council and that business must be relevant; written questions would remain and the Overview and Scrutiny Committee still had an important role in scrutinising decisions.
- 7.9 **RESOLVED** - That for the 2015-16 municipal year, Councillor James be elected Leader of the Council.

Following election, the Leader of the Council advised of appointments to the Cabinet and allocations of portfolios as follows:

Councillor Paul James	Regeneration and Economy
Councillor Jennie Dallimore	Communities and Neighbourhoods
Councillor Lise Noakes	Culture and Leisure
Councillor David Norman	Performance and Resources
Councillor Colin Organ	Housing and Planning
Councillor Jim Porter	Environment

The Leader also advised the Council that he had appointed Councillor Dallimore as Deputy Leader of the Council to act in his absence.

8. SUSPENSION OF COUNCIL PROCEDURE RULES

- 8.1 Moved by Councillor James (Leader of the Council and Cabinet Member for Regeneration and Economy), seconded by Councillor Dallimore (Deputy Leader of the Council and Cabinet Member for Communities and Neighbourhoods) –
- 8.2 **RESOLVED** - That Council Procedure Rules be suspended to allow the relevant officers to address the Council in respect of agenda items 11 (Adoption of the

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Constitution for 2015-16) and 12 (Community Infrastructure Levy – Preliminary Draft Charging Schedule).

9. APPOINTMENT TO COMMITTEES, CONSULTATIVE FORUMS AND WORKING PARTIES AND NOMINATION FOR CHAIRS OF COMMITTEES AND VICE-CHAIRS FOR 2015/16

9.1 The Council considered the Schedule of Appointments to Committees, Consultative Forums and Working Groups, and nominations for Chairs and Vice Chairs for the municipal year 2015-16 (see Appendix 1). The appointment of Chairs and Vice Chairs to committees would be made at the first meeting of each committee.

9.2 Councillor James moved the motion set out in the schedule, subject to the inclusion of Councillors Tracey and Randle as named substitutes for the Conservative Group in respect of the Planning Committee.

9.3 Councillor Dallimore seconded the motion.

9.4 Councillor Haigh moved an amendment to appoint Councillor Hampson as Vice Chair of the Overview and Scrutiny Committee.

9.5 Councillor James accepted the amendment.

9.6 Councillor Brown moved an amendment to appoint Councillor McLellan to the vacant position on the Licensing and Enforcement Committee and to replace Councillor Field on the Constitutional and Electoral Working Group.

9.7 Councillor James accepted the amendment.

9.8 RESOLVED –

(1) The schedule of appointments of Members to Committees, Consultative Forums and Working Groups for 2015/16 be approved, subject to:

(i) the inclusion of Councillors Tracey and Randle as named substitutes for the Conservative Group in respect of the Planning Committee.

(ii) The appointment of Councillor McLellan to the vacant position on the Licensing and Enforcement Committee and to replace Councillor Field on the Constitutional and Electoral Working Group.

(2) In respect of the above, the Council, in accordance with Council Procedure Rules, appoint all Members as named deputies for all those meetings (with the exception of Cabinet, Planning Committee and Licensing and Enforcement Committee) to which the Member has not been appointed.

(3) That the nominations for Chair and Vice Chair of Committees, as set out in the schedule, be noted and that each Committee at its first meeting in the new municipal year 2015/16 confirms and appoints its Chair and Vice Chair.

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10. APPOINTMENTS TO OUTSIDE BODIES FOR 2015/16

- 10.1 The Council considered the Schedule of Appointments to Outside Bodies for the municipal year 2015-16 (see Appendix 2).
- 10.2 Moved by Councillor James, seconded by Councillor Dallimore:
- 10.3 **RESOLVED** - That the schedule of appointments to Outside Bodies be approved, subject to Councillor McLellan being appointed to the vacant position on the Environment and Ecology Forum.

11. ADOPTION OF THE CONSTITUTION FOR 2015-16

- 11.1 Council considered a report of the Monitoring Officer concerning changes to and the adoption of the Council's Constitution for the municipal year 2015-16.
- 11.2 Councillor Taylor moved the recommendations set out in the report.
- 11.3 Councillor James seconded the motion.
- 11.4 Councillor Smith moved an amendment to remove references to a 'convenor' in the Members' Working Group Protocol in Part 5 of the Constitution; she considered that it suggested that Members would themselves be responsible for the administrative work associated with a Working Group.
- 11.5 Councillor Taylor accepted the amendment
- 11.6 Councillor Haigh emphasised the importance of respecting the Council's Constitution and consulting with the Constitutional and Electoral Working Group before significant changes were proposed.
- 11.7 Councillor Hobbs noted that additional budget would have to be found to fund the allowance for the sixth Cabinet portfolio and that the Scheme of Allowances would have to be amended.
- 11.8 Councillor James responded that the Leader of the Council was permitted to adjust to number of Cabinet Members at any time.
- 11.9 Councillor Taylor advised that the Administration would bring proposals for changes to the Council Procedure Rules to the next meeting of the Constitutional and Electoral Working Group.
- 11.10 **RESOLVED** - That, subject to the changes shown in Appendix 1 to the report and the removal of the references to a 'convenor' in the Members' Working Group Protocol, the Constitution be adopted for the municipal year 2015-16.

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12. COMMUNITY INFRASTRUCTURE LEVY - PRELIMINARY DRAFT CHARGING SCHEDULE

- 12.1 Council considered a report of the Cabinet Member for Regeneration and Economy seeking approval of the Community Infrastructure Levy (CIL) – Preliminary Draft Charging Schedule for public consultation purposes.
- 12.2 Councillor James moved the recommendations set out in the report.
- 12.3 Councillor Taylor seconded the motion.
- 12.4 Councillor McLellan expressed disappointment that, as it stood, CIL would be of little benefit to Gloucester and he hoped that the situation would change in the future.
- 12.5 Councillor Taylor noted that the report was considered by the Planning Committee and that there was discontent in respect of some of the land values. He acknowledged that Section 106 contributions were not being abolished entirely and that it was anticipated that the Joint Core Strategy would help bring in an income for the CIL.
- 12.6 Councillor James advised that further viability work would take place and that the CIL would only be adopted if it was deemed that it would result in a suitable income, but excessive planning obligations that prevented development were not desirable.
- 12.7 **RESOLVED –**
- (1) That the publication of the Preliminary Draft Charging Schedule for public consultation purposes be approved;
 - (2) That power be delegated to the Head of Planning, in consultation with the Cabinet Member for Regeneration and Economy, to prepare the final consultation document.
 - (3) That power to approve further stages of public consultation on the Draft Charging Schedule be delegated to the Cabinet.

Time of commencement: 15:00 hours

Time of conclusion: 18:30 hours

Chair

Gloucester City Council

Meetings:	Planning Policy Sub-committee	Date:	18 June 2015
	Council		23 July 2015
Subject:	Statement of Community Involvement		
Report Of:	Cabinet Member for Housing and Planning		
Wards Affected:	All		
Key Decision:	No	Budget/Policy Framework:	No
Contact Officers:	Anthony Wilson, Head of Planning		
	Claire Rawlings, Principal Planning Officer		
	Email: anthony.wilson@gloucester.gov.uk	Tel: 396830	
	claire.rawlings@gloucester.gov.uk	396222	
Appendices:	1. Statement of Community Involvement 2. Schedule of comments received		

FOR GENERAL RELEASE

1.0 Purpose of Report

- 1.1 To update on the Council's Statement of Community Involvement (SCI) following its public consultation and to seek approval for its formal adoption.

2.0 Recommendations

- 2.1 That Planning Policy Sub-committee is asked to **RECOMMEND** that the minor revisions made to the draft SCI following public consultation be endorsed.
- 2.2 The Council is asked to **RESOLVE** that the SCI attached at Appendix 1 be formally adopted for planning policy and development control purposes.

3.0 Background: Statement of Community Involvement

- 3.1 The Council is obliged to prepare a Statement of Community Involvement (the SCI) pursuant to Section 18 of the Planning and Compulsory Purchase Act 2004. The SCI sets out who, when and how Gloucester City Council will engage with communities and key stakeholders during the planning process. This includes the preparation of development plan documents such as the Gloucester City Plan and consulting on planning applications.
- 3.2 The Council's last SCI was adopted in 2005. As a consequence, it is now out-of-date in that the secondary legislation around the preparation of development plan documents has been replaced by the Town and Country Planning (Local Planning) (England) Regulations 2012. The existing SCI does not take account of the Council's legal obligations under the Localism Act 2011 or other changes in development management practice.

- 3.3 An updated draft SCI was approved by Council for consultation purposes on 22 January and delegated authority was given to the Head of Planning in consultation with Head of Legal and Policy Development to make any minor changes to this statement arising from comments received during the consultation period.
- 3.4 The consultation ran from 2 February to 16 March 2015 and during this time 11 responses were received of which two related to budget issues. These two representations have been redirected to Head of Finance. The remaining nine responses were either supporting/commenting on the SCI with no objections received. A schedule of comments and officer responses are provided at Appendix 2 of this report and this has resulted in a number of small amendments being made to the SCI. The revised SCI can be found at Appendix 1 and is being presented to Council for adoption as Council policy for planning policy and development control purposes.

4.0 Alternative Options

- 4.1 There are no alternative options relevant to this matter.

5.0 Reasons for Recommendations

- 5.1 This report has been prepared because Council approval is required in order to adopt the SCI.

6.0 Future Work and Conclusions

- 6.1 There is no additional work required.

7.0 Financial Implications

- 7.1 No financial implications.

(Financial Services have been consulted in the preparation of this report).

8.0 Legal Implications

- 8.1 The SCI is a statutory requirement under Section 18 of the Planning and Compulsory Purchase Act 2004.

(Legal Services have been consulted in the preparation of this report).

9.0 Risk & Opportunity Management Implications

- 9.1 The risk of being judicially reviewed in connection with the out-of-date SCI is minimal but it is expedient that this document is updated before the Gloucester City Plan is progressed.

10.0 People Impact Assessment (PIA):

- 101 A PIA screening review was undertaken. It identified that the aim of the SCI is to clarify how the Council will consult the public and how local peoples' views will be

taken into account in the plan making and planning application decision processes. The solutions identified are both cost effective and appropriate to the various communities in the city, having built on existing local practice.

- 10.2 The PIA Screening Stage was completed and did not identify any potential or actual negative impact, therefore a full PIA was not required.

11.0 Other Corporate Implications

Community Safety

- 11.1 None.

Sustainability

- 11.2 None.

Staffing & Trade Union

- 11.3 None.

Background Documents:

None.

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Gloucester City Council
Statement of Community Involvement

July 2015



Gloucester City Council

Statement of Community Involvement

July 2015

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Contact Details

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Phone: 01452 396396

Write to: Planning Policy,
Herbert Warehouse,
The Docks,
Gloucester,
GL1 2EQ

Foreword

Gloucester City Council believes that all those who live, work and enjoy the City should be given the opportunity to engage actively and influence how it will grow and develop.

The City Council is committed to ensuring that all those who wish to be involved in the preparation of development plans and determination of planning applications are able to. This Statement of Community Involvement (SCI) explains who, when and how the Council will consult on planning matters.

The City Council first produced an SCI in January 2005. Much has changed since then, including changes to the regulations which set out the ways in which Government expects plans to be produced. The City Council also takes seriously its commitment to deliver the Government's localism agenda.

This update of the SCI more accurately reflects the new plan production requirements whilst ensuring involvement of all residents, businesses and important groups and organisations in the preparation of the City's Local Plan and in consulting on planning applications. The SCI sets out transparent, accessible and meaningful approaches to community involvement on planning matters.

Many local people will be aware that Gloucester City Council is currently preparing a joint planning document with Cheltenham Borough and Tewkesbury Borough Councils, called the Joint Core Strategy (JCS). A Joint Consultation Statement (November 2011) has been prepared which explains the consultation arrangements for the production of this Plan. This can be found by clicking on the following link:

<http://www.gct-jcs.org/PublicConsultation/>



Councillor Paul James
Leader of the Council

1. Introduction

- 1.1 This document is called Gloucester City Council's Statement of Community Involvement (SCI). Its main purpose is to set out who, when and how Gloucester City Council will engage with communities and key stakeholders during the planning process. This includes engagement in the preparation, alteration and continuing review of development plan documents (such as the Gloucester City Plan) and supplementary planning documents, as well as consulting on planning applications. The Council is legally required to prepare and adopt a statement of community involvement¹ and once adopted has to comply with it. The revised statement was adopted by the Council in July 2015.
- 1.2 This SCI will replace the Council's existing SCI which was adopted in 2005. The SCI needs to be revised to reflect changes in the legal requirements for consultation on local plans and in the determination of planning applications. These changes have been made in order to encourage more efficient production of plans and processing of applications.
- 1.3 Plan preparation covers production of **Development Plan Documents (DPDs)** which set out planning strategy, policies and proposals for the City's administrative area. These provide the planning framework for the area and are the main consideration in determining planning applications. The Council's Local Development Scheme sets out the programme for the preparation of planning documents ensuring consultation activities are staggered and that the SCI requirements can be met without undue pressure on resources. The Council is currently involved in the preparation of two development plan documents including the Joint Core Strategy² (JCS) and the City Plan. Collectively these will form the Local Plan for the City. The Regulations³ set out three main stages of plan production where consultation is required. These are:
- Preparation of a Development Plan Document (Regulation 18).
 - Publication of a Development Plan Document (Regulations 19 and 20).
 - Submission of a Development Plan Document to the Secretary of State (Regulation 22).
- 1.4 Section 3 of this SCI sets out the consultation requirements at each stage in more detail.
- 1.5 Gloucester City Council will occasionally produce **Supplementary Planning Documents (SPDs)** to add further detail to the policies and proposals contained with its development plan documents. The regulations set out two stages of plan production where some consultation is required. These are:
- Publication stage (Regulation 12).
 - Adoption (Regulation 14).
- 1.6 Section 3 of this SCI sets out the consultation requirements at each stage in more detail.

¹ A statement of community involvement is required under Section 18 of the Planning and Compulsory Purchase Act 2004 as amended by the Planning Act 2008, Localism Act 2011, and is informed by the National Planning Policy Framework 2012

² The JCS is being prepared with Cheltenham and Tewkesbury Boroughs and has its own overarching consultation statement November 2011

³ The Town and Country Planning (Local Planning) (England) Regulations 2012

- 1.7 Every year the Council processes a large number of planning applications. The nature and scale of these applications vary from householder and minor applications to large scale major applications for residential, employment, retail developments. The nature, scale and type of application will determine the level of consultation and community engagement undertaken.
- 1.8 In addition to the legal requirements above, Section 110 of the Localism Act 2011 sets out a **'duty to cooperate'**. It is a requirement that Local Planning Authorities engage with neighbouring authorities and other statutory bodies to consider joint approaches to plan making. Gloucester City Council is committed to meeting this duty and intends to work closely with neighbouring authorities and other partner organisations and stakeholders.
- 1.9 As part of this Duty to Cooperate a Memorandum of Understanding (MoU) has been compiled via the County Planning Officers Group (CPOG) and has been agreed as an officer CPOG agreed statement.

Section 9 of this MoU requires the following consultation arrangements to be met:

Each local planning authority signatory will:

- a) Notify the signatories in advance of each consultation stage in the preparation of its Local Plan;
 - b) Notify the signatories of consultation on any other planning document which, in its view, would have a significant impact on strategic planning or development within the Gloucestershire area;
 - c) If requested, meet with and discuss any issues raised by one or more of the other signatories and take into account any views expressed on those issues;
 - d) Notify the signatories of any major planning applications, from within its area or on which it is consulted by a local authority from outside its area, which would, in its view, have a significant impact on the strategic planning and development of the Gloucestershire area;
 - e) Take into account any views expressed in determining the application.
- 1.10 This statement of community involvement is divided into five main sections:
- Planning Policy Documents - community engagement.
 - Planning Policy Documents - consultation tables.
 - Gloucester City Council standards for planning applications.
 - Resourcing and management.
 - Monitor and review.

2. Planning Policy Documents - Community Engagement

Who do we consult?

- 2.1 The Local Planning Regulations set out who must be consulted at key stages of plan production. These are known as the specific consultees and an indicative list is provided at Appendix A.
- 2.2 The Council also identifies a number of other bodies who it may wish to consult at key stages. These are known as general consultation bodies and an indicative list is provided at Appendix B.
- 2.3 In addition, the Council is committed to involving a wide range of other individuals and organisations including members of the Community and hard to reach groups. The Council will use a range of consultation techniques in seeking to engage with different groups to establish the most effective means of enabling all the City's communities to make their views known and help shape planning decisions in their area. Some people will prefer direct contact with the council, either face-to-face or over the phone. Others may prefer communicating through the web, emails or text messaging. Some may need directly targeted communication because of disability, culture, language or literacy factors. In preparing our planning documents we will go further than consulting with the required consultees by trying to engage groups such as young people, ethnic minority groups, people with disabilities, elderly people, people in disadvantaged neighbourhoods and/or people with special housing or employment needs.
- 2.4 The Council will maintain an address database for consultation purposes and will seek to update this.

How do we consult?

- 2.5 The legal requirements concerning 'how' the Council must consult on Planning documents are set out in the Town and Country Planning (Local Planning)(England) Regulations (2012)(The Regulations).
- 2.6 A significant challenge for all local planning authorities is ensuring that all stakeholders are involved early enough in planning processes to enable them to have meaningful input. Early involvement can help to resolve any initial conflicts and can generate a sense of ownership. The Council will ensure that any consultation activities associated with the planning process will be co-ordinated with other Council services including the Neighbourhood Management Team.
- 2.7 To address this issue and engage effectively over a range of planning documents the Council will use a combination of transparent, accessible and meaningful consultation methods appropriate to the resources available, the policy area being prepared and its stage of preparation. Table 1 sets out a range of formal and informal community involvement methods and techniques which are considered most appropriate for use.
- 2.8 There is no significance in the order of the various methods and it is not anticipated that every one of these methods need be used. The list should be regarded as a menu from which to choose.

Table 1 - Community Involvement Methods

Method	Main Considerations
Council website	Information can be provided quickly and efficiently and accessed by the public from their own home or office at a time which is convenient to them. It should be user friendly and is also a useful means of providing feedback for those taking part in consultation exercises.
Email	This is a minimum requirement - information and responses can be provided quickly and efficiently. Where groups and individuals have an email address, information will normally be sent electronically.
Formal advertisements e.g., statutory notices	This is a minimum requirement - Statutory requirements to publish notices advertising planning applications and to invite representations during preparation of planning documents.
Media coverage - press releases, adverts, radio	Local newspapers/radio stations can be requested to carry articles about planning proposals/documents to raise awareness. It is cost effective in terms of bringing local issues into the local arena. Items may only be reported if they are considered newsworthy.
Consultation documents available for sale or CD or inspection at deposit locations including Council offices and libraries, by post and on the Internet	This is a minimum requirement. Traditional means of consultation and the information supplied can be in detail. Information needs to be in plain English with simplified formats. Council offices and documents should be accessible to those with disabilities.
Leaflet, newsletters and brochures	Can publicise and explain in simple language and invite comment. Newsletters can be sent to all residents; however, may be viewed as junk mail and disregarded. Can be expensive to distribute.
Formal written letter	Minimum requirements to consult statutory and other relevant consultation bodies by letter. High postage and administration costs.
Public exhibitions, public meetings and presentations	Can be used to circulate information, seek views and endorse proposals. Gives residents some flexibility in deciding when to visit and can encourage feedback. However, people attending may not be representative of the whole community. It does take planning issues to the people and provides an opportunity for people to discuss local issues directly with planning officers in an environment which local people will be familiar and therefore comfortable with. High staff costs in producing display material and manning the exhibition with no guarantee of turn out. Displaying information in local shops where people frequent should also be considered where appropriate.
Notices displayed on a site	Direct and local notification of proposals to those around a site, however notices can be vandalised or removed before the consultation period ends.
Through partnership organisations and	Useful for topic based discussions and to find out what specific groups feel. Provides opportunity to discuss issues in depth and to have ongoing dialogue. However high direct costs of facilitating.

Method	Main Considerations
focus groups, existing forums and panels	Important to build on existing networks rather than reinvent.
Councillor networks	Councillors play a very important role in terms of community engagement. They are a recognised point of contact for the local community to go to with regard to Council matters. It is vital to ensure that Councillors are kept well briefed.
One to one meetings and briefings	Useful for seeking views from targeted groups/individuals however they are time consuming and impracticable to use on a comprehensive basis.
Parish and Local Strategic Partnership (LSP)	Involve Quedgeley Parish Council and LSP with consultation exercises. They provide an invaluable contact with local communities. Also opportunity to assist in the preparation and distribution of consultation material (for example, on local notice boards and other appropriate locations).
Questionnaires and surveys	Enables quantifiable information to be collected. Questionnaires need to be well designed. No guarantee of likely response rate. Time consuming and costly.
Workshops and focus groups	Organised discussion based event to present and gather information. Can be targeted at key stakeholders. Requires skilled facilitators to ensure objectives are achieved.
Social Media	Twitter and Facebook can be a useful source for raising profile and signposting people to consultation events.

- 2.9 The Council will maintain a record of consultation responses received during the preparation of planning documents and will present a transparent decision making process to the community. Consultation responses are one of the matters to be taken into account by the Planning Policy Sub-Committee and Full Council when making decisions on plan making. A Consultation Statement will be produced for every planning document which will include summaries of all consultation responses received as well as officers' responses which will identify where the document has been amended in light of responses received. The Statement will be reported to members no later than the date that they consider making decisions on planning documents. The comments received will be made publicly available so they can be viewed by others with an interest in the matter.

When do we consult?

- 2.10 This section identifies when the Council will consult on emerging planning documents. It sets out the legal requirements governing development plan documents (DPDs) and supplementary planning documents (SPDs).

Development Plan Documents (DPDs)

- 2.11.1 The process for Development Plan preparation is provided at Figure 1. There are three main stages:

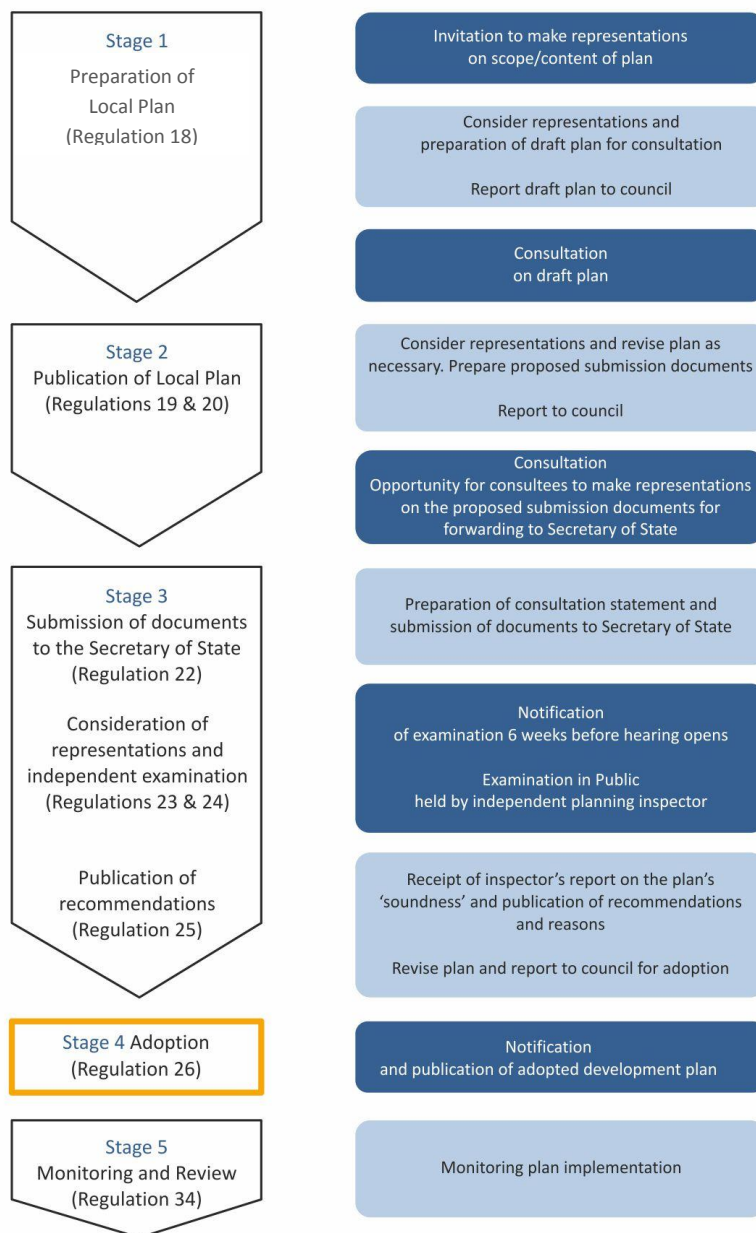
- (a) Preparation of a Local Plan (Regulation 18): consultation bodies are invited to make representations about what a Local Plan ought to contain.
- (b) Publication of a Local Plan (Regulations 19 and 20): copies of a proposed Local Plan and associated documents are made available for inspection for 6 weeks. The Council invites

interested parties to make formal representations at this stage. This is the final stage when formal representations can be made.

- (c) Submission of a Local Plan to the Secretary of State (Regulation 22): a copy of the proposed plan and associated documents is submitted to the Secretary of State for examination. An independent inspector is subsequently appointed to examine soundness of the plan. The Council provides the Inspector with the formal representations made at previous stages. At this stage the Council cannot consider new representations, although opportunities exist for additional statements to be made to support those previously made.

- 2.12 The Local Plan is then examined by the Inspector to ensure that it is sound and has met legal and procedural requirements including whether it has been prepared in accordance with the SCI. The inspector will consider all duly made representations and may invite the Council to make modifications to its Plan in order to make it sound. Further consultation is normally required in relation to these modifications. Consultation responses at this stage are considered by the Inspector and not the Council.
- 2.13 Subject to receiving a satisfactory Inspector's report that the Local Plan is sound, the Council will be in a position to adopt the DPD.
- 2.14 All DPDs require a Strategic Environmental Assessment (SEA) of the policies and proposals and Sustainability Appraisal (SA) which are produced with the Plan and assess the environmental, economic and social impact of its policies and proposals. These appraisals are usually consulted on and examined at the same time as consultation on the DPD.

Figure 1: Development Plan Document Preparation Stages
Town and Country Planning (Local Planning)(England) Regulations 2012



Supplementary Planning Documents (SPDs)

- 2.15 Gloucester City Council will occasionally produce Supplementary Planning Documents (SPDs) to add further detail to the policies contained with its development plan documents. SPDs can be area or topic based.
- 2.16 There are two main stages of SPD production where some form of consultation is required by the regulations. These are:
- Publication stage (Regulation 12): This involves making a copy of the proposed SPD available for inspection and representations are invited.

- Adoption (Regulation 14): This is when the Council will be in a position to adopt the SPD once it has considered any representations that have been made at publication stage.

2.17 The Council may if necessary include an additional preliminary stage to seek comments as part of the preparation of the SPD.

Neighbourhood Plans

2.18 The Localism Act 2011 introduced the ability for qualifying communities to draw up neighbourhood plans for their areas, which are consistent with the Council's development plans. The preparation of neighbourhood development plans is subject to separate regulations (The Neighbourhood Planning (General) Regulations 2012).

2.19 Neighbourhood groups - forums - are required to undertake pre-submission consultation themselves as set out in the regulations. The role of the local planning authority is largely one of notification and formal submission consultation (the processes being prescriptively set out in the regulations and the methods used will follow the notification processes set out in Table 2). The plan is then examined by an independent person and a referendum of the local neighbourhood is held. Gloucester City Council will provide support to groups in producing neighbourhood documents where qualifying bodies come forward.

2.20 At the time of writing, Gloucester City Council is collaborating with the Hempsted Community Forum on the preparation of its Neighbourhood Plan.

3. Planning Policy Documents Consultation Tables

3.1 Tables 2 and 3 identify consultation arrangements for the production of Development Plan Documents and Supplementary Planning Documents identifying who will be consulted, when and how.

Table 2 Consultation on Development Plan Documents⁴

Stage	Preparation	Who	How
Preparation of a local plan (Regulation 18)	Evidence gathering Scope of the plan	<ul style="list-style-type: none"> • Specific and general consultees • Any other residents wishing to make representations, or other persons carrying out business in the area that the Council considers appropriate 	Letter, email, internet, forums, press releases, deposit locations, workshops
Publication of a local plan (Regulations 19 and 20)	Consult on proposed submission document	<ul style="list-style-type: none"> • Specific and general consultees • Those registered on Council's database • Any other residents wishing to make representations, or other persons carrying out business in the area that the Council considers appropriate 	Letter, email, internet, press releases, exhibitions, questionnaires, forums, events, deposit locations
Submission of documents and information to the Secretary of State (Regulation 22)	Submission of Local Plan and all associated documents in accordance with Regulation 22	<ul style="list-style-type: none"> • Specific and general consultees • Those registered on the Council's database • Any other residents wishing to make representations, or other persons carrying out business in the area that the Council considers appropriate • Those who have responded previously/asked to be notified of submission 	Letter, email, internet, deposit locations
Independent examination (Regulation 24)	Independent examination of plan by an appointed Inspector	<ul style="list-style-type: none"> • All those who made representations 	Letter, email, internet, press releases, deposit locations

⁴ Please note that this table contains an overview of consultation methods available for each stage of Local Plan preparation. Not all methods will be used in each case, but those most suitable and appropriate given the scale and nature of the consultation will be used.

Adoption (Regulation 26)	Adoption of the plan by the Local Planning Authority	<ul style="list-style-type: none"> • All those involved in the process 	Letter, email, internet, press releases, deposit locations
Monitoring	After adoption of the plan	<ul style="list-style-type: none"> • Specific consultees • Any other residents or other persons carrying out business in the area that the Council considers appropriate 	Letter, email, internet

Table 3 Consultation on Supplementary Planning Documents⁵

Stage	Preparation	Who	How
Preparation stage	Evidence gathering Preparing Draft SPD	<ul style="list-style-type: none"> • Any relevant consultees, residents wishing to make representations or other persons carrying out business in the area that the Council considers appropriate 	Letter, email, Internet, meetings
Public participation stage (Regulation 12)	Consult on Draft SPD	<ul style="list-style-type: none"> • Specific and general consultees • Those registered on the Council's database • Any other residents wishing to make representations or other persons carrying out business in the area that the Council considers appropriate 	Letter, email, internet, press releases, exhibitions, questionnaires, forums, events, deposit locations
Adoption (Regulation 14)	Adoption of the plan by the Local Planning Authority	<ul style="list-style-type: none"> • All those involved in the process 	Letter, email, internet, press releases, deposit locations
Monitoring	After adoption of the plan	<ul style="list-style-type: none"> • Specific consultees • Any other residents or other persons carrying out business in the area that the Council considers appropriate 	Letter, email, internet

⁵ Please note that this table contains an overview of consultation methods available for each stage of the plan preparation process. Not all methods will be used in each case, but those most suitable and appropriate given the scale and nature of the consultation will be used.

4. Gloucester City Council Standards for Planning Applications

- 4.1 Gloucester City Council places great importance on public involvement in the planning application process. This section explains how the Council will encourage the community to become involved in this process and also explains the Council's expectations of applicants. Finding out what local residents and businesses think about new development is a fundamental part of the Council's Development Management Service and Gloucester City Council undertakes its legal obligations in a proactive manner. It accepts that local people have local knowledge and can provide a useful insight into local matters.
- 4.2 In terms of carrying out consultation, the Council is chiefly guided by the provisions of the Town and Country Planning (Development Management Procedure) (England) Order 2015. Procedures for planning applications that are related to Listed Buildings or Conservation Areas are covered by the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 4.3 Gloucester City Council ensures that every planning application is given a level of publicity that is commensurate with the size and nature of the proposal. In many instances, however, Gloucester City Council goes beyond what is legally required. For example, the Council undertakes consultation in relation to Reserved Matters applications (i.e. approval of details following the granting of outline permission) despite the fact that this is not a statutory requirement. Similarly, when amended plans are submitted with significant changes, the Council may re-consult with neighbours and relevant consultees. Change of use applications are also given site notices, which few authorities do.
- 4.4 Gloucester City Council will also seek to consult an appropriate range of statutory and non-statutory consultees. These could include organisations such as the Environment Agency, Heritage England and Severn Trent Water. Officers will also use their judgment and consult an appropriate range of non-statutory consultees. Over and above this, the Council will consult Quedgeley Parish Council on applications within their jurisdiction.
- 4.5 Neighbour notification letters are sent to residents that are likely to be affected by a proposed development. As part of this process, a list of material considerations is enclosed to ensure that any representations that the neighbour wishes to submit are kept solely to planning issues and not with regard to any personal matters.
- 4.6 Other measures adopted by Gloucester City Council include the application of a 40m consultation radius in respect of applications that involve a change of use to hot food takeaway. In addition, where objections are received to such proposals and the Council is recommending that permission be granted the application cannot be dealt with by Officers under delegated powers. It must therefore be taken to planning committee.
- 4.7 The City Council keeps a register of all current planning applications which can be viewed on the public access system. In addition, a 'weekly list' of planning applications is prepared and can be viewed on the Council's website.
- 4.8 The Council operates a system of public speaking at Planning Committee allowing individuals the opportunity to make their views about specific proposals known. This is supplemented by high-quality PowerPoint presentations on all Planning Committee items including plans and colour photographs.

- 4.9 In its drive towards a more transparent and accountable planning system and in the spirit of localism, the Government is encouraging local authorities when considering *significant* development proposals, to build on minimum consultation requirements and in particular to encourage more pre-application discussions and early community consultation.
- 4.10 For the purposes of this SCI, Gloucester City Council considers development to be *significant* if it meets any of the following criteria:
- Applications which constitute a significant departure from the most up to date Local Plan.
 - Applications for 50 or more homes.
 - Proposals which entail more than 1,000m² of gross floorspace.
 - Applications which are accompanied by an Environmental Statement.
- 4.11 This schedule is based on the Council's Delegation Scheme under which certain applications must go to the Planning Committee and cannot be dealt with under Delegated Officer Powers⁶.
- 4.12 There may also be occasions when applications are submitted that do not necessarily fall into any of the above categories but for various reasons may be considered to fall into the *significant* category. Officers will use their discretion in such instances.
- 4.13 In dealing with applications that meet any of the above criteria, officers will normally:
- Publish a newspaper advertisement, put up a site notice and notify an appropriate number of neighbouring properties.
 - Publish details of the application on the Council's website.
 - Report to the Planning Committee any additional representations that may have been received following the publication of the report.
- 4.14 For major developments, Gloucester City Council strongly encourages applicants before the application is submitted to arrange a public meeting or exhibition at a suitable location such as a local hall in close proximity to the application site, in order to allow the proposal to be more fully understood by the local community prior to submission.
- 4.15 When they submit their application, Gloucester City Council also encourages applicants to:
- Submit a brief statement as part of the application submission outlining how the results of the Pre-application Consultation Exercise have been taken into account in the final application documentation.
 - Attend meetings with local groups that are likely to have an interest in the application proposal.
- 4.16 Although there is no legal obligation for applicants to undertake the above steps, failure to consult properly may lead to objections being made by interested parties such as neighbouring residents, which could be material to the determination of the application.

⁶ Gloucester City Council's constitution can be viewed online. Go to <http://www.gloucester.gov.uk/council/more/Pages/council-constitution.aspx>

- 4.17 Gloucester City Council aims to encourage discussions to take place before any major application is submitted in order to try and achieve a degree of consensus and/or at least a clearer understanding of what the proposal is trying to achieve. The City Council has introduced a pre-application service to provide applicants with guidance prior to the submission of an application. There is a reasonable charge for this service and full details can be found on the Council's website.

5. Resourcing and Managing the Process

- 5.1 In preparing this approach to community consultation and to ensure that it is deliverable consideration has to be given to the resources available to manage the process. The Local Development Scheme (LDS) sets out the resources the Council has at its disposal to prepare the City's Development Plan documents. Officer time is a key resource issue. A balance has to be struck between consultation and the various production and management issues associated with the range of planning documents that are to be prepared.
- 5.2 The budget for Development Plan preparation will need to meet the costs of the legal requirements for community involvement in plan making. The Council's Local Development Scheme sets out a phased programme for the preparation of Development Plan Documents, ensuring that consultation activities are staggered and that the SCI's requirements can be met without undue pressure on staff resources. Resources for the Development Plan Programme are assessed through the Council's budget review process, which will include consultation requirements. Where possible, consultations will be coordinated with other departments, external stakeholders and local communities to make best use of resources.
- 5.3 In addition, as a Development Plan is being prepared particular issues may arise which may require additional community involvement work and the approach needs to be sufficiently flexible to enable this to be incorporated in the Plan preparation process.

6. Monitor and Review

- 6.1 This SCI will be monitored whilst planning documents are being prepared and as planning applications are determined in order to assess its effectiveness. In addition the SCI will be reviewed in response to any future change in regulation or other legislation.

Appendix A - Specific Consultees

Specific consultation bodies are:

- (a) Coal Authority.
- (b) Environment Agency.
- (c) English Heritage.
- (d) Marine Management Organisation.
- (e) Natural England.
- (f) Network Rail Infrastructure Limited.
- (g) Highways Agency.
- (h) A relevant authority any part of whose area is in or adjoins the local planning authority's area (a local planning authority, a county council, a parish council, a local policing body).
- (i) Any person:
 - i. to whom the electronic communications code applies by virtue of a direction given under section 106(3)(a) of the Communications Act 2003
 - ii. who owns or controls electronic communications apparatus situated in any part of the local planning authority's area
- (j) If it exercises functions in any part of the local planning authority's area:
 - i. a Primary Care Trust established under section 18 of the National Health Service Act 2006 or continued in existence by virtue of that section
 - ii. a person to whom a licence has been granted under section 6(1)(b) or (c) of the Electricity Act 1989
 - iii. a person to whom a licence has been granted under section 7(2) of the Gas Act 1986
 - iv. a sewerage undertaker
 - v. a water undertaker
- (k) Homes and Communities Agency

Appendix B - General Consultation Bodies

General consultation bodies are:

- (a) Voluntary bodies some or all of whose activities benefit any part of the local planning authority's area.
- (b) Bodies which represent the interests of different racial, ethnic or national groups in the local planning authority's area.
- (c) Bodies which represent the interests of different religious groups in the local planning authority's area.
- (d) Bodies which represent the interests of disabled persons in the local planning authority's area.
- (e) Bodies which represent the interests of persons carrying on business in the local planning authority's area.

Contacts

Policy

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If you, or someone you know cannot understand English and needs help with this information, or if you would like a large print, Braille, or audio version please call 01452 396396.



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APPENDIX 2 - SCHEDULE OF COMMENTS						
Name	Name	Organisation	Response Id	1. What is the nature of your response?	2. Please set out your views below.	Officer Response
The Guinness Partnership (Ben Cane)	Ben Cane	The Guinness Partnership	378675	Support	In addition to the communication methods already employed I would employ you to consider the use of social media to attract a wider audience. Twitter and Facebook have been a very positive source for signposting recently and may improve the circulation.	Agree. Amend Table 1 of the SCI to include the use of social media as a community involvement method
Retired (Richard Sims)	Richard Sims	Retired	378844	Comment	The number of homes that makes an application significant at 50 is too high should be 25.	This figure is from the Council's adopted scheme of delegation so cannot be altered as a result of SCI comments.
Robert Burns	Robert Burns		378863	Support	This SCI seems to be in good order and finding no objection I give it my approval.	Support noted
Stephen Morgan	Stephen Morgan		378916	Support	I fully support the SCI, but would suggest that other ways of seeking comments are needed. The Hempsted Neighbourhood Plan is a vital first step in reversing the trend which gives landowners and developers almost carte blanche to build on green field sites because these are more profitable than brown field sites. The onus should be on developers to prove that there is a need which cannot be satisfied by brownfield site development.	Support noted. The SCI provides a comprehensive range of community involvement methods for plan making use.
n/a (Samantha Alderman)	Samantha Alderman	n/a	379303	Support	I support the funding for CAB services, as I understand it is means tested and it is now one of the few ways people of moderate means can access legal support, particularly for family cases, following the withdrawal of public funding for most family law cases in April 2013. In my view, decisions taken today for short term political gain, have long term detrimental effects for our children in later life. The CAB also perform a vital role in the housing sector.	Not a response to the SCI - Response to budget consultation.
Gloucestershire Wildlife Trust (Gareth Parry)	Gareth Parry	Gloucestershire Wildlife Trust	379328	Support	My only query is on what determines whether a development requires an Environmental Statement? The proposed criteria for a significant development include submission of an Environmental Statement. My concern is that this will discourage developers from producing an Environmental Statement when it is best practice to do so. There should be set criteria to ensure this does not occur.	The requirements for when an Environmental Statement (ES) needs to be produced are set out in national regulations. It is, therefore, legally set out when it may or may not be necessary to produce an ES.
Chris Hebborn	Chris Hebborn		379517	Comment	In general, I am in support of this document, BUT, I see no mention of the Public Open Space Strategy as being part of the process, which surely it should be. Some wards are below the statutory requirement (Abbey being one) and this should be a special consideration too.	The remit of the SCI is to explain who, when and how the Council will consult on planning applications and on the preparation of development plan documents. The Open Space Strategy is a separate document which provides key evidence to inform the drafting of plan proposals and policies. The gathering of evidence to inform plan preparation is undertaken in most parts during the Regulation 18 stage of plan preparation. The consultation options at this stage are provided in section 3 of the SCI.
John Hughes	John Hughes		379553	Comment	Very concerned that the cultural aspects of the city (Guildhall events and the museum services) were not supported sufficiently well in the previous consultation. Regarding budget planning and like other local authorities, opportunities to improve services (as opposed to cutting them even further) are curtailed by Central Government's determination to control the funds potentially available if the breaks on council taxes could be lifted. Good to see that most want a council tax increase, albeit at 1% for the majority. In my view the only way to restore local services to a level that actually SERVES local residents and businesses is to raise the council tax to 5% or even more. Yes, that means challenging Central Government in a carefully developed strategy refuting the way local budget development is being baulked by the Chancellor. Surely a Conservative-led city council has sufficient standing to push hard for this. The political benefits at local level of appealing against such tight control are obvious, but that may have to be left eventually to another leading political party more in tune with the city's current needs and potential development. Development that has stuttered under the current administration.	Not a response to the SCI - Response to budget consultation.
Stroud District Council (Helen Johnstone)	Helen Johnstone	Stroud District Council	380339	Comment	Introduction - Support Gloucester City Council's commitment to meeting the duty to co-operate and working closely with neighbouring authorities, other partner organisations and stakeholders (para 1.9). Planning Policy Documents - Community Engagement Support the involvement of the Local Strategic Partnership in consultation exercises (Table 1 - Community Involvement Methods, para 2.8). As a general point, the Gloucestershire planning authorities are about to sign a Memorandum of Understanding covering strategic planning matters, including additional commitments with regard to engagement and co-operation. The final Statement of Community Involvement could make reference to that document.	Support noted on Duty to Cooperate and involvement of the Local Strategic Partnership. Agree that the SCI be amended to reflect the consultation arrangements included within the Gloucestershire Memorandum of Understanding, an officer agreed document.
David Brown	David Brown		391508	Support	Generally agree with the statement. I would encourage planning applicants to follow 4.16 / 4.17 / 4.18. This can be beneficial to all parties and in my experience works to everyone's advantage and makes progress of applications more smooth.	Comment noted
Office of Rail Regulation	Sir / Madam	Office of Rail Regulation	391510	Comment	Thank you for consulting ORR on the above Statement of Community Involvement. The Office of Rail Regulation has no comment to make on this particular document.	Comment noted

Persimmon Homes Severn Valley (Steven Kerry)	Steven Kerry	Persimmon Homes Severn Valley	391516	Comment	<p>Introduction, para. 1.4 Clarification on 'The Regulations', what regulations? We find Table 1; Community Involvement Methods to be very useful and accurately describes the main factors associated with each method, both positive and negative. P8, Development Plan Documents (DPDs) Para. 2.13 Repetition of 'a' before and after the word 'receiving' Figure 1: Development Plan Document Preparation Stages Stage 1 Typo (preparation). Although present in Section 3, recommend adding a reference to Neighbourhood Plans after SPDs in Section 2 as they also govern community engagement processes. Agree with the process undertaken in para. 4.6, as planning applications can only be refused on planning grounds the list of material considerations can be used as a filtering system for any objections relating to personal reasons. Para. 4.16 Add 'In the form of a Statement of Community Involvement' . . . Para. 4.18 We note reference to charges for pre application discussions, we would welcome clarification on what that cost would be. Overall we feel that the GCC SCI is a thorough and concise representation of the consultation processes for development plans and the submission of the planning applications, and subject to the proposed amendments above we support the SCI document.</p>	<p>Footnote 1 at para 1.1 of the SCI provides details of the statutory requirement for the preparation of the document. It also refers to the Town and Country Planning (Local Planning)(England) Regulations 2012 as being the relevant regulations. In terms of delivering a user friendly public document these references have been kept out of the main text and referred to as a footnote. To assit with the point raised a further footnote will be added at para 1.4 to refer again to the 2012 regulations. Para 2.13 - Amend plan as suggested Figure 1 - Amend plan as suggested Stage 1 - Amend plan as suggested Section 3 - Amend text. Move section 3 Neighbourhood Plans to follow on from section 2.17. as suggested. Para 4.16 - As the Council can only request this to occur, we cannot specify how it is formatted. Para 4.18 - The process and charges for pre application matters is set out on the Council's website. General Support noted.</p>
Network Rail (Barbara Morgan)	Barbara Morgan	Network Rail	391521	Comment	<p>Dear Sir/Madam Network Rail has been consulted by Gloucester City Council on the Statement of Community Involvement consultation. Thank you for providing us with this opportunity to comment on this Planning Policy document. Network Rail is a statutory undertaker responsible for maintaining and operating the country's railway infrastructure and associated estate. Network Rail owns, operates, maintains and develops the main rail network. This includes the railway tracks, stations, signalling systems, bridges, tunnels, level crossings and viaducts. The preparation of development plan policy and determination of relevant planning applications is important in relation to the protection and enhancement of Network Rail's infrastructure. In this regard, we are pleased to see Network Rail listed as a specific consultee. Developer Contributions The development plan policy should set a strategic context requiring developer contributions towards rail infrastructure where growth areas or significant housing allocations are identified close to existing rail infrastructure. Many stations and routes are already operating close to capacity and a significant increase in patronage may create the need for upgrades to the existing infrastructure including improved signalling, passing loops, car parking, improved access arrangements or platform extensions. As Network Rail is a publicly funded organisation with a regulated remit it would not be reasonable to require Network Rail to fund rail improvements necessitated by commercial development. It is include the following: A requirement for development contributions to deliver improvements to the rail network where appropriate. A requirement for Transport Assessments to take cognisance of impacts to existing rail infrastructure to allow any necessary developer contributions towards rail to be calculated. A commitment to consult Network Rail where development may impact on the rail network and may require rail infrastructure improvements. In order to be reasonable these improvements would be restricted to a local level and would be necessary to make the development acceptable. We would not seek contributions towards major enhancement projects which are already programmed as part of Network Rail's remit.</p> <p>Level Crossings Development proposals; affecting the safety of level crossings is an extremely important consideration for emerging planning policy to address. The impact from development can result in a significant increase in the vehicular and/or pedestrian traffic utilising a crossing which in turn impacts upon safety and service provision. As a result of increased patronage, Network Rail could be forced to reduce train line speed in direct correlation to the increase in vehicular and pedestrian traffic using a crossing. This would have severe consequences for the timetabling of trains and would also effectively frustrate any future train service improvements. This would be in direct conflict with strategic and government aims of improving rail services. In this regard, we would request that the potential impacts from development affecting Network Rail's level crossings, is specifically addressed through planning policy as there have been instances whereby Network Rail has not been consulted as statutory undertaker where a proposal has impacted on a level crossing. We request that a policy is provided confirming that: Gloucester City Council have a statutory responsibility under planning legislation to consult the statutory rail undertaker where a proposal for development is likely to result in a material increase in the volume or a material change in the character of traffic using a level crossing over a railway: Schedule 5 (f)(ii) of the Town & Country Planning (Development Management Procedure) order, 2010 requires that; Where any proposed development is likely to result in a material increase in volume or a material change in the character of traffic using a level crossing over a railway Town Planning, Network Rail, 3rd Floor, TemplePoint, Re</p>	<p>Support noted. Reference to Developer Contributions is not an issue for the SCI. This is a matter for the Infrastructure Development Plan (IDP) and the Community Infrastructure Levy (CIL). Consultation requirements (including new wider requirements) with Network Rail are set out in the Town and Country Planning (Development Management Procedure)(England)Order 2015.</p>

				<p>(public footpath, public or private road) the Planning Authority's Highway Engineer must submit details to both Her Majesty's Railway Inspectorate and Network Rail for separate approval. Any planning application which may increase the level of pedestrian and/or vehicular usage at a level crossing should be supported by a full Transport Assessment assessing such impact: and The developer is required to fund any required qualitative improvements to the level crossing as a direct result of the development proposed.</p> <p>Planning Applications</p> <p>We would appreciate Gloucester City Council providing Network Rail with an opportunity to comment on any future planning applications or proposed site allocations should they be submitted for sites adjoining the railway, or within close proximity to the railway as we may have more specific comments to make (further to those above).</p> <p>Contact should be made to Network Rail's Town Planning Team for review and comment. All initial proposals should be sent to Network Rail Town Planning Team at the following address:- Town Planning, Network Rail, 3rd Floor, TemplePoint, Re(public footpath, public or private road) the Planning Authority's Highway Engineer must submit details to both Her Majesty's Railway Inspectorate and Network Rail for separate approval.</p> <p>Any planning application which may increase the level of pedestrian and/or vehicular usage at a level crossing should be supported by a full Transport Assessment assessing such impact: and The developer is required to fund any required qualitative improvements to the level crossing as a direct result of the development proposed.</p> <p>Planning Applications</p> <p>We would appreciate Gloucester City Council providing Network Rail with an opportunity to</p>	
				<p>comment on any future planning applications or proposed site allocations should they be submitted for sites adjoining the railway, or within close proximity to the railway as we may have more specific comments to make (further to those above). Contact should be made to Network Rail's Town Planning Team for review and comment.</p>	

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Gloucester City Council

Meeting:	Council	Date:	23 July 2015
Subject:	Appointment of Electoral Registration Officer and Returning Officer		
Report Of:	Monitoring Officer		
Wards Affected:	All Wards		
Key Decision:	No	Budget/Policy Framework:	No
Contact Officer:	Tanya Davies, Democratic and Electoral Services Manager		
	Email: tanya.davies@gloucester.gov.uk	Tel:	396125
Appendices:	None		

FOR GENERAL RELEASE

1.0 Purpose of Report

- 1.1 To outline the legal requirements relating to the appointment of an Electoral Registration Officer and Returning Officer.

2.0 Recommendations

- 2.1 Council is asked to **RESOLVE**:

- (1) That, in terms of the Representation of the People Act 1983 and all related legislation, Jonathan McGinty be appointed as Electoral Registration Officer for the City.
- (2) That, in terms of Section 41 of the Local Government Act 1972 and all related legislation, Jonathan McGinty be appointed as Returning Officer for the City Council, with authority to act in that capacity for elections to the City and Quedgeley parish council.
- (3) That the City Council Returning Officer also be appointed or authorised to act in respect of all related electoral, poll or referendum duties, including in relation to County Council elections, elections to the European Parliament, and for national and regional polls or referenda.
- (4) That the Electoral Registration Officer and the Returning Officer be authorised to appoint a deputy or deputies in relation to these roles.
- (5) That, in relation to the duties of Returning Officer or any other electoral, referendum or polling duties arising from such an appointment, the Returning Officer shall be entitled to be remunerated in accordance with the scale of fees approved by the Gloucestershire Election Fees Working Party for local elections, or the relevant scale of fees prescribed by a Fees Order in respect of national, regional or European Parliament elections, polls or referenda.

- (6) That in all cases where it is a legal requirement or normal practice to do so, fees paid to the Returning Officer shall be superannuable, and the Council shall pay the appropriate employer's contribution to the superannuation fund, recovering such contribution from central government or other agencies where this can be done.
- (7) That in relation to the conduct of local authority elections and polls, and elections to the UK Parliament, and all other electoral duties where the Council is entitled by law to do so, the Council shall take out and maintain insurance, indemnifying the Council and the Returning Officer against legal expenses reasonably incurred in connection with the defence of any proceedings brought against the Council or the Returning Officer and/or the cost of holding another election in the event of the original elections being declared invalid (provided that such proceedings or invalidation are the result of accidental contravention of any legislation governing the electoral process, or accidental breach of any ministerial or other duty by the Returning Officer or any other person employed by or officially action for them in connection with the election or poll).
- (8) That, in the event of such insurance carrying an 'excess' clause by which an initial portion of risk is not insured, the Council, through its internal insurance reserve or otherwise, will indemnify the Returning Officer up to the value of such an excess.

3.0 Background and Key Issues

- 3.1 Under Section 8 of the Representation of the People Act 1983, and section 41 of the Local Government Act 1972, the Council is required to appoint one of its officers to act as Electoral Registration Officer and a Returning Officer for the City Council.
- 3.2 The roles of the Electoral Registration Officer and the Returning Officer for the City Council, as extended by various Acts of Parliament or Statutory Orders, cover such duties as:
 - Returning Officer for Quedgeley Parish Council elections or parish polls
 - Acting Returning Officer for Parliamentary Elections where designated by the appropriate Government Minister
 - Deputy Returning Officer for County Council elections in relation to the divisions within Gloucester City
 - Local Returning Officer for elections to the European Parliament; and
 - Local Counting Officer in relation to national and regional referenda

4.0 Alternative Options Considered

- 4.1 The Council has a statutory duty to make these appointments from suitably qualified employees. No other options have been identified.

5.0 Reasons for Recommendations

5.1 To meet the statutory requirements to appoint a Returning Officer and Electoral Registration Officer.

7.0 Financial Implications

7.1 There are no financial implications.

8.0 Legal Implications

8.1 Under Section 8 of the Representation of the People Act 1983, and section 41 of the Local Government Act 1972, the Council is required to appoint one of its officers to act as Electoral Registration Officer and a Returning Officer for the City Council.

8.2 Under Part 3, Section 1 of the Gloucester City Council constitution, Council has the duty to appoint an Electoral Registration Officer and a Returning Officer for local government elections.

9.0 Risk & Opportunity Management Implications

9.1 Associated risks are mitigated by the Election Risk Register.

10.0 People Impact Assessment (PIA):

10.1 The PIA Screening Stage was completed and did not identify any potential or actual negative impact, therefore a full PIA was not required.

11.0 Other Corporate Implications

Community Safety

11.1 There are no community safety implications resulting from this report.

Sustainability

11.2 There are no sustainability implications resulting from this report.

Staffing & Trade Union

11.3 There are no issues relating to trade unions arising from this report.

Background Documents: None

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Gloucester City Council

Meeting:	Council	Date:	23 July 2015
Subject:	Various Constitutional amendments		
Report Of:	Monitoring Officer		
Wards Affected:	All		
Key Decision:	No	Budget/Policy Framework:	No
Contact Officer:	Tanya Davies, Democratic and Electoral Services Manager		
	Email: tanya.davies@gloucester.gov.uk	Tel:	39-6125
Appendices:	1. Extracts from Constitution 2015-16 showing proposed changes required as a result of legislation		
	2. Proposed changes to Organisational Development Committee Terms of Reference		
	3. Proposed changes to Meetings of the Council		
	4. Proposed changes to Council Procedure Rules		

FOR GENERAL RELEASE

1.0 Purpose of Report

- 1.1 To seek approval to various constitutional changes and to note potential contractual changes required to comply with legislation on the dismissal of the Head of Paid Service, Chief Finance Officer and Monitoring Officer (the 'statutory officers').

2.1 Recommendations

- 2.1 Council is asked to **RESOLVE** that

- (1) The changes to the Constitution shown in Appendix 1 be approved.
- (2) The changes to the Constitution shown in Appendix 2 be approved.
- (3) The changes to the Constitution shown in Appendix 3 be approved and the Cabinet Members for Communities and Neighbourhoods and Performance and Resources be asked to consider reviewing the Council's approach to People Impact Assessments.
- (4) The changes to the Constitution shown in Appendix 4 be approved.

3.0 Background and Key Issues

Changes required by legislation (Appendix 1)

- 3.1 The Council's statutory officers (the Head of Paid Service, the Chief Finance Officer and the Monitoring Officer) have statutory responsibilities to discharge to the

Council. In order to enable these officers to discharge their responsibilities within the political environment of local government, the Local Authorities (Standing Orders) (England) Regulations 2001 included statutory protection for these officers by requiring the appointment of a Designated Independent Person (DIP) to investigate any allegation of misconduct against these senior officers.

3.2 The Department for Communities and Local Government (DCLG) expressed concerns that the DIP process was complex and expensive in practice and was of the view that it placed councils as the employer at a great disadvantage in comparison to the position of the employee, given that the recommendation of the DIP had to be followed. The DCLG also felt that the DIP process could also be time consuming in cases where the Council and the relevant officer could not agree on a DIP.

3.3 The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 came into force on 11 May 2015. The Regulations require local authorities to incorporate in their Standing Orders provisions set out in a Schedule to the Regulations and to modify existing Standing Orders so that they conform with those provisions. The authority has to do this no later than the first ordinary meeting of the authority after the Regulations come into force.

3.4 In summary:

- a) the Regulations provide that the final decision to dismiss any statutory officer (i.e. the Head of Paid Service, the Chief Finance Officer and the Monitoring Officer) must be taken by full Council. The previous Regulations applied to dismissal of the Head of Paid Service only.
- b) There is no longer any requirement to appoint a Designated Independent Person (DIP) before dismissing or disciplining a statutory officer.
- c) Before taking any decision to dismiss a statutory officer, the Council must invite at least two Independent Persons (as appointed to deal with standards matters under Section 28(7) of the Localism Act 2011) to be members of a Panel, and the Council must take into account any recommendation of that Panel before taking a decision to appoint or dismiss the statutory officer.
- d) The Panel is a committee of the authority and is therefore subject to all the usual requirements for committees, including the proportionality rules.
- e) The Independent Persons invited to be appointed to the Panel are to be appointed in a priority order and may include independent persons appointed by another authority or authorities.

3.5 The Constitution includes Standing Orders on the procedure for disciplining and dismissing officers, as required by the Local Authorities (Standing Orders) (England) Regulations 2001 and these are set out in the Officer Employment Procedure Rules at Part 4 of the Constitution. Appendix 1 sets out the relevant parts of the Constitution, with proposed deletions shown as 'struck through' text (e.g. ~~struck through~~) and additions shown in **bold underlined font**.

Changes to the Organisational Development Committee Terms of Reference (Appendix 2)

- 3.6 Under the current Constitutional provisions, any change to staffing structure (e.g. in terms of the number of posts or the types of posts) including structure proposals which have no financial impact (cost or saving), require Organisational Development Committee (ODC) approval before they can be implemented. This adds to the timescale for implementation of proposed restructures and could have a knock-on impact on achievement of the Council's savings targets over the coming months.
- 3.7 ODC previously considered amending the terms of reference in February 2014, but at that time there were a number of service reviews and restructure proposals going through and the Committee decided that it should retain the power to approve all changes to staffing structures; however, recently the Committee has been required to approve changes to structures, which in reality are minor and need not be delayed by the requirement for Committee approval.
- 3.8 Council is therefore asked to consider what level of restructure should be reported to Committee and what restructuring ought to be delegated to officers to determine. It is suggested that the Committee be called upon to agree restructures affecting two or more staff or any posts at Grade I or above; all other changes to staff structures would be agreed by the Head of Paid Service.
- 3.9 Additionally, it is proposed that the frequency of ODC meetings be amended to reflect the reality, which is that four meetings take place each year and are agreed as part of the annual programme of meetings.
- 3.10 Appendix 2 shows the changes proposed.

Changes to Meetings of the Council

- 3.11 Appendix 3 proposes the dissolution of the Equality Champions Group (ECG). The Group, although appointed to each year at Annual Council, has not met for at least four years and there has been no pressure from Members for the ECG to meet. The Council's approach to equalities has evolved since the establishment of the ECG, along with the allocation of staffing resources, and it is considered that the requirement for a formally constituted body has ceased to exist.
- 3.12 The Constitutional and Electoral Working Group supports the recommendation to dissolve the ECG and asks that the Cabinet Members for Communities and Neighbourhoods and Performance and Resources consider reviewing the Council's approach to People Impact Assessments.

Changes proposed to Council Procedure Rules

- 3.13 Appendix 4 proposes changes to two Council Procedure Rules: ordinary meetings order of business and questions by Members. The amendments are proposed in order to streamline the business of Council meetings and make efficient use of the time available.

3.14 It is proposed that the time period for spontaneous oral questions from Members is reduced to 30 minutes and the order of business be altered to bring oral questions by Members up the agenda and move written questions by Members to the end of the agenda. For clarity, the proposed order of business at ordinary Council meetings is:

1. Apologies
2. Minutes
3. Declarations of Interest
4. Public Question Time (15 minutes)
5. Petitions and Deputations
6. Announcements
7. Oral Questions by Members
 - a. Leader and Cabinet Member's Question Time (30 minutes)
 - b. Questions to Chairs of Meetings (15 minutes)
8. Issues for decision by Council (reports)
9. Notices of Motion
10. Written Questions by Members

4.0 Alternative Options Considered

4.1 There are no alternative options relevant to the amendments to the procedure for the dismissal of statutory officers.

4.2 Alternatives may be proposed in respect of Appendices 2-4.

5.0 Reasons for Recommendations

5.1 In respect of Appendix 1, the Council Officer Employment Procedure Rules and other parts of the Constitution require amendment to comply with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015.

5.2 In respect of the proposals outlined in Appendices 2-4, it is considered that the amendments will effectively streamline the business of Council meetings.

6.0 Future Work and Conclusions

6.1 The changes proposed to the procedure for the dismissal of statutory officers are required to ensure that the Council's Standing Orders comply with the relevant legislation.

6.2 The other constitutional amendments proposed will take immediate effect if they are approved by the full Council.

7.0 Financial Implications

7.1 The Regulations limit the remuneration that should be paid to Independent Persons on the Panel to the level of remuneration which they would normally receive as an Independent Person in the conduct regime. In the case of the Council, this is £300 per annum (based on attendance at 4 meetings).

7.2 There are no financial implications associated with the other constitutional amendments proposed.

(Financial Services have been consulted in the preparation this report.)

8.0 Legal Implications

8.1 These are mainly as set out in the report. Additionally, where contracts of employment for statutory officers incorporate the previous DIP process, the Council will need to seek variations to those contracts to avoid being in breach of contract as a result of these changes.

(Legal Services have been consulted in the preparation this report.)

9.0 Risk & Opportunity Management Implications

9.1 As the Council has only appointed 1 Independent Person, it will need to either seek to appoint another Independent Person or invite Independent Persons appointed by another or other authorities if and when any Panel is required, in order to ensure that the Panel contains at least 2 Independent Persons.

10.0 People Impact Assessment (PIA):

10.1 The PIA Screening Stage was completed and did not identify any potential or actual negative impact, therefore a full PIA was not required.

11.0 Other Corporate Implications

Community Safety

11.1 There are no community safety implications.

Sustainability

11.2 There are no sustainability implications.

Staffing & Trade Union

11.3 If the employment contracts of the Head of Paid Service, Chief Finance Officer or Monitoring Officer contain contractual terms that are affected by the 2015 Regulations, those terms and conditions will need to be changed.

Background Documents: None.

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Article 4 – The Full Council

4.01 Definitions

(a) **Policy Framework**

The policy framework means the following plans and strategies to be approved by the Full Council:-

- Plans and Strategies
- Council's Corporate Plan
- Best Value Performance Plan
- Sustainable Community Strategy
- Crime and Disorder Reduction Strategy
- Development Plan Documents
- Housing Strategy(ies)
- Housing Investment Programme
- Climate Change Policy
- Licensing Policy Statement
- Gambling Policy – Statement of Principles
- Sex Establishment Licensing Policy
- Cultural Strategy
- Airport Strategy (except Airport shareholder functions delegated to the Leader)
- Joint Waste Strategy

including any amendments to, replacement of or updates to any such plans and strategies, save for minor textual or other changes which are unlikely to have a substantial impact or effect on the Policy Framework plans or strategies and which are in accordance with the Council's approved budget.

(b) **Budget**

The budget includes the allocation of financial resources to different services and projects, proposed contingency funds, the Council tax base, setting the Council tax and decisions relating to the control of the Council's borrowing requirements, the control of its capital expenditure and the setting of virement limits.

(c) **Housing Land Transfer**

Housing Land Transfer means the approval or adoption of applications (whether in draft form or not) to the Secretary of State for approval of a programme of disposal of 500 or more properties to a person under the Leasehold Reform, Housing and Urban Development Act 1993 or to dispose of land used for residential purposes where approval is required under sections 32 or 43 of the Housing Act 1985.

4.02 Functions of the Full Council

Only the Council shall exercise the following functions:

- (a) adopting and approving changes to Parts 1 – 4 inclusive of the Constitution;

- (b) approving adopting or making changes that are likely to have a substantial impact or effect on the Policy Framework, the budget and any application to the Secretary of State in respect of any Housing Land Transfer;
- (c) subject to the urgency procedure contained in the Access to Information Procedure Rules in Part 4 of this Constitution, making decisions about any matter in the discharge of a Leader or Cabinet function which is covered by the Policy Framework or the budget where the decision maker is minded to make it in a manner which would be contrary to the Policy Framework or contrary to/or not wholly in accordance with the budget;
- (d) appointing and removing the Leader of the Council;
- (e) agreeing and/or amending the terms of reference for committees, deciding on their composition and making appointments to them;
- (f) appointing representatives to outside bodies unless the appointment is a Leader or Cabinet function or has been delegated by the Council;
- (g) agreeing a Code of Conduct for Members;
- (h) adopting an allowances scheme under Article 2.05 (see also Part 6 of this Constitution);
- (i) changing the name of the area;
- (j) conferring the Freedom of the City;
- (k) confirming the appointment or dismissal of the Head of Paid Service;
- (l) confirming the dismissal of the Chief Finance Officer or the Monitoring Officer;**
- ~~(m)~~ making, amending, revoking, re-enacting or adopting bylaws and promoting or opposing the making of local legislation or private Bills;
- ~~(n)~~ all local choice functions set out in Part 3 of this Constitution which the Council decides should be undertaken by itself rather than the Cabinet; and
- ~~(o)~~ all other matters which by law must be reserved to Council.

4.03 Council Meetings

There are three types of Council meetings

- (a) the annual meeting;
- (b) ordinary meetings;
- (c) extraordinary meetings (special);

and they shall be conducted in accordance with the Council Procedure Rules in Part 4 of this Constitution.

4.04 Responsibility for Functions

The Council shall maintain the tables in Part 3 of this Constitution setting out the responsibilities for the Council's functions which are not the responsibility of the Leader or Cabinet.

Scheme of Management - Responsibility for Council and Executive Functions

Introduction

This part of the Constitution sets out which parts of the Council are responsible for carrying out particular functions. All functions are the responsibility of either Full Council or the Executive.

Functions fall into three categories:

- (i) **Council functions:** (Functions, which are the responsibility of Full Council and **not** the Executive).
These functions may be exercised by the Council itself or delegated to a committee, sub-committee or officer. Such delegations will be set out in the terms of reference for that committee / sub-committee or recorded in the Officers' Scheme of Delegation.
- (ii) **Local Choice functions:**
These are functions which the Council can chose to discharge either through a committee / sub-committee or the Executive or delegate to officers.
- (iii) **Executive functions:** (Functions, which are the responsibility of the Executive and **not** Full Council)
These functions may be exercised by the Leader him/herself or delegated to the Cabinet, a committee of the Cabinet, or an individual Member of the Cabinet (Portfolio Holder) or officer, or another Local Authority. Such delegations will be set out in 3.1 below (Decision Making by Individual Cabinet Members) or the terms of reference for that committee / sub-committee or recorded in the Officers' Scheme of Delegation.

1. Council Functions

The Council is responsible for all matters relating to the Policy Framework as detailed in Article 4 namely:

Policy Framework

- Plans and Strategies
- Council's Corporate Plan
- Best Value Performance Plan
- Sustainable Community Strategy
- Crime and Disorder Reduction Strategy
- Development Plan Documents
- Housing Strategy(ies)
- Housing Investment Programme
- Climate Change Policy
- Licensing Policy Statement
- Gambling Statement of Principles
- Sex Establishment Licensing Policy
- Cultural Strategy
- Airport Strategy
- Joint Waste Strategy

In addition to the matters set out in Article 4.02, the Council has specifically reserved the following responsibilities for its determination:

- (1) Virements from the Council's approved Annual Revenue and Capital Budgets in excess of £100,000
- (2) Approval and allocation of the Council's annual borrowing limit
- (3) Approval of Treasury Management Strategies and Policies
- (4) The appointment of review boards under regulations made pursuant to Section 34(4) of the Social Security Act 1998
- (5) The duty to appoint an Electoral Registration Officer
- (6) The duty to appoint a Returning Officer for local government elections
- (7) The power to make temporary appointments to Parish Councils.
- (8) The power to submit proposals to the Secretary of State for an Order under Section 10 (pilot schemes for local elections in England and Wales) of the Representation of the People Act 2000.
- (9) The power to make Standing Orders with regards to contracts.
- (10) The power to appoint [or dismiss](#) the Head of Paid Service.
- (11) The power to dismiss the Chief Finance Officer or Monitoring Officer;**
- ~~(11)~~(12) Any decision as to whether a casino is located in Gloucester
- ~~(12)~~(13) Any resolution for whole Council elections
- ~~(13)~~(14) Any change in the name of electoral areas
- ~~(14)~~(15) Those functions appearing in Schedule 4 to the Functions Regulations save to the extent as determined by the Council or as provided elsewhere in this Scheme of Delegation.

OFFICER EMPLOYMENT PROCEDURE RULES

(Revised 2015)

Comment [s1]: Revision following the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015, which change local authorities' procedures for removing a senior officer.

1. Recruitment and Appointment

- (a) Declarations
 - (i) The Council will draw up a statement requiring any candidate for appointment as an officer to state in writing whether they are the parent, grandparent, partner, child, stepchild, adopted child, grandchild, brother, sister, uncle, aunt, nephew or niece of an existing Councillor or officer of the Council, or of the partner of such persons.
 - (ii) No candidate so related to a Councillor or an officer will be appointed without the authority of the relevant Head of Service or an officer nominated by him/her.
- (b) Seeking support for appointment
 - (i) The Council will disqualify any applicant who directly or indirectly seeks the support of any Councillor for any appointment with the Council. The content of this paragraph will be included in any recruitment information.
 - (ii) No Councillor will seek support for any person for any appointment with the Council.
 - (iii) No Councillor shall provide a reference for any person applying for a post within the Council.

2. Recruitment of Head of Paid Service, ~~Corporate Directors~~ Chief Officers and Statutory Officers

Where the Council proposes to appoint a ~~(Head of Paid Service),~~ Chief Officer or other Statutory Officers, the Council will:

- (a) Draw up a statement specifying:
 - (i) the duties of the officer concerned; and
 - (ii) any qualifications or qualities to be sought in the person to be appointed;
- (b) Make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it; and
- (c) Make arrangements for a copy of the statement mentioned in paragraph 1 to be sent to any person on request.
- (e) 'Chief Officer', and 'Head of Paid Service' shall have the same meaning as in Section 2 of the Local Government and Housing Act 1989.

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3. Appointment of Head of Paid Service

The Full Council will approve the appointment of the Head of Paid Service following the recommendation of such an appointment by a Panel of Council Members. That Panel must include at least one Member of the Executive and will be drawn from the Organisational Development Committee.

4. Appointment of ~~Corporate Directors~~ Chief Officers and Statutory Officers

- (a) The Organisational Development Committee of the Council will appoint ~~Corporate Directors~~ Chief Officers and Statutory Officers. This Committee must include at least one Member of the Cabinet.
- (b) An offer of employment as a ~~Corporate Director~~ Chief Officer or Statutory Officer shall only be made where no well-founded objection from any Cabinet Member has been received.

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5. Other Appointments

- (a) **Officers below ~~Corporate Director~~ Chief Officer level.** Appointment of officers below ~~Corporate Director~~ Chief Officer level (other than assistants to political groups) is the responsibility of the Head of Paid Service or his/her nominee, and may not be made by Councillors.
- (b) **Assistants to political groups.** Appointment of an assistant to a political group shall be made in accordance with the wishes of that political group.

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6. Disciplinary Action

- (a) **Suspension.** The Head of Paid Service, Monitoring Officer ~~and or~~ Chief Finance Officer may be suspended whilst an investigation takes place into alleged misconduct. That suspension will be on full pay for as short a period as possible.
- ~~(b)~~ **Independent person.** ~~No other disciplinary action may be taken in respect of any of those officers except in accordance with a recommendation in a report made by a designated independent person (Regulation 7 – The Local Authorities (Standing Orders) (England) Regulations 2001).~~
- (eb) Councillors will not be involved in the disciplinary action against any officer below Director Chief Officer level except where such involvement is necessary for any investigation or inquiry into alleged misconduct, though the Council's disciplinary, capability and related procedures, as adopted from time to time may allow a right of appeal to Members in respect of disciplinary action.

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7. Dismissal

~~(a)~~ In this paragraph

- i. 'the 2011 Act' means the Localism Act 2011;
- ii. 'Chief Finance officer', 'disciplinary action', 'Head of the authority's Paid Service' and 'Monitoring Officer' have the same meaning as in regulation 2 of the Local Authorities (Standing Orders) (England) Regulations 2001;
- iii. 'Independent Person' means a person appointed under Section 28(7) of the 2011 Act;
- iv. 'local government elector' means a person registered as a local government elector in the register of electors in the authority's area in accordance with the Representation of the People Acts;
- v. 'the Panel' means a committee appointed by the authority under section 102(4) of the Local Government Act 1972 for the purposes of advising the authority on matters relating to the dismissal of relevant officers of the authority;
- vi. 'relevant meeting' means a meeting of the authority to consider whether or not to approve a proposal to dismiss a relevant officer;

- vii. 'relevant officer' means the Chief Finance officer, Head of the authority's Paid Service or Monitoring Officer, as the case may be;
- (b) A relevant officer may not be dismissed by an authority unless the procedure set out in the following paragraphs is complied with.
- (c) The authority must invite relevant Independent Persons to be considered for appointment to the Panel, with a view to appointing at least two such persons to the Panel.
- (d) In paragraph 7(c) above, 'relevant Independent Person' means any independent person who has been appointed by the authority or, where there are fewer than two such persons, such Independent Persons as have been appointed by another authority or authorities as the authority considers appropriate.
- (e) Subject to paragraph 7(f) below, the authority must appoint to the Panel such relevant Independent Persons who have accepted an invitation issued in accordance with paragraph 7(c) above in accordance with the following priority order:
- i. A relevant Independent Person who has been appointed by the authority and who is a local government elector;
 - ii. Any other relevant Independent Person who has been appointed by the authority;
 - iii. A relevant Independent Person who has been appointed by another authority or authorities.
- (f) An authority is not required to appoint more than two relevant Independent Persons in accordance with paragraph 7(e) above but may do so.
- (g) The authority must appoint any Panel at least 20 working days before the relevant meeting.
- (h) Before the taking of a vote at the relevant meeting on whether or not to approve such a dismissal, the authority must take into account, in particular –
- i. Any advice, views or recommendations of the Panel;
 - ii. The conclusions of any investigation into the proposed dismissal; and
 - iii. Any representations from the relevant officer.
- (i) Any remuneration, allowances or fees paid by the authority to an Independent Person appointed to the Panel must not exceed the level of remuneration, allowances or fees payable to that Independent Person in respect of that person's role as Independent Person under the 2011 Act.
- (j) Councillors will not be involved in the dismissal of any officer below ~~Corporate Director~~ Chief Officer except where such involvement is necessary for any investigation or inquiry into alleged misconduct, though the Council's disciplinary, capability and related procedures, as adopted from time to time may allow a right of appeal to Members in respect of dismissals.

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Appendix 2

To amend the Terms of Reference for the Organisational Development Committee to ensure that minor changes to officer structures can be approved by the Head of Paid Service without the requirement for Member approval.

10. Organisational Development Committee

The Committee shall have the functions, powers and responsibilities set out below and in Article 8 of this Constitution.

Membership: 5 (Quorum 2) (Politically Proportional)

Comprising: Members drawn from each of the political groups.

Frequency

of Meetings: ~~The Corporate Director of Resources will call meetings as and when required and also for training purposes.~~ 4 meetings per year and at other such times as required

Requirement: Members appointed to the Organisational Development Committee shall be obliged to abide by Employment Legislation and current personnel policies, procedures and guidelines, especially in respect of recruitment, discipline and grievance.

(a) Role:

- (i) Consider all relevant matters relating to the salaries and contractual terms of the Head of Paid Service, Corporate Directors, S151 Officer and Monitoring Officer.
- (ii) Identify the processes and to take actions to secure the recruitment and selection of the Head of Paid Service, Corporate Directors, S151 Officer and Monitoring Officer.
- (iii) Determine the numbers and responsibilities of Corporate Directors and to take actions to give effect to this including, the declaration of the redundancy of Corporate Director posts where appropriate.
- (iv) Agree adjustments to officer structures and management ~~organization~~organisation that affect two or more staff or any posts at Grade I or above.
- (v) Approve terms for retirement and redundancy at the Head of Paid Service, Corporate Director and statutory officer level.
- (vi) Approve and oversee the management of change process, including processes for appointments (to be made by the Head of Paid Service and/or the relevant Corporate Director(s)) to senior management positions and the Monitoring Officer, with, as necessary, consultation. After consultation with Employee Forum, modify personnel policies and to advise the Corporate Director of Resources in pursuit of his/her delegated powers on changes to personnel policies.
- (vii) To form, as required, a panel of three Members to conduct employee grievance and disciplinary appeals involving the Head of Paid Service, Corporate Directors and Statutory Officers in accordance with the Council's grievance and disciplinary procedures. Panel members will require necessary training for this role.

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Appendix 3

To dissolve the Equality Champions Group with immediate effect.

12. Equality Champions Group

~~The Group shall have the functions, powers and responsibilities set out below.~~

~~**Membership:** — 3 (Quorum 2) [One representative from each of the three largest political groups].~~

~~**Comprising:** — Members drawn from each of the three largest political groups.~~

~~**Frequency**~~

~~**of Meetings:** — 2 meetings per annum.~~

~~**Requirement:** — Each Member to represent and co-ordinate equality issues.~~

~~**(a) Role:**~~

~~(i) — To represent, promote and support equalities throughout the city.~~

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Appendix 4

Amendments to the Council Procedure Rules.

2. ORDINARY MEETINGS ORDER OF BUSINESS

2.01 Programme of ordinary meetings

The programme of ordinary meetings of the Council will be agreed at an ordinary meeting of Council on an annual basis.

[Note: The programme of ordinary meetings of the Council will normally cover at least an 18 month period]

2.02 Ordinary meetings shall:

- (i) elect a person to preside if the Mayor (Chair) and Sheriff and Deputy Mayor (Vice-Chair) are not present;
- (ii) approve the minutes of the last meeting;
- (iii) deal with any business from the last Council meeting;
- (iv) receive any declarations of interest from Members and officers;
- (v) receive questions from, and provide answers to, the public in relation to matters which in the opinion of the person presiding at the meeting are relevant to the business of the meeting;
- (vi) receive petitions and deputations from the public;
- (vii) receive any announcements from the Mayor, Leader, Members of the Cabinet, Overview and Scrutiny Committee Chair, Licensing and Enforcement Committee Chair, Planning Committee Chair, Audit and Governance Committee Chair or the Head of Paid Service;
- (viii) ~~consider any other business specified in the summons to the meeting, including consideration of proposals from the Cabinet in relation to the Council's Budget and Policy Framework,~~receive oral questions from Members, including Leader and Cabinet Members' Question Time (oral and written questions) and reports of the Overview and Scrutiny Committee for debateQuestions to Chairs of Meetings;
- (ix) ~~consider the report of the Corporate Director of Resources concerning recommendations to Council from other Committees;~~consider any other business specified in the summons to the meeting, including consideration of proposals from the Cabinet in relation to the Council's Budget and Policy Framework, reports from the Cabinet and the Council's Committees and reports of the Overview and Scrutiny Committee.
- (x) consider motions;
- (xi) ~~receive reports from the Cabinet and the Council's Committees and receive questions and answers on any of these reports;~~receive Written Questions to Cabinet Members;
- (xii) an exception to the above rules will apply to the budget meeting of Council by the omission of Leader and Cabinet Members' Question Time, Questions to Chairs of Meetings and Written Questions to Cabinet Members and issue debate business.

12. QUESTIONS BY MEMBERS

12.01 Leader and Cabinet Members' Question Time

That a period of ~~forty-five~~thirty minutes be set aside so that any Member of Council may ask the Leader of the Council or any Cabinet Member any question, without prior notice, upon

- any matters relating to the Council's administration;
- relating to any report of the Cabinet appearing on the Council's summons;
- a matter coming within their portfolio of responsibilities.

Where there is one opposition Group, the opposition group leader shall have the opportunity to ask the first two questions and where there are two opposition groups, the opposition group leaders shall have the opportunity to ask the first four questions, two questions each respectively.

Every question shall be put and answered without discussion provided that a Member may ask one supplementary question related to a question already put by themselves.

12.02 Written Questions to Cabinet Members

Subject to Rule 15, a Member of the Council may submit a written question to any Cabinet Member

- a matter coming within their portfolio of responsibilities subject to a copy of such question being delivered to the Corporate Director of Resources not later than 12.00 noon ten clear working days preceding the day of the Council meeting, provided that, at the discretion of the Chair a question may be permitted without such notice relating to business which the Chair considers to be urgent upon the same being delivered to the Chair in writing; or
- relating to a report of the Cabinet appearing on the Council summons.

Every question shall be put and answered without discussion, provided that a Member may ask one supplementary question related to a question already put by themselves and that no time limit be imposed on supplementary questions and answers.

12.03 Questions To Chairs of Meetings

That a period of 15 minutes be set aside so that any Member of the Council may ask the Chair of a Committee any question upon any issue in respect of that Committee or in respect of an item shown in the minutes of the Committee after they have been approved by the relevant Committee.

12.04 Answers To Questions

Any answer may take the form of:-

- (a) a direct oral answer; or
- (b) where the desired information is contained in a publication of the Council, a reference to that publication; or
- (c) where the reply to the question cannot conveniently be given orally, a written answer circulated to Members of the Council and if not confidential, to the press.

Gloucester City Council

Meeting:	Council	Date:	23 July 2015
Subject:	Annual Report of the Overview and Scrutiny Committee for 2014-15		
Report Of:	Chair of the Overview and Scrutiny Committee		
Wards Affected:	All		
Key Decision:	No	Budget/Policy Framework:	No
Contact Officer:	Sonia Tucker, Democratic Services Officer (Scrutiny Support)		
	Email: sonia.tucker@gloucester.gov.uk	Tel:	396126
Appendices:	1. Overview & Scrutiny Committee Annual Report 2014-15		

FOR GENERAL RELEASE

1.0 Purpose of Report

- 1.1 This report introduces the Annual Report of the Overview and Scrutiny Committee for 2014-15 which sets out the work and achievements of the Committee during the year.

2.0 Recommendations

- 2.1 Council is asked to **RESOLVE** that the Annual Report of the Overview and Scrutiny Committee for 2014-15 be noted.

3.0 Background and Key Issues

- 3.1 Article 6 of the Council's Constitution requires that the Overview and Scrutiny Committee shall 'provide and co-ordinate the input into an annual report to Full Council on such issues and topics as the Committee sees fit' (Article 6.08.h).
- 3.2 The Annual Report sets out the areas focused on by the Committee in 2014-15 and Task and Finish Group activity.

4.0 Alternative Options Considered

- 4.1 Not Applicable.

5.0 Reasons for Recommendations

- 5.1 The Council has adopted the Leader and Cabinet model for its executive arrangements under the Local Government Act 2000. These arrangements must provide for the appointment of one or more overview and scrutiny committees and the Constitution provides that an annual report on the Committees activities be presented to Council.

6.0 Future Work and Conclusions

6.1 The Annual Report highlights the rolling work programme for the Committee in 2015-16. The Lead Members on Overview and Scrutiny will determine additional items for the work programme and the Committee will select task and finish group topics in due course.

7.0 Financial Implications

7.1 There are no financial implications arising out of this report.

(Financial Services have been consulted in the preparation this report.)

8.0 Legal Implications

8.1 The Council's Constitution requires that the work of the Overview and Scrutiny Committee is reported to Council on an annual basis. This report fulfils that requirement.

(One Legal have been consulted in the preparation this report.)

9.0 Risk and Opportunity Management Implications

9.1 Not applicable.

10.0 People Impact Assessment (PIA):

10.1 The PIA Screening Stage was completed and did not identify any potential or actual negative impact, therefore a full PIA was not required.

11.0 Other Corporate Implications

Community Safety

11.1 There are no community safety implications arising out of this report.

Sustainability

11.2 There are no sustainability implications arising out of this report.

Staffing and Trade Union

11.3 There are no staffing or trade union implications arising out of this report.

Background Documents: None

Gloucester City Council

**ANNUAL REPORT
OF THE
OVERVIEW AND SCRUTINY
COMMITTEE
2014-15**



**Published by Democratic Services
June 2015**

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INTRODUCTION FROM THE CHAIR

I am delighted to present the Overview and Scrutiny Committee's report on its activities in 2014-15.

It has been a year of challenges and pressures on the resources and finances of local government and the Committee has played its part in monitoring and scrutinising the Council's activities.



The Committee has had a full and varied work programme including two special events which were held during the year namely, a 'Question Time' styled panel and a workshop with students.

I would like to thank my fellow Committee Members, the Cabinet, all Councillors who have contributed to the Task and Finish Groups, and the Democratic Services Officer for their support and co-operation during 2014-15

*Councillor Jan Lugg
Chair Overview and Scrutiny Committee 2014-15*

MEET THE MEMBERS



Councillor Janet Lugg
Chair



Councillor Susan Witts
Vice-Chair



Councillor Andrew Gravells
Spokesperson



Councillor Kate Haigh



Councillor Jim Beeley



Councillor Andy Lewis



Councillor Sebastian Field



Councillor Gerald Dee



Councillor Nigel Hanman



Councillor Gordon Taylor



Councillor Said Hansdot



Councillor Norman Ravenhill



Councillor Paul Toleman



Councillor Declan Wilson



Councillor Terry Pullen

HOW SCRUTINY WORKS AT GLOUCESTER CITY COUNCIL

Overview and Scrutiny has the powers to:

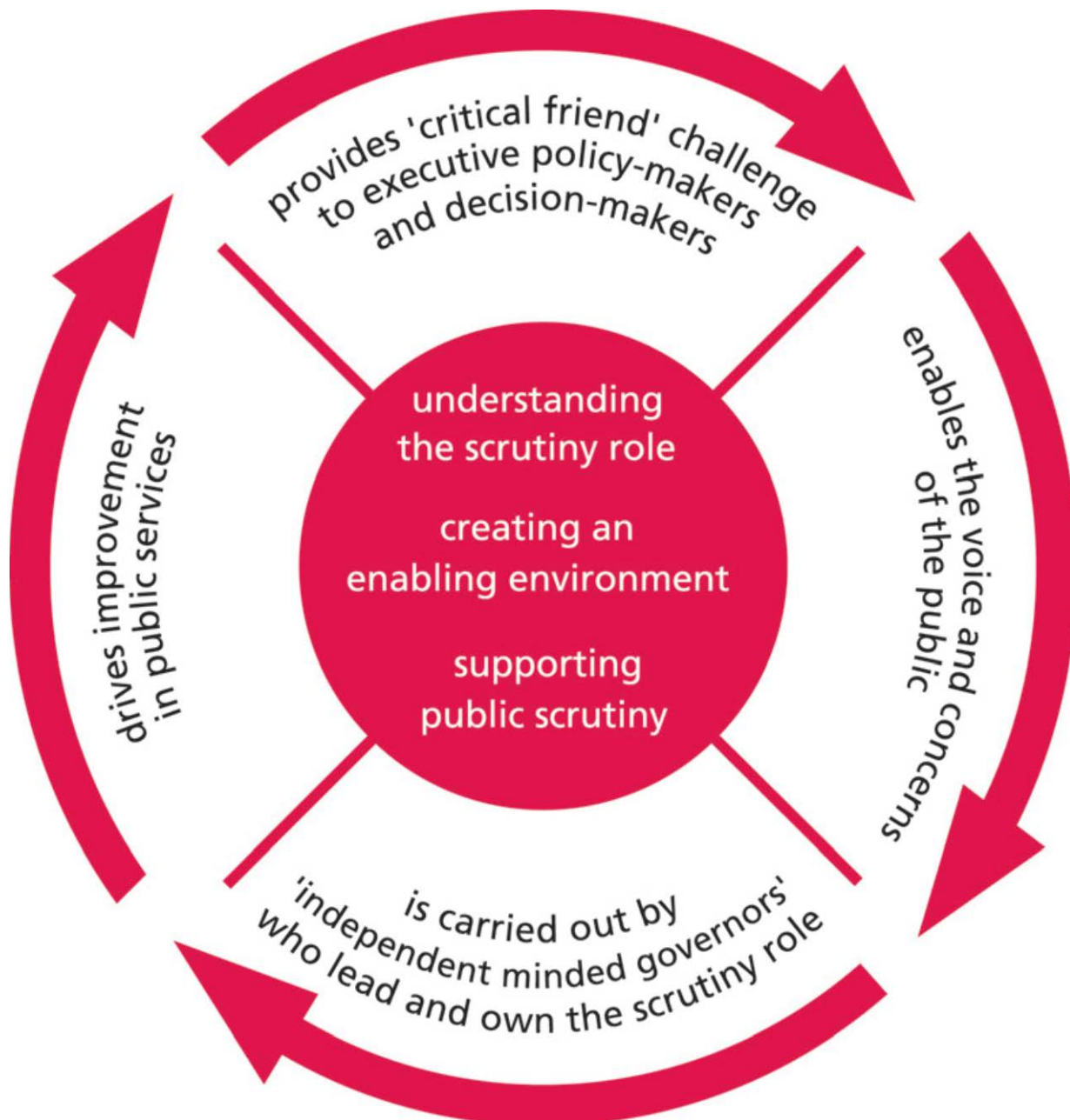
- Provide a sounding board for the Cabinet on key policy decisions.
- Hold decision makers to account.
- Challenge and improve performance.
- Support the achievement of value for money.
- Influence decision makers with evidence based recommendations.
- Bring in the views and evidence of stakeholders, users and citizens.

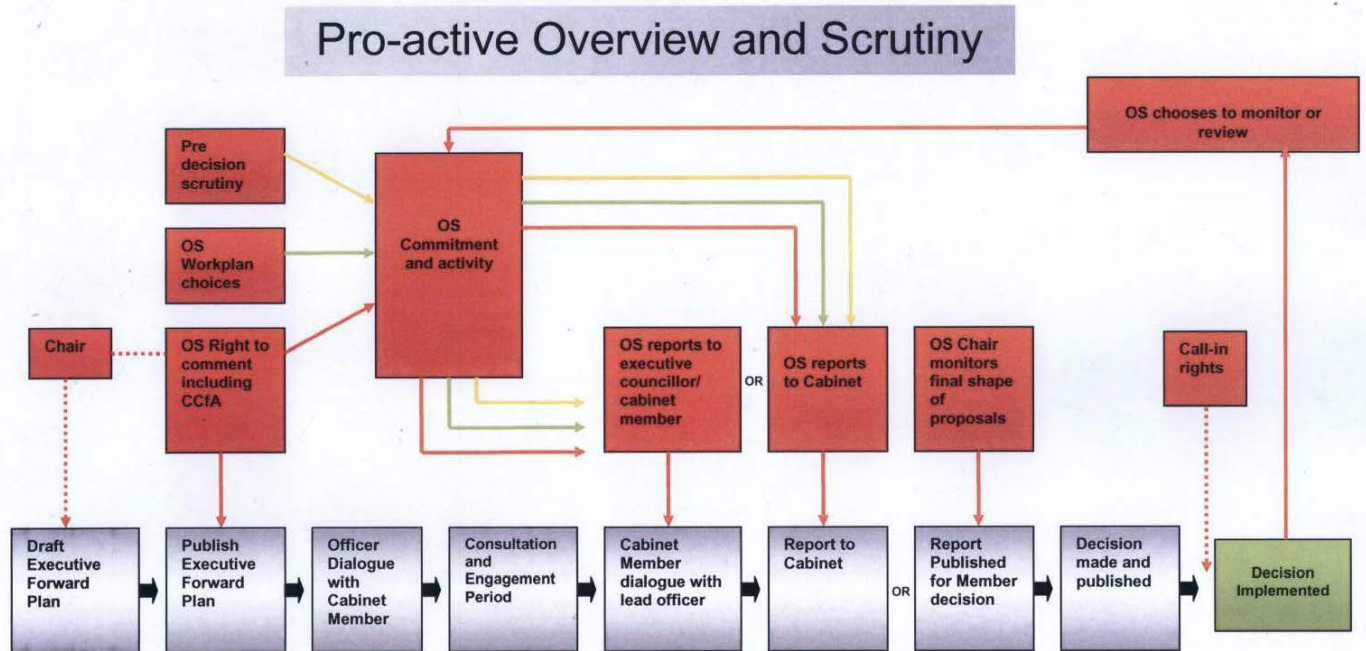


Successful scrutiny:-

- Provides a “critical friend” challenge to executive as well as external agencies.
- Reflects the concerns of the public and community (actively engage with the public).
- Takes the lead in scrutinising on behalf of the public (community leadership).
- Makes an impact on the delivery of public services (contribute to performance).
- Makes a difference!

Successful scrutiny is a central element of the Council's aims and objectives and a key part of the democratic process. The Overview and Scrutiny Committee meets in public to fulfil its role of holding the Cabinet to account against the background of the administration's stated purpose, aims and objectives. However, the guiding principle for its work is that it should make a *proactive* and *positive* contribution to the development of policy and the discharge of the Council's function.





The Committee's Work Programme

There is one Overview and Scrutiny Committee which meets monthly. The agenda usually comprises no more than 3-4 substantive items to enable meaningful and constructive debate on matters. Agenda items are taken from the Cabinet Forward Plan and the Scrutiny Work Programme. The Committee also has a 'rolling' work programme of items which crop up at specific times of the year. Cabinet Members are invited to attend for their respective items. The Committee often acts as a consultee on various strategies as is evidenced later in this report. Task and Finish Group topics are selected following discussion by the Committee and a one page scoping document is produced clearly setting out the aims and objectives of the review.

'Call In' Meetings

The Council's Constitution sets out the rights of Overview and Scrutiny Committee Members to 'call in' a Cabinet decision if they feel it has not been made in accordance with decision-making principles set out in Article 12 of the Constitution. The 'call in' procedure may result in the convening of a special meeting to consider the matter unless the next programmed meeting falls within the deadlines set in the Council's Constitution.

In 2014-15 there was no exercise of the 'call in' procedure.

What does the City Council's Constitution says about the role of Overview and Scrutiny?

The Council's Constitution sets out that the Overview and Scrutiny Committee will:-

- (a) co-ordinate, champion and lead on the scrutiny of Council and Executive decisions;
- (b) have all of the functions, powers and duties conferred by Section 21 of the Local Government Act 2000(as amended);
- (c) have all the powers and functions, powers and duties conferred by Section 19 of the Police and Justice Act 2006 and to act as the Council's Crime and Disorder Committee;
- (d) determine the allocation of work in the event that the scope of the subject matter of a scrutiny study or investigation overlaps the role of more than one Task and Finish Group;
- (e) review the operation of the scrutiny process and work programmes of the Overview and Scrutiny Task and Finish Groups and inform and advise Council in relation to priorities and the allocation of resources;
- (f) oversee and review the resources, support, training and development of Overview and Scrutiny Members;
- (g) develop a positive "critical friend" approach to the role of scrutiny of the Council and Community issues;
- (h) provide and co-ordinate the input to an annual report to Full Council on such issues or topics as the Committee sees fit;
- (i) give consideration to the management of matters called in for review under paragraph 14 of the Overview & Scrutiny Rules;
- (j) give consideration to matters referred to it by the Councillors' Call for Action;
- (k) review and scrutinise the work of the Executive;
- (l) review and scrutinise the content of the Forward Plan;
- (m) review and scrutinise the policies and proposed policies of the Council;
- (n) consider any matters which affect the authority, the City of Gloucester (or part of it) or its inhabitants (or some of them).

THE COMMITTEE'S RESOURCES

Officer Support and Professional Advice

Support is provided by the Democratic Services Officer (Scrutiny Support) under the direction of the Democratic and Electoral Services Manager. The DSO works closely with the Chair, Vice-Chair and Spokesperson and takes a proactive role in managing the Committee's work programme. The Centre for Public Scrutiny (CfPS) is regarded as a focal reference point for professional advice, case studies and tips for best practice.

Networking

The Gloucestershire Scrutiny Group meets twice a year and provides an opportunity for Scrutiny Chairs and Officers to meet others within the County in order to discuss respective workloads and share information. Additionally, the Democratic Services Officer has a good relationship with the County Council's Democratic Services Team.

Budget

The Committee does not have its own dedicated budget and its work is funded from the Democratic Services team's budget.

Member Training

In March 2015, the Committee received a training session on 'Making Task and Finish Groups Effective'. The training was delivered by Simon Harper and Stephen Bace from the County Council's Democratic Services Team. The session reflected on successful studies carried out by task and finish groups at the County Council and stressed the importance of focusing on key issues. The training was well received and thought provoking.



HIGHLIGHTS OF THE YEAR

Introduction

2014-15 has been a challenging and productive year for the Committee. In addition to the normal work programme items, consultations, task and finish groups and items selected by the Committee for investigation, the Committee held 2 special events which are detailed below.

‘Question Time’ Panel – October 2014

The Committee chose to suspend its normal business to hold a ‘Question Time’ style event with the heads of the 3 main educational establishments supporting the City:-

- Gloucestershire College
- University of Gloucestershire
- Hartpury College

On this occasion the Committee was pleased to welcome the Cabinet Member for Housing, Health and Leisure to join the Committee around the table. The session was held in public with all Councillors being invited and was publicised in the local media.



Panel Members were asked the following group questions:-

1. *What is unique about the courses you offer?*
2. *How does your organisation contribute towards the economic development of Gloucester?*
3. *What proportion of graduates stay within the local economy and what initiatives are taken to retain that knowledge within the local area?*
4. *What is your marketing strategy?*
5. *How do you attract students from some of the poorer pockets of the City?*
6. *Do you visit local schools to promote your organisation?*
7. *How do you encourage students with special needs?*



The Committee also asked each Panel Member individual questions which were of direct relevance to their organisation.

The event concluded with the Panel Members turning the table on the Councillors and asking them questions.

The session was extremely successful and identified several areas where the City Council and the educational institutions could work together for mutual benefit including:-

- Suggestion that vacant premises in the City Centre could be rented by the educational establishments to showcase their projects.
- Agreement that the City Council and students would work together to find a student specific venue for socialising where students would feel safe and comfortable.
- Identification of the need for a possible student quarter with hotel and conference facilities.

One of the outcomes from the meeting was the decision to hold a workshop with students from the organisations and this was the second event which the Committee hosted during the year.

Workshop with Students – November 2014

Leading on from the success of the ‘Question Time’ panel, the Democratic Services Officer organised an informal workshop with students from the major educational establishments serving the City. The session was held in private and the Cabinet’s Champion of the Evening Economy joined two Overview and Scrutiny Members and key Officers around the table.

The theme of the workshop was:-

What can the City Council do to provide a student specific venue for socialising and how can the City attract students to live in Gloucester and to enjoy the evening economy?



The workshop was broken down into the following themes:-

- Nightlife
- Safety
- Economy
- Heritage
- Sports
- Heritage
- Student Events
- Accommodation

The event was extremely successful and achieved positive outcomes by opening up networking opportunities for the various students and giving Council Officers an insight into what was important to the students.

There has been follow up work since the workshop involving the Economic Development Team as follows:-



- A productive meeting was held with the Student Union Chief Executive and Communications Manager with the aim of creating a better working relationship between the University and the City Council.
- The Gloucester Guildhall plans to host a 'Freshers Fortnight' event.
- The possibility of holding regular 'Student Nights' at the Guildhall will be explored.
- Work placement opportunities for students at the Guildhall will be publicised to students.

Overview and Scrutiny Committee will shortly receive an update on actions undertaken since the workshop.

PERFORMANCE MONITORING

Challenge, Change, Improve!

The Committee views scrutiny of the performance of the City Council's partnering bodies and stakeholders as an important part of its work. Reduced financial resources continue to put pressure on our partners as they strive to meet their performance targets whilst providing a good service to the residents of Gloucester.



Spotlight on Amey



The Committee reviewed the performance of Amey, the Council's streetcare partner, on two occasions in 2014. Streetcare is such a highly visible service that it always prompts intense debate from Members.

The streetcare contract is also monitored by the Strategic Streetcare Partnership which is chaired by the Cabinet Member for Environment.

Following a meeting between the Lead Members of Overview and Scrutiny and the Strategic Streetcare Partnership in January 2015, the roles of the two bodies were discussed as there were concerns about possible duplication in the scrutiny of the service. As a result of the meeting it was agreed that the Strategic Streetcare Partnership would continue to monitor Amey's performance on a quarterly basis and that Overview and Scrutiny Committee would receive an annual report in June of each year on the activities of the Partnership including the Amey service plan and a presentation by Amey.

Both parties agreed this was a successful outcome and that there was now clarity on their respective roles.



Civica UK Limited - Revenues and Benefits Partnership

In July 2014, the Committee received an annual update on the Gloucester City Council Revenues and Benefits Partnership with Civica. The Committee reviewed the service's low error rate, customer ease of access, and efficiencies which had been introduced to streamline the service. The Committee was pleased to be able to place on record its satisfaction with the Partnership's performance.



Civica UK Limited - IT Partnership

Gloucester City Council entered into a contract with Civica UK Limited for the delivery of IT services in May 2014. In July 2014, the Committee received a presentation from the IT Outsourcing Director of Civica on progress on the new partnership and future plans and priorities. Members noted the public's expectation of increased digital/interactive services. The Committee will continue to monitor the partnership on an annual basis.

Aspire Sports and Cultural Trust

In November 2014 the Committee examined the performance of the Aspire Sports and Cultural Trust. Members were also presented with a 5 year business plan for the Trust. The Committee was pleased to note that despite a difficult trading year the Trust continued to perform well. During the presentation the Committee was briefed on how the Trust attracted a client base from areas of deprivation in the City. Members were pleased to note the Trust's charitable aims and the benefits the Trust brought to the City.

Gloucester City Homes

The Committee considered the performance of Gloucester City Homes in November 2014. At this meeting the Cabinet Member for Housing, Health and Leisure informed the Committee that this would be the last report in this particular format pending the transfer of the 4,800 homes to a housing association with Gloucester City Homes acting as the new landlord. Members commended Gloucester City Homes for its excellent performance and positive engagement with the community.



BALANCING THE BOOKS

Budget Monitoring



Overview and Scrutiny Committee carries out financial monitoring on a quarterly basis looking at the City Council's budget variances, year-end forecasts, and progress made against agreed savings targets. This is an important part of the Committee's annual work programme and helps to keep the City's finances on track.

Consultation on the budget

In December 2014 the Committee welcomed all the Cabinet Members to a meeting set aside for consideration of the City Council's draft money plan for 2015/20 and budget proposals for consultation for the year 2015/16.

Each Cabinet Member presented their portfolio in turn against a background of questions pre-set by the Committee.

During their presentations, the Cabinet Members outlined the savings achieved to date and demonstrated how further savings would be achieved by reductions in partnership costs, increased efficiencies and service transformations.

The Committee robustly questioned the Cabinet Members on their proposals for achieving savings and finding new income streams.



SPEAKING UP – SCRUTINY’S ROLE IN CONSULTATION

Introduction

The Overview and Scrutiny Committee has an important part to play in contributing to consultations which can range from in depth examination of new Government legislation, to looking at new and revised Council strategies and policies. Highlights of consultation work in 2014-15 are detailed below.

Allotments Strategy



In July 2014, the Committee examined a draft allotments strategy presented by the Cabinet Member for Environment which set out how the City Council intended to manage its allotment holding over coming years. Members discussed a number of matters arising from the strategy including plans to introduce properly constituted allotment associations and charging regimes.

Gloucester City Centre Strategy 2015-19

In January 2015, the Cabinet Member for Regeneration and Culture sought the Committee’s input to the creation of a co-ordinated City Centre Strategy for Gloucester. The document included 7 strategic priorities and key actions which would be shared with stakeholders as part of a wider consultation exercise. The Committee engaged in a lively debate with the Cabinet Member, particularly concerning retail aspirations for the City.

Regeneration and Economic Development Strategy

Also in January 2015, the Committee appraised a draft 5 year regeneration and economic strategy presented by the Cabinet Member for Regeneration and Culture. The strategy identified 6 key regeneration and economic development objectives which would be delivered over the 5 years. During the meeting the Committee discussed plans for the regeneration of Blackfriars scheme, with one of the Members suggesting that the possibility of bringing the Dominican library to Blackfriars as a tourist attraction should be revisited.



Housing Strategy

In February 2015, the Committee welcomed the Cabinet Member for Housing, Health and Leisure when Members examined the final draft of the Council's Housing Strategy following consultation with stakeholders. The Committee was pleased to endorse the strategy as a comprehensive guide to anyone living outside the City. Members suggested that a summary document would be useful to emphasise the key objectives of the strategy.



Review of Cultural Services

Also in February 2015, the Committee considered a review of cultural services presented by the Cabinet Member for Regeneration and Culture. The review represented the findings of Michael + Partners (consultants) and had been produced in conjunction with a cross-Member and Officer working group. A Councillor from the working group was also in attendance to answer questions from the Committee. Members made constructive suggestions regarding signage and lighting for the Guildhall and were pleased to note that there was a commitment to delivering the recommendations in the report as quickly as possible.

Gloucester City Markets Strategy



In March 2015, the Committee deliberated on a 5 year draft markets strategy and action plan which also sought endorsement for the investigations of options for a new ground floor indoor market. The document prompted a lengthy debate during which the Committee discussed possible locations for a new indoor market and matters relating to the Farmers' Market and specialist markets which were held from time to time.

A recommendation arising from the meeting was for the current location of the indoor market to be better signposted. All the Committee acknowledged that vibrant markets played an important part in the retail offer in the City.

TASK AND FINISH GROUP ACTIVITY

Introduction

Task and Finish Groups are set up to look at issues in detail which cannot be dealt with in any other way such as holding a workshop or an intensive day session. The Task and Finish Group gathers evidence by talking to witnesses and service users. Site visits are also carried out where appropriate.

Any Councillor can suggest a topic for a Task and Finish Group.

The Overview and Scrutiny Committee chooses which subject(s) they wish to investigate

A one page scoping document sets the scene for the Group's work. At the end of the study, the Group's conclusions are documented in a report for the Cabinet which details its findings and recommendations.

In 2014-15 the Committee ran two Task and Finish Groups:-

Management of Parcels of Unadopted Green Land (concluded in March 2015)

Membership: Councillor Haigh (Chair), Councillor Wilson, Councillor Noakes, plus Councillor Randle (substitute Member for Councillor Noakes)

Ambitions for the review (identified in the scoping document):-

To identify where these unadopted parcels of land exist and to look at options for dealing with them, both historically and moving forward. The review will also cover areas near to watercourses.

Recommendations from the review:-

Legacy Issues

1. It is recommended that legacy issues be tackled by identifying land ownership details in the first instance.
2. It is recommended that developers be lobbied.
3. It is recommended that residents be written to where land is found to be in private ownership.

4. It is recommended that community clean-ups be encouraged, and that these should involve Amey, the County Council and Gloucester City Homes, where appropriate.
5. It is recommended that an approach be adopted to residents of '*you blitz it and we might adopt it*' provided the advice of Council Officers is followed.
6. It is recommended that where appropriate, residents are able to take ownership of odd pieces of land which are of no value or use to the City Council to ensure that the land is maintained.
7. It is recommended that potentially unsafe areas be tackled by Amey on an emergency case by case basis.

Moving Forward

1. It is recommended that the Council should draft a policy for dealing with unadopted land.
2. It is recommended that Planning Officers should look at the most appropriate means of ensuring small areas of unadopted land do not slip through the net, such as using a 'checklist'.
3. It is recommended that developers should be encouraged to maintain unadopted land that they are responsible for.

Other Recommendations

1. It is recommended that information be placed on the Council's website advising residents of their options for dealing with overgrown areas of land.
2. It is recommended that assistance for community groups both in terms of financial help through funding, and through mentoring by other established voluntary groups, be publicised on the Council's website.
3. It is recommended that Councillors be informed of the City Council's intranet mapping system and how to manipulate it, subject to access levels being preset.

The report was presented to Cabinet on 25 March 2015, when it was well received. Monitoring of the report's recommendations will take place in six months' time.



The second Task and Finish Group is still ongoing following a break in its activity to allow Officers to carry out a series of inspections.

Proposed Actions to Improve Housing Conditions in the Private Rented Sector

Membership: Councillor Smith (Chair), Councillor Gravells, Councillor Beeley

Ambitions for the review (identified in the scoping document):-

- ***To agree an action plan to implement proactive programmes intended to improve the worst privately rented accommodation in HMOs.***
- ***To agree how these improvements can be sustained into the future.***
- ***To identify if there is a case for additional licensing schemes.***



Overview and Scrutiny Committee chose this study as a direct result of their interest in the subject following the presentation of a report on the housing conditions in the private rented sector by the Cabinet Member for Housing, Health and Leisure in June 2014.

Recommendations from the study will be published in next year's Annual Report.

CHALLENGES FOR 2015-16

Looking Ahead

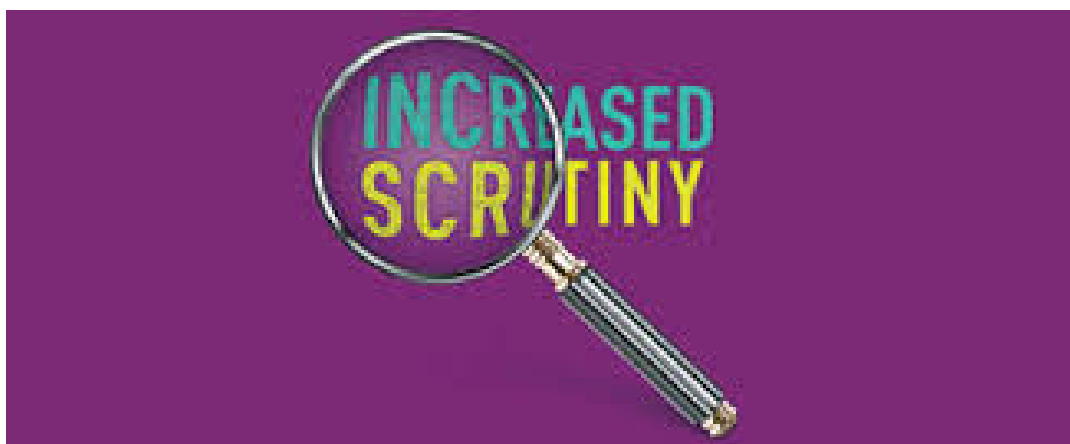
In the municipal year 2015-16 the Committee welcomes 4 new Members to the Committee and a new Vice-Chair and Spokesperson.

Following the local elections on 7 May 2015, the Conservative group hold a majority of seats on the Council and this means that the role of scrutiny is more important than ever.

The Committee's Work Programme is already filling up for the year and in addition to its rolling programme of work the Committee will be selecting new task and finish group topics.

There will continue to be robust and rigorous examination of the Council's partners and other stakeholders and a varied programme of work during the year.

The Democratic Services Officer is working on a Task and Finish Group protocol which will give Members and Officers a better understanding of the process and will also help to ensure that the implementation of recommendations is monitored. There are also plans to produce an Overview and Scrutiny handbook in the new municipal year. Opportunities will also be explored to increase public and stakeholder engagement with scrutiny.



OVERVIEW AND SCRUTINY MEETINGS HELD IN 2014-15 AND MEMBERS' ATTENDANCE RECORD

Nature of Meeting	Date
Ordinary business	23 June 2014
Ordinary business	21 July 2014
Ordinary business	15 September 2014
Question Time Panel	13 October 2014
Ordinary business	10 November 2014
Budget proposals and consultation	1 December 2014
Ordinary business	8 December 2014
Ordinary business	26 January 2015
Ordinary business	23 February 2015
Ordinary business	23 March 2015

Name of Councillor	Meetings attended (out of a maximum of 10)
Councillor Janet Lugg (Chair)	10
Councillor Susan Witts (Vice-Chair)	10
Councillor Andrew Gravells (Spokesperson)	8
Councillor Kate Haigh	10
Councillor Nigel Hanman	8
Councillor Andrew Lewis	7
Councillor Declan Wilson	10
Councillor Norman Ravenhill	8
Councillor Sebastian Field	8
Councillor Gerald Dee	7
Councillor Gordon Taylor	10
Councillor Jim Beeley	6
Councillor Said Hansdot	7
Councillor Paul Toleman	10
Councillor Terry Pullen	9

**DELIVERED
BY SCRUTINY**

Gloucester
City Council



Meeting:	Audit & Governance Committee	Date: 1 July 2015
	Council	23 July 2015
Subject:	Audit & Governance Committee Annual Report 2014/15	
Report Of:	Chair - Audit & Governance Committee	
Wards Affected:	N/A	
Key Decision:	No	Budget/Policy Framework: No
Contact Officer:	Terry Rodway Audit, Risk & Assurance Manager	
	Email: Terry.Rodway@gloucester.gov.uk	Tel: 396430
Appendices:	A: Audit & Governance Committee Annual Report 2014/15	

FOR GENERAL RELEASE

1.0 Purpose of Report

- 1.1 The report introduces the Annual Report of the Audit and Governance Committee. The Annual Report sets out the work and achievements of the Council's Audit and Governance Committee during 2014/15.

2.0 Recommendations

- 2.1 Council is asked to **RESOLVE** that the Annual Report of the Audit and Governance Committee 2014/15 be approved.

3.0 Background and Key Issues

- 3.1 The preparation of an annual report by the Council's Audit and Governance Committee is recognised as good practice within both the public and private sectors.
- 3.2 This Annual Report, which details the work and achievements of the Audit and Governance Committee during 2014/15 was discussed, and approved, by the Audit & Governance Committee at its meeting held on 1st July 2015.

4.0 Alternative Options Considered

- 4.1 Consideration has been given to not producing an Annual Report, however this has been discounted because best practice from both the public and private sectors indicates that the audit committee should report directly to the governing body of the organisation. In the case of a local authority, the full Council.

5.0 Reasons for Recommendations

- 5.1 Best practice from both the public and private sectors indicates that the audit committee should report directly to the governing body of the organisation. In the case of a local authority, the full Council. This will assist in giving it independence from the executive and scrutiny functions, and in addition provides status and clarity to the role.

6.0 Future Work and Conclusions

- 6.1 In accordance with best practice the Audit & Governance Committee will continue to present an Annual Report to the full Council.

7.0 Financial Implications

- 7.1 None specific to the recommendation made in this report.

(Financial Services have been consulted in the preparation this report.)

8.0 Legal Implications

- 8.1 The legal basis for the operation of the Audit & Governance Committee is set out in the Appendix to the report, specifically section 1 "Background".

(One Legal have been consulted in the preparation this report.)

9.0 Risk & Opportunity Management Implications

- 9.1 Good corporate governance requires independent, effective assurance about both the adequacy of corporate, operational and financial management and reporting, and the management of other processes required to achieve the organisation's corporate and service objectives. These functions are best delivered by an audit committee, independent from the executive and scrutiny functions.

10.0 People Impact Assessment (PIA):

- 10.1 The PIA Screening Stage was completed and did not identify any potential or actual negative impact, therefore a full PIA was not required.

11.0 Other Corporate Implications

Community Safety

- 11.1 There are no community safety implications arising out of this report.

Sustainability

- 11.2 There are no sustainability implications arising out of this report.

Staffing & Trade Union

- 11.3 There are no staffing and trade union implications arising out of this report.

Background Documents: Audit & Governance Committee meeting minutes 2014/15

Audit & Governance Committee Annual Report 2014/15

1. **Background**

- 1.1 The original Audit Committee was established by the Council in May 2006. Whilst there is no statutory obligation in local government to have an Audit Committee, they are widely recognised as a core component of effective governance. In recent years there has been a significant amount of regulation and guidance issued in governance arrangements for private and public sector bodies, the common feature of governance arrangements being the existence of an Audit Committee.
- 1.2 As a result of the Localism Act 2011, which made fundamental changes to the system of regulation of standards of conduct for elected and co-opted Councillors, the Council agreed, in May 2012, to combine the roles of the Standards Committee and the Audit Committee and establish an Audit and Governance Committee. The transfer of responsibility from the Standards Committee to the Audit and Governance Committee necessitated changes to the Terms of Reference for the Audit and Governance Committee.
- 1.3 Good corporate governance requires independent, effective assurance about both the adequacy of corporate, operational and financial management and reporting, and the management of other processes required to achieve the organisation's corporate and service objectives. Effective audit committees help raise the profile of internal control, risk management and financial reporting issues within an organisation, as well as providing a forum for the discussion of issues raised by internal and external auditors.
- 1.4 The Terms of Reference for the Audit & Governance Committee are based on the Chartered Institute of Public Finance (CIPFA) guidelines as detailed in their publication 'Audit Committees – Practical Guidance for Local Authorities and Police (2013 Edition)'. A copy of the Terms of Reference can be found at Appendix 1 of this report.

2.0 **Membership & Attendance**

- 2.1 The Committee has enjoyed the benefit of a settled membership over the last couple of years, with only a small number of changes in membership. This has helped to build and retain the expertise within the Committee, which has led to the Committee being able to demonstrate that they are operating within a best practice framework.

- 2.2 The following were Members of the Audit and Governance Committee for 2014/15:

Cllr Declan Wilson – Chair
Cllr Mark Hobbs – Vice Chair
Cllr Phil McLellan
Cllr Lise Noakes
Cllr Kate Haigh
Cllr Debbie Llewellyn
Cllr Gordon Taylor

2.3 During 2014/15, the Audit & Governance Committee met on the following dates:

26th June 2014
8th September 2014
13th November 2014
19th January 2015
16th March 2015

2.4 The Cabinet Member for Performance (Cllr Dave Norman) was a regular attendee, as an observer, at Committee meetings during the year.

2.5 Senior Officers from the council also attended Audit and Governance Committee meetings, with the Head of Finance, the Audit, Risk & Assurance Manager, and, the Head of Legal & Policy Development, being regular attendees. A representative from the Council's External Auditors, KPMG, also attended every Committee meeting.

2.6 The Chair and Vice Chair also attended briefing meetings with the Head of Finance, the Audit, Risk & Assurance Manager, and, the Head of Legal & Policy Development, before each Committee meeting.

3.0. Programme of Reports 2014/15

3.1 Detailed below is the programme of reports considered by the Audit and Governance Committee during 2014/15, and how they relate to the Committees Terms of Reference.

Governance, risk and control

- Annual Governance Statement 2013/14
- Annual Governance Statement Action Plan 2014/15 - Update
- Review of Anti-Fraud & Corruption policies
- Risk Management Annual Report 2014
- Risk Management Strategy
- Strategic Risk Register
- RIPA - Annual review of Procedural Guidance
- Peer Review Action Plan
- Audit & Governance Committee Annual Report 2013/14

Internal Audit

- Audit, Risk & Assurance Manager Annual Report 2013/14
- Review of Effectiveness of Internal Audit 2013/14
- Internal Audit Shared Service proposals
- Internal Audit Plan 2014/15 - Quarterly Monitoring Reports
- Internal Audit Annual Plan 2015/16

External Audit

- Annual Audit Letter 2013/14
- Interim Audit Report – 2013/14 audit
- External Audit progress report and technical update
- External Audit Plan/Fee 2014/15
- Certification of claims and returns – Annual Report 2013/14

- Protecting the Public Purse Fraud Briefing 2013

Financial Reporting

- Year End Statement of Accounts 2013/14
- External Auditor Report to Those Charged with Governance (ISA 260) 2013/14

Treasury Management

- Treasury Management Strategy 2015/16
- Treasury Management Quarterly Performance Monitoring Reports

Constitution and Standards

- Annual Complaints Monitoring
- Complaints Policy
- Review of the Council's Standards Arrangements
- Independent Person Protocol

4.0 Programme of Reports – Further Details

- 4.1 The work of internal and external audit provided detailed assurance on the reliability and integrity of the information held in the financial statements as well as on the key control framework in operation across the Council. This work, together with the assurances from the Head of Finance, support the Committee in forming their opinion of the financial statements, enabling them to agree for the Chair of the Committee to sign the Statement of Accounts 2013/14 within the statutory timeframe.
- 4.2 The Committee reviewed and approved the Annual Governance Statement 2013/14 at the same time as the approval of the Statement of Accounts.
- 4.3 The Committee considered the effectiveness of the internal audit arrangements by reviewing the annual assessment of the Head of Finance, the view of external audit, and, the quality of reports, actions and follow ups through the Internal Audit Plan Quarterly Monitoring reports submitted throughout the year to Committee.
- 4.4 The Committee is able to request Managers to attend the Committee to give an update on progress against agreed actions to reduce risk and/or improve the existing control environment. During 2014/15, the Committee invited the Asset Manager, the Head of Human Resource & Organisational Development, and, the Business Improvement & Performance Manager to provide an update on the implementation of internal audit recommendations within their respective areas.
- 4.5 During the year, the Committee maintained an Action Plan. This was reviewed at each committee meeting to monitor progress with implementing agreed actions.

5.0 Training

- 5.1 During the year the following training events, relevant to the work of the Audit & Governance Committee, were provided for Members:-
- Audit & Governance (18/6/14) – open to all Members
 - Treasury Management (26/6/14) – specific for Audit & Governance Committee
 - Risk Management (30/6/14) – open to all Members

- 'Standards' update (19/1/15) – specific for Audit & Governance Committee

6.0 Future Work

- 6.1 During 2015/16, the Audit & Governance Committee will continue with the existing aim of being an important source of assurance about the organisation's arrangements for managing risk, maintaining an effective control environment, and reporting on financial and other performance.

Audit & Governance Committee – Terms of Reference

Governance, risk and control

1. To review the Council's corporate governance arrangements against the good governance framework and consider annual governance reports and assurances.
2. To review the Annual Governance Statement prior to approval and consider whether it properly reflects the risk environment and supporting assurances, taking into account internal audit's opinion on the overall adequacy and effectiveness of the Council's framework of governance, risk management and control.
3. To consider the Council's arrangements to secure value for money and review assurances and assessments on the effectiveness of these arrangements.
4. To consider the Council's framework of assurance and ensure that it adequately addresses the risks and priorities of the Council.
5. To monitor the effective development and operation of risk management in the Council.
6. To monitor progress in addressing risk-related issues reported to the Committee.
7. To consider reports on the effectiveness of internal controls and monitor the implementation of agreed actions.
8. To review the assessment of fraud risks and potential harm to the Council from fraud and corruption.
9. To monitor the counter-fraud strategy, actions and resources.

Internal Audit

10. To approve the internal audit charter.
11. To review proposals made in relation to the appointment of external providers of internal audit services and to make recommendations.
12. To approve the risk-based internal audit plan, including internal audit's resource requirements, the approach to using other sources of assurance and any work required to place reliance upon those other sources.
13. To approve significant interim changes to the risk-based internal audit plan and resource requirements.
14. To make appropriate enquiries of both management and the Head of Internal Audit to determine if there are any inappropriate scope or resource limitations.
15. To consider reports from the Head of Internal Audit on internal audit's performance during the year, including the performance of external providers of internal audit services. These will include:
 - a. Updates on the work of internal audit including key findings, issues of concern and action in hand as a result of internal audit work.
 - b. Regular reports on the results of the Quality Assurance and Improvement Programme.
 - c. Reports on instances where the internal audit function does not conform to the Public Sector Internal Audit Standards and Local Government Application Note, considering whether the non-conformance is significant enough that it must be included in the Annual Governance Statement.
16. To consider the Head of Internal Audit's annual report:
 - a. The statement of the level of conformance with the Public Sector Internal Audit Standards and Local Government Application Note and the results of the Quality Assurance and Improvement Programme that supports the statement.
 - b. The opinion on the overall adequacy and effectiveness of the Council's framework of governance, risk management and control together with a summary of the work supporting the opinion.

17. To consider summaries of specific internal audit reports as requested.
18. To receive reports outlining the action taken where the Head of Internal Audit has concluded that management has accepted a level of risk that may be unacceptable to the authority or there are concerns about progress with the implementation of agreed actions.
19. To contribute to the Quality and Improvement Programme and in particular, to the external quality assessment of internal audit that takes place at least once every five years.
20. To consider a report on the effectiveness of internal audit to support the Annual Governance Statement, where required to do so by the Accounts and Audit Regulations.
21. To support the development of effective communication with the Head of Internal Audit.

External Audit

22. To consider the external auditor's annual letter, relevant reports, and the report of those charged with governance.
23. To consider specific reports as agreed with the external auditor.
24. To comment on the scope and depth of external audit work and to ensure it gives value for money.
25. To commission work from internal and external audit.
26. To advise and recommend on the effectiveness of relationships between external and internal audit and other inspection agencies or relevant bodies.

Financial reporting

27. To review the statement of accounts. Specifically, to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the Council.
28. To consider the external auditor's report to those charged with governance on issues arising from the audit of the accounts.

Treasury Management

29. To review and monitor treasury management arrangements in accordance with the CIPFA Treasury Management Code of Practice.

Accountability arrangements

30. To report to those charged with governance on the Committee's findings, conclusions and recommendations concerning the adequacy and effectiveness of their governance, risk management and internal control frameworks; financial reporting arrangements, and internal and external audit functions.
31. To report to full Council on a regular basis on the Committee's performance in relation to the terms of reference and the effectiveness of the Committee in meeting its purpose.

Constitution and Standards

32. To consider and review changes to the Council's constitution in respect of Contract Standing Orders, Financial Regulations, and Codes of Conduct and behaviour.
33. To monitor the operation of the Council's codes and protocols (see Part 5 of this Constitution) and the Council's complaints process and to advise the Council on the adoption or revision of such codes.
34. To consider the Council's compliance with its own published standards and controls.
 35. To review any issues referred to it by the Chief Executive or a Corporate Director or any Council body.

35. To receive allegations and any accompanying report from the Monitoring Officer and to refer the allegation to the Monitoring Officer for formal investigation or informal resolution.
36. To set up, where necessary, a Hearings Panel to consider any alleged breach of the Members' Code of Conduct.
37. To promote and maintain high standards of conduct by Councillors and co-opted Members.
38. To assist Councillors and co-opted Members to observe the Members' Code of Conduct.
39. To advise the Council on the adoption, revision of, or publicity on the Members' Code of Conduct.
40. To advise, train or arrange to train Councillors and co-opted Members on matters relating to the Members' Code of Conduct.
41. To grant dispensations to Councillors and co-opted Members from the requirements relating to interests set out in the Members' Code of Conduct or other Council codes and protocols where:
 - (a) without the dispensation, the representation of different political groups on the body transacting the business would be so upset as to alter the outcome of any vote on the matter;
 - (b) the Committee considers that the dispensation is in the interests of persons living in the Council's area; or
 - (c) the Committee considers that it is otherwise appropriate to grant a dispensation.
42. To consider appeals against decisions made by the Monitoring Officer in exercise of their dispensation powers.
43. To set up, where necessary, a Sub-Committee to shortlist and interview candidates for the role of Independent Person and to make recommendations to Council regarding the appointment of Independent Persons.
44. To provide such advice and assistance as appropriate regarding the appointment of the Independent Person as required under Part 7 of the Localism Act 2011.
45. To set the allowances and expenses payable to the Independent Person and Reserve Independent Persons.

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