



Gloucester City Council

General Purposes Committee

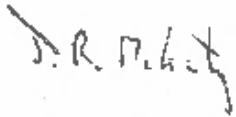
Meeting: Thursday, 11th January 2024 at 6.00 pm in Civic Suite, North Warehouse, The Docks, Gloucester, GL1 2EP

Membership:	Cllrs. Taylor (Chair), Kubaszczyk (Vice-Chair), Evans, Hilton, Hudson, Hyman, Williams and Wilson
Contact:	Democratic and Electoral Services 01452 396126 democratic.services@gloucester.gov.uk

AGENDA

1.	APOLOGIES To receive any apologies for absence.
2.	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.
3.	MINUTES (Pages 5 - 8) To approve as a correct record the minutes of the meeting held on 19 June 2023.
4.	PUBLIC QUESTION TIME (15 MINUTES) The opportunity is given to members of the public to put questions to Cabinet Members or Committee Chairs. Questions may be provided that questions do not contravene the provisions set out in Council Procedure Rule 10(2). To ask a question at this meeting, please submit it to democratic.services@gloucester.gov.uk by 12 noon on Friday 5 January 2023 or telephone 01452 396203 for support.
5.	PETITIONS AND DEPUTATIONS (15 MINUTES) To receive any petitions and deputations provided that no such petition or deputation is in relation to: <ul style="list-style-type: none">• Matters relating to individual Council Officers, or• Matters relating to current or pending legal proceedings
6.	REVIEW OF MEMBERS' ALLOWANCES 2024 (Pages 9 - 22) To consider the report of the Chair of the Independent Remuneration Panel concerning the review of Members' allowances and seeking a decision on an appropriate scheme for the payment of allowances in 2024-25.

7.	<p>REVIEW OF POLLING DISTRICT AND POLLING PLACES (Pages 23 - 50)</p> <p>The consider the report of the Returning Officer concerning the recommendations for the compulsory Review of Polling Districts and Polling Places.</p>
8.	<p>CONSTITUTIONAL CHANGES (Pages 51 - 106)</p> <p>To consider the report of the Head of Paid Service regarding various changes to the Council's Constitution.</p>



Jon McGinty
Managing Director

Date of Publication: Wednesday, 3 January 2024

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NOTES

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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.

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- 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.



GENERAL PURPOSES COMMITTEE

MEETING : Monday, 19th June 2023

PRESENT : Cllrs. Taylor (Chair), Hilton, Williams and Campbell

Others in Attendance

Managing Director
Monitoring Officer
Democratic Services and Elections Officer

APOLOGIES : Cllrs. Kubaszczyk, Hudson, Pullen, Wilson and Evans

1. APPOINTMENT OF CHAIR AND VICE-CHAIR

The Committee noted the appointments made by Annual Council of Councillor Taylor as Chair and Councillor Kubaszczyk as Vice-Chair of the Committee.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. MINUTES

The minutes of the meeting held on 12 January 2023 were confirmed as a correct record and signed by the Chair.

4. PUBLIC QUESTION TIME (15 MINUTES)

There were no public questions.

5. PETITIONS AND DEPUTATIONS (15 MINUTES)

There were no petitions and deputations.

GENERAL PURPOSES COMMITTEE
19.06.23

6. CONSTITUTIONAL CHANGES

The Committee considered the report of the Head of Paid Service concerning the various proposed changes to the Council's Constitution.

The Monitoring Officer presented the report and referred to the Unified Gloucestershire Code of Conduct, the amended arrangements for dealing with Standards Allegations, the new Member/Officer Protocol, the Scheme of Delegation, amendments to the Overview and Scrutiny Procedure Rules and references to the Council Solicitor.

She advised that the Monitoring Officers for the seven principal local authorities had worked together to draft a Gloucestershire wide Member Code of Conduct, for adoption by all the Gloucestershire Councils. The Code had been based on the requirements of the seven Nolan principles in public life.

The main benefits for adopting the new Code of Conduct would provide more clarity on the role of a Member and ensure a consistent approach is taken for setting behaviour expectations. The Unified Code of Conduct would also ensure that if a Member was both a City and County Councillor, the same set of rules would be applied so that they could operate within the one Code.

The Monitoring Officer referred to Appendix A of the report and outlined the proposed amendments. It had been noted that if a Member was found to have breached the Code of Conduct following a formal investigation, a copy of the formal decision notice would be published on the Council's website.

Councillor Hilton commented that if a Member had made an apology to the complainant which had been mutually accepted by the individual, this should be reasonable and not require the nature of the complaint to be published on the website or for the individual to be named.

The Managing Director explained that Members would be encouraged to offer an apology to the complainant in the first instance to seek to resolve the complaint informally. If the apology had not been accepted by the individual and the Member had breached the Code of Conduct, the decision notice would be published. If there had been no breach, then the identity of the Member would not be disclosed.

The Monitoring Officer stated that a decision would only be made at the end of the investigation process and that it would not be in the public interest to take forward a complaint if all other options had been explored. The Monitoring Officer would speak to the Group Leader of the relevant political party regarding a Members behaviour.

GENERAL PURPOSES COMMITTEE
19.06.23

In response to a question from the Chair relating to the number of complaints received, the Monitoring Officer advised that the County Council had not received any formal complaints since 2011 and that four complaints had been received within the last six months at the Council.

The Managing Director commented that the proposal was not unique as previously if Members had been found in breach of the Code they would have been reported to the Standards Board. The proposed amendments to the Code of Conduct were to ensure processes were in place for good behaviour from Members and ensure that the Council aligned itself with the other Gloucestershire Councils who had already adopted the Unified Gloucestershire Code of Conduct.

Following discussions the Committee recognised the need to have a robust Code in place.

The Monitoring Officer referred to the Member/Officer Protocol, previously known as Employee/Member Protocol, which reflected changes following the LGA Peer Review to ensure good practice and clarification the roles and responsibilities of Officers and Members to work together.

Members were made aware of the proposed changes to the Scheme of Delegation to allow the Managing Director to make any necessary decisions in the absence of the relevant officer.

Members noted the proposed amendment to the Overview and Scrutiny Procedure Rules clarifying that only a decision could be called in and not a recommendation made by the Cabinet/Cabinet Member or a Committee. Councillor Hilton referred to recent events where it had been appropriate to call in a decision because the decision-making process had not been followed correctly.

General Purposes Committee **RESOLVED TO RECOMMEND** the proposed changes to Council for approval that:

- 1) The Unified Gloucestershire Code of Conduct as set out in Appendix 1 to the report is adopted.
- 2) The amended Arrangements for dealing with Standards Allegations under the Localism Act 2011 as set out in Appendix 2 is adopted.
- 3) The new Member/Officer Protocol as set out in Appendix 3 is adopted.
- 4) The Scheme of Delegation in Part 3 of the Constitution is amended in accordance with paragraph 3.8 of this report.
- 5) Rule 14 of the Overview and Scrutiny Procedure Rules is amended in accordance with paragraph 3.9 of this report.

**GENERAL PURPOSES COMMITTEE
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- 6) Authority is delegated to the Monitoring Officer and Managing Director to correct references to the Council Solicitor throughout the Constitution to either the Director, One Legal or Monitoring Officer as appropriate and to make any other minor and consequential amendments arising from this decision.

Time of commencement: 6.00 pm hours

Time of conclusion: 6.37 pm hours

Chair



Meeting:	General Purposes Committee Council	Date:	11 January 2024 25 January 2024
Subject:	Review of Members' Allowances 2024		
Report Of:	Independent Remuneration Panel		
Wards Affected:	All		
Key Decision:	No	Budget/Policy Framework:	No
Contact Officer:	Tanya Davies, Policy & Governance Manager		
	Email: tanya.davies@gloucester.gov.uk	Tel:	39-6125
Appendices:	1. Report of the Members' Allowances Panel 2. Draft Members' Allowances Scheme for 2024-25		

FOR GENERAL RELEASE

1.0 Purpose of Report

1.1 To report the recommendations of the Independent Remuneration Panel (IRP) with regard to the Council's Members' Allowances Scheme and seek a decision on an appropriate scheme for the payment of allowances in 2024-25.

2.0 Recommendations

2.1 General Purposes Committee is asked to **RESOLVE TO RECOMMEND** to Council that the recommendations contained in the Report of the Independent Remuneration Panel (Appendix 1) be approved.

2.2 Council is asked to **RESOLVE** that the recommendations contained in the Report of the Independent Remuneration Panel (Appendix 1) be approved.

3.0 Background and Key Issues

3.1 In line with the established process and following a detailed review of Members' allowances in 2023, this year, a minor review of the scheme was due. The Panel were mindful that the revised scheme had been in operation for less than a year and that elections to the Council would take place in May 2024. The Panel also noted that the link to the local government pay award had been renewed during the detailed review, ensuring that Members' allowances would increase in line with pay awards for Council officers for a further three years, subject to any further recommendations approved.

3.2 The Panel commenced its work in August 2023 reviewing the recommendations carried forward from the last review, conducting a survey and carrying out relevant research, supported by the Policy and Governance Manager. Correspondence has taken place via email and the Panel met once to consider the findings of the review and to agree its recommendations.

- 3.3 All Members were asked if there were any areas of the scheme that required attention and invited to comment on whether there were any barriers to Members using the provisions relating to support for dependent care.
- 3.4 17 out of 39 Members responded to the questionnaire, which represents a response rate of 44%. The Panel would like to thank those Members who took the time to respond and also to take the opportunity to strongly encourage all Members to respond to the questionnaire in future years as the responses have a significant influence on the proposals and it is important that all Members have a say in their allowances.
- 3.5 Of those Members who responded to the survey, 65% indicated that they were happy with the scheme or had no comments. However, when the Panel took into account the number of non-respondents, the percentage of all Members with no comments was 85%. Of those who provided comments, they were largely general comments about allowances being too low to cover the hours put in by Councillors and to attract new Councillors. For most respondents, the availability of support for dependent care was not relevant to them, but a small number of comments were received about the inadequacy of the rate payable for adult dependent care.

The Panel's Recommendations

- 3.6 The Panel's full report is at Appendix 1 to this report. Having considered relevant factors, the Panel is recommending no increase to the Basic Allowance for the 2024-25 Scheme of Allowances, noting that it remains linked to the local government pay award and will be increased in line with staff pay. A mechanism for any flat rate increase, if required, has been reconfirmed.
- 3.7 The only Special Responsibility Allowances (SRA) that the Panel are proposing changes to are those for Group Leaders and Deputy Group Leaders, and this follows on from their comments during the last review. The proposal recommends moving away from an allowance payable to all postholders, irrespective of the Group size, to a principle that all postholders should receive an identical allowance to recognise their contribution to good governance of the whole Council, with an additional variable uplift to reflect political group size. Both elements of the allowance would be based on percentages of the Basic Allowance and the Panel's recommendations for those elements are set out in the tables in Appendix 1. Key to the proposal is that it can be applied to any number and formation of political Groups, reflecting the fact that all Group Leaders and Deputy Leaders make an equal contribution to good governance, but that a larger Group will place more demands on postholders than a smaller Group.
- 3.8 The Panel were keen to understand why the child and dependent care provisions were not utilised more by Members and, although survey comments indicated that they were needed by a lot of Members, they would like to encourage those Members to whom they are relevant to make use of them.
- 3.9 The Panel also looked at the rates payable for child and dependent care and the associated provisions. They found the arrangements for childcare to be sufficient, though have recommended a small change to the rate payable for non-registered childcare (e.g. babysitters) to reflect the fact that the UK Living Wage should be applied to all work. With regard to dependent care, based on evidence provided and

further research, the Panel found the rate payable to be inadequate and have recommended that the rate be increased to a maximum that is aimed at covering the full costs of care required to enable Councillors to attend Approved Duties.

- 3.10 For both child and dependent care, the Council will expect to reimburse actual costs incurred, with the rates stated as an appropriate maximum in each case. To ensure appropriate safeguards and audit trail, Councillors will continue to complete the existing self-declaration, but in the case of registered care for both children and dependents, a copy of the relevant invoice will also be required.
- 3.11 As the dependent care provisions are currently being utilised and claims being reimbursed at the existing inadequate rate, the Panel propose that the relevant recommendations been implemented with immediate effect, rather than waiting until the new Scheme takes effect in April 2024.
- 3.12 The Panel would like to thank Members for their involvement in the review.

Quedgeley Town Council

- 3.13 The Panel acts as the Members' Allowances Panel for Quedgeley Town Council (QTC), making recommendations to the Parish Council as it does to the City Council. QTC must have regard to the Panel's recommendations, but is ultimately entitled to agree its own scheme.
- 3.14 As this was a minor review, the Panel did not look at QTC allowances. Should QTC wish the Panel to review their allowances in more detail, they are welcome to make this request to the Policy and Governance Manager.

4.0 Social Value Considerations

- 4.1 Not applicable.

5.0 Environmental Implications

- 5.1 The scheme makes provision to cover the costs of using public transport outside the city boundaries and encourages its use by not allowing mileage claims within the city boundaries.

6.0 Alternative Options Considered

- 6.1 The Panel only conducted a minor review on this occasion, however, the Scheme proposed represents the Panel's view on the appropriate level of allowances having disregarded the other options.

7.0 Reasons for Recommendations

- 7.1 When agreeing a Members' Allowances Scheme, the Council is required to have regard to the recommendations of an Independent Remuneration Panel. The recommendations in the attached report represent the views of the Council's appointed Panel in light of the evidence reviewed.

8.0 Future Work and Conclusions

- 8.1 If the proposed Scheme for 2024-25 is approved, it will take effect from 1 April 2024 and any scheduled pay awards will be implemented at the appropriate time, with the exception of the recommendations regarding the dependent care allowance which would be effective immediately.
- 8.2 The new Scheme will be published on the Council's website.
- 8.3 The next detailed review is scheduled to report to Council in January 2027 and in the intervening years a short exercise will be undertaken to identify whether there have been any significant changes that require the Panel to consider recommending any changes to the Scheme.

9.0 Financial Implications

- 9.1 If approved, using existing appointments as a reference point, the total cost of the scheme for 2024-25 would be £390,467. This does not include any uplift to reflect any staff pay award that may be agreed for 2024-25.
- 9.2 The total costs stated do not include any travelling, subsistence or carers' costs.
- (Financial Services have been consulted in the preparation this report.)

10.0 Legal Implications

- 10.1 The review of Members' Allowances meets the Council's obligations under the Local Authorities (Members' Allowances) (England) Regulations 2003, which require the Council to make and publish a Scheme of Allowances by the 31st March each year that makes provision for the payment of a Basic Allowance; the Scheme may also make provision for the following allowances if the Council authority intends to make such payments:
- (a) special responsibility allowance;
 - (b) dependents' carers' allowance;
 - (c) travelling and subsistence allowance; and
 - (d) co-optees' allowance.
- 10.2 The Council is required to establish and maintain an independent remuneration panel which makes recommendations to Council on the matter of Members' allowances. The Council must have regard to the recommendations of the Panel when agreeing its Scheme.

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

11.0 Risk & Opportunity Management Implications

- 11.1 The Panel are satisfied that their recommendations do not present any risk to the Council.

12.0 People Impact Assessment (PIA):

- 12.1 During the PIA Screening Stage issues around age and gender were identified, however, the Panel considered that the impact on these areas was neutral as, the scheme actively seeks to remove barriers by offering an appropriate level of remuneration and increasing allowances annually in line with staff pay, noting that the Panel must operate within the relevant legislative and policy framework. Any impact is further mitigated by making provision for the costs of engaging child and dependent care cover and favourable provisions relating to maternity/paternity/parental leave and leave for ill health reasons.
- 12.2 The Screening Stage was completed and did not identify any potential or actual negative impact, therefore a full PIA was not required.

13.0 Community Safety Implications

- 13.1 None.

14.0 Staffing & Trade Union Implications

- 14.1 None.

Background Documents: None

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REPORT OF THE INDEPENDENT REMUNERATION PANEL TO GLOUCESTER CITY COUNCIL

Introduction

1. On 26th January, 2023 the City Council confirmed all of the recommendations made by the Independent Remuneration Panel (IRP) following our review of members' allowances. We are grateful for the Council's support for our recommendations which, as always, had a sound base in the evidence we received.
2. Within those recommendations there were a number of issues which we wished to flag up for ongoing review, with a view to making further recommendations, if appropriate, for implementation wef May, 2024 i.e. after the Council elections that month.
3. These issues were:
 - how the Basic Allowance was calculated;
 - role of/allowance for the Deputy Chair of the Overview and Scrutiny Committee, in the light of operational experience;
 - an alternative approach to Group Leaders' allowances related to both governance and group size;
 - Member Champions and any Council response to our findings.
4. In addition, we have invited members of the Council to advise us of any issues with the Scheme of Allowances, by way of an annual check.
5. The Panel was also invited to consider the Scheme's provisions relating to expenses that could be claimed by councillors for dependent care support.

The Basic Allowance

6. The Council approved our recommendation that the Basic Allowance be set at £6,465 for 2023/24, to include a 4.04% uplift to reflect the rather unique flat rate approach to the staff award for that year.
7. The Panel was minded to give further consideration to how the Basic Allowance was calculated, and the possibility of updating the formula that was used in 2015 for this purpose.

8. The elements of the original formula were:
 - number of hours per week worked by councillors;
 - a relevant local employment figure for hourly pay;
 - a percentage reduction to account for voluntary service.
9. The Panel was anxious to reflect in any revised formula (a) a realistic figure to reflect the number of hours per week that councillors devoted to Council and constituency work – *19.5hpw was the likely average figure revealed in the survey of all councillors in 2022*; (b) an up-to-date and relevant local employment statistic for Gloucester – *the gross median hourly pay for part-time, rather than full-time, employees in Gloucester is £10.62*; and (c) a more relevant and realistic percentage of hours that were unremunerated, in accordance with Government guidelines – *the original formula used a 33% reduction but the Panel felt that a figure nearer 20% was more relevant*.
10. While the Panel would have liked to work with this data to produce a meaningful and robust formula for the future, it has not proved possible to develop this approach in a way that results in an acceptable level of allowance to recommend to the Council.
11. The Panel is however satisfied that the present allowance, indexed as it is to staff pay awards, has origins in the formulaic approach adopted in 2015 (see recommendation 2 below re. any future flat-rate staff awards).
12. **RECOMMENDATION 1: That the Council note the Panel’s position; and**
13. **RECOMMENDATION 2: That the Council approves that any flat-rate staff increase awarded in the future be applied to councillors’ allowances at the percentage level adjustment applied in the award to Officers’ expenses.**

Deputy Chair of Overview and Scrutiny Committee

14. The Council accepted our recommendation that there was parity in the roles and responsibilities of the Chairs of the Planning and Overview and Scrutiny Committees, each entitled to an allowance of £4,971.

15. The Panel did not feel however that the same parity existed at Deputy Chair level, in the context of needing detailed subject and procedural knowledge. It therefore did not recommend an allowance for the Deputy Chair of the Overview and Scrutiny Committee, but agreed to keep the matter under review in the light of operational experience.
16. The Panel has noted that all three main parties have a role in directing the work programme of the Committee, including a spokesperson from the administration. It might therefore be invidious to consider an allowance for the Deputy Chair in isolation.
17. The Panel has been advised that, as a result of the Peer Review, there is a desire to rebalance the focus of the overview and scrutiny function, with a greater emphasis on policy development work.
18. In these circumstances, it would seem appropriate for the Panel to take no action on this matter for the time being and to monitor the situation in the light of operational experience of the change in focus.
19. **RECOMMENDATION 3: That the Council note the intention of the Panel to monitor this situation and to reconsider the matter as and when the Council requests a review.**

Allowances for Political Group Leaders (Particularly Minority Group Leaders)

20. One of our recommendations to the Council in January 2023 was to note our intention to bring forward a recommendation relating to Group Leaders' allowances for implementation post-May 2024 elections.
21. The Panel has looked carefully at Gloucester's role description for a Group Leader which includes :
 - credible checks and balances when in opposition;
 - co-operation with other political groups;
 - monitoring performance of the Council;
 - 'shadow' one or more service or corporate areas of the Council;
 - effective political group management and leadership;
 - ensuring compliance with codes of conduct and protocols.

22. The Panel believes that the Group Leader role is instrumental in the good governance of the whole Council, irrespective of being in administration or opposition/minority and irrespective of group size.
23. We have explored the principle that all group leaders should receive an identical allowance to recognise their contribution, in that capacity, to good governance with an additional variable uplift to reflect political group size.
24. While initially we felt the principle might not apply to the Deputy Leader role, we have been persuaded that, in line with our criteria for awarding SRAs, the role should be recognised in this way.
25. The following tables represent a possible allocation to Group Leaders and Deputy Group Leaders in Gloucester based on the present Basic Allowance of £6,465. It covers the range 2 to 19 members since the leadership of any group beyond 19 in size is likely to be the Council Leader/Deputy Leader and receive an allowance in those capacities anyway.
26. Its make-up can be applied to any formation of political groups and works on the legal basis that a legitimate group may comprise no fewer than two members giving notice to the Monitoring Officer that they wish to be recognised as a political group on the Council.

Group Leader	Governance Element (50% BA)	(19-13 members) (75% BA)	(12-6 members) (50% BA)	(5-2 members) (25% BA)	Total – Governance and Group size
<i>Leader of Group</i>	£3,232	£4,849			£8,081
<i>Leader of Group</i>	£3,232		£3,232		£6,465
<i>Leader of Group</i>	£3,232			£1,616	£4,848

(Note: By virtue of the "one member one SRA" rule, not all of these allowances may be taken up as post-holders may have other SRA positions of higher level)

Deputy Group Leader	Governance Element (12.5% BA)	(19-13 members) (25% of Group Leader)	(12-6 members) (25% of Group Leader)	(5-2 members) (25% of Group Leader)	Total – Governance and Group size
<i>Deputy Leader of Group</i>	£808	£1,212			£2,020
<i>Deputy Leader of Group</i>	£808		£808		£1,616
<i>Deputy Leader of Group</i>	£808			£404	£1,212

27. We believe that the above structure is a fairer and more relevant way of determining leadership allowances and can be applied to whatever balance of political administration exists immediately post- May 2024 elections and beyond.
28. **RECOMMENDATION 4: That the special responsibility allowances for Political Group Leaders and Deputy Political Group Leaders be as set out in the above tables, effective from May 2024;**
29. **RECOMMENDATION 5: That the Scheme of Allowances be amended to delete reference to [allowances applying to] a maximum of 2 Minority Group Leaders and 2 Minority Deputy Group Leaders (i.e. Note 2 to the Schedule of Special Responsibility Allowances.)**

Dependent Care and Child Care Allowances

30. The Panel has noted the present provisions of the Scheme regarding dependent care support expenses for councillors as follows:
- Registered childcare – actual costs up to a max hourly rate equivalent to the current UK Living Wage for each child being cared for;
 - Non-registered childcare – actual costs up to a max £10 per hour (flat rate)
 - Care for dependent children with severe disabilities and care for dependent adult relatives – actual costs up to a max £10 per hour for each dependent.
31. The Panel has voiced concern that councillors do not appear to be taking advantage of the provisions of the Scheme designed to support them in

meeting council commitments. The Panel has strived to understand the reasons for this and, if possible, to consider proposing any change in the Scheme of Allowances to facilitate better take up and to remove any potential barrier.

32. Firstly, the Panel has noted that the Council is committed to the UK Living Wage. While this is recognised in the Scheme in its payment for registered childcare, there is no stated equivalent for non-registered childcare. The Panel feels this anomaly should be remedied.
33. One particular piece of evidence we have considered indicates that the cost of securing relevant, safe and professional support for a dependent relative could potentially cancel out any allowance received and could place a limit on the degree to which a councillor was able to get involved in civic and Council duties. It is worth emphasising also that, as Gloucester City Councillors' regular duties tend to take place in the evening, unlike child care/babysitting for these times, which a family member or friend may provide, the care for dependent relatives is likely to require qualified and specialised support for the particular needs of the person cared for.
34. It seems that dependent care support arranged through the local authority or private provider, which would normally comprise a series of care visits throughout the day or night, would not be structured to cover say a 4 x hour block of care while a councillor was attending an evening meeting. It is noted that Gloucester City Councillors' regular duties tend to take place in the evenings.
35. Putting in place an alternative provision for dependent care will need to provide safeguards for the authority balanced with robust support for councillors who need to arrange proper cover. We have considered the following:

To what extent should any payment under the Scheme take account of any "attendance payment" received by the councillor from the Government?

To what extent should the Scheme require verification of care support provided?

To what extent should support under the Scheme of Allowances be limited in either value or time covered?

Should cover/support be available in respect of all approved duties under the Scheme?

36. Our conclusion is that the Scheme of Allowances should aim to cover the full cost of providing cover for dependent care support at a rate that is reflective of the real costs incurred by Councillors in Gloucester, but that a reasonable maximum rate per hour should be set as a safeguard. As with all expenses, claims will relate to any aspect of the Approved Duties covered in the Scheme and for any reasonable time period.
37. There should however be provision within the Scheme for any payment in excess of the specified hourly maximum to be authorised by the appropriate nominated senior officer in exceptional circumstances.
38. Such claims should not be subject to means testing and therefore, for these purposes, the receipt of other financial allowances (e.g. Government attendance payment) will not be relevant. We feel that the practice of submitting a simple declaration form identifying the duties for which the allowance is being claimed should continue.
39. Additionally, claimants should provide relevant invoices from their registered care provider to support their claims (a principle we feel should apply also to claims for registered childcare providers). The Panel believes that the underlying principle must be that there is a duty on all councillors to claim honestly within the provisions of the Scheme of Allowances. The Panel is aware that payments under the Scheme of Allowances could be audited under the Council's internal audit work programme.
40. **RECOMMENDATION 6: That the Scheme of Allowances be amended to reflect the following::**

Registered childcare: actual costs up to a maximum hourly rate equivalent to the current UK Living Wage for each child cared for, with self-declaration and claims backed by invoices submitted from the care provider;

Non-registered childcare: actual costs up to a maximum hourly rate equivalent to the current UK Living Wage (flat rate) with self-declaration;

Care for dependent children with severe disabilities and care for dependent adult relatives: actual costs up to a maximum of £30 per hour for each dependent, with self-declaration and claims backed by invoices submitted from the care provider.

In all cases, an appropriate nominated senior officer be authorised to approve claims that exceed these levels in exceptional circumstances.

Claims may be made against all aspects of the Approved Duties specified in the Scheme.

41. The Panel sees no reason why the proposed changes to the dependent care/childcare allowances should not be implemented with immediate effect.
42. **RECOMMENDATION 7: That the above changes to dependent and child care allowances be implemented with immediate effect.**

Graham Russell
Chair of Panel

October, 2023.

Gloucester City Council

Meeting:	General Purposes Committee Council	Date:	11 January 2024 25 January 2024
Subject:	Review of Polling District and Polling Places		
Report Of:	Returning Officer		
Wards Affected:	All Wards		
Key Decision:	No	Budget/Policy Framework:	No
Contact Officer:	Tanya Davies, Policy and Governance Manager		
	Email: tanya.davies@gloucester.gov.uk	Tel:	396125
Appendices:	<ol style="list-style-type: none"> 1. Notice of Review 2. List of consultees 3. Revised ARO Recommendations 4. Maps of Polling Districts where changes are recommended 		

FOR GENERAL RELEASE

1.0 Purpose of Report

- 1.1 To outline the recommendations for the Review of Polling Districts and Polling Places, which aimed to ensure that:
- electors have such reasonable facilities for voting as are practicable in the circumstances.
 - as far as is reasonable and practicable, the polling places are accessible to all electors and, when considering the designation of a polling place, the Council has regard to the accessibility needs of disabled persons.

2.0 Recommendations

2.1 The General Purposes Committee is asked to

- (1) Consider the proposals for the Review of Polling District and Polling Places and, subject to any amendments, **RECOMMEND** the proposals to Council for approval.
- (2) **RECOMMEND** to Council a preferred option for the polling station for
 - a. BT3.
 - b. E3 and KW3
 - c. H1 and H2
 - d. M3 and M4
 - e. W2

- (3) **RECOMMEND** to Council that, where a decision is required at short notice and it is not possible to await a decision of Council, power to designate polling places in accordance with section 18 and 18B of the Representation of the People Act 1983 be delegated to the Managing Director following consultation with Group Leaders and the relevant Ward Councillors.

2.3 Council is asked to **RESOLVE** that

- (1) The proposals for the Review of Polling Districts and Polling Places Review be approved.
- (2) Where a decision is required at short notice and it is not possible to await a decision of Council, power to designate polling places in accordance with section 18 and 18B of the Representation of the People Act 1983 be delegated to the Managing Director following consultation with Group Leaders and the relevant Ward Councillors.

3.0 Background and Key Issues

3.1 Under the Representation of the People Act 1983, the council has a duty to divide its area into polling districts and to designate a polling place for each district. The following definitions may be helpful:

- 'Polling districts' are geographical electoral areas into which wards and constituencies may be sub-divided.
- 'Polling places' are the buildings or areas designated by the council where electors in a polling district go to vote in person.
- 'Polling stations' are the number of issuing desks in the building or area that is the designated polling place.

3.2 The Electoral Administration Act 2006, as amended, introduced a duty on all local authorities in Great Britain to review their polling districts and polling places at least once every five years and, under section 18C of the Representation of the People Act 1983, Councils must undertake a compulsory review within a 16-month window between 1 October 2023 and 31 January 2025.

3.3 The intention of the legislation was reviews would be completed by the January before a UK parliamentary general election. However, since the repeal of the Fixed Term Parliaments Act 2011, there is no longer any certainty as to when the next general election will be, except that it must take place before Tuesday 28 January 2025.

3.4 In addition, the Boundary Commission for England has undertaken a review of Parliamentary constituency boundaries. The final recommendations have been published and once the Orders for new parliamentary constituencies have been made, the new boundaries will be used for the next general election. If a parliamentary by-election is called in the meantime, it would be run on existing boundaries.

3.5 These issues meant that it was important that the review of polling districts and places was carried out as early as possible, so that the Council has agreed polling districts and places to be used for the next Parliamentary election, as well as the scheduled local elections and Police and Crime Commissioner elections in May 2024, and has a polling scheme in place which reflects the new constituencies. A

further interim review will be required to deal with any impact resulting from the review of Gloucestershire County Council divisions that is due to conclude soon and come into force for their next elections in May 2025.

Review timetable

- 3.6 Although the review could not commence prior to 1 October 2023, preparatory work began earlier. This report does not currently propose any changes to the boundaries of polling districts, but if any are proposed, the register of electors will be republished by 1 March 2024 to implement those changes ahead of the nomination period for the May 2024 elections. The timetable for the review is set out below:

September 2023	Preparatory work
2 October 2023	Notice of formal review and commencement of public consultation
By 20 October 2023	Publication of AROs' comments
12 November 2023	End of public consultation period
11 January 2024	General Purposes Committee consider proposals and make recommendations to Council
25 January 2024	Council to consider and approve final proposals
No later than 1 March 2024	Publish revised register of electors (only if boundary changes are proposed)

Review process

- 3.7 The process for a polling district and places review is set out in Schedule A1, Representation of the People Act 1983.
- 3.8 The Council must:
- publish a notice of the holding of a review
 - consult the (Acting) Returning Officer ((A)RO) for every Parliamentary constituency which is wholly or partly in its area
 - publish all representations made by an (A)RO within 30 days of receipt by posting a copy of them at the local authority's office and in at least one conspicuous place in their area and, if the authority maintains a website, by placing a copy on the authority's website
 - seek representations from such persons as it thinks have particular expertise in relation to access to premises or facilities for persons who have different forms of disability. Such persons must have an opportunity to make representations and to comment on the representations made by the (A)RO(s).
 - On completion of the review, publish details of the designation of polling districts and polling places within the local authority area as a result of the review, giving reasons, and publish all correspondence and representations received.
- 3.9 In preparing the ARO for Gloucester's submission, electorate projections and information from the Planning Policy Team on anticipated development was considered. This information did not result in any proposals to increase the number or change the boundaries of any polling districts. As such, the ARO's initial proposals focused on polling places and stations and more specifically:
- Ensuring that polling places can support the requirements of the Elections Act, for example with sufficient space to undertake Voter ID checks, whether

privately or in view of others, and to accommodate equipment to assist disabled voters.

- Identifying alternative polling places in polling districts where schools are currently used.

3.10 Visits to all existing and all suggested alternative polling places took place from September to November, with a full assessment carried out to ensure suitability. Some suggested alternatives were included in the ARO for Gloucester's initial proposals and others were identified or visited later.

3.11 The proposals of the ARO for Gloucester was published on 20 October. The ARO for Tewkesbury confirmed that they support the proposals put forward by the ARO for Gloucester in respect of the area that falls within the Tewkesbury Constituency.

Consultation

3.12 The public consultation ran from 2 October to 12 November 2023. This was publicised via the Council's social media channels and via a dedicated page on the Council's website and direct communications with the consultees listed at Appendix 2. Despite the large number of individuals and organisations directly contacted, the only consultation responses received were from Councillors regarding polling places in specific wards and most of these were as a result of requests for comments on suggested alternatives in some polling districts.

3.13 During the consultation the Council was contacted by Gloucestershire Sight Loss Council. Officers met with their representative, who provided valuable feedback on the voting process for a blind or visually impaired person. Of particular significance was information on the best methods for raising awareness amongst these voters of Voter ID requirements and the availability of free Voter Authority Certificates (VAC) for those without another acceptable form of ID. As a result, the Council will be creating adverts for talking newspapers that are circulated in Gloucester, which will also publicise the availability of appointments for anyone who would like assistance with completing the VAC application process, including taking photographs.

Proposals

3.14 The ARO's original proposals contained several suggestions for alternative polling places and additional alternatives have been identified since. In every case, the current ward Councillors have been asked for their views on moving the polling place to the alternative location.

3.15 **BT3** (Appendix 4a) – Successive reviews have failed to identify suitable alternatives to the schools used as polling places in Barton and Tredworth ward, however, on this occasion the Ukrainian Association was identified as a possible alternative to Hatherley Infant School in BT3. A visit was conducted and the Ukrainian Association was deemed to be suitably accessible for all voters and with the necessary facilities. While it is located at the opposite end of the polling district to the current polling place, it is also at the more highly populated end and, crucially, its use would mean that the school would not have to close to accommodate elections, which is currently has to do.

The current Barton and Tredworth ward Councillors were consulted and two indicated that they would be content with moving the polling place to the Ukrainian

Association. Members of the General Purposes Committee are asked to recommend one of the following options to Council:

1. Remain at Hatherley Infant School
2. Move to the Ukrainian Association

- 3.16 **E3 and KW3** (Appendix 4b) – Gloucester Old Boys RFC was initially suggested as a possible alternative to St Peters Under 5s by one of the Elmbridge ward Councillors. St Peters Under 5s is located in Elmbridge ward, but due to the fact that there is no suitable location in KW3, voters from parts of both Elmbridge and Kingsholm and Wotton wards currently vote there. A visit was conducted and Gloucester Old Boys RFC was deemed suitably accessible for all voters and with the necessary facilities, including the availability of adequate parking. Its use would prevent the preschool setting from having to close, which it currently has to do and avoid issues on the congested road outside the current polling place.

The other current ward Councillors for both Elmbridge and Kingsholm and Wotton were consulted and all indicated that they would be content with moving the polling place to Gloucester Old Boys RFC. Members of the General Purposes Committee are asked to recommend one of the following options to Council:

1. Remain at St Peters Under 5s
2. Move to Gloucester Old Boys RFC

- 3.17 **H1 and H2** (Appendix 4c) – In an effort not to close the whole school, the current polling place for H1 and H2, Hillview Primary School, has allocated a separate and relatively small building for use as a polling station. This has proved a challenge during recent elections therefore, with the requirement for polling places to have sufficient space to undertake Voter ID checks, it is considered that this venue is no longer suitable. To avoid closing the school, alternative venues have been explored and St Philip and St James Church, which is a four minute walk from the current polling place, has been identified as a possible alternative. A visit was conducted and it was deemed suitably accessible for all voters and with the necessary facilities, including the availability of adequate parking.

The current Hucclecote ward Councillors were consulted and both indicated that they would be content with moving the polling place to St Philip and St James' Church. Members of the General Purposes Committee are asked to recommend one of the following options to Council:

1. Remain at Hillview Primary School – not recommended due to insufficient space.
2. Move to St Philip and St James' Church

- 3.18 **M3 and M4** (Appendix 4d) – When making arrangements for the May 2021 elections, which took place during the Covid-19 pandemic, the usual M3 and M4 polling place, Linden Primary, expressed significant concerns about being used as a polling place while trying to adhere to social distancing requirements and keep staff and pupils safe because the school doesn't typically close for elections. To prevent the school from having to close entirely, the polling place was relocated to The Chapel on Seymour Road, which was deemed to be a suitable replacement and only a five minute walk from Linden Primary School. As this was a successful change, and in order to prevent the disruption caused to the school, it is proposed

that the polling place for M3 and M4 be moved to The Chapel permanently. This venue also benefits from having a car park, which the current polling place does not have.

The current Moreland ward Councillors were consulted and two indicated that they would be content with moving the polling place to The Chapel. Members of the General Purposes Committee are asked to recommend one of the following options to Council:

1. Remain at Linden Primary School
2. Move to The Chapel, Seymour Road

- 3.19 **W2** (Appendix 4e) – When making arrangements for the March 2023 Westgate By-Election the usual W2 polling place, St Mary de Lode Church, was not available due to works being carried out. The polling place was relocated to the nearby St Mary’s Congregational Church, which was deemed to be a suitable replacement and only a two minute walk from St Mary de Lode. As this was a successful change, and due to the higher cost of St Mary de Lode, it is proposed that the polling place for W2 be moved to St Mary’s Congregational Church permanently. This venue also benefits from having a modest car park, though many of the voters in this polling district walk, which they will still be able to do.

The current ward Westgate Councillors were consulted and one indicated that they would be content with moving the polling place to St Mary’s Congregational Church. Members of the General Purposes Committee are asked to recommend one of the following options to Council:

1. Remain at St Mary de Lode Church
2. Move to St Mary’s Congregational Church.

4.0 Social Value Considerations

- 4.1 The Review of Polling Districts and Polling Places seeks to obtain the views of the community on the best arrangements for voting and relies on the availability of community buildings for use as polling stations.

5.0 Environmental Implications

- 5.1 It is always preferable for electors to be able to walk to their polling station and access arrangements are a key consideration during the review; however, it is not always possible to provide a polling station within walking distance.

6.0 Alternative Options Considered

- 6.1 Details of the alternative options considered are outlined in the main body of the report.

7.0 Reasons for Recommendations

- 7.1 The review of polling districts and polling places is a statutory requirement. The recommendations made seek to ensure that electors in the constituency have such reasonable facilities for voting as are practicable in the circumstances and that the arrangements meet the legislative requirements.

8.0 Future Work and Conclusions

- 8.1 If the Council agrees the proposals, the new polling places will take effect immediately will be made available to the public on the council's website, along with all documents that the Council is required to publish.
- 8.2 Unless polling district boundary reviews are approved, it will not be necessary to republish the register of electors, but if any such proposals are approved the register will be re-published by 1 March 2024 so that the changes are in place ahead of the nomination period for the May 2024 elections. If possible, poll cards for electors whose polling station has changed will include a note highlighting the change.
- 8.3 A further interim review will take place after the May 2024 elections to deal with any changes required as a result of the Gloucester County Council boundary review.

9.0 Financial Implications

- 9.1 If the proposals are approved there may be some fluctuation in polling station costs as some new venues have been proposed, but at least one alternative location costs significantly less than the current venue.

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

10.0 Legal Implications

- 10.1 The Council has a statutory duty to review its polling districts, polling places and polling stations to ensure that the polling stations are accessible to all electors including those with special needs. A consultation has been completed and consideration has been given to the views put forward.
- 10.2 Any changes to the polling districts, polling places and polling stations must be made in accordance with the provisions of the Representation of People Act 1983 (as amended), Electoral Registration and Administration Act 2013 and Equalities Act 2010.

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

11.0 Risk & Opportunity Management Implications

- 11.1 There is a risk that electors whose polling station has moved will go to the wrong location. The risk is mitigated by publicising the changes and printing the polling station details on the poll card, which is done as a matter of course. If possible, the poll cards will specifically highlight that there has been a change.

12.0 People Impact Assessment (PIA):

- 12.1 As part of the review process, local authorities must have regard to accessibility issues and must take measures to ensure that, where possible, polling stations are accessible to disabled electors.

- 12.2 All new polling station locations have been assessed for their accessibility to disabled voters and found to be suitable.
- 12.3 The PIA Screening Stage was completed and did not identify any potential or actual negative impact, therefore a full PIA was not required.

13.0 Other Corporate Implications

Community Safety

- 13.1 There are no community safety implications resulting from this report.

Staffing & Trade Union

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

Background Documents: None



NOTICE OF POLLING DISTRICTS AND POLLING PLACES REVIEW

Notice is hereby given that, in accordance with Section 18C of the Representation of the People Act 1983, Gloucester City Council (the Council) is to carry out a review of its polling districts and polling places.

Relevant information and mapping regarding the current arrangements and proposals for changes can be found on the Council's [website](#) or can be inspected at the Council offices by appointment.

The (Acting) Returning Officer (ARO) for the Parliamentary constituencies of Gloucester and Tewkesbury will comment on the proposals. Those representations will be published on the Council's website and will be available for inspection at the Council offices by appointment in accordance with the timetable set out below.

Electors within the Council area or within a UK Parliamentary constituency which has any part in the authority may make a representation. We invite comments from all electors regarding the convenience of voting at polling stations currently used for elections and would welcome suggestions for alternative sites.

The Council would also welcome the views of all residents, particularly disabled residents, or any person or body with expertise in access for persons with any type of disability, on the proposals, ARO's representations or any other related matters.

Anybody making representations should, if possible, give alternative places that may be used as polling places.

Comments and representations may be submitted as follows:

By post:	Polling District Review, Democratic and Electoral Services, Gloucester City Council, PO Box 2017 Pershore, WR10 9BJ
By email:	elections@gloucester.gov.uk

All representations must be made no later than 12 November 2023

Timetable for Review	
2 October 2023	Notice of formal review and commencement of public consultation
By 20 October 2023	Publication of AROs' comments
12 November 2023	End of public consultation period
Date to be confirmed	General Purposes Committee consider proposals and make recommendations to Council
25 January 2024	Council to consider and approve final proposals
No later than 1 March 2024	Publish revised register of electors

The outcome of the review will be published by the Council no later than March 2024 and will be available for inspection on the Council's [website](#).

Anybody making representations should be aware that, upon completion of the review, all correspondence and representations received must, by law, also be published.

Dated: 2 October 2023
Jon McGinty
Managing Director
Gloucester City Council

List of Consultees

- The Returning Officer, Gloucester City Council
- The (Acting) Returning Officer, Gloucester City Council (Gloucester Constituency)
- The (Acting) Returning Officer, Tewkesbury Borough Council (Tewkesbury Constituency)
- Richard Graham MP (Gloucester Constituency)
- Laurence Robertson MP (Tewkesbury Constituency)
- Gloucester City Councillors
- Gloucestershire County Councillors (Gloucester Divisions)
- Conservative Party
- Labour Party
- Liberal Democrats
- Green Party
- Reform UK
- Disability and other Community Groups via the Council's Community Wellbeing Team
- All current polling stations

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(Acting) Returning Officer Comments

Ward	Polling District (PD)	County Division	Current Polling Station	2023 Electors to Polling Station (01/10/23)	2023 Electors to Polling Station Excluding Postal Voters (01/10/23)	Comments
Abbeydale	AD1	Abbey	Abbeydale Sports & Community Centre	2,182	1,685	Satisfactory
	AD2	Abbey	Heron Primary School	2,003	1,636	Satisfactory - no alternative to school identified
	AD3	Coney Hill & Matson	Heron Primary School	868	698	Satisfactory - no alternative to school identified
Abbeymead	AM1	Abbey	Abbeymead Primary School	2,316	1,888	Satisfactory - no alternative to school identified
	AM2	Abbey	Abbeymead Primary School	2,286	1,806	Satisfactory - no alternative to school identified
Barnwood	B1	Barnwood & Hucclecote	Wotton Hall Club Limited	1,496	1,251	Satisfactory
	B2	Barnwood & Hucclecote	St Lawrence Church Centre	1,564	1,199	Satisfactory
	B3	Barnwood & Hucclecote	The Trefoil Centre	1,283	940	Satisfactory
	B4	Abbey	St Lawrence Church Centre	665	502	Satisfactory
Barton & Tredworth	BT1	Barton & Tredworth	Colwell Arts Centre	2,271	1,892	Satisfactory
	BT2	Barton & Tredworth	St James Church of England Junior School	1,441	1,096	Satisfactory - no alternative to school identified
	BT3	Barton & Tredworth	Hatherley Infant School	2,038	1,584	Consider moving polling station to the Ukrainian Association - the possibility of moving the polling station away from a school location should be welcomed and this a suitable and accessible alternative within the polling district.
	BT4	Barton & Tredworth	Tredworth Junior School	1,622	1,388	Satisfactory - no alternative to school identified
Coney Hill	CH1	Coney Hill & Matson	St Oswalds Church Hall	1,611	1,403	Satisfactory
	CH2	Coney Hill & Matson	St Oswalds Church Hall	874	761	Satisfactory

Elmbridge	E1	Longlevens	Old Richians R.F.C. Sports & Social Club	2,019	1,669	Satisfactory
	E2	Kingsholm & Wotton	Methodist Church Hall, Lonsdale Road	2,300	1,840	Satisfactory
	E3	Kingsholm & Wotton	St Peters under 5s, St Peters Primary School	446	344	Consider moving polling station to Gloucester Old Boys Rugby Club - this was suggested by the Elmbridge Ward Councillors to avoid use of the school. The rugby club has its own parking and disabled access.
Grange	G1	Grange & Kingsway	Tuffley Community Association	1,364	1,066	Satisfactory
	G2	Grange & Kingsway	Gloucester District Scout H.Q., Murray Hall	934	808	Satisfactory
	G3	Grange & Kingsway	St Georges Church Centre	880	740	Satisfactory
	G4	Grange & Kingsway	Tuffley Community Association	1,122	841	Satisfactory
	G5	Grange & Kingsway	Gloucester District Scout H.Q., Murray Hall	768	665	Satisfactory
Hucclecote	H1	Barnwood & Hucclecote	Hillview Primary School	1,409	1,045	Move polling station to St Philip and St James Church - the space currently allocated at Hillview Primary School is no longer sufficient, therefore, to avoid the school having to close entirely, this suitable and accessible alternative is recommended.
	H2	Barnwood & Hucclecote	Hillview Primary School	1,573	1,211	Move polling station to St Philip and St James Church - the space currently allocated at Hillview Primary School is no longer sufficient, therefore, to avoid the school having to close entirely, this suitable and accessible alternative is recommended.
	H3	Barnwood & Hucclecote	Hucclecote Community Centre	2,054	1,525	Satisfactory
Kingsway	K1	Grange & Kingsway	Kingsway Community Centre	2,210	1,945	Satisfactory
	K2	Grange & Kingsway	Kingsway Community Centre	2,011	1,712	Satisfactory
Kingsholm & Wotton	KW1	Kingsholm & Wotton	The Lion's Den, Gloucester Rugby Club	2,204	1,795	Satisfactory
	KW2	Kingsholm & Wotton	The Lion's Den, Gloucester Rugby Club	1,858	1,619	Satisfactory
	KW3	Kingsholm & Wotton	St Peters under 5s, St Peters Primary School	764	651	Consider moving polling station to Gloucester Old Boys Rugby Club - this was suggested for voters in E3 by the Elmbridge Ward Councillors to avoid use of the school and would mean that KW3 voters would also vote here. The rugby club has its own parking and disabled access. Electors in KW3 already vote outside their polling district, so while this is further away from the ward boundary, voters are already used to travelling outside the polling district to vote.
Longlevens	L1	Longlevens	Longlevens Rugby Football Club	1,573	1,277	Satisfactory
	L2	Longlevens	Holy Trinity Church Hall	2,440	1,954	Satisfactory
	L3	Longlevens	Holy Trinity Church Hall	1,182	958	Satisfactory

L4	Longlevens	Longlevens Rugby Football Club	1,314	996	Satisfactory
L5	Longlevens	The Gala Club	806	614	Satisfactory

Moreland	M1	Barton & Tredworth	St Paul and St Stephen Church	636	582	Satisfactory
	M2	Hempsted & Westgate	St Paul and St Stephen Church	773	675	Satisfactory
	M3	Hempsted & Westgate	Linden Primary School	1,707	1,450	Move polling station to The Chapel, Seymour Road (used during 2021 elections) - while a non-religious building has previously been preferred in this area, there was no difference in overall turnout for Moreland between the 2016 and 2021 elections, indicating that it was unlikely that voters were put off by the alternative location. The possibility of moving the polling station away from a school location should be welcomed.
	M4	Tuffley	Linden Primary School	2,456	2,101	Move polling station to The Chapel, Seymour Road (used during 2021 elections) - while a non-religious building has previously been preferred in this area, there was no difference in overall turnout for Moreland between the 2016 and 2021 elections, indicating that it was unlikely that voters were put off by the alternative location. The possibility of moving the polling station away from a school location should be welcomed.
	M5	Barton & Tredworth	Parry Hall	1,236	1,028	Satisfactory
Matson, Robinswood & White City	MRW1	Coney Hill & Matson	St Aldates Church	1,676	1,362	Satisfactory
	MRW2	Coney Hill & Matson	The Phoenix Centre	1,863	1,539	Satisfactory
	MRW3	Coney Hill & Matson	Red Well Centre	1,573	1,322	Satisfactory
	MRW4	Tuffley	St Aldates Church	1,413	1,100	Satisfactory
Podsmead	P1	Hempsted & Westgate	Podsmead Community Association, (Ramblers Centre)	1,262	1,080	Satisfactory
	P2	Tuffley	Podsmead Community Association, (Ramblers Centre)	1,181	890	Satisfactory
Quedgeley Fieldcourt	QFC1	Quedgeley	Quedgeley Community Centre	1,985	1,560	Satisfactory
	QFC2	Quedgeley	Quedgeley Community Centre	2,093	1,736	Satisfactory
	QFC3	Grange & Kingsway	Waterwells Sports Centre	1,370	1,184	Satisfactory
Quedgeley Severn Vale	QSV1	Quedgeley	Little Meadows	2,512	2,051	Satisfactory
	QSV2	Quedgeley	Quedgeley Village Hall	2,209	1,796	Satisfactory
Tuffley	T1	Tuffley	St Barnabas Parish Hall	2,323	1,817	Satisfactory
	T2	Tuffley	Court Community Association	2,284	1,868	Satisfactory

Westgate	W1	Hempsted & Westgate	Hempsted Village Hall	2,175	1,789	Satisfactory
	W2	Hempsted & Westgate	St Mary De Lode Church Hall	1,423	1,181	Move polling station to St Mary's Congregational Church (used during Westgate by-election) - St Mary's Congregational Church is a proven suitable polling station that is very close to the current polling station. It has improved accessibility due to having its own car park and the hire costs also offer better value for money.
	W3	Kingsholm & Wotton	Resource Centre, 123 St Oswald's Village	705	541	Satisfactory
	W4	Hempsted & Westgate	Montpellier Community Hall	2,415	2,141	Satisfactory

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Barton & Tredworth Ward

Polling Station Status

- Existing
- Proposed



Ukrainian Association,
Midland Road/Brook Street L

Colwell Arts Centre

St James Church of England Junior School

Hatherley Infant School

Tredworth Junior School

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Elmbridge Ward and Kingsholm & Wotton Ward

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Polling Station Status

- Existing
- Proposed

KW1

KW2

KW3

Old Richians
R.F.C. Sports &
Social Club
E1

Methodist
Church Hall
E2

St Peters
Primary School
E3

Gloucester Old
Boys Rugby Club

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Hucclecote Ward



Polling Station Status

- Existing
- Proposed

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Moreland Ward



Polling Station Status

- Existing
- Proposed

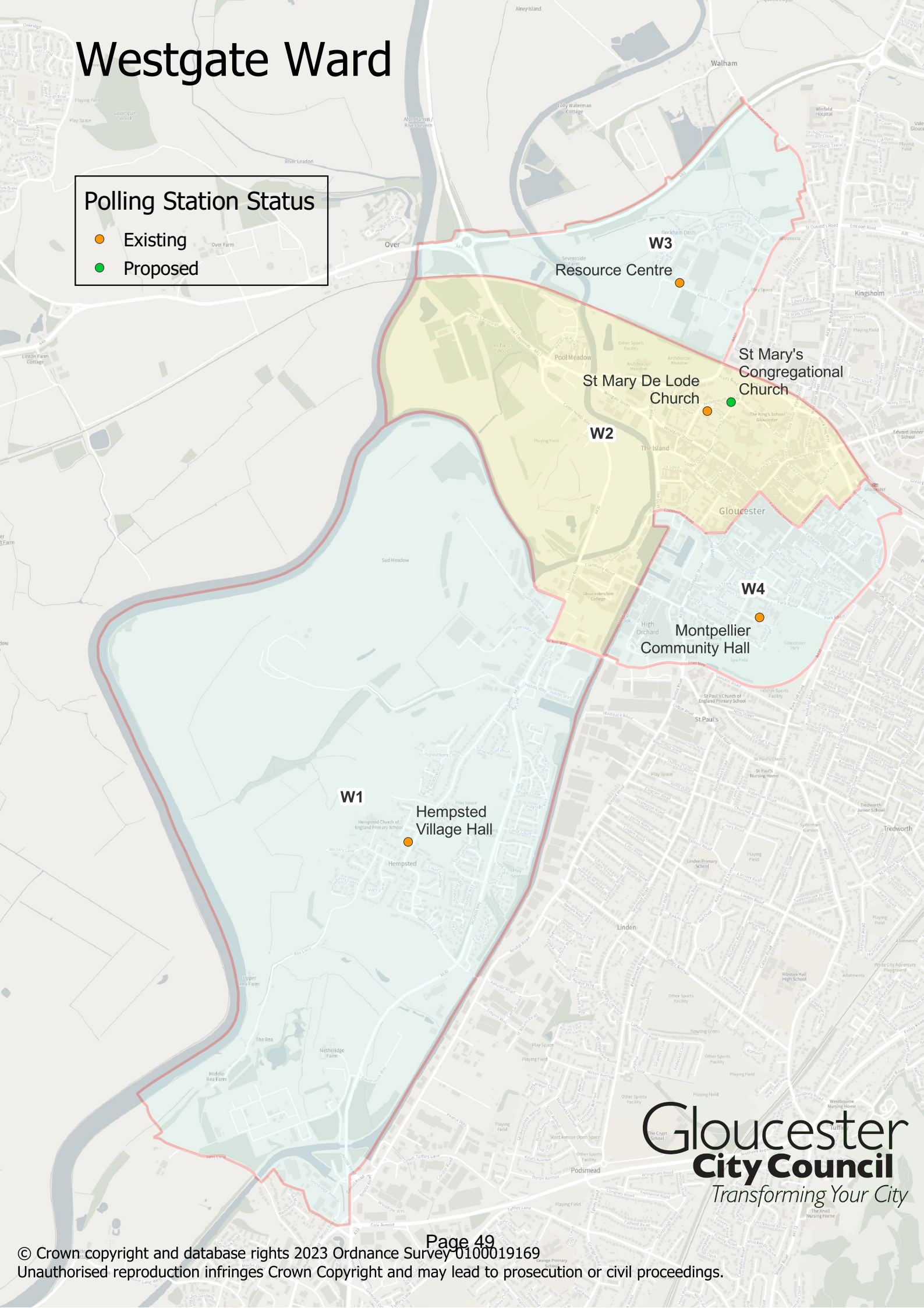
Gloucester City Council
Transforming Your City

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Westgate Ward

Polling Station Status

- Existing
- Proposed



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Gloucester City Council

Meeting:	General Purposes Committee Council	Date:	11 January 2024 25 January 2024
Subject:	Constitutional Changes		
Report Of:	Head of Paid Service		
Wards Affected:	All		
Key Decision:	No	Budget/Policy Framework:	No
Contact Officer:	Alice McAlpine, Monitoring Officer Email: alice.mcalpine@gloucester.gov.uk		
Appendices:	<ol style="list-style-type: none"> 1. (A) Updated Officer Code of Conduct (B) Comparison of Current Employee Code of Conduct with proposed updated Officer Code of Conduct 2. (A) Updated Planning Committee Functions as set out in Part 3C of the Constitution. (B) Comparison of current Planning Committee Functions as set out in Part 3C of the Constitution with updated Planning Committee Functions as set out in Part 3C of the Constitution 3. Changes to Council Procedure Rules 		

FOR GENERAL RELEASE

1.0 Purpose of Report

1.1 To propose changes to the Officer Code of Conduct and the Planning Committee Functions. The report also seeks authority to update the Council Procedure Rules in relation to Questions by the Public Question; Petitions and Deputations from the Public; questions by Members and Motions on Notice.

2.0 Recommendations

2.1 General Purposes Committee is asked to **RECOMMEND TO COUNCIL** that:

- (1) The updated Officer Code of Conduct set out in Appendix 1 is adopted.
- (2) The updated Planning Committee Functions as set out in Appendix 2 is adopted.
- (3) The Council Procedure Rules 10, 11, 12 and 13 in Part 4 of the Constitution are amended as set out in Appendix 3 are adopted.

2.2 Council is asked to **RESOLVE** that:

- (1) The updated Officer Code of Conduct set out in Appendix 1 is adopted.

(2) The updated Planning Committee Functions as set out in Appendix 2 is adopted.

(3) The Council Procedure Rules 10, 11, 12 and 13 in Part 4 of the Constitution are amended as set out in Appendix 3 is adopted.

3.0 Background and Key Issues

Updated Officer Code of Conduct

3.1 The Officer Code of Conduct is considered to be an integral part of the suite of documents that ensure that high standards of behaviour are maintained and, alongside the Member Code of Conduct, the Officer Code of Conduct underpins a strong governance culture. The updated Officer Code of Conduct is considered to provide clarity on the role of Officers at the Council and ensures that the Officer Code of Conduct aligns with the recently adopted Member Code of Conduct and Member/Officer Protocol.

3.2 The changes can be summarised as follows:

3.2.1 references to employees have been replaced with references to Officers, to properly reflect the duties of Officers to the Council as an elected body and to align with the Member/Officer Protocol.

3.2.2 adds clarity the responsibility of Officers to provide support across the Council and to act in way that maintains public confidence in the Council as a whole.

3.2.3 clarifies the expectations in relation to personal relationships between Officers and Officers and Members and reinforces the importance of not being under the influence of alcohol and/or drugs while at work.

3.2.4 it proposes that subject to consultation with Trade Unions the rules in relation to secondary employment will apply to all Officers of the Council and not just those at Grade F and above.

3.2.5 updates the expectations of Officers in relation to the use of Council facilities and systems as well as social media.

3.3 The differences between the current Code of Conduct and the updated code of conduct are shown as track changes at Appendix 1B.

Changes to Functions of Planning Committee

3.4 Minor Amendments are proposed to the Functions of the Planning Committee. The amendments bring the Planning Committee functions into alignment with other Gloucestershire councils' planning committee functions and addresses technical issues that have arisen.

3.5 The differences between the current arrangements and the amended arrangements are shown as track changes at Appendix 2B.

Council Procedure Rules

3.6 A number of changes are proposed to Council Procedure Rules in order to bring the rules up to date with current practice and further improve the efficient dispatch of Council business. All proposals are highlighted in Appendix 3 and the main changes are set out below.

Rule 10 - Questions by the Public

- 3.7 The changes proposed to public questions are aimed at providing a process that mirrors the one that is in place for Members. As notice of public questions is already required, it follows that the responses to the submitted questions be published in advance of the meeting and members of the public be permitted to attend and ask one supplementary question without notice if they would like to.
- 3.8 Currently the Constitution permits members of the public to ask one question, however, in practice we have allowed any number of additional questions to be asked. In recent times, this has meant that individuals have on occasion asked as many as seven questions at a single meeting, which is more than Members are permitted to ask, and can mean that a disproportionate amount of time is spent on public questions. It is therefore proposed that a maximum of 3 questions per person be accepted, which is in line with neighbouring Councils that have a limit.

Rule 11 – Petitions and Deputations from the Public

- 3.9 It is proposed that a notice requirement is introduced for petitions and deputations to ensure that a substantive response can be provided at the meeting at which they are presented. In the case of petitions, it is also important to have this information in advance to enable a petition to be handled in accordance with the Council's Petitions Scheme, particularly if a petition has met the threshold for a Council debate.
- 3.10 A further amendment proposes to confirm current practice whereby a ward Member can present a petition on behalf of members of the public if the petition organisers request it and the Member agrees.

Rule 12 – Questions by Members

- 3.11 The first amendment **proposed** seeks to ensure that Group Leader priority for questions to Cabinet Members is applicable to any number of political Groups. The second amendment seeks to bring questions to Chairs of Meetings into line with the provisions for questions to Cabinet Members. A lower maximum of three questions per Member is proposed because Chairs of Committees have a narrower remit than Cabinet Members.

Rule 13 – Motions on Notice

- 3.12 Currently, there are no limits of the number or time spent on notices of motion. The Constitution does include provision for Group Leaders to select which motions will be called for debate (Rule 13(3)), however, this provision is not used in practice. Recently, the number of motions received at Council meetings has increased, with as many as seven or eight motions on a single agenda, and there is a need to consider how best to handle motions to ensure the efficient and effective dispatch of Council business and to keep Council meetings to a reasonable length, noting that there is an optional three hour guillotine that, to date, Members have not voted to invoke.
- 3.13 Practice at neighbouring councils has been considered and Members are invited to consider two options:

- (i) A limit on the number of motions that a single Member can move or second, with a suggested limit of three. Thereafter, all motions could be included for debate, or a selection process could also be established to decide which motions would be debated and/or in what order.
- (ii) A limit on the time available for debating motions, with a suggested limit of two hours, and any motion not discussed within the time limit deemed void. Motions could be taken in the order of receipt or a selection process could also be established to decide the order.

3.14 Rule 13(5), which provides for the automatic reference to the relevant alternative decision-making body, any motion that comes within the province of a Cabinet portfolio or Committee, is also not utilised in practice, with any motion submitted within the relevant timescales being placed on the agenda and debated. Members are invited to consider whether this rule should be retained and, if so, whether greater consideration should be given to whether a motion is appropriate for Council consideration or should be referred elsewhere.

3.15 Rule 13(7) states that motions will be ruled out of order if they are not relevant to some matter in relation to which the Council has powers or duties or which affects the City. Again, as all motions submitted are generally placed on the agenda, it has become common for Council to debate motions on topics that it has no direct power or influence over, often resulting in a letter being written to the Government or another decision-making body and no substantive action by the Council itself. Members are invited to comment on whether greater consideration should be given to whether motions are of relevance to the powers and duties of the Council and, where they are deemed not to be, should be ruled out of order.

4.0 Social Value Considerations

4.1 Not applicable.

5.0 Environmental Implications

5.1 Not applicable.

6.0 Alternative Options Considered

6.1 Council could decide not to adopt the updated documents as part of the Constitution. This is not recommended as it is considered that the proposed updated Officer Code of Conduct, Planning Committee Functions and amendments to the Council Procedure Rules reflect good practice and will support effective and efficient decision making within the Council and support high standards of behaviour both of which underpin good governance.

7.0 Reasons for Recommendations

7.1 The adoption of the documents at Appendix 1A and Appendix 2A and the changes set out in Appendix 3 is considered to be good practice as they take into consideration experience and guidance published since these parts of the Council's constitution were last reviewed and revised.

8.0 Future Work and Conclusions

- 8.1 It is proposed that if the revised documents are adopted, they shall take effect at the close of the Council meeting. The changes will be made to the Constitution, which will be republished on the Council's website as soon as reasonably practicable.

9.0 Financial Implications

- 9.1 There are no direct financial implications arising from the recommendations.

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

10.0 Legal Implications

- 10.1 The Council must have a constitution and the requirements of the constitution are set by statute. It is considered good practice to keep the Constitution under review and update is as appropriate to reflect changing legislation, practice and to ensure that it supports the efficient functioning of the Council.

- 10.2 There are no legal implications arising from the proposed amendments to Part 4 and 5 of the Constitution.

(The Monitoring Officer has been consulted in the preparation this report.)

11.0 Risk & Opportunity Management Implications

- 11.1 Not Applicable

12.0 People Impact Assessment (PIA) and Safeguarding:

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

13.0 Community Safety Implications

- 13.1 Not applicable

14.0 Staffing & Trade Union Implications

- 14.1 Not applicable

Background Documents: None

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OFFICER CODE OF CONDUCT FOR GLOUCESTER CITY COUNCIL

Gloucester City Council (“the Council”) adopted this code of conduct on []2024 to come into force on [] 2024. The Code sets out the conduct that is expected of you when acting as an Officer of Gloucester City Council and conducting council business including full-time and part time staff, permanent, temporary, casual or agency staff, secondees, work placements, apprentices and trainees.

The Code does not seek to regulate Officers’ private or personal lives, but care must be taken to ensure that nothing is done that would bring council work and private interests into conflict or bring the Officer or the Council into disrepute.

Purpose of this Code of Conduct

The people of Gloucester are entitled to expect conduct of the highest standard from all the Council’s Officers. All Officers are expected to act in accordance with this Code, it forms part of the terms and conditions of employment, and failure to comply may result in disciplinary action.

The Code of Conduct is based upon the seven principles of public life: selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

Officer’s responsibilities

Officers serve the whole Council and are expected to provide the same level of support for all functions of the Council.

Officers are expected to:

1. Maintain conduct of the highest standard so public confidence in their integrity and the Council as a whole is sustained
2. Ask for clarification from your line manager or the Monitoring Officer on any aspects of the Code that are not clear
3. Incorporate and promote equality in all that they do
4. Keep up to date with the latest version of the Code and follow it at all times.

1 Public funds

- 1.1 All Officers must act with probity, financial control and honesty and adhere to arrangements for the prevention and detection of fraud and corruption.
- 1.2 All Officers must comply with the Council’s Financial, Contract and Procurement Regulations, the Anti-Fraud and Corruption Strategy, Anti Bribery Policy, Anti Money Laundering and Confidential Reporting (Whistleblowing) Policies.
- 1.3 Orders and contracts must be awarded on merit, by fair competition against other tenders and no special favour should be shown in the tendering process to businesses operated or controlled by friends, partners or relatives.

2 Customers

- 2.1 All Officers should be courteous, efficient and impartial. Staff who work with customers who behave aggressively should familiarise themselves with the best practise for dealing with violence and aggression and the Unacceptable Customer Behaviour Policy.

3 Other Employees

- 3.1 All Officers must treat colleagues, including those not directly employed by the council, with courtesy and respect, and must not abuse them verbally or physically.

Staff must not harass or bully or be insubordinate to colleagues and must comply with the standards set out in this Code in relation to equalities.

- 3.2 Officers who are in a partner, family or emotional relationship may at some time work together. Such personal relationships seldom interfere with work and the presumption will be that the relationship will not affect performance. However, there are situations when a personal relationship between Officers or between an Officer and Member becomes a management concern and may unintentionally impair operational efficiency or affect the integrity of service delivery. Officers must declare any personal relationship with another Officer or with a Member, where the relationship could affect, or could be perceived to affect performance.

- 3.3 In any situation where Officers in a personal relationship work in close proximity, the council reserves the right (without breach of contract) to require one or both Officers to change their roles or duties. In circumstances where an Officer is in a close personal relationship with a Member the council reserves the right (without breach of contract) to require the Officer to change their role or duties. This is intended to avoid the Officers in a relationship finding themselves in a potentially difficult situation and avoid perceptions of undue influence or unfairness (whether real or imagined).

4 Equalities

- 4.1 All members of the local community, customers, Members and colleagues have a right to be treated with fairness and equity and be confident that they will not be discriminated against because of their age, gender, gender reassignment, disability, pregnancy/maternity status, race or ethnicity, religion or belief, their economic and social background, those with responsibilities as a carer, those who are married or in a civil partnership, or any other ground that cannot be shown to be justified.

- 4.2 All Officers must take care to do nothing that may cause them or the Council to breach any equality enactment.

5 Alcohol and Drugs

- 5.1 All Officers will be expected to attend work without being under the influence of alcohol or drugs (used other than as prescribed) or have their work performance adversely impacted by alcohol or drugs. Any associated inappropriate behaviour or conduct may be considered misconduct and may be considered under the Council's Disciplinary Procedure.

- 5.2 Where involvement with illegal or illicit drugs, use of prescription drugs other than as prescribed or excessive use of alcohol by an Officer takes place outside of working hours, the Council will consider the impact this may have on their employment, including consideration of any implications for the Council's reputation or public confidence.

6. Health and Safety

- 6.1 All Officers shall comply with the Council's Health and Safety policies and procedures and must ensure that they do not act wilfully or intentionally in a manner liable to place the public, colleagues, themselves or the Council at risk.

7. Conflicts of Interest

- 7.1 All Officers must avoid creating a conflict of interests between their private life and their public duties. The council reserves the right to bring action against an Officer where their conduct outside work conflicts with their public duties, for example where conduct outside of work could undermine the council's reputation or public confidence.
- 7.2 Officers who are involved with granting permissions, approvals, consents or benefits, must take no part in considering any application made by the Officer or their relative, friend or neighbour.
- 7.3 All staff appointments will be made on merit. In order to avoid any possible accusation of bias, Officers should not be involved in an appointment, either on an Appointment Panel or as a referee, if they are related to an applicant, or have a close personal relationship with them outside work. Officers should not be involved in decisions relating to discipline or other sanction, or in decisions relating to pay, where they are related to, or have a close personal relationship with, the Officer who is subject to that decision.
- 7.4 Officers must declare any financial or other interest - whether direct or indirect - in any existing or proposed contract with the Council or any other interest or association with any council activity, which could cause a potential conflict of interest. These include but are not limited to decision-making, the management of contracts and giving policy advice.
- 7.5 All declarations must be made in writing to the Monitoring Officer. The Monitoring Officer can also provide advice to ensure compliance with this requirement.

8 Arrest or Conviction on Civil or Criminal Charges

- 8.1 You must, as soon as practicable, inform (and keep informed) your line manager if you are arrested, charged, convicted or sentenced for any civil or criminal offence that could result if convicted in a term of imprisonment of at least three (3) months.
- 8.2 In relation to traffic offences you do not need to inform your line manager of a matter unless it involves the transport of service users, involves an official vehicle or could result in a term of imprisonment of at least 6 months or a disqualification from driving.
- 8.3 Failure to inform will be considered an act of gross misconduct.

9 Secondary Employment

- 9.1 Officers may undertake secondary employment such as: work on a voluntary, fee-paying or recognition-in-kind basis; or engaging in any other business; as well as secondary employment within the council itself.
- 9.2 Officers [~~on or above Grade F (Scale Point 29)]~~ must obtain the express consent of the Managing Director or Head of Service prior to engaging in any other business or taking up any secondary employment. Officers must subsequently keep their line manager advised of any changes to their secondary employment.

- 9.3 Secondary employment outside the council must not conflict with the council's interests or bring it into disrepute. You are not permitted to undertake secondary employment during your working hours, use council property, equipment or associated documents or communications.
- 9.4 The Council reserves the right to take action if secondary employment is deemed to be detrimental to the interests or reputation of the council, or where it affects an Officer's work performance.
- 9.5 Officers may not become a trustee or board member of any organisation which receives any form of funding from the council except with the express consent of the Managing Director or Head of Service, after consultation with the Monitoring Officer.
- 9.6 Officers must not engage in secondary employment which is set up in competition with the Council or compete with the Council for a contract while still employed by the Council or canvass other Council Officers to induce them to join a business which is set up in competition with the Council.

10. Gifts, Hospitality and Inducements

- 10.1 It is a criminal offence for an Officer to accept money or reward other than their proper pay.
- 10.2 Small gifts may only be accepted when they are low cost (less than twenty five pounds (£25)), functional items suitable for business use, rather than personal use, e.g. diaries, calendars, pens. Any other gifts should be returned officially with a suitable letter of explanation. If they cannot be returned, they should be given to the Head of Paid Service for donation to the Mayor's Charity
- 10.3 Visits by Officers to exhibitions, demonstrations, conferences, business meals, and social functions, in connection with their official duties shall be at the council's expense.
- 10.4 Hospitality, in the form of meals and drinks, offered by a third party, is only acceptable where it forms a minor part of normal business meetings/discussions held during the normal working day.
- 10.5 Other offers of hospitality, e.g. invitations to dinners, cultural performances, sporting events, awards ceremonies etc, should only be accepted if there is a clear and demonstrable benefit to the council, and the hospitality would not expose the council to criticism that the provider of the hospitality was achieving undue influence or creating the perception of an obligation. Attendance must have the Head of Paid Service's approval in advance and must be recorded in the register of gifts and hospitality.
- 10.6 Informal social contact e.g. drinks in a public house, with representatives of organisations, which supply, or hope to supply, goods or services to the council must always be avoided. Where such instances do occasionally take place, i.e. after late working, Officers should ensure that the other party does not meet the costs of such contact in full. Officers should record such events in the register of gifts and hospitality.
- 10.7 The register of gifts and hospitality is held by the Monitoring Officer and is subject to regular Audit inspection.
- 10.8 Officers should not engage the services of contractors commissioned by the council when acquiring materials, labour or plant at cost, trade or discount prices. Whilst such an

arrangement may constitute a saving it puts Officers in a compromising situation which may bring them and the council into disrepute.

- 10.9 Customers may seek to express their thanks to Officers by offering gifts, money etc. Officers must refuse such 'gifts' politely and explain why you cannot accept them before reporting this matter to their line manager.
- 10.10 The prevention, detection and reporting of bribery is the responsibility of all Officers and all staff are required to avoid any activity that might lead to, or suggest, a breach of the Bribery Act 2010.

11. Political Neutrality

- 11.1 All Officers serve the council as a whole and not just the controlling group - and must ensure the individual rights of all councillors are respected.
- 11.2 All Officers must follow the lawfully expressed policies of the Council and must not allow their own personal or political opinions to interfere with their work.
- 11.3 Officers in politically restricted posts must comply with the statutory restrictions on their political activities.
- 11.4 Whilst engaged in council business, Officers must not wear or display any objects indicating support for or opposition to any political party or view. This applies to private vehicles used whilst undertaking council business.

12. The Media

- 12.1 All communications with the media relating to the activities of the council should be handled through the communications team at communications@gloucestershire.gov.uk.
- 12.2 No Officers should communicate with the media on matters relating to the activities of the council without prior authorisation from the communications team and journalists should be referred to the communications team.
- 12.3 Officers with ideas for positive stories about the council should contact the communications team.
- 12.4 Any Officer that wishes to write material for a publication which does not refer to the council but relates to their profession (e.g. an article in a professional journal), should advise their line manager before publication. The article should also contain a disclaimer, which states that the views are those of the individual and not of the council.

13. Use of Council Facilities and Systems

- 13.1 The council's property and facilities are provided for official council business. All council owned portable equipment and devices must be returned on leaving council employment and any council-owned or supplied data must be deleted. Access to systems used for council purposes must be terminated permanently.
- 13.2 Any property, equipment or devices provided to Officers for business use must be used in compliance with the terms, conditions and use policies provided at the time the equipment was issued (or as they may be updated from time to time).

- 13.3 The council has the right to access and monitor communication systems provided to you and will monitor usage of its communication systems e.g. telephone, email and Internet access, to ensure their proper use and will run reports detailing usage levels of staff.
- 13.4 Systems may be accessed when the council suspects an Officer has been misusing council facilities, or, for the investigation of suspected fraud or other irregularity. In addition, where service delivery reasons exist, an Officers' senior officer, may approve access to emails when an Officer is absent. Access to facilities may be temporarily suspended whilst an investigation is on-going and may be permanently withdrawn where misuse is detected. Cases of 'misuse' may result in disciplinary action being taken - this may include dismissal.
- 13.5 Email and the Internet are available for work use and provisions apply as part of agile working. External email is not secure, Officers must only use work email addresses to communicate with third parties as part of their job role. . Good practice guidelines for the use of council resources are available on GlosNet.
- 13.7 Officers are to be aware that contracts formed by email or over the Internet might be legally binding. Any contractual agreement, offer or acceptance must only be made electronically if you have explicit written authority to enter into the contract.

14. Social networking websites

- 14.1 All Officers are encouraged to exercise discretion and use social media appropriately and have regard to their employment with the Council at all times to protect the council's operations, confidential information and reputation. Officers are expected to:-
- 1) Avoid making any social media communications that could damage the council's business, operations or reputation, even indirectly.
 - 2) Not use social media to:
 - defame or disparage the council, staff or any third party;
 - harass, bully or unlawfully discriminate against staff or third parties;
 - make false or misleading statements; or
 - impersonate colleagues or third parties
 - 3) Not express opinions on the council's behalf, unless expressly authorised to do so by your Head of Service: you may be required to undergo training in order to obtain such authorisation.
 - 4) Not post comments about sensitive council business-related topics, such as draft proposals or information belonging to any organisation (or person) with which the council works in partnership.
 - 5) Not do anything to jeopardise the council's confidential information and intellectual property.
 - 6) Never include our logos or other trademarks connected to the council's work in any social media posting or in your profile on any social media unless expressly authorised to do so by your Head of Service.

15. Handling Information

- 15.1 All Officers must comply with the Data Protection legislation and the council's Data Protection Policy.
- 15.2 Officers may be required by law to disclose certain types of information to Members, auditors, government departments, service users and the public. Information should be disclosed unless there is a good reason for not doing so.
- 15.3 Information which must be kept confidential includes:
 - a) Commercially sensitive information
 - b) Personal details of colleagues
 - c) Reports and Minutes which are Confidential or Exempt from publication
 - d) The council's internal documents (unless the law says that the information must be made public or as instructed by a Manager)
- 15.4 Officers must not reveal any information to anyone else unless they have a legal responsibility to provide it, or where the Officer, client, contractor, debtor or creditor concerned gives them written permission to do so.
- 15.5 Officers must not use information obtained through their council role for their personal benefit or gain, nor may they pass it on to anyone else who might use it in such a way.
- 15.6 All Officers should exercise reasonable judgement in communicating information, particularly information which may bring the council into disrepute or cause it harm, to any person or organisation outside the Council.

16. Whistleblowing

- 16.1 The council does not tolerate any form of malpractice. Every Officer has an important part to play in reporting any concerns, and all staff are expected to cooperate with investigations. Although it is often difficult for Officers to report legitimate concerns through fear of victimisation or reprisal, please be assured that in raising concerns you will be supported. Please refer to the Whistleblowing policy for more information.

17 Compliance with the Code

- 17.1 This Code is part of every Officer's contract of employment. An extract of the Code is issued to every Officer as part of their terms and conditions of employment, together with advice on how to access the full document.
- 17.2 Failure to comply with any of the provisions included in this Code may result in disciplinary action being taken under the Disciplinary policy, or legal action if necessary.

18 Additional guidance and support

- 18.1 This policy provides an overview of the purpose of the policy and the roles and responsibilities of those for whom it is intended. There are other documents which provide more detail and helpful guidance that should be read in conjunction with this Code and these are listed below:-

Responsibility for Functions (Scheme of Delegation - Constitution Part 3)
Financial Regulations (Constitution Part 4)

Contract Rules (Constitution Part 4)
Officer Employment Procedure Rules (Constitution Part 4)
Protocol on Councillor/Officer Relations (Constitution Part 5)
Data Protection Policy (GlosNet GDPR)
Information Security Policy and Procedures (GlosNet GDPR)
Anti-Fraud and Corruption Policy Statement (GlosNet Policies and Procedures)
Ordering Goods and Paying For Them (GlosNet Procurement)
Agile Working Policy (GlosNet HR)
Disciplinary Policy (GlosNet HR)
Secondary Employment Policy (GlosNet HR)
Fairness, Diversity and Equality at Work Policies (GlosNet HR)
Gifts and Hospitality Guidance (GlosNet HR)
Safety Health and Well-being (GlosNet HR)
Whistleblowing Policy (Glosnet HR)
Code of Practice for Planning
Code of Practice for Licensing

OFFICER CODE OF CONDUCT FOR GLOUCESTER CITY COUNCIL

Gloucester City Council (“the Council”) adopted this code of conduct on [] 30 January 2020 2024 to come into force on 30 January [] 2020 2024. The Code sets out the conduct that is expected of you when acting as an Employee Officer of Gloucester City Council and conducting council business including full-time and part time staff, permanent, temporary, casual or agency staff, secondees, work placements, apprentices and trainees.

The Code does not seek to regulate employee Officers’ private or personal lives, but care must be taken to ensure that nothing is done that would bring council work and private interests into conflict or bring the employee Officer or the Council into disrepute.

Purpose of this Code of Conduct

The people of Gloucester are entitled to expect conduct of the highest standard from all the Council’s employee Officers. All employee Officers are expected to act in accordance with this Code, it forms part of the terms and conditions of employment, and failure to comply may result in disciplinary action.

The Code of Conduct is based upon the seven principles of public life: selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

Employee Officer’s responsibilities

Officers serve the whole Council and are expected to provide the same level of support for all functions of the Council.

You Officers are expected to:

1. Maintain conduct of the highest standard so public confidence in your-their integrity and the Council as a whole is sustained
2. Ask for clarification from your line manager or the Monitoring Officer on any aspects of the Code that are not clear
3. Incorporate and promote equality in all that you-they do
4. Keep up to date with the latest version of the Code and follow it at all times.

Manager’s responsibilities

Your manager is responsible for the application of this policy in their work area and will

1. Set a positive personal model of behaviour
2. Ensure standards in the Code are established and communicated
3. Provide clarification, where required, to improve employee understanding
4. Take proper action at the earliest opportunity to manage non-compliance with the standards set out in this Code

1 Public funds

- 1.1 All employee Officers must act with probity, financial control and honesty and adhere to arrangements for the prevention and detection of fraud and corruption.

1.2 All [employeeOfficers](#) must comply with the Council’s Financial, Contract and Procurement Regulations, the Anti-Fraud and Corruption Strategy, Anti Bribery Policy, Anti Money Laundering and Confidential Reporting (Whistle**b-B**lowing) Policies.

1.3 Orders and contracts must be awarded on merit, by fair competition against other tenders and no special favour should be shown in the tendering process to businesses operated or controlled by friends, partners or relatives.

2 Customers

2.1 All [employeeOfficers](#) should be courteous, efficient and impartial. Staff who work with customers- who behave aggressively should familiarise themselves with the best practise for dealing with violence and aggression [and the Unacceptable Customer Behaviour Policy](#).

3 Other Employees

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Staff must not harass or bully or be insubordinate to colleagues and must comply with the standards set out in this Code in relation to equalities.

3.2 [EmployeeOfficers](#) who are in a partner, family or emotional relationship may at some time work together. Such personal relationships seldom interfere with work and the presumption will be that the relationship will not affect performance. However, there are situations when a personal relationship between [employeeOfficers](#) or [between an Officer and Member](#) becomes a management concern and may unintentionally impair operational efficiency or affect the integrity of service delivery. [EmployeeOfficers](#) must declare any personal relationship with another [employeeOfficer or with a Member](#), where the relationship could affect, or could be perceived to affect performance.

3.3 In any situation where [employeeOfficers](#) in a personal relationship work in close proximity, the council reserves the right (without breach of contract) to require one or both [employeeOfficers](#) to change their roles or duties. [In circumstances where an Officer is in a close personal relationship with a Member the council reserves the right \(without breach of contract\) to require the Officer to change their role or duties](#). This is intended to avoid the [employeeOfficers](#) in a relationship finding themselves in a potentially difficult situation and avoid perceptions of undue influence or unfairness (whether real or imagined).

4 Equalities

4.1 All members of the local community, customers, [councillors-Members](#) and colleagues have a right to be treated with fairness and equity and be confident that they will not be discriminated against because of their age, gender, gender reassignment, disability, pregnancy/maternity status, race or ethnicity, religion or belief, their economic and social background, those with responsibilities as a carer, those who are married or in a civil partnership, or any other ground that cannot be shown to be justified.

4.2 All [employeeOfficer](#)s must take care to do nothing that may cause them or the Council to breach any equality enactment.

5 [Alcohol and Drugs](#)

5.1 ~~All Officers will be expected to attend work without being under the influence of alcohol or drugs (used other than as prescribed) or have their work performance adversely impacted by alcohol or drugs. Any associated inappropriate behaviour or conduct may be considered misconduct and may be considered under the Council's Disciplinary Procedure.~~

5.2 ~~Where involvement with illegal or illicit drugs, use of prescription drugs other than as prescribed or excessive use of alcohol by an Officer takes place outside of working hours, the Council will consider the impact this may have on their employment, including consideration of any implications for the Council's reputation or public confidence.~~

6. Health and Safety

65.1 All ~~employee~~Officers shall comply with the Council's Health and Safety policies and procedures and ~~must~~ ensure that they do not act wilfully or intentionally in a manner liable to place the ~~public~~, colleagues, themselves or the Council at risk.

~~5.2~~ ~~Smoking is not allowed in any of the Council's premises and any employee who is identified as having an alcohol related or substance abuse problem will be treated in accordance with the guidance notes on alcohol and substance abuse.~~

7.6 Conflicts of Interest

76.1 All ~~employee~~Officers must avoid creating a conflict of interests between their private life and their public duties. The council reserves the right to bring action against an ~~employee~~Officer where their conduct outside work conflicts with their public duties, for example where conduct outside of work could undermine the council's reputation or public confidence.

67.2 ~~Employee~~Officers who are involved with granting permissions, approvals, consents or benefits, ~~just must~~ take no part in considering any application made by the ~~employee~~Officer or their, relative, friend or neighbour.

67.3 All staff appointments will be made on merit. In order to avoid any possible accusation of bias, ~~employee~~Officers should not be involved in an appointment, either on an Appointment Panel or as a referee, if they are related to an applicant, or have a close personal relationship with them outside work. ~~Employee~~Officers should not be involved in decisions relating to discipline or other sanction, or in decisions relating to pay, where they are related to, or have a close personal relationship with, the ~~employee~~Officer who is subject to that decision.

67.4 ~~Employee~~Officers must declare any financial or other interest - whether direct or indirect - in any existing or proposed contract with the Council or any other interest or association with any council activity, which could cause a potential conflict of interest. ~~these~~These include but are not limited to decision-making, the management of contracts and giving policy advice.

67.5 All declarations must be made in writing to the Monitoring Officer. The Monitoring Officer can also provide advice to ensure compliance with this requirement.

7-8 Arrest or Conviction on Civil or Criminal Charges

78.1 You must, as soon as practicable, inform (and keep informed) your line manager if you are arrested, charged, convicted or sentenced for any civil or criminal offence that could result if convicted in a term of imprisonment of at least ~~6~~three (3) months.

~~78.2~~ In relation to traffic offences you do not need to inform your line manager of a matter unless it involves the transport of service users, involves an official vehicle or could result in a term of imprisonment of at least 6 months or a disqualification from driving.

~~78.3~~ Failure to inform will be considered an act of gross misconduct.

~~8-9~~ Secondary Employment

~~98.1~~ EmployeeOfficers may undertake secondary employment such as: work on a voluntary, fee-paying or recognition-in-kind basis; or engaging in any other business; as well as secondary employment within the council itself.

~~98.2~~ EmployeeOfficers [~~on or above Grade F (Scale Point 29)~~]-must obtain the express consent of the Managing eir—Director or Head of Service prior to engaging in any other business or taking up any secondary employment. EmployeeOfficers must subsequently keep their Chief Officer/line manager advised of any changes to their secondary employment.

~~98.3~~ Secondary employment outside the council must not conflict with the council's interests or bring it into disrepute. You are not permitted to undertake secondary employment during your working hours, use council property, equipment or associated documents or communications.

~~89.4~~ The Council reserves the right to take action if secondary employment is deemed to be detrimental to the interests or reputation of the council, or where it affects an employeeOfficer's work performance.

~~89.5~~ EmployeeOfficers may not become a trustee or board member of any organisation which receives any form of funding from the council except with the express consent of the Managing #-Director or Head of Service, after consultation with the Monitoring Officer.

~~98.6~~ EmployeeOfficers must not engage in secondary employment which is set up in competition with the Council or compete with the Council for a contract while still employed by the Council or canvass other Council employeeOfficers to induce them to join a business which is set up in competition with the Council.

~~9-10.~~ Gifts, Hospitality and Inducements

~~109.1~~ It is a criminal offence for an employeeOfficer to accept money or reward other than their proper pay.

~~109.2~~ Small gifts may only be accepted when they are low cost (less than twenty five pounds (£25)), functional items suitable for business use, rather than personal use, e.g. diaries, calendars, pens. Any other gifts should be returned officially with a suitable letter of explanation. If they cannot be returned, they should be given to the Head of Paid Service for donation to the Mayor's Charity

~~109.3~~ Visits by employeeOfficers to exhibitions, demonstrations, conferences, business meals, and social functions, in connection with their official duties shall be at the council's expense.

~~109.4~~ Hospitality, in the form of meals and drinks, offered by a third party, is only acceptable—acceptable where it forms a minor part of normal business meetings/discussions held during the normal working day.

[910.5](#) Other offers of hospitality, e.g. invitations to dinners, cultural performances, sporting events, awards ceremonies etc, should only be accepted if there is a clear and demonstrable benefit to the council, and the hospitality would not expose the council to criticism that the provider of the hospitality was achieving undue influence or creating the perception of an obligation. Attendance must have the Head of Paid Service's approval in advance and must be recorded in the register of gifts and hospitality.

[910.6](#) Informal social contact e.g. drinks in a public house, with representatives of organisations, which supply, or hope to supply, goods or services to the council must always be avoided. Where such instances do occasionally take place, i.e. after late working, [employeeOfficers](#) should ensure that the other party does not meet the costs of such contact in full. [EmployeeOfficers](#) should record such events in the register of gifts and hospitality.

[910.7](#) The register of gifts and hospitality is held by the Monitoring Officer and is subject to regular Audit inspection.

[910.8](#) [EmployeeOfficers](#) should not engage the services of contractors commissioned by the council when acquiring materials, labour or plant at cost, trade or discount prices. Whilst such an arrangement may constitute a saving it puts [employeeOfficers](#) in a compromising situation which may bring them and the council into disrepute.

[910.9](#) Customers may seek to express their thanks to [employeeOfficers](#) by offering gifts, money etc. [EmployeeOfficers](#) ~~should~~ **must** refuse such 'gifts' politely and explain why you cannot accept them before reporting this matter to their line manager.

[910.10](#) The prevention, detection and reporting of bribery is the responsibility of all [employeeOfficers](#) and all staff are required to avoid any activity that might lead to, or suggest, a breach of the Bribery Act 2010.

[11.0](#) Political Neutrality

[110.1](#) All [employeeOfficers](#) serve the council as a whole and not just the controlling group - and must ensure the individual rights of all councillors are respected.

[110.2](#) All [employeeOfficers](#) must follow the lawfully expressed policies of the Council and must not allow their own personal or political opinions to interfere with their [workwork](#).

[110.3](#) [EmployeeOfficers](#) in politically restricted posts must comply with the statutory restrictions ~~on~~ **on** their political activities.

~~[1011.4](#)~~ [1011.4](#) Whilst engaged in council business, [employeeOfficers](#) must not wear or display any objects indicating support for or opposition to any political party or view. This applies to private vehicles used whilst undertaking council business.

~~[10.5](#)~~ [10.5](#) ~~Employees must declare any personal relationship with a Councillor. Where the relationship could present a conflict of interest, your manager will need to consider how this will be effectively managed.~~

[11-12](#) The Media

~~[1112.1](#)~~ [1112.1](#) All communications with the media relating to the activities of the council should ~~be~~ **be** handled through the communications team at communications@gloucestershire.gov.uk.

121.2 No [employeeOfficers](#) should communicate with the media on matters relating to the activities of the council without [prior](#) authorisation from the communications team and journalists should be referred to the communications team.

121.3 [EmployeeOfficers](#) with ideas for positive stories about the council should contact the communications team.

1112.4 Any [employeeOfficer](#) that wishes to write material for a publication which does not refer to the council but relates to their profession (e.g. an article in a professional journal), should advise their [line](#) manager before publication. The article should also contain a disclaimer, which states that the views are those of the individual and not of the council.

12-13. Use of Council Facilities and Systems

1213.1 The council's property and facilities are provided for official council business. All ~~council~~ [council](#) owned portable equipment and devices must be returned on leaving council employment and any council-owned or supplied data must be deleted. Access to systems used for council purposes must be terminated permanently.

1213.2 Any property, equipment or devices provided to [employeeOfficers](#) for business use must be used in compliance with the terms, conditions and use policies provided at the time the equipment was issued (or as they may be updated from time to time).

1213.3 The council has the right to access and monitor communication systems provided to ~~you,~~ [and you and](#) will monitor usage of its communication systems e.g. telephone, email and Internet access, to ensure their proper use and will run reports detailing usage levels of staff.

1213.4 Systems may be accessed when the council suspects an [employeeOfficer](#) has been misusing council facilities, or, for the investigation of suspected fraud or other irregularity. In addition, where service delivery reasons exist, an [employeeOfficers'](#) senior officer, may approve access to emails when an [employeeOfficer](#) is absent. Access to facilities may be temporarily suspended whilst an investigation is on-going and may be permanently withdrawn where misuse is detected. Cases of 'misuse' may result in disciplinary action being taken - this may include dismissal.

132.5 Email and the Internet are available for work use and provisions apply as part of [agile](#) ~~agile~~ working. External email is not secure, [employeeOfficers](#) must [only use work email addresses to communicate with third parties as part of their job role. take this into account when choosing how personal and confidential information is communicated.](#) Good practice guidelines for [the use of council resources](#) ~~the use of email and the Internet~~ are available on GlosNet.

1213.6 ~~Never send inappropriate comments by email.~~

132.7 ~~Officers are to be~~ Be aware [that](#) contracts formed by email or over the Internet might be legally binding. Any contractual agreement, offer or acceptance must only be made electronically if you have [explicit written](#) authority to [enter into the contract do this or where specific management authorisation has been given.](#)

14.3 Social networking websites

143.1 All [employeeOfficers](#) are encouraged to exercise discretion and use social media [appropriately and have regard to their employment with the Council responsibly](#) at all times ~~this is to~~ protect the ~~c~~Council's operations, confidential information and reputation. [Officers are expected](#)

~~The following applies to all employees who use social networking websites for work or in their private life:-~~

- 1) Avoid making any social media communications that could damage the council's business, operations or reputation, even indirectly.
- 2) ~~Not~~ use social media to:
 - defame or disparage the council, staff or any third party;
 - harass, bully or unlawfully discriminate against staff or third parties;
 - make false or misleading statements; or
 - impersonate colleagues or third parties
- 3) ~~Don't~~ express opinions on the ~~c~~Council's behalf, unless expressly authorised to do so by your ~~Head of Service~~manager: you may be required to undergo training in order to obtain such authorisation.
- 4) ~~Don't~~ post comments about sensitive ~~council~~ business-related topics, such as draft proposals or information belonging to any organisation (or person) with which the council works in partnership.
- 5) ~~Don't~~ do anything to jeopardise the ~~c~~Council's confidential information and intellectual property.
- 6) Never include our logos or other trademarks connected to the council's work in any social media posting or in your profile on any social media ~~unless expressly authorised to do so by your Head of Service~~.

15.4 Handling Information

154.1 All ~~employee~~Officers must comply with the Data Protection legislation and the ~~c~~Council's Data Protection Policy.

154.2 ~~Employee~~Officers may be required by law to disclose certain types of information to ~~Members~~Councillors, auditors, government departments, service users and the public. Information should be disclosed unless there is a good reason for not doing so.

154.3 Information which must be kept confidential includes:

- a) Commercially sensitive information
- b) Personal details of colleagues
- c) Reports and Minutes which are Confidential or Exempt from publication
- d) The ~~c~~Council's internal documents (unless the law says that the information must be made public or as instructed by a Manager)

154.4 ~~Employee~~Officers must not reveal any information to anyone else unless they have a legal responsibility to provide it, or where the ~~employee~~Officer, client, contractor, debtor or creditor concerned gives them written permission to do so.

154.5 ~~Employee~~Officers must not use information obtained through ~~their council role~~ work for their personal benefit or gain, nor may they pass it on to anyone else who might use it in such a way.

154.6 All [employeeOfficers](#) should exercise reasonable judgement in communicating information, particularly information which may bring the [cCouncil in teinto](#) disrepute or cause it harm, to any person or organisation outside the Council.

[15-16.](#) Whistleblowing

165.1 The council does not tolerate any form of malpractice. Every [employeeOfficer](#) has an important part to play in reporting any concerns, and all staff are expected to cooperate with investigations. Although it is often difficult for [employeeOfficers](#) to report legitimate concerns through fear of victimisation or reprisal, please be assured that in raising concerns you will be supported. Please refer to the Whistleblowing policy for more information.

[176](#) Compliance with the Code

176.1 This Code is part of [every Officer's your](#) contract of employment. An extract of the Code is issued to every [employeeOfficer](#) as part of their terms and conditions of employment, together with advice on how to access the full document.

176.2 Failure to comply with any of the provisions included in this Code may result in disciplinary action being taken under the Disciplinary policy, or legal action if necessary.

[17-18](#) Additional guidance and support

187.1 This policy provides an overview of the purpose of the policy and the roles and responsibilities of those for whom it is intended. There are other documents which provide more detail and helpful guidance that should be read in conjunction with this Code and these are listed below:-

Responsibility for Functions (Scheme of Delegation - Constitution Part 3)
Financial Regulations (Constitution Part 4)
Contract Rules (Constitution Part 4)
Officer Employment Procedure Rules (Constitution Part 4)
Protocol on Councillor/Officer Relations (Constitution Part 5)
Data Protection Policy (GlosNet GDPR)
Information Security Policy and Procedures (GlosNet GDPR)
Anti-Fraud and Corruption Policy Statement (GlosNet Policies and Procedures)
Ordering Goods and Paying For Them (GlosNet Procurement)
Agile Working Policy (GlosNet HR)
Disciplinary Policy (GlosNet HR)
Secondary Employment Policy (GlosNet HR)
Fairness, Diversity and Equality at Work Policies (GlosNet HR)
Gifts and Hospitality Guidance (GlosNet HR)
Safety Health and Well-being (GlosNet HR)
Whistleblowing Policy (Glosnet HR)
Code of Practice for Planning
Code of Practice for Licensing

PART 3C: Committee Functions

- 3C.1 Council has established the Committees set out in Table 2 below to discharge certain functions. Council retains the right to a concurrent and overriding exercise of all functions in Table 2.
- 3C.2 The Council must have at least one Overview and Scrutiny Committee.
- 3C.3 A Committee may establish such Sub-Committee(s) as it sees fit to undertake certain of its functions and the Table below include such Sub-Committees.
- 3C.4 Unless otherwise required by law, a Committee or Sub-Committee in Table 2 may determine not to exercise a function delegated to it and refer that function upwards for determination by respectively Council or the parent Committee.

Table 2- Functions of Committees

Overview and Scrutiny	
1	Co-ordinate, champion and lead on the scrutiny of Council and Executive decisions.
2	Have all of the functions, powers and duties conferred by Section 21 of the Local Government Act 2000 (as amended).
3	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 Sub-Committee or Task and Finish Group.
4	Review the operation of the scrutiny process and work programmes of the Overview and Scrutiny Sub Committees and Task and Finish Groups and inform and advise Council in relation to priorities and the allocation of resources.
5	Oversee and review the resources, support, training and development of Overview and Scrutiny Members.
6	Develop a positive “critical friend” approach to the role of scrutiny of the Council and Community issues.
7	Provide and co-ordinate the input to an annual report to Full Council on such issues or topics as the Committee sees fit.
8	Give consideration to the management of matters called in for review under paragraph 14 of the Overview and Scrutiny Rules.
9	Give consideration to matters referred to it by the Councillors’ Call for Action.
10	Review and scrutinise the work of the Executive.
11	Review and scrutinise the content of the Forward Plan.
12	Review and scrutinise the policies of the Council.
13	Consider any matters which affect the authority, the City of Gloucester (or part of it) or its inhabitants (or some of them).
Planning Committee	
1	To determine planning applications, the terms of planning agreements and such other matters as are considered appropriate from time to time, excluding matters relating to policy.
2	To determine the Council’s response to major planning applications in neighbouring districts where the Council is a consultee.
3	To deal with all matters arising under the building regulation code and associated legislation except matters expressly delegated to the relevant Head of Service.
4	To determine matters relating to planning as a District Planning Authority excluding strategic planning matters, such as:

	<p>(a) The preparation, adoption and review of the Council's statutory Local Development Plan and</p> <p>(b) Representation of the District Planning Authority's view to other bodies as appropriate on strategic planning matters.</p>
5	To determine all matters relating to the Section 106 process - determining Council priorities for Developer contributions.
6	Without prejudice to the above roles and the Council's Scheme of Delegation the Planning Committee shall be responsible for those matters set out in Part A (Functions relating to Town and Country Planning and Development Control) of Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000.
7	To approve the Planning Enforcement Plan.
8	To determine Neighbourhood Planning applications.
9	To determine all future matters regarding the making of Local Development Orders.
10	<p>To determine:</p> <ul style="list-style-type: none"> • Applications submitted by or on behalf of the Council, or for development on Council owned land or where the Council has a direct interest, except where no objections are received. • Applications submitted by a serving Member or Officer of the Council; or submitted by an immediate relative to either of the above. • Applications, which constitute a significant departure from the most up to date Local Plan that is formally approved or adopted by the Council for Development Control purposes. • Planning applications for 50 or more new houses/flats. • Applications which entail more than 2000 square metres of new non-residential gross floor space. • New buildings or structures which exceed 20 metres in height. • Applications where Officers are recommending an agreement under S.106 of the Town and Country Planning Act 1990 with the exception of Agreements which relate to (i) only relate to the delivery of on-site affordable housing in accordance with policy; or (ii) the collection and administration of contributions for open space which accord with Local Plan policy and associated Supplementary Planning Guidance; Unilateral Undertakings; and Deeds of Variation. • Applications which are accompanied by an Environmental Statement. Applications for change of use to hot food takeaway, where the Officer recommendation is for approval, except where no objections are received. • Applications for a change of use to a pay-day loan shop or betting office, where the Officer recommendation is for approval. • Applications for the demolition of a listed building (other than minor associated buildings within the curtilage). • Applications for development that significantly affects the setting of a grade 1 or 2* Listed Building or a Scheduled Monument. • Applications for the removal of trees protected by a Tree Preservation Order (except where exempted by the Act) and not associated with an application for planning permission, where there are objections received. <p>PROVISOs:</p> <p>(a) Only the relevant Ward Members where the application site is located plus Members in adjacent Wards where the application might have an impact, the Chair or Vice Chair of the Planning Committee or the Party Spokespersons are able to refer an application to Committee.</p> <p>(b) Any Councillor wishing to refer a planning application to Committee must submit a request in writing within 28 days of the consultation period commencing. If the</p>

	<p>request is not submitted within this timescale then the application cannot be referred to Committee except in exceptional circumstances (for example, an application is particularly controversial or significant) and where it is agreed by one of the following; the relevant Director , the Head of Place, the Chair of the Planning Committee or Party Spokespersons.</p> <p>(c) The relevant Director and/or the Head of Place will use their discretion to refer any matter to the Planning Committee which would raise sensitive issues, or where it would be otherwise be beneficial for the decision to be made by Members.</p> <p>(d) An application may not be referred to the Planning Committee if it concerns a matter of technical appraisal, fact or legal opinion; or is an application with fixed determination periods (e.g. notifications, prior approvals, approval to discharge conditions and minor amendments)</p>
Licensing and Enforcement Committee	
1	<p>To undertake all matters in relation to the statutory licensing and registration functions of the Council (save to the extent that such responsibility has been delegated to another Committee or Officer by the Council) such duties to include liquor, entertainment and late night refreshment licensing and the Gambling Act 2005. The Committee's role includes the formulation and approval of policy guidelines with the exception of the following which are dealt with by the Council:</p> <ul style="list-style-type: none"> • Sex Establishment Licensing Policy • Licensing Policy Statement - Licensing Act 2003 • Gambling Policy - Statement of Principles - Gambling Act 2005.
2	To receive information from the County Council and other relevant bodies on matters relating to the Council's licensing functions.
3	To hear and determine licence applications that are contentious and/or where objections have been lodged by statutory consultees, residents, other third parties or where officers have reservations about the appropriateness of an application or the suitability of an applicant.
4	Without prejudice to the above roles and the Council's Scheme of Delegation the Licensing and Enforcement Committee shall be responsible for those matters set out in Parts B and C (Licensing and Registration functions) of Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, the Licensing Act 2003 and the Gambling Act 2005.
5	The Licensing and Enforcement Committee shall be empowered to set up a sub-committee or sub-committees to discharge functions and act in accordance with powers delegated by the Committee. In the context of the Committee's powers under the Gambling Act 2005 sub delegation may extend to the permitted discharge of functions by an officer.
6	To receive reports and determine policy in relation to street trading.
7	To approve policy and to determine fees in relation to scrap metal dealer licensing.
Licensing and Enforcement Sub-Committee (Licensing and Gambling)	
1	To undertake all matters relating to the discharge of functions in accordance with the powers delegated by the Parent Committee.
2	The Sub-Committee will meet to hear appeals relating to the Licensing Act 2003 and the Gambling Act 2005.
Licensing and Enforcement Sub-Committee (Enforcement)	
1	To undertake all matters relating to the discharge of functions in accordance with the powers delegated by the Parent Committee.

2	To hear Hackney Carriage and Private Hire disciplinary matters in accordance with the provisions of the Council's adopted General Conditions for Hackney Carriage and Private Hire Licensing.
3	To hear appeals against refusals of applications for, or conditions applied to, street trading consents.
4	To consider contentious applications for scrap metal dealer licences and to hear appeals against refusals of applications for scrap metal dealer licences.
Audit and Governance Committee	
Governance, risk and control	
1	<p>Monitor the adequacy and effectiveness of the Council's governance arrangements including:</p> <ul style="list-style-type: none"> • Monitoring the effectiveness of the Chief Officer's responsibility for ensuring an adequate internal control environment; • Monitoring the arrangements for the identification, monitoring and control of strategic and operational risk within the Council; • Monitoring the adequacy and effectiveness of the arrangements in place for combating fraud and corruption; • Providing an annual report to Council that its systems of governance are operating effectively, which includes the Committee's performance in relation to the terms of reference; • Reviewing and approving the annual Statement of Accounts, Annual Governance Statement and its associated assurance framework; • Considering the Council's arrangements to secure value for money and review assurances and assessments on the effectiveness of these arrangements; • Ensuring that the Chief Internal Auditor has the right of independent access to the Committee and its Chair; • Reviewing and monitoring treasury management arrangements in accordance with the CIPFA Treasury Management Code of Practice; • Considering and advising changes to the Council's Constitution in respect of Contract Standing Orders and Financial Regulations; • Formulating and keeping under review a Code of Conduct to promote high ethical standards amongst Officers and doing anything that is considered to promote and maintain high standards of conduct by Officers; • Formulating and keeping under review the Council's 'whistle-blowing' policy; and • Formulating and keeping under review the Council's arrangements for handling complaints and investigations by the Local Government Ombudsman.
Ethics and Behaviours	
2	<p>To promote, maintain and assist the achievement of high standards of conduct by Councillors and co-opted members in accordance with the Council's Code of Conduct for Members.</p> <ul style="list-style-type: none"> • To monitor the operation of the Code of Conduct for Members; • To advise the Council on any amendment or revision of the Code; • To secure adequate and appropriate training of Councillors and co-opted Members on the Code of Conduct for Members;

	<ul style="list-style-type: none"> • To give general guidance and advice to Councillors on Members' interests and keep under review the Register of Members' Interests maintained by the Monitoring Officer; and • To give general guidance and advice to Councillors and employees on gifts and hospitality.
External Audit	
3	<p>Monitor the adequacy and effectiveness of the Council's external audit service and respond to its findings. Specifically:</p> <ul style="list-style-type: none"> • Considering the appointment, nature and scope of the external audit of the Council's services and functions; • Receiving and considering all external audit reports including the annual plan, annual audit letter and governance report; and • Monitoring management's response to the external auditor's findings and the implementation of external audit recommendations.
Internal Audit	
4	<p>Monitor the adequacy and effectiveness of the Internal Audit service. Specifically:</p> <ul style="list-style-type: none"> • Approving the internal audit charter; • Approving the annual risk based internal audit plan; • Receiving communications from the Chief Internal Auditor on the internal audit activity's performance relative to its plan and other matters, including the annual report and opinion; • Receiving and considering major Internal Audit findings and recommendations; • Monitoring management's response to Internal Audit findings and the implementation of the recommendations; • Making appropriate enquiries of management and the Chief Internal Auditor to determine whether there are inappropriate scope and resource limitations; • Agreeing the scope and form of the external assessment as part of the quality assurance and improvement plan; • Receiving the results of internal and external assessments of the quality assurance and improvement programme, including areas of non-conformance with professional standards; and • Approving significant consulting services not already included in the audit plan, prior to acceptance of the engagement, if this materially impacts on core assurance activity.
Constitution	
5	<p>To grant dispensations to Councillors and co-opted Members related to interests specified in the Code of Conduct for Members following written requests to the proper officer (Monitoring Officer) by a Member or Co-opted Member under section 33 of the Localism Act 2011, when the Council:</p> <ul style="list-style-type: none"> • Considers that granting the dispensation is in the interests of persons living in the authority's area; • Considers that it is otherwise appropriate to grant a dispensation; and

	<ul style="list-style-type: none"> • Considers appeals against decisions made by the Monitoring Officer in exercise of their dispensation powers.
Hearings Panel	
6	<p>To establish a Hearings Panel to make recommendations to Council on the appointment of an Independent Person to hear allegations that Members have failed to comply with the Member's Code of Conduct. Specifically to:</p> <ul style="list-style-type: none"> • Assess and review allegations of Member misconduct; and • Determine allegations of Member misconduct.
Powers	
7	<ul style="list-style-type: none"> • The Committee has the right to require the attendance of any Council officers and/or members in order to respond directly to any issue under consideration; • To review any issues referred to it by the Head of Paid Service, a Director or any Council body; and • The power to call expert witnesses from outside the Council to give advice on matters under review or discussion.
General Purposes Committee	
1	<p>To make recommendations to Council on:</p> <ol style="list-style-type: none"> (a) changes to the Constitution (excluding changes within the remit of the Audit and Governance Committee) (b) polling district and polling place arrangements (c) proposals to change the name of the electoral area (d) any functions in relation to parishes, parish meetings and parish councils, including changing the name of a parish (e) community governance matters, including the outcome of any community governance review (f) the recommendations of the Independent Remuneration Panel in respect of the Scheme of Members' Allowances.
2	To make recommendations to the Returning Officer in respect of elections matters.
3	To make recommendations to the Electoral Registration Officer in respect of electoral registration matters.
4	To make, amend or revoke bylaws.
5	To approve changes to staff terms and conditions and policies relating to employee remuneration.
6	To consider the Pay Policy Statement and refer it to Council for approval
7	To determine policies relating to local government pensions and discretionary compensation
8	To deal with any matter which, by virtue of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 as amended or any other statutory provision, cannot be the responsibility of the Cabinet and does not fall within the terms of reference of any other Committee or within the Scheme of Officer Delegations.
9	To deal, where legally permissible, with any matter, including the authorisation of legal proceedings, which requires a decision of the Council and which cannot reasonably be dealt with in the normal cycle of meetings.
Senior Appointments Committee	
1	To be responsible for the appointment of the Managing Director and Directors.
2	To refer the appointment of the Head of Paid Service to Council for approval.

3	To recommend to Council, on a permanent, temporary or acting up basis, a person to be designated as the S151 Officer and the Monitoring Officer.
4	To determine the conditions on which the Managing Director and Directors hold office, including deciding on matters of early retirement.
5	To suspend the Managing Director, Directors and Statutory Officers whilst an investigation takes place into alleged misconduct.
6	To manage and consider any disciplinary and/or capability and any grievance matters arising in relation to the Managing Director, Directors and the Statutory Officers
7	To consider allegations concerning the conduct or capability of the Managing Director, Directors and the Statutory Officers in order to establish whether or not they are sufficiently well-founded and serious in content to justify investigation.
8	To carry out the function of an Investigating & Disciplinary Committee as set out in the JNC Conditions of Service for Chief Executives and the JNC Conditions of Service for Chief Officers.
9	<p>In respect of Statutory Officers to:</p> <ul style="list-style-type: none"> (a) decide whether the issues requires no formal action or (b) whether the issue should be referred to an Independent Person (c) be responsible for the appointment and terms of reference of the Independent Person (d) receive and consider the report of the Independent Person (e) hold a capability or disciplinary hearing <p>Following receipt of any Independent Person report, to determine a course of action (up to and including dismissal) within the Council's powers under law and in accordance with the Council's procedures including the procedures set out in the Officer Employment Procedure Rules. Council must approve any dismissal of Statutory Officers.</p>
10	<p>In respect of the Managing Director and Directors to:</p> <ul style="list-style-type: none"> (a) appoint, if appropriate, an investigator on behalf of the Committee (which power may be delegated to an officer) (b) receive and consider any report of an investigator (c) hold a capability and/or disciplinary hearing <p>Following any capability and/or disciplinary hearing, determine a course of action (up to and including dismissal) within the Council's powers under law and in accordance with the Council's procedures including the procedures set out in the Officer Employment Procedure Rules.</p>
Appeals Committee	
1	To hear and determine appeals against decisions of the Senior Appointments Committee in respect of action taken against the Managing Director or Director (other than a Statutory Officer).
2	To hear and determine appeals against any action short of dismissal taken by the Senior Appointments Committee against a Statutory Officer.

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PART 3C: Committee Functions

- 3C.1 Council has established the Committees set out in Table 2 below to discharge certain functions. Council retains the right to a concurrent and overriding exercise of all functions in Table 2.
- 3C.2 The Council must have at least one Overview and Scrutiny Committee.
- 3C.3 A Committee may establish such Sub-Committee(s) as it sees fit to undertake certain of its functions and the Table below include such Sub-Committees.
- 3C.4 Unless otherwise required by law, a Committee or Sub-Committee in Table 2 may determine not to exercise a function delegated to it and refer that function upwards for determination by respectively Council or the parent Committee.

Table 2- Functions of Committees

Overview and Scrutiny	
1	Co-ordinate, champion and lead on the scrutiny of Council and Executive decisions.
2	Have all of the functions, powers and duties conferred by Section 21 of the Local Government Act 2000 (as amended).
3	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 Sub-Committee or Task and Finish Group.
4	Review the operation of the scrutiny process and work programmes of the Overview and Scrutiny Sub Committees and Task and Finish Groups and inform and advise Council in relation to priorities and the allocation of resources.
5	Oversee and review the resources, support, training and development of Overview and Scrutiny Members.
6	Develop a positive “critical friend” approach to the role of scrutiny of the Council and Community issues.
7	Provide and co-ordinate the input to an annual report to Full Council on such issues or topics as the Committee sees fit.
8	Give consideration to the management of matters called in for review under paragraph 14 of the Overview and Scrutiny Rules.
9	Give consideration to matters referred to it by the Councillors’ Call for Action.
10	Review and scrutinise the work of the Executive.
11	Review and scrutinise the content of the Forward Plan.
12	Review and scrutinise the policies of the Council.
13	Consider any matters which affect the authority, the City of Gloucester (or part of it) or its inhabitants (or some of them).
Planning Committee	
1	To determine planning applications, the terms of planning agreements and such other matters as are considered appropriate from time to time, excluding matters relating to policy.
2	To determine the Council’s response to major planning applications in neighbouring districts where the Council is a consultee.
3	To deal with all matters arising under the building regulation code and associated legislation except matters expressly delegated to the relevant Head of Service Director.

4	To determine matters relating to planning as a District Planning Authority excluding strategic planning matters, such as: (a) The preparation, adoption and review of the Council's statutory Local Development Plan and (b) Representation of the District Planning Authority's view to other bodies as appropriate on strategic planning matters.
5	To determine all matters relating to the Section 106 process - determining Council priorities for Developer contributions.
6	Without prejudice to the above roles and the Council's Scheme of Delegation the Planning Committee shall be responsible for those matters set out in Part A (Functions relating to Town and Country Planning and Development Control) of Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000.
7	To approve the Planning Enforcement Plan.
8	To determine Neighbourhood Planning applications.
9	To determine all future matters regarding the making of Local Development Orders.
10	<p>To determine:</p> <ul style="list-style-type: none"> • Applications submitted by or on behalf of the City Council, or for development on Council owned land or where the Council has a direct interest, except where no objections are received. • Applications submitted by a serving Member or Officer of the Council; or submitted by an immediate relative to either of the above. • Applications, which constitute a significant departure from the most up to date Local Plan that is formally approved or adopted by the Council for Development Control purposes. • Planning applications for 50 or more new houses/flats. • Applications which entail more than 2000 square metres of new non-residential gross floor space. • New buildings or structures which exceed 20 metres in height. • Applications where Officers are recommending an agreement under S.106 of the Town and Country Planning Act 1990 with the exception of Agreements which relate to <u>(i) only relate to the delivery of on-site affordable housing in accordance with policy; or (ii) the collection and administration of contributions for open space which accord with Local Plan policy and associated Supplementary Planning Guidance; Unilateral Undertakings; and Deeds of Variation.</u> • Applications which are accompanied by an Environmental Statement. • Applications for change of use to hot food takeaway, <u>where the Officer recommendation is for approval, except where no objections are received.</u> • Applications for a change of use to a pay-day loan shop or betting office, where the Officer recommendation is for approval. • Applications for the demolition of a listed building (other than minor associated buildings within the curtilage). • Applications for development that significantly affects the setting of a grade 1 or 2* Listed Building or a Scheduled Monument. • Applications for the removal of trees protected by a Tree Preservation Order (except where exempted by the Act) and not associated with an application for planning permission, where there are objections received. <p>PROVISOs:</p> <p>(a) Only the relevant Ward Members where the application site is located plus Members in adjacent Wards where the application might have an impact, the</p>

	<p>Chair or Vice Chair of the Planning Committee or the Party Spokespersons are able to refer an application to Committee.</p> <p>(b) Any Councillor wishing to refer a planning application to Committee must submit a pre-forma request <u>in writing slip</u> within 28 days of the consultation period commencing. If the request slip is not submitted within this timescale then the application cannot be referred to Committee except in exceptional circumstances (for example, an application is particularly controversial or significant) and where it is agreed by one of the following; the relevant Director , the Head of Place, the Chair of the Planning Committee or Party Spokespersons.</p> <p><u>(c)</u> The relevant Director <u>and/or</u> , the Head of Place will use their discretion to refer any matter to the Planning Committee which would raise sensitive issues, or where it would be otherwise be beneficial for the decision to be made by Members.</p> <p>(e)<u>(d)</u> <u>An application may not be referred to the Planning Committee if it concerns a matter of technical appraisal, fact or legal opinion; or is an application with fixed determination periods (e.g. notifications, prior approvals, approval to discharge conditions and minor amendments)</u></p>
Licensing and Enforcement Committee	
1	<p>To undertake all matters in relation to the statutory licensing and registration functions of the Council (save to the extent that such responsibility has been delegated to another Committee or Officer by the Council) such duties to include liquor, entertainment and late night refreshment licensing and the Gambling Act 2005. The Committee's role includes the formulation and approval of policy guidelines with the exception of the following which are dealt with by the Council:</p> <ul style="list-style-type: none"> • Sex Establishment Licensing Policy • Licensing Policy Statement - Licensing Act 2003 • Gambling Policy - Statement of Principles - Gambling Act 2005.
2	To receive information from the County Council and other relevant bodies on matters relating to the Council's licensing functions.
3	To hear and determine licence applications that are contentious and/or where objections have been lodged by statutory consultees, residents, other third parties or where officers have reservations about the appropriateness of an application or the suitability of an applicant.
4	Without prejudice to the above roles and the Council's Scheme of Delegation the Licensing and Enforcement Committee shall be responsible for those matters set out in Parts B and C (Licensing and Registration functions) of Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, the Licensing Act 2003 and the Gambling Act 2005.
5	The Licensing and Enforcement Committee shall be empowered to set up a sub-committee or sub-committees to discharge functions and act in accordance with powers delegated by the Committee. In the context of the Committee's powers under the Gambling Act 2005 sub delegation may extend to the permitted discharge of functions by an officer.
6	To receive reports and determine policy in relation to street trading.
7	To approve policy and to determine fees in relation to scrap metal dealer licensing.
Licensing and Enforcement Sub-Committee (Licensing and Gambling)	
1	To undertake all matters relating to the discharge of functions in accordance with the powers delegated by the Parent Committee.
2	The Sub-Committee will meet to hear appeals relating to the Licensing Act 2003 and the Gambling Act 2005.
Licensing and Enforcement Sub-Committee (Enforcement)	

1	To undertake all matters relating to the discharge of functions in accordance with the powers delegated by the Parent Committee.
2	To hear Hackney Carriage and Private Hire disciplinary matters in accordance with the provisions of the Council's adopted General Conditions for Hackney Carriage and Private Hire Licensing.
3	To hear appeals against refusals of applications for, or conditions applied to, street trading consents.
4	To consider contentious applications for scrap metal dealer licences and to hear appeals against refusals of applications for scrap metal dealer licences.
Audit and Governance Committee	
Governance, risk and control	
1	<p>Monitor the adequacy and effectiveness of the Council's governance arrangements including:</p> <ul style="list-style-type: none"> • Monitoring the effectiveness of the Chief Officer's responsibility for ensuring an adequate internal control environment; • Monitoring the arrangements for the identification, monitoring and control of strategic and operational risk within the Council; • Monitoring the adequacy and effectiveness of the arrangements in place for combating fraud and corruption; • Providing an annual report to Council that its systems of governance are operating effectively, which includes the Committee's performance in relation to the terms of reference; • Reviewing and approving the annual Statement of Accounts, Annual Governance Statement and its associated assurance framework; • Considering the Council's arrangements to secure value for money and review assurances and assessments on the effectiveness of these arrangements; • Ensuring that the Chief Internal Auditor has the right of independent access to the Committee and its Chair; • Reviewing and monitoring treasury management arrangements in accordance with the CIPFA Treasury Management Code of Practice; • Considering and advising changes to the Council's Constitution in respect of Contract Standing Orders and Financial Regulations; • Formulating and keeping under review a Code of Conduct to promote high ethical standards amongst Officers and doing anything that is considered to promote and maintain high standards of conduct by Officers; • Formulating and keeping under review the Council's 'whistle-blowing' policy; and • Formulating and keeping under review the Council's arrangements for handling complaints and investigations by the Local Government Ombudsman.
Ethics and Behaviours	
2	<p>To promote, maintain and assist the achievement of high standards of conduct by Councillors and co-opted members in accordance with the Council's Code of Conduct for Members.</p> <ul style="list-style-type: none"> • To monitor the operation of the Code of Conduct for Members; • To advise the Council on any amendment or revision of the Code;

	<ul style="list-style-type: none"> • To secure adequate and appropriate training of Councillors and co-opted Members on the Code of Conduct for Members; • To give general guidance and advice to Councillors on Members' interests and keep under review the Register of Members' Interests maintained by the Monitoring Officer; and • To give general guidance and advice to Councillors and employees on gifts and hospitality.
External Audit	
3	<p>Monitor the adequacy and effectiveness of the Council's external audit service and respond to its findings. Specifically:</p> <ul style="list-style-type: none"> • Considering the appointment, nature and scope of the external audit of the Council's services and functions; • Receiving and considering all external audit reports including the annual plan, annual audit letter and governance report; and • Monitoring management's response to the external auditor's findings and the implementation of external audit recommendations.
Internal Audit	
4	<p>Monitor the adequacy and effectiveness of the Internal Audit service. Specifically:</p> <ul style="list-style-type: none"> • Approving the internal audit charter; • Approving the annual risk based internal audit plan; • Receiving communications from the Chief Internal Auditor on the internal audit activity's performance relative to its plan and other matters, including the annual report and opinion; • Receiving and considering major Internal Audit findings and recommendations; • Monitoring management's response to Internal Audit findings and the implementation of the recommendations; • Making appropriate enquiries of management and the Chief Internal Auditor to determine whether there are inappropriate scope and resource limitations; • Agreeing the scope and form of the external assessment as part of the quality assurance and improvement plan; • Receiving the results of internal and external assessments of the quality assurance and improvement programme, including areas of non-conformance with professional standards; and • Approving significant consulting services not already included in the audit plan, prior to acceptance of the engagement, if this materially impacts on core assurance activity.
Constitution	
5	<p>To grant dispensations to Councillors and co-opted Members related to interests specified in the Code of Conduct for Members following written requests to the proper officer (Monitoring Officer) by a Member or Co-opted Member under section 33 of the Localism Act 2011, when the Council:</p> <ul style="list-style-type: none"> • Considers that granting the dispensation is in the interests of persons living in the authority's area;

	<ul style="list-style-type: none"> • Considers that it is otherwise appropriate to grant a dispensation; and • Considers appeals against decisions made by the Monitoring Officer in exercise of their dispensation powers.
Hearings Panel	
6	<p>To establish a Hearings Panel to make recommendations to Council on the appointment of an Independent Person to hear allegations that Members have failed to comply with the Member's Code of Conduct. Specifically to:</p> <ul style="list-style-type: none"> • Assess and review allegations of Member misconduct; and • Determine allegations of Member misconduct.
Powers	
7	<ul style="list-style-type: none"> • The Committee has the right to require the attendance of any Council officers and/or members in order to respond directly to any issue under consideration; • To review any issues referred to it by the Head of Paid Service, a Director or any Council body; and • The power to call expert witnesses from outside the Council to give advice on matters under review or discussion.
General Purposes Committee	
1	<p>To make recommendations to Council on:</p> <ol style="list-style-type: none"> (a) changes to the Constitution (excluding changes within the remit of the Audit and Governance Committee) (b) polling district and polling place arrangements (c) proposals to change the name of the electoral area (d) any functions in relation to parishes, parish meetings and parish councils, including changing the name of a parish (e) community governance matters, including the outcome of any community governance review (f) the recommendations of the Independent Remuneration Panel in respect of the Scheme of Members' Allowances.
2	To make recommendations to the Returning Officer in respect of elections matters.
3	To make recommendations to the Electoral Registration Officer in respect of electoral registration matters.
4	To make, amend or revoke bylaws.
5	To approve changes to staff terms and conditions and policies relating to employee remuneration.
6	To consider the Pay Policy Statement and refer it to Council for approval
7	To determine policies relating to local government pensions and discretionary compensation
8	To deal with any matter which, by virtue of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 as amended or any other statutory provision, cannot be the responsibility of the Cabinet and does not fall within the terms of reference of any other Committee or within the Scheme of Officer Delegations.
9	To deal, where legally permissible, with any matter, including the authorisation of legal proceedings, which requires a decision of the Council and which cannot reasonably be dealt with in the normal cycle of meetings.
Senior Appointments Committee	
1	To be responsible for the appointment of the Managing Director and Directors.

2	To refer the appointment of the Head of Paid Service to Council for approval.
3	To recommend to Council, on a permanent, temporary or acting up basis, a person to be designated as the S151 Officer and the Monitoring Officer.
4	To determine the conditions on which the Managing Director and Directors hold office, including deciding on matters of early retirement.
5	To suspend the Managing Director, Directors and Statutory Officers whilst an investigation takes place into alleged misconduct.
6	To manage and consider any disciplinary and/or capability and any grievance matters arising in relation to the Managing Director, Directors and the Statutory Officers
7	To consider allegations concerning the conduct or capability of the Managing Director, Directors and the Statutory Officers in order to establish whether or not they are sufficiently well-founded and serious in content to justify investigation.
8	To carry out the function of an Investigating & Disciplinary Committee as set out in the JNC Conditions of Service for Chief Executives and the JNC Conditions of Service for Chief Officers.
9	<p>In respect of Statutory Officers to:</p> <ul style="list-style-type: none"> (a) decide whether the issues requires no formal action or (b) whether the issue should be referred to an Independent Person (c) be responsible for the appointment and terms of reference of the Independent Person (d) receive and consider the report of the Independent Person (e) hold a capability or disciplinary hearing <p>Following receipt of any Independent Person report, to determine a course of action (up to and including dismissal) within the Council's powers under law and in accordance with the Council's procedures including the procedures set out in the Officer Employment Procedure Rules. Council must approve any dismissal of Statutory Officers.</p>
10	<p>In respect of the Managing Director and Directors to:</p> <ul style="list-style-type: none"> (a) appoint, if appropriate, an investigator on behalf of the Committee (which power may be delegated to an officer) (b) receive and consider any report of an investigator (c) hold a capability and/or disciplinary hearing <p>Following any capability and/or disciplinary hearing, determine a course of action (up to and including dismissal) within the Council's powers under law and in accordance with the Council's procedures including the procedures set out in the Officer Employment Procedure Rules.</p>
Appeals Committee	
1	To hear and determine appeals against decisions of the Senior Appointments Committee in respect of action taken against the Managing Director or Director (other than a Statutory Officer).
2	To hear and determine appeals against any action short of dismissal taken by the Senior Appointments Committee against a Statutory Officer.

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COUNCIL PROCEDURE RULES

Introduction

The Council Procedure Rules (Democratic Standing Orders) deal with the operation, procedures and practices related to Council, Cabinet and Committee meetings. These rules include both statutory requirements and locally agreed procedures.

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1. ANNUAL MEETING OF THE COUNCIL

1.01 Timing and Business

In a year when there is an ordinary election of Councillors, the annual meeting shall take place within 21 days of the retirement of the outgoing Councillors. In any other year, the annual meeting shall take place in May.

The annual meeting shall:

- (i) elect a person to preside if the Mayor (Chair) or Sheriff and Deputy Mayor (Vice-Chair) of Council are not present;
- (ii) elect the Mayor (Chair) of Council;
- (iii) elect the Sheriff and Deputy Mayor (Vice-Chair) of Council;
- (iv) approve the minutes of the last meeting;
- (v) receive any announcements from the Mayor and/or the Head of Paid Service;
- (vi) receive any declarations of interests from Members;
- (vii) elect the Leader in years when an election has taken place;
- (viii) appoint at least one Overview and Scrutiny Committee and such other Committees as the Council considers appropriate to deal with matters which are neither reserved to the Council nor are Executive functions (as set out in Part 3, Table 1 of this Constitution);
- ~~(ix) agree the scheme of delegation or such part of it as the Constitution determines it is for the Council to agree functions (as set out in Part 3, Table 1 of this Constitution); and~~
- ~~(x)~~(ix) consider any business set out in the notice convening the meeting.

1.02 Selection of Councillors on Committees and Outside Bodies

At the annual meeting, the Council meeting shall:

- (i) decide which Committees to establish for the municipal year;
- (ii) decide the size and terms of reference for those Committees;
- (iii) decide the allocation of seats [and substitutes] to political groups in accordance with the political balance rules;
- (iv) receive nominations of Councillors to serve on each Committee; and
- (v) appoint to those Committees and outside bodies except where appointment to those bodies has been delegated by the Council or is exercisable only by the Executive.

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;
- (v) receive oral supplementary 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 functions of the Council meeting who have submitted written questions in accordance with Rule 10 (Question by the Public);

- (vi) receive petitions and deputations from the public that have been notified in accordance with Rule 11 (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 (time limit 10 minutes in total);
- (viii) receive oral supplementary questions from, and provide answers to, Members who have submitted written questions in accordance with Rule 12 (Question By Members), including Leader and Cabinet Members' Question Time and Questions to Chairs of Meetings;
- ~~(ix) determine which items of business set out in the summons to the meeting shall be approved without discussion and which items require discussion: after which the Council shall approve those items that can be approved without discussion and then consider the matters reserved for discussion in the following order~~
- ~~(x) proposals from the Cabinet in relation to the Council's budget and policy framework~~
- ~~(xi) reports from the Cabinet~~
- ~~(xii) reports from the Council's Committees~~
- ~~(xiii)(ix) reports from the Overview and Scrutiny Committee;~~
- ~~(xiv)(x) an exception to the above rules will apply to the budget meeting of Council by the omission of Leader and Cabinet Members' Question Time, and Questions to Chairs of Meetings.~~

3. EXTRAORDINARY MEETINGS

3.01 Calling Extraordinary Meetings:

Those listed below may request the Head of Paid Service to call Council meetings in addition to ordinary meetings:

- (i) the Council by resolution;
- (ii) the Mayor of the Council;
- (iii) the Monitoring Officer; and
- (iv) any five Members of the Council if they have signed a requisition presented to the Mayor of the Council and he/she has refused to call a meeting or has failed to call a meeting within seven days of the presentation of the requisition.

The business transacted at an extraordinary meeting shall be restricted to the purpose for which the meeting has been called and shall not consider any other business.

4. APPOINTMENT OF SUBSTITUTE MEMBERS OF COMMITTEES, SUB-COMMITTEES AND FORUMS

The Council shall, at the Annual Meeting (with the exception of the Cabinet, Licensing and Enforcement Committee, and Planning Committee) appoint such Members as deputies as it feels necessary, subject to the following:-

- (i) one appointed deputy may attend a meeting in place of a Member of that meeting;
- (ii) for the Planning Committee, any named Member from each party group may receive training on planning matters in accordance with the Planning and Development Code of Practice and may attend a meeting in place of a Planning Committee Member who is unable to attend;
- (iii) for the Licensing and Enforcement Committee, any named Member from each party group may receive training on licensing and enforcement matters in accordance with the Probity in Licensing Code of Practice and may attend a meeting in place of a Licensing and Enforcement Committee Member who is unable to attend;
- (iv) a deputy attending a meeting in the place of a Member of that meeting shall:
 - (a) be regarded as a Member of that meeting;

- (b) be entitled to speak and vote on any matter before the meeting (subject to the requirements relating to Declarations of Interest);
- (v) that the Member or political group shall advise the Head of Paid Service of the name of the appointed deputy by 12 noon two clear working days prior to that meeting (to ensure the relevant papers are supplied to the substitute Member), provided that in the event of genuine emergencies, the Chair of the relevant meeting, after consultation with the Head of Paid Service, may approve a Member attending as a deputy without such notice being given.

5. TIME AND PLACE OF MEETINGS

Ordinary meetings of Council shall commence at 18.30 hours.

The time and place of other meetings shall be determined by the Head of Paid Service and notified in the Summons.

6. DURATION OF MEETINGS

The length of time of Council meetings shall be limited to three hours, but shall only be closed after three hours if a two-thirds majority of those Members in attendance vote to close the meeting.

The length of time of other meetings (excluding Planning Committee, Licensing and Enforcement Committee and Audit and Governance Committee) shall be limited to two hours unless extended by a two-thirds majority of those Members in attendance.

7. NOTICE OF AND SUMMONS TO MEETINGS

The Head of Paid Service shall give notice to the public of the time and place of any meeting in accordance with the Access to Information Rules. At least five *clear* working days before a meeting, the Head of Paid Service will send a Summons authenticated by him or her to every Member of the Council. The Summons will give the date, time and place of each meeting and specify the business to be transacted, and will be accompanied by such reports as are available.

8. CHAIR OF MEETING

The person presiding at the meeting may exercise any power or duty of the Chair. Where these rules apply to Committee and Sub-Committee meetings, references to the Chair also include the Chair of Committees and Sub-Committees.

9. QUORUM

The quorum of a meeting will be one quarter of the whole number of Members (unless specifically provided for in the terms of reference/constitution of a committee, etc.). During any meeting if the Chair counts the number of Members present and declares there is not a quorum present, then the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the Chair. If he/she does not fix a date, the remaining business will be considered at the next ordinary meeting.

10. QUESTIONS BY THE PUBLIC

10.01 Subject to the provisions of Rule 2 (Order of Business), at or as soon as reasonably possible after the commencement of business at ordinary meetings of the Council (except the annual meeting), the Cabinet, a Committee, (except the Planning Committee) or a Forum, a period of 15 minutes shall be provided for members of the public who live, work or study in Gloucester to put a maximum of three questions to the meeting.

The Head of Paid Service/Managing Director, in consultation with the Mayor, may reject a question if it:

- (i) Is not about a matter for which the local authority has responsibility or influence; or
 - (ii) Is illegal, improper, defamatory, frivolous or offensive; or
 - (iii) Is substantially the same as a question which has been put at a meeting of the Council, Cabinet or Committee in the past 6 months; or
 - (iv) Requires the disclosure of confidential or exempt information; or
 - (v) Is related to confidential staffing matters; or
 - (vi) Is relating to the personal affairs or conduct of individual Members or Officers.
- Questions may be edited as necessary by the ~~Managing Director~~[Head of Paid Service](#), in consultation with the Mayor, to bring them into proper form and brevity.

Questions will ordinarily be added to the schedule in the order they are received, however, the order may be amended as necessary by the ~~Managing Director~~[Head of Paid Service](#), in consultation with the Mayor, to group questions by subject.

10.02 Notice of Questions

Member of the public may not ask questions unless a written copy of the question Notice of questions must be given by no later than 12 noon, three clear working days before the day of the meeting. Such notice must be in writing or by electronic mail to has been delivered to the Head of Paid Service, c/o Democratic Services, PO Box 2017, Pershore, WR10 9BJ (e-mail, democratic.services@gloucester.gov.uk) by 12 noon, three clear working days before the meeting. Each question must be supported by the name and address of the questioner.

10.03 Response

Responses to submitted questions will be published in a schedule at least 24 hours prior to the meeting and a copy sent to the member of the public who submitted the question.

Submitted questions and their responses shall normally be taken as read and not read out at the meeting, but a member of the public may ask one supplementary question to the same person as the original question.

10.04 Supplementary Questions

Supplementary questions shall be invited in accordance with the order in the published schedule of questions. No notice has to be given for the supplementary question, but it must arise directly out of the original question or the reply given to that question. Supplementary questions must comply with the criteria set out in 10.01 and any that do not will not be answered.

If a member of the public who has submitted a question is unable to be present at the meeting, the original question and response shall be included in the minutes of the meeting and no supplementary question will be asked.

- ~~(3) Questions will be dealt with in the order they were received. However priority will be given to Gloucester City Council residents.~~
- ~~(4) Members of the public shall be allowed to ask one question each. Where not all the time set aside for questions by the public is used, members of the public shall be allowed to ask a second question.~~
- ~~(5) If a member of the public who has submitted a question is unable to be present at the meeting, the question will be put on their behalf by the Mayor or a Council officer.~~

- ~~(6) All public questions shall be put to the relevant Cabinet Member or Chair to respond.~~
- ~~(7) Only one answer shall be given in response to an individual question at a meeting and no debate shall be allowed on the question or the response given.~~
- ~~(8) The Mayor or Chair shall not allow the same question, or substantially the same question, to that put at a previous meeting of the Council, a Committee, or a Forum within the preceding six months, unless circumstances relating thereto have materially changed.~~

11. PETITIONS AND DEPUTATIONS FROM THE PUBLIC

11.01 All petitions received, including e-petitions, shall be dealt with in accordance with the Council's published petitions scheme (Part 5 – Codes and Protocols). The provisions of this Rule do not apply to petitions that meet the threshold for a Council debate.

Subject to the provisions of Rule 2, after the period set aside for public questions as provided in Rule 10, at all ordinary meetings of the Council (except the annual meeting) the Cabinet, a Committee, (except the Planning Committee) or a Forum, a period of 15 minutes shall be ~~set aside~~provided for members of the public to present petitions or make deputations to the meeting **PROVIDED** that no such petitions or deputations shall be allowed in relation to:

- (i) matters relating to individual Council Officers; or
- (ii) matters relating to current or pending legal proceedings

Where any petition is presented or any deputation is made, the Mayor or the Chair shall allow only one ~~member of the public to person~~ speak on the matter for a ~~reasonable~~ period not exceeding 3 minutes. Petitions may be presented by a local ward Member if the lead organiser/s prefer and the ward Member agrees, but deputations must be presented by a member of the public.

11.02 Notice of Petitions and Deputations

A petition or deputation may not be presented at a meeting unless the subject matter and, in the case of a petition, number of signatories, has been provided to the [Head of Paid Service](#), c/o Democratic Services, PO Box 2017, Pershore, WR10 9BJ (e-mail, democratic.services@gloucester.gov.uk) by 12 noon, three clear working days before the meeting. Petitions and deputations must be supported by the name and address of at least one lead organiser.

The Mayor or Chair shall not allow a petition to be presented or a deputation made on the same issue, or substantially the same issue, to that presented or made at a previous meeting of the Council, the Cabinet, a Committee, or a Forum within the preceding six months, unless circumstances relating thereto have materially changed.

11.03 Response

Where a petition is presented or a deputation is made:

- (i) at a Council meeting, the Mayor shall refer the matter to the appropriate Cabinet Member or Committee Chair to respond on behalf of the Council;
- (ii) at a Committee, or Forum meeting, the Chair shall respond.

Only one response shall be given to a petition or deputation and no debate shall be allowed on the petition, deputation or response.

At the discretion of the responding Cabinet Member or Committee Chair, the subject matter of the petition or deputation may be referred to a future meeting of the Council, the Cabinet, appropriate Committee, or Forum for consideration.

12. QUESTIONS BY MEMBERS

12.01 Leader and Cabinet Members' Question Time

That a period of forty-five minutes be set aside so that any Member of Council may ask the Leader of the Council or any Cabinet Member any question, up to a maximum of 5 questions per Member, 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.

The ~~Managing Director~~Head of Paid Service, in consultation with the Mayor, may reject a question if it:

- (i) Is not about a matter for which the local authority has responsibility or influence; or
- (ii) Is illegal, improper, defamatory, frivolous or offensive; or
- (iii) Is related to confidential staffing matters; or
- (iv) Is relating to the personal affairs or conduct of individual Members or Officers.

~~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. Group Leaders will have priority, with the first two questions they submit added to the schedule first and the order determined by Group size.~~ Thereafter, questions will ordinarily be added to a schedule in the order they are received, however, the order may be amended as necessary by the Managing DirectorHead of Paid Service, in consultation with the Mayor, to ensure that all Members have the opportunity to ask supplementary questions within the time available. The schedule of questions (without responses) will be circulated to all Members when the order of questions has been determined.

12.02 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 up to a maximum of 3 questions per Member, 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. Questions will ordinarily be added to a schedule in the order they are received, however, the order may be amended as necessary by the ~~Managing Director~~Head of Paid Service, in consultation with the Mayor, to ensure that all members have the opportunity to ask supplementary questions within the time available. The schedule of questions (without responses) will be circulated to all Members when the order of questions has been determined.

12.03 Notice of Questions

Members may not ask questions unless a written copy of the question has been delivered to the ~~Managing Director~~Head of Paid Service, c/o Democratic Services, PO Box 2017, Pershore, WR10 9BJ (e-mail, democratic.services@gloucester.gov.uk) by 12 noon five clear working days before the meeting; or

The question relates to:

- A matter which the Chair decides is urgent;
- The Member to whom the question is addressed, has agreed; and
- Notification of the question has been given to the Head of Paid Service at least half an hour before the scheduled start of the meeting.

12.04 Exempt or Confidential Information

Unless a Member has first complied with 12.03, they shall not ask any questions or make any statement relating to any decision made by the Cabinet or other Council body, if the statement or decision relates to confidential or exempt information.

Before such a question is asked, the Mayor shall consider inviting the Council to resolve that the meeting, or part of it, shall not be open to members of the public.

12.05 Response

Responses to submitted questions will be published in a schedule at least 24 hours prior to the meeting.

Submitted questions and their responses shall normally be taken as read and not read out at the meeting, but a Member may ask one supplementary question to the same person as the original question.

12.06 Supplementary Questions

Supplementary questions shall be invited in accordance with the order in the published schedule of questions. No notice has to be given for the supplementary question, but it must arise directly out of the original question or the reply given to that question. Supplementary questions must comply with the criteria set out in 12.01 and any that do not will not be answered. If the supplementary question relates to any decision that relates to confidential or exempt information, then before asking the supplementary question, the Member shall inform the Mayor that is the case. Before the supplementary question is asked, the Mayor of the meeting shall consider inviting the full Council to resolve that the meeting, or part of it, shall not be open to members of the public.

13. MOTIONS ON NOTICE

- (1) Notice of every motion, other than a motion which under Rule 14 may be moved without notice, shall be given in writing, signed by the Member or Members of the Council giving the notice (or alternatively by electronic form, provided that the Head of Paid Service is satisfied with proof of identity), and delivered, by noon at least eight clear working days before the next meeting of the Council, to the Head of Paid Service by whom it shall be dated, numbered in the order in which it is received, ~~and entered in a book which shall be open to the inspection of every Member of the Council.~~

Motions To Be Set Out in Summons

- (2) The Head of Paid Service shall set out in the summons for every meeting of the Council all Motions of which notice has been duly given in the order in which they have been received, unless the Member giving such a notice intimated in writing, when giving it, that they propose to move it at some later meeting, or has since withdrawn it in writing.

Selection of Motions

- ~~(3) Before the start of the Council meeting, Party Leaders will select, by a simple majority vote, which motions listed in the summons will be called for debate.~~

PROPOSED OPTIONS:

- ~~(i) Limit of the number of motions that an individual councillor can move and second.~~

- ~~(ii) A time limit on discussion of motions, with all remaining motions void (though they could be moved to the following meeting if the Member so wishes).~~

~~(i)~~(iii) [Mayor has a role in deciding initially and in some cases then asks Council.\]](#)

Motion Not Moved

- (4) If a motion set out in the Summons is not moved either by a Member who gave notice thereof or by some other Member it shall, unless postponed by the consent of the Council, be treated as withdrawn and shall not be moved without fresh notice.

Automatic Reference to the Cabinet or Appropriate Committee

- ~~(4)~~ (5) If the subject matter of any motion of which notice has been duly given comes within the province of a Cabinet portfolio or any Committee, it shall, notwithstanding the provisions of Rule 15, be formally moved and seconded without speeches and thereupon shall automatically stand referred without discussion or debate to the Cabinet, or relevant Committee for consideration and report.

~~(3)~~(5) [A motion which purports to take or which has the effect of taking an executive decision which cannot be taken by Council shall, if passed, be of no effect and shall be referred to the Cabinet for consideration.](#)

Scope of Motions

- (6) Every motion shall be relevant to some matter in relation to which the Council have powers or duties or which affects the City.

Motions Out of Order

- (7) If it shall appear to the Head of Paid Service that a motion, notice of which has been received, is not relevant to some matter in relation to which the Council has powers or duties or which affects the City, or is otherwise objectionable, the Head of Paid Service shall take the direction of the Chair as to whether or not it shall be placed on the Council summons, and the decision of the Chair thereon shall be final; but a Member may give oral notice of any motion which has been so ruled out of order, at the meeting at which it would have been submitted had it been on the Council summons, and, if the Council so direct, it shall be placed on the Council summons for the next meeting.

14. MOTIONS WITHOUT NOTICE

The following motions may be moved without notice:

- (a) to appoint a Chair of the meeting at which the motion is moved;
- (b) in relation to the accuracy of the minutes;
- (c) to change the order of business in the agenda;
- (d) to refer something to an appropriate body or individual;
- (e) to appoint a Committee or Member arising from an item on the Summons for the meeting;
- (f) to receive reports or adoption of recommendations of Committees or officers and any resolutions following from them;
- (g) to withdraw a motion;
- (h) to extend the time limit for speeches;
- (i) to amend a motion;
- (j) to proceed to the next business;
- (k) that the question be now put;
- (l) to adjourn a debate;
- (m) to adjourn a meeting;

- (n) to suspend a particular Council procedure rule;
- (o) to exclude the public and press in accordance with the Access to Information Rules
- (p) to not hear further a Member named under Rule 22.03 or to exclude them from the meeting under Rule 22.04; and
- (q) to give the consent of the Council where its consent is required by this Constitution.

15. RULES OF DEBATE

15.01 Motions and Amendments

A motion or amendment shall not be discussed unless it has been proposed and seconded and, unless notice has already been given in accordance with Rule 13, it has been put into writing and handed to the Chair before it is further discussed or put to the meeting. Provided that an amendment to Committee minutes shall be moved only after questions under Rule 12.05 have been answered and before Members speak to the minutes.

In respect of Minutes of a Committee which are before the Council for consideration and which contain resolutions which have been taken under delegated powers, a Councillor may move that a particular Minute is referred back to the Committee for further consideration, provided that any resolution referred to in the Minutes has not already been implemented, and further provided that subsequent debate on the referral back be in accordance with these rules for debate at Council.

15.02 Secunder's Speech

A Member when seconding a motion or amendment may, when doing so, state an intention to reserve the seconding speech until a later period of the debate.

15.03 Only One Member to Stand at a Time

A Member shall rise and speak only when called upon so to do by the Chair. While a Member is speaking the other Members shall remain seated unless rising to a point of order or in personal explanation.

15.04 Content and Length of Speeches and Questions

Speeches of Members or questions shall be directed to the matter under discussion or to a personal explanation or to a point of order. No speech or question shall exceed three minutes in length except

- (i) with the consent of the Council
- (ii) the proposer and seconder of a motion or amendment (limited to five minutes)
- (iii) the mover of a motion or the response by an opposition group leader regarding the annual budget statement or the annual work programme (no time limit).
- (iv) other speeches regarding the annual budget statement or the annual work programme (limited to five minutes)

15.05 When a Member May Speak Again

A Member who has spoken on any motion (save only to ask a question or questions) shall not speak again whilst it is the subject of debate, except:

- (a) to speak once on an amendment moved by another Member;
- (b) if the motion has been amended since they last spoke, to move a further amendment;
- (c) if the Member's first speech was on an amendment moved by another Member, to speak on the main issue, whether or not the amendment on which they spoke was carried;

- (d) in exercise of a right of reply given by paragraph (15.11) or (15.13);
- (e) on a point of order;
- (f) by way of personal explanation.

15.06 Amendments to Motions

An amendment shall be relevant to the motion and shall be either:

- (a) to refer a subject of debate to the Cabinet or a Committee for consideration or reconsideration; or
- (b) to leave out words; or
- (c) to leave out words and insert or add others; or
- (d) to insert or add words;

but an amendment shall not have the effect of negating the motion before Council by being directly contradictory, or contrary to it, or by introducing a new motion. Where some parts of an amendment are negatory and others are not, provided that the spirit of the motion has not been changed by the deletion of the negatory element of the amendment, the remainder of the amendment shall be allowed to stand.

Amendments to Motions on Notice shall be given in writing, signed by the Member proposing the amendment (or alternatively by electronic form, provided that the Head of Paid Service is satisfied with proof of identity), and delivered, by noon on the day of the relevant Council meeting, to the Head of Paid Service who will circulate all amendments received to Group Leaders no later than 3.00pm the same day.

15.07 Amendments to be Dealt with Singly

Only one amendment may be moved and discussed at a time and no further amendment shall be moved until the amendment under discussion has been disposed of.

Provided that the Chair may permit two or more amendments to be discussed (but not voted on) together if circumstances suggest that this course would facilitate the proper conduct of the Council's business.

15.08 Effect of Amendment if Carried or Lost

If an amendment be lost, other amendments may be moved on the original motion, provided that no amendment shall be moved which is of the same, or substantially similar effect, to the amendment which has been lost. If an amendment be carried, the motion as amended shall take the place of the original motion and shall become the motion upon which any further amendment may be moved, provided such further amendment is not inconsistent, or incompatible, with the alteration of the original motion made by the amendment which has been carried.

15.09 Alteration of Motion

A Member may with the consent of the Council signify without discussion:

- (a) alteration of a motion of which they have given notice; or
- (b) with the further consent of the seconder alter a motion which the Member has moved;

if (in either case) the alteration is one which could be made as an amendment thereto.

15.10 Withdrawal of Motion

A motion or amendment may be withdrawn by the mover with the consent of the Member's seconder and of the Council, which shall be signified without discussion and no Member may speak upon it after the mover has asked permission for its withdrawal, unless such permission shall have been refused.

15.11 Right of Reply

The mover of a motion has a right to reply at the close of the debate on the motion, immediately before it is put to the vote. If an amendment is moved, the mover of the original motion shall also have a right of reply at the close of the debate on the amendment, and shall not otherwise speak on the amendment. The mover of the amendment shall have no right of reply to the debate on the amendment which has been moved.

15.12 Motions which may be Moved During Debate

When a motion is under debate no other motion shall be moved except the following:

- (a) to amend the motion under Rule 15.06;
- (b) to proceed to next business under Rule 15.13(a) below;
- (c) that the question be now put under Rule 15.13(b) below;
- (d) to adjourn the debate or the meeting under Rule 15.13(c) below;
- (e) that the Member named be not further heard on the particular amendment or motion or at the meeting under Rule 22.03;
- (f) by the Chair that a Member do leave the meeting either generally or during consideration of the amendment or Motion before the meeting under Rule 22.04;
- (g) a motion under Section 100A(4) of the Local Government Act 1972, as amended, to exclude the public.

15.13 Closure Motions

A Member may move without comment at the conclusion of a speech of another Member, 'That the Council proceed to the next business', 'That the question be now put', 'That the debate be now adjourned', or 'that the Council do now adjourn', on the seconding of which the Chair shall proceed as follows:

- (a) on a motion to proceed to next business: unless in the Chair's opinion the matter before the meeting has been insufficiently discussed, the Chair shall first give the mover of the original motion a right of reply, and then put to the vote the Motion to proceed to next business (no vote on the issue under debate);
- (b) on a motion that the question be now put: unless in the Chair's opinion the matter before the meeting has been insufficiently discussed, the Chair shall first put to the vote the motion that the question be now put, and if it is passed then give the mover of the original motion his right of reply under paragraph 11 of this Rule before putting that Member's motion to the vote;
- (c) on a motion to adjourn the debate or the meeting: if in the Chair's opinion the matter before the meeting has not been sufficiently discussed and cannot reasonably be sufficiently discussed on that occasion the Chair shall put the adjournment motion to the vote without giving the mover of the original motion a right of reply on that occasion. The meeting shall stand adjourned until recalled under the Constitution.

15.14 Points of Order or Personal Explanation

A Member may, with the consent of the Chair, rise on a point of order or in personal explanation, and shall be entitled to be heard forthwith. A point of order shall relate only to an alleged breach of these Rules or statutory provisions and the Member shall specify the Rule or statutory provision and the way in which it is considered it has been broken. A personal explanation shall be confined to correcting an incorrect statement about themselves or about what the Member has or is reported to have said.

15.15 Chair's Ruling on Point of Order or Explanation to be Final

The ruling of Chair on a point of order or on the admissibility of a personal explanation shall be final and not open to question.

15.16 Respect for Chair

Whenever the Chair rises during a debate a Member or Members then standing shall resume their seat(s) and the Council shall be silent.

15.17 Powers of Chair

At the Chair's discretion, such steps shall be taken as is considered necessary to ensure the proper and orderly conduct of the meeting and the efficient dispatch of business without infringing Members' democratic rights or freedom of speech.

16. PREVIOUS DECISIONS AND MOTIONS

16.01 Motion to Rescind a Previous Decision

A motion or amendment to rescind a decision made at a meeting of Council within the past six months cannot be moved unless the notice of motion is signed by at least ten Members or unless the motion arises from a recommendation to the Council from the Cabinet or a Committee.

16.02 Motion similar to one previously rejected

A motion or amendment in similar terms to one that has been rejected at a meeting of Council in the past six months cannot be moved unless the notice of motion or amendment is signed by at least ten Members. Once the motion or amendment is dealt with, no one can propose a similar motion or amendment for six months.

17. URGENT ITEMS

Where there is a need to consider items of urgent business which are not specified in the summons to meeting, the Member or Officer wishing to raise the same shall before the commencement of the meeting discuss the matter with the Mayor, the Group Leaders, the Head of Paid Service and the Monitoring Officer and the Mayor's decision as to whether to consider the item shall be conclusive.

18. VOTING

18.01 Majority

Unless this Constitution provides otherwise, any matter will be decided by a simple majority of those Members voting and present in the room at the time the question was put.

18.02 Chair's Casting Vote

If there are equal numbers of votes for and against, the Chair will have a second or casting vote.

18.03 Show of Hands

Unless a recorded vote is demanded under Rule 18.04, the Chair will take the vote by show of hands, or if there is no dissent, by the affirmation of the meeting.

18.04 Recorded Vote

If five Members present at the meeting demand it, the names for and against the motion or amendment or abstaining from voting will be taken down in writing and entered into the Minutes.

18.05 Recorded Votes at Budget Council Meetings

A recorded vote shall take place when the Council makes a calculation of the budget requirement or issues a Council tax precept under relevant sections of the Local Government Finance Act 1992. Such a vote shall be undertaken in accordance with Procedure Rule 18.04.

18.06 Right to Require Individual Vote to be Recorded

Where any Member requests it immediately after a vote is taken, their vote will be so recorded in the Minutes to show whether they voted for or against the motion or abstained from voting.

18.07 Voting on Appointments

If there are more than two people nominated for any position to be filled and there is not a clear majority of votes in favour of one person, then the name of the person with the least number of votes will be taken off the list and a new vote taken. The process will continue until there is a majority of votes for one person.

19. MINUTES

19.01 Signing the Minutes

The Chair will sign the Minutes of the proceedings at the next suitable meeting. The Chair will move that the Minutes of the previous meeting be signed as a correct record. The only part of the Minutes that can be discussed is their accuracy.

19.02 No Requirement to Sign Minutes of Previous Meeting at Extraordinary Meeting

The business transacted at an extraordinary meeting is restricted to the purpose for which the meeting has been called (Rule 3.01 above). An extraordinary meeting is not, therefore, a suitable meeting for the purposes of Rule 19.01 and the signing of the minutes of the preceding meeting will be deferred to the following suitable meeting.

19.03 Form of Minutes

Minutes will contain all motions and amendments in the exact form and order the Chair put them.

19.04 No Protest Recorded in Minutes

No protest or expression of dissent shall be entered in the Minutes of the Council.

20. RECORD OF ATTENDANCE

The Policy and Governance Manager will record the names of all Members present during the whole or part of a meeting on the attendance sheets to assist with the record of attendance.

21. EXCLUSION OF PUBLIC

Members of the public and press may only be excluded either in accordance with the Access to Information Rules in Part 4 of this Constitution or Rule 24 (Disturbance by Public).

22. MEMBERS' CONDUCT

22.01 Standing to Speak

When a Member speaks at Full Council they must stand and address the meeting through the Chair. If more than one Member stands, the Chair will ask one to speak and the others must sit. Other Members must remain seated whilst a Member is speaking unless they wish to make a point of order or a point of personal explanation.

22.02 Chair Standing

Whenever the Chair rises during a debate a Member or Members then standing shall resume their seat(s) and the Council shall be silent.

22.03 Member not to be Heard Further

If a Member persistently disregards the ruling of the Chair by behaving improperly or offensively or deliberately obstructs business, the Chair may move that the Member be not heard further. If seconded, the motion will be voted on without discussion.

22.04 Member to Leave the Meeting

If the Member continues to behave improperly after such a motion is carried, the Chair may move that either the Member leaves the meeting or that the meeting is adjourned for a specified period. If seconded, the motion will be voted on without discussion.

22.05 General Disturbance

If there is a general disturbance making orderly business impossible, the Chair may adjourn the meeting for as long as he/she thinks necessary.

23. DECLARATIONS OF INTEREST

23.01 Disclosable Pecuniary Interests

Where a Member has a Disclosable Pecuniary Interest as defined by Regulations under the Localism Act 2011 or an "other" as described in paragraph 18 of the Councillor Code of Conduct, they will be required to declare that interest and remove themselves to the public gallery during discussion and voting on the item in which they have an interest. The Chair of any meeting at which such an interest is disclosed shall have discretion to exclude the Member from the meeting during the discussion and voting on the item in which the Member has an interest if the Member's behaviour is considered by the Chair to be having an undue influence on or attempting to put pressure on the Members voting on that item.

24. DISTURBANCE BY PUBLIC

24.01 Removal of a Member of the Public

If a member of the public interrupts proceedings, the Chair will warn the person concerned. If they continue to interrupt, the Chair will order ~~their removal from them to leave~~ the meeting room. If the person concerned refuses to leave the room, the Chair will adjourn the meeting until proceedings are able to continue without further interruption.

24.02 Clearance of Part of Meeting Room

If there is a general disturbance in any part of the meeting room open to the public, the Chair may call for that part to be cleared.

25. RECORDINGS OF MEETINGS

25.01 [Proceedings of the Council, the Cabinet and Committees may be recorded for broadcast live on the internet via the Council's website. Such meetings will be broadcast in full, excluding any confidential items which may need to be considered in the absence of the press and public.](#)

25.02 The Council supports the principles of openness and transparency and allows filming and recording at its meetings that are open to the public. These arrangements will operate in accordance with ~~the~~ a protocol agreed by the Council and which is set out in Part 5 of the Constitution.

26. SUSPENSION AND AMENDMENT OF COUNCIL PROCEDURE RULES

26.01 Suspension

All of these Council Rules of Procedure except Rule 18.02 and 18.04 may be suspended by motion on notice or without notice if at least one half of the whole number of Members of the Council are present. Suspension can only be for the duration of the meeting or for that part of the meeting identified in the motion.

26.02 Amendment

Any motion to add to, vary or revoke these Council Rules of Procedure will, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

27. APPLICATION TO COMMITTEES AND SUB-COMMITTEES

All of the Council Rules of Procedure apply to meetings of Full Council. Only Rules 5-11, 14, 18-26 (but not Rule 22.01) apply to meetings of the Cabinet, Committees, Sub-Committees, Forums and Working Parties.

Rule 12 (but not Rule 12.02) also applies to meetings of the Cabinet as follows:

- (a) a period of fifteen minutes is allocated for Leader and Cabinet Members' Question Time
- (b) notice of questions must be given by 12 noon three clear working days before the meeting
- (c) responses to submitted questions will be published by 12 noon on the day of the meeting.

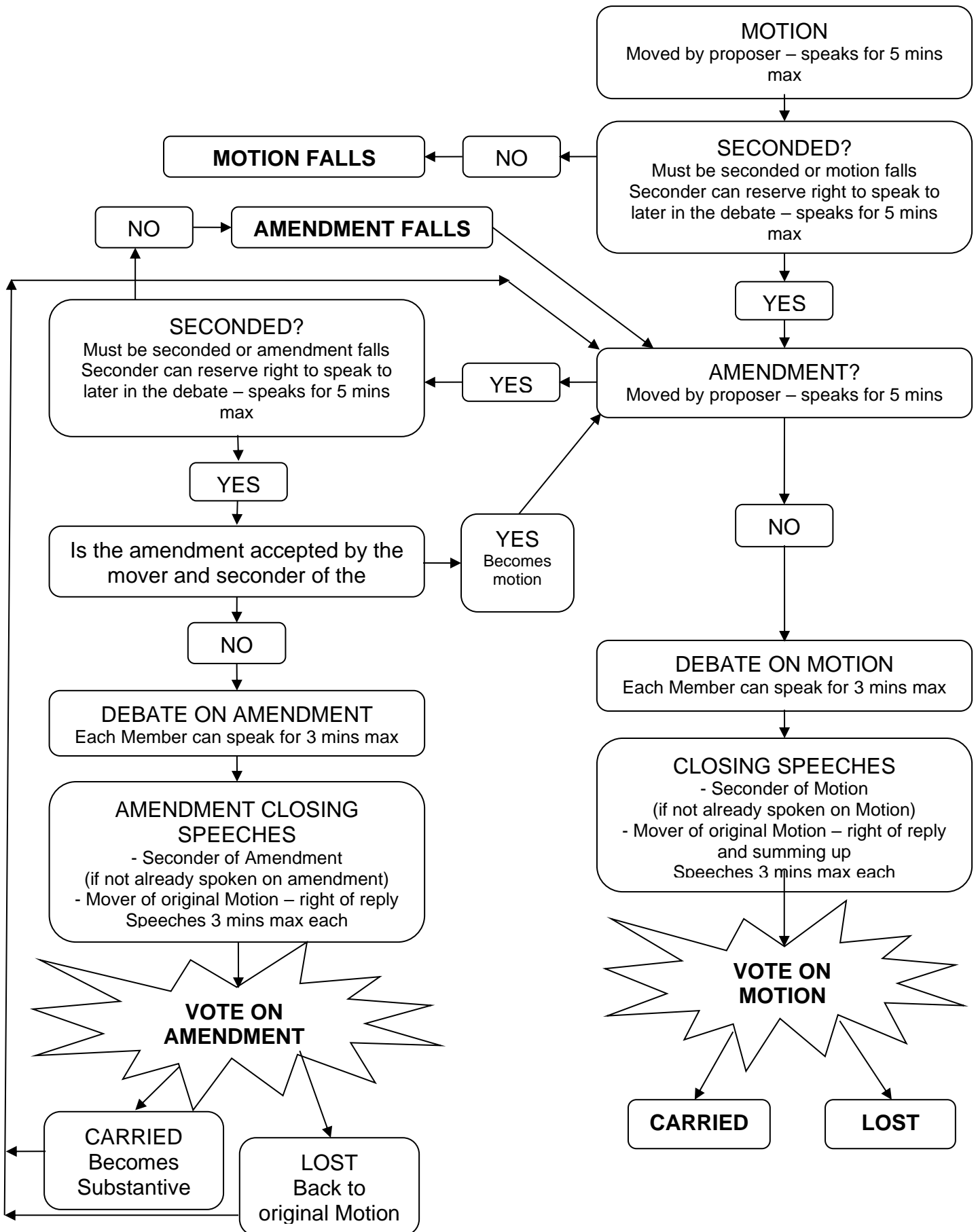
28. ORDER OF SENIORITY OF MEMBERS

28.01 Members of the Council shall rank in order of seniority as follows:

The Mayor
The Sheriff and Deputy Mayor
The Leader of the Council
The Deputy Leader of the Council
Cabinet Members (in alphabetical order)
The Leaders of political groups

Thereafter according to the length of service with the Council (those with the same length of service being ranked in alphabetical order).

29. Council Debate Flowchart



30. Council Budget Flowchart

