



# STROUD DISTRICT COUNCIL

Council Offices • Ebley Mill • Ebley Wharf • Stroud • GL5 4UB

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To all Members of Stroud District Council

08 July 2020

You are hereby summoned to attend a remote meeting of **STROUD DISTRICT COUNCIL** on **THURSDAY 16 JULY 2020 at 7.00 pm.**

Kathy O'Leary  
Chief Executive

*This is a remote meeting in accordance with the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020.*

**Venue**

*This meeting will be conducted using Zoom and a separate invitation with the link to access the meeting will be sent to Members, relevant officers and members of the public who have submitted a question.*

**Public Access**

*Members of the public, who have not submitted a question, are invited to access the meeting streamed live via Stroud District Council's [YouTube channel](#).*

**Recording of Proceedings**

*A recording of the meeting will be published onto the Council's website ([www.stroud.gov.uk](http://www.stroud.gov.uk)). The whole of the meeting will be recorded except where there are confidential or exempt items, which may need to be considered in the absence of press and public.*

## **A G E N D A**

- 1 **APOLOGIES**  
To receive apologies for absence.
- 2 **DECLARATIONS OF INTEREST**  
To receive declarations of interest.
- 3 **MINUTES**  
To approve the Minutes of the Council's meeting held on 19 May 2020.
- 4 **ANNOUNCEMENTS**  
To receive announcements from the Chair of Council.

**5 PUBLIC QUESTION TIME**

The Chairs of Committees will answer questions from members of the public submitted in accordance with the Council's procedures.

**DEADLINE FOR RECEIPT OF QUESTIONS**

Noon on Monday, 13 July 2020

Questions must be submitted to the Chief Executive, Democratic Services, Ebley Mill, Ebley Wharf, Stroud and can be sent by email to [democratic.services@stroud.gov.uk](mailto:democratic.services@stroud.gov.uk)

**6 COMMITTEE MEMBERSHIP**

**Community Services and Licensing Committee** – Councillor Kay was replaced by Councillor Dewey.

**Environment Committee** – Councillor Dewey was replaced by Councillor Kay.

**Gloucestershire Economic Growth Scrutiny Committee** - Councillor Dewey was replaced by Councillor Pickering.

**7 RECOMMENDATIONS FROM STRATEGY AND RESOURCES COMMITTEE – 18 JUNE 2020 AND 9 JULY 2020**

The relevant Committee reports are available on the Committee's website page for this Council meeting.

The Chair of Strategy and Resources Committee will present these items.

**7a Council Tax Hardship Scheme – Covid-19 ([Agenda item 5 – 18 June 2020](#))**

To consider the recommendations from Strategy and Resources Committee, to formally adopt the amended Section 13a Hardship Policy.

**7b Water-Source Heat Pumps Ebley Mill and Brimscombe Port Mill ([Agenda item 5 – 9 July 2020](#))**

To consider the recommendations from Strategy and Resources Committee.

**8 GLOUCESTERSHIRE CITY REGION BOARD**

To endorse Leadership Gloucestershire's agreement in principle to amalgamate the previous three Vision 2050 Boards into one City Region Board for the county and to agree that the Council participates in the activities of the Board.

**9 COVID-19 ENGAGEMENT BOARD**

To provide Council with details of the proposals to deal with a local outbreak of Covid-19 and to notify it of representatives under the proposed governance arrangements.

**10 MEMBERS' QUESTIONS**

See Agenda Item 5 for deadline for submission.

## 11 **NOTICE OF MOTION**

**A Motion regarding Proposed Changes to the Councillors Code of Conduct is proposed by Councillor Curley and seconded by Councillor Pickering.**

“Stroud District Council believes, in the light of local, national and international Black Lives Matters protests, and the four Party Group Leaders’ commitment to “promoting equality and tackling discrimination” issued on 9 June, that the Council needs to update the Councillors Code of Conduct for councillors and resolves that the draft appended to this motion is adopted with immediate effect”.



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## COUNCIL MEETING

19 May 2020

7.00 pm – 8.09 pm

Remote Meeting

# 3

### Minutes

#### Membership

**Gary Powell (Chair)**

**Steve Robinson (Vice-Chair)**

Martin Baxendale

Dorcas Binns

Catherine Braun

Chris Brine

Miranda Clifton

Nigel Cooper

Doina Cornell

Gordon Craig

Rachel Curley

Stephen Davies

Paul Denney

Jim Dewey

Jonathan Edmunds

Chas Fellows

Colin Fryer

P = Present A = Absent

P	Lindsey Green
A	Trevor Hall
P	Nick Hurst
P	George James
P	Julie Job
P	Haydn Jones
P	John Jones
P	Norman Kay
P	Darren Loftus
P	Stephen Lydon
P	John Marjoram
P	Karen McKeown
A	Jenny Miles
P	Dave Mossman
P	Gill Oxley
P	Keith Pearson
P	Simon Pickering

P	Nigel Prenter	P
P	Skeena Rathor	P
P	Sue Reed	A
P	Mark Reeves	P
A	Mattie Ross	P
P	Tom Skinner	P
P	Nigel Studdert-Kennedy	A
P	Haydn Sutton	A
P	Brian Tipper	P
P	Chas Townley	P
A	Jessica Tomblin	P
P	Ken Tucker	P
P	Martin Whiteside	P
A	Tim Williams	P
P	Tom Williams	P
P	Debbie Young	P

#### Officers in Attendance

Chief Executive

Democratic Services & Elections Manager

Strategic Director of Resources

Strategic Director of Change & Transformation

Interim Head of Legal Services and  
Monitoring Officer

Strategic Director of Communities

Corporate Policy and Governance Manager

Democratic Services & Elections Officers

#### CL.001

#### APOLOGIES

Apologies for absence were received from Councillors Denney, Job, Marjoram, Mossman, Reed, Robinson, Studdert-Kennedy and Sutton.

#### CL.002

#### DECLARATIONS OF INTEREST

There were none.

**CL.003**      **MINUTES**

**RESOLVED**      **That the minutes of the Council's meeting held on 20 February 2020 are confirmed and signed as a correct record.**

**CL.004**      **ANNOUNCEMENTS**

The Chair informed Members that Councillor Skeena Rathor had resigned from the Labour Group and Party and would be sitting as an Independent Councillor with immediate effect.

He also thanked the Chief Executive, all officers and employees for all of their work over last few weeks saying that it made us all proud to be Members of the Council.

The Leader echoed the Chair's thank you.

The Chief Executive thanked the Chair and Leader very much, on behalf of herself and staff for their thanks and all of the Members for their support and understanding. Officers had taken on unfamiliar work away from the office and also Members had carried out some excellent work in supporting their communities and supporting staff.

The Chair of Environment Committee echoed the above thanks and also thanked the Ubico crews who had been working exceedingly hard to collect the district's general waste, recycling and garden waste. They had done over and above what was expected of them and wanted to thank them on behalf of the Council.

**CL.005**      **PUBLIC QUESTION TIME**

There were no public questions.

**CL.006**      **AMENDMENTS TO THE CONSTITUTION**

The Chair highlighted a minor amendment proposed to the Standing Order for remote meetings that had been proposed by Councillor Pickering which had been accepted by Councillor Cornell. At paragraph 23.16, the sixth bullet point had been amended to read "One supplementary question will be permitted". This is now the version of the Standing Order that Members would be voting on and replaced the version that had previously been published.

At the request of the Green Group, the resolution in the report had been amended so that the question of quorum was dealt with separately. This was not a substantive change to the resolution and had been accepted by Councillor Cornell. After taking advice from the Monitoring Officer it was confirmed that it was in order for this now to be the substantive motion. The amended resolution was set out on the screen.

Councillor Cornell introduced the report that had clearly set out the reasons why the changes were necessary. The Leader stated that we are living in very challenging times and the Government has enabled us to make decisions in the correct manner wherever possible, part of this was to enable Local Authorities to hold remote meetings. It was also confirmed that there would be a review of the standing orders in six months by the Constitution Working Group.

The Leader took members thorough the main changes proposed, including changes to the standing order, quorum and emergency powers, and provided context where necessary.

Councillor Davies seconded the Motion and reserved the right to speak later.

Clarification was given to Councillor Pearson that the proposed quorum for Audit and Standards Committee would be a minimum of 3 members.

A debate ensued regarding the reduction in the quorum for meetings. Those Members against the decision to lower quorate for meetings cited their reasons. It was their view that this would erode democracy and it would give the wrong message to the public. They did not believe that there was a problem currently with meetings being inquorate and if there were problems with member attendance then the Group Leader should intervene. Members should lead by example, and had the technology available to have meetings remotely. There was no evidence that members are struggling to attend meetings and the numbers should not therefore be reduced. Young people do most things on line and we should be taking steps forward not back.

Members in favour of the motion agreed with the arguments set out within the report and advised that attendance rates were not expected to be lower following the change to the quorum, it would put in place emergency measures.

Councillor Davies had seconded the Motion. He confirmed that there would be a review in 6 months by the Constitution Working Group and advised that this was not an attempt to reduce numbers at committee.

In summing up the Leader said that she hoped most members would support the Motion, she pointed out that during debate there seemed to be a general confusion about attendance at meetings and quorum. She made it clear that this was about putting emergency measures in place for urgent decisions to be taken and would regularise emergency procedures in the Council's Constitution. A further report would be presented to Committee by the Constitution Working Group in the future.

Upon the vote the Motion was carried by 27 votes for, 14 votes against and 1 abstention.

**RESOLVED**      **a. To accept the proposed changes to the quorum as set out in Paragraph 2.6 of the report which will be subject to a review by the Constitution Working Group in six months.**

Upon the vote the Motion was carried by 41 votes for and 1 abstention.

**RESOLVED**      **b. The question of quorum having been decided separately, accept the remaining proposed changes to the Constitution which will be subject to a review by the Constitution Working Group in six months.**  
**c. Delegate authority to the Monitoring Officer to make any consequential changes to the Remote Meetings Standing Order as a result of any issues arising from conducting remote meetings in consultation with the Constitution Working Group.**

## **CL.006**      **COMMITTEE MEMBERSHIP**

The Chair announced that Councillor Davies was to fill the vacancy on Housing Committee.

## **CL.007**      **MEMBERS' QUESTIONS**

The following two questions were received from Councillor Stephen Davies and answered by the Leader.

1. How does the Leader think the collaboration between Political Parties is going during this Coronavirus crisis?

The Leader stated that there had been regular consultation with all Group Leaders so that important decisions could be taken quickly and with member involvement collectively, she advised that it was better to make decisions with a diverse group of people. She also said that press statements had been released collectively and they reached a wider community. She stated that it was a challenging balance but the council were good at making good cross party decisions for our residents within the district. She thanked the three other Group Leaders for all of their hard work.

In response to a supplementary question the Leader stated that there was more agreement than disagreement and that cross-party work would continue whilst we were in this emergency.

2. Would the Leader like to join me in thanking all staff for the great work they have done in challenging circumstances in maintaining services and taking on additional work during the Coronavirus crisis?

The Leader thanked everyone, Council Officers and Members (some who were in isolation, some who had suffered from coronavirus) some Officers had even taken on new roles e.g. working in customer services and supporting vulnerable residents. A special thank you was given to the Chief Executive and the team of Directors, who were all in new posts and working remotely.

The meeting closed at 8.09 pm.

Chair

**STROUD DISTRICT COUNCIL**  
**COUNCIL**

**AGENDA  
ITEM NO**

**16 JULY 2020**

**7a**

<b>Report Title</b>	<b>COUNCIL TAX HARDSHIP SCHEME – COVID-19</b>			
<b>Purpose of Report</b>	<b>To adopt a Council Tax Hardship Scheme for 2020/21 and update the existing Section 13a Hardship Policy.</b>			
<b>Decision(s)</b>	<b>Council RESOLVES to formally adopt the amended Section 13a Hardship Policy as recommended by Strategy and Resources Committee.</b>			
<b>Consultation and Feedback</b>	Group Leaders of all four parties have been consulted together with the Section 151 officer along with representatives from other Gloucestershire authorities.			
<b>Report Author</b>	Simon Killen – Revenue and Benefits Manager Email: <a href="mailto:simon.killen@stroud.gov.uk">simon.killen@stroud.gov.uk</a>			
<b>Options</b>	The Council could choose not to adopt the scheme.			
<b>Background Papers</b>	<a href="#">COVID-19 hardship fund 2020-21 – Local Authority Guidance</a>			
<b>Appendices</b>	Appendix A – Council Tax Hardship Scheme Covid-19 Appendix B – Council Tax – Section 13a Policy			
<b>Implications (further details at the end of the report)</b>	Financial	Legal	Equality	Environmental
	Yes	Yes	Yes	No

## 1. INTRODUCTION / BACKGROUND

- 1.1 Section 13A(1)(c) of the Local Government Finance Act 1992, as amended by Section 10 of the Local Government Finance Act 2012, gives the council additional discretionary powers to reduce the amount of Council Tax payable for individuals, or for classes of council taxpayer.
- 1.2 The policy sets out the Council's approach to the awarding of discretionary reductions to individuals in respect of a council tax liability. The policy allows the Council to reduce the Council Tax payable on the grounds of hardship or where there are exceptional circumstances.
- 1.3 The Government recognises that COVID-19 is likely to cause fluctuations in household incomes and recognises that, as a result, some individuals may struggle to meet council tax payments.
- 1.4 Expectations are that Council's will provide all recipients of working age local council tax support during the financial year 2020-21 with a further reduction in their annual council tax bill of £150, using their discretionary powers to reduce the liability of council tax payers outside of their formal local council tax support scheme design.
- 1.5 The allocation of funding for Stroud District Council for the financial year 2020-21 is £628,575.



- 1.6 The funding level is finite and therefore the Council, although keen to ensure that awards are given to the maximum number of residents, is conscious that its expenditure cannot exceed that amount.
- 1.7 The money will be paid out to Council's through a grant under Section 31 of the Local Government Act 2003.

## **2. MAIN POINTS**

- 2.1 The Council Tax Hardship Fund is where those claiming local council tax support would be eligible for an additional discount of up to £150 on their council tax bill. This is for working age claimants only.
- 2.2 We have been able to apply discounts to 1,339 council tax accounts. This has already seen a total of £170,681 in support to residents.
- 2.3 We will continue to award discounts to those falling into difficulties and find themselves claiming support for the first time. These awards will be made automatically without the need for application.
- 2.4 The demand during this financial year is uncertain as we continue to see a high increase in new claims.
- 2.5 Having allocated grant to reduce the council tax bill of working age LCTS recipients by a further £150, we can establish our own local approach to using any remaining grant to assist those in need.
- 2.6 In doing so, we aim to use the remaining grant allocation as part of wider local support mechanisms. This includes council tax relief using our adapted existing discretionary discount/hardship policies in order to capture those most likely to be affected by COVID-19.

## **3. CONCLUSION**

- 3.1 The Section 13a policy has been revised and updated to replace the previous outdated policy. The inclusion of a Hardship scheme relating to Covid-19 allows for significant support to residents in the district who find themselves in hardship.
- 3.2 The scheme should be reviewed during 2020/21.

## **4. IMPLICATIONS**

### **4.1 Financial Implications**

The Council has received a grant from Central Government of £628,575 to fund hardship awards. Any awards made by the Council in respect of Covid-19 related hardship will be funded by that grant.

Andrew Cummings, Strategic Director of Resources

Tel: 01453 754115 Email: [andrew.cummings@stroud.gov.uk](mailto:andrew.cummings@stroud.gov.uk)

## 4.2 Legal Implications

The Government document entitled '**COVID-19 hardship fund 2020-21 – Local Authority Guidance**' provides guidance to authorities about the operation and delivery of this additional relief. The expectation is that the majority of the hardship fund will be used to provide council tax relief, alongside existing local council tax support schemes and will be funded by the Government as set out in the report.

The Government expects that billing authorities will primarily use their grant allocation to reduce the council tax liability of individuals in their area, using their discretionary powers under s13A (1) (c) of the Local Government Finance Act 1992 which is set out in the appendices.

The expectation of the Government is that this additional support is added to the existing scheme and that the Council should expedite provision of support to individuals in the area, using existing policies and schemes to deliver assistance where practical.

Furthermore, the Guidance is clear that, where council clearance processes are considered necessary, to avoid delays, they should be kept as light touch as possible within the governance arrangements of each authority. As such, given that this is effectively an allocation of Government grant and that the provision should be applied as soon as possible, it is appropriate in the circumstances for the Strategy & Resources Committee to approve the amendment proposed but this should be reported to the next meeting of full Council.

Patrick Arran, Interim Head of Legal Services & Monitoring Officer  
Tel: 01453 754369 Email: [patrick.arran@stroud.gov.uk](mailto:patrick.arran@stroud.gov.uk)

## 4.3 Equality Implications

The council is committed to equality and the fair application of the policy, ensuring that people receive fair outcomes in the standard of service they receive from the Council and equality access to Council services, regardless of their race, gender, age, religion or belief, sexual orientation, marital or civil partnership status and/or disability in line with the principles set out in the Equalities Act 2010.

## 4.4 Environmental Implications

There are no significant implications within this category.

# Stroud District Council

## Discretionary Hardship Scheme –

### Council Tax – COVID 19

#### Background

Since April 2013 each Local Authority has in place its own scheme for Council Tax Support. Unlike the Council Tax Benefit scheme the Local Council Tax Support scheme is not fully funded by Central Government and thus the onus is on Local Authorities to implement their own schemes.

Whilst there is the need to have a local scheme there also needs to be some provision for those residents who do find themselves in 'exceptional' circumstances and require short term assistance to meet their Council Tax obligation. It is important to define what could be considered exceptional and in this instance it would be a situation that was not typical, was entirely unusual and only likely to happen very infrequently. It is envisaged that exceptional situations for the purpose of this scheme are likely to be things entirely out of the control of the council tax payer, such as flooding to a property as an example. It is therefore relevant to include those suffering severe financial hardship as a direct result of the COVID 19 global pandemic as this is an exceptional and unprecedented situation.

#### Legal Provision

Billing authorities have discretion under Section 13(1)(c) of the Local Government Finance Act 1992 to reduce the amount of council tax payable for individuals, or for classes of council tax payer. This includes the power to reduce the amount payable to nil.

#### 13A – Reductions by billing authority

- (1) The amount of council tax which a person is liable to pay in respect of any chargeable dwelling and any day -
  - (a) In the case of a dwelling situated in the area of a billing authority in England, is to be reduced to the extent, if any, required by the authority's council tax reduction scheme (see subsection(2));
  - (b) In the case of a dwelling situated in the area of a billing authority in Wales, is to be reduced to the extent, if any, required by any council tax reduction scheme made under regulations under subsection (4) that applies to the dwelling;
  - (c) In any case, may be reduced to such extent (or, if the amount has been reduced under paragraph (a) or (b), such further extent) as the billing authority for the area in which the dwelling is situated thinks fit
- (2) Each billing authority in England must make a scheme specifying the reductions which are to apply to amounts of council tax payable, in respect of dwelling situated in its area by –
  - (a) Persons whom the authority considers to be in financial need, or
  - (b) Persons in classes consisting of persons whom the authority considers to be, in general, in financial need

...

(6) The power under subsection (1)(c) includes power to reduce an amount to nil

(7) The power under subsection(1)(c) may be exercised in relation to particular cases or by determining a class of case in which liability is to be reduced to an extent provided by the determination

...

(9) In this part “council tax reduction scheme” means a scheme under subsection (2)

### **Eligibility Criteria**

The intention is for this scheme to be a last resort for exceptional situations and circumstances. It is not intended to replace any discounts, exemptions or council tax support awards. The Council will treat all applications on their individual merits, however some, or all of the following criteria should be met for each case:

- There must be clear, demonstrable evidence of financial hardship or exceptionally difficult personal circumstances that justifies a reduction in council tax liability
- The taxpayer must satisfy the Council that all reasonable steps have been taken to resolve their situation prior to the application
- The taxpayer must have applied for Local Council Tax Support – the scheme which ensures that those on low incomes receive financial support towards their council tax
- All other discounts and reliefs must have been applied to the council tax account
- The taxpayer does not have access to other assets that could be used to pay council tax
- The Council’s finances allow for a reduction to be made \*
- The situation and reason for the application must be out of the taxpayer’s control
- The amount outstanding must not be as a result of wilful refusal or culpable neglect
- It is reasonable for the Council to award a reduction having regard to the interests of other local Council Tax payers who have to meet the cost of any relief granted
- An award can only be made for the Council Tax element of any charge, any court or enforcement agency costs applied to the account cannot be considered

\*During the COVID 19 pandemic the Government has made a hardship fund available to the Local Authority to specifically address hardship requests.

In all cases relief will end in the following circumstances:

- At the end of the financial year
- The liable person changes
- The council tax payer enters any form of formal insolvency
- The council tax payer’s financial circumstances significantly alter

### **Council Tax Discretionary Hardship Payment**

The Council Tax discretionary hardship payment (COVID 19 amendments) will be effective for 2020/21.

### **Claiming discretionary hardship**

Requests for a reduction in council tax must be made in writing from the taxpayer, their advocate/appointee or a recognised third party acting on their behalf. A designated application form will also be made available. The application should be supported by a full financial statement of income and outgoings and accompanied by any supporting evidence.

The application will be reviewed and considered having regard to each individual applicant's personal circumstances, the scheme guidelines, the content of the application and the evidence supplied in support of the application.

Awards will be made directly by way of a discount applied to the Council Tax bill

### **Review of Decision**

The Council Tax Discretionary Hardship scheme is administered in accordance with the Local Government Finance Act 1992 and as such, there is no right of appeal against the Council's use of discretionary powers. However, the Council will accept a customer's written request for a redetermination of its decision. A request for a redetermination must be made within one calendar month of the date of the letter informing the customer of the decision.

A redetermination will be undertaken by a [Senior] Officer, who will consider whether the Council taxpayer has provided any additional information that will justify a change to the original decision, having due regard to all the evidence considered in the original decision and any supplementary evidence supplied to support the redetermination request.

The applicant will then be notified of the reconsideration, which will clearly state the reasons for the decision made.



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## **Discretionary Hardship Relief**

### **Council Tax - Section 13a Policy**

#### **Background**

Since April 2013 each Local Authority has in place its own scheme for Council Tax Support. Unlike the Council Tax Benefit scheme, the Local Council Tax Support scheme is not fully funded by Central Government and thus the onus is on Local Authorities to implement their own schemes.

Section 13A(1)(c) of the Local Government Finance Act 1992, as amended by Section 10 of the Local Government Finance Act 2012, gives the council additional discretionary powers to reduce the amount of Council Tax payable for individuals, or for classes of council taxpayer. This includes the power to reduce the amount payable to nil.

Whilst there is the need to have a local scheme there also needs to be some provision for those residents who do find themselves in 'exceptional' circumstances and require short term assistance to meet their Council Tax obligation. It is important to define what could be considered exceptional and in this instance it would be a situation that was not typical, was entirely unusual and only likely to happen very infrequently. It is envisaged that exceptional situations for the purpose of this scheme are likely to be things entirely out of the control of the council tax payer, such as flooding to a property as an example.

The full cost of awarding any Section 13A reductions must be met by Stroud District Council from its General Fund. The Council must therefore balance the need of the individual council payers requiring support against the interests of the council tax payers generally.

#### **Eligibility Criteria**

The intention is for this scheme to be a last resort for exceptional situations and circumstances. It is not intended to replace any discounts, exemptions or council tax support awards. The Council will treat all applications on their individual merits, however some, or all of the following criteria should be met for each case:

- There must be clear, demonstrable evidence of financial hardship or exceptionally difficult personal circumstances that justifies a reduction in council tax liability
- The taxpayer must satisfy the Council that all reasonable steps have been taken to resolve their situation prior to the application
- The taxpayer must have applied for Local Council Tax Support – the scheme which ensures that those on low incomes receive financial support towards their council tax
- All other discounts and reliefs must have been applied to the council tax account
- The taxpayer does not have access to other assets that could be used to pay council tax

- The Council's finances allow for a reduction to be made
- The situation and reason for the application must be out of the taxpayer's control
- The amount outstanding must not be as a result of wilful refusal or culpable neglect
- It is reasonable for the Council to award a reduction having regard to the interests of other local Council Tax payers who have to meet the cost of any relief granted
- An award can only be made for the Council Tax element of any charge, any court or enforcement agency costs applied to the account cannot be considered

Relief under this policy will not be awarded in the following circumstances:

- Where the full council tax liability is being met in full by council tax support
- For any other reason, other than to reduce the council tax liability
- Where the council considers that there are unnecessary expenses and debts and that the applicant has not taken reasonable steps to reduce these
- Where the council tax payer has assets that could reasonably be used to pay the council tax. This includes payment being made from proceeds of sale
- To cover any increase in the council tax payable due to the failure by the applicant to notify changes in their circumstances in a timely manner or where the applicant has failed to act correctly or honestly
- As a means to reduce or remit council tax which can recovered by the various enforcement methods available to the Council
- Where a council tax or council tax support penalty has been imposed at any time during the financial year where relief is being requested
- To cover court costs or administration fees

In all cases relief will end in the following circumstances:

- At the end of the financial year
- The liable person changes
- The council tax payer enters any form of formal insolvency
- The council tax payer's financial circumstances significantly alter

### How to apply

The person(s) liable for council tax, their appointee or representative, will be required to submit an application for discretionary hardship relief to the Council, using the form provided. The application form is available on the Council's website and paper copies will also be made available on request.

The application form must be fully completed and submitted with any supporting information or evidence.

The applicant must provide details of any special circumstances and/or exceptional hardship being experienced and provide evidence to support their application.

Evidence required may include, but is not limited to:

- Full details of income and expenditure
- Full details of any capital and other assets
- Confirmation of outgoings including debt repayments, outstanding loans and credit card debt
- Details of personal illness confirmed by a GP

Failure to provide any supporting evidence and information that is requested will lead to the discretionary hardship relief claim being refused unless there are mitigating circumstances which led to that failure. There

may be some occasions where relief can be considered based on information already available to officers in the Revenues and Benefits team.

### **Period of Award**

A discretionary hardship relief award will not normally be used to provide long term support for individuals. They will be used to provide short term support to allow people the time to resolve their current financial difficulties and to move to a position which is financially sustainable for them in the longer term.

The length of time over which an award is made is at the discretion of the Council but will not normally exceed a six-month period.

The applicant will be notified of the period of the award and any specific end date.

### **Notification of decisions**

The Council will aim consider the application and notify the customer of the outcome within 21 days of receipt of the claim and all supporting documentation.

If the claim for relief is successful, the award will be made directly by way of a discount applied to the Council Tax bill. This will be confirmed in writing and the Council's decision letter will include the following:

- The reason for the award
- The amount awarded
- The period of the award
- The applicant's duty to report any changes in circumstances
- Any conditions associated with the award
- Details of the right of review

If a claim is unsuccessful, this will be confirmed in writing and the Council's decision letter will include an explanation of how the decision has been reached and details of the right to request a review.

### **Review of Decision**

Applications will be reviewed, and decisions on awards will be made by a Senior Officer in the Revenues and Benefits team.

Discretionary hardship relief awards are administered in accordance with the Local Government Finance Act 1992 and are subject to a statutory appeals process. If the applicant disagrees with a discretionary hardship relief decision they must put this in writing giving their reasons. This should normally be received by Stroud District Council within a month of the date of the decision although more time can be given in exceptional circumstances.

Where possible the Council will try to resolve the matter by explaining the reasons for the decision to the applicant or their representative, either verbally or in writing. If a decision is formally challenged a reconsideration will be made by the Revenue and Benefits Manager. The applicant will then be notified of the reconsideration which will clearly state the reasons for the decision made.



If the applicant remains dissatisfied with the decision, an appeal may be made to the independent Valuation Tribunal. Further details on this process will be notified to the applicant with the outcome of any previous review of the decision.

## **Equalities**

The Council is committed to equality and the fair application of the policy, ensuring that people receive fair outcomes in the standard of service they receive from the Council and equality of access to Council services. This policy is fully inclusive and could support all members of the community, regardless of their race, gender, age, religion or belief, sexual orientation, marital or civil partnership status and/or disability in line with the principles set out in the Equalities Act 2010.

## **Fraud**

The Council takes fraud seriously and has adopted a zero tolerance approach. All allegations of fraud will be investigated; should a person make a false statement or provide incorrect evidence in support of their application for discretionary hardship relief, they may commit a criminal offence. All such instances will be dealt with in accordance with the Anti-Fraud and Corruption Policy and any overpaid monies will be recovered together with any outstanding council tax.

**STROUD DISTRICT COUNCIL**  
**COUNCIL**

**AGENDA  
ITEM NO**

**16 JULY 2020**

**7b**

<b>Report Title</b>	<b>RECOMMENDATIONS FROM STRATEGY AND RESOURCES COMMITTEE</b>
<b>Purpose of Report</b>	To put recommendations from Strategy and Resources Committee for consideration and, if appropriate, approval.
<b>Decision(s)</b>	It is recommended that Council <b>RESOLVES</b> to consider any recommendations made by Strategy & Resources Committee
<b>Consultation and Feedback</b>	Please refer to the original <a href="#">Committee report</a> .
<b>Financial Implications and Risk Assessment</b>	Financial Implications are set out in the original reports  Andrew Cummings, Strategic Director of Resources Tel: 01453 754115 Email: <a href="mailto:andrew.cummings@stroud.gov.uk">andrew.cummings@stroud.gov.uk</a>
<b>Legal Implications</b>	Any legal implications will be set out in the original reports.  Patrick Arran, Interim Head of Legal and Monitoring Officer Tel: 01453 754369 Email: <a href="mailto:patrick.arran@stroud.gov.uk">patrick.arran@stroud.gov.uk</a>
<b>Report Author</b>	Alison Fisk, Head of Property Services Tel: 01453 754430 Email: <a href="mailto:alsion.fisk@stroud.gov.uk">alsion.fisk@stroud.gov.uk</a>
<b>Options</b>	The Council may accept the recommendations, amend the recommendations or decide not to accept the recommendations.

1. At its meeting on the 9<sup>th</sup> of July, Strategy and Resources Committee will be asked to consider the recommendation to invest in the installation of water source heat pumps at Ebley Mill and Brimscombe Port Mill. This report is provided to comply with publication deadlines and to place the matter on the Council agenda. No assumptions are made as to any decision the Strategy & Resources Committee.
2. Any amendments to the recommendation made at Strategy and Resources will be reported into Council orally, and should the recommendations not be approved this report will be withdrawn from the Council agenda.

**STROUD DISTRICT COUNCIL**  
**COUNCIL**

**AGENDA  
ITEM NO**

**16 JULY 2020**

**8**

<b>Report Title</b>	<b>GLOUCESTERSHIRE CITY REGION BOARD</b>			
<b>Purpose of Report</b>	To endorse Leadership Gloucestershire's agreement in principle to amalgamate the previous three Vision 2050 Boards into one City Region Board for the county and to agree that the Council participates in the activities of the Board.			
<b>Decision(s)</b>	<b>The Council RESOLVES to:</b>  <b>a. Endorse the creation of a single Gloucestershire City Region Board for the county;</b> <b>b. Approve the Terms of Reference attached at Appendix 1;</b> <b>c. Note the funding allocations made by the Gloucestershire Economic Growth Joint Committee to support the work of the Board (£2m has been ring-fenced from the Strategic Economic Development Fund, of which £410,000 has been drawn down for Multi-Modal Transport Study); and</b> <b>d. Agree that Stroud District Council participates in the activities of the Board.</b>			
<b>Consultation and Feedback</b>	Group Leaders			
<b>Report Author</b>	Kathy O'Leary, Chief Executive Tel: 01453 754780 Email: <a href="mailto:kathy.oleary@stroud.gov.uk">kathy.oleary@stroud.gov.uk</a>			
<b>Options</b>	The option of not agreeing to the creation of a single Board and retaining the previous three Boards is not recommended as there can be no return to that structure, and it is strongly recommended that the Council participates in the activities of the new Board.			
<b>Background Papers</b>	Report to Strategy & Resources on 3 October 2019 on Severn Vale Delivery Board and subsequent report to Council on 17 October 2019			
<b>Appendix</b>	Appendix 1 – Gloucestershire City Region Board Terms of Reference			
<b>Implications (further details at the end of the report)</b>	Financial	Legal	Equality	Environmental
	No	No	No	No

## 1. INTRODUCTION / BACKGROUND

- 1.1 Following public consultation in 2018, a vision and concordat for Leadership Gloucestershire were developed and agreed by the public sector organisations that constitute it.

- 1.2 The vision endorsed by Leadership Gloucestershire is 'Gloucestershire: a great place to live, work and do business, with a thriving future.' This was underpinned by eight 'ambitions':
- a) **An inclusive county:** *we will ensure that the economic and social benefits of growth are felt by all.*
  - b) **A magnet county:** *we will see a growing working age population, by keeping and attracting more 18-40 year olds with high level qualifications, who want to live and work in the county.*
  - c) **An innovative county:** *we will see more businesses starting up, growing, and investing in research and innovation.*
  - d) **A skilled county:** *we will see more people with high-level skills and jobs in skilled occupations.*
  - e) **A prosperous county:** *we will see rising productivity and household income, offering higher living standards.*
  - f) **A healthy, happy and safe county:** *we will ensure people have a good work/life balance and see improved health and wellbeing.*
  - g) **A connected county:** *we will see improved transport and internet connections so that people and businesses can connect with each other more easily.*
  - h) **A sustainable county:** *we will see more efficient use of resources and more use of sustainable energy.*
- 1.3 The 2018 concordat set out that Leadership Gloucestershire agreed to scope further the establishment of three Boards each charged with considering how to frame its scope so that it best delivered against the above eight ambitions.
- 1.4 Further discussions were held during 2019 and three Delivery Boards were established:
- Central Gloucestershire Board
  - Rural Ambitions Board
  - Severn Vale Board
- 1.5 The purpose of the Central Gloucestershire Board was to provide the vision and strategic context for the area currently covered by the Joint Core Strategy, that is, Cheltenham, Gloucester and Tewkesbury Borough, including all aspects of community life and business ambition, rather than having just a development focus.
- 1.6 The Rural Ambitions Board was created to provide a positive vision of a vibrant rural economy, to allow market towns and villages, communities and businesses to be as proud of their contribution to Gloucestershire as they are already proud of their landscape, and to ensure that our rural assets compliment the vision for growth elsewhere in the county.
- 1.7 The Severn Vale Board was created to consider infrastructure and connectivity of the vale beyond the county including such issues as rail improvements, M5 corridor upgrade (and particularly junction capacity at 12, 13 and 14) and wider national transport links including the potential of a third crossing of the River Severn between the Forest of Dean and Stroud districts, and to consider all aspects of community life and business ambition as well as focus on infrastructure.
- 1.8 Stroud District Council stood to participate in all three Boards, with a leading role in the Severn Vale Board.

## 2. ONE BOARD

- 2.1 The focus of the three embryonic Boards shifted with the launch of 'A Powerhouse for the West', now the 'Western Gateway' in 2019, which recognised the geographically pivotal role of Gloucestershire on an east-west access between South Wales and Wiltshire and north-south from the Midlands to Bristol on the M5/M4 and rail corridors. Leadership Gloucestershire recognised the need to position its activity to derive maximum mutual benefit for local communities and the Western Gateway in terms of strategic and local connectivity, prosperity, sustainable tourism and clean growth.
- 2.2 In addition, there was a great deal of duplication between the three Boards and it was recognised that the county could take a more cohesive approach by amalgamating all three into one.
- 2.3 At its meeting on 5 March 2020 Leadership Gloucestershire therefore agreed, subject to the approval of partner organisations, to dissolve the Rural Ambitions and Severn Vale Vision Boards and to:
- extend the membership of the Gloucestershire City Region Board to include all of the local authorities in the county with the terms of reference adjusted accordingly;
  - note the activities undertaken by the other boards to date, including the Rural Ambitions Board, and ensure that these were not lost under any new structure;
  - identify activity streams under the Gloucestershire City Region Board involving relevant elected members and senior officers; these included the Statement of Common Ground, Joint Core Strategy, other spatial plans and transport strategies;
  - identify the evidence gathering study areas along with indicative costs, these included land availability, employment, health, waste, schools, transport, climate change and flood risk;
  - request an initial sum of £2 million from the Strategic Economic Development Fund via the Joint Economic Growth Committee and include an indicative list of activities required;
  - note that a total of £13-14 million was likely to be needed to allow all the evidence to be gathered; and
  - note the potential 'public/private think-tank' role that could be undertaken by the GFirst LEP Board.

### Terms of Reference

- 2.4 At its meeting on 22 June, Leadership Gloucestershire considered Terms of Reference for the Board and agreed them subject to the necessary approval of partner organisations. The original terms of reference (ToRs) for the Central Gloucestershire City Region Board have been amended to amalgamate them with the keypoints of the ToRs for the Severn Vale and Rural Ambitions Boards. The Strategy & Resources Committee considered the ToRs for the Severn Vale Board on 3 October 2019 and Council approved them on 17 October. The new ToRs have also been slightly updated to include reference to key partnerships such as the Western Gateway and they are attached at Appendix 1.

## Funding

- 2.5 Further to the request of Leadership Gloucestershire, on 3 June the Gloucestershire Economic Growth Joint Committee considered and approved two requests for funding in respect of the Gloucestershire City Region Board as follows:
- a) that £2 million is allocated within the Strategic Economic Development Fund (SEDF) to support the work of the Gloucestershire City Region Board. This funding will be held within the SEDF as a ring-fenced allocation and can be drawn down following the Joint Committee's approval of individual projects; and
  - b) that £410,000 is approved from within the ring-fenced allocation to fund a Gloucestershire Multi-Modal Transport Study to complement existing highway modelling.

## **3. NEXT STEPS**

- 3.1 The Covid-19 pandemic has delayed work around the Board. Although there are still many challenges facing all partners in respect of Covid-19 response and recovery, there is a need for the Gloucestershire City Region Board to meet to commence its work, as related projects are continuing to progress.
- 3.2 Work areas include the development of a long-term spatial strategy, local plans, transport infrastructure planning and the Local Industrial Strategy. In addition, partner organisations outside Gloucestershire such as the Western Gateway are also progressing their agendas and it is important that Gloucestershire has a forum to set out its growth ambitions and communicate and promote them with a single voice.
- 3.3 The Board will need to meet to progress a number of actions including the following:
- Produce a Prospectus and associated communications/marketing campaign to raise the County's profile as an ambitious growth area within Western Gateway
  - Develop an action plan and programme of meetings for 2020/21
  - Consider staff resource requirements
  - Develop more detailed governance structures as required
  - Consider the potential for appointing an independent chair, working arrangements and support
  - Establish high level engagement with Government Departments and agencies.
  - Consider current projects and quick wins.

## **4. CONCLUSION**

- 4.1 The proposal to amalgamate the three former Vision 2050 Boards into one, with associated Terms of Reference and approved funding, is one that will serve the constituent partner organisations well to promote the future for Gloucestershire in the regional and national context. It is recommended that Stroud District Council plays its part in the new Gloucestershire City Region Board.

## **5. IMPLICATIONS**

### **5.1 Financial Implications**

There are no direct financial implications at this stage from the Council's involvement in the City Region Board.

As set out in the body of the report the Board has been allocated £2m from the Gloucestershire Strategic Economic Development Fund. This is a central pot from the County which has been generated by the Business Rates Pooling and Pilot arrangements over recent years.

Any future City Board projects which may require direct financial involvement from this Council would be assessed when the need for funding arose.

Andrew Cummings, Strategic Director of Resources

Email: [andrew.cummings@stroud.gov.uk](mailto:andrew.cummings@stroud.gov.uk)

### **5.2 Legal Implications**

There is no proposal to cede any decision making powers to the new Board or to authorise it to act on behalf of the Council (See Para 7 of the TOR), as such there are no legal implications arising from the recommendations in this report.

Patrick Arran, Interim Head of Legal Services & Monitoring Officer

Tel: 01453 754369 Email: [patrick.arran@stroud.gov.uk](mailto:patrick.arran@stroud.gov.uk)

### **5.3 Equality Implications**

An EIA is not required because there are not any specific changes to service delivery proposed within this decision. However, it is important to note that following its meeting on 22 June, Leadership Gloucestershire issued a statement to say that in its work on recovery and renewal, addressing discrimination and promoting equality would be central to its delivery plans.

### **5.4 Environmental Implications**

There are no significant environmental implications arising from the creation of one Vision 2050 Board for the county in itself.

## **Gloucestershire City Region Board – Terms of Reference**

### **1. Purpose**

This Board is a high-level multi-agency partnership to develop and support a shared vision for strategic growth and economic success for the County of Gloucestershire.

### **2. Context**

The Board is established by Leadership Gloucestershire in response to the Gloucestershire Vision 2050 Concordat 2018. Leadership Gloucestershire will act as the sponsoring body for the Board.

The Board will report progress periodically to Leadership Gloucestershire as required and at the request of Leadership Gloucestershire.

These terms of reference require approval and support of member organisations as part of the wider Vision 2050 adoption. Future actions and priorities of the Board may also require adoption by member organisations.

The terms of reference will be subject to future review and amendment as required.

### **3. The Area Covered**

The Gloucestershire City Region is defined as the economic functional ‘region’ consisting of the County of Gloucestershire including the administrative areas of all six constituent district, borough and city councils.

Gloucestershire is a beautiful and successful area with significant economic growth ambitions for all its communities. Although the communities and places within the area are varied, ranging from rural to urban there is significant interdependence. The interdependent, but varying community ambitions and the need to protect the county’s natural beauty calls for a county wide city region partnership approach. The aim is to ensure the ambitions of both rural and urban areas are integrated.

There are interdependences with areas outside the County of Gloucestershire and important links in respect of economic growth and infrastructure provision, of particular relevance is the Western Gateway Powerhouse.

By working together through the City Region approach to support the ambitions and needs of Gloucestershire, the City Region Board will provide a single point of leadership and focus for government departments, other agencies and wider partnerships including the Western Gateway Powerhouse.

### **4. Membership**

Member organisations are:

- Cheltenham Borough Council
- Cotswold District Council



- Forest of Dean District Council
- Gloucester City Council
- Gloucestershire County Council
- Stroud District Council
- Tewkesbury Borough Council
- GFirst LEP
- Gloucestershire University
- Gloucestershire Clinical Commissioning Group.

Invited Organisations may include representatives from the following departments and organisations, the list is not exhaustive and the City Region Board may invite representatives from other organisations as required:

- Ministry of Housing Communities and Local Government
- Ministry of Business Energy Innovation and Skills – Cities and Local Growth Unit
- Department for Transport
- Homes England
- Highways England.

## 5. Aims

The Board will:

1. Develop a long term, strategic and dynamic vision for the future of Gloucestershire which supports the eight Ambitions of Gloucestershire Vision 2050.
2. Champion that shared vision and its delivery with a single voice inside and outside Gloucestershire, including with strategic partner organisations such as the Western Gateway Powerhouse.
3. Lobby and bid for funding and support via government growth programmes and Western Gateway Powerhouse and other partners to support the delivery of the Board's ambitions.
4. Promote the success of the Gloucestershire City Region and its strengths to attract inward investment and growth.
5. Work closely with all sections of the Gloucestershire City Region communities, businesses and agencies to engage them in the generation and delivery of the vision.
6. Build upon the inter-related strengths of the communities of the Gloucestershire City Region to fulfil the ambitions of each place and maintain their identities.
7. Create a positive vision for vibrant rural communities, businesses and infrastructure to maximise their contribution to Gloucestershire.
8. Work with partners to ensure the Gloucestershire City Region Vision can guide and integrate with future strategic spatial and infrastructure plans.
9. Ensure the development of a Gloucestershire Vision complements other visioning and strategic plans in the County through such documents as the Local Transport Plan and the Local Industrial Strategy.
10. Through the Gloucestershire City Region Vision - aim to create a special County which has uniquely attractive offers as a place to live and visit and a vibrant economy firmly based on modern commercial activity, built on the strengths of our communities.

## **6. The Vision and Associated Tasks**

The main task of the Gloucestershire City Region Board will be to develop the vision for the future of Gloucestershire to 2050 and beyond. The Vision will be incorporated into a high level Masterplan. The Masterplan is not a spatial planning document, but it will set out the broad ambitious growth aims and priorities which can be used to guide the development of future spatial and strategic plans.

The Vision will:

- Incorporate and integrate economic, housing, infrastructure, education, health, cultural and environmental aims.
- Place emphasis on maximising the growth in cyber and digital businesses and recognise the continued importance and significance of a mixed economy, building upon traditional Gloucestershire strengths such as advanced and aircraft engineering, agri-tech and tourism.
- Include and support current key strategic growth and infrastructure projects.

The Board will develop a work programme initially aimed at delivering the Vision and Masterplan. The initial Annual Work Programme will be completed by April 2021. Post April 2021 the Board will produce an Annual Work Programme which will incorporate the actions planned to deliver the aims of the Board.

The Board will seek agreement from partners and other sources to secure the funding required to support the work programme from April 2021 onwards. Funding may be sourced from one or more partners or other sources by agreement. The Board will establish appropriate arrangements through one or more of its member organisations for managing funds and if necessary staff support as required.

Once the Vision and Masterplan is in place the Board will work to secure its delivery and inclusion in spatial and other strategic plans and keep progress under review.

The Board will actively promote the Vision and Masterplan and work to secure support and funding as required to deliver the aims set out. This work will be included in the Annual Work Programme.

## **7. Governance Arrangements**

Member organisations will have one representative each plus one officer in support. For local authorities this will normally be the Leader and Chief Executive of the Council. Substitutions are permitted if required.

The Board may invite partner organisations or relevant individuals to attend meetings and may appoint independent board members who have relevant expertise or interest. All invitees and or appointments are wholly at the Board's discretion and will be reviewed at least annually.

The Board may elect to invite additional organisations to become member organisations on a fixed period or permanent basis.

The Board will elect a Chair and Vice Chair annually. The Board may elect to appoint a suitable person as an independent Chair.

The Board will seek to operate by general consensus and cannot make any decision which is binding upon any member organisation.

All partnership agreements including those relating to staffing and finances will require the formal agreement of the member organisations affected.

The Board recognises that there are many key stakeholders who will need to be fully engaged in its work. The Board will establish methods to secure the full engagement of these stakeholders who include:

- Young people and schools
- Businesses
- Developers
- Parish Councils
- Community Organisations
- Other Gloucestershire Districts and Vision 2050 Boards.

The Board will establish sub-groups/task groups as required. The Gloucestershire Chief Executives Group will provide strategic support for the Board.

Exclusions:

- The Board will not take responsibility for strategic spatial planning, development management decision making or local transport planning which will remain the responsibility of the local planning and transport authorities.
- The Board will not replace the Joint Core Strategy governance arrangements which will remain as established.
- The Board will operate as a partnership and will not be an independent legal entity and will not have devolved decision-making powers.
- Administration, fund holding and staff provision cannot be held by the Board and will be allocated to one or more partner bodies and jointly funded.

**STROUD DISTRICT COUNCIL**  
**COUNCIL**

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**16 JULY 2020**

**9**

<b>Report Title</b>	<b>GLOUCESTERSHIRE LOCAL OUTBREAK MANAGEMENT PLAN</b>			
<b>Purpose of Report</b>	To provide Council with details of the proposals to deal with a local outbreak of Covid-19 and to notify it of representatives under the proposed governance arrangements.			
<b>Decision(s)</b>	<p>It is recommended that Council <b>RESOLVES</b> to:</p> <p>a. <b>Appoint Jon Beckett, Head of Health &amp; Wellbeing, as the Councils representative on the Health Protection Board and delegate him authority to make any necessary decisions and to bind the Council in consultation with the Chief Executive and Leader</b></p> <p>b. <b>Note that Councillor Stephen Lydon is the Council's representative on the Gloucestershire Covid-19 Outbreak Engagement Board and that Councillor Doina Cornell is his substitute.</b></p>			
<b>Consultation and Feedback</b>	There has been consultation with all Leaders and Chief Executives and partner organisations in Gloucestershire.			
<b>Report Author</b>	Kathy O'Leary, Chief Executive Tel: 01453 754780 Email: <a href="mailto:kathy.oleary@stroud.gov.uk">kathy.oleary@stroud.gov.uk</a>			
<b>Options</b>	The Council could decide not to appoint Mr Beckett or provide him with delegated authority to make decisions, but this would not enable the Council to play a proper role in this governance process.			
<b>Background Papers</b>	None			
<b>Appendices</b>	Appendix A – Proposed Terms of Reference			
<b>Implications (further details at the end of the report)</b>	Financial	Legal	Equality	Environmental
	Yes	Yes	No	No

## 1. BACKGROUND

Local Authorities with Public Health responsibilities (in Gloucestershire, the County Council) were asked by Government to prepare Local Outbreak Management Plans (LOMP) by 30 June 2020 to support the national NHS Test and Trace programme in the

identification and management of Covid-19 outbreaks. They were given Government funding to develop and deliver tailored plans working with the district councils, local NHS, PHE and other stakeholders to identify and contain potential outbreaks in settings such as workplaces, care homes, hospitals and schools.

1.1 Outbreak Management Plans will be the mechanism for local authorities to anticipate, prevent and contain incidents and outbreaks in their local area using their knowledge of and relationship with people and place. These plans will need to be in place for the foreseeable future.

1.2 Plans must address seven key themes, and whilst applicable over wider geographies these should be locally tailored:

1. Care Homes and Schools: Preventing and responding
2. High risk places and communities: Preventing and responding
3. Vulnerable people: Arrangements for supporting people to isolate
4. Testing: Oversight and swift mobilisation of local testing in capability
5. Contact tracing: by PHE with local Public Health in complex situations
6. Data Integration: National, regional and local to inform situational awareness
7. Oversight and Engagement: Establish a Covid-19 health protection board to have technical oversight of the plan and a Covid-19 member led board to lead engagement with the public.

### 1.3 **Gloucestershire Local Outbreak Management Plan (LOMP)**

The purpose of the LOMP is to give clarity on how local government works with the NHS Test and Trace Service to ensure a whole system approach to managing local outbreaks.

The Gloucestershire plan has been published on the GCC website: <https://www.gloucestershire.gov.uk/media/2099097/covid-19-local-outbreak-management-plan-first-edition.pdf>

1.4 A public facing summary will be produced. The LOMP seeks to not only provide a framework for the county's local multi-agency response to Covid-19 but also presents an opportunity to work with our local population and to prevent outbreaks.

### 1.5 **Governance**

The national guidance for the development and governance of LOMP's is very clear. There should be an executive level Covid-19 Health Protection Board Chaired by the Director of Public Health, and a Covid-19 Engagement Board to oversee the LOMP and provide the link back to communities, chaired by the Leader of the Public Health local authority (GCC). Gloucestershire already has a Health Protection Assurance Board (HPAB) that supports the County Council Leader, in his statutory role around health protection and to date districts have been represented by Yvonne Hope from Cheltenham Borough Council.

1.6 The existing Health Protection Assurance Board has been re-purposed to become the Covid-19 Health Protection Board by altering the terms of reference and making some changes to the membership, including representatives from every district. This board will

lead the implementation of the plan and will take over from the LRF Strategic Coordinating Group in overseeing the County's multi-agency response.

- 1.7 The Director of Public Health, Sarah Scott, will be the lead officer for the development and implementation of the LOMP through the Gloucestershire Health Protection Board. The Leader of the County Council, Cllr Mark Hawthorne, will assume a lead role for engagement with local communities and up to central government on issues relating to Covid-19, through a role as the Chair of the new Covid-19 Outbreak Engagement Board.
- 1.8 The purpose of the Gloucestershire Health Protection Board is to provide assurance on behalf of the population of Gloucestershire that there are safe and effective plans in place to protect population health, to include communicable disease control, infection prevention and control, emergency planning, environmental health, screening and immunisation programmes.
- 1.9 The role of the group has been expanded to respond to the Covid-19 Test, Trace and Isolate Local Authority Outbreak Management Plan responsibilities. Terms of reference have been agreed alongside the 'South West Contact Tracing Collaboration Outline of Operational & Governance Arrangements' and Gloucestershire 'Covid-19 Outbreak Management Plan'.
- 1.10 The first meeting of the Board was on 29<sup>th</sup> June and the SDC senior officer representative on it is Jon Beckett who has been directly involved in the preparation of the LOMP, is the Council's most senior Environmental Health professional and has the necessary experience in his role as Head of Health and Wellbeing. Weekly meetings of the Board are planned at first. An exercise for the new plan took place on 8 July. Jon Beckett will report regularly to the Council's Strategic Leadership Team (which also meets at least weekly) and to the Strategy & Resources Committee as appropriate.

#### **1.11 Gloucestershire Covid-19 Outbreak Engagement Board**

The purpose of the Gloucestershire Covid-19 Outbreak Engagement Board is to provide member and community oversight of the Gloucestershire Local Outbreak Management Plan and communicate appropriately with local communities and settings.

- 1.12 The Board will lead engagement with local communities and leaders to build and ensure understanding of public health actions required to control infection ahead of and during any outbreak management.
- 1.13 The Board will not be a decision-making body or fulfil a scrutiny function. The LOMP details the governance arrangements, specifically decision-making processes. Decisions regarding the implementation of the plan and any enforcement that may be necessary will be taken by the Director of Public Health or the Deputy Director of Public Health in consultation with the Chief Executive and Leader of Gloucestershire County Council.
- 1.14 The Board will enable decisions made via Health Protection Group to be communicated appropriately to local communities.

1.15 The specific functions of the Gloucestershire Local Outbreak Engagement Board are to:

- Receive feedback from Gloucestershire communities and different sectors on the impact of implementing the outbreak management plan
- Ensure wider Member engagement across the County Council and District Councils in the mitigation of outbreaks
- Provide early information to members on potential and live outbreaks and ensure they are kept informed of progress in managing the outbreak in accordance with the LOMP.
- Have oversight on the effectiveness of the plan and suggest amendments where they are considered to be appropriate and
- Take the key communication messages back to communities/sectors as appropriate.

1.16 The first Covid-19 Engagement Board meeting was held on Monday 6 July and its agreed Terms of Reference are attached at Appendix A. Councillor Steve Lydon will be the Council's appointed representative on this board. His substitute is the Leader, Councillor Doina Cornell. Cllr Lydon will provide regular updates to the Alliance Group Leaders and Member Reports to Strategy & Resources Committee.

#### **4. IMPLICATIONS**

##### **4.1 Financial Implications**

The Council's role in this process is administrative and as such there are no financial implications arising from the recommendations in this report. If any future decisions of the Health Protection Board have the potential for financial consequences for the Council, the Section 151 Officer will be consulted

Andrew Cummings, Strategic Director of Resources and Section 151 Officer  
Tel: 01453 754115 Email: [andrew.cummings@stroud.gov.uk](mailto:andrew.cummings@stroud.gov.uk)

##### **4.2 Legal Implications**

Apart from the delegation to Mr Beckett which is necessary to enable him to carry out his role in consultation with the Leader and Chief Executive, there are no other legal implications arising from the recommendations in this report.

Patrick Arran, Interim Head of Legal Services and Monitoring Officer  
Tel: 01453 754369 Email: [patrick.arran@stroud.gov.uk](mailto:patrick.arran@stroud.gov.uk)

##### **4.3 Equality Implications**

There may well be equality implications arising from the work to be carried out under any Local Outbreak Management Plan which will most likely be in relation to the protected characteristics of age and disability. However, any implications will be a matter for the County Council in terms of its statutory role. There are no equality implications arising from the recommendations made in this report.

##### **4.4 Environmental Implications**

There are no environmental implications arising from the recommendations made in this report.

## **Terms of Reference Gloucestershire Covid-19 Outbreak Engagement Board**

The purpose of the Gloucestershire Covid-19 Outbreak Engagement Board is to provide member and community oversight of the Gloucestershire Local Outbreak Management Plan and communicate appropriately with local communities and settings.

### **National context**

Local Authorities have a significant role to play in the identification and management of COVID-19 outbreaks. The purpose of Local Outbreak Management Plans (LOMP) is to give clarity on how local government works with the NHS Test and Trace Service to ensure a whole system approach to managing local outbreaks.

Each upper tier local authority has been given funding to develop and deliver tailored Local Outbreak Management Plans, working with the district councils, local NHS, PHE and other stakeholders to identify and contain potential outbreaks in places such as workplaces, care homes, hospitals and schools. The Director of Public Health will be the lead officer for the development and implementation of the LOMP. Whereas the Leader of the County Council will assume a lead role for engagement with local communities and up to central government on issues relating to Covid-19, through their role as the Chair of the Covid-19 Outbreak Engagement Board.

Outbreak Management Plans will be the mechanism for local authorities to anticipate, prevent and contain incidents and outbreaks in their local area using their knowledge of and relationship with people and place.

Plans must address seven key themes and arrangements for joint response across wider geographies but should be locally tailored.

- Care Homes and Schools: Preventing and responding
- High risk places and communities: Preventing and responding
- Vulnerable people: Arrangements for supporting people to isolate
- Testing: Oversight and swift mobilisation of local testing in capability
- Contact tracing: by PHE with local Public Health in complex situations
- Data Integration: National, regional and local to inform situational awareness
- Oversight and Engagement: Establish a Covid-19 health protection board to have technical oversight of the plan and a Covid-19 member led board to lead engagement with the public.

These plans will need to be in place for the foreseeable future.



## **Role of the Gloucestershire Local Outbreak Engagement Board**

The Board will lead engagement with local communities and leaders to build and ensure understanding of public health actions required to control infection ahead of and during any outbreak management.

The Board will not be a decision-making body or fulfil a scrutiny function. The outbreak management plan will detail the governance arrangements, specifically decision-making processes. Decisions regarding the implementation of the plan and any enforcement that may be necessary will be taken by the Director of Public Health, or the Deputy Director of Public Health in consultation with the Chief Executive and Leader of Gloucestershire County Council.

The Board will enable decisions made via Health Protection Group to be communicated appropriately to local communities.

## **Specific functions of the Gloucestershire Local Outbreak Engagement Board**

- Receive feedback from Gloucestershire communities and different sectors on the impact of implementing the outbreak management plan
- To ensure wider Member engagement across the County Council and District Councils in the mitigation of outbreaks
- To provide early information to members on potential and live outbreaks and ensure they are kept informed of progress in managing the outbreak in accordance with the LOMP.
- To have oversight on the effectiveness of the plan and suggest amendments where they are considered to be appropriate.
- Take the key communication messages back to communities/sectors as appropriate

## **Quorum**

For the group to be quorate, there will need to be adequate representation from core member groups including the Chair or Vice-Chair always present.

## **Frequency of meetings**

The group will meet monthly or more frequently if required.

## **Membership**

The membership of the Local Outbreak Engagement Board is detailed below.

### **Core membership**

<b>Position</b>	<b>Organisation</b>	<b>Name</b>
Leader of the Council (Chair)	Gloucestershire County Council	Cllr Mark Hawthorne
Lead Member for Public Health and Communities (Vice Chair)	Gloucestershire County Council	Cllr Tim Harman

<b>Position</b>	<b>Organisation</b>	<b>Name</b>
Group Leaders (to be invited to nominate representation)	Labour Group Lib Dem Group Green Group	
District Council Leaders (to be invited to nominate representation)	Gloucester Cheltenham Tewkesbury Forest of Dean Stroud Cotswolds	
Chief Executive	Gloucestershire County Council	Pete Bungard
Director of Public Health	Gloucestershire County Council	Sarah Scott
Deputy Director of Public Health or Consultant in Public Health	Gloucestershire County Council	Siobhan Farmer
Communications	Gloucestershire County Council	Adam Barnes
	Gloucestershire Association of Parish and Town Councils	
Police and Crime Commissioner	Office of the Police and Crime Commissioner	Martin Surl
Chief Executive	Gloucestershire Care Providers Association	Riki Moody
	Healthwatch Gloucestershire	
	Gloucestershire Voluntary and Community Sector Alliance	
	GFirst	
	Young Gloucestershire	

**Agenda Item 11, Notice of Motion – Proposed Changes to the Members Code of Conduct.**

# **MEMBERS' CODE OF CONDUCT AND INVESTIGATIONS PROCEDURE**

Version: Nov 2016

Section 7:  
Members' Code of Conduct and Investigation Procedure

7.1

**STROUD DISTRICT COUNCIL CODE OF CONDUCT FOR MEMBERS**  
(Adopted by Council on 5 July 2012 and updated by Council on 10 April 2014)

## **PART 1: APPLICATION**

This Code applies to all members of the Council including co-opted members and appointed members (hereinafter referred to as Members).

~~It applies to Members whenever the member is acting, or appearing or purporting to act, as a member of the Council; or whenever the member is acting, or purporting to act, as a representative of the Council.~~

1. Members must comply with this Code whenever they:-
  - (a) conduct business of Stroud District Council; or
  - (b) act, claim to act or give the impression you are acting as a representative of Stroud District Council; or
  - (c) act as a representative of Stroud District Council and references to your official capacity are construed accordingly.
2. In addition to having effect in relation to conduct in an official capacity, this Code has effect, at any other time, where conduct constitutes a criminal offence for which you have been convicted or received a Police Caution.

Interpretation: If you refer to yourself as councillor, the code will apply to you. This applies in conversation, in writing, or in your use of electronic media including the use of Facebook, blogs and Twitter. If you refer to your role as councillor in any way or comments you make are clearly related to your role then the code will apply to those comments. Even if you do not refer to your role as councilor, your comments may have the effect of bringing your office or authority into disrepute and could therefore breach paragraph 3 (1)(c) of the code.

## **PART 2: PRINCIPLES GENERAL OBLIGATIONS**

All Members of the Council shall aspire to uphold and promote the following principles:

**Selflessness** - members should act only in the public interest and should never improperly confer an advantage or disadvantage on any person.

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

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

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

**Openness** – Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when there are clear and lawful reasons for doing so.

**Honesty**

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

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

~~Whilst it~~ is important that Members ~~do their best to~~ uphold and promote these principles, a failure to do so ~~will not~~ may, in itself be a breach of this Code. Those matters which are ~~specific~~ breaches of the Code are set out in the next section.

## **PART 3: REQUIREMENTS OF THE CODE**

### **3.1 Members must**

- (a) not use their position as a member to influence, or attempt or purport to influence, any decision or business of the Council in which they have an interest (an interest is defined in sections 4.2, 4.3 and 4.4 of Part 4 below) and they shall comply with the requirements of this Code in relation to interests;
- (b) not use or attempt to use their position as a member improperly to confer on or secure for themselves or any other person, an advantage or disadvantage;
- (c) not conduct themselves in a manner which could reasonably be regarded as bringing your office or authority into disrepute;
- (d) in carrying out all their duties and responsibilities pay due regard to the Public Sector Equality Duty:
  - (i) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
  - ~~(i) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;~~
  - (ii) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- ~~(d) not bully or harass or attempt to bully or harass any person;~~
- (e) show respect and consideration for others;
- (f) not use bullying behaviour or harass any person;
- ~~(ge)~~ not intimidate or attempt to intimidate any person;
- ~~(hf)~~ not do anything which may cause the Council to breach the Equality Act 2010;

- (ig) not disclose information given to the Council in confidence by anyone, or information acquired by the Council which the member believes, or ought reasonably to be aware, is of a confidential nature, except where -
  - (i) the member has the consent of a person authorised to give consent;
  - (ii) they are required by law to do so;

### **3.2 Members must:**

- (a) When using or authorising the use by others of the resources of the Council
  - (i) act in accordance with the Council's reasonable requirements; ensure that such resources are not used improperly for political purposes (including party political purposes);
- (b) When reaching decisions on any matter have regard to any relevant advice provided to them by -
  - (i) the Council's chief finance officer; or
  - (ii) the Council's Monitoring Officer,

where that officer is acting pursuant to his or her statutory duties.
- (c) Give reasons for all decisions they make in the course of their work as a member in accordance with any reasonable requirements of the Council.

## **PART 4: INTERESTS**

### **4.1 General Requirement Regarding Interests**

A member shall not influence, or attempt or purport to influence, any decision or business of the Council in which they have an interest. Members shall comply with the requirements of this Code in relation to interests.

### **4.2 Definition**

- (a) An interest to which this Code applies is either a disclosable pecuniary interest (DPI) or if not, an "Other Interest". These are defined at sections 4.3 and 4.4 below. One should first ascertain if the interest is a DPI. If it is not then one goes to section 4.4 to see if it is any other interest.
- (b) Members will not be considered to have an interest where it arises from an interest of a body or person other than themselves and they were not aware of that body's or person's interest.

#### **4.3 Definition of a Disclosable Pecuniary Interest (DPI)**

- (a) A DPI is any of the interests described below whether it is the Member's or the interest of their spouse, civil partner, or person who they live with as if they were their spouse or civil partner (referred to as "Partner" below).
- (i) Employment: any employment or office held, or trade, profession or vocation carried on, by the Member or their Partner for profit or gain.
  - (ii) Sponsorship: any payment or financial benefit towards the Member's election expenses or expenses as a member received within the last 12 months, excluding any from the Council .
  - (iii) Contracts: any current contract between the Council and them, or their Partner, or anybody in which they or their Partner are a business partner, director, or shareholder.
  - (iv) Land: any land which is in the Council's area which they or their Partner have a right to occupy or receive the income from, including a licence to occupy land for more than a month.
  - (v) Corporate tenancies: any tenancy between the Council and a body in which the Member or their Partner are a business partner, director, or shareholder.
  - (vi) Securities:
    - any beneficial interest in any shares or other securities of any description in a body, held by the Member or their Partner, if the body has a place of business or land in the Council's area, and:
    - the total value of the securities held is over £25,000, or
    - the Member or their Partner hold more than one hundredth of the total issued share capital of the body, or
    - if the body has more than one class of shares, the Member or their Partner hold more one hundredth of the issued share capital of that class

Note: the descriptions of DPI's above are summaries of the definitions in the regulations.

- (b) A failure to disclose a DPI, or providing information regarding a DPI which is false or misleading, or taking part in the business of the Council when one has such an interest, are criminal offences in most circumstances, as set out in the Localism Act 2011. They will also be breaches of this Code.

#### **4.4 Definition of “Other Interest”**

- (a) A Member has an “Other Interest” where a decision on the matter might reasonably be regarded as significantly advantaging or disadvantaging them or, their Partner to a greater extent than the majority of other council tax, business rate payers or inhabitants of your ward. In interpreting and applying this part of the Code, it is imperative that Members always act in a manner which is consistent with the key principles set out in the Code at Part 2: Principles.
- (b) Exceptions – Members do not have any Other Interest in respect of any business of the Council concerning:
  - (i) Housing, where they are a tenant of the Council provided that those functions do not relate particularly to their own tenancy or lease;
  - (ii) School meals or school transport and travelling expenses, where they are a parent or guardian of a child in full time education, or are a parent governor of a school, unless it relates particularly to the school which the child attends;
  - (iii) Statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of, such pay;
  - (iv) An allowance, payment or indemnity given to members;
  - (v) Any ceremonial honour given to members; or
  - (vi) Setting council tax or a precept under the Local Government Finance Act 1992.

#### **4.5 Disclosure of interests at meetings**

- (a) Where the Member attends a meeting of the Council or any of its bodies, or of anybody where they are a representative of the Council which considers any business in which they or their Partner have an interest, the Member must disclose to that meeting the existence and nature of that interest either
  - (i) when invited to do so at or near the commencement of the meeting; or
  - (ii) at the commencement of the consideration of that business; or (if later)
  - (iii) as soon as the interest becomes apparent.
- (b) Where a Member has an interest but, by virtue of paragraph 4.7 it is a Sensitive Interest, they must indicate to the meeting that they have an interest, but need not disclose the sensitive information to the meeting.



#### **4.6 Other Actions to be Undertaken by Members with an Interest**

- (a) Subject to paragraph 4.6 (b), in support of the general requirement of this Code that a Member shall not influence, or attempt or purport to influence, any decision or business of the Council in which they have an interest there are the following additional requirements:
  - (i) The Member must not participate in any discussion or consideration of that matter at any meeting of the Council or any of its bodies, or of anybody where they are a representative of the Council;
  - (ii) The Member shall withdraw from the meeting for the whole time there is a discussion or consideration of the matter; and
  - (iii) The Member shall not vote on the matter.
- (b) Exceptions – if the interest is solely an Other Interest (as defined in paragraph 4.4) which arises:
  - (i) Only in connection with the Member's appointment as a representative of the Council on an outside body; or
  - (ii) As a result of the Member's or their Partner's membership of any other body in which the Member or their Partner do not hold a position of general control or management

the Member may speak on the matter and stay in the meeting room, but are prohibited from voting on the matter.

#### **4.7 Sensitive Interests**

- (a) A Sensitive Interest is an interest that the Member with the interest, and the Council's Monitoring Officer, consider that disclosure of the details of which could lead to that Member or a person connected with that Member being subject to violence or intimidation.
- (b) Copies of the Council's Register of Members' Interests that are made available for inspection and any published version of the Register, must not include details of the interest but will state that the Member has an interest the details of which are withheld under the Localism Act 2011.
- (c) A Member with a Sensitive Interest, when declaring such an interest at a meeting, need not disclose details of the interest but merely the fact that they have a Sensitive Interest in the matter concerned.
- (d) A Member with a Sensitive Interest is subject to all the other provisions of this Code in relation to that interest, including those which prevent members with an interest influencing, or attempting or purporting to influence, any decision or business of the Council in which they have an interest.

#### **4.8 Dispensations**

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- (a) The Monitoring Officer of the Council may grant a dispensation allowing a Member with an interest to
  - (i) participate, or participate further, in any discussion of the matter, or
  - (ii) participate in any vote, or further vote, taken on the matter at a meeting where the discussion or meeting are in the course of the Council's business.
- (b) The Monitoring Officer may only grant a dispensation if, after having had regard to all relevant circumstances, she
  - (i) considers that without the dispensation the number of persons prohibited from participating by section 31(4) of the Localism Act or this Code in any particular business would be so great a proportion of the body transacting the business as to impede the transaction of the business, or
  - (ii) considers that without the dispensation the representation of different political groups on the body transacting any particular business would be so upset as to alter the likely outcome of any vote relating to the business, or
  - (iii) considers that granting the dispensation is in the interests of persons living in the authority's area, or
  - (iv) considers that it is otherwise appropriate to grant a dispensation.
- (c) A dispensation under this Code must specify the period and matters for which it has effect, and the period specified may not exceed four years.

#### **4.9 Registration of members' DPI's**

- (a) Members must, within 28 days of either this Code being adopted by Council; or their election or appointment to office (whichever is later) register in the Council's Register of Members' Interests details of their disclosable pecuniary interests (DPI's) as defined in section 4.3.
- (b) Registration shall be by providing to the Council's Monitoring Officer a fully completed form provided by the Council for this purpose.
- (c) Members must, within 28 days of becoming aware of any new DPI or change to any such interest already registered, register details of that new interest or change by providing written notification with sufficient details of the change to the Council's Monitoring Officer for her to properly update the Register.
- (d) Where a Member has declared a DPI at a meeting which is not in the Council's Register of Member's Interests, and in respect of which no notice has already been given to the Monitoring Officer, the Member shall, within 28 days of making the declaration, provide sufficient details of the interest for the Monitoring Officer to properly update the Register.

**The Procedure for Assessing Allegations of Breaches  
of the Member's Codes of Conduct Applying to Stroud District Council  
and Parish and Town Councils within the District of Stroud**

(Updated Nov 2016)

**1. Initial Assessment**

- 1.1 Where a complaint regarding the conduct of a District Council Member, Town or Parish Member of one of the Councils in the Stroud District is received it shall be referred to the District Council's Monitoring Officer (MO).
- 1.2 The person referring the complaint, will provide the MO with any documents or other material accompanying or evidencing the complaint, and any associated documents and material which will assist in ascertaining if there has been a breach of the Member's Code of Conduct for the Member's Council (the Code).
- 1.3 The MO will within 10 working days of receipt of the documents and material referred to in 1.1 above ascertain if the alleged breach appears to be an offence under the Localism Act 2011 relating to Disclosable Pecuniary Interests. If it appears it is the MO will inform the complainant that the matter should be referred to the Police for investigation. The conduct of the matter will then be the responsibility of the Police, unless 1.4 applies.
- 1.4 If the Police decide not to investigate, or they or the Director of Public Prosecutions decide not to prosecute, then the process for dealing with other breaches of the Code, as set out below, will apply.
- 1.5 If it appears that the alleged breach is not an offence the MO will, within 10 working days of receipt of the documents and material referred to in 1.1 above, make an initial assessment of the evidence. If the MO considers there is a prima facie case of a significant breach of the Code the matter will be investigated. If the MO considers irrespective of the latter that the complaint should nevertheless be considered further to a limited extent (i.e. without the need for a full investigation) at that stage (e.g. because of the nature of the complaint), the MO may do so before deciding whether to refer it to a full investigation.
- 1.6 If the MO considers there is no prima facie case of a significant breach of the Code or that the complaint is repetitious or vexatious, the MO will write or email the complainant within 15 working days of the receipt of the last piece of evidence, informing them of this, and that the MO does not intend to investigate the complaint, or do anything further.

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- 1.7 If the MO considers there is a prima facie case of a significant breach of the Code which is neither vexatious nor repetitious, the MO will:
- Inform the Member alleged to have breached the Code
  - Inform the complainant that an initial assessment is being made
  - Tell the complainant what documents and material the MO has received
  - Invite the complainant to submit any further evidence they have of the breach, with a deadline for such submissions
  - Inform the Member of the Independent Person's (the IP) role, as set out in the Localism Act 2011, and provide one of the IP's contact details
  - Provide the complainant and Member with a copy of this procedure
  - Inform the IP's of the complaint, and which of them is to be the contact for the member (the Member's IP)
- 1.8 If the complainant informs the MO, within 10 working days, that they are unhappy with a decision not to investigate under 1.6, the MO will refer the matter to an IP other than the Member's IP.
- 1.9 If the IP takes the view, in consultation with the MO, that there is a prima facie case of a breach of the Code the matter will be investigated. Otherwise it will not be investigated.
- 1.10 Following such a review by the IP the MO will inform the Member complained of, the complainant, and the Member's IP, whether the matter is to be investigated or not, unless they are already aware of this.

## **2. Investigation and Consideration**

- 2.1 If, after the initial assessment and subject to Paragraph 4, a complaint is to be investigated the MO will arrange for an investigation to establish if the alleged breach or breaches of the Code have occurred. The investigation is to be completed as soon as is practicable, and a written report will be provided by the investigator setting out a summary of the facts, a review of the evidence, the investigator's conclusions as to whether there has been a breach of the Code, and the investigator's recommendations. Prior to providing the MO with the report, the investigator will provide a copy of the report to the member complained of, to enable the member to comment on the findings.
- 2.2 The report will be considered by a Standards Panel (which total membership shall comprise the Chair of the District Council or in his absence the Vice-chair, a Local Councillor (which includes a district councillor who is also a parish / town councillor, preferably from the Audit and Standards Committee), two IP's (the Panel)). The Panel meeting considering a particular report shall have a least one independent member and a district councillor present; and the meeting must be chaired by an Independent Member. No member of the Panel may take part if they have any potential conflict of interest as determined by the Monitoring Officer.

Unless she is conflicted or unavailable, the Monitoring Officer shall advise the Panel.

- 2.3 The members of the Standards Panel dealing with matter shall decide whether the alleged breach or breaches are proved, on the balance of probabilities, and what sanction, if any, should be imposed. The Panel shall also make such recommendations as they think will improve the standards of conduct of the member or the member's Council.
- 2.4 Where the Panel consider that there has been a breach of the Code, but it is minor, they can decide that no sanction is imposed and the matter is addressed informally in such a manner as they feel appropriate.
- 2.5 The MO shall undertake the necessary actions to implement the Standards Panel's decisions.
- 2.6 The MO shall inform the complainant, the Member and the Member's group leader (where there is such), the clerk of the Member's council (where there is such) and the member's Full Council, of the conclusions of the Panel.

### **3. Sanctions**

- 3.1 The sanctions that can be imposed by the Standards Panel are any or all of the following:
  - Removing the Member from one or more member bodies of their Council. Where the Member is a member of a political group and the member body is politically balanced the Standards Panel will recommend this course of action to the leader of that group. Otherwise it is a matter for the Standards Panel to decide and impose this sanction.
  - Terminating the Member's appointment to any outside body where they represent the Council.
  - Censure or reprimand the Member.
  - Publish its findings in respect of the Member's conduct.
  - Direct the Member to attend training.
  - Removing any facilities which the Council provides to the Member.
  - Excluding the Member from the Council's premises, except meeting rooms for the purpose of attending those Council meetings they are entitled to attend (those open to the public and those of the member bodies of which they are still a member).
  - Suspending in whole or in part the payment of allowances payable to that Member. This provision shall also apply to travelling and subsistence allowances and other allowances/reimbursements.
- 3.2 The MO shall, on behalf of the Standards Panel, work to implement any sanction imposed or recommended by Full Council.

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#### **4. Informal Resolution of Complaints**

- 4.1 In the case of complaint which would otherwise be referred for a full investigation, the Monitoring Officer may if she considers such appropriate and following consultation with an Independent Member, seek to secure an informal resolution of any complaint rather than to proceed to a full investigation.
- 4.2 In the case of complaints against Parish and Town Councillors, the Monitoring Officer may require the councils concerned to seek to resolve the complaints themselves before the complaint is referred to the Monitoring Officer for investigation.