



# Public Document Pack STROUD DISTRICT COUNCIL

Council Offices • Ebley Mill • Ebley Wharf • Stroud • GL5 4UB  
Telephone 01453 766321  
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Wednesday, 13 October 2021

## COUNCIL

To all Members of Stroud District Council

You are hereby summoned to attend the Meeting of the **STROUD DISTRICT COUNCIL** in the Council Chamber, Ebley Mill, Ebley Wharf, Stroud on **THURSDAY 21 OCTOBER 2021 at 7.00 pm.**

Kathy O'Leary  
Chief Executive

Please Note: The meeting is being held in the Council Chamber at Stroud District Council and will be streamed live on the Council's [YouTube Channel](#). A recording of the meeting will be published onto the [Council's website](#). 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.

**Due to the Covid-19 pandemic the following measures have been put in place to reduce the risk of transmission:**

- a maximum of 6 members of public will be permitted in the Council Chamber at any one time, if you would like to attend this meeting please contact [democratic.services@stroud.gov.uk](mailto:democratic.services@stroud.gov.uk).
- Members, officers and any members of the public will be required to wear a face covering when they are not addressing the meeting (unless they are unable to, for medical reasons).
- You must **not** attend this meeting if you, or anyone you live with, has symptoms of Covid-19, you have received a positive test result or if you are otherwise required to self-isolate.
- Lateral flow device tests (LFD) to be carried out within 24 hours before the meeting and the results reported on the government website <https://www.gov.uk/report-covid19-result> or to 119.
- Doors and windows will be opened throughout the meeting to ensure adequate ventilation.

## A G E N D A

### 1. **APOLOGIES**

To receive apologies for absence.

2. **DECLARATION OF INTERESTS**

To receive declarations of interest.

3. **MINUTES (Pages 7 - 12)**

To approve the minutes of the meeting held on 20 May 2021.

4. **ANNOUNCEMENTS**

To receive announcements from the Chair of Council, Leader of Council and Chief Executive.

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, 18 October 2021**

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

6. **MEMBERSHIPS**

**Audit and Standards Committee** – Councillor Cornell was replaced by Councillor Baker. Councillor Chris Brine was replaced by Councillor Ashley Smith

**Environment Committee** – Councillor Davis was replaced by Councillor Sutton

**Police and Crime Panel** – Lead Member Councillor Chris Brine was replaced by Councillor Martin Percy. Substitute Member Councillor Martin Percy was replaced by Councillor Chris Brine.

7. **APPOINTMENT TO THE INDEPENDENT REMUNERATION PANEL (Pages 13 - 16)**

To approve the recommended appointment to the Independent Remuneration Panel to review the Members' Scheme of Allowances.

8. **APPOINTMENT OF MONITORING OFFICER (Pages 17 - 20)**

To appoint an interim Monitoring Officer and begin the process of the recruitment of a permanent Monitoring Officer.

9. **HEAR BY RIGHT PARTICIPATION PLEDGE AND AWARD PROGRAMME (Pages 21 - 24)**

The Council's Youth Work Strategy, features an objective that commits the Council to undertaking the award programme of the national Hear by Right standards for youth participation. This report outlines details of the decision taken by the Community Services and Licensing Committee to begin the initial steps needed to complete the Hear by Right award programme.

10. **REVIEW OF THE COUNCIL'S CONSTITUTION (Pages 25 - 170)**  
The Constitution Working Group has reviewed a number of elements of the Constitution and comment the attached elements to Council for approval.

11. **THE DRAFT EQUALITY, DIVERSITY & INCLUSION POLICY AND EQUALITY (Pages 171 - 214)**  
To approve the revised Equality, Diversity and Inclusion Policy and Equality Objectives for the period 2021 – 2025 following consultation. Revised policy and action plan now incorporates public consultation comments.

12. **RECOMMENDATIONS FROM OTHER COMMITTEES**

12a. **DRAFT COUNCIL PLAN 2021 - 2026 (Pages 215 - 234)**  
This report presents the draft Council Plan which sets out the council's priorities and objectives for the next five years.

12b. **BUDGET STRATEGY (Pages 235 - 250)**  
To set out the assumptions that will be used when preparing the upcoming Medium-Term Financial Plan.

12c. **REVIEW OF STROUD DISTRICT COUNCIL'S STATEMENT OF PRINCIPLES UNDER THE GAMBLING ACT 2005 FOR COMMENCEMENT 31ST JANUARY 2022 (Pages 251 - 292)**  
To provide information that will allow Council to adopt a final revised Statement of Principles as recommended by Community Services and Licensing Committee. The Statement outlines the principles Stroud District Council will apply when exercising its functions under the Gambling Act 2005. The current Statement expires on 30<sup>th</sup> January 2022.

12d. **TENANT REPRESENTATIVES ON HOUSING COMMITTEE (Pages 293 - 296)**  
To advise that two new tenant representatives and two new deputy representatives have been nominated to sit on Housing Committee (with non-voting status).

13. **MEMBER QUESTIONS**  
See Agenda Item 5 for deadline for submissions.

14. **NOTICE OF MOTIONS**

14a. **A MOTION REGARDING CREATION OF A PARTNERSHIP BETWEEN LOCAL GOVERNMENT AND NATIONAL GOVERNMENT FOR URGENT ACTION ON CLIMATE CHANGE IS PROPOSED BY COUNCILLOR CHLOE TURNER AND SECONDED BY COUNCILLOR ROBIN LAYFIELD.**

*Background:*

*In 2018, at the Conference of the Parties (COP24), the UK Government signed up to having 'domestic institutional arrangements, public participation and engagement with local communities', so localities can play their part in delivering the UK's 'Nationally Determined Contributions' in the Paris Climate Agreement.*

*In May 2021, Alok Sharma MP, President of COP26, cited collaboration as a key objective of the climate summit.*

"Governments, business and civil society (including local government) need to work together to transform the ways we power our homes and businesses, grow our food, develop infrastructure and move ourselves and goods around".

*Despite these agreements and statements, there is still no formal relationship for joint partnership working between Local and National Government on climate action.*

On 16<sup>th</sup> November 2018 (ratified by full council on 24<sup>th</sup> January 2019 <https://www.stroud.gov.uk/media/971322/minutes-24-january-2019.pdf>), this council was among the first to declare a climate emergency, and hundreds of other local councils have since followed suit. However, their call for central Government to provide additional powers and resources to support local and national action towards the target of net-zero carbon emissions remains materially unmet.

In July 2021, a joint statement by the metropolitan mayors and UK100 and its constituent members (including this council) proposed a new, enhanced partnership between the UK government, devolved governments and regional, city and local authorities to accelerate the transition to Net Zero (<https://www.uk100.org/publications/net-zero-local-leadership-communicue-delivering-net-zero-uk>), recognizing that local and combined authorities are already leading in many aspects of the Net Zero agenda, but they could go so much further and faster if given the scope to do so.

The increased frequency of record-breaking heatwaves, flooding, and other extreme weather events, which threaten lives across the globe, provide evidence that climate change is accelerating, making partnership action between all levels of UK government ever more urgent.

The latest IPCC report, released in August 2021, states that global warming will exceed the hoped for 1.5% (and indeed the far more damaging 2%) during the 21st century, without urgent and deep reductions in carbon dioxide (CO<sub>2</sub>) and other greenhouse gas emissions.

**This Council RESOLVES to:**

- a. Add our voice in this the year of COP26, to calls by the Local Government Association and the Association of Directors of Environment, Economy, Planning and Transport& others for a joint local & national government Task Force to plan action to reach 'net zero' emissions. Such a partnership can set appropriate regulations, benchmarks and targets and create the much needed long-term funding mechanisms to enable local communities and economies to**

**decarbonise whilst remaining resilient and sustainable.**

- b. Write to Alok Sharma MP, President for COP26, the Prime Minister, and the Leadership Board of the LGA, informing them of our support for a joint Local/National Government Climate Change Partnership Taskforce and asking for one to be established as soon as possible.**

**14b. A MOTION REGARDING LOCAL ELECTRICITY SUPPLY IS PROPOSED BY COUNCILLOR LAURIE DAVIES AND SECONDED BY COUNCILLOR PAULA BAKER.**

Council Draft Resolution

That Stroud District Council

- (i) Acknowledges the efforts that this Council has made to reduce greenhouse gas emissions and promote renewable energy;
- (ii) From Oct 1, half a million more households are at risk of Fuel Poverty, having to choose between heating their home and putting food on the table.

As the costs of fossil fuels soar this autumn, everyone is being hit by rising bills. Many are already desperate, and over 1.5 million people have also been affected by their energy supplier going bust. Meanwhile Universal Credit is being cut. Over three million people in the UK live in fuel poverty and this will increase by another 500,000 households when the Price Cap is raised on 1st October. Rising fuel bills will affect over 6000 households in Stroud District.

(iii) Further recognises

- that very large financial setup and running costs involved in selling locally generated renewable electricity to local customers result in it being impossible for local renewable electricity generators to do so,
- that making these financial costs proportionate to the scale of a renewable electricity supplier's operation would create significant opportunities for local companies and community groups to be providers of locally generated renewable electricity directly to local people, businesses and organisations, if they wished, and
- that revenues received by such local companies or community groups that chose to become local renewable electricity providers could be used to help improve the local economy, local services and facilities and to reduce local greenhouse gas emissions;

(iv) Notes that the House of Commons Environmental Audit Committee, as a result of its 2021 Technological Innovations and Climate Change inquiry, recommended that a Right to Local Supply for local energy suppliers be established to address this;

(vi) Accordingly resolves to support the Local Electricity Bill, currently supported by a cross-party group of 266 MPs and which, if made law, would establish a Right to Local Supply which would promote local renewable electricity supply by making the setup and running costs of selling renewable electricity to local customers proportionate to the size of the supply company; and

(v) Further resolves to

- inform the local media of this decision,
- write to our local MPs, Siobhan Baillie and Sir Geoffrey Clifton-Brown, asking them to support the Bill, and
- write to the organisers of the campaign for the Bill, Power for People, (at Camden Collective, 5-7 Buck Street, London NW1 8NJ or [info@powerforpeople.org.uk](mailto:info@powerforpeople.org.uk)) expressing its support.



# STROUD DISTRICT COUNCIL

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## COUNCIL

20 May 2021

7.00 - 8.01 pm

Main Hall, Stratford Park Leisure Centre, Stroud

### Minutes

#### Membership

##### **Councillor Steve Robinson (Chair)**

Councillor Beki Aldam\*  
 Councillor Paula Baker  
 Councillor Martin Baxendale  
 Councillor Natalie Bennett  
 Councillor Catherine Braun  
 Councillor Chris Brine  
 Councillor Martin Brown  
 Councillor Jason Bullingham  
 Councillor Doina Cornell  
 Councillor Gordon Craig  
 Councillor Kate Crews  
 Councillor Laurie Davies  
 Councillor Stephen Davies  
 Councillor Trina Davis  
 Councillor Jonathan Edmunds  
 Councillor Christopher Evans  
 Councillor Helen Fenton  
 Councillor Colin Fryer  
 Councillor Victoria Gray  
 Councillor Lindsey Green  
 Councillor Jessie Hoskin  
 Councillor Nicholas Housden  
 Councillor Nick Hurst  
 Councillor Stephen Hynd  
 Councillor George James

\*= Absent

##### **Councillor Trevor Hall (Vice Chair)\***

Councillor Julie Job  
 Councillor Christopher Jockel  
 Councillor John Jones  
 Councillor Haydn Jones\*  
 Councillor Norman Kay  
 Councillor Robin Layfield  
 Councillor Jenny Miles  
 Councillor Dave Mossman\*  
 Councillor Gillian Oxley  
 Councillor Loraine Patrick  
 Councillor Martin Percy  
 Councillor Keith Pearson  
 Councillor Nigel Prenter  
 Councillor Mattie Ross  
 Councillor Mark Ryder  
 Councillor Lucas Schoemaker  
 Councillor Ashley Smith  
 Councillor Nigel Studdert-Kennedy  
 Councillor Haydn Sutton  
 Councillor Brian Tipper  
 Councillor Ken Tucker  
 Councillor Chloe Turner  
 Councillor Tricia Watson  
 Councillor Rich Wilsher

#### Officers in Attendance

Chief Executive  
 Monitoring Officer  
 Strategic Director of Resources

Head of Community Services  
 Corporate Policy and Governance Manager  
 Senior Democratic Services and Elections Officer

## **CL.1**      **Chair of Council**

Councillor Steve Robinson was nominated for the position of Chair of Council.

**RESOLVED That Councillor Steve Robinson be elected Chair of Council for the Civic Year 2021-22.**

## **CL.2**      **Vice-Chair of Council**

Councillor Trevor Hall was nominated for the position of Vice-Chair of Council.

**RESOLVED That Councillor Trevor Hall be elected Vice-Chair of Council for the Civic Year 2021-22.**

## **CL.3**      **Apologies**

Apologies for absence were received from Councillors Aldam, Hall, Haydn Jones and Mossman.

## **CL.4**      **Declaration of Interests**

There were none.

## **CL.5**      **Minutes**

The Chair advised that an amended version of the minutes had been sent to Members to incorporate the amendment proposed by Councillor Rathor for the Motion at Minute Number CL.061 which was voted upon and agreed.

Furthermore, the Chair confirmed that it had been brought to the attention of Democratic Services that the following sentence also needed to be amended from the minutes at CL.058 for the Local Plan. "In terms of net density, 700 dwellings per hectare would be a low level and 900 would be needed in order to achieve efficient use of land" the sentence should not include 'per hectare' and should instead be 'In terms of net density, 700 dwellings would be a low level and 900 would be needed in order to achieve efficient use of land'.

Councillor John Jones queried CL.055 and clarified the name Green should be Reed. It was confirmed that this change would be made.

**RESOLVED That the minutes of the meeting held on 29 April 2021 are confirmed and signed as a correct record with the amendments listed above.**

## **CL.6**      **Announcements**

The Chair thanked Gary Powell, the outgoing Chair of Council, for all of his hard work including representing the District Council at many functions. He also offered a personal thanks to all of the outgoing Councillors and gave a warm welcome to the newly elected Councillors.



## CL.7      Appointment to Committees

The appointment to committees was agreed as set out below. It was identified later in the meeting that Councillor Sutton had not been appointed to a Committee, Councillor Stephen Davies apologised and advised that he would confirm Councillor Sutton's appointment at a later time and it would be brought back to the next Council meeting for confirmation.

### Community Services and Licensing Committee (12 Members)

**Councillor Chris Brine**  
**Councillor Jonathan Edmunds**  
 Councillor Beki Aldam  
 Councillor Gordon Craig  
 Councillor Kate Crews  
 Councillor Jessie Hoskin

Councillor Julie Job  
 Councillor John Jones  
 Councillor Gill Oxley  
 Councillor Nigel Prenter  
 Councillor Steve Robinson  
 Councillor Ken Tucker

### Environment Committee (13 Members)

**Councillor Chloe Turner**  
**Councillor Robin Layfield**  
 Councillor Natalie Bennett  
 Councillor Martin Brown  
 Councillor Chris Evans  
 Councillor George James  
 Councillor Haydn Jones

Councillor Norman Kay  
 Councillor David Mossman  
 Councillor Ashley Smith  
 Councillor Trina Davis  
 Councillor Brian Tipper  
 Councillor Tricia Watson

### Housing Committee (12 Members)

**Councillor Mattie Ross**  
**Councillor Christopher Jockel**  
 Councillor Paula Baker  
 Councillor Laurie Davies  
 Councillor Trina Davis  
 Councillor Colin Fryer

Councillor Lindsey Green  
 Councillor Nick Housden  
 Councillor Steve Hynd  
 Councillor Jenny Miles  
 Councillor Loraine Patrick  
 Councillor Lucas Schoemaker

### Strategy and Resources Committee (13 Members)

**Councillor Doina Cornell**  
**Councillor Catherine Braun**  
 Councillor Chris Brine  
 Councillor Gordon Craig  
 Councillor Stephen Davies  
 Councillor Nick Housden  
 Councillor Nick Hurst

Councillor Martin Percy  
 Councillor Keith Pearson  
 Councillor Steve Robinson  
 Councillor Mattie Ross  
 Councillor Ken Tucker  
 Councillor Chloe Turner

### Audit and Standards Committee (9 Members)

**Councillor Nigel Studdert-Kennedy**  
**Councillor Martin Percy**

Councillor Nick Hurst  
 Councillor Norman Kay

# Agenda Item 3

2021/22

Councillor Chris Brine  
Councillor Doina Cornell  
Councillor Stephen Davies

Councillor Keith Pearson  
Councillor Rich Wilsher

Development Control Committee (12 Members)

**Councillor Martin Baxendale**  
**Councillor Trevor Hall**  
Councillor Martin Brown  
Councillor Jason Bullingham  
Councillor Helen Fenton  
Councillor Victoria Gray

Councillor Haydn Jones  
Councillor Loraine Patrick  
Councillor Mattie Ross  
Councillor Mark Ryder  
Councillor Lucas Schoemaker  
Councillor Ashley Smith

**RESOLVED That an additional seat be added to the Membership of the Environment Committee and that Councillors be appointed to the Council's committees as set out in these minutes.**

## **CL.8      Appointment of Committee Chairs and Vice-Chairs**

The following Councillors were nominated and voted into the positions of Chairs and Vice-Chairs on the Council's committees in 2021-22.

### Audit and Standards Committee

Chair: Councillor Nigel Studdert-Kennedy      Vice-Chair: Councillor Martin Percy

### Community Services and Licensing Committee

Chair: Councillor Chris Brine      Vice-Chair: Councillor Jonathan Edmunds

### Development Control Committee

Chair: Councillor Martin Baxendale      Vice-Chair: Councillor Trevor Hall

### Environment Committee

Chair: Councillor Chloe Turner      Vice-Chair: Councillor Robin Layfield

### Housing Committee

Chair: Councillor Mattie Ross      Vice-Chair: Councillor Christopher Jockel

### Strategy and Resources Committee

Chair: Councillor Doina Cornell      Vice-Chair: Councillor Catherine Braun

**RESOLVED That Councillors be appointed as Chair and Vice-Chair to the Council's committees as set out in these minutes.**

## **CL.9      Other Appointments**

Councillors were appointed as lead and substitute on other bodies in 2021/22.

### Health and Care Overview and Scrutiny Committee (Gloucestershire)

Councillor Helen Fenton (Lead)  
Councillor Natalie Bennett (Substitute)

Police and Crime Panel (Gloucestershire)

Councillor Chris Brine (Lead)

Councillor Martin Percy (Substitute)

Gloucestershire Economic Growth Scrutiny Committee

Councillor Chloe Turner (Lead)

Councillor Ashley Smith (Substitute)

Gloucestershire Covid-19 Outbreak Engagement Board

Councillor Doina Cornell (Lead)

Councillor Catherine Braun (Substitute)

Appointment of three Mental Health Champions

Councillors Victoria Gray, Jenny Miles and Tricia Watson

Appointment of five Members to the Equality, Diversity and Inclusion Working Group

Councillors Gill Oxley, Robin Layfield, Natalie Bennett, Norman Kay, Beki Aldam.

**RESOLVED That Councillors be appointed to other bodies as set out above.**

a) **Audit and Standards Committee - 27 April 2021**

**Audit and Standards Committee Annual Report 2020/21**

Councillor Studdert-Kennedy offered his welcome and congratulations to all newly elected and re-elected Councillors. He introduced his report and advised that a correction needed to be made to the report on Page 24 where the 'Informal briefing on the Youth Service' had been included inadvertently under the list of training.

Councillor Studdert-Kennedy drew the Committees attention to various key points including the following:

- Statement from the Chairman on Page 17
- Page 14 Paragraphs 1, 3 and 2.1 which provide a loose indication as to what the Audit and Standards Committee entails
- Page 18 Paragraphs 4 and 7 regarding the amendments to the internal audit plan as a result of Covid-19
- Work Programme included on page 20
- Outcome of the Internal Audit External Quality Assessment 2020

Councillor Pearson stated that the Committee had worked hard under the chairmanship of Councillor Studdert-Kennedy and commended the report.

**RESOLVED That the Audit and Standards Committee Annual Report 2020/21 be approved as recommended by the Audit and Standards Committee at their meeting on 27th April 2021.**

## **CL.10**      **Ubico Five Year Vision and Business Plan 2021/22**

The Chief Executive presented the report which was an update and explains that Ubico is a teckal company wholly owned by Stroud District Council and 6 other partners. It was advised that Ubico provides Stroud District Council with a number of services including waste and recycling, grounds maintenance, street cleaning and building cleaning. As Stroud has a Committee system the Chief Executive fulfils the shareholder function on behalf of the Council and that the Environment Committee has the opportunity each year to consider the draft business plan.

Councillor Hurst asked if Ubico were reviewing the disposal of plastic recycling waste. The Chief Executive provided assurance that this would be reviewed by the partnership.

Councillor Ryder asked for clarification as to the decision made to add Gloucester City Council to the partnership and whether there were any financial implications to this. The Chief Executive advised that a full report had been taken to the last Council meeting regarding this however due to the nature of the information contained it was taken in private session, it was confirmed that incoming councillors could be provided a copy of the report if they requested it.

- RESOLVED**
- a) **To note the Five Year Vision and Business Plan for 2021/22**
  - b) **To note that the Chief Executive, as Ubico shareholder representative, proposes to sign the written resolution to approve the Ubico Five Year Vision and Business Plan in due course.**

## **CL.11**      **Amendment to the Constitution**

The Monitoring Officer presented the report and advised that the background section set out the issue of leader and deputy leader.

Councillor Pearson asked if there were any financial implications involved with this decision, it was confirmed that a Special Responsibility Allowance had not been recommended to this post however the Independent Remuneration Panel would be asked to consider this.

Councillor Cornell offered support to the proposal advising that it was important to clarify the roles and that it was necessary for someone to be able to stand in for the Leader as necessary.

- RESOLVED**    **To Amend the Constitution in accordance with the recommendation made in paragraph 3 of the report.**

The meeting closed at 8.01 pm

Chair

## STROUD DISTRICT COUNCIL

## COUNCIL

21 OCTOBER 2021

<b>Report Title</b>	<b>APPOINTMENT TO THE INDEPENDENT REMUNERATION PANEL</b>			
<b>Purpose of Report</b>	To approve the recommended appointment to the Independent Remuneration Panel to review the Members' Scheme of Allowances.			
<b>Decision(s)</b>	<b>Council RESOLVES that the following be appointed to the Independent Remuneration Panel for a period of three years from October 2021 to October 2024:</b>  <b>Ms Kim Hawkins</b> <b>Mr Chris Markley</b> <b>Mr John Morris</b> <b>Mr Graham Russell</b>			
<b>Consultation and Feedback</b>	Candidate applications were circulated to Group Leaders			
<b>Report Author</b>	Hannah Emery, Corporate Policy and Governance Manager Email: <a href="mailto:Hannah.emery@stroud.gov.uk">Hannah.emery@stroud.gov.uk</a>			
<b>Options</b>	To either confirm or refuse the appointment of a member of the Independent Remuneration Panel. The Council is required to have an Independent Remuneration Panel of at least three members.			
<b>Background Papers</b>	None			
<b>Appendices</b>	None			
<b>Implications (further details at the end of the report)</b>	Financial	Legal	Equality	Environmental
	No	No	No	No

**1. BACKGROUND AND KEY ISSUES**

- 1.1** Council is required, under the Local Authorities (Members' Allowances) (England) Regulations 2003 and the Local Authorities (Members' allowances) (England) (Amendment) Regulations 2003 to appoint an Independent Remuneration Panel (IRP) to make recommendations to the council on a Scheme of Members' Allowances for adoption. The Regulations recommend a panel of five members and a minimum of three panel members.
- 1.2** Since Autumn 2019, this council has shared panel members with Gloucester City Council to take advantage of a wider pool of applicants. To date, both councils have proceeded to

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appoint the same panel members but the panels remain separate. Panel members receive expenses but are not remunerated.

- 1.3** In 2020 the following members were appointed to the IRP for a period of three years:  
Mr Chris Markley  
Mr Graham Russell and  
Mrs Wynn Bartlett
- 1.4** Following the resignation of Mrs Wynn Bartlett in March 2021 due to relocating out of the area, the council is now required to make one or more appointments to reconstitute its panel.
- 1.5** The advert for panel members has remained live on the council's website in the event that either council needed to replace panel members and three valid applications were received.
- 1.6** The applicants were interviewed and assessed by the current panel members, Mr Graham Russell and Mr Chris Markley, and the Policy and Governance Managers from both Stroud and Gloucester on the 24 June 2021. The intention had been to recommend that all three applicants be appointed to the panel, however, one rescinded their application shortly after the interviews due to a change of circumstances, and it is now recommended that the two remaining applicants be appointed.
- 1.7** All of the proposed panel members have a keen interest in voluntary service and making a contribution to their community. A brief summary of each of the four proposed panel members is included below:
- Existing Member – Mr Graham Russell has an extensive local authority background as a previous Head of Democratic Services and is an experienced Chair of IRPs across the South West.
  - Existing Member – Mr Chris Markley has a military background and has worked as a military inspector/auditor of public funded allowances.
  - New Member – Ms Kim Hawkins lives in the Stroud district and has a varied employment background, having worked as a PA for many years and previously for the Chartered Institute of Marketing as a Quality Manager.
  - New Member – Mr John Morris lives in the Stroud district and has a military background and undertakes various voluntary duties across the County.
- 1.8** Gloucester City Council appointed all of the proposed panel members listed above to their IRP at their Council meeting held on the 23 September 2021.
- 1.9** If appointed, the Panel will commence a full review of this council's Members' Scheme of Allowances and present its recommendations to Council in early 2022. All panel members appointed will work together on this review.

## **2. IMPLICATIONS**

### **2.1 Financial Implications**

There are no financial implications resulting from the recommendations in the report as the Panel will be appointed on a voluntary basis.

Lucy Clothier, Accountancy Manager

Tel: 01453 754343

Email: [lucy.clothier@stroud.gov.uk](mailto:lucy.clothier@stroud.gov.uk)

## **2.2 Legal Implications**

The legal implications are detailed in the body of the report.

One Legal Tel: 01684 272691

Email: [legalservices@onelegal.org.uk](mailto:legalservices@onelegal.org.uk)

## **2.3 Equality Implications**

None directly arising from this report.

## **2.4 Environmental Implications**

None directly arising from this report.

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**STROUD DISTRICT COUNCIL**

**COUNCIL**

**21 OCTOBER 2021**

<b>Report Title</b>	<b>APPOINTMENT OF A MONITORING OFFICER</b>			
<b>Purpose of Report</b>	To appoint an interim Monitoring Officer and begin the process of the recruitment of a permanent Monitoring Officer			
<b>Decision(s)</b>	<p><b>The Council RESOLVES that:</b></p> <p>a. To note that the Chief Executive took an urgent decision on 6<sup>th</sup> August 2021 to appoint Jodie Townsend as Interim Monitoring Officer for the period 14<sup>th</sup> August 2021 until 29<sup>th</sup> September 2021 and Stephen Taylor from 30<sup>th</sup> September to the date of this meeting.</p> <p>b. Stephen Taylor be designated Monitoring Officer for the Council in accordance with section 5 of the Local Government and Housing Act 1989 with effect from the date of this meeting for an interim period until such time as a permanent replacement is appointed</p> <p>c. The Chief Executive be authorised to begin the process of recruitment of a Monitoring Officer including such sharing arrangements as they deem appropriate, in consultation with all Group Leaders.</p>			
<b>Consultation and Feedback</b>	All Group Leaders			
<b>Report Author</b>	Andrew Cummings, Strategic Director of Resources Email: <a href="mailto:andrew.cummings@stroud.gov.uk">andrew.cummings@stroud.gov.uk</a>			
<b>Options</b>	The Council must have a Monitoring Officer so if this appointment is not made an alternative must be appointed			
<b>Background Papers</b>	None			
<b>Appendices</b>	None			
<b>Implications (further details at the end of the report)</b>	Financial	Legal	Equality	Environmental
	Yes	Yes	No	No

**1. INTRODUCTION / BACKGROUND**

1.1 Under Section 5 of the Local Government and Housing Act 1989 (as amended) the Council has a duty to designate one of its officers as Monitoring Officer. The Act specifically excludes the Head of Paid Service and the Chief Finance Officer (Section 151 Officer) from being the Monitoring Officer, although any other officer of the Council can be appointed.

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- 1.2 The Monitoring Officer has a number of statutory duties and responsibilities which include ensuring that the Council act lawfully and to avoid any maladministration. This includes advising on the lawfulness of decision making, applying and maintaining the Council's Constitution and arrangements for effective governance.
- 1.3 The Monitoring Officer also has a number of responsibilities arising from the Localism Act 2011 relating to Councillor conduct (Council and Parish Councils). These responsibilities include dealing with complaints on the Code of Conduct, as well as providing training for Members thereon.
- 1.4 Patrick Arran was the previous Monitoring Officer but left the employment of the Council on August 13th 2021.

### **2. Interim Monitoring Officer Arrangements**

- 2.1 The Council must have a Monitoring Officer at all times. Upon receiving the news that Patrick Arran was to leave the Council the Chief Executive took steps to ensure that suitably qualified Monitoring Officer Support was available.
- 2.2 Under the emergency powers available under the constitution the Chief Executive took an Officer Decision to appoint Monitoring Officers until the date of this Council. This decision was carried out in consultation with all four Group Leaders and was published on August 6<sup>th</sup> 2021. The Officers were appointed as follows.

Jodie Townsend from August 14<sup>th</sup> 2021 – September 29<sup>th</sup> 2021

Stephen Taylor as Monitoring Officer from September 30<sup>th</sup> 2021 – October 21<sup>st</sup> 2021

- 2.3 Council is being asked to retrospectively confirm that emergency decision and then appoint Stephen Taylor on an ongoing basis.
- 2.4 Jodie Townsend was available on a short term basis only and served as Monitoring Officer until Stephen was available to start. Officers have thanked Jodie for his contribution to the Council over this key interim period.
- 2.5 Stephen Taylor, who has extensive Monitoring Officer experience, is now employed as interim Monitoring Officer for a period of up to six months on an agency basis. Council is recommended to confirm his appointment as Monitoring Officer from this point forwards.

### **3. Arrangements for a Permanent Monitoring Officer**

- 3.1 It is now appropriate to make arrangements to make a permanent appointment of a Monitoring Officer.
- 3.2 Since 2020 Monitoring Officers at Stroud District Council have been sharing their time between Stroud and another Council in the County. Patrick Arran's time was shared first with Cotswold District Council and then, after his departure from Cotswold, with Gloucester City Council. Jodie Townsend and Stephen Taylor have also been supporting Gloucester City Council.

- 3.3 This sharing model has functioned well and Officers and Members have been supported at all times. It is therefore recommended that in recruiting a permanent post holder, sharing the post with another authority in Gloucestershire should be the first choice option.
- 3.4 It is recommended that this post is recruited at a salary band equivalent to Strategic Directors in order that we may look to recruit a sufficient calibre of candidate. This is likely to be a view shared by any Council that we undertake sharing arrangements with.
- 3.5 Recently, Cotswold District Council advertised for a full time Monitoring Officer with remuneration of up to £85K which supports the idea that this level of salary is required to attract the high calibre of candidates. Any recruitment campaign will also highlight the full range of benefits, financial and non-financial, of working for Stroud District Council and any other authority with which the role may be shared.
- 3.6 Currently within the Council's establishment, the title of Monitoring Officer is placed with the role of "Strategic Head of Policy and Governance". This position, established at the same time as the Policy and Governance Team in early 2020 and never recruited to, is no longer required and the budget will be used to fund the new shared monitoring officer post.
- 3.7 The budget for this post is £100k per year, including pension and National Insurance. The budget needed for a permanent post shared equally is £55k, representing a saving of £45k per annum which can be included in the Medium-Term Financial Plan.

#### **4. IMPLICATIONS**

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

The financial implications are set out in the report. The move to a shared Monitoring Officer post is estimated to save £45k per year from current budgets.

Andrew Cummings, Strategic Director of Resources  
Email: [andrew.cummings@stroud.gov.uk](mailto:andrew.cummings@stroud.gov.uk)

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

These are contained in the main body of the report.

One Legal  
Email: [legalservices@onelegal.org.uk](mailto:legalservices@onelegal.org.uk)

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

An EIA is not required because there are not any specific changes to service delivery proposed within this decision

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

There are no environmental implications arising from this decision.

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## STROUD DISTRICT COUNCIL

## COUNCIL

21 OCTOBER 2021

<b>Report Title</b>	<b>HEAR BY RIGHT PARTICIPATION PLEDGE AND AWARD PROGRAMME</b>			
<b>Purpose of Report</b>	The Council's Youth Work Strategy, features an objective that commits the Council to undertaking the award programme of the national Hear by Right standards for youth participation. This report outlines details of the decision taken by the Community Services and Licensing Committee to begin the initial steps needed to complete the Hear by Right award programme.			
<b>Decision(s)</b>	<b>The Council RESOLVES to Endorse the decision made by the Community Services and Licensing Committee to make the Hear by Right Participation Pledge; and commence the award programme process with the support of a cross Council officer and member group.</b>			
<b>Consultation and Feedback</b>	All consultation was carried out ahead of the Youth Work Strategy being approved.			
<b>Report Author</b>	Steve Miles Tel: 01453 754504 Email: <a href="mailto:steve.miles@stroud.gov.uk">steve.miles@stroud.gov.uk</a>			
<b>Options</b>	Council could decide not to endorse the pledge, but this would be contrary to the aim and objectives in the Youth Work Strategy and the decision made by the Community Services and Licensing Committee.			
<b>Background Papers</b>	All background papers, including minutes of the Community Services and Licensing Committee Meeting on 21 June 2021 can be found via the following link: <a href="https://stroud.moderngov.co.uk/ieListDocuments.aspx?CId=139&amp;MId=1106&amp;Ver=4">https://stroud.moderngov.co.uk/ieListDocuments.aspx?CId=139&amp;MId=1106&amp;Ver=4</a>			
<b>Appendices</b>	All appendices referenced for the report to the Community Services and Licensing Committee on 21 June 2021 can be found via the following link: <a href="https://stroud.moderngov.co.uk/ieListDocuments.aspx?CId=139&amp;MId=1106&amp;Ver=4">https://stroud.moderngov.co.uk/ieListDocuments.aspx?CId=139&amp;MId=1106&amp;Ver=4</a>			
<b>Implications (further details at the end of the report)</b>	Financial	Legal	Equality	Environmental
	Yes/No	Yes/No	Yes	No

# Agenda Item 9

## 1. INTRODUCTION / BACKGROUND

- 1.1 Hear by Right is the national standards framework for youth participation, created and made available by the National Youth Agency (NYA). The Hear by Right Introduction document (**Appendix D**) gives comprehensive details of what the NYA offer.
- 1.2 The decision by the Community Services and Licensing Committee to make the Hear by Right Participation Pledge and commence the award programme process with the support of a cross Council officer and member group, was made on 21 June 2021.
- 1.3 The Council has a rich history of enabling young people to have a voice, be heard and be taken seriously on matters that affect them – this has been underpinned and enhanced since 2012 by a dedicated youth work strategy. At its core, the Councils Youth Work Strategy (**Appendix A**) features a youth voice vehicle (**Appendix B**) that has evolved over 21 years, into an award winning model for youth participation. This was recognised nationally by the British Youth Council in 2020 (**Appendix C**).

## 2. MAIN POINTS

- 2.1 The Councils Youth Work Strategy (**Appendix A**) features 7 objectives. One objective (No. 4) focuses on the Hear by Right standards. It states that the Council will:

*‘Continue to develop practice within the Council with regards to the national Hear by Right standards, to support a culture of change towards greater youth participation across services. Undertake the national participation pledge and Hear by Right award programme.’*

- 2.2 The Participation Pledge demonstrates the Council’s commitment to the participation of young people in sharing the central values of inclusion, empowerment, commitment and impact. Undertaking the Hear by Right award programme will support the Council to continue to: *‘inspire and equip young people to become change makers, influencers and co-producers’*; it will further *‘embed youth participation’* across the Council; continue to *‘foster best practice’*; and *‘improve services’*. Alongside the support for young people’s own personal and social development, it will subsequently benefit the communities in which young people live. It will highlight any areas for improvement for the Council; and therefore make a significant contribution to the Council’s Fit for the Future programme and the efforts to become an exemplar Council.

## 3. PROGRESS TO DATE

- 3.1 The first step to completing the award programme is underway. Officers from the Council’s Youth Service are working with the National Youth Agency (NYA). They will be undertaking specific online training shortly – this will also be offered to other officers and members in the cross service support group. Further training for those at the heart of the assessment process and the submission of evidence, will then follow.

### 3. CONCLUSION

3.1 This report has outlined the decision taken by the Community Services and Licensing Committee to make the Hear by Right Participation Pledge and commence the award programme with cross Council support.

3.2 Completing the award programme and living its principles will demonstrate how well the Council upholds the values of inclusion, empowerment, commitment and impact with regards to youth participation. It will subsequently make a significant contribution to the values and commitments of the Council in its role as a local authority.

### 4. IMPLICATIONS

#### 4.1 Financial Implications

There are no significant financial implications arising from this decision. Funding has been allocated from the existing budget.

Lucy Clothier, Accountancy Manager

Tel: 01453 754343 Email: [lucy.clothier@stroud.gov.uk](mailto:lucy.clothier@stroud.gov.uk)

#### 4.2 Legal Implications

There are no significant legal implications arising from the recommendations in this report.

Monitoring Officer

Email: [Stephen.Taylor@stroud.gov.uk](mailto:Stephen.Taylor@stroud.gov.uk)

#### 4.3 Equality Implications

There are not any specific changes to service delivery proposed as a result of this decision. However, making the Hear by Right Participation Pledge and completing the award programme assessment, will make a significant contribution to upholding the Councils Equality, Diversity and Inclusion (EDI) Policy – which has already received public endorsement from the Chairperson of Stroud District Youth Council (Full Council Meeting, 18 March 2021) and since, input from the Stroud District Youth Council as a whole with regards to consultation on the draft EDI policy.

Some changes to the EDI Policy may need to be considered on a case by case basis at a later date, to ensure improvements to some service delivery regarding the inclusion of young people.

#### 4.4 Environmental Implications

There are no significant implications within this category.

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**STROUD DISTRICT COUNCIL**

**COUNCIL**

**21 OCTOBER 2021**

<b>Report Title</b>	<b>REVIEW OF THE COUNCIL’S CONSTITUTION</b>			
<b>Purpose</b>	The Constitution Working Group has reviewed a number of elements of the Constitution and commend the attached elements to Council for approval			
<b>Decision(s)</b>	<p><b>Council RESOLVES to:</b></p> <ul style="list-style-type: none"> <li>a. <b>Adopt the documents attached to this report, together with the amendments as recommended in this report in paragraphs 1.5 and 1.9, or as may otherwise be agreed by Council, and incorporate them into the Constitution with immediate effect</b></li> <li>b. <b>Note that the Audit and Standards Committee will be asked at its next meeting to consider the addition of a reference to ‘Gifts and Hospitality’ in the Members Code of Conduct, as set out in paragraph 1.12 of this report</b></li> <li>c. <b>Authorise the Monitoring Officer to make any consequential amendments to the Constitution</b></li> </ul>			
<b>Consultation and Feedback</b>	The Constitution Working Group has overseen and agreed all of the attached documents for submission to Council.			
<b>Report Author</b>	Stephen Taylor, Interim Monitoring Officer <a href="mailto:Stephen.taylor@stroud.gov.uk">Stephen.taylor@stroud.gov.uk</a>			
<b>Options</b>	Council can adopt all of the attachments, some of the attachments or none of the attachments. It can also ask the Constitution Working Group to re-consider elements of the attachments.			
<b>Background Papers</b>	None			
<b>Appendices</b>	Appendix A – Articles of the Constitution Appendix B – Members Parental Leave Appendix C – Council Procedure Rules (Marked Changes) Appendix D – Council Procedure Rules (Clean Copy) Appendix E - Contract Procedure Rules (Marked Changes) Appendix F - Contract Procedure Rules (Clean Copy) Appendix G – Press and Media Protocol Appendix H – Social Media Protocol for Members Appendix I – Monitoring Officer Roles and Functions Protocol			
<b>Implications (further details at the end of the report)</b>	Financial	Legal	Equality	Environmental
	No	Yes	No	No

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## 1. INTRODUCTION / BACKGROUND

1.1 On the 17<sup>th</sup> December 2019, Strategy and Resources Committee considered a report from the then Monitoring Officer relating to a review of the Constitution. For background, the report can be accessed [here](#)

1.2 Strategy and Resources Committee resolved to re-establish the cross party Constitution Working Group (CWG) and authorised the Monitoring Officer to carry out a review of the Constitution. It was agreed that a light touch and iterative approach to the review would be adopted. The CWG is comprised of the following Members:

- Councillor Keith Pearson (Chair)
- Councillor Chris Brine
- Councillor Nick Hurst
- Councillor Norman Kay
- Councillor Mattie Ross
- Councillor Nigel Studdert-Kennedy

1.3 A number of pieces of work envisaged by that report have already been completed. In particular, the following have been reviewed and adopted by Council:

- Scheme of Delegation
- Protocol for Member & Officer Relations
- Members Code of Conduct
- Arrangements for investigating allegations of a breach of the Member Code of Conduct

1.4 The CWG made good progress initially in deciding its workplan and getting started on some pieces of work, but the advent of the pandemic resulted in some delay in finalising sections to bring to Council. Other elements from the 2019 report are considered in this report, namely, the Articles of the Constitution and Parental Leave. In addition, and as part of its rolling brief, the CWG, in discussion with the then Monitoring Officer, has considered other elements of the Constitution from other councils and decided that additional items were necessary for inclusion. Each of these elements will be briefly described below.

### 1.5 Articles of the Constitution (Appendix A)

This section is intended to set out how the Council works with each article focussing on a different element. Fundamentally, it is essentially a description of how things work at the Council for the benefit of residents.

Having further reviewed the document, it is **recommended that** the last sentence of Article 13.4 be deleted in order to clarify the contract signature process and resolve an inconsistency between that proposed Article and Rule 32 of the Contract Procedure Rules.

### 1.6 Members Parental Leave (Appendix B)

This initially arose from a motion to Council on the 16<sup>th</sup> January 2020 – the motion and draft policy prepared by the LGA Labour Group can be seen [here](#). The policy has been amended to suit the Council's needs and endorsed by the CWG.

### 1.7 Council Procedure Rules (Appendix C and D)

These set out how the Council meeting operates and has undergone a re-fresh to ensure fitness for purpose.

### 1.8 Contract Procedure Rules (Appendix E and F)

These are a staple in any Constitution and govern the way in which the Council procures. This document has been refreshed in light of the changes to UK procurement as a result of Brexit. No doubt further changes will be needed as UK procurement rules evolve.

### 1.9 Press and Media Protocol (Appendix G)

Concerns had been raised previously that the Council did not have a formal document which made clear how media enquiries would be dealt with. It was also necessary to provide some guidance to both members and officers about how the Council will deal with the media.

Following the most recent meeting of CWG on 28 September, it has been requested that responsibility for the operation of the Protocol be made explicit and, therefore, having consulted with the Chair of the CWG, it is recommended that the following section be added to the Protocol:

#### **12 Responsibility for the operation of the Protocol**

The Corporate Communications Manager is responsible for operation of this Protocol. The Monitoring Officer should be consulted in case of any concerns and any complaints about the operation of the protocol should be referred to the Monitoring Officer.

### 1.10 Social Media Protocol for Members (Appendix H)

Members will recall that the then Monitoring Officer mentioned the impact of social media usage on the Code of Conduct and the potential for there to be a breach of the Code when members interact on social media. This protocol is intended to provide members with clear guidance and advice on how to use social media to help them carry out their ward work and avoid the potential to fall into conflict with the Code.

### 1.11 Monitoring Officer Protocol (Appendix I)

This protocol has been produced as a guideline for the benefit of Members and Senior Officers on the role of the Monitoring Officer and the arrangement for ensuring the role is carried out effectively. It is premised on the understanding that the ability of the Monitoring Officer to undertake this role effectively depends on excellent working relations with colleagues and Members and on the flow of information, and access to debate, particularly at early stages.

### 1.12 Gifts and Hospitality

The then Monitoring Officer and Democratic Services colleagues noted that when the Code of Conduct was reviewed, provision for gifts and hospitality was not included. Therefore,

## Agenda Item 10

the CWG recommended that the Code of Conduct should be amended with the addition of the following text at new Paragraph

*3.11 Members will not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on their part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.*

*3.11.1 Members will register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.*

*3.11.2 Members will register with the Monitoring Officer any significant gift or hospitality that they have been offered but have refused to accept.*

Under the Constitution, the Audit and Standards Committee are:

“• To be responsible, in consultation with the Monitoring Officer, for all matters relating to the Members Code of Conduct,

• To advise the Council on any amendment or revision of the Code.”

On that basis, the Audit and Standards Committee will be asked to consider this addition to the Members Code of Conduct at its next meeting and recommend to Council accordingly.

## **2. IMPLICATIONS**

### **2.1 Financial Implications**

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

Andrew Cummings, Strategic Director of Resources

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### **2.2 Legal Implications**

This is work which has been mandated by the Strategy and Resources Committee, but any changes to the Constitution have to be agreed by Council. Other than that, there are no specific legal implications arising from the recommendations in the report.

Email: [legal.services@teWKesbury.gov.uk](mailto:legal.services@teWKesbury.gov.uk)

### **2.3 Equality Implications**

There are no equality implications arising from the recommendations in this report, but the Parental Leave policy will assist the Council to demonstrate that it has continual regard to its Public Sector Equality Duty.

### **2.4 Environmental Implications**

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

## PART 2

### ARTICLES OF THE CONSTITUTION

- Article 1 The Constitution
- Article 2 Members of the Council
- Article 3 Residents & the Council
- Article 4 Council
- Article 5 Chair of Council
- Article 6 Leader, Deputy Leader and Group Leaders
- Article 7 Audit Committee
- Article 8 Regulatory and Other Committees
- Article 9 Committee Chairs, Vice-Chairs & Group Spokespersons
- Article 10 Joint Arrangements
- Article 11 Officers
- Article 12 Decision Making
- Article 13 Finance, Contracts and Legal Matters
- Article 14 Review and Revision of the Constitution
- Article 15 Suspension, Interpretation and Publication of the Constitution

## **ARTICLE 1 – THE CONSTITUTION**

### **1.1 Powers of the Council**

The Council must exercise all its powers and duties in accordance with the law and this Constitution.

### **1.2 The Constitution**

This document and appendices is called the Constitution of Stroud District Council.

### **1.3 Purpose of the Constitution**

The purpose of the Constitution is to:

1. Enable the Council to provide clear leadership to the community in partnership with residents, businesses, third sector and other organisations.
2. Support the active involvement of residents in the process of local authority decision-making.
3. Help councillors represent their constituents more effectively and to serve those who live, work and visit Stroud District.
4. Enable decisions to be taken efficiently and effectively and in an open and transparent manner.
5. Create a powerful and effective means of holding decision-makers to public account and that no one will review or scrutinise a decision in which they were directly involved.
6. Ensure that those responsible for decision-making are clearly identifiable to residents and that they explain the reasons for decisions.
7. Ensure that high standards of probity and ethics are evident in decision-making and all activities of the Council
8. Provide a means of improving the delivery of services to residents and
9. Provide a means of supporting the Council to deliver its Corporate Plan as adopted for the current municipal year.

## 1.4 Interpretation and Review of the Constitution

Where the Constitution permits the Council to choose between different courses of action, the Council will always choose that option which it thinks best applies the purposes stated above.

The Council will monitor and evaluate the operation of the Constitution as set out in Article 14.

## ARTICLE 2 - MEMBERS OF THE COUNCIL

### 2.1 Composition and eligibility

- (a) **Composition** - The Council will comprise 51 members for 28 wards, otherwise called Councillors who are elected by voters of each electoral ward in accordance with the Local Government Boundary Commission for England.
- (b) **Eligibility** - Only registered voters of Stroud District or those living or working there will be eligible to hold the office of Councillor.

### 2.2 Election and terms of Councillors

Under normal circumstances, the ordinary election of all Councillors will be held on the first Thursday in May every four years. The terms of office of Councillors will be four years starting on the fourth day after being elected and finishing on the fourth day after the date of the regular election four years later. Vacancies arising during the four-year term are filled by holding a by-election. Due to the Covid Pandemic, the elections in 2020 were postponed until 2021 and as such, this term will run until 2024 which is a three year term.

### 2.3 Roles and functions of all Councillors

Role profiles for Councillors are set out in Part 5(12)

- (a) **Key roles** - All Councillors will:
  - (i) collectively be the ultimate policymakers and carry out a number of strategic and corporate management functions.
  - (ii) be democratically accountable and contribute to the good governance of the area, actively encouraging community participation and resident involvement in decision making.
  - (iii) represent their communities providing community leadership and bring their views into the Council's decision-making process.

# Agenda Item 10

## Appendix A

- (iv) be the advocate of and for their communities.
- (v) deal with individual casework and act as an advocate for constituents in resolving particular concerns or grievances.
- (vi) balance different interests within the ward and represent the ward as a whole.
- (vii) be involved in decision-making and participate in the governance and management of the Council.
- (viii) be available to represent the Council on other bodies.
- (ix) maintain the highest standards of conduct and ethics.
- (x) take part in member development and training ensuring that they have the necessary skills to undertake the role of councillor.

### (b) **Rights and duties**

- (a) Councillors will have such rights of access to such documents, information, land and buildings of the Council as are necessary for the proper discharge of their functions and in accordance with the law.
- (b) Councillors will not make public information which is confidential or exempt without the consent of the Council or divulge information given in confidence to anyone other than a councillor or officer entitled to know it.
- (c) All councillors must comply with any data protection legislation including the requirements of the General Data Protection Regulation (GDPR)
- (d) Ward councillors have additional rights to information regarding activities in their Ward as covered in the Access to Information Rules.
- (e) Councillor Call for Action (CCfA) - Councillors, can, if they so wish, make use of the Councillor Call for Action powers in accordance with the protocol within this constitution.
- (f) Ward councillors will be copied into Council initiated town or parish council communications within their ward whenever appropriate.
- (g) For these purposes, “confidential” and “exempt” information is defined in the Access to Information Rules in Part 4 of this Constitution.
- (h) No councillor can issue an order or make a contract or any other arrangement binding the Council for works or good or services.



- (i) Councillors do not have the right to inspect or enter any land unless specifically authorised to do so by the Council.

## 2.4 Decision Making

All decisions of the Council, its committees and officers will be made in accordance with the following principles:

- (a) the action must be proportionate to the desired outcome.
- (b) after due consultation paying due regard to professional advice from officers.
- (c) with respect for human rights.
- (d) with a presumption in favour of openness.
- (e) with clarity of aims and desired outcomes.
- (f) after due consideration of all objections and
- (g) after explaining what options were considered and giving the reasons for the decision.

## 2.5 Conduct

Councillors will at all times observe the Members' Code of Conduct, the Arrangements for investigating complaints under the Code, the Protocol on Member/Officer Relations and the related Protocols and Codes set out in Part 5 of this Constitution.

## 2.6 Allowances

Councillors will be entitled to receive allowances in accordance with the Members' Allowances Scheme set out in Part 6 of this Constitution.

# ARTICLE 3 – RESIDENTS AND THE COUNCIL

## 3.1 Residents Rights

The Council welcomes participation by all residents in its work. Stroud District Council has a commitment to consult with the Youth Council which has representatives from the secondary schools within the district and acts as a representative voice for the 10,000 young people aged between 11 and 18 years in the area.

Members of the public have the following rights. Their rights to information and to participate are explained in more detail in the Access to Information Rules.

- (a) **Voting** - Residents registered to vote are actively encouraged to exercise their vote, as part of their commitment to citizenship and local democracy.
- (b) **Information** - Residents have the right to:

## Agenda Item 10

### Appendix A

- (i) attend meetings of the Council, its Committees and Sub-Committees (if in existence), except where confidential or exempt information is likely to be disclosed and the meeting is therefore held in private. This does not extend to informal working groups or task and finish groups which will be held in private.
  - (ii) see reports and background papers, and any records of decisions made by the Council and its Committees.
  - (iii) obtain a copy of the Constitution which is available online or in hard copy for payment of a reasonable fee.
  - (iv) inspect the Council's accounts and make their views known to the external auditor.
  - (v) request disclosure of information which is not exempt or confidential which is held by the Council (Freedom of Information Act 2000)
- (c) **Participation** - Citizens may:
- (i) speak or ask a question at meetings of the Council and its committees according to the Council Standing Orders.
  - (ii) participate in consultations; and
  - (iii) submit petitions to Councillors or officers about matters that are of local concern according to Council Standing Orders.
  - (iv) attend and record meetings in accordance with the Openness of Local Government Bodies Regulations 2014.
- (d) **Residents Responsibilities** - Residents are expected to conduct themselves in an appropriate and respectful manner and not to indulge in violent, abusive or threatening behaviour or language to anyone, including Members and Officers of the Council. This is particularly important when attending or addressing meetings where there are likely to be a wide range of views strongly held by different sections of the community where emotions will run high.

Residents' rights of participation are dependent upon:

- (i) refraining from causing damage to property
- (ii) respecting the diversity and equality of all sections of the community
- (iii) respecting the integrity of the roles that Members and professional officers of the Council are required to undertake; and
- (iv) avoiding language, making statements or behaviours that are racist, derogatory or offensive, such conduct can amount to a criminal offence and may also amount to slander or libel.

(e) **Complaints** - Residents have the right to complain to:

- (i) the Council itself under its complaints scheme.
- (ii) the Ombudsman after exhausting the Council's own complaints scheme.
- (iii) the Monitoring Officer about a breach of the Councillors' Code of Conduct.

## **ARTICLE 4 – THE COUNCIL**

### **4.1 Composition**

The Council is made up of the 51 elected Members.

### **4.2 Council Meetings**

There are four types of Council meeting:

- (a) The Annual Meeting
- (b) Ordinary meetings
- (c) Budget Meeting
- (c) Extraordinary meetings

Meetings will be conducted in accordance with the Council Standing Orders.

### **4.3 Functions and Powers**

(a) **Functions** – Council has a number of specific functions allocated to it by statute. These include:

- approving the Council's Policy Framework
- approving the Council's Budget
- adopting and amending the Constitution
- subject to the urgency procedure contained in the Scheme of Delegation to Officers, making decisions about any matter which is covered by the policy framework or the budget where the decision would be contrary to the policy framework or contrary to or not wholly in accordance with the budget

# Agenda Item 10

## Appendix A

- appointing and removing the Leader of the Council appointing and removing the Deputy Leader of the Council
- establishing, agreeing and amending the terms of reference for committees, deciding on their composition, appointing and removing Members to and from them and appointing their chairs and vice-chairs unless the appointment and removal of members of committees has been delegated by the Council
- adopting an allowances scheme under Part 6
- creation of sub-committees is reserved to Council
- adopting the Pay Statement
- appointing the Head of Paid Service
- adopting the Members Allowances Scheme
- appointing Independent Persons
- all other matters which, by law, must be referred to Council

(b) The following plans and strategies where adoption or approval is required by law to be reserved to a meeting of full Council, which will take into account the recommendation of the Policy and Resources Committee or relevant Policy and Service Committee:

- |   |  |
|---|--|
| • Development Plan Documents  | (Section 15 of the Planning and Compulsory Purchase Act 2004(3))                 |
| • Licensing Authority Policy Statement  | (Section 349 of the Gambling Act 2005(4))  |
| • Plans and alterations which together comprise the Development Plan (the Local Plan) | (Part 2 of, and Schedule 8 to, the Planning and Compulsory Purchase Act 2004(6)) |

(c) Any plans and strategies where the Strategy and Resources Committee has recommended that adoption or approval should be determined only by a meeting of full Council.

(d) Budget – The approval or adoption of a plan or strategy for the control of the local authority's borrowing, investments or capital expenditure, or for determining the authority's minimum revenue provision, which meaning will include:

- the allocation of financial resources to different services and projects,
- proposed contingency funds
- the Council tax base

- setting the Council tax
- decisions relating to the control of the Council's borrowing requirement
- treasury management functions
- the control of its capital expenditure and
- the setting of virement limits.

#### 4.4 **Responsibility for Functions**

Part 3 of this Constitution sets out those and other responsibilities for the Council's functions, both those above that are reserved to Full Council and those that are delegated to Committees and Sub-Committees, to an officer or to another local authority.

The Council will maintain Part 3 of this Constitution setting out the responsibilities for the Council's functions which are the responsibility of Committees of the Council.

#### 4.5 **Rules of Political Balance**

Where the Council is comprised of more than one Political Group the rules of political balance set out in the Local Government and Housing Act 1989 and Regulations made under it shall apply to membership of all Committees appointed by the Council.

### **ARTICLE 5 – THE CHAIR OF COUNCIL**

#### 5.1 **Role and Function of the Chair**

The Chair and Vice-Chair will be elected by the Council annually. The Chair and, in his/her absence, the Vice-Chair will have the following responsibilities:

- (i) to uphold and promote the purposes of the Constitution and the values of the Council, and to interpret the Constitution when necessary.
- (ii) to preside over meetings of the Council so that its business can be carried out efficiently and with regard to the rights of Councillors and the interests of the community.
- (iii) to ensure that the Council meeting is a forum for the debate of matters of concern to the local community and a place at which Members are able to ask questions of the Leader and the Chairs of Committees and are able to hold each other to account.
- (iv) to promote public involvement in the Council's activities; and

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- (v) to act as the District's first citizen and to attend such civic and ceremonial functions as appropriate.

### **ARTICLE 6 – LEADER, DEPUTY LEADER AND GROUP LEADERS OF THE COUNCIL**

#### **6.1 Introduction**

As the Council operates a Committee System, no formal legal powers and duties are vested in the Leader or Deputy Leader under the Local Government Act 1972 or the Local Government Act 2000. In practice, however, all local authorities need to appoint a councillor to hold the most significant elected Member role within the Council, to be seen as the political head of the Council and to provide a focal point for political leadership and strategic direction for the Council, both within the Authority but also to outside organisations, partners, governmental bodies and the community at large.

Likewise, there are several other roles that involve political leadership and representation of the Council, beyond civic or formal functions and the role of a councillor as Member of the Authority (which are described in Article 2 above) and are set out below.

#### **6.2 Appointment of Leader and Deputy Leader**

- (a) At the Annual Meeting of Council, it will appoint a Leader of the Council who shall act as Chair of the Strategy and Resources Committee.
- (b) At the Annual Meeting of Council, it will appoint a Deputy Leader of the Council who shall act as Vice-Chair of the Strategy and Resources Committee.
- (c) Once appointed, the Leader and the Deputy Leader will hold office until the next Annual Meeting unless he/she: -
  - (i) resigns from the office
  - (ii) is no longer a member of the Council or
  - (iii) is removed from office by resolution of the Council
- (d) The process of appointment is set out in the Council's Standing Orders

#### **6.3 Role and Function of the Leader**

- (a) The Leader shall be:
  - (i) the Chair of the Strategy and Resources Committee.
  - (ii) entitled to attend all meetings of the Council's functional committees in an ex officio capacity.

- (b) The Leader will:
- (i) provide a focal point for political leadership and strategic direction for the Council.
  - (ii) represent the interests of the Council in circumstances where that is necessary; and
  - (iii) ensure effective Corporate Governance and ethical conduct throughout the Council.

#### 6.4 **Key Responsibilities of the Leader**

The Leader will:

- (a) Be the political (rather than ceremonial) leader of the Council, for the benefit of all the District's communities - its residents, taxpayers, businesses, public bodies and other public authorities.
- (b) Represent and pursue the interests of the Council in the community and at international, national and regional levels.
- (c) Be the key contact for outside organisations (including Central Government, Local Authority Associations and Council partners), and internally for the Council's Chief Officers.
- (d) Be the representative voice of the Council, for example, in its dealings with Central Government, other Local Authorities and their Associations, and positively promote the Council as a whole to the media.
- (e) Promote the long-term financial, business and economic stability of the Council and the District.
- (f) Meet regularly to progress the Council's objectives with Committee Chairs, the Chief Officers, Group Leaders, partner organisations, stakeholders, community representatives, government representatives, local Members of Parliament, etc.
- (g) Promote high standards of corporate governance and ethical conduct throughout the Council including working with all political groups to seek to achieve, where possible, cross party co-operation.
- (h) Promote and maintain professional working relationships and mutual respect between all Members and officers.
- (i) Work across the Council, particularly with the Chairs and Vice-Chairs of its Committees and Sub-Committees, and to be responsible for the development and

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implementation of the Council's strategic vision for the future, policy framework, budgets and other strategies.

### **6.5 Role and Function of the Deputy Leader**

- (a) The Deputy Leader shall be the Vice-Chair of the Strategy and Resources Committee
- (b) The Deputy Leader will:
  - (i) assist the Leader of the Council in representing the Council to its residents, stakeholders, and partners and in providing political leadership for the Council and the District.
  - (ii) assist the Leader in carrying out the key responsibilities associated with the role of Leader (as set out at 6.4 above);
  - (iv) work with the Leader and Committee Chairs on budget and policy development; and
  - (v) undertake the responsibilities of the Leader in their absence.

### **6.6 Political Group Leaders**

- (a) Political groups, and the leader (and any deputy group leader) of a political group, have a formal role under the provisions of the Local Government and Housing Act 1989 and The Local Government (Committees and Political Groups) Regulations 1990 in respect of political balance of committees and appointments of the Council.
- (b) The Council acknowledges the key leadership role played by the leaders of all political groups on the Council and the importance of their commitment to cross-party working.
- (c) The role and responsibilities of Political Group Leaders are:
  - (i) To provide the leadership of a political group.
  - (ii) To be the principal political spokesperson for the political group.
  - (iii) To nominate members of their Group to serve on Committees, Working Groups, outside bodies, etc.
  - (iv) To be a representative voice in dealings with government agencies, local authority associations etc.



- (v) To encourage the highest standards of conduct by members of the group and to work with the Monitoring Officer to resolve complaints informally where appropriate.
- (vi) To appoint group spokespersons and allocate other responsibilities to group members as appropriate.
- (vii) To assist in ensuring appropriate levels of attendance are maintained by group members.
- (viii) To encourage a culture of learning and development among members, including the active participation of group members in briefings, seminars and other learning and development processes.
- (ix) To maintain effective liaison with the other group leaders, including being a member of an informal Group Leaders' meeting, attending Group Leaders' briefings and so forth.
- (x) To establish and maintain effective working relationships with the Chief Officers and other senior officers and to meet regularly them in order to keep fully apprised of relevant service issues.

## **ARTICLE 7 – AUDIT COMMITTEE**

- 7.1 The purpose of the Audit Committee is to provide independent assurance to our members of the adequacy of the risk management framework and the internal control environment. The Audit Committee shall work in co-operation with the Council's statutory officers on corporate governance issues. The Audit Committee provides independent review of the Council's governance and is responsible for risk management and control frameworks and oversees the financial management and annual governance processes. It oversees internal and external audit, helping to ensure efficient and effective assurance arrangements are in place.
- 7.2 All Councillors are eligible to be Members of the Audit Committee. The size of the Audit Committee shall be determined from time to time by the Council. The Audit Committee may recommend to Council the appointment of one other person with particular skills that will be useful to the committee as a non-voting co-optee and may co-opt a person, who is not a councillor, to be an independent member of the Audit Committee.
- 7.3 The Council will set up a sub-committee of the Audit Committee called the Standards Sub-Committee which will have responsibility to consider allegations under the Code of Conduct in respect of District, Town and Parish Councils. It will also consider what sanctions, if any, to impose where allegations are found.

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- 7.4 The Standards Sub-Committee will consist of three councillors who are not leaders of political groups, one Independent Person appointed by the Council for that purpose and, where the allegation is against a Town or Parish Councillor, one Town or Parish Councillor within Stroud District

### **ARTICLE 8 – STATUTORY, REGULATORY AND OTHER COMMITTEES**

#### **8.1 Background to Committees**

- (a) **Power to appoint** - Unless legislation directs otherwise, the Council may appoint a committee or sub-committee of the authority, or the Council with one or more other local authorities may appoint a joint committee of those authorities, and any such committee may appoint one or more sub-committees, for the discharge of any of the Council's functions.
- (b) **Form and functions** - The law requires that certain committees must be established and must operate in a particular manner. Those and other committees, where established, are required by law to discharge particular functions and to discharge their functions in particular ways. Council is otherwise free to decide on the size, terms of reference and level of delegation of each committee or sub-committee it establishes. The Council will establish a number of standing committees in order to undertake its functions in a more efficient way or as required. The Committees are grouped accordingly.
- (c) **Statutory, Regulatory and Other Committees** - These committees regulate the conduct of the Council's business and make decisions in relation to regulatory, administrative and corporate governance matters. A summary of the functions of each Committee is shown below. The detailed terms of reference, functions and powers delegated to each of these committees are more particularly set out in Part 3.

#### **8.2 Statutory Committees**

The Council is obliged to establish the following standing Statutory Committees. A summary of the functions of each Committee is shown in the third column of the table below. The detailed terms of reference, functions and powers delegated to each of these committees are more particularly set out in Part 3B – Responsibility for Functions: Committees of Council.

<i>Function</i>	<i>Name of Parent Committee</i>	<i>Summary of Purpose</i>
<b>Licensing Act Committee</b>	Community Services and Licensing Committee (See 8.4 below)	This statutory committee is established under the Licensing Act 2003, responsible for discharging the Council's functions as licensing authority under the Licensing Act 2003 and Gambling Act 2005
	Licensing Sub Committee	This Sub-Committees meets to consider individual applications and determinations

### 8.3 Regulatory Committees

The Council has currently agreed to establish the following standing Regulatory Committees. A summary of the functions of each Committee is shown in the third column of the table below. The detailed terms of reference, functions and powers delegated to each of these committees are more particularly set out in Part 3

<i>Name of Committee</i>	<i>Name of Sub-Committee</i>	<i>Summary of Purpose</i>
<b>Development Control Committee (Planning)</b>		This committee is responsible for making decisions on planning applications and similar regulatory matters including public rights of way

### 8.4 Other Committees

The Council has currently agreed to establish the following standing Other Committees. A summary of the functions of each Committee is shown in the third column of the table below. The detailed terms of reference, functions and powers delegated to each of these committees are more particularly set out in Part 3.

<i>Name of Committee</i>	<i>Name of Sub-Committee</i>	<i>Summary of Purpose</i>
<b>Strategy and Resources</b>		This is the 'executive' committee of the Council and consists of the Leader and Deputy Leader of the Council, the leader of all political groups and the Chairs of Community Services & Licensing, Housing Committees. It has responsibility for: <ul style="list-style-type: none"> <li>• Resources and finance including the development of budget recommendations to Council.</li> </ul>

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<i>Name of Committee</i>	<i>Name of Sub-Committee</i>	<i>Summary of Purpose</i>
		<ul style="list-style-type: none"> <li>• Liaison with external partners.</li> <li>• Economic development.</li> <li>• Asset management;</li> <li>• Jobs and growth;</li> <li>• Functions in relation pay policy and senior appointments and remuneration</li> </ul>
<b>Audit Committee</b>		This Committee is responsible for discharging the Council's function to review and approve the annual statement of accounts and to provide independent assurance of the adequacy of the risk management framework and the associated control environment.
	A Standards Sub Committee – needs to be established	This Sub-Committee considers individual allegations of a failure to observe the members Code of Conduct
<b>Environment Committee</b>		<p>This Committee is responsible for all matters relating to the following broad areas</p> <ul style="list-style-type: none"> <li>• Strategic planning of the Local Plan;</li> <li>• Statutory Building Control;</li> <li>• Matters requiring member decisions relating to public rights of way, traffic orders, street lighting, street naming and numbering and dangerous land (as defined in the Highways Act 1980);</li> <li>• Waste and recycling;</li> <li>• Environmental health;</li> <li>• Canal;</li> <li>• Carbon management</li> </ul>
<b>Housing Committee</b>		This committee is responsible for public and private housing issues relating to the Council's statutory roles and development of Housing Policy.

<i>Name of Committee</i>	<i>Name of Sub-Committee</i>	<i>Summary of Purpose</i>
<p><b>Community Services and Licensing Committee</b></p>		<p>The broad portfolio of the committee covers the following functions with the exception of those matters delegated to officers.</p> <ul style="list-style-type: none"> <li>• Licensing</li> <li>• Community Safety</li> <li>• Cultural Services</li> <li>• Public Spaces</li> <li>• Revenues and Benefits</li> <li>• Health &amp; Wellbeing</li> <li>• To undertake the statutory scrutiny function of the Stroud District Community Safety Partnership.</li> </ul> <p>In respect to its key function of licensing, the committee has responsibility for:</p> <ul style="list-style-type: none"> <li>• All the licensing functions of the Council including the power to hear and determine on behalf of the Council, any appeal by any person aggrieved by a decision of an officer where the initial right of appeal is to the Council through a Licensing Panel.</li> <li>• To consider and recommend to Council on all matters concerning licensing.</li> </ul>

## **ARTICLE 9 – COMMITTEE CHAIRS, VICE-CHAIRS ROLE AND RESPONSIBILITIES**

### **9.1 Introduction**

Some formal powers are vested in the Chair of a committee under the Local Government Act 1972 and a number of powers lie with the Chair under the Council's Standing Orders or the common law, all in relation to the calling of a meeting and the procedure during it. In practice, however, the chairs of committees in a local authority bear a wider responsibility of influence and undertake a wider leadership role on behalf of their committee's remit. The Committee Chair is widely seen as the political focal

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point for the functions of the committee, the services they deliver and the business of the committee as a whole.

#### 9.2 **Appointment of Committee Chairs and Vice-Chairs**

- (a) The Annual Meeting of the Council will agree the appointment of members to committees and the appointment of Chairs and Vice-Chairs to such committees as are provided for, unless the Council decides in any instance not to do so, in which case the chair is appointed at the first meeting of a committee in the municipal year.
- (b) The appointment of a Member as Chair of a Committee shall not take effect unless and until that Member has undergone such training as may be determined by the Council (in the absence of which shall be such training as may be determined by the Monitoring Officer).
- (c) The process of appointment is set out in the Council's Standing Orders.

#### 9.3 **Role and Function of Committee Chairs**

- (a) The Chair of a Committee shall:
  - (i) lead the work of the committee and make sure it carries out its business effectively and efficiently, lawfully and within its terms of reference;
  - (ii) chair meetings of the committee impartially and in such a way as to facilitate open discussion, obtain valid contributions from members and produce sound decisions;
  - (iii) assist the public and press in terms of their rights of access; and
  - (iv) ensure respectful engagement between the committee, its officers, guests and the public and maintain ethical conduct throughout the meeting.
- (b) The Chair of a Committee will:
  - (i) lead an agenda management process for the Committee in association with the Vice-Chair and Group Spokespersons; and
  - (ii) act as consultee and spokesperson for their Committee in instances of exercise of delegated authority by an officer, where that delegation is subject to being in consultation with the Chair of the Committee or where otherwise requested by a Chief Officer.

#### 9.4 **Key Responsibilities of Committee Chairs**

(a) The Chair of a Committee will undertake:

- (i) To have a working knowledge of the functions, policies, practices, procedures, services and budgets of the Committee which they chair.
- (ii) To lead in the development of the work of the Committee which they chair in association with the Vice-Chair and Group Spokespersons, including the agenda management process, also taking into account the wider vision, such as corporate, cross-service and partnership issues.
- (iii) To lead in consideration and review of service delivery, policy development and in the implementation of policies approved by the Council where these relate to the Committee which they chair.
- (iv) To be the Council's lead spokesperson in respect of the Committee's activities and act in liaison with the Leader and Deputy Leader in matters of Council policy.
- (v) To establish effective working relationships with the Group Spokespersons on the Committee and with other Committee Chairs and the Leader and Deputy Leader of the Council.
- (vi) To establish effective working relationships with the Chief Officers, and other key officers.
- (vii) To represent and pursue the interests of the Committee which they chair in the community and at regional and national levels .
- (viii) To ensure that meetings of the Committee which they chair are properly conducted and reports of proceedings are forwarded on as necessary, for example to full Council.
- (ix) To promote and uphold high standards of ethical conduct by the Council's Members and officers.

#### 9.5 **Role and Responsibilities of Committee Vice-Chairs**

The Vice Chair will:

- (a) assist the Chair in carrying out their role and responsibilities as set out at 9.3 and 9.4 above; and
- (b) undertake the responsibilities of the Chair in their absence.

## ARTICLE 10 – JOINT ARRANGEMENTS

### 10.1 Arrangements to Promote Wellbeing

The Council, in order to take the reasonable action needed ‘for the benefit of the authority, its area or persons resident or present in its area’ may:

- (a) enter into arrangements or agreements with any person or body;
- (b) co-operate with, or facilitate or co-ordinate the activities of, any person or body; or
- (c) exercise on behalf of that person or body any functions of that person or body.

### 10.2 Joint Arrangements

The Council may establish joint arrangements with one or more local authorities to exercise functions and any such arrangements may involve the appointment of a joint committee with these other local authorities.

### 10.3 Access to Information

The Access to Information Procedure Rules in Part 4 of this Constitution apply.

### 10.4 Delegation to and from other Local Authorities

- (a) The Council may delegate functions to another local authority.
- (b) Other local authorities may delegate functions to the Council and the decision whether or not to accept such a delegation from another local authority shall be reserved to the relevant Committee of Council.

## ARTICLE 11 – OFFICERS

### 11.1 Management Structure

- (a) **General** - The Council engages such staff (referred to as officers) as it considers necessary to carry out its functions.
- (b) **Chief Officers** - The full Council will engage persons who will be designated chief officers and deputy chief officers (referred to as executive directors and assistant directors). Chief Officer appointments are made by Members of the Council in



accordance with the Officer Employment Procedure Rules set out at Part 4(7), which shall include:

- (i) the statutory chief officers, being the Head of Paid Service - known as the Chief Executive, Chief Finance (s.151) Officer, Monitoring Officer, and
- (ii) such other chief officers and deputy chief officers as are considered necessary by the authority for the co-ordination and discharge of its different functions.

(c) **Structure** - The Chief Executive will determine and publicise a description of the overall directorate structure of the Council, showing the management structure and deployment of officers. This is set out in Part 7 of this Constitution.

## 11.2 Functions of Chief Officers – known as Strategic Directors

(a) **Definition** – For these and all other purposes, a Chief Officer of the Council is defined in Part 1 of the Localism Act 2011 and includes each of the following—

- (i) the head of its paid service designated under section 4(1) of the Local Government and Housing Act 1989
- (ii) its monitoring officer designated under section 5(1) of that Act
- (iii) a statutory chief officer mentioned in section 2(6) of that Act
- (iv) a non-statutory chief officer mentioned in section 2(7) of that Act and
- (v) a deputy chief officer mentioned in section 2(8) of that Act

each of whom will be subject to specific duties in respect of the legislation related to their post, some of which are described further below.

(b) **General Role** - Strategic Directors are the Authority's most senior post-holders who are responsible for the day-to-day managerial and operational decisions within the Council and provide support to all Members in their several roles. The generic role of Strategic Directors is to:

- (i) to support and advise the Council and its Committees on policy and service delivery in order that Members' decisions are based on appropriate advice and information that is both legally and financially sound;
- (ii) to ensure that the policies and decisions of the Council are formulated and implemented effectively and efficiently;
- (iii) to provide strong managerial leadership and direction, foster cross directorate working and implement organisational improvement;

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- (iv) to set high standards and drive up the performance, effectiveness and reputation of the Council;
- (v) to work with outside bodies and access additional funds and resources in order to support the Council's programmes of work;
- (vi) to recruit, develop, motivate and inspire staff; and
- (vii) to ensure that the Council's staff work in an ethical environment in accordance with the Council's Officer Code of Conduct and the principles of public life (sometimes referred to as the Nolan principles).

### 11.3 Statutory Officers

(a) The Council will designate the following posts as shown:

<i>Post</i>	<i>Designation</i>	<i>Legislation</i>
Chief Executive	Head of Paid Service	Section 4, Local Government and Housing Act 1989
Monitoring Officer	Monitoring Officer	Section 5, Local Government and Housing Act 1989
Strategic Director of Resources	Chief Finance (s.151) Officer	Section 151, Local Government Act 1972 & s.114 Local Government Finance Act 1988

Such posts will have the functions described below

#### (b) Functions of the Head of Paid Service

- (i) **Discharge of functions by the Council** - The Head of Paid Service where he or she considers it appropriate to do so will report to the authority on:
  - (1) the manner in which the discharge of the Council's functions is co-ordinated
  - (2) the number and grade of officers required for the discharge of functions
  - (3) the organisation of officers and
  - (4) the appointment and proper management of the authority's staff.in accordance with section 4 of the Local Government and Housing Act 1989

- (ii) **Restrictions on functions** - The Head of Paid Service may not be the Monitoring Officer but may hold the post of Chief Finance Officer if a qualified accountant.

**(c) Functions of the Monitoring Officer**

- (i) **Maintaining the Constitution** - The Monitoring Officer will maintain an up-to-date version of the Constitution and will ensure that it is widely available for inspection by Members, officers and the public.
- (ii) **Ensuring lawfulness and fairness of decision making** - After consulting with the Head of Paid Service and Chief Finance Officer, the Monitoring Officer will report to the Full Council, or to any relevant committee, if he or she considers that any proposal, decision or omission would give, is likely to give, or has given, rise to a contravention of any enactment or rule of law, or any maladministration. Such a report has the effect of stopping the proposal or decision being implemented until the report has been considered.
- (iii) **Supporting the authority's duty to promote and maintain high standards of conduct** - The Monitoring Officer will contribute to the promotion and maintenance of high standards of conduct through provision of support to the Committee with responsibility for standards. The Monitoring Officer will establish and maintain the Register of Members' Interests and ensure it is kept up to date and made publicly available.
- (iv) **Conducting Investigations** - The Monitoring Officer will conduct, or arrange to have conducted, investigations in relation to allegations that member or co-opted member of the authority has failed to comply with the Members' Code of Conduct and in relation to public interest disclosures (whistleblowing) complaints in accordance with the authority's adopted procedures, policies and protocols.
- (v) **Proper Officer for Access to Information** - The Monitoring Officer will ensure that the decisions of Council and its committees, together with the reasons for those decisions and relevant officer reports and background papers are made publicly available as soon as possible.
- (v) **Contributing to corporate management** - The Monitoring Officer will contribute to the corporate management of the Council, in particular through the provision of professional administrative legal advice.
- (vi) **Providing advice** - The Monitoring Officer will provide advice on issues concerning the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and whether decisions made

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under delegated authority are in accordance with the terms of delegation established by the Council (the Budget and Policy Framework) to all Members and will support and advise Members and officers in their respective roles.

- (vii) **Personal duty** - The duties of the Monitoring Officer under Section 5 of the Local Government and Housing Act 1989 shall be performed by him or her personally or, where he or she is unable to act owing to absence or illness, personally by such member of his or her staff as have for the time being been nominated by the monitoring officer as his or her deputy for the purposes of this legislation.
- (viii) **Restrictions on functions** - The Monitoring Officer may not hold the post of Head of Paid Service nor the post of Chief Finance Officer.
- (ix) **Monitoring Officer Protocol** - Set out at Part 5(9) of this Constitution is a protocol which explains the role and function of the Monitoring Officer and the arrangements established for ensuring the role is effectively carried out.

#### (d) **Functions of the Chief Finance Officer**

- (i) **Ensuring lawfulness and financial prudence of decision making** - After consulting with the Head of Paid Service and Monitoring Officer, the Chief Finance Officer will report to the Full Council, or to any relevant committee, and to the Council's external auditor if he or she considers that any proposal, decision or course of action will involve incurring unlawful expenditure, or is unlawful and is likely to cause a loss or deficiency, or if the Council is about to enter an item of account unlawfully.
- (ii) **Administration of financial affairs** - The Chief Finance Officer will have responsibility for the proper administration of the financial affairs of the Council.
- (iii) **Public financial information** - The Chief Finance Officer will provide financial information about the Council to Members of the Council, the media, members of the public and the community.
- (iv) **Internal Audit** - The Chief Finance Officer will ensure there is maintained an adequate and effective internal audit function.
- (v) **Contributing to corporate management** - The Chief Finance Officer will contribute to the corporate management of the Council, in particular through the provision of professional financial advice.

- (vi) **Providing advice** - The Chief Finance Officer will provide advice on issues concerning the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and whether decisions made under delegated authority are in accordance with the terms of delegation established by the Council (the Budget and Policy Framework) to all Members and will support and advise Members and officers in their respective roles.
- (vii) **Personal duty** - The duties of the Chief Finance Officer under Section 114 of the Local Government Finance Act 1988 shall be performed by him or her personally or, where he or she is unable to act owing to absence or illness, personally by such member of his or her staff as have for the time being been nominated by the chief finance officer for these purposes under sub-section 114(6) of that Act.
- (viii) **Restrictions on functions** - The Chief Finance Officer may not hold the post of Monitoring officer and should not hold the post of Head of Paid Service.

(e) **Duty to provide sufficient resources**

The Council is under a duty to provide the Head of Paid Service, the Monitoring Officer and the Chief Finance Officer with such staff, accommodation and other resources as are, in that officer's opinion, sufficient to allow their respective legal duties (as described above) to be performed.

11.4 **Conduct**

Officers will comply with the Officers' Code of Conduct and the Protocol on Member and Officer Relations set out in Part 5 of this Constitution

11.5 **Employment**

The recruitment, selection and dismissal of officers will comply with the Officer Employment Procedure Rules set out in Part 4(7) of this Constitution.

**ARTICLE 12 – DECISION MAKING**

12.1 **Responsibility for Decision Making**

The Council will issue and keep up to date a record of what part of the Council or individual has responsibility for particular types of decisions or decisions relating to particular areas or functions. This record is set out in Part 3 of this Constitution.

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### 12.2 Principles of Decision Making

All decisions of the Council shall be made in accordance with the following principles:

- (i) Actions should be proportionate to the desired outcome.
- (ii) Appropriate consultation will be carried out and decisions will take account of its results
- (iii) Decisions will be taken following receipt of due professional advice from officers.
- (iii) Decisions will reflect the spirit and requirements of Human Rights legislation.
- (iv) A presumption in favour of openness.
- (v) Decisions will be clear about what they aim to achieve and the results that can be expected
- (vi) Decisions will seek to be sound in terms of Wednesbury reasonableness (i.e. the decision shall not be so unreasonable that no reasonable Council could have reached it, having taken into account all relevant considerations, and having ignored irrelevant considerations).

### 12.3 Decision Making

Subject to Article 12.4 below, the procedure for decision making will follow at or by:

- (a) **Full Council.** Meetings of the Full Council are to follow the Council Standing Orders set out at part 4(1) of this Constitution, except where non-mandatory standing orders are waived by resolution and will follow the applicable procedure rules contained elsewhere within Part 4 of this Constitution.
- (b) **Other Council Committees** – All Committees will follow those parts of the Council Standing Orders and rules of procedure that apply to them set out at Part 4 of this Constitution
- (d) **Officers** – Decisions made by officers shall adhere to the principles set out at 12.2 above and, in relation to the taking of a decision that, would otherwise have been taken by the Full Council, a committee or sub-committee of the Council, but has been delegated to an officer either—
  - (i) under a specific express authorisation; or

- (ii) under a general authorisation to officers to take such decisions and, the effect of the decision is to:
  - (1) grant a permission or licence;
  - (2) affect the rights of an individual; or
  - (3) award a contract or incur expenditure which, in either case, materially affects that relevant local government body's financial position, which is taken to mean expenditure in excess of **£100,000**.

A written record must be produced as soon as reasonably practicable after the decision-making officer has made the decision (called an officer decision notice)

#### 12.4 **Decision Making by Council Bodies Acting as Tribunals**

- (a) **Fair Hearing** - The Council, a Councillor or an officer acting as a tribunal or in a quasi-judicial manner or determining/considering (other than for the purposes of giving advice) the civil rights and obligations or the criminal responsibility of any person shall follow a proper procedure which accords with the requirements of natural justice and the right to a fair trial contained in Article 6 of the European Convention on Human Rights.
- (b) **Decision making in private** - Subject to any statutory rules or procedures detailed elsewhere in the Constitution, a body acting as a tribunal is permitted, when all evidence has been submitted and speakers (if any) have finished, will hold discussion in the presence of the speakers and, as appropriate and in compliance with the Access to Information Procedure Rules (Part 4(2)), the public and press, and the decision making may thereafter be taken in private adjournment. Decisions will then normally be announced to those present and remaining post-adjournment, at least in summary form, before a decision is issued in writing.

### **ARTICLE 13 – FINANCE, CONTRACTS AND LEGAL MATTERS**

#### 13.1 **Financial management**

The management of the Council's financial affairs will be conducted in accordance with the Financial Regulations set out in Part 4(6) of this Constitution.

#### 13.2 **Contracts**

Every contract made by the Council will comply with the Contracts Procedure Rules set out in this Constitution.

### 13.3 Legal proceedings

Unless delegated to Tewkesbury Council (One Legal) The Monitoring Officer, or in their absence or acting under delegated authority, the Deputy Monitoring Officer, is authorised to institute, defend or participate in any legal proceedings in any case where such action is necessary to give effect to decisions of the Council or in any case where he or she considers that such action is necessary to protect the Council's interests.

### 13.4 Authentication of documents

Where any document is necessary to any legal procedure or proceedings on behalf of the Council, it will be signed by the Monitoring Officer, or other person authorised by him/her, unless any enactment otherwise authorises or requires, or the Council has given requisite authority to some other person.

Any contract with a value exceeding the amount as specified in the Contract Standing Orders is entered into on behalf of the local authority shall be made in writing. Such contracts must either be signed by at least two officers of the authority or made under the common seal of the council attested by at least one officer.

### 13.5 Common Seal of the Council

The Common Seal of the Council will be kept in a safe place in the custody of the Monitoring Officer. A decision of the Council, or of any part of it, will be sufficient authority for sealing any document necessary to give effect to the decision. The Common Seal will be affixed to those documents which in the opinion of the Monitoring Officer should be sealed. The affixing of the Common Seal will be attested by the Monitoring Officer or some other person authorised by him/her.

## **ARTICLE 14 – REVIEW AND REVISION OF THE CONSTITUTION**

### 14.1 Duty to Monitor and Review the Constitution

The Constitution Working Group set up by Strategy and Resources Committee and the Monitoring Officer shall monitor and review the operation of the Constitution to ensure that the aims and principles of the Constitution are given full effect.



## 14.2 Protocol for Monitoring and Review of Constitution by Monitoring Officer

A key role for the Monitoring Officer is to be aware of the strengths and weaknesses of the Constitution adopted by the Council, and to make recommendations for ways in which it could be amended in order better to achieve the purposes set out in Article 1. In undertaking this task, the Monitoring Officer may:

- (a) Observe meetings of different parts of the member and officer structure
- (b) Undertake an audit trail of a sample of decisions
- (c) Record and analyse issues raised with him/her by Members, officers, the public and other relevant stakeholders and
- (d) Compare practices in this authority with those in other comparable authorities, or national examples of best practice.

## 14.3 Changes to the Constitution

(a) **Approval.** Changes to this Constitution will only be approved by the Full Council after consideration of the proposal by the Constitution Committee following receipt of a written report of the Monitoring Officer, except that:

- (i) changes to the Articles of this Constitution will only take effect from the meeting of Council following the meeting that determines the approval (unless legal advice is received from the Monitoring Officer requiring earlier implementation); and
- (ii) minor and consequential changes, such as those:
  - (1) to factual references
  - (2) as are required by legislative or legal changes and developments
  - (3) to reflect changes in procedures and protocols adopted by Committees; and
  - (4) to reflect revised arrangements for the distribution of responsibilities and the delegation of powers to officers in accordance with decisions taken by the appropriate committee or chief officer authorised to take such action

may be made by the Monitoring Officer.

(b) **Change from a Committee form of governance to an executive or alternative form of governance, or vice versa.** The Council must take reasonable steps to consult with local electors and other interested persons in the area when drawing up proposals.

## **ARTICLE 15 – SUSPENSION, INTERPRETATION AND PUBLICATION OF THE CONSTITUTION**

### **15.1 Suspension of the Constitution**

- (a) **Limit to Suspension** - The Articles of this Constitution may not be suspended. The rules of the Council contained in Part 4 may be suspended by the Full Council to the extent permitted within those Rules and the law.
- (b) **Procedure to Suspend** - A motion to suspend any rules will not be moved without notice unless at least one half of the whole number of serving Councillors is present. The extent and duration of suspension will be proportionate to the result to be achieved, taking account of the purposes of the Constitution set out in Article 1.

### **15.2 Interpretation**

The ruling of the Chair of Council as to the construction or application of this Constitution or as to any proceedings of the Council shall not be challenged at any meeting of the Council. Such interpretation will have regard to the purposes of this Constitution contained in Article 1.

### **15.3 Publication**

- (a) **Members** - The Monitoring Officer will ensure that the Constitution is brought to the attention of each Member upon delivery to him/her of their individual's declaration of acceptance of office on first being elected to the Council and shall also provide a printed copy to that Member upon request.
- (b) **Public and press** - The Monitoring Officer will ensure that the Constitution will be available electronically on the Council's website and that copies can be purchased by members of the local press and the public on payment of a reasonable fee

## **Parental Leave Policy for Members**

### **1. Aim of the Policy**

- 1.2 This policy sets out members' entitlements to maternity, paternity, shared parental and adoption leave and relevant allowances.
- 1.3 The objective of the policy is to provide a positive environment for members with family responsibilities so that our cross-section of members are representative of our community. The policy will contribute towards increasing the diversity of experience, age and background of elected members. It will also assist with retaining experienced members and making public office more accessible to individuals who might otherwise feel excluded from it.

### **2. Leave Provisions of the Policy**

- 2.1 Members giving birth are entitled to up to 6 months maternity leave from the due date, with the option to extend up to 52 weeks by agreement if required
- 2.2 In addition, where the birth is premature, the Member is entitled to take leave during the period between the date of the birth and the due date in addition to the 6 months' period. In such cases any leave taken to cover prematurity of 28 days or less shall be deducted from any extension beyond the initial 6 months.
- 2.3 In exceptional circumstances, and only in cases of prematurity of 29 days or more, additional leave may be taken by agreement, and such exceptional leave shall not be deducted from the total 52 week entitlement.
- 2.4 Members shall be entitled to take a maximum of 2 weeks paternity leave if they are the biological father or nominated carer of their partner/spouse following the birth of their child(ren). During this period Members will continue to receive their basic allowance and any special responsibility allowances without deduction.
- 2.5 A Member who has made Shared Parental Leave arrangements through their employment is requested to advise the Council of these at the earliest possible opportunity. Every effort will be made to replicate such arrangements in terms of leave from Council.
- 2.6 Where both parents are Members leave may be shared up to a maximum of 24 weeks for the first six months and 26 weeks for any leave agreed thereafter, up to a maximum of 52 weeks. Special and exceptional arrangements may be made in cases of prematurity.
- 2.7 A Member who adopts a child through an approved adoption agency shall be entitled to take up to six months adoption leave from the date of placement, with the option to extend up to 52 weeks by agreement if required.

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## Appendix B

- 2.8 Any Member who takes maternity, shared parental or adoption leave retains their legal duty under the Local Government Act 1972 to attend a meeting of the Council within a six month period unless the Council Meeting agrees to an extended leave of absence prior to the expiration of that six month period.
- 2.9 Any Member intending to take maternity, paternity, shared parental or adoption leave will be responsible for ensuring that they comply with the relevant notice requirements of the Council, both in terms of the point at which the leave starts and the point at which they return.
- 2.10 Any member taking leave should ensure that they respond to reasonable requests for information as promptly as possible, and that they keep officers and colleagues informed and updated in relation to intended dates of return and requests for extension of leave.
- 2.11 Absences from Council meetings during any period of Parental Leave will be noted as such, rather than being attributed to general absence.

### **3. Basic Allowance & Special Responsibility Allowance During Parental Leave**

- 3.1 All Members shall continue to receive their Basic Allowance in full whilst on maternity, paternity or adoption leave.
- 3.2 Members entitled to a Special Responsibility Allowance shall continue to receive their allowance in full in the case of maternity, paternity, shared parental or adoption leave.
- 3.3 Where a replacement is appointed to cover the period of absence that person shall receive an SRA on a pro rata basis for the period of the temporary appointment.
- 3.4 The payment of Special Responsibility Allowances, whether to the primary SRA holder or a replacement, during a period of maternity, paternity, shared parental or adoption leave shall continue for a period of six months, or until the date of the next Annual Meeting of the Council, or until the date when the member taking leave is up for election (whichever is soonest). At such a point, the position will be reviewed, and will be subject to a possible extension for a further six month period.
- 3.5 Should a Member appointed to replace the member on maternity, paternity, shared parental or adoption leave already hold a remunerated position, the ordinary rules relating to payment of more than one Special Responsibility Allowances shall apply.
- 3.6 Unless the Member taking leave is removed from their post at an Annual General Meeting of the Council whilst on leave, or unless the Party to which they belong loses control of the Council during their leave period, they shall return at the end of their leave period to the same post, or to an alternative

post with equivalent status and remuneration which they held before the leave began.

#### **4. Resigning from Office and Elections**

- 4.1 If a Member decides not to return at the end of their maternity, paternity, shared parental or adoption leave they must notify the Council at the earliest possible opportunity. All allowances will cease from the effective resignation date.
- 4.2 If an election is held during the Member's maternity, paternity, shared parental or adoption leave and they are not re-elected, or decide not to stand for re-election, their basic allowance and SRA if appropriate will cease from the Monday after the election date when they would technically leave office.

#### **5. Ward Duties**

- 5.1 Members who take parental leave will be able to nominate another member to deal with local issues in their Ward. It will be the responsibility of the member to hold discussions with their preferred nomination to arrange this. Where this hasn't been possible, the member taking parental leave will need to raise this with their Political Group Leader.
- 5.2 Where a member has limited alternatives to nominate due to low political representation, the Leader will decide with the member the most appropriate way in which their ward duties can be covered.
- 5.3 Members are responsible for putting an out of office message redirecting queries to a designated member. However, if they still wish to respond to emails/correspondence whilst taking parental leave, they are at liberty to undertake this activity.

#### **6. Parental Bereavement Leave**

- 6.1 The Parental Leave and Pay Act will give all employed parents a day-one right to two weeks leave if they lose a child under the age of 18 or suffer a stillbirth from 24 weeks' pregnancy from April 2020. This right is extended to elected members.

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**COUNCIL PROCEDURE RULES**

These procedure rules apply to meetings of the full Council (when all members attend as voting members) and committee meetings; and states any exceptions which apply to some of these rules for certain meetings.

# Agenda Item 10

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### PROCEDURE RULES APPLYING TO ALL MEETINGS (unless otherwise specified under the exceptions below)

#### 1. EXCEPTIONS OF RULES TO CERTAIN MEETINGS

##### Meetings

##### Exceptions

Audit and Standards  
Committee

No motions  
No limit on number of questions from  
members  
No restriction on the number of times a  
member can speak during debate

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Development Control  
Committee

No restriction on length of meeting  
No written questions or motions  
Public speaking permitted on the  
planning schedule in accordance with  
operational details agreed between the  
Head of Planning and the Chair of  
Development Control Committee  
No limit on number of questions from  
members  
No restriction on the number of times a  
member can speak during debate

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Service Committees

No limit on number of questions from  
members

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Licensing Panel

No restriction on the number of times a  
member can speak during debate  
No Public/Member Questions  
No Motions

#### FULL COUNCIL MEETINGS



There are four types of Council meeting:

- Annual Meeting
- Ordinary meetings
- Extraordinary meetings
- Budget and Council Tax Setting meetings

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## 2. ANNUAL MEETING

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In a year when there is an ordinary election of councillors, the annual meeting will take place within 21 days immediately following the day of retirement of the Councillors. In any other year, the annual meeting will take place on such date in May as the Council may fix.

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¶ in a year of ordinary elections of councillors to the council, on the eighth day after the day of retirement of councillors or such other day within the twenty-one days immediately following the day of retirement as the council may fix; ¶

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### 2.2 At the annual meeting the Council will:

- (a) Elect the Chair of Council
- (b) Elect the Vice-Chair of Council
- (c) Elect a person to preside if the Chair and Vice-Chair of Council are not present;
- (d) In an election year, receive a report on the outcome of District elections
- (e) Elect the Leader of the Council (Chair of Strategy & Resources)
- (f) Elect the Deputy Leader of the Council (Vice Chair of Strategy & Resources)
- (g) Receive any declarations of interest from Members
- (h) Approve the Minutes of the last meeting
- (i) Receive any announcements from the Chair of Council and / or the Chief Executive
- (j) Agree any changes to and affirm the Constitution
- (k) Appoint to committees, in that the annual meeting will:
  - appoint such committees as are required or the Council considers appropriate for the municipal year (noting that Council may decide at subsequent meetings to dissolve committees, alter their terms of reference or to appoint new committees).
  - decide the allocation of seats to political groups in accordance with the rules on political balance
  - receive nominations of Members to serve on each committee
  - appoint to those committees (except where appointment to those bodies has been delegated by the Council)
  - appoint the Chairs and Vice-Chairs of those Committees.
- (l) appoint Members to such panels, advisory committees, working parties and miscellaneous other bodies and appoint Members (and/or other

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# Agenda Item 10

## Appendix C

individuals) to outside bodies and organisations, unless otherwise delegated; and

- (m) Agree the initial proposals for municipal diary of meetings for the year (if not previously approved by Council at an ordinary meeting)
- (n) Receive details of the civic fund expenditure for the previous municipal year
- (o) Consider any business set out in the notice convening the meeting.

Unless otherwise determined by statute, the Chair may vary the order of the agenda at his/her absolute discretion and may allocate or reallocate an appropriate time for the transaction of each item.

### 3. ORDINARY MEETINGS

Ordinary meetings of the Council will take place in accordance with a programme decided by the Council and will:

- (a) Elect a person to preside if the Chair and Vice-Chair are not present
- (b) Receive any declarations of interest from Members
- (c) Approve the Minutes of the last meeting(s) of Council
- (d) Receive any announcements from the Chair, Leader, or the Chief Executive
- (e) Receive questions from, and provide answers to the public in relation to matters which in the opinion of the Chair at the meeting are relevant to the business of the Council in accordance with Standing Order 11 below
- (f) Receive any reports from the Council's Committees for consideration and receive questions and answers on any of those reports
- (g) Receive questions on notice from, and provide answers to, Members in accordance with Standing Order 12 below.
- (h) Consider motions on notice in accordance with Standing Order 13
- (i) Consider any other business specified in the summons to the meeting.

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### 4. BUDGET AND COUNCIL TAX SETTING MEETINGS

A Budget Meeting of the Council will take place in accordance with a programme decided by the Council and will:

- (a) Elect a person to preside if the Chair and Vice-Chair are not present
- (b) Receive any declarations of interest from Members
- (c) Set the Budget and any other financial matters as advised by the Section 151 Officer.
- (d) Receive any budget reports from Committees
- (e) The business to be conducted at a budget and council tax setting meeting shall be restricted to reports of a financial nature and there shall

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be no consideration of motions, questions etc. except that the Chair (or person presiding) may at his or her absolute discretion permit other items of business to be conducted for the efficient discharge of the Council's business.

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## 5. EXTRAORDINARY MEETINGS

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### 5.1 Calling extraordinary meetings.

Those listed below may convene extraordinary Council meetings in addition to ordinary meetings:

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- (a) the Council by resolution
- (b) the Chair of the Council
- (c) the Chief Executive, Monitoring Officer or Chief Financial Officer; or
- (d) any five Members of the Council if they have signed a requisition presented to the Chair of the Council and s/he has refused to call a meeting or has failed to call a meeting within seven days of the presentation of the requisition.

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5.2 The business to be conducted at an extraordinary meeting shall be restricted to the item of business contained in the request for the extraordinary meeting and there shall be no consideration of previous minutes, motions, questions or reports from committees etc. except that the Chair (or person presiding) may at his or her absolute discretion permit other items of business to be conducted for the efficient discharge of the Council's business.

### 5.3 At extraordinary meetings the Council will:

- (a) Elect a person to preside if the Chair and Vice-Chair are not present
- (b) Receive any declarations of interest from Members
- (c) Receive a report about the subject of the extraordinary meeting.

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## 6. TIME AND PLACE OF MEETINGS

The time and place of meeting will be determined by the Chief Executive and notified in the summons.

**Deleted:** 3. NOTICE OF AND SUMMONS TO MEETINGS 3.1 The Chief Executive will give notice to the public of the time and place of any meeting. 3.2 At least five clear working days before a meeting, the Chief Executive will send a summons to every Member of the Council or the Committee.¶

## 7. NOTICE OF AND SUMMONS TO MEETINGS

The Chief Executive will give notice to the public of the time and place of any meeting in accordance with the Access to Information Rules. At least five clear working days before a meeting, the proper officer will send a signed

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summons to every member of the Council. The summons will normally be sent via electronic means. The summons will give the date, time and place of each meeting and specify the business to be transacted at the meeting (the agenda) together with accompanying reports.

### 8. CHAIR OF MEETING

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

8.1 Members can only speak when invited by the Chair and must stop speaking if directed by the Chair.

8.2 The Chair of the meeting may allow urgent items which have arisen since the dispatch of the agenda in consultation with the Council's Monitoring Officer. The reason for urgency must be explained to the meeting and recorded in the minutes.

### 9. QUORUM

9.1 The quorum for meetings of the Council and its committees shall be 50% of the total membership of each of those bodies. For the avoidance of doubt when calculating the quorum any fractional figures will be rounded up.

9.2 The quorum for any Licensing Panel of the Community Services and Licensing Committee consisting of three Members shall be 100%.

9.3 If at the end of 15 minutes after the time at which any meeting of the Council is scheduled to start or at any later point during any meeting, the Chair declares that there is not a quorum present, the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the Chair. If s/he does not fix a date, the remaining business will be considered at the next ordinary meeting. If there is any urgent business requiring decision the matter should be referred to the Chief Executive.

### 10. DURATION OF MEETING

**(This rule does not apply to meetings of a quasi-judicial or regulatory nature)**

The Chair may adjourn the meeting at any point but will in any event adjourn the meeting for a period of ten minutes at a convenient point after one and a half hours.

10.1 At the first convenient point after three hours have elapsed since the commencement of any meeting (and in the case of an extraordinary meeting

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of Council when two hours have elapsed since the commencement of the meeting) the Chair shall ask the members whether the meeting shall continue. Unless the majority of members present vote for the meeting to continue, the meeting shall then dispose of the item then under consideration as if the motion *'That the question be now put'* had been carried (i.e., the debate shall be concluded by the seconder and by the Member who has the right of reply and the vote will then be taken without further discussion), and the Chair will then declare the meeting closed.

- 10.2 Any remaining business of the meeting will be considered at a time and date fixed by the Chair. If the Chair does not fix a date, the remaining business will be considered at the next ordinary meeting unless an extraordinary meeting is convened for that purpose.
- 10.3 If a recorded vote is called for during this process it will be taken immediately.
- 10.4 This rule will not apply to meetings of a quasi-judicial or regulatory nature.

## 11. QUESTIONS FROM THE PUBLIC

Members of the public who are residents of the District or are representatives of a local firm or organisation may ask questions of the Leader or Deputy Leader of the Council, or the Chair of any Service Committee at ordinary meetings of Council. A question may only be asked if notice has been given in accordance with Standing Order 11.2.

### 11.1 Order of questions

Questions will be asked in the order they were received, except that the Chair may group together similar questions.

If the questioner has asked a question at a previous meeting, the Chair shall have the right to change the order of questions or to reject questions which are repetitive.

### 11.2 Notice of questions

A question may only be asked if notice has been given by sending it no later than 12 noon, 3 clear working days before the day of the meeting. Such notice must be in writing or by electronic mail to the Chief Executive c/o:

Democratic Services,  
Ebley Mill,  
Ebley Wharf,  
Stroud,  
Glos, GL5 4UB

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## Appendix C

e-mail, [democratic.services@stroud.gov.uk](mailto:democratic.services@stroud.gov.uk)

Each question must **give** the name and address of the questioner and must identify the relevant **Member** to whom it is to be put. Democratic Services staff will **help** in identifying the relevant **Member** if required.

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### 11.3 Number of questions

A person or organisation may submit **a maximum of 3 questions to each meeting.**

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### 11.4 Scope of questions from the public

The Chief Executive may reject a question if it:

- is not about a matter for which the **local authority or committee** to which it is addressed has a responsibility; **or**
- is **illegal, improper**, defamatory, frivolous or offensive; **or**
- is substantially the same as a question which has been put at a meeting of the Council in the past six months; **or**
- requires the disclosure of confidential or exempt information; **or**
- is related to confidential staffing matters; **or**
- relates to something that is or should be the subject of alternative recognised procedures for example, staffing issues, complaints, Licensing or Development Control matters

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**Questions may be edited as necessary by the Chief Executive, in consultation with the Chair, to bring them into proper form and to ensure brevity.**

### 11.5 Record of questions

The Chief Executive will send a copy of the question to the Member to whom it is to be put within 24 hours of its receipt. Rejected questions will include reasons for rejection.

Copies of all questions and answers will be circulated to all Members and will be made available to the public attending the meeting. In exceptional circumstances an oral answer may be provided at the meeting **which will be recorded in the minutes.**

### 11.6 Asking the question at the meeting

The Chair will invite the questioner to put the question to the Member named in the notice. [A short preamble to the question may be permitted at the discretion of the Chair.](#) If a questioner who has submitted a written question is unable to be present, the Chair may, at his/her discretion ask the question on the questioner's behalf, [indicate that a written reply will be given, or decide that the question will not be dealt with.](#)

#### 11.7 Supplementary question

A questioner who has put a question in person may also put one supplementary question without notice to the Member who has replied to his or her original question. A supplementary question must arise directly out of the original question or the reply. The Chair may reject a supplementary question on any of the grounds [set out in Standing Order 11.4.](#)

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#### 11.8 Answers

[Every question shall be put and answered without discussion, but the person to whom the question has been put may decline to answer. An answer may take the form of:](#)

- [\(a\) a direct oral answer, for which two minutes are allowed for answering a question and two minutes are allowed for answering a supplementary question;](#)
- [\(b\) where the information requested is contained in a publication of the Council, a reference to that publication; or](#)
- [\(c\) a written answer to be provided later to the questioner, where the reply cannot conveniently be given orally, in which circumstance the councillor questioned will arrange for the written response to be provided to the questioner and circulated to all members within 10 working days thereafter.](#)

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#### 11.9 Reference of question to a Committee

Unless the Chair decides otherwise, no discussion will take place on any question. At a Council meeting the Chair or another member may move that a matter raised by a question be referred to an appropriate Committee. Once seconded, such a motion will be voted on without discussion.

**Deleted:** Any question which cannot be dealt with during public question time will be dealt with by a written answer by the person to whom the question was put within a reasonable timescale and at the latest before the next scheduled meeting.¶

#### 12. WRITTEN QUESTIONS BY MEMBERS (not applicable to Licensing Panel or Development Control Committee)

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Written questions from members should not be asked at Council or committees in relation to service or performance issues unless a request for information to the appropriate Head of Service has been unsuccessful.

### 12.1 Questions Without Notice

At a Council meeting a member may ask up to 3 questions about a matter on the agenda without giving notice. The 3 question limit includes any supplementary questions. At Council meetings, the questions would be put to the person presenting the report which would normally be a committee chair. There is no limit to the number of questions at committee meetings.

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### 12.2 Questions Requiring Notice

Other than under the provisions under Standing Order 12.1 above, a Member may only ask a question if they have given written notice of it to the Chief Executive by noon at least 3 clear working days before the meeting or the question relates to urgent matters and they have the consent of the Chair of Council, the Leader or, in the case of a Council meeting, the Chair of the committee to whom the question is to be put.

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Copies of all written questions and answers will be circulated to all Members and will be made available to the public attending the meeting, and recorded in the Minutes.

### 12.3 Scope of written questions from Members

The Chief Executive may reject a question if it:

- is not about a matter for which the local authority or committee to which it is addressed has a responsibility; or
- is illegal, improper, defamatory, frivolous or offensive; or
- is substantially the same as a question which has been put at a meeting of the Council in the past six months; or
- requires the disclosure of confidential or exempt information; or
- is related to confidential staffing matters; or
- is contrary to the Constitution; or
- is relating to the personal affairs or conduct of individual Members. Complaints about members should be made using the standards system complaints process which is set out in the Constitution.

Questions may be edited as necessary by the Chief Executive, in consultation with the Chair, to bring them into proper form and to ensure brevity.

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is not about a matter for which the local authority has a responsibility or which affects the district; or ¶ is defamatory, frivolous or offensive; or ¶ is substantially the same as a question which has been put at a meeting of the Council in the past six months; or ¶

### 12.4 Response



An answer will be recorded in the minutes and may take the form of:

- (a) a direct oral answer; or
- (b) where the desired information is in a publication of the Council or other published work, a reference to that publication; or
- (c) where the reply cannot conveniently be given orally, a written answer circulated later to the questioner within a reasonable time.

### 12.5 Supplementary question

A Member asking a question under the provisions requiring notice may ask one supplementary question, without notice, of the Member to whom the first question was asked. The supplementary question must arise directly out of the original question or the reply.

## 13. MOTIONS ON NOTICE (not applicable to Audit and Standards, Licensing Panel or Development Control Committee)

### 13.1 Notice

Except for motions which can be moved without notice [under Standing Order 13.5](#), written notice of every motion, signed by at least 2 Members, must be delivered to Chief Executive not later than noon, [10](#) clear working days before the date of the meeting.

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Where a motion is submitted by email, an indication of support signed by another Member must also be received – this may also be by email. No Member may propose or second more than 3 motions at a single meeting. If the meeting is not [specified](#), then the Chief Executive shall decide which meeting it shall be addressed to.

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### 13.2 Motion set out in agenda

Motions for which notice has been given will be listed on the agenda, with the names of the proposer and seconder, in the order in which they were received, unless the Member giving notice withdraws it in writing prior to the agenda dispatch. If the motion relates to a matter already on the [agenda](#), they will appear alongside that matter.

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### 13.3 Scope of Motions

The following will be determined by the Chief Executive in consultation with the relevant committee Chair, [and Motions must](#):

# Agenda Item 10

## Appendix C

- (i) be about matters which are related to the responsibilities of the Council or which affect the Council or the District.
- (ii) not relate to the personal affairs or conduct of individual Members.
- (iii) not be substantially the same as a question which has been put at a meeting of the Council in the past six months; or
- (iv) not require the disclosure of confidential or exempt information
- (v) avoid inappropriate or inflammatory language.

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### 13.4 Motions not moved

If a motion which is specified in the summons is not moved by the Member who has submitted it, or, in their absence by some other Member on their behalf, then, unless postponed by consent of the Council, it will be treated as abandoned, and a fresh motion will have to be submitted.

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### 13.5 MOTIONS WITHOUT NOTICE

The following motions may be moved without notice:

- (a) to appoint a Chair of the meeting if the usual Chair and Vice-Chair are not present at the meeting;
- (b) in relation to the accuracy of the Minutes;
- (c) to change the order of business in the agenda;
- (d) to refer something to an appropriate body or individual;
- (g) to withdraw a motion;
- (h) to amend a motion;
- (i) to proceed to the next business;
- (j) that the question be now put;
- (k) to adjourn a debate;
- (l) to adjourn a meeting;
- (m) that the meeting continue beyond 3 hours in duration;
- (n) to exclude the public in accordance with the law regarding public access to information;
- (o) to not hear further a Member named under the relevant rule or to exclude them from the meeting under the relevant rule;
- (p) to give the consent of the Council where its consent is required by this Constitution;
- (q) To suspend standing orders within the Constitution.

### 13.6. MOTIONS OF NO CONFIDENCE (applicable to full Council meetings only)

The following procedure shall apply at a meeting of full Council, if a motion of no confidence is proposed in the Chair of Council or a Chair of Committee:

- (i) A written motion proposing 'no confidence' shall be delivered in person to the Chair of Council (or in his/her absence the Chief Executive) at least 12 clear working days before the meeting of the Council at which it is proposed to be debated. Motions may be supplied by electronic means.
- (ii) No such motion shall be inserted in the summons for a meeting of the Council unless it is signed by at least 20 Members of the Council, sets out in full to whom the motion is directed and gives details of the reason(s) why the motion is to be proposed.
- (iii) If moved and seconded at Council, the motion shall be properly debated and a simple majority of the whole Council shall suffice to carry the motion.
- (iv) If the motion is carried it shall have the effect of removing the person or persons against whom it is directed from their position as Chair.
- (v) Following such a removal, the meeting of the Council shall be adjourned for such period of time as the Chair (or Vice Chair if the Chair has been removed) shall determine in order to allow the election of a replacement person or persons to fill the vacated post(s).

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## 14. MOTIONS AND PREVIOUS DECISIONS

### 14.1 Motion to rescind a previous decision

A motion or amendment to rescind a decision made at a meeting of Council or a committee within the past six months cannot be moved unless the written notice of motion is signed by at least five Members.

### 14.2 Motion similar to one previously rejected

A motion or amendment in similar terms to one that has been rejected at a meeting of Council or a committee in the past six months cannot be moved, unless the notice is signed by at least five Members of the committee. If such a motion or amendment is considered then no-one can propose a similar motion or amendment for a further six months.

### 14.3 Reconsideration during the meeting

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No resolution or recommendation (other than a procedural resolution) made by a committee during a meeting shall be rescinded or amended by the committee during the same meeting or any adjournment of it unless there are reasonable grounds for believing that all of the material information was not available at the time that the resolution or recommendation was passed.

### 15. RULES OF DEBATE

#### 15.1 No speeches until motion seconded

No speeches may be made after the mover has moved a proposal and explained the purpose of it until the motion has been seconded.

#### 15.2 Right to require a motion or amendment in writing

Unless notice of the motion or amendment has already been given, the Chair will normally require it to be written down and handed to him/her before it is discussed.

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#### 15.3 Secunder's speech

When seconding a motion or amendment, a Member may reserve their speech until later in the debate which will normally be immediately prior to the reply by the mover of the original motion. Where the seconder opts to speak later in the debate, no further ordinary speeches shall be made after the seconder has spoken

#### 15.4 Questions

When the motion has been moved and seconded, Members may ask questions at the discretion of the Chair

#### 15.5 Content and length of speeches

Speeches must be directed to the question under discussion or to a personal explanation or point of order. The proposer of a motion may speak for up to 5 minutes when introducing a motion. No other speech may exceed 3 minutes without the consent of the Chair.

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#### 15.6 When a Member may speak again

At a committee meeting there is no limit on the number of times a member may speak during debate. At a Council meeting a Member who has spoken on a motion may not speak again whilst it is the subject of debate, except:

- (a) to speak once on an amendment moved by another Member;

- (b) to move a further amendment if the motion has been amended since s/he last spoke;
- (c) if their first speech was on an amendment moved by another Member, to speak on the main issue (whether or not the amendment on which s/he spoke was carried);
- (d) in exercise of a right of reply (as described below);
- (e) on a point of order; or
- (f) by way of personal explanation.

### 15.7 Amendments to motions

- (a) An amendment to a motion must be relevant to the motion and must be seconded and will either be:
  - (i) to refer the matter to an appropriate body or individual for consideration or reconsideration;
  - (ii) to leave out words;
  - (iii) to leave out words and insert or add others; or
  - (iv) to insert or add words.

Provided that the effect of (ii) to (iv) is not to negate the motion (negatory motion).

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- (b) Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been disposed of;
- (c) If an amendment is not carried, other amendments to the original motion may be moved;
- (d) If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion upon which any further amendments may be moved;
- (e) After an amendment has been carried, the Chair will read out the amended motion before accepting any further amendments. If there are none and no further debate, the Chair will put it to the vote.

### 15.8 Alteration of motion

A Member may alter a motion which they have given notice with the consent of the meeting (referred to as a friendly amendment). The meetings consent will be signified without discussion.

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The alteration must be one which could have been moved as an amendment and should not propose to substantially amend the intent of the written notice of motion.

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### 15.9 Withdrawal of motion

A Member may withdraw a motion which s/he has moved with the consent of **with the consent of both the meeting and** the seconder. No Member may speak on the motion after **the mover has asked permission to for it to be withdrawn unless permission to withdraw is refused.**

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### 15.10 Right of reply

- (a) The mover of a motion has a right to reply at the end of the debate on the motion, immediately before it is put to the vote.
- (b) If an amendment is moved, the mover of the original motion has the right of reply at the close of the debate on the **amendment but** may not otherwise speak on it.
- (c) The mover of the amendment has no right of reply to the debate on his or her amendment.

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### 15.11 Motions which may be moved during debate

When a motion is under debate, no other motion may be moved except the following procedural motions:

- to withdraw a motion;
- to amend a motion;
- to proceed to the next business;
- that the question be now put;
- to adjourn a debate
- that the meeting continues beyond 3 hours in duration (2 in the case of an extraordinary meeting)
- to exclude the public and press in accordance with the Access to Information Rules; and to not hear further a member named under Standing Order 20.3 or to exclude them from the meeting.

### 15.12 Closure motions

- (a) A Member may move, without comment, the following motions at the end of a speech of another Member:
  - (i) to proceed to the next business;
  - (ii) that the question be put;
  - (iii) to adjourn a debate; or
  - (iv) to adjourn a meeting.

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- (b) If a motion to proceed to next business is seconded and the Chair thinks the item has been sufficiently discussed, s/he will give the mover of the original motion a right of reply and then put the procedural motion to the vote.

If the vote on this procedural motion is successful then the item falls and will not be voted on and the meeting will move to the next item of business.

- (c) If a motion that the question be put is seconded and the Chair thinks the item has been sufficiently discussed, s/he will put the procedural motion to the vote. If it is passed s/he will give the mover of the original motion a right of reply before putting their motion to the vote.

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- (d) If a motion to adjourn the debate or to adjourn the meeting is seconded and the Chair considers the item has not been sufficiently discussed and cannot reasonably be so discussed on that occasion, s/he will put the procedural motion to the vote without giving the mover of the original motion the right of reply.

#### 15.13 Point of order

A Member may raise a point of order at any time. A point of order may only relate to an alleged breach of these Council Procedure Rules or the law and the Member must indicate the rule with reference to the specific Council Procedure Rule or law and the way in which s/he considers it has been broken prior to making any other comment. Where a valid point of order has been raised, the Chair will hear it immediately and his or her ruling on the matter will be final.

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#### 15.14 Personal explanation

A Member may, only with the consent of the Chair, make a personal explanation at any time. A personal explanation must relate to some material part of an earlier speech by the Member which appears to have been misunderstood in the present debate. The ruling of the Chair on the admissibility of a personal explanation will be final.

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#### 15.15 Debates affecting Persons employed by the Council

No matters concerning the conduct of any person employed by the Council shall be discussed at a meeting of Council or committee unless properly constituted for that purpose.

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### 16. VOTING

#### 16.1 Majority

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

#### 16.2 Chair's casting vote

If there are equal numbers of votes for and against, the Chair will have a second or casting vote. There will be no restriction on how the Chair chooses to exercise a casting vote, *i.e. he or she is not bound to vote the same way as previously.*

#### 16.3 Vote

Unless legislation requires otherwise or a recorded vote is *requested* under the relevant rules, the Chair will take the vote by show of hands or by electronic means, or if there is no dissent, by the affirmation of the meeting, *i.e. no dissentients.*

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#### 16.4 Recorded vote

If legislation requires, or at least 10% of Members present at the meeting *request* it immediately prior to the vote being taken, the names for and against the motion or amendment or abstaining from voting will be recorded and entered into the minutes.

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#### 16.5 Right to require individual vote to be recorded

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

### 17. MINUTES

#### 17.1 Signing the Minutes

The Chair will sign the Minutes of the proceedings at the next suitable meeting. The Chair will *ask if the meeting agrees* that the Minutes of the previous meeting be signed as a correct record *and will ask the meeting to affirm this.* The only aspect of the Minutes that can be discussed is their accuracy.

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**17.2 No requirement to sign minutes of previous meeting at an extraordinary Council meeting**

Minutes from a previous meeting will not be signed at an extraordinary meeting of Council but will be carried over to the next ordinary meeting. ▼

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**18. EXCLUSION OF PUBLIC AND MEDIA**

Members of the public and media may only be excluded in accordance with the law concerning public access to information or Council rules regarding disturbance by the public as set out in this Standing Order.

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**19. MEMBERS' CONDUCT**

**19.1 Standing to speak (applicable to full Council meetings only)**

When a Member speaks at full Council they must stand and address the meeting through the Chair. Other Members must remain seated whilst a Member is speaking, unless they wish to make a point of order or a point of personal explanation in accordance with relevant rules. The Chair will have discretion to allow Members to remain seated where a request is made.

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**19.2 Chair Standing**

When the Chair stands during a debate, any Member speaking at the time must stop and sit down immediately. All other attendees must also be silent.

**19.3 Disturbance**

The Chair decides who is permitted to speak and when someone must stop speaking. The Chair also has the power to ask someone to stop undertaking a particular action if it is causing a disturbance to the meeting. These powers apply to any person present at the meeting.

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**19.4** If anyone present at the meeting by words or actions causes disturbance or annoyance to proceedings making orderly business impossible, the Chair will warn the person concerned in the first instance. If the disturbance or annoyance continues the Chair may ask the person to leave the room. If the person refuse to leave the Chair may order the removal of the person and / or:

- may order that the room or part of the room be cleared; and / or
- may adjourn the meeting for as long as s/he thinks necessary.

**20. SUSPENSION AND AMENDMENT OF COUNCIL PROCEDURE RULES**

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### 20.1 Suspension

The right of an individual Member to have their vote recorded and the requirement to sign the Minutes at the next suitable meeting may not be suspended.

### 20.2 Amendment

Any motion to add to, vary or revoke the Council Procedure Rules will, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the [Constitution Working Group](#).

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### 20.3. Questions as to procedure or propriety

All questions as to procedure or the propriety of any action or matter in Council or a committee shall be determined by the Chair of the meeting whose decision shall be final.

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## 21. MEETINGS OF COUNCIL/COMMITTEES

The dates of meetings for the municipal year will normally be approved no later than the Annual General Meeting of the Council but may, if required, be varied with the consent of the Chair and Vice Chair of the relevant meeting.

## 22. ATTENDANCE OF OTHER MEMBERS AT COMMITTEE MEETINGS

A Member may be present at any meeting of a committee of which they are not a Member and may participate as specified for in the provisions for invited guests and non committee members. If they are attending in relation to matters within their Ward, they may speak only once on any one issue but may not vote.

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## 23.. ACCESS TO INFORMATION PROCEDURE RULES

### 23.1 Scope

These rules apply to all meetings of the Council and its committees.

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### 23.2 Additional Rights to Information

These rules do not affect any more specific rights to information contained elsewhere in this Constitution or the law.

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### 23.3 Right to Attend Meetings

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Members of the public may attend all **formal** meetings of the Council and its Committees subject only to the exceptions in these rules.

#### 23.4 **Notice of Meeting**

The Council will give at least 5 clear working days notice of any meeting of the Council and its committees by posting details of the meeting at the Council Offices, Ebley Mill, Ebley Wharf, Stroud **and** on the Council's website.

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#### 23.5 **Access to Agenda and Reports Before the Meeting**

The Council will make copies of the agendas and reports open to the public available for inspection at its Offices at least 5 clear days before the meeting. If an item is added to the agenda later, the revised agenda and any report will be available for public inspection as soon as practicable.

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All agendas, reports, decision notices and minutes which are open to public inspection will be made available on the Council's web site ([www.stroud.gov.uk](http://www.stroud.gov.uk)).

#### 23.6 **Supply of Copies**

For 6 years after the meeting subject to reasonable charges for photocopying and postage **the** Council will supply copies of:

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- (a) any agenda and reports which are open to public **inspection**.
- (b) any further statements or particulars necessary to indicate the nature of the items in the agenda.

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#### 23.7 **Webcast Record**

Copies of webcast meetings will be retained for 6 years and will be available to members and officers **for that period, after which they will** be archived.

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### 24. **BACKGROUND PAPERS**

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#### 24.1 **List of background papers**

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In every report a list will be included of those documents (called background papers) relating to the subject matter of the report which in the author's opinion:

- (a) disclose any facts or matters on which the report or an important part of the report is based; and

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(b) which have been relied on to a material extent in preparing the report

but does not include published works, [legislation](#), [previous reports in the public domain](#), or those which disclose exempt or confidential information as provided for by law.

### 24.2 Public inspection of background papers

The Council will make available for public inspection for 6 years after the date of the meeting one copy of each of the documents on the list of background papers.

## 25. EXCLUSION OF ACCESS BY THE PUBLIC TO MEETINGS

### 25.1 Confidential information – requirement to exclude public and press

The public and press must be excluded from meetings whenever it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that confidential information would be disclosed.

Confidential information means information given to the Council by a Government Department on terms which forbid its public disclosure or information which cannot be publicly disclosed by Court Order.

### 25.2 Exempt information – discretion to exclude public and press

The public and press may be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that exempt information would be disclosed.

Where the meeting will determine any person's civil rights or obligations, or adversely affect their possessions, Article 6 of the Human Rights Act 1998 establishes a presumption that the meeting will be held in public unless a private hearing is necessary for one of the reasons specified in Article 6.

**To be exempt, the information must fall within the following categories (subject to any condition) AND it must be considered that the information should be excluded in the PUBLIC INTEREST:**

Category	Relevant condition for the category
----------	-------------------------------------

1. Information relating to any individual.	Information is not exempt information unless it relates to any individual.
2. Information which is likely to reveal the identity of an individual.	Information is not exempt information unless it would reveal the identity of an individual.
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).	Information is not exempt information unless it relates to the financial or business affairs of any person, including the body holding that information.
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.	Information within paragraph 4 is only exempt if and for so long as its disclosure to the public would prejudice the authority in those or any other consultations or negotiations in connection with a labour relations matter. "Labour relations matters" are as specified in paragraphs (a) to (g) of section 29(1) of the Trade Unions and Labour Relations Act 1974 i.e. matters which may be the subject of a trade dispute.
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.	Information is not exempt information unless, in view of the Legal Services Manager, legal privilege could be maintained in legal proceedings.
6. Information which reveals that the authority proposes to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or to make an order or direction under any enactment.	Information within paragraph 6 is exempt only if and so long as disclosure to the public might afford an opportunity to a person affected by the notice, order or direction to defeat the purpose or one of the purposes for which the notice, order or direction is to be given or made.

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7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.	Information is not exempt information unless it relates to action taken or to be taken in connection with the prevention, investigation or prosecution of crime.
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Information falling within any of paragraphs 1-7 is not exempt by virtue of that paragraph if it relates to proposed development for which the local planning authority can grant itself planning permission under Regulation 3 of the Town and Country Planning General Regulations 1992.

### 25.3 Exclusion of Access by the Public and Press to Reports

If the **Monitoring Officer** thinks fit, the Council may exclude access by the public and press to reports which in his or her opinion relate to items during which the meeting is likely not to be open to the public. Such reports will be marked "Not for publication" together with the category of information likely to be disclosed.

The final decision on whether an item should be considered in exempt session is that of Council or the Committee.

### 26. INVITED GUESTS AND NON COMMITTEE MEMBERS ATTENDING COMMITTEES

Committees have the ability to invite guests to committee meetings. These are likely to be expert witnesses or interested parties whom the committee considers will be able to contribute to its work. The committee will determine the length of the appointment which may be for one meeting or longer but it should only be for as long as the person is likely to contribute to the business of the committee.

26.1 The person will not be a co-optee of the committee and will have no voting rights. They will have the ability to speak and participate in the debate at the discretion of the Chair. Members will at all times treat invited guests with respect and will acknowledge their voluntary contribution in asking questions appropriately.

26.2 The invited guest will be afforded webcast and microphone provision and will be recognised in the minutes.

26.3 In accordance with CPR 22, Members of the Council who are in attendance but are not members of the committee will be treated the same as invited guests.

### 27. PETITIONS

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Petitions cannot be submitted directly to committee or Council meetings, but may be submitted to the Council by delivering them to:

Ebley Mill,  
Ebley Wharf,  
Stroud, GL5 4UB

for the attention of the [Corporate Policy and Governance Manager](#).

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27.1 If the petition has less than 1100 signatures, it will be referred to the appropriate Strategic [Director](#) for a response to be provided to the lead petitioner.

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27.2 If the petition has 1100 or more signatures and concerns a committee matter, the petition will be referred to the Chair of the appropriate committee and the Chair of Council who will consult the relevant Strategic [Director](#) or Head of Service and decide if a response by the [service](#) or reference to committee or Council for debate is appropriate.

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27.3 If the petition has 1100 or more signatures and relates to a matter which Council rather than a committee would be responsible, the petition will be referred to the Chair of Council and the Leader of Council to determine in consultation with the relevant Strategic [Director](#) or Head of Service whether the matter should be responded to by the Strategic [Director](#) or Head of Service; or referred to Council for debate.

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27.4 If the item is to be debated at a committee or Council meeting, the lead petitioner will be given 3 minutes to present the petition to the meeting. The committee or Council may debate the item for up to 15 minutes.

**NB – there is currently no legal ability to hold formal meetings remotely, but in the event of a change in the law, the following Council Procedure Rule will apply to remote and or hybrid meetings.**

**In addition, depending on what the legislation says, adjustments may have to be made to this rule.**

## 28. PROCEDURE RULES FOR THE REGULATION OF REMOTE MEETINGS

### General

28.1 This Procedure Rule applies to remote and / or hybrid meetings, i.e. a meeting where not all members are physically present at a place at the same time. (Hereafter referred to as remote meetings), [Remote meetings may be held](#) through electronic, digital, virtual locations, live webcast, live interactive streaming, video and telephone conferencing. The Council [uses Zoom](#) as its preferred platform for this purpose, but reserves its ability to use a different platform if it considers that necessary.

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**Deleted:** Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 (the Regulations) make provision for remote attendance at, and remote access to, Council meetings held on or before 7 May 2021. ¶

¶ 23.2 The Regulations enable the Council to hold meetings without all, or any, of the members being physically present in a room. This allows for

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28.2 The Procedure Rules in this Constitution apply to remote meetings in the same way as they do for other meetings of the Council except where they conflict, in which case this Procedure Rule takes precedence in relation to the governance of remote meetings.

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28.3 The Chair, following consultation with the Chief Executive may alter the frequency move or cancel a remote meeting without notice.

28.4 The Council will endeavour to enable the public to participate in meetings in accordance with legal requirements where possible in terms of asking questions at Council and Committee meetings and making representations at regulatory meetings (Development Control Committee and Licensing) However, this may be restricted to the parties taking part in the meeting depending on the circumstances existing at the time. Other members of the public and press will be able to view the meeting as it will be streamed at a remote location which will be advised in the meeting notice.

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28.5 For the avoidance of doubt, neither the press nor members of the public will be able to access remote meetings which will consider exempt information and those meetings will not be webcast nor will the meeting access arrangements be made available other than to members of the Council.

28.6 If during a remote meeting a matter which could be considered exempt arises, the Chair in consultation with the Monitoring Officer or the Democratic Services Officer, will move that the item should be considered in private session and, if that motion is approved, will move the item to the end of the meeting agenda and the press and public will be excluded from that item. Members of the public and press can either leave the meeting or will be moved to the waiting room and the live stream will be cut.

### Access to Information

28.7 In terms of public and press access, requisite notice of the time of the meeting, the agenda and all agenda papers, together with details of how to view the meeting will be made available on the Council's website.

28.8 Elected Members and members of the public who wish to speak at a Council or Committee meeting and those who wish to make representations at regulatory meetings will be notified of a remote meeting by email which will provide them with the joining details.

28.9 For all purposes, the terms "notice", "summons", "agenda", "report", "written record" and "background papers" when referred to as being a document that is:



- (a) “open to inspection” shall include for these and all other purposes as being published on the website of the council; and
- (b) to be published, posted or made available at offices of the Council shall include publication on the website of the Council.

#### **Remote Access to Meetings**

28.10 For all purposes the term “meeting” is not limited in meaning to a meeting of persons who are present in the same place. Any reference to:

- (i) “place” is to be interpreted as where a meeting is held, or to be held, includes reference to more than one place including electronic, digital or virtual locations such as internet locations, web addresses or conference call telephone numbers. (The meeting may also be held in a meeting room or Chamber with a proportion of the membership and any participating public additionally attending remotely.)
- (ii) “open to the public” includes access to the meeting being through remote means including (but not limited to) video conferencing, teleconference, live webcast, and live interactive streaming and where a meeting is accessible to the public through such remote means the meeting is open to the public whether or not members of the public are able to attend the meeting in person.

28.11 If the Chair is made aware that the meeting is not accessible to the public through remote means due to any technological or other failure of provision, then the Chair shall adjourn the meeting immediately for the connection to be restored. If the provision of access through remote means cannot be restored within fifteen minutes, the remaining business will be considered at a time and date fixed by the Chair. If they do not fix a date, the remaining business will be considered at the next ordinary meeting.

#### **Members in Remote Attendance**

28.12 A member in remote attendance is present and attends the meeting, including for the purposes of the quorum, if at any time both of the following conditions are satisfied, those conditions being that the member in remote attendance is able at that time:

- (i) to hear, and where practicable see, and be heard and, where practicable, be seen by, the other members in attendance.

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- (ii) to be heard and, where practicable, be seen by any other members of the public attending the meeting.

28.13 Attendance at the meeting will be recorded by a Democratic Services Officer and a member in remote attendance will be deemed to have left the meeting where, at any point in time during the meeting, any of the conditions for remote attendance contained above are not met.

### **Questions and Representations by members of the public**

28.14 There will be speaking rights for members of the public or their representatives at remote meetings in accordance with the provisions of the Council Standing Orders.

28.15 Members of the public will be able to participate in remote meetings in the following ways:

- Questions, representations and petitions should be submitted in advance of the meeting and will be made available to all members of the remote meeting by Democratic Services.
- Questions for Council and Committees (with the exception of Development Control Committee and Licensing Panel must be received by no later than 12 noon, 2 clear working days before the day of the meeting. Such notice must be by electronic mail to [democratic.services@stroud.gov.uk](mailto:democratic.services@stroud.gov.uk).
- Representations for Development Control Committee should be received by 12 noon 1 clear working day before the day of the meeting, exceptionally, the Council will consider late representations if appropriate.
- Representations for Licensing Panel may be submitted prior to the meeting, but applicants and their representatives will make oral submissions to the committee at their election.
- Members of the public or their representatives will be able to present their questions, or petitions to Council and Committees (with the exception of Development Control Committee and Licensing Panel) in the remote meeting.
- Public questions will, where appropriate, receive a response in the meeting. One Supplementary question will be permitted.
- Public petitions not referred to an officer in accordance with Council Standing Orders will be received by the Chair of the meeting without debate and sent to the relevant committee or council officer for a response.

### **Process at remote meetings**

28.16 The Chair will confirm at the outset and at any reconvening of a committee meeting that they can see and hear all participating members by carrying out a roll call of members present.

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28.17 Unless the member has declared an interest which precludes them from taking part, their attendance at the meeting must be continuous throughout the item and will be monitored and recorded by the Democratic Services Officer.

28.18 The normal quorum requirements for meetings as set out in [Council Procedure Rule 9](#) will also apply to a remote meeting. In the event of any apparent failure of the video, telephone or conferencing connection, the Chair should immediately determine if the meeting is still quorate and (Subject to Paragraph 29.21):

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- if it is, then the business of the meeting will continue; or
- if there is no quorum, then the meeting shall adjourn for a period specified by the Chair, expected to be a maximum of fifteen minutes, to allow the connection to be re-established after which time the meeting will be abandoned and any remaining items adjourned to the next meeting.

28.19 If there is a disruption to any members attendance due to the quality of internet connection, the Chair will, initially, pause the meeting for up to five minutes to determine whether the connection can quickly be re-established, either by video technology or telephone in the alternative. If the connection is not restored within that time, the meeting should continue to deal with the business whilst this happens, providing the meeting remains quorate.

28.20 In the event of a connection failure, the member(s) will be deemed to have left the meeting at the point of failure. If the connection is successfully re-established, then the remote member(s) will be deemed to have returned at the point of re-establishment.

28.21 If a connection to the Chair is lost, the Vice Chair will stop the meeting to enable the connection to be restored. If the connection cannot be restored within five minutes, the Vice Chair will proceed with the meeting in the absence of the Chair. If the connection to both the Chair and Vice Chair is lost, the committee will wait for a period of five minutes and, if the meeting is still quorate, will elect a Chair Pro Tem. If connection to the Chair or Vice Chair is restored, they will take control of the meeting at the end of the item [then](#) being discussed.

28.22 If a connection to a member is lost during a regulatory meeting, the Chair will stop the meeting to enable the connection to be restored. If the connection cannot be restored within five minutes, subject to the meeting being quorate,

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the meeting will proceed, but any member who has been disconnected will not be able to vote on the matter **then** under discussion as they would not have heard all the facts.

**28.23** The Chair will follow the normal rules set out in the Constitution when determining who may speak, as well as the order and priority of speakers and the content of speeches in the normal way.

**28.24** Members will be able to indicate to the Chair that they wish to ask a question or speak in the debate on an item by raising their hand physically, by using the raise hand function or by sending a message via the chat facility.

**28.25** In respect of large committees, it will assist the meeting if those members who wish to speak on a particular item could indicate their wish to speak to the Chair and to the Democratic Services Officer in advance of the start of the meeting. Political groups are also encouraged to co-ordinate this activity wherever possible.

### **Meeting Etiquette**

**28.26** Members are asked to adhere to the following etiquette during remote attendance at a meeting:

- Committee members are asked to join the meeting no later than fifteen minutes before the start to allow themselves and the Democratic Services Officer the opportunity to test the equipment.
- Elected members and any members of the public who are to speak at the meeting will initially enter the waiting room and will be admitted to the meeting by the Chair.
- All entrant microphones will be muted on entry.
- Any video-feed should show a non-descript background with no background noise where possible.
- Members should be careful not to allow exempt or confidential papers to be seen in the video-feed.
- To enable identification for the public in the remote meeting and to gain access from the 'waiting room', members must log in using the username provided to them by Democratic Services.
- All members should have microphones muted when not talking unless they have joined with audio only (e.g. telephone).
- Members will unmute their microphone when the Chair invites them to speak and then mute their microphone when they have finished speaking.
- The chat facility must not be used for private conversations between members and will be mindful that if they select 'everyone' all participants in the meeting will be able to see what they write.

- Members should only speak when invited to by the Chair and only one person may speak at any one time.
- For the benefit of anyone listening to an audio feed, anyone speaking should state their name before making a comment.
- When referring to a specific report, page, or slide, members should mention the report, page, or slide so that all members have a clear understanding of what is being discussed at all times.

28.27 The Chair and / or the Democratic Services Officer may:

- Pause (adjourn) the meeting by taking down the stream (live feed) from public viewing and then resume it when needed and / or placing everyone in the waiting room.
- Switch on each active participant's microphone when they are invited to speak and switch them off afterwards.
- Mute someone speaking at any time.
- Mute everyone speaking except themselves at any time.
- Allocate different levels of access to people logging in based upon whether they are a councillor, an officer, or a member of the public or press who is an observer of the meeting.
- Switch some observers off or move observers to a 'waiting room', so they are paused and have neither 'live' visual or audio feed whilst the committee deliberates in private or an officer present gives the committee advice. By taking down the live feed content from the public and just displaying a holding slide, decision makers may hold a separate meeting. The live stream can then be resumed when needed.

### Voting

28.28 When the Chair is satisfied that there has been sufficient debate and there is a proposer and seconder, who will indicate by showing their hand on the video or speaking if on an audio feed, for the item being discussed the Chair will progress to a decision.

28.29 The method of voting may be one of the following methods:

- A vote by electronic means or
- A role call where the Chair or Democratic Services Officer will call out the name of each member present with members stating 'for', 'against', or 'abstain' to indicate their vote when their name is called.
- [By a show of hands providing the Chair can see all members at the same time](#)

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28.30 At the conclusion of the voting the Chair shall announce the numbers of votes cast for, against and abstentions and announce whether the motion has been passed or lost.

28.31 Details of how members voted will not be minuted unless a Recorded Vote is called. Where a Recorded Vote is requested the Chair will ask members in turn to signify verbally whether or not they support that request. [A recording of the meeting will be kept and be available on the Council's website for a period of 6 years after which it will be archived.](#)

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### Declaration of Interests

28.32 Members will declare interests in the normal way at the appropriate point in the meeting, or if they realise that they have an interest in the item under discussion.

28.33 Any member participating in a remote meeting who declares a disclosable pecuniary interest, or other declarable interest, in any item of business that would normally require them to leave the room, must also leave the remote meeting.

28.34 [Democratic Services](#) will place the member into the waiting room whilst the matter is considered [who will confirm that this has been done before](#) progressing with the item of business. The Chair will then allow the member to re-enter the meeting from the waiting room when the matter has been determined and before moving onto the next item of business.

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## **COUNCIL PROCEDURE RULES**

These procedure rules apply to meetings of the full Council (when all members attend as voting members) and committee meetings; and states any exceptions which apply to some of these rules for certain meetings.

## **PROCEDURE RULES APPLYING TO ALL MEETINGS**

(unless otherwise specified under the exceptions below)

### **1. EXCEPTIONS OF RULES TO CERTAIN MEETINGS**

<b>Meetings</b>	<b>Exceptions</b>
Audit and Standards Committee	No motions No limit on number of questions from members No restriction on the number of times a member can speak during debate
Development Control Committee	No restriction on length of meeting No written questions or motions Public speaking permitted on the planning schedule in accordance with operational details agreed between the Head of Planning and the Chair of Development Control Committee No limit on number of questions from members No restriction on the number of times a member can speak during debate
Service Committees	No limit on number of questions from members No restriction on the number of times a member can speak during debate
Licensing Panel	No Public/Member Questions No Motions



## **FULL COUNCIL MEETINGS**

There are four types of Council meeting:

- Annual Meeting
- Ordinary meetings
- Extraordinary meetings
- Budget and Council Tax Setting meetings

### **2. ANNUAL MEETING**

In a year when there is an ordinary election of councillors, the annual meeting will take place within 21 days immediately following the day of retirement of the Councillors. In any other year, the annual meeting will take place on such date in May as the Council may fix.

2.2 At the annual meeting the Council will:

- (a) Elect the Chair of Council
- (b) Elect the Vice-Chair of Council
- (c) Elect a person to preside if the Chair and Vice-Chair of council are not present
- (d) In an election year, receive a report on the outcome of District elections
- (e) Elect the Leader of the Council (Chair of Strategy & Resources)
- (f) Elect the Deputy Leader of the Council (Vice Chair of Strategy & Resources)
- (g) Receive any declarations of interest from Members
- (h) Approve the Minutes of the last meeting
- (i) Receive any announcements from the Chair of Council and / or the Chief Executive
- (j) Agree any changes to and affirm the Constitution
- (k) Appoint to committees, in that the annual meeting will:
  - appoint such committees as are required or the Council considers appropriate for the municipal year (noting that Council may decide at subsequent meetings to dissolve committees, alter their terms of reference or to appoint new committees).
  - decide the allocation of seats to political groups in accordance with the rules on political balance

- receive nominations of Members to serve on each committee
  - appoint to those committees (except where appointment to those bodies has been delegated by the Council)
  - appoint the Chairs and Vice-Chairs of those Committees.
- (l) appoint Members to such panels, advisory committees, working parties and miscellaneous other bodies and appoint Members (and/or other individuals) to outside bodies and organisations, unless otherwise delegated; and
- (m) Agree the initial proposals for municipal diary of meetings for the year (if not previously approved by Council at an ordinary meeting)
- (n) Receive details of the civic fund expenditure for the previous municipal year
- (o) Consider any business set out in the notice convening the meeting.

Unless otherwise determined by statute, the Chair may vary the order of the agenda at his/her absolute discretion and may allocate or reallocate an appropriate time for the transaction of each item.

### **3. ORDINARY MEETINGS**

Ordinary meetings of the Council will take place in accordance with a programme decided by the Council and will:

- (a) Elect a person to preside if the Chair and Vice-Chair are not present
- (b) Receive any declarations of interest from Members
- (c) Approve the Minutes of the last meeting(s) of Council
- (d) Receive any announcements from the Chair, Leader, or the Chief Executive
- (e) Receive questions from, and provide answers to the public in relation to matters which in the opinion of the Chair at the meeting are relevant to the business of the Council in accordance with Standing Order 11 below
- (f) Receive any reports from the Council's Committees for consideration and receive questions and answers on any of those reports
- (g) Receive questions on notice from, and provide answers to, Members in accordance with Standing Order 12 below
- (h) Consider motions on notice in accordance with Standing Order 13
- (i) Consider any other business specified in the summons to the meeting.

### **4. BUDGET AND COUNCIL TAX SETTING MEETINGS**

A Budget Meeting of the Council will take place in accordance with a programme decided by the Council and will:

- (a) Elect a person to preside if the Chair and Vice-Chair are not present
- (b) Receive any declarations of interest from Members
- (c) Set the Budget and any other financial matters as advised by the Section 151 Officer
- (d) Receive any budget reports from Committees
- (e) The business to be conducted at a budget and council tax setting meeting shall be restricted to reports of a financial nature and there shall be no consideration of motions, questions etc. except that the Chair (or person presiding) may at his or her absolute discretion permit other items of business to be conducted for the efficient discharge of the Council's business.

## **5. EXTRAORDINARY MEETINGS**

### 5.1 Calling extraordinary meetings.

Those listed below may convene extraordinary Council meetings in addition to ordinary meetings:

- (a) the Council by resolution
- (b) the Chair of the Council
- (c) the Chief Executive, Monitoring Officer or Chief Financial Officer; or
- (d) any five Members of the Council if they have signed a requisition presented to the Chair of the Council and s/he has refused to call a meeting or has failed to call a meeting within seven days of the presentation of the requisition.

5.2 The business to be conducted at an extraordinary meeting shall be restricted to the item of business contained in the request for the extraordinary meeting and there shall be no consideration of previous minutes, motions, questions or reports from committees etc. except that the Chair (or person presiding) may at his or her absolute discretion permit other items of business to be conducted for the efficient discharge of the Council's business.

5.3 At extraordinary meetings the Council will:

- (a) Elect a person to preside if the Chair and Vice-Chair are not present
- (b) Receive any declarations of interest from Members
- (c) Receive a report about the subject of the extraordinary meeting.

## **6. TIME AND PLACE OF MEETINGS**

The time and place of meeting will be determined by the Chief Executive and notified in the summons.

## **7. NOTICE OF AND SUMMONS TO MEETINGS**

The Chief Executive will give notice to the public of the time and place of any meeting in accordance with the Access to Information Rules. At least five clear working days before a meeting, the proper officer will send a signed summons to every member of the Council. The summons will normally be sent via electronic means. The summons will give the date, time and place of each meeting and specify the business to be transacted at the meeting (the agenda) together with accompanying reports.

## **8. CHAIR OF MEETING**

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

- 8.1 Members can only speak when invited by the Chair and must stop speaking if directed by the Chair.
- 8.2 The Chair of the meeting may allow urgent items which have arisen since the dispatch of the agenda in consultation with the Council's Monitoring Officer. The reason for urgency must be explained to the meeting and recorded in the minutes.

## **9. QUORUM**

- 9.1 The quorum for meetings of the Council and its committees shall be 50% of the total membership of each of those bodies. For the avoidance of doubt when calculating the quorum any fractional figures will be rounded up.
- 9.2 The quorum for any Licensing Panel of the Community Services and Licensing Committee consisting of three Members shall be 100%.
- 9.3 If at the end of 15 minutes after the time at which any meeting of the Council is scheduled to start or at any later point during any meeting, the Chair declares

that there is not a quorum present, the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the Chair. If s/he does not fix a date, the remaining business will be considered at the next ordinary meeting. If there is any urgent business requiring decision the matter should be referred to the Chief Executive.

## **10. DURATION OF MEETING**

**(This rule does not apply to meetings of a quasi-judicial or regulatory nature)**

The Chair may adjourn the meeting at any point but will in any event adjourn the meeting for a period of ten minutes at a convenient point after one and a half hours.

- 10.1 At the first convenient point after three hours have elapsed since the commencement of any meeting (and in the case of an extraordinary meeting of Council when two hours have elapsed since the commencement of the meeting) the Chair shall ask the members whether the meeting shall continue. Unless the majority of members present vote for the meeting to continue, the meeting shall then dispose of the item then under consideration as if the motion '*That the question be now put*' had been carried (i.e., the debate shall be concluded by the seconder and by the Member who has the right of reply and the vote will then be taken without further discussion), and the Chair will then declare the meeting closed.
- 10.2 Any remaining business of the meeting will be considered at a time and date fixed by the Chair. If the Chair does not fix a date, the remaining business will be considered at the next ordinary meeting unless an extraordinary meeting is convened for that purpose.
- 10.3 If a recorded vote is called for during this process it will be taken immediately
- 10.4 This rule will not apply to meetings of a quasi-judicial or regulatory nature.

## **11. QUESTIONS FROM THE PUBLIC**

Members of the public who are residents of the District or are representatives of a local firm or organisation may ask questions of the Leader or Deputy Leader of the Council, or the Chair of any Service Committee at ordinary meetings of Council. A question may only be asked if notice has been given in accordance with Standing Order 11.2.

### **11.1 Order of questions**

Questions will be asked in the order they were received, except that the Chair may group together similar questions.

If the questioner has asked a question at a previous meeting, the Chair shall have the right to change the order of questions or to reject questions which are repetitive.

#### **11.2 Notice of questions**

A question may only be asked if notice has been given by sending it no later than 12 noon, 3 clear working days before the day of the meeting. Such notice must be in writing or by electronic mail to the Chief Executive c/o:

Democratic Services,  
Ebley Mill,  
Ebley Wharf,  
Stroud,  
Glos, GL5 4UB

e-mail, [democratic.services@stroud.gov.uk](mailto:democratic.services@stroud.gov.uk)

Each question must give the name and address of the questioner and must identify the relevant Member to whom it is to be put. Democratic Services staff will help in identifying the relevant Member if required.

#### **11.3 Number of questions**

A person or organisation may submit a maximum of 3 questions to each meeting.

#### **11.4 Scope of questions from the public**

The Chief Executive may reject a question if it:

- is not about a matter for which the local authority or committee to which it is addressed has a responsibility; or
- is illegal, improper, defamatory, frivolous or offensive; or
- is substantially the same as a question which has been put at a meeting of the Council in the past six months; or
- requires the disclosure of confidential or exempt information; or
- is related to confidential staffing matters; or
- relates to something that is or should be the subject of alternative recognised procedures for example, staffing issues, complaints, Licensing or Development Control matters

Questions may be edited as necessary by the Chief Executive, in consultation with the Chair, to bring them into proper form and to ensure brevity.

#### **11.5 Record of questions**

The Chief Executive will send a copy of the question to the Member to whom it is to be put within 24 hours of its receipt. Rejected questions will include reasons for rejection.

Copies of all questions and answers will be circulated to all Members and will be made available to the public attending the meeting. In exceptional circumstances an oral answer may be provided at the meeting which will be recorded in the minutes.

#### **11.6 Asking the question at the meeting**

The Chair will invite the questioner to put the question to the Member named in the notice. A short preamble to the question may be permitted at the discretion of the Chair. If a questioner who has submitted a written question is unable to be present, the Chair may, at his/her discretion ask the question on the questioner's behalf, indicate that a written reply will be given, or decide that the question will not be dealt with.

#### **11.7 Supplementary question**

A questioner who has put a question in person may also put one supplementary question without notice to the Member who has replied to his or her original question. A supplementary question must arise directly out of the original question or the reply. The Chair may reject a supplementary question on any of the grounds set out in Standing Order 11.4.

#### **11.8 Answers**

Every question shall be put and answered without discussion, but the person to whom the question has been put may decline to answer. An answer may take the form of:

- (a) a direct oral answer, for which two minutes are allowed for answering a question and two minutes are allowed for answering a supplementary question;
- (b) where the information requested is contained in a publication of the Council, a reference to that publication; or
- (c) a written answer to be provided later to the questioner, where the reply cannot conveniently be given orally, in which circumstance the councillor questioned will arrange for the written response to be provided to the questioner and circulated to all members within 10 working days

thereafter.

#### **11.9 Reference of question to a Committee**

Unless the Chair decides otherwise, no discussion will take place on any question. At a Council meeting the Chair or another member may move that a matter raised by a question be referred to an appropriate Committee. Once seconded, such a motion will be voted on without discussion.

### **12. *WRITTEN QUESTIONS BY MEMBERS (not applicable to Licensing Panel or Development Control Committee)***

Written questions from members should not be asked at Council or committees in relation to service or performance issues unless a request for information to the appropriate Head of Service has been unsuccessful.

#### **12.1 Questions Without Notice**

At a Council meeting a member may ask up to 3 questions about a matter on the agenda without giving notice. The 3 question limit includes any supplementary questions. At Council meetings, the questions would be put to the person presenting the report which would normally be a committee chair. There is no limit to the number of questions at committee meetings.

#### **12.2 Questions Requiring Notice**

Other than under the provisions under Standing order 12.1 above, a Member may only ask a question if they have given written notice of it to the Chief Executive by noon at least 3 clear working days before the meeting or the question relates to urgent matters and they have the consent of the Chair of Council, the Leader or, in the case of a Council meeting, the Chair of the committee to whom the question is to be put.

Copies of all written questions and answers will be circulated to all Members and will be made available to the public attending the meeting, and recorded in the Minutes.

#### **12.3 Scope of written questions from Members**

The Chief Executive may reject a question if it:



- is not about a matter for which the local authority or committee to which it is addressed has a responsibility; or
- is illegal, improper, defamatory, frivolous or offensive; or
- is substantially the same as a question which has been put at a meeting of the Council in the past six months; or
- requires the disclosure of confidential or exempt information; or
- is related to confidential staffing matters; or
- is contrary to the Constitution; or
- is relating to the personal affairs or conduct of individual Members. Complaints about members should be made using the standards system complaints process which is set out in the Constitution.

Questions may be edited as necessary by the Chief Executive, in consultation with the Chair, to bring them into proper form and to ensure brevity.

#### **12.4 Response**

An answer will be recorded in the minutes and may take the form of:

- (a) a direct oral answer; or
- (b) where the desired information is in a publication of the Council or other published work, a reference to that publication; or
- (c) where the reply cannot conveniently be given orally, a written answer circulated later to the questioner within a reasonable time.

#### **12.5 Supplementary question**

A Member asking a question under the provisions requiring notice may ask one supplementary question, without notice, of the Member to whom the first question was asked. The supplementary question must arise directly out of the original question or the reply.

### **13. *MOTIONS ON NOTICE (not applicable to Audit and Standards, Licensing Panel or Development Control Committee)***

#### **13.1 Notice**

Except for motions which can be moved without notice under Standing Order 13.5 written notice of every motion, signed by at least 2 Members, must be delivered to Chief Executive not later than noon, 10 clear working days before the date of the meeting.

Where a motion is submitted by email, an indication of support signed by another Member must also be received – this may also be by email. No

Member may propose or second more than 3 motions at a single meeting. If the meeting is not specified, then the Chief Executive shall decide which meeting it shall be addressed to.

### **13.2 Motion set out in agenda**

Motions for which notice has been given will be listed on the agenda, with the names of the proposer and seconder, in the order in which they were received, unless the Member giving notice withdraws it in writing prior to the agenda dispatch. If the motion relates to a matter already on the agenda, they will appear alongside that matter.

### **13.3 Scope of Motions**

The following will be determined by the Chief Executive in consultation with the relevant committee Chair, and Motions must:

- (i) be about matters which are related to the responsibilities of the Council or which affect the Council or the District.
- (ii) not relate to the personal affairs or conduct of individual Members.
- (iii) not be substantially the same as a question which has been put at a meeting of the Council in the past six months; or
- (iv) not require the disclosure of confidential or exempt information
- (v) avoid inappropriate or inflammatory language.

### **13.4 Motions not moved**

If a motion which is specified in the summons is not moved by the Member who has submitted it, or, in their absence by some other Member on their behalf, then, unless postponed by consent of the Council, it will be treated as abandoned, and a fresh motion will have to be submitted.

### **13.5 MOTIONS WITHOUT NOTICE**

The following motions may be moved without notice:

- (a) to appoint a Chair of the meeting if the usual Chair and Vice-Chair are not present at the meeting;
- (b) in relation to the accuracy of the Minutes;
- (c) to change the order of business in the agenda;
- (d) to refer something to an appropriate body or individual;
- (g) to withdraw a motion;
- (h) to amend a motion;
- (i) to proceed to the next business;
- (j) that the question be now put;

- (k) to adjourn a debate;
- (l) to adjourn a meeting;
- (m) that the meeting continue beyond 3 hours in duration;
- (n) to exclude the public in accordance with the law regarding public access to information;
- (o) to not hear further a Member named under the relevant rule or to exclude them from the meeting under the relevant rule;
- (p) to give the consent of the Council where its consent is required by this Constitution;
- (q) To suspend standing orders within the Constitution.

**13.6. MOTIONS OF NO CONFIDENCE (applicable to full Council meetings only)**

The following procedure shall apply at a meeting of full Council, if a motion of no confidence is proposed in the Chair of Council or a Chair of Committee:

- (i) A written motion proposing 'no confidence' shall be delivered in person to the Chair of Council (or in his/her absence the Chief Executive) at least 12 clear working days before the meeting of the Council at which it is proposed to be debated. Motions may be supplied by electronic means.
- (ii) No such motion shall be inserted in the summons for a meeting of the Council unless it is signed by at least 20 Members of the Council, sets out in full to whom the motion is directed and gives details of the reason(s) why the motion is to be proposed.
- (iii) If moved and seconded at Council, the motion shall be properly debated and a simple majority of the whole Council shall suffice to carry the motion.
- (iv) If the motion is carried it shall have the effect of removing the person or persons against whom it is directed from their position as Chair.
- (v) Following such a removal, the meeting of the Council shall be adjourned for such period of time as the Chair (or Vice Chair if the Chair has been removed) shall determine in order to allow the election of a replacement person or persons to fill the vacated post(s).

**14. MOTIONS AND PREVIOUS DECISIONS**

**14.1 Motion to rescind a previous decision**

A motion or amendment to rescind a decision made at a meeting of Council or a committee within the past six months cannot be moved unless the written notice of motion is signed by at least five Members.

#### **14.2 Motion similar to one previously rejected**

A motion or amendment in similar terms to one that has been rejected at a meeting of Council or a committee in the past six months cannot be moved, unless the notice is signed by at least five Members of the committee. If such a motion or amendment is considered then no-one can propose a similar motion or amendment for a further six months.

#### **14.3 Reconsideration during the meeting**

No resolution or recommendation (other than a procedural resolution) made by a committee during a meeting shall be rescinded or amended by the committee during the same meeting or any adjournment of it unless there are reasonable grounds for believing that all of the material information was not available at the time that the resolution or recommendation was passed.

### **15. RULES OF DEBATE**

#### **15.1 No speeches until motion seconded**

No speeches may be made after the mover has moved a proposal and explained the purpose of it until the motion has been seconded.

#### **15.2 Right to require a motion or amendment in writing**

Unless notice of the motion or amendment has already been given, the Chair will normally require it to be written down and handed to him/her before it is discussed.

#### **15.3 Secunder's speech**

When seconding a motion or amendment, a Member may reserve their speech until later in the debate which will normally be immediately prior to the reply by the mover of the original motion. Where the seconder opts to speak later in the debate, no further ordinary speeches shall be made after the seconder has spoken

#### **15.4 Questions**

When the motion has been moved and seconded, Members may ask questions at the discretion of the Chair

#### **15.5 Content and length of speeches**

Speeches must be directed to the question under discussion or to a personal explanation or point of order. The proposer of a motion may speak for up to 5 minutes when introducing a motion. No other speech may exceed 3 minutes without the consent of the Chair.

#### **15.6 When a Member may speak again**

At a committee meeting there is no limit on the number of times a member may speak during debate. At a Council meeting a Member who has spoken on a motion may not speak again whilst it is the subject of debate, except:

- (a) to speak once on an amendment moved by another Member;
- (b) to move a further amendment if the motion has been amended since s/he last spoke;
- (c) if their first speech was on an amendment moved by another Member, to speak on the main issue (whether or not the amendment on which s/he spoke was carried);
- (d) in exercise of a right of reply (as described below);
- (e) on a point of order; or
- (f) by way of personal explanation.

#### **15.7 Amendments to motions**

- (a) An amendment to a motion must be relevant to the motion and must be seconded and will either be:
  - (i) to refer the matter to an appropriate body or individual for consideration or reconsideration;
  - (ii) to leave out words;
  - (iii) to leave out words and insert or add others; or
  - (iv) to insert or add words.

Provided that the effect of (ii) to (iv) is not to negate the motion (negatory motion).

- (b) Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been disposed of;
- (c) If an amendment is not carried, other amendments to the original motion may be moved;

- (d) If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion upon which any further amendments may be moved;
- (e) After an amendment has been carried, the Chair will read out the amended motion before accepting any further amendments. If there are none and no further debate, the Chair will put it to the vote.

#### **15.8 Alteration of motion**

A Member may alter a motion which they have given notice with the consent of the meeting (referred to as a friendly amendment). The meetings consent will be signified without discussion.

The alteration must be one which could have been moved as an amendment and should not propose to substantially amend the intent of the written notice of motion.

#### **15.9 Withdrawal of motion**

A Member may withdraw a motion which s/he has moved with the consent of with the consent of both the meeting and the seconder. No Member may speak on the motion after the mover has asked permission to for it to be withdrawn unless permission to withdraw is refused.

#### **15.10 Right of reply**

- (a) The mover of a motion has a right to reply at the end of the debate on the motion, immediately before it is put to the vote.
- (b) If an amendment is moved, the mover of the original motion has the right of reply at the close of the debate on the amendment but may not otherwise speak on it.
- (c) The mover of the amendment has no right of reply to the debate on his or her amendment.

#### **15.11 Motions which may be moved during debate**

When a motion is under debate, no other motion may be moved except the following procedural motions:

- to withdraw a motion;
- to amend a motion;
- to proceed to the next business;
- that the question be now put;

- to adjourn a debate
- that the meeting continues beyond 3 hours in duration (2 in the case of an extraordinary meeting)
- to exclude the public and press in accordance with the Access to Information Rules; and to not hear further a member named under Standing Order 20.3 or to exclude them from the meeting.

#### **15.12 Closure motions**

(a) A Member may move, without comment, the following motions at the end of a speech of another Member:

- (i) to proceed to the next business;
- (ii) that the question be put;
- (iii) to adjourn a debate; or
- (iv) to adjourn a meeting.

(b) If a motion to proceed to next business is seconded and the Chair thinks the item has been sufficiently discussed, s/he will give the mover of the original motion a right of reply and then put the procedural motion to the vote.

If the vote on this procedural motion is successful then the item falls and will not be voted on and the meeting will move to the next item of business.

(c) If a motion that the question be put is seconded and the Chair thinks the item has been sufficiently discussed, s/he will put the procedural motion to the vote. If it is passed s/he will give the mover of the original motion a right of reply before putting their motion to the vote.

(d) If a motion to adjourn the debate or to adjourn the meeting is seconded and the Chair considers the item has not been sufficiently discussed and cannot reasonably be so discussed on that occasion, s/he will put the procedural motion to the vote without giving the mover of the original motion the right of reply.

#### **15.13 Point of order**

A Member may raise a point of order at any time. A point of order may only relate to an alleged breach of these Council Procedure Rules or the law and the Member must indicate the rule with reference to the specific Council Procedure Rule or law and the way in which s/he considers it has been broken prior to

making any other comment. Where a valid point of order has been raised, the Chair will hear it immediately and his or her ruling on the matter will be final.

**15.14 Personal explanation**

A Member may, only with the consent of the Chair, make a personal explanation at any time. A personal explanation must relate to some material part of an earlier speech by the Member which appears to have been misunderstood in the present debate. The ruling of the Chair on the admissibility of a personal explanation will be final.

**15.15 Debates affecting Persons employed by the Council**

No matters concerning the conduct of any person employed by the Council shall be discussed at a meeting of Council or committee unless properly constituted for that purpose.

**16. VOTING**

**16.1 Majority**

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

**16.2 Chair's casting vote**

If there are equal numbers of votes for and against, the Chair will have a second or casting vote. There will be no restriction on how the Chair chooses to exercise a casting vote, i.e. he or she is not bound to vote the same way as previously.

**16.3 Vote**

Unless legislation requires otherwise or a recorded vote is requested under the relevant rules, the Chair will take the vote by show of hands or by electronic means, or if there is no dissent, by the affirmation of the meeting, i.e. no dissentients.

**16.4 Recorded vote**

If legislation requires, or at least 10% of Members present at the meeting request it immediately prior to the vote being taken, the names for and against



the motion or amendment or abstaining from voting will be recorded and entered into the minutes.

#### **16.5 Right to require individual vote to be recorded**

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

### **17. MINUTES**

#### **17.1 Signing the Minutes**

The Chair will sign the Minutes of the proceedings at the next suitable meeting. The Chair will ask if the meeting agrees that the Minutes of the previous meeting be signed as a correct record and will ask the meeting to affirm this. The only aspect of the Minutes that can be discussed is their accuracy.

#### **17.2 No requirement to sign minutes of previous meeting at an extraordinary Council meeting**

Minutes from a previous meeting will not be signed at an extraordinary meeting of Council but will be carried over to the next ordinary meeting.

### **18. EXCLUSION OF PUBLIC AND MEDIA**

Members of the public and media may only be excluded in accordance with the law concerning public access to information or Council rules regarding disturbance by the public as set out in this Standing Order.

### **19. MEMBERS' CONDUCT**

#### **19.1 Standing to speak (applicable to full Council meetings only)**

When a Member speaks at full Council they must stand and address the meeting through the Chair. Other Members must remain seated whilst a Member is speaking, unless they wish to make a point of order or a point of personal explanation in accordance with relevant rules. The Chair will have discretion to allow Members to remain seated where a request is made.

#### **19.2 Chair Standing**

When the Chair stands during a debate, any Member speaking at the time must stop and sit down immediately. All other attendees must also be silent.

### 19.3 **Disturbance**

The Chair decides who is permitted to speak and when someone must stop speaking. The Chair also has the power to ask someone to stop undertaking a particular action if it is causing a disturbance to the meeting. These powers apply to any person present at the meeting.

19.4 If anyone present at the meeting by words or actions causes disturbance or annoyance to proceedings making orderly business impossible, the Chair will warn the person concerned in the first instance. If the disturbance or annoyance continues the Chair may ask the person to leave the room. If the person refuse to leave the Chair may order the removal of the person and / or:

- may order that the room or part of the room be cleared; and / or
- may adjourn the meeting for as long as s/he thinks necessary.

## 20. **SUSPENSION AND AMENDMENT OF COUNCIL PROCEDURE RULES**

### 20.1 **Suspension**

The right of an individual Member to have their vote recorded and the requirement to sign the Minutes at the next suitable meeting may not be suspended.

### 20.2 **Amendment**

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

### 20.3. **Questions as to procedure or propriety**

All questions as to procedure or the propriety of any action or matter in Council or a committee shall be determined by the Chair of the meeting whose decision shall be final.

## 21. **MEETINGS OF COUNCIL/COMMITTEES**

The dates of meetings for the municipal year will normally be approved no later than the Annual General Meeting of the Council but may, if required, be varied with the consent of the Chair and Vice Chair of the relevant meeting.

## **22. ATTENDANCE OF OTHER MEMBERS AT COMMITTEE MEETINGS**

A Member may be present at any meeting of a committee of which they are not a Member and may participate as specified for in the provisions for invited guests and non-committee members. If they are attending in relation to matters within their Ward, they may speak only once on any one issue but may not vote.

## **23. ACCESS TO INFORMATION PROCEDURE RULES**

### **23.1 Scope**

These rules apply to all meetings of the Council and its committees.

### **23.2 Additional Rights to Information**

These rules do not affect any more specific rights to information contained elsewhere in this Constitution or the law.

### **23.3 Right to Attend Meetings**

Members of the public may attend all formal meetings of the Council and its Committees subject only to the exceptions in these rules.

### **23.4 Notice of Meeting**

The Council will give at least 5 clear working days notice of any meeting of the Council and its committees by posting details of the meeting at the Council Offices, Ebley Mill, Ebley Wharf, Stroud and on the Council's website.

### **23.5 Access to Agenda and Reports Before the Meeting**

The Council will make copies of the agendas and reports open to the public available for inspection at its Offices at least 5 clear days before the meeting. If an item is added to the agenda later, the revised agenda and any report will be available for public inspection as soon as practicable.

All agendas, reports, decision notices and minutes which are open to public inspection will be made available on the Council's web site ([www.stroud.gov.uk](http://www.stroud.gov.uk)).

### **23.6 Supply of Copies**

For 6 years after the meeting subject to reasonable charges for photocopying and postage the Council will supply copies of:

- (a) any agenda and reports which are open to public inspection.
- (b) any further statements or particulars necessary to indicate the nature of the items in the agenda.

### **23.7 Webcast Record**

Copies of webcast meetings will be retained for 6 years and will be available to members and officers for that period, after which they will be archived.

## **24. BACKGROUND PAPERS**

### **24.1 List of background papers**

In every report a list will be included of those documents (called background papers) relating to the subject matter of the report which in the author's opinion:

- (a) disclose any facts or matters on which the report or an important part of the report is based; and
- (b) which have been relied on to a material extent in preparing the report

but does not include published works, legislation, previous reports in the public domain, or those which disclose exempt or confidential information as provided for by law.

### **24.2 Public inspection of background papers**

The Council will make available for public inspection for 6 years after the date of the meeting one copy of each of the documents on the list of background papers.

## **25. EXCLUSION OF ACCESS BY THE PUBLIC TO MEETINGS**

### **25.1 Confidential information – requirement to exclude public and press**

The public and press must be excluded from meetings whenever it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that confidential information would be disclosed.

Confidential information means information given to the Council by a Government Department on terms which forbid its public disclosure or information which cannot be publicly disclosed by Court Order.

**25.2 Exempt information – discretion to exclude public and press**

The public and press may be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that exempt information would be disclosed.

Where the meeting will determine any person’s civil rights or obligations, or adversely affect their possessions, Article 6 of the Human Rights Act 1998 establishes a presumption that the meeting will be held in public unless a private hearing is necessary for one of the reasons specified in Article 6.

**To be exempt, the information must fall within the following categories (subject to any condition) AND it must be considered that the information should be excluded in the PUBLIC INTEREST:**

<b>Category</b>	<b>Relevant condition for the category</b>
1. Information relating to any individual.	Information is not exempt information unless it relates to any individual.
2. Information which is likely to reveal the identity of an individual.	Information is not exempt information unless it would reveal the identity of an individual.
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).	Information is not exempt information unless it relates to the financial or business affairs of any person, including the body holding that information.

# Agenda Item 10

## Appendix D

<p>4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.</p>	<p>Information within paragraph 4 is only exempt if and for so long as its disclosure to the public would prejudice the authority in those or any other consultations or negotiations in connection with a labour relations matter. "Labour relations matters" are as specified in paragraphs (a) to (g) of section 29(1) of the Trade Unions and Labour Relations Act 1974 i.e. matters which may be the subject of a trade dispute.</p>
<p>5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.</p>	<p>Information is not exempt information unless, in view of the Legal Services Manager, legal privilege could be maintained in legal proceedings.</p>
<p>6. Information which reveals that the authority proposes to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or to make an order or direction under any enactment.</p>	<p>Information within paragraph 6 is exempt only if and so long as disclosure to the public might afford an opportunity to a person affected by the notice, order or direction to defeat the purpose or one of the purposes for which the notice, order or direction is to be given or made.</p>
<p>7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.</p>	<p>Information is not exempt information unless it relates to action taken or to be taken in connection with the prevention, investigation or prosecution of crime.</p>

Information falling within any of paragraphs 1-7 is not exempt by virtue of that paragraph if it relates to proposed development for which the local planning authority can grant itself planning permission under Regulation 3 of the Town and Country Planning General Regulations 1992.

### 25.3 Exclusion of Access by the Public and Press to Reports

If the Monitoring Officer thinks fit, the Council may exclude access by the public and press to reports which in his or her opinion relate to items during which the meeting is likely not to be open to the public. Such reports will be marked "Not for publication" together with the category of information likely to be disclosed.

The final decision on whether an item should be considered in exempt session is that of Council or the Committee.

## **26. INVITED GUESTS AND NON COMMITTEE MEMBERS ATTENDING COMMITTEES**

Committees have the ability to invite guests to committee meetings. These are likely to be expert witnesses or interested parties whom the committee considers will be able to contribute to its work. The committee will determine the length of the appointment which may be for one meeting or longer but it should only be for as long as the person is likely to contribute to the business of the committee.

- 26.1 The person will not be a co-optee of the committee and will have no voting rights. They will have the ability to speak and participate in the debate at the discretion of the Chair. Members will at all times treat invited guests with respect and will acknowledge their voluntary contribution in asking questions appropriately.
- 26.2 The invited guest will be afforded webcast and microphone provision and will be recognised in the minutes.
- 26.3 In accordance with CPR 22, Members of the Council who are in attendance but are not members of the committee will be treated the same as invited guests.

## **27. PETITIONS**

Petitions cannot be submitted directly to committee or Council meetings, but may be submitted to the Council by delivering them to:

Ebley Mill,

Ebley Wharf,

Stroud, GL5 4UB

for the attention of the Corporate Policy and Governance Manager.

- 27.1 If the petition has less than 1100 signatures, it will be referred to the appropriate Strategic Director for a response to be provided to the lead petitioner.
- 27.2 If the petition has 1100 or more signatures and concerns a committee matter, the petition will be referred to the Chair of the appropriate committee and the Chair of Council who will consult the relevant Strategic Director or Head of Service and decide if a response by the service or reference to committee or Council for debate is appropriate.

- 27.3 If the petition has 1100 or more signatures and relates to a matter which Council rather than a committee would be responsible, the petition will be referred to the Chair of Council and the Leader of Council to determine in consultation with the relevant Strategic Director or Head of Service whether the matter should be responded to by the Strategic Director or Head of Service; or referred to Council for debate.
- 27.4 If the item is to be debated at a committee or Council meeting, the lead petitioner will be given 3 minutes to present the petition to the meeting. The committee or Council may debate the item for up to 15 minutes.

**NB – there is currently no legal ability to hold formal meetings remotely, but in the event of a change in the law, the following Council Procedure Rule will apply to remote and or hybrid meetings.**

**In addition, depending on what the legislation says, adjustments may have to be made to this rule.**

## **28. PROCEDURE RULES FOR THE REGULATION OF REMOTE MEETINGS**

### **General**

- 28.1 This Procedure Rule applies to remote and / or hybrid meetings, i.e. a meeting where not all members are physically present at a place at the same time. (Hereafter referred to as remote meetings) Remote meetings may be held through electronic, digital, virtual locations, live webcast, live interactive streaming, video and telephone conferencing. The Council uses Zoom as its preferred platform for this purpose, but reserves its ability to use a different platform if it considers that necessary.
- 28.2 The Procedure Rules in this Constitution apply to remote meetings in the same way as they do for other meetings of the Council except where they conflict, in which case this Procedure Rule takes precedence in relation to the governance of remote meetings.
- 28.3 The Chair, following consultation with the Chief Executive may alter the frequency move or cancel a remote meeting without notice.
- 28.4 The Council will endeavour to enable the public to participate in meetings in accordance with legal requirements where possible in terms of asking questions at Council and Committee meetings and making representations at regulatory meetings (Development Control Committee and Licensing)



However, this may be restricted to the parties taking part in the meeting depending on the circumstances existing at the time. Other members of the public and press will be able to view the meeting as it will be streamed at a remote location which will be advised in the meeting notice.

- 28.5 For the avoidance of doubt, neither the press nor members of the public will be able to access remote meetings which will consider exempt information and those meetings will not be webcast nor will the meeting access arrangements be made available other than to members of the Council.
- 28.6 If during a remote meeting a matter which could be considered exempt arises, the Chair in consultation with the Monitoring Officer or the Democratic Services Officer, will move that the item should be considered in private session and, if that motion is approved, will move the item to the end of the meeting agenda and the press and public will be excluded from that item. Members of the public and press can either leave the meeting or will be moved to the waiting room and the live stream will be cut.

#### **Access to Information**

- 28.7 In terms of public and press access, requisite notice of the time of the meeting, the agenda and all agenda papers, together with details of how to view the meeting will be made available on the Council's website.
- 28.8 Elected Members and members of the public who wish to speak at a Council or Committee meeting and those who wish to make representations at regulatory meetings will be notified of a remote meeting by email which will provide them with the joining details.
- 28.9 For all purposes, the terms "notice", "summons", "agenda", "report", "written record" and "background papers" when referred to as being a document that is:
- (a) "open to inspection" shall include for these and all other purposes as being published on the website of the council; and
  - (b) to be published, posted or made available at offices of the Council shall include publication on the website of the Council.

#### **Remote Access to Meetings**

- 28.10 For all purposes the term "meeting" is not limited in meaning to a meeting of persons who are present in the same place. Any reference to:
- (i) "place" is to be interpreted as where a meeting is held, or to be held, includes reference to more than one place including electronic, digital or

virtual locations such as internet locations, web addresses or conference call telephone numbers. (The meeting may also be held in a meeting room or Chamber with a proportion of the membership and any participating public additionally attending remotely.)

- (ii) “open to the public” includes access to the meeting being through remote means including (but not limited to) video conferencing, teleconference, live webcast, and live interactive streaming and where a meeting is accessible to the public through such remote means the meeting is open to the public whether or not members of the public are able to attend the meeting in person.

28.11 If the Chair is made aware that the meeting is not accessible to the public through remote means due to any technological or other failure of provision, then the Chair shall adjourn the meeting immediately for the connection to be restored. If the provision of access through remote means cannot be restored within fifteen minutes, the remaining business will be considered at a time and date fixed by the Chair. If they do not fix a date, the remaining business will be considered at the next ordinary meeting.

#### **Members in Remote Attendance**

28.12 A member in remote attendance is present and attends the meeting, including for the purposes of the quorum, if at any time both of the following conditions are satisfied, those conditions being that the member in remote attendance is able at that time:

- (i) to hear, and where practicable see, and be heard and, where practicable, be seen by, the other members in attendance.
- (ii) to be heard and, where practicable, be seen by any other members of the public attending the meeting.

28.13 Attendance at the meeting will be recorded by a Democratic Services Officer and a member in remote attendance will be deemed to have left the meeting where, at any point in time during the meeting, any of the conditions for remote attendance contained above are not met.

#### **Questions and Representations by members of the public**

28.14 There will be speaking rights for members of the public or their representatives at remote meetings in accordance with the provisions of the Council Standing Orders.

28.15 Members of the public will be able to participate in remote meetings in the following ways:

- Questions, representations and petitions should be submitted in advance of the meeting and will be made available to all members of the remote meeting by Democratic Services.
- Questions for Council and Committees (with the exception of Development Control Committee and Licensing Panel must be received by no later than 12 noon, 2 clear working days before the day of the meeting. Such notice must be by electronic mail to [democratic.services@stroud.gov.uk](mailto:democratic.services@stroud.gov.uk).
- Representations for Development Control Committee should be received by 12 noon 1 clear working day before the day of the meeting, exceptionally, the Council will consider late representations if appropriate.
- Representations for Licensing Panel may be submitted prior to the meeting, but applicants and their representatives will make oral submissions to the committee at their election.
- Members of the public or their representatives will be able to present their questions, or petitions to Council and Committees (with the exception of Development Control Committee and Licensing Panel) in the remote meeting.
- Public questions will, where appropriate, receive a response in the meeting. One Supplementary question will be permitted.
- Public petitions not referred to an officer in accordance with Council Standing Orders will be received by the Chair of the meeting without debate and sent to the relevant committee or council officer for a response.

### **Process at remote meetings**

28.16 The Chair will confirm at the outset and at any reconvening of a committee meeting that they can see and hear all participating members by carrying out a roll call of members present.

28.17 Unless the member has declared an interest which precludes them from taking part, their attendance at the meeting must be continuous throughout the item and will be monitored and recorded by the Democratic Services Officer.

28.18 The normal quorum requirements for meetings as set out in Council Procedure Rule 9 will also apply to a remote meeting. In the event of any apparent failure of the video, telephone or conferencing connection, the Chair should immediately determine if the meeting is still quorate and (Subject to Paragraph 29.21):

- if it is, then the business of the meeting will continue; or
- if there is no quorum, then the meeting shall adjourn for a period specified by the Chair, expected to be a maximum of fifteen minutes, to allow the connection to be re-established after which time the meeting will be abandoned and any remaining items adjourned to the next meeting.

28.19 If there is a disruption to any members attendance due to the quality of internet connection, the Chair will, initially, pause the meeting for up to five minutes to determine whether the connection can quickly be re-established, either by video technology or telephone in the alternative. If the connection is not restored within that time, the meeting should continue to deal with the business whilst this happens, providing the meeting remains quorate.

28.20 In the event of a connection failure, the member(s) will be deemed to have left the meeting at the point of failure. If the connection is successfully re-established, then the remote member(s) will be deemed to have returned at the point of re-establishment.

28.21 If a connection to the Chair is lost, the Vice Chair will stop the meeting to enable the connection to be restored. If the connection cannot be restored within five minutes, the Vice Chair will proceed with the meeting in the absence of the Chair. If the connection to both the Chair and Vice Chair is lost, the committee will wait for a period of five minutes and, if the meeting is still quorate, will elect a Chair Pro Tem. If connection to the Chair or Vice Chair is restored, they will take control of the meeting at the end of the item then being discussed.

28.22 If a connection to a member is lost during a regulatory meeting, the Chair will stop the meeting to enable the connection to be restored. If the connection cannot be restored within five minutes, subject to the meeting being quorate, the meeting will proceed, but any member who has been disconnected will not be able to vote on the matter then under discussion as they would not have heard all the facts.

28.23 The Chair will follow the normal rules set out in the Constitution when determining who may speak, as well as the order and priority of speakers and the content of speeches in the normal way.

28.24 Members will be able to indicate to the Chair that they wish to ask a question or speak in the debate on an item by raising their hand physically, by using the raise hand function or by sending a message via the chat facility.

28.25 In respect of large committees, it will assist the meeting if those members who wish to speak on a particular item could indicate their wish to speak to the Chair

and to the Democratic Services Officer in advance of the start of the meeting. Political groups are also encouraged to co-ordinate this activity wherever possible.

### **Meeting Etiquette**

28.26 Members are asked to adhere to the following etiquette during remote attendance at a meeting:

- Committee members are asked to join the meeting no later than fifteen minutes before the start to allow themselves and the Democratic Services Officer the opportunity to test the equipment.
- Elected members and any members of the public who are to speak at the meeting will initially enter the waiting room and will be admitted to the meeting by the Chair.
- All entrant microphones will be muted on entry.
- Any video-feed should show a non-descript background with no background noise where possible.
- Members should be careful not to allow exempt or confidential papers to be seen in the video-feed.
- To enable identification for the public in the remote meeting and to gain access from the 'waiting room', members must log in using the username provided to them by Democratic Services.
- All members should have microphones muted when not talking unless they have joined with audio only (e.g. telephone).
- Members will unmute their microphone when the Chair invites them to speak and then mute their microphone when they have finished speaking.
- The chat facility must not be used for private conversations between members and will be mindful that if they select 'everyone' all participants in the meeting will be able to see what they write.
- Members should only speak when invited to by the Chair and only one person may speak at any one time.
- For the benefit of anyone listening to an audio feed, anyone speaking should state their name before making a comment.
- When referring to a specific report, page, or slide, members should mention the report, page, or slide so that all members have a clear understanding of what is being discussed at all times.

28.27 The Chair and / or the Democratic Services Officer may:

- Pause (adjourn) the meeting by taking down the stream (live feed) from public viewing and then resume it when needed and / or placing everyone in the waiting room.

- Switch on each active participant's microphone when they are invited to speak and switch them off afterwards.
- Mute someone speaking at any time.
- Mute everyone speaking except themselves at any time.
- Allocate different levels of access to people logging in based upon whether they are a councillor, an officer, or a member of the public or press who is an observer of the meeting.
- Switch some observers off or move observers to a 'waiting room', so they are paused and have neither 'live' visual or audio feed whilst the committee deliberates in private or an officer present gives the committee advice. By taking down the live feed content from the public and just displaying a holding slide, decision makers may hold a separate meeting. The live stream can then be resumed when needed.

### **Voting**

28.28 When the Chair is satisfied that there has been sufficient debate and there is a proposer and seconder, who will indicate by showing their hand on the video or speaking if on an audio feed, for the item being discussed the Chair will progress to a decision.

28.29 The method of voting may be one of the following methods:

- A vote by electronic means or
- A role call where the Chair or Democratic Services Officer will call out the name of each member present with members stating 'for', 'against', or 'abstain' to indicate their vote when their name is called.
- By a show of hands providing the Chair can see all members at the same time

28.30 At the conclusion of the voting the Chair shall announce the numbers of votes cast for, against and abstentions and announce whether the motion has been passed or lost.

28.31 Details of how members voted will not be minuted unless a Recorded Vote is called. Where a Recorded Vote is requested the Chair will ask members in turn to signify verbally whether or not they support that request. A recording of the meeting will be kept and be available on the Council's website for a period of 6 years after which it will be archived.

### **Declaration of Interests**

28.32 Members will declare interests in the normal way at the appropriate point in the meeting, or if they realise that they have an interest in the item under discussion.

28.33 Any member participating in a remote meeting who declares a disclosable pecuniary interest, or other declarable interest, in any item of business that would normally require them to leave the room, must also leave the remote meeting.

28.34 Democratic Services will place the member into the waiting room whilst the matter is considered who will confirm that this has been done before progressing with the item of business. The Chair will then allow the member to re-enter the meeting from the waiting room when the matter has been determined and before moving onto the next item of business.

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# CONTRACT AND PROCUREMENT PROCEDURE RULES

These Contract and Procurement Procedure Rules ('CPPRs') set out the rules that must be followed by Stroud District Council ('the Council') when it procures all goods, services and works. They have three main purposes:

- to ensure that the Council obtains value for money when procuring any goods, service and works;
- to ensure that the Council complies with current UK law and this Council's policies that govern the procurement of goods, services and works and;
- to establish procedures which, when followed, should protect the Council, its Officers and Members from any allegation of acting unfairly or unlawfully which may be made in connection with any procurement by the Council of any goods, services or works.

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# Agenda Item 10

## Appendix E

### General

1. Every contract entered into by the Council shall comply with these CPPRs and with any relevant UK law currently in force in England.
2. These CPPRs do **not** apply to the employment of staff (**excluding** the engagement of external consultants and temporary staff engaged through recruitment agencies or similar); the instruction of Counsel and the engagement of Arbitrators, Adjudicators or Mediators in connection with construction related disputes. Guidance and advice in such matters should be sought from Human Resources or from the [Monitoring Officer](#) as appropriate.
3. Officers must also comply with guidance or advice issued by the [Monitoring Officer](#) in respect of matters arising from individual tenders or requests for quotations entered into or proposed to be entered into by the Council.

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### Responsibilities – Strategic Directors

4. Each [Strategic](#) Director shall ensure that all permanent and temporary Officers of the Council or those third party individuals or organisations working to their instruction carrying out the procurement of goods, works and services for the Council comply with these CPPRs at all times.
5. Each relevant operational manager shall be responsible for managing the preparation of suitable and appropriate specifications or requirements (including but not limited to appropriate insurance cover) for **all** contracts of whatever total estimated value relevant to their service area.
6. For all planned procurement where the total estimated value of the contract exceeds £250,000, the [Strategic](#) Director or Head of Service who signs the Procurement Plan Form described in CPPR 9 below shall, in consultation with the relevant Committee Chair and the [Monitoring Officer](#), agree whether a formal decision of the relevant Committee is required prior to the commencement of a particular procurement.

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### Procurement Thresholds

7. Each potential contract shall be progressed according to the total estimated value of the contract as calculated and shown in CPPR 10 below. The total estimated value of a contract is the cost of the contract to the Council not just for the initial term but also for any extended term to its conclusion. Where there is doubt over the total estimated value of a contract, the next financial threshold up should be used.
8. Where the total estimated value of the contract is equal to or more than £5000 (five thousand pounds), the South West Procurement Portal ([www.supplyingthesouthwest.org.uk](http://www.supplyingthesouthwest.org.uk)) must be used **unless** an exemption from compliance with these CPPRs can be properly applied (See CPPR 17 – 20 inclusive below). Further guidance in connection with the use of the South West Procurement Portal can be obtained from the [Policy and Governance Team](#).

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9. Contracts with a total estimated value of **£25,000 or above** must be notified to the [Policy and Governance Team](#) using a completed Procurement Plan Form **prior** to the commencement of a tender or quotation exercise. This completed Procurement Plan Form must be shared with the [Monitoring Officer](#) to ensure that appropriate contractual terms and conditions are being relied upon for the particular tender or quotation exercise. The [Policy and Governance Team](#) shall retain a record of all completed Procurement Plan Forms submitted.

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10. The following procurement thresholds must be followed when purchasing goods or services or arranging works on behalf of the [Council](#):

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**Up to £5,000**

Officers must be able to demonstrate value for money by comparing prices from different suppliers or contractors. It is recommended that **at least three suppliers or contractors are approached** by telephone or e-mail and prices obtained. All prices received should be recorded in writing by the Officer obtaining the prices. All contracts or purchase orders must be in writing. [The use of catalogues and online facilities to compare prices is also permitted.](#)

**£5,000 up to £75,000**

Having first complied with the requirements of CPPR 9 above, Officers must be able to demonstrate value for money by obtaining **at least three written quotations** from different suppliers or contractors utilising the South West Procurement Portal. A quotation is a written document that clearly sets out the requirements of the Council and invites suppliers or contractors to submit a price(s) for the supply of their goods, services or works. All contracts or purchase orders must be in writing.

**All contracts with an estimated value of £25,000 and above must also be published on the Contracts Finder operated by the Cabinet Office (through the South West Procurement Portal) in accordance with the provisions of Part 4 Chapter 8 of the Public Contracts Regulations 2015.**

**£75,000 to [UK Thresholds](#)**

Having first complied with the requirements of CPPR 9 above, **at least three formal tender responses** must be obtained in accordance with the procedures set out in these CPPRs and utilising the South West Procurement Portal. Advice on these procedures should be obtained from the [Policy and Governance Team](#). All contracts must be in writing.

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# Agenda Item 10

## Appendix E



Where a **works contract** to be tendered has a total estimated value within **10%** of the relevant **JK** threshold, the above **JK** Thresholds procedure described below should be followed.

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Where a **supplies or services contract** to be tendered has a total estimated value within **5%** of the relevant **JK** threshold, the above **JK** Thresholds procedure described below should be followed.

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**Above JK Thresholds** Having first complied with the requirements of CPPR 9 above, any Contract with a total estimated value above the relevant **JK** Threshold must be **formally tendered** in accordance with the provisions of the Public Contracts Regulations 2015 and utilising the South West Procurement Portal to advertise on the Governments Find a Tender website. Advice on these procedures should be obtained from the **Policy and Governance Team**. All contracts must be in writing.

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### **Tenders (for contracts with a total estimated value of £75,000 or more)**

11. Notwithstanding the requirements of CPPR 9 above, advice in relation to the most suitable form of tendering procedure must be obtained from the **Policy and Governance Team** prior to the commencement of the tender exercise. The tender documentation routinely included with each invitation to tender published by the Council shall be in a form approved by the **Policy and Governance Team** in consultation with the **Monitoring Officer**.

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12. Depending on the nature of the goods, services or works to be procured by the Council, it will be necessary to consider the most suitable form of contract to be relied upon. Advice in relation to the most suitable form of contract to be relied upon should be obtained from the **Policy & Governance Team or ONELegal** prior to the commencement of the tender exercise.

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### **Requests for Quotations (for contracts with a total estimated value of £5,000 up to £75,000)**

13. Notwithstanding the requirements of CPPR 9 above, advice in relation to the quotation procedure (including but not limited to the most suitable form of contract to be relied upon) should be obtained from the **Policy and Governance Team** prior to the commencement of the quotation exercise. The request for quotation documentation routinely included with each request for a quotation and published by the Council shall be in a form approved by the **Policy and Governance Team** in consultation with the **Monitoring Officer**.

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14. For the purpose of these CPPRs, where any public notice is required to be given (regardless of the total estimated value of the contract), it shall be published on the South West Procurement Portal.

### Framework Agreements and Dynamic Purchasing Systems

15. When using a properly concluded Framework Agreement or Dynamic Purchasing System, written approval must be sought from the Policy and Governance Team using the Procurement Plan Form as detailed in CPPR 9 above.
16. The guidance and award criteria set out for the particular Framework Agreement or Dynamic Purchasing System must be strictly adhered to in the engagement of the contractor or supplier.

### Exemptions

17. Except for CPPR 18 (d) below, an exemption from compliance with these CPPRs in the case of the contract values specified, **must** be approved by:
  - (a) Contracts up to £25,000 - the Strategic Director (or in their absence the relevant Head of Service) for the service area concerned; and
  - (b) Contracts of £25,000 above - the Monitoring Officer

**and in both cases prior to the commencement of the tender or quotation exercise and only for contracts which have a total estimated value which can clearly be demonstrated to be below the relevant UK threshold.**
18. Where an exemption is required as a matter of urgency, written approval should be sought by the relevant Strategic Director from the Monitoring Officer and in consultation with the Policy and Governance Team. For the avoidance of doubt, urgency that could have been avoided through reasonable foresight and planning will not normally be acceptable as an adequate reason for a departure from compliance with these CPPRs.
19. The Policy and Governance Team shall maintain a register of all approved exemptions together with the reasons given for approving and applying the exemption.
20. Exemptions from compliance with these CPPRs may be applied in the following circumstances: -
  - (a) (i) the supplies or services to be provided relate to goods, services and materials which are proprietary articles; (ii) the supplies or services are sold or charged only at a fixed price and no satisfactory alternative is available or (iii) if there would be no genuine competition for either the goods, materials or services; or
  - (b) the Council is issuing a grant to support the costs of an organisation whereby the activities of that organisation support or complement the objectives of the Council. However, where there is potential for more than one organisation to be eligible for the grant, it would normally be expected that a tender or quotation exercise would be carried out in accordance with these CPPRs; or

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# Agenda Item 10

## Appendix E

- (c) other reasons reported to and approved in writing by the [Monitoring Officer](#) for contracts over £25,000. The [Strategic Director](#) (or in their absence the relevant Head of Service) for the service area concerned must approve contracts valued under £25,000.

The following exemption from compliance with these CPPRs **does not** require the formal approval of the [Monitoring Officer](#) where it exceeds £25,000 but must only be relied upon with the written approval of the [Policy and Governance Team](#) who shall maintain a register of such approved requests in accordance with CPPR 16 above:

- (d) tenders or quotations have been invited on behalf of any consortium, association or similar body of which the Council is a member, or on behalf of any other local authority, or public body, with whom the Council has a contract, agency agreement, partnering agreement or similar, provided that the approved procedure of any such body for the invitation of tenders and quotations has been followed.

### Submission of Tenders or Requests for Quotations

- 21 Where an invitation to tender or request for a quotation is published on the South West Procurement Portal in accordance with the thresholds set out in these CPPRs, the procedures stipulated by the South West Procurement Portal Administrator for the receipt, evaluation, rejection and/or award of a tender or quotation must be followed in all circumstances.

### Opening and Acceptance of Tenders or Requests for Quotations

- 22 All tenders or requests for quotations received shall be opened on the South West Procurement Portal on the same occasion and in the presence of at least two Officers of the Council of whom at least one should be a Council Unit Manager or above who has not previously been involved in the tender or request for quotation in question.
- 23 All tenders for contracts or requests for quotations published on the South West Procurement Portal shall be recorded on the Portal or otherwise in a manner approved by the [Monitoring Officer](#).
- 24 All tenders (with a total estimated value of £75,000 or more) shall be evaluated in accordance with the evaluation criteria set out in the invitation to tender. The Council would usually award a contract where it represents the most economically advantageous tender (MEAT) and delivers best value for money.
- 25 The evaluation criteria set out in the invitation to tender (for contracts with a total estimated value of £75,000 or more) shall be strictly observed at all times throughout the contract award procedure by any Council Officer involved in the process.

### Notification of Tender Results and Debriefing

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- 26 Notification of the award of a tender (with a total estimated value of £75,000 or more) shall be carried out in consultation with the [Policy and Governance Team](#) utilising prescribed forms and documentation.
- 27 All procurement exercises for tenders with a total estimated value of £75,000 or more should incorporate a formal standstill period of at least 10 calendar days if the award decision is sent electronically to all tenderers (or at least 15 calendar days if sent to all tenderers by other methods) between communicating the award decision to all tenderers and entering into a contract with the successful tenderer. If the award of a tender is challenged during the standstill period, it is vital that details of the challenge are **immediately** notified to the [Policy and Governance Team and the Monitoring Officer](#).
- 28 If an unsuccessful Contractor or Supplier makes a request for further information relating to their tender or for other reasons, advice should be sought from the [Policy and Governance Team](#) in consultation with the [Monitoring Officer](#) before responding to the unsuccessful Contractor or Supplier.

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#### Alterations to Tenders or Quotations

- 29 Where an examination of a tender or a quotation reveals clerical or arithmetical errors or discrepancies which would alter the tender or quotation submitted, the contractor or supplier concerned shall be given details of such errors and discrepancies in writing by the relevant [Strategic Director](#) and (a) in the case of a clerical or arithmetical error be afforded no more than three working days to correct such an error or (b) be afforded no more than three working days to confirm or withdraw their tender to the relevant [Strategic Director](#). If when contacted about an error or discrepancy, the contractor or supplier concerned decides to withdraw their tender or quotation, the next tender or quotation in competitive order shall be considered in place of the withdrawn tender or quotation.

#### Withdrawal by a successful Supplier or Contractor

- 30 Where prior to the execution of a formal contract, a successful contractor or supplier withdraws their tender or quotation, the next tender or quotation in order may be examined and considered for award **provided** that the next tender or quotation is still valid **and** the award does not breach any regulatory provision or judicial order.

Before proceeding to award a tender or quotation for a replacement tender or quotation under this CPPR, the relevant [Strategic Director](#) must notify the [Policy and Governance Team](#).

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#### Contracts Register

- 31 Details of all contracts **awarded** with a total estimated value of **more** than £75,000 must be entered on the Corporate Contracts Register **to comply with the Transparency Code**; this is maintained by the [Policy and Governance](#)

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# Agenda Item 10

## Appendix E

**Team.** This Register shall specify for each contract the name of the contractor, the works to be executed or the goods or services to be supplied and the total estimated contract value.

### Contract Form and Execution

32 All contracts, regardless of value, entered into by the Council shall be in writing and signed by a duly authorised Council Officer. Contracts with a total estimated value of **£75,000 or above** must be signed by the relevant **Strategic Director** or by the Chief Executive.

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33 All contracts entered into by the Council should **as a minimum** specify the goods, materials or services to be supplied and the work to be executed (all of which must accord with any current policy, guidance, specification or Code of Practice formally adopted by or required to be adhered to by the Council); the price to be paid (together with a statement as to the amount of any discount(s) or other deduction(s)); the period(s) within which the contract is to be performed and the termination provisions (including but not limited to early termination due to the poor performance of the supplier or contractor during the term of the contract).

Guidance on appropriate contractual terms can be obtained from the **Monitoring Officer** (in consultation with the **Policy and Governance Team**) **prior** to the commencement of any tender exercise or purchase undertaken by the Council.

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34. No contractor or supplier should commence works or supply goods or services to the Council until the relevant contractual documents have been signed and completed by all relevant parties. One original signed and completed contractual document should be forwarded to the **Policy and Governance** for indexation and retention. Arrangements will then be made for an electronic completed copy of the contract to be forwarded to the relevant **Strategic Director** and the Officer with day-to-day responsibility for managing the contract to assist in the operation of the contract during its term. The other original signed and completed contractual document should be forwarded to the appointed supplier(s) or contractor(s) for their records.

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### Contract Extensions

35. A contract may be extended before the expiry date only where it is expressly in accordance with its terms and such an extension does not compromise the basis upon which the contract was originally procured. In all cases where it is proposed to extend an existing contract, advice and guidance must be sought from the **Policy and Governance Team** in consultation with **Monitoring Officer** **before** any negotiations are entered into with suppliers or contractors over an extended term.

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36. Where the terms of a contract:



- (i) do not expressly provide for an extension; or
- (ii) once a contract has expired; or
- (iii) where an extended term alters the basis on which the service, supply of goods or works were originally procured; or
- (iv) where the extended term would lead to the total value of the contract exceeding the relevant [UK](#) threshold applicable at the commencement of the extended term; or
- (v) where such an extended term would be in breach of statutory regulation

the relevant contract may **not** be extended.

#### **Variations other than Contract Extensions**

37. No variation may be made to a contract if the proposed variation means that the works, services or goods would become substantially different in scope or type to those originally contemplated by the original tender or quotation exercise.

Where a variation to a contract is being considered, advice **must** be sought from the [Monitoring Officer](#) (in consultation with the [Policy and Governance Team](#)) **prior** to entering into any discussions or negotiations with a supplier or contractor about a variation to an existing contract.

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#### **Contract Management**

38. Throughout the term of a contract, the relevant [Strategic](#) Director must ensure that the contract is properly monitored **at least** in respect of the following matters:

- (i) Performance (including but not limited to User Satisfaction);
- (ii) Compliance with Specification and Contractual Terms;
- (iii) Prices or Costs charged;
- (iv) Anticipation of completion dates to plan for subsequent service requirements.

#### **Partnerships and Collaborative Arrangements.**

39. Where the Council is the Lead Authority in any partnership or collaborative arrangement with other organisations or bodies, these CPPRs shall apply to the procurement of any goods, services or works carried out with or on behalf of those other organisations or bodies.

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# **CONTRACT AND PROCUREMENT PROCEDURE RULES**

These Contract and Procurement Procedure Rules ('CPPRs') set out the rules that must be followed by Stroud District Council ('the Council') when it procures all goods, services and works. They have three main purposes:

- to ensure that the Council obtains value for money when procuring any goods, service and works;
- to ensure that the Council complies with current UK law and this Council's policies that govern the procurement of goods, services and works and;
- to establish procedures which, when followed, should protect the Council, its Officers and Members from any allegation of acting unfairly or unlawfully which may be made in connection with any procurement by the Council of any goods, services or works.

Adopted 2021

### General

1. Every contract entered into by the Council shall comply with these CPPRs and with any relevant UK law currently in force in England.
2. These CPPRs do **not** apply to the employment of staff (**excluding** the engagement of external consultants and temporary staff engaged through recruitment agencies or similar); the instruction of Counsel and the engagement of Arbitrators, Adjudicators or Mediators in connection with construction related disputes. Guidance and advice in such matters should be sought from Human Resources or from the Monitoring Officer as appropriate.
3. Officers must also comply with guidance or advice issued by the Monitoring Officer in respect of matters arising from individual tenders or requests for quotations entered into or proposed to be entered into by the Council.

### Responsibilities – Strategic Directors

4. Each Strategic Director shall ensure that all permanent and temporary Officers of the Council or those third party individuals or organisations working to their instruction carrying out the procurement of goods, works and services for the Council comply with these CPPRs at all times.
5. Each relevant operational manager shall be responsible for managing the preparation of suitable and appropriate specifications or requirements (including but not limited to appropriate insurance cover) for **all** contracts of whatever total estimated value relevant to their service area.
6. For all planned procurement where the total estimated value of the contract exceeds £250,000, the Strategic Director or Head of Service who signs the Procurement Plan Form described in CPPR 9 below shall, in consultation with the relevant Committee Chair and the Monitoring Officer, agree whether a formal decision of the relevant Committee is required prior to the commencement of a particular procurement.

### Procurement Thresholds

7. Each potential contract shall be progressed according to the total estimated value of the contract as calculated and shown in CPPR 10 below. The total estimated value of a contract is the cost of the contract to the Council not just for the initial term but also for any extended term to its conclusion. Where there is doubt over the total estimated value of a contract, the next financial threshold up should be used.
8. Where the total estimated value of the contract is equal to or more than £5000 (five thousand pounds), the South West Procurement Portal ([www.supplyingthesouthwest.org.uk](http://www.supplyingthesouthwest.org.uk)) must be used **unless** an exemption from compliance with these CPPRs can be properly applied (See CPPR 17 – 20 inclusive below). Further guidance in connection with the use of the South West Procurement Portal can be obtained from the Policy and Governance Team.

9. Contracts with a total estimated value of **£25,000 or above** must be notified to the Policy and Governance Team using a completed Procurement Plan Form **prior** to the commencement of a tender or quotation exercise. This completed Procurement Plan Form must be shared with the Monitoring Officer to ensure that appropriate contractual terms and conditions are being relied upon for the particular tender or quotation exercise. The Policy and Governance Team shall retain a record of all completed Procurement Plan Forms submitted.
10. The following procurement thresholds must be followed when purchasing goods or services or arranging works on behalf of the Council:

**Up to £5,000**

Officers must be able to demonstrate value for money by comparing prices from different suppliers or contractors. It is recommended that **at least three suppliers or contractors are approached** by telephone or e-mail and prices obtained. All prices received should be recorded in writing by the Officer obtaining the prices. All contracts or purchase orders must be in writing. The use of catalogues and online facilities to compare prices is also permitted.

**£5,000 up to £75,000**

Having first complied with the requirements of CPPR 9 above, Officers must be able to demonstrate value for money by obtaining **at least three written quotations** from different suppliers or contractors utilising the South West Procurement Portal. A quotation is a written document that clearly sets out the requirements of the Council and invites suppliers or contractors to submit a price(s) for the supply of their goods, services or works. All contracts or purchase orders must be in writing.

**All contracts with an estimated value of £25,000 and above must also be published on the Contracts Finder operated by the Cabinet Office (through the South West Procurement Portal) in accordance with the provisions of Part 4 Chapter 8 of the Public Contracts Regulations 2015.**

**£75,000 to UK Thresholds**

Having first complied with the requirements of CPPR 9 above, **at least three formal tender responses** must be obtained in accordance with the procedures set out in these CPPRs and utilising the South West Procurement Portal. Advice on these procedures should be obtained from the Policy and Governance Team. All contracts must be in writing.

Where a **works contract** to be tendered has a total estimated value within **10%** of the relevant UK threshold, the above UK Thresholds procedure described below should be followed.

Where a **supplies or services contract** to be tendered has a total estimated value within **5%** of the relevant UK threshold, the above UK Thresholds procedure described below should be followed.

#### **Above UK Thresholds**

Having first complied with the requirements of CPPR 9 above, any Contract with a total estimated value above the relevant UK Threshold must be **formally tendered** in accordance with the provisions of the Public Contracts Regulations 2015 and utilising the South West Procurement Portal to advertise on the Governments Find a Tender website. Advice on these procedures should be obtained from the Policy and Governance Team. All contracts must be in writing.

#### **Tenders (for contracts with a total estimated value of £75,000 or more)**

11. Notwithstanding the requirements of CPPR 9 above, advice in relation to the most suitable form of tendering procedure must be obtained from the Policy and Governance Team **prior** to the commencement of the tender exercise. The tender documentation routinely included with each invitation to tender published by the Council shall be in a form approved by the Policy and Governance Team in consultation with the Monitoring Officer.
12. Depending on the nature of the goods, services or works to be procured by the Council, it will be necessary to consider the most suitable form of contract to be relied upon. Advice in relation to the most suitable form of contract to be relied upon should be obtained from the Policy & Governance Team or ONELegal **prior** to the commencement of the tender exercise.

#### **Requests for Quotations (for contracts with a total estimated value of £5,000 up to £75,000)**

13. Notwithstanding the requirements of CPPR 9 above, advice in relation to the quotation procedure (including but not limited to the most suitable form of contract to be relied upon) should be obtained from the Policy and Governance Team **prior** to the commencement of the quotation exercise. The request for quotation documentation routinely included with each request for a quotation and published by the Council shall be in a form approved by the Policy and Governance Team in consultation with the Monitoring Officer.
14. For the purpose of these CPPRs, where any public notice is required to be given (regardless of the total estimated value of the contract), it shall be published on the South West Procurement Portal.

### **Framework Agreements and Dynamic Purchasing Systems**

15. When using a properly concluded Framework Agreement or Dynamic Purchasing System, written approval must be sought from the Policy and Governance Team using the Procurement Plan Form as detailed in CPPR 9 above.
16. The guidance and award criteria set out for the particular Framework Agreement or Dynamic Purchasing System must be strictly adhered to in the engagement of the contractor or supplier.

### **Exemptions**

17. Except for CPPR 18 (d) below, an exemption from compliance with these CPPRs in the case of the contract values specified, **must** be approved by:
  - (a) Contracts up to £25,000 - the Strategic Director (or in their absence the relevant Head of Service) for the service area concerned; and
  - (b) Contracts of £25,000 above - the Monitoring Officer

**and in both cases prior to the commencement of the tender or quotation exercise and only for contracts which have a total estimated value which can clearly be demonstrated to be below the relevant UK threshold.**
18. Where an exemption is required as a matter of urgency, written approval should be sought by the relevant Strategic Director from the Monitoring Officer and in consultation with the Policy and Governance Team. For the avoidance of doubt, urgency that could have been avoided through reasonable foresight and planning will not normally be acceptable as an adequate reason for a departure from compliance with these CPPRs.
19. The Policy and Governance Team shall maintain a register of all approved exemptions together with the reasons given for approving and applying the exemption.
20. Exemptions from compliance with these CPPRs may be applied in the following circumstances: -
  - (a)
    - (i) the supplies or services to be provided relate to goods, services and materials which are proprietary articles; (ii) the supplies or services are sold or charged only at a fixed price and no satisfactory alternative is available or (iii) if there would be no genuine competition for either the goods, materials or services; or
    - (b) the Council is issuing a grant to support the costs of an organisation whereby the activities of that organisation support or complement the objectives of the Council. However, where there is potential for more than one organisation to be eligible for the grant, it would normally be expected that a tender or quotation exercise would be carried out in accordance with these CPPRs; or

- (c) other reasons reported to and approved in writing by the Monitoring Officer for contracts over £25,000. The Strategic Director (or in their absence the relevant Head of Service) for the service area concerned must approve contracts valued under £25,000.

The following exemption from compliance with these CPPRs does **not** require the formal approval of the Monitoring Officer where it exceed £25,000 but must only be relied upon with the written approval of the Policy and Governance Team who shall maintain a register of such approved requests in accordance with CPPR 16 above:

- (d) tenders or quotations have been invited on behalf of any consortium, association or similar body of which the Council is a member, or on behalf of any other local authority, or public body, with whom the Council has a contract, agency agreement, partnering agreement or similar, provided that the approved procedure of any such body for the invitation of tenders and quotations has been followed.

### **Submission of Tenders or Requests for Quotations**

- 21 Where an invitation to tender or request for a quotation is published on the South West Procurement Portal in accordance with the thresholds set out in these CPPRs, the procedures stipulated by the South West Procurement Portal Administrator for the receipt, evaluation, rejection and/or award of a tender or quotation must be followed in all circumstances.

### **Opening and Acceptance of Tenders or Requests for Quotations**

- 22 All tenders or requests for quotations received shall be opened on the South West Procurement Portal on the same occasion and in the presence of at least two Officers of the Council of whom at least one should be a Council Unit Manager or above who has not previously been involved in the tender or request for quotation in question.
- 23 All tenders for contracts or requests for quotations published on the South West Procurement Portal shall be recorded on the Portal or otherwise in a manner approved by the Monitoring Officer.
- 24 All tenders (with a total estimated value of £75,000 or more) shall be evaluated in accordance with the evaluation criteria set out in the invitation to tender. The Council would usually award a contract where it represents the most economically advantageous tender (MEAT) and delivers best value for money.
- 25 The evaluation criteria set out in the invitation to tender (for contracts with a total estimated value of £75,000 or more) shall be strictly observed at all times throughout the contract award procedure by any Council Officer involved in the process.



### **Notification of Tender Results and Debriefing**

- 26 Notification of the award of a tender (with a total estimated value of £75,000 or more) shall be carried out in consultation with the Policy and Governance Team utilising prescribed forms and documentation.
- 27 All procurement exercises for tenders with a total estimated value of £75,000 or more should incorporate a formal standstill period of at least 10 calendar days if the award decision is sent electronically to all tenderers (or at least 15 calendar days if sent to all tenderers by other methods) between communicating the award decision to all tenderers and entering into a contract with the successful tenderer. If the award of a tender is challenged during the standstill period, it is vital that details of the challenge are **immediately** notified to the Policy and Governance Team and the Monitoring Officer.
- 28 If an unsuccessful Contractor or Supplier makes a request for further information relating to their tender or for other reasons, advice should be sought from the Policy and Governance Team in consultation with the Monitoring Officer before responding to the unsuccessful Contractor or Supplier.

### **Alterations to Tenders or Quotations**

- 29 Where an examination of a tender or a quotation reveals clerical or arithmetical errors or discrepancies which would alter the tender or quotation submitted, the contractor or supplier concerned shall be given details of such errors and discrepancies in writing by the relevant Strategic Director and (a) in the case of a clerical or arithmetical error be afforded no more than three working days to correct such an error or (b) be afforded no more than three working days to confirm or withdraw their tender to the relevant Strategic Director. If when contacted about an error or discrepancy, the contractor or supplier concerned decides to withdraw their tender or quotation, the next tender or quotation in competitive order shall be considered in place of the withdrawn tender or quotation.

### **Withdrawal by a successful Supplier or Contractor**

- 30 Where prior to the execution of a formal contract, a successful contractor or supplier withdraws their tender or quotation, the next tender or quotation in order may be examined and considered for award **provided** that the next tender or quotation is still valid **and** the award does not breach any regulatory provision or judicial order.

Before proceeding to award a tender or quotation for a replacement tender or quotation under this CPPR, the relevant Strategic Director must notify the Policy and Governance Team.

## Contracts Register

- 31 Details of all contracts **awarded** with a total estimated value of **more** than £75,000 must be entered on the Corporate Contracts Register to comply with the Transparency Code; this is maintained by the Policy and Governance Team. This Register shall specify for each contract the name of the contractor, the works to be executed or the goods or services to be supplied and the total estimated contract value.

## Contract Form and Execution

- 32 All contracts, regardless of value, entered into by the Council shall be in writing and signed by a duly authorised Council Officer. Contracts with a total estimated value of **£75,000 or above** must be signed by the relevant Strategic Director or by the Chief Executive.

- 33 All contracts entered into by the Council should **as a minimum** specify the goods, materials or services to be supplied and the work to be executed (all of which must accord with any current policy, guidance, specification or Code of Practice formally adopted by or required to be adhered to by the Council); the price to be paid (together with a statement as to the amount of any discount(s) or other deduction(s)); the period(s) within which the contract is to be performed and the termination provisions (including but not limited to early termination due to the poor performance of the supplier or contractor during the term of the contract).

Guidance on appropriate contractual terms can be obtained from the Monitoring Officer (in consultation with the Policy and Governance Team) **prior** to the commencement of any tender exercise or purchase undertaken by the Council.

34. No contractor or supplier should commence works or supply goods or services to the Council until the relevant contractual documents have been signed and completed by all relevant parties. One original signed and completed contractual document should be forwarded to the Policy and Governance for indexation and retention. Arrangements will then be made for an electronic completed copy of the contract to be forwarded to the relevant Strategic Director and the Officer with day-to-day responsibility for managing the contract to assist in the operation of the contract during its term. The other original signed and completed contractual document should be forwarded to the appointed supplier(s) or contractor(s) for their records.

## Contract Extensions

35. A contract may be extended before the expiry date only where it is expressly in accordance with its terms and such an extension does not compromise the basis upon which the contract was originally procured. In all cases where it is proposed to extend an existing contract, advice and guidance must be sought from the Policy and Governance Team in consultation with Monitoring Officer

**before** any negotiations are entered into with suppliers or contractors over an extended term.

36. Where the terms of a contract:

- (i) do not expressly provide for an extension; or
- (ii) once a contract has expired; or
- (iii) where an extended term alters the basis on which the service, supply of goods or works were originally procured; or
- (iv) where the extended term would lead to the total value of the contract exceeding the relevant UK threshold applicable at the commencement of the extended term; or
- (v) where such an extended term would be in breach of statutory regulation

the relevant contract may **not** be extended.

### **Variations other than Contract Extensions**

37. No variation may be made to a contract if the proposed variation means that the works, services or goods would become substantially different in scope or type to those originally contemplated by the original tender or quotation exercise.

Where a variation to a contract is being considered, advice **must** be sought from the Monitoring Officer (in consultation with the Policy and Governance Team) **prior** to entering into any discussions or negotiations with a supplier or contractor about a variation to an existing contract.

### **Contract Management**

38. Throughout the term of a contract, the relevant Strategic Director must ensure that the contract is properly monitored **at least** in respect of the following matters:

- (i) Performance (including but not limited to User Satisfaction);
- (ii) Compliance with Specification and Contractual Terms;
- (iii) Prices or Costs charged;
- (iv) Anticipation of completion dates to plan for subsequent service requirements.

### **Partnerships and Collaborative Arrangements.**

39. Where the Council is the Lead Authority in any partnership or collaborative arrangement with other organisations or bodies, these CPPRs shall apply to the procurement of any goods, services or works carried out with or on behalf of those other organisations or bodies.

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**Press and Media Protocol / Officer - Member External Communications Protocol**

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### 1. Summary

- 1.1. Communication of Stroud District Council's key objectives and operational matters is crucial to the way the district's residents and businesses, external partners, and media organisations portray the Council.
- 1.2. This protocol has been produced to set down a framework for how communications are handled by officers and members and clarify good practice relating to the effective management of media relations at the Council. It is supplementary to the Protocol on Member and Officer Relations and anticipates that at all times, both parties will endeavour to work together constructively for the good of the Council and District, as 'One Council'.
- 1.3. Not all situations can be covered in detail as much depends on the set of circumstances at any one time, so this protocol is designed to be as flexible as possible whilst setting out a trusted and tested approach.
- 1.4. The protocol applies to all Councillors, Committee Chairs (and committee members), and Council officers who may be contacted by local, regional, national or specialist media, and includes print as well as broadcast media.

### 2. Legal Framework

- 2.1. All press releases and media engagement on behalf of the Council will:
  - (a) be in accordance with the Council's agreed Media Guidelines
  - (b) be issued or organised only through the Council's Communications Team to ensure the proactive, effective and efficient management of the Council's public image, relations and interface.
  - (c) be concerned only with matters of policy and/or which relate to the Council's functions
  - (d) not contain anything of a political nature. In this respect regard must be given to the relevant legislation concerning publicity issued by local authorities, with particular care around the pre-election period, as summarised below.
- 2.2. Section 2 of the Local Government Act 1986 places a prohibition upon the Council that it:

*"shall not publish any material which, in whole or in part, appears to be designed to effect support for a political party.*

*In determining whether material falls within the prohibition regard shall be had to the content and style of the material, the time and other circumstances of publication and the likely effect on those to whom it is directed and in particular the following matters:*

- (e) *Whether the material refers to a political party or to persons identified with a political party or promotes or opposes a point of view on a question of political controversy which is identifiable as the view of one political party and not of another;*
- (f) *Where material is part of a campaign the effect which the campaign appears to be designed to achieve"*

The term 'publicity' is defined in the Act as "*any communication in whatever form, addressed to the public at large or a section of the public*". Local authorities are also required by section 4(1) of the Act to have regard to the Code of Recommended Practice on Local Authority Publicity contents of in coming to any decision on publicity.

### **3. The Publicity Code**

- 3.1 The Code of Recommended Practice on Local Authority Publicity was last issued in 2011 can be found on the website of the Ministry of Housing, Communities & Local Government.  
<https://www.gov.uk/government/publications/recommended-code-of-practice-for-local-authority-publicity>
- 3.2 The Publicity Code is grouped into seven principles for local authorities to follow, a Council's publicity should:
  - be lawful
  - be cost-effective
  - be objective
  - be even-handed
  - be appropriate
  - have regard to equality and diversity
  - be issued with care during periods of heightened sensitivity.
- 3.3 The Publicity Code gives recommended practice on a number of aspects of publicity covering subject matter, costs, content, dissemination, advertising, recruitment advertising, publicity about individual members of an authority, timing of publicity, elections, referendums and petitions, and assistance to others for publicity. The principles may be summarised as follows.
- 3.4 The principle of lawfulness is that an authority's publicity should comply with statutory provisions and advises that any paid-for advertising published by a local authority should comply with the Advertising Standards Authority's Advertising Codes.

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- 3.5 The principle of cost-effectiveness is that local authorities should be able to confirm that consideration has been given to the value for money that the publicity is achieving, while recognising that in some circumstances this will be difficult to quantify.
- 3.6 The principle of objectivity requires local authority publicity to be politically impartial. The Publicity Code acknowledges that a council has to be able to explain its decisions and justify its policies, but this should not be done in a way that can be perceived as a political statement or a commentary on contentious areas of public policy.
- 3.7 The principle of even-handedness has the effect that local authority publicity can address matters of political controversy in a fair manner and may contain links to other political sites or contain political logos on material hosted for third parties. However, local authorities should ensure that publicity about the Council does not seek to affect support for a single councillor or group. The Publicity Code does, however, recognise that at times it is acceptable to associate publicity with a single member of the Council.
- 3.8 The principle addressing the appropriate use of publicity is that local authorities should refrain from retaining the services of lobbyists, i.e., political professionals whose job it is to bring their client's message to those in a position to influence policy. Appropriate use of publicity is also about the frequency, content, and appearance of council newsletters in order to prevent unfair competition with local newspapers. It sets out that generally the frequency of council newsletters should be no more than quarterly.
- 3.9 The equality and diversity principle is that publicity by local authorities may seek to influence positively the attitudes of local people in relation to matters of health, safety, and other issues where publicity can have a positive influence on the behaviour of the public.
- 3.10 Finally, the principle that local authority publicity should be issued with care during periods of heightened sensitivity gives guidance as to how local authority publicity should be treated during period of elections and referendums, both national and local.

#### 4. Principles

The aim of this protocol is to ensure that the Council makes the best use of its communications resources to support open, accessible, and responsive communications, whilst acknowledging that council resources may not be used for party political purposes. It clearly sets out the respective roles of all members and officers in dealing with the media.



- 4.1 Adherence to the protocol will ensure consistency of standards, accuracy of information and appropriate political and officer input with a view to protecting and enhancing the reputation of the Council so that it is seen to communicate in a professional and objective manner. In all cases, the council's approach to the media should be:
- open and honest
  - proactive
  - responsive
  - timely
- 4.2 The ability for the Communications Team to act quickly and decisively depends on it being kept fully up to date and Councillors and officers should ensure issues which will affect the Council's reputation should be brought to the attention of the team as soon as possible. Officers will keep relevant members informed of media interest in the Council's activities, especially regarding strategic or contentious matters.
- 4.3 Officers writing reports for council meetings will inform the Communications Team of potential news items or matters which may attract negative or positive publicity, as early as possible. The Communications Team will likewise ensure that it is aware of events and issues and will keep up to date with pipeline reports in the Forward Plan to identify any potential issues so that they can be dealt with proactively. The Communications Team will consider the timing of releases carefully – issuing press releases when or just after meeting papers are published can help the council drive the narrative of an issue from an early stage, however each case will be decided on its merits. It may be preferable in some cases to issue press releases after meetings as well.
- 4.4 The Communications strategy complies with the following principles:
- To support honest, open, two-way communication
  - To promote and protect the reputation of the Council
  - To regulate the correct use of the corporate identity and style
  - To ensure all publicity is produced in an easy to understand and accessible format and style
  - To practice a proactive and planned approach to media handling and wider communication
  - To provide effective communication support
  - To promote the Council's vision, priorities, and policies
  - To set standards on communicating with hard to reach groups
  - To support effective partnership working through developing

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### communication strategies for joint projects

- 4.5 The Communications team provides advice and support to all directorates and elected members. Its main roles are to manage and maintain relationships and reputation, as well as to promote pro-active publicity on council policy, local authority partnerships, local initiatives / achievements and other issues affecting the Council and the District.
- 4.6 The service should be the first point of contact for all media enquiries and all outgoing publicity or potential promotional opportunities with the press or any other publications. Their expertise and knowledge support elected members and officers to ensure opportunities for proactive positive news are maximised and negativity is mitigated and managed where possible.
- 4.7 No Council press releases or publications should be issued without the involvement of the Communications team. If a member is contacted by, or contacts, the media on an issue, he/she should:
- Seek assistance from the Communications team and/or relevant senior officer(s), except in relation to a statement which is party political in nature
  - Clearly indicate in what capacity he/she is speaking
  - Be sure that they make it clear whether they are speaking in line with agreed council policy or that this is their personal view
  - Be sure of what he/she wants to say or not to say
  - Consider the likely consequences for the Council of his/her statement (e.g. commitment to a particular course of action, image, and allegations / jumping to conclusions)
  - Never give a commitment in relation to matters which may be subject to claims from third parties and/or are likely to be an insurance matter
  - Consider whether to consult other relevant members
  - Take particular care in what he/she says in the run-up to local or national elections to avoid giving the impression of electioneering, unless he/she has been contacted as an election candidate or political party activist – in these circumstances, no Council resources may be used.
- 4.8 Officers should never give their opinion on specific council policy but must keep to the corporate line and key messages. Their role is to provide expertise and factual knowledge only, in support of the council's approved and agreed policies.

## 5. Media Relations

The Council values the media as one of its key partners in communication and aims to forge strong professional links with local, regional, and national media. It is committed to being transparent and maintaining a positive working relationship with media and respects the right of the media to report on any given topic.

- 5.1 Providing a professional information service to the media is a key responsibility for the Council and it takes a proactive approach to working with the media wherever possible. In order to maintain a good long-term relationship, the Communications team needs to be trusted by the media and the wider community and will never knowingly provide inaccurate or incorrect information.
- 5.2 The way in which the Council is portrayed in the media has a major influence on how it is perceived, and every opportunity should be taken to publicise the council's services, decisions, policies, and initiatives.
- 5.3 One of the most important aspects of dealing with and managing media is being able to provide a prompt response to a query, question, or interview request. The sooner the Council can respond and involve itself in the story, the greater the chance it has to influence it. This is especially important where the Council's reputation might be affected.
- 5.4 All Councillors and officers should support the Communications team in responding to media enquiries in a timescale that meets journalistic deadlines where possible. If the Council fails to reply in time there is a risk that the journalist may source their story elsewhere or record a 'no comment' response, which may not be in the Council's interests.

## 6. Processes

### Media Enquiry

The Communications Team receives a significant number of inquiries from local, national, and international TV, radio, newspaper and news website organisations. All media enquiries should be referred to the Communications team in the first instance. This enables the service to make a judgement about how an enquiry should be answered and by whom. The response can often be handled with a written statement prepared by the Communications team in conjunction with relevant officers.

- 6.1 Responding to media enquiries can be time-consuming and often, responses

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are requested within a short timeframe. The Communications Team will manage these requests and establish realistic response times in conjunction with officers, members and the media organisations concerned. At all times, the Communications Team will seek to protect and enhance the council's reputation.

- 6.2 When an inquiry is received, the Communications Team will ask the most appropriate officer for the information required and formulate a response. The normal response will be attributed to an 'SDC spokesperson' or relevant committee chair if they wish, however there may be occasions when a deadline must be met, and an 'SDC spokesperson' will be quoted. The response will be approved by the relevant Service Head, before the Chief Executive and relevant Strategic Director(s), relevant ward members, committee chairs and Administration Group Leaders are informed.
- 6.3 The vast majority of council publicity will include a written quote or interview, which can help to make the content more interesting and provide an authoritative voice on the subject matter. In certain cases, where a press release or statement is simply to provide a brief announcement or notice, this may not be necessary.
- 6.4 We will also work to influence the news agenda proactively by offering people for interview or providing case studies to illustrate topical issues. We will use our forward planning process to identify opportunities in advance but may still want/have to exploit on-the-day stories particularly when there is breaking news or developing stories.
- 6.5 It is important that quotes are attributed to an individual as this demonstrates responsibility and counters perceptions that the council is a faceless and unaccountable organisation.
- 6.6 The Leader, Deputy-Leader and Committee Chairs will normally act as spokespersons for the Council in responding to the press and media and making public statements on behalf of the Council. If there is an issue of cross party importance, they may invite the Group Leader of the largest opposition group to become involved.
- 6.7 Members and senior officers will liaise with the Communications team on all forms of contact with the press and media and approve any press releases.
- 6.8 When a press release has been approved by a Service Head and relevant members, Group Leaders, relevant Strategic Directors, and the Chief Executive will be sent a copy before publication, for information only. Each press release should reference the relevant CDP priorities it is aligned with where possible.

- 6.9 Where a matter has significant implications for policy or the reputation of the Council, the Leader and in his / her absence, the Deputy Leader of the Council will be contacted as a matter of course.
- 6.10 Quotes on any specific operational issues which requires technical or in-depth knowledge to articulate will be attributed to officers. Officers will be quoted in circumstances where a member of the public would reasonably expect an operational, officer perspective. Communications staff will advise with recommendations. These situations will be such as when:
- there is a need to respond extremely quickly in changing circumstances to maintain the flow of information to the public (e.g. an emergency road closure or an environmental health investigation);
  - specific technical information is being explained
  - there is a legal aspect to the comment which would benefit from attribution to a professional officer rather than a politician.
- 6.11 Where the appropriate responsible Committee Chair or Vice-Chair is unavailable within media deadlines, and therefore unable to approve comment that would otherwise be attributable to him/her, the Leader of the Council will be quoted or an alternative suitable responsible councillor.
- 6.12 In the event of neither an appropriate Committee Chair/ Vice-Chair nor the Leader or Deputy Leader of the Council being available, an appropriate responsible officer will approve the quote. Quotes, comments and statements will reflect the factual representation of the Council's or Committee's decisions, and not that of the individual and/or political party views.

## **7. Proactive Media Approach**

Positive media coverage supports the reputation of the Council. When issuing proactive media, all content will follow a corporate style appropriate for the media being targeted, and a central record will be maintained. All releases will accurately reflect the corporate view of the Council, contain relevant facts, and include an approved quotation from the appropriate Councillor/ Committee Chair.

- 7.1 All official council news/press releases will be placed on the council's website within one working day of issue wherever possible.
- 7.2 From time to time the Council must respond proactively to negative issues. It is important that these situations are managed carefully to limit the potential for negative publicity.

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- 7.3 Members and officers must alert the Communications and Marketing team as soon as a potentially negative issue which may attract media interest comes to light. They should not wait until contact is made by the media.
- 7.4 Members and officers must be prepared to work together to prepare holding statements, other information and carry out research even if no media have contacted the council about an issue.
- 7.5 When preparing a response, the following strategy will be followed:
- where the council has made a substantial mistake, it will explain what went wrong and what it is doing to put it right. It will not be defensive but take the attitude that it can learn from its mistakes.
  - where the media has made a substantial mistake in reporting the activities of the Council it will quickly and assertively explain the mistake to the media and seek a right of reply
- 7.6 Should the media publish / broadcast an inaccuracy relating to Council business, policy or process, a quick decision will be taken on any action necessary to correct it. The issue will be discussed with the appropriate Committee Chair and Chief Officer and a plan of action agreed. It should be noted that in the case of minor inaccuracies which have little or no impact on the message being conveyed, it can sometimes be counterproductive to complain. Each case must be judged individually.
- 7.7 Members of the media are welcome to attend live streamed Council and Committee meetings. During the meetings members should be mindful that any comments and messages are put across in a manner which gives the journalist an accurate picture, rather than relying on the journalist's interpretation of what can be a complex issue or report.

### **8. Process for dealing with interview requests**

Occasionally, requests for interviews are received by media organisations. Group Leaders, Committee Chairs the Chief Executive and Strategic Directors will be asked by the Communications Team if they wish to be interviewed, and a pre-interview briefing can be supplied on request. Media training will be offered to all members and senior officers to assist with this.

- 8.1 Members will inform the Communications Team if they have been approached by the media for comment. For party political matters, informing the Communications Team will suffice. For matters concerning the Council's

operation and/or strategic aims, a statement will be agreed in the same way as a press statement (above).

- 8.2 The Communications Team will make every effort to ensure that officers and members are informed before they are exposed to significant issues through the media. However, in an increasingly fast and pervasive communications environment, particularly given the speed and ease of dissemination on social media this will not always be possible.

## **9. Process for making social media posts**

The Council has several active social media channels which are used to promote operational matters, and strategic objectives which have been agreed by the Administration in the CDP. The Communications Team will post engaging content with pictures or video – members who share this content can help maximise its reach and effect, as representatives of their communities and the Council. This is also consistent with the ‘One Council’ approach.

- 9.1 Council social media accounts will not be started by members of staff without approval from the Communications Manager, and training in social media best practice can be provided in-house on request.

## **10. Publicity in Election Periods**

In the period between the notice of an election and the election itself all proactive publicity about candidates or other politicians is halted. This applies to local or national elections. During this period Council publicity should not ordinarily deal with controversial issues or report views, proposals or recommendations in a way that identifies them with individual Members or groups of Members. This is to make sure that no individual Councillor or political party gains an unfair advantage by appearing in corporate publicity. In these circumstances, where a quote is required, the relevant officer may be quoted, in accordance with the guidelines in this protocol.

## **11. Grant Awards**

The Council awards grants to local groups and organisations via a number of schemes for the benefit of our communities. As such, recipients should acknowledge these grants appropriately and regularly. When grants are awarded, the Council will publish a press release and social media content tagging recipients, recipients will be reminded to include a short message on their website, email signatures and press releases, and ask the Council to contribute to press releases about schemes which have benefitted from Council grant funds.

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## **SOCIAL MEDIA PROTOCOL FOR MEMBERS**

### **1. Purpose of this Protocol**

The Council welcomes and encourages Members' use of new technology including social media and would like to support this by giving guidance so that Members have greater clarity as to what is and is not acceptable usage of social media. This Protocol is intended to provide guidance and help Members use social media in a way that avoids legal and reputational risk and complements the general rules under the Code of Conduct for Members.

The Monitoring Officer and the Communications Team are happy to help Members by providing additional advice and guidance as appropriate.

The Code of Conduct applies to all forms of Member communication which includes the use of social media. If your comments on social media refer to Members role as councillor in any way or any comments they make are clearly related to their official role then the Code will most likely apply to those comments.

It is not a requirement for Members to have a Facebook or Twitter account or to use other forms of social media to fulfil their job as a Member. However, if you are using or planning to use social media in connection with your work as a Councillor or are already using such media in your private capacity, these guidelines will be relevant.

### **2. What is Social Media?**

Social media is the term to describe websites and online tools which allow people to interact with each other. This could, for example, be blogs, and postings on a wide range of social media platforms including (but not limited to) Facebook, Twitter, LinkedIn, Snap-chat, Instagram etc.

On many social media sites users share information, give opinions, and may create interest groups or pages leading to longer exchanges. Ultimately people use these sites and tools to build online communities and networks which encourage participation and engagement.

Social Media can be used:

- To support councillors in performing their community leadership role.
- To keep in touch with or obtain local views and opinions.
- For political campaigning.
- For campaigning on local issues.

Types of Social Media:

- Blogging and micro blogging – online journals – Twitter is an example of micro blogging, where entries are limited to 280 characters.
- Online Forums – people with similar interests sharing information and opinions

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- Social networking sites – these facilitate connections between those who already know each other, often in a social context, but are increasingly used by businesses to promote their products or services- Facebook is an example.
- Video and photo publishing and sharing videos and photographs worldwide – Flickr is an example.

### 3. Things to Bear in Mind

- Any communication is capable of being misinterpreted. While the use of social media should not be more susceptible to this than any other form of communication, something about the immediacy and widespread distribution of social media seems to magnify the problem.
- By the nature of social media, misinterpretation, or misrepresentation, particularly with regard to something that is perceived as being more controversial than it was expected to be, is likely to lead to rapid and wide dissemination of that apparently “controversial” item.
- There are no special, additional legal or ethical burdens relating to the use of social media. The same rules apply here that govern the rest of your behaviour as a councillor – you just need to think about them in this new context – their immediacy and ease of dissemination.
- Although the best use of social media is conversational in tone, publishing to the internet is still publishing. What you’ve said online is recorded, instant and it is permanent.
- Most pitfalls will be avoided if your online content is accurate, informative and thought through. Think of it as speaking in public. Think before you commit each word and especially when you ‘like’, re-tweet or forward something, because in doing so, it may be said that you are supportive, associate yourself with, or agree with what is said.
- As a public figure, users of social media will see you as ‘fair game’ and may make controversial or abusive comments to or about you. Try not to respond to this type of content unless it is to correct an inaccuracy which you would not like to prevail.
- If you are receiving online abuse – also referred to as “trolling”, please speak to the Monitoring Officer who will be able to advise you.
- This doesn’t mean that members cannot, in the appropriate context, communicate politically and you are given enhanced protection in terms of freedom of expression. This is expected of a councillor, but you should be careful not to say anything that you wouldn’t be comfortable repeating or justifying, for example, at a public meeting or indeed seeing repeated on the front page of the local newspaper!

### 4. Legal Issues

**Defamation** - is a civil wrong that includes libel – the written word, and slander – the spoken word. Regarding defamation and social media, a complainant would need to prove that comments actually caused damage to a Member’s reputation. This may be very difficult to quantify, and generally, the Council is unable to commit resources to an action for defamation by an individual or group of members but would provide supporting evidence to those wishing to take such action.

The Communications Team monitor local social media channels but they cannot police every single comment that is made about the Council or Councillors. The Communications Team can directly remove postings on social media channels which the Council owns but not those on third party sites. Some sites are private or closed for which the team has no access to comment or report offending postings. Comments can be reported on some sites, for example to Facebook, if they are distasteful, illustrate use of drugs, guns or products of harm or if it is a comment based on race, gender, sexual orientation or disability. It is then in the hands of the social media channel to decide on the removal of the comment.

If you publish an untrue statement about a person which is damaging to their reputation, they may consider it as defamatory and consider legal action. The same thing may happen if, for example, someone else publishes something defamatory on your social media or webpages; you know about it and don't take swift action to remove it. A successful legal claim could result in the award of damages and costs against you.

**Copyright** – Placing images or text on your site / channel from a copyrighted source (for example extracts from publications or photos), without obtaining permission, is likely to breach copyright laws. Don't publish anything you are unsure about, or make sure you obtain prior permission. Again, a successful claim for breach of copyright would be likely to lead to an award of damages and costs against you.

**Data Protection** – Do not publish the personal data of individuals unless you have their express permission to do so for that purpose. Personal information in an email or personal exchange cannot be presumed to imply any consent to pass it on to others. If you place personal information on a public forum, you should expect it to be published by others.

**Bias and Predetermination** – if you are involved in making any decisions, but particularly planning, licensing or other quasi-judicial decisions, do not say anything through social media (or indeed anywhere) that suggests you have made your mind up on an issue that is due to be formally decided.

Your likely view on a particular application (predisposition) may be well known, you need to be able to show that you attended the committee or hearing prepared to take on board and weigh all the evidence, and were genuinely persuadable to a different view, otherwise, the decision may be later challenged as invalid. If a person has suffered some sort of detriment as a result of such an invalid decision, they may have a claim against the council for damages.

**Electoral periods** – be mindful that when you are using social media for campaigning during election periods you will need to provide a return of expenditure on any advertising or campaign literature, including web advertising and the design and website costs of downloadable material. You should never use Council resources (such as email) to promote a political party.

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## Appendix H

### **5. Social Media and the Code of Conduct for Members Generally:**

Aspects of the Code of Conduct for Members will apply to your online activity in the same way as they do to any other communication you may use. The key to whether your online activity is subject to the Code is whether you are, or appear to be, acting in your capacity as a Councillor rather than as a private individual. If you have a Facebook or Twitter account which includes your role as a Councillor, you should keep this separate from your personal accounts or you risk being subject to the Code of Conduct.

It can be presumed by others that you are speaking as a Councillor. This can happen where you have a social media account where you comment both as a Councillor and as an individual. Although you may be clear in your mind that you are acting in a private capacity it may be less clear to others, particularly when you refer to information which you can only have accessed in your role as a Councillor. This can also mean that your views can be taken as representing those of your organisation or party (rather than you personally) when this may not be the case.

The presumption can arise simply because you are commenting on council business, because you are known to be a Councillor or use party political symbols or references in the text. To avoid this, and perhaps avoiding some of the potential problems related to the Code of Conduct, is that you should keep your online accounts as a Councillor separate from those where you communicate in a personal capacity.

Another is to spell it out in the text (e.g. "speaking entirely personally..."). This is a decision for each Member and some Members may find the convenience of having one account outweighs the advantages of separate accounts. The Monitoring Officer can help you with more specific advice if needed.

### **6. Code of Conduct Considerations Relevant to Social Media**

You must treat others with respect:

- Do not use social media to make personal attacks or indulge in rude, disrespectful, or offensive comments
- Comply with equality laws and the public sector equality duty, so do not publish anything that might be seen as racist, sexist, ageist, homophobic or anti-faith or which may give the impression that you are treating anyone with a protected characteristic less favourably
- Do not say anything, particularly if it is part of a series of similar comments about a person or on a theme that might be construed as bullying or intimidation.

You must not conduct yourself in a manner which is contrary to the Authority's duty to promote and maintain high standards of conduct of members – you should not publish anything that could reasonably be perceived as reflecting badly upon or lowering the reputation of your office as a Councillor.

You must not disclose confidential information - you must not, in your use of social media, just as in any other circumstances, disclose information given to you in

confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature.

Inadvertent leaks of the Council's confidential information are more likely to take place when a Councillor is using social media, rather than, say, when they are carefully drafting a letter for publication in the local paper. This may be because of the more immediate, conversational, off-the-cuff nature of much social media communication.

Members must be careful to apply exactly the same standards to their social media communications as they would to statements made in a more formal context.

## 7. Staying out of Trouble - Some Do's and Don'ts

### Some Do's

- Set appropriate privacy and security settings for your blog or networking site – especially if you have a private, non-political blog.
- Keep an eye out for defamatory or obscene posts from others on your social media and remove them as soon as possible to avoid the perception that you condone such views. Be aware that the higher your profile as an elected member, the more likely it is you will be seen as acting in your official capacity when you blog or network.
- Consider keeping your personal and elected member profile on social networking sites separate and maintain appropriate professional boundaries.
- Ensure you use Council facilities appropriately; if you use a Council provided blog site or social networking area, any posts you make **will** be viewed as made in your official capacity.
- Be aware that you will be seen as acting in your official capacity if you publish information that you could only have accessed by your being an elected member.
- Make political points but be careful about being too specific or personal if referring to individuals. An attack on individuals may be seen as disrespectful or unlawful and not within the protection of freedom of expression, whereas general comments about another party or comments on policy are less likely to be viewed as disrespect on the basis that politicians are expected to have 'thicker skins'.

### Some Don'ts

- Blog in haste, particularly in circumstances where your judgement might be impaired, for example if you are tired, upset or have consumed alcohol.
- Post comments that you would not be prepared to make on paper or face to face.
- Request or accept a Council employee or contractor providing services to the Council as a "friend" on a social networking site where this suggests close personal association. For the avoidance of doubt, this does not apply to sites which are intended as a neutral, professional connections platform (such as LinkedIn).

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## Appendix H

- Use social media in any way to attack, insult, abuse, defame or otherwise make negative, offensive, or discriminatory comments about Council staff, service users, their family or friends, colleagues, other professionals, other organisations, or the Council.
- Publish confidential information that you may have learned or had access to as part of your role as an elected member. This includes personal information about service users, their families or friends or others e.g., contractors, Council staff as well as Council related information.
- Represent your personal views, or those of any political party or interest group you belong to, as being those of the Council.
- Browse, download, upload or distribute any material that could be considered inappropriate, offensive, defamatory, illegal, or discriminatory.
- Make conspicuous or excessive use of social media technology during the course of a Council or committee meeting so that you give the impression to the public of not being respectful of the proceedings, not paying attention and listening to the debate and, more seriously, taking decisions that are not based on full engagement and understanding with the facts and arguments.

### **8. Further Information**

Local Government Association – <https://www.local.gov.uk/our-support/guidance-and-resources/communications-support/digital-councils/social-media/get-started/dos-and-donts>

## **MONITORING OFFICER ROLE AND FUNCTIONS PROTOCOL**

### **1. Introduction**

- 1.1 This protocol has been produced as a guideline for the benefit of Members and Senior Officers on the role of the Monitoring Officer and the arrangement for ensuring this role is carried out effectively. It is based on the understanding that the ability of the Monitoring Officer to undertake this role effectively depends on excellent working relations with colleagues and Members and on the flow of information and access to debate particularly at early stages.
- 1.2 The Monitoring Officer and the Council must establish systems and procedures to bring to his or her attention any situations where issues of illegality, maladministration or impropriety may arise.
- 1.3 The Monitoring Officer will provide appropriate and, if necessary, firm advice to Members so as to protect and safeguard, so far as is possible, Members and officers, whilst acting in their official capacities, from legal difficulties and/or criminal sanctions.

### **2. Functions**

The specific functions of the Council's Monitoring Officer are detailed in Article 11 of this Constitution. The chief responsibilities can be summarised as:-

- (a) a duty to report to the Council in any case where the Monitoring Officer is of the opinion that any proposal or decision is or is likely to be illegal or to constitute maladministration. These matters are referred to in this Protocol as "reportable incidents"
- (b) a range of functions relating to Members' conduct; and
- (c) specific functions under the Council's Constitution.

### **3. Discharge of Functions**

- 3.1 In order to ensure the effective undertaking of these duties, the Monitoring Officer will:-
  - (a) have regular meetings with the Head of Paid Service and Chief Finance (S.151) Officer in order to review current and likely future issues with legal, constitutional, or ethical implications.

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- (b) maintain good liaison and working relations with the Head of Internal Audit and the external audit service.
- (c) ensure that the Council is kept up to date on new legislation and changes in the law which are relevant to the carrying out of the Council's activities. This will generally take the form of reports to Members and briefing notes to Chief Officers but, where appropriate, will involve training sessions for relevant Members and officers. These activities will be carried out in consultation and conjunction with relevant Chief Officers.

#### 3.2 In addition, Chief Officers will ensure that:-

- (a) The Monitoring Officer is consulted at an early stage on new policy proposals and on matters which have potentially significant legal implications. Where there is any doubt, the Chief Officer should always consult.
- (b) All draft reports to the Council and Committees should as a matter of routine be cleared with One Legal and the Monitoring Officer should be made aware of any issues.
- (c) The Monitoring Officer is informed of all emerging issues of concern of a legal, ethical, or constitutional nature. Similarly, Members should ensure that the Monitoring Officer is routinely informed and consulted in respect of new policy proposals.

The Monitoring Officer will always seek to resolve any potential illegality where possible by identifying alternative and legitimate means of achieving the objective of the purpose. (See also para. 3.5(a)).

#### 3.4 These working arrangements will mean that:

- (a) The Monitoring Officer will seek to resolve potential reportable incidents as defined in para 2(a) by avoiding the illegality, etc., or by identifying alternative and legitimate means of achieving the objective of the proposal. Accordingly, and given that Council officers and Members are encouraged to consult the Monitoring Officer in respect of any proposal, the Monitoring Officer will only need to make a public report on the matter if the proposal were to be a potential reportable incident and the officer or Member subsequently took any action to progress that proposal despite being advised to the contrary by the Monitoring Officer.
- (b) Where the Monitoring Officer receives a complaint of a potential reportable incident, he/she must in appropriate cases seek to resolve the



matter amicably, by securing that any illegality or failure of process is rectified. However, it is recognised that the Monitoring Officer may decide that the matter is of such importance that a statutory report is the only appropriate response.

- (c) In appropriate cases, and to secure the rapid resolution of a potential reportable incident or avoid a separate statutory report, the Monitoring Officer will be entitled to add his/her written advice to the report of any other Council officer.
- (d) Notwithstanding the above, the Monitoring Officer retains the right to make a statutory report where, after consultation with the Chief Executive (Head of Paid Service) and the Strategic Director Resources (Section 151 Officer), he/she is of the opinion that such is necessary in order to respond properly to a reportable incident.

3.5 To assist in effective and efficient undertaking of these working arrangements, the Monitoring Officer will have the right:-

- (a) To receive advance notice of meetings, whether formal or informal between Chief Officers and Members of the Council or Committee Chairs where any procedural, vires or other constitutional issues are likely to arise, together with the right to attend such meetings.
- (b) To receive advance notice of meetings of the Strategic Leadership Team and the agenda and reports together with the right to attend and speak as a member of that team.
- (c) To see all documents and information held by or on behalf of the Council, including documents and information held by any Council officer or Member. However, this right does not extend to documents and information held by or on behalf of any political party represented on the Council.
- (d) To attend any meetings of officers or Members (or both), whether or not such meetings include any other persons. However, this right does not extend to any meetings held by or on behalf of any political party represented on the Council.
- (e) To require any Council officer or Member, or any contractor to provide an explanation of any matter under investigation.
- (f) To report to the Council, and its Committees, including a right to present a written report and to attend and advise orally.

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- (g) To have access to the Chief Executive (Head of the Paid Service) and to the Strategic Director of Resources (S.151 Officer).
- (h) After consultation with the Chief Executive and the S.151 Officer, to notify the Police, the Council's Auditors, and other regulatory agencies of concerns in respect of any matter and to provide them with information and documents in order to assist them with their statutory functions.
- (i) To obtain, at the Council's expense, legal advice, either internally or from an independent external solicitor, barrister, or forensic consultant, on any matter which it is believed may be a reportable incident.

#### **4. Conflicts**

Where the Monitoring Officer is in receipt of a complaint or is aware of a potential reportable event relating to a matter upon which he/she has previously advised the Council, he/she must consult the Chief Executive who may then either refer the matter to the Deputy Monitoring Officer (One Legal) for investigation and report back to the Chief Executive or request a neighbouring authority to make their Monitoring Officer available to the Council to investigate the matter and report to the Chief Executive and/or the Council as appropriate.

#### **5. Insurance and indemnity arrangements**

The Section.151 Officer will ensure adequate insurance and indemnity arrangements are in place for the same to protect and safeguard the interests of the Council, and the proper discharge of the Monitoring Officer role.

#### **6. Sanctions for breach of the Council's Codes of Conduct and this Protocol**

Complaints relating to any breach of the Council's Code of Conduct for Members and the Member Officer Relations Protocol must be dealt with in accordance with the Arrangements adopted by Council. Complaints relating to any breach of this Protocol by a Member may be referred to the relevant leader and/ or whip of the political party group and as a breach of the members Code of Conduct to the Constitution and Standards Committee. Complaints relating to any breach of this Protocol by an officer may be referred for disciplinary action.

**STROUD DISTRICT COUNCIL**

**COUNCIL**

**THURSDAY, 21 OCTOBER 2021**

<b>Report Title</b>	<b>THE EQUALITY, DIVERSITY &amp; INCLUSION POLICY AND EQUALITY ACTION PLAN 2021 - 2025</b>			
<b>Purpose of Report</b>	To approve the revised Equality, Diversity and Inclusion Policy and Equality Objectives for the period 2021 – 2025 following consultation. Revised policy and action plan now incorporates public consultation comments.			
<b>Decision(s)</b>	<b>Council RESOLVES to approve the Equality, Diversity and Inclusion Policy and Equality Objectives 2021 – 2025 following public consultation. (Appendices B and C to this report)</b>			
<b>Consultation and Feedback</b>	Appendix A details organisations invited to take part in the public consultation			
<b>Report Author</b>	Sarah Turner, Senior Policy and Governance Officer Tel:      Email: sarah.turner@stroud.gov.uk			
<b>Options</b>				
<b>Background Papers</b>				
<b>Appendices</b>	Appendix A – Details of organisations invited to public consultation Appendix B – Revised Equality, Diversity and Inclusion Policy 2021 – 2025 Appendix C – Revised Equality, Diversity and Inclusion Action Plan – September 2021 Appendix D – Public consultation questions and responses Appendix E – Equality Impact Assessment			
<b>Implications (further details at the end of the report)</b>	Financial	Legal	Equality	Environmental
	Yes	Yes	Yes	No

**1. BACKGROUND**

- 1.1 Council approved the draft Equality, Diversity and Inclusion (EDI) Policy Equality action plan in March 2021 and agreed that we would go out to public consultation to ensure that the views of local residents and communities were considered in the development of the Equality action plan.
- 1.2 The EDI Policy sets out the Council's commitment to achieving the main aims of the Equality Act 2010 and to demonstrate how the Council, when carrying out its functions, will have due regard to the public sector equality duty and the need to:

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- 1.2.1 Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited under the equality legislation;
  - 1.2.2 Advance equality of opportunity between people who share a protected characteristic and those who do not share it; and
  - 1.2.3 Foster good relations between people who share a protected characteristic and those who do not share it.
- 1.3 A protected characteristic under the Act is any of the following: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 1.4 The EDI Policy incorporates the requirements to publish Equality Objectives which address the three aims of the Public Sector Equality Duty.

## 2. PUBLIC CONSULTATION

- 2.1 The public consultation was opened on the 7 July 2021 and available on the council's website for 8 weeks closing on 1 September. The consultation was launched with a Council press release and promoted on social media. The consultation was promoted widely to voluntary and community organisations and Appendix A lists over 100 organisations who were invited to directly respond to the consultation.
- 2.2 The Council places on record its thanks to those individuals and groups who took the time to respond to the consultation.
- 2.3 There was a limited response to the consultation, however, it should be noted that many of the responses received were submitted by community groups who had consulted with their individual members and responded on their behalf.

## 2.4 TABLE OF RESPONSES

The detailed consultation responses are included at Appendix D. The table below shows some headline information relating to the questions asked as part of the consultation.

- 41.6% agreed that the EDI policy is clear, understandable, and includes what the Council is trying to achieve.
  - 45.83% agreed that the Council has identified appropriate commitments, although 25% disagreed or strongly disagreed, and 20.83 neither agreed or disagreed.
  - 56.53% agreed or strongly agrees that the EDI policy promotes equality and good relations.
  - 54.17% agreed that the Council's policy objectives are specific and focus on the biggest equality challenges facing the Council
- 2.5 The EDI Working Group have carefully considered all responses received and as there were no substantive amendments proposed to the content, the Working Group has recommended that no further changes will be made to the Equality, Diversity and Inclusion Policy, Appendix B. Some of the consultation responses focused on the delivery actions and the Working Group have instead recommended that a number of suggestions made are incorporated into the EDI Action Plan. Appendix D outlines the response to questions and comments or suggestions made and how these will be included into our action plan and taken forward.

- 2.6 The most notable theme identified in the responses is the need to engage and work with community groups to promote equality and tackle discrimination. Working in partnership is at the heart of advancing equality and eliminating discrimination and the EDI Working Group have identified the need to demonstrate real commitment, meaningfully consult, listen to and work with community groups such as Stroud Against Racism and Stroud District Youth Council. We will continue to build relationships and ensure that partnership working is embedded in the Action Plan for 2022/23.

### 3. CONCLUSION

Appendix C outlines the progress made against the EDI Action Plan for 2021/22. Responses to the consultation will inform the Action Plan for 2022/23 which will be reported to Council for approval in Spring 2022.

### 4. IMPLICATIONS

#### 4.1 Financial Implications

There are no significant financial implications arising from the recommendations in this report.

The Council's proposed Equality Objectives are currently anticipated to be delivered within the existing budgets for each service area and therefore create no additional financial implications for the council.

Lucy Clothier, Accountancy Manager  
Tel: 01453 754343 Email: [lucy.clothier@stroud.gov.uk](mailto:lucy.clothier@stroud.gov.uk)

#### 4.2 Legal Implications

Approval of the publication of the Equality, Diversity and Inclusion Policy and the Equality Objectives will ensure the Council is seeking to be compliant with the requirements of the Equality Act 2010 and the public sector equality duty provided by section 149 of that Act.

One Legal  
Tel: 01684 272691 Email: [legalservices@onelegal.org.uk](mailto:legalservices@onelegal.org.uk)

#### 4.3 Equality Implications

The Council has statutory duties under the Equality Act 2010 to promote equality. The Council also has a specific duty to eliminate discrimination, advance equality of opportunity and foster good relations between different people. The Council's proposed EDI Policy and Equality Objectives help the Council to address the causes of inequality and promote fairness and inclusion across all its functions.

An Equality Impact Assessment has been undertaken (Appendix E).

#### 4.4 Environmental Implications

There are no significant implications within this category.

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## Public Consultation – EDI Consultees

### Stroud District Community Groups

Action for Children - Kingfishers Ebley  
Age UK Gloucestershire  
All Pulling Together Community Association  
Alzheimer's Society Memory Cafe - Cam  
Alzheimer's Society Memory Cafe - Stroud  
  
Alzheimer's Society Singing for the Brain - Stonehouse  
Art Works Space  
Bluebird Care (Stroud and Cirencester)  
  
Bosun Care Ltd  
Cirencester and Stroud Parkinson's UK Branch  
(including Tetbury)  
Citizens Advice Outreach Service (Stonehouse - APT)  
Citizens Advice Stroud District  
  
Community Advice, Links & Mental Health Support  
Service (CALMHS) - Stroud and South Cotswold  
Community Wellbeing Service - Stroud and Berkeley  
Vale  
Crossroads Gloucestershire - Carers Social Groups  
Dramatic Change (Inclusion Gloucestershire)  
Dynamic Support | Supporting Independent Living  
Emmaus Gloucestershire  
Fair Shares - Stroud, Stonehouse and Dursley  
Five Valley Sounds (Talking Newspaper) for the Stroud  
Area  
Gay-Glos  
GL11 Community Hub  
Gloucestershire Breastfeeding Supporters' Network  
Gloucestershire Counselling Service  
Gloucestershire Credit Union  
Gloucestershire Deaf Association  
Gloucestershire Federation of Women's Institutes  
  
Gloucestershire Federation of Women's Institutes  
Gloucestershire Gay and Lesbian Community  
Gloucestershire Learning Disability Partnership Board  
Gloucestershire Youth Support Team  
  
Grippers | Supporting young Gloucestershire adults  
recovering from mental illness  
Guideposts CONNECT at Stroud Community Hub  
Guideposts CONNECT at Whitminster (Carers and  
Dementia support)  
Guideposts Trust Carers Support Services  
Home-Start Stroud and Gloucester  
Insight Gloucestershire  
Learning Together Limited  
Lifting The Blues  
Longfield  
  
Longhouse Respite Unit  
Mencap (Stroud and District Society)  
Museum in the Park  
Nailsworth Recreation Centre  
Network Health and Social Care  
Of Course We Can | Inclusive events for disabled and  
non-disabled young people aged up to 25 years  
OPENhouse  
People First | Home Support Services  
Rethink Mental Illness, Stroud and Gloucester  
Supported Housing Service  
Riding for the Disabled Association (Watershed Group  
Cotswolds)  
Sheltered Housing (Stroud District Council)  
Society of Friends Quakers - Painswick  
  
South Gloucestershire and Stroud College  
  
Stratford Park Leisure Centre (Stroud)  
Stroud Club for the Visually Impaired  
Stroud Community Hub (Learning Disabilities)  
Stroud Congregational Church  
Stroud Court Community Trust  
Stroud District Foodbank  
  
Stroud Furniture Bank  
Stroud Hospitals League of Friends  
Stroud Mental Health Carers Support Group  
Stroud Valleys Credit Union Ltd.  
Stroud Women's Refuge  
The Beeches  
The Marah Trust  
The Pulse Pool and Sports Centre (Dursley)  
UK SMART Recovery (Local groups Gloucester,  
Cheltenham and Stroud)  
University of the Third Age - Stroud  
Uplands Day Care Service  
William Morris College  
  
Woodchester Valley Village (Extra Care Sheltered)  
Wotton and Dursley Club for the Visually Impaired  
  
Inclusion Gloucestershire  
BABES (Breastfeeding and Babies Early Support)  
Cotswold Vale Talking Newspaper  
Gloucestershire Sight Loss Council

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Appendix

## All Town and Parish Councils

## Appendix A

### Stroud District Race Groups

Stroud Against Racism  
The Indian Association – Cheltenham  
The Polish Association – Gloucester  
Ebony Community Carers Group  
The Gloucester Muslim Welfare Association Limited c/o Haroon  
African & Caribbean Association  
African Community Foundation  
Gloucestershire Chinese Resource Centre  
Gloucestershire Chinese Women's Guild  
GARAS (Gloucestershire Action for Refugees and Asylum Seekers)  
Barnwood Trust  
Gloucestershire VCS alliance

### Stroud Community Safety Partnership

Gloucestershire Police (Chair)	Sovereign Housing
Gloucestershire Police (Superintendent)	P3 Charity
Children Social Care	Prospects
Gloucestershire County Council – Early Years	CGL
Gloucestershire County Council – Trading Standards	Barnardos
NHS Gloucestershire Clinical Commissioning Group	Gloucestershire Fire Service
Victim Support	Archway School – Deputy Head
The Door	Nelson Trust
Sanctuary Housing	NFU (National Farmers Union)
GreenSquare	Hate Crime Steering Group
GDASS	Dursley Town Council
Bromford Housing	Stroud Town Council

### Media Contacts – Press release

Gloucestershire Live	Stroud Times
Cotswold Vale Talking News	The Citizen
BBC Points West	Union News
BBC Radio Gloucestershire	Western Daily Press
Gloucestershire Gazette	Wotton Times
Gloucestershire News Service	
Five Valley Sounds Talking News	
Heart FM	
ITV West	
Local Democracy Reporting Service	
Local Government Chronicle	
Lovingthecotswolds.com	
Municipal Journal	
Punchline magazine	
SoGlos	
Stroud News & Journal	





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# Draft Equality, Diversity and Inclusion Policy

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2021 – 2025

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## **FOREWORD – Group Leaders & CEO**

Over the past year, the Covid-19 pandemic and the Black Lives Matter movement have brought inequality and discrimination into sharp focus. This is an opportune time for us to review our policy to respond to the issues raised. We are passionate about promoting equality, diversity and inclusion for everyone who lives in, works in or visits our district. We are committed to championing this policy with our elected Members and staff who serve our communities, and to ensuring that Stroud District Council is an inclusive workplace which celebrates diversity and creates equality of opportunity.

### **1. Introduction**

Stroud District Council is committed to promoting equality and tackling discrimination. This means treating people fairly, valuing differences and removing the barriers that prevent people from fully participating in public life and realising their full potential. As a Council we have worked extremely hard to reduce inequality, yet we know that some people still experience disadvantage and unfair treatment simply because of their personal characteristics or circumstances.

This Policy sets out how we will make equality integral to the way we reach decisions, provide services, recruit and support our employees, work with other organisations and involve local people. Our aim is to make Stroud District Council a fully accessible and inclusive organisation that welcomes and respects the diversity of its residents, service users, elected members, staff and visitors to the district.

### **2. Scope**

This policy applies to all who represent Stroud District Council in any capacity including elected members (councillors), employees, volunteers, agency workers and consultants. The policy also applies to suppliers, sub-contractors and partners in our supply chain and to all those who live and work in or visit our district.

We all have a right to be treated fairly and with dignity and respect. We are also responsible for ensuring that our own actions and behaviours are fair and that we respect the dignity of others.

### **3. Understanding equality, diversity and inclusion**

- Equality is not about 'treating everyone the same' but recognising that everyone is different, and that people's needs are met in different ways. We would define equality as essentially being about fairness and ensuring that we all have the best possible chance to succeed in life whatever our background or identity.
- Diversity is about understanding that everyone is unique, recognising, respecting and celebrating the added value that differences bring.
- Inclusion is where difference is seen as a benefit and where perspectives and differences are shared, leading to better decisions. An inclusive working environment is one in which everyone feels valued, that their contribution

matters, and they can perform to their full potential, regardless of background, identity or circumstances. An inclusive workplace enables a diverse range of people to work together effectively.

#### **4. Our legal responsibilities**

The Council, as an employer and service provider, will meet all legal duties in respect of equality and diversity. The key piece of legislation is the **Equality Act 2010**, which protects people from discrimination on the basis of the following nine protected characteristics: age, disability, gender reassignment, marriage & civil partnership, pregnancy & maternity, race, religion & belief, sex and sexual orientation.

The Act contains an integrated **Public Sector Equality Duty**, which requires all public bodies and private bodies that deliver a public function, to consider the needs of protected groups when designing and delivering services.

Under the Act, the Council must have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
- Advance equality of opportunity between people who share a protected characteristic and those who do not; and
- Foster good relations between people who share a protected characteristic and those who do not.

Having due regard for advancing equality involves:

- Removing or minimising disadvantages suffered by people due to protected characteristics
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low
- Tackling prejudice and promoting understanding between different communities.

*Section 1* of the Equality Act, the Socio-economic duty, requires public bodies to adopt transparent and effective measures to address the inequalities that result from differences in occupation, education, place of residence or social class (the additional characteristics not explicitly covered by the Public Sector Equality Duty).

Although implemented in Scotland, the UK Government has not commenced the duty in England – so local authorities are not bound by it. However, the Council believes the socio-economic duty offers a useful tool for public authorities to actively consider the way in which policies and strategic decisions can address inequalities, within the wider Public Sector Equality Duty requirements. This piece of work has been included in the year one action plan.

The Council will also comply with the Conventions contained within the **Human Rights Act 1998**, which sets out the fundamental rights and freedoms that individuals in the UK have access to.

## **5. Our commitment**

Stroud District Council is committed to ensuring equality, fairness, inclusion and good relations are at the heart of everything we do - be it policy-making, service delivery or employment practice.

This is key to delivering our vision of **“Leading a community that is making Stroud District a better place to live, work and visit for everyone”**

To support our commitment to equality, diversity and inclusion, the Council will:

- a. Comply with and embrace equality law and good practice, which includes carrying out our public sector duties to promote equality
- b. Regularly monitor and assess the impact of our policies, services and functions to ensure they are fair and reflect people's different needs and opinions
- c. Use our influence with our partners and businesses to generate opportunities in the district
- d. Celebrate diversity and support campaigns for greater equality and awareness
- e. Make equality and consideration of diversity a part of our everyday business. To do this we will expect all of our Councillors, employees and contractors to:
  - Treat everyone with courtesy, dignity and respect at all times
  - Provide the best possible standards of service and value for money to residents and communities
  - Consider the needs and opinions of every community.
- f. Promoting diversity, preventing inequality and tackling discrimination is not solely the responsibility of the Council. We will also work with wider partnerships to promote an equal and inclusive approach across the whole of the District.

### **5.1 Specific commitments in procurement**

When we procure or commission services, we will aim to:

- Consider equality of access in service delivery
- Ensure contractors, suppliers and partners are aware of what the authority expects in relation to equality and diversity and understand that they must provide services that are free from harassment, discrimination or victimisation
- Ensure that the tendering processes include EDI as part of the selection criteria
- Provide guidance to employees about how to include EDI in procurement and commissioning processes.

## **6. Employing, supporting and developing our workforce**

Our employment practice is guided by the principles of equality and fairness. This includes recruitment, terms and conditions, appraisals, learning and development, promotion and when ending employment. Our activities and approach to achieving this

are set out in our [Employee Handbook](#), which contains our suite of HR policies (this link is to the Council's internal intranet. Please contact us if you would like copies of any of the policies).

To help us ensure that equality is an integral part of our employment practices the Council is a member of the Employers Network for Equality and Inclusion <https://www.enei.org.uk/>.

### **6.1 Specific commitments in employment**

Stroud District Council is committed to being a fair and supportive employer, developing the skills and talent within our workforce so that employees are able to deliver high quality services to everyone. To achieve this we will:

- Carry out recruitment fairly
- Provide training to employees so that they can implement this policy
- Treat all employees fairly, with dignity and respect at all times
- Tackle unacceptable behaviour in the workplace
- Provide employees with opportunities to influence the development of our policies and practice
- Reward all employees fairly and provide employment conditions which support them to do a good job
- Promote a good work-life balance and opportunities to work flexibly
- Support disabled employees by making reasonable adjustments
- Monitor and publish the make-up of our workforce as required by the specific public sector equality duty.

As stated in our specific commitments, all employees and elected members should be treated with respect and dignity in the workplace. The Council will not tolerate unacceptable behaviour in any form, and the [Bullying and Harassment Policy](#) (2.6.2) sets out how individual members of staff should raise concerns they have about the workplace.

## **7. Who is responsible for equalities?**

Equality is the responsibility of every Councillor, employee of Stroud District Council, and any other person or organisation employed by the Council to work or to deliver services on its behalf, including those employed through contractual, commissioning or grant-aided arrangements.

We will use all available routes to communicate and promote this policy:

- Elected members will promote our commitment to equality, diversity and inclusion in their day-to-day work
- Strategic Leadership Team will be responsible for overall management and direction of EDI commitments

- the Equality Working Group, comprising cross party councillors and officers, will oversee this policy and monitor the extent to which we are achieving our commitments
- Managers will make sure EDI is core to service delivery and employee management
- All employees will ensure they are aware of this policy and take responsibility to promote EDI and challenge discrimination
- Contractors, suppliers and potential suppliers will be advised of this policy through the tendering and contract review processes and will be expected to adhere to the policy
- Our service users and tenants also have a responsibility to treat our staff with dignity and respect, and to let us know if they require assistance or adjustments to enable them to better access our services.

### **8. Equality Analysis - making fair decisions**

Every day, decisions are made within the council that affect the lives and relationships of local people, service users and employees. Equality analysis will be used as a tool to help us make fair, sound and transparent decisions that are based on a robust understanding of the needs and rights of the groups and individuals who may be affected.

The Council's assessment process ensures that equality analysis is exercised in such a way that influences the final decision. It will also be used to identify positive actions that will mitigate any negative effects of our decision, or enhance any benefits for protected groups and others at risk of disadvantage.

### **9. Equality information**

Whenever relevant to do so we will collate, analyse, interpret and publish information about equality and diversity in the workforce, service delivery and our communities.

This information will be used in equality analysis to:

- Inform our service planning, policy development and decision making process,
- Understand the impact of policies, practices and decisions on people with different protected characteristics, and to plan them more effectively
- Help identify key equality issues
- Develop and monitor our equality objectives
- Identify ways of improving performance
- demonstrate compliance with the Equality Duty

When we ask staff and service-users to provide information about their personal characteristics, this will only be done where the information is relevant to the aims of the equality duty – for example if there are known inequalities in relation to a particular outcome or service. The Council will always make it clear that disclosure of sensitive information (eg sexual orientation, gender orientation or religion or belief) is optional and not compulsory.

However, without gathering some form of evidence, it may be difficult to monitor the impact of policies and procedures on certain protected groups. The Council will aim to overcome this by creating a culture of trust whereby individuals are comfortable disclosing such information.

The Council will uphold its duty to protect an individual's right to privacy, and will not publish information that could identify an individual. Nor will the information be used to identify an individual or make a decision about them purely on the grounds of the information that has been provided in relation to their protected characteristics. All personal data will be processed in accordance with the [Data Protection Act](#) and in compliance with our [Data Protection Policy](#).

### **9.1 Stroud District – equality data**

[Inform Gloucestershire](#) provides a valuable source of information about the people of the Stroud District. It has an interactive website designed to provide a 'one stop shop' of information about the District and holds information profiles for the whole of the District and snapshots of each of the electoral wards including [protected characteristics of the district](#). The protected characteristics for the Stroud district can be found at:

<https://inform.gloucestershire.gov.uk/equality-and-diversity/interactive-report/>

## **10. Making our services accessible and easy to use**

We constantly strive to deliver services that are easily accessible by all who need them, and to support people to participate in public life. This in turn will help us achieve our duty to foster good relations between different groups and individuals. We are committed to listening to our residents, service users and customers to develop an understanding of how we can break down barriers and better meet their needs. This may involve making adjustments to the way we deliver services where it is reasonable to do so.

We will make sure that everyone has the information they need about our services. We will aim to provide all information in plain English and alternative formats on request.

We are committed to engaging effectively with local people, community groups and other stakeholders. We will actively seek their views about the Council and the services they receive, as well as involving them in shaping services and local decision making.

## **11. Protecting people**

Safeguarding children, young people and vulnerable adults is everybody's business, wherever they work and whatever they do for the Council. This includes staff, elected members and people who work for organisations that provide services on behalf of the Council. We will endeavour to ensure all staff and elected members are aware of our

[Safeguarding responsibilities](#) and receive the appropriate training in safeguarding awareness.

The Council is committed to working in partnership to ensure that [hate crime](#) is not tolerated within our communities and neighbourhoods. Hate crime is motivated because of prejudice, hostility or hatred towards a person, family or groups because of their sexuality, gender identity, disability, ethnicity, religion or faith. It can include physical attacks to either a person or their property, threats, verbal abuse and insults. Nobody should suffer because of who they are, and nobody should put up with it.

We are also working with our partners to tackle [domestic abuse and sexual violence](#), and have developed a county wide strategy to ensure that all residents in the District have a fundamental right to live their lives in an environment which will not tolerate domestic violence, will support victims/survivors and will hold perpetrators accountable for their actions.

## 12. Implementing this Policy

The Council recognises that leadership, ownership and commitment by elected members and staff, with adequate resources allocated, are essential for this policy to be effective.

Our work will be guided by the codes of practice and guidance published by the Equality and Human Rights Commission. We will share best practice through membership of equality networks; working with communities and partnerships; and internally through the Equality Working Group.

We plan to use the Local Government Association Equality Framework. This helps councils, in discussion with local partners and local people, to review and improve their performance for people with protected characteristics, defined by the Equality Act 2010.

This Framework has four parts:

1. Understanding and Working with your Communities;
2. Leadership and Organisational Commitment;
3. Responsive Services and Customer Care;
4. Diverse and Engaged Workforce.

Looking at this framework, reflecting on our past actions and building on our vision will help us to think further about what we want to do better and what our equality objectives could be for the coming years.

We understand that identifying and taking action is a key to mainstreaming equality and we will therefore deliver our commitments through our **Equality Action Plan**.



## 12.1 Progress made during 2020/21

### Working with our Communities

- To ensure we have an up to date profile of the district's population, the Council has an annual agreement with Gloucestershire County Council to provide equality information at a district, ward and parish level which is readily available and used by services. See: <https://inform.gloucestershire.gov.uk/equality-and-diversity/>
- The Council has long established interfaces, such as our Local Strategic Partnership, Youth Council, Parish and Town Councils forums, Community hubs and Neighbourhood Wardens to help us capture, understand and meet the needs of our communities. These links have proved vital in helping us to positively respond and provide the appropriate support during the Covid Pandemic.
- To celebrate the different communities that live in our district we work with partners and use our website and social media platforms to publicise notable dates such as Holocaust Memorial and International Women's days; LGBT and Black History months; and Mental Health awareness and Carers weeks. (See appendix for full list of notable dates).
- We have embarked on an ambitious Modernisation programme to help improve digital access to Council services. This will enable us to more readily respond to the diverse needs of our communities at a time and in the way that best suits every individual.

### Effective Governance

- Mandatory equality, cultural awareness and unconscious bias training has been provided for all Members and staff during 2020. An enhanced Member Development Programme will be introduced following the elections in 2021 which will include further Equality and Diversity training.
- We have improved our equality assessment process so that Council decisions are made taking full account on the impact on all relevant protected characteristics.
- We have established an Equality Working Group comprising of Members and officers to drive and monitor our progress in meeting our equality commitments.

### Leadership and Organisation Commitment

- The Council's Chief Executive is now the overall lead and sponsor for equalities which will ensure it is kept high on the corporate agenda. We have also begun

to identify 'equality champions' within each service area to share learning and embed good practice across the organisation.

- Working with the Employers Network for Equality and Inclusion, we have enhanced our equality training, rolling out a programme '*Inclusive Culture and the Role we play*' in November 2020 to all staff, with an additional Leadership element for managers and senior officers.
- All our job adverts now have a statement encouraging applicants from BAME communities and also from women in senior roles. Additionally, we have signed up to BAME, LGBTQ and disability job boards so that all our vacancies automatically appear on these sites.

### Our response to the Covid pandemic and Black Lives Matter Movement

- In June 2020 the Council committed to undertake a review and community consultation, in conjunction with Town and Parish Councils, of any street and building names, statues and architectural features that may be considered offensive. This process has started with a review of Black Boy Clock with its sculpture in Stroud Town.
- The principles of equality and meeting the needs of the most vulnerable in our community are embedded in the Council's Recovery Strategy 2020/21 which sets out a framework for how we aim to tackle the ongoing impact of the Covid-19 pandemic so that we can build back better.  
<https://www.stroud.gov.uk/media/1166427/item-6-covid-19-recovery-strategy.pdf>

### Links to other Plans and Strategies

There are a number of other current strategies and work-streams that directly contribute to the Council's equality agenda, where actions are being taken to combat discrimination and advance equality in our district, notably please see:

<b>Youth and Community Work</b>	<a href="https://www.stroud.gov.uk/community-and-living/youth-and-community-work">https://www.stroud.gov.uk/community-and-living/youth-and-community-work</a>
<b>Housing Strategies</b>	<a href="https://www.stroud.gov.uk/housing/housing-strategy">https://www.stroud.gov.uk/housing/housing-strategy</a>
<b>Health and Wellbeing Plans</b>	<a href="https://www.stroud.gov.uk/health-wellbeing/health-and-wellbeing-plans">https://www.stroud.gov.uk/health-wellbeing/health-and-wellbeing-plans</a>
<b>Director of Public Health Annual Report</b>	<a href="https://www.gloucestershire.gov.uk/media/2102344/dph-report-2020-beyond-covid-race-health-and-inequality-in-gloucestershire.pdf">https://www.gloucestershire.gov.uk/media/2102344/dph-report-2020-beyond-covid-race-health-and-inequality-in-gloucestershire.pdf</a>
<b>CN2030 Strategy and Master Plan</b>	<a href="https://www.stroud.gov.uk/environment/draft-2030-strategy-limiting-adapting-recovering-and-responding-in-">https://www.stroud.gov.uk/environment/draft-2030-strategy-limiting-adapting-recovering-and-responding-in-</a>

	<a href="#">a-changing-climate</a>
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### 13. Our Proposed Objectives for 2021-2025

Our headline objectives are focused on three themes, these themes reflect the Local Government Association (LGA) Equality Framework for Local Government 2020 which is designed to help Councils plan and deliver equality outcomes.

<b>Community</b>	<b>Listen and learn from our communities and use this to deliver services that work well for everyone</b>	<ul style="list-style-type: none"> <li>➤ Improve data collection, publish it often, and use it to make decisions that focus on the needs of all our communities</li> <li>➤ Ensure people are engaged, involved and consulted.</li> <li>➤ Ensure our services are designed in an accessible and inclusive way.</li> </ul>
<b>Leadership &amp; Organisational Commitment</b>	<b>Actively champion our commitment to equality, diversity and inclusion and tackle inequality together</b>	<ul style="list-style-type: none"> <li>➤ Embed equality into our services and procurement in a meaningful way that uses feedback to improve</li> <li>➤ Quality check decisions that impact disadvantaged groups and compare them so we can make improvements</li> </ul>
<b>Workforce</b>	<b>Build a diverse and engaged workforce, where everyone is respected</b>	<ul style="list-style-type: none"> <li>➤ Equip our workforce, including our leadership to meet the needs of the community we serve.</li> <li>➤ Take actions agreed in our Organisational Development Plan and resulting from equality workforce monitoring.</li> <li>➤ Ensure that our employees feel equal and included and are not subject to any unfair disadvantage regardless of their background and/or characteristics.</li> </ul>

*The Equality Objectives Action Plan appended to this Policy sets out the 2021-22 actions under each of these objectives.*

The COVID-19 pandemic has brought existing inequalities in opportunity, health and life chances into focus and the Black Lives Matter Campaign has raised awareness of ongoing discrimination and inequality faced by people in our communities. The objectives set out above and in further detail in the Action Plan set out how the Council will advance greater equality.

### **14. Review**

We will continually seek to develop our approach to equality, diversity and inclusion by identifying good practice in employment and service delivery. The Equality Working Group will monitor progress and the Council will review this policy on a regular basis, usually at least every 4 years, to ensure that it reflects the latest legalisation, best practice and other Council policies.

It is essential that we monitor our performance against our Equality Objectives and continue to challenge progress over time. The Equality Working Group will publish an annual report on our progress with a summary of what we have achieved against each objective. An annual report will also be scrutinised at a Full Council meeting annually.

## EQUALITY, DIVERSITY & INCLUSION ACTION PLAN 2021/22 working towards our EQUALITY OBJECTIVES 2021 - 2025

1. Communities: Listen and learn from our communities and use this to deliver services that work well for everyone				
ACTIVITY	TIMESCALE	SERVICE AREA	OUTCOME	PROGRESS @ September 2021
1.1 a. Consult on the draft Equality, Diversity and Inclusion Policy and Objectives once approved by Council. b. Improve visibility of the equality data and intelligence held about the District's population and make it more widely available	October 2021	Policy & Governance	<ul style="list-style-type: none"> <li>Equality data on the district is readily available, widely used by services and clearly presented on our website.</li> <li>Infographics used to display the data on the Council's website.</li> </ul>	<ul style="list-style-type: none"> <li>The 8-week public consultation closed on 1<sup>st</sup> Sept and received 24 responses. To return to Council for final approval in October 2021. An Easy Read version of the Policy is being produced.</li> <li>The Council has an ongoing agreement with GCC to produce equality information at a district, ward and parish level. New district level data will be available from the National Census in late 2021 early 2022.</li> <li><a href="https://inform.gloucestershire.gov.uk/equality-and-diversity/">https://inform.gloucestershire.gov.uk/equality-and-diversity/</a></li> <li>Infographics for each District Ward are being developed to be published in October 2021.</li> <li>Work is being undertaken to present equality data and information clearly on our website.</li> </ul>
1.2 Review what equality data is collected across key service areas to ensure appropriate data is available e.g. to inform Equality Impact Assessments (EIAs).	July 2021	Policy & Governance /Customer Services / HR	<ul style="list-style-type: none"> <li>Services are using equality data to inform key decisions, policies and services delivery</li> </ul>	<ul style="list-style-type: none"> <li>Following the Equality &amp; Diversity training provided to all staff, Equality Champions have come forward across the organisation and have undertaken training with ENEI.</li> <li>The complaints process includes equality monitoring by protected characteristics.</li> </ul>
1.3 Establish how we can capture anecdotal and local knowledge more effectively to increase our understanding of the needs of our communities.	Sept 2021	Equality Working Group (EWG)	<ul style="list-style-type: none"> <li>Mechanisms are in place to capture equality issues raised by Councillors.</li> <li>Service areas understand the needs of particular equality groups and use the findings to inform the</li> </ul>	<ul style="list-style-type: none"> <li>Learning shared through Local Strategic Partnership; Parish &amp; Town Council forums; Community Hubs; Neighbourhood Wardens.</li> <li>The Equality Working Group are working with members of the BAME community on initiatives to tackle racism and inequality across the district.</li> <li>Following a meeting with SAR improvements are being made to our Complaints procedure to introduce equality monitoring and provide additional training to complaint</li> </ul>

1. Communities: Listen and learn from our communities and use this to deliver services that work well for everyone				
ACTIVITY	TIMESCALE	SERVICE AREA	OUTCOME	PROGRESS @ September 2021
			development of Council services.	handlers.
1.4 Establish a Residents Panel to provide a structured forum for inclusive engagement.	On hold –	Policy & Governance	<ul style="list-style-type: none"> <li>Council services are accessible to everyone and meet the specific needs of our communities</li> </ul>	<ul style="list-style-type: none"> <li>Paper prepared on the formation of a Citizens' Panel which is to be developed into a Community Engagement Strategy.</li> <li>Working with Health and Wellbeing team to compile list of community groups in the district and groups representing the protected characteristics across the district. The Community Health and Wellbeing Manager will be joining the Equality Working Group following the May elections.</li> </ul>
1.5 Work with local partners and community groups to support and organise events to celebrate the different communities that live in the district	Ongoing	Policy & Governance	<ul style="list-style-type: none"> <li>The district's diverse communities feel recognised, included and engaged with.</li> </ul>	<ul style="list-style-type: none"> <li>The Council currently uses our website, social media platforms and intranet to publicise notable dates such as Black History Month and LGBTQ+ to promote equality and diversity.</li> <li>ENEI produces a <a href="#">notable dates calendar</a> which will help us achieve this.</li> <li>In January 2021 we worked with Cheltenham BC to commemorate Holocaust Memorial Day. Links made with Stroud Pride and SAR</li> </ul>
1.6 Improve digital access to Council services.	2021-22	Director of Transformation & Change and ICT	<ul style="list-style-type: none"> <li>Services can be accessed conveniently by all of our service users.</li> </ul>	<ul style="list-style-type: none"> <li>Fit for the Future (FFF) Board in place. Adrian Blick has been appointed as the Director of Transformation and Change and is leading the programme</li> </ul>
1.7 Support wider community consultation and engagement with the Council: a. Establish a baseline of current consultation. b. Produce accessible engagement and consultation guidelines for	December 2021	Community Services	<ul style="list-style-type: none"> <li>Increased engagement with our residents, tenants and service users.</li> <li>Our communities feel listened to and able to participate.</li> </ul>	<ul style="list-style-type: none"> <li>Consultations are published on the Councils website: <a href="https://www.stroud.gov.uk/council-and-democracy/about-the-council/have-your-say/consultations">https://www.stroud.gov.uk/council-and-democracy/about-the-council/have-your-say/consultations</a></li> <li>Community Access is a key Workstream in the FFF Programme and will develop a Community Engagement and Consultation Strategy.</li> </ul>

1. Communities: Listen and learn from our communities and use this to deliver services that work well for everyone				
ACTIVITY	TIMESCALE	SERVICE AREA	OUTCOME	PROGRESS @ September 2021
services.				
1.8 Investigate the extent and impact of bullying on young people in our community	December 2021	Youth Service and Youth Council	<ul style="list-style-type: none"> <li>Young people are encouraged to speak out about bullying and policies and procedures to tackle bullying are improved.</li> </ul>	<ul style="list-style-type: none"> <li>The Youth Council have designed and conducted an in-depth survey of young people in the district, which received 873 responses and is being analysed by the young people themselves.</li> </ul>

1. Communities: Specific to Black Lives Matter				
ACTIVITY	TIMESCALE	SERVICE AREA	OUTCOME	PROGRESS TO DATE
1.9 Undertake a review of existing anti-racist and anti-discrimination policies and practices, including the training it provides to members and staff and to take action to strengthen these as required.	September 2021	HR	<ul style="list-style-type: none"> <li>Effective policies and procedures are in place to combat racism and all forms of discrimination.</li> <li>Awareness raising amongst elected members by using examples of lived experience from people from the local BAME community.</li> </ul>	Following the May 2021 elections the Member induction programme will include anti-racism and anti-discrimination training, including local examples from the district's community.
1.10 Engage proactively with public and private sector service providers operating across Stroud District, including care providers, education providers, police, and Town and Parish Councils	Ongoing	Chief Executive & Leader  All services	<ul style="list-style-type: none"> <li>Encourage a joined-up approach to eliminating all forms of racism and discrimination.</li> </ul>	<ul style="list-style-type: none"> <li>Meetings have taken place with Gloucester City and Gloucestershire County Council to discuss joint working in relation to equality and diversity.</li> <li>The Chief Executive and Leader are members of Stroud's Local Strategic Partnership comprising members from across the public, private and voluntary sectors.</li> </ul>

1. Communities: Specific to Black Lives Matter				
ACTIVITY	TIMESCALE	SERVICE AREA	OUTCOME	PROGRESS TO DATE
to encourage a joined-up approach to eliminating all forms of racism and discrimination.				
<p>1.11 Take positive steps to educate ourselves and our communities about all forms of racism and discrimination. This should include giving greater visibility to:</p> <ul style="list-style-type: none"> <li>a) the continuous presence of Black, Asian and Minority Ethnic (BAME) residents in our District, who have contributed to our communities over at least 300 years.</li> <li>b) the probable role of past Stroud District residents in profiting from the slave trade and colonial exploitation.</li> <li>c) the positive role of past residents in opposing slavery and other forms of exploitation.</li> </ul>	Ongoing	Equality Working Group	<ul style="list-style-type: none"> <li>• A better understanding of our diverse communities and improved community cohesion.</li> <li>• Increase in the percentage of residents responding positively to the Annual Budget Survey question 'To what extent do you agree or disagree that your local area is a place where people from different ethnic backgrounds get on well together'.</li> </ul>	<ul style="list-style-type: none"> <li>• The Council's BAME group celebrated Black History Month in October 2020 by sharing their experiences and celebrating their heroes on the Council's Intranet.</li> <li>• The Council's Annual Budget Survey 2020 asked residents to what extent they agree or disagree that their local area is a place where people from different ethnic backgrounds get on well together, 70% agreed (16% definitely agree and 54% tend to agree). However, just under 1 in 10 (9%) disagreed.</li> <li>• ENEI delivered equality and diversity training to all staff which included unconscious bias tests for Members and the Leadership &amp; Management Team.</li> <li>• Specific questions on commemorations are part of the Street and Statues Review.</li> </ul>
1.12 Undertake a review and community consultation, in conjunction with Town and Parish Councils, of any street and building names, statues and architectural features that may be considered offensive;	December 2021	Equality Working Group/ Review Panel	<ul style="list-style-type: none"> <li>• Where removal or name change is not considered necessary, there may be opportunities for using such examples for education purposes to</li> </ul>	<ul style="list-style-type: none"> <li>• The process for the review of Black Boy Clock has been agreed by the Strategic &amp; Leadership Teams and Group Leaders. EWG are working on the details of the process.</li> <li>• A report on the significance of the Statue has been drafted by the Specialist Conservation Officer.</li> <li>• The specification for the Review Panel has been drafted</li> </ul>



1. Communities: Specific to Black Lives Matter				
ACTIVITY	TIMESCALE	SERVICE AREA	OUTCOME	PROGRESS TO DATE
this is likely to include the Black Boy House and Black Boy Clock with its sculpture in Stroud Town.			make our past, with its positive and negative features, more visible and accessible to the current population through appropriate interpretation materials and educational visits.	and recruitment is being undertaken for two Community Representatives to join the Review Panel. <ul style="list-style-type: none"> <li>• The Review will commence in May 2021.</li> <li>• The 8 week consultation runs until 1<sup>st</sup> September.</li> </ul>

2. Leadership and Organisational Commitment: Actively champion our commitment to equality, diversity and inclusion and tackle inequality together				
ACTIVITY	TIMESCALE	SERVICE AREA	OUTCOME	PROGRESS TO DATE
2.1 Set objectives within the revised Equality and Diversity Policy and identify measures so that overall progress can be assessed annually.	August 2021	Policy & Governance	<ul style="list-style-type: none"> <li>• Delivery of the Council's equality and diversity objectives is monitored and reported in line with the Public sector equality duty. Annual report to committee.</li> </ul>	<ul style="list-style-type: none"> <li>• Equality Diversity &amp; Inclusion Policy to go to Council for approval in March 2021.</li> <li>• Objectives and Action Plan to be approved by Council and reviewed annually.</li> <li>• Public consultation on the objectives to take place following the May elections.</li> </ul>
2.2 Review the equality information published to ensure we are meeting the public sector equality duty.	November 2021	Policy & Governance	<ul style="list-style-type: none"> <li>• Equality information is used to improve service provision.</li> </ul>	<ul style="list-style-type: none"> <li>• Equality information presented to the Equality Working Group and to be published on the Council's website once approved by Full Council.</li> </ul>
2.3 Consider ('pay due regard' to) how we can reduce	October 2021	Policy & Governance	<ul style="list-style-type: none"> <li>• Consideration of social-economic</li> </ul>	<ul style="list-style-type: none"> <li>• The impact of 'Rurality' forms part of the EIA process and will be extended to wider socio-economic impact.</li> </ul>

2. Leadership and Organisational Commitment: Actively champion our commitment to equality, diversity and inclusion and tackle inequality together				
ACTIVITY	TIMESCALE	SERVICE AREA	OUTCOME	PROGRESS TO DATE
inequalities of outcome caused by socio-economic disadvantage when making strategic decisions.			impact is included as part of the Equality Impact Assessment process.	<ul style="list-style-type: none"> <li>EqIA training to be provided to all report writers as part of the introduction of Modern Gov system.</li> <li><a href="#">Stroud Indices of Deprivation</a>:</li> </ul>
2.4 Identify the current level of equality monitoring with a view to: <ol style="list-style-type: none"> <li>Embed the Equality Impact Assessment (EIA) process across reports</li> <li>Review EIA guidance and training.</li> <li>Improve monitoring of compliance.</li> <li>Include consideration of Socio-economic disadvantage</li> </ol>	October 2021	Policy & Governance	<ul style="list-style-type: none"> <li>All council decisions are made taking full account of the impact on all relevant protected characteristics and socio-economic disadvantage.</li> <li>All EIAs are published on the Council's website.</li> </ul>	<ul style="list-style-type: none"> <li>An EIA section has been incorporated into the Committee report template.</li> <li>EIA template and guidance is available on the Hub and support is provided by the Policy and Performance Officer.</li> </ul>
2.5 Enhance the equality training element of the Member Development Programme	June 2021	Policy & Governance and Democratic Services	<ul style="list-style-type: none"> <li>Members have an understanding of the Equality Act and a greater understanding of cultural differences within local communities.</li> </ul>	<ul style="list-style-type: none"> <li>Mandatory Equality &amp; Diversity training provided in for all elected members, included Unconscious bias in June / July 2021.</li> </ul>
2.6 Organisational Development work – Shared values and behaviours	Ongoing	Ascend OD Consultants	<ul style="list-style-type: none"> <li>Create a 'One Council' culture</li> </ul>	<ul style="list-style-type: none"> <li>A series of 121s and staff workshops have been held and the findings have been presented to the 'Proud of Stroud' staff forum.</li> </ul>
2.7 TIDE self-assessment tool	March - April 2021	HR	<ul style="list-style-type: none"> <li>To work with ENEI to review the Council</li> </ul>	<ul style="list-style-type: none"> <li>Working with ENEI to monitor progress against the assessment tool.</li> </ul>

2. Leadership and Organisational Commitment: Actively champion our commitment to equality, diversity and inclusion and tackle inequality together				
ACTIVITY	TIMESCALE	SERVICE AREA	OUTCOME	PROGRESS TO DATE
			and to gauge Equalities across the Council and what we need to do to improve.	

3. Workforce: Build a diverse and engaged workforce, where everyone is respected				
ACTIVITY	TIMESCALE	SERVICE AREA	OUTCOME	PROGRESS TO DATE
3.1 Recruitment training for staff involved, to cover the Equality Act, unconscious bias, positive action, genuine occupational requirement etc	May 2021	HR	<ul style="list-style-type: none"> <li>To ensure we have an unbiased recruitment process where all staff involved understand their responsibility</li> </ul>	<ul style="list-style-type: none"> <li>Working with ENEI to identify a suitable training package.</li> <li>Training was delivered to all Council staff on 'Inclusive Culture &amp; the Role We Play' which included a segment on Unconscious bias</li> <li>Face to Face training was delivered to all Managers on 'Inclusive Culture &amp; Leadership' and all managers have completed Unconscious Bias e-learning.</li> </ul>
3.2 To work with Zellis – Recruitment /Onboarding Module to analyse Equality data	April 2021	HR	<ul style="list-style-type: none"> <li>To ensure we are attracting candidates from under-represented groups</li> </ul>	<ul style="list-style-type: none"> <li>Currently working with Zellis to design Recruitment Module and in the future to develop a system to record the data.</li> <li>Have recently advertised a post using the new Recruitment Portal with the plan to roll this out for all jobs in the Spring 2021.</li> <li>Unable to roll out the system as planned as some on-going development work is need to finalise the system and staffing issues.</li> </ul>
3.3 Work with service units to identify Positive Action Opportunities for the BAME	Ongoing	HR	<ul style="list-style-type: none"> <li>To begin to address the imbalance from under-represented</li> </ul>	<ul style="list-style-type: none"> <li>Centralisation of the Apprenticeship budget has allowed us to work across the Council and identify suitable opportunities.</li> </ul>

### 3. Workforce: Build a diverse and engaged workforce, where everyone is respected

ACTIVITY	TIMESCALE	SERVICE AREA	OUTCOME	PROGRESS TO DATE
group, Women into Management, People with Disabilities, LGBTQ+ and people in the Stroud Community who have lost their job due to COVID-19			<ul style="list-style-type: none"> <li>groups within the Council.</li> <li>To help the local economy</li> </ul>	<ul style="list-style-type: none"> <li>HR have presented to the Leadership and Management Team to promote the developed Apprenticeship scheme including plans to promote positive action opportunities.</li> </ul>
3.4 Ensure that all interview questions have an Equalities Question for all candidates	Ongoing	HR	<ul style="list-style-type: none"> <li>Asking the question at interviews reinforces to the candidate how important Equalities is in the Council. It's also an opportunity to gauge a candidate's understanding</li> </ul>	<ul style="list-style-type: none"> <li>Working towards developing standard questions for each grades:</li> <li>Apprentice - Stroud 2</li> <li>Stroud 3 - 4</li> <li>Stroud 5 - 7</li> <li>Stroud 8 - 9</li> </ul>
3.5 Put in place a meaningful equality training provision for staff in order to improve the learning and development of equality and diversity. Cultural Awareness Training for key staff who work directly with the Community	November 2021	HR	<ul style="list-style-type: none"> <li>Staff have a better understanding of equalities and their responsibilities in the workplace and in service provision</li> </ul>	<ul style="list-style-type: none"> <li>Working with ENEI to identify suitable course.</li> <li>Training has been delivered to all staff on 'Inclusive Culture &amp; the Role We Play' which included a section on Unconscious bias.</li> <li>Training has been delivered to all our Managers on 'Inclusive Culture &amp; Leadership' which included Unconscious bias e-learning course.</li> </ul>
3.6 Identify development opportunities for BAME staff, women in management and staff with disabilities	Ongoing	HR	<ul style="list-style-type: none"> <li>Re-addressing the imbalance</li> </ul>	<ul style="list-style-type: none"> <li>Levy Money is available for development of staff via an Apprenticeship.</li> <li>HR attended a Leadership &amp; Management team meeting to promote the use of the Levy Funds</li> </ul>
3.7 Work Experience placement	Ongoing	HR	<ul style="list-style-type: none"> <li>To give opportunities for under-represented groups to gain an introduction to work</li> </ul>	<ul style="list-style-type: none"> <li>Working with schools/colleges</li> </ul>
3.8 Induction to ensure all staff	March 2021	HR	<ul style="list-style-type: none"> <li>To ensure we have</li> </ul>	<ul style="list-style-type: none"> <li>All new starters complete a mandatory Equality &amp; Diversity</li> </ul>






3. Workforce: Build a diverse and engaged workforce, where everyone is respected				
ACTIVITY	TIMESCALE	SERVICE AREA	OUTCOME	PROGRESS TO DATE
participate in Equalities Training on commencing employment and to review the course to ensure its fit for purpose			the best course available which covers all aspects of Equalities and is interactive	e-learning course. •As part of all new starters Induction programme they will be required to attend Inclusive and Culture and the role we play training.
3.9 Recruit Equalities Champion for each Service Unit	January 2021	HR	<ul style="list-style-type: none"> <li>To have a key person in each service unit ensuring equalities is considered in all aspects of their service work</li> </ul>	<ul style="list-style-type: none"> <li>Work with Managers to identify suitable champions for their service unit.</li> <li>During the course of the Inclusive Culture &amp; the Role we play training courses some staff have expressed an interest in volunteering for being an Equalities Champion. HR and Ascend are currently working on the Organisational &amp; Development Project and they are also keen to have Champions. A joined up approach is to be developed.</li> <li>We have successfully recruited 10 EDI Champions who attended a development session with ENEI.</li> </ul>

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## Consultation Results

### Draft Equality, Diversity & Inclusion Policy & Objectives

**1. The Equality, Diversity and Inclusion Policy is clear and understandable, including what the Policy is trying to achieve.**

1.			Response Percent
1	Strongly agree		20.83%
2	Agree		41.67%
3	Neither agree nor disagree		16.67%
4	Disagree		4.17%
5	Strongly disagree		16.67%

Comment: (9)

		Response to comments
1	Very clear what the regime is trying to achieve.	Thank you for your comment – no further action to include
2	I want all our statues and landmarks to stay the same if people have a problem with them then they should move	This relates to a separate consultation being undertaken
3	Yes this looks comprehensive and straight forward....as long it is actively implemented.	Thank you for your comment – the action plan will be regularly reviewed to ensure implementation
4	No. The EDI is far too vague. Leaves room for anti-EDI behaviour and actions to take place.  There needs to be specific section on race, wording to address racism, white fragility, white supremacy, white privilege.	Sections 1.3 and 1.11 of the EDI action plan identified to answer this comment.  We will continue to develop the action plan in consultation with Community Groups
5	I am writing my comments with a particular focus on eradicating racism. However, I am also aware that without recognition by white, heterosexual, cis-gendered, able-bodied men and women that they have unearned and unspoken privileges and greater access to power in our society, there are many people of marginalised identities who will continue to suffer also from lack of consideration, access to power and decision making and resources.  This draft is not adequate for the intentions that it sets out for SDC and are not taking into account the responsibility and accountability of white people to do our own cultural enquiry as to how we are perpetuating racist systems and beliefs every minute of every day when we pay lip service to E D & I. White people need to get to grips with how we are still involved and integral to perpetuating various iterations of the structural racist legacy of white colonialism and slavery. If you read this and don't get it, this means you need to read into the history, the impact of generations of oppressive behaviour and beliefs that have made and continue to make the lives of black and brown-skinned and people of faiths perceived to be dangerous to white christian British people arduous survival  <i>Point 3 - Equality is fairness, however, who decides what 'fair' is?</i>	Sections 1.3, 1.7 and 1.9 – 1.12 of the EDI action plan identified to answer this comment.  We will continue to develop the action plan in consultation with Community Groups

This statement does not acknowledge the reality of white patriarchal dominance and the economic oppression of any who are already disadvantaged. It seems radical and important to name the fact of an unlevel playing field to start and what the levelling process asks of those who hold the advantages in this system.

Diversity needs to name the fact dominance of access to power by a white supremacist culture. When we talk about diversity in our country, the unspoken assumption is that all other identities diverge from the dominant culture. Only by naming the dominant white, male gendered, able-bodied heteronormative and cisgendered privilege will we be able to take diversity seriously. Inclusivity needs to recognise who is doing the including - who holds the power?

Point 4 is the reference to legal requirements which given the Act was legislated in 2010 means there is some serious updating to do with regard to understanding systemic racism as a result of the oppressions by dominant cultural white supremacist, patriarchal and ableist norms and ideals or anyone who does not match these norms and ideals. Diversity implies there is a norm from which people 'diverge'. There is no reference to whiteness as a racial identity and that there is diversity

"minimising" disadvantages suffered by people with protected characteristics' is not enough. Disadvantages need to be eradicated, not minimised. The policy does not acknowledge intergenerational legacies of oppressive conditions and relationships which we now know have had a huge impact on how 'diverse' people feel in a dominant mindset that does not welcome them.

It is not about encouraging people from supposedly divergent communities to participate in more public spaces and services, but about removing the source of the normalising and homogenising mindset and acknowledging power structures that privilege and empower middle-aged white heterosexual, educated, able-bodied men and women of English origin over anyone else. If the power structures are revealed more fully - who makes decisions and who has power over budgets - then these can be redesigned to make a more caring and equal arrangement for everyone. At present hierarchies are pre-dominant and what we need are seriously levelled out decision making processes like people's assemblies.






Some of the statements of intention sound very good to the white well-meaning person, but how do people of colour feel when they read these statements? Do they match the experience they've had of what life here is like and how their experiences are validated or dismissed? The statements are just statements unless we can deeply unravel centuries of dominant mindsets like male white middle class educated ones who rationalise and think they know best. Humility is needed here, even to understand how people of colour have had to pander to these power structures and people in order to get access to services and opportunities. The whole system of socioeconomic control is founded on inequality and disempowerment of divergent minds, rather than being willing to deeply listen to and respond to the needs for changes in our society. The intentions sound great, but let's dive deep within ourselves and in community in real-time. Consultation is a good start, a good intention but can often be a tick-box or 'evidence that we consulted' but rarely do all the radical suggestions get integrated. we need radical - roots - changes here for this policy to have any profound impact.

6	Far too long, rambling and repetitive	Thank you for your comment
7	Has Free Speech gone because it is part of the Human Rights Act. This country ought to remember something I was told many years ago and today's WOKE SHOULD TAKE NOTE. STICKS AND STONES WILL BREAK MY BONES BUT WORDS WILL NEVER HURT ME. The Statue in Stroud Blackboy Clock is a very attractive Statue and the Council should not give into a bunch of pathetic twits in my opinion.	This relates to a separate consultation being undertaken
8	What it's trying to achieve is clear and relatively easy to understand, but some bits are easy to skim over if not looking at the detail.	Thank you for your comment – the action plan will be regularly



		reviewed to ensure implementation
9	Exhausting set of cliched and unmeasurable vague statements. Terribly written. Largely meaningless. Will achieve nothing.	Thank you for your comment

**2. The Council has identified appropriate commitments to meet our equality responsibilities (sections 5 & 6).**

			Response Percent
1	Strongly agree		8.33%
2	Agree		45.83%
3	Neither agree nor disagree		20.83%
4	Disagree		8.33%
5	Strongly disagree		16.67%

Comment: (11)

			Response to comments
1	The ruling coalition is very clear what the outcome should be.		Thank you for your comment
2	I fell a stranger in my home town of which I was born 70+ years ago shame on all trying to eradicate our history		This relates to a separate consultation being undertaken
3	The statement that only women in senior roles will be encouraged to apply in the "Leadership and Organisation" section seems to imply that women in more junior roles aren't encouraged to apply		Section 3 of the EDI action plan identified to answer this comment.
4	Important to also to know how Stroud District Council is addressing unintentional discriminatory bias awareness and promote intentional inclusion in all areas?		The EDI action plan identified to answer this comment, and will be review annually.
5	No. Without clarity and specificity, responsibilities cannot be met.  There is no accountability plan.		The EDI action plan identified to answer this comment, and will be review annually.
6	Point 5 in the policy does not go far enough and avoids the now imperative work of examining what has been termed 'white privilege' or 'white advantage' within our country's cultural, political and economic fabric. The above is the piece that has been avoided til now and must be taken on in order for this policy to go anywhere near its intended aims. Whiteness is the unspoken racialised dominance under which every non-white person has to struggle to find themselves as equals. Unless this is integrated within the policy, I cannot endorse any of the commitments because they can easily overlook the ways in which white privilege harms people who don't have the right skin colour to benefit. White privilege thus harms everyone because white people are the unwitting participants in this harm. Even though some people are overtly racist, most white people would not wish to be but also do not recognise that they are complicit in the racist social system.		The EDI action plan identified to answer this comment.  We will continue to develop the action plan in consultation with Community Groups
7	I don't see a real commitment to understand equality issues and to assess the council's further policies, behaviours and commitments on that. Using the mentioned codes of practice and guidance is a bit of a wishy-washy statement and does not actively set the council on a path to find and address inequality. I would prefer to see a statement where the council is looking to identify inequalities and address them by undertaking their own surveys and		The EDI action plan identified to answer this comment.  We will continue to develop the action plan in consultation with






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## Appendix

## Appendix D

	consultations as well.	Community Groups
8	It is a good start, modifications over time when more is understood would be appropriate	Thank you for your comment
9	These equality group in my opinion are a pathetic bunch who have nothing better to do with their lives.	Thank you for your comment
10	What does fairness mean regarding this policy?...what does fairness look like? Definition of fairness? Currently, sections 5 and 6 are slightly 'woolly', some points are quite subjective. Need to have greater definition. What does 'carrying out recruitment fairly' means or look like?	The EDI action plan identified to answer this comment. We will continue to develop the action plan in consultation with Community Groups
11	You cannot force equality when people are individuals. We are not all the same. We cannot ALL "have the best chances" because some of us create chances, and others sit back and expect others to make the sacrifices and pay for their lifestyle. Your approach to inclusion is sheer madness, as is your focus on a diversity based on skin colour and other meaningless characteristics.	Thank you for your comment

### 3. The Policy promotes equality and good relations.

			Response Percent
1	Strongly agree		8.70%
2	Agree		47.83%
3	Neither agree nor disagree		13.04%
4	Disagree		8.70%
5	Strongly disagree		21.74%






Comments: (9)

#### Response to comments

1	Cancel culture is highly divisive.	Thank you for your comment
2	All this is doing is making people resentful and mad for being labelled racists when we are not we just don't keep shouting about things	This relates to a separate consultation being undertaken
3	As above..	Thank you for your comment
4	The term diversity is in itself problematic. Diverse from what? The word implies that white, heteronormative ableist is the standard.	Thank you for your comment
5	Good relations depends upon a feeling of mutuality and understanding together. The policy will only be seen to promote equality and good relations when the work of undoing white supremacist unconscious bias, plus the pro-active anti-racism inner and outer work of undoing structural cultural racism and oppression will be explicitly directed and supported by this policy and action plan. It is only when deep empathy can be felt by white people for the experience of people of colour and likewise by the able-bodied cis-gendered, heterosexual people who are more valued by our social norms than people who are not so identified.	The EDI action plan identified to answer this comment. We will continue to develop the action plan in consultation with Community Groups
6	Has the Policy invited comments from Non-White members of the community? although they are a small percentage of the ethnicity of our district, their voices need to be heard in order to effect positive change. I believe their need to be heard is in inverse proportion to their numbers/representation. It's too easy to	Yes, see list of consultee invitations at Appendix 1 of the report

	<p>THINK you have asked a question (of non-white/ non- christian / non-heterosexual people) in a way such that it will be responded to. I believe the Policy sincerely wishes to promote equality at a conscious level, but I find I do have resistance to even engaging with the question. I know what i SHOULD do and say, but the challenges are relatively new in my life/ our society. Sometimes I feel weary or confused, which is a form of hopeless resistance, I believe.</p>	
7	<p>In my opinion all this rubbish creates Racism by all people. I have a mixed race Grand Son who does not know who to stick up for, isn't that awful. What it is doing is promoting Black people as goody goodies who are not RACIST whilst the indiginos people of THIS COUNTRY are. Blame Government for MASS IMIGRATION and NO DISCUSSION ON THE SUBJECT</p>	<p>Thank you for your comment</p>
8	<p>It does to a point. The Council should take a stronger position on the aspects of no. 4 (legal responsibilities). Make the Councils position clearer in relation to the 'Section 1 of the Equality Act, socio-economic duty' and state how the Council upholds the measures laid out, despite the current position of the UK government. The Council needs to fully recognise the potential of discrimination, and the subsequent impact, that result from differences in occupation, education, place of residence or social class, even though they are not consider in law as protected characteristics.</p>	<p>The EDI action plan identified to answer this comment, and will be reviewed annually.</p>
9	<p>From start to finish, it's a meaningless cliché.</p>	<p>Thank you for your comment</p>

**4. The Council's equality objectives are specific and appear to focus on the biggest equality challenges facing the Council.**

			Response Percent
1	Strongly agree		4.17%
2	Agree		54.17%
3	Neither agree nor disagree		16.67%
4	Disagree		8.33%
5	Strongly disagree		16.67%

If you disagree or strongly disagree, what changes would you suggest? (9)

			Response to comments
1	Yes according to the coalition's definition.		Thank you for your comment
2	there should be no need for all this nonsense money could be spent on better things		Thank you for your comment
3	Some of the objectives are not specific and therefore not easily measurable		The EDI action plan identified to answer this comment, and will be reviewed annually.
4	They are bolt-on objectives to an otherwise unchanging system. We need a paradigm shift.		
5	<p>Consultation of this nature, involving proposed commitments to minority demographic groups needs to be direct interpersonal dialogue between service developers and the people they are aiming to serve. Following the word of the law is not enough, though the law is definitely needed to be integral. I suggest that this survey is wholly inadequate as a consultation. It will tick boxes</p>		Section 1 of the EDI action plan identified to answer this comment. The action plan will be regularly reviewed to

but it won't gather the real data needed for change, nor will it foster the relationships needed for lasting and meaningful changes to be made. We need facilitated workshops where the aims of the consultation and the content of the enquiry are given appropriate explanations that the consulted parties will understand and feel engaged with. Facilitation will be necessary because conversations and dialogues around change will feel uncomfortable at times, but with good enough facilitation the outcomes will feel much more satisfying for everyone and create a much safer community with better relationships and interest in each other.

Sending a draft document of the length that the EDI policy and associated documents like action plan etc to a broad public by email or post and asking them to read on their own and cross-reference the questions and policies in detail and depth that befits this matter is asking people to take hours out of their life and not know by whom and how the data will be received and processed. This is not relational and will not foster any new sense of collaborative change or empowerment even if people do take the time to do this. This is my feeling and I echo the feelings of others I've spoken to.

Equality cannot be embedded anywhere with the policy as it stands and with the method of consultation as it is. Equality can be embedded through time spent relating with real people, not pieces of paper. Although we need documents to record decisions made and policies to follow, the consultation is futile if it is a paper exercise.

In terms of the workforce, without a specific clear intention for white employees and white councillors to undertake personal enquiry work to understand white ableist, heterosexual, cisgender supremacy as a cultural bedrock in UK, and to recognise how white people make assumptions about everyone including themselves based on this bedrock of unconscious bias, the workforce will never be equipped to tackle inequality. Instead, the same tacit beliefs will continue to sabotage any meaningful radical changes in culture at SDC and any policies or commitments will as likely be overturned by any less inclined council leadership. The changes need to be supported by the individual and collective efforts of staff to uncover their own reasons for wanting change to happen, by understanding how the inequality of power - hugely weighted toward favour of the dominant identities - will continue.

The one hope for all of this to happen is that there is a committed Equalities Working Group however, SDC must as a whole embrace their suggestions which are coming directly from consultation and relationship in real-time with local residents of colour who are saying what needs to be heard within the council. Actions need to match words and what is realistic is whatever enough people with power want to realise.

ensure implementation. We will continue to develop the action plan in consultation with Community Groups

6	Not everyone is equal but everyone should have the opportunity to fulfil their individual potential. Of course black lives matter but so do white, yellow and red ones (and any others) By harping on BLM racism is being constantly stirred. Change the slogan to "ALL lives matter". This includes all diversity groups, whatever they call themselves, and includes everyone without making any distinctions.	The EDI action plan identified to answer this comment, and will be reviewed annually.
7	PROMOTE WHITE BOYS	Thank you for your comment
8	The statements are fine, but they are not specific. They are designed to be relevant enough to enable services to apply correct approaches and delivery methods in which to meet this policy – which means they cannot be specific. They need to be relevant rather than specific.	The EDI action plan identified to answer this comment, and will be reviewed annually.
9	Why do you not focus on examining the real reasons why some sections of society fail to contribute to society, fail to achieve jobs, fail to excel?	The EDI action plan identified to answer this comment, and will be reviewed annually.

5.1.			Response Percent
1	Strongly agree		0.00%
2	Agree	<div style="width: 41.67%; height: 15px; background-color: orange;"></div>	41.67%
3	Neither agree nor disagree	<div style="width: 20.83%; height: 15px; background-color: green;"></div>	20.83%
4	Disagree	<div style="width: 16.67%; height: 15px; background-color: red;"></div>	16.67%
5	Strongly disagree	<div style="width: 20.83%; height: 15px; background-color: yellow;"></div>	20.83%

If you disagree or strongly disagree, what changes would you suggest? (9)

		Response to comments
1	Cancel culture is divisive.	Thank you for your comment
2	leave well alone	This relates to a separate consultation being undertaken
3	Could they be more creatively proactive?	Thank you for your comment
4	See above	Thank you for your comment
5	The equality objectives are only appropriate if the above is taken on board. What is real is whatever people are willing to consider opening their minds to and letting go their fear of deep-rooted change and commitment to sharing power.	The EDI action plan identified to answer this comment, and will be reviewed annually.
6	The bit about "ensure our employees feel equal and included." I think they need to feel truly included first and then they MIGHT begin to feel equal, but it will take time. The tricky thing is, if you single specific protected characteristics out, it can create tension and separation when it's trying to do the opposite.	Section 3 of the EDI action plan identified to answer this comment.
7	See above	Thank you for your comment
8	DAFT	Thank you for your comment
9	You're completely missing the point and the problem. All your policy will achieve is MORE inequality, unfair advantage to some based on skin colour, and exclusion.	Thank you for your comment

**6. Do you have any other comments about the Equality, Diversity & Inclusion Policy and Action Plan?**

1		Open-Ended Question	Response to comments
1	None		Thank you for your comment
2	Complete waste of time and money.		Thank you for your comment
3	How about the council start to do what they are paid for and sort out all the rubbish rules they have already made and not implemented they are useless		Section 1 of the EDI action plan identified to answer this comment.
4	Reviewing a policy every 4 years can't really be defined as a regular basis which is what the policy states		The EDI action plan will be regularly reviewed at least annually

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## Appendix




## Appendix D


5	How are you going to go out and engage with the public, in all walks of life and age groups with this policy?	Section 1 of the EDI action plan identified to answer this comment.
6	Seems like the same old stuff that could allow the continuation of discrimination of certain groups of people. The EWG is a good addition though.	Thank you for your comment
7	The action plan indicates consultation with a group representing Stroud residents of colour. This is great, and yet the consultation needs to be even more broad and deeper than that. For instance, the draft consultation for the EDI policy etc would achieve so much more by being conducted in person, as with the town public and green spaces design consultation which was held in a shop front in Stroud high street for weeks and people could drop in, speak to each other and give feedback. Please allocate resources to this style of consultation - if not in a shop front, then in specific facilitated workshops.	The EDI action plan identified to answer this comment. The action plan will be regularly reviewed to ensure implementation. We will continue to develop the action plan in consultation with Community Groups.
8	<p>I am absolutely shocked and astounded by your recent diversity and inclusion 8 week consultation review that is asking the community to name and shame any person, or event that simply needs to be eradicated from history. It seems unbelievable that the 'Orwellian' concept of constantly re-writing history is now becoming a part of the fabric of our current society and worse still, one that is being promoted by a County Council! This seems to be a complete and utter spineless reaction to modern diversity demands.</p> <p>Whilst the recent Black Lives Matter movement has re-highlighted racism in society it is in itself too insular in its focus in that we should be whole-heartedly fighting for 'All Lives Matter' and NOT singling out one ethnic group. We should not become a complete apologist society for people and events that have shaped the history of our country for better or worse. The value of history is for us to learn from it - to understand how history shaped society, how we can improve society as a result not simply deny its existence.</p> <p>The education of our children must include what can be learned from history yet it is so sad that a recent survey of a 1,000 children under 14 indicates that 4 out of 10 have no idea what 'The Battle of Britain' was, with 1 in 10 thinking it was a Scotland v England football match. More than half don't know Romans spoke Latin. Also, a few years ago a Lecturer in Cardiff polled 100 undergraduates and found that only 17% knew that the Duke of Wellington led the British Army at Waterloo, while only 12% could name a single 19th century Prime Minister - so much for Gladstone &amp; Disraeli?</p> <p>The lack of 'proper' history teaching within schools must be a contributory factor to the lack of awareness of how it has shaped our lives. History apparently disappears from the national curriculum when children reach 14, and even before that point many were only receiving 40 minutes a week history education. It's hardly surprising therefore that there is a complete lack of understanding of the events which led to the establishment of the British Empire or our relationship with Ireland.</p> <p>History is now simply a battle ground for political and racial activists, obsessed with a need to totally eradicate anything that is no longer palatable to today's society with an almost fanatical obsession for moralistic purity. As a result, we have seen statues daubed with graffiti or toppled over, dead writers shamed, memorials removed, country houses re-contextualised because of our colonial "guilt". You seem to be perpetuating this with your consultation review.</p> <p>We should now, more than ever be educating our children (and perhaps our adults too) about the past and the impact on culture and society not trying to sweep history aside to make it a safe discussion subject that has no bias that will upset. We cannot and should not apologise</p> <p>for events in the past that we had no control over but work together to ensure that a fair society for all prevails for the future. This continual frenzied 'attack' on anything unpalatable from the past will do nothing more than create an</p>	This relates to a separate consultation being undertaken

	undercurrent of negative racist reaction and possible ongoing tension.	
9	<p>I have concerns over using "Communities: Specific to Black Lives Matter" as a heading/tag line on the action plan. BLM is a movement and although today the council is aligned to its views, that may change over time and as such it could be that the council no longer wishes to use that as a baseline/guideline.</p> <p>In a similar way - I couldn't see the council having a heading that says "Communities: Specific to Extinction Rebellion". There must be a way to describe the aim without aligning to a specific movement?</p>	<p>Thank you for your comment.</p> <p>The EDI action plan will be regularly reviewed.</p>
10	Good luck and I hope the survey is helpful.	Thank you for your comment.
11	Just use a bit of common sense please	Thank you for your comment.
12	<p>This QUANGO made up by Government who have failed on stopping Immigration and realise Enoch might be right in the future so are trying to stop what could happen but will happen if White people keep being alienated and called Racists That word was not used in years gone by it was called JOKES or BANTER.but because of these WOKE Quango's HUMAN RIGHTS are disappearing for us White's and I am afraid people cannot change their thoughts or words because Government e.c.t says so, we are goingdown a DANGEROUS PATH.</p> <p>Inmy opinion Ben Aaron wants to GROW UP, he is acting like a SILLY BOY</p>	Thank you for your comment
13	Re Action Plan – the SDYC Anti-Bullying survey outcomes will not be known by September 2021 – please liaise with SDYC for a more accurate timescale.	Thank you for your comment
14	Wake up, become more intelligent and bin it.	Thank you for your comment

## Equality monitoring questions

7. Are you...			Response Percent
Answer Choices			
1	Male		9.09%
2	Female		77.27%
3	Non Binary		0.00%
4	Gender Diverse		0.00%
5	Prefer not to say		9.09%
6	Other (please specify):		4.55%

8. Is your gender identity different from your gender at birth?			Response Percent
Answer Choices			
1	Yes		13.64%
2	No		72.73%
3	Prefer not to say		13.64%








9. Which age range do you fall into? Please select from the drop-down box			Response Percent
Answer Choices			
1	under 18		4.55%

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## Appendix

## Appendix D






### 9. Which age range do you fall into? Please select from the drop-down box

2	18-24		0.00%
3	25-34		13.64%
4	35-54		22.73%
5	55-64		27.27%
6	65-74		13.64%
7	75-84		4.55%
8	85+		4.55%
9	Prefer not to say		9.09%


### 10. Do you have a health problem or disability which has lasted at least 12 months, which affects your day-to-day activities?




Answer Choices			Response Percent
1	No disability		58.82%
2	Hearing impairment		11.76%
3	Learning disability/difficulty		0.00%
4	Mental ill health		11.76%
5	Mobility		5.88%
6	Progressive illness		0.00%
7	Speech impairment		0.00%
8	Visual impairment		5.88%
9	Prefer not to say		17.65%
10	Other (please specify):		5.88%




### 11. What is your ethnicity? Please select from the drop-down box

Answer Choices			Response Percent
<b>White</b>			
1	British		57.14%
2	Irish		4.76%
3	Gypsy Or Irish Traveller		0.00%
4	Other White		9.52%
<b>Asian or Asian British</b>			
5	Indian		0.00%
6	Pakistani		0.00%
7	Bangladeshi		0.00%
8	Chinese		4.76%
9	Any other Asian background		0.00%
<b>Mixed/multiple ethnic groups</b>			
10	White and Black Caribbean		0.00%
11	White and black African		0.00%
12	White and Asian		4.76%



11. What is your ethnicity? Please select from the drop-down box			
13	Any other mixed background		0.00%
<b>Black or Black British</b>			
14	African		0.00%
15	Caribbean		0.00%
16	Any other black background		0.00%
<b>Other Ethnic Group</b>			
17	Arab		0.00%
18	Any other Ethnic Group		0.00%
19	Prefer not to say		19.05%

12. What is your religion or belief? Please select from the drop-down box			
Answer Choices			Response Percent
1	No religion		45.00%
2	Christian (all denominations)		35.00%
3	Buddhist		0.00%
4	Hindu		0.00%
5	Jewish		0.00%
6	Muslim		0.00%
7	Sikh		0.00%
8	Prefer not to say		20.00%

13. What is your sexual orientation? Please select from the drop-down box			
Answer Choices			Response Percent
1	Heterosexual / straight		80.00%
2	Gay man		0.00%
3	Gay woman / Lesbian		0.00%
4	Bi-sexual		5.00%
5	Other		0.00%
6	Prefer not to say		15.00%

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## Equality Analysis Form

The Equality Act 2010 states that:

*A public authority must, in the exercise of its functions, have **due regard** to the need to –*

*(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by the Equality Act 2010;*

*(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*

*(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.*

Stroud District Equality data can be found at:

<https://inform.gloucestershire.gov.uk/equality-and-diversity/>

### 1. Persons responsible for this assessment:

Name(s): Eka Nowakowska, Equality Working Group	Telephone:
	E-Mail:eka.nowakowska@stroud.gov.uk
Service: Policy and Governance	Date of Assessment: January - March 2021

### 2. Name of the policy, service, strategy, procedure or function:

Draft Equality, Diversity and Inclusion Policy and Equality Objectives 2021/25

Is this new or an existing one? **Existing** - Revision of Equality and Diversity Policy 2018

### 3. Briefly describe its aims and objectives

The Draft Equality, Diversity and Inclusion (EDI) Policy sets out the Council's commitment to achieving the main aims of the Equality Act 2010 and to demonstrate how the Council, when carrying out its functions, will have due regard to the public sector equality duty.

The Council's EDI Policy was last updated in 2018 and to be compliant with the Public Sector Equality Duty, the new EDI Policy will incorporate within it, the requirements to publish Equality Objectives which address the three aims of the Equality Duty.

### 4. Are there external considerations? (Legislation / government directive, etc)

Publication of the Equality, Diversity and Inclusion Policy and the Equality Objectives will ensure

the Council is compliant with the requirements of the Equality Act 2010 and the public sector equality duty provided by section 149 of that Act.

### 5. Who is intended to benefit from it and in what way?

**The Policy covers all nine protected characteristics;** age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. All people, living, working or visiting the Stroud district are intended to benefit from this Policy and the actions we will take to meet our 4-year objectives.

### 6. What outcomes are expected?

The Policy is the Council's key strategic document driving equality, diversity and inclusion priorities across Stroud District.

- Providing fair and inclusive services and employment opportunities for everyone in Stroud District
- Developing and embedding our Equality Objectives
- Having 'due regard' to each of the nine protected characteristics and promoting and embedding them in everything that we do
- Eliminating unlawful discrimination; advancing equality of opportunity and fostering good relations between individuals and community groups
- Promoting and celebrating diversity

**The specific outcomes are set out in the Equality Action Plan and progress will be reported to Full Council annually.**

### 7. What evidence has been used for this assessment? (eg Research, previous consultations, Inform (MAIDEN);

- National and local research/ statistics <https://inform.gloucestershire.gov.uk/equality-and-diversity/>
- National guidance on the Equality Act 2010 & associated Public Sector Equality Duty
- Equality & Human Rights Commission research and website
- Equality Working Group
- Staff forums and community groups
- Annual Residents and Business Budget Survey
- Key service area: Housing; Youth Council; Customer Services; Community Services; Health and Wellbeing
- Workforce profile monitoring

### 8. Has any consultation been carried out?

**Yes**

The Draft Equality, Diversity & Inclusion Policy and Equality Objectives have been developed in consultation with the Equality Working Group and Group Leaders have also been consulted. Neither the Equality Act 2010 nor the Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017 require the Council to consult on the equality objectives before they are published.

However, acknowledging and embracing feedback prior to final approval is an important aspect of getting equality and diversity actions to be effective. Public consultation on the draft policy and objectives will be undertaken after the May 2021 Elections to ensure the opinions of our communities and residents are taken into account.

The consultation will be promoted using a range of methods including social media and the Council website. We will also consult with Parish and Town Councils, Community Hubs and with a variety of groups and boards which represent the range of protected characteristics within the district. Following the public consultation, the final Equality, Diversity and Inclusion Policy and Equality Objectives 2021-25 will return to Council for approval

Improving consultation and engagement with our diverse communities is one of our 4-year objectives: **'Listen and learn from our communities and use this to deliver services that work well for everyone'**.

**9. Could a particular group be affected differently in either a negative or positive way?**  
(*Negative – it could disadvantage and therefore potentially not meet the General Equality duty;*  
*Positive – it could benefit and help meet the General Equality duty;*  
*Neutral – neither positive nor negative impact / Not sure)*

Protected Group	Type of impact, reason and any evidence (from Q7 & 8)
<b>Age</b>	Our approach to progressing equality and inclusion is one which includes everyone, regardless of background or characteristics.
<b>Disability</b>	
<b>Gender Re-assignment</b>	The purpose of publishing our Equality, Diversity and Inclusion Policy and Equality Objectives is to demonstrate Stroud District Council's commitment to meeting the General and Public Sector Equality Duty and having a positive impact for all 9 protected characteristics.
<b>Pregnancy &amp; Maternity</b>	Our Equality Action Plan sets out the specific actions and expected outcomes we hope to deliver over the coming year in relation to these protected groups.
<b>Race</b>	
<b>Religion – Belief</b>	By achieving the objectives set out in this Policy the Council will achieve positive outcomes for individuals and communities in service design, delivery and employment. Therefore, a wide range of people will benefit from the positive outcomes achieved through this Policy with the main beneficiaries being the residents of Stroud District, Council employees and partners across other organisations.
<b>Sex</b>	
<b>Sexual Orientation</b>	In light of the Black Lives Matter movement, the Council has committed to a number of actions specific to combating racial discrimination, but where relevant these actions will be expanded to apply to all strands.
<b>Marriage &amp; Civil Partnerships (part (a) of duty only)</b>	
<b>Rural considerations:</b> le Access to services; transport; education; employment; broadband;	Our revised Policy states: <i>Section 1</i> of the Equality Act, the Socio-economic duty, requires public bodies to adopt transparent and effective measures to address the inequalities that result from differences in occupation, education, place of residence or social class (the additional characteristics not explicitly covered by the Public Sector Equality Duty).  Although implemented in Scotland, the UK Government has not commenced the duty in England – so local authorities are not bound by it. However, the Council believes the socio-economic duty offers a useful tool for public authorities to actively consider the way in which policies and strategic decisions can address inequalities, within the wider Public Sector Equality Duty requirements. This piece of work has been included in the year one

	action plan.
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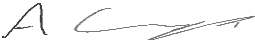
**10.If you have identified a negative impact in question 9, what actions have you undertaken or do you plan to undertake to lessen or negate this impact?**

**No negative impact identified.**

**Declaration**

**I/We are satisfied that an Impact Assessment has been carried out on this policy, service, strategy, procedure or function \* (delete those which do not apply) and where a negative impact has been identified, actions have been developed to lessen or negate this impact.**

**We understand that the Equality Impact Assessment is required by the District Council and that we take responsibility for the completion and quality of this assessment**

<b>Completed by: Eka Nowakowska</b>	<b>Date: 4 March 2021</b>
<b>Role: Policy &amp; Governance Officer</b>	
<b>Countersigned by Head of Service/Director:</b>  	<b>Date: 5 March 2021</b>

**Date for Review: Please forward an electronic copy to [eka.nowakowska@stroud.gov.uk](mailto:eka.nowakowska@stroud.gov.uk)**

**STROUD DISTRICT COUNCIL****COUNCIL****21 OCTOBER 2021**

<b>Report Title</b>	<b>DRAFT COUNCIL PLAN 2021 - 2026</b>			
<b>Purpose of Report</b>	This report presents the draft Council Plan which sets out the council's priorities and objectives for the next five years.			
<b>Decision(s)</b>	<b>Council RESOLVES to adopt the draft Council Plan 2021 – 2026 as recommended by Strategy and Resources Committee.</b>			
<b>Consultation and Feedback</b>	The draft Council Plan has been developed in consultation with the Alliance Leadership Team, Alliance members, the Strategic Leadership Team, the Leadership and Management Team and Council officers and the Stroud District Youth Council.			
<b>Report Author</b>	Andrew Cummings, Strategic Director of Resources Email: <a href="mailto:Andrew.cummings@stroud.gov.uk">Andrew.cummings@stroud.gov.uk</a>  Hannah Emery, Corporate Policy and Governance Manager Email: <a href="mailto:Hannah.emery@stroud.gov.uk">Hannah.emery@stroud.gov.uk</a>			
<b>Options</b>	Option 1: to do nothing. This is not recommended as it could lead to the Council being without a clearly articulated plan and priorities consequently reducing its public accountability.  Option 2: to agree or make amendments to the draft Council Plan.			
<b>Background Papers</b>	None			
<b>Appendices</b>	Appendix A – Draft Council Plan 2021 - 2026			
<b>Implications (further details at the end of the report)</b>	Financial	Legal	Equality	Environmental
	Yes	Yes	Yes	Yes

**1. INTRODUCTION**

- 1.1** The draft Council Plan has been considered at Strategy and Resources, Environment, Housing and Community Services and Licensing Committees. At all of those committees the Plan was approved with no amendments and the Plan has now been recommended to Council for adoption.
- 1.2** As outlined in section 4 of this report, the performance management framework is currently being developed to identify the performance indicators for the activity within the Delivery Plan. The performance indicators will be categorised into those that we have direct control over and those we contribute to in partnership but are not wholly responsible for.

# Agenda Item 12a

1.3 The draft Council Plan 2021-2026 will be designed and published in a customer friendly document following its final approval.

## 2. BACKGROUND

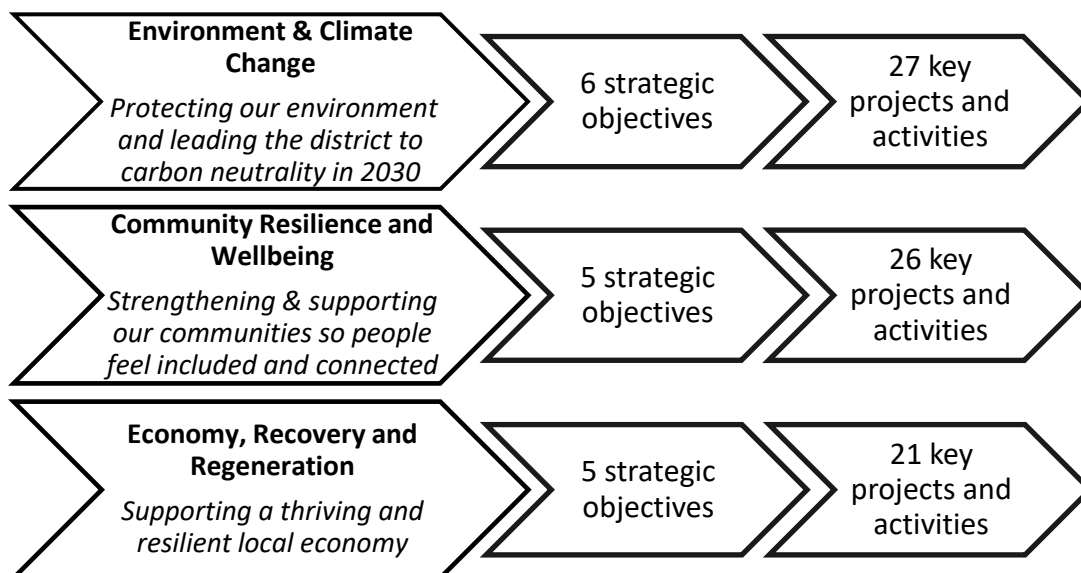
2.1 The council previously adopted the Corporate Delivery Plan 2019 – 2020 and a revised Corporate Delivery Plan was due to be developed after the May 2020 Elections. However, as a result of the Covid-19 pandemic and the delayed local elections the council developed and adopted the ‘Recover, Reset and Renew Strategy’ for 2020 - 2021.

2.2 The Covid-19 pandemic has had a major impact on our district’s economy and communities and within the work delivered under the Recover, Reset and Renew Strategy we have been taking stock of the impact of the pandemic, focusing on recovery and renewal and identifying opportunities to join up processes and engage with our communities and key partners. From this we have reviewed and developed our priorities and projects and integrated the Recover, Reset and Renew strategy and other recovery activities into the new Council Plan.

2.3 When the Council Plan is adopted, the Recovery, Reset and Renew Strategy will be considered as subsumed into the Council Plan which becomes the overarching set of strategic priorities for the Council.

## 3. THE COUNCIL PLAN

3.1 The draft Council Plan 2021 - 2026 attached at Appendix A is built on three tiers consisting of our priorities, our objectives and the key projects and activity the council will undertake to achieve our objectives.



3.2 To ensure that the council has a co-ordinated approach to delivering its objectives, the key projects and activities have been outlined in the Delivery Plan which also includes the governance arrangements, the timescale for start and completion of the project and the Lead Officer responsible for the successful delivery.



- 3.3** The Council Plan is a five-year strategy to align with the financial planning cycle and to reflect the longer term goals and ambitions within the plan. Uncertainty due to the ongoing Covid-19 pandemic continues and the Delivery Plan will therefore remain under review to ensure that resources are being appropriately applied to meet our priorities. The Delivery Plan will be formally reviewed at Strategy & Resources Committee on an annual basis.
- 3.4** The Council Plan is not intended to capture all of the services the Council provides. The priorities and objectives are owned by the whole council and many of the key projects and activities are not solely the responsibility of one service, but a number of services. Other council wide strategies and service plans will capture in more detail the priorities of the services the council provides.
- 3.5** Members will have oversight of the delivery of the Council Plan through the governance and decision making arrangements for the council. For some key projects, other governance arrangements are in place for members to provide input and advice through Task and Finish Groups, Boards and Working Groups as outlined in the Delivery Plan.

## **4. PERFORMANCE MANAGEMENT**

- 4.1** The Council Plan is an integral element of the council's performance management framework (PMF). The Plan is the golden thread that links service, team and personal performance to the priorities of the organisation.
- 4.2** The commitments within the Council Plan will be reflected in service plans and progress in achieving the activities identified as part of the Council Plan will be monitored on an ongoing basis and progress will be reported quarterly to Strategy and Resources Committee.
- 4.3** Where other policy committees have direct responsibility for an objective or key project, it will be considered as part of their work programme and their performance monitoring process.
- 4.4** The council's performance management framework is currently under review to be adopted at November's Strategy & Resources Committee. The draft Council Plan sets out the priorities and what the council will do to achieve its objectives. If The Council Plan is agreed to be adopted, the revised council performance management framework will identify the performance indicators for each project or activity within the Delivery Plan.
- 4.5** Risks associated with each objective and key projects will be entered onto the relevant service or corporate risk register and elevated as appropriate. The corporate risk register is a living document regularly reviewed by the Strategic Leadership Team.

## **5. IMPLICATIONS**

### **5.1 Financial Implications**

There are no direct financial implications from adopting the plan. It will be a key document as part of the Medium-Term Financial Planning process and resources will be allocated to projects as appropriate

Andrew Cummings, Strategic Director of Resources

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

# Agenda Item 12a

## 5.2 Legal Implications

There are no direct legal implications arising from the adoption of the Council Plan but legal advice and support will be available when implementing the projects and activities set out in the Council Plan and associated documents.

One Legal

Tel: 01684 272691 Email: [legalservices@onelegal.org.uk](mailto:legalservices@onelegal.org.uk)

## 5.3 Equality Implications

The Council's commitments to improving equality of opportunity and access, and reducing inequalities are expressed throughout the Council Plan.

Detailed equality implications relating to the key projects and activities outlined in the Council Plan will be assessed as necessary as part of the service planning processes. Equality impact assessments will be carried out for any services, projects or other schemes that have the potential to impact on communities and/or staff on the grounds of protected characteristics.

## 5.4 Environmental Implications

Environmental sustainability and carbon neutrality are key drivers of the Council Plan and are reinforced as a council priority. The Council Plan identifies how the council aims to tackle the declared Climate Emergency and protect and enhance the natural environment.

# THE COUNCIL PLAN 2021 – 2026, OUR VISION FOR THE STROUD DISTRICT

## FOREWORD

Stroud district is a unique and beautiful part of the world, a place of stunning landscapes and innovation in business and community-led initiatives, but our district also faces significant challenges: the ecological and climate emergency, rising inequality, and the impacts of the pandemic on our health and wellbeing.

The pandemic reminded us how local government and communities working together can make a real difference to people's lives, providing essential services, supporting local residents and businesses, and helping to ensure everyone in our district can continue to lead safe and fulfilling lives.

Over the last year, we have listened to what people in our district have been saying about the challenges they face, and what is important to them. This is the basis for our new five-year plan, based on three key priorities: the environment, community wellbeing, and our local economy.

At the heart of the plan is partnership and collaboration, shown by the Cooperative Alliance of Labour, Green and Liberal Democrats that has run Stroud District Council since 2012.

We recognise that achieving our plan depends on partnerships – with the county council, towns and parishes, the voluntary and charitable sectors, and local businesses.

The next five years bring much uncertainty. Since 2010 we have seen our funding decrease, and the strains of the pandemic are likely to make this worse. However, we will keep working for the best interests of the district, securing funds to invest in our district, in the people and the places where we live. With your support, there is much we can achieve together to make this district a better place for all who live and work here and face the challenges of our time.

**Doina Cornell**  
*Council Leader and Labour  
Group Leader*

**Catherine Braun**  
*Deputy Leader and Green Group  
Leader*

**Ken Tucker**  
*Liberal Democrat Group Leader*

## INTRODUCTION

The Council Plan has been developed collectively by Alliance Members, the Strategic Leadership Team and all services across the Council.

In July 2020 we published our 'Recover, Reset and Renew a strategy for the Stroud district 2020-2021'. The work delivered under the strategy focused on recovery and renewal and identifying opportunities to 'join up' processes and engage with our communities and key partners in a conversation to help define our overall priorities.

As a result of this work and the lessons we have learnt from the pandemic, we have asked what good practice looks like and we have taken stock on how the crisis has affected our finances, organisation, residents, businesses, communities and our district. From this, we have determined our priorities and the activity to undertake to ensure resources are directed to where they will be most effective.

The Council Plan has been built on three tiers consisting of our priorities, our objectives and the key projects and activity we will carry out to achieve our objectives.

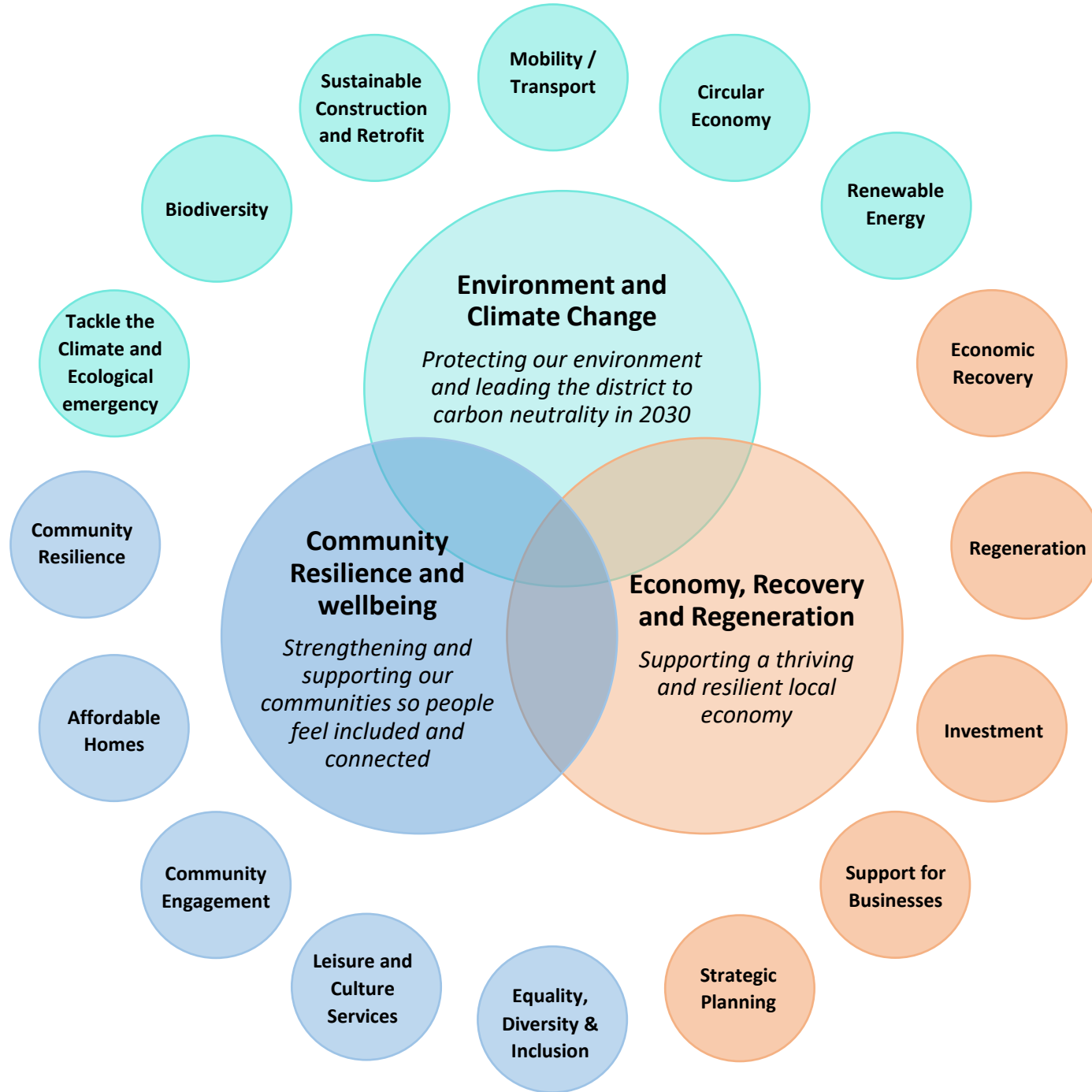
The Council Plan is not an exhaustive list of everything we will be doing in the next five years, it sets out the critical activity for the council and ensures this activity is focused through our governance arrangements. Elected Members from all political parties will consider the activity within the plan as it progresses through the Council's governance structure.

Appendix A  
Agenda Item 12a

# PRIORITIES

The Council Plan focuses on three distinct priorities:

- Environment and Climate Change
- Community Resilience and Wellbeing
- Economy, Recovery and Regeneration



# OBJECTIVES

Each priority has a set of strategic objectives represented in the outer circles.

The Delivery Plan underpins the objectives and outlines the key projects and activities the council will undertake to deliver our objectives.

Agenda Item 12a  
Appendix A

## ENVIRONMENT & CLIMATE CHANGE

### *Protecting our environment and leading the district to carbon neutrality in 2030*

We want to ensure our district is a place where people and communities can thrive, while respecting the wellbeing of all people and the health of the whole planet.

In 2018 the council declared a climate emergency and made the commitment to 'do everything within the council's power' to become a carbon neutral district by 2030. We recognise that this ambition needs a huge amount of work not only from the council but across all parts of the district, and our 2030 Strategy mission is to act as an example in the community, to be an enabler and encourager of positive action. The detailed action plan underpinning the 2030 strategy, as adopted by the council in 2020, has informed the objectives of our plan to take the first crucial steps towards net zero and lay the foundations for the work to come.

We are fortunate in that in our communities there is so much support for making the changes that are needed, and expertise amongst local people, businesses and organisations to help shape solutions, reducing our carbon emissions, and building resilience into our natural surroundings. We also face an ecological emergency, and our plan includes key objectives to protect and enhance biodiversity.

We know we cannot achieve this alone, and through our services, policies and projects, we need to do all we can to collaboratively achieve a just transition to a carbon neutral, resilient, inclusive and equality driven district.

## Environment and Climate Change Objectives

**EC1. Tackle the Climate and Ecological Emergency:** Achieve the commitments set for 2021-2024 of the Strategy to be a carbon neutral and ecologically sound district by 2030

**EC2. Biodiversity :** Work with local communities and partners to protect and enhance the district's green infrastructure and biodiversity providing accessible environments that people can enjoy and which positively contribute to their good health

**EC3. Sustainable Construction and Retrofit:** Work with partners to establish Stroud district as a sustainable construction centre of excellence, investing in the skills and capacity in the local economy so public and private buildings across the district can become low carbon and energy efficient

**EC4. Mobility / Transport:** Support development of an integrated active travel (walking and cycling) and public transport network and the development of electric charging infrastructure working with county and regional partners

**EC5. Circular economy:** Develop the foundations of a sustainable circular economy for the district by minimizing consumption, reducing the quantity of resources sent to incineration and applying the waste hierarchy; prevent, reduce, reuse, recycle, recover and as a last resort, disposal

**EC6. Renewable energy:** Increase the proportion of energy generated by renewable sources in the district and work on decarbonizing existing networks

Appendix A  
Agenda Item 12a

**CW1. Community resilience:** Support communities to help each other and build resilience through a network of community hubs and other community-led networks, with mental and physical health and wellbeing at its heart

**CW2. Affordable homes:** Build affordable, energy efficient homes and deliver high quality services for all tenants by investing in the renovation of existing council homes and meet a range of housing needs for those who experience disadvantage and creating a culture of tenant engagement and empowerment

**CW3. Community engagement:** Strengthen local democracy by developing a culture of community engagement to enable greater involvement of residents, council tenants, communities and businesses in decisions on council services and priorities

**CW4. Leisure and Culture Services:** Adopt a long term investment plan for leisure services and facilities across the district to ensure everyone has access to good quality leisure opportunities that meet their needs

**CW5. Equality, diversity and inclusion:** Embed equality, diversity and inclusion as a priority across the Council and the District with targeted support for those who experience the most disadvantage in our communities

## COMMUNITY RESILIENCE & WELLBEING

*Strengthening and supporting our communities so people feel included and connected*

What matters to us is that local people can live healthy and happy lives whatever their background or life situation, and that the places where they live and work can thrive.

Our objectives under this priority are focused on measures that support people to lead healthier and happier lives, tackle racism and inequality, put people at the heart of decision making, enable residents to live in an accessible and inclusive community and ensure our vibrant local communities continue to grow.

Our district is also a deeply rural place of tiny hamlets and farms. We recognise the specific rural challenges many people face, and we want to make sure that access to services and housing is fair wherever you live.

We will tackle housing needs on a variety of fronts, such as: increasing supply of affordable homes of all tenures, action to prevent housing debt in all sectors, action to provide temporary housing where homelessness arises and action to ensure that best use is made of housing stock in all tenures.

Supporting our residents' health and well-being is also more important than ever. Our leisure services are much valued by our communities and have been especially badly affected by the COVID-19 pandemic.

# ECONOMY, RECOVERY & REGENERATION

## *Supporting a thriving and resilient local economy*

Stroud District has begun to recover from the economic impact of the pandemic, but significant challenges remain. It is critical that our high streets are supported in their recovery, and that district's economy remains resilient and makes a rapid transition to the low carbon economy of the future. We will continue to support those sectors of the economy that have been most affected, recognising our local strengths in the visitor economy, manufacturing and the creative industries.

Our district has one of the largest numbers of small and medium sized businesses in the county. Our objectives aim to support the creation of local decent jobs, support our market towns and provide assistance for our home-grown businesses, large and small.

The pandemic has seen a groundswell of innovation and energy in our market towns and communities in creating locally led approaches to economic recovery and revival. Our objectives focus on harnessing that energy and finding local solutions to big challenges.

In 2018 we adopted the principles of 'Community Wealth Building', to maximise the value of local assets and enable the benefits of economic development to be retained locally, spend local on goods and services and wealth created by a community stay in the area in which it was earned. Our objectives under this priority will help us to achieve this.

## Economy, Recovery and Regeneration Objectives

**ER1. Economic recovery:** Support our high streets and businesses to enable recovery of the local economy from the impacts of COVID-19 and build foundations for a sustainable and inclusive local economy

**ER2. Regeneration:** Deliver key regeneration sites across the district, especially brownfield sites and long-term empty properties, for local jobs, homes, community facilities and green spaces

**ER3. Investment:** Promote the Stroud district to attract investment in key infrastructure and high quality jobs with a focus on environmental technologies, engineering and manufacturing and creative industries

**ER4. Support for Businesses:** Champion local businesses of all types and sizes that lead on environmental and social good practice and support them to grow, keeping wealth in the district, strengthening local supply chains and offering rewarding local jobs

**ER5. Strategic Plan:** Adopt the new Stroud District Local Plan

Appendix A  
Agenda Item 12a

## DELIVERY

The Delivery Plan translates the priorities and objectives into tangible work to be undertaken and commitments to be achieved through its lifespan.

Our priorities and objectives are cross-cutting and owned by the whole council, this is reflected in many of the projects and activities not solely being the responsibility of one service, but a number of services.

The Plans will be delivered in times of uncertainty and therefore the Delivery Plan will be reviewed annually to allow for some flexibility and opportunity for redesign to be built into the process.

## THE ROLE OF STAFF AND ELECTED MEMBERS

The Council Plan cannot be delivered without the hard work and contribution of our staff. The Delivery Plan outlines the Lead Officers who are responsible for making sure each activity is delivered effectively. The detail of how and when activity and projects will be achieved sits in underpinning documents, such as business cases and project plans. The responsibility for successfully delivering the objectives sits with the Strategic Leadership Team who ensure the right resources and capacity are in place to support delivery.

Elected Members play an important role in considering the key projects and activities through the governance and decision making arrangements for the council. Committees will drive and scrutinise the effectiveness of delivery for the benefit of the district's residents and taxpayers.

Members will also work with officers to provide input and advice and have oversight of delivery through other governance arrangements such as Task and Finish Groups, Boards and Working Groups.

## PERFORMANCE MANAGEMENT

The Council Plan will sit at the heart of our Performance Management Framework. The Framework is intended to ensure that we are meeting our milestones and objectives, drive change and improvement across the organisation, enable effective measurement of the Council Plan and provide a golden thread throughout the organisation.



As part of delivering our Council Plan, we shall be monitoring and reporting on progress in relation to the delivery. Progress updates will be provided to Strategy and Resources Committee on a quarterly basis, these progress updates will be published quarterly so residents, communities and businesses can see how we are delivering for them as an organisation.



# THE DELIVERY PLAN

















The Delivery Plan outlines the key projects and activity we are committed to undertaking in order to achieve our objectives. Projects which are contributing to one or more of the priorities are denoted by the use of the related priority colour

## ENVIRONMENT AND CLIMATE CHANGE

*Protecting and enhancing our environment and leading the district to carbon neutrality in 2030*

	OBJECTIVES	KEY PROJECTS & ACTIVITIES	GOVERNANCE	TIMESCALE		LEAD OFFICER	
				START	END		
EC1	<b>Tackle the Climate and Ecological Emergency</b> Achieve the commitments set for 2021-2024 of the Strategy to be a carbon neutral and ecologically sound district by 2030	EC1.1 <span style="display: inline-block; width: 10px; height: 10px; background-color: #4db6ac; border-radius: 50%; margin-right: 5px;"></span> <span style="display: inline-block; width: 10px; height: 10px; background-color: #42a5f5; border-radius: 50%; margin-right: 5px;"></span> <span style="display: inline-block; width: 10px; height: 10px; background-color: #ff9800; border-radius: 50%;"></span> Set up a <b>2030 Core Group</b> to provide high level strategic overview on delivery, engage with external stakeholders and the public, identify funding opportunities and resourcing required to meet them	2030 Core Group (Community Engagement Board)	Full Council, Strategy themes to relevant committee	2021	2021	Rachel Brain
		EC1.2 <span style="display: inline-block; width: 10px; height: 10px; background-color: #4db6ac; border-radius: 50%; margin-right: 5px;"></span> <span style="display: inline-block; width: 10px; height: 10px; background-color: #42a5f5; border-radius: 50%; margin-right: 5px;"></span> Establish the <b>performance management</b> of the 2030 Strategy across the organisation to monitor and report progress towards the Strategy's aims and commitments	2030 Core Group (Officer/Member)	Full Council, Strategy themes to relevant committee	2021	2021	Eka Nowakowska
		EC1.3 <span style="display: inline-block; width: 10px; height: 10px; background-color: #4db6ac; border-radius: 50%; margin-right: 5px;"></span> <span style="display: inline-block; width: 10px; height: 10px; background-color: #42a5f5; border-radius: 50%; margin-right: 5px;"></span> Plan and implement the community engagement aspect of the Strategy, to include a <b>2030 community website</b> and direct activities with residents, linking to the Community Engagement Strategy (CW3.1)	2030 Core Group (Officer)	Full Council, Strategy themes to relevant committee	2021	2021	Georgia Spooner/Liz Shellam
		EC1.4 <span style="display: inline-block; width: 10px; height: 10px; background-color: #ff9800; border-radius: 50%; margin-right: 5px;"></span> <span style="display: inline-block; width: 10px; height: 10px; background-color: #4db6ac; border-radius: 50%; margin-right: 5px;"></span> Establish an <b>ethics policy</b> for our investments, incorporating work within the Brunel Partnership to divest pension funds from fossil fuels	Regeneration and Investment Board	Audit & Standards /Strategy & Resources	2021	2021	Lucy Clothier
		EC1.5 <span style="display: inline-block; width: 10px; height: 10px; background-color: #ff9800; border-radius: 50%; margin-right: 5px;"></span> <span style="display: inline-block; width: 10px; height: 10px; background-color: #4db6ac; border-radius: 50%; margin-right: 5px;"></span> Explore and <b>progress additional projects</b> for carbon reduction and /or biodiversity net gain and funding opportunities to deliver them.	2030 Core Group	Strategy & Resources Committee/Environment	2021	Ongoing	Rachel Brain
EC2		EC2.1 <span style="display: inline-block; width: 10px; height: 10px; background-color: #4db6ac; border-radius: 50%; margin-right: 5px;"></span> <span style="display: inline-block; width: 10px; height: 10px; background-color: #42a5f5; border-radius: 50%; margin-right: 5px;"></span> Develop a district <b>Local Nature Recovery Strategy</b> (2030 commitment NE7) and seek opportunities for re-wilding to boost biodiversity in partnership with landowners, businesses, the farming community,		Environment	2021	2024	Conrad Moore/Vicki Pettigrew













Appendix A  
Agenda Item 12a















EC3	<b>Biodiversity</b> Work with local communities and partners to protect and enhance the district's green infrastructure and biodiversity providing accessible environments that people can enjoy and which positively contribute to their good health and well-being		parish and town councils and local environmental organisations						
		EC2.2  	Deliver the <b>natural flood management project</b> (Stroud Rural SUDS) for the Frome Valley in Stroud in partnership with the Environment Agency, working closely with landowners and communities using innovative flood management techniques	Stroud Rural SUDS Project Board	Environment	2021	2026	Maria Hickman	
		EC2.3  	Develop and establish an action plan to Increase our <b>tree canopy, woodland and forestry</b> in line with the Gloucestershire Local Nature Partnership Tree Strategy ambition for 20% canopy cover across the County by 2030		Environment	2021	2022	Conrad Moore	
		EC2.4  	Work with partners to <b>protect and enhance green spaces</b> in residential neighbourhoods and town centres, promote 'No Mow May' and adopt best practice for road verges to encourage wildflowers and reduce pesticide use.	2030 Explore Group on Biodiversity/ Market Town Forum	Environment	2022	2023	Mike Hammond/ Kev Topping	
		EC2.5   	Use the <b>Building with Nature</b> standards for key regeneration sites across the district	Regeneration and Investment Board	Environment, Full Council	2021	Ongoing	Mark Russell/Alison Fisk	
	<b>Sustainable Construction and Retrofit</b> Work with partners to establish Stroud district as a sustainable construction centre of excellence, investing in the skills and capacity in the local economy so public and private buildings across the district can become low carbon and energy efficient	EC3.1  	Agree a costed plan to <b>retrofit all council homes as necessary</b> and begin the first phase of delivery to realise optimum emission reductions and achieve an average Energy Performance Certificate (EPC) rating C across all council homes by 2030	Retrofit task and finish group	Housing	2021	2023	Joe Gordon	
		EC3.2  	In line with the Zero Carbon Public Estate project, produce blueprints for the <b>retrofitting of identified public buildings</b> such as Beeches Green and the Rail Station/Cheapside areas of Stroud as well as identifying other opportunities across the district	Regeneration and Investment Board	Strategy & Resources	2021	Ongoing	Alison Fisk	
		EC3.3 	Develop partnerships, provide advice, and support local action to help <b>private home owners and businesses</b> meet the retrofit challenge (CN2030 BE2, BE7 and BE8)	Warm & Well Steering Group	Housing	2021	2023	Maria Hickman / Amy Beckett	
		EC3.4  	Work with partners to position Stroud District as a <b>Retrofit Centre for Excellence</b> which provides training and develops the skills needed to retrofit homes and businesses	Regeneration and Investment Board / 2030 Explore Group	Strategy & Resources	2021	2026	Rachel Brain / Amy Beckett	

EC4	EC3.5	Develop planning policies and developer guidance to enable all new buildings to achieve a <b>net zero carbon standard</b>			2021	2023	Mark Russell
	EC4.1	Work with GCC and through the new Cycling & Walking Strategy Task & Finish Group to develop and implement three Local <b>Cycling and Walking</b> Infrastructure Plans (LCWIP) for Stroud; Cam, Dursley and Uley; Wotton-under-Edge and Kingswood, support safe cycling, and identify and prioritise the main strategic cycling routes within the district.	Cycling & Walking Strategy Task & Finish Group	Environment	2021	2023	Simon Maher
	EC4.2	In partnership with the County Council, encourage the expansion and improvement of <b>public transport</b> and links to walking and cycling routes – to include bus services and railway stations and services, and bids for new facilities that benefit residents of the District		Strategy & Resources	2021	Ongoing	Conrad Moore
	EC4.3	Working with partners, expand the network of <b>Electric Vehicle</b> charging points and increase support for low carbon transport , and a reduction in private car use and explore measures to reduce air pollution such as no-idling zones		Environment	2021	2023	Mike Towson
	EC4.4	Review <b>taxi and private hire licensing conditions</b> to consider moving from an ‘age’ condition to an ‘emissions’ based condition – to encourage an increase in the percentage of low and Ultra Low Emission Vehicles (CN2030 M8)		Community Services & Licensing	2021	2022	Rachel Andrew
EC5	EC5.1	Further <b>reduce the quantity of resources discarded as waste</b> and minimise its environmental impact.		Environment	2021	2023	Mike Towson / Rachel Brain
	EC5.2	Work with our partner Ubico to identify joint opportunities for <b>carbon reduction projects</b> in household collection and management of public spaces		Environment	2022	2025	Mike Towson

	resources sent to incineration and applying the waste hierarchy: prevent, reduce, reuse, recycle, recover and as a last resort disposal	<b>EC5.3</b> 	Support the phasing out of <b>single use plastics</b> in the district and encourage and support local initiatives to 'reduce, repair and recycle'		Environment	2021	2023	Mike Towson / Rachel Brain
		<b>EC5.4</b> 	Continue to <b>increase recycling</b> rates across the district.		Environment	2021	2023	Mike Towson
<b>EC6</b>	<b>Renewable energy</b> Increase the proportion of energy generated by renewable sources in the district and work on decarbonising existing networks	<b>EC6.1</b> 	Continue to <b>increase renewable generation</b> in the district and to decarbonise existing networks, and support <b>community-owned renewable energy</b> schemes	2030 Governance Energy Explore Group	Environment	2021	Ongoing	Rachel Brain
		<b>EC6.2</b> 	Deliver the <b>water source heat pump projects</b> at Ebley and Brimscombe Port Mills		Strategy & Resources	2021	2021	Alison Fisk
		<b>EC6.3</b> 	Increase the proportion of Council and partner <b>fleet vehicles</b> powered by zero or low carbon technologies		Environment	2021	Ongoing	Joe Gordon / Mike Hammond / Mike Towson
		<b>EC6.4</b> 	Deliver key low carbon <b>demonstrator projects</b> , including a project for 7 homes in Draycott, Cam	Retrofit task and finish group	Housing	2021	2023	Joe Gordon

<b>PRIORITY: COMMUNITY RESILIENCE AND WELLBEING</b> <i>Strengthening and supporting our communities so people feel included and connected</i>							
OBJECTIVES		KEY PROJECTS AND ACTIVITIES	GOVERNANCE	TIMESCALE		LEAD OFFICER	
				START	END		
<b>Community resilience</b> Support communities to help each other and build resilience through a network of community hubs and other community-led networks, with mental and physical	<b>CW1.1</b> 	Develop community led networks and <b>community hubs</b> across the district by helping communities to develop their own networks and hubs, connecting smaller and larger hubs and providing support and training	Community Services & Licensing	2021	2024	Angela Gillingham	
	<b>CW1.2</b> 	Act to improve the physical and mental health and wellbeing of people in the district through delivery of a new 3 year <b>Health and Wellbeing Plan</b>	Community Services & Licensing	2021	2024	Angela Gillingham	

CW1	health and wellbeing at its heart	CW1.3 	Ensure residents continue to receive the advice they need, by continuing our work in partnership with the <b>Citizens Advice</b> Bureau and developing a new Service Level Agreement		Community Services & Licensing	2021	2022	Keith Gerrard
		CW1.4  	Work to reduce the impacts and causes of <b>anti-social behaviour</b> by developing a district wide policy in partnership with the Community Safety Partnership		Community Services & Licensing /Housing	2021	2022	Kevin Topping Mike Hammond
		CW1.5  	Appoint <b>Food Justice Champions</b> to work with partners to tackle food injustice, set up a food partnership and develop a food strategy to address the causes of food poverty, promote sustainability and food justice	Food Justice Champions	Community Services & Licensing /Full Council	2021	2022	Angela Gillingham
CW2	<b>Affordable homes</b> Build affordable, energy efficient homes and deliver high quality services for all tenants by investing in the renovation of existing council homes and meet a range of housing needs for those who experience disadvantage and creating a culture of tenant engagement and empowerment	CW2.1  	Deliver <b>new affordable homes</b> across the District, through planning policy and work with partners including community-led housing groups, housing associations and via our own New Homes Programme, which will deliver EPC-A rated properties in line with our Strategy for New Council Homes 2020-2024		Housing	2021	2024	Alison Fisk / Pippa Stroud
		CW2.2  	Invest £30m over the next 5 years to <b>repair, maintain and invest in current council housing stock</b> and bring empty council homes back into use as soon as possible	Voids and Repairs Task and Finish Group	Housing	2021	2026	Joe Gordon
		CW2.3  	Prioritise the <b>prevention of homelessness</b> by delivering the Next Steps Accommodation Programme and invest in temporary accommodation and specialist support, including working with partners countywide to develop the specialist housing and support needed		Housing	2021	2024	Pippa Stroud
		CW2.4 	Provide more opportunities for <b>resident involvement</b> in housing decisions through delivery of the Charter for Social Housing Residents and our continuing commitment to build on resident involvement opportunities	Tenant engagement & empowerment Task and Finish Group	Housing	2021	2023	Kev Topping

CW3	<p><b>Community Engagement</b> Strengthen local democracy by developing a culture of community engagement to enable greater involvement of residents, council tenants, communities and businesses in decisions on council services and priorities</p>	CW2.5 	Continue to invest and deliver the programme to modernise our <b>Independent Living homes</b> for older people		Housing	2021	Ongoing	Alison Fisk
		CW3.1  	Develop a <b>Community Engagement Strategy</b> , which incorporates the Council's Hear by Right Commitment for young person's involvement, and ensures the voice of the community and key stakeholders is at the heart of council priorities	Fit for the Future Board	Community Services & Licensing	2021	2023	Mike Hammond
		CW3.2  	<b>Improve customer service</b> for residents by procuring a Digital Platform that provides for centralised first contact ensuring an easier access to services and that provides additional support for those with complex needs	Fit for the Future Board	Strategy & Resources and Community Services & Licensing	2021	2021	Adrian Blick / Liz Shellam
		CW3.3 	Work with <b>Town and Parish Councils</b> to develop, agree and implement a new strategic approach for partnership working between district, towns and parishes including specific support for rural communities.		Strategy & Resources and Community Services & Licensing	2021	2022	Hannah Emery
		CW3.4  	Provide dedicated support to communities for the <b>registration of community assets</b> so communities have more control and ownership of local buildings, land and community shops as well as protecting publicly owned land and assets		Strategy & Resources	2021	2023	Simon Maher / Mike Hammond
CW4	<p><b>Leisure and Culture Services</b> Adopt a long term investment plan for leisure services and facilities across the district to ensure everyone has access to good quality leisure opportunities that meet their needs</p>	CW4.1  	Continue work to ensure that our <b>leisure and wellbeing services</b> are fit for the future by completing the Leisure Review options appraisal as well as supporting the <b>recovery of the leisure centres</b> from the pandemic.	Leisure and Wellbeing Task & Finish Group	Community Services & Licensing Committee	2021	2022	Angela Gillingham
		CW4.2  	Working with partners, increase the number, accessibility, and quality of <b>playing pitches, play areas and outside spaces</b> within the district	Leisure and Wellbeing Task & Finish Group	Community Services & Licensing	2021	2023	Angela Gillingham/Mike Towson / Kev Topping/ Conrad Moore/ Ali Fisk
		CW4.3  	Increase physical activity and sports participation through our <b>Healthy Lifestyles Scheme</b> and in partnership with the Gloucestershire We Can Move programme	Leisure and Wellbeing Task and Finish Group	Community Services & Licensing	2021	2023	Angela Gillingham

		<p><b>CW4.4</b> ● ●</p> <p>Support refurbishment of <b>Stratford Park Lido</b> by submitting a bid, in partnership with Stroud Town Council and Friends of the Lido to the National Lottery Heritage Fund</p>		Community Services & Licensing	2022	2024	Angela Gillingham / Mike Hammond / Natalie Whalley
		<p><b>CW 4.5</b> ● ●</p> <p>Building on previous work, develop an <b>Arts and Culture Strategy</b> for the District</p>		Community Services & Licensing	2022	2024	Keith Gerard
		<p><b>CW4.6</b> ● ●</p> <p>Implement the <b>Museum in the Park's free-to-join Supporter Scheme</b> to provide residents with exciting opportunities to engage with the museum and extend community reach to new audiences ensuring the museum remains at the heart of the wider community</p>	Museum in the Park Governing Body	Community Services & Licensing	2021	2022	Kevin Ward
<b>CW5</b>	<b>Equality, diversity and inclusion</b> Embed equality, diversity and inclusion as a priority across the Council and the District with targeted support for those who experience the most disadvantage in our communities	<p><b>CW5.1</b> ● ● ●</p> <p>Deliver our <b>Equality, Diversity and Inclusion</b> Action Plan 2021-25, through engaging with communities, showing leadership and championing equality, diversity and inclusion in all that we do.</p>	ED&I Working Group	Full Council	2021	2025	Hannah Emery
		<p><b>CW5.2</b> ● ●</p> <p>Adopt effective and transparent policies to <b>reduce inequalities</b> that result from socio-economic disadvantage in line with Section 1 of the Equality Act, the socio-economic duty, as an effective framework for tackling local poverty and economic inequality</p>	ED&I Working Group	Full Council	2021	2022	Sarah Turner
		<p><b>CW5.3</b> ●</p> <p>Lead and support action to reduce <b>health inequalities</b> in partnership with Public Health and local NHS trusts</p>		Community Services and Licensing	2021	2024	Angela Gillingham / Emma Keating-Clark
		<p><b>CW5.4</b> ● ●</p> <p>Work with partners to <b>improve the accessibility</b> and welcome of public spaces and shops, and improve awareness of impairments both visible and invisible</p>	ED&I Working Group and Market Towns Forum	Strategy & Resources /Community Services & Licensing	2021	Ongoing	Amy Beckett
		<p><b>CW5.5</b> ● ●</p> <p>Work with partners to <b>support older people</b> to stay in their homes for longer and continue to work to become a dementia friendly district</p>		Community Services & Licensing	2021	2024	Angela Gillingham

CW5.6



Support our **Armed Forces Champion** and provide help as needed to former members of the armed services who need extra support and continue to deliver the Armed Forces Covenant across the local area

Strategy & Resources

2021

2024









Kev Topping

**PRIORITY: ECONOMY, RECOVERY AND REGENERATION**

*Supporting a thriving and resilient local economy*

OBJECTIVES	KEY PROJECTS AND INITIATIVES	GOVERNANCE	TIMESCALE		LEAD OFFICER	
			START	END		
<b>ER1</b> <b>Economic recovery</b> Support our high streets and businesses to enable recovery of the local economy from the impacts of COVID-19 and building foundations for a sustainable and inclusive local economy	<b>ER1.1</b> Develop and implement an inclusive and sustainable <b>'Economic Development Strategy'</b> including supporting market towns and sectors most impacted by the pandemic	Regeneration and Investment Board	Strategy & Resources Committee	2021	2023	Amy Beckett
	<b>ER1.2</b> Continue to support high street businesses to increase their <b>digital and online</b> visibility		Strategy & Resources Committee	2021	Ongoing	Amy Beckett / Ben Falconer
	<b>ER1.3</b> Support local high streets through the <b>'Think Local, Shop Local'</b> campaign and local initiatives to increase footfall such as markets, events and community-led initiatives	Market Towns Forum	Strategy & Resources Committee	2021	2022	Amy Beckett / Ben Falconer
	<b>ER1.4</b> Work with partners across Stroud district to grow a sustainable <b>visitor economy</b> , including the night time economy, walking and cycling, culture and leisure attractions		Community Services and Licensing Committee	2021	Ongoing	Amy Beckett
	<b>ER1.5</b> Consult with all types of businesses on how to <b>improve business services</b> , for example by providing a 'one door' access point into the Council, direct engagement from Councillors and in particular actions to address the needs of small businesses	Fit for the Future Board	Strategy & Resources Committee	2022	2024	Amy Beckett
<b>ER2</b> <b>Regeneration</b>	<b>ER2.1</b> Develop <b>Brimscombe Port</b> as a key strategic site to support a thriving community, in line with project milestones which include securing a development partner and delivering infrastructure works	Brimscombe Port Project Board	Strategy & Resources Committee	2021	2026	Alison Fisk / Leonie Lockwood



	Deliver key regeneration sites across the district, especially brownfield sites and long-term empty properties, for local jobs, homes, community facilities and green spaces	ER2.2 	Deliver Phase 1b of the <b>Canal Project</b> (Cotswold Canals Connected), incorporating land acquisition, planning application for the 'missing mile', Ocean Bridge works and a range of activities including five local activity hubs along the canal	Canal Project Board	Strategy & Resources Committee	2021	2025	Chris Mitford-Slade
		ER2.3 	Produce a pipeline of <b>regeneration</b> schemes progressing 'hard to develop' brownfield sites and long-term empty properties across the district, delivering quality local jobs and homes, while preserving and enhancing biodiversity	Regeneration and Investment Board	Strategy & Resources Committee	2021	2026	Leonie Lockwood / Mark Russell
		ER2.4 	Support the <b>development of a diverse local economy of social enterprises, cooperatives and small businesses</b> by working with others to increase commercial space available for expansion and by exploring the use of land for low cost sites and start-ups, as well as protecting existing employment sites	Regeneration and Investment Board	Strategy & Resources Committee	2021	Ongoing	Mark Russell / Alison Fisk
ER3	<b>Investment</b> Promote the Stroud District to attract investment in key infrastructure and high quality jobs with a focus on environmental technologies, engineering and manufacturing and creative industries	ER3.1 	Attract investment by setting out the offer of Stroud District in a new ' <b>Place Prospectus</b> ' to showcase the district's achievements and future priorities	Regeneration and Investment Board	Strategy & Resources Committee	2021	2021	Mark Russell
		ER3.2 	Promote prosperity and visitors to the district's waterways, by developing a <b>Canal Strategy</b> , which links to heritage and biodiversity objectives	Regeneration and Investment Board	Strategy & Resources Committee	2021	2022	Mark Russell
		ER3.3 	Work to secure <b>external funding</b> for priority projects, by establishing a task force to review bid options and developing a bid to the Government's Levelling Up Fund and other funding opportunities	Levelling Up Fund Working Group Regeneration and Investment Board	Strategy & Resources Committee	2021	2022	Brendan Cleere
		ER3.4 	Work with partners to support the bid to the UK Atomic Energy Authority to secure the first <b>prototype commercial fusion plant</b> and associated research and innovation park at Oldbury & Berkeley	Regeneration and Investment Board	Strategy & Resources Committee / Full Council	2021	2024	Mark Russell
ER4	<b>Support for businesses</b> Champion local businesses of all types and sizes that lead on	ER4.1 	Create a ' <b>favoured trader</b> ' list of local businesses and champion those businesses that are living wage employers and lead on environmental and social good practice		Strategy & Resources Committee	2022	2023	Amy Beckett

ER5	environmental and social good practice and support them to grow, keeping wealth in the district, strengthening local supply chains and offering rewarding local jobs	ER4.2 	Explore options for bringing more <b>financial power and resilience</b> to our district such as cooperative banking, credit unions, investment in local schemes including renewable energy projects, and local government bonds		Strategy & Resources Committee/Audit & Standards	2021	2025	Andrew Cummings
		ER4.3 	Support <b>procurement from local businesses</b> and drive local spending on low carbon goods and services to create stronger supply chains within the local economy. This may include collaborative partnerships with local anchor institutions to encourage community wealth building		Strategy & Resources Committee	2021	Ongoing	Hannah Emery
		ER4.4 	Work with partners to support the development of <b>skills and training for all ages</b> , including the unemployed, young people and apprentices, and across key sectors including the low carbon sector and visitor economy.	Regeneration and Investment Board	Strategy & Resources Committee	2021	Ongoing	Lucy Powell / Amy Beckett
		ER4.5 	Work with trade unions to <b>support fair employment</b> , encouraging more local businesses and organisations to be real living wage employers	Regeneration and Investment Board	Strategy & Resources Committee	2022	2024	Lucy Powell / Amy Beckett
		ER5.1 	Progress the <b>Local Plan</b> through public examination and secure its adoption		Environment Committee, Full Council	2021	2022	Mark Russell
	ER5.2 	Support the <b>delivery of strategic site allocations</b> contained within the local plan and the key infrastructure required to support it		Environment Committee, Full Council	2021	2026	Mark Russell	
	ER5.3 	Work with parish councils to develop <b>Neighbourhood Development Plans</b> and Orders to meet local development needs		Environment Committee, Full Council	2021	Ongoing	Simon Maher	
	ER5	<b>Strategic Planning</b> Adopt the new Stroud District Local Plan						

## STROUD DISTRICT COUNCIL

## COUNCIL

21 OCTOBER 2021

<b>Report Title</b>	<b>BUDGET STRATEGY 2021/22 TO 2025/26</b>			
<b>Purpose of Report</b>	To set out the assumptions that will be used when preparing the upcoming Medium-Term Financial Plan			
<b>Decision(s)</b>	<b>Council RESOLVES to:</b> <b>a. Approve the Budget Strategy 2021/22 to 2025/26 as set out in this report and appendices</b> <b>b. Continue with the Business Rates pooling agreement, until such time as the Section151 Officer may determine</b> <b>as recommended by Strategy and Resources Committee.</b>			
<b>Consultation and Feedback</b>	Formal budget consultation is currently taking place in the form of a telephone survey of local council tax and business rate payers			
<b>Report Authors</b>	Andrew Cummings, Strategic Director of Resources Email: <a href="mailto:andrew.cummings@stroud.gov.uk">andrew.cummings@stroud.gov.uk</a>			
<b>Options</b>	To review assumptions made in funding. To challenge long term cost projections.			
<b>Background Papers</b>	None			
<b>Appendices</b>	Appendix A – Draft Medium-Term Financial Plan 2021/22 to 2025/26 Appendix B – Current assumptions on budget changes.			
<b>Implications (further details at the end of the report)</b>	Financial	Legal	Equality	Environmental
	Yes	Yes	No	No

**1. INTRODUCTION / BACKGROUND**

- 1.1 This report set outs the current assumptions on funding available throughout the period 2021/22 to 2024/26, and initial estimates on the level of cost pressures and savings that the Council may expect in that time. That information forms the basis for the detailed budget setting process now taking place throughout the Authority. Officers are reviewing all expenditure and income budgets to determine appropriate levels and identify savings where possible.
- 1.2 This is the second Budget Strategy produced against the backdrop of the Covid-19 pandemic. This places a degree of uncertainty on expenditure budgets but most

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particularly the levels of income which may be received. The detailed budget setting process will include extensive considerations of the likely impact of the pandemic.

- 1.3 The Council's General Fund and Housing Revenue Account (HRA) budgets for 2022/23, including the budget proposals of the administration, will be presented to full Council at their meeting on 17 February 2022. Proposed budgets will have first been reviewed by service committees.
- 1.4 This strategy represents the first stage of the budget setting process for 2021/22 and many of the figures involved will be subject to significant review in the coming months before final Council budget approval. As stated at 1.2 this will include any adjustments as necessary for the impact of Covid. An indicative draft Medium-Term Financial Plan (MTFP) is shown at Appendix A showing the assumptions at the current time,
- 1.5 At its meeting in October 2021 the Council will also be considering the new Council Plan for adoption. If adopted these will set out the priority projects and commitments for the Council over the next five years. As part of the budget setting process, consideration will be given to ensure sufficient sums are in place to fund these projects.

## **2. General Fund Budget Strategy and Medium-Term Financial Plan**

### **Funding Projections**

- 2.1 The current financial year represents a period of a one-year financial settlement from Central Government with no clarity over the position after 2021/22. Council noted this uncertainty when agreeing the current MTFP in February 2020.
- 2.2 Central Government has recently confirmed its intention to announce the results of a three-year spending review, to cover the period up until 2024/25, on October 27<sup>th</sup>, 2021. Local Government funding is usually not explicitly covered by Central Government reviews; however, they are dictated in part by the funding available for the Ministry of Housing, Communities and Local Government and therefore the spending review is a key milestone. The impact of the review on local government may not be known until the Provision Settlement, expected in December. The following paragraphs and tables set out what is anticipated at this point but much of the information is provisional until the settlement is received.
- 2.3 The "Fair Funding Review" to reallocate local government funding across the sector is still technically scheduled for 2022/23. However, there has been no recent consultation on the proposals and although theoretically possible it would seem to be very unlikely for it to be implemented in time for next year. More details will be known later in the Autumn.

### **New Homes Bonus**

- 2.4 As with the previous years, 2021/22 has again seen one additional year of New Homes Bonus growth awarded as part of the roll over settlement giving a total grant of £880k in the current year. This grant has declined for some years having reduced from £3.2m in 2016/17.

- 2.5 The only expected payment in 2022/23 is £218k representing the final payment of the four years of award of the 2017/18 housing growth. Confirmation that this grant will be honoured won't be available until the settlement but as all previous legacy payments have been honoured it has been included at this point. Additional one-off reward payments, as awarded for the last two years, have not been included in the MTFP.
- 2.6 Earlier in 2021 Central Government consulted on various possibilities for the future of a New Homes Bonus Scheme. SDC was among those who responded to the consultation. As yet, there has not been a Government response to the feedback received and therefore no further details are known. For the purposes of this Strategy it is assumed that the NHB will cease after the final payment in 2022/23. A replacement scheme is possible but there is no certainty on any funding which may be removed through such a scheme.
- 2.7 The table below sets out the amounts of New Homes Bonus within the draft MTFP.

**Table 1 – NHB Forecast 2021/22 to 2024/25 (MTFP assumption)**

	2020/21	2021/22	2022/23	2023/24	2024/25
Year of Reward	(£'000)	(£'000)	(£'000)	(£'000)	(£'000)
2015/16	238				
2016/17	337	337			
2017/18	218	218	218		
2018/19	538				
2019/20		225			
<b>TOTAL NHB</b>	<b>1,331</b>	<b>880</b>	<b>218</b>	<b>0</b>	<b>0</b>

**Business Rates**

- 2.8 The level of business rates income permitted to be retained by the Council is closely linked to the local authority financial settlement. It is through setting the baselines of retained rates that Central government can allocate this taxation income across the Country.
- 2.9 Stroud as an area has benefited from considerable growth above the baseline of expected rates since the retention system was introduced in 2013. For context the current baseline of retained growth is £2.4 million, yet the income included within the MTFP is £4 million.

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- 2.10 It is for this reason that SDC is particularly vulnerable to the planned “reset” of baselines across the country as much of the growth against baseline would likely be redistributed elsewhere and a new baseline calculated. A baseline reset was anticipated in 2022. There has been no firm news to the contrary therefore the figures for business rates have been left unchanged from the February MTFP. Further details can be expected in either the October spending review or the Local Government Settlement.
- 2.11 However, with the timescales involved it seems increasingly unlikely that any reset will occur in 2022. The Council’s funding advisors are currently modelling on the basis of a one-year delay to the reset of business rates growth. For information purposes only, the table shows the impact that this would have over the life of the MTFP

**Table 2 – Impact of a delay to rates reset**

<b>Business Rates Retained</b>	<b>2021/22</b>	<b>2022/23</b>	<b>2023/24</b>	<b>2024/25</b>	<b>2025/26</b>	<b>Total</b>
	<b>(£'000)</b>	<b>(£'000)</b>	<b>(£'000)</b>	<b>(£'000)</b>	<b>(£'000)</b>	<b>(£'000)</b>
Current MTFP	4,077	2,287	2,333	2,379	2,439	<b>13,515</b>
Delayed reset	4,077	4,806	2,466	2,568	2,642	<b>16,559</b>

- 2.12 The businesses rates base in Stroud has held up well in Stroud during the pandemic, albeit with an increased level of arrears which were provided for in the 2020/21 accounts. What was also seen in 2020/21 was large deficits in the collection fund for both Council Tax and Business Rates. These were largely compensated for by central government and sums held in an earmarked reserve to protect the Council’s position. The MTFP has been updated to transparently reflect the unwinding of both the deficit and the earmarked reserve over three years. This has no overall net impact on the financial position.
- 2.13 Within the overall business rates retention system, the rates collected by renewable energy facilities within the District is retained 100% by this Council and is not redistributed elsewhere. The amount collected from such facilities has greatly increased in recent years from £107k in 2018 to £358k in 2021. Previously these amounts have been presented as part of overall rates in the MTFP. However, they have now been split out. This allows a greater transparency on rates collected through this method and gives greater visibility to increases in renewable energy generation across the district.
- 2.14 The Gloucestershire Business Rates Pool is continuing in 2021/22 and at the early monitoring stage a pool gain of £500k is predicted for Stroud. This is not included in the base MTFP as sums to be retained are unpredictable and vary depending on rates collected across the County.
- 2.15 If the businesses rates baseline is reset, then the financial incentive for pooling is removed and the Gloucestershire Pool will not continue. MHCLG have recently written to

Stroud as pool lead asking for an indication by October 8th as to whether the pool members wish to proceed. Section 151 Officers across the County agree that pooling should continue based on current arrangements. Members are asked to endorse this approach. If the Local Government Settlement makes pooling unfavourable then we can choose to revoke the pool at that point.

### **Council Tax**

- 2.16 For the current financial year the Council was limited to, and applied, a Council Tax increase of £5 for a Band D property. There have been no announcements as to potential limits in future years and so a limit of £5 has been assumed for each year of this Strategy. The final budget proposals to Council will include a recommendation to increase Council Tax by the referendum limit. With inflation currently increasing this is a vital part of the financial resilience of the authority.
- 2.17 For the current year the growth in the Council Tax base was 1.17% which was lower than in previous years. This was a result of an increase in the number of claimants of local Council Tax support. The level of claims has actually slightly decreased to date in the current year and therefore the Council Tax base growth included in the Strategy is 1.5% as in previous years.
- 2.18 As anticipated at the time of Budget Setting in February the final position for the Council Tax collection fund was a deficit as income had fallen lower than anticipated in the 2020/21 year as a result of the Covid. The SDC deficit was estimated at that point to be £120k and the collection is spread over 3 years as permitted by Central Government. This adjustment is shown in Appendix A. The actual year end deficit for SDC was £175k and the MTFP has been adjusted to reflect this.
- 2.19 Central Government compensated Councils for 75% of lost Council Tax income in 2020/21. The amount received for SDC was £120k. This was included in the year end collection fund smoothing reserve which will be used to fund the deficits.

### **Lower Tier Services Grant**

- 2.20 District Councils have received additional grant funding in 2021/22 to reflect the cost of providing lower tier services. The allocation for SDC was £105k. There has been no indication that this grant will continue and therefore it is not included in the MTFP after the current year.

## **3. Budget Assumptions**

### **Pay and Price Inflation**

- 3.1 Inflation linked increases will be added to budgets for spend with external partners. At the time of writing the CPI inflation rate in the UK is 3.2% and is expected to increase further in the Autumn. This Budget Strategy and Draft MTFP plans to allow for annual

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inflationary increases of 3% on contract sums but this will be updated to reflect the September CPI during the budget setting process.

- 3.2 Considerable inflationary pressure is expected on utilities where changes in wholesale markets have led to large increases in the price of energy. The Council's contracts are due for renewal in October 2022 and further adjustments to the budget may be required at that time. Insurance is a further area where increases are expected for both the General Fund and the HRA.
- 3.3 The biggest contractual partner for General Fund budgets is Ubico and discussions have already begun on the level of budget for next year.
- 3.4 Inflation will not be included on budgets which are not related to salaries or contracts. It is anticipated that efficiencies will be used to maintain expenditure within existing budgets. This approach represents a small but significant way that the Council can achieve some real terms savings in expenditure.
- 3.5 There has been no agreement on the local government pay award for the current year of 2021/22. A final offer of 1.75 on most grades has been rejected by Unions. The budget for this year assumed an increase of 1%, in line with government expectations on public sector pay. Therefore, when an agreement is reached there will be additional cost over and above budget for both the HRA and General Fund. At the present time this cost is estimated as £73k for the General Fund and included in the MTFP estimates accordingly.
- 3.6 With the fact that there is yet no agreement on the 2021/22 pay award this of course means that there is no indication as to the level of award in future years. For the purposes of the draft MTFP this has been included at 2.5%.
- 3.7 It has been confirmed that the rate of employer's National Insurance contributions will increase in 2022/23. The increase is 1.25%. This is for one year only but will then be replaced by a new Health and Social Care Levy of 1.25% which is to be ringfenced for Health and Social Care spending. The increase to the NI percentage and subsequent new tax are expected to cost the Council £130k p.a. It is possible that the local government settlement will include funding for Councils to meet this cost but at this point in time that has not been confirmed.

### **Local Government Pension Scheme**

- 3.8 Currently the Council is part way through a three-year period in which the local government actuary has determined that the level of contribution into the Gloucestershire Pension Fund should be reduced. This will continue into 2022/23. After that point the MTFP assumes that the level of pension contribution will remain stable with no further fluctuation after that point. There will be a further actuarial valuation at the end of this period to determine the level of future contributions.
- 3.9 At the point of a further actuarial valuation the Council will again seek to gain savings through the up-front payment of pension contributions. This has previously been achieved successfully but was not taking up at the start of the current valuation period as a result of the cash flow uncertainty at the start of the pandemic.



### **Interest Rates & Investment Income**

- 3.10 As part of their pandemic response the Bank of England reduced the base rate of interest to 0.1%. It is unlikely that there will be any increase in this during the upcoming financial year. As reported previously in the MTFP this has a budget impact on SDC as large cash balances are often held. As the budget was adjusted in February 2021 no further adjustment is required at this stage.
- 3.11 The Council currently has four investments totalling £10 million in pooled funds covering both property and multi-asset funds. These have a higher level of risk as unlike other investments they are exposed to variations in capital value. These have consistently achieved higher rates than the traditional investments and capital values have not decreased in the last year. Through the Treasury Management Strategy process opportunities will be explored to increase the level of yield, without unduly threatening the security of investments.

### **Fees & Charges**

- 3.12 It is now a standard part of our budget setting procedures that full Council approves a comprehensive list of fees and charges to be levied by the Council for services in the upcoming year. This is good practice both in terms of financial efficiency and transparency.
- 3.13 The level of increase in fees and charges was set at an average of 2% at the current year's budget setting decision. This introduced an extra £66k per annum into the MTFP.
- 3.14 As previously discussed in this report the level of CPI inflation is expected to be higher in the current year. It is therefore proposed that all fees and charges, including car parking, are increased by the level of inflation as per the September CPI. For the purposes of the draft MTFP this is estimated as being 3%. This is estimated to allow for income growth of £120k per annum
- 3.15 Income Streams are recovering from the pandemic, but this process may take some time. Where necessary, income budgets will be adjusted for Covid impact during the detailed budget setting process.
- 3.16 The table below gives a summary of the main assumptions included within the Budget Strategy.

**Table 3 – Assumptions included within the Strategy**

	2022/23	2023/24	2024/25	2025/26
Band D Council Tax Increase	£5	£5	£5	£5
Tax Base Increase	1.5%	1.5%	1.5%	1.5%
Contract Inflation	3%	2%	2%	2%
Pay Inflation	2.5%	2.5%	2.5%	2.5%
Fees and Charges Growth	3%	2.5%	2.5%	2.5%

## **Borrowing and Minimum Revenue Provision (MRP)**

- 3.17 The General Fund requirement for borrowing to fund past capital works currently stands at £15.202 million (increased from 14.647 million the year before). This creates a need for a Minimum Revenue Provision (MRP) to repay that borrowing. This was budgeted at £1.010 million in 2021/22.
- 3.18 The current budget strategy allows for increases of MRP in line with the borrowing included in the capital programme. The budget setting process will further review the level or provision required over the life of the MTFP. Where possible the capital reserve will be used instead of borrowing to limit MRP exposure.
- 3.19 This strategy does not consider the detail of the capital programme which will be included within the full budget report.

## **Longer Term Budget Adjustments**

- 3.20 The following paragraphs set out those items in the draft MTFP which represent significant changes to the budgets which have previously been approved by Council. Expected changes to the budget are all shown in Appendix B. These are early estimates at this stage and further work will be carried out through the budget setting process.
- 3.21 Further budget is likely to be needed to meet the shortfall on housing benefit subsidy claims, as reported previously to this committee in the outturn report. This is principally for supported accommodation. There is a higher rent allowable for supported accommodation, however, if the cost of housing is significantly higher than the amount allowable under housing benefit this cannot all be claimed back through housing benefit subsidy. This means that the excess cost falls back to be met by the General Fund. As the cost and number of placements has continued to be increased an additional budget allowance of £200k has currently been estimated.

3.22 The Fit for the Future Programme has continued to progress using the funding previously allocated. This was from the IT capital budget, including for a digital platform, and the modernisation reserve which was established to fund the programme. As the programme develops there are likely to be additional costs identified as the Council transitions to new ways working beyond the initial implementation stage. Two additions are considered likely at this stage. The first is an allowance for IT software and the second is for a permanent resource to promote good organisational development throughout the Council. The organisational development resource is being provided by consultants in the early stages but that cannot be a permanent solution. Additions of £50k and £60k respectively have been made for these items at this draft stage.

3.23 The MTFP still includes projected savings from the modernisation programme. In the initial stages this is likely to be through vacant posts. As the programme develops service efficiencies are expected to deliver savings. The current target of £1m has been included from the existing MTFP and will be reassessed as needed if a long-term financial settlement is received.

#### **4. General Fund Medium Term Financial Plan Financial Resilience and Use of Reserves**

4.1 The Council continues to use an equalisation reserve to manage the General Fund budget over the medium term and this remains a fundamental part of the Budget Strategy.

4.2 In the 2021/22 budget an estimate was made for the impact of Covid of £1.54 million, partially offset by government grant of £978k. No further government support is expected and at this stage no Covid adjustments have been made to the budget. This will be reviewed throughout the budget setting process with detailed analysis of expenditure and income streams.

4.3 The balance of General Fund earmarked reserves, excluding the capital reserve and collection fund smoothing reserve, at the end of 2019/20 was 16.37 million (2019/20 £13.94 million), including the £6.85 million General Fund equalisation reserve. This is in addition to the General Fund balance of £2.169 million which this Strategy recommends be held at that level.

4.4 The Business Rates Risk Reserve remains a core part of the MTFP in smoothing the impact of the potential Business Rates reset. The balance on this reserve was £2.49 million at the end of 2020/21 after £600k was added in line with the agreed budget. It had previously been reported to Committee that the transfer was at risk as a result of the pandemic, but that risk did not materialise. Council has agreed to £500k in 2021/22 in preparation for the rates reset and the balance is then released over the remainder of the MTFP.

4.5 The S151 Officer has reviewed the reserves as part of the outturn process, and they were also agreed by Strategy and Resources Committee. The level of Reserves is deemed to be sufficient at this stage.

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- 4.6 The Council has been managing its budgets through a series of single year settlements and delayed reviews of Local Government finance. These have made longer term budgeting difficult but in the interim period the Council has continued to invest in priority projects, usually for fixed terms. At the same time the reserves which protect the Council against short-term financial shocks have been maintained, even through the pandemic. If, as hoped, a longer-term settlement is received this may include a reduction in funding as has been anticipated by the MTFP.
- 4.7 If these further funding reductions are realised this will be the point at which clear decisions must be made to reduce costs or grow income. This must be done with the intention of bringing anticipated expenditure in line with anticipated income. This must be a whole Council effort including members across all committees and officers across the Council
- 4.8 The table below shows the current forecast of General Fund equalisation Reserve over the life of the draft MTFP.

**Table 4 – Forecast level of General Fund equalisation reserve**

	2021/22	2022/23	2023/24	2024/25	2025/26
	£000	£000	£000	£000	£000
<b>Estimated Surplus / (Deficit)</b>	(104)	(1,359)	(1,803)	(1,020)	(1,270)
<b>GF equalisation reserve</b>					
Opening	6,846	6,742	5,383	3,580	2,389
Change	(104)	(1,359)	(1,803)	(1,191)	(1,270)
Closing	<b>6,742</b>	<b>5,383</b>	<b>3,580</b>	<b>2,389</b>	<b>1,119</b>

### 5. Housing Revenue Account (HRA)

- 5.1 HRA balances and reserves at the end of 2019/20 were relatively robust at £4.611 million in general reserves and £5.668 million in earmarked reserves. In common with the General Fund, the Housing Revenue Account (HRA) faces financial pressures over the medium-term plan period.
- 5.2 The proposed Budget and Rent Setting 2022/23 Report will be presented to Housing Committee in December, followed by Strategy and Resources Committee in January 2022 and Council in February 2022.

- 5.3 2022/23 is the third year of permissible rent increases of Consumer Price Index (CPI) +1% following the four-year rent reduction set out in the Welfare Reform and Work Act 2016. Based on national rent guidance, rents are assumed to increase by CPI +1% for a further two years after 2022/23.
- 5.4 CPI had been included in the MTFP and 30-year position at an assumed rate of 2%, in line with the Bank of England target rates. Following a very low inflationary uplift for 2021/22 (CPI of 0.5% + 1% = 1.5%), a revised rate of 1.6% (which would give rent increases of 2.6%) had been included in the MTFP for 2022/23 only. The latest reported figures (August 2021) show CPI at 3.2%. Should rates remain at this level rent increases of up to 4.2% would be allowable under the rent regulations. The inflationary uplift for rents is set using September CPI, which will not be available until 20 October 2021.
- 5.5 The total net borrowing incurred for the HRA is currently £101.947million. All the external debt is at fixed rates and so there will be no fluctuations in interest payments for current borrowing over the medium term. There may be opportunities to re-schedule the debt to take advantage of lower rates and this will be kept under review. Of the borrowing, £4.230 million is internally borrowed (net of existing provisions made for the repayment of debt). This utilises HRA balances and lowers interest payments over the short term. This position will continue to be reviewed as balances reduce and borrowing increases, in line with the Treasury Management Strategy.
- 5.6 The HRA MTFP currently includes an annual contribution towards repaying borrowing. This base amount will increase by inflation each year, with additional amounts added to reflect any new borrowing.
- 5.7 Following the decision of a preferred option of retrofit works to council housing stock by Housing Committee in September 2021, the MTFP and 30-year position will be updated to include the additional cost. The option of increasing the average SAP rating to C, will have additional borrowing required of approximately £18million over seven years.
- 5.8 This additional cost will need to be funded through new savings, or additional income, with an indicative savings target required of £900k per year (assuming that the borrowing will be repaid over 30 years). These savings would not need to be found in year one of the MTFP but could be phased in over the MTFP period to allow for a period of change.
- 5.9 The HRA will also be affected by pay and price inflation as set out in section 3 of this report. In particular price inflation, public sector pay (including the increase of 1.25% in National Insurance contributions), and the cost of utilities and insurance are expected to increase significantly. Where these costs are incurred for service charge areas, such as independent living or shared communal areas, these cost increases would impact the service charges to tenants, in order to cover the cost of the service being provided.
- 5.10 Overall, the medium and long position of the HRA is under significant financial pressure, with the additional retrofit works and external cost pressures. An increase in rents and charges in line with the rent regulations would help support this, but it is expected that new savings will need to be found. It may not be possible to identify savings to fund the full extent of the pressures during this budget round. Any remaining

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savings needed would remain in the MTFP as a savings target, which would need to be allocated to specific savings at a later date.

### **6 RISKS**

- 6.1 All of the figures in this report are estimates and there is a clear risk that final outcomes will differ. The budget monitoring process will review things as the year progresses.
- 6.2 If the long-term impact on budgets of the pandemic is greater than anticipated a further revision of the MTFP will be required including measures to bring Council expenditure in line with the funding available.

### **7 IMPLICATIONS**

#### **7.1 Financial Implications**

The whole report is of a financial nature.

Andrew Cummings, Strategic Director of Resources  
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#### **7.2 Legal Implications**

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

One legal  
Email: [legal.services@onelegal.org.uk](mailto:legal.services@onelegal.org.uk)

#### **7.3 Equality Implications**

An EqIA is not required because no changes to service levels are proposed

#### **7.4 Environmental Implications**

There are no direct financial implications to the budget strategy. The Council has identified funding to support its CN2030 Action Plan.

**Medium Term Financial Plan 2020/21 - 2025/26**

	2021/22 £000	2022/23 £000	2023/24 £000	2024/25 £000	2025/26 £000
<b><u>Budget</u></b>					
Opening Budget	14,587	15,187	15,260	15,582	15,569
<b><u>Recurring Changes</u></b>					
Pay Increases	134	260	260	260	260
NI Increase		130			
Additional Pay Award		73			
Fees and Charges Growth	(66)	(120)	(100)	(100)	(100)
Pensions Changes	(206)	(206)	0	0	0
Contract Increases	65	250	200	200	200
Revised Budget	14,514	15,574	15,620	15,942	15,929
Proposed Budget Adjustments	673	(314)	(38)	(373)	7
Building Control Reserve					
<b>Revised Budget</b>	<b>15,187</b>	<b>15,260</b>	<b>15,582</b>	<b>15,569</b>	<b>15,936</b>
<b><u>Funding</u></b>					
Council Tax	9,913	10,293	10,682	11,081	11,489
Collection Deficit (Council Tax)	(40)	(94)	(40)	0	0
Business Rates (incl grants)	3,719	1,929	1,975	2,021	2,081
Business Rates - Renewable Energy	358	358	358	358	358
Collection Deficit (Business Rates)	(4,286)	(711)	(48)	0	0
Use of Collection Fund Smoothing Reserve	4,326	805	104	0	0
Other Grant	143	38	38	38	38
New Homes Bonus	880	218	0	0	0
Covid Grant Support	978	0	0	0	0
<b>Total Funding</b>	<b>15,991</b>	<b>12,836</b>	<b>13,069</b>	<b>13,498</b>	<b>13,966</b>
<b>Surplus / (Deficit) before Reserves Movements</b>	<b>804</b>	<b>(2,424)</b>	<b>(2,513)</b>	<b>(2,071)</b>	<b>(1,970)</b>
<b>Reserves Movements</b>					
Business Rates Reserve	500	(800)	(700)	(700)	(700)
Waste and Recycling Reserve	(181)	(180)		(180)	
Capital Reserve - Canal	(372)				
Growth and Recovery Reserve Funding	(579)	(85)	(10)		
<b>Estimated Surplus / (Deficit)</b>	<b>1,436</b>	<b>(1,359)</b>	<b>(1,803)</b>	<b>(1,191)</b>	<b>(1,270)</b>
<b><u>GF Equalisation Reserve</u></b>					
Opening	6,846	6,742	5,383	3,580	2,389
Change	1,436	(1,359)	(1,803)	(1,191)	(1,270)
Covid Shortfall	(1,540)				
<b>Closing</b>	<b>6,742</b>	<b>5,383</b>	<b>3,580</b>	<b>2,389</b>	<b>1,119</b>

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## Appendix B

## MTFP Changes

	2021/22	2022/23	2023/24	2024/25	2025/26
	£000	£000	£000	£000	£000
<b>Pressures</b>					
<b>Pressure on existing services</b>					
Housing Subsidy		200			
IT Software		50			
Organisational Development			60		
Additional Recycling Round		180		180	
Ubico salaries					
Drainage Board Levy increase	7	7	7	7	7
Temporary Accommodation	153				
Homelessness Grant	(29)	154			
Investment income/borrowing costs	205	39	11	44	0
<b>2021/22 Budget Items</b>					
MRP on Water Source Heat Pumps	57				
Canal (funded within Canal Project)	372	(372)			
Strategy and Resources Committee	423	(314)	(109)		
Environment Committee	68	(36)	(32)		
Community Services and Licensing	119	(99)		(20)	
Housing Committee	11	(11)			
<b>Total Pressure</b>	<b>1,386</b>	<b>(202)</b>	<b>(63)</b>	<b>211</b>	<b>7</b>
<b>Savings</b>					
Debt Repayment (Pulse)					
<b>Removal of One off budget items</b>					
Canal	(161)				
Community Building	(50)				
Brownfield sites	(100)				
<b>Planned Savings</b>					
Modernisation Programme	(200)	(150)	(150)	(500)	
Kingshill House	(5)	(5)	(5)	(5)	
MRP on capital spend	(82)	43	180	(79)	
Ebley Mill Gas savings - funding towards	(15)				
Water Source Heat Pumps MRP					
Ubico contract savings	(73)				
Other minor adjustments	(27)				
<b>Total Saving</b>	<b>(713)</b>	<b>(112)</b>	<b>25</b>	<b>(584)</b>	<b>0</b>
<b>Net Changes</b>	<b>673</b>	<b>(314)</b>	<b>(38)</b>	<b>(373)</b>	<b>7</b>

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## STROUD DISTRICT COUNCIL

## COUNCIL

21 OCTOBER 2021

<b>Report Title</b>	<b>REVIEW OF STROUD DISTRICT COUNCIL'S STATEMENT OF PRINCIPLES UNDER THE GAMBLING ACT 2005 FOR COMMENCEMENT 31<sup>ST</sup> JANUARY 2022.</b>			
<b>Purpose of Report</b>	To provide information that will allow Council to adopt a final revised Statement of Principles as recommended by Community Services and Licensing Committee  The Statement outlines the principles Stroud District Council will apply when exercising its functions under the Gambling Act 2005. The current Statement expires on 30 <sup>th</sup> January 2022.			
<b>Decision(s)</b>	<b>Council RESOLVES to adopt the Revised Statement of Principles (Appendix A) as recommended by the Community Services and Licensing Committee.</b>			
<b>Consultation and Feedback</b>	There has been formal consultation between 17 <sup>th</sup> May 2021 and 31 <sup>st</sup> July 2021.			
<b>Report Author</b>	Rachel Andrew, Principal Licensing Officer Email: <a href="mailto:rachel.andrew@stroud.gov.uk">rachel.andrew@stroud.gov.uk</a>			
<b>Options</b>	Not applicable			
<b>Background Papers</b>	Not applicable			
<b>Appendices</b>	<b>Appendix 1</b> – Proposed Revised Statement of Principles for commencement 31 <sup>st</sup> January 2022 <b>Appendix 2</b> – Schedule of Consultation Comments and agreed amendments to the Statement			
<b>Implications (further details at the end of the report)</b>	Financial	Legal	Equality	Environmental
	No	Yes	No	No

**1. INTRODUCTION / BACKGROUND**

1.1 Under the Gambling Act 2005 the Council, as the Licensing Authority, is responsible for issuing and enforcing licences, permits and notifications under the Act. These include:

- Licences for premises where gambling activities take place such as betting shops and gaming arcades.
- Permits and notifications for gaming machines in pubs and social clubs.
- Registrations for small society lotteries.

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1.2 Stroud District has only a small number of licensed premises under the Gambling Act 2005. These are 5 Betting Shops and 2 Adult Gaming Centres. In addition, currently there are 2 Family Entertainment Centre Permits, 9 Club Gaming Machine Permits and 3 Licensed Premises Gaming Machine permits. There are 50 pubs with gaming machine registrations and 155 current small society lottery registrations. There are no licensed bingo clubs or casinos within the District. Currently the legislation does not allow for a new application to be made for a casino in Stroud District. There have been no hearings under the Gambling Act 2005 at Stroud District Council.

1.3 On the 16<sup>th</sup> September 2021, Community Services and Licensing Committee considered this report and agreed to recommend to Council that the Revised Statement of Principles (Appendix A) should be adopted. Information about this meeting and the report can be found [here](#).

### 2. MAIN POINTS

2.1 Section 349 of the Gambling Act 2005 requires that the Licensing Authority shall, before each successive period of three years, prepare a Statement of Principles that they propose to apply in exercising their functions under the Act and they must publish that statement.

2.2 The Act also states that, in preparing the Statement, the Licensing Authority shall consult with the Police, persons representing persons carrying on gambling businesses and those affected by such businesses.

2.3 Section 154 of the Act provides that the function of revising the Statement may not be delegated to a Committee. This means that the decision to adopt a revised Statement must be made by full Council.

2.4 Stroud District Council's current Statement of Principles has effect until 30<sup>th</sup> January 2022. The current Statement has been reviewed by the Principal Licensing Officer.

2.5 There have been no major changes in the legislation or Gambling Commission Guidance since the last review 3 years ago. Additionally, there have not been any issues, relating to gambling in Stroud District, during this period. Therefore, the draft for consultation had no changes from the current Statement apart from updated contacts, dates and links.

2.6 The draft Statement of Principles for the period January 2022 to January 2025 has been out for formal consultation between 17<sup>th</sup> May 2021 and 31<sup>st</sup> July 2021.

2.7 Information about the consultation and the draft Statement was previously available on the Stroud District Council Website. A link to this webpage was circulated to a wide list of consultees including all Councillors. The full list of consultees is shown in Appendix B of the Statement (Appendix 1 of this report).

2.8 The comments received during the consultation period, and the responses and amendments that have been made to the Statement, and agreed by Community Services and Licensing Committee, are shown in a schedule which is Appendix 2.

2.9 The proposed final Statement for approval by Committee is Appendix 1. Changes made to reflect the consultation comments are shown in red in the Statement.

**3. CONCLUSION**

- 3.1** In order that the Licensing Authority can continue to exercise its licensing functions under the Gambling Act 2005, after the current Statement of Principles expires on 30<sup>th</sup> January 2022, Council should adopt a final Statement as recommend by Community Services and Licensing at its meeting on 16<sup>th</sup> September 2021.

**4. IMPLICATIONS**

**4.1 Financial Implications**

There are no direct financial implications associated with this report.

Adele Rudkin, Accountant

Tel: 01453 754109 Email: [adele.rudkin@stroud.gov.uk](mailto:adele.rudkin@stroud.gov.uk)

**4.2 Legal Implications**

The report above sets out details of significant implications in paragraphs 2.1-2.4.

One Legal

Tel: 01684 272691 Email: [legalservices@onelegal.org.uk](mailto:legalservices@onelegal.org.uk)

**4.3 Equality Implications**

There are not any specific changes to service delivery proposed within this decision.

**4.4 Environmental Implications**

There are no significant implications within this category.

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# **GAMBLING ACT 2005**

## **Statement of Principles**

**Final for Adoption  
For Commencement 31 January 2022**

## Statement of Principles

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## PART A

### 1 General

#### 1.1 Introduction

This Statement is published in accordance with the requirement set out in the Gambling Act 2005 requiring the Licensing Authority to prepare and publish a Statement of Principles that sets out the principles that the Licensing Authority proposes to apply when exercising its functions. It includes details of the steps taken in relation to its preparation and details of the policies to which the Licensing Authority will adhere in determining applications submitted under the Act. It is intended to comply with and fulfil the requirements of the Gambling Act 2005 (Licensing Authority Policy Statement) (England and Wales) Regulations 2006 (SI 2006 No. 636).

The Statement must be published at least every three years and this Statement will come into effect on the 31 January 2022 and continue until 30 January 2025. The statement must also be reviewed from “time to time” and any amended parts re-consulted upon. The statement must be then re-published before any revision is given effect.

This Statement of Principles will be published on the Licensing Authority’s website and available via: [www.stroud.gov.uk](http://www.stroud.gov.uk) [www.stroud.gov.uk/licensing](http://www.stroud.gov.uk/licensing).

#### 1.2 Licensing Objectives.

The Gambling Act 2005 requires that in exercising its functions under the Act, Stroud District Council (‘the Licensing Authority’) must have regard to the licensing objectives set out in Section 1. The licensing objectives are:-

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.
- Ensuring that gambling is carried out in a fair and open way.
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

The Licensing Authority is aware that, as required by Section 153 of The Act, in making decisions about premises licences and temporary use notices it should aim to permit the use of premises for gambling:

- in accordance with any relevant Codes of Practice under section 24;
- in accordance with any relevant Guidance issued by the Commission under section 25;
- in accordance with this Statement of Principles, and reasonably consistent with the licensing objectives.



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## Appendix A

\* April 2021

### 1.4 Consultees

This Statement of Principles was subject to formal consultation with:-

- Gloucestershire Constabulary;
- Representatives of the holders of the various licences for premises within the District who will be affected by this Policy;
- Persons/bodies representing the interests of persons likely to be affected by this policy including Gloucestershire Safeguarding and Gloucestershire Public Health.

A full list of consultees is shown at **Appendix B**. The Licensing Authority considers that the consultation exercise was sufficiently wide-ranging, in terms of the individuals and bodies consulted with and the means of consultation, so as to fulfil the requirement set out in the Guidance for a comprehensive consultation.

In determining its Statement of Principles, the Licensing Authority must have regard to the Gambling Commission's guidance for local authorities, and having regard to that guidance will give appropriate weight to the views of those it has consulted. In determining what weight to give particular representations, the factors to be taken into account included:

- who is making the representations (what is their expertise or interest);
- relevance of the factors to the Licensing Objectives
- how many other people have expressed the same or similar views;
- how far the representations relate to matters that the Licensing Authority should be including in its Statement of Principles.

The Licensing Authority ensured that it looked at the views of consultees and considered carefully whether they should be taken into account and to what extent (having regard to the above factors). However, it only considered those matters within the scope of the guidance, the Act and any Codes of Practice and must not consider any other matter, regardless of the number of responses which are received with regard to it.

The Licensing Authority recognises the importance of being able to give reasons for the decisions which it has made following the consultation and of having regard to the Guidance in order to ensure consistency.

The final Statement of Principles will be adopted by Full Council at its meeting on 21 October 2021 in order for it to take effect on 31 January 2022. It will be reviewed as necessary, and in any case subjected to a formal review at least every three years or in accordance with any revised legislation.

### 1.5 Declaration

In preparing its Statement of Principles the Licensing Authority is required to:

- Adhere to regulations issued by the Secretary of State under Section 349(4) of The Act.
- Have regard to guidance issued to local authorities by the Gambling Commission (Section 25(2) of The Act).
- Recognize the need to be consistent with the licensing objectives where applicable.

In producing the final statement, this Licensing Authority declares that it has had regard to the Licensing objectives of the Gambling Act 2005, the Guidance to Licensing Authorities issued by the Gambling Commission and responses from those consulted on the Statement.

## 1.6 Responsible Authorities

The Licensing Authority is required by regulations to state the principles it will apply in exercising its powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. The principles are:

- the need for the body to be responsible for an area covering the whole of the licensing authority's area and;
- the need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.

In accordance with the suggestion in the Gambling Commission's Guidance to Licensing Authorities, this authority designates the **Gloucestershire Safeguarding Children Partnership (GSCP) for this purpose, comprising of Gloucestershire Clinical Commissioning Group, Gloucestershire County Council and Gloucestershire Constabulary.**

**The GSCP Executive will review and delegate its duties as Responsible Authority to the most suitable safeguarding partner for this purpose every three years setting out its arrangements in its own 'Published Arrangements' document.**

For the purposes of this Act, the following are responsible authorities in relation to premises:

1. The Licensing Authority in whose area the premises are wholly or mainly situated ("Stroud District Council");
2. The Gambling Commission;
3. Gloucestershire Constabulary;
4. Gloucestershire Fire and Rescue Service;
5. Development Control Manager, Planning Dept, Stroud District Council;
6. Environmental Protection Manager, Stroud District Council;
7. **Gloucestershire Safeguarding Children Partnership;**
8. HM Customs and Excise.

The contact details of all the Responsible Authorities under the Gambling Act 2005 are available via the Council's website at:

<https://www.stroud.gov.uk/business/licensing-permits/gambling-licences-permits-and-lotteries-gambling-act-2005/apply-for-a-premises-licence-gambling-act-2005>

## 1.7 Interested Parties

Interested parties can make representations about licence applications or apply for a review of an existing licence. These parties are defined in section 158 of the Gambling Act 2005 as follows:

"For the purposes of this Part a person is an interested party in relation to an application for or in respect of a premises licence if, in the opinion of the licensing authority which issues the licence or to which the applications is made, the person –

- lives sufficiently close to the premises to be likely to be affected by the authorised activities,
- has business interests that might be affected by the authorised activities, or
- represents persons who satisfy paragraph (a) or (b)".

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The licensing authority is required by regulations to state the principles it will apply in exercising its powers under the Gambling Act 2005 to determine whether a person is an interested party. The principles are:

Each case will be decided upon its merits. This authority will not apply a rigid rule to its decision making. It will consider the examples of considerations provided in the Gambling Commission's Guidance to Licensing Authorities. It will also consider the Gambling Commission's Guidance that "has business interests" should be given the widest possible interpretation and include partnerships, charities, faith groups and medical practices.

Interested Parties can be persons who are democratically elected such as MP's, District Councillors and town and parish councils. The Licensing Authority will not require specific evidence from such persons, of them being asked to represent an interested person, as long as the Councillor / MP represents the ward likely to be affected by the application. Other than these however, this Licensing Authority will generally require written evidence that a person/body (e.g. an advocate / relative) 'represents' someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities. A letter from one of these persons, requesting the representation will normally be sufficient proof of that fact.

Interested Parties wishing to approach Councillors to ask them to represent their views should take care that the Councillor(s) are not part of the Committee that deals with licensing matters who could subsequently be required to deal with the licence application.

### **1.8 Information exchange**

Licensing Authorities are required to include in their Statement the principles to be applied by the Licensing Authority in exercising the functions under sections 29 and 30 of the Act with respect to the exchange of information between it and the Gambling Commission, and the functions under section 350 of the Act in relation to the exchange of information between it and the other persons listed in Schedule 6 to the Act.

This Licensing Authority will act in accordance with the provisions of The Act in its exchange of information which includes the provision that the Data Protection Act 1998 will not be contravened. The Licensing Authority will also have regard to any Guidance issued by the Gambling Commission to local authorities on this matter, as well as any relevant regulations issued by the Secretary of State under the powers provided in The Act.

Full details of those persons making representations will be made available to applicants to allow for negotiation and, in the event of a hearing being held, will form part of a public document. Anyone making representations or applying for the review of a premises licence will be informed that their full details will be disclosed.

### **1.9 General Principles**

This "Statement of Principles" sets out the principles that the Licensing Authority will apply when making decisions upon applications or notifications made for:-

- Premises Licences;
- Temporary Use Notices;
- Occasional use Notices;
- Permits as required under the Act;
- Registrations as required under the Act.

Nothing in this Statement of Principles will:-

- Undermine the rights of any person to apply under the Act for a variety of permissions and have the application considered on its individual merits; or
- Override the right of any person to make representations on any application or seek a review of a licence or permit where they are permitted to do so under the Act.

Each application will be treated on its own merits.

The Licensing Authority will seek to regulate gambling within its area in the public interest.

### **1.10 Enforcement**

The main enforcement and compliance role for this licensing authority in terms of The Act will be to ensure compliance with the premises licences and other permissions which it authorises.

The Gambling Commission will be the enforcement body for operating and personal licences. The Commission will also deal with any concerns about manufacture, supply or repair of gaming machines

The Licensing Authority will follow the relevant principles set out in the Regulators code together with any relevant guidance from the Gambling Commission and legislation. The Licensing Authority will adopt and adhere to the principles of better regulation.

The Licensing Authority is required by regulation under The Act to state the principles to be applied by it in exercising the functions under Part 15 of the Act with respect to the inspection of premises; and the powers under section 346 of the Act to institute criminal proceedings in respect of the offences specified.

This Licensing Authority's principles are that:

It will be guided by the Gambling Commission's Guidance for local authorities and will endeavour to be:

- Proportionate: regulators should only intervene when necessary: remedies should be appropriate to the risk posed, and costs identified and minimised;
- Accountable: regulators must be able to justify decisions, and be subject to public scrutiny;
- Consistent: rules and standards must be joined up and implemented fairly;
- Transparent: regulators should be open, and keep regulations simple and user friendly; and
- Targeted: regulation should be focused on the problem and minimise side effects.

This Licensing Authority will adopt a risk-based inspection programme, based on:

- The licensing objectives;
- Relevant codes of practice;
- Guidance issued by the Gambling Commission;
- The principles set out in this statement of licensing policy

The aim is to target high-risk premises whilst adopting a "light touch" approach to lower-risk premises. The authority will seek to give advice to licence holders that wish to comply but will take a firm stance against irresponsible licence holders

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Where the Licensing Authority seeks to bring a prosecution, it will have regard to the principles of the Crown Prosecution Service Code for Crown Prosecutors.

The Licensing Authority will seek to work actively with the Gambling Commission and the Gloucestershire Constabulary in enforcing licensing legislation, and where appropriate it will establish protocols with those partner agencies on enforcement issues to ensure an efficient use of resources.

### 1.11 Licensing Authority Functions

The Act requires this Licensing Authority to:

- Be responsible for the licensing of premises where gambling activities are to take place by issuing *Premises Licences*;
- Issue *Provisional Statements*;
- Regulate *Members' Clubs* and *Miners' Welfare Institutes* who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits;
- Issue *Club Machine Permits* to *Commercial Clubs*;
- Grant permits for the use of certain lower stake gaming machines at *Unlicensed Family Entertainment Centres*;
- Receive notifications from alcohol licensed premises (under the Licensing Act 2003) for the use of two or fewer gaming machines;
- Issue *Licensed Premises Gaming Machine Permits* for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines;
- Register *Small Society Lotteries* below prescribed thresholds;
- Issue *Prize Gaming Permits*;
- Receive and Endorse *Temporary Use Notices*;
- Receive *Occasional Use Notices*;
- Provide information to the Gambling Commission regarding details of licences issued;
- Maintain registers of the permits and licences that are issued under these functions.



## Part B

### 2 Premises Licences

#### 2.1 Premises Licence

A premises licence can authorise the provision of facilities at the following:

- casino premises;
- bingo premises;
- betting premises, including betting tracks;
- adult gaming centres;
- family entertainment centres.

Premises licences will be subject to the requirements set out in The Act and regulations, as well as specific mandatory and default conditions which will be detailed in regulations issued by the Secretary of State. Licensing authorities are able to exclude default conditions and also attach others, where it is believed to be appropriate.

#### 2.2 Applications

Other than an application for a premises licence in respect of a track, applications for a premises licence can only be made by a person who either holds;

- an operating licence authorising him to carry on the activity in respect of which a premises licence is sought, or
- has made an application for an operating licence which has not yet been determined.

Anyone wishing to make an objection to an application must do so by writing to the Licensing Authority and would normally be expected to relate their objection to one or more of the Licensing Objectives, or to issues raised within this Statement of Principles, the Gambling Commissions Guidance or Codes of Practice before the Licensing Authority will be able to consider it.

Where an application attracts an objection conditions will only be considered where they are necessary to promote the Acts objectives and proportionate to the circumstances.

Where it is necessary to attach conditions to a licence in order to promote the Act's objectives such conditions will not be overly onerous and will be proportionate to the risks involved.

The Licensing Authority will not, as a general rule, seek to attach conditions to a licence to mitigate concerns that are already adequately covered by other legislation.

The Council, in undertaking its licensing function, will have due regard to the need to eliminate unlawful discrimination and promote equality and good relations between persons of different racial groups.

#### 2.3 Local Risk Assessments

It is a requirement of the Gambling Commission's Licence Conditions and Codes of Practice (LCCP) for licensees to assess the local risks to the licensing objectives posed by the provisions of gambling facilities at each of their premises, and have policies, procedures

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and control measures to mitigate those risks. In undertaking their local risk assessments, they must take into account relevant matters identified in this policy statement.

The LCCP state that licensees must review (and update as necessary) their local risk assessments:

- to take account of significant changes in local circumstances, including those identified in this policy statement;
- when there are significant changes at a licensee's premises that may affect their mitigation of local risks;
- when applying for a variation of a premises licence; and
- in any case, undertake a local risk assessment when applying for a new premises licence.

This Licensing Authority will expect the local risk assessment to consider as a minimum:

- Location of institutions, places or areas, where the presence of children and young persons should be expected such as schools, colleges and universities youth clubs, leisure/community centres, parks, playgrounds and entertainment venues such as bowling alleys, cinemas etc
- Locations where children may congregate such as bus stops, cafes, shops etc
- Areas prone to issues of youths participating in anti-social behaviour, including under age drinking, drug taking, graffiti etc
- Local gaming trends that may mirror days for financial payments such as pay days or benefit payments
- Proximity of premises which may be frequented by vulnerable people including those with learning difficulties, and those with gambling / alcohol / drug abuse problems such as hospitals, residential care homes, hostels, medical facilities, doctors surgeries, addiction clinics or help centres
- Other facilities in the proximity such as other gambling outlets, banks, public houses etc
- Whether the premises is in an area subject to high levels of crime and/or disorder
- Known problems in the area such as those arising from street drinkers, drug dealing activities etc

There is information about Gloucestershire Health and Wellbeing Trends and also Gloucestershire Crime Trends on the Inform Gloucestershire website:

<https://inform.gloucestershire.gov.uk/>

The Licensing Authority will expect the local risk assessment to include policies in place at the premises to ensure that children and vulnerable person, including people with gambling dependencies are protected. This could include:

- Training records for staff such as how to recognise excessive gambling or vulnerable persons and actions that will be taken,
- Safeguarding training
- The layout of the premises so that staff have unobstructed view of customers
- Ensuring that layout, lighting and fitting out of the premises have been designed so as not to attract children and other vulnerable persons who might be harmed or exploited by gambling.

- Location of CCTV
- Numbers of staff available at the premises at key points throughout the day? This may be particularly relevant for premises situated nearby schools / colleges / universities, and/or pubs, bars and clubs.
- Records held of the numbers of self exclusions, and underage refusals at the premises
- Results of any in house underage test purchasing at the premises
- Ensuring any promotional material associated with the premises could encourage the use of the premises by children or young people if they are not legally allowed to do so.

A significant change in local circumstances that would require a licensee to review their local risk assessment could include:

- A substantial residential building development which could lead to an increase in children or vulnerable persons in the area
- A development of new or change to existing education establishments
- New venues that may attract children to the area
- New venues in the local area that may lead to an increase in vulnerable persons such as homeless hostels, support care facilities or medical facilities
- Increase in anti-social behaviour or drug/alcohol dependency issues in the local area

The Licensing Authority will expect that the local risk assessment is kept at the individual premises. Staff at the premises should be aware of the content of the local risk assessment and be able to locate it for inspection on request by a Police Officer or an Authorised Officer of Stroud District Council or the Gambling Commission

## **2.4 Local Area Profile**

There is no statutory requirement for the Licensing Authority to undertake a local area profile and this authority has decided not to do one as there are only a low number of premises licensed under the Gambling Act 2005 in the district. However, if a profile is produced in the future it will be a separate document to this Statement of Principles and will be circulated to all licensed premises and available on Stroud District Council's website. If a local area profile is produced it is expected that local risk assessments will take account of it.

## **2.5 Plans of the Premises**

All new applications for a premises licence, and where relevant variation applications, must include a plan of the premises. This Authority expects the plan to show the outline of the premises defined in red, all exit/entrance points, any fixed structures and the position of counters, gaming machines etc. The plans become part of the premises licence and the authority expects the plans to be available for inspection by an authorised officer at the premises.

If there are major changes to the layout of a premises a variation application must be made, and new plans submitted. If there is a minor change to the layout the licence holder should contact the Licensing Authority for advice. If the minor change has no impact on the Licensing Objectives the Authority may accept an updated plan. However, if there is a possibility that the change will impact on a Licensing Objective the licence holder must make a variation

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application. For example, the moving of gaming machines which impacts on the line of sight for staff.

#### **2.6 Decision Making**

When making decisions about premises licences this Licensing Authority will permit the use of premises for gambling in so far as it is:

- in accordance with any relevant code of practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission;
- reasonably consistent with the licensing objectives; and
- in accordance with the Licensing Authority's Statement of Principles.

In determining an application this Licensing Authority may not have regard to the expected demand for the facilities which it is proposed to provide.

#### **2.7 Other Mechanisms to address unruly behaviour**

In carrying out its licensing functions the Licensing Authority also recognises that, apart from the licensing function, there are a number of other mechanisms available for addressing issues of unruly behaviour that can occur away from licensed premises, including: -

- Planning controls;
- Ongoing measures to create a safe and clean environment in these areas in partnership with local businesses, transport operators and other departments of this Licensing Authority;
- Regular liaison with the Police on law enforcement issues regarding disorder and anti-social behaviour.

#### **2.8 Location**

In determining an application or a request to review a Premises Licence, the Licensing Authority will have regard to:

- Proximity to institutions, places or areas where the presence of young persons should be expected such as schools, colleges, universities youth clubs, parks, playgrounds etc
- Proximity to residential areas where there may a high concentration of families with children
- Proximity to premises frequented by vulnerable people including those with learning difficulties, and those with gambling / alcohol / drug abuse problems such as hospitals, residential care homes, hostels, medical facilities, doctors' surgeries, addiction clinics and help centres

Proposals for new gambling premises which are in close proximity to the above are considered likely to adversely affect the licensing objective of protecting children and other vulnerable persons from being harmed or exploited by gambling. Each case will, however, be decided on its merits and if an applicant can effectively demonstrate how they might overcome licensing objective concerns, this will be taken into account.

#### **2.9 Primary Activity**

By distinguishing between premises types the Act makes it clear that the primary gambling activity of the premises should be that described. Thus, in a bingo premises, the primary activity should be bingo. Subject to the gaming machine entitlements which various types of

licence bring with them (and except in the case of tracks), the Act does not permit premises to be licensed for more than one of the above activities.

The Licensing Authority will take account of the Commission's document setting out the indicators that are used to assess as to whether the requirements for betting being the primary gambling activity in any particular premises are being met.

## 2.10 Meaning of "Premises"

In the Act, "premises" is defined as including "any place". Section 152 therefore prevents more than one premises licence applying to any place. However, a single building could be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. This approach has been taken to allow large, multiple unit premises such as a pleasure park, track or shopping mall to obtain discrete premises licences, where appropriate safeguards are in place. However, licensing authorities should pay particular attention if there are issues about sub-divisions of a single building or plot and should ensure that mandatory conditions relating to access between premises are observed.

The Gambling Commission states in its Guidance to Licensing Authorities Part 7 that: "In most cases the expectation is that a single building / plot will be the subject of an application for a licence, for example, 32 High Street. However, that does not mean 32 High Street cannot be the subject of separate premises licences for the basement and ground floor, if they are configured acceptably. Whether different parts of a building can properly be regarded as being separate premises will depend on the circumstances. The location of the premises will clearly be an important consideration and the suitability of the division is likely to be a matter for discussion between the operator and the licensing officer. However, the Commission does not consider that areas of a building that are artificially or temporarily separated, for example by ropes or moveable partitions, can properly be regarded as different premises."

This licensing authority takes note of the Gambling Commission's Guidance to Licensing Authorities in Part 7 which states that:

"Licensing Authorities should take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (nongambling) purposes. In particular they should be aware of the following:

- The third licensing objective seeks to protect children from being harmed by gambling. In practice that means not only preventing them from taking part in gambling, but also preventing them from being in close proximity to gambling. Therefore, premises should be configured so that children are not invited to participate in, have accidental access to or closely observe gambling where they are prohibited from participating.
- Entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised, and people do not "drift" into a gambling area. In this context it should normally be possible to access the premises without going through another licensed premises or premises with a permit.
- Customers should be able to participate in the activity named on the premises licence."

The Guidance also gives a list of factors which the licensing authority should be aware of, which may include:

- Is a separate registration for business rates in place for the premises?
- Is the premises' neighbouring premises owned by the same person or someone else?
- Can each of the premises be accessed from the street or a public passageway?
- Can the premises only be accessed from any other gambling premises?

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This authority will consider these and other relevant factors in making its decision, depending on all the circumstances of the case.

This authority will take account of the Gambling Commission's Guidance in Part 7 which details the relevant access provisions for each premises type. These include:

#### **Adult Gaming Centre**

- No customer must be able to access the premises directly from any other licensed gambling premises.

#### **Betting Shops**

- Access must be from a street (as per para 7.24 Guidance to Licensing Authorities) or from other premises with a betting premises licence.
- No direct access from a betting shop to other premises used for the retail sale of merchandise or services. In effect there cannot be an entrance to a betting shop from a shop of any kind and you could not have a betting shop at the back of a café – the whole area would have to be licensed.

#### **Tracks**

- No customer should be able to access the premises directly from:
  - a casino;
  - an adult gaming centre.

#### **Bingo Premises**

- No customer must be able to access the premise directly from:
  - a casino;
  - an adult gaming centre;
  - a betting premises, other than a track.

#### **Family Entertainment Centre**

- No customer must be able to access the premises directly from:
  - a casino;
  - an adult gaming centre;
  - a betting premises, other than a track.

### **2.11 Premises “ready for gambling”**

The Guidance states that a licence to use premises for gambling should only be issued in relation to premises that the licensing authority can be satisfied are going to be ready to be used for gambling in the reasonably near future, consistent with the scale of building or alterations required before the premises are brought into use.

If the construction of a premises is not yet complete, or if they need alteration, or if the applicant does not yet have a right to occupy them, then an application for a provisional statement should be made instead.

In deciding whether a premises licence can be granted where there are outstanding construction or alteration works at a premises, this authority will determine applications on their merits, applying a two stage consideration process: -

- First, whether the premises ought to be permitted to be used for gambling;
- Second, whether appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place.

Applicants should note that this authority is entitled to decide that it is appropriate to grant a licence subject to conditions, but it is not obliged to grant such a licence.

More detailed examples of the circumstances in which such a licence may be granted can be found at in Part 7 of the Gambling Commission's Guidance.

### **2.12 Planning**

The Gambling Commission's Guidance to Licensing Authorities states in Part 7:

"In determining applications, the licensing authority should not take into consideration matters that are not related to gambling and the licensing objectives. One example would be the likelihood of the applicant obtaining planning permission or building regulations approval for their proposal".

This authority will not take into account irrelevant matters as per the above guidance. In addition, this authority notes the following excerpt from Part 7 of the Gambling Commission's Guidance:

"When dealing with a premises licence application for finished buildings, the licensing authority should not take into account whether those buildings have or comply with the necessary planning or building consents. Those matters should be dealt with under relevant planning control and building regulation powers, and not form part of the consideration for the premises licence. Section 210 of the 2005 Act prevents licensing authorities taking into account the likelihood of the proposal by the applicant obtaining planning or building consent when considering a premises licence application. Equally the grant of a gambling premises licence does not prejudice or prevent any action that may be appropriate under the law relating to planning or building".

### **2.13 Duplication with other regulatory regimes**

This Licensing Authority seeks to avoid any duplication with other statutory / regulatory systems where possible, including planning. This Authority will not consider whether a licence application is likely to be awarded planning permission or building regulations approval, in its consideration of it. It will though, listen to, and consider carefully, any concerns about conditions which are not able to be met by licensees due to planning restrictions, should such a situation arise. When dealing with a premises licence application for finished buildings, this Authority will not take into account whether those buildings have to comply with the necessary planning or buildings consents. Fire or health and safety risks will not be taken into account, as these matters are dealt with under relevant planning control, buildings and other regulations and must not form part of the consideration for the premises licence.

## **Licensing Objectives**

### **2.14 Prevention of crime and disorder objective**

This Licensing Authority places a considerable importance on the prevention of crime and disorder and will fulfil its duty under s17 of the Crime and Disorder Act 1998. A high standard of control is therefore expected to be exercised over licensed premises.

This Licensing Authority will, when determining applications, consider whether the grant or a Premises Licence will result in an increase in crime and disorder.

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In considering licence applications, this Licensing Authority will particularly take into account the following: -

- The design and layout of the premises;
- The training given to staff in crime prevention measures appropriate to those premises;
- Physical security features installed in the premises. This may include matters such as the position of cash registers or the standard of CCTV that is installed;
- Where premises are subject to age restrictions, that procedures are in place to conduct age verification checks;
- The likelihood of any violence, public order or policing problem if the licence is granted.

### **2.15 Ensuring that gambling is conducted in a fair and open way objective**

Generally, the Gambling Commission would not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way. This will be a matter for either the management of the gambling business (and therefore relevant to the Operating Licence) or will be in relation to the suitability and actions of an individual (and therefore relevant to the Personal Licence). Both of these options fall under the remit of the Gambling Commission.

Where this Licensing Authority has concerns that gambling at any premises is not being conducted in a fair and open way this Licensing Authority will bring those concerns to the attention of the Gambling Commission.

### **2.16 Protection of children and other vulnerable persons objective**

#### **Access to Licensed Premises**

With limited exceptions, the access of children and young persons to those gambling premises which are adult only environments will not be permitted.

This Licensing Authority may seek to limit the advertising for premises so that gambling products are not aimed at children or advertised in such a way that makes them particularly attractive to children.

This Licensing Authority may consult with Gloucestershire Safeguarding Children Board on any application that may give cause for concern over access for children or vulnerable persons.

This Licensing Authority will also ensure that where category C or above machines are on offer in premises to which children are admitted:

- all such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- only adults are admitted to the area where these machines are located;
- access to the area where the machines are located is supervised;
- the area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
- at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

These considerations will apply to premises including buildings where multiple premises licences are applicable.



This Licensing Authority will judge each separate application on its own merits before deciding whether to impose conditions to protect children on particular categories of premises. This may include such requirements as: -

- Supervision of entrances;
- Segregation of gambling areas from areas frequented by children;
- Supervision of gaming machines in non-adult gambling specific premises.

It is noted that there are conditions which the licensing authority cannot attach to premises licences which are:

- any condition on the premises licence which makes it impossible to comply with an operating licence condition;
- conditions relating to gaming machine categories, numbers, or method of operation;
- conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated); and
- conditions in relation to stakes, fees, winning or prizes.

## **2.17 Vulnerable Persons**

This Licensing Authority does not seek to prohibit particular groups of adults from gambling in the same way that it seeks to prohibit children, but it will assume for regulatory purposes, that “vulnerable persons” include:

- People who gamble more than they want to;
- People who gamble beyond their means; and
- People who may not be able to make an informed or balanced decision about gambling due to a mental impairment, alcohol or drugs.

This Licensing Authority will expect, (if appropriate for the type of licence or permit being applied for), that an applicant will show that there are policies and procedures in place to protect vulnerable persons.

These may include

- A training programme for staff to enable them to identify persons who may be vulnerable and where appropriate to take action to protect such vulnerable persons from being harmed or exploited by gambling
- Display Gamcare helpline stickers on all gaming machines
- Display Gamcare posters in prominent locations on the premises

Any supporting evidence of the above measures e.g. training manuals or other similar documents/written statements should be attached to the application.”

## **2.18 Door Supervisors**

The Gambling Commission Guidance advises that licensing authorities may consider whether there is a need for door supervisors in terms of the licensing objectives of protection of children and vulnerable persons from being harmed or exploited by gambling, and also in terms of preventing premises becoming a source of crime.

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This Licensing Authority will normally expect door supervisors employed at Gambling Premises to be Security Industry Authority (S.I.A.) registered (or any subsequent equivalent). It is noted though that 'in house' door supervisors at casinos or bingo premises are exempt from the requirement to be licensed by the S.I.A. (or any subsequent equivalent). Where applicants propose to employ door supervisors who are not S.I.A. registered this Licensing Authority will expect the Applicant to show that they (the door supervisors) are trained to S.I.A. standards (or any subsequent equivalent.)

### **2.19 Adult Gaming Centres**

This Licensing Authority will have regard to the need to protect children, young persons and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy it (the Licensing Authority) that there will be in place sufficient measures to, for example, ensure that under 18 year olds do not have access to the premises.

This Licensing Authority will expect applicants to offer in their application appropriate measures that they propose to take that will promote the licensing objectives, measures which could cover issues such as:

- Proof of age schemes;
- CCTV;
- Supervision of entrances / machine areas;
- Physical separation of areas;
- Location of entry;
- Notices/signage;
- Specific Opening hours;
- Self exclusion schemes;
- Provision of information leaflets/helpline numbers for organisations such as GamCare.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures

### **2.20 (Licensed) Family Entertainment Centres:**

This Licensing Authority will specifically have regard to the need to protect children, young persons and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the Licensing Authority, for example, that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas

This Licensing Authority will expect applicants to offer their own measures to meet the licensing objectives, such measures cover issues such as:

- CCTV;
- Supervision of entrances / machine areas;
- Physical separation of areas;
- Location of entry;
- Notices / signage;
- Specific opening hours;
- Self-barring schemes;
- Measures / training for staff on how to deal with suspected truant school children on the premises and how to recognise signs of child sexual exploitation and other safeguarding issues
- Clear policies that outline the steps to be taken to protect children from harm

This list is not mandatory, nor exhaustive, and is merely indicative of example measures

This Licensing Authority will, in accordance with the Gambling Commission's Guidance, refer to the Commission's website to see any conditions that apply to operating licences covering the way in which the area containing the category C machines should be delineated. This Licensing Authority will also make itself aware of any mandatory or default conditions on these premises licences, where they have been published.

### **2.21 Casinos**

There are currently no casinos operating within the District.

At present this Licensing Authority has not passed a resolution not to issue casino premises licences generally in the District. However, this Licensing Authority reserves the right to review this situation and may, at some time in the future, make such a resolution. Any such resolution will be made by the Full Council and this Statement of Principles will be updated.

### **2.22 Bingo Premises**

The Gambling Commission's Guidance in Part 18 states:

"Licensing authorities will need to satisfy themselves that bingo can be played in any bingo premises for which they issue a premises licence. This will be a relevant consideration where the operator of an existing bingo premises applies to vary their licence to exclude an area of the existing premises from its ambit and then applies for a new premises licence, or multiple licences, for that or those excluded areas".

This authority also notes the Guidance in Part 18 regarding the unusual circumstances in which the splitting of a pre-existing premises into two adjacent premises might be permitted, and in particular that it is not permissible to locate sixteen category B3 gaming machines in one of the resulting premises, as the gaming machine entitlement for that premises would be exceeded.

In Part 18 the Gambling Commission's Guidance states:

"Children and young people are allowed into bingo premises; however they are not permitted to participate in the bingo and if category B or C machines are made available for use these must be separated from areas where children and young people are allowed."

### **2.23 Betting Premises**

*Betting machines* – This Licensing Authority will, in accordance with the Gambling Commission's Guidance, take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer.

### **2.24 Tracks**

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Tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. In accordance with the Gambling Commission's Guidance, this Licensing Authority will especially consider the impact upon the third licensing objective i.e. the protection of children, young persons and vulnerable persons from being harmed or exploited by gambling and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

This Licensing Authority will therefore expect the premises licence applicant to demonstrate suitable measures to ensure that children and young persons do not have access to adult only gaming facilities. It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, but that they are still prevented from entering areas where gaming machines (other than category D machines) are provided.

This Licensing Authority also expects applicants to volunteer their own measures to meet the licensing objectives such as:

- Proof of age schemes;
- CCTV;
- Supervision of entrances / machine areas;
- Physical separation of areas;
- Location of entry;
- Notices / signage;
- Specific opening hours;
- Self-barring schemes;
- Provision of information leaflets / helpline numbers for organisations such as GamCare.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

#### Gaming machines –

Where the applicant holds a pool betting operating licence and is going to use the entitlement to four gaming machines, machines (other than category D machines) should be located in areas from which children are excluded.

#### Betting machines –

This licensing authority will, as per Part 6 of the Gambling Commission's Guidance, take into account the size of the premises and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator proposes to offer.

#### Applications and plans -

The Gambling Act (s51) requires applicants to submit plans of the premises with their application, in order to ensure that the licensing authority has the necessary information to make an informed judgement about whether the premises are fit for gambling. The plan will also be used for the licensing authority to plan future premises inspection activity. (See Gambling Commission's Guidance, para 20.28).

Plans for tracks do not need to be in a particular scale but should be drawn to scale and should be sufficiently detailed to include the information required by regulations. (See Gambling Commission's Guidance, Part 20).

Some tracks may be situated on agricultural land where the perimeter is not defined by virtue of an outer wall or fence, such as point-to-point racetracks. In such instances, where an entry fee is levied, track premises licence holders may erect temporary structures to restrict access to premises. (See Gambling Commission's Guidance, Part 20).

In the rare cases where the outer perimeter cannot be defined, it is likely that the track in question will not be specifically designed for the frequent holding of sporting events or races. In such cases betting facilities may be better provided through occasional use notices where the boundary premises do not need to be defined. (See Gambling Commission's Guidance, Part 20).

This Authority appreciates that it is sometimes difficult to define the precise location of betting areas on tracks. The precise location of where betting facilities are provided is not required to be shown on track plans, both by virtue of the fact that betting is permitted anywhere on the premises and because of the difficulties associated with pinpointing exact locations for some types of track. Applicants should provide sufficient information that this authority can satisfy itself that the plan indicates the main areas where betting might take place. For racecourses in particular, any betting areas subject to the "five times rule" (commonly known as betting rings) must be indicated on the plan. (See Gambling Commission's Guidance, Part 20)

## **2.25 Travelling Fairs**

It will fall to this Licensing Authority to decide whether, where category D machines and / or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.

The Licensing Authority will consider whether the applicant falls within the statutory definition of a travelling fair and if it does will require all gaming machines at travelling fairs to acquire a permit.

It is noted that the 27-day statutory maximum for the land being used as a fair applies on a per calendar year basis, and that it applies to the piece of land on which the fairs are held, regardless of whether the same or different travelling fairs occupy the land. This Licensing Authority will work with its neighbouring authorities to ensure that land which crosses our boundaries is monitored so that the statutory limits are not exceeded.

## **2.26 Provisional Statements**

Developers may wish to apply to this Authority for provisional statements before entering into a contract to buy or lease property or land to judge whether a development is worth taking forward in light of the need to obtain a premises licence. There is no need for the applicant to hold an operating licence in order to apply for a provisional statement.

S204 of the Gambling Act provides for a person to make an application to the Licensing Authority for a provisional statement in respect of premises that he or she:

- expects to be constructed;
- expects to be altered; or
- expects to acquire a right to occupy.

The process for considering an application for a provisional statement is the same as that for a premises licence application. The applicant is obliged to give notice of the application in the

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same way as applying for a premises licence. Responsible authorities and interested parties may make representations and there are rights of appeal.

In contrast to the premises licence application, the applicant does not have to hold or have applied for an operating licence from the Gambling Commission (except in the case of a track) and they do not have to have a right to occupy the premises in respect of which their provisional application is made.

The holder of a provisional statement may then apply for a premises licence once the premises are constructed, altered or acquired. The Licensing Authority will be constrained in the matters it can consider when determining the premises licence application, and in terms of representations about premises licence applications that follow the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless:

- they concern matters which could not have been addressed at the provisional statement;
- stage, or
- they reflect a change in the applicant's circumstances.

In addition, the authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

- which could not have been raised by objectors at the provisional statement stage;
- which in the authority's opinion reflect a change in the operator's circumstances; or
- where the premises has not been constructed in accordance with the plan submitted with the application. This must be a substantial change to the plan and this licensing authority notes that it can discuss any concerns it has with the applicant before making a decision.

### **2.27 Reviews**

Requests for a review of a premises licence can be made by interested parties or responsible authorities. However, it is for the Licensing Authority to decide whether the review is to be carried-out. This Licensing Authority will consider requests for a review of a premises licence only where that request is relevant to the matters listed below.

- in accordance with any relevant code of practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission;
- reasonably consistent with one or more of the licensing objectives; and
- in accordance with the Licensing Authority's statement of licensing policy.

The Licensing Authority will take into consideration whether the request is frivolous or vexatious, or whether it is substantially the same as previous representations or requests for review. Where it considers this is the case it will certainly not cause this Licensing Authority to alter/revoke/suspend the licence,

This Licensing Authority can also initiate a review of a licence on the basis of any reason which it thinks is appropriate.

Once a valid application for a review has been received by the licensing authority, representations can be made by responsible authorities and interested parties during a 28 day period. This period begins 7 days after the application was received by the licensing authority, who will publish notice of the application within 7 days of receipt.

The Licensing Authority must carry out the review as soon as possible after the 28 day period for making representations has passed.

The purpose of the review will be to determine whether the licensing authority should take any action in relation to the licence. If action is justified, the options open to the licensing authority are: -

- add, remove or amend a licence condition imposed by the licensing authority;
- exclude a default condition imposed by the Secretary of State (e.g. opening hours) or remove or amend such an exclusion;
- suspend the premises licence for a period not exceeding three months; and
- revoke the premises licence.

In determining what action, if any, should be taken following a review, the Licensing Authority must have regard to the principles set out in section 153 of the Act, as well as any relevant representations.

In particular, the Licensing Authority may also initiate a review of a premises licence on the grounds that a premises licence holder has not provided facilities for gambling at the premises. This is to prevent people from applying for licences in a speculative manner without intending to use them.

Once the review has been completed, the Licensing Authority must, as soon as possible, notify its decision to:

- the licence holder;
- the applicant for review (if any);
- the Commission;
- any person who made representations;
- the chief officer of police or chief constable; and
- Her Majesty's Commissioners for Revenue and Customs.

## **2.28 Complaints against Licensed Premises**

The Licensing Authority will investigate complaints against licensed premises in relation to matters relating to the licensing objectives for which it has responsibility. In the first instance, complainants are encouraged to raise the complaint directly with the licence holder or business concerned to seek a local resolution.

Where an interested party has made either a valid representation about licensed premises or a valid application for a licence to be reviewed, this Licensing Authority will, where appropriate, seek to arrange a conciliation meeting to address and clarify the issues of concern.

This process will not override the right of any interested party to ask that the Licensing Authority consider their objections, or for any licence holder to decline to participate in a conciliation meeting.

### PART C

#### 3. Permits, Temporary & Occasional Use Notice

##### 3.1 Unlicensed Family Entertainment Centres (FEC)

Premises that do not hold a premises licence but wish to provide gaming machines may apply to the Licensing Authority for an Unlicensed Family Entertainment Centres permit. The applicant must show that the premises will be wholly or mainly used for making gaming machines available for use (Section 238 of The Act).

The Gambling Act 2005 states that a Licensing Authority may prepare a statement of principles that they propose to consider in determining the suitability of an applicant for a permit and in preparing this statement, and/or considering applications, it need not (but may) have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Commission under Part 24. The Gambling Commission's Guidance also states: "In their three year licensing policy statement, Licensing Authorities may include a statement of principles that they propose to apply when exercising their functions in considering applications for permits, Licensing Authorities will want to give weight to child protection issues."

Guidance also states: "...An application for a permit may be granted only if the licensing authority is satisfied that the premises will be used as an unlicensed FEC, and if the chief officer of police has been consulted on the application....Licensing Authorities might wish to consider asking applications to demonstrate:

- a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs;
- that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act; and
- that staff are trained to have a full understanding of the maximum stakes and prizes.

It should be noted that a Licensing Authority cannot attach conditions to this type of permit.

Statement of Principles - This Licensing Authority will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The efficiency of such policies and procedures will each be considered on their merits. However, they may include

- training for staff as regards suspected truant school children on the premises,
- training covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on / around the premises.
- training for staff for identifying and how to report safeguarding and child sexual exploitation concerns
- 

This Licensing Authority will also expect applicants to:

- Provide a detailed plan with the application showing the boundaries of the unlicensed FEC, the location of the gaming machines and any other fixed structures, plus the nature of any adjoining areas if relevant. There must be no direct access from an unlicensed FEC and an Adult Gaming Centre
- demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs;



- that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act);
- staff are trained to have a full understanding of the maximum stakes and prizes.

If there is a change in the layout of the premises after the permit is granted the Licensing Authority expects the permit holder to provide the Licensing Authority with updated plans. This will include if gaming machines are moved within the area covered by the permit. If there is a significant change that could impact on the licensing objectives a new application may have to be submitted

### **3.2 (Alcohol) Licensed Premises - Gaming Machine Permits.**

The Act allows premises licensed to sell alcohol for consumption on the premises, to automatically have 2 gaming machines, of categories C and/or D. The premises merely need to notify the Licensing Authority.

The Licensing Authority expects alcohol licensed premises with gaming machines to adhere to the codes of practice. In particular there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines and all gaming machines situated on the premises must be located in a place within the premises so that their use can be supervised, either by staff whose duties include such supervision (including bar or floor staff) or by other means.

The Licensing Authority would consider the removal of the automatic authorisation in respect of any particular premises if:

- the provision of the machines is not reasonably consistent with the pursuit of the Acts' licensing objectives;
- gaming has taken place on the premises that breaches a condition of section 282 of the Gambling Act (i.e. that written notice has been provided to The Licensing Authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with);
- the premises are mainly used for gaming; or
- an offence under the Act has been committed on the premises.

Any premises wishing to have more than 2 machines must apply for a permit. Where the Licensing Authority receives such an application the Licensing Authority will consider that application based upon the licensing objectives, any guidance by the Gambling Commission issued under Section 25 of The Act, and such matters as it may think relevant. Such matters will be determined on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the Licensing Authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines. Measures which will satisfy the Licensing Authority that there will be no access may include the adult machines are in sight of any bar, or that the machines are capable of continuous monitoring being in sight of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18. Notices and signage may also be helpful. As regards the protection of vulnerable persons applicants may wish to consider the provision of information leaflets / helpline numbers for organisations such as GamCare.

The Licensing Authority will expect the applicant for a permit to provide a detailed plan with the application showing the boundaries of the area to be covered by the permit, the location of the gaming machines and any other fixed structures, plus the nature of any adjoining areas if relevant.

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If there is a change in the layout of the premises after the permit is granted the Licensing Authority expects the permit holder to provide the Licensing Authority with updated plans. This will include if gaming machines are moved within the area covered by the permit. If there is a significant change that could impact on the licensing objectives a new application may have to be submitted

It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would most likely need to be applied for, and dealt with as an Adult Gaming Centre premises licence.

It should be noted that the Licensing Authority can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.

It should also be noted that the holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.

### **3.3 Prize Gaming Permits - (Statement of Principles on Permits - Schedule 14 paragraph 8 (3))**

The Gambling Act 2003 states that a Licensing Authority can decide to prepare a statement of principles that they propose to apply in exercising their functions under this schedule which may in particular specify matters that the Licensing Authority proposes to consider in determining the suitability of the applicant for a permit.

Statement of Principles - This Licensing Authority requires applicants to set out the types of gaming that they are intending to offer and that the applicant should be able to demonstrate:

- that they understand the limits to stakes and prizes that are set out in Regulations;
- and that the gaming offered is within the law;
- and they have clear policies that outline the steps to be taken to protect children from harm

In making its decision on an application for a permit the Licensing Authority does not need to (but may) have regard to the licensing objectives but must have regard to any Gambling Commission guidance.

### **3.4 Club Gaming and Club Machines Permits**

Members Clubs and Miners' Welfare Institutes (but not Commercial Clubs) may apply for a Club Gaming Permit or a Clubs Gaming machines permit. The Club Gaming Permit will enable the premises to provide gaming machines, equal chance gaming and games of chance as set-out in Regulations. A Club Gaming machine permit will enable the premises to provide gaming machines Commercial clubs are not permitted to provide non-machine gaming (other than exempt gaming under section 269 of the Act) so they should apply for a club machine permit,

Gambling Commission Guidance states: "Members clubs must have at least 25 members and be established and conducted "wholly or mainly" for purposes other than gaming, unless the gaming is permitted by separate regulations. The Secretary of State has made regulations and these cover bridge and whist clubs. A members' club must be permanent in nature, not established to make commercial profit, and controlled by its members equally. Examples include working men's clubs, branches of Royal British Legion and clubs with political affiliations

This Licensing Authority will only refuse such an application if:

- the applicant does not fulfill the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
- the applicant's premises are used wholly or mainly by children and/or young persons;
- an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
- a permit held by the applicant has been cancelled in the previous ten years; or
- an objection has been lodged by the Commission or the police.

When considering whether the applicant fulfills the requirements for a members' or commercial club or miners' welfare institute it will take account of the factors listed in section 25 of the Commission's Guidance.

The Act also provides for a 'fast-track' procedure for premises which hold a Club Premises Certificate under the Licensing Act 2003 (Schedule 12 paragraph 10). The Gambling Commission's Guidance for local authorities states:

"Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the ground upon which a Licensing Authority can refuse a permit are reduced."

This Licensing Authority will refuse such applications if:

- the club is established primarily for gaming, other than gaming prescribed under schedule 12;
- in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled.

When considering whether the club is established primarily for gaming the Licensing Authority will take account of the factors listed in section 25 of the Commission's Guidance.

There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder of such a permit complies with any relevant provision of a code of practice regarding the location and operation of gaming machines.

### **3.5 Temporary Use Notices**

Temporary Use Notices allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be suitable for a Temporary Use Notice, according to the Gambling Commission, would include hotels, conference centres and sporting venues.

The Licensing Authority can only grant a Temporary Use Notice to a person or company holding a relevant operating licence, i.e. a non-remote casino operating licence.

The Secretary of State has the power to determine what form of gambling can be authorised by Temporary Use Notices, and at the time of writing this Statement the relevant regulations (SI no 3157: The Gambling Act 2005 (Temporary Use Notices) Regulations 2007) state that Temporary Use Notices can only be used to permit the provision of facilities or equal chance gaming, where the gaming is intended to produce a single winner, which in practice means poker tournaments.

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There are a number of statutory limits as regards Temporary Use Notices. The meaning of "premises" in Part 8 of the Act is discussed in Part 7 of the Gambling Commission Guidance to Licensing Authorities. As with "premises", the definition of "a set of premises" will be a question of fact in the particular circumstances of each notice that is given. In the Act "premises" is defined as including "any place". In considering whether a place falls within the definition of "a set of premises", the Licensing Authority needs to look at, amongst other things, the ownership/occupation and control of the premises.

This Licensing Authority expects to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises, as recommended in the Gambling Commission's Guidance.

#### **3.6 Occasional Use Notices:**

The Licensing Authority has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded.

When receiving such notices this Licensing Authority will consider the definition of a 'track' and whether the notice giver is permitted to avail him/herself of the notice.

## Part D

### 4 Further Information

Further information about the Gambling Act 2005, this Statement of Principles or the application process can be obtained from:-

Licensing Section  
Stroud District Council  
Ebley Mill  
Ebley Wharf  
Stroud  
Glos, GL5 4UB

Tel: 01453 766321  
E-mail: [licensing@stroud.gov.uk](mailto:licensing@stroud.gov.uk)  
Website: [www.stroud.gov.uk](http://www.stroud.gov.uk)

Further information including gaming machine stakes and prizes licence conditions and codes of practice may also be viewed on the Gambling Commission's website  
[www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk)

# Agenda Item 12c

Appendix A

## APPENDIX A

### TABLE OF DELEGATIONS OF LICENSING FUNCTIONS

<b>MATTER TO BE DEALT WITH</b>	<b>Full Council</b>	<b>Sub-committee of Committee that deals with Licensing (Licensing Panel)</b>	<b>Officers</b>
Statement of Principles	X		
Policy not to issue casino premises licences	X		
Fee Setting - when appropriate			X (to be approved by Chair of Committee that deals with licensing matters)
Application for premises licences		Where representations have been received and not withdrawn	Where no relevant representations received/ representations have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn	Where no relevant representations received/ representations have been withdrawn
Application for a transfer of a licence		Where representations have been received from the Commission	Where no relevant representations received from the Commission
Application for a provisional statement		Where representations have been received and not withdrawn	Where no relevant representations received/ representations have been withdrawn
Request to review a premises licence			X (in consultation with the Head of Legal Services)
Review of a premises licence		X	
Application for club gaming /club machine permits		Where representations have been received and not withdrawn	Where no relevant representations received/ representations have been withdrawn
Cancellation of club gaming/ club machine permits		X	
Applications for other permits			X
Cancellation of licensed premises gaming machine permits			X
Consideration of temporary use notice			X
Decision to give a counter notice to a temporary use notice			X

**Gambling Act 2005**  
**Stroud District Council's Draft Statement of Principles**  
**List of Consultees**

<b>Responsible Authorities</b>	
Chief Officer of Police	licensing@gloucestershire.police.uk
Fire and Rescue	fire.safety@glosfire.gov.uk
Gloucestershire Children Safeguarding Partnership	Police are a member of the partnership and will act on behalf of GCSP – see Police contact above
Environmental Health	environmental.health@stroud.gov.uk
The Local Planning Authority	planning@stroud.gov.uk
<b>Licence Holders and Representative of the trade</b>	
All Premises Licence holders	
BACTA (representing the British Amusement Industry)	info@bacta.org.uk
Association of British Bookmakers Ltd	mail@abb.uk.com
M Recaf Equipment Limited	info@recaf.co.uk
Gamestec Leisure Ltd	enquiries@gamestec.co.uk
<b>Persons/bodies representative of businesses and residents</b>	
Stroud District Council - Members	
Parish Councils/Town Councils	
<b>Other</b>	
Stroud District Council -Strategic Heads/ Heads of Service	
One Legal	
Stroud District Council – Neighbourhood Wardens	
Community Safety Partnership	
Gloucestershire Safeguarding Vulnerable Adults Board	
Gloucestershire Public Health	
Regional Officer, Gambling Commission	
Gloucestershire Licensing Authorities	
Stroud District Council Web Site	

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**Gambling Statement - Schedule of Consultation Comments with Proposed Amendments  
Consultation Period 17th May 2021 to 31st July 2021**

	<b>Consultee details</b>	<b>Consultee Comments</b>	<b>Proposed Amendments to Statement</b>
1	Planning	Please see below confirmation Planning do not have any comments to make on the contents of the Gambling Act. Please can the email address for Planning under Responsible Authorities, page 30 be altered to read <a href="mailto:planning@stroud.gov.uk">planning@stroud.gov.uk</a>	Statement updated on page 30
2	Dursley Town Council	The Council's Planning Committee considered the above consultation and agreed the following response:  No comments on the consultation itself other than a typing error under 1.4 Consultees – 'A full list of consultees is shown at Appendix C' should be Appendix B.	Amendment made on page 3
3	Dave Jones Business Manager Gloucestershire Safeguarding Children Partnership	Responsible Authority for Protection of Children  As discussed, there is no such Board in existence as the GSCB. It has been disbanded and replaced under Working Together 2018 legislation with a Gloucestershire Safeguarding Children Partnership. We would need to remove all reference to the GSCB.  For the purposes of the policy I would recommend that the district name the Gloucestershire Safeguarding Children Partnership (GSCP) as a Responsible Authority regards the safeguarding of children. The GSCP Executive would consider that its represented already as both the Constabulary and Public Health are a Responsible Authority. The GSCP would then set out in their 'Published Arrangements' its arrangements under the Licensing Act and Gambling	Current reference, to the Gloucestershire Children Safeguarding Board has been removed from the Statement as the board no longer exists.  Instead the Statement will name the Gloucestershire Safeguarding Children Partnership as he responsible authority for protection of children. Page 4 updated.  The contact for applicants in the list of the responsible authorities has been updated naming the Police as the most appropriate partner in the GSBP to be the point of contact as they are already a responsible authority. Contact updated on page 30

Act. I'm in the process of updating the paper I sent you to add the Public Health details too.

You may want to adopt the wording I've suggested below as this may suffice once the discussion has been had and requires the GSCP Executive to review those arrangements periodically. This then would allow for any possible change to the suggested approach

*Protection of children from harm*

*The Licensing Authority is required by regulations to state the principles it will apply in exercising its powers (2005 Act, s.157(h)) to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. The principles are:*

- The need for the body to be responsible for an area covering the whole of the Licensing Authority's area; and*
- The need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.*

*In accordance with the suggestion in the Guidance the Licensing Authority has designated the Gloucestershire Safeguarding Children Partnership (GSCP), comprising of Gloucestershire Clinical Commissioning Group, Gloucestershire County Council and Gloucestershire Constabulary. The GSCP Executive will review and delegate its duties as Responsible Authority to the most suitable safeguarding partner for this purpose every three years setting out its arrangements in its own 'Published Arrangements' document.*

On that basis we may need to discuss the contact details as the Business Unit is not a suitable location to be listed and with the above there is no need for any other contact other than the police and Public Health. If in the body of your policy you have the above wording and in our Published Arrangements we

		set out who the GSCP nominate the duty to, tallying with the list of Nominated Authorities in your contacts list that should square the circle.	
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**STROUD DISTRICT COUNCIL****COUNCIL****21 OCTOBER 2021**

<b>Report Title</b>	<b>Tenant Representatives on Housing Committee</b>			
<b>Purpose of Report</b>	To advise that two new tenant representatives and two new deputy representatives have been nominated to sit on Housing Committee (with non-voting status).			
<b>Decision(s)</b>	<b>The Council RESOLVES to:</b>  <b>a. Approve the two new tenant reps – Becky Adams and Mike Richter and</b> <b>b. Approve the two new deputy tenant reps – Trish Betteley and Carol Wise</b>			
<b>Consultation and Feedback</b>	A taster evening with tenants identified the nominated tenants above, this was additionally discussed and agreed by members at Housing Committee on 8 June 2021.			
<b>Report Author</b>	Kevin Topping, Head of Housing Services Tel: 01453 754196 Email: <a href="mailto:kevin.topping@stroud.gov.uk">kevin.topping@stroud.gov.uk</a>			
<b>Options</b>	N/A			
<b>Background Papers</b>	N/A			
<b>Appendices</b>	N/A			
<b>Implications (further details at the end of the report)</b>	Financial	Legal	Equality	Environmental
	Yes/No	Yes/No	No	No

**1.0. Background**

- 1.1. The sitting of tenant representatives on Housing Committee has been written into the Constitution of the Council for a number of years (since 2016) enabling two tenants to sit on the Committee and have a voice in decision making (but have no voting rights).
- 1.2. The ability for tenants to be involved in the decision making and influencing process of matters that affect them is a fundamental part of The Charter for Social Housing Tenants: Social Housing White Paper (2020) and is required by the sector's governance body, the Regulator of Social Housing in its consumer standard (Tenant Involvement and Empowerment).

**1. INTRODUCTION**

A Tenants' Voice Taster Event took place earlier this year (2021) supported by the Tenant Participation Advisory Service (TPAS) where we had 9 candidates; three on

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each table together with two volunteer tenant observers, ward members including the Chair and Vice Chair of Housing Committee, officers from Tenant Services and a facilitator. The candidates were given a number of housing related topics to discuss and observers marked them on how well they interacted with each other. Salient comments were recorded by facilitators to help participants see what had been said in case there were any difficulties with hearing. Comments recorded by the facilitators (about our housing services) will be used to inform a follow-up tenant event so that more in-depth intelligence can be gleaned and used to help to close identified gaps and make improvements in service delivery.

The tenants who were successful have already begun working closely with the council, including both members and officers attending committees, and newly arranged cross party task and finish groups covering Resident Involvement and Empowerment, Repairs and Voids and Energy/Retrofit.

## 2. CONCLUSION

- 3.1 The recruitment process has delivered opportunities for more than two tenant reps to be involved with Housing Committee and this has bolstered the resilience in attendance should there be any absences from the two primary reps for things like holidays and sickness. Additionally, having two reserve representatives opens up the ability of the reps to be involved in more areas without undue pressure on the permanent representatives. Housing Committee have agreed that this approach is a step forward for the council in terms of transparency and engagement with tenants and affords the opportunity for greater involvement.

## 4. IMPLICATIONS

### 4.1 Financial Implications

There are no financial implication arising directly from this report.

Jon Coldridge, Principal Accountant

Tel: 01453 754030 Email: [jon.coldridge@stroud.gov.uk](mailto:jon.coldridge@stroud.gov.uk)

### 4.2 Legal Implications

The Regulator of Social Housing Regulatory Framework for Social Housing in England requires the Council (as a Registered Provider of Social Housing) to ensure tenants are given a wide range of opportunities to influence and be involved in the management of their homes, the formulation of policies and the making of decisions about how housing landlord services are delivered.

In accordance with the constitution: "The two co-opted members act as representatives of the Council tenants and are entitled to speak (but not vote) on matters concerning Council housing."

One Legal

Tel: 01684 272691 Email: [legalservices@onelegal.org.uk](mailto:legalservices@onelegal.org.uk)

**4.3 Equality Implications**

An EqIA has been carried out by Officers in relation to the decision made in this report and no equality implications arise.

**4.4 Environmental Implications**

There are no significant implications within this category.

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