

AGENDA



For a meeting of the
COUNCIL
to be held on
MONDAY, 2 MARCH 2015
at
2.00 PM
in the
COUNCIL CHAMBER - COUNCIL OFFICES, ST. PETER'S HILL, GRANTHAM. NG31 6PZ
Beverly Agass, Chief Executive

Members of the Council are invited to attend the above meeting to consider the items of business listed below.

For those Councillors who wish to attend, prayers will be held in the Council Chamber at 1:55pm before the commencement of the meeting. Please be seated by 1:50pm.

1. PUBLIC OPEN FORUM

The public open forum will commence at **2.00 p.m.** and the following formal business of the Council will commence at **2.30 p.m.** or whenever the public open forum ends, if earlier.

2. APOLOGIES FOR ABSENCE

3. DISCLOSURE OF INTERESTS

Members are asked to disclose any interests in matters for consideration at the meeting.

4. MINUTES OF THE MEETING HELD ON 22 JANUARY 2015

(Enclosure)

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5. COMMUNICATIONS (INCLUDING CHAIRMAN'S ANNOUNCEMENTS)

(Enclosure)

6. DETERMINATION OF BUDGET 2015/16 (AND INDICATIVE FOR 2016/17 AND 2017/18) - GENERAL FUND, HOUSING REVENUE ACCOUNT AND ASSOCIATED CAPITAL PROGRAMMES

Report number HOF310 of the Leader of the Council and the Portfolio Holder for Good Housing. (Enclosure)

7. MEMBERSHIP OF COMMITTEES AND POLICY DEVELOPMENT GROUPS

Report number LDS144 of the Chief Executive. (Enclosure)

8. MEMBERSHIP OF THE CABINET

The Leader will announce changes to the membership of the Cabinet and responsibility for Portfolios.

9. UPDATES FROM CONSTITUTION COMMITTEE

Report number LDS145 by the Chairman of the Constitution Committee. (Enclosure)

Appendix B to this report can be viewed electronically

(<http://moderngov.southkesteven.gov.uk/ieListDocuments.aspx?CId=261&MId=3104&Ver=4>).

Copies of Appendix B will be made available in hardcopy on request.

10. QUESTIONS WITHOUT DISCUSSION

To note the list of questions asked under Council procedure rule 11.1 as circulated at the start of the meeting and their reference to the relevant Policy Development Group.

The deadline for notices of motion for the Council meeting on Thursday, 21 May 2015 is 2pm on Friday 8 May 2015.

MINUTES

COUNCIL

THURSDAY, 22 JANUARY 2015

2.00 PM



PRESENT

Councillor Reginald Howard Chairman

Councillor Bob Adams
Councillor Mark Ashberry
Councillor Ray Auger
Councillor Harrish Bisnauthsing
Councillor Pam Bosworth
Councillor Robert Broughton
Councillor Teri Bryant
Councillor Paul Carpenter
Councillor Mrs Frances Cartwright
Councillor Ibis Channell
Councillor George Chivers
Councillor Kelham Cooke
Councillor Nick Craft
Councillor Alan Davidson
Councillor Phil Dilks
Councillor Mrs Rosemary Kaberry-Brown
Councillor Vic Kerr
Councillor Michael King
Councillor Dr Peter Moseley
Councillor David Nalson
Councillor Mrs. Linda Neal
Councillor John Nicholson

Councillor Helen Powell
Councillor Nick Robins
Councillor Graddon Rowlands
Councillor Bob Russell
Councillor Bob Sampson
Councillor Susan Sandall
Councillor Bob Sandall
Councillor Ian Selby
Councillor Mrs Judy Smith
Councillor John Smith
Councillor Jacky Smith
Councillor Peter Stephens
Councillor Judy Stevens
Councillor Adam Stokes
Councillor Mike Taylor
Councillor Mrs Jean Taylor
Councillor Jeff Thompson
Councillor Frank Turner
Councillor Bruce Wells
Councillor Paul Wood
Councillor Rosemary H Woolley
Councillor Raymond Wootten

OFFICERS

Chief Executive (Beverly Agass)
Strategic Directors (Tracey Blackwell,
Daren Turner)

OFFICERS

Executive Manager, Corporate (Lucy
Youles)
Principal Democracy Officer (Jo Toomey)

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47. PUBLIC OPEN FORUM

Question 1

To: Councillor Mrs Linda Neal, Leader of the Council
From: Mr. A. Baxter, Deeping St. James

You will remember that I asked a question back in September 2013 regarding the possible response to the Lincolnshire County Council library consultation. Despite requests from some Councillors in this chamber, I do not think the District Council responded publicly to the County Council consultation.

Over the next two weeks, the County Council Executive will once again be considering the future of our libraries. Market Deeping Town Council, Deeping St James Parish Council and the recently formed Friends of Deeping Library have all stated consistently and unambiguously that they wish to see the Deepings retain a properly funded and professionally staffed library. A petition of over 8,000 signatories, most of whom were local residents, said very much the same thing.

For the record, could you please state clearly and unambiguously whether or not it is your view as Leader of the District Council and as an individual Councillor that it would be in everyone's best interest for the Deepings Library to have properly paid staff and adequate funding, and that this would be best achieved either by the County Council reclassifying the Deepings Library as a 'Tier 2' facility or failing that by including the Deepings Library in the County's proposed procurement process so that potential private sector partners have the option to work with all concerned to maintain a proper library for the Deepings.

Response (transcript)

Thank you, Mr Chairman, thank you Mr Baxter for the question and in response to your question I don't think that my personal view will have any influence on the ultimate outcome. It is a decision that the County Council will make but thank you for the question anyway. And firstly I would like to advise that I spoke personally to both the Leader of the County Council and to the Portfolio Holder at the time of the original consultation on separate occasions assuring them of our concerns for the library provision going forward and particularly for those that are in our district. A response was also submitted by the Council during the consultation period. I have a copy of that response for your information. I realise that there is considerable strength of feeling regarding future library provision in the Deepings and I would like to see the best possible provision of library services not only in the Deepings but also across the whole district. I am sure this would also be the wish of the County Council who deliver the services were finances to allow. There is a very active local voice on this issue and I would urge them to continue to have strong and positive dialogue with the decision-makers at Lincolnshire County Council to derive the best possible

outcome for the local community and to secure support for future provision. If this council can help in any way to look to facilitate the discussion, we would be pleased to do so. Ultimately it is a decision for the members of the County Council and it is a decision that they will no doubt consider very carefully in these very financially challenging times.

Supplementary Question (transcript)

Thank you for those words. I hadn't realised that you'd responded to the original consultation and in answer to your offer that is for anything that you can do, yes, there is. Clearly at this point, this is real D-Day for the Deepings Library and the voice of the Leader of the District Council on behalf of the District Council to clearly and unambiguously state that you would rather have a professionally staffed and adequately funded library would make all the difference. We have tried as a community in the Deepings to get the County Council to adjust their proposals in light of the large population using the Deepings library but so far despite the two consultations, the public meetings, the public protests, the petitions, the County Council's position remains exactly the same as it was on the day of the first mention of the potential closure of the libraries.

Will you please write or phone or e-mail the Leader and the Portfolio Holder at Lincolnshire County Council saying that you clearly and unambiguously as a Council support the Deepings Library in its current state. Clearly and unambiguously say that the Deepings needs a professionally staffed and adequately funded library.

Response (transcript)

Yes I will.

Members noted that the final deadline by which submissions relating to library provision had to be made to Lincolnshire County Council was Monday 26 January 2015.

Question 2

To: Councillor Phil Dilks
From: Mr. A. Baxter, Deeping St. James

In recent months I have asked SKDC cabinet members some questions about openness, transparency and democracy in Lincolnshire and particularly here in South Kesteven.

In light of their answers and in the interest of balance, may I ask you, on the public record, as one of my elected District Councillors, how you and other backbench Members and opposition Councillors feel about state of democracy in South Kesteven and whether it could be enhanced by more dialogue and

debate among Councillors in this chamber?

Response (transcript)

Thank you Mr Chairman, thank you Councillor Baxter for your question. Clearly I speak as an individual, not speaking for other backbenchers, I speak from my experience as an opposition Councillor on this Council for the past three and a half years. As I say, thank you for the question. In the relatively short time I have been elected to this Council, you and others will have been aware that I have become increasingly disturbed by what I would call the democratic deficit on this Council. I congratulate you, Councillor Baxter, for your persistence in coming back to ask these questions despite being rebuffed, returning again to expose what I believe is the nonsense that passes as democracy in this Chamber. I think it could be improved, perhaps in the ways you suggest.

Particularly I thank you for exposing the bizarre anomaly that allows you as a member of the public to come here and ask a question on the record of any Councillor and expect an answer and yet questions on the public record from elected Members of this Council are never answered in the Council Chamber and are not even given or referred to the Member to which they are asked and being questioned, but they are given a title 'Questions Without Discussion' and referred to a policy development group hopefully to be considered within a few weeks or a few months, but they never come back, those questions, to this Council with a reply. I've never seen one, if you have, please do correct me, so no I don't think it's very healthy.

On openness, you ask about openness, you talk about openness, when I was first elected colleagues will remember we discussed the aims and values of this Council and I suggested in my innocence that we might like to include the sentence that this Council strives to be an open Council but I was shouted down. I was told I was grandstanding and it was voted against. It was voted against, of course, electronically, and that again is in my view pretty undemocratic and not open and not transparent.

Some years ago when I wanted to show residents of Deeping St James how their local members could vote in a particular issue, I brought a minibus full of them to this Council Chamber and asked them to watch a particular vote and they put their hands up and people then made their mind up about what they thought to the voting that those Members had made from Deeping St James, they didn't like it. And now of course you don't see that, it's all sort of hidden and it's secret who votes; that shouldn't be secret.

So I move on, increasingly, I believe, that the system, and this is a personal view, I believe that the system, perhaps not just in this Council, but the system that we have, the Leader and Cabinet, does give the Leader an unhealthy grip on everything that happens in this Council and that it isn't inclusive and open. So I do question the role under the system, not just of opposition Members but question the role of backbench Members even of the controlling group within

this Council. I mean one only has to look at today's agenda, I have to say, to see, are we democratic, open and transparent, what are we being asked to do today as a Council? What is the one decision that we're being asked to make today? The one decision we're being asked to make today on this agenda is to appoint somebody to an outside body for the next three months, probably for one meeting, perhaps, and then in May we're going to have to do it all again. That's the one decision we're being asked to do and that we've all been brought here for today and what is the cost of that, you know, you've got to ask.

As for an opposition Councillor, I get more information about what's going on in this Council from the Grantham Journal, not my own local paper but the Grantham Journal, than I do through official channels within this Council. You only have to look at the budget statement as are we an open democratic council. Budget statements when they come round, when this council does come into its own and have a vote to make on the budget, are normally distributed to the press first before they are delivered and they are never then distributed to Council members, certainly not on this side of the Council Chamber, I've never seen one despite asking for it.

So in conclusion, I'll not go on, I would just say thank you for the question, Councillor Baxter, I think there is a problem. I'd be prepared to sit down and see if we could get more dialogue and the only final words: democracy is not a gift, it's an achievement and it's something we all have to work on every day.

Supplementary Question (transcript)

Councillor Dilks, could you suggest how we could improve democracy in this Chamber, perhaps you would want to comment on the role of backbench Conservatives in holding their own Cabinet to account?

Response (transcript)

That's a matter for the Conservative Group, I've got to say. I'm not here to speak for the Conservative Group but there are ways it could be improved and I do think that if we were to sit down in a private meeting, I'm sure that we could find ways of improving democracy and openness and transparency in this Council. It certainly does need it and I think we would all benefit from that and that we would improve the way that we do things. Thank you for your questions.

48. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bevan, Mike Cook, Cosham, Griffin, Higgs, Jock Kerr, Morgan, Parkin, Scott, Shorrocks, Ian Stokes, Mrs Sumner and Wilkins.

Decision

To approve Councillor Mike Cook's absence for the reason of his ill health for the period to the end of his current term of office.

The Chairman made reference to the requirement that Councillors attend one meeting in a 6 month period or they automatically cease to be a member of the authority unless their non-attendance was for a reason approved by Council. He therefore proposed that the Council approve Councillor Mike Cook's absence for the reason of his ill health for the period to the end of his current term of office. The proposition was seconded and on being put to the vote carried unanimously.

49. DISCLOSURE OF INTERESTS

No interests were disclosed.

50. MINUTES OF THE MEETING HELD ON 6 NOVEMBER 2014

The minutes of the meeting held on 6 November 2014 on were proposed, seconded and agreed as a correct record.

51. COMMUNICATIONS (INCLUDING CHAIRMAN'S ANNOUNCEMENTS)

The Council noted the Chairman's engagements.

52. PRINCE WILLIAM OF GLOUCESTER BARRACKS UPDATE

The Chairman welcomed Lieutenant Colonel Stone, the Commanding Officer at Prince William of Gloucester Barracks. Lieutenant Colonel Stone gave a brief presentation covering:

- The units based in Prince William of Gloucester Barracks
- What the regiments based at the barracks do
- The future for the barracks
- The future of the Army
- The Army Reserve

A number of Councillors thanked Lieutenant Colonel Stone for his presentation and spoke of their support for the barracks and their pride at the relationship between the Barracks and both Grantham and the wider district.

During questioning, the Lieutenant Colonel, who was responsible for the new Army Training Regiment based at Prince William of Gloucester Barracks, was given the opportunity to comment on the role of Reservists and the time commitment required from anyone interested in becoming a Reservist.

Members of the Council showed their appreciation with a round of applause.

53. REPRESENTATIVES ON OUTSIDE BODIES

Decision:

- 1. That the Council should appoint a representative onto the South Lincolnshire Fenlands Partnership***
- 2. That Councillor Woolley be appointed as the Council's representative on the South Lincolnshire Fenlands Partnership***

In considering report number LDS140 by the Chief Executive, it was proposed and seconded that the Council determine whether it wished to make an appointment to the South Lincolnshire Fenlands Partnership. In response to a query, officers clarified that the Partnership had been asked whether it would be prepared to wait for an appointment until May 2015 and confirmed that it wished to proceed at this time. A vote was taken on the proposition and Councillors agreed to appoint a representative at the meeting.

The Chairman invited nominations for a representative. It was proposed and seconded that Councillor Woolley be appointed as the Council's representative on the South Lincolnshire Fenlands Partnership. On being put to the vote, this was agreed.

54. CLOSE OF MEETING

The meeting was closed 14:57.

Agenda Item 5

Chairman's Engagements 22 January 2015 to 2 March 2015

Date	Ref	Organisation and Event	Location	Chauf
Friday 23.01.15	RH059	The Derby, Notts, Mid & South Lincs Section of The Showmen's Guild Annual Civic Luncheon	Nottingham Belfry Hotel	✓
Tuesday 27.01.15	RH065	Her Majesty's Lord-Lieutenant of Lincolnshire – Retirement Dinner of Mr Tony Worth	The Old Palace Hotel, Lincoln	✓
Friday 30.01.15	RH058	Her Majesty's Lord-Lieutenant of Lincolnshire – Reception in honour of Reserve Service Personnel who have served on Operations throughout the world in 2014	The Officers' Mess Prince William of Gloucester Barracks	✓
Saturday 31.01.15	RH054	The Chairman of Newark and Sherwood District Council's "Last Night of the Proms"	Newark Palace Theatre	✓
Sunday 01.02.15	RH070	The Mayor of Peterborough's Charity Winter Supper	Ibrahimi Restaurant Peterborough	
Thursday 05.02.15	RH066	Chairman's Charity Gala	Guildhall Grantham	✓
Friday 06.02.15	RH067	North Kesteven District Council's Civic Reception	North Kesteven District Council Offices, Sleaford	✓
Sunday 08.02.15	RH060	Rotary Club of Grantham – Rotary Swimarathon	The Meres Leisure Grantham	✓
Monday 09.02.15	RH069	Official opening performed by The Lord Lieutenant of Lincolnshire of Bourne Elsea Park C of E Primary Academy	Sandown Road, Bourne	
Sunday 01.03.15	RH072	Mayor of Wisbech Civic Service	Church of St. Peter and St. Paul	

REPORT TO COUNCIL

REPORT OF: COUNCILLOR MRS L NEAL - LEADER
COUNCILLOR T BRYANT – GOOD HOUSING
PORTFOLIO HOLDER

REPORT NO.: HOF310

DATE: 2nd MARCH 2015

TITLE:	Determination of Budget 2015/16 and indicative budgets to 2017/18 – General Fund, Housing Revenue Account and associated capital programmes.	
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	Budget Framework Proposal	
PORTFOLIO HOLDER: NAME AND DESIGNATION:	Cllr Mrs L Neal Leader of the Council Cllr Teri Bryant Housing Portfolio Holder	
CONTACT OFFICER:	Daren Turner – Strategic Director Corporate Focus Tel: 01476 406301 Email: d.turner@southkesteven.gov.uk Richard Wyles – Corporate Finance Manager Tel: 01476 406210 Email: r.wyles@southkesteven.gov.uk	
INITIAL IMPACT ANALYSIS:	Stage 1 Equality impact analysis undertaken	Full impact assessment Required: N/A
Equality and Diversity		
FREEDOM OF INFORMATION ACT:	This report is publicly available via the Your Council and Democracy link on the Council’s website: www.southkesteven.gov.uk	
BACKGROUND PAPERS	Report to Cabinet 2 February 2015 – Budget Proposals 2015/16 http://moderngovsvr/ieListDocuments.aspx?CId=164&MId=3055&Ver=4 Budget consultation results http://www.southkesteven.gov.uk/ Equality impact analysis http://moderngov.southkesteven.gov.uk/ieListDocuments.aspx?CId=261&MId=3104&Ver=4	

1. RECOMMENDATIONS (PART A)

In relation to the General Fund - Revenue (Recorded Vote)

- a. to set a General Fund budget requirement of £13.014M for 2015/16 shown at Appendix A (inclusive of special expenses) taking into consideration the savings and efficiencies shown at Appendix B
- b. to approve a Council Tax freeze (no increase) for 2015/16
- c. to note the indicative base estimates for 2016/17 and 2017/18 as detailed in the summary at Appendix A.
- d. To approve the fees and charges as shown at Appendix C

In relation to the General Fund – Capital (Recorded Vote)

- e. approve the General Fund Capital programme for 2015/16 to 2019/20 detailed at Appendix D page 1
- f. approve the Capital Financing statement detailed at Appendix D page 2

In relation to the General Fund - Reserves and Balances (Recorded Vote)

- g. to approve the use of reserves as detailed at Appendix E

Management and prudential indicators (Recorded Vote)

- h. to approve the Treasury Management Strategy provided at Appendix F

In relation to the Housing Revenue Account - Revenue

- i. to approve dwelling rent increases in accordance with Government guideline rent providing an average rent of £80.91 (an average rental increase of 3.56%)
- j. to approve an increase in garage rents of 2.3%
- k. to approve an increase in service charges by 2.3%
- l. to approve the Housing Revenue Account for the year 2015/16 (including the items at Appendix H in the report) and indicative years 2016/17 and 2017/18 shown at Appendix G

In relation to the Housing Revenue Account - Capital

- m. approve the indicative Housing Investment Programme for 2015/16 to 2019/20 detailed at Appendix I page 1
- n. approve the Capital Financing statement detailed at Appendix I page 2

In relation to the Housing Revenue Account - Reserves and balances

- o. to approve the use of the reserves as detailed at Appendix J.

Pay Policy Statement

- p. to approve the pay policy statement shown at Appendix K

PART A

2. PURPOSE OF THE REPORT

- 2.1 The purpose of this report is to present to Council:-
- 2.2 The Budget estimates for 2015/16, revenue and capital, the level of Council tax, housing rent increase and the subsequent Treasury Management Strategy.
- 2.3 Members are asked to consider the contextual information presented and to approve the Council's budget for 2015/16.

3. DETAILS OF THE REPORT

Budget Process - Estimates for 2015/16

- 3.1 The budget has been compiled incorporating the key principles of the Council's Medium Term Financial Strategy (MTFS) and a balanced position has been achieved for 2015/16 against a backdrop of continuing reductions in Government funding. The principles approved by Council have assisted in achieving a budget that will continue to support the delivery of the Council's priorities. This will in turn continue the progress towards the 2021 Vision as identified in the Corporate Plan.

The principles utilised are:

- Council tax level shall be set each financial year having regard to the prevailing conditions at that time (including availability of freeze grants and referendum levels)
- Resources and un-ring fenced grants will be allocated to fund the delivery of the priority outcomes that residents have said are important to them
- An annual review of fees and charges with inflationary increases having regard to the service contribution towards delivery of the priorities and reflecting market conditions prevailing at that time
- The monies received from New Homes Bonus shall be used to fund the delivery of Council priority projects and initiatives
- Reviewing business rate pooling arrangements for 2014/15 whilst ensuring that pooling remains beneficial to the Council
- Reviewing and updating, on an annual basis, the Efficiencies and Business transformation plan and monitor achieved savings

Table 1

Inflation Factors	Assumption (%)
Retail Price Index	3.3
National Business Rate	3.0
Utility Cost increase	5.0
Drainage Board Levies	Ranging from 0 – 3.0
Fuel costs	5.0
Interest Rates	0.9
Salary Vacancy Factor	3.0
Growth in numbers of Band D equivalent properties	2.7

- 3.2 Investment Income - the financial forecasts in respect of investment income over the next four years have been modelled on the following anticipated levels of interest rates (provided by the investment advisors):

Table 2

Financial Year	2015/16	2016/17	2017/18
Base Rate	0.63%	1.12%	1.75%
Money Market Rate (average mid-term point.)	0.9%	1.2%	1.80%

This information has been utilised to anticipate the potential levels of interest income the Council will receive for its investment of the reserve balances. This income will be shared between the General Fund and the Housing Revenue Account. Forecast interest due to the General fund is shown in table 3 below and in Appendix A. Further details of the Council's investment strategy are contained in Appendix F to this report

- 3.3 The General Fund budget proposes a net service expenditure of £15.391M for 2015/16 broken down by priority focus as follows:

Table 3

		Original base 2014/15 £'000	Estimated base 2015/16 £'000	Indicative base 2016/17 £'000	Indicative base 2017/18 £'000
1	Grow the Economy	1,091	963	546	531
2	Clean, Green and Healthy	5,845	6,104	6,185	6,282
3	Leisure, Arts and Culture	3,116	2,893	2,728	2,647
4	Good Housing For All	979	992	1,056	1,119
5	Well Run Council	4,007	4,439	4,226	3,745
6	Net Service Expenditure	15,038	15,391	14,741	14,324
7	Net Interest	(130)	(148)	(150)	(174)
8	Minimum Revenue Provision	167	165	160	155
9	Capital Charges	(2,772)	(2,867)	(2,795)	(2,691)
10	Revenue contribution to capital	1,188	1,202	500	500
11	Local CT support grant	107	105	96	96
12	Corporate Savings	0	(300)	(305)	(310)
13	Movement on Reserves	(413)	(534)	395	552
14	Budget Requirement	13,185	13,014	12,642	12,452

- 3.4 The overall General Fund position for 2015/16 is shown at Appendix A. The total service expenditure (net of direct income) for 2015/16 is estimated at £15.391M. The Revenue contribution to the capital programme is £1202K as shown at Appendix A of the General Fund position. This additional one-off revenue contribution has been made in order to avoid additional use of the Council's capital receipt reserve which has been the primary source of financing for the capital programme in recent years. However it is anticipated that further receipts will be generated in the coming months as a result of specific asset disposal opportunities being taken.
- 3.5 The proposed budgets include a small number of additional items that have been identified. These can be summarised as:

Table 4

Reduction in recycling credits and changes in gate fee prices	£700,000**
Gravity Fields 2016 – preparatory work	£40,000*
Georgian Festival 2015	£75,000*
Changes in income levels	£98,000

*these items will be funded from the events and festivals reserve

**the combined figure shown is the total budget movement following the updated position in the reduction in recycling credit income to be received from Lincolnshire County Council and the reduction in income received in respect of recycling gate fees.

Following the period after Cabinet recommended its budget on 2 February 2015, updated information has been received with respect to a number of funding positions that will have an impact on the budget proposals. Lincolnshire County Council has updated its current proposals with respect to the income from recycling credits which may result in a further reduction of £382K in 2015/16 with further impacts of £395K in 2016/17 and £281K in 2017/18. The position is still to be resolved and some uncertainty remains. The Office of the Police and Crime Commissioner has confirmed that there will be no funding allocation with respect to second homes council tax income from 2014/15. Over the period of the 3 years budget proposals this will result in a reduction in income of £60K. Confirmation has also been received from North Kesteven District Council that they will no longer require the CCTV surveillance service from 1 May 2015 which result in a loss of income totalling £35K per annum. Due to the late notification of these budgetary changes, the base budgets shown at table 3 have not been updated to reflect them. It is proposed that for 2015/16 the changes will be met from in-year efficiencies or utilisation of the Council's section 31 grant reserve (shown at Appendix E) if necessary. For the following years, these new pressures will be considered as part of the financial framework to budget setting for 2016/17.

- 3.6 The Council adopted a local scheme of conditions of employment but has historically made annual pay awards in line with the National Joint Council agreement with Unions. The budget assumption for 2014/15 was for a 1% pay rise with effect from 1 April 2014 and this was paid to all staff in July 2014. Subsequently the National Employers and the Trade Unions agreed a pay award of 2.2% for most grades covering the period 1 January 2015 to 31 March 2016 (£62K). Part of the award also included one off non-consolidated payments (£60K) and it is proposed to accommodate this payment from the year end provision for 2014/15. The Council introduced a local living wage arrangement for SK grades 1,2 and 3 in 2013 to be reviewed on an annual basis. The national award also

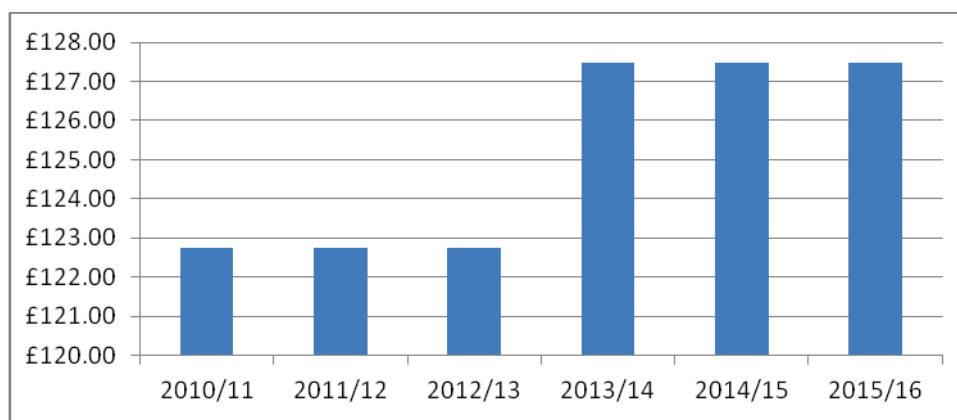
improves the offer for lower paid staff with an increase between 2.32% and 6.19%. The Council's 2015/16 pay policy statement is shown at Appendix K.

- 3.7 The Council continues its track record of delivering savings and efficiencies whilst ensuring that resources are allocated to front line services and delivering priority outcomes. In order to maintain a balanced position for 2015/16, further savings have been identified and are detailed at Appendix B.
- 3.8 The proposed Council fees and charges were approved by Cabinet in December 2014, and have been compiled in accordance with the new charges strategy. This sets out the key principles of the methodology to be used when setting fee structures. Full details of the proposed fees and charges for 2015/16 are provided at Appendix C.

4. The District's basic amount of Council Tax 2015/16

- 4.1 The calculation of the Council's basic amount of Council Tax is made by deducting from the £13.014M budget requirement (including special expense areas but excluding parishes), the external support that will be received from the Government in the form of projected baseline funding of £6.883M .This includes all specific grants – council tax support scheme, legacy council tax freeze grants, homelessness grant. An adjustment is then added to the projected forecast of the Council's element of the Collection Fund balance of £117K in order to provide a baseline funding level.
- 4.2 The Government has announced that a further Council Tax freeze grant in 2015/16 equivalent to a 1% increase is available. The grant for the 2015/16 freeze will be approximately £67K and paid to participating authorities in the financial year 2015/16 and thereafter it will be incorporated into the support grant. For the purposes of providing a budget requirement figure it has been assumed that the freeze grant of £67K is included.
- 4.3 Consultation has been undertaken with the Council's business community together with residents via an on-line survey. 51% of the feedback supported a council tax freeze for 2015/16. Cabinet at it's meeting on 2 February 2015 considered the feedback and recommended a council tax freeze for 2015/16 which will retain the Council tax charge (excluding SEA) at £127.47 for a Band D property.

South Kesteven Band D charge 2010/11 – 2015/16 (recommended)



5. Future outlook

- 5.1 Budgets have been prepared for a three year period with indicative budgets for 2016/17 and 2017/18. Final settlement figures for 2015/16 have been announced by Government which show a continuing reduction in the amount of Revenue Support Grant by £1.2M. It is anticipated that grant cuts will continue beyond 2015/16 so the Council is responding by accelerating its savings and transformation proposals, building on the work that has already released significant cost reductions and efficiencies. The Council made the decision, from 2014/15, to join the Lincolnshire business rates pool. The pooling mechanism allows the financial benefits of local business growth to be retained locally rather than being paid to the Government in the form of a levy payment. Early forecast predictions estimate that this could generate in the region of £266K per annum based on an assumed level of economic growth. Cabinet has agreed to retain the Council in the Rating Pool for 2015/16 in line with the MTFs.
- 5.2 As a consequence of the changes to the base budgets as detailed at paragraph 3.5, it will be necessary to review and update the MTFs over the coming months that will also include the updated position from central government with respect to future funding proposals for government departmental spending. The primary objective of the updated MTFs will be that the Authority is moving towards a self financing model by 2019/20 without any reliance on external grant support.

6. Housing Revenue Account

- 6.1 The recently approved Housing Revenue Account Business Plan has driven the budget setting process by providing a key focus for the allocation of resources in order to deliver the stated objectives of the plan. The full revenue summary of the HRA is shown at Appendix G.
- 6.2 The key components of the budget proposals for 2015/16 are focussed on the following:
- Letting homes , managing and supporting tenancies
 - Engaging and involving tenants in service delivery
 - Ensuring that properties meet the decent homes standard
 - Providing a timely and effective responsive repairs service
 - Continuing to improve the energy efficiency of the stock and attracting external funding
 - Ongoing investment in improving access to sheltered schemes and communal areas of accommodation
 - Acquisition and/or development of additional homes within the HRA
- 6.3 The Housing Asset Management Strategy 2013-2018 defines a number of key actions that will further improve service and operational delivery. The key objective is to improve the quality and condition of stock beyond the Decent Homes Standard to a South Kesteven Standard.
- 6.4 The Strategy details our commitment to:
- Carry out regular appraisals of the housing stock to ensure that it remains sustainable and meets local housing needs

- Focus on improving the energy efficiency of non-traditional stock and so reducing the impact of fuel poverty
- Further improve our repairs and maintenance systems together with our approach to procurement to deliver cost effective and responsive services
- Identify and develop opportunities to better utilise land and property assets to maximise the availability of affordable housing

6.5 The proposed budgets include a small number of additional items that have been identified. These can be summarised as:

Table 5

Increase in property maintenance budgets	£307,000
Resurfacing and parking bays	£160,000
Contribution to street cleansing	£40,000

As referred to at paragraph 3.6 the Council adopted a local scheme of conditions of employment but has historically made annual pay awards in line with the National Joint Council agreement with Unions. The budget assumption for 2014/15 was for a 1% pay rise with effect from 1 April 2014 and this was paid to all staff in July 2014. Subsequently the National Employers and the Trade Unions agreed a pay award of 2.2% for most grades covering the period 1 January 2015 to 31 March 2016 (£20K). Part of the award also included one off non-consolidated payments (£16K). It is proposed to accommodate this payment from the year end provision for 2014/15. The Council introduced a local living wage arrangement for SK grades 1, 2 and 3 in 2013 to be reviewed on an annual basis. The national award also improves the offer for lower paid staff with an increase between 2.32% and 6.19%.

The Housing Revenue Account has also continued delivering savings and efficiencies whilst ensuring that resources are allocated to front line services and delivering strategy outcomes. The main items are shown at Appendix H):

7. Housing Revenue Account 2015/2016 – Rent Proposals

7.1 The main element of policy relating to the HRA for 2015/16 is the setting of rents. The Council's current policy is to keep in line with the Government's guidance on rent restructuring.

In respect of rental income, Cabinet is reminded that from April 2015, dwelling rents will increase with CPI+1% (consumer price index) in accordance with Government rent setting guidance following the achievement of rent convergence. Void rent assumptions will once again be budgeted at 1.5% although during the current year this is closer to 1% thus gaining an additional £126k in collectable income. Given the volatility of the void rate it is considered prudent to continue to budget at 1.5% for 2015/16. Right to buy (RTB) assumptions are set at 26 with the current year projected to be closer to 36 sales. The RTB assumption included in the 30 year business plan is 26 sales per annum but will be reviewed on an annual basis.

The actual rent is calculated on a property by property basis using these parameters. For 2015/16 this has produced an average increase for SKDC tenants of 3.56%. At the level of individual dwellings, the percentage increase will depend upon each property's proximity to its target, with increases varying between 2.6%

and 3.97%. In cash terms, the average rent will be £80.91 with a minimum of £53.60 and a maximum of £117.25. Garage rents and service charges are increased in line with September RPI (retail price index) figure.

7.2 Consultation has been undertaken with tenants via the Neighbourhood, Community & Tenancy Service Review Group with respect to the proposed increases and no specific concerns were raised. All tenants will be contacted and details of their specific rent increase will be provided in advance of the new financial year.

8. Reserves and Balances

8.1 The Local Government Act 2003 requires the Chief Financial Officer, (section 151 officer), to report on the adequacy of financial reserves when consideration is given to the General Fund budget requirement for the year. Under the Local Government Finance Act 1988, all balances held by the Council are at the direct disposal of the General Fund with the exception of the Housing Revenue Account balances, the Collection Fund or any funds held in trust. A statement showing the forecast balances of revenue and capital reserves and their movements is provided at Appendix E (General Fund) and Appendix J (HRA).

During the course of the budget preparation work Cabinet has requested a review of the reserves and their intended purpose to ensure they are focussed on supporting the delivery of the priorities of the Council. The following are a summary of the proposed key changes made to the reserves:

- Formation of a community fund reserve of £300K to contribute towards development of local community initiatives
- Replenishment of the events and festivals reserve to support Gravity Fields 2016 and the Georgian Festival 2015

8.2 The General Fund working balance is required so that the Council has sufficient funds available to meet its cash flow requirements and to protect services against unforeseen events that have a financial consequence and are not included in the budget framework. The balance has been reviewed and will be set at £1.912M representing 12.5% of net operating expenditure. This is in line with current Council policy.

8.3 The HRA has a number of reserves split between revenue and capital. The revenue reserves consist of the insurance reserve, the improvement reserve and the working balance. The working balance is intended to provide financial support to the HRA should any significant unforeseen costs arise during the financial year. The capital reserves that are primarily used to finance the HRA capital programme are the major repairs reserve and the capital receipts reserve. In addition the HRA has a loan repayment reserve which is receiving annual surplus allocations in order to meet the maturity payment of £25M in 2019/20. However before this payment is made, the HRA has other financing options it can consider such as re-financing the loan in order to utilise the surpluses for other priorities in accordance with the Housing Strategy. Therefore this will be kept under review and members will have the opportunity to consider the financing options available to them before the payment maturity period.

9. Capital Programme 2015/16 - 2019/20

- 9.1 The recommended combined Capital Programme provides a forecast outturn of £9.147M and an indicative 5 year programme totalling £42.497M. This is a significant and ambitious capital programme in terms of number of projects and level of investment and demonstrates the Council's continued commitment to enhancing the district and its amenities and infrastructure.

General Fund Programme

- 9.2 The General Fund capital programme is focussed on the delivery of priority projects particularly in relation to Grow the Economy – economic regeneration. Full details are provided at Appendix D and it shows an ambitious programme over the next 5 year period together with the forecast outturn position for 2014/15. The main areas of focus are still the cinema development at St Peter's Hill and investment in service land and supporting local businesses. An additional £400k will be invested at the Meres Leisure Centre, which will leave a further significant reduction in the management fee. The Council will also invest in plant and equipment to support waste management and street cleansing.

In order to boost the lettings of the Bourne core area retail developments it is proposed to utilise £75K of the current year underspends to provide customised retail shell units. Final account discussions for the scheme are currently underway and due to additional section 278 works, it is anticipated that the scheme costs will increase by £237K. However it is expected that this additional cost will be recovered from an increase in future capital receipts.

The overall level of investment in the local area will provide a significant economic boost and ensure the Council continues its track record of delivering its priorities. The financing of the programme is also provided and demonstrates the Council can continue to fund the programme over the period of the programme without the need for external borrowing.

Housing Investment Programme (HIP)

- 9.3 The HIP is forecast to outturn at £6.832M for 2014/15. The proposed 5 year programme currently focuses on delivery of the decent homes programme together with a range of additional estates management projects. Funding the HIP will be met from the major repairs reserve and useable capital receipts reserve.

The HRA Capital programme is primarily driven by the objectives of the recently approved Business Plan and delivers a number of outcomes including more fuel efficient housing stock and more new affordable homes. There is a projected increase in the 2015/16 capital programme from £3.3m to £7.3m. Full details of the HRA programme can be found at Appendix I. Expenditure during 2014/15 resulted in 13 new homes being completed with a further 20 in progress at Lincoln Road Stamford and anticipated to mostly be completed by the end of May 2015. The investment in LED lighting, to reduce future running costs, was approved by Council in September 2014 and whilst the majority of the work is expected to be in place a proportion (£275K) will carry on into the new financial year. Allocation of budget for strategic land acquisition (£198K) has been rolled forward into 2015/16 budget proposals.

The breakdown of the newly proposed budget requirements are detailed below:

Table 6

PROJECT	£(000)
Central Heating, Ventilation and Boiler Replacements (300 homes)	50
New Build Properties including site preparation (12)	1,500
Re-roofing (100 homes)	213
Re-wiring (80 homes)	140
Kitchen & Bathroom Refurbishments (280 homes)	200
Replacement Door Programme (16)	4
External Wall Insulation (99 homes)	1,010
Fencing (pilot project)	120
Software upgrades	65
Programme slippage from 2014/15	833
Changes to budget allocations from indicative 2015/16	(66)
Total	£4,069

Proposed Financing of the Capital Programme

9.4 Appendix D and Appendix I provides details of the proposed method of financing the capital programmes, which will be reviewed when preparing the Statement of Accounts for each financial year to enable the most financially advantageous form of financing for the Council. In respect of the General Fund it is proposed to utilise existing reserves and together with a revenue contribution of £1.202M in 2015/16. In respect of HIP it is proposed to finance the programme from the Major Repairs Reserve and useable capital receipts reserve.

10. Prudential Code

10.1 The Council complies with the Prudential Code for controlling Local Government capital. The key objectives of the code are to ensure that:

- Capital Investment Plans are affordable, prudent and sustainable
- All external borrowings and other long term liabilities are within prudent and sustainable levels
- Treasury Management decisions are taken in accordance with good practice and in a manner that supports prudence, affordability and sustainability
- The Local Authority is accountable for decisions made
- It supports local strategic planning, local asset management planning and proper option appraisal.

10.2 The Council's current financial planning systems demonstrate the affordability of the capital programme and the 2015/16 estimates have been prepared in the context of these plans and controls.

11. Treasury Management and Investment Strategy

11.1 In accordance with the requirements of the Local Government Act 2003 a Treasury Management Strategy is provided within Appendix F outlining the Council's prudential indicators for 2015/16 – 2017/18 and sets out the expected treasury operations for this period. It fulfils four key legislative requirements as provided by the Local Government Act 2003.

- The reporting of the prudential indicators setting out the expected capital activities as required by the CIPFA Prudential Code for Capital Finance in Local Authorities (Appendix F Section 1);
- The Council's Minimum Revenue Provision (MRP) Policy, which sets out how the Council will pay for capital assets through revenue each year (Appendix F Section 1);
- The treasury management strategy statement which sets out how the Council's treasury service will support the capital decisions taken above in accordance with the CIPFA Code of Practice on Treasury Management (Appendix F Section 2);
- The investment strategy which sets out the Council's criteria for choosing investment counterparties and limiting exposure to the risk of loss (in accordance with the CLG investment guidance) (Appendix F Section 3);

11.2 A review of the Treasury Management strategy has taken place in conjunction with the Council's treasury management advisors to ensure the strategy provides a framework for effective, efficient treasury management activity and ensure the Council's exposure to risk is minimised. Whilst it is widely acknowledged that exposure to risk cannot be removed, good governance and scrutiny arrangements help to ensure the exposure is minimised. The Council's arrangements in respect of robust monitoring and reporting of treasury management activities are based on best practice. Specifically, Governance and Audit Committee ensure the governance and scrutiny function is undertaken on behalf of the Council and during the past year has received specific treasury management training and receives regular half yearly reporting information.

12. Collection Fund

- 12.1 All relevant transactions associated with Council Tax and Non Domestic Business Rates are shown in the Collection Fund.
- 12.2 To comply with CIPFA's Best Value Accounting Code of Practice authorities are required to forecast the outturn on the Collection Fund as at 31st March each year in order to distribute this amount to precepting bodies in the following financial year (together with any remaining unallocated surplus or deficit from previous years).
- 12.3 For this financial year SKDC has forecast the outturn for 2014/15 and in 2015/16 will distribute this forecast surplus whilst at the same time collecting the remaining deficit from the 2013/14 outturn. Remaining surplus (or deficit) from previous years occurs when there is a difference between the forecast for that year and the actual outturn.
- 12.4 Any surplus or deficit arising from Council Tax transactions is shared between South Kesteven District Council, Lincolnshire County Council and Lincolnshire Police (the precepting bodies) in proportion to their demands on the Collection Fund. Any surplus or deficit arising from Non Domestic Business Rates is shared between South Kesteven District Council, Lincolnshire County Council and Central Government in the ratio 40:10:50 respectively.

- 12.5 The accumulated surplus on the Collection Fund at 31st March 2014 was £120K but £353K has been distributed during 2014/15. The forecast outturn for 2014/15 is a surplus of £850K. A breakdown of the £850K which will be distributed during 2015/16 is:

Table 7

Precepting Body	Distribution Surplus/(Deficit) £
South Kesteven District Council	(116,915)
Central Government	(389,669)
Lincolnshire CC	1,135,018
Lincolnshire Police	221,172
Total Surplus on Collection Fund	849,606

- 12.6 With respect to second homes income, Lincolnshire County Council has yet to confirm it's allocation for 2015/16 whilst the Lincolnshire Police Crime Commissioner has confirmed it will no longer be allocating funding from 2014/15. The amount estimated to be received from the County Council for 2015/16 is £108K and from the Police had been £20K.

13. Statement by Chief Finance Officer (S151 officer)

- 13.1 The 2015/16 Budget and indicative budgets for 2016/17 to 2017/18 have been drawn up to take account of the Council's various strategies, policies and the financial context, in particular:

- The Corporate Plan – 2021 Vision
- The Medium Term Financial Strategy (MTFS)
- The Housing Revenue Account Business Plan
- Service Strategies and Plans
- Asset Management Strategy
- The economic context and recent grant announcements
- The 2014/15 forecast outturn

The MTFS will continue to be reviewed and updated following national policy announcements, in particular any further changes to funding arrangements. This is necessary as the Council progresses its work to close the budget gap referred to at paragraph 5.1 in the report.

- 13.2 The purpose of this statement is to comply with the requirements of the Local Government Act 2003 whereby the Chief Finance Officer must report on:

- (a) the robustness of the estimates made for the purposes of the budget calculations and;
- (b) the adequacy of the proposed financial reserves

14. OTHER OPTIONS CONSIDERED

- 14.1 N/A

15. RESOURCE IMPLICATIONS

15.1 These are contained in the report.

16. RISK AND MITIGATION

16.1 In formulating my opinion a number of risks and factors have been taken into account.

- a. The **grant settlement from Government for future years** has been announced for 2015/16 only. It is anticipated that further cuts will be announced in the next spending review following the General Election. The Council will need to meet the shortfall by growing both its business base and stimulating the conditions for housing growth.
- b. The impact of the **economic climate** will place higher demand on particular services in relation to social care and well being, specifically benefit advice and support and homelessness. This may create additional resource pressures in these service areas.
- c. **Investment Income, fees and charges and other revenue** – the forecast in respect of investment income is included in the budget proposals and shows an improvement over the three year period. Given the current volatility in respect of the economic market there is a risk of investment income not achieving the budgeted level. A number of fee income budgets have been included in the proposed budgets which, in themselves, carry a level of risk of not being achieved due to the economic climate or changes in contractual arrangements. Budgeted income from recycling remains at risk until we have a final understanding of the County Council's contractual position. In the event income levels differ from those that have been budgeted, then the financial impact will be mitigated by use of the section 31 revenue grant which is forecast at £1.255M at 31 March 2015.
- d. **Rental income** – With the introduction of a number of welfare reform changes there is extra emphasis on the collection of rent from tenants to ensure the current rental collection performance is achieved. This is particularly relevant in the context of the Housing Business Plan financial model in order to ensure the ambitious plans of the Council are financially affordable.

17. ISSUES ARISING FROM IMPACT ANALYSIS

17.1 An impact analysis has been undertaken and is available as background papers.

18. CRIME AND DISORDER IMPLICATIONS

18.1 N/A

19. COMMENTS OF FINANCIAL SERVICES

19.1 In recommending the budget to the Council, the Cabinet must take account of the advice of the Chief Finance Officer in respect of the above. For 2015/16 it can be confirmed that the budget presented to the Cabinet is robust in its formulation and the level of reserves is adequate for the organisation.

20. COMMENTS OF LEGAL AND DEMOCRATIC SERVICES

- 20.1 The budget forms part of the Council's Budgetary Framework. Members should have regard to the comments of the Strategic Director as the Council's Chief Financial Officer which are set out in section 13 above when making recommendations in accordance with the Local Government Act 2003. Any budget must be set in accordance with the Budget and Policy Framework Procedure Rules as set out in the Constitution.

21 COMMENTS FROM OTHER RELEVANT SERVICES

- 21.1 N/A

22. APPENDICES:

Appendix A – Revenue Estimate 2015/16 and indicative budgets 2016/17,
and 2017/18

Appendix B – General Fund Savings and Efficiencies

Appendix C – Fees and Charges

Appendix D – General Fund Capital Programme and Financing

Appendix E – General Fund Reserves and Balances

Appendix F – Treasury Management Strategy

Appendix G – HRA Summary Account

Appendix H – HRA Savings and additional items

Appendix I – Housing Improvement Programme and Financing

Appendix J – HRA Reserves and Balances

Appendix K – Pay Policy Statement

COUNCIL TAX SETTING - PART B

1 INTRODUCTION

The purpose of this part of the report is to set the level of Council Tax for 2015/16 in accordance with relevant statutory requirements.

2 RECOMMENDATIONS

The requirements are set out in paragraphs 32 to 36 of the Local Government Finance Act 1992, as amended (the "Act") and it is necessary for the Council to adopt the following formal recommendations:-

- 1) That the following amounts be calculated by the Council for the year 2015/16 in accordance with Sections 32 to 36 of the Local Government Finance Act 1992 (as amended)
 - a) £77,763,996 being the aggregate of the amounts which the Council estimates for the items set out in Section 32 (2) (a) to (e) of the Act (including special expense and parish precepts).
 - b) £63,605,236 being the aggregate of the amounts which the Council estimates for the items set out in Section 32 (3) (a) to (c) of the Act.
 - c) £14,158,760 being the amount by which the aggregate at a) above exceeds the aggregate at b) above, calculated by the Council, in accordance with Section 32(4) of the Act, as its budget requirement for the year.
 - d) £6,476,000 being the aggregate of the sums which the Council estimates will be payable for the year into its General Fund in respect of redistributed Non-Domestic Rates and Revenue Support Grant increased by the amount of the sum to be transferred from the Collection Fund to the General Fund
 - e) £171.67 being the amount at c) above less the amount at d) above, all divided by the Council's tax base of 44,753.20 as recorded in minute 29 of the cabinet meeting of 1 December 2014, in accordance with Section 33(1) of the Act, as the basic amount of its Council Tax for the year 2015/16.
 - f) £2,071,850 being the aggregate amount of all special items referred to in Section 34(1) of the Act.
 - g) £127.47 being the amount of e) above, less the result given by dividing the amount of f) above by the Council's tax base relating to special items as set on 1 December 2014, calculated by the Council in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no special item relates.

h) Part of the Council's area

being calculated by adding to the amount at (g) above the amounts of special items relating to dwellings in those parts of the Council's area, divided in each case by the individual tax bases as recorded in minute 33 in accordance with Section 34(3) of the Act, as the basic amounts of its Council Tax for the year for dwellings in those parts of its area to which special item relates.

<u>Parish</u>	<u>Adjusted Band D Equivalents</u>
	No.
Grantham combined	10295.23
Stamford combined	6753.02
Bourne Combined	4978.27
Allington	338.90
Ancaster	543.21
Aslackby	103.80
Barholm & Stowe	33.35
Barkston and Syston combined	242.89
Barrowby	683.50
Baston	544.72
Belton & Manthorpe	202.93
Billingborough	452.34
Bitchfield & Bassingthorpe	53.72
Boothby Pagnell	62.15
Braceborough & Wilsthorpe	139.34
Ropsley, Humby, Braceby, Sapperton combined	345.40
Burton Coggles	37.77
Careby	74.22
Carlby	200.66
Carlton Scroop and Normanton combined	126.26
Castle Bytham	284.72
Caythorpe & Frieston	513.16
Claypole	507.85
Colsterwoth, Gunby & Stainby, North Witham combined	743.16
Corby Glen & Birkholme	389.66
Counthorpe & Creeton	25.33
Deeping St James	2365.68
Denton	120.43
Dowsby	51.75
Dunsby	44.45
Stoke Rochford and Easton combined	90.58
Edenham	106.83
Fenton	57.33
Folkingham	267.24
Foston	210.09
Fulbeck	211.80

Greatford	126.02
Great Gonerby	719.78
Great Ponton	120.38
Haconby & Stainfield	182.26
Harlaxton	331.02
Heydour	148.48
Honington	64.27
Horbling	154.63
Hougham	77.62
Hough-on-the-Hill	156.76
Ingoldsby	113.57
Irnham	107.05
Kirkby Underwood	76.61
Langtoft	745.07
Lenton, Keisby & Osgodby	65.41
Little Bytham	110.71
Little Ponton & Stroxton	65.73
Londonthorpe & Harrowby without combined	1608.55
Long Bennington	897.86
Market Deeping	2032.09
Marston	148.41
Morton & Hanthorpe	802.49
Old Somerby	87.07
Pickworth	75.24
Pointon & Sempringham	188.70
Rippingale	330.35
Sedgebrook	142.53
Skillington	130.63
South Witham	433.28
Stubton	71.83
Swayfield	137.54
Swinstead	72.71
Tallington	202.15
Thurlby	780.48
Toft Lound & Manthorpe	137.23
Uffington	314.14
Welby	78.64
Westborough & Dry Doddington	145.96
West Deeping	115.23
Witham-on-the-Hill	94.72
Woolsthorpe	138.51
Wyville cum Hungerton	19.80

- i) The amounts on the attached schedule (Appendix A to Part B), being the amounts given by multiplying the amounts at g) above and h) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in valuation Band 'D', calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into

account for the year in respect of categories of dwellings listed in different valuation bands.

- j) That it be noted that for the year 2015/16, Lincolnshire County Council has stated the following amounts as a precept issued to the Council in accordance with Section 40 of the Local Government Finance Act, 1992, for each of the categories of dwellings shown below:-

Valuation Band

A £	B £	C £	D £	E £	F £	G £	H £
tbc	tbc	tbc	tbc	tbc	tbc	tbc	tbc

- k) That it be noted that for the year 2015/16, Police and Crime Commissioner has stated the following amounts as a precept issued to the Council in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:-

Valuation Band

A £	B £	C £	D £	E £	F £	G £	H £
tbc	tbc	tbc	tbc	tbc	tbc	tbc	tbc

- l) That, having calculated the aggregate in each case of the amounts at i), j) and k) above, the Council, in accordance with Section 30 (2) of the Local Government Finance Act 1992, hereby sets the amounts in Appendix B to Part B as the levels of Council Tax for the year 2015/16 for the categories of dwellings shown in Appendix A to Part B.

3 BACKGROUND

- 3.1 The Council’s budget requirement has been recommended by the Cabinet and is dealt with in Part A of this report. Parish precepts are added to the District Council’s net expenditure requirement. Government support and adjustments to Collection Fund relating to Community Charge and District Council’s share of Council Tax are then deducted from the spending requirement to give a Demand on the Collection Fund.
- 3.2 The Council Tax Base of 44,753.2 was approved at the Cabinet meeting held on 1 December 2014 and the budget requirement will be spread by reference to the tax base previously approved, taking into account the precepts of individual Parishes recoverable over the Parish tax base.
- 3.3 The Council Tax bill for 2015/16 includes the requirements of Lincolnshire County Council and the Lincolnshire Police Authority which are responsible for setting their own Council Tax levels.

3.4 Lincolnshire County Council determined its Council Tax requirement at the meeting held on 20 February 2015, as follows:

Total Council Tax Requirement	tbc
SKDC precept element	tbc
Band D tax	tbc

3.5 The Lincolnshire Police and Crime Panel considered the Police and Crime Commissioner Lincolnshire's proposals at its meeting held on 24th February 2015. Subsequently The Police and Crime Commissioner has confirmed his Council Tax requirement as follows:

Total Council Tax Requirement	tbc
SKDC precept element	tbc
Band D tax	tbc

3.6 The overall increases for Band D tax payers, by Authority, are shown in the table below:

Council Tax Details 2015/16				
	2014/15 Band D	2015/16 Band D	Increase £	Increase %
Lincolnshire County Council	1065.69	tbc	tbc	tbc
Lincolnshire Police & Crime Commissioner	193.86	tbc	tbc	tbc
South Kesteven District Council	127.47	127.47	0	0
South Kesteven + Special Expenses	139.62	139.62	0	0
South Kesteven + Special Expenses + Parishes*	171.07	171.67	0.60	3.5%

*the parish precept is net of localised council tax support grant allocation

4 SETTING THE COUNCIL TAX

4.1 The Local Government and Finance Act 1992 requires the Council to set Council Tax across the 8 valuation bands, and all precepting Parishes. The levels of overall Council Tax by Parish are attached at Appendix B to Part B.

5. COMMENTS OF FINANCIAL SERVICES

5.1 The financial implications of this section are included in Part A of the report above.

6 COMMENTS OF LEGAL AND DEMOCRATIC SERVICES

6.1 The Local Government Finance Act 1992 sets out the requirements placed upon the Council in relation to making formal recommendations relating to the setting of Council Tax and the Council's responsibilities as a billing authority.

SUMMARY OF GENERAL FUND ESTIMATES

Appendix A

	2014/15 Original Base <u>£'000</u>	2015/16 Estimate Base <u>£'000</u>	2016/17 Indicative Base <u>£'000</u>	2017/18 Indicative Base <u>£'000</u>
Grow The Economy	1,091	963	546	531
Keep Sk Clean, Green & Healthy	5,845	6,104	6,185	6,282
Promote Leisure, Arts & Culture	3,116	2,893	2,728	2,647
Support Good Housing For All	979	992	1,056	1,119
Well Run Council	4,007	4,439	4,226	3,745
<u>NET COST OF SERVICES</u>	<u>15,038</u>	<u>15,391</u>	<u>14,741</u>	<u>14,324</u>
Interest and Investment Income	(150)	(168)	(166)	(190)
Interest Payable	20	20	16	16
Minimum Revenue Provision	167	165	160	155
Depreciation Charged to Revenue Accounts	(2,772)	(2,867)	(2,795)	(2,691)
Revenue Contribution to Capital	1,188	1,202	500	500
Local Council Tax Support Scheme Grant (Parish and SEA's)	107	105	96	96
Corporate Savings to be allocated	0	(300)	(305)	(310)
Movement on Reserves				
-Net Movement in General Fund Specific Reserves	(413)	(534)	395	552
<u>BUDGET REQUIREMENT - GENERAL FUND</u>	<u>13,185</u>	<u>13,014</u>	<u>12,642</u>	<u>12,452</u>
Revenue Support Grant	(3,492)	(2,338)	(1,643)	(1,038)
Council Tax Freeze Grant	(217)	(290)	(156)	(156)
Homelessness Prevention	(104)	(104)	(104)	(104)
Rural Grant	(35)	(56)	(56)	(56)
New Burdens Funding	0	(62)	(62)	(62)
Business Rates (net)	(1,961)	(2,717)	(3,867)	(4,012)
Pooling Gain	(268)	(248)	(253)	(260)
Small Business Rate Relief	(940)	(1,068)	0	0
Collection Fund (Surplus)/ Deficit - Forecast	(91)	117	0	0
<u>TOTAL FUNDING (exc Council Tax)- GENERAL FUND</u>	<u>(7,108)</u>	<u>(6,766)</u>	<u>(6,141)</u>	<u>(5,688)</u>
<u>DISTRICT COUNCIL TAX REQUIREMENT (EXCL PARISHES)</u>	<u>6,077</u>	<u>6,248</u>	<u>6,501</u>	<u>6,764</u>
SKDC Budget Requirement	5,547	5,705	5,935	6,175
Bourne Special Expense Area (SEA)	25	26	27	28
Deepings Special Expense Area	13	13	14	14
Grantham Special Expense Area	415	427	444	463
Langtoft Special Expense Area	8	8	8	8
Stamford Special Expense Area	69	69	73	76
Parish Precepts (net of Council tax support grant)	1,369	1,435	1,435	1,435
<u>COUNCIL TAX REQUIREMENT (INCL PARISHES)</u>	<u>7,446</u>	<u>7,683</u>	<u>7,936</u>	<u>8,199</u>

Band D Properties on which charges are based	43,522	44,753	45,648	46,561
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<u>Council Tax Band Charges inc SEA's</u>	2015/16	<u>Council Tax Band Charges exc SEA's</u>	2015/16
Band A	£93.08		£84.98
Band B	£108.59		£99.14
Band C	£124.11		£113.31
Band D	£139.62		£127.47
Band E	£170.65		£155.80
Band F	£201.67		£184.12
Band G	£232.70		£212.45
Band H	£279.24		£254.94

SAVINGS AND EFFICIENCIES

Service Description	Amount in 2015/16 (£)
1 Departmental operating budget reductions (contract renewals etc)	315,000
2 Base budget reviews (following year end)	137,000
3 Centralisation of budgets	103,000
4 Return of Investment opportunities	95,000
5 Corporate Savings	300,000
6 Total	950,000
Previous Years savings carried forward (material items)	
1 Invest to save payback - savings achieved from Invest to Save initiatives	102,000
2 Leisure Centres - Solar panel feed in tariffs and management fee reductions	165,000
3 Vehicle Maintenance - consumable savings due to purchase of new fleet	50,000
4 Internal Audit - Contract savings	10,000
5 Utilities - Contract review	42,000
6 Centralisation of budgets such as stationery and advertising	25,000
7 Grounds maintenance - Contract review	37,000
8 Total	431,000
9 Grand Total	1,381,000

	Detail	Effective Date	2014/15 £	2015/16 £	VAT
	CAR PARKS - GRANTHAM				
1	SHORT STAY (EXCEPT WHARF ROAD)				
	Up to 30 mins	01/04/10	0.50	0.50	Included
	Up to 1 hour	01/04/10	0.80	0.80	Included
	Up to 2 hours	01/04/10	1.30	1.30	Included
	Up to 3 hours	01/04/10	1.80	1.80	Included
	Up to 4 hours	01/04/10	3.00	3.00	Included
	Over 4 hours	01/04/10	4.00	4.00	Included
	SHORT STAY Wharf Road Grantham				
	Up to 30 mins	01/04/10	0.50	0.50	Included
	Up to 1 hour	01/04/10	0.80	0.80	Included
	Up to 2 hours	01/04/10	1.30	1.30	Included
	Up to 3 hours	01/04/10	1.80	1.80	Included
	Up to 4 hours	01/04/11	6.00	6.00	Included
	Over 4 hours	01/04/11	8.00	8.00	Included
2	LONG STAY				
	Up to 3 hours	01/04/10	1.80	1.80	Included
	Up to 4 hours	01/04/10	2.50	2.50	Included
	All day	01/04/10	3.00	3.00	Included
3	LONG STAY SEASON TICKETS (Monday to Friday)				
	Per quarter	01/04/10	99.00	99.00	Included
	Per 6 months	01/04/10	190.00	190.00	Included
4	LONG STAY SEASON TICKETS (Monday to Saturday)				
	Per quarter	01/04/10	120.00	120.00	Included
	Per 6 months	01/04/10	230.00	230.00	Included
	Season Ticket Discount Offer	Purchase	Additional Tickets Free		
		4	1		
		8	2		
		15	5		
5	PENALTY CHARGE NOTICES				
	Failure to display	01/04/13	70.00	70.00	O/Scope
	Fine after discount for Payment in 14 days	01/04/13	35.00	35.00	O/Scope
	Parking for longer etc	01/04/13	50.00	50.00	O/Scope
	Fine after discount for Payment in 14 days	01/04/13	25.00	25.00	O/Scope

	Detail	Effective Date	2014/15 £	2015/16 £	VAT
	CAR PARKS - STAMFORD				
1	SHORT STAY				
	Up to 30 mins	01/04/10	0.50	0.50	Included
	Up to 1 hour	01/04/10	0.80	0.80	Included
	Up to 2 hours	01/04/10	1.30	1.30	Included
	Up to 3 hours	01/04/10	1.80	1.80	Included
	Up to 4 hours	01/04/10	3.00	3.00	Included
	Over 4 hours	01/04/10	4.00	4.00	Included
2	LONG STAY				
	Up to 3 hours	01/04/10	1.80	1.80	Included
	Up to 4 hours	01/04/10	2.50	2.50	Included
	All day	01/04/10	3.00	3.00	Included
3	COACH PARKING (ALL DAY)				
	Cattle Market	01/04/10	10.00	10.00	Included
4	LONG STAY SEASON TICKETS (Monday to Friday)				
	Per quarter	01/04/10	99.00	99.00	Included
	Per 6 months	01/04/10	190.00	190.00	Included
5	LONG STAY SEASON TICKETS (Monday to Saturday)				
	Per quarter	01/04/10	120.00	120.00	Included
	Per 6 months	01/04/10	230.00	230.00	Included
	Season Ticket Discount Offer	Purchase	Additional Tickets Free		
		4	1		
		8	2		
		15	5		
6	PENALTY CHARGE NOTICES				
	Failure to display	01/04/13	70.00	70.00	O/Scope
	Fine after discount for Payment in 14 days	01/04/13	35.00	35.00	O/Scope
	Parking for longer etc	01/04/13	50.00	50.00	O/Scope
	Fine after discount for Payment in 14 days	01/04/13	25.00	25.00	O/Scope

	Detail	Effective Date	2014/15 £	2015/16 £	VAT
	BUS STATION - GRANTHAM				
1	Per Departure	01/04/14	0.77	0.77	Included
2	<u>Minimum Charge</u> 1-75 departures per annum	01/04/14	51.00	51.00	Included
	BUS STATION - STAMFORD				
3	Per Departure	01/04/14	0.77	0.77	Included
4	<u>Minimum Charge</u> 1-75 departures per annum	01/04/14	51.00	51.00	Included
	BUS STATION - BOURNE				
5	Per Departure	01/04/14	0.77	0.77	Included
6	<u>Minimum Charge</u> 1-75 departures per annum	01/04/14	51.00	51.00	Included

	Detail	Effective Date	2014/15 £	2015/16 £	VAT
	CYCLE CENTRE AT ST CATHERINE'S ROAD GRANTHAM				
1	<u>13 weeks charge</u>				
	Small locker	01/04/15	27.50	28.50	Included
	Large locker	01/04/15	33.50	34.50	Included
2	<u>26 weeks charge</u>				
	Small locker	01/04/15	43.00	44.50	Included
	Large locker	01/04/15	54.50	56.00	Included
3	<u>52 weeks charge</u>				
	Small locker	01/04/15	63.50	65.50	Included
	Large locker	01/04/15	78.00	80.50	Included
4	Deposit for entry key and locker key	01/04/15	11.00	11.50	Included

Building Control - Detail						
Category of work	Full Plans Application			Building Notice Applications		
	Plan Charge			Building Notice Charge		
	Net Charge £	VAT £	Gross Charge £	Net Charge £	VAT £	Gross Charge £
Extension or loft conversion where floor area does not exceed 6m ²	200.00	40.00	240.00	200.00	40.00	240.00
Extension or loft conversion where floor area exceeds 6m ² but does not exceed 10m ²	250.00	50.00	300.00	250.00	50.00	300.00
Extension or loft conversion where floor area does not exceed 20m ²	300.00	60.00	360.00	300.00	60.00	360.00
Extension or loft conversion where floor area exceeds 20m ² but does not exceed 60m ²	400.00	80.00	480.00	400.00	80.00	480.00
Erection or extension of a domestic garage or carport up to 60m ²	235.00	47.00	282.00	235.00	47.00	282.00
Conversion of a domestic garage into a habitable room(s)	200.00	40.00	240.00	200.00	40.00	240.00
Renovation of a thermal element to a single existing dwelling (eg external insulation)	180.00	36.00	216.00	180.00	36.00	216.00
Replacement of up to five windows / external doors of an existing dwelling (where all are replaced at the same time)	90.00	18.00	108.00	90.00	18.00	108.00
Replacement of more than five windows / external doors of an existing dwelling (where all are replaced at the same time)	150.00	30.00	180.00	150.00	30.00	180.00
Any electrical work to a dwelling other than a complete rewire	180.00	36.00	216.00	180.00	36.00	216.00
Electrical work involving the complete re-wiring of an existing dwelling	250.00	50.00	300.00	250.00	50.00	300.00
Installation of PV panels or solar heating system to an existing dwelling	150.00	30.00	180.00	150.00	30.00	180.00
Re-roofing of an existing dwelling	180.00	36.00	216.00	180.00	36.00	216.00
Work for which the estimated cost is up to £1,000	100.00	20.00	120.00	100.00	20.00	120.00
Work for which the estimated cost is over £1,000 and up to £2,000	180.00	36.00	216.00	180.00	36.00	216.00
Work for which the estimated cost is over £2,000 and up to £5,000	225.00	45.00	270.00	225.00	45.00	270.00
Work for which the estimated cost is over £5,000 and up to £10,000	250.00	50.00	300.00	250.00	50.00	300.00
Work for which the estimated cost is over £10,000 and up to £20,000	275.00	55.00	330.00	275.00	55.00	330.00

For any work not covered in the above table, please contact us on 01476 406187 or e-mail bcontrol@southkesteven.gov.uk for a quotation.

	Detail	Effective Date	2014/15 £	2015/16 £	VAT
	BUILDING CONTROL CHARGES				
1	<u>Photocopying Charges</u>				
	Photocopying - A4/A3 per sheet (up to 5 sheets)	01/04/15		0.30	Included
	Photocopying - A2 per sheet (up to 5 sheets)	01/04/15		3.16	Included
	Photocopying - A1 per sheet (up to 5 sheets)	01/04/15		4.42	Included
	Photocopying - A0 per sheet (up to 5 sheets)	01/04/15		6.94	Included
2	<u>Administration Charges</u>				
	Photocopying - general administration charge	01/04/15		7.56	Included
	Searching of historic records	01/04/15		30.00	Included
	Copy of completion certificate	01/04/15		24.00	Included
	On-line copy of completion certificate	01/04/15		12.00	Included
	Copy of notice of decision	01/04/15		24.00	Included
	On-Line copy of notice of decision	01/04/15		12.00	Included
	Stamped approved plans	01/04/15		18.00	Included
3	<u>Additional Inspection Charges</u>				
	Inspection booked - nobody on site	01/04/15		30.00	Included
	Inspection booked - work not ready	01/04/15		30.00	Included
	Additional inspections for quality of building works including help with snagging list	01/04/15		20% of original charge	
4	<u>Other Charges</u>				
	Failure to notify at required stages including the completion stage	01/04/15		60.00	Included
	Pre-application advice including 'do I need permission'	01/04/15		40.00	Included

	Detail	Effective Date	2014/15 £	2015/16 £	VAT
MARKETS - GRANTHAM					
1	Standard Stall (3.05m x 1.22m)	01/04/12	21.50	21.50	Exempt
	Standard Casual Stall (3.05m x 1.22m)	01/04/15	23.50	24.30	Exempt
2	Pitch (3.05m x 3.05m)	01/04/12	20.00	20.00	Exempt
	Casual Pitch (3.05m x 3.05m)	01/04/15	20.50	21.20	Exempt
	Hot food & drinks units	01/04/15	23.50	24.30	Exempt
3	<u>Vehicles parked for storage</u>				
	Cars and light vans	01/04/15	6.40	6.60	Included
	Large vehicles	01/04/15	9.80	10.10	Included
MARKETS - STAMFORD					
4	Standard Stall (3.05m x 1.22m)	01/04/14	23.50	23.50	Exempt
	Standard Casual Stall (3.05m x 1.22m)	01/04/15	26.00	26.90	Exempt
5	Pitch (3.05m x 1.22m)	01/04/14	21.00	21.00	Exempt
	Casual Pitch (3.05m x 3.05m)	01/04/15	23.00	23.80	Exempt
	Hot food & drinks units	01/04/15	26.00	26.90	Exempt
6	Craft fair - Table	01/04/15	24.00	24.80	Exempt
7	Craft fair - Stall	01/04/15	29.00	30.00	Exempt
8	<u>Vehicles parked for storage</u>				
	Cars and light vans	01/04/15	6.50	6.70	Included
	Large vehicles	01/04/15	10.00	10.30	Included
MARKETS - BOURNE					
9	Standard Stall (3.05m x 1.22m)	01/04/14	19.00	19.00	Exempt
	Standard Casual Stall (3.05m x 1.22m)	01/04/15	20.00	20.70	Exempt
10	Pitch (3.05m x 3.05m)	01/04/14	16.00	16.00	Exempt
	Casual Pitch (3.05m x 3.05m)	01/04/15	16.00	16.50	Exempt
	Hot food & drinks units	01/04/15	n/a	20.70	Exempt
11	<u>Vehicles parked for storage</u>				
	Cars and light vans	01/04/15	6.60	6.80	Included
	Large vehicles	01/04/15	10.00	10.30	Included
12	Hire of stall for private function (collection only)*	01/04/15	10.60	10.90	Exempt
13	FOR ALL MARKETS				
	Farmers market - supply of stall cover in addition to standard stall charge	01/04/07	1.00	1.00	Exempt
	Fruit and Veg Excessive Waste Surcharge	01/04/15	£5 / Stall	£5.20 / Stall	

* any associated costs with delivery and set up will be charged accordingly

	Detail	Effective Date	2014/15 £	2015/16 £	VAT
	<u>BOURNE LEISURE CENTRE</u>				
1	<u>Swimming Pool</u>				
	Swimming - full rate	01/04/15	4.70	4.85	Exempt
	Swimming - concession	01/04/15	3.10	3.20	Exempt
	Under 5's	01/04/12	0.75	0.75	Exempt
	Parent and toddler session	01/04/15	4.75	4.90	Exempt
	Exclusive pool hire (per hour)	01/04/15	139.15	143.75	Exempt
	LCC Schools (per individual)	01/04/15	1.05	1.10	Exempt
2	<u>Main Hall (per hour)</u>				
	Sporting - full rate	01/04/15	52.40	54.15	Exempt
	Commercial	01/04/12	Negotiable	Negotiable	Exempt
	Badminton - full rate	01/04/15	11.05	11.40	Exempt
	Cricket nets - full rate	01/04/15	52.25	53.95	Exempt
	Table tennis - full rate per hour	01/04/15	6.35	6.55	Exempt
3	<u>Fitness Room (per hour)</u>				
	Individual use - full rate	01/04/15	7.65	7.90	Exempt
4	<u>Miscellaneous (per hour)</u>				
	Crèche (per child)	01/04/15	2.75	2.80	Exempt
	Activity room/meeting room - full rate	01/04/15	23.25	24.00	Exempt
	Spectator (per individual)	01/04/15	1.15	1.20	Exempt
5	<u>Hire of equipment</u>				
	Rackets and balls (all types of rackets and balls)	01/04/15	2.10	2.15	Exempt

	Detail	Effective Date	2014/15 £	2015/16 £	VAT
	<u>BOURNE LEISURE CENTRE</u>				
6	<u>Membership</u>				
	Adult member	01/04/15	22.50	23.25	Exempt
	Junior (U16)	01/04/15	10.90	11.25	Exempt
	Club	01/04/15	42.75	44.15	Exempt
	Concessionary	01/04/15	10.90	11.25	Exempt
	Family membership	01/04/15	47.55	49.10	Exempt
	THE LIST OF CHARGES IS NOT DEFINITIVE AND ARE NON-MEMBER RATES LOWER CHARGES ARE AVAILABLE FOR LEISURE CENTRE MEMBERS				

	Detail	Effective Date	2014/15 £	2015/16 £	VAT
	<u>DEEPINGS LEISURE CENTRE</u>				
1	<u>Swimming pool</u>				
	Swimming - full rate	01/04/15	4.10	4.25	Exempt
	Swimming - concession	01/04/15	2.65	2.75	Exempt
	Under 5's	01/04/12	0.65	0.65	Exempt
	Parent and toddler session	01/04/15	4.25	4.40	Exempt
	Exclusive pool hire (per hour)	01/04/15	85.00	87.80	Exempt
2	<u>Main Hall (per hour)</u>				
	Sporting - full rate	01/04/15	47.55	49.10	Exempt
	Commercial	01/04/12	Negotiable	Negotiable	Exempt
	Badminton - full rate	01/04/15	11.30	11.65	Exempt
	Roller skating - adult	01/04/15	3.10	3.20	Exempt
	Roller skating - concession	01/04/15	2.50	2.60	Exempt
	Cricket nets - full rate	01/04/15	47.55	49.10	Exempt
	Table tennis - full rate per hour	01/04/15	6.50	6.70	Exempt
3	<u>Squash Court (per 40 mins) - full rate</u>	01/04/15	7.80	8.05	Exempt
4	<u>Second Hall (per hour)</u>				
	Sporting - full rate	01/04/15	23.25	24.00	Exempt
	Commercial	01/04/12	Negotiable	Negotiable	Exempt
5	<u>Fitness Room (per hour)</u>				
	Individual use - full rate	01/04/15	5.00	5.15	Exempt
6	<u>Miscellaneous (per hour)</u>				
	Crèche (per child)	01/04/15	1.85	1.90	Exempt
	Activity room/meeting room - full rate	01/04/15	14.80	15.30	Exempt
	Sports bar - full rate	01/04/15	14.80	15.30	Exempt
	Committee room - full rate	01/04/15	9.50	9.80	Exempt
	Whole bar area - full rate	01/04/15	N/A	N/A	Exempt
	Spectator (per individual)	01/04/15	1.30	1.35	Exempt

	Detail	Effective Date	2014/15 £	2015/16 £	VAT
	<u>DEEPINGS LEISURE CENTRE</u>				
7	<u>Hire of equipment</u>				
	Table tennis bat/ball	01/04/15	2.10	2.15	Exempt
	Skate hire / shuttlecock	01/04/15	2.10	2.15	Exempt
	Badminton/tennis/squash racket	01/04/15	2.10	2.15	Exempt
8	<u>Synthetic Pitch (per hour)</u>				
	Full synthetic pitch - full rate	01/04/15	47.50	49.05	Exempt
	Six-a-side - full rate	01/04/15	18.80	19.40	Exempt
	Floodlights (full pitch) - full rate	01/04/15	19.10	19.75	Exempt
	Floodlights (six-a-side) - full rate	01/04/15	7.10	7.35	Exempt
9	<u>Outdoor Facilities (per hour)</u>				
	Tennis court - full rate	01/04/15	10.55	10.90	Exempt
	Netball - full rate	01/04/15	20.70	21.40	Exempt
10	<u>Outdoor pitches</u>				
	per pitch (2 hours) - full rate	01/04/15	53.90	55.70	Exempt
	Includes marking out and accommodation				

	Detail	Effective Date	2014/15 £	2015/16 £	VAT
	<u>THE GRANTHAM MERES LEISURE CENTRE</u>				
1	<u>Swimming pool</u>				
	Swimming - full rate	01/04/15	4.70	4.85	Exempt
	Swimming - concession	01/04/15	3.15	3.25	Exempt
	Under 5's	01/04/12	0.75	0.75	Exempt
	Parent and toddler session	01/04/15	4.85	5.00	Exempt
	Exclusive pool hire (per hour)	01/04/15	137.40	141.95	Exempt
	LCC Schools (per individual)	01/04/15	1.05	1.10	Exempt
2	<u>Main Hall (per hour)</u>				
	Sporting - full rate	01/04/15	73.95	76.40	Exempt
	Commercial	01/04/12	Negotiable	Negotiable	Exempt
	Badminton - full rate	01/04/15	10.90	11.25	Exempt
	Climbing wall - full rate	01/04/15	7.45	7.70	Exempt
	Table tennis centre hall	01/04/15	55.05	56.85	Exempt
	Table tennis - full rate per hour	01/04/15	6.45	6.65	Exempt
3	<u>Second Hall (per hour)</u>				
	Sporting - full rate	01/04/15	35.05	36.20	Exempt
	Commercial	01/04/12	Negotiable	Negotiable	Exempt
4	<u>Fitness Room (per hour)</u>				
	Individual use - full rate	01/04/15	8.25	8.50	Exempt
5	<u>Miscellaneous (per hour)</u>				
	Activity room/meeting room - full rate	01/04/15	15.35	15.85	Exempt
	Sports bar - full rate	01/04/15	17.65	18.25	Exempt
	Function room - full rate	01/04/15	16.15	16.70	Exempt
	Spectator (per individual)	01/04/15	1.25	1.30	Exempt
6	<u>Hire of equipment</u>				
	Table tennis bat/ball	01/04/15	2.20	2.25	Exempt
	Badminton/tennis/squash racket	01/04/15	2.20	2.25	Exempt

	Detail	Effective Date	2014/15 £	2015/16 £	VAT
	<u>THE GRANTHAM MERES LEISURE CENTRE</u>				
7	<u>Synthetic Pitch (per hour)</u>				
	Full synthetic pitch - full rate	01/04/15	51.75	53.45	Exempt
	Six-a-side - full rate	01/04/15	18.35	18.95	Exempt
	Floodlights (full pitch) - full rate	01/04/15	21.00	21.70	Exempt
	Floodlights (six-a-side) - full rate	01/04/15	7.20	7.45	Exempt
8	<u>Outdoor Facilities - (per hour)</u>				
	Floodlights - full rate	01/04/15	8.40	8.70	Exempt
	Tennis court - full rate	01/04/15	13.35	13.80	Exempt
	Netball - full rate	01/04/15	19.00	19.65	Exempt
9	<u>Membership</u>				
	Adult member	01/04/15	24.25	25.05	Exempt
	Junior (U16)	01/04/15	11.65	12.05	Exempt
	Concessionary	01/04/15	11.65	12.05	Exempt
	Family membership	01/04/15	56.00	57.85	Exempt
	THE LIST OF CHARGES IS NOT DEFINITIVE AND ARE NON-MEMBER RATES LOWER CHARGES ARE AVAILABLE FOR LEISURE CENTRE MEMBERS				

	Detail	Effective Date	2014/15 £	2015/16 £	VAT
	<u>STAMFORD LEISURE CENTRE</u>				
1	<u>Swimming pool</u>				
	Swimming - full rate	01/04/15	4.65	4.80	Exempt
	Swimming - concession	01/04/15	3.15	3.25	Exempt
	Under 5's	01/04/12	0.75	0.75	Exempt
	Parent and toddler session	01/04/15	4.90	5.05	Exempt
	Exclusive pool hire (per hour)	01/04/15	138.95	143.55	Exempt
	LCC schools (per individual)	01/04/15	1.05	1.10	Exempt
	Spectator (per individual)	01/04/15	1.25	1.30	Exempt
2	<u>Membership</u>				
	Adult member	01/04/15	24.25	25.05	Exempt
	Junior (U16)	01/04/15	11.65	12.05	Exempt
	Concessionary	01/04/15	11.65	12.05	Exempt
	Family membership	01/04/15	56.00	57.85	Exempt

	Detail	Effective Date	2014/15 £	2015/16 £	VAT
	<u>SOUTH KESTEVEN SPORTS STADIUM</u>				
1	<u>Track Hire</u>				
	Adult	01/04/15	45.40	46.90	Exempt
	Concession	01/04/15	28.55	29.50	Exempt
	Floodlights	01/04/15	35.40	36.55	Exempt
	Commercial	01/04/12	Negotiable	Negotiable	Exempt
	Non-sporting / Non-commercial	01/04/15	54.35	56.15	Exempt
2	<u>Individual use (per hour)</u>				
	Adult	01/04/15	3.90	4.05	Exempt
	Concession	01/04/15	2.45	2.55	Exempt
	Spectator (per individual)	01/04/15	1.25	1.30	Exempt
	Hire of equipment (per booking)	01/04/15	22.50	23.25	Exempt
	Setting up time - by SKDC	01/04/15	22.50	23.25	Exempt
3	<u>Football pitch hire</u>				
	Pitch hire (up to 2 hours)				
	Adult	01/04/15	125.75	129.90	Exempt
	Concession	01/04/15	75.55	78.05	Exempt
	Floodlights (per match)	01/04/15	71.20	73.55	Exempt
	Commercial (per hour)	01/04/12	Negotiable	Negotiable	Exempt
4	<u>Individual room hire (per hour)</u>				
	P.A. room	01/04/15	13.90	14.30	Exempt
	Committee room	01/04/15	13.90	14.30	Exempt

	Detail	Effective Date	2014/15 £	2015/16 £	VAT
	ARTSCENE MEMBERSHIP - ARTS CENTRES				
	STAGED PERFORMANCES				
	The theatres and ballrooms are available for hire for theatrical productions, concerts, lectures, demonstrations, films and other performing arts events. Prices are below:				
1	Guildhall Arts Centre, Grantham				
	<u>Theatre Hire</u>				
	Performances - Commercial	01/04/15	300.00	310.00	Exempt
	Performances - Non Profit making	01/04/14	248.00	248.00	Exempt
	Dress rehearsals	01/04/14	196.00	196.00	Exempt
	Rehearsals (incl tech)	01/04/14	125.00	125.00	Exempt
	Lecture/demonstrations (Daytime)	01/04/14	92.00	92.00	Exempt
	Lecture/demonstrations (Evening)	01/04/14	201.00	201.00	Exempt
	Set up charge/technical support (max. 8 hours)	01/04/14	125.00	125.00	Exempt
2	Stamford Arts Centre				
	<u>Theatre Hire</u>				
	Performances - Commercial	01/04/15	317.00	328.00	Exempt
	Performances - Non Profit making	01/04/14	275.00	275.00	Exempt
	Dress rehearsals	01/04/14	196.00	196.00	Exempt
	Rehearsals (incl tech)	01/04/14	125.00	125.00	Exempt
	Lecture/demonstrations (Daytime)	01/04/14	92.00	92.00	Exempt
	Lecture/demonstrations (Evening)	01/04/14	201.00	201.00	Exempt
	Set up charge/technical support (max. 8 hours)	01/04/14	125.00	125.00	Exempt
	Technical surcharge per hire	01/04/14	54.00	54.00	Exempt
3	Bourne Corn Exchange				
	<u>Theatre Hire - Main Hall</u>				
	Performances	01/04/13	118.00	118.00	Exempt
	Dress Rehearsals	01/04/13	93.00	93.00	Exempt
	Rehearsals	01/04/13	77.00	77.00	Exempt
	Set up charge/technical support (max. 8 hours)	01/04/13	118.00	118.00	Exempt
	Performers Rights Society charges may be applicable in addition to the above rates				
	Hire conditions are available giving details of equipment and support offered; quotations provided on request.				

	Detail	Effective Date	2014/15 £	2015/16 £	VAT
WEDDING RECEPTIONS, PARTIES AND OTHER ROOM HIRE					
All three venues are available for wedding parties and similar functions. Packages are available to include provision of bars and catering. Prices are below.					
4	Guildhall Arts Centre, Grantham				
	<u>Casually let rooms (per hour)</u>				
	Ballroom - hourly day rate up to 6pm	01/04/14	33.00	33.00	Exempt
	Ballroom - hourly evening rate 6 to 11pm - meetings & workshops	01/04/14	54.00	54.00	Exempt
	Ballroom - whole evening 6 to 11pm parties	01/04/15	285.00	295.00	Exempt
	Ballroom - whole evening 6 to 11pm concerts	01/04/15	227.00	235.00	Exempt
	Ballroom - (all day) Wedding rate	01/04/15	443.00	458.00	Exempt
	Ballroom - (all day) Wedding rate including setting up charge previous evening	01/04/15	734.00	759.00	Exempt
	Use of ballroom kitchen per day	01/04/14	54.00	54.00	Exempt
	<u>Meeting rooms (per hour)</u>				
	Newton room	01/04/13	27.00	27.00	Exempt
	Studio 4	01/04/13	22.00	22.00	Exempt
5	Bourne Corn Exchange				
	<u>Casually let rooms</u>				
	Main hall - hourly rate	01/04/13	36.00	36.00	Exempt
	Main hall - Friday or Saturday whole evening	01/04/13	267.00	267.00	Exempt
	6pm-12pm incl prem rate				
	Main hall - (all day) 9am to 12pm excluding kitchen	01/04/13	420.00	420.00	Exempt
	Kitchen hire (use of kitchen area excluding equip)*	01/04/13	64.00	64.00	Exempt
	Kitchen hire (full use of kitchen and equipment including crockery and cutlery etc)*	01/04/13	120.00	120.00	Exempt
	Room set up or clear down (as per hourly rate or part thereof)	01/04/13	36.00	36.00	Exempt
	Room set up or clear down after midnight (as per hourly rate or part thereof)	01/04/13	51.00	51.00	Exempt
	Use of bar for functions when hirer providing bar for sale of alcohol	01/04/13	50.00	50.00	Exempt
6	Stamford Arts Centre				
	<u>Casually let rooms (per hour)</u>				
	Ballroom - hourly day rate up to 6pm	01/04/13	33.00	33.00	Exempt
	Ballroom - hourly evening rate 6 to 11pm - meetings & workshops	01/04/14	54.00	54.00	Exempt
	Ballroom - whole evening 6 to 11pm - parties	01/04/15	433.00	448.00	Exempt
	Ballroom - whole evening 6 to 11pm - concerts	01/04/15	327.00	338.00	Exempt
	Function ballroom/Blue room - all day wedding rate	01/04/15	798.00	825.00	Exempt
	Function ballroom/Blue room - wedding rate including setting up charge previous evening	01/04/14	1225.00	1225.00	Exempt
	<u>Meeting rooms - per hour</u>				
	Blue Room/Rehearsal evening	01/04/13	22.00	22.00	Exempt
	Blue Room/Rehearsal daytime	01/04/13	17.00	17.00	Exempt
	Ireson/Burley/Exeter Room evening	01/04/13	16.00	16.00	Exempt
	Ireson/Burley/Exeter Room daytime	01/04/13	14.00	14.00	Exempt
	Additional cleaning for social functions	01/04/14	59.00	59.00	Included
	*access to kitchen up to 4 hours prior to event start time, additional earlier access will incur additional hourly rate of £10				
Performers Right Society charges may be applicable in addition to the above rates					
Room Hire					
Meeting rooms and function halls may be available for hire at each venue, prices from £10 per hour off peak. Additional meeting rooms may be available at the main Council offices Grantham. Information available upon request.					

	Detail	Effective Date	2014/15 £	2015/16 £	VAT
1	<u>Green Waste</u>				
	Green waste bin (joining fee, first bin only)	01/04/12	10.00	10.00	O/Scope
	Additional Green waste bin	01/04/10	26.00	26.00	O/Scope
	Annual collection charge (first bin)	01/04/12	25.00	25.00	O/Scope
	Annual collection charge (each subsequent bin)	01/04/12	10.00	10.00	O/Scope
2	<u>Other street scene charges</u>				
	Additional Silver recycling bin	01/04/10	26.00	26.00	O/Scope
	Additional clear recycling sacks (pack of 15)	01/04/10	1.25	1.25	O/Scope
	Replacement of damaged wheelie bins*	01/04/10	26.00	26.00	O/Scope
	Replacement of damaged wheels and axles*	01/04/10	20.00	20.00	O/Scope
	Replacement of bin lid pegs*	01/04/10	5.00	5.00	O/Scope
3	<u>Domestic refuse collection</u>				
	Bulk household items - first item	01/04/15	11.00	12.00	O/Scope
	- each additional item	01/04/15	5.00	6.00	O/Scope
	White Goods collection	01/04/15	11.00	12.00	O/Scope
	Piano collection	01/04/15	N/A	50.00	O/Scope
	Ad Hoc Bulky collections (non standard items) - to be assessed by Supervisor, charged appropriately				
4	Private street cleansing	01/04/10	Based on cost recovery		
	<i>*Where bins have been damaged by the resident</i>				

	Detail	Effective Date	2014/15 £	2015/16 £	VAT
	MOT Testing				
1	<u>Classes 1 and 2</u>				
	Motorcycles	01/04/10	29.65	29.65	O/Scope
	Motorcycles with sidecar	01/04/10	37.80	37.80	O/Scope
2	<u>Class 4</u>				
	Cars (up to 8 passenger seats) and motor caravans	01/04/10	54.85	54.85	O/Scope
	Quads (max unladen weight 400kg - for goods vehicles 550kg and max net power 15kw)	01/04/10	54.85	54.85	O/Scope
	Dual purpose vehicles	01/04/10	54.85	54.85	O/Scope
	Private hire vehicles and PSVs (up to 8 seats)	01/04/10	54.85	54.85	O/Scope
	Goods vehicles (up to 3,000 kg DGW)	01/04/10	54.85	54.85	O/Scope
	Ambulances and Taxis (Taxis and private hire vehicles may be subject to additional local requirements)	01/04/10	54.85	54.85	O/Scope
	Private passenger vehicles and ambulances (9-12 Passenger Seats)	01/04/10	57.30	57.30	O/Scope
3	<u>Class 7</u>				
	Goods vehicles (over 3,000kg up to 3,500kg DGW)	01/04/10	58.60	58.60	O/Scope
	NOTES				
	Fees fixed in accordance with Vehicle and Operator Standards Agency				

	Detail	Effective Date	2014/15 £	2015/16 £	VAT
	ENVIRONMENTAL HEALTH				
1	<u>Premise/Business registration fees</u>				
	Acupuncture	01/04/15	131.00	135.00	O/Scope
	Tattooing	01/04/15	131.00	135.00	O/Scope
	Electrolysis	01/04/15	131.00	135.00	O/Scope
	Cosmetic piercing	01/04/15	131.00	135.00	O/Scope
	Semi permanent skin colouring	01/04/15	131.00	135.00	O/Scope
	Additional activities (eg cosmetic piercing and tattooing) per activity	01/04/15	65.00	67.00	O/Scope
	Amendment or replacement certificate	01/04/15	20.50	21.00	O/Scope
2	<u>Personal registration fees (Per activity)</u>				
	Acupuncture	01/04/15	65.00	67.00	O/Scope
	Tattooing	01/04/15	65.00	67.00	O/Scope
	Electrolysis	01/04/15	65.00	67.00	O/Scope
	Cosmetic piercing	01/04/15	65.00	67.00	O/Scope
	Semi permanent skin colouring	01/04/15	65.00	67.00	O/Scope
	Amendment or replacement certificate	01/04/15	20.50	21.00	O/Scope
3	<u>Unsound food</u>				
	Voluntary surrender certificate	01/04/15	36.00	37.00	Included
4	<u>Frozen food exports</u>				
	Inspection and certification	01/04/15	72.00	74.00	Included
	Certification only	01/04/15	26.50	27.00	Included
5	<u>Control of dogs</u>				
	Collecting and detaining stray dogs	01/04/96	25.00	25.00	O/Scope
	Kenneling charge (First night)	01/04/15	25.00	25.50	O/Scope
	Kenneling charge (Each night thereafter)	01/04/15	15.60	16.00	O/Scope
6	<u>Vehicle salvage operators</u>				
	Application	01/04/15	81.00	83.50	O/Scope
	Renewal	01/04/15	67.00	69.00	O/Scope
7	<u>Scrap Metal</u>				
	Dealer initial licence - 2 year licence	01/04/13	556.00	556.00	O/Scope
	Collector initial licence	01/04/13	145.00	145.00	O/Scope
	Dealer licence renewal	01/04/13	526.00	526.00	O/Scope
	Collector licence renewal	01/04/13	115.00	115.00	O/Scope
	Licence name change	01/04/13	20.00	20.00	O/Scope
	Copy of a licence	01/04/13	11.00	11.00	O/Scope
	<i>** per individual</i>				
8	Dog fouling penalty	01/04/09	75.00	75.00	O/Scope
9	Fixed Penalty Notice - Community Protection Notice	06/11/14	75.00	75.00	O/Scope
	Fixed Penalty Notice - Public Space Protection Order	06/11/14	75.00	75.00	O/Scope
10	Litter - Fixed penalty notice	01/04/09	75.00	75.00	O/Scope
11	<u>Caravan Sites & Park Homes</u>				
	Application for a new site Licence - Fixed cost	01/04/15	N/A	372.00	O/Scope
	Transfer/amendments of up to 2 Licence conditions	01/04/15	N/A	153.00	O/Scope
	Significant amendments involving a site visit	01/04/15	N/A	220.00	O/Scope
	Annual Fee - per pitch	01/04/15	N/A	10.00	O/Scope
	Enforcement - Based on a hourly rate	01/04/15	N/A	Variable	O/Scope
	Deposit of site rules	01/04/15	N/A	53.00	O/Scope
	<i>** New legislation introduced in 2014/15, enabling Local Authorities to charge for these licences</i>				

	Detail	Effective Date	2014/15 £	2015/16 £	VAT
	ENVIRONMENTAL HEALTH				
12	ENQUIRIES IN CONNECTION WITH CONTAMINATED LAND				
	Enquiries	01/04/15	115.00	119.00	O/Scope
	Private sector housing charges	01/04/12	Hourly Rate	Hourly Rate	O/Scope
	Immigration inspections	01/04/12	Hourly Rate	Hourly Rate	O/Scope
13	HOUSES OF MULTIPLE OCCUPATION				
	Renewal of licence	01/04/15	432.00	446.00	O/Scope
		01/04/15	154.00	159.00	O/Scope

	Detail	Effective Date	2015/16	2015/16	2015/16	VAT
	POLLUTION PREVENTION AND CONTROL ACT 2010					
	AIR POLLUTION					
1	Initial application for permitting	01/04/10	1579.00			O/Scope
	additional fee for operating without a permit	01/04/10	1137.00			O/Scope
	except:-					
	- where the process comprises one or more waste oil burning appliance under 0.4 MW	01/04/10	148.00			O/Scope
	Additional fee for operating without a permit - where the process relates to the unloading of petrol into storage tanks at a service station	01/04/10	68.00			O/Scope
	Additional fee for operating without a permit - where the process relates to Dry Cleaners	01/04/10	148.00			O/Scope
	Additional fee for operating without a permit PVR I & II combined	01/04/10	68.00			O/Scope
	Vehicle refinishers (VRs) and other reduced fees activities	01/04/10	246.00			O/Scope
	- mobile screening and crushing plant	01/04/10	346.00			O/Scope
	- for the third to seventh application	01/04/10	1579.00			O/Scope
	- for the eighth and subsequent applications	01/04/10	943.00			O/Scope
	Where an application for any of the above is for a combined Part B and waste application, add an extra £294 to the above amounts		477.00			O/Scope
2	Substantial changes to permits (Schedule 7)	01/04/10	1005.00			O/Scope
	except:-					
	- where the process comprises one or more waste oil burning appliance under 0.4 MW	01/04/10	98.00			O/Scope
	- where the process relates to the unloading of petrol into storage tanks at a service station	01/04/10	98.00			O/Scope
	- where the process relates to Dry Cleaners	01/04/10	98.00			O/Scope
	Transfer of a permit - Standard Process	01/04/10	162.00			O/Scope
	- in respect of a waste oil burner less than 0.4 MW	01/04/10	75.00			O/Scope
	- where the process relates to Dry Cleaners	01/04/10	75.00			O/Scope
	- where the process relates to the unloading of petrol into storage tanks at a service station	01/04/10	75.00			O/Scope
	Partial transfer of a permit	01/04/10	476.00			O/Scope
	- in respect of a waste oil burner less than 0.4MW	01/04/10	45.00			O/Scope
	- where the process relates to the unloading of petrol into storage tanks at a service station	01/04/10	45.00			O/Scope
	- where the process relates to Dry Cleaners	01/04/10	45.00			O/Scope
3	Temporary transfer for mobiles					
	First transfer	01/04/10	51.00			O/Scope
	Repeat following enforcement or warning	01/04/10	51.00			O/Scope
4	Annual Subsistence Charge					
	Standard Process - LOW	01/04/10	739.00			O/Scope
	Standard Process - MEDIUM	01/04/10	1111.00			O/Scope
	Standard Process - HIGH	01/04/10	1672.00			O/Scope
	except:-					
	- where the process comprises one or more waste oil burning appliance under 0.4MW	01/04/10	LOW 76.00	MED 151.00	HIGH 227.00	O/Scope
	- where the process relates to the unloading of petrol into storage tanks at a service station	01/04/10	76.00	151.00	227.00	O/Scope
	- where the process relates to Dry Cleaners	01/04/10	76.00	151.00	151.00	O/Scope
	PVR I & II combined	01/04/10	108.00	216.00	216.00	O/Scope
	Vehicle refinishers	01/04/10	218.00	349.00	349.00	O/Scope
	Mobile Plant	01/04/10	618.00	989.00	1484.00	O/Scope

NOTES

The above fees are those currently imposed by DEFRA, a full copy of which can be viewed on their website

www.defra.gov.uk

* As of 5 November 2014, DEFRA have not confirmed any increase to these charges

	Detail	Effective Date	2015/16 £	2015/16 £	2015/16 £	2015/16 £	VAT
	POLLUTION PREVENTION AND CONTROL ACT 2010						
	AIR POLLUTION						
5	LAPPC mobile plant charges		Application fee	LOW	MED	HIGH	
	number of permits						
	1	01/04/12	1579.00	618.00	989.00	1484.00	O/Scope
	2	01/04/12	1579.00	618.00	989.00	1484.00	O/Scope
	3	01/04/12	943.00	368.00	590.00	884.00	O/Scope
	4	01/04/12	943.00	368.00	590.00	884.00	O/Scope
	5	01/04/12	943.00	368.00	590.00	884.00	O/Scope
	6	01/04/12	943.00	368.00	590.00	884.00	O/Scope
	7	01/04/12	943.00	368.00	590.00	884.00	O/Scope
	8 and over	01/04/12	477.00	189.00	302.00	453.00	O/Scope
6	LA-IPPC						
	Application (LA element)	01/04/10	3218.00				O/Scope
	additional fee for operating without a permit	01/04/10	1137.00				O/Scope
	Annual subsistence LOW	01/04/10	1384.00				O/Scope
	Annual subsistence MEDIUM	01/04/10	1541.00				O/Scope
	Annual subsistence HIGH	01/04/10	2233.00				O/Scope
	Late payment fee	01/04/10	50.00				O/Scope
	Substantial variation	01/04/10	1309.00				O/Scope
	Transfer	01/04/10	225.00				O/Scope
	Partial transfer	01/04/10	668.00				O/Scope
	Surrender	01/04/10	668.00				O/Scope

NOTES

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	Detail	Effective Date	2014/15 £	2015/16 £	VAT
	LICENCES				
1	<u>Hackney Carriage and Private Hire</u>				
	Driver's licence - annual	01/04/15	82.40	85.10	O/Scope
	Dual licence - supplementary charge	01/04/15	12.80	13.20	O/Scope
	Driver's badge - replacement	01/04/15	12.30	12.70	O/Scope
	Lost plate replacement	01/04/15	37.00	38.20	Included
	Replacement licence certificate	01/04/15	10.30	10.60	O/Scope
	Replacement of internal vehicle plate	01/04/15	5.10	5.30	O/Scope
	Transfer of vehicle ownership	01/04/15	23.60	24.40	O/Scope
	Knowledge test (initial and retest)	01/04/15	29.00	40.00	O/Scope
	Private hire Operator Licence - Annual	01/04/15	103.00	106.40	O/Scope
2	<u>Annual vehicle licence</u>				
	Private Hire	01/04/15	193.60	200.00	O/Scope
	Hackney Carriage	01/04/15	211.10	218.10	O/Scope
	*10% reduction for LPG/Hybrid vehicles: Private Hire	01/04/15	174.00	180.00	O/Scope
	*10% reduction for LPG/Hybrid vehicles: Hackney Carriage	01/04/15	190.00	196.30	O/Scope
	Exemption from displaying Private Hire plate	01/04/13	30.00	30.00	O/Scope
	Exemption from displaying Private Hire plate (renewal fee)	01/04/13	20.00	20.00	O/Scope
3	<u>Refund for unexpired days due to change of vehicle</u>		Daily	Daily	
	Private Hire	01/04/15	0.53	0.55	O/Scope
	Hackney Carriage	01/04/15	0.57	0.60	O/Scope
4	<u>One-off admin charge in respect of refund</u>				
	Hackney Carriage	01/04/14	25.00	25.00	O/Scope
	Private Hire	01/04/14	25.00	25.00	O/Scope
5	<u>Animal Licences</u>				
	Animal Boarding Establishments	01/04/15	100.00	103.00	O/Scope
	Dog Breeding Establishments	01/04/15	100.00	103.00	O/Scope
	Pet Shops	01/04/15	100.00	103.00	O/Scope
	Riding Establishments	01/04/15	100.00	103.00	O/Scope
	Dangerous Wild Animals	01/04/15	100.00	103.00	O/Scope
6	Sex Establishments	01/04/15	1500.00	1549.50	O/Scope
7	<u>Street Trading</u>				
	Stamford Pedestrian Precinct Per Day	01/04/15	22.60	23.00	O/Scope
	Other Locations per day from	01/04/15	18.00	18.50	O/Scope

	Detail	Effective Date	2014/15 £	2015/16 £	VAT
	ALCOHOL LICENSING				
1	Licensed Premises				
	Grant of Premises Licence or Club Premises Certificate				
	Band A (Rateable Value £0 - £4,300)	24/11/05	100.00	100.00	O/Scope
	Band B (Rateable Value £4,301 - £33,000)	24/11/05	190.00	190.00	O/Scope
	Band C (Rateable Value £33,001 - £87,000)	24/11/05	315.00	315.00	O/Scope
	Band D (Rateable Value £87,001 - £125,000)	24/11/05	450.00	450.00	O/Scope
	Band E (Rateable Value £125,001+)	24/11/05	635.00	635.00	O/Scope
2	Variation of Premises Licence or Club Premises Certificate				
	Band A (Rateable Value £0 - £4,300)	24/11/05	100.00	100.00	O/Scope
	Band B (Rateable Value £4,301 - £33,000)	24/11/05	190.00	190.00	O/Scope
	Band C (Rateable Value £33,001 - £87,000)	24/11/05	315.00	315.00	O/Scope
	Band D (Rateable Value £87,001 - £125,000)	24/11/05	450.00	450.00	O/Scope
	Band E (Rateable Value £125,001+)	24/11/05	635.00	635.00	O/Scope
	Minor Variation	30/06/09	89.00	89.00	O/Scope
3	Annual Fee for Premises Licence or Club Premises Certificate				
	Band A (Rateable Value £0 - £4,300)	24/11/05	70.00	70.00	O/Scope
	Band B (Rateable Value £4,301 - £33,000)	24/11/05	180.00	180.00	O/Scope
	Band C (Rateable Value £33,001 - £87,000)	24/11/05	295.00	295.00	O/Scope
	Band D (Rateable Value £87,001 - £125,000)	24/11/05	320.00	320.00	O/Scope
	Band E (Rateable Value £125,001+)	24/11/05	350.00	350.00	O/Scope
4	Grant of Premises Licence where alcohol is primary use				
	Band A (Rateable Value £0 - £4,300)	24/11/05	100.00	100.00	O/Scope
	Band B (Rateable Value £4,301 - £33,000)	24/11/05	190.00	190.00	O/Scope
	Band C (Rateable Value £33,001 - £87,000)	24/11/05	315.00	315.00	O/Scope
	Band D (Rateable Value £87,001 - £125,000)	24/11/05	900.00	900.00	O/Scope
	Band E (Rateable Value £125,001+)	24/11/05	1905.00	1905.00	O/Scope
5	Annual Fee for Premises Licence where alcohol is primary use				
	Band A (Rateable Value £0 - £4,300)	24/11/05	70.00	70.00	O/Scope
	Band B (Rateable Value £4,301 - £33,000)	24/11/05	180.00	180.00	O/Scope
	Band C (Rateable Value £33,001 - £87,000)	24/11/05	295.00	295.00	O/Scope
	Band D (Rateable Value £87,001 - £125,000)	24/11/05	640.00	640.00	O/Scope
	Band E (Rateable Value £125,001+)	24/11/05	1050.00	1050.00	O/Scope

Fees set by government

	Detail	Effective Date	2014/15 £	2015/16 £	VAT
	ALCOHOL LICENSING				
6	Grant of Premises Licence or Club Premises Certificate				
	Number of Persons				
	5,000 to 9,999	24/11/05	1000.00	1000.00	O/Scope
	10,000 to 14,999	24/11/05	2000.00	2000.00	O/Scope
	15,000 to 19,999	24/11/05	4000.00	4000.00	O/Scope
	20,000 to 29,999	24/11/05	8000.00	8000.00	O/Scope
	30,000 to 39,999	24/11/05	16000.00	16000.00	O/Scope
	40,000 to 49,999	24/11/05	24000.00	24000.00	O/Scope
	50,000 to 59,999	24/11/05	32000.00	32000.00	O/Scope
	60,000 to 69,999	24/11/05	40000.00	40000.00	O/Scope
	70,000 to 79,999	24/11/05	48000.00	48000.00	O/Scope
	80,000 to 89,999	24/11/05	56000.00	56000.00	O/Scope
	90,000 and over	24/11/05	64000.00	64000.00	O/Scope
7	Annual Fee - Number of Persons				
	5,000 to 9,999	24/11/05	500.00	500.00	O/Scope
	10,000 to 14,999	24/11/05	1000.00	1000.00	O/Scope
	15,000 to 19,999	24/11/05	2000.00	2000.00	O/Scope
	20,000 to 29,999	24/11/05	4000.00	4000.00	O/Scope
	30,000 to 39,999	24/11/05	8000.00	8000.00	O/Scope
	40,000 to 49,999	24/11/05	12000.00	12000.00	O/Scope
	50,000 to 59,999	24/11/05	16000.00	16000.00	O/Scope
	60,000 to 69,999	24/11/05	20000.00	20000.00	O/Scope
	70,000 to 79,999	24/11/05	24000.00	24000.00	O/Scope
	80,000 to 89,999	24/11/05	28000.00	28000.00	O/Scope
	90,000 and over	24/11/05	32000.00	32000.00	O/Scope

Fees set by government

	Detail	Effective Date	2014/15 £	2015/16 £	VAT
	ALCOHOL LICENSING				
8	<u>Other Charges - Licensing Act 2003</u>				
	Personal Licence (Grant/ renewal)	24/11/05	37.00	37.00	O/Scope
	Theft, loss etc of a personal licence	24/11/05	10.50	10.50	O/Scope
	Duty to notify change of name or address	24/11/05	10.50	10.50	O/Scope
	Temporary Event Notice	24/11/05	21.00	21.00	O/Scope
	Theft, loss etc of a Temporary Event Notice	24/11/05	10.50	10.50	O/Scope
	Theft, loss etc of a premises licence or summary	24/11/05	10.50	10.50	O/Scope
	Application for a provisional statement where premises being built etc	24/11/05	315.00	315.00	O/Scope
	Notification of change of name or address	24/11/05	10.50	10.50	O/Scope
	Application to vary licence to specify individual as DPS	24/11/05	23.00	23.00	O/Scope
	Transfer of premises licence	24/11/05	23.00	23.00	O/Scope
	Interim authority notice following death etc of licence holder	24/11/05	23.00	23.00	O/Scope
	Theft, loss etc of certificate of summary	24/11/05	10.50	10.50	O/Scope
	Notification of change of name or alteration of rules of club	24/11/05	10.50	10.50	O/Scope
	Change of relevant registered address of club	24/11/05	10.50	10.50	O/Scope
	Right of freeholder etc to be notified of licensing matters	24/11/05	21.00	21.00	O/Scope

Fees set by government

	Detail	Effective Date	2014/15 £	2015/16 £	VAT
	GAMBLING LICENSING				
1	<u>Bingo Premises Licence</u>				
	Application Fee for Provisional Status	01/04/15	664.00	686.00	O/Scope
	Licence for Provisional Statement Premises	01/04/15	442.00	456.00	O/Scope
	Application Fee New Premises	01/04/15	700.00	723.00	O/Scope
	Annual Fee	01/04/15	468.00	483.00	O/Scope
	Variation of Licence	01/04/15	638.00	659.00	O/Scope
	Transfer Fee	01/04/15	535.00	552.00	O/Scope
	Application for Reinstatement	01/04/15	535.00	552.00	O/Scope
2	<u>Adult Gaming Centre</u>				
	Application Fee for Provisional Status	01/04/15	612.00	632.00	O/Scope
	Licence for Provisional Statement Premises	01/04/15	391.00	404.00	O/Scope
	Application Fee New Premises	01/04/15	638.00	659.00	O/Scope
	Annual Fee	01/04/15	412.00	425.00	O/Scope
	Variation of Licence	01/04/15	592.00	611.00	O/Scope
	Transfer Fee	01/04/15	478.00	494.00	O/Scope
	Application for Reinstatement	01/04/15	478.00	494.00	O/Scope
3	<u>Family Entertainment Centre</u>				
	Application Fee for Provisional Status	01/04/15	612.00	632.00	O/Scope
	Licence for Provisional Statement Premises	01/04/15	391.00	404.00	O/Scope
	Application Fee New Premises	01/04/15	638.00	659.00	O/Scope
	Annual Fee	01/04/15	412.00	425.00	O/Scope
	Variation of Licence	01/04/15	592.00	611.00	O/Scope
	Transfer Fee	01/04/15	478.00	494.00	O/Scope
	Application for Reinstatement	01/04/15	478.00	494.00	O/Scope
4	<u>Betting Premises</u>				
	Application Fee for Provisional Status	01/04/15	612.00	632.00	O/Scope
	Licence for Provisional Statement Premises	01/04/15	391.00	404.00	O/Scope
	Application Fee New Premises	01/04/15	638.00	659.00	O/Scope
	Annual Fee	01/04/15	412.00	425.00	O/Scope
	Variation of Licence	01/04/15	592.00	611.00	O/Scope
	Transfer Fee	01/04/15	478.00	494.00	O/Scope
	Application for Reinstatement	01/04/15	478.00	494.00	O/Scope
5	<u>Miscellaneous</u>				
	Change of Circumstances	01/04/15	28.00	50.00	O/Scope
	Fee for copy of licence	01/04/15	16.50	25.00	O/Scope

	Detail	Effective Date	2014/15 £	2015/16 £	VAT
	GAMBLING LICENSING				
6	<u>Unlicensed Family Entertainment Centres (10 year duration)</u>				
	Gaming Machine Permit (no annual fee)	31/01/07	300.00	300.00	O/Scope
	Renewal	31/01/07	300.00	300.00	O/Scope
	Change of name	31/01/07	25.00	25.00	O/Scope
	Copy of Permit	31/01/07	15.00	15.00	O/Scope
	Prize Gaming Permit (no annual fee)	31/01/07	300.00	300.00	O/Scope
	Renewal	31/01/07	300.00	300.00	O/Scope
	Change of name	31/01/07	25.00	25.00	O/Scope
	Copy of Permit	31/01/07	15.00	15.00	O/Scope
7	<u>Club Gaming Permit & Club Machine Permit (10 years duration)</u>				
	New	31/01/07	200.00	200.00	O/Scope
	Renewal	31/01/07	200.00	200.00	O/Scope
	Annual Fee	31/01/07	50.00	50.00	O/Scope
	Variation	31/01/07	100.00	100.00	O/Scope
	Copy of Permit	31/01/07	15.00	15.00	O/Scope
8	<u>Gaming Machines</u>				
	2 or less - One off fee	31/01/07	50.00	50.00	O/Scope
	3 or more machines plus annual fee below	31/01/07	150.00	150.00	O/Scope
	Transfer	31/01/07	25.00	25.00	O/Scope
	Variation	31/01/07	100.00	100.00	O/Scope
	Change of name on a Gaming Permit (more than 2 machines)	31/01/07	25.00	25.00	O/Scope
	Copy of Gaming Machine Permit (more than 2 machines)	31/01/07	15.00	15.00	O/Scope
	Annual Fee	31/01/07	50.00	50.00	O/Scope
9	<u>Small Lotteries</u>				
	Registration	01/09/07	40.00	40.00	O/Scope
	Renewal	01/09/07	20.00	20.00	O/Scope
	The fees are Government Set				

	Detail	Effective Date	2014/15 £	2015/16 £	VAT
	OUTDOOR RECREATION				
1	<u>Pitches - Football/Rugby</u> Senior pitch letting (2 hrs), marking out and changing accommodation included				
	Full rate	01/04/15	43.00	44.00	Included
	Concessions	01/04/15	25.50	26.00	Included
2	<u>Junior pitch (ages 11-16) letting (2 hrs) and marking out</u>				
	Full rate	01/04/15	18.90	19.50	Included
3	<u>Mini pitch letting (ages 8-11) (1 hr) and marking out</u>				
	Full rate	01/04/15	11.30	11.70	Included
4	<u>Tennis Court</u> Hard Courts				
			Free	Free	Included
5	<u>Cricket</u> Per Match				
		01/04/15	40.00	41.30	Included

	Detail	Effective Date	2014/15 £	2015/16 £	VAT
	GRANTHAM CEMETERY				
	TRADITIONAL BURIAL GROUND				
1	<u>Exclusive Right of Burial</u> (Not exceeding 50 years)				
	Standard grave space - Parishioners	01/04/15	481.00	497.00	Exempt
2	<u>Interment</u>				
	Person aged 16 years or over - single depth	01/04/15	491.00	507.00	Exempt
	Person aged 16 years or over - double depth	01/04/15	550.00	568.00	Exempt
	Child stillborn or below 16 years	01/04/15	216.00	223.00	Exempt
	Each additional coffin space	01/04/15	172.00	178.00	Exempt
3	<u>Licence for the Erection of Memorials</u>				
	Headstone (not exceeding 3 feet in height)	01/04/15	119.00	123.00	Exempt
	Headstone (each additional 6 inches)	01/04/15	119.00	123.00	Exempt
	Metal faced tablet	01/04/15	82.00	85.00	Exempt
	Additional inscription	01/04/15	46.00	47.00	Exempt
	Kerbed memorial	01/04/15	128.00	132.00	Exempt
4	<u>Mausoleum</u>				
	Single vault mausoleum plot	01/04/15	618.00	638.00	Exempt
5	<u>Re-Open Graves</u>				
	Interment Fee - single depth	01/04/15	491.00	433.00	Exempt
	Interment Fee - double depth	01/04/15	550.00	568.00	Exempt
	Interment ashed into grave	01/04/15	143.00	148.00	Exempt
6	<u>WOODLAND BURIAL GROUND</u>				
	All inclusive charge covering standard grave space, single depth interment, tree and plaque - Parishioners	01/04/15	1104.00	1140.00	Exempt
	Please note there is a 50% additional charge for Non Parishioners (i.e. outside of Grantham boundary)				

	Detail	Effective Date	2014/15 £	2015/16 £	VAT
	LOCAL LAND CHARGE FEES				
1	Registration of a Charge on Part II of Register	01/04/14	79.00	79.00	O/Scope
2	Filing a Definitive Certificate of Lands Tribunal	01/04/14	3.30	3.30	O/Scope
3	Filing adjustment etc. for variation - cancellation of entry in Part II	01/04/14	8.40	8.40	O/Scope
4	Inspection of documents filed under Rule 10	01/04/14	3.30	3.30	O/Scope
5	Official search (including issue of certificate) - whole of register	01/04/14	13.90	13.90	O/Scope
6	Office copy of entry in register	01/04/14	12.80	12.80	O/Scope
7	Con 29 Part I enquiries - one parcel of land - each additional parcel	01/04/14 01/04/14	86.50 14.90	86.50 14.90	O/Scope O/Scope
8	Supplementary Part II enquiries - each printed enquiry except question 5 - Question 5 optional enquiry - Solicitor/Clients own enquiry - Question 22 common land	01/04/14 01/04/14 01/04/14 01/04/14	12.80 15.90 15.90 15.90	12.80 15.90 15.90 15.90	O/Scope O/Scope O/Scope O/Scope
9	Enquiries by personal searchers (per item)	01/04/14	15.90	15.90	O/Scope
10	Commercial Basic Search LLC1 and CON 29R	01/04/14	129.00	129.00	O/Scope
11	Expedited Search - 3 Day Turnaround	01/04/14	31.90	31.90	O/Scope
	CON 29R UNREFINED DATA CHARGES				
12	Building Regulations Q1.1 (F to H)	01/04/15	7.50	5.60	O/Scope
13	Nearby Railway Schemes Q3.5	01/04/14	1.10	1.10	O/Scope
14	Outstanding Notices Q3.7 (A-D & F)	01/04/15	5.85	4.15	O/Scope
15	Contravention of Building Regulations	01/04/15	1.60	1.30	O/Scope
16	Notices, Orders, Directions and Proceedings under Planning Acts Q3.9 (A-N)	01/04/15	4.65	4.50	O/Scope
17	Conservation Area Q3.10 (B)	01/04/14	1.10	1.10	O/Scope
18	Compulsory Purchase Q3.11	01/04/15	1.70	1.10	O/Scope
19	Contaminated Land Q3.12 (Bi & C)	01/04/15	11.00	9.90	O/Scope

A. OUTLINE APPLICATION (residential, commercial and agricultural)	
1. Where the site area does not exceed 2.5 ha	£385 for each 0.1 ha (or part thereof) of site area
2. Where the site area exceeds 2.5 ha	£9527 and an additional £1115 for each 0.1 ha (or part thereof) in excess of 2.5 ha up to a maximum of £125000
B. FULL APPLICATIONS AND RESERVED MATTERS	
1. Extensions or alterations to a dwelling and works within the curtailage, eg domestic outbuildings, garages, fences, walls etc	£172 per dwelling (where the application relates to two or more dwelling houses, £339).
2. Erection of new dwellings (a) 50 or fewer (b) 51 or more	£385 for each dwelling £19049 and an additional £115 for each dwelling in excess of 50, up to a maximum of £250000
3. Erection of buildings other than dwellings, agricultural buildings, glasshouses, or plant and machinery	(a) Where no floor space is to be created, or works not creating more than 40sqm of additional floor space £195 (b) Works creating more than 40sqm but not exceeding 75sqm of additional floor space £385 (c) Works creating more than 75sqm but not exceeding 3750sqm of additional floor space £385 for each 75sqm of that area (or part thereof) (d) Works creating more than 3750sqm of additional floor space £19049 and an additional £115 for each 75sqm (or part thereof) in excess of 3750sqm up to a maximum of £250000
4. Erection, on land for the purposes of agriculture, of buildings to be used for agricultural purposes (other than buildings in section 5 below).	(a) Where gross floor space created does not exceed 465sqm. £80 (b) Where floor space created is between 465sqm and 540sqm. £385 (c) Where floor space created is between 540sqm and 4215sqm. £385 for the first 540sqm and an additional £385 for each 75sqm (or part thereof) in excess of 540sqm. (d) Where the floor space created exceeds 4215sqm. £19049 and an additional £115 for each 75sqm (or part thereof) in excess of 4215 sqm up to a maximum £250000
5. Erection of glasshouses on land used for the purposes of agriculture.	(a) Works creating floor space not exceeding 465sqm £80. (b) Works creating floor space exceeding 465sqm £2,150
6. The construction of car parks, service roads and other means of access on land used for the purpose of a single undertaking, where the development is required for a purpose incidental to the existing use of land.	£195
7. The erection, alteration or replacement of plant machinery	(a) Where the site area does not exceed 5 ha, £385 for each 0.1ha (or part thereof) of the site area (b) Where the site area exceeds 5ha, £19049 and an additional £115 for each 0.1ha (or part thereof) in excess of 5ha, up to a max of £250000
8. The carrying out of any operations associated with exploratory drilling for oil or natural gas.	(a) Where the site area does not exceed 7.5ha, £385 for each 0.1ha (or part thereof) of the site area. (b) Where the site area exceeds 7.5 ha, £28750 and an additional £115 for each 0.1ha (or part thereof) in excess of 7.5ha, up to a maximum of £250000.

C. CHANGES OF USE (land and buildings)	
1. Change of use or subdivision of an existing single dwelling house.	(a) Where the change of use is to use as 50 or fewer dwelling houses, £385 for each additional dwelling. (b) Where the change of use is to use as more than 50 dwelling houses, £19,049 and an additional £115 for each dwelling house in excess of 50, up to a maximum of £250,000.
2. Change of use to one or more dwelling houses of any other building.	(a) Where the change of use is to use as 50 or fewer dwelling houses, £385 for each dwelling. (b) Where the change of use is to use as more than 50 dwelling houses, £19,049 and an additional £115 for each dwelling house in excess of 50, up to a maximum of £250,000.
3. The making of a material change in the use of a building or of land (other than a material change of use coming within any of the above categories).	£385

D. CERTIFICATE OF LAWFULNESS	
1. For existing use.	Same fee as if a planning application was being submitted.
2. For proposed use.	Half the equivalent planning fee.

E. OTHER OPERATIONS/APPLICATIONS	
1. For non-compliance with, or variation of conditions including retention of temporary buildings, continuation of temporary use etc.	£195.00
2. The carrying out of any other operations not coming in any of the above categories.	£195 for each 0.1 hectare (or part thereof) of the site area, up to maximum of £1,690.

F. ADVERTISEMENTS	
1. Relating to a business on the premises or advance signs directing the public to a business.	£110.00
2. Other advertisements.	£385.00

G. APPROVAL OF DETAILS	
1. Agricultural or forestry development.	£80.00
2. Demolition of buildings.	£80.00
3. Development by telecommunications code system operators.	£385.00

H. CONCESSIONARY FEES AND EXEMPTIONS	
1. NO FEE REQUIRED	
(a) Works to improve the disabled persons access to a public building or alterations to accommodate a registered disabled persons access, safety, health or comfort at that persons dwelling house.	
(b) Application requires because of the removal of permitted development rights by a condition, Article 4 direction or local development order.	
(c) Revised or fresh application for development (or advertisement) of the same character, description, site and applicant within 12 months of refusal or of the making of the earlier application if withdrawn, or within 12 months of expiry of the statutory	
(d) Revised or fresh application for development of the same character, description, site and applicant within 12 months of receiving permission.	
2. Applications by Parish Councils etc. (including advertisement applications)	Half the normal fee.
3. Alternative applications for one site	Highest of the fees applicable for each alternative and sum equal to half the rest.
4. Development crossing planning authority boundaries.	Only one fee paid to the authority having the larger site but calculated for the whole scheme to special ceiling.
5. Reserved matters where applicants earlier reserved matters applications have incurred total fees equaling that for a full application for the entire scheme.	£385.00

This is only a summary of scales of fees, listing only the most common types of application.

	Detail	Effective Date	2014/15 £	2015/16 £	VAT
	PLANNING CHARGES				
1	<u>Charges in connection with land/property transactions</u>				
	Detailed queries on consents involving search for relevant information*	01/04/15	26.40	27.20	Included
	<u>*stated charge plus relevant copying charges</u>				
	Check involving site inspection*	01/04/15	21.00	21.70	Included
	<u>*stated charge plus mileage plus officer hourly rates</u>				

	Detail	Effective Date	2014/15 £	2015/16 £	VAT
	PRE-PLANNING CHARGES				
1	<u>Householders</u>				
	Charge for any pre-planning advice undertaken	01/04/13	60.00	60.00	Included
2	<u>Non-residential changes of use including siting of caravans for sites</u>				
	Under 1 ha or buildings under 1,000 sqm (gross)	01/04/15	184.40	190.80	Included
	of 1 ha or above or buildings under 1,000 sqm (gross)	01/04/15	370.80	383.04	Included
3	<u>Development of dwellings</u>				
	1-9 dwellings including changes of use to residential, for 1st dwelling	01/04/15	246.00	253.20	Included
	for each additional dwelling	01/04/15	123.00	127.20	Included
	10-49 dwellings including changes of use to residential, for the 10th dwelling	01/04/15	1236.00	1276.80	Included
	for each additional dwelling	01/04/15	61.20	63.60	Included
	50 plus dwellings, including changes of use to residential, for 1st dwelling	01/04/15	4440.00	4584.00	Included
4	<u>Non-residential development</u>				
	Where no floor space is created	01/04/15	92.40	96.00	Included
	Up to 499 sqm floor area or 0.5 ha site area	01/04/15	184.80	190.80	Included
	between 500 and 999 sqm floor area, or between 0.51 ha and 1.0 ha	01/04/15	306.00	315.60	Included
	between 1,000 and 4,999 sqm floor area or between 1.1 ha and 2.0 ha	01/04/15	618.00	638.40	Included
	between 5,000 sqm or more or 2.1 ha or more*	01/04/15	1236.00	1276.80	Included
	*minimum fee for specified service and hourly rate thereafter				
5	<u>Others</u>				
	Variation or removal of condition	01/04/15	92.40	96.00	Included
	Advertising	01/04/15	92.40	96.00	Included
	Development that would require conservation area consent	01/04/15	61.20	63.60	Included
	Non-householder works or alterations to a listed building	01/04/15	61.20	63.60	Included
	Hazardous substances	01/04/15	123.60	127.20	Included

CAPITAL PROGRAMME

Appendix D

GENERAL FUND

	Description	2014/15 Forecast Outturn £'000	2015/2016 Indicative Base £'000	2015/2016 Updated Base (inc slippage) £'000	2016/2017 Indicative Base £'000	2017/2018 Indicative Base £'000	2018/2019 Indicative Base £'000	2019/2020 Indicative Base £'000
	GROW THE ECONOMY							
	Town Centre Development							
1	St Peter's Hill Redevelopment	187	1,900	4,595	168	-	-	-
2	Bourne Core Area	237	-	-	-	-	-	-
3	Shop front scheme	2	-	36	-	-	-	-
4	Serviced Land	8	-	220	-	-	-	-
5	Strategic Land Acquisition	-	450	900	-	-	-	-
6	Park Air Systems	40	-	210	-	-	-	-
		474	2,350	5,961	168	-	-	-
	SUPPORT GOOD HOUSING FOR ALL							
7	Home Grant Assistance	270	350	294	380	-	-	-
8	Disabled Facilities Grant	300	300	376	300	-	-	-
9	Earlsfield Lane Grantham	-	-	373	-	-	-	-
		570	650	1,043	680	-	-	-
	PROMOTE LEISURE, ARTS & CULTURE							
	Provision for Existing Assets							
10	Deepings Leisure Centre - New Heater	-	-	12	-	-	-	-
11	Deepings Leisure Centre - distribution boards and LV panel	22	-	-	-	-	-	-
12	Meres Leisure Centre Improvements - Extension of Gym	-	-	400	-	-	-	-
13	Stamford Arts Centre - Heating System Alterations	40	-	-	-	-	-	-
14	Stamford Arts Centre - lift renewal	-	-	-	-	-	-	-
15	Guildhall Arts Centre - Replacement of Outside Lighting	16	-	-	-	-	-	-
16	Wyndham Improvement Works	87	-	-	-	-	-	-
17	Replacement of Digital Cinema Projector - Stamford Arts Centre	33	-	-	-	-	-	-
		198	-	412	-	-	-	-
	KEEP SK CLEAN, GREEN & HEALTHY							
	Waste Management							
18	Street Scene Vehicle Procurement	504	320	225	125	161	326	245
19	Vehicle Replacement Programme	-	-	171	380	502	495	546
20	New Street Cleaning Vehicles	-	-	158	-	-	-	-
21	Wheelie Bin Replacements	90	92	109	110	111	112	113
22	Cycle/Footpath Repair Maintenance	30	-	-	-	-	-	-
23	Wyndham Park footpath and Kerb Improvements	65	25	25	25	-	-	-
24	Low voltage panel replacement Council Offices	25	-	-	-	-	-	-
25	Replacement Lighting Programme	18	-	64	106	-	-	-
		732	437	752	746	774	933	904
	WELL RUN COUNCIL							
26	Customer Access Strategy	-	-	28	-	-	-	-
27	ICT Infrastructure	341	40	222	30	-	-	-
		341	40	250	30	-	-	-
28	TOTAL GENERAL FUND CAPITAL PROGRAMME	2,315	3,477	8,418	1,624	774	933	904

SUMMARY FINANCING STATEMENT

	Description	2014/15 Forecast Outturn £'000	2015/16 Indicative Base £'000	2015/16 Updated Base inc slippage £'000	2016/17 Indicative Base £'000	2017/18 Indicative Base £'000	2018/19 Indicative Base £'000	2019/20 Indicative Base £'000
1	Grow the economy	474	2,350	5,961	168	-	-	-
2	Support good housing for all	570	650	1,043	680	-	-	-
3	Promote leisure, arts and culture	198	-	412	-	-	-	-
4	Keep SK clean, green and healthy	732	437	752	746	774	933	904
5	Well run council	341	40	250	30	-	-	-
6	TOTAL - CAPITAL PROGRAMME	2,315	3,477	8,418	1,624	774	933	904
	GENERAL FUND FINANCED BY:							
7	Supported Borrowing	-	-	-	-	-	-	-
8	Unsupported Borrowing	-	-	-	-	-	-	-
9	Specific Reserve - Capital	187	-	1,253	-	-	-	-
10	Usable Capital Receipts	388	1,441	4,320	814	264	422	30
11	Capital Grants and Contributions							
	- Disabled Facility Grant	300	300	376	300	-	-	-
	- Regional Housing Allowance	61	-	17	-	-	-	-
12	Direct Revenue Financing							
	- Cemetery works	5	5	5	5	5	6	-
	- Wyndham Park Water Fountain- SEA	5	5	5	5	5	5	-
	- Wyndham Park Improvements	47	-	-	-	-	-	-
	- Transformation Reserve	239	-	116	-	-	-	-
	- New Homes Bonus	-	1,226	1,124	-	-	-	374
	- Contribution from Revenue	1,083	500	1,202	500	500	500	500
13	TOTAL - GF CAPITAL PROGRAMME	2,315	3,477	8,418	1,624	774	933	904

GENERAL FUND RESERVES STATEMENT

	Balance as at 31 March 2014 £'000	Movement on Reserve in year £'000	Balance as at 31 March 2015 £'000	Movement on Reserve in year £'000	Balance as at 31 March 2016 £'000	Movement on Reserve in year £'000	Balance as at 31 March 2017 £'000	Movement on Reserve in year £'000	Balance as at 31 March 2018 £'000
General Fund									
Revenue Reserves									
Service Specific Funds	360	(339)	21	0	21	0	21	0	21
Capacity Building, Priority Setting and Service Improvement Reserve									
Destination SK	100	(100)	0	0	0	0	0	0	0
Events and Festivals	197	(9)	188	(115)	73	(73)	0	0	0
Apprenticeships	100	0	100	0	100	0	100	0	100
Broadband infrastructure	550	0	550	0	550	0	550	0	550
Waste & Recycling Initiatives	56	(13)	43	0	43	0	43	0	43
Support for Corporate Reviews - PDG	57	(3)	54	0	54	0	54	0	54
Business Support	100	0	100	0	100	0	100	0	100
ICT investment	200	0	200	0	200	0	200	0	200
Transformation Programme	1,280	(591)	689	(165)	524	240	764	305	1,069
BR and CTS volatility Reserve	313	0	313	(170)	143	0	143	0	143
Community Based Initiatives	90	(7)	83	(13)	70	(30)	40	0	40
Community Fund	0	300	300	0	300	0	300	0	300
Other priority and service improvements	971	82	1,053	0	1,053	320	1,373	250	1,623
	4,014	(341)	3,673	(463)	3,210	457	3,667	555	4,222
New Homes Bonus Reserve	4,030	2,379	6,409	2,209	8,618	4,108	12,726	3,442	16,168
Business Rates Reserve S31	495	760	1,255	0	1,255	0	1,255	0	1,255
Invest to Save	435	(80)	355	(80)	275	(66)	209	(6)	203
Insurance Reserve	492	(22)	470	(50)	420	0	420	0	420
Pensions Reserve - Former Employees	307	(68)	239	(68)	171	(68)	103	(68)	35
- Current Employees	1,486	(506)	980	(506)	474	(474)	0	0	0
Building Control	(104)	0	(104)	15	(89)	15	(74)	15	(59)
SEA Reserve	155	(148)	7	(10)	(3)	(10)	(13)	(10)	(23)
Total General Revenue Reserves	11,670	1,635	13,305	1,047	14,352	3,962	18,314	3,928	22,242
Government Grants Received	629	(221)	408	(60)	348	0	348	0	348
Working Balance	1,912	0	1,912	0	1,912	0	1,912	0	1,912
Total Revenue Reserves	14,211	1,414	15,625	987	16,612	3,962	20,574	3,928	24,502
Capital Reserve									
LAMS Reserve	66	66	132	67	199	67	266	66	332
Regional Housing Grant	78	(61)	17	(17)	0	0	0	0	0
General Fund Capital Reserve	440	0	440	(440)	0	0	0	0	0
St Peter's Hill Development	1,000	(187)	813	(813)	0	0	0	0	0
Useable Capital Receipts Reserve	3,137	1,526	4,663	(3,145)	1,518	(615)	903	(264)	639
Total Capital Reserves	4,721	1,344	6,065	(4,348)	1,717	(548)	1,169	(198)	971
Total General Fund Reserves	18,932	2,758	21,690	(3,361)	18,329	3,414	21,743	3,730	25,473

Treasury Management Strategy Report 2015/16

INTRODUCTION

Background

The Council is required to operate a balanced budget, which broadly means that cash raised during the year will meet cash expenditure. Part of the treasury management operation is to ensure that this cash flow is adequately planned, with cash being available when it is needed. Surplus monies are invested in low risk counterparties or instruments commensurate with the Council's low risk appetite, providing adequate liquidity initially before considering investment return.

The second main function of the treasury management service is the funding of the Council's capital plans. These capital plans provide a guide to the borrowing need of the Council, essentially the longer term cash flow planning to ensure that the Council can meet its capital spending obligations. This management of longer term cash may involve arranging long or short term loans, or using longer term cash flow surpluses. On occasion any debt previously drawn may be restructured to meet Council risk or cost objectives.

CIPFA defines treasury management as:

"The management of the local authority's investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks."

Reporting Requirements

The Council is required to receive and approve, as a minimum, three main reports each year, which incorporate a variety of policies, estimates and actuals.

Prudential and treasury indicators and treasury strategy (this report) - The first, and most important report covers:

- the capital plans (including prudential indicators);
- a minimum revenue provision (MRP) policy (how residual capital expenditure is charged to revenue over time);
- the treasury management strategy (how the investments and borrowings are to be organised) including treasury indicators; and
- an investment strategy (the parameters on how investments are to be managed).

A mid year treasury management report – This will update members with the progress of the capital position, amending prudential indicators as necessary, and whether any policies require revision.

An annual treasury report – This provides details of a selection of actual prudential and treasury indicators and actual treasury operations compared to the estimates within the strategy.

Governance and Audit – As part of the committees terms of reference the above reports are presented to them for consideration and scrutiny during the year. The Committee also have delegated authority to approve in year amendments to the Treasury Management Strategy. The committee have also considered and support the investment strategy for 2015/16.

Treasury Management Strategy for 2015/16

The strategy for 2015/16 covers two main areas:

Capital issues

- the capital plans and the prudential indicators;
- the minimum revenue provision (MRP) strategy.

Treasury management issues

- the current treasury position;
- treasury indicators which limit the treasury risk and activities of the Council;
- prospects for interest rates;
- the borrowing strategy;
- policy on borrowing in advance of need;
- debt rescheduling;
- the investment strategy;
- creditworthiness policy; and
- policy on use of external service providers.

These elements cover the requirements of the Local Government Act 2003, the CIPFA Prudential Code, CLG MRP Guidance, the CIPFA Treasury Management Code and CLG Investment Guidance.

Training

The CIPFA Code requires the responsible officer to ensure that members with responsibility for treasury management receive adequate training in treasury management. This especially applies to members responsible for scrutiny. Training has been undertaken by members of the Governance and Audit and further training will be arranged as required.

The training needs of treasury management officers are periodically reviewed.

Treasury management consultants

The Council uses Capita Asset Services, Treasury Solutions as its external treasury management advisors. The Council recognises that responsibility for treasury management decisions remains with the organisation at all times and will ensure that undue reliance is not placed upon our external service providers.

It also recognises that there is value in employing external providers of treasury management services in order to acquire access to specialist skills and resources. The Council will ensure that the terms of their appointment and the methods by which their value will be assessed are properly agreed and documented, and subjected to regular review.

SECTION 1 - THE PRUDENTIAL INDICATORS 2015/16 to 2017/18**Introduction**

1. The Council's capital expenditure plans are the key driver of treasury management activity. The output of the capital expenditure plans are reflected in prudential indicators, which are designed to assist members overview and confirm capital expenditure plans.

The Capital Expenditure Plans

2. This prudential indicator is a summary of the Council's capital expenditure plans, both those agreed previously, and those forming part of this budget cycle. Members are asked to approve the capital expenditure forecasts:

£m	2014/15 Revised £	2015/16 Estimated £	2016/17 Estimated £	2017/18 Estimated £
Capital Expenditure				
Non-HRA	2.315m	8.417m	1.625m	0.774m
HRA	6.832m	7.371m	7.081m	7.618m
Total	9.147m	15.788m	8.706m	8.392m

3. Other long term liabilities. The above financing need excludes other long term liabilities, such as PFI and leasing arrangements which already include borrowing instruments.
4. The table below summarises the above capital expenditure plans and how these plans are being financed by capital or revenue resources. Any shortfall of resources results in a funding borrowing need.

£m	2014/15 Revised £	2015/16 Estimated £	2016/17 Estimated £	2017/18 Estimated £
Capital Expenditure				
Non-HRA	2.315m	8.417m	1.625m	0.774m
HRA	6.832m	7.371m	7.081m	7.618m
Financed by:				
Capital receipts reserve	1.288m	5.060m	1.556m	1.006m
Capital grants	0.361m	0.393m	0.300m	0.000m
Capital reserves	6.119m	7.884m	6.340m	6.876m
Revenue	1.379m	2.451m	0.510m	0.510m
Net financing need for the year	0	0	0	0

The Council's Borrowing Need (the Capital Financing Requirement)

5. The second prudential indicator is the Council's Capital Financing Requirement (CFR). The CFR is simply the total historic outstanding capital expenditure which has not yet been paid for from either revenue or capital resources. It is essentially a measure of Council's underlying borrowing need. The capital expenditure above which has not immediately been paid for will increase the CFR.
6. The CFR includes any other long term liabilities (e.g. PFI schemes, finance leases). Whilst this increase the CFR, and therefore the Council's borrowing requirement, these types of scheme include a borrowing facility and so the Council is not required to separately borrow for these schemes. The Council currently has no such schemes within the CFR
7. The Council is asked to approve the CFR projections below:

£m	2014/15 Revised £	2015/16 Estimated £	2016/17 Estimated £	2017/18 Estimated £
Capital Financing Requirement				
Closing CFR – Non Housing	4.011m	3.851m	3.697m	3.549m
Closing CFR - Housing	115.736m	112.514m	109.292m	106.070m
Opening CFR	123.137m	119.747m	116.365m	112.989m
Movement in CFR	(3.390m)	(3.382m)	(3.376m)	(3.370m)

£m	2014/15 Revised £	2015/16 Estimated £	2016/17 Estimated £	2017/18 Estimated £
Movement in CFR represented by				
Net Financing need for the year (above)	0.00m	0.000m	0.000m	0.000m
Less MRP/VRP and other financing movements	(0.168m)	(0.160m)	(0.154m)	(0.148m)
Movement in CFR	(0.168m)	(0.160m)	(0.154m)	(0.148m)

Minimum revenue provision (MRP) policy statement

8. The Council is required to pay off an element of the accumulated General Fund capital spend each year through a revenue charge (the Minimum Revenue Provision - MRP), although it is also allowed to undertake additional voluntary revenue payments (VRP) if required.
9. CLG Regulations have been issued which require full Council to approve an MRP Statement in advance of each year. A variety of options are provided to councils, so long as there is a prudent provision. The Council is recommended to approve the following MRP Statement.
10. For capital expenditure incurred before 1 April 2008 or which in the future will be Supported Capital Expenditure, the MRP policy will be:

- **Existing practice** - MRP will follow the existing practice outlined in former CLG Regulations.

11. From 1 April 2008 for all new unsupported borrowing the MRP policy will be:

- **Asset Life Method** – MRP will be based on the estimated life of the assets, in accordance with the proposed regulations (this option must be applied for any expenditure capitalised under a Capitalisation Directive).

There is no requirement on the HRA to make a minimum revenue provision but there is a requirement for a charge for depreciation to be made (although there are transitional arrangements in place).

12. For authorities who participate in LAMS using the cash backed option, the mortgage lenders require a five year cash advance from the local authority to match the five year life of the indemnity. The cash advance placed with the mortgage lender provides an integral part of the mortgage lending, and should therefore be treated as capital expenditure and a loan to a third party. The Capital Financing Requirement (CFR) will increase by the amount of the total indemnity. The cash advance is due to be returned in full at maturity, with interest paid either annually. Once the cash advance matures and funds are returned to the local authority, the returned funds are classed as a capital receipt, and the CFR will reduce accordingly. As this is a temporary (five years) arrangement and the funds will be returned in full, there is no need to set aside prudent provision to repay the debt liability in the interim period, so there is no MRP application. The position should be reviewed on an annual basis.

Core Funds and Expected Investment Balances

13. The application of resources (capital receipts, reserves etc.) to either finance capital expenditure or other budget decisions to support the revenue budget will have an ongoing impact on investments unless resources are supplemented each year from new sources (asset sales etc.). Detailed below are estimates of the year end balances for each resource and anticipated day to day cash flow balances.

Year End Resources £m	2014/15 Revised £	2015/16 Estimated £	2016/17 Estimated £	2017/18 Estimated £
Fund balances	13.894m	14.581m	18.238m	21.856m
Capital reserves	15.264m	12.694m	14.777m	17.952m
HRA reserve	4.882m	3.639m	3.048m	3.023m
Major Repairs Reserve	5.372m	5.710m	5.684m	4.587m
Total Core Funds	39.412m	36.624m	41.747m	47.418m
Working Capital*	1.912m	1.912m	1.912m	1.912m
Expected Investments	41.324m	38.536m	43.659m	49.330m

* Working capital balances shown are estimated year end; these may be higher mid year

Affordability Prudential Indicators

14. The previous sections cover the overall capital and control of borrowing prudential indicators, but within this framework prudential indicators are required to assess the affordability of the capital investment plans. These provide an indication of the impact of the capital investment plans on the Council's overall finances. The Council is asked to approve the following indicators:

15. **Actual and Estimates of the ratio of financing costs to net revenue stream –** This indicator identifies the trend in the cost of capital (borrowing and other long term obligation costs net of investment income) against the net revenue stream.

%	2014/15 Revised	2015/16 Estimated	2016/17 Estimated	2017/18 Estimated
Non-HRA	(0.99%)	(1.13%)	(1.19%)	(1.40%)
HRA	14.72%	14.41%	13.30%	12.42%

16. The estimates of financing costs include current commitments and the proposals in this budget report.

The Prudential Code 2013 acknowledges that the "Financing costs to Net Revenue Stream" indicator may be more problematic for some authorities regarding the level of government support for capital spends.

17. **Incremental impact of capital investment decisions on the Council Tax –** This indicator identifies the revenue costs associated with proposed changes to the three year capital programme recommended in this budget report compared to the Council's existing approved commitments and current plans. The assumptions are based on the budget, but will invariably include some estimates, such as the level of government support, which are not published over a three year period.

18. **Incremental impact of capital investment decisions on the Band D Council Tax**

£	2014/15 Revised	2015/16 Estimated	2016/17 Estimated	2017/18 Estimated
Variance change in original to revised spending programme	£2.28	£4.35	£0.14	(£0.23)

19. **Estimates of the incremental impact of capital investment decisions on Housing Rent levels –** Similar to the council tax calculation, this indicator identifies the trend in the cost of proposed changes in the housing capital programme recommended in this budget report compared to the Council's

existing commitments and current plans, expressed as a discrete impact on weekly rent levels.

20. Incremental impact of capital investment decisions Housing Rent levels

£	2014/15 Revised	2015/16 Estimated	2016/17 Estimated	2017/18 Estimated
Variance change in original to revised spending programme	£86.72	£467.84	£565.27	£822.93

21. This indicator shows the revenue impact on any newly proposed changes, although any discrete impact will be constrained by rent controls

The Prudential Code 2013 has clarified that this indicator should relate to the identification and isolation of those decisions members make to the existing capital programme. For instance, the withdrawal of a scheme should be reflected as it may lead to reduced costs and a lower impact on the Council Tax or HRA rents.

SECTION 2 - Borrowing**Debt and Investment Projections**

22. The capital expenditure plans set out in Section 1 provide details of the service activity of the Council. The treasury management function ensures that the Council's cash is organised in accordance with the the relevant professional codes, so that sufficient cash is available to meet this service activity. This will involve both the organisation of the cash flow and, where capital plans require, the organisation of appropriate borrowing facilities. The strategy covers the relevant treasury / prudential indicators, the current and projected debt positions and the annual investment strategy.

Current Portfolio Position

23. The Councils treasury portfolio position at 31 March 2014, with forward projections are summarised below. The table shows the actual external debt (the treasury management operations), against the underlying capital borrowing need (CFR), highlighting any over or under borrowing.

£m	2014/15 Revised £	2015/16 Estimated £	2016/17 Estimated £	2017/18 Estimated £
External Debt				
Existing Debt at 1 April	(116.722m)	(113.487m)	(109.765m)	(106.543m)
Expected change in debt	0.013m	0.500m	0.000m	1.000m
HRA Settlement	3.222m	3.222m	3.222m	3.222m
Debt at 31 March	(113.487m)	(109.765m)	(106.543m)	(102.322m)
CFR	119.747m	116.365m	112.989m	109.619m
Under / (over) borrowing	6.260m	6.600m	6.446m	7.297m
Total Investments at 31 March				
Investment change	41.324m	38.535m	43.659m	49.330m
Net Debt	(72.163m)	(71.230m)	(62.884m)	(52.992m)

24. Within the prudential indicators there are a number of key indicators to ensure that the Council operates its activities within well defined limits. One of these is that the Council needs to ensure that its total debt, net of any investments, does not, except in the short term, exceed the total of the CFR in the preceding year plus the estimates of any additional CFR for 2015/16 and the following two financial years (shown as net borrowing above). This allows some flexibility for limited early borrowing for future years, but ensures that borrowing is not undertaken for revenue purposes

25. The Corporate Finance Manager reports that the Council complied with this prudential indicator in the current year and does not envisage difficulties for the future. This view takes into account current commitments, existing plans, and the proposals in this budget report

Limits to Borrowing Activity

26. **The Operational Boundary.** This is the limit beyond which external debt is not normally expected to exceed. In most cases, this would be a similar figure to the CFR, but may be lower or higher depending on the levels of actual debt.

Operational Boundary £m	2014/15 Revised £	2015/16 Estimated £	2016/17 Estimated £	2017/18 Estimated £
Debt	1.513m	1.500m	1.000m	1.000m
+ HRA Reform	115.209m	111.987m	108.765m	105.543m
Other long term liabilities	0.000m	0.000m	0.000m	0.000m
Total	116.722m	113.487m	109.765m	106.543m

27. **The Authorised Limit for External Debt** – A further key prudential indicator represents a control on the maximum level of borrowing. This represents a limit beyond which external debt is prohibited, and this limit needs to be set or revised by the full Council. It reflects the level of external debt which, while not desired, could be afforded in the short term, but is not sustainable in the longer term.

28. This is the statutory limit determined under section 3 (1) of the Local Government Act 2003. The Government retains an option to control either the total of all councils' plans, or those of a specific council, although no control has yet been exercised.

29. The Council is asked to approve the following Authorised:

Authorised limit £m	2014/15 Revised £	2015/16 Estimated £	2016/17 Estimated £	2017/18 Estimated £
Debt	18.000m	18.000m	18.000m	18.000m
+ HRA Reform	115.209m	111.987m	108.765m	105.543m
Other long term liabilities	0.000m	0.000m	0.000m	0.000m
Total	133.209m	129.987m	126.765m	123.543m

Prospects for Interest Rates

30. The Council has appointed Capita Asset Services, Treasury Solutions as its treasury advisor and part of their service is to assist the Council to formulate a view on interest rates. Annex 1 draws together a number of current City forecasts for short term (Bank Rate) and longer fixed interest rates. The following table gives the sector central view

Annual Average %	Bank Rate	PWLB Borrowing Rates (including certainty rate adjustment)		
		5 year	25 year	50 year
Mar 2015	0.50	2.20	3.40	3.40
Jun 2015	0.50	2.20	3.50	3.50
Sep 2015	0.50	2.30	3.70	3.70
Dec 2015	0.75	2.50	3.80	3.80
Mar 2016	0.75	2.60	4.00	4.00
Jun 2016	1.00	2.80	4.20	4.20
Sep 2016	1.00	2.90	4.30	4.30
Dec 2016	1.25	3.00	4.40	4.40
Mar 2017	1.25	3.20	4.50	4.50
Jun 2017	1.50	3.30	4.60	4.60
Sep 2017	1.75	3.40	4.70	4.70
Dec 2017	1.75	3.50	4.70	4.70
Mar 2018	2.00	3.60	4.80	4.80

31. UK GDP growth surged during 2013 and the first half of 2014. Since then it appears to have subsided somewhat but still remains strong by UK standards and is expected to continue likewise into 2015 and 2016. There needs to be a significant rebalancing of the economy away from consumer spending to manufacturing, business investment and exporting in order for this recovery to become more firmly established. One drag on the economy has been that wage inflation has only recently started to exceed CPI inflation, so enabling

disposable income and living standards to start improving. The plunge in the price of oil brought CPI inflation down to a low of 1.0% in November, the lowest rate since September 2002. Inflation is expected to stay around or below 1.0% for the best part of a year; this will help improve consumer disposable income and so underpin economic growth during 2015. However, labour productivity needs to improve substantially to enable wage rates to increase and further support consumer disposable income and economic growth. In addition, the encouraging rate at which unemployment has been falling must eventually feed through into pressure for wage increases, though current views on the amount of hidden slack in the labour market probably means that this is unlikely to happen early in 2015.

The US, the biggest world economy, has generated stunning growth rates of 4.6% (annualised) in Q2 2014 and 5.0% in Q3. This is hugely promising for the outlook for strong growth going forwards and it very much looks as if the US is now firmly on the path of full recovery from the financial crisis of 2008. Consequently, it is now confidently expected that the US will be the first major western economy to start on central rate increases by mid 2015.

The current economic outlook and structure of market interest rates and government debt yields have several key treasury management implications:

- Greece: the general election on 25 January 2015 is likely to bring a political party to power which is anti EU and anti austerity. However, if this eventually results in Greece leaving the Euro, it is unlikely this will directly destabilise the Eurozone as the EU has put in place adequate firewalls to contain the immediate fallout to just Greece. However, the indirect effects of the likely strengthening of anti EU and anti austerity political parties throughout the EU is much more difficult to quantify;
- As for the Eurozone in general, concerns in respect of a major crisis subsided considerably in 2013. However, the downturn in growth and inflation during the second half of 2014, and worries over the Ukraine situation, Middle East and Ebola, have led to a resurgence those concerns as risks increase that it could be heading into deflation and prolonged very weak growth. Sovereign debt difficulties have not gone away and major concerns could return in respect of individual countries that do not dynamically address fundamental issues of low growth, international uncompetitiveness and the need for overdue reforms of the new economy (as Ireland has done). It is, therefore, possible over the next few years that levels of government debt to GDP ratios could continue to rise to levels that could result in a loss of investor confidence in the financial viability of such countries. Counterparty risks therefore remain elevated. This continues to suggest the use of higher quality counterparties for shorter time periods
- Investment returns are likely to remain relatively low during 2015/16 and beyond;
- Borrowing interest rates have been volatile during 2014 as alternating bouts of good and bad news have promoted optimism, and then pessimism, in financial markets. The closing weeks of 2014 saw gilt yields dip to historically remarkably low levels after inflation plunged, a flight of quality from equities (especially in the oil sector), and from the debt and equities of oil producing emerging market countries, and an increase in the likelihood that the ECB will commence quantitative easing (purchase of EZ government debt) in early 2015. The policy of

avoiding new borrowing by running down spare cash balances has served well over the last few years. However, this needs to be carefully reviewed to avoid incurring higher borrowing costs in later times, when authorities will not be able to avoid new borrowing to finance new capital expenditure and/or to refinance maturing debt;

- There will remain a cost of carry to any new borrowing which causes an increase in investments as this will incur a revenue loss between borrowing costs and investment returns.

Borrowing Strategy 2015/16 – 2016/17

32. The Council is currently maintaining an under-borrowed position. This means that the capital borrowing need (the Capital Financing Requirement), has not been fully funded with loan debt as cash supporting the Council's reserves, balances and cash flow has been used as a temporary measure. This strategy is prudent as investment returns are low and counterparty risk is high.
33. Against this background and the risks within the economic forecast, caution will be adopted with the 2015/16 treasury operations. The Corporate Finance Manager will monitor interest rates in financial markets and adopt a pragmatic approach to changing circumstances.
34. The uncertainty over future interest rate increases the risks associated with treasury activity. As a result the Council will take a cautious approach to its treasury strategy.
35. The option of postponing borrowing and running down investment balances will also be considered. This would reduce counterparty risk and hedge against the expected fall in investments returns.

Treasury Management Limits on Activity

36. There are three debt related treasury activity limits. The purpose of these are to contain the activity of the treasury function within certain limits, thereby managing risk and reducing the impact of an adverse movement in interest rates. However if these are set to be too restrictive they will impair the opportunities to reduce costs/improve performance. The indicators are:
 - Upper limits on variable interest rate exposure – This identifies a maximum limit for variable interest rates based upon the debt position net of investments
 - Upper limits on fixed interest rate exposure – Similar to the previous indicator this covers a maximum limit on fixed interest rates.
 - Maturity structures of borrowing – These gross limits are set to reduce the Council's exposure to large fixed rate sums falling due for refinancing, and are required for upper and lower limits.

37. The Council is asked to approve the limits:

£m	2014/15	2015/16	2016/17	2017/18
Interest rate Exposures				
	Upper	Upper	Upper	Upper
Limits on fixed interest rates based on net debt	125.000m	125.000m	125.000m	125.000m
Limits on variable interest rates based on net debt	40.000m	40.000m	40.000m	40.000m
Maturity Structure of fixed interest rate borrowing 2015/16				
	Lower	Upper	Upper	Upper
Under 12 months	0%	40%	0%	0%
12 months to 2 years	0%	40%	40%	40%
2 years to 5 years	0%	100%	100%	100%
5 years to 10 years	0%	100%	100%	100%
10 years and above	0%	100%	100%	100%

Policy on Borrowing in Advance of need

38. The Council will not borrow more than or in advance of its needs, purely in order to profit from the investment of the extra sums borrowed. Any decision to borrow in advance will be within forward approved Capital Financing Requirement estimates, and will be considered carefully to ensure that value for money can be demonstrated and that the Council can ensure the security of such funds.

39. The Corporate Finance Manager may do this under delegated power where, for instance, a sharp rise in interest rates is expected, and so borrowing early at fixed interest rates will be economically beneficial or meet budgetary constraints. Whilst the Corporate Finance Manager will adopt a cautious approach to any such borrowing, where there is a clear business case for doing so borrowing may be undertaken to fund the approved capital programme or to fund future debt maturities.

40. It would not look to borrow more than 24 months in advance of need.

41. Risks associated with any borrowing in advance activity will be subject to prior appraisal and subsequent reporting through the mid-year or annual reporting mechanism.

Debt Rescheduling

42. As short term borrowing rates will be considerably cheaper than longer term fixed interest rates, there may be potential opportunities to generate savings by switching from long term debt to short term debt. However, these savings will need to be considered in the light of the current treasury position and the size of the cost of debt repayment (premiums incurred).

43. The reasons for any rescheduling to take place will include:

- the generation of cash savings and / or discounted cash flow savings;
- helping to fulfil the treasury strategy;
- enhance the balance of the portfolio (amend the maturity profile and/or the balance of volatility).

44. Consideration will also be given to identify if there is any residual potential for making savings by running down investment balances to repay debt prematurely as short term rates on investments are likely to be lower than rates paid on current debt.

Municipal Bonds Agency

45. It is likely that the Municipal Bonds Agency, currently in the process of being set up, will be offering loans to local authorities in the near future. It is also hoped that the borrowing rates will be lower than those offered by the Public Works Loan Board (PWLB). This authority intends to make use of this new source of borrowing as and when appropriate.

SECTION 3 - ANNUAL INVESTMENT STRATEGY

Investment Policy and Counterparty Selection Criteria

46. The Council's investment policy has regard to the CLG's Guidance on Local Government Investments ("the Guidance") and the revised CIPFA Treasury Management in Public Services Code of Practice and Cross Sectoral Guidance Notes ("the CIPFA TM Code"). The Council's investment priorities will be security first, liquidity second and then return.
47. In accordance with guidance from the CLG and CIPFA, and in order to minimise the risk to investments, the Council applies minimum acceptable credit criteria in order to generate a list of highly creditworthy counterparties which also enables diversification and thus avoidance of concentration risk.
48. Continuing regulatory changes in the banking sector are designed to see greater stability, lower risk and the removal of expectations of Government financial support should an institution fail. This withdrawal of implied sovereign support is anticipated to have an effect on ratings applied to institutions. This will result in the key ratings used to monitor counterparties being the Short Term and Long Term ratings only. Viability, Financial Strength and Support Ratings previously applied will effectively become redundant. This change does not reflect deterioration in the credit environment but rather a change of method in response to regulatory changes.
49. As with previous practice, ratings will not be the sole determinant of the quality of an institution and that it is important to continually assess and monitor the financial sector on both a micro and macro basis and in relation to the economic and political environments in which institutions operate. The assessment will also take account of information that reflects the opinion of the markets. To this end the Council will engage with its advisors to maintain a monitor on market pricing such as "credit default swaps" and overlay that information on top of the credit ratings.

50. Other information sources used will include the financial press, share price and other such information pertaining to the banking sector in order to establish the most robust scrutiny process on the suitability of potential investment counterparties.
51. Investment instruments identified for use in the financial year are listed in annex 3 under the 'specified' and 'non-specified' investment categories. Counterparty limits will be as set through the Council's treasury management practices-schedules.

Creditworthiness policy

This Council applies the creditworthiness service provided by Capita Asset Services. This service employs a sophisticated modelling approach utilising credit ratings from the three main credit rating agencies - Fitch, Moody's and Standard and Poor's. The credit ratings of counterparties are supplemented with the following overlays:

- credit watches and credit outlooks from credit rating agencies;
- CDS spreads to give early warning of likely changes in credit ratings;
- sovereign ratings to select counterparties from only the most creditworthy countries.

52. This modelling approach combines credit ratings, credit watches and credit outlooks in a weighted scoring system which is then combined with an overlay of CDS spreads for which the end product is a series of colour coded bands which indicate the relative creditworthiness of counterparties. These colour codes are used by the Council to determine the suggested duration for investments. The Council will therefore use counterparties within the following durational bands

- Yellow 5 years *
- Dark pink 5 years for Enhanced money market funds (EMMFs) with a credit score of 1.25
- Light pink 5 years for Enhanced money market funds (EMMFs) with a credit score of 1.5
- Purple 2 years
- Blue 1 year (only applies to nationalised or semi nationalised UK Banks)
- Orange 1 year
- Red 6 months
- Green 100 days
- No colour not to be used

Y	Pi1	Pi2	P	B	O	R	G	N/C
1	1.25	1.5	2	3	4	5	6	7
Up to 5yrs	Up to 5yrs	Up to 5yrs	Up to 2yrs	Up to 1yr	Up to 1yr	Up to 6mths	Up to 100days	No Colour

53. The Capita Asset Services creditworthiness service uses a wider array of information than just primary ratings and by using a risk weighted scoring system, does not give undue preponderance to just one agency's ratings.

54. Typically the minimum credit ratings criteria the Council use will be a Short Term rating (Fitch or equivalents) of short term rating F1, long term rating A-. There may be occasions when the counterparty ratings from one agency are marginally lower than these ratings but may still be used. In these instances consideration will be given to the whole range of ratings available, or other topical market information, to support their use.
55. All credit ratings are monitored daily and the Council is alerted to changes to ratings of all three agencies through its use of the Capita Asset Services creditworthiness service.
- if a downgrade results in the counterparty / investment scheme no longer meeting the Council's minimum criteria, its further use as a new investment will be withdrawn immediately.
 - in addition to the use of credit ratings the Council will be advised of information in movements in credit default swap spreads against the iTraxx benchmark and other market data on a weekly basis. Extreme market movements may result in downgrade of an institution or removal from the Council's lending list.
56. Sole reliance will not be placed on the use of this external service. In addition this Council will also use market data and market information, information on government support for banks and the credit ratings of that supporting government.
57. The Treasury Management Officer will use the Capita Credit Rating weekly listing as a tool for guidance, with the option to deviate from this guidance only when there are clear alternative options that are available to the Council. Any decision of this nature should be clearly documented for audit purposes.

Local Authority Mortgage Scheme

58. The Local Authority Mortgage Scheme (LAMS) – The Council is currently participating in the cash backed mortgage scheme which requires the Council to place a matching five year deposit to the life of the indemnity. This is classified as being a service investment, rather than a treasury management investment, and is therefore outside of the specified/non specified investment categories

Investment Strategy

59. **In-house funds.** Investments will be made with reference to the core balance and cash flow requirements and the outlook for short-term interest rates (i.e. rates for investments up to 12 months).
60. **Investment returns expectations.** Bank Rate is forecast to remain unchanged at 0.5% before strating to rise from quarter 4 of 2015. Bank Rate forecasts for financial year ends (March) are:
- 2015/16 0.75%
 - 2016/17 1.25%
 - 2017/18 2.00%

61. There are downside risks to these forecasts (i.e. start of increases in Bank Rate occurs later) if economic growth weakens. However, should the pace of growth quicken, there could be upside risk.

62. The suggested budgeted investment earnings rates for returns on investments placed for periods up to 100 days during each financial year for the next four years are as follows:

- 2015/16 0.60%
- 2016/17 1.25%
- 2017/18 1.75%
- 2018/19 2.25%

63. **Investment treasury indicator and limit** - total principal funds invested for greater than 364 days. These limits are set with regard to the Council's liquidity requirements and to reduce the need for early sale of an investment, and are based on the availability of funds after each year-end.

64. The Council is asked to approve the treasury indicator and limit: -

Maximum principal sums invested > 364 days			
£m	2015/16	2016/17	2017/18
Principal sums invested > 364 days	£10.000m	£11.000m	£12.000m

65. **Investment Risk Benchmarking** – A development in the revised Codes and the CLG Investment Guidance is the consideration and approval of security and liquidity benchmarks. Yield benchmarks are currently widely used to assess investment performance. Discrete security and liquidity benchmarks are new requirements to the Member reporting, although the application of these is more subjective in nature.

66. These benchmarks are simple guides to maximise risk, and so may be breached from time to time, depending on movements in interest rates and counterparty criteria. The purpose of the benchmark is that officers will monitor the current and trend position and amend the operational strategy depending on any change. Any breach of the benchmarks will be reported, with supporting reasons in the Mid-Year or Annual Report.

67. **Security** - The Council's maximum security risk benchmark for the current portfolio, when compared to these historic default tables, is:

- 0.1% historic risk of default when compared to the whole portfolio.

68. **Liquidity** – In respect of this area the Council seeks to maintain:

- Bank overdraft - £0.25m
- Liquid short term deposits of at least £5m available with a week's notice.
- Weighted Average Life benchmark is expected to not exceed a maximum of 1 year.

69. Yield - Local measures of yield benchmarks are :

- Investments – Internal returns above the 7 day LIBID rate
- Investments – External fund managers - returns 10% above 7 day compounded LIBID.

70. And in addition that the security benchmark for each individual year is:

	1 year	2 years	3 years	4 years	5 years
Maximum	0.08%	0.22%	0.37%	0.52%	0.70%

Note: This benchmark is an average risk of default measure (potential loss on investments), and would not constitute an actual expectation of loss against a particular investment.

End of year Investment Report

71. At the end of the financial year, the Council will report on its investment activity as part of its Annual Treasury Report.

Policy on Use of External Service Providers

72. The Council uses Capita Asset Services as its external treasury management advisors.

73. The Council recognises that responsibility for treasury management decisions remains with the organisation at all times and will ensure that undue reliance is not placed upon our external service providers.

74. It also recognises that there is value in employing external providers of treasury management services in order to acquire access to specialist skills and resources. The Council will ensure that the terms of their appointment and the methods by which their value will be assessed are properly agreed and documented, and subjected to regular review.

Annex 1 - Interest Rate Forecast 2014/2018

Capita Asset Services Interest Rate View													
	Mar-15	Jun-15	Sep-15	Dec-15	Mar-16	Jun-16	Sep-16	Dec-16	Mar-17	Jun-17	Sep-17	Dec-17	Mar-18
Bank Rate View	0.50%	0.50%	0.50%	0.75%	0.75%	1.00%	1.00%	1.25%	1.25%	1.50%	1.75%	1.75%	2.00%
3 Month LIBID	0.50%	0.50%	0.60%	0.80%	0.90%	1.10%	1.10%	1.30%	1.40%	1.50%	1.80%	1.90%	2.10%
6 Month LIBID	0.70%	0.70%	0.80%	1.00%	1.10%	1.20%	1.30%	1.50%	1.60%	1.70%	2.00%	2.10%	2.30%
12 Month LIBID	0.90%	1.00%	1.10%	1.30%	1.40%	1.50%	1.60%	1.80%	1.90%	2.00%	2.30%	2.40%	2.60%
5yr PW IB Rate	2.20%	2.20%	2.30%	2.50%	2.60%	2.80%	2.90%	3.00%	3.20%	3.30%	3.40%	3.50%	3.60%
10yr PW IB Rate	2.80%	2.80%	3.00%	3.20%	3.30%	3.50%	3.60%	3.70%	3.80%	3.90%	4.00%	4.10%	4.20%
25yrPW IB Rate	3.40%	3.50%	3.70%	3.80%	4.00%	4.20%	4.30%	4.40%	4.50%	4.60%	4.70%	4.70%	4.80%
50yrPW IB Rate	3.40%	3.50%	3.70%	3.80%	4.00%	4.20%	4.30%	4.40%	4.50%	4.60%	4.70%	4.70%	4.80%
Bank Rate													
Capita Asset Services	0.50%	0.50%	0.50%	0.75%	0.75%	1.00%	1.00%	1.25%	1.25%	1.50%	1.75%	1.75%	2.00%
Capital Economics	0.50%	0.50%	0.75%	0.75%	1.00%	1.00%	1.25%	1.25%	-	-	-	-	-
5yr PW IB Rate													
Capita Asset Services	2.20%	2.20%	2.30%	2.50%	2.60%	2.80%	2.90%	3.00%	3.20%	3.30%	3.40%	3.50%	3.60%
Capital Economics	2.20%	2.50%	2.70%	3.00%	3.10%	3.20%	3.30%	3.40%	-	-	-	-	-
10yr PW IB Rate													
Capita Asset Services	2.80%	2.80%	3.00%	3.20%	3.30%	3.50%	3.60%	3.70%	3.80%	3.90%	4.00%	4.10%	4.20%
Capital Economics	2.80%	3.05%	3.30%	3.55%	3.60%	3.65%	3.70%	3.80%	-	-	-	-	-
25yrPW IB Rate													
Capita Asset Services	3.40%	3.50%	3.70%	3.80%	4.00%	4.20%	4.30%	4.40%	4.50%	4.60%	4.70%	4.70%	4.80%
Capital Economics	3.25%	3.45%	3.65%	3.85%	3.95%	4.05%	4.15%	4.25%	-	-	-	-	-
50yrPW IB Rate													
Capita Asset Services	3.40%	3.50%	3.70%	3.80%	4.00%	4.20%	4.30%	4.40%	4.50%	4.60%	4.70%	4.70%	4.80%
Capital Economics	3.30%	3.50%	3.70%	3.90%	4.00%	4.10%	4.20%	4.30%	-	-	-	-	-
Please note – The current PWLB rates and forecast shown above have taken into account the 20 basis point certainty rate reduction effective as of the 1st November 2012													

Annex 2 – Economic Background

Global economy

Eurozone (EZ). The Eurozone is facing an increasing threat from weak or negative growth and from deflation. In November 2014, the inflation rate fell further, to reach a low of 0.3%. However, this is an average for all EZ countries and includes some countries with negative rates of inflation. Accordingly, the ECB took some rather limited action in June and September 2014 to loosen monetary policy in order to promote growth. It now appears likely that the ECB will embark on full quantitative easing (purchase of EZ country sovereign debt) in early 2015.

Concern in financial markets for the Eurozone subsided considerably after the prolonged crisis during 2011-2013. However, sovereign debt difficulties have not gone away and major issues could return in respect of any countries that do not dynamically address fundamental issues of low growth, international uncompetitiveness and the need for overdue reforms of the economy, (as Ireland has done). It is, therefore, possible over the next few years that levels of government debt to GDP ratios could continue to rise for some countries. This could mean that sovereign debt concerns have not disappeared but, rather, have only been postponed. The ECB's pledge in 2012 to buy unlimited amounts of bonds of countries which ask for a bailout has provided heavily indebted countries with a strong defence against market forces. This has bought them time to make progress with their economies to return to growth or to reduce the degree of recession. However, debt to GDP ratios (2013 figures) of Greece 180%, Italy 133%, Portugal 129%, Ireland 124% and Cyprus 112%, remain a cause of concern, especially as some of these countries are experiencing continuing rates of increase in debt in excess of their rate of economic growth i.e. these debt ratios are likely to continue to deteriorate. Any sharp downturn in economic growth would make these countries particularly vulnerable to a new bout of sovereign debt crisis. It should also be noted that Italy has the third biggest debt mountain in the world behind Japan and the US.

The US economy

The U.S. Federal Reserve ended its monthly asset purchases in October 2014. GDP growth rates (annualised) for Q2 and Q3 of 4.6% and 5.0% have been stunning and hold great promise for strong growth going forward. It is therefore confidently forecast that the first increase in the Fed. rate will occur by the middle of 2015.

China.

Government action in 2014 to stimulate the economy appeared to be putting the target of 7.5% growth within achievable reach but recent data has indicated a marginally lower outturn for 2014, which would be the lowest rate of growth for many years. There are also concerns that the Chinese leadership has only started to address an unbalanced economy which is heavily over dependent on new investment expenditure, and for a potential bubble in the property sector to burst, as it did in Japan in the 1990s, with its consequent impact on the financial health of the banking sector. There are also concerns around the potential size, and dubious creditworthiness, of some bank lending to local government organisations and major corporates. This primarily occurred during the government promoted expansion of credit, which was aimed at protecting the overall rate of growth in the economy after the Lehmans crisis.

Japan

Japan is causing considerable concern as the increase in sales tax in April 2014 has suppressed consumer expenditure and growth to the extent that it has slipped back into recession in Q2 and Q3. The Japanese government already has the highest debt to GDP ratio in the world.

Greece

The general election due to take place on 25 January 2015 is likely to bring a political party to power which is anti EU and anti austerity. However, if this eventually results in Greece leaving the Euro, it is unlikely that this will directly destabilise the Eurozone as the EU has put in place adequate firewalls to contain the immediate fallout to just Greece. However, the indirect effects of the likely strengthening of anti EU and anti austerity political parties throughout the EU is much more difficult to quantify. There are particular concerns as to whether democratically elected governments will lose the support of electorates suffering under EZ imposed austerity programmes, especially in countries which have high unemployment rates. There are also major concerns as to whether the governments of France and Italy will effectively implement austerity programmes and undertake overdue reforms to improve national competitiveness. These countries already have political parties with major electoral support for anti EU and anti austerity policies. Any loss of market confidence in either of the two largest Eurozone economies after Germany would present a huge challenge to the resources of the ECB to defend their debt.

UK economy

UK. After strong UK GDP growth in 2013 at an annual rate of 2.7%, and then in 2014 0.7% in Q1, 0.9% in Q2 2014 (annual rate 3.2% in Q2), Q3 has seen growth fall back to 0.7% in the quarter and to an annual rate of 2.6%. It therefore appears that growth has eased since the surge in the first half of 2014 leading to a downward revision of forecasts for 2015 and 2016, albeit that growth will still remain strong by UK standards. For this recovery to become more balanced and sustainable in the longer term, the recovery needs to move away from dependence on consumer expenditure and the housing market to exporting, and particularly of manufactured goods, both of which need to substantially improve on their recent lacklustre performance. This overall strong growth has resulted in unemployment falling much faster than expected. The MPC is now focusing on how quickly slack in the economy is being used up. It is also particularly concerned that the squeeze on the disposable incomes of consumers should be reversed by wage inflation rising back significantly above the level of inflation in order to ensure that the recovery will be sustainable. There also needs to be a major improvement in labour productivity, which has languished at dismal levels since 2008, to support increases in pay rates. Unemployment is expected to keep on its downward trend and this is likely to eventually feed through into a return to significant increases in wage growth at some point during the next three years. However, just how much those future increases in pay rates will counteract the depressive effect of increases in Bank Rate on consumer confidence, the rate of growth in consumer expenditure and the buoyancy of the housing market, are areas that will need to be kept under regular review.

Also encouraging has been the sharp fall in inflation (CPI), reaching 1.0% in November 2014, the lowest rate since September 2002. Forward indications are that inflation is likely to remain around or under 1% for the best part of a year. The return to strong growth has helped lower forecasts for the increase in Government debt

over the last year but monthly public sector deficit figures during 2014 have disappointed until November. The autumn statement, therefore, had to revise the speed with which the deficit is forecast to be eliminated.

Forward guidance. Economic forecasting remains difficult with so many external influences weighing on the UK. Our Bank Rate forecasts, (and also MPC decisions) will be liable to further amendment depending on how economic data transpires over 2015. Forecasts for average earnings beyond the three year time horizon will be heavily dependent on economic and political developments. Major volatility in bond yields is likely to endure as investor fears and confidence ebb and flow between favouring more risky assets i.e. equities, or the safe haven of bonds.

The overall longer run trend is for gilt yields and PWLB rates to rise, due to the high volume of gilt issuance in the UK, and of bond issuance in other major western countries.

Increasing investor confidence in eventful world economic recovery is also likely to compound this effect as recovery will encourage investors to switch from bonds to equities.

The overall balance of risks to economic recovery in the UK is currently evenly balanced. Only time will tell just how long this current period of strong economic growth will last; it also remains exposed to vulnerabilities in a number of key areas. The interest rate forecasts in this report are based on an initial assumption that there will not be a major resurgence of the EZ debt crises. There is an increased risk that Greece could end up leaving the Euro but if this happens, the EZ now has sufficient fire walls in place that a Greek exit would have little immediate direct impact on the rest of the EZ and the Euro. It is therefore expected that there will be an overall managed, albeit painful and tortuous, resolution of any EZ debt crisis that may occur where EZ institutions and governments eventually do what is necessary – but only when all else has been tried and failed. Under this assumed scenario, growth within the EZ will be weak at best for the next couple of years with some EZ countries experiencing low or negative growth, which will, over that time period, see an increase in total government debt to GDP ratios. There is a significant danger that these ratios could rise to the point where markets lose confidence in the financial viability of one, or more, countries, especially if growth disappoints and/or efforts to reduce government deficits fail to deliver the necessary reductions. However, it is impossible to forecast whether any individual country will lose such confidence, or when, and so precipitate a sharp resurgence of the EZ debt crisis. While the ECB has adequate resources to manage a debt crises in a small EZ country, if one, or more, of the larger countries were to experience a major crisis of market confidence, this would present a serious challenge to the ECB and to EZ politicians.

Downside risks to current forecasts for UK gilt yields and PWLB rates currently include:

- Geopolitical risks in Eastern Europe, the Middle East and Asia, increasing safe haven flows.

- UK strong economic growth is weaker than we currently anticipate.
- Weak growth or recession in the UK's main trading partners – the EU, US and China.
- A resurgence of the Eurozone sovereign debt crisis.
- Recapitalisation of European banks requiring more government financial support.
- Monetary policy action failing to stimulate sustainable growth and to combat the threat of deflation in western economies, especially the Eurozone and Japan.

The potential for upside risks to current forecasts for UK gilt yields and PWLB rates, especially for longer term PWLB rates include:

- An adverse reaction by financial markets to the result of the UK general election in May 2015 and the economic and debt management policies adopted by the new government.
- ECB either failing to carry through on recent statements that it will soon start quantitative easing (purchase of government debt) or severely disappointing financial markets with embarking on only a token programme of minimal purchases which are unlikely to have much impact, if any, on stimulating growth in the EZ.
- The commencement by the US Federal Reserve of increases in the central rate in 2015 causing a fundamental reassessment by investors of the relative risks of holding bonds as opposed to equities, leading to a sudden flight from bonds to equities.
- A surge in investor confidence that a return to robust world economic growth is imminent, causing a flow of funds out of bonds and equities.
- UK inflation returning to significantly higher levels than in the wider EU and US, causing an increase in the inflation premium inherent to gilt yields.

Annex 3

Treasury Management Practice (TMP) 1 – Credit and Counterparty Risk Management

CLG issued Investment Guidance in 2010, and this forms the structure of the Council's policy below. These guidelines do not apply to either trust funds or pension funds which are under a different regulatory regime.

The key intention of the Guidance is to maintain the current requirement for Councils to invest prudently, and that priority is given to security and liquidity before yield. In order to facilitate this objective the guidance requires this Council to have regard to the CIPFA publication Treasury Management in the Public Services: Code of Practice and Cross-Sectoral Guidance Notes. This Council adopted the Code on 23 June 2004 and will apply its principles to all investment activity. In accordance with the Code, the Corporate Finance Manager has produced its treasury management practices (TMPs). This part, TMP 1(5), covering investment counterparty policy requires approval each year.

Annual Investment Strategy - The key requirements of both the Code and the investment guidance are to set an annual investment strategy, as part of its annual treasury strategy for the following year, covering the identification and approval of the following:

- The strategy guidelines for choosing and placing investments, particularly non-specified investments.
- The principles to be used to determine the maximum periods for which funds can be committed.
- Specified investments the Council will use. These are high security, and high liquidity investments in sterling and with a maturity of no more than a year.
- Non-specified investments, clarifying the greater risk implications, identifying the general types of investment that may be used and a limit to the overall amount of various categories that can be held at any time.

The investment policy proposed for the Council is:

Strategy Guidelines – The main strategy guidelines are contained in the body of the treasury strategy statement.

Specified Investments – These investments are sterling investments of not more than one-year maturity, or those which could be for a longer period but where the Council has the right to be repaid within 12 months if it wishes. These are low risk assets where the possibility of loss of principal or investment income is small. These would include sterling investments which would not be defined as capital expenditure with:

Table A – Specified Investments

	Specified Investments Category	Limit
a	<p>A body of high credit quality, this category includes the following –</p> <ul style="list-style-type: none"> <input type="checkbox"/> Any bank or building society using Sector Creditworthiness service, following the suggested duration on the list up to a maximum of 364 days. <input type="checkbox"/> Nationalised and Part nationalised banks can be included within specified investments as long as they remain part-nationalised 	<p>£10m per institution or a maximum of 30% of total investment (whichever is the greatest), £10m per corporate group</p>
b	<p>The UK Government (such as the Debt Management Account deposit facility, UK Treasury Bills or a Gilt with less than one year to maturity)</p>	no amount limit
c	<p>UK local authorities, Parish Council or Community Council</p>	<p>£5m per LA, £10m all LAs</p>
d	<p>Pooled investment vehicles (such as money market funds) that have been awarded a high credit rating by a credit rating agency. This category covers pooled investment vehicles, such as money market funds, rated AAA by Standard and Poor’s, Moody’s or Fitch rating agencies.</p> <p>CLG Investment Guidance specifies that Money Market Funds with high credit ratings are classified as Specified Investment. These funds are instant access investment. There is possibility that part of the investment may be exposed to counterparties the Council would not approve normally or invest directly. The counterparty risk is mitigated by that –</p> <ul style="list-style-type: none"> • The Fund Managers diversify investment in a range of counterparties; • The Funds are instant access; • The Council only invests in funds rated AAA; • DCLG Investment Guidance classifying such funds as Specified Investment. 	<p>£5m per fund,</p>
e	<p>Enhanced Money Market Funds</p> <p>These are similar to normal money market funds but operate on a variable rate basis. The selection criteria will be on the same basis as the pooled investment vehicles with only funds rated AAA by Standard and Poor’s, Moody’s or Fitch rating agencies being used.</p> <p>In addition to this only EMMF’s with a credit score of 1.25 and above will be used.</p>	<p>£5m per fund,</p>
f	<p>Corporate Bond Funds</p>	<p>£5m per fund</p>

Non-Specified Investments – Non-specified investments are any other type of investment (i.e. not defined as Specified above). The identification and rationale supporting the selection of these other investments and the maximum limits to be applied are set out below. Non specified investments would include any sterling investments with:

Amounts invested with any one institution shall not exceed £2m for periods of more than 2 years. Amounts invested with any one corporate group shall not exceed £5m (with the exception of Councils own bank).

Amounts invested in non specified fixed term investment would normally not exceed 25% of the total Invested. The Corporate Finance Manager has the discretion if required to exceed the limit which may occur during the course of the year should rate of return on investment be beneficial to the council. Any decision will be based on taking into account current and future market conditions as well counterparty strength and rating. If these circumstances are required this will be reported back to the appropriate committee.

Table B – Non Specified Investments

Non Specified Investment Category	Limit
a. Any institutions meeting the criteria set out for Specified Investments , with a maturity of greater than one year following the suggested duration on the list up to a maximum of 2 years. (including forward deals in excess of one year from inception to repayment).	£4m maximum of 2-years per institution
b. Councils Bank – Should its ratings fall below that required for specified investment, monies will be restricted to instant access.	£7m
c. Top 10 building societies, by asset value.	£2m maximum of 2-years per institution. £6m for all B/S sector
d. Property funds The use of these instruments can be deemed capital expenditure, and as such will be an application (spending) of capital resources. This Authority will seek guidance on the status of any fund it may consider using.	£5m per fund

Note: This Authority will seek further advice on the appropriateness and associated risks with investments in these categories.

The monitoring of investment counterparties – The credit rating of counterparties will be monitored regularly. The Council receives credit rating information (changes, rating watches and rating outlooks) from Capita Asset Services as and when ratings change, and counterparties are checked promptly. On occasion ratings may be downgraded when an investment has already been made. The criteria used are such that a minor downgrading should not affect the full receipt of the principle and interest. Any counterparty failing to meet the criteria will be removed from the list

immediately by the Corporate Finance Manager, and if required new counterparties which meet the criteria will be added to the list.

Local Authority Mortgage Scheme. Under this scheme the Council will place a maximum fund of £5m, with one of the approved lenders participating in the LAMS scheme for a fixed period of 5 years. This is classified as being a service investment, rather than a treasury management investment, and is therefore outside of the Specified / Non specified categories

Registered Social Landlords (RSL's)

- This scheme would lend amounts up to £5m per investment to Registered Social Landlords for the purpose of providing housing within the District.
- Repayment terms of up to 10 years would be offered.
- Can be deemed as a service investment as apposed to a Treasury Investment.
- Individual Housing Associations do not have credit ratings therefore it is proposed that we use our external treasury advisers to undertake due diligence checks to assess borrowers' ability to make good the repayment of the loan.
- Loans would be secured by means of a legal charge over the borrowers assets. Related legal costs and loan set up fees would be charged to the borrower.
- Interest rates charged would be set based on prevailing PWLB/market rates available at the time the loan is agreed. If a market rate is applied this will provide an investment return. In any event a rate will be charged that ensures that no gratuitous benefit is included which could have soft loan or state aid implications.
- For accounting purposes loans would be treated as capital expenditure and financed from internal borrowing. This will increase the Capital Financing Requirement (CFR) by the amount of the loan and then this will be written down upon repayment of the principal.
- This approach means that there is no requirement to make a Minimum Revenue Provision (MRP) contribution which would be a charge to the working balances, therefore avoiding any additional cost to the tax payer.

Use of External Fund Managers –The Council currently uses external fund managers for part of its investment portfolio. The Council is not restricted to placing funds with cash managers, and will manage funds in house, use fund managers, or brokers if it is appropriate to do so.

The fund managers will use both specified and non-specified investment categories, and are contractually committed to keep to the Council's investment strategy. Currently the Council has an agreement with King & Shaxson, Tradition UK and Sterling International. The fund managers are required to adhere to the following:

- All investments restricted to sterling denominated instruments;

Appendix F

- Amounts invested with any one institution or Corporate Group should not exceed the limits specified in Table A and Table B.
- Portfolio management is measured against the return provided by the 3 month sterling LIBID, or in accordance with the measures specified in the contract.

The performance of investment managed by Fund Managers is reviewed at least quarterly by the Corporate Finance Manager.

Ethical Investment Statement - The council has approved the following ethical investment statement that will apply to all cash investments made by, or on behalf of, the council

“The Council, in making investments through its treasury management function, fully supports the ethos of socially responsible investments. We will actively seek to communicate this support to those institutions we invest in as well as those we are considering investing in by:

- encouraging those institutions to adopt and publicise policies on socially responsible investments;
- requesting those institutions to apply council deposits in a socially responsible manner.”

Counterparties shall be advised of the above statement.

Annex 4

Risk Management – The Council undertakes risk assessment for all fixed term deposits or greater than one month. The risk assessment uses the following template –

Risk assessment of new investment (last updated March 2011)

Investment	Institution	Risk Assessment		
Investment Product	Institution name	<i>Risk of the counterparty defaulting on investment</i>		
			<i>Likelihood</i>	
		Counterparty on our specified list: Instant access	1.4	
		Counterparty only on non specified list: Instant access	1.7	
Principal Value	Eligibility	Counterparty on our specified list: <=364 days	2	Unlikely
		Counterparty on our specified list: <=3 months	1	Unlikely
		Counterparty only on non specified list: <=364 days	2.4	
		Counterparty only on non specified list: >364 days	3	Likely
Term	Limit with this institution			
		<i>Impact of losing the investment</i>		<i>Impact</i>
Rate	Existing investment value	Total principal less than £700,000	1	Negligible
		Total principal between £700,000 and £1.4m	2	Minor
		Total principal between 1.4m and £3.5m	3	Major
Rate %	Value inc new investment	Total principal greater than £3.5m	4	Critical
		Risk Score :		
Internal Reference	Is it within the limit?			

Risk assessed by:

Risk assessment date:

	2014/15	2014/15	2015/16	2016/17	2017/18
Detail	Original	Forecast	Estimate	Indicative	Indicative
	Base	Outturn	Base	Base	Base
	£'000	£'000	£'000	£'000	£'001
INCOME					
1 Dwelling Rents	(24,781)	(24,760)	(25,552)	(26,289)	(26,963)
2 Non Dwelling Rents	(288)	(295)	(297)	(306)	(320)
3 Charges for Services and Facilities	(531)	(575)	(566)	(584)	(601)
4 Other Income	(62)	(62)	(63)	(65)	(67)
5 TOTAL INCOME	(25,662)	(25,692)	(26,478)	(27,244)	(27,951)
EXPENDITURE					
6 Repair and Maintenance	7,923	8,032	8,035	7,931	8,030
7 Supervision and Management - General	2,521	2,981	2,564	2,660	2,700
8 Supervision and Management - Special	1,221	1,218	1,093	1,115	1,128
9 HRA share of Corporate and Democratic Costs	350	350	357	364	371
10 Depreciation and Impairment of Fixed Assets	5,923	5,923	6,117	6,315	6,521
11 Debt Management Expenses	25	24	25	26	27
12 Provision for bad debts	160	53	517	532	545
13 Repayment of Principal	3,222	3,222	3,222	3,222	3,222
14 TOTAL EXPENDITURE	21,345	21,803	21,930	22,165	22,544
15 NET COST OF HRA SERVICES	(4,317)	(3,889)	(4,548)	(5,079)	(5,407)
16 Interest Payable and Similar Charges	3,342	3,342	3,242	3,141	3,016
17 Interest and Investment Income	(200)	(175)	(181)	(194)	(215)
18 DEFICIT (SURPLUS) FOR THE YEAR ON THE HRA	(1,175)	(722)	(1,487)	(2,132)	(2,606)
MOVEMENT ON THE HRA BALANCE					
19 (Deficit)/Surplus for the Year	1,175	722	1,487	2,132	2,606
20 Contribution to Loan Repayment Reserve	(1,175)	(3,331)	(2,630)	(2,631)	(2,631)
21 Revenue Contribution to Capital	(2,000)		0	0	0
22 Other Reserve Movements	0	(104)	(50)	0	0
23 Housing Revenue Account balance at start of year	9,239	7,145	4,432	3,239	2,740
24 Housing Revenue Account balance at end of year	7,239	4,432	3,239	2,740	2,715
25 Major Repairs Reserve balance at start of year	4,337	4,281	5,372	5,710	5,685
26 Depreciation	5,923	5,923	6,117	6,315	6,521
27 Capital Financing	(4,273)	(4,832)	(5,779)	(6,340)	(7,618)
28 Major Repairs Reserve balance at end of year	5,987	5,372	5,710	5,685	4,588

	2015/16 £	2016/17 £	2017/18 £
SUMMARY OF SAVINGS			
1 Savings on Gas Contract	224,000	216,400	208,500
2 Savings on Central Heating Contract	200,000	200,000	200,000
3 Zero Base Budgeting inc business travel, gas & council tax	99,000	101,000	102,000
4 Total Savings	523,000	517,400	510,500
ADDITIONAL ITEMS			
5 Contribution towards street cleansing work	40,000	41,200	42,400
6 Top up loft insulation	140,000	75,000	75,000
7 Resurfacing and parking bays	160,000	50,000	0
8 Additional Project Officer Costs	17,960	17,960	17,960
9 Trainee Quantity Surveyor	25,900	25,900	25,900
10 Increase in propret budgets (plastering, scaffold, general)	167,500	132,500	132,500
11 Total additional items	551,360	342,560	293,760

SUMMARY FINANCING STATEMENT

Description	2014/2015 Forecast Outturn £'000	2015/2016 Indicative Base £'000	2015/2016 Estimate Base inc slippage £'000	2016/2017 Indicative Base £'000	2017/2018 Indicative Base £'000	2018/2019 Indicative Base £'000	2019/2020 Indicative Base £'000
<u>HOUSING REVENUE ACCOUNT</u>							
1 Stock Improvements & new build programme	6,817	3,142	7,121	6,304	7,448	3,657	3,770
2 IT Software	-	-	125	591	-	-	-
3 Purchase of Vehicles	15	161	125	187	171	69	276
4 TOTAL - HOUSING REVENUE ACCOUNT	6,832	3,303	7,371	7,082	7,619	3,726	4,046
<u>HRA FINANCED BY:</u>							
5 Major Repair Reserve	4,832	2,303	5,779	6,340	7,619	3,726	4,046
6 HRA Useable Capital Receipts	2,000	-	1,592	742	-	-	-
7 Contribution from Revenue	-	1,000	-	-	-	-	-
8 TOTAL - HRA CAPITAL PROGRAMME	6,832	3,303	7,371	7,082	7,619	3,726	4,046

Description	2014/2015 Forecast Outturn £'000	2015/2016 Indicative Base £'000	2015/2016 Updated Base inc slippage £'000	2016/2017 Indicative Base £'000	2017/2018 Indicative Base £'000	2018/2019 Indicative Base £'000	2019/2020 Indicative Base £'000
HOUSING REVENUE ACCOUNT							
Repairs and Improvements							
1 Purchase of land for creation of road	10	-	-	-	-	-	-
2 Purchase of strategic land acquisitions	102	-	198	-	-	-	-
	112	-	198	-	-	-	-
Energy Efficiency Initiatives:							
3 Central Heating, Ventilation and boiler replacement	1,000	1,000	1,050	1,050	1,050	1,050	1,050
4 LED Lighting	500	-	275	-	-	-	-
Refurbishment and Improvement:							
5 New Build Properties	2,050	-	1,800	2,500	4,000	-	-
6 Re-roofing (includes chimneys)	1,050	1,065	1,278	1,107	1,110	1,112	1,050
7 Re-wiring	175	110	250	250	250	250	250
8 Kitchen & Bathroom Refurbishments	1,000	850	1,050	1,160	850	1,000	1,000
9 Replacement door programme	20	37	40	39	100	100	100
10 External Wall Insulation	830	-	1,010	-	-	-	-
11 Installation of Air Source Heat Pumps	80	80	50	50	52	53	54
12 Windows	-	-	-	148	36	92	266
13 Fencing	-	-	120	-	-	-	-
	6,705	3,142	6,923	6,304	7,448	3,657	3,770
IT Software							
14 Repairs Software	-	-	20	-	-	-	-
15 Upgrade Opti-time software	-	-	55	-	-	-	-
16 Vehicle management system for repairs	-	-	50	-	-	-	-
17 New Housing System	-	-	-	500	-	-	-
18 Customer Relationship Management System	-	-	-	91	-	-	-
	-	-	125	591	-	-	-
Purchase of Vehicles							
19 Repairs Vehicles	15	161	125	187	171	69	276
	15	161	125	187	171	69	276
20 TOTAL - HOUSING INVESTMENT PROGRAMME	6,832	3,303	7,371	7,082	7,619	3,726	4,046

HRA RESERVES STATEMENT

	Balance as at 31 March 2014 £'000	Movement on Reserve in year £'000	Balance as at 31 March 2015 £'000	Movement on Reserve in year £'000	Balance as at 31 March 2016 £'000	Movement on Reserve in year £'000	Balance as at 31 March 2017 £'000	Movement on Reserve in year £'000	Balance as at 31 March 2018 £'000	
Housing Revenue Account (HRA)										
Revenue Reserves										
1	Insurance Reserve	250	0	250	(50)	200	0	200	0	200
2	Service Specific Funds	44	(44)	0	0	0	0	0	0	0
3	HRA Improvement Reserve	441	(242)	199	0	199	(92)	107	0	107
4	Working Balance	7,145	(2,712)	4,433	(1,193)	3,240	(500)	2,740	(25)	2,715
5	Total HRA Revenue Reserves	7,880	(2,998)	4,882	(1,243)	3,639	(592)	3,047	(25)	3,022
HRA Capital Reserve										
6	HRA Capital Receipts Reserve	1,952	(1,100)	852	(852)	0	0	0	742	742
7	Loan Repayment Reserve	5,016	3,331	8,347	2,630	10,977	2,631	13,608	2,631	16,239
8	Major Repairs Reserve	4,281	1,091	5,372	338	5,710	(25)	5,685	(1,097)	4,588
9	Total HRA Capital Reserves	11,249	3,322	14,571	2,116	16,687	2,606	19,293	2,276	21,569
10	Total HRA Reserves	19,129	324	19,453	873	20,326	2,014	22,340	2,251	24,591

South Kesteven Pay Policy Statement 2015-2016

Introduction

1. It is a requirement of the Localism Act 2011 that the Council produces an annual pay policy statement. This statement summarises current policies and arrangements already in place relating to pay. The Council will honour its contractual arrangements with employees – as such the pay policy statement is one of fact.
2. Any decisions in relation to pay will comply with this pay policy statement for the period 1st April 2015 to 31st March 2016.
3. The Council may amend the pay policy statement at any point in the year.

Context

4. The Council's current pay and reward arrangements have been designed to ensure consistency through the job evaluation process and with reference to the external market. It does not currently make any specific arrangements with respect to personal performance and does not pay bonuses. These arrangements will be reviewed during the year.
5. The Council employs all staff on local terms and conditions. It has a local pay agreement in place that takes account of the national agreement on annual cost of living pay awards. The Council makes its own determination of cost of living pay awards for all staff (except craft employees) in April every year in accordance with this local agreement. The mechanism for determining the annual pay award will be reviewed during the year.

Chief Officer pay determination

6. The Localism Act refers to Chief Officers. The Chief Officers at South Kesteven District Council are the following:
The Chief Executive who is Head of Paid Service, S.151 Officer,
The Monitoring Officer (the Statutory Officers), Strategic Directors, Executive Managers.
7. The Council determines the pay grade for its Chief Executive through the Chief Executive's remuneration panel. The panel and its remit are detailed in the Council's constitution.
8. The appointment of the Chief Executive and Statutory Officers is a decision of the Council, in line with the Council's constitution. The Council does not have a separate pay policy in relation to Chief Officers and their pay determination is the same process as the determination of all staff.
9. The Council pays its Chief Officers at rates based on job evaluation and these are detailed in the Council's salary scale each year. The total remuneration package defined in employment contracts for the Chief Executive and Chief Officers is the same as all staff. It includes a spot rate salary, or salary band, the same holiday entitlement based on length of service, the same sick pay arrangements, the same pension scheme arrangements and no enhanced remuneration elements are included. The Council does not pay essential car allowances or provide cars to any individual member of staff as the Council operates a pool car system available to all employees. Where the Chief Executive, Chief Officers or staff use their own cars for Council business they are reimbursed at a flat rate of 45p. per mile in line with the HMRC guidelines. The Council may review these arrangements in 2015 – 2016 to enable cost effective flexible working.

10. Local government elections are a separate statutory responsibility and rates of pay for local elections are set in accordance with a Lincolnshire County wide election scale of fees and charges. These rates differ according to the size of the ward contested. Local elections will take place during the period of this pay policy statement.

11. The Council publishes senior management salary rates on its website in line with the requirements of the Government's transparency agenda.

Pay Determination Arrangements

12. The level of pay for all staff is determined, except for the Chief Executive as set out in para7, through the relevant job evaluation scheme. The job evaluation score determines the grade at which the employee is paid and a collective agreement is in place with regard to the implementation of job evaluation.

13. The Council generally pays spot rate salaries based on the job evaluation outcome. Where salary bands are used they are based on an assessment of competency and supported by development plans. The Council does not pay annual bonuses and there are no additional benefits payable.

14. There are currently no performance related pay schemes or bonus schemes in operation for any staff, including chief officers. No essential car allowances are paid to staff. The Council offers a range of voluntary benefits paid for by staff.

15. The Council will monitor pay locally and nationally as required and will undertake market reviews in relation to specific posts.

16. The salary for newly appointed staff (including Chief Officers) is determined on appointment in relation to the job evaluation score for the post. The job evaluation score assumes full competence at the job. Where a new appointee for the job has some development needs, the Council may choose to place the employee on a salary progression until full competence has been confirmed or qualifications have been completed. The Council will apply this approach to trainees.

17. The Council operates an apprenticeship scheme remunerated in line with national terms and conditions.

18. During 2013/14 the Council adopted a local living wage for lower paid staff (SKDC 1-3). This is reviewed annually.

19. Where a post is hard to recruit to at any level, particularly where there are supply pressures, the Council has a process in place to consider applying market supplements to pay or to offer recruitment incentives. Market supplements are kept under review and may be withdrawn if market conditions change.

20. The Council has a clearly defined process in place to ensure that employees are paid the correct rate of pay for the job they do based on job evaluation. Annual cost of living awards, when made, are paid in accordance with the Council's local agreement.

21. The Council will pay job related allowances to staff where it is a requirement of the job to do so. For example, instead of providing craft employees directly with tools it pays an allowance in line with JNC rates. Staff who are required to respond to emergencies outside normal working hours are also in receipt of standby and call out arrangements, depending on the nature of the work.

22. Overtime is payable at flat rate and can only be done with the prior approval of the line manager. Chief Officers and Managers are required to work evenings and weekends to meet

the requirements of the job and are expected to balance their hours with time off in lieu without any overtime payments and no overtime is payable.

23. Honoraria and acting up payments may be paid for those staff who have taken up additional responsibilities for a defined period of time to cover absence or additional responsibilities. Where possible such payments will be based on the job evaluated rates of pay for those responsibilities. Each case will be considered on its own merits and a fair recompense will be calculated.

24. Temporary short term appointments of Chief Officers and staff will be paid in line with the job evaluated rate for the job and the prevailing market rate for such short term appointments.

25. Remuneration for staff on secondment will be in line with the Councils secondment policy.

Pay Multipliers

26. Whilst job evaluation and the market determines the relationship between the highest and lowest paid employees, an analysis of pay multiples has been undertaken in the light of the requirements of the Localism Act 2011.

27. The Council defines its lowest paid employees in relation to their grade. This definition has been selected to enable fair comparison on a Full Time Equivalent basis.

28. The Ratio of the highest paid employee to mean salary per Full Time Equivalent is 1:5 (based on actual salary paid).

29. The council has no policy about the maximum or minimum levels of such ratio statistics.

Termination Payments

30. The Council recognises that all staff leave the council for a whole range of reasons, including retirement, redundancy, voluntary resignation, employment termination. Each case will be treated on its own merit and will comply with Council policies and the law. The Council reserves the right to make any appropriate payments to protect the reputation of the Council and manage risk of litigation. This will be in line with legislation and with reference to best value.

31. The Council has a pensions' policy in place approved in 2008 and 2014 and it has exercised its discretion not to augment pensions. No Chief Officer or any other employee has a contractual right to an increase in pension entitlement other than through their actual service. Employee contribution rates are linked to pay and set by an independent actuarial review. The lowest paid staff pay the lowest level of pension contribution currently 5.5% rising to 11.4% for the highest paid officers. The Pensions Act 2008 requires us to auto enrol new employees into the pension scheme from a staging date, which for South Kesteven District Council is 1 November 2013. The auto-enrolment of current staff will not take place until October 2017. A new pension scheme was introduced in April 2014 for which there is a new pension policy.

32. The Council has determined that it will allow flexible retirements in line with its retirement policy statement and Regulation 18 of the Pension Regulations. This permits flexible retirement from age 55 from 1st April 2010 with consent. The policy has a provision for individuals to retire from their substantive post and continue in employment at a lower grade or with reduced hours. The Council's policy is that any consent given for flexible retirement will only be given in the interests of the efficiency of the service. The Council has already defined interests of the efficiency of the service on 26th October 2006 as "efficiency shall include (but not be limited to) both financial savings and or quantifiable quality

improvements judged on a case by case basis". It will take into account service delivery / efficiency considerations, skill retention and the financial implications of the cost of early release in every case.

33. The Council has a redundancy policy in place approved by Cabinet on 6th July 2009 which applies equally to all staff. Where redundancy payments are made to any employee the Council reserves the right to recover the redundancy severance payment under the Continuity in Local Government (Modification order) 1999 if the employee obtains employment within a month and a day of their termination date.

34. The Council does not have any specific termination payments built into any employee's employment contracts. It reserves the right to do so should such a need arise in the interests of the efficiency of the service.

35. Should the Council ever be required to consider an individual termination payment in excess of £100,000 (excluding payments specified in statutory regulations and council policy), such a decision will be presented to full council in an exempt report.

Shared Staffing arrangements

36. The Council will enter into shared staffing arrangements with other Councils and agencies as and when it is advantageous to do so in order to deliver efficiencies. Such arrangements will be determined on a case by case basis on terms agreed between the partners in a formal agreement.

REPORT TO COUNCIL

REPORT OF: Chief Executive

REPORT NO: LDS144

DATE: 2nd March 2015

TITLE:	Arrangements for the membership of committees and policy development groups	
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	Decision of Council	
PORTFOLIO HOLDER: NAME AND DESIGNATION:	Not applicable	
CONTACT OFFICER:	Jo Toomey, Principal Democracy Officer Telephone: 01476 40 60 80 (Ext. 6152) E-mail: j.toomey@southkesteven.gov.uk	
INITIAL IMPACT ANALYSIS:	Carried out and Referred to in paragraph (7) below	Full impact analysis Required:
Equality and Diversity		
FREEDOM OF INFORMATION ACT:	This report is publicly available via the Your Council and Democracy link on the Council's website: www.southkesteven.gov.uk	
BACKGROUND PAPERS	Local Government and Housing Act 1989 http://www.legislation.gov.uk/ukpga/1989/42/part/II/crossheading/political-balance-on-committees-etc Local Government (Committees and Political Groups) Regulations 1990 http://www.legislation.gov.uk/uksi/1990/1553/contents/made	

1. RECOMMENDATIONS

1.1 The Council makes the following adjustments to the membership of the Council's Committees:

- Appointment of one Conservative Member to the Licensing and Alcohol, Entertainment and Late Night Refreshment Licensing Committees
- Removal of one Conservative Member from **EITHER** the Communities Policy Development Group **OR** the Resources Policy Development Group
- Appointment of one member of the UKIP group to the Communities Policy Development Group or the Resources Policy Development Group (whichever has the vacancy)

- Removal of one Conservative Member from the Development Control Committee
- Appointment of one member of the UKIP group to the Development Control Committee
- Removal of one Conservative Member from the Governance and Audit Committee
- Appointment of one member of the group of Independents to the Governance and Audit Committee
- Appointment of one member of the Conservative Group to the Chief Executive's Performance Panel.

2. PURPOSE OF THE REPORT

- 2.1 This report sets out the requirements for political balance arising from the provisions of the Local Government and Housing Act 1989 following the formation of a new UKIP group.

3. DETAILS OF REPORT

- 3.1 On 30 January 2015, the Proper Officer received notification that a new UKIP group had been formed comprising two Councillors.

- 3.2 Section 15 of the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990 introduced statutory requirements that, where a relevant authority has a membership divided into different political groups, it must ensure that appointments reflect the overall proportion as that in which the council as a whole is divided. Those appointments to which the rules of political balance apply are:

- Ordinary committees or subcommittees of the authority
- Advisory committees and any subcommittees appointed by an advisory committee
- Specified prescribed bodies where at least three seats have to be filled by the relevant authority.

- 3.3 The legislation also requires that in appointing members on a politically proportional basis, it should, as far as possible conform with the following principles:

- (a) That not all seats are appointed to the same political group
- (b) That a political group with an overall council majority gets a majority of seats allocated
- (c) Subject to (a) and (b) that the total number of seats each political group has on all ordinary committees is in proportion to that group's share of the total council elected membership
- (d) Subject to (a) and (c) that each political group has the same proportion of seats as it holds on the council as a whole

- 3.4 The creation of a new group has caused the political balance of the Council's committees and policy development groups to be recalculated (see appendix 1). A number of adjustments are required to ensure the ongoing political balance of the Council as follows.

3.5 Development Control Committee

3.5.1 The UKIP group gains one seat on this Committee from the Conservative group.

3.6 Policy Development Groups (PDGs)

3.6.1 The Conservative Group will lose a seat in favour of the UKIP Group.

3.6.2 The current membership of the PDGs is detailed in the table below:

	Engagement	Communities	Resources
Conservative	4	5	5
Independent	3	1	1
Labour	0	1	1

3.6.3 To ensure the political balance of the PDGs reflects the wider political balance of the Council, the Conservative Group must remove one Member from either the Communities or the Resources Policy Development Group. This vacancy will be filled by a member of the UKIP group.

3.7 Governance and Audit

3.7.1 Changes to the political balance mean that the Conservative Group will lose a seat to the group of Independents.

3.8 Licensing Committee and Alcohol, Entertainment and Late Night Refreshment Licensing Committee and Chief Executive’s Performance Panel

3.8.1 While the formation of a new group does not affect the political balance of these Committees, one Member of the new group was formerly a member of these Committees and Panel. Consequently, vacancies have been created. The Conservative Group must nominate a Councillor to fill these vacancies.

4. OTHER OPTIONS CONSIDERED

4.1 The Council must comply with the provisions of the Local Government and Housing Act 1989 and either apply the principles of political balance to those committees noted in paragraph 3.3 to 3.7 or vote for alternative arrangements. Alternative arrangements would permit the Council to operate with the same committee memberships as present until the appointment of members to committees and PDG’s at the Annual meeting to be held in May.

5. RESOURCE IMPLICATIONS

5.1 This report has no resource implications.

6. RISK AND MITIGATION

6.1 No significant risks were identified in preparation of this report.

7. ISSUES ARISING FROM EQUALITY IMPACT ASSESSMENT

7.1 An equality analysis is not applicable.

8. CRIME AND DISORDER IMPLICATIONS

8.1 No crime and disorder implications arise as a result of this report.

9. COMMENTS OF FINANCIAL SERVICES

9.1 There are no financial comments arising from this report.

10. COMMENTS OF LEGAL AND DEMOCRATIC SERVICES

10.1 In making appointments to its committees and subcommittees the Council is required to comply with the Local Government and Housing Act 1989 (LGHA) and the Local Government (Committees and Political Groups) Regulations 1990. These set out requirements relating to political balance and the application of this principle to prescribed categories of meeting and makes provision for alternative arrangements. To agree alternative arrangements, no members of the authority present at the meeting may vote against the alternative arrangements. This means that abstentions would not defeat the vote.

10.2 If no alternative arrangements can be agreed, the changes to address political balance must be put in place.

11. COMMENTS OF OTHER RELEVANT SERVICES

11.1 Not applicable

12. APPENDICES:

- Appendix 1: Political balance calculations

Appendix 1

Stage 1 Allocation to decision-making Committees ensuring balance on each Committee

Party	Seats	%	DC Prop	DC Rounded	Lic Prop	Lic Rounded	Const'n Cttee	Const'n Cttee rounded	Gov & A	Gov&A rounded	Scrutiny	Scrutiny Rounded
Conservative	36	62.07%	10.55172414	10	6.827586	7	3.103448	3	4.344828	4	6.827586	7
Independents	13	22.41%	3.810344828	4	2.465517	3	1.12069	1	1.568966	2	2.465517	3
Labour	7	12.07%	2.051724138	2	1.327586	1	0.603448	1	0.844828	1	1.327586	1
UKIP	2	3.45%	0.586206897	1	0.37931	0	0.172414	0	0.241379	0	0.37931	0
Total	58			17		11		5		7		11

Stage 2: Allocation to Policy Development Groups to ensure balance in totality

Total seats available 21

Party	Seats	%	Proportion of seats	Seats Rounded	Eng	Com	Res
Conservative	36	62.07%	13.0345	13	4	4	5
Independents	13	22.41%	4.7069	5	3	1	1
Labour	7	12.07%	2.5345	2	0	1	1
UKIP	2	3.45%	0.7241	1	0	1	0
Total	58		0	21	7	7	7

Stage 3: Chief Executive Panels

Party	Seats	%	Proportion of seats	Seats rounded
Conservative	36	62.07%	1.8621	2
Independents	13	22.41%	0.6724	1
Labour	7	12.07%	0.3621	0
UKIP	2	3.45%	0.1034	0
Total	58			3

REPORT TO COUNCIL

**REPORT OF: CHAIRMAN OF THE CONSTITUTION COMMITTEE –
COUNCILLOR RAY WOOTTEN**

REPORT NO: LDS145

DATE: 2nd March 2014

TITLE:	Recommendations from the Constitution Committee - 9th February 2015	
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	Council Decision	
PORTFOLIO HOLDER: NAME AND DESIGNATION:	Councillor Paul Carpenter – Portfolio Holder for Governance and Communication	
CONTACT OFFICER:	Lucy Youles – Executive Manager, Corporate E-mail: l.youles@southkesteven.gov Telephone: 01476 406105	
INITIAL IMPACT ANALYSIS:	Carried out and appended to the report: n/a	Full impact assessment Required: n/a
Equality and Diversity		
FREEDOM OF INFORMATION ACT:	This report is publicly available via the Your Council and Democracy link on the Council’s website: www.southkesteven.gov.uk	
BACKGROUND PAPERS	The Council’s Constitution http://www.southkesteven.gov.uk/index.aspx?articleid=1974 Constitution Committee Agenda – 9.2.15 http://moderngov.southkesteven.gov.uk/mgConvert2PDF.aspx?ID=3164&T=10	

1. RECOMMENDATIONS

It is recommended that Council approve the recommendations made by the Constitution Committee at its meeting on the 9th February 2015 as detailed in the minutes of the meeting of the Constitution Committee, appended to this report at Appendix 1, as follows:

1.1 Amendment to the Constitution

The Constitution Committee recommends to Council that the Constitution is amended to include in the Scheme of Delegation for the Executive Manager, Environment the following:

The Mobile Homes Act 2013 and the Mobile Homes Act 1983 and Enterprise and Regulatory Reform Act 2013 are added to the list of statutes contained within the Constitution and that the Executive Manager Environment and Officers delegated in writing by them are authorised to act under these statutes and Regulation Orders made thereunder.

1.2 Amendment to the Arrangements for dealing with Standards Complaints

The Constitution Committee recommends to Council the following amendments to the Arrangements for dealing with Standards Complaints under the Localism Act 2011 (the Arrangements):

- That legal representation is permitted for Members who face an allegation of misconduct and are required to appear before the Review Board ;
- That such representation must be provided at the cost to the Member and not at a cost to the Council.

1.3 Constitution Review

The Constitution Committee recommends to Council:

- i) the approval of the draft Constitution document as appended to this report as Appendix 2 incorporating all previously agreed amendments together with the following amendment:

ii) Procedure for cancellation of meetings

Meetings of Committees and Policy Development Groups can only be cancelled if:

- the notice period for items to be put on the agenda has lapsed (12 clear working days before the date of the meeting); and
- the Chairman or Vice-Chairman in his/her absence has consulted with other members of the Committee/Policy Development Group and the majority have agreed to cancel the meeting.

2. PURPOSE OF THE REPORT

The purpose of this report is to detail the recommendations made by the Constitution Committee at its meeting on the 9th February 2015. The reports made to the Constitution Committee are included as a link to background papers and minutes of the Constitution Committee meeting of the 9th February are attached to this report as Appendix 1 for information.

3. DETAILS OF REPORT

- 3.1** At its meeting on the 9th February 2015, the Constitution Committee considered reports relating to:
- The delegation to officers in respect of the Mobile Homes Act 2013 and the Mobile Homes Act 1983 and Enterprise and Regulatory Reform Act 2013.
 - The Arrangements for dealing with Complaints made about Members (the Arrangements); and
 - The final revised Constitution.
- 3.2** The Delegation to officers in respect of the Mobile Homes Acts is required to allow officers to serve compliance notices for a potential breach of a licence condition, pursue conviction for non-compliance and authorise works in default. Delegated authority is also required to pursue lettings agents who do not become members of a redress scheme in accordance with the Enterprise and Regulatory Reform Act 2013.
- 3.3** At the last full meeting of Council, Members approved an amendment to the Constitution relating to the rights of Members. The draft Constitution shown at Appendix 2 includes the rights referred to at Article 2.3(b). All such rights are available to Members in accordance with the provisions currently existing in the Constitution. In addition, Members agreed to refer the right to legal representation for Members who face an allegation of misconduct and are required to attend an investigation hearing before the Review Board to the Constitution Committee for consideration. The Constitution Committee agreed to permit the right to legal representation but at no cost to the Council. This right will be included in the Arrangements which are available on the Council website but do not form part of the Council's Constitution.
- 3.4** Recommendations were also made from the Constitution Committee to approve an amendment to the draft Constitution which is attached at Appendix 2 relating to the Cancellation of meetings as shown at clause 1.3 (ii) above. This amendment was requested because the Constitution is silent on the cancellation of meetings. Members proposed and approved, as a recommendation to Council, the procedure at clause 1.3(ii) above.
- 3.5** It was further recommended that Members approve the draft Constitution attached at Appendix 2. The Council has approved various changes to the Constitution over the last year. These changes include the amalgamation and reformation of the Articles to include procedure rules and other relevant information included in the Constitution, amendment of the Budget and Policy Framework Procedure Rules and the format of the officer scheme of

delegations. All previously approved changes have now been incorporated into the reformatted draft Constitution for approval to be used as the Council's Constitution from the 1st May 2015.

4. OTHER OPTIONS CONSIDERED

No other options are proposed.

5. RESOURCE IMPLICATIONS

There are no resource implications relating to the recommendation.

6. RISK AND MITIGATION

Risk has been considered as part of this report and any specific high risks are included in the table below:

Category Risk	Action / Controls
No high risks were identified	

7. ISSUES ARISING FROM EQUALITY IMPACT ASSESSMENT

No assessment is required in respect of this report.

9. CRIME AND DISORDER IMPLICATIONS

No crime and disorder implications arise as a result of this report

10. COMMENTS OF FINANCE SECTION

There are no financial implications resulting from this report.

11. COMMENTS OF LEGAL AND DEMOCARATIC SERVICES

The proposed amendments are required to ensure the Council is able to carry out its functions and the content of the Constitution is relevant and up to date.

12. COMMENTS OF OTHER RELEVANT SERVICE MANAGERS

None relevant

13. APPENDICES:

Appendix 1

Minutes of the Constitution Committee held on the 9th February 2015

Appendix 2

Draft Constitution

MINUTES

CONSTITUTION COMMITTEE
MONDAY, 9 FEBRUARY 2015



COMMITTEE MEMBERS PRESENT

Councillor George Chivers
Councillor Vic Kerr
Councillor Alan Parkin (Vice-Chairman)
Councillor Rob Shorrocks
Councillor Raymond Wootten (Chairman)

OFFICERS

Executive Manager Corporate (Lucy Youles)
Business Manager Environmental Health (Anne-Marie Coulthard)
Community Engagement and Policy Development Officer (Carol Drury)
Democratic Officer (Lucy Bonshor)

OTHER MEMBERS

Councillor Jacky Smith

57. MEMBERSHIP

The Committee were notified that Councillor Chivers was substituting for Councillor Auger.

58. DISCLOSURE OF INTERESTS

None disclosed.

59. MINUTES OF THE MEETING HELD ON 13TH OCTOBER 2014

The minutes of the meeting held on 13th October were agreed as a correct record.

A Member asked about when the deferred item would be discussed. The Executive Manager, Corporate confirmed that she had received no details about any amendments to bring the item back to the Committee. The Chairman indicated that he would take it up with the Leader and the Chairman of the Development Control Committee.

DRAFT

60. AMENDMENTS TO THE CONSTITUTION

Mobile Homes Act 2013 and Enterprise and Regulatory Reform Act 2013

Decision:

The Constitution Committee recommends to Council that:

The Mobile Homes Act 2013 and the Mobile Homes Act 1983 and Enterprise and Regulatory Reform Act 2013 are added to the list of statutes contained within the Constitution and that the Executive Manager Environment and Officers delegated in writing by them are authorised to act under these statutes and Regulation Orders made thereunder.

The Business Manager Environmental Health submitted report ENV619 on behalf of the Executive Manager Environment. The report set out the provisions of the Mobile Homes Act 2013 and the Enterprise and Regulatory Reform Act 2013 which updated the provisions of the Caravans Sites and Control of Development Act 1960 and the Mobile Homes Act 1983. The acts provided new administrative and enforcement powers in respect of “relevant protected site” which were sites that were occupied for residential purposes as a permanent home throughout the year.

The Mobile Homes Act 2013 allowed that in the event of a breach of a licence condition on a relevant protected site a compliance notice could now be served. Local authorities could recover expenses associated with the service of the notice and undertake works in default where occupiers had been convicted of failing to comply with the notice. The Mobile Homes Act 2013 also amended the Mobile Homes Act 1983 which had been extended to give the Council a role in maintaining a register of site rules.

The Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc) England Order 2014 had been made under the Enterprise and Regulatory Reform Act 2013 and required persons who engaged in lettings agency work to be members of one of three Ombudsman redress schemes for dealing with complaints. If the Council was satisfied that a person had failed to join a redress scheme they could be required to pay a fine up to £5,000. If the notice was not paid the Council could recover the costs through a court order.

For clarity the Business Manager confirmed the Executive Manager could “act” under the legislation by serving compliance notices, cost recovery notices, carrying out works in default notices, notices and serving notices for emergency action.

The Business Manager confirmed that the regulations were made in October 2014 and that work was being undertaken to inform all agencies.

DRAFT

It was proposed, seconded and agreed to add the legislation and delegation responsibilities to the Constitution.

Right to Legal Representation

Decision:

That the Constitution Committee recommends to Council the following amendments to the Arrangements for dealing with Standards Complaints under the Localism Act 2011 (the Arrangements):

- **That legal representation is permitted for Members who face an allegation of misconduct and are required to appear before the Review Board;**
- **That such representation must be provided at the cost to the Member and not at a cost to the Council.**

The Executive Manager Corporate submitted report LDS141 following the decision made at Full Council on 6th November to consider a recommendation to Council to amend the Arrangements to permit legal representation for Members appearing at a hearing before the Review Board.

Currently the arrangements were silent about representation of members about whom an allegation of misconduct had been investigated. If legal representation was permitted then the cost would be met by the Member not the Council. The Member who had submitted the motion felt that recognition needed to be contained within the Constitution that Members were able to have legal representation at these hearings.

The Executive Manager Corporate referred to the arrangement document for Standards allegations which was not contained within the Constitution it was part of the Code of Conduct for Members of which part was contained within the Constitution. If Members agreed the change the provision could be referenced within the process.

The Member referred to the other issues raised within his motion which would be discussed under the following item.

It was proposed, seconded and agreed that legal representation would be permitted for Members who faced an allegation of misconduct and were required to attend a Review Panel but that the cost would be met by the Member not the Council.

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61. CONSTITUTION REVIEW

Decision:

- 1) That the Constitution Committee recommends to Council the draft Constitution document as circulated together with the following amendments/additions:
 - i) That the Constitution Committee recommends to Council the following addition to the Constitution

Procedure for cancellation of meetings

Meetings of Committees and Policy Development Groups can only be cancelled if:

- the notice period for items to be put on the agenda has lapsed (12 clear working days before the date of the meeting); and
 - the Chairman or Vice-Chairman in his/her absence has consulted with other members of the Committee/Policy Development Group and the majority have agreed to cancel the meeting.
- ii) That 7.3 (Meetings of the Policy Development Groups) and 7.4 (substitution) also be contained within Article 6 for the Scrutiny Committee worded appropriately including reference to substitutes not being members of the Executive or members of a Policy Development Group

Members had before them a copy of the draft Constitution following the review work that had been done to date. Articles 1, 4, 18 and 19 had been amalgamated and had already been before the Committee and agreed at Council together with the Budget and Policy Framework Rules which were contained in Article 4. The scheme of delegation and procedure rules had been amalgamated within the relevant Articles.

The Committee then went through each Article and the Executive Manager Corporate highlighted specific areas.

The summary and explanation had been changed to reflect the new number of wards and Members from May 2015.

Article 2, 2.3b would be changed to reflect the Council's decision at its meeting on 6th November also 2.3b (iv) included reference to mandatory training required by Development Control, Licensing and Governance and Audit Committees. The Members allowance scheme was also contained within this Article.

A short discussion followed on training following the May elections.

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Article 3 had changed citizens to Members of the Public and 3.1 (d) had been changed to reflect current practice.

Article 4 – A question was asked whether 4.1.1 (x) should be changed to address an anomaly within the Constitution concerning the number of meetings held. Should this only be in reference to ordinary meetings of the Council with an indicative indication of when other meetings should be held. The Executive Manager Corporate was aware of the issue which had been raised by a Member of the Committee concerning the cancellation of meetings and that the issue was on the Scrutiny Committee agenda. If there were no specific items for a meeting then it couldn't be appropriate to hold a meeting when there was nothing to discuss. The Member who had raised the issue referred to the lack of powers contained within the Constitution that allowed Chairman to cancel meetings. The Executive Manager Corporate referred to the inclusion of wording such as *“and an indicative programme of meetings for Policy Development Groups and other Committees”* to 4.1.1 (x).

The Member who had raised the issue about the cancellation of meetings agreed that a calendar showing when meetings were scheduled was helpful to Members and enabled them to plan ahead however, he felt that changes needed to be made in terms of procedure for the cancellation of meetings.

He proposed the following additions to the Constitution in relation to the cancellation of meetings:

Meetings of Committees and Policy Development Groups can only be cancelled if:

- the notice period for items to be put on the agenda had lapsed: and
- the Chairman or Vice-Chairman in his/her absence has consulted with other members of the Committee/Policy Development Group and the majority have agreed to cancel the meeting.

A discussion followed about clarity on what was the correct notice period to comply with legislation (12 clear working days before the date of the meeting).

The proposal was seconded and on being put to the vote agreed.

The Executive Manager Corporate also highlighted an addition to 4.6.1 which reflected changes in legislation concerning the summons to meetings which may be sent electronically.

Article 5 - no change

11.25am Councillor Parkin left the meeting

Article 6

DRAFT

Before discussing the Article a Member asked if the Chairman of the Scrutiny Committee had to be of an opposing political group. The Executive Manager said that there was no legal requirement but it was seen as good practice not to have a Member of the ruling party as the Scrutiny Chairman.

The Executive Manager then referred to 7.3 (Meetings of Policy Development Groups) and 7.4 (substitution) which were contained in Article 7 for the Policy Development Groups she said that both of these were relevant to the Scrutiny Committee and should also be contained within Article 6. Members agreed with this and it was proposed, seconded and agreed.

Article 7

The Executive Manager Corporate informed Members that the word “co-terminus” had been changed to “aligned with” and that the procedure rules had been amalgamated within the Article. Officer titles had been amended to reflect the current structure and the changes made to the Cabinet and Policy Development Liaison Group which had been agreed by Council was also included.

Article 8

8.2 (b) (iv) added in accordance with changes to legislation. 8.5.4 consultation list updated.

Article 9

Regulatory Committees split into Development Control Committee, Licensing Committee and Alcohol, Entertainment and Late Night Refreshment Licensing Committee. 9.1.2 References to substitutes and training should include mandatory training.

Article 10 – no change

Article 11 – no change

Article 12 and Article 13 no change

Article 14

Scheme of delegation updated and contained within Article, less “wordy”. Legislation references will be contained within a separate appendix.

Article 15

Contained decision making and all relevant provisions, access to information rules and exempt information and local choice functions, it was suggested that although the Review Board was contained within this Article it would be better placed in Article 4.

Article 16 – no change

Financial Regulations, Contract Procedure Rules, Members Code of Conduct,

DRAFT

protocol for recording meetings in the council chamber and the civic protocol would remain within the Constitution. The Members Planning Code of Good Practice needed updating, the data protection policy, sponsorship arrangements protocol and the equal opportunity in relation to planning and the delivery of services would be removed as they did not need to be part of the Constitution.

It was proposed, seconded and agreed to put forward the draft Constitution to the next Council meeting including the amendments made at the meeting.

Meeting closed at 11.47am.

SUMMARY AND EXPLANATION

The Council's Constitution

South Kesteven District Council has agreed a Constitution which sets out how the Council operates, how decisions are made and the procedures which are followed to ensure that these are efficient, transparent and accountable to local people. Some of these processes are required by the law, while others are a matter for the Council to choose.

The Constitution is divided into 16 articles that set out the basic rules governing the Council's business. More detailed procedures and codes of practice are provided in separate rules and protocols at the end of the document.

What is the Constitution?

Article 1 of the Constitution commits the Council to provide community leadership; involve members of the public in the democratic process; help Councillors in effective representation, take decisions efficiently and effectively, (providing reasons and permitting independent scrutiny) and hold decision makers to account publicly, and to improve the delivery of services. Articles 2 - 16 explains the rights of members of the public and how the key parts of the Council operate. These are

- Members of the Council (Article 2)
- Members of the Public and the Council (Article 3)
- The Council Meeting (Article 4)
- Chairing the Council (Article 5)
- Scrutiny Committee (Article 6)
- Policy Development Groups (PDGs) (Article 7)
- The Cabinet (Article 8)
- Regulatory Arrangements (Article 9)
- The Constitution Committee (Article 10)
- The Governance and Audit Committee (Article 11)
- Area based Consultation Mechanisms (Article 12)
- Joint Arrangements (Article 13)
- Officers (Article 14)

- Decision Making (Article 15)
- Finance, Contracts and Legal Matters (Article 16)

How the Council Operates

The Council is composed of 56 Councillors elected every four years. Councillors are democratically accountable to residents of their Ward. Currently South Kesteven District Council has 30 district Wards. The overriding duty of Councillors is to the whole community, but they have a special duty to their constituents, including those who did not vote for them.

Councillors have to agree to follow a code of conduct to ensure high standards in the way they undertake their duties.

All Councillors meet together at the Council. Meetings of the Council are normally open to the public. Here Councillors decide the Council's overall policies and set the budget each year. The Council appoints a Leader who chairs the Cabinet. It also appoints representatives to outside bodies and members to sit on its policy development groups, scrutiny, regulatory, governance and audit and constitution committees. It may receive reports from Cabinet and any of its committees, and may invite public participation.

How Decisions are made

Executive Arrangements (Cabinet)

The Cabinet is part of the Council which is responsible for most day-to-day decisions. The Cabinet is made up of the Leader who is appointed by the Council and up to nine other Councillors appointed by the Leader. When major decisions are to be discussed or made, these are published in advance on the Cabinet's Schedule of Decisions. If these major decisions are to be discussed with council officers at a meeting of the Cabinet, this will generally be open for the public to attend except where personal or confidential matters are being discussed. The Cabinet has to make decisions which are in line with the Council's overall policies and budget.

If it wishes to make a decision which is outside the budget or policy framework, this must be referred to the Council as a whole to decide.

Overview and Scrutiny and Policy Development

The Council has a standalone Scrutiny Committee which monitors the decisions of the Cabinet and exercises the call-in function. This enables the Committee to decide whether a decision is appropriate or should be referred back for further consideration. The Scrutiny Committee also carries out any external scrutiny and allows members of the public to have a greater say in Council matters by holding public inquiries into matters of local concern.

There are also three policy development groups (PDGs) that support the work of the Cabinet and the Council as a whole. PDGs consider draft policies and proposals,

draft budgets and service delivery and contribute to the development of policy before a decision is made.

The Council's Staff

The Council has people working for it (called 'officers') to give advice, implement decisions and manage the day-to-day delivery of its services. Some officers have a specific duty to ensure that the Council acts within the law and uses its resources wisely. A code of practice governs the relationship between officers and member of the Council. See **Part xx** of this Constitution.

Rights of members of the public

Members of the public have a number of rights in their dealings with the Council. These are set out in more detail in Article 3. Some of these are legal rights whilst others depend on the Council's own processes.

Where members of the public use specific council services, for example as an applicant for a licence or as a Council tenant, they have additional rights. These are not covered by the Constitution.

For the purposes of this Constitution members of the public have the right to (except at a point in a meeting where personal or confidential matters are being discussed)

- Vote at local elections if they are registered
- Contact their local councillor about any matters of concern to them
- Obtain a copy of the Constitution (on payment of a reasonable fee)
- Attend meetings of the Council and its committees
- Petition to request a referendum on a mayoral form of executive
- Participate in any public open forum in accordance with clause 4.7 of Article 4 of this Constitution or public debate that the Council may hold and contribute to investigations by the Policy Development Groups; find out, from the schedule of decisions, what major decisions are to be discussed by the Cabinet or decided by the Cabinet or officers, and when
- Attend open meetings of the Cabinet
- See reports and background papers, and any record of decisions made by the Council and Cabinet
- Complain to the Council if they believe that the Council has done something the wrong way, done something it should not have done or failed to do something it should have done

- Complain to the Ombudsman if they think the Council has not followed its procedures properly. However, they should only do this once they have raised the issue with the Council and given it a chance to respond
- Inspect the Council's accounts and make their views known to the external auditor

The Council welcomes participation by and feedback from members of the public in its work. For further information on your rights or to make a written complaint, compliment or comment, please contact Customer Services, Council Offices, St Peter's Hill, Grantham, Lincolnshire NG31 6PZ or e-mail: frontdesk@southkesteven.gov.uk

POLITICAL BALANCE

The main committees are required by law to reflect the political balance of the Council. As at May 2015 seats on the Council were held as follows:

Total	56

Schedule of the main Committees

Group	Development Control Committee.	Licensing Committee	Governance and Audit Committee	Communities PDG	Engagement PDG	Resources PDG	Constitution Committee	Scrutiny Committee
Total	17	11	7	7	7	7	5	11

Article 1 – The Constitution

1.1 Powers of the Council

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

1.2 The Constitution

This Constitution, and all its codes and protocols, is the Constitution of the South Kesteven District Council and is called “the Constitution” for the purposes of this document.

The Constitution sets out how the Council operates, how decisions are made and who makes them, the procedures to be followed, and the rules which Councillors and officers are to abide.

1.3 Purpose of the Constitution

The purpose of this Constitution is to ensure

- i) The Council provides community leadership, involving citizens in the democratic process
- ii) Councillors are assisted in effective representation
- iii) Decisions are taken efficiently and effectively, (providing reasons and permitting independent scrutiny) holding decision makers to account publicly
- iv) Improvement in the delivery of services

1.4 Interpretation of the Constitution

This Constitution shall be interpreted in accordance with the laws of England and all words shall be given their natural meaning where appropriate.

1.5 Duty to monitor and review the Constitution

The Monitoring Officer will monitor and review the operation of the Constitution to ensure that the aims and principles of the Constitution are given full effect.

1.6 Protocol for monitoring and review of the 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 to better achieve the purposes set out above. In undertaking this task the Monitoring Officer will have regard to any legislative changes affecting the Constitution and may

- i) Observe meetings of different parts of the Member and officer structure
- ii) Undertake an audit trail of a sample of decisions
- iii) Record and analyse issues raised with him or her by Members, officers, the public and other relevant stakeholders
- iv) Compare practices in this authority with those in other comparable authorities, or national examples of best practice

1.7 Changes to the Constitution

- i) Changes to the Constitution will only be approved by the full Council after consideration of a report by the Monitoring Officer on the proposal by the Constitution Committee

This excludes changes which are statements of factual matters appertaining to the Council, such as its objectives and policy framework documents, some of these changes from time to time by virtue of Council decisions, others, such as Member and officer details occur without any decision of the Council being involved.

- ii) Changes to the principles of the Executive arrangements, and the various rules and codes would require adoption by or resolutions of the Council

1.8 Suspension of the Constitution

(a) Limit to suspension

The Articles of this Constitution may not be suspended. The rules specified below may be suspended by the 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 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 as at Article 1.3.

(c) Rules capable of suspension

The following Rules may be suspended:

All of the Council Rules of Procedure except Rule 14.13.5 and 4.16.2.

1.9 Interpretation of Suspension

The ruling of the Chairman of the 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 as at Article 1.3.

1.10 Publication of the Constitution

- i) The Monitoring Officer will give a printed copy of this Constitution to each Member of the authority upon delivery to him or her of that individual's declaration of acceptance of office on the Member first being elected to the Council.
- ii) The Monitoring Officer will ensure that copies are available for inspection at Council Offices, libraries and other appropriate locations, and can be purchased by members of the local press and the public on payment of a reasonable fee.
- iii) The Monitoring Officer will ensure that the summary of the Constitution is made widely available within the area, is published on the Council's website and is updated as necessary.

Article 2 – Members of the Council

2.1 a) Composition

The Council will comprise 56 members, otherwise called Councillors. One or more Councillors will be elected by the voters of each of the 30 wards in accordance with a scheme drawn up by the Local Government Boundary Commission for England and approved by the Secretary of State.

b) Eligibility

Only registered voters of the District, or those living or working there, or owning property or renting property within the District will be eligible to stand for election as a Councillor.

2.2 Election and terms of Councillors

The regular election of Councillors will be held on the first Thursday in May every four years, with the next election to take place in May 2019. The terms of office of Councillors will start on the fourth day after being elected and will finish on the fourth day after the date of the next regular election.

2.3 Roles and functions of all Councillors

a) Key roles

All Councillors will

- (i) Collectively be the ultimate policy-makers and carry out a number of strategic and corporate management functions
- (ii) Contribute to the good governance of the area and actively encourage community participation and public involvement in decision making
- (iii) Effectively represent the interests of their ward and of individual constituents
- (iv) Balance different interests identified within the ward and represent the ward as a whole
- (v) Be involved in decision-making
- (vi) Be available to represent the Council on other bodies
- (vii) Maintain the highest standards of conduct and ethics

b) Rights and Duties

- (i) 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
- (ii) Councillors will not make public information which is confidential or exempt without the consent of the Council or authorised officer or divulge information given in confidence to anyone other than a Councillor or officer entitled to know it.
- (iii) For these purposes, “confidential” and “exempt” information are defined in the Access to Information Rules in Article 15 of this Constitution
- (iv) All District Councillors are required to attend the core training programme within 12 months of their appointment as a Councillor and attend any mandatory training necessary to sit on specific Committees i.e. Development Control Committee, Licensing Committee and Governance and Audit Committee.
- (v) All members have the right to ask questions of the cabinet and portfolio holders in any meeting of full council and have these questions responded to and formally recorded.
- (vi) Any member has the right to place items on the agenda of any council committee or policy development group.
- (vii) Any member has the right to attend all Committees and Policy Development Groups.
- (viii) Any member has the right to refer matters to Scrutiny Committee.
- (ix) Any member called before a members’ disciplinary panel has a right to legal representation.
- (x) Members have the right to propose amendments to motions and reports presented to committees for decision.
- (xi) Members have the right to call-in.
- (xii) Members have the right to make a ‘Call for Action’ on behalf of their constituents.

Rules (v) to (xii) are rights which must be exercised in accordance with the provisions contained within this Constitution.

2.4 Conduct

Councillors will at all times observe the Members' Code of Conduct and the protocols set out in this Constitution.

2.5 Allowances

Councillors are entitled to receive allowances as set out in the Members Allowance Scheme. Current scheme below

MEMBERS ALLOWANCE SCHEME 2014/15

BASIC ALLOWANCE £4,470 per annum
Payable to every Councillor

SPECIAL RESPONSIBILITY ALLOWANCES

Leader of the Council	£14,511 per annum
Deputy Leader of the Council	£10,047 per annum
Cabinet Member	£8,934 per annum
Development Control Committee Chairman	£4,026 per annum
Development Control Committee Vice-Chairman	£1,344 per annum
Licensing Committee Chairman	£2,460 per annum
Licensing Committee Vice-Chairman	£822 per annum
Policy Development Group Chairman	£2,979 per annum
Policy Development Group Vice-Chairman	£999 per annum
Scrutiny Committee Chairman	£2,979 per annum
Scrutiny Committee Vice-Chairman	£999 per annum
Opposition Group Leaders (pro rata)	£3,354 per annum
Constitution Committee Chairman	£2,013 per annum
Constitution Committee Vice-Chairman	£675 per annum
Governance & Audit Committee Chairman	£2,979 per annum
Governance & Audit Committee Vice-Chairman	£999 per annum

Any member entitled otherwise to more than one special responsibility allowance shall only be entitled to take one such allowance that being the highest.

Childcare and carers allowance: An allowance for child care and carers at £5.89 per hour is payable, subject to a ceiling of £1,110 per annum per Councillor, payable for approved duties on presentation of a receipt/invoice.

2.5.1 Travelling Expenses (elected members and non-elected co-opted members)

Travelling expenses are payable at a rate of 45 pence per mile (irrespective of the cc of the car) for the following

Travelling expenses are payable for the following

- (i) Full Council meetings
- (ii) Cabinet, Committee or sub Committee meetings of which a member or has been invited to attend such meeting. If not a member of the committee or not invited to attend such a meeting no travel expenses are payable
- (iii) Outside bodies to which the Council makes nominations/appointments (but not representation on school governing bodies) where the Councillor is in attendance as a nominee of the Council
- (iv) Meetings in effect 'set-up' by the Council, such as working groups provided membership includes more than one political group or group leaders meetings
- (v) Meetings of the various tiers of the Local Government Association
- (vi) Planning site visits as a rostered member of the Development Control Committee, not as a local representative pursuing constituency interests
- (vii) Seminars, conferences and similar informal meetings at the behest of Committee
- (viii) Other meetings for the Council such as staff appointments, training seminars and meetings with officers in connection with a member's portfolio (not normal constituency business)
- (ix) Duties, which are undertaken in connection with being a Cabinet Portfolio Holder, Chairman/Vice-Chairman of Scrutiny Committee Chairman/Vice-Chairman of a PDG, Chairman/Vice-Chairman of Regulatory Committees such as briefing meetings, visits and opening tenders

2.5.2 Subsistence Expenses

Reimbursement of actual costs incurred to a maximum of

Breakfast Allowance

An absence of at least 4 hours before 11am - £6.80

Lunch Allowance

An absence of at least 4 hours including the whole of noon to 2pm - £9.60

Tea Allowance

An absence of at least 4 hours including the whole of the period 3pm – 6pm - £3.70

Evening Meal Allowance

An absence of at least 4 hours ending after 7pm - £11.70

Overnight Absence

In the case of an absence overnight from the usual place of residence – full cost of reasonable and necessary expenses

2.5.3 Additional Guidance for Subsistence Entitlement;

- (i) Entitlement for subsistence is determined against the same criteria as travelling expenses when claiming for duties outside the district
- (ii) Entitlement for Subsistence when attending the main Council Offices or within the district should only be when attending two separate meetings (as defined at travelling expenses numbers 2.5.1 (i) to (viii)). Note number 2.5.1 (ix) duties undertaken in connection with being Cabinet Portfolio Holder or Chairman/Vice-chairman such as briefing meetings, etc. do not count for the purposes of entitlement to subsistence
- (iii) In the case of an absence overnight from the usual place of residence, full cost of reasonable and necessary expenses is payable. With regard to meals claimed reference will be made to the normal allowances, taking account of any unavoidable captive charges. The Strategic Director, Corporate Focus will make a decision on any dispute on 'reasonable and necessary' expenses
- (iv) Where a Councillor's existing private domestic broadband connection is used for access to South Kesteven District Council systems, an allowance will be paid to that member. Co-habiting members shall only be entitled to make one claim per household for broadband allowance. The level of reimbursement will be the actual amount paid by the member for his or her broadband connectivity up to a maximum of £21.99 per month. Members will need to submit a copy of a recent bill from their service provider indicating the monthly connectivity charge in order to claim the reimbursement

Article 3 –Members of the Public and the Council

3.1 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 contained in Article 15 Decision Making.

(a) Voting and petitions

People on the electoral roll for the area have the right to vote and sign a petition to request a referendum for an elected mayor form of Constitution.

(b) Information

Members of the Public have the right to

- (i) Attend meetings of the Council and its committees or Policy Development Groups (PDGs) except where confidential or exempt information is likely to be disclosed, and that part of the meeting dealing with that information is therefore held in private
- (ii) Attend meetings of the Cabinet when key decisions are being considered
- (iii) Find out from the Schedule of Decisions what key decisions will be taken by the Cabinet and when
- (iv) See reports and background papers, and any records of decisions made by the Council and the Cabinet
- (v) Inspect the Council's accounts and make their views known to the external auditor

(c) Participation

People have the right to participate in the Council's public open forum as detailed under Article 4 and public speaking sessions at Development Control Committee and Licensing Committees as detailed in Article 9. They may also be invited to contribute to investigations carried out by the Scrutiny Committee and the PDGs.

(d) Complaints

Members of the Public have the right to complain to

- (i) The Council itself through the customer feedback process
- (ii) The Ombudsman after using the Council's own customer feedback process

3.2 Responsibility of Members of the Public

Members of the public must not be violent, abusive or threatening to Councillors or Officers and must not wilfully harm things owned by the Council, Councillors or officers.

Article 4 – The Council

4.1 Meanings

Policy Framework

The policy framework means the plans and strategies required statutorily to be adopted by the Council

- The Corporate Plan
- The Medium Term Financial Strategy
- The Local Plan – currently consisting of the Core Strategy and Development Policy Documents
- The Sustainable Communities Strategy
- The Pay Policy Statement
- The Gambling Statement of Licensing Principles

4.2 Functions of the Council Meeting

Only the Council will exercise the following functions

- (i) Adopting and changing the Constitution
- (ii) Approving or adopting the policy framework, the budget and any application to the Secretary of State in respect of any Housing Land Transfer subject to the urgency procedure contained in the Access to Information Procedure Rules in Article 15 of this Constitution, making decisions about any matter in the discharge of an Executive function which is covered by the policy framework or the budget where the decision maker is minded to make it in a manner which would be contrary to the policy framework or contrary to/or not wholly in accordance with the budget
- (iii) Appointing the Leader (the Leader to appoint and select the Cabinet)
- (iv) Agreeing and/or amending the terms of reference for committees or policy development groups, deciding on their composition and making appointments to them including the appointments of Chairman and Vice-Chairman if not determined by the annual meeting and that no member be appointed in breach of the Constitution
- (v) Appointing representatives to outside bodies (unless the appointment is an Executive function or has been delegated by the Council)
- (vi) Adopting an allowances scheme under Article 2.5
- (vii) Changing the name of the area
- (viii) Conferring the title of Honorary Alderman

- (ix) Confirming the appointment of the Head of Paid Service in accordance with the Officer Employment Rules contained in Part 4 of the Constitution
- (x) Making, amending, revoking, re-enacting or adopting byelaws and promoting or opposing the making of local legislation or personal Bills
- (xi) The following local choice functions which the Council has decided should be undertaken by itself rather than the Cabinet
 - Any function under a local Act other than a function specified or referred to in regulation 2 or Schedule 1. (*There are presently no local acts in force in South Kesteven*)
 - The appointment of any individual to
 - (a) Any office other than an office in which he is employed by the authority
 - (b) Any body other than
 - the authority
 - a joint committee of two or more authorities
 - (c) Any committee or sub-committee or such a body, and the revocation of any such appointment

and all other matters which, by law, must be reserved to Council.

4.3 Council Meetings

There are three types of Council meeting

- (i) The annual meeting
- (ii) Ordinary meetings
- (iii) Extraordinary meetings

and they will be conducted in accordance with the Procedure Rules as outlined below.

4.4 Rules of Procedure

4.4.1. Annual Meeting

(a) Timing and business

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

The annual meeting will

- (i) Elect a person to preside if the Chairman of Council is not present
- (ii) Elect the Chairman of Council
- (iii) Elect the Vice-Chairman of Council
- (iv) Approve the minutes of the last meeting
- (v) Receive any announcements from the Chairman and/or Head of the Paid Service
- (vi) Elect the Leader as required in accordance with Article 8.2 (c) at Part 2 of the Constitution
- (vii) Appoint the three Policy Development Groups, the Scrutiny Committee and such other committees as the Council considers appropriate to deal with matters that are neither reserved to the Council nor are Executive functions
- (viii) That the Chairmanship and Vice-Chairmanship of all Committees and PDGs are appointed according to their suitability and merit in the opinion of the Leader. No member may be appointed in breach of the Constitution
- (ix) Agree any amendments to the scheme of delegation or such part of it as the Constitution determines it is for the Council to agree (as set out in Article 14 of this Constitution
- (x) Approve a programme of ordinary meetings of the Council for the year
- (xi) Consider any business set out in the notice convening the meeting

(b) Selection of Councillors on Committees Policy Development Groups and Outside Bodies

At the annual meeting, the Council meeting will

- (i) Decide which committees or policy development groups to establish for the municipal year
- (ii) Decide the size and terms of reference for those committees or policy development groups
- (iii) Decide the allocation of seats to political groups in accordance with the political balance rules

- (iv) Receive nominations of Councillors to serve on each committee or policy development group and outside bodies
- (v) Appoint to those committees or policy development groups and outside bodies except where appointment to those bodies has been delegated by the Council or is exercisable only by the Cabinet

4.4.2. Ordinary Meetings

Ordinary meetings of the Council will take place in accordance with a programme decided at the Council's annual meeting. Ordinary meetings will

- (i) Elect a person to preside if both the Chairman and Vice-chairman are not present
- (ii) Approve the minutes of the last meeting
- (iii) Receive any disclosures of interest from members
- (iv) At each meeting receive announcements from the Chairman, Leader, members of the Cabinet or the Head of Paid Service
- (v) Receive questions from, and provide answers to, the public in accordance with the scheme set out at Procedure Rule 4.7
- (vi) Deal with any business from the last Council meeting including the appointment of chairmen and vice-chairman of policy development groups and such other committees as the Council considers appropriate where such appointments have not been made or concluded at the Annual Meeting or as a result of any vacancies which have arisen
- (vii) Receive reports from the Cabinet, those Council committees not operating under delegated powers, and to receive relevant questions and answers on any of those reports
- (viii) Receive reports about and receive questions and answers on the business of joint arrangements and external organisations;
- (ix) Debate motions
- (x) Consider any other business specified in the summons to the meeting including consideration of proposals from the Cabinet in relation to the Council's budget and policy framework and reports of the policy development groups and the Scrutiny Committee and any other committees for debate.
- (xi) To receive reports from the Chief Executive, Section 151 Officer and the Monitoring Officer

4.4.3. Extraordinary Meetings

(a) Calling extraordinary meetings

Those listed below may request the Chief Executive to call Council meetings in addition to ordinary meetings

- (i) The Council by resolution
- (ii) The Chairman of the Council
- (iii) The Monitoring Officer
- (iv) Any five members of the Council if they have signed a requisition presented to the Chairman of the Council and he or she has refused to call a meeting or has failed to call a meeting within seven days of the presentation of the requisition

(b) Business

The business to be conducted at extraordinary meetings will be restricted to a single item, with no consideration of previous minutes or reports from committees unless such a report relates to that agenda item.

4.5 Appointment of Substitute Members of Committees and Sub Committees and Policy Development Groups

The Chief Executive is authorised to give effect to the wishes of political groups, as expressed in accordance with paragraph 13 of the Local Government (Committees and Political Groups) Regulations 1990, by making appointments to committees and sub-committees in accordance with Section 16 of the Local Government and Housing Act 1989.

4.5.1. Substitution

Substitute members may attend meetings in that capacity only

- (i) To take the place of the ordinary member for whom they are the designated substitute
- (ii) Where the ordinary member will be absent for the whole of the meeting
- (iii) After the Group leader has notified the Executive Manager, Corporate or any other person so authorised by the Executive Manager, Corporate prior to the commencement of the meeting of an appropriate intended substitution.

4.6 Time and Place of Meetings

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

4.6.1. Notice and Summons to Meetings

- (i) The Chief Executive will give notice to the public of the time and place of any meetings in accordance with the Access to Information Rules. At least five clear working days before a meeting, the Chief Executive will send a summons signed by him or her by post to every member of the Council or leave it at their usual place of residence. The meeting summons may also be sent by electronic means (with the consent from the Councillor) to an e-mail address that they have specified.
- (ii) The summons will give the date, time and place of each meeting and specify the business to be transacted, and will be accompanied by such reports as are available
- (iii) The order of the agenda at Ordinary Council Meetings will be as follows with the Questions without Discussion and Notices of Motion given under 4.8(Questions by Members) and 4.9 (Motions on Notice) to always be the last two items on the agenda:
 - Apologies for Absence
 - Declarations of Interest
 - Minutes of Previous Council Meeting
 - Communications (including Chairman's Engagements)
 - Reports for Consideration and Decision by Council
 - Questions without Discussion
 - Notices of Motion given under Council Procedure Rule 12

4.6.2. Chairman of Meeting

The person presiding at the meeting may exercise any power or duty of the Chairman. If the Chairman is present he or she must chair the meeting unless he or she has declared an interest and left the room. References to the Chairman also include the Chairmen of committees and sub-committees or Policy Development Groups.

4.6.3. Quorum

The quorum of a meeting will be one quarter of the whole number of members. During any meeting if the Chairman counts the number of members and declares there is not a quorum present, then the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the Chairman. If he or she does not fix a date, the remaining business will be considered at the next ordinary meeting.

4.6.4. Duration of Meeting

Unless the majority of members present vote for the meeting to continue, any meeting that has lasted for 3 hours, excluding any temporary adjournment, will adjourn immediately. Remaining business will be considered at a time and date fixed by the Chairman. If he or she does not fix a date, the remaining business will be considered at the next ordinary meeting after the minutes of the previous meeting have been dealt with.

4.7 Public Open Forum

4.7.1 General

Residents of the District or any non-domestic ratepayer may ask any question of any member of the Council subject to clause 4.7.5 but may only speak on any item on the agenda of any ordinary meeting of the Council during a period of 30 minutes set aside at the start of the meeting.

4.7.2 Notice of Intention to Speak or Ask Questions

Notice of any question to be asked or of any intention to speak on an item on the agenda must be given by delivering it in writing or by electronic mail to the Chief Executive at least 3 working days before the day of the meeting. Each notice must give the name and address of the speaker or questioner and must name the member of the Council to whom a question is to be put or the item on the agenda to be addressed. The Chairman may direct a question to another member if more appropriate and they agree to accept it.

4.7.3 Order of Speakers and Questions

Questions will be asked and speeches made in the order in which notice of them was received, except that the Chairman may group together similar questions or items to be spoken on. Each question or speech will be subject to a total time limit of 5 minutes.

4.7.4 Number of Questions

At any one meeting no person or organisation may submit more than two questions or speak on more than two items on the agenda of the relevant meeting and no more than six such questions or speeches will be tabled or delivered at any one meeting. If more than six notices of intention to speak are received, the first six received will be invited to attend to speak on the agenda item. Any questions tabled for that same meeting will be dealt with by way of written response or held over until the next meeting at the request of the questioner.

4.7.5 Scope of Questions or items on which speeches are to be made

The Chief Executive may reject a question or prevent the right to speak if it

- (i) Is not about a matter for which the local authority has a responsibility or which directly affects the district or is not an item on the agenda of the relevant meeting
- (ii) Is or becomes defamatory, frivolous, objectionable, improper or offensive
- (iii) It is substantially the same as a question which has been put at a meeting of the Council in the past six months(in respect of questions only)
- (iv) Requires disclosure of confidential or exempt information

4.7.6 Record of Questions and requests to speak

The Chief Executive will make a record of questions and requests to speak submitted correctly in accordance with this clause (4.7). The record will be open to public inspection. He or she will immediately send a copy of any question to the member to whom it is to be put. Rejected questions and requests to speak will include reasons for rejection. Any questions that are deemed by the Chief Executive to be defamatory will not be so recorded or open for public inspection. Copies of all questions and requests to speak will be circulated to all members and will be made available to members of the public attending the meeting.

4.7.7 Asking a question or speaking at the meeting

The Chairman will invite the questioner to put the question to the member named in the notice. If the questioner who has submitted a written question is unable to be present, they may ask the Chairman to put the question on their behalf. The Chairman may ask the question on the questioner's behalf, indicate that a written reply will be given or decide, in the absence of the questioner that the question will not be dealt with.

4.7.8 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 Chairman may reject a supplementary question on any of the grounds in rule 4.7.5 above or if the time limit in rule 4.7.3 has expired.

4.7.9 Written answers

Any question which cannot be dealt with during public question time, either because of lack of time or because of the non-attendance of the member to whom it was to be put, will be dealt with by a written answer within 7 working days of the meeting.

4.7.10 Reference of question or speech to the Cabinet or a Committee

Unless the Chairman decides otherwise, no discussion will take place on any question or speech, but any member may move that a matter raised by a question or speech be referred to the Cabinet or the appropriate Committee, Sub-committee or Policy Development Group. Once seconded, such a motion will be voted on without discussion.

4.8 Questions by Members

4.8.1 Questions on notice at Council Meetings

Subject to rule 4.8.3, a member of the Council may table up to two questions on any matter in relation to which the Council has powers or duties or which affect the district.

4.8.2 Scope of Questions

The Chief Executive may reject a question if it meets any of the following criteria

- (i) Is not about a matter for which the local authority has a responsibility or which directly affects the district
- (ii) Is defamatory, frivolous, objectionable, improper or offensive
- (iii) Is substantially the same as a question which has been put at a meeting of the council in the past six months
- (iv) Requires the disclosure of confidential or exempt information

4.8.3 Notice of Questions

A member may only ask a question under Rule 4.8.1 if either

- (i) They have given at least three working days notice before the time of the commencement of the meeting in writing of the question including the wording of the question to be asked to the Chief Executive
- (ii) The question relates to urgent matters, they have the consent of the member to whom the question is to be put and the content of the question is given to the Chief Executive by noon on the day of the meeting

The Chief Executive will circulate copies of all questions to be asked under Rule 4.8 1 at the commencement of the meeting. The questions so circulated shall be referred to the relevant Policy development Group for response direct to the member who posed the question. Any question posed and the response

given shall only be referred back to the Council meeting if it is considered necessary by the relevant Policy Development Group.

4.9 Motions on Notice

4.9.1 Notice

Except for motions which can be moved without notice under Rule 4.10, written notice of every motion, signed by the member giving it, must be delivered to the Chief Executive at least 9 working days before the date of the meeting at which it is to be moved. These will be recorded in the order in which they are received and open to public inspection. Any motion which purports to contravene any current legislation or purports to contravene the arrangement or terms of this Constitution can be excluded by the Chief Executive in advance or at the meeting at which it is proposed to be debated.

4.9.2 Motions set out in agenda

Motions for which notice has been given will be listed on the agenda in the order in which they were received unless the member giving notice states in writing that they proposed to move it to a later meeting or withdraw it.

4.9.3 Scope

Motions must be about matters for which the Council has a responsibility or which directly affect the district. The content of any motion on notice shall consist of one single subject matter. No motion on notice shall be debated in the absence of the member who has proposed the motion.

4.9.4 Number of Notices of Motion

No member shall have more than two notices of motion on the agenda for any meeting.

4.10 Motions without Notice

The following motions may be moved without notice

- (i) To appoint a Chairman of the meeting at which the motion is moved
- (ii) In relation to the accuracy of the minutes
- (iii) To change the order of business in the agenda
- (iv) To refer something to an appropriate body or individual; something that arises out of discussion or debate at the Council meeting
- (v) To appoint a committee or member arising from an item on the summons for the meeting

- (vi) To receive reports or adoptions of recommendations of committees or officers and any resolutions following from them
- (vii) To withdraw a motion by the mover only
- (viii) To amend a motion
- (ix) To proceed to the next business
- (x) That the question be now put
- (xi) To adjourn a debate
- (xii) To adjourn a meeting
- (xiii) That the meeting continue beyond 3 hours in duration
- (xiv) To suspend a particular Council procedure rule
- (xv) To exclude the public and press in accordance with the Access to Information Rules (contained in Article 15)
- (xvi) To not hear further a member named under Rule 4.18.3 or to exclude them from the meeting under Rule 4.18.4
- (xvii) To give the consent of the Council where its consent is required by this Constitution
- (xviii) A motion relating to any item on the agenda of that meeting where no motion has been proposed

4.11 Rules of Debate

4.11.1 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.

4.11.2 Right to require motion in writing

Unless notice of the motion has already been given, the Chairman may require it to be written down and handed to him or her before it is discussed.

4.11.3 Secunder's speech

When seconding a motion or amendment, a member may reserve their speech until later in the debate.

4.11.4 Content and length of speeches

Speeches must be directed to the matter under discussion or to a personal explanation or point of order. No speech may exceed 5 minutes without the consent of the Council.

4.11.5 When a member may speak again

A member who has spoken on a motion may not speak again whilst it is the subject of debate except

- (i) To speak once on an amendment moved by another member
- (ii) To move a further amendment if the motion has been amended since he or she last spoke
- (iii) If his or her first speech was on an amendment moved by another member, to speak on the main issue (whether or not the amendment on which he or she spoke was carried)
- (iv) In exercise of a right of reply
- (v) On a point of order
- (vi) By way of personal explanation

4.11.6 Amendments to motions

- (i) An amendment to a motion must be relevant to the motion and will either be
 - (a) To refer the matter to an appropriate body or individual for consideration
 - (b) To leave out words
 - (c) To leave out words and insert or add others
 - (d) To insert or add words

As long as the effect of (b) to (d) does not negate the motion.

- (ii) 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
- (iii) If an amendment is not carried, other amendments to the original motion may be moved

- (iv) If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion to which any further amendments are moved
- (v) After an amendment has been carried, the Chairman will read out the amended motion before accepting any further amendments, or if there are none, put it to the vote
- (vi) The Chairman may require any amendment to a motion to be written down and handed to him or her before it is discussed

4.11.7 Alteration of motion

- (i) A member may alter a motion of which he or she has given notice with the consent of the meeting. The meeting's consent will be signified without discussion
- (ii) A member may alter a motion which he or she has moved without notice with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion
- (iii) Only alterations which could be made as an amendment may be made

4.11.8 Withdrawal of motion

A member may withdraw a motion which he or she has moved with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion. No member may speak on the motion after the mover has asked permission to withdraw it unless permission is refused.

4.11.9 Right of Reply

- (i) 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
- (ii) 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
- (iii) The mover of the amendment has no right of reply to the debate on his or her amendment

4.11.10 Motions which may be moved during debate

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

- (i) To withdraw a motion
- (ii) To amend a motion

- (iii) To proceed to the next business
- (iv) That the question be now put
- (v) To adjourn a debate
- (vi) To adjourn a meeting
- (vii) That the meeting continue beyond 3 hours in duration
- (viii) To exclude the public and press in accordance with the Access to Information Rules
- (ix) To not hear further a member named under Rule 4.18.3 or to exclude them from the meeting under Rule 4.18.4

4.11.11 Closure motions

- (i) A member may move, without comment, the following motions at the end of a speech of another member
 - (a) To proceed to the next business
 - (b) That the question be now put
 - (c) To adjourn a debate
 - (d) To adjourn a meeting
- (ii) If a motion to proceed to next business is seconded and the Chairman thinks the item has been sufficiently discussed, he or she will give the mover of the original motion a right of reply and then put the procedural motion to the vote
- (iii) If a motion that the question be now put is seconded and the Chairman thinks the item has been sufficiently discussed he or she will put the procedural motion to the vote. If it is passed he or she will give the mover of the original motion a right of reply before putting his or her motion to the vote
- (iv) If a motion to adjourn the debate or to adjourn the meeting is seconded and the chairman thinks the item has not been sufficiently discussed and cannot reasonably be so discussed on that occasion, he or she will put the procedural motion to the vote without giving the mover of the original motion the right of reply

4.11.12 Point of Order

A member may raise a point of order at any time. The Chairman will hear them immediately. A point of order may only relate to an alleged breach of these Council Rules of Procedure, the Articles contained in this Constitution or the law. The member must indicate the rule or law and the way in which

he or she considers it has been broken. The ruling of the Chairman on the matter will be final.

4.11.13 Personal Explanation

A member may make a personal explanation at any time. A personal explanation may only relate to some material part of an earlier speech by the member which may appear to have been misunderstood in the present debate. The ruling of the Chairman on the admissibility of the personal explanation will be final.

4.12 State of the District Debate

4.12.1 Calling of Debate

The Leader may call a State of the District debate annually on a date and in a form to be agreed with the Chairman.

4.12.2 Form of Debate

The Leader will decide the form of the debate with the aim of enabling the widest possible public involvement and publicity. This may include holding workshops and other events prior to or during the State of the District debate.

4.12.3 Chairing of Debate

The debate will be chaired by the Chairman, the Vice-Chairman, or if neither are present a Chairman elected by the Council for that meeting.

4.12.4 Results of Debate

The results of the debate will be

- (i) Disseminated as widely as possible within the community and to agencies and organisations in the area
- (ii) Considered by the Leader in proposing the budget and policy framework to the Council for the coming year

4.13 Voting

4.13.1 Majority

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

4.13.2 Chairman's casting vote

If there are equal numbers of votes for and against, the Chairman will have a second casting vote. There will be no restriction on how the Chairman chooses to exercise a casting vote.

4.13.3 Method of Voting

- (i) Unless otherwise provided in law or in these procedure rules, the vote on any motion or amendment shall be taken by means of the electronic voting system installed in the Council Chamber (or other meeting place)
- (ii) The vote shall be taken by a show of hands if
 - (a) The meeting is being held elsewhere than in the Council Chamber
 - (b) The electronic voting system is not available
 - (c) The electronic voting system is out of commission

4.13.4 Recorded Vote

Before the vote is taken if 10 members present at the meeting demand it, the names of those Councillors voting for and against the motion or amendment or abstaining from voting will be recorded and entered into the minutes.

4.13.5 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 the motion or abstained from voting.

4.13.6 Dissent

Subject to Rule 4.13.5, no expression of dissent or disapproval shall be recorded in the minutes.

4.13.7 Voting on appointments

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

4.14 Election of Leader

- (i) The Council will elect a Leader in accordance with Article 8.2 of this Constitution
- (ii) The Leader, when appointed by the Council, will be solely responsible for the selection and appointment of the Deputy Leader

4.15 Appointment of Cabinet

The Leader will appoint the Cabinet in accordance with Article 8 of this Constitution.

4.16 Minutes

4.16.1 Signing the minutes

The Chairman will sign the minutes of the proceedings at the next suitable meeting. Any member of the Council will move and second that the minutes of the previous meeting be signed as a correct record. The only discussion permitted on the minutes is that relating to their accuracy.

4.16.2 No requirement to sign minutes of previous meeting at extraordinary meeting

Where in relation to any meeting, the next meeting for the purpose of signing the minutes is an Extraordinary Meeting then the minutes will be signed at the next ordinary meeting.

4.16.3 Form of minutes

Minutes will contain all motions and amendments in the exact form and order the Chairman put them. Whilst outcomes and decisions will be fully recorded the preamble will comprise a summary of what transpired at a meeting. Where a written answer is provided at a Council meeting to a question under Rule 4.8 then the written answer shall be enclosed with the minutes and not recorded within the minutes.

4.17 Exclusion of the Public

Members of the public and press may only be excluded either in accordance with Access to Information Rules in Article 15 and the Access to Information paragraph 15.3 of this Constitution or Rule 4.19 (Disturbance by Public).

4.18 Members' Conduct

4.18.1 Interests

- (i) Members with interests to declare in respect of any item of business to be transacted at a meeting should do so at the earliest opportunity on the agenda
- (ii) A Member who has disclosed a disclosable pecuniary interest or other interest in any item on the agenda of a meeting must leave the meeting during the consideration of that item to which the interest relates, take no part in the debate and not vote on the item

4.18.2 Standing to speak

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

4.18.3 Chairman standing

When the Chairman stands during a debate, any member speaking at the time must stop and sit down. The meeting must be silent.

4.18.3 Member not to be heard further

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

4.18.4 Member to leave the meeting

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

4.18.5 General Disturbance

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

4.19 Disturbance by the Public

4.19.1 Removal of member of the public

- (i) If a member or the public interrupts proceeding, the Chairman will warn the person concerned. If they continue to interrupt, the Chairman will order their removal from the meeting room
- (ii) If a member of the public and a member of the Council wish to converse during a meeting, both parties shall retire from the meeting room

4.20 Suspension and amendment of Council Procedure Rules

4.20.1 Suspension

All of these Council Rules of Procedure except Rule 4.13.5 and 14.16.2 may be suspended by motion on notice or without notice if at least two thirds of members of the Council present vote in favour of the resolution. Suspension may be for the duration of the meeting or in respect of any particular item of business.

4.20.2 Motions affecting Council Procedure Rules

Any motion to add to, vary or revoke these Council Rules of Procedure will, when proposed and seconded, stand adjourned without discussion to the next annual or ordinary meeting of the Council after having been debated by the Constitution Committee.

4.21 Budget and Policy Framework Procedure Rules

These rules are made in accordance with and incorporate the relevant provisions of the Local Authorities (Standing Orders) (England) Regulations 2001(as amended)

4.21.1 The framework for Budget and Policy Framework decisions

The Council will be responsible for the adoption of its annual Budget and the Policy Framework documents as set out in Article 4. Once a Budget or a Policy Framework document has been adopted by Council, it will be the responsibility of the Cabinet to implement it.

4.21.2 Process for developing the Budget

- (a) The Cabinet will publish in its Schedule of Decisions a timetable for making proposals to the Council for the adoption of an annual budget, including those decisions which are required by detailed at Schedule 2 of the Local Authorities (Standing Orders) (England) Regulations 2001(as amended) which are required to be made before the 8th February in any financial year and its arrangements for consultation after publication of those initial proposals. The Chairmen of Policy Development Groups and the Scrutiny Committee will also be notified. The consultation period shall in each instance be not less than 6 weeks.
- (b) At the end of that period, the Cabinet will then draw up draft proposals having regard to the responses to that consultation. If a relevant Policy Development Group and Scrutiny Committee wish to respond to the Cabinet in that consultation process then they may do so. As the Policy Development Groups have responsibility for fixing their own work programme (subject to direction by the Policy Development Liaison Group) it is open to the Policy Development Group to investigate, research or report in detail with policy recommendations before the end of the consultation period. The Cabinet will take any response from a Policy Development Group into account in drawing up its proposals for

submission to the Council, and its report to Council will reflect the comments made by consultees and the Cabinet's response.

4.21.3 Process for developing the Policy Framework documents

- (a) The Cabinet will publish, by including in the Schedule of Decisions, a timetable for proposals to Council for the adoption, revision or amendment of any plan or strategy which forms part of the Policy Framework.
- (b) Within the timetable the relevant Policy Development Group will conduct such research, consultation with stakeholders and investigations as are necessary to enable it to develop proposals for the content or amendment or revision of the relevant plan or strategy.
- (c) The relevant Policy Development Group will present recommendations as to the proposed content, revision or amendment of the plan or strategy to the Cabinet in accordance with the timetable set out in the Schedule of Decisions.
- (d) The Cabinet will finalise its proposals for the Council to consider having taken into account the proposals of the relevant Policy Development Group.

4.21.4 Approval of the Budget and Policy Framework

- (a) The Council will consider the proposals of the Cabinet for the Budget and Policy Framework and may adopt, amend and refer them back to the Cabinet for further consideration, or substitute its own proposals setting out any objections which it has to the Cabinet proposals requiring the Cabinet to reconsider its proposals in the light of those objections.
- (b) A copy of the notice of the Council's decision will be given to the Leader.
- (c) If the Council accepts the Cabinet's proposals without amendment, the decision will be effective from the date of the decision. If the Council does not accept the Cabinet's proposals, the Council's decision will become effective on the expiry of 5 clear working days after the notice of the Council's decision has been given to the Leader unless the Leader objects to the decision within that period.
- (d) If the Leader objects the decision of the Council, the Leader will give written notice to the Chief Executive to that effect prior to the date upon which the decision would have become effective. The written notification must state the reasons for the objection. Where such notification is received, the Chief Executive will convene an extraordinary meeting of the Council to reconsider its decision.

- (e) The Council meeting must take place within 15 clear working days of receipt of the Leader's written objection. At the Council meeting, the decision of the Council will be reconsidered, taking into account the objection of the Leader and any revised draft budget or policy framework document. The Council will make its final decision on the matter, the decision will be published and implemented immediately.

In approving the budget and policy framework, the Council will also specify the extent of virement within the budget and degree of in-year changes to the policy framework which may be undertaken by the Cabinet, in accordance with paragraphs 7 and 8 of these Rules (virement and in-year adjustments). Any other changes to the policy and budgetary framework are reserved to the Council.

4.21.5 Decisions outside the budget or policy framework

- (a) Subject to the provisions of paragraph 7 (virement) the Cabinet, individual Cabinet members and any officers, area committees or joint arrangements discharging executive functions may only take decisions which are in line with the budget and policy framework. If any of these bodies or persons wish to make a decision which is contrary to the policy framework, or contrary to or not wholly in accordance with the budget approved by full Council, then that decision may only be taken by the Council, subject to 6 below.
- (b) If the Cabinet, its Committees, individual Cabinet members and any officers, area committees or joint arrangements discharging executive functions want to make such a decision, they shall take advice from the Monitoring Officer and/or the Chief Finance Officer as to whether the decision they want to make would be contrary to the policy framework, or contrary to or not wholly in accordance with the budget. If the advice of either of those officers is that the decision would not be in line with the existing budget and/or policy framework, then the decision must be referred by that body or person to the Council for decision, unless the decision is a matter of urgency, in which case the provisions in paragraph 6 (urgent decisions outside the budget and policy framework) shall apply.

4.21.6. Urgent decisions outside the budget or policy framework

- (a) The Cabinet, a Committee of the Cabinet, an individual Cabinet member or officers, area committees or joint arrangements discharging executive functions may take a decision which is contrary to the Council's policy framework or contrary to or not wholly in accordance with the budget approved by full Council if the decision is a matter of urgency. However, the decision may only be taken:
 - (i) if it is not practical to convene a quorate meeting of the Council ;
and

- (ii) if the Chairman of a relevant Policy Development Group agrees that the decision is a matter of urgency.

The reasons why it is not practical to convene a quorate meeting of a Council meeting and the chair of the Policy Development Group consent to the decision being taken as a matter of urgency must be noted on the record of the decision. In the absence of the Chairman of a relevant Policy Development Group the consent of the Chairman of the Council, and in the absence of both the Vice-Chairman will be sufficient.

- (b) Following the decision, the decision taker will provide a full report to the next available Council meeting explaining the decision, the reasons for it and why the decision was treated as a matter of urgency.

4.21.7 Virement

- (a) The guidance to the Council's Financial Regulations sets out the rules for the operation of virement across the budgets allocated for particular functions of the Council.
- (b) Steps taken by the Cabinet, an individual Cabinet member or officers, area committees or joint arrangements discharging executive functions to implement Council policy shall not exceed those budgets allocated to each budget head. However, such bodies or individuals shall be entitled to vire across budget heads on up to three occasions in any one year where each individual virement does not exceed £10,000 or other constraints agreed by Council. Beyond that limit, approval to any virement across budget heads shall require the approval of the full Council.

4.21.8 In-year changes to policy framework

The responsibility for agreeing the budget and framework lies with the Council and decisions by the Cabinet, an individual Cabinet member or officers, area committees or joint arrangements discharging executive functions must be in line with it. No changes to any policy and strategy which make up the policy framework may be made by those bodies or individuals except those changes:

- (a) which will result in the closure or discontinuance of a service or part of service to meet a budgetary constraint;
- (b) necessary to ensure compliance with the law, ministerial direction or government guidance;
- (c) in relation to the policy framework in respect of a policy which would normally be agreed annually by the Council following consultation but where the existing policy document is silent on the matter under consideration.

4.21.9 Call-in of decisions outside the budget or policy framework

- (a) Where the Scrutiny Committee is of the opinion that an executive decision is, or if made would be, contrary to the policy framework, or contrary to or not wholly in accordance with the Council's budget, then it shall seek advice from the Monitoring Officer and/or Chief Finance Officer.
 - (b) In respect of functions which are the responsibility of the Cabinet, the Monitoring Officer's report and/or Chief Finance Officer's report shall be to the Cabinet with a copy to every member of the Council. Regardless of whether the decision is delegated or not, the Cabinet must meet to decide what action to take in respect of the Monitoring Officer's report and to prepare a report to Council in the event that the Monitoring Officer or the Chief Finance Officer conclude that the decision was a departure, and to the Scrutiny Committee if the Monitoring Officer or the Chief Finance Officer conclude that the decision was not a departure.
 - (c) If the decision has yet to be made, or has been made but not yet implemented, and the advice from the Monitoring Officer and/or the Chief Finance Officer is that the decision is or would be contrary to the policy framework or contrary to or not wholly in accordance with the budget, the Scrutiny Committee may refer the matter to Council. In such cases, no further action will be taken in respect of the decision or its implementation until the Council has met and considered the matter. The Council shall meet within 5 working days of the request by the Scrutiny Committee. At the meeting it will receive a report of the decision or proposals and the advice of the Monitoring Officer and/or the Chief Finance Officer. The Council may either:
 - (i) endorse a decision or proposal of the executive decision taker as falling within the existing budget and policy framework. In this case no further action is required, save that the decision of the Council be minuted, circulated to all Councillors and published in the normal way;
 - (ii) or amend the Council's financial regulations or policy concerned to encompass the decision or proposal of the body or individual responsible for that executive function and agree to the decision with immediate effect. In this case, no further action is required save that the decision of the Council be minuted, circulated to all Councillors and published in the normal way;
- Or
- (iii) where the Council accepts that the decision or proposal is contrary to the policy framework or contrary to or not wholly in accordance with the budget, and does not amend the existing framework to accommodate it, require the executive to reconsider the matter in

accordance with the advice of either the Monitoring Officer/Chief Finance Officer.

4.22 Review Board

4.22.1 Membership

3 Members of the Licensing Committee

4.22.2 Remit

- (i) To consider appeals against decisions made by the Council, the Executive or an officer in relation to housing benefit, Council Tax reduction and various matters including tenancy allocations provided for in the Housing Act 1996.
- (ii) Members Code of Conduct
 - a) To receive reports on investigations carried out into alleged failure to comply with the Members Code of Conduct
 - b) To consider whether a complaint should be investigated as required by the Monitoring Officer
 - c) Determine the outcome of investigations by hearing reports of investigations, the evidence of the parties involved and any other evidence available to the Board.

Article 5 – Chairing the Council

5.1 Role and function of the Chairman

The Chairman of the Council, and in his or her absence, the Vice-Chairman will have the following roles and functions:

(a) Ceremonial Role

The Chairman of the Council has a role as a symbol of the authority, a symbol of an open society and an expression of social cohesion. He or she will normally carry out the ceremonial duties of the Council, such as

- (i) Royal visits
- (ii) Church services
- (iii) Remembrance Day
- (iv) Reviews of Troops
- (v) Civic banquets
- (vi) Visits of other civic heads
- (vii) Civic funerals
- (viii) Visits of consular officers, etc
- (ix) Civic visits abroad
- (x) Attendance at other official engagements

The Chairman will have the use of the Chairman's Room, a motor car and the services of a Civic Officer, all at his or her discretion within the budget and policy framework, for the performance of those ceremonial duties.

The Chairman and or consort will have the right to wear the chain or badge of office when performing ceremonial duties and chairing the Council meeting.

(b) Chairing the Council Meeting

The Chairman (and Vice-Chairman) will be elected by the Council annually. The Chairman (or Vice-Chairman in his or her absence) will have the following responsibilities

- (i) To uphold and promote the purposes of the Constitution, 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
- (iv) To promote public involvement in the Council's activities
- (v) To be the conscience of the Council
- (vi) To attend such civic and ceremonial functions as the Council and he or she determines appropriate. Promotional roles may be shared between the Leader and the Chairman

- (vii) To perform any dispute resolution role given to the Chairman under the Executive Procedure Rules as required by the Local Authorities (Standing Orders) (England) Regulations 2001

Article 6 – The Scrutiny Committee (including Crime and Disorder Overview & Scrutiny)

The Scrutiny Committee will comply with the Political Balance Rules in Section 15 of the Local Government and Housing Act 1989.

The scrutiny function is central to this Constitution. The Scrutiny Committee meets in public (except in the case of an exempt item) to review and scrutinize the performance of the council and hold the Cabinet to account for its actions. It has a key role in considering other matters of local concern.

6.1 Membership

The Scrutiny Committee will be composed of 11 Members or such number of members as the Council considers appropriate from time to time

All Councillors except members of the Cabinet and Policy Development Groups may be members of the Scrutiny Committee. No Member may be involved in scrutinising a decision in which he or she has been directly involved. As the Scrutiny Committee is politically balanced, substitutes are allowed.

The Scrutiny Committee may appoint working groups of its membership for a fixed period, on expiry of which they shall cease to exist.

6.2 Role and Function

The Council will appoint a Scrutiny Committee to

- (i) Discharge the functions conferred by section 21 of the Local Government Act 2000 or regulations under section 32 of the Local Government Act 2000
- (ii) Discharge the functions of Section 19 of the Police and Justices Act 2006 and the Crime and Disorder (Overview and Scrutiny) Regulations 2009 (the Committee may co-opt additional members to support crime and disorder scrutiny in accordance with relevant legislation)
- (iii) Review and/or scrutinise decisions made or actions taken in connection with the discharge of any of the Council's functions
- (iv) Make reports and/or recommendations to the Council and/or the Cabinet and/or any joint or area committee in connection with the discharge of any functions
- (v) Consider any matter affecting the area or its inhabitants and exercise the right to call-in for reconsideration decisions made by the Cabinet and/or any area committee that have not been implemented

- (vi) Consider Councillor Calls for Action

6.3 Specific functions

The Scrutiny Committee may

- (i) Review and scrutinize the decisions made by and performance of the Cabinet and/or committees and council officers in relation to individual decisions
- (ii) Review and scrutinize the performance of the council in relation to its policy objectives, performance targets and/or particular service areas
- (iii) Question members of the Cabinet and/or committees and appropriate officers about their decisions and performance, whether generally in comparison with service plans and targets over a period of time, or in relation to particular decisions, initiatives or projects
- (iv) Make recommendations to the Cabinet and/or appropriate committees and/or Council arising from the outcome of the scrutiny process
- (v) Review and scrutinize the performance of other public service bodies in the area and invite reports from them by requesting them to address the Scrutiny Committee, and local people about their activities and performance
- (vi) Question and gather evidence from any person (with their consent)
- (vii) Channel enquires for information and support via democratic support officers
- (viii) Meet to review or scrutinize decisions made, or other action taken, in connection with the discharge by the responsible authorities of their crime and disorder functions as the committee considers appropriate but no less than once in every twelve month period

6.4 Co-optees

- (i) The Scrutiny Committee shall be entitled to recommend to Council the appointment of a number of people as non-voting co-optees.
- (ii) The Scrutiny Committee may co-opt additional members to serve on the Committee subject to:
 - (a) A person co-opted to serve on a crime and disorder committee shall not be entitled to vote on any particular matter, unless the committee so determines
 - (b) A co-opted person's membership may be limited to the exercise of the committee's powers in relation to a particular matter or type of matter.
 - (c) A crime and disorder committee shall only co-opt a person to serve on the committee who:

- is an employee, officer or member of a responsible authority or of a co-operating person or body
- is not a member of the executive of the committee's local authority.

6.5 Meetings of Scrutiny Committee

- (i) Ordinary meetings of Scrutiny Committee shall be held on such dates as the Council shall at its annual meeting decide.
- (ii) Scrutiny Committee may hold such special meetings as they consider necessary.
- (iii) The Chairman or, in his absence, the Vice-Chairman may call a special meeting of a Scrutiny Committee at any time.
- (iv) No business shall be transacted at a special meeting of a Scrutiny Committee unless notice of that business has been given in writing to all members of the Scrutiny Committee.
- (v) A constituted working group of the Scrutiny Committee can call meetings as required to deal with a specific task or remit within a defined time period. Such meetings may be called by the Chairman of Scrutiny Committee or the lead member of the working group. Any recommendation put forward must be ratified at the next public meeting of the Scrutiny Committee.

6.6 Substitution

Substitute members may attend meetings

- (i) To take the place of the ordinary member for whom they are the designated substitute
- (ii) Where the ordinary member will be absent for the whole of the meeting
- (iii) After the Group Leader has notified the Executive Manager, Corporate or any other person so authorised by the Executive Manager, Corporate prior to the commencement of the meeting of an appropriate substitution
- (iv) A substitute member must not be a member of the Executive or a member of a Policy Development Group.

6.7 Finance

The Scrutiny Committee may exercise overall responsibility for the finances for the provision of democratic services made available to them in order to perform their scrutiny function.

6.8 Annual Report

The Scrutiny Committee must report annually to the Council on its activity.

6.9 Scrutiny Committee Procedure Rules

- (i) The Scrutiny Committee shall consider the following business
 - (a) Action notes of the last meeting (previously circulated)
 - (b) Disclosure of interests (including whipping declarations)
 - (c) Questions on notice to relevant Cabinet Portfolio Holders (feedback from the Cabinet or Cabinet Portfolio Holder)
 - (d) Consideration of any matter referred to the Committee for a decision in relation to call-in or a decision
 - (e) Responses of the Executive to reports of the Committee
 - (f) The business otherwise set out on the agenda for the meeting
- (ii) Where the Scrutiny Committee conducts investigations (e.g. with a view to scrutiny or on a call-in), the Committee may invite or require officers or other people to attend to give evidence at meetings or constituted working group meetings in accordance with the following principles
 - (a) That the investigation will be conducted fairly and all members of the Committee or a constituted working group will be given the opportunity to ask questions of attendees, and to contribute and speak
 - (b) That those assisting the Committee or working group by giving evidence will be treated with respect and courtesy
 - (c) That the investigation will be conducted to maximise the efficiency of the investigation or analysis
- (iii) Following any investigation or review, the Committee or its working group shall prepare a report for submission to the Cabinet and/or Council as appropriate and shall make its report and findings public.
- (iv) The criteria to be used by the Scrutiny Committee for assessing subjects proposed for scrutiny should be as follows
 - (a) Is the issue significant to the Council's priorities?
 - (b) Will a review add value?
 - (c) Is it an issue of major public importance?
 - (d) Has the issue already been the subject of a detailed review?
- (v) The Rules of Procedure for the Scrutiny Committee are the same as that for Council from Rule 4.5 excluding the following;
 - Rule 4.7 Public Open Forum
 - Rule 4.12 State of the District Debate
 - Rule 4.18.2 Standing to speak are excluded. (Article 4)

6.10 Meetings prior to the Scrutiny Committee Meetings

Guidance indicates that it is not conducive to the scrutiny process for political group meetings to be held before Scrutiny Committee meetings. It is however considered appropriate for the Committee to meet before and after meetings to ensure that its time is used effectively, particularly when external speakers have been invited to attend. This would provide an opportunity to consider how the meeting will be conducted and evaluate the success or outcomes of the meeting.

6.11 Quorum

The quorum for the Scrutiny Committee shall be one quarter of the whole number of members of that Committee.

6.12 Chairman of Scrutiny Committee

The Chairman and Vice-Chairman of the Scrutiny Committee will be appointed at the annual Council meeting according to their suitability and merit in the opinion of the Leader. No member will be appointed in breach of the Constitution.

6.13 Work Programme

The Scrutiny Committee will be responsible for setting its own work programme and taking into account the wishes of members on that Committee who are not members of the largest political group on the Council.

6.14 Agenda Items

Any member of the Scrutiny Committee shall be entitled to give notice to the Proper Officer that he or she wishes an item relevant to the functions of the Committee to be included on its agenda for the next available meeting. On receipt of such a request the proper officer will ensure that it is referred to the Committee. Any 5 members of the Council who are not members of the Scrutiny Committee may give written notice to the proper officer that they wish an item to be included on the agenda of the Committee. If the proper officer receives such a notification, then he or she will refer the item for inclusion on the next available agenda of the Committee for consideration.

6.15 Making sure that reports are considered by the Cabinet

- (i) The agenda for Cabinet meetings shall include an item: 'Issues arising from Scrutiny Committee.' The reports of the Scrutiny Committee referred to the Cabinet shall be included at this point in the agenda (unless they have been considered in the context of the Cabinet)

deliberations on a substantive item on the agenda) within two months of the Scrutiny Committee completing its report/recommendations.

- (ii) Once the Scrutiny Committee has completed its deliberations on any matter, it will forward a copy of its final report to the proper officer who will allocate it to either or both the Cabinet and the Council for consideration according to whether the contents of the report would have implications for the Council's budget and policy framework. If the proper officer refers the matter to Council, he or she will also serve a copy on the Leader with notice that the matter is to be referred to Council. The Cabinet will have up to 6 weeks in which to respond to the report, and the Council shall not consider it within that period. When the Council does meet to consider any referral from the Scrutiny Committee on a matter which would impact on the budget and policy framework, it shall also consider the response of the Cabinet to the proposals.
- (iii) Where the Scrutiny Committee prepares a report for consideration by the Cabinet in relation to a matter where the Leader or Council has delegated decision making power to another member of the Cabinet, then the Scrutiny Committee will submit a copy of their report to that individual for consideration. At the time of doing so, they shall serve a copy on the proper officer and the Leader. If the member with delegated decision making power does not accept the recommendations of the Scrutiny Committee then he or she must refer the matter to the next available meeting of the Cabinet for debate before exercising his or her decision making power and responding to the report in writing to the Scrutiny Committee. The Cabinet member to whom the decision making power has been delegated will respond to the Scrutiny Committee within 6 weeks of receiving it. A copy of his or her written response to it shall be sent to the proper officer and he or she will attend a future meeting to respond directly to the Committee.

6.16 Rights of Scrutiny Committee members to documents

- (i) In addition to their rights as Councillors, members of the Scrutiny Committee have the additional right to documents, and to notice of meetings as set out in Article 15 of this Constitution (Access to Information Procedure Rules in this Constitution)
- (ii) Nothing in this paragraph prevents more detailed liaison between the Cabinet and the Scrutiny Committee depending on the particular matter under consideration

6.17 Members and Officers giving account

- (i) The Scrutiny Committee or constituted working group of the Committee, as well as reviewing documentation in fulfilling the scrutiny role, may reasonably require any member of the Cabinet, Head of Paid Service

and/or any senior officer to attend its meetings. It is their duty to attend if required and explain the following so long as they are within their remit

- (a) Any particular decision or series of decisions
 - (b) The extent to which the actions taken implement Council policy
 - (c) Their performance
- (ii) Where any member or officer is required to attend a Scrutiny Committee or working group meeting under this provision, the chairman of the Committee will inform the proper officer. The proper officer shall inform the Member or officer in writing giving at least 5 working days notice of the meeting at which he or she is required to attend. The notice will state the nature of the item about which he or she is required to attend to give account and whether any papers are required to be produced for the Committee or working group. Where the account to be given to the Committee or working group will require the production of a report, then the Member or officer concerned will be given sufficient notice to allow for preparation of that documentation
- (iii) Where a Cabinet member who holds the appropriate Portfolio Holder is required to attend a Scrutiny Committee meeting he or she will be expected to answer written questions from Committee members provided he or she has been given 5 working days notice of those questions unless the Chief Executive agrees that the question is urgent. In such situations the Cabinet member who holds the appropriate Portfolio would be expected to attend and answer such questions unless he or she was unable to do so due to unforeseen circumstances or prior commitment. Each Committee member or member of a constituted working group may ask a maximum to two such questions contained within a period of fifteen minutes at the start of a Committee or working group meeting
- (iv) Where, in exceptional or unforeseen circumstances, the Cabinet member, other Councillor or officer is unable to attend a meeting on the required date then the Committee or working group shall, in consultation with the Member or officer, arrange an alternative date for attendance

6.18 Attendance

a) General

The Scrutiny Committee or constituted working group may invite people other than those people referred to in rule 6.15 (above) to address it, discuss issues of local concern and/or answer questions. It may, for example, wish to hear from residents, stakeholders and members and officers in other parts of the public sector and can invite such people to attend. Subject to any subsequent statutory provision, attendance is entirely optional.

b) Cabinet Portfolio Holders

All Cabinet Portfolio Holders have the right to attend and speak at Scrutiny Committee or working group meetings relevant to their Portfolio(s)

c) Crime and Disorder

- (i) In relation to its duties, a crime and disorder committee may require the attendance before it of an officer or employee of a responsible authority or of a co-operating person or body in order to answer questions
- (ii) The crime and disorder committee may not require a person to attend unless reasonable notice of the intended date of attendance has been given to that person

6.19 Call-in

Call-in should only be used in exceptional circumstances where there is evidence that suggests that a decision was not taken in accordance with the principles set out in Article 15 (Decision Making). Evidence may, for example, refer to inadequate consultation with stakeholders prior to a decision being made or an absence of good reasons for making the decision

- (i) When a decision is made by the Cabinet, an individual Cabinet member or a Cabinet committee, or a key decision is made by an officer with delegated authority from the Cabinet, or an area committee or under joint arrangements, the decision shall be published (including by electronic means where possible) and shall be available at the main offices of the Council normally within 2 working days of being made. The Chairman of the Scrutiny Committee and political Group Leaders will be sent copies of the records of all such decisions within the same timescale, by the person responsible for publishing the decision.
- (ii) The notice will bear the date on which it is published and will specify when that decision will come into force and may then be implemented (on the expiry of 5 working days after the publication of the decision), unless it is called-in.
- (iii) During that period, the Proper Officer shall call-in a decision for scrutiny by the Committee if so requested by the Chairman or any five members of the Council from any political group(s). No individual Councillor can request more than three call-ins in any one municipal year. The proper officer shall notify the decision-taker of the call-in. He or she shall call a meeting of the Scrutiny Committee on such date as he or she may determine (where possible after consultation with the Chairman of the

Scrutiny Committee) and in any case as soon as possible after the call-in request has been received.

- (iv) If, having considered the decision, the Scrutiny Committee is still concerned about it, then it may refer it back to the decision-making person or body for reconsideration setting out in writing the nature of its concerns, or refer the matter to full Council. If referred to the decision maker, they shall then reconsider within a further 5 working days, amending the decision or not, before adopting a final decision.
- (v) If following an objection to the decision, the Scrutiny Committee does not meet in the period set out above, or does meet but does not refer the matter back to the decision making person or body, the decision shall take effect on the date of the Scrutiny Committee, or the expiry of that further 5 working day period, whichever is the earlier.
- (vi) If the matter was referred to full Council and the Council does not object to a decision that has been made, then no further action is necessary and the decision will be effective in accordance with the provision below. However, if the Council does object it has no locus to make decisions in respect of a Cabinet decision unless it is contrary to the policy, framework, or contrary to or not wholly consistent with the budget. Unless that is the case, the Council will refer any decision to which it objects back to the decision making person or body, together with the Council's views on the decision. That decision making body or person shall choose whether to amend the decision or not before reaching a final decision and implementing it. Where the decision was taken by the Cabinet as a whole or a committee of it, a meeting will be convened within 5 working days to reconsider the Council's request. Where the decision was made by an individual, the individual will reconsider within 5 working days of the Council request.
- (vii) If the Council does not meet, or if it is does but does not refer the decision back to the decision making body or person, the decision will become effective on the date of the Council meeting or expiry of the period in which the Council meeting should have been held, whichever is the earlier.
- (viii) If at any time area committees with delegated powers are appointed, a procedure for call-in of their decisions will be inserted here.
- (ix) In order to ensure that 'call-in' is not abused or causes unreasonable delay, certain limitations are placed on its use. These are
 - Only six decisions may be called-in each municipal year
 - No Councillor shall sign more than three requests for sanctioned call-ins in any one municipal year

6.20 Call-in and Urgency

- (i) The call-in procedure set out above shall not apply where the decision being taken by the Cabinet is urgent. A decision will be urgent if any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public's interest. The record of the decision and notice by which it is made public shall state whether in the opinion of the decision making person or body, the decision is an urgent one, and therefore not subject to call-in. The Chairman of the Council must agree both that the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency. In the absence of the Chairman, the Vice-Chairman's consent shall be required. In the absence of both, the Head of Paid Service and his or her nominee's consent shall be required. Decisions taken as a matter of urgency must be reported to the next available meeting of the Council, together with the reasons for urgency.
- (ii) The operation of the provisions relating to call-in and urgency shall be monitored annually, and a report submitted to Council with proposals for review if necessary.

6.21 Councillor Calls for Action (CCfA)

- (i) Any member of the Council can refer any local government matter (any matter relating to the functions of the authority that affect the Member's area or any individual who lives or works in that area which is not an excluded matter) to the Scrutiny Committee that is relevant to the functions of that committee.
- (ii) If a member wishes to refer a Councillor Call for Action to the Scrutiny Committee they must complete the approved Councillor Call for Action pro-forma and submit this to the Executive Manager, Corporate.
- (iii) The Executive Manager Corporate, in conjunction with the Chairman of the Scrutiny Committee, will assess whether the Councillor has completed the necessary checklist and if so, will place the request on the agenda for the next meeting. Where approval for inclusion on the agenda is unlikely because the criteria have not been met, the Chairman will liaise with the Councillor raising the Call for Action. If there is disagreement the Call for Action will not be submitted to the Committee for determination.
- (iv) Prior to considering the request, Members of the Scrutiny Committee will first confirm that the Call for Action is valid and meets the criteria in the checklist.
- (v) The member raising the Call for Action will be asked to present the issue to the Committee in person. If the Councillor raising the Call for Action is unable to attend, they may request another Councillor from their Ward to present it on their behalf. If no Ward Councillor is available to present the

Call for Action, the item will be deferred to a future meeting. The presentation should include an indication of what they would see as a satisfactory solution.

- (vi) Members will then consider the call for action and agree what they will do to resolve the issue. This may include calling witnesses (including Portfolio Holders, officers or external representatives). In making any recommendations for a solution on the matter before them, regard should be had to the resource implications for the Council.
- (vii) Having considered and resolved the Call for Action as agreed, the Committee will report the outcome to the Councillor raising the Call for Action.
- (viii) The matter should not be being considered separately by another local authority.

6.22 The Party Whip

- (i) Guidance views whipping as incompatible with the scrutiny role. The phrase 'the party whip' is taken to mean: *“Any instruction given by or on behalf of a political group to any Councillor who is a member of that Group as to how that Councillor shall speak or vote on any matter before the Council or any committee or sub-committee, or the application or threat to apply any sanction by the group in respect of that Councillor should he or she speak or vote in any particular matter.”*
- (ii) When considering any matter in respect of which a Member of the Scrutiny Committee is subject to a party whip, the Member must declare the existence of the whip and the nature of it before the commencement of the Committee's deliberations on the matter. The declaration and the detail of the whipping arrangements shall be recorded in the minutes of the meeting.

Article 7 – Policy Development Groups (PDGs)

The Council will constitute three Policy Development Groups (PDGs) called Resources, Engagement and Communities. It will appoint to them seven or such number of members as it considers appropriate from time to time. Such groups may appoint working groups of their membership for a fixed period, on the expiry of which they shall cease to exist.

The PDGs will meet in public and private to make recommendations to the Cabinet and Council on the development of policies.

7.1 Membership

All Councillors except members of the Cabinet and Scrutiny Committee may be members of a Policy Development Group. As the Policy Development Groups are politically balanced, substitutes are allowed.

7.1.1 Remit of Resources PDG

The remit of the Resources PDG will be aligned with the [Cabinet](#) Portfolio responsibilities for Strategic Resources and Good Housing (Housing Revenue Account only).

7.1.2 Remit of Engagement PDG

The remit of the Engagement PDG will be aligned with the Cabinet Portfolio responsibilities for Governance and Communication and Policy, Strategy and Strategic Partnerships.

7.1.3 Remit of Communities PDG

The remit of the Communities PDG will be aligned with the Cabinet Portfolio responsibilities for Grow the Economy & Economic Development, Healthy Environment and Arts and Leisure and Good Housing (private sector only).

7.2 Co-option

- (i) No Policy Development Group shall co-opt Members under Section 102 of the Local Government Act 1972 or Section 21 of the Local Government Act 2000 without the approval of the Council
- (ii) The Council may approve the co-option of Members to any Policy Development Group for such limited periods or for such specific purposes as the Council see fit. The co-optees have no voting rights

7.3 Meetings of Policy Development Groups

- (vi) Ordinary meetings of Policy Development Groups shall be held on such dates as the Council shall at its annual meeting decide.

- (vii) Policy Development Groups may hold such special meetings as they consider necessary.
- (viii) The Chairman or, in his absence, the Vice-Chairman may call a special meeting of a Policy Development Group at any time.
- (ix) No business shall be transacted at a special meeting of a Policy Development Group unless notice of that business has been given in writing to all members of the Policy Development Group.
- (x) A constituted working group of a Policy Development Group can call meetings as required to deal with a specific task or remit within a defined time period. Such meetings may be called by the Chairman of the relevant Policy Development Group or the lead member of the working group. Any recommendation put forward must be ratified at the next public meeting of that Policy Development Group.
- (xi) The Rules of Procedure for the Policy Development Groups are the same as that for Council from Rule 4.5 excluding the following;
 - Rule 4.7 Public Open Forum
 - Rule 4.12 State of the District Debate
 - Rule 4.18.2 Standing to speak are excluded. (Article 4)

7.4 Substitution

Substitute members may attend meetings

- (v) To take the place of the ordinary member for whom they are the designated substitute
- (vi) Where the ordinary member will be absent for the whole of the meeting
- (vii) After the Group Leader has notified the Executive Manager, Corporate or any other person so authorised by the Executive Manager, Corporate prior to the commencement of the meeting of an appropriate substitution

7.5 Specific Function

The functions of the Policy Development Groups will be

- (i) To assist the Council and the Cabinet in the development of its budget and policy framework by in-depth analysis of policy issues;
- (ii) Conduct research, community and other consultation in the analysis of policy issues and possible options;
- (iii) Consider and implement mechanisms to encourage and enhance community participation in the development of policy options;

- (iv) Liaise with other external organisations operating in the area, whether national, regional or local, to ensure that the interests of local people are enhanced by collaborative working;
- (v) Members of any Policy Development Group should channel enquiries for information and support through the democratic support officers; and
- (vi) For the avoidance of doubt Policy Development Groups will carry out any pre-decision scrutiny

7.6 Quorum

The quorum for a Policy Development Group shall be one quarter of the whole number of members of that Group.

7.7 Chairmen of Policy Development Groups

- (i) The Chairman and Vice-Chairman of the Policy Development Groups are appointed according to their suitability and merit in the opinion of the Leader at the annual meeting of the Council. No member will be appointed in breach of this Constitution
- (ii) If the Chairman or Vice-Chairman resigns by giving written notice of resignation to the Chief Executive, the Group shall, as the first item of business at the next ensuing meeting, elect a successor
- (iii) The Chairman if present shall preside
- (iv) If the Chairman is absent, the Vice-Chairman shall preside
- (v) If the Chairman and Vice-Chairman are absent, the Policy Development Group shall elect one of the Members present as Chairman for the meeting

7.8 Work programme

The Policy Development Groups and working groups will, subject to the Cabinet/PDG Liaison Group's direction, be responsible for setting their own work programme and in doing so they shall take into account wishes of members on that Group who are not members of the largest political group on the Council.

7.9 Agenda items

Any member of a Policy Development Group shall be entitled to give notice to the Proper Officer that he or she wishes an item relevant to the functions of the Policy Development Group to be included on the agenda for the next available meeting of the Policy Development Group. On receipt of such a request the proper officer will ensure that it is referred to the Cabinet and Policy Development Liaison Group for allocation to an agenda.

Any five members of the Council who are not members of a Policy Development Group may give written notice to the Proper Officer that they wish an item to be included on the agenda of the relevant Policy Development Group. If the Proper Officer receives such notification, then he or she will refer the item to the Cabinet and Policy Development Liaison Group for inclusion on the next available agenda of the relevant Policy Development Group for consideration.

These Groups shall also respond, as soon as their work programme permits, to requests from the Council and the Cabinet to review particular areas of Council activity. Where they do so, they shall report their findings and any recommendations back to the Cabinet and/or Council. The Council and/or the Cabinet shall consider the report within six weeks of receiving it.

7.10 Policy review and development

- (i) The role of the Policy Development Groups in relation to the development of the Council's budget and policy framework is set out in detail in the Budget and Policy Framework Procedure Rules
- (ii) In relation to the development of the Council's approach to other matters not forming part of its policy and budget framework, Policy Development Groups may make proposals to the Cabinet for developments in so far as they relate to matters within their terms of reference
- (iii) Policy Development Groups may hold inquiries and investigate the available options for future direction in policy development and may appoint advisors and assessors to assist them in this process. They may go on site visits, conduct public surveys, hold public meetings, commission research and do all other things that they reasonably consider necessary to inform their deliberations. They may ask witnesses to attend to address them on any matter under consideration and may pay to any advisers, assessors and witnesses a reasonable fee and expenses for doing so.

7.11 Reports from a Policy Development Group

- (i) Once it has formed recommendations on proposals for development, the Policy Development Group will prepare a formal report and submit it to the Proper Officer for consideration by the Cabinet – (if the proposals are consistent with the existing budgetary and policy framework), or to the Council as appropriate (e.g. if the recommendation would require a departure from or a change to the agreed budget and policy framework).
- (ii) If a Policy Development Group cannot agree on one single final report to the Council or Cabinet (as appropriate) then up to one minority report may be prepared and submitted for consideration by the Council or Cabinet with the majority report.

- (iii) The Council or Cabinet shall consider the report of the Policy Development Group within six weeks of it being submitted to the Proper Officer.

7.12 Making sure that reports are considered by the Cabinet

- (i) The agenda for Cabinet meetings shall include an item entitled 'Issues arising from Policy Development Groups.' The reports of Policy Development Groups referred to the Cabinet shall be included at this point in the agenda (unless they have been considered in the context of the Cabinet deliberations on a substantive item on the agenda) within two months of the Policy Development Group completing its report/recommendations.
- (ii) Once a Policy Development Group has completed its deliberations on any matter it will forward a copy of its final report including any minority reports to the proper officer who will allocate it to either or both the Cabinet and the Council for consideration, according to whether the contents of the report would have implications for the Council's budget and policy framework. If the proper officer refers the matter to Council, he or she will also serve a copy on the Leader with notice that the matter is to be referred to Council. The Cabinet will have up to 6 weeks in which to respond to the policy development report, and the Council may not consider it within that period. When the Council does meet to consider any referral from the Policy Development Group on a matter which would impact on the budget and policy framework, it shall also consider the response of the Cabinet to the proposals.
- (iii) Where a Policy Development Group prepares a report for consideration by the Cabinet in relation to a matter where the Leader or Council has delegated decision making power to another member of the Cabinet, then the Policy Development Group will submit a copy of their report to that individual for consideration. At the same time they will serve a copy on the proper officer and the Leader. If the member with delegated decision making power does not accept the recommendations of the Policy Development Group then he or she must then refer the matter to the next available meeting of the Cabinet for debate before exercising his or her decision making power and responding to the report in writing to the Policy Development Group. The Cabinet member to whom the decision making power has been delegated will respond to the Policy Development Group within 6 weeks of receiving it. A copy of his or her written response to it shall be sent to the proper officer and he or she will attend a future meeting to respond.

Policy Development Groups will in any event have access to the Cabinet's Schedule of Decisions for decisions and intentions for consultation. Even where an item is not the subject of detailed proposals from a Policy Development Group following consideration of possible policy/service developments, the Group will at least be able to respond in the course of the Cabinet consultation process in relation to any key decision.

7.13 Rights of Policy Development Group members to documents (Access to Information Procedure Rules)

7.13.1 A member of a Policy Development Group is entitled to a copy of any document which

- (i) Is in the possession or under the control of the Cabinet
- (ii) Contains material relating to
 - (a) Any business that has been transacted at a meeting of a decision-making body of the Council
 - (b) Any decision that has been made by an individual member of the Cabinet in accordance with executive arrangements
 - (c) Any decision that has been made by an officer of the authority in accordance with executive arrangements

7.13.2 Where a member of a Policy Development Group requests a document which falls within paragraph 7.14.1, the Cabinet must provide that document as soon as reasonably practicable and in any case no later than 10 clear days after the Cabinet received the request.

7.13.3 No member of a Policy Development Group is entitled to a copy

- (i) Of any such document or part of a document as contains exempt or confidential information unless that information is relevant to
 - (a) An action or decision that the Member is reviewing or scrutinising
 - (b) Any review contained in any programme of work of a Policy Development Group or sub-committee of such a Group.
- (ii) Of a document or part of a document containing advice provided by a political advisor or assistant.

7.13.4 Where the Cabinet determines that a Member of a Policy Development Group is not entitled to a copy of a document or part of any such document for a reason set out in paragraph 7.14.3 it must provide the Policy Development Group with a written statement setting out its reasons for that decision.

7.14 Additional Rights of Access for Members (Access to Information Procedure Rules)

7.14.1 Any document which

- (i) Is in the possession or under the control of the Cabinet
- (ii) Contains material relating to any business to be transacted at a public meeting, must be available for inspection by any member of the Council

7.14.2 Any document which is required by paragraph 7.15.1 to be available for inspection by any member of the Council must be available for such inspection for at least five clear days before the meeting except

- (i) Where the meeting is convened at shorter notice, such a document must be available for inspection when the meeting is convened
- (ii) Where an item is added to the agenda at shorter notice, a document that would be required to be available under paragraph 7.14.1 in relation to that item, must be available for inspection when the item is added to the agenda.

7.14.3 Any document which

- (i) is in the possession or under the control of the Cabinet; and
- (ii) contains material relating to
 - (a) Any business transacted at a private meeting
 - (b) Any decision made by an individual member in accordance with executive arrangements
 - (c) Any decision made by an officer in accordance with executive arrangements, must be available for inspection by any member of the Council when the meeting concludes or where an executive decision is made by an individual member or an officer immediately after the decision has been made

7.14.4 Any document which is required by paragraph 7.14.3 to be available for inspection by any member of the relevant local authority must be available for such inspection, in any event, within 24 hours of the conclusion of the meeting or the decision being made, as the case may be.

7.14.5 Paragraphs 7.14.1 and 7.14.3 do not require a document to be available for inspection if it appears to the proper officer that it discloses exempt information of a description falling within Part 1 of Schedule 12A to the Local Government 1972 Act (descriptions of exempt information England).

7.14.6 Notwithstanding paragraph 7.14.5, paragraphs 7.14.1 and 7.14.3 do require the document to be available for inspection if the information is information of a description for the time being falling within

- (i) paragraph 3 of Schedule 12A to the 1972 Act (except to the extent that the information relates to any terms proposed or to be proposed by or to the authority in the course of negotiations for a contract)
- (ii) paragraph 6 of Schedule 12A to the 1972 Act

7.14.7 Where it appears to the proper officer that compliance with paragraph 7.15.1 or 7.15.3 in relation to a document or part of a document would involve the

disclosure of advice provided by a political advisor or assistant that paragraph will not apply to that document or part.

7.14.8 The rights conferred by paragraphs 7.15.1 and 7.15.3 are in addition to any other rights that a member of a local authority may have.

7.14.9 In addition to their rights as Councillors, members of Policy Development Groups have the additional right to documents, and to notice of meetings as set out in the Access to Information Procedure Rules in Article 16.

Nothing in this paragraph prevents more detailed liaison between the Cabinet and a Policy Development Group as appropriate depending on the particular matter under consideration, which should, wherever possible, be progressed via the Cabinet and Policy Development Liaison Group process.

7.15 Members and Officers giving account

- (i) Any Policy Development Group or constituted working group of a Policy Development Group may, as well as reviewing documentation in fulfilling the policy development role, require any member of the Cabinet, the Head of Paid Service and/or any senior officer to attend before it to advise in relation to matters within their remit and it is the duty of those persons to attend if so required.
- (ii) Where any member or officer is required to attend a Group meeting or working group under this provision, the Chairman of that Group will inform the proper officer. The proper officer shall inform the member or officer in writing giving at least 5 working days notice of the meeting at which he or she is required to attend. The notice will state the nature of the item on which he or she is required to attend to give account and whether any papers are required to be produced for the Group or working group. Where the account to be given to the Group or working group will require the production of a report, then the member or officer concerned will be given sufficient notice to allow for preparation of that documentation.
- (iii) Where a Cabinet member who holds the appropriate Portfolio is required to attend a Policy Development Group meeting he or she will be expected to answer written questions from Group members provided 5 working days notice has been given (unless the Chief Executive agrees that the question is urgent). In such situations the Cabinet Member who holds the appropriate Portfolio would be expected to attend and answer such questions unless he or she was unable to do so due to unforeseen circumstances or prior commitment. Questions are restricted to a maximum of two from each member of the Group or constituted working group and must be asked within a period of fifteen minutes at the start of a Group or working group meeting.

- (iv) Where, in exceptional or unforeseen circumstances, the Cabinet member, member or officer is unable to attend on the required date then the Group or working group shall, in consultation with the member or officer arrange an alternative date for attendance.

7.16 Attendance

(a) Members of the Council

- (i) Subject to paragraph (ii), any member of the Council may attend any meeting of any Policy Development Group of which he or she is not a member.
- (ii) A member attending a meeting under paragraph (i) may remain at the meeting even though the public has been excluded unless the Policy Development Group, by resolution specifying the reason for doing so, requests him or her to leave.
- (iii) A member attending a meeting of the Policy Development Group under paragraph (i) may not take part in the Policy Development Group's discussion of any item unless invited to do so by the Policy Development Group.
- (iv) A member attending the Policy Development Group under paragraph (a) shall not take part in the voting on any item.
- (v) Paragraph (i) shall not entitle a member of the Council to attend any meeting of a Policy Development Group of which he or she is not a member whilst any matter in which he or she has a pecuniary interest under the Members Code of Conduct, is under discussion.

(b) General

A Policy Development Group or constituted working group may invite people other than those people referred to in rule 7.15 above to address it, discuss issues of local concern and/or answer questions. It may for example wish to hear from residents, stakeholders, Members and officers in other parts of the public sector and shall invite such people to attend. Subject to any subsequent statutory provision, attendance is entirely optional.

(c) Cabinet Portfolio Holders

All Cabinet Portfolio Holders have the right to attend and speak at Policy Development Group meetings relevant to their Portfolio

7.17 Matters within the remit of more than one Policy Development Group

Where a matter for consideration by a Policy Development Group or a constituted working group also falls within the remit of one or more other such Group, the decision as to which Policy Development Group will consider it will be resolved by the Cabinet and Policy Liaison Group.

7.18 Cabinet and Policy Development Liaison Group

(a) Co-ordinating Policy Development

The Liaison Group will meet to co-ordinate the work of the Policy Development Groups.

(b) Membership and Chairman

The Liaison Group will comprise the Chairman and Vice-Chairman of each of the three Policy Development Groups and the seven members of the Cabinet. The Chairmanship of this meeting will fall to the Chairs of the PDGs on a rolling programme. All members of this Liaison group will have voting rights.

(c) Terms of Reference

The Liaison Group will meet quarterly with the following terms of reference

- (i) To feed into the development of the work programme for the Policy Development Groups ensuring the content of the work programme is balanced throughout the municipal year and allows for shifts in areas of priority
- (ii) To ensure that Members are aware of emerging key issues and that Policy Development Groups consider matters relevant to their Groups
- (iii) To consider areas for policy development and, in relation to cross-cutting matters, to determine which Policy Development Group, having regard for prescribed areas of interest and existing workloads, may most appropriately be tasked with bringing forward proposals
- (iv) To monitor the progress of policy development and other work but not to seek to influence or control the direction of such work
- (v) To coordinate matters being referred to Council and/or the Cabinet so as not to overload timetables
- (vi) To appoint any cross-cutting working groups or ad hoc panels for time limited investigations and reviews
- (vii) To establish effective feedback and instruction to appropriate officers following each meeting including input into pre-agenda meetings between PDG Chairmen and the Senior Management Team
- (viii) To resolve any disputes on terms of reference of the Policy Development Groups

Article 8 – The Cabinet

The Cabinet is at the heart of the day-to-day decision making process. It also has a key role in proposing the budget and policy framework to the Council. It includes provision for decision-making by individual Councillors.

8.1 Form and composition

The Cabinet will consist of the Leader together with at least two but not more than nine Councillors appointed to the Cabinet by the Leader

8.2 Cabinet Membership

Portfolio	Cabinet Member

8.2 Leader with Cabinet

(a) Role

The Cabinet will carry out all of the local authority's functions that are not the responsibility of any other part of the local authority, whether by law or under this Constitution provided the matter is not one that a Council's Executive is by law precluded from resolving.

(b) Leader

The Leader will be a Councillor elected to the position by the Council. The Leader will hold office until

- (i) He or she resigns from the office
- (ii) He or she is no longer a Councillor
- (iii) The expiry of a four year term which will be extended to end on the day of the next post-election annual meeting of the Council.
- (iv) An executive leader may only be removed from office by resolution of the Council in accordance with Section 91A or Regulations under section 91D of the Local Government Act 2000 (as amended).

The Leader will

- Determine the size of the Cabinet
- Appoint members to the Cabinet
- Allocate Portfolio areas to Cabinet Members
- Allocate decision-making power to Cabinet and individual Cabinet Members
- Remove and replace Cabinet Members.

8.3 Other Cabinet Members (including the Deputy Leader)

Only Councillors may be appointed to the Cabinet. There may be no co-optees and no substitutes for Cabinet members. Neither the Chairman nor Vice-Chairman of the Council may be appointed to the Cabinet. Members of the Cabinet (including the Leader) may not be members of the Scrutiny Committee or the PDGs

Other Cabinet Members, including the Deputy Leader, shall hold office until whichever of the following events shall first occur

- (i) They resign from office
- (ii) They are no longer Councillors
- (iii) They are removed from office, either individually or collectively, by resolution of the Council
- (iv) Until the next annual meeting of the Council
- (v) The Leader rearranges Portfolios and/or Cabinet members
- (vi) The Leader removes a Cabinet Member from his or her post

The Leader may at his or her discretion appoint Councillors to support Cabinet Members to assist with their work in shaping and developing the priorities of the Council so far as it relates to individual portfolios provided that any support member so appointed will not exercise any Executive function of a Cabinet Member and no special responsibility allowance can be made.

8.4 Proceedings of the Cabinet

8.4.1 Who may make Cabinet Decisions?

The arrangements for the discharge of Executive functions are set out below. If they are not set out there, then the Leader may decide how they are to be exercised. In either case, the arrangements or the Leader may provide for Executive functions to be discharged by

- (i) The Cabinet as a whole
- (ii) A committee of the Cabinet
- (iii) An individual member of the Cabinet
- (iv) An officer
- (v) An area committee
- (vi) Joint arrangements
- (vii) Another local authority

8.4.2 Delegation by the Leader

At the annual meeting of the Council, the Leader will present to the Council a written record of delegations made by him or her for inclusion in the Council's scheme of delegation in Article 14 of this Constitution. The document presented by the Leader will contain the following information about executive functions in relation to the coming year

- (i) The names, addresses and Wards of the people appointed to the Cabinet by the Leader
- (ii) The extent of any authority delegated to Cabinet members individually including details of the limitation on their authority
- (iii) The terms of reference and constitution of such Cabinet committees as the Leader appoints and the names of Cabinet Members appointed to them
- (iv) The nature and extent of any delegation of Executive functions to area committees, any other authority or any joint arrangements and the names of those Cabinet members appointed to any joint committee for the coming year
- (vi) The nature and extent of any delegation to officers with details of any limitation on that delegation and the title of the officer to whom the delegation is made

8.4.3 Sub-delegation of executive functions

- (i) Where the Cabinet, a Cabinet committee or an individual Cabinet member is responsible for an Executive function, they may delegate further to an area committee, joint arrangements or an officer
- (ii) Unless the Council directs otherwise, the Cabinet may further delegate any functions that have been delegated to it by the Leader to a Cabinet committee or to an officer.

- (iii) Unless the Leader directs otherwise, a Cabinet committee to whom functions have been delegated by the Leader may delegate further to an officer.

8.4.4 The Council's scheme of delegation and Executive functions

- (i) Subject to (ii) below the Council's scheme of delegation will be subject to adoption by the Council and may only be amended by the Council. It will contain the details required in [this Article](#) and set out in Article 14 of this Constitution.
- (ii) If the Leader is able to decide whether to delegate Executive functions, he or she may amend the scheme of delegation relating to Executive functions at any time during the year. To do so, the Leader must give written notice to the proper officer and to the person, body or Committee concerned. The notice must set out the extent of the amendment to the scheme of delegation and whether it entails the withdrawal of delegation from any person, body, committee or the Cabinet as a whole. The proper officer will present a report to the next ordinary meeting of the Council setting out the changes made by the Leader.
- (iii) Where the Leader seeks to withdraw delegation from a committee, notice will be deemed to be served on that committee when the Leader has served it on its chairman.

8.4.5 Conflicts of Interest

- (i) Where the Leader has a conflict of interest this should be dealt with as set out in the Council's Code of Conduct for Members in [Part xx](#) of this Constitution.
- (ii) If every member of the Cabinet has a conflict of interest this should be dealt with as set out in the Council's Code of Conduct for Members in Part 5 of this Constitution.
- (iii) If the exercise of an Executive function has been delegated to a Cabinet committee, an individual Cabinet member or an officer, and a conflict of interest arises, then the function will be exercised in the first instance by the person or body by whom the delegation was made and otherwise as set out in the Council's Code of Conduct for Members in Part 5 of this Constitution. In particular there should be
- Early disclosure of any interest
 - A written record identifying the nature of the interest

8.4.6 Cabinet meetings

The Cabinet will meet at least 12 times per year to be agreed by the Leader. The Cabinet shall meet at the Council's main offices or another location to be agreed by the Leader.

8.4.7 Where there is a requirement to hold a Cabinet meeting in private

- (i) At least 28 clear days before a private meeting, the Cabinet must
 - Make available at the designated offices a notice of its intention to hold the meeting in private
 - Publish that notice on the website
- (ii) Any such notice must include a statement listing the reasons why the meeting is to be held in private
- (iii) At least five clear days before a private meeting, the Cabinet must
 - Make available at the designated offices a further notice of its intention to hold the meeting in private
 - Publish that notice on its website
- (iv) Any such notice must include
 - A statement of the reasons why the meeting is to be held in private
 - Details of any representations received by the Cabinet about why the meeting should be open to the public
 - A statement of its response to any such representations
- (v) Where the date by which a meeting must be held makes compliance with this requirement impracticable, the meeting may only be held in private where the Cabinet has complied with Rule 15.6 (b) (iv).

8.4.7 Attendance at Private meetings of the Cabinet

a) Members

- (i) All members of the Cabinet may attend
- (ii) Notice of private meetings of the Cabinet will be served on the Chairmen of all Policy Development Groups and the Scrutiny Committee at the same time as notice is served on members of the Cabinet. Where a Policy Development Group or the Scrutiny Committee does not have a Chairman, the notice will be served on all members of that Group and/or Committee

- (iii) Where a matter under consideration at a private meeting of the Cabinet is within the remit of a Policy Development Group or the Scrutiny Committee, the Chairman of that Group or Committee and/or the Vice-Chairman, may attend that private meeting with the consent of the person presiding, and speak if those present agree

b) Officers

- (i) The Head of Paid Service, the Chief Finance Officer and the Monitoring Officer and their nominees are entitled to attend any meeting of the Cabinet. The Cabinet may not meet unless the Chief Executive has been given reasonable notice that a meeting is to take place
- (ii) A private Cabinet meeting may only take place in the presence of the Monitoring Officer or his or her nominee with responsibility for recording and publicising the decisions
- (iii) Other than the legal requirements, consideration will be given to the principles of decision-making set out in Article 15 of this Constitution

8.4.8 Quorum

The quorum for a meeting of the Cabinet, or a Committee of it, shall be one third of the total number of members of the Cabinet (including the Leader) or 3 including the Leader, whichever is the larger.

8.4.9 How decisions are to be taken by the Cabinet

- (i) Executive decisions which have been delegated to the Cabinet as a whole will be taken at a meeting convened in accordance with the Access to Information Rules contained in Article 16 of the Constitution.
- (ii) Where Executive decisions are delegated to a Cabinet committee, the rules applying to Cabinet decisions taken by them shall be the same as those decisions taken by the Cabinet as a whole.

8.5 How Cabinet Meetings are conducted

8.5.1 Who presides?

If the Leader is present he or she will preside. In his or her absence, then a person appointed to do so by those present shall preside.

8.5.2 Who may attend?

These details are set out in the Access to Information Rules contained in Article 15 of this Constitution. It is a matter for the Cabinet to determine whether these rules should be widened, for example to enable members of

the public to attend meetings that would otherwise be private. Subject to Access to Information Rule 21, (Chairmen and Vice Chairmen of Policy Development Groups and Scrutiny Committee), non-Cabinet Councillors will be permitted to attend private meetings of the Cabinet only by invitation of the Leader, and to speak in relation to specific items on the agenda only if the Leader's prior consent has been obtained. Such consent to speak shall also be required in relation to items on the agenda of open Cabinet meetings.

The Leader has determined that requests for such consent to speak shall be made in writing, delivered to the Leader, Chief Executive or proper officer no later than noon on the preceding working day.

8.5.3 Business on the agenda

At each meeting of the Cabinet the following business will be conducted

- i) Consideration of the minutes of the last meeting
- ii) Disclosures of interest if any
- iii) Matters referred to the Cabinet (whether by a Scrutiny Committee, Policy Development Group or by the Council) for reconsideration by the Cabinet in accordance with the provisions contained in Articles 6 or 7 or the Budget and Policy Framework Procedure Rules set out in Article 4 of this Constitution
- (iv) Consideration of reports from Policy Development Groups and the Scrutiny Committee
- (v) Matters set out in the agenda for the meeting. The agenda must indicate which items are key decisions and which are not in accordance with the Access to Information Procedure rules set out in Article 15 Decision Making of this Constitution
- (vi) Chairmen or Vice-Chairmen of Policy Development Groups and the Scrutiny Committee are able to speak at Cabinet meetings before debate of an item relevant to their Group or Committee

8.5.4 Consultation

All reports to the Cabinet from any member of the Cabinet or an officer on proposals relating to the budget and policy framework must contain details of the nature and extent of consultation with stakeholders and relevant Policy Development Groups and Scrutiny Committee, and the outcome of that consultation. Unless in case of urgency, the Cabinet will consult with the relevant Policy Development Group and the Scrutiny Committee on the following plans and strategies to be adopted by Cabinet as a matter of local choice

- Economic Development
- Housing Strategy
- Equality and Diversity in Employment Policy
- Health and Safety Policy
- Data Protection Policy
- Freedom of Information Publication Scheme
- Environmental Health Services Enforcement Policy
- Regulation of Investigatory Powers Act Policy
- All other future plans and strategies that feature in the Schedule of Decisions as Policy Framework Proposals not within the Council's Policy Framework according to Article 4.1 of this Constitution.
- Key human resources and organisational development strategies and policies that have significant financial implications.

Reports about other matters will set out the details and outcomes of consultation where appropriate. The level of consultation required will be appropriate to the nature of the matter under consideration.

8.6 Who can put items on the Cabinet agenda?

- 8.6.1** The Leader will decide upon the schedule for the meetings of the Executive. He or she may put on the agenda of any Cabinet meeting any matter that he or she wishes, whether or not authority has been delegated to the Cabinet, a Cabinet committee or any member or officer in respect of that matter. The proper officer will comply with the Leader's requests in this respect.
- 8.6.2** There will be a standing item on the agenda of each meeting of the Cabinet for matters referred to it by the Scrutiny Committee, Policy Development Groups and from the Council. However there may only be up to 3 such items per Cabinet meeting.
- 8.6.3** The Monitoring Officer and/or the Chief Finance Officer may include an item for consideration on the agenda of a Cabinet meeting and may require the proper officer to call such a meeting in pursuance of their statutory duties. In other circumstances, where any two of the Head of Paid Service, Chief Finance Officer and Monitoring Officer are of the opinion that a meeting of the Cabinet needs to be called to consider a matter that requires a decision, they may jointly include an item on the agenda of a Cabinet meeting. If there is no meeting of the Cabinet soon enough to deal with the issue in question, then the person(s) entitled to include an item on the agenda may also require that a meeting be convened at which the matter will be considered.

8.7 Responsibility for Functions

The Leader will maintain a list in this Constitution setting out which individual members of the Cabinet, Cabinet committees, officers or joint arrangements are responsible for the exercise of particular Executive functions.

8.8 Consideration of reports from external auditors

The Cabinet is to be responsible for the initial consideration of reports from the Council's external auditors with pertinent items being forwarded to the Governance and Audit Committee.

Article 9 – Regulatory Committees

The Council will appoint quasi-judicial regulatory committees to be known as the Development Control Committee and Licensing Committee comprising of 28 Members (Development Control Committee 17, Licensing Committee 11). Regulatory Committees must comply with the political balance rules in Section 15 of the Local Government & Housing Act 1989.

9.1 Development Control Committee

9.1.1 Composition

- i) The Development Control Committee will be composed of 17 members and must conform with the Political Balance Rules in Section 15 of the Local Government and Housing Act 1989
- ii) Membership of the Development Control Committee will be subject to having appropriate skill, experience and mandatory training

9.1.2 Substitute members

- i) [Members substituting on Development Control Committee must have received the required mandatory training.](#)
- ii) Substitute members may attend meetings in that capacity only
 - a) To take the place of the ordinary member for whom they are the designated substitute
 - b) Where the ordinary member will be absent for the whole of the meeting
 - c) After the Group Leader has notified either the [Executive Manager, Corporate](#) or any other person so authorised by [the Executive Manager, Corporate](#) prior to the commencement of the meeting of an appropriate substitution

9.1.3 Co-option

- (i) The Committee shall not co-opt members under section 102 of the Local Government Act 1972 or Section 21 of the Local Government Act 2000 without the approval of the Council
- (ii) The Council may approve the co-option of members to any Committee for such limited periods or for such specific purposes as the Council sees fit

9.1.4 Attendance of Members of the Council

- (i) Subject to paragraph (ii), any member of the Council may attend any meeting of any Committee of which he or she is not a member
- (ii) A member attending a meeting under paragraph (i) may remain at the meeting even though the public has been excluded unless the

Committee, by resolution specifying the reason for doing so, requests him or her to leave

- (iii) A member attending a meeting of the Committee under paragraph (i) may not take part in the Committee's discussion of any item unless invited to do so by the Committee
- (iv) A member attending a meeting of a Committee under paragraph (i) shall not take part in the voting on any item
- (v) Paragraph (i) shall not entitle a member of the Council to attend any meeting of a Committee of which he or she is not a member whilst any matter in which he or she has a pecuniary interest under the Members' Code of Conduct, is under discussion.

9.1.5 Functions

- i) To carry out the Council's functions relating to town and country planning and development control legislation as specified in Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (the Functions Regulations)
- ii) To carry out functions relating to High Hedges pursuant to Part 8 of the Anti-Social Behaviour Act 2003

9.1.6 Meetings of the Development Control Committee

- (i) Ordinary meetings of the Committee shall be held dates set by the Council shall at its annual meeting
- (ii) The Committee may hold such special meetings as they consider necessary
- (iii) The Chairman or, in his or her absence, the Vice-Chairman may call a special meeting of the Committee at any time
- (iv) If the Chairman or Vice-Chairman is unable or unwilling to call a special meeting, any quorum of the Committee may do so by written notice given to the Chief Executive
- (v) No business shall be transacted at a special meeting of a Committee unless notice of that business has been given in writing to all members of the Committee

9.1.7 Chairman and Vice-Chairman

- (i) At the Annual Meeting the Council shall appoint the Chairman and Vice-Chairman of the Development Control Committee

- (ii) If the Chairman or Vice-Chairman resigns by giving written notice of resignation to the Chief Executive, the committee shall, as the first item of business at the next ensuing meeting, elect a successor
- (iii) The Chairman if present, shall preside
- (iv) If the Chairman is absent, the Vice-Chairman shall preside
- (v) If the Chairman and Vice-Chairman are absent, the Committee shall elect one of the members present as Chairman of the meeting

9.1.8 Powers of Chairman and Vice-Chairman

- (i) The Chairman and Vice-Chairman of a Committee (acting together as a Sub-committee) are authorised to give decisions on any matter:
 - (a) Of a routine or straight-forward nature
 - (b) Which the Chairman and Vice-Chairman, after consultation with the [Strategic Director](#) or [Executive Manager](#) most directly concerned, are satisfied should be dealt with as a matter of urgency
- (ii) Any decision taken under paragraph (i) above shall be reported by the officer concerned to the next meeting of the Committee.
- (iii) No decision shall be taken under paragraph (i) which would constitute a departure from a settled strategy, policy or programme of the Council, nor outside the powers of the Committee concerned.

9.1.9 Rules of procedure

The Rules of Procedure for Development Control Committee are the same as that for Council from Rule 4.5 excluding the following

- Rule 4.7 Public Open Forum
- Rule 4.12 State of the District Debate
- Rule 4.18.2 Standing to speak are excluded. ([Article 4](#))

a) Public Speaking at Development Control

- (i) Any person wishing to speak at the meeting shall notify the Committee Administrator or other appointed officer at least 24 hours prior to the meeting. Any person failing to make such a notification will not be allowed to speak. Notification will not necessarily guarantee a right to speak.
- (ii) All speakers and questions are at the Committee Chairman's (or Vice-Chairman's) discretion.

- (iii) The application will initially be given a short presentation by the relevant officer.
- (iv) The order of addressing the Committee will be
 - (a) District Councillor for Ward
 - (b) Any representation from Town/Parish Council
 - (c) Objectors to the application
 - (d) Any supporter of the application
 - (e) The applicant or agent for the application
- (v) Each person is allowed to speak for a maximum of 3 minutes and must be prepared to answer questions for information put by members
- (vi) Only one speaker for the applicant or for the Town/Parish Council will be allowed to speak. If there are several supporters or objectors to an application then they are encouraged to appoint a representative to present a joint case.
- (vii) Numbers of objectors who can speak will be dependent on the time of the meeting. The Chairman shall ensure equity of opportunity between various parties.
- (viii) Questions can only be asked by committee members and not by speakers other than for the purposes of clarification. Questions to officers shall not be asked and opinions by members should not be made, to avoid prejudicing the final committee decision.
- (ix) Questions to individual speakers should not exceed 10 minutes in total.
- (x) Speakers are advised that comments should be limited to material matters. Any derogatory or defamatory remarks may leave speakers open to legal action.
- (xi) Any person wishing to include photographs or any other information as part of their three minute address to the Committee must ensure that this information is received (if possible in an electronic format (e-mail with an attachment, memory stick, or disc)) by the relevant case officer at least one working day prior to the meeting. Hard copy information and/or photographs should be submitted to the relevant case officer at least two working days prior to the meeting. Material presented after these deadlines will be accepted at the discretion of the Chairman of the Development Control Committee

b) Rules of Debate for Planning Applications

- (a) The planning officer will provide a brief description of the matter and the relevant considerations and update the Committee on any matters arising on the item since the agenda was published
- (b) The Chairman will invite those members of the public entitled to speak under the Council's Public Speaking at Development Control rules (see 9.2 ii below) to address the Committee in the following order

c) Refusing an application

The Development Control Committee shall only have delegated power to refuse an application against the clearly expressed advice from the Executive Manager, Development and Growth if it has acted in accordance with the following

- (i) If any such motion is put and seconded, the members so proposing and seconding the motion shall express the necessary planning reason for the motion at the meeting for consideration of the matter. If no such reasons are provided or the Executive Manager Growth & Development considers that the reasons given are not valid planning reasons or cannot be supported by evidence then the rules detailed below at clause 9.1.9 c (ii), (iii), (iv), (v) and (vi) shall prevail
- (ii) If any such motion is put and seconded, the Chairman or Vice-Chairman shall before any vote is taken, inform the Committee and the public of these provisions.
- (iii) On first consideration the Committee is not empowered to determine the application against the officer recommendation. If the Committee is minded to do this it must pass a resolution stating that on the basis of the consideration to date, it is minded to refuse the application and therefore requires to defer making a decision pending the receipt and consideration of further information clarifying the proposed reasons for refusal and the planning officers' responses to those reasons.
- (iv) This vote must be recorded and all members who support it must within the next five working days provide to the Executive Manager, Development and Growth, the planning reasons for their view and the evidence that supports it.
- (v) The application shall be placed on the agenda for consideration at the next Development Control Committee. At this meeting the Development Control Committee shall have the power to determine the application, but, before doing so the Executive Manager, Development and Growth, having assessed the

information provided to him or her, shall inform the Committee whether, in his or her opinion, the reasons advanced are substantial enough for the authority to defend the decision at an inquiry. In light of this additional information members may then determine, without being fettered by their vote at the previous meeting.

- (vi) The second vote must also be recorded and any member who votes to refuse the application in contravention of the officer recommendation must be willing to appear for the authority and give evidence regarding the reasons for their decision at any planning inquiry.

d) Recorded Vote

Before a vote is taken if 5 Members present at the meeting demand it, the names for and against a motion or amendment or abstaining from voting will be recorded and entered into the minutes

9.2 Licensing Committee

9.2.1 Composition

- i) The Licensing Committee will be composed of 11 members and must conform with the Political Balance Rules in Section 15 of the Local Government and Housing Act 1989
- ii) Membership of the Licensing Committee will be subject to having appropriate skill, experience and mandatory training

9.2.2 Terms of Reference

Taxi, gaming, entertainment, food and miscellaneous licensing – functions relating to licensing and registration as set out in Schedule 1 to the Functions Regulations.

9.2.3 Delegation to officers

A list of powers delegated to the Executive Manager Environment may be found in Article 14 of this Constitution.

9.2.4 Rules of procedure

The Rules of Procedure for Licensing Committee are the same as that for Council from Rule 4.5 excluding the following

- Rule 4.7 Public Open Forum
- Rule 4.12 State of the District Debate
- Rule 4.18.2 Standing to speak are excluded. (Article 4)

9.2.5 Order of the agenda

The order of the agenda for Licensing Committee will be as follows

- (i) Apologies
- (ii) Disclosure of Interests
- (iii) Minutes of previous meeting
- (iv) Applications dealing with /renewals/revocations/accumulation of points for Hackney Carriage/Private Hire drivers/vehicles
- (v) Applications for Licenses made under the Licensing Act 2003
- (vi) Any other report dealing with Licensing functions (Policy documents, etc.)

9.3 Alcohol, Entertainment and Late Night Refreshment Licensing Committee

9.3.1 Membership

Alcohol, Entertainment and Late Night Refreshment Licensing Committee to consist of 11 members of the existing Council's Licensing Committee, appointed by the Council, at or as soon as reasonably practicable after the Annual Council meeting.

9.3.2 Terms of Reference

The purpose of the Committee is to undertake and exercise functions of the licensing authority as allocated to the committee under the Licensing Act 2003, together with any associated functions of the Council.

9.3.3 Sub-Committee

The sub-committee of the Alcohol, Entertainment and Late Night Refreshment Licensing Committee shall comprise three members of that Committee.

9.3.4 Rules of procedure

The Rules of Procedure for Licensing Committee are the same as that for Council subject to the following

- Rule 4.7 Public Open Forum
- Rule 4.12 State of the District Debate
- Rule 4.18.2 Standing to speak are excluded. (Article 4)

9.3.5 Order of the agenda

The order of the agenda for Alcohol, Entertainment and Late Night Refreshment Licensing Committee

- (i) Apologies
- (ii) Disclosure of Interests
- (iii) Minutes of the previous meeting
- (iv) Applications/reviews made under Licensing Act 2003
- (v) Any other report dealing with Licensing functions (Policy Documents, etc.)

9.4 Protocol at Meetings of the Licensing Committee and the Alcohol, Entertainment and Late Night Refreshment Licensing Committee

- (i) The Solicitor to the Committee will introduce those present and confirm who is in attendance with regard to any applications before the Committee as follows

- Introduction of members and officers
 - Introduction of applicants
 - Introduction of statutory authorities (police, environmental health officials, etc.)
 - Confirmation of interested parties wishing to speak (residents, etc.)
- (ii) The Licensing officer will provide a description of the matter before the Committee and the relevant considerations and update the Committee on any matters arising on the item since the agenda was published. They can then be asked questions by those present in the following order
- Applicant
 - Panel (Committee)
 - Other interested parties
- (iii) The applicant will then present their application and respond to questions from the following parties
- Licensing officer
 - Panel
 - Other interested parties
- (iv) The statutory authorities will then make their representation and be questioned by the following
- Licensing officer
 - Applicant
 - Panel
 - Other interested parties
- (v) Any interested parties present will then make their representations and be questioned by the following
- Licensing officer
 - Panel
 - Applicant
 - Other interested parties
- (vi) The Licensing Officer will then give their closing statement and inform the Committee of all options open to them when determining the application before them
- (vii) The Applicant/interested parties will then give their closing statement
- (viii) All parties will then leave the committee room whilst the Committee deliberate the application before them

- (ix) Once the Committee has reached a decision all parties will be invited back to the Committee room and the decision(s) of the Committee will be read out

9.5 Meetings of the Licensing Committee

- (i) Ordinary meetings of the Committees shall be held on such dates as the Council shall at its annual meeting decide.
- (ii) The Committees may hold such special meetings as they consider necessary
- (iii) The Chairman or, in his or her absence, the Vice-Chairman may call a special meeting of the Committee at any time
- (iv) If the Chairman or Vice-Chairman is unable or unwilling to call a special meeting, any quorum of the Committee may do so by written notice given to the Chief Executive
- (v) No business shall be transacted at a special meeting of a Committee unless notice of that business has been given in writing to all members of the Committee

9.6 Chairman and Vice-Chairman

- (i) At the Annual Meeting the Council shall appoint the Chairman and Vice-Chairman of the Licensing Committee
- (ii) If the Chairman or Vice-Chairman resigns by giving written notice of resignation to the Chief Executive, the committee shall, as the first item of business at the next ensuing meeting, elect a successor
- (iii) The Chairman if present, shall preside
- (iv) If the Chairman is absent, the Vice-Chairman shall preside
- (v) If the Chairman and Vice-Chairman are absent, the Committee shall elect one of the members present as Chairman of the meeting

9.7 Powers of Chairman and Vice-Chairman

- (i) The Chairman and Vice-Chairman of a Committee (acting together as a Sub-committee) are authorised to give decisions on any matter
 - (a) Of a routine or straight-forward nature

- (b) Which the Chairman and Vice-Chairman, after consultation with the Chief Executive or relevant Executive Manager most directly concerned, are satisfied should be dealt with as a matter of urgency
- (ii) Any decision taken under paragraph (i) above shall be reported by the officer concerned to the next meeting of the Committee
- (iii) No decision shall be taken under paragraph (i) which would constitute a departure from a settled strategy, policy or programme of the Council, nor outside the powers of the Committee concerned

9.8 Co-option

- (i) The Committee shall not co-opt members under section 102 of the Local Government Act 1972 or Section 21 of the Local Government Act 2000 without the approval of the Council
- (i) The Council may approve the co-option of members to any Committee for such limited periods or for such specific purposes as the Council sees fit

9.9 Attendance of Members of the Council

- (i) Subject to paragraph (ii), any member of the Council may attend any meeting of any Committee of which he or she is not a member
- (ii) A member attending a meeting under paragraph (i) may remain at the meeting even though the public has been excluded unless the Committee, by resolution specify the reason for doing so, requests him or her to leave
- (iii) A member attending a Meeting of the Committee under paragraph (i) may not take part in the Committee's discussion of any item unless invited to do so by the Committee
- (iv) A member attending a meeting of a Committee under paragraph (i) shall not take part in the voting on any item
- (v) Paragraph (i) shall not entitle a member of the Council to attend any meeting of a Committee of which he or she is not a member whilst any matter in which he or she has a prejudicial interest under the Members Code of Conduct, is under discussion

9.10 Recorded Vote

Before a vote is taken if 5 Members present at the meeting demand it, the names for and against a motion or amendment or abstaining from voting will be recorded and entered into the minutes.

Article 10 – The Constitution Committee

The Council will establish a Constitution Committee.

10.1 Membership

- (i) The Constitution Committee will be composed of not less than five Councillors appointed annually at the annual Council meeting
- (ii) The Constitution Committee will comply with the political balance rules in Section 15 of the Local Government & Housing Act 1989.

10.2 Role and Function

- (i) To advise and propose to the Council amendments to the Constitution relating to all matters other than conduct and probity issues
- (ii) To receive and consider reports from the Monitoring Officer and/or Chief Executive in relation to proposed amendments to the Constitution
- (iii) To receive and consider reports from the Cabinet, relevant PDG and Scrutiny Committee which propose amendments to the Constitution
- (v) To monitor and review the operation of the Constitution

10.3 Rules of Procedure

The Rules of Procedure for the Constitution Committee are the same as that for Council (Article 4) from Rule 4.5 excluding the following:

- Rule 4.7 Public Open Forum
- Rule 4.12 State of the District Debate
- Rule 4.18.2 Standing to speak are excluded

Article 11 – The Governance and Audit Committee

The Council will establish and maintain a Governance and Audit Committee.

11.1 Membership

- (i) The Governance and Audit Committee will be composed of seven Councillors appointed annually at the Annual Council Meeting
- (ii) The Committee will comply with the Political Balance Rules in Section 15 of the Local Government and Housing Act 1989
- (iii) The Committee may appoint, as a co-opted member, an external appointee as a member of the Governance and Audit Committee with voting rights
- (iv) Membership of the Governance and Audit Committee will be subject to having the appropriate skill, experience and mandatory training set out at 11.4

11.2 Meetings of the Committee

- (i) Meetings will take place at least five times per annum
- (ii) Additional meetings will be arranged as required to consider exceptional items, etc.
- (iii) Appropriate officers of the Council along with the appointed internal and external auditors will be included as regular attendees
- (iv) The committee, led by the chairman may request private meetings with both the internal and external auditors.

11.3 Chairman and Vice-Chairman

- (i) At the Annual Meeting the Council shall appoint the Chairman and Vice-Chairman of the Governance and Audit Committee.
- (ii) If the Chairman or Vice-Chairman resigns by giving written notice of resignation to the Chief Executive, the committee shall, as the first item of business at the next ensuing meeting, elect a successor
- (iii) The Chairman if present, shall preside
- (iv) If the Chairman is absent, the Vice-Chairman shall preside
- (v) If the Chairman and Vice-Chairman are absent, the Committee shall elect one of the members present as Chairman of the meeting

11.4 Powers of Chairman and Vice-Chairman

- (i) The Chairman and Vice-Chairman of a Committee (acting together as a Sub-committee) are authorised to give decisions on any matter
 - (a) Of a routine or straight-forward nature
 - (b) Which the Chairman and Vice-Chairman, after consultation with the Chief Executive or relevant Executive Manager most directly concerned, are satisfied should be dealt with as a matter of urgency
- (ii) Any decision taken under paragraph (i) above shall be reported by the officer concerned to the next meeting of the Committee
- (iii) No decision shall be taken under paragraph (i) which would constitute a departure from a settled strategy, policy or programme of the Council, nor outside the powers of the Committee concerned.

11.5 Terms of Reference

Terms of Reference of the Governance and Audit Committee will be as follows:-

11.5.1 Audit Activity

- (i) To approve the appointment of internal auditors
- (ii) To approve (but not direct) internal audit's strategy, plan and monitor performance
- (iii) To review internal audit progress reports outlining the main issues arising, paying particular attention to reports with limited assurance
- (iv) To review the status of agreed internal audit recommendations to ensure implementation by the due date
- (v) To receive the annual report and opinion of the Head of Internal Audit
- (vi) To consider the appointment of external auditors
- (vii) To consider and/or review the reports of external audit, including the audit plan, annual letter and certification of grants and returns, etc.
- (viii) To review the effectiveness of the relationship between internal audit and external audit and that the value of the audit process is actively promoted in line with the Accounts and Audit Regulations
- (ix) To meet in private with the internal and external auditors at least annually

11.5.2 Risk Management

- (i) To approve the risk management strategy and framework
- (ii) To review the corporate risk register and other key risks (including partnerships) and seek assurances that appropriate mitigating action has been taken where necessary
- (iii) To approve the annual report on risk management activity and consider the effectiveness of the Council's overall arrangements for managing risk

11.5.3 Governance

- (i) To approve the Annual Governance Statement and ensure that in-year assurance statements completed by officers properly reflect the risk and control environment and any actions required to improve it
- (ii) To approve the Code of Corporate Governance and action plan
- (iii) To review the effectiveness of the governance arrangements underpinning the establishment and maintenance of key partnerships
- (iv) To consider the outcome of a self-assessment of the effectiveness of the Committee's work (at least bi-annually)
- (v) To produce a Chairman's Annual Report on the activities of the Committee and present to Council

11.5.4 Regulatory Framework

- (i) To review the Council's internal control policies – for example: Contract Procedure Rules, Financial Regulations, Codes of Conduct and customer feedback and any significant amendments or revisions to them
- (ii) To monitor, review and amend as appropriate the thresholds and limits contained in the Financial Regulations Guidance Notes
- (iii) To approve the Counter Fraud, Bribery and Corruption Framework, including Whistle-blowing Policy and Anti-Money Laundering Policy
- (iv) To monitor, review and amend as appropriate the Council's approved Treasury Management Strategy paying particular attention to the inherent risks of the prevailing economic/financial climate
- (v) To review the annual report on the effectiveness of the Council's Business Continuity arrangements

- (vi) To review the annual report on the effectiveness of the Council's Health and Safety arrangements
- (vii) To receive an annual report on the Council's involvement in safeguarding vulnerable adults and children
- (viii) To initiate inquiries on matters brought to the Committee's attention by the Chief Executive, Strategic Director, Executive Manager or any Council body

11.5.5 Accounts and Financial Reporting

- (i) To approve the annual statement of accounts and receive the external auditor's annual Governance Report on issues arising from the audit and the value for money opinion
- (ii) To approve the Annual Revenue and Capital Outturn report, including the movement of reserves
- (iii) To approve the Statement of Accounting Policies to be used in the production of the financial statements. In particular, to approve the underlying assumptions to be used to calculate International Accounting Standard (IAS) 19 pension figures in the statement of accounts
- (iv) To review and draw the attention of the Council to issues arising out of the financial statements and financial reports in accordance with the Local Government Act 2003

11.5.6 Ombudsman

- (i) To consider the Monitoring Officer's annual report on the outcome of Ombudsman enquiries
- (ii) To consider specific reports from the Ombudsman as required

11.6 Skills, experience and mandatory training required for Members of the Governance and Audit Committee

11.6.1 Skills

- (i) Ability to question, probe and seek clarification about complex issues
- (ii) Ability to contribute to free and open discussions covering a wide range of governance, risk and audit issues
- (iii) Ability to work closely with internal and external audit whilst recognising the respective roles of auditors and management

11.6.2 Experience

- (i) Familiar with the requirements of legislation and local arrangements for governance, including the role of this committee relative to the role of other committees of the Council.
- (ii) Familiar with the Council's core activities.
- (iii) Broad understanding of financial and accounting issues.
- (iv) Broad understanding of risk management and internal control.
- (v) Familiar with regulation and compliance.

11.6.3 Mandatory Training Requirements

a. Induction Training

- (i) Role of the committee
- (ii) Terms of reference
- (iii) Time input required of members
- (iv) Overview of Council activities
- (v) Financial, risk and control environment.

b. Specific Training

- (i) Financial reporting, including the statutory timetable.
- (ii) Governance agenda, including the six core principles of good governance
- (iii) Understanding financial statements
- (iv) Regulatory framework
- (v) Role of internal and external audit
- (vi) Importance of risk management and internal control.
- (vii) Awareness of counter fraud, bribery and corruption framework.

11.7 Rules of Procedure

The Rules of Procedure for the Governance and Audit Committee are the same as that for Council (Article 4) from Rule 4.5 excluding the following:

- Rule 4.7 Public Open Forum
- Rule 4.12 State of the District Debate
- Rule 4.18.2 Standing to speak are excluded.

11.8 Recorded Vote

Before a vote is taken if 5 Members present at the meeting demand it, the names for and against a motion or amendment or abstaining from voting will be recorded and entered into the minutes.

Article 12 – Area Based Consultation Mechanisms (ABCMs)

12.1 ABCMs

The Council may appoint such ABCMs as it sees fit, if it is satisfied that to do so will ensure improved service delivery in the context of best value and more efficient, transparent and accountable decision making.

12.2 Form, Composition and Function

If and when the Council appoints ABCMs, a table will be inserted here with the name, composition and terms of reference.

12.3 Delegations

The Council and the Cabinet will include details of the delegations to ABCMs in Part 3 of this Constitution, including the functions delegated, showing which are the responsibility of the Cabinet and which are not, the composition and membership, budgets and any limitations on delegation.

12.4 Conflicts of Interest – membership of ABCMs and Scrutiny Committee and PDGs

(a) Conflict of Interest

If the Scrutiny Committee is scrutinising specific decisions or proposals in relation to the business of the ABCM of which the Councillor concerned is a member, then the Councillor may not speak unless requested to do so by the Scrutiny Committee and may not vote at the Scrutiny Committee meeting unless a dispensation to do so is given.

(b) General Policy Reviews

Where the PDG is reviewing policy generally the member must declare his or her interest before or when the relevant agenda item is reached, but need not withdraw.

12.5 Area Based Consultation Mechanisms – Access to Information

ABCMs will comply with the Access to Information Rules contained in Article 15 of this Constitution.

Agendas and notices for ABCM meetings which deal with both functions of the Cabinet and functions which are not the responsibility of the Cabinet will state clearly which items are which.

12.6 Cabinet Members on Area Based Consultation Mechanisms

A member of the Cabinet may serve on an ABCM if otherwise eligible to do so as a Councillor.

Article 13 – Joint Arrangements

13.1 Arrangements to promote well being

The Council or the Cabinet, in order to promote the economic, social or environmental well-being of its area, may

- (i) Enter into arrangements or agreements with any person or body
- (ii) Co-operate with, facilitate or co-ordinate the activities of any person or body
- (iii) Exercise on behalf of that person or body any functions of that person or body

13.2 Joint Arrangements

The Council may establish joint arrangements with one or more local authority and/or their executives to exercise functions which are not executive functions in any of the participating authorities. Such arrangements may involve the appointment of joint committees with these other local authorities.

The Cabinet may establish joint arrangements with one or more local authority to exercise functions which are executive functions. Such arrangements may involve the appointment of joint committees with these other local authorities.

Except as set out below, the Cabinet may only appoint Cabinet members to a joint committee and those members need not reflect the political composition of the local authority as a whole.

The Cabinet may appoint members to a joint committee from outside the Cabinet in the following circumstances

- The joint committee has functions for only part of the area of the authority, and that area is smaller than two-fifths of the authority by area or population. In such cases, the Cabinet may appoint to the joint committee any Councillor who is a member for a ward which is wholly or partly contained within the area; the political balance requirements do not apply to such appointments.

Details of any joint arrangements including any delegations to joint committees will be found in the Council's scheme of delegations in Part 3 of this Constitution.

13.3 Access to Information

- (i) The Access to Information Rules contained in Article 15 of this Constitution apply

- (ii) If all the members of a joint committee are members of the executive in each of the participating authorities then its access to information regime is the same as that applied to the Cabinet
- (iii) If the joint committee contains members who are not on the executive of any participating authority then the access to information rules in Part 12 A of the Local Government Act 1972 will apply

13.4 Delegation to and from other local authorities

- (i) The Council may delegate non-executive functions to another local authority or, in certain circumstances, the executive of another local authority
- (ii) The Cabinet may delegate executive functions to another local authority or the executive of another local authority in certain circumstances
- (ii) The decision whether or not to accept such a delegation from another local authority shall be reserved to the Council

13.5 Contracting Out

The Council (for functions which are not executive functions) or the Cabinet (for executive functions) may contract out to another body or organisation functions which may be exercised by an officer and which are subject to an order under Section 70 of the Deregulation and Contracting Out Act 1994, or under contracting arrangements where the contractor acts as the Council's agent under usual contracting principles, provided there is no delegation of the Council's discretionary decision making. (*This Section applies to functions such as operation of the cemetery and leisure centres*)

Article 14 – Officers

14.1 Terminology

In this article “officers” means all employees and staff engaged by the Council to carry out its functions. This word also covers those engaged under short term, agency or other non employed situations under a contract for services.

A “proper officer” is a person who has responsibility for a particular statutory function or range of functions.

All officers must comply with the Officers’ Code of Conduct and the Protocol on Officer/Member Relations set out in Part ### of this Constitution.

The recruitment, selection and dismissal of officers will comply with the Officer Employment Rules set out in Part ### of this Constitution.

14.2 Management Structure

(a) Appointment

Appointment of staff cannot be the responsibility of the Cabinet. Appointment of staff below Chief Executive level is the responsibility of the Head of Paid Service or their nominee.

The Chief Executive is appointed by members of the Council.

(b) Proper Officer Functions

- (i) A proper officer shall nominate in writing another Officer of the Council to act as proper officer in his or her stead in the event that he or she is at any time absent or unable to act as such proper officer.
- (ii) Without prejudice to specific appointments as proper officers the Chief Executive and the Executive Managers are proper officers of the Council in relation to any matters including, but not limited to, matters referred to in Section 234 (authentication of documents) of the Local Government Act 1972 which fall either by specific resolution of the Council or by custom or practice within their responsibilities.
- (iii) The Chief Executive, and any officer of the Council so authorised by him or her in writing, may prosecute, defend or appear in any proceedings under Sections 222 and 223 of the Local Government Act 1972.

(c) Deputies

Under the relevant provisions, certain statutory officers of the Council have a duty to nominate members of their staff to perform their duties when they are unable to act owing to absence or illness. In practice this will be a Business manager, having the requisite professional qualifications according to the particular duties requiring to be performed.

Role	Designated Officer
Head of Paid Service	Chief Executive
Deputy Head of Paid Service	
Section 151 Officer	Strategic Director, Corporate Focus
Deputy Section 151 Officer	
Monitoring Officer	Executive Manager, Corporate
Deputy Monitoring Officer	Business Manager, Legal and Democratic

The Chief Executive will establish arrangements to ensure that his or her duties are carried out in a deputy capacity during any periods of absence.

(d) General – Chief Executive, Strategic Directors, Executive Managers and Business Managers

1.	To manage the services for which they are responsible: i) In accordance with any policy decisions made by, or guidelines issued by, the Council ii) Within the budgets made or approved by the Council iii) In compliance with all standing orders, codes of practice, financial regulations or instructions approved or adopted by the Council
2.	To take such decisions or actions as they are required or authorised to take: i) Under standing orders adopted by the Council ii) As proper officers of the Council (as defined in Section 270(3) of the Local Government Act 1972)
3.	To accept tenders and award contracts to contractors on behalf of the Council in the following circumstances: i) Following a tender process strictly in accordance with the Council's Contract Procedure Rules and Financial Regulations ii) For the carrying out of works and/or the provision of goods and/or services iii) Which are to be awarded on the basis of best value

Chief Executive (Head of Paid Service)

Designation: Head of Paid Service

Section 4 of the Local Government and Housing Act requires Council's to designate a Head of Paid Service. The Head of Paid Service may not be the Monitoring Officer but if they are a qualified accountant they may also hold the post of Chief Finance Officer.

Functions

- To determine and publicise a description of the overall departmental structure of the Council showing the management structure and deployment of officers
- To report to full Council on the manner in which the discharge of the Council's functions is co-ordinated, the number and grade of officers required for the discharge of those functions and the organisation of officers
- To maintain and update the scheme of delegation to officers
- To grant dispensations in respect of any conflict of interest declared at Cabinet meetings by any Member of the Cabinet

Designation: Chief Executive

The Chief Executive is the proper officer of the Council in relation to any matter or function which is not otherwise catered for or by later resolution of the Council.

The Chief Executive may engage such officers as he or she considers necessary to carry out the Council's functions.

Functions

- To serve as electoral registration officer and maintain a register of electors
- To serve as returning officer for district and parish council elections
- All functions as Head of Paid Service
- To have corporate management and operational responsibility for all officers
- To approve operational People and Organisational Development policies, working procedures and protocols (such approvals may be delegated to the management team)
- To represent the Council on partnership and external bodies

- To authorise officers who are suitably trained and qualified to carry out delegated functions when the authorised post becomes vacant or ceases to exist and update the Constitution accordingly
- To act as parish trustee
- To act as parish trustee
- To receive Councillors' declarations of acceptance of office
- To receive any Councillor's resignation from office
- To summon a Council meeting to fill a casual vacancy for the office of Chairman
- To receive notice of casual vacancies for the office of Councillor
- To determine polling places in consultation with Ward Councillors in the event that a polling place becomes unavailable during an election period
- To sign any notice, order or other document on behalf of the Council including summonses to Council meetings
- To hold an up-to-date list of politically restricted posts
- To notify the auditor of the times and dates of any meetings called to consider reports made by Chief Finance Officer
- To carry out functions in relation to charities
- To hold documents on deposit and make any acknowledgements as directed
- To certify byelaws confirming that they were made by the authority, any copy is a true one, that they byelaw has been placed with the Secretary of State and has not been disallowed and the date on which the byelaw comes into effect
- To receive written notice of any address, other than their home address, to which Councillors want their summons to a meeting to be sent
- To transfer all securities on the alteration of an area

Strategic Director, Corporate Focus (Chief Finance Officer/S.151 Officer)

The Chief Finance Officer may appoint a deputy to act in his or her absence.

To enable the Chief Finance Officer to carry out all of their duties, the Council will provide them with such officers, accommodation and other resources they consider are necessary.

Functions

- Make arrangements for the proper administration of the Council's financial affairs
- Conduct loans, finance operations and incur and repay bank overdrafts in accordance with Council policies
- Write-off debts due to the Council (in accordance with financial regulations) when he or she is satisfied that the debt cannot be recovered
- Exercise powers of the Council to anticipate precepts in accordance with regulations made by the Secretary of State
- Report to the relevant decision-making body (Council or Cabinet) and the external auditor, following consultation with the Head of Paid Service and the Monitoring Officer, if he or she considers that any proposal or decision will involving incurring unlawful expenditure, or is unlawful and likely to cause a loss or deficiency, or if the Council is about to enter an item of account unlawfully
- Provide professional financial advice and advise on systems of internal control and ensuring systems are in place to deal with fraud and corruption
- Ensure that there is an effective audit function and arrangements for financial scrutiny
- Provide advice to Councillors and officers on:
 - The scope of powers and authority to make decisions
 - Maladministration, financial impropriety and probity
 - Budget and policy framework issues
 - Corporate risk profiling and management
- Provide financial information to the media, members of the public and the community
- Provide financial management arrangements that ensure:
 - A prudential framework is in place

- That any partnership arrangements or other structures for service deliver are underpinned by clear and well-documented financial controls
- That the Council secures effective arrangements for prudential borrowing
- That statutory and other accounts, associated claims and returns in respect of grants are prepared

Delegations

The Strategic Director, Corporate Focus and other officers appropriately qualified, trained and designated in writing him or her have authority to:

- Exercise powers under relevant legislation to serve notices, enter into agreements, give receipts, make adjustments, institute proceedings and take any action available to collect or enforce the collection of non-domestic rates, council tax and the personal, standard and collective community charges from those persons liable
- Receive notice on behalf of the authority in respect of appeals over whether a dwelling is a chargeable dwelling or liable for council tax and calculation made in respect of council tax
- Exercise the powers of the council relating to the variation of the statutory instalment scheme for paying council tax
- To request information to identify the liable person in relation to a dwelling
- Manage civil penalties schemes, including imposing and collecting penalties, in accordance with council policies
- Enforce the payment of council tax
- Determining applications for discretionary rate relief in accordance with council policies
- Compile and maintain a local non-domestic rating list and a rural settlement list
- Administer arrangements for non-domestic rates
- Exercise powers in relation to the collection fund and the payment of precepts
- Establish and maintain the Council's General Fund
- Establish and maintain the Housing Revenue Account
- Make all calculations for the budget requirement subject to directions given by the Council

- To make arrangements for the proper administration of housing and council tax benefits
- To implement schemes for lease cars, car loans and travelling allowances as approved by the Council
- To authorise contributions up to a maximum of £200 towards litigation costs in cases supported by the Local Government Association
- Carry out all treasury management functions in accordance with the Council's Treasury Management Strategy
- Maintain adequate internal controls for the procurement of goods and services for the Council by setting appropriate authorisation limits for Council officers
- Take appropriate action in respect of forfeiting, terminating or repossessing a lease between the Council and any tenant as the final part of debt recovery and breach of tenancy process where rent remains outstanding or there has been some other breach of the terms of the lease which would require the Council to obtain vacant possession of the leased premises
- To make appropriate financial arrangements and/or payment to mitigate risk, including litigation or risk managing situations; taking such action as may be required for each situation/case based on appropriate professional opinion and advice
- To prosecute instances of fraud under relevant legislation in consultation with Legal and Democratic Services
- To sign and serve notice seeking possession and take action for possession of any council dwelling, land or garage due to rent arrears
- To sign, serve and issue Notices to Quit and take action for possession of any Council dwelling or garage under licence, non-secure tenancy as a result of rent arrears
- To sign, serve and make applications to the County Court in connection with rent arrears
- To authorise the sale of council dwellings under the Right to Buy
- Consider and determine applications for a review of a listing and applications received for compensation from the owner of any property included on the list of assets of community value
- Use powers to detect and enforce against fraud in relation to Council Tax reduction schemes

- Set fees for the licensing of scrap metal dealers in consultation with the relevant Portfolio Holder

Executive Manager, Corporate (Monitoring Officer)

The Executive Manager, Corporate has been appointed as the Council's Monitoring Officer (Local Government and Housing Act 1989). The Monitoring Officer cannot be the Chief Finance Officer or the Head of Paid Service.

Functions of the Monitoring Officer

Maintenance of the Constitution

The Monitoring Officer must maintain an up-to-date version of the Constitution and ensure it is widely available for inspection by Councillors, staff and the public. The Council has delegated responsibility to the Monitoring Officer to correct minor anomalies within the Council's Constitution and report these changes to the Constitution Committee (Article 10). Full details of the Monitoring Officer's responsibilities in relation to the Constitution are outlined in Article 1.

To ensure lawfulness and fairness of decision-making

- The Monitoring Officer is legally responsible for keeping records of decisions and ensuring public access to information
- The Monitoring Officer is responsible for the publication of notices relating to key decisions
- The Monitoring Officer is responsible for making reports to the Council (or Cabinet in relation to an Executive function) where he or she considers any proposal, decision or omission would give rise to unlawfulness or maladministration following consultation with the Head of Paid Service and the Chief Finance Officer

Councillor Conduct

In accordance with the Localism Act 2011, the Monitoring Officer assists Councillors with the promotion and maintenance of high standards of conduct through the following functions:

- i) To receive complaints of failure to comply with the Members' Code of Conduct by district, town and parish councillors and to delegate this responsibility back to the relevant town or parish council where appropriate
- ii) After consultation with the Independent Person¹ or reserve, determine whether a complaint against a Councillor merits formal investigation and, if necessary, to arrange such investigation.

¹Independent Person - Appointed by the Council, term of office four years, a non remunerated post
 — An independent person may not be appointed if that person: is a member or co-opted member or officer of the Council or a parish/town council in the Council's area, or

- iii) To consider and determine applications for dispensation to allow a Councillor to participate and vote in any decision where they have an interest. If the Monitoring Officer is unable to determine an application for dispensation, they are authorised to refer it to the Review Board (contained in Article 4).

Investigations

In addition to responsibility for carrying out investigations in relation to alleged breaches of the Members' Code of Conduct the Monitoring Officer is also responsible for the investigation of matters as referred to the Council by the Local Government Ombudsman.

To provide advice

The Monitoring Officer shall provide advice to all Councillors on their scope of powers and authority in respect of:

- i) taking decisions
- ii) maladministration,
- iii) financial impropriety
- iv) ethics and probity
- v) Policy Framework and Budget
- vi) Public Interest Test. To determine the release of information

Petitions

Managing and administering petitions submitted to the Council.

Responsibilities in relation to the Chief Executive's Performance Panel

- Acting as an advisor, along with the People and Organisational Development Business Manager, to ensure the panel complies with relevant legislation

-
- Is a relative, or close friend of such a person, or
 - Has been a member of co-opted member or officer of the Council or a parish/town council in the Council's area in the previous 5 years

- To provide advice to Members and Co-opted Members about whom a conduct complaint has been received and specifically to discharge the functions detailed in Section 28(7) of the Localism Act 2011.
- To promote and maintain high standards of conduct by members.
- To analyse and exercise fair and impartial judgement and decision making on conduct issues.
- To consult, liaise and maintain a professional working relationship with the Council's Monitoring Officer, his or her appointed deputies and other officers of the Council.
- To provide a view on the governance of the Council and its Town and Parish Councils, if any, from an external perspective that will better enable the Council to assess conduct and standard issues.

- Working with the Chairman of the Performance Panel to ensure that formal complaints about the Chief Executive are addressed through the most appropriate procedure

Functions of the Executive Manager, Corporate

- Data Protection/Freedom of Information
- Ombudsman liaison/complaints investigation
- Providing a complete legal service to the Council
- Providing democratic services including electoral administration
- Providing a performance management and project support service
- Providing a service dealing with communications, engagement and reputation management
- Providing responses as appropriate in relation to stage 2 of the Council's complaints resolution arrangements (this is a function of all Executive Managers)

The Executive Manager, Corporate is also the proper officer for the following functions:

- Keeping a record of any disclosable pecuniary interests declared by Councillors and make that record available for inspection
- Excluding from agendas any report which is likely to be considered in the absence of the public
- Supplying to any newspaper copies of documents supplied to Councillors in connection with any item on the agenda
- Preparing a summary of proceedings taken in the absence of the public when the minutes do not provide a reasonably fair and coherent record of the proceedings
- Deciding whether a document contains information that will exempt it from inspection by members of the Council
- Ensuring that a copy of any background papers material to a decision made by the Cabinet or Cabinet members are available for public inspection
- Certifying photographic copies of documents
- Sending copies of byelaws to county and parish councils

Legal Proceedings

The Executive Manager, Corporate may, unless any enactment otherwise authorises or requires, institute, defend or participate in any legal proceedings where such action is necessary to give effect to decisions of the Council or where the Chief Executive considers that such action is necessary to protect the Council's interests and to authorise other officers to act under these circumstances.

Functions under the Town and Country Planning Act 1990

The Executive Manager, Corporate is authorised to carry out, and to authorise other officers who are suitably trained and qualified, to carry out the following functions:

- To serve requisitions for information and to prosecute offenders
- To instigate prosecution proceedings for unlawful advertisements and breach of condition notices
- To serve planning contravention notices and commence prosecution proceedings

Authentication of documents

The Executive Manager, Corporate may sign, and authorise others to sign, any document where it is necessary to any legal procedure or proceedings on behalf of the Council unless any enactment or the Council has given authority to some other person.

Executive Manager, Development and Growth

Proper officer functions²

The Executive Manager, Development and Growth is the proper officer for the following functions:

- Ordnance survey matters
- Local land charges

Development management³

The Executive Manager, Development and Growth may exercise and authorise in writing other officers appropriately qualified and trained to exercise the following powers under the Town and Country Planning Acts and other relevant legislation:

- All decisions, responses or determinations arising in relation to applications
- Approval of reserved matters
- Prior approvals, consents and consultations submitted to or received by the Council in accordance with all Town and Country Planning, Listed Building and associated legislation

Except in the following circumstances:

² All legislation in relation to these functions can be found under Executive Manager, Development and Growth: proper officer functions

³All legislation in relation to these functions can be found under Executive Manager, Development and Growth: development management

- When, in the opinion of the authorised officer, an application for planning permission is a departure from the Development Plan or an emerging replacement plan, and where the intended officer decision is permission/consent
- Any application for planning permission, approval of reserved matters, conservation area consent or listed building consent where a Councillor has submitted a written request that the application be considered by the Development Control Committee to the Business Manager, Development Management and Implementation

All requests by Councillors for the consideration of items by the Development Control Committee must:

- Be submitted on the appropriate pro-forma within three weeks of the circulation of details of the application
- Include a statement outlining material reasons why the proposal needs to be considered by Committee
- Include a list of related Development Plan and national planning policies

All requests will be acknowledged in writing and the reasons for referral included in the officer report to the Development Control Committee. When, in the opinion of the Business Manager, Development Management and Implementation, the reasons for the request do not constitute material planning considerations, the Business Manager, Development Management and Implementation will have the power to decline the request.

- Any application, consultation or like matter where the authorised officer considers a decision should be made by the Development Control Committee
- Any application submitted by or on behalf of a Councillor of the authority (or their spouse or partner) or by or on behalf of a member of the Council's staff (or their spouse or partner)
- Any application submitted by or on behalf of the Council for its own developments, except for the approval of routine minor developments to which no objection has been received

Where there are statutory time limits for making decisions or taking action where non-determination within a set period automatically gives consent (e.g. agricultural buildings, demolitions and telecommunications determinations and notifications of works to trees in a conservation area), the Executive Manager, Development and Growth, or other appropriately qualified and trained officers authorised by them in writing, may determine the applications. The authorised officer will consider any objections received and, at their discretion, efforts will be made to resolve the objection before the expiry period. The existence of an objection will not alter the officer's authority to make a decision in these instances.

The Executive Manager, Development and Growth, and other appropriately trained and qualified officers authorised by them in writing, may also exercise the following functions:

- Accepting minor amendments to approved plans
- Undertaking screening opinions and determining the need for an Environmental Impact Assessment statement for developments that require planning permission
- Authorising the making of immediate Tree Preservation Orders and routine maintenance work to trees covered by Tree Preservation Orders or trees in Conservation Areas
- Issuing hedgerow retention notices and general discharge of duties under the Hedgerow Regulations 1997
- Dealing with complaints relating to high hedges
- Authorising powers of entry in respect of complaints and appeals under anti-social behaviour legislation
- Entering into a Section 106 Agreement on a delegated planning application approval where no financial contributions are required
- Entering into planning performance agreements on behalf of the Council as the local planning authority
- Entering premises for statutory purposes

Development management: enforcement⁴

The Executive Manager, Development and Growth is authorised to carry out, and authorise in writing other officers with necessary training and qualifications, the following functions:

- Administer cautions in respect of breaches of advertisement control and in order cases where, following authorisation, court proceedings are considered appropriate
- Serve, in consultation with the Executive Manager, Corporate, breach of condition notices relating to the implementation of planning permissions and conditions containing a precedent requirement
- Remove or obliterate unauthorised placards and posters
- Serve written notice requiring information as to interests in land or, if related to a planning contravention notice, activities carried out on the land
- To serve the following notices in consultation with the Business Manager, Development Management and Implementation and Legal Services:
 - Enforcement notice
 - Breach of condition notice
 - Section 215 notice
 - Listed building enforcement notice
 - Hazardous substance notice
 - Stop notice

⁴All legislation in relation to these functions can be found under Executive Manager, Development and Growth: development management: enforcement

- Temporary stop notice

Neighbourhood Planning⁵

Following consultation with the relevant Portfolio Holder and the local Ward Councillor(s), the Executive Manager, Development and Growth is authorised to make decisions on the following:

- Applications to designate a Neighbourhood Forum
- To accept or decline repeat proposals for a Neighbourhood Development Plan or Neighbourhood Development Order
- The validity and acceptance of proposals for a Neighbourhood Development Plan or Neighbourhood Development Order
- Appointing a person to carry out the examination of a Neighbourhood Development Plan or Neighbourhood Development Order

Street naming⁶

The Executive Manager, Development and Growth and other officers appropriately qualified, trained and authorised by them in writing, have authority to determine uncontested street naming applications

Business Grant Scheme⁷

The Executive Manager, Development and Growth and other officers appropriately qualified, trained and authorised by them in writing have authority to make awards under the Council's business Grant Scheme in consultation with the relevant Cabinet member.

Planning Policy⁸

The Business Manager, Spatial and Economic Growth has delegated authority to determine applications for grant aid in relation to listed buildings and conservation areas with the following **exceptions**:

- New applications which would commit the district council to expenditure in excess of £1,000
- Applications for supplementary grant which would commit the district council to further expenditure in excess of £500
- Applications where an applicant has requested reconsideration of a decision of the Business Manager, Development Management and Implementation
- Applications which involve a matter of policy (e.g. grants to churches)

⁵All legislation in relation to these functions can be found under Executive Manager, Development and Growth: neighbourhood planning

⁶All legislation in relation to these functions can be found under Executive Manager, Development and Growth: street naming

⁷All legislation in relation to these functions can be found under Executive Manager, Development and Growth: business grant scheme

⁸All legislation in relation to these functions can be found under Executive Manager, Development and Growth: Planning Policy

Executive Manager, Commercial

Building Control

Building Regulations

The Executive Manager, Commercial is authorised to deal with Building Regulation applications, variations and relaxations in accordance with relevant legislation.

All building control surveyors to discharge the Building Regulation function in accordance with internal procedures.

Enforcement of Building Regulations

The Executive Manager, Commercial is authorised to deal with the enforcement of Building Regulations in accordance with relevant legislation.

All building control surveyors are authorised to discharge the function in accordance with internal procedures

Dangerous and dilapidated buildings

The Executive Manager, Commercial is the **proper officer** for dealing with dangerous and dilapidated buildings and structures and neglected sites in accordance with relevant legislation.

The Executive Manager, Commercial is also the **proper officer** of the Council to deal with the boarding up of dangerous and dilapidated buildings and structures, including emergency measures in accordance with relevant legislation.

All building control surveyors are authorised to discharge the function in accordance with internal procedures.

Demolition of buildings

The Executive Manager, Commercial is authorised to deal with the demolition of buildings in accordance with relevant legislation.

All building control surveyors are authorised to discharge the function in accordance with internal procedures.

Party Wall Advice

The Executive Manager, Commercial is authorised to provide advice in dealing with disputes in relation to 'party walls' in accordance with relevant legislation.

All building control surveyors are authorised to discharge the function in accordance with internal procedures.

Mines and mine shafts

The Executive Manager, Commercial is authorised to deal with the protection of abandoned mine openings in accordance with relevant legislation.

All building control surveyors are authorised to discharge the function in accordance with internal procedures.

Powers of entry

The Executive Manager, Commercial is authorised to enter land and premises in order to carry out statutory and discretionary functions of the council in accordance with relevant legislation.

All building control surveyors are authorised to discharge the function in accordance with internal procedures.

Lapse of deposit of plans

The Executive Manager, Commercial is authorised to lapse building regulation applications to carry out the council's statutory and discretionary functions in accordance with relevant legislation.

All building control surveyors are authorised to discharge the function in accordance with internal procedures.

Means of escape from fire

The Executive Manager, Commercial is authorised to serve notice on designated properties to carry out statutory and discretionary functions of the Council in accordance with relevant legislation.

All building control surveyors are authorised to discharge the function in accordance with internal procedures.

Raising of chimney

The Executive Manager, Commercial is authorised to deal with issues associated with tall buildings against lower chimneys in accordance with relevant legislation to carry out the council's statutory and discretionary functions

All building control surveyors are authorised to discharge the function in accordance with internal procedures.

Determination of questions

The Executive Manager, Commercial is authorised to correspond with the Secretary of State to determine issues that require a technical clarification based on individual cases in accordance with relevant legislation and to enable the council to carry out its statutory and discretionary functions.

All building control surveyors are authorised to discharge the function in accordance with internal procedures.

Relaxation of building regulations

The Executive Manager, Commercial is authorised to carry out the duties associated with relaxing or dispensing with the requirements of the building regulations in order to carry out the council's statutory and discretionary functions in accordance with relevant legislation.

All building control surveyors are authorised to discharge the function in accordance with internal procedures.

Amendment/alteration of charges

Building Regulation Charges may be altered/amended by 10% by the Executive Manager, Commercial, the Building Control Manager and the Chief Executive Officer.

Executive Manager Property

Housing⁹

The Executive Manager, Property has delegated authority to carry out, and authorise in writing other officers appropriately trained and qualified to carry out, the following functions:

- Prepare and implement, with resources provided by the Council, programmes for the refurbishment, repair and maintenance of Council dwellings
- To exercise the powers of the Council relating to tenants' rights to have repairs carried out and pay compensation for improvements in accordance with relevant legislation
- Serve requisitions for information under relevant legislation
- General management, regulation and control of the Council's housing stock
- Prepare, maintain and administer the housing register
- Prepare, maintain and administer a housing allocation scheme in accordance with relevant legislation and subject to policy directions given by Council
- Allocate housing to homeless applicants to whom the Council owes a duty

⁹ All legislation in relation to these functions can be found under Executive Manager Property, Housing in appendix XX

- Sign and serve notice seeking possession and take action or possession of any council dwelling, land or garage due to a breach of tenancy
- Publish information about secure tenancies
- Maintain arrangements for consultation with tenants on housing management matters that are likely to substantially affect them
- Issue yearly reports to all housing revenue account tenants containing information about the functions of the Council as housing authority, as determined by the Secretary of State
- Implement and ensure compliance with the Tenancy and Neighbourhood Services Tenancy Agreement
- Sign and serve “Notice to Quit” and take action for possession of any council dwelling or garage occupied under licence, non-secure tenancy as a result of breach of tenancy or trespass
- Draw up and serve anti-social behaviour contracts
- Make application to the County Court in connection with the general housing management regulation and control of the Council’s stock
- Authorise disposal of small parcels of land held for the purposes of Tenancy Services land (not exceeding 0.25 acres) which is no longer required for use by Tenancy Services purposes provided such disposals are in accordance with established policy, the land is not required by any other service of the council and subject to prior consultation with the Ward Member in which the land is situated.
- Providing and securing the provision of advisory services and assistance in relation to homelessness
- Take all such action to undertake enquiries in relation to homelessness and determine homelessness applications as appropriate

Property¹⁰

The Executive Manager, Property is authorised to serve the following notices and authorise in writing other officers appropriately qualified and trained to serve notices in relation to the following:

- Arrange short term lettings of land not immediately required for other purposes at rent/licences fees fixed by the Section 151 Officer.

¹⁰ All legislation in relation to these functions can be found under Executive Manager Property, Property in appendix XX

- Grant, vary or discharge easements and covenants in, over or for the benefit of land owned by the Council subject to:
 - (i) Valuation agreed by the District Valuer
 - (ii) Approval of the Executive Manager of any service directly concerned
- Exercise all the Council's powers and duties, including the power to issue directions and to apply
 - (i) To the Magistrates Court for orders relating to unauthorised encampments of travellers
 - (ii) To the Civil Courts for orders against trespassers on Council land or property.
- Serve notices and authorise repairs in relation to drainage under relevant legislation
- Consult with the relevant Portfolio Holder to determine regulations, procedures and guidance relating to applications to list properties as assets of community value in accordance with relevant legislation
- Consider and determine applications nominating a property as an asset of community value in consultation with the Executive Manager, Corporate and the Executive Manager, Commercial
- Consider and determine applications for compensation from owners or former owners of property which has been included on the list of assets of community value in consultation with the Executive Manager, Corporate and the Executive Manager, Commercial

Executive Manager Environment

Private Sector Housing¹¹

The Executive Manager, Environment and in writing other officers with appropriate training and qualifications authorised by them in writing, to carry out enforcement action under relevant legislation, and where appropriate, enter premises in relation to:

- Housing standards
- Houses in multiple occupation

The Executive Manager, Environment is the Proper Officer in relation to the signature of documents under the Housing Act in relation to the condition of houses or environmental health.

The Executive Manager, Environment is authorised to serve the following notices and authorise in writing other officers appropriately qualified and trained to:

- Serve notices in relation to the repair, closing or demolition of dwellings that fail to meet legal standards (currently set out in the Housing Health and Safety Rating System)
- Serve notices to recover expenses incurred in the service of notices under the Housing 2004
- Serve notices in relation to defective premises
- Serve requisitions for information on land to carry out statutory functions
- Serve notices requiring the production of documents reasonably required to allow the enforcement function to be carried out
- Authorise grants in accordance with Council policies (discretionary disabled facilities grants are determined by the relevant Portfolio Holder)
- Arrange for the restoration of utilities if the supply has been cut off as a result of landlord failure where a building is used as a dwelling
- Serve overcrowding notices to restrict the number of occupants houses in multiple occupation
- Issue licences for houses in multiple occupation and impose conditions where appropriate
- Serve notices to abate statutory nuisance

Waste Services¹²

The Executive Manager, Environment and in writing other officers with appropriate training and qualifications authorised by them in writing, to carry out enforcement action under relevant legislation, and where appropriate, enter premises in relation to:

¹¹ All legislation in relation to these functions can be found under Executive Manager Environment, Private Sector Housing in appendix XX

¹² All legislation in relation to these functions can be found under Executive Manager Environment, Waste Services in appendix XX

- Waste
- Fly tipping
- Graffiti
- Fly-posting
- Abandoned vehicles

Authority is also given for delegation to Police Community Support Officers (PCSOs) to serve fixed penalty notices in relation to litter, waste and dog fouling.

Licensing¹³

The Executive Manager, Environment and other officers authorised by them in writing may carry out required enforcement action in relation to any licensable activity in accordance with relevant legislation and the Council's policies and procedures.

Hackney Carriage and Private Hire Vehicles

To act as authorised officer and to authorise officers to act for the purposes of licensing hackney carriage and private hire vehicles and drivers and to exercise the powers of the Council in respect of the offences set out below which, in the opinion of the Executive Manager, Environment may render the applicant not fit to hold, or continue to hold a licence:

- Sex offences
- Drink-driving
- Reckless driving
- Driving without insurance
- Burglary and theft
- Impersonation
- Arson
- Blackmail
- Offences involving fraud or deception
- Firearms and other weapons
- Drugs

No hackney carriage or private hire driver's licence shall be issued to an applicant until:

- The applicant has held a full driving licence for at least one year
- Three years have elapsed with no further convictions since his or her driving licence was restored following a conviction for offences involving drink-driving or reckless driving

In consultation with Legal Services and the Licensing Committee Chairman (or Vice-Chairman in his or her absence), the Executive Manager, Environment is authorised

¹³ All legislation in relation to these functions can be found under Executive Manager Environment, Licensing at appendix XX

to suspend or revoke a hackney carriage or private hire driver's licence with immediate effect in the interests of public safety.

Miscellaneous licences

The Executive Manager, Environment may exercise and authorise in writing other officers appropriately qualified and trained to exercise the following functions:

- Approve permits for public collections for charitable or other purposes
- Approve requests for busking in the Stamford pedestrian precinct

Alcohol, Entertainment and Late Night Refreshment

The Executive Manager, Environment may exercise and authorise in writing other officers appropriately qualified and trained, to approve all applications (including applications for renewal, variation and transfer) for licences or registrations of premises and/or persons when all qualifying conditions are met.

Gambling

The Executive Manager, Environment may exercise and authorise in writing other officers appropriately qualified and trained, to approve all applications for licences or registrations when all qualifying conditions are met.

Scrap metal dealers

The Executive Manager, Environment may exercise and authorise in writing other officers appropriately qualified and trained, to approve all applications for licences or registrations when all qualifying conditions are met.

Animals

The Executive Manager, Environment may exercise and authorise in writing other officers appropriately qualified and trained, to approve all applications for licences or registrations when all qualifying conditions are met. If necessary a veterinary officer may be engaged to carry out premise inspections on a fee basis.

Street trading

The Executive Manager, Environment may exercise and authorise in writing other officers appropriately qualified and trained, to approve all applications for licences or registrations when all qualifying conditions are met.

Caravan and camp sites

The Executive Manager, Environment may exercise and authorise in writing other officers appropriately qualified and trained, to approve all applications for licences or registrations when all qualifying conditions are met.

Environmental permits

The Executive Manager, Environment may exercise and authorise in writing other officers appropriately qualified and trained, to approve all applications for licences or registrations when all qualifying conditions are met.

Tattooing and skin piercing

The Executive Manager, Environment may exercise and authorise in writing other officers appropriately qualified and trained, to approve all applications for licences or registrations when all qualifying conditions are met.

Community Safety

The Executive Manager, Environment may authorise officers from the Neighbourhoods Team (with appropriate training and qualifications) and legal officers to consult and make application to the relevant Court for anti-social behaviour orders

The Executive Manager, Environment may also delegate power to officers and Lincolnshire Police (including Police Community Support Officers) to issue fixed penalty notices on the Council's behalf.

Public Health

The Executive Manager, Environment is the proper officer of the Council in relation to public health matters and can carry out those public health functions that are the responsibility of the Council in accordance with relevant legislation.

Authority is also delegated to the Director of Public Health and all other proper officers of the Health Protection Agency (HPA) so authorised:

- To apply to the Justice of the Peace for orders in relation to persons suffering from communicable diseases.
- To apply in emergency situations to the relevant court for the removal to suitable premises of people in need of care and attention.

The Executive Manager, Environment is the proper officer of the Council in respect of matters of public health.

The proper officer and alternative proper officers must:

- Notify the Health Protection Agency of any communicable disease or condition presenting the risk of significant harm to human health on behalf of the local authority

They can carry out the following functions without the authorisation of a JP:

- Requiring that a child is kept away from school
- Requiring a head teacher to provide a list of contact details of pupils attending their school
- Disinfect/decontaminate premises or articles on request
- Request (but not require) individuals or groups to co-operate for health protection purposes
- Restrict contact with, or relocate, a dead body for health protection purposes

The proper officer of an authority can apply to a JP for an order imposing restrictions or requirements on a person to:

- Undergo a medical examination (NOT treatment or vaccination)
- Be taken to hospital or other suitable establishment
- Be detained in hospital or other suitable establishment
- Be kept in isolation or quarantine
- Be disinfected or decontaminated
- Wear protective clothing
- Provide information or answer questions about their or other circumstances
- Have their health monitored and the results reported
- Attend training or advice sessions on how to reduce the risk of infecting or contaminating others
- Be subject to restrictions on where they go or who they have contact with
- Abstain from working or trading

A request could also be made for an order from a JP requiring that:

- A thing(s) is seized or retained, kept in isolation or quarantine; disinfected or decontaminated; or destroyed or disposed of
- A body or human remains be buried or cremated, or that human remains are otherwise disposed of
- Premises are closed, premises are disinfected or decontaminated, a conveyance or movable structure is detained, or a building, conveyance or structure is destroyed

The Proper Officer in respect of making notifications and making and requesting orders is also the proper officer to receive notifications.

Public Health – Local Authority Powers, Miscellaneous

The Executive Manager, Environment is authorised to approve, engage and serve notices and authorise in writing other officers appropriately qualified and trained to approve, engage and serve notices, undertake works in default and where appropriate, enter premises in relation to the following:

- Bury or cremate a body of any person who has died or been found dead in the area where no other suitable arrangements have or will be made and seek to recover any costs incurred
- Drainage when satisfied that immediate action is necessary
- Requiring works to be carried out in buildings with defective water closets capable of repair
- Overflowing and leaking cesspools
- Unblocking private sewers
- Removal of noxious matter
- Closing or restricting the use of water from a polluted source of supply
- Control of rats and mice

Animals

The Executive Manager, Environment is the appointed officer for dogs

The Executive Manager, Environment and in writing other officers with appropriate training and qualifications authorised by them in writing, to carry out enforcement action under relevant legislation, and where appropriate, enter premises in relation to:

- Dog fouling
- Failure to put a dog on a lead when requested to do so
- Allowing a dog into an area from which they are excluded
- Seizure and detention of stray dogs

Authority is also given for delegation to Police Community Support Officers (PCSOs) to serve fixed penalty notices in relation to dog fouling.

The Executive Manager, Environment is authorised to approve, engage and serve notices and authorise in writing other officers appropriately qualified and trained to approve, engage and serve notices in relation to the following:

- Animal boarding
- Animal health and welfare
- Breeding and sale of dogs
- Dangerous dogs and wild animals
- Pet animals
- Riding establishments
- Zoos

Miscellaneous

- To issue prior consents regarding noise and serve notice to control noise levels from construction sites
- Appoint inspectors in relation to Sunday Trading
- To serve notice and take all necessary action in relation to contaminated land
- Carry out inspections and serve abatement notices in relation to statutory nuisance

Food Safety

The Executive Manager, Environment and other officers with relevant training and qualifications authorised by them in writing, may issue approvals to food businesses under relevant legislation.

Air pollution

The Executive Manager, Environment and other officers with relevant training and qualifications authorised by them in writing are responsible for monitoring air quality and developing and implementing action plans to ensure that the air quality standards set by the Government are met.

Health and Safety

The Executive Manager, Environment and other officers with relevant training and qualifications authorised by them in writing are responsible for enforcing health and safety regulations in offices, shops, warehouses, restaurants, pubs, clubs, leisure premises, care homes and private nurseries to make sure they are safe for all employees and visitors. In so doing, authorised officers will carry out regular inspections and investigate work place accidents and complaints about health and safety issues when related to this type of premise.

14.3 Officer Employment Procedure Rules

(incorporating Mandatory Standing Orders relating to staff prescribed by The Local Authorities (Standing Orders) Regulations 2001

14.3.1 Recruitment and Appointment

(a) Declarations

- (i) The Council will draw up a statement requiring any candidate for appointment as an officer to state in writing whether they are the parent, grandparent, partner, child, stepchild, adopted child, grandchild, brother, sister, uncle, aunt, nephew or niece of an existing Councillor, officers of the Council, or of the partner of such persons.
- (ii) No candidate so related to a Councillor or an officer will be appointed without the authority of the relevant chief officer or an officer nominated by him/her.

(b) Seeking support for appointment

- (i) Subject to paragraph (iii), the Council will disqualify any applicant who directly or indirectly seeks the support of any Councillor for any appointment with the Council. The content of this paragraph will be included in any recruitment information.
- (ii) Subject to paragraph (iii), no Councillor will seek support for any person for any appointment with the Council.
- (iii) Nothing in paragraphs (i) or (ii) above will preclude a Councillor from giving a written reference for a candidate in connection with an application for employment.

14.3.2 Recruitment of head of paid service and chief officers

Where the Council proposes to appoint a chief officer and it is not proposed that the appointment be made exclusively from among their existing officers, the Council will:

(a) draw up a statement specifying:-

- (i) the duties of the officer concerned; and
- (ii) any qualifications or qualities to be sought in the person to be appointed;

(b) make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it; and

- (c) make arrangements for a copy of the statement mentioned in paragraph (1) to be sent to any person on request.

14.3.3 Appointment, Disciplinary Action and Dismissals of Staff

The function of appointing and dismissing staff and setting the terms and conditions of employment is allocated by statute to Council rather than the Cabinet. The Council has adopted mandatory standing orders, as set out in the appendix to these rules, the effect of which is as follows:

- (a) All appointments, disciplinary action and dismissals of staff below Deputy Chief officer level, must be conducted at officer level without any participation by members. The definition of Deputy Chief Officers in this authority is broadly the same as Executive Managers.
- (b) For Executive Managers and above, members can be involved in appointments, disciplinary action and dismissals. This may be through a staffing committee, which must include at least one member of the Cabinet but, where the decision relates to the appointment or dismissal of the Head of Paid Service (Chief Executive), the final decision must be taken by full Council. The Officer Employment Rules provide that normally the appointment and discipline of Executive Managers will be the responsibility of the Head of Paid Service. Appointment and discipline of the Head of Paid Service, whilst ultimately the responsibility of the full Council will be undertaken by an appropriately trained panel of three members elected by the Council having regard to paragraphs c and d below.
- (c) For the appointment or dismissal of Executive Managers and above, the Cabinet is given a right of objection. The person or body taking the decision must tell the Cabinet who they propose to appoint or dismiss, together with supporting information, and the Leader can then object on its behalf. There is no right of veto, but material objections should be taken into account by the decision maker.
- (d) In respect of the Head of Paid Service, Chief Finance Officer and Monitoring Office, if the Council wishes to investigate any allegations of serious misconduct or incompetence, which might lead to dismissal, the Council has to appoint an Independent Person, agreed with the officer concerned or nominated by the Secretary of State in default of agreement to be involved in the disciplinary process. He or she must report on what they consider to be an appropriate sanction, and the Council may only apply such sanction as approved. This procedure does not apply to redundancy or ill health dismissals.

Officer Employment Procedure Rules

APPENDIX

Mandatory Standing Orders

1. Appointment, Disciplinary Action and Dismissal of Staff

1. In this Part-

“the 1989 Act” means the Local Government and Housing Act 1989;

“the 2000 Act” means the Local Government Act 2000;

“disciplinary action” has the same meaning as in the Local Authorities (Standing Orders) (England) Regulations 2001;

“executive” and “executive leader” have the same meaning as in Part II or the 2000 Act;

“member of staff”. means a person appointed to or holding a paid office or employment under the authority; and

“proper officer” means an officer appointed by the authority for the purposes of the provisions in this Part.

2. Subject to paragraphs 3 and 7, the function of appointment and dismissal of, and taking disciplinary action against, a member of staff of the authority must be discharged, on behalf of the authority, by the officer designated under section 4(1) of the 1989 Act (designation and reports of head of paid service) as the head of the authority’s paid service or by an officer nominated by him.
3. Paragraph 2 shall not apply to the appointment or dismissal of, or disciplinary action against –
 - (a) the officer designated as the head of the authority’s paid service;
 - (b) a statutory chief officer within the meaning of section 2(6) of the 1989 Act (politically restricted posts);
 - (c) a non-statutory chief officer within the meaning of section 2(7) of the 1989 Act;
 - (d) a deputy chief officer within the meaning of section 2(8) of the 1989 Act; or
 - (e) a person appointment in pursuance of section 9 of the 1989 Act (assistants for political groups)

4. (1) Where a committee, sub-committee or officer is discharging, on behalf of the authority, the function of the appointment or dismissal of an officer designated as the head of the authority's paid service, the authority must approve that appointment before an officer of appointment is made to him/her or, as the case may be, must approve that dismissal before notice of dismissal is given to him/her.
- (2) Where a committee or a sub-committee of the authority is discharging, on behalf of the authority, the function of the appointment or dismissal of any officer referred to in subparagraph (a), (b), (c) or (d) or paragraph 3, at least one member of the executive must be a member of that committee or sub-committee.
5. (1) In this paragraph, "appointer" means, in relation to the appointment of a person as an officer of the authority, the authority or, where a committee, sub-committee or officer is discharging the function of appointment on behalf of the authority, the committee, subcommittee or officer, as the case may be.
- (2) An offer of an appointment as an officer referred to in sub-paragraph (a), (b), (c) or (d) of paragraph 3 must not be made by the appointer until:-
 - (a) the appointer has notified the proper officer of the name of the person to whom the appointer wishes to make the offer and any other particulars which the appointer considers are relevant to the appointment;
 - (b) the proper officer has notified every member of the executive of the authority of -
 - (i) the name of the person to whom the appointer wishes to make the offer;
 - (ii) any other particulars relevant to the appointment which the appointer has notified to the proper officer, and
 - (iii) the period within which any objection to the making of the offer is to be made by the executive leader on behalf of the executive to the proper officer; and
 - (c) either -
 - (i) the executive leader has, within the period specified in the notice under sub-paragraph (b)(iii), notified the appointer that neither he nor any other member of the executive has any objection to the making of the offer;

- (ii) the proper officer has notified the appointer that no objection was received by him within that period from the executive leader; or
 - (iii) the appointer is satisfied that any objection received from the executive leader within that period is not material or is not well-founded.
6. (1) In this paragraph, “dismissor” means, in relation to the dismissal of an officer of the authority, the authority or, where a committee, sub-committee or another officer is discharging the function of dismissal on behalf of the authority, that committee, subcommittee or other officer, as the case may be.
- (2) Notice of the dismissal of an officer referred to in sub-paragraph (a), (b), (c) or (d) of paragraph 3 must not be given by the dismissor until –
- (a) the dismissor has notified the proper officer of the name of the person who the dismissor wishes to dismiss and any other particulars which the dismissor considers are relevant to the dismissal;
 - (b) the proper officer has notified every member of the executive of the authority of
 - (i) the name of the person who the dismissor wishes to dismiss;
 - (ii) any other particulars relevant to the dismissal which the dismissor has notified to the proper officer; and
 - (iii) the period within which any objection to the dismissal is to be made by the executive leader on behalf of the executive to the proper officer; and
 - (c) either -
 - (i) the executive leader has, within the period specified in the notice under sub-paragraph (b) (iii), notified the dismissor that neither he nor any other member of the executive has any objection to the dismissal
 - (ii) the proper officer has notified the dismissor that no objection was received by him within that period from the executive leader; or
 - (iii) the dismissor is satisfied that any objection received from the executive leader within that period is not material or is not well-founded.

7. Nothing in paragraph 2 shall prevent a person from serving as a member of any committee or sub-committee established by the authority to consider an appeal by -
 - (a) another person against any decision relating to the appointment of that other person as a member of staff of the authority; or
 - (b) a member of staff of the authority against any decision relating to the dismissal of, or taking disciplinary action against, that member of staff.

2. Disciplinary Action

1. In paragraph 2, “chief finance officer”, “Council manager”, “disciplinary action”, “head of the authority’s paid service” and “Monitoring Officer”, have the same meaning as in regulation 2 of the Local Authorities (Standing Orders) (England) Regulations 2001 and “designated independent person” has the same meaning as in regulation 7 of those Regulations.
2. No disciplinary action in respect of the head of the authority’s paid service (unless he is also a Council manager of the authority), its Monitoring Officer or its chief finance officer, except action described in paragraph 3, may be taken by the authority, or by a committee, a sub-committee, a joint committee on which the authority is represented or any other person acting on behalf of the authority, other than in accordance with a recommendation in a report made by a designated independent person under regulation 7 of the Local Authorities (Standing Orders) (England) Regulations 2001 (investigation of alleged misconduct).
3. The action mentioned in paragraph 2 is suspension of the officer for the purpose of investigating the alleged misconduct occasioning the action; and any such suspension must be on full pay and terminate no later than the expiry of two months beginning on the day on which the suspension takes effect.

Article 15 – Decision Making

South Kesteven District Council is committed to ensuring consistently high standards of accountability and transparency in local government. It seeks to deliver this commitment through a culture of openness in which the public, press and elected members know how best to influence decisions affecting the local community. Local people and local stakeholders deserve a consistently high standard of access to information to ensure that the Council's decision-making is responsive to what they want.

15.1 Access to Information Rules

The access to information rules which apply to Council meetings and the committees are set out in Sections 100A-H and Schedule 12A of the Local Government Act 1972. Access to Information rules that apply to the Cabinet are set out in Regulations made in accordance with Section 9G, 9GA and 105 of the Local Government Act 2000. The Freedom of Information Act 2000 also focuses attention on the Council's policy for disclosure of information.

In accordance with the above legislation there will be provision for reports to remain confidential subject to the legal tests being satisfied. Schedule 12A (as amended) includes definitions, qualifications and interpretations of exempt information (15.3).

The Monitoring Officer supported by the Deputy Monitoring Officer will be responsible for ensuring that the legal tests are applied and advice given so that the descriptions of exempt information relate to genuinely exempt information.

These rules apply to all meetings of the Council, Scrutiny Committee, or Policy Development Groups, area committees (if applicable), the Constitution Committee, the Governance and Audit Committee and regulatory committees and public meetings of the Cabinet.

15.2 General Access to Information Rules

15.2.1 Additional rights to information

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

15.2.2 Rights to attend meetings

Members of the public may attend all meetings subject only to the exceptions in these rules (see article 15.3).

15.2.3 Notices of meetings

The Council will give at least five clear days notice (seven in the case of any proposal to dispose of land at less than best price) of any meeting by posting

details of the meeting at its offices at St Peter's Hill, Grantham; Stamford Area Office, Bourne Community Point and Market Deeping Area Office.

15.2.4 Access to agenda and reports before the meeting

The Council will make copies of the agenda and reports open to the public available for inspection at the designated offices and on the Council website at least five clear days before the meeting (seven in the case of any proposal to dispose of land at less than best price). If an item is added to the agenda later, the revised agenda will be open to inspection from the time the item was added to the agenda. Where reports are prepared after the summons has been sent out, the designated officer shall make each such report available to the public as soon as the report is completed and sent to Councillors

15.2.5 Supply of copies

The Council will supply copies of the following documents to any person on payment of a charge for postage and any other costs, or where possible, by electronic means, including the use of modern.gov

- Any agenda and reports that are open to public inspection
- Any further statements of particulars necessary to indicate the nature of the items in the agenda
- If the Monitoring Officer thinks fit, copies of any other documents supplied to Councillors and the Leader in connection with this item

15.2.6 Access to minutes, etc. after the meeting

The Council will make available copies of the following for six years after a meeting

- The minutes of the meeting and records of decisions taken, together with reasons, for all meetings of the Cabinet, excluding any part of the minutes of proceedings when the meeting was not open to the public or which disclosed exempt or confidential information
- A summary of any proceedings not open to the public where the minutes open to inspection would not provide a reasonably fair and coherent record
- Reports relating to items when the meeting was open to the public

15.2.7 Background papers

a) List of background papers

The Monitoring Officer will set out in every report a list of those documents (called background papers) relating to the subject matter of the report which in his or her opinion

- Disclose any facts or matters on which the report or an important part of the report is based
- Which have been relied on to a material extent in preparing the report but does not include published works or those which disclose exempt or confidential information (as defined below) and in respect of Cabinet reports, the advice of the political advisor (if any)

b) Public inspection of background papers

The Council will make available for public inspection for four years after the date of the meeting one copy of each of the documents on the list of background papers. These will also be available on the Council's website.

15.2.8 Summary of the Public's Rights

A written summary of the public's rights to attend meetings and inspect and copy documents must be kept at and available to the public at the Council Offices, St Peter's Hill, Grantham, Lincolnshire. NG31 6PZ

15.3 Exclusion of Access by the Public to Meetings

15.3.1 Confidential information, requirement to exclude the public

The public 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.

15.3.2 Exempt information, discretion to exclude the public

The public 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.

15.3.3 Meaning of confidential information

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

15.3.4 Meaning of exempt information

Exempt information means information falling within the following 7 categories (subject to any condition as detailed in paragraphs 1-7 of Schedule 12A of the Local Government Act 1972 (as amended))

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.

15.4 Exclusion of Access by the Public to Reports

If the Monitoring Officer thinks fit, the Council may exclude access by the public to reports which in his or her opinion relate to items during which, in accordance with 15.3, 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.

Description of Exempt Information

Description of exempt information		Qualification	Notes
		Information is not exempt information if it relates to proposed development for which the local planning authority may grant itself planning permission pursuant to regulation 3 of the Town and Country Planning Regulations 1992.	Applies to all categories of otherwise exempt information.
1.	Information relating to any individual	Exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.	Names, addresses or telephone numbers can identify individuals. Also consider the Council's Data Protection Act responsibilities.
2.	Information which is likely to reveal the identity of an individual	Exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.	Names, addresses or telephone numbers can identify individuals. Also consider the Council's Data Protection Act responsibilities.
3.	Information relating to the financial or business affairs of any particular person (including the authority holding the information)	Exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Information falling within paragraph 3 is not exempt information by virtue of that paragraph if it is required to be registered under-	The authority is a reference to the principal Council or, as the case may be, the committee or subcommittee in relation to whose proceedings or documents the question whether information is exempt or not falls to be determined [etc]

Description of exempt information	Qualification	Notes
	<ul style="list-style-type: none"> (a) The Companies Act (as defined in section 2 of the Companies Act 2006) (b) The Friendly Societies Act 1974 (c) The Friendly Societies Act 1992 (d) The Industrial and Provident Societies Acts 1965 to 1978 (e) The Building Societies Act 1986 (f) The Charities Act 1993 	<p>Financial or business affairs include contemplated, as well as past or current activities.</p> <p>Registered in relation to information required to be registered under the Building Societies Act 1986, means recorded in the public file of any building society (within the meaning of that Act)</p>
4.	<p>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>Exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p> <p>The authority is a reference to the principal Council or, as the case may be, the committee or sub-committee in relation to whose proceedings or documents the question whether information is exempt or not falls to be determined [etc]</p> <p>Employee means a person employed under a contract of service Labour relations matter means</p> <ul style="list-style-type: none"> (a) Any of the matters specified in paragraphs (a) to (g) or section 218 of the Trade Union and Labour Relations (Consolidation) Act 1992 (matters which may be the subject of a trade dispute, within the meaning of that Act)

Description of exempt information	Qualification	Notes
		(b) Any dispute about a matter falling within paragraph (a) above (applies to trade disputes relating to office holders as well as employees) Office holder in relation to the authority means the holder or any paid office appointments which are or may be made or confirmed by the authority or by any joint board on which the authority is represented or by any person who holds any such office or is an employee of the authority.
5.	Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings	Exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
6.	Information which reveals that the authority proposes (a) To give under any enactment a notice under or by virtue of which requirements are imposed on a person (b) To make an order or direction under any enactment	Exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
7.	Information relating to any action taken in connection with the prevention, investigation or prosecution of crime.	Exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

15.5 Responsibility for decision-making

Executive arrangements established under the Local Government Act 2000 require the Council to record and keep up to date details of who has responsibility for which decisions, and to make this available to the public.

Some decisions are for the Council to make or to delegate, or for it to delegate to committees, sub-committees and/or officers, or to joint committees or joint arrangements or joint arrangements of other authorities.

Other decisions are for the Cabinet to make, and it is for the Cabinet to decide whether to delegate the power to make any of those decisions. Only the Cabinet may decide to delegate executive functions to area committees, joint arrangements of other local authorities.

Though changes to the Constitution must be made by the Council, changes to the scheme of delegations may be made by the Cabinet so long as those changes are reported to Council.

Accordingly, the record set out in [Articles 4, 8 and 14](#) of this Constitution identifies what part of the Council or individual has responsibility for particular types of decisions relating to particular areas or functions.

15.5 Principles of Decision Making

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

Under this executive form of constitution decisions are no longer confined to committees acting on officer reports or officers operating under delegated authority. A range of people and bodies may potentially take binding decisions, from an individual Cabinet member to a meeting of a Cabinet or an area committee.

In order to ensure that decisions are reached after a realistic evaluation of alternatives and due consultation and having regard to all relevant considerations and ignoring all irrelevant factors, decision makers will be mindful of the following principles of decision making

- (i) Proportionality (i.e. the action must be proportionate to the desired outcome)
- (ii) Due consultation and the taking of professional advice from officers
- (iii) Respect for human rights
- (iv) A presumption in favour of openness
- (v) Clarity of aims and desired outcomes

- (vi) An explanation of what options were considered
- (vii) The reasons for the decision will be stated

Decision making templates will be available to decision takers to assist with this process and to accurately record decisions.

15.6 Types of Decision

15.6.1 Decisions reserved to Council

Decisions relating to the functions listed in Article 4.2 (*Functions of the Council Meeting*) will be made by the Council and not delegated.

15.6.2 Key decisions and the Schedule of Decisions

a) Definition

A key decision means an executive decision, which is likely

- (i) To result in the local authority incurring expenditure which is, or the making of savings which are, significant as advised by the Chief Finance Officer having regard to the local authority's budget for the service or function to which the decision relates
- (ii) To be significant as advised by the Chief Executive in terms of its effects on communities living or working in an area comprising two or more wards or electoral divisions in the area of the local authority
- (iii) In determining the meaning of significant for the purposes of paragraph (ii) the authority must have regard to any guidance issued by the Secretary of State in accordance with section 9Q of the Local Government Act 2000
- (iv) A decision taker may only make a key decision in accordance with the requirements [below](#)
- (v) Where the decision is to be taken at a meeting of the Cabinet or its Committees, notice of the meeting has been given in writing

b) Procedure Rule

Subject to general exception (below iii) and special urgency (below iv), a key decision must not be taken unless a notice called a Schedule of Decisions has been published in connection with the matter and made available for public inspection at the offices of the Council and on the Council's website at least 28 clear days before the decision is made which states

- (i) That a key decision is to be made on behalf of the local authority

- (ii) The matter in respect of which the decision is to be made
- (iii) Where the decision maker is an individual, that individual's name and title and, where the decision maker is a decision-making body, its name and a list of its members
- (iv) The date on which, or the period within which, the decision is to be made
- (v) A list of the documents submitted to the decision maker for consideration in relation to the matter in respect of which the key decision is to be made
- (vi) The address from which, subject to any prohibition or restriction on their disclosure, copies of, or extracts from, any document listed are available
- (vii) That other documents relevant to those matters may be submitted to the decision maker
- (viii) The procedure for requesting details of those documents (if any) as they become available

Exempt information need not be included in the Schedule of Decisions and confidential information cannot be included.

c) General Exception Rule

If a matter which is likely to be a key decision has not been included in the Schedule of Decisions, then subject to special urgency (iv below), the decision may still be taken if

- i) The decision must be taken by such a date that it is impracticable to defer the decision until it has been included in the next Schedule of Decisions
- ii) The Chief Executive has informed the Chairman of the relevant Policy Development Group and the Scrutiny Committee Chairman, or if there is no such person, each member of the Committee in writing, by notice of the matter to which the decision is to be made
- iii) The Monitoring Officer has made copies of that notice available to the public at the offices of the Council and on the Council's website
- iv) At least 5 clear days have elapsed since compliance with (ii) and (iii) above
- v) As soon as reasonably practical after all the above have been satisfied, the Monitoring Officer must make available at the Council offices a notice setting out the reasons why compliance with the Procedure Rule at ii) above is impractical; and publish that notice on the Council's website

Where such a decision is taken collectively, it must be taken in public.

d) Special Urgency

If, by virtue of the date by which a decision must be taken and the General Exception rule cannot be followed, then the decision can only be taken if the decision taker (if an individual) or the Chairman

of the body making the decision, notifies in writing the Chairman of the relevant Policy Development Group and the Chairman of the Scrutiny Committee that the taking of the decision cannot reasonably be deferred. If the Chairmen of the Policy Development Group and the Scrutiny Committee are unable to act, then the agreement (confirmed in writing) by the Chairman of the Council, or in his or her absence the Vice-Chairman will suffice.

As soon as reasonably practicable after the decision maker has obtained agreement under this rule that the making of the decision is urgent and cannot reasonably be deferred, the decision maker must

- i) Make available at the designated offices of the Council a notice setting out the reasons that the meeting is urgent and cannot reasonably be deferred
- ii) Publish that notice on the website

15.6.3 Decision making by individual Members of the Cabinet

a) Reports intended to be taken into account

Where an individual member of the Cabinet receives a report which he or she intends to take into account in making any key or non key decision, then he or she will not make the decision until at least five clear calendar days after receipt of that report.

b) Provision of copies of reports to the Scrutiny Committee and Policy Development Groups Chairmen

On giving such a report to an individual decision maker, the person who prepared the report will give a copy of it to the Chairman of every relevant Policy Development Group and the Scrutiny Committee Chairman and the Monitoring Officer (as soon as reasonably practicable) and make it publicly available at the same time.

c) Record of Individual decision

As soon as reasonably practicable after a Cabinet decision has been taken by an individual member of the Cabinet or a key decision has been taken by an officer, he or she will prepare, or instruct the Monitoring Officer to prepare, a record of the decision, a statement of the reasons for it and any alternative options considered and rejected. The provisions of Article 15.2.6 (inspection of documents after meetings) will also apply to the making of decisions by individual members of the Cabinet. This does not require the disclosure of exempt or confidential information or advice from any political assistant.

d) Urgent Non-Key Decisions

Where, due to reasons of urgency, the procedure at rules 15.6.3 (a) and (b) above cannot be followed, then the special urgency provisions relating to non-key decisions by individual members of the Cabinet will apply. The person preparing the report to be taken into account by the decision maker will notify the Monitoring Officer of the reasons for urgency. When the report is given to the individual decision maker, at the same time the Monitoring Officer will at the same time notify in writing the Chairman of every relevant Policy Development Group and the Scrutiny Committee Chairman of the reasons for taking a non-key decision as a matter of urgency. If there is no Chairman of a relevant Policy Development Group or Scrutiny Committee Chairman or if the Chairman of each relevant Policy Development Group and the Scrutiny Committee Chairman, are unable to act, then the relevant Vice-Chairman will be notified.

As soon as reasonably practicable after an urgent non-key decision has been taken by an individual member of the Cabinet, he or she will instruct the Monitoring Officer to prepare a record of the decision, a statement of the reasons for it and the nature of its urgency, any alternative option considered and rejected. The record of the decision (subject to the exclusion of any exempt or confidential information) shall be published at the same time and made available to the public at the offices of the Council. The non-key decision will take immediate effect and shall not be subject to call-in.

The Leader shall include reference to the urgent non-key decision(s) in his or her quarterly report to the Council on Cabinet decisions taken in the circumstances set out in special urgency in the preceding three months.

15.7. Call In

Call in should only be used in exceptional circumstances. This is where Members of the Scrutiny Committee have evidence which suggests that a decision was not taken in accordance with the principles set out in this Article.

Evidence may, for example, refer to inadequate consultation with stakeholders prior to a decision or an absence of good reasons on which to take a decision. See Article 6 – Scrutiny Committee for further details.

15.8 Decision making by the Council

Subject to Article 15.5, the Council meeting will follow the Council Procedure Rules set out in Article 4 of this Constitution when considering any matter.

15.9 Decision making by the Cabinet

Subject to Article 15.9, the Cabinet will follow the Executive Procedures Rules as set out in Article 8 of this Constitution when considering any matter.

15.10 Decision making by the Scrutiny Committee

The Scrutiny Committee will follow the procedures set out in Article 6 of this Constitution when considering a matter.

15.11 Policy Development Groups and Decision making

Policy Development Groups will follow the Policy Development Group Procedural Rules set out in Article 7 of this Constitution when considering any matter.

15.12 Decision making by other committees and sub-committees established by the Council

Subject to Article 15.13, other Council committees and sub-committees will follow those parts of the Council Procedures Rules set out in Article 4 of this Constitution as apply to them.

15.13 Decision making by Council bodies acting as tribunals

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 will 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.

15.14 Budget and Policy Framework Decisions

The process by which the budget and policy framework is to be developed is regulated by statutorily prescribed standing orders incorporated within the Budget and Policy Framework Procedure Rules set out in xxx of this Constitution.

15.15 Reports to the Local Authority where the Key Decision Procedure is not followed

- a) Where an executive decision has been made and
 - (i) Was not treated as being a key decision
 - (ii) The Scrutiny Committee is of the opinion that the decision should have been treated as a key decision, that Committee may require the executive which is responsible for the decision to submit a

report to the Council within such reasonable period as the Committee may specify.

- b)** A report under paragraph 15.15 (a) must include details of
 - (i) The decision and the reasons for the decision;
 - (ii) The decision maker by which the decision was made
 - (iii) If the executive are of the opinion that the decision was not a key decision, the reasons for that opinion.

15.16 Additional rights of access for Members

- a)** Any document which
 - (i) Is in the possession or under the control of the Cabinet
 - (ii) Contains material relating to any business to be transacted at a public meeting, must be available for inspection by any member of the Council
- b)** Any document which is required by paragraph 15.16 (a) to be available for inspection by any member of the Council must be available for such inspection for at least five clear days before the meeting except
 - (i) Where the meeting is convened at shorter notice, such a document must be available for inspection when the meeting is convened
 - (ii) Where an item is added to the agenda at shorter notice, a document that would be required to be available under paragraph 15.16 (a) in relation to that item, must be available for inspection when the item is added to the agenda
- c)** Any document which
 - (i) Is in the possession or under the control of the Cabinet
 - (ii) Contains material relating to
 - a) Any business transacted at a private meeting
 - b) Any decision made by an individual member in accordance with executive arrangements
 - c) Any decision made by an officer in accordance with executive arrangements, must be available for inspection by any member of the Council when the meeting concludes or where an executive decision is made by an individual member or any officer immediately after the decision has been made

- d)** Any document which is required by paragraph 15.16(c) to be available for inspection by any member of the relevant local authority must be available for such inspection, in any event, within 24 hours of the conclusion of the meeting or the decision being made, as the case may be
- e)** Paragraphs 15.16(a) and 15.16(c) do not require a document to be available for inspection if it appears to the proper officer that it discloses exempt information of a description falling within Part 1 of Schedule 12A to the 1972 Act (Descriptions of exempt information: England).
- f)** Notwithstanding paragraph 15.16(e), paragraphs 15.16(a) and 15.16(c) do require the document to be available for inspection if the information is information of a description for the time being falling within
 - (i) Paragraph 3 of Schedule 12A to the 1972 Act (except to the extent that the information relates to any terms proposed or to be proposed by or to the authority in the course of negotiations for a contract)
 - (ii) Paragraph 6 of Schedule 12A to the 1972 Act
- g)** Where it appears the proper officer that compliance with paragraph 15.16(a) or 15.16(c) in relation to a document or part of a document would involve the disclosure of advice provided by a political advisor or assistant that paragraph will not apply to that document or part.
- h)** The rights conferred by paragraph 15.16(a) and 15.16(c) are in addition to any other rights that a member or a local authority may have.

15.17

Local Choice Functions

Function		Decision Making body	Delegation of Function
1.	Local Acts in force in South Kesteven other than a function specified or referred to in Part 2 or Schedule 1 <i>(currently none in force in South Kesteven)</i>	The Council	-
2.	The determination of an appeal against any decision made by or on behalf of the authority	Appeal Panel – 5 Members of a Regulatory Committee	-
3.	The appointment of review boards under regulations under subsection (4) or Section 34 (determination of claims and reviews) of the Social Security Act 1998	Review Board – 5 members of a Regulatory Committee	-
4.	The conducting of best value reviews in accordance with the provisions of any order for the time being having effect under Section 5 (best value reviews) of the Local Government Act 1999	Cabinet	Cabinet Member with responsibility for performance management
5.	Functions relating to contaminated land	Cabinet	Executive Manager, Environment
6.	Discharge of function relating to the control of pollution and the management of air quality	Cabinet	Executive Manager, Environment
7.	Service of abatement notices in respect of statutory nuisance	Cabinet	Executive Manager, Environment
8.	The passing of a resolution that Schedule 2 to the Noise and Statutory Nuisance Act 1993 should apply in the authority's area	Cabinet	Executive Manager, Environment
9.	Inspection of the authority's area to detect any statutory nuisance	Cabinet	Executive Manager, Environment
10.	Investigation of any complaint as to the existence of a statutory nuisance	Cabinet	Executive Manager, Environment

11.	Obtaining information under Section 330 of the Town and Country Planning Act 1990 as to the interest in land	Cabinet	Executive Manager, Development & Growth
12.	Obtaining of particular persons interest in land under Section 16 of the Local Government (Miscellaneous Provisions) Act 1976	Cabinet	Strategic Director, Corporate
13.	Appointment of any individual:- a) To any office other than an office in which he or she is employed by the authority; b) To anybody other than – i) the authority; ii) a joint committee of two or more authorities; or c) to any committee or sub-committee of such a body, and the revocation of any such appointment.	Council	
14.	Membership of the Scrutiny Committee 11 members	Council	
15.	Membership of the Policy Development Groups - 7 members	Council	
16.	By way of classification no committee, Policy Development Group, board or panel has the power to establish a panel for the purpose of advising officers on the exercise of authority delegated to them by Council.		
17.	The approval of key people and organisational development strategies and policies that have significant financial implications e.g. remuneration/pay, pensions, redundancy.	Cabinet	Cabinet Member with responsibility for people and organisational development
18.	The approval of operational people and organisational development policies, working procedures, protocols	Head of Paid Service and the Strategic Management Team	Chief Executive

Article 16 – Finance, Contracts and Legal Matters

16.1 Financial Management

The management of the Council's financial affairs will be conducted in accordance with the Financial Procedure Rules set out in Part 3 of this Constitution.

16.2 Contracts

Every contract made by the Council will comply with the Contract Procedure Rules as set out in Part 3 of this Constitution.

16.3 Legal Proceedings

Unless any enactment otherwise authorises or requires, the Chief Executive, the Executive Manager, Corporate or any officer of the Council so authorised by them in writing may 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 the Chief Executive considers that such action is necessary to protect the Council's interests.

16.4 Authentication of documents

Where any document is necessary to any legal procedure or proceedings on behalf of the Council, it will be signed by either the Chief Executive, Executive Manager, Corporate and Strategic Director, Corporate Focus or other person authorised by them, unless any enactment otherwise authorises or requires, or the Council has given requisite authority to some other person.

All contracts entered into on behalf of the Council in the course of the discharge of an executive function shall be made in writing. Contracts must either be signed by the relevant Cabinet member or an officer of the authority or be made under the common seal of the Council attested by an authorised officer.

16.5 Common Seal of the Council

The Common Seal of the Council will be kept in a safe place in the custody of the Chief Executive. 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 Executive Manager Corporate should be sealed. The affixing of the Common Seal will be attested by either the Chief Executive or any Strategic Director.