

Public Document Pack



BROMSGROVE DISTRICT COUNCIL

MEETING OF THE COUNCIL

WEDNESDAY 16TH JULY 2025, AT 6.00 P.M.

PARKSIDE SUITE - PARKSIDE

SUPPLEMENTARY DOCUMENTATION 1

The attached papers were specified as "to follow" on the Agenda previously distributed relating to the above mentioned meeting.

10. **Constitution Review - Recommendations** (Pages 3 - 28)

The Constitution Review Working Group agreed recommendations at a meeting held on Friday 4th July 2025. As the meeting was held only one clear working day before the main agenda for this Council meeting was due to be published, the report detailing the group's proposals has been included in this supplementary pack for the meeting.

J. Leach
Chief Executive

Parkside
Market Street
BROMSGROVE
Worcestershire
B61 8DA

15th July 2025

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Council
2025

16th July

Constitution Review Working Party - Recommendations

Relevant Portfolio Holder	Councillor Karen May, Leader and Cabinet Member for Strategic Partnerships, Economic Development and Enabling
Portfolio Holder Consulted	Yes
Relevant Assistant Director	Claire Felton, Assistant Director for Legal, Democratic and Procurement Services
Report Author	Job Title: Assistant Director for Legal, Democratic and Procurement Services Contact email: c.felton@bromsgroveandredditch.gov.uk
Wards Affected	No specific ward relevance
Ward Councillor(s) consulted	N/A
Relevant Council Priority	Sustainability
Non-Key Decision	
If you have any questions about this report, please contact the report author in advance of the meeting.	

1. RECOMMENDATIONS

Council is asked to RESOLVE that

- 1) **An honorarium of £165.54 per meeting be paid to the Vice Chairman for chairing three Planning Committee meetings in 2024/25;**
- 2) **A Special Responsibility Allowance of £174.78 per meeting be introduced in the Members' Scheme of Allowances to be paid to each Member who chairs a Licensing Sub-Committee hearing;**
- 3) **A Special Responsibility Allowance of £174.78 per meeting be introduced in the Members' Scheme of Allowances to be paid to the Vice Chairmen of Committees to be paid in the event that they are required to chair a meeting;**
- 4) **The Members' Scheme of Allowances 2025/26 be updated to amend the travelling allowance for cycling to 20 pence per mile, as detailed in Appendix 1;**

Council
2025

16th July

- 5) The grounds under which the Monitoring Officer might reject Questions and Motions on Notice submitted for consideration at Council meetings, be amended as detailed in Appendix 2, for a trial period of three consecutive ordinary meetings of the Council; and
- 6) The updates provided in respect of the outcomes of the Constitution Review Working Group meeting held on 4th July 2025 be noted.

2. BACKGROUND

- 2.1 This report details the outcomes of discussions at a meeting of the Constitution Review Working Group (CRWG) held on Friday 4th July 2025.
- 2.2 Members are invited to consider the updates provided in this report and to determine whether to approve the recommendations arising from the CRWG meeting.

3. OPERATIONAL ISSUES

Honorary Payment

- 3.1 At the request of Group Leaders, the CRWG discussed the potential to pay an honorarium to the Vice Chairman of the Planning Committee for the meetings of the Planning Committee that he chaired in 2024/25.
- 3.2 The CRWG was advised that the Vice Chairman of the Planning Committee had chaired three of the 11 meetings of the Committee that took place in 2024/25 and chaired part of another meeting of the Committee in that municipal year.
- 3.3 The meetings of the Planning Committee that were chaired by the Vice Chairman of the Committee in 2024/25 were complex meetings that considered matters of significant public interest. Based on this information, members of the CRWG suggested that it would be reasonable for the Vice Chairman of the Planning Committee in 2024/25 to receive some remuneration for chairing those meetings.
- 3.4 The Scheme of Members' Allowances 2024/25 did not include any specific Special Responsibility Allowances (SRAs) payable to any Vice Chairmen of Committees at the Council. However, the 2024/25 scheme did include the following reference to Vice Chairmen of Committees:

Council
2025

16th July

“Where Special Responsibility Allowance is payable to a Chairman on an annual basis there are no formal arrangements for payment of Special Responsibility Allowance to a Vice-Chairman for chairing a committee meeting in the absence of the Chairman. Any such payments shall be determined on an informal basis.”

- 3.5 In this context, the CRWG are proposing that Council should agree to pay an honorarium to the Vice Chairman of the Planning Committee in the 2024/25 municipal year for the meetings that he chaired in that year.
- 3.6 In considering the proposed remuneration in the honorarium, the CRWG took into account that the Members' Scheme of Allowances 2024/25 included payment of SRAs to the Chairmen of the Appointments and Electoral Matters Committees respectively per meeting. The suggestion was made at the CRWG meeting that it would be sensible to pay the honorarium to the Vice Chairman of the Planning Committee on a similar basis of a payment per meeting and at the level of payment per meeting that was made to the Chairmen of the Appointments and Electoral Matters Committees in 2024/25: £165.54 per meeting.

Chairmen of Licensing Sub-Committee Hearings

- 3.7 In the past, there was a constitutional requirement for either the Chairman or the Vice Chairman of the Licensing Committee to act as the Chairman of any Licensing Sub-Committee hearings that were convened. This requirement created challenges when attempting to arrange and secure membership for meetings of the Licensing Sub-Committees. There were also challenges that arose when both the Chairman and the Vice Chairman had conflicts of interest in relation to the application due to be considered. Council therefore agreed in an urgent decision made in November 2020 that there should no longer be a requirement for the Chairman or Vice Chairman of the Licensing Committee to chair Sub-Committee hearings and this is reflected in the terms of reference for the Licensing Sub-Committee and the Licensing (Miscellaneous) Sub-Committee in the Council's constitution.
- 3.8 Licensing Sub-Committee hearings are scheduled at the start of the calendar year for the consideration of taxi licence applications. In addition, Licensing Sub-Committee hearings need to be scheduled on an ad hoc basis to consider premises applications as and when they are submitted. In 2024/25, there were six scheduled Licensing sub-Committee hearings in respect of taxi licence applications of which three meetings took place. An additional taxi Licensing hearing subsequently was booked so that a total of four taxi licensing hearings took place in 2024/25. In addition, one premises hearing took place. In total, three Councillors from the Licensing Committee chaired Licensing

Council
2025

16th July

Sub-Committee hearings, including the Chairman of the Licensing Committee.

- 3.9 At the CRWG meeting concerns were expressed that Licensing Sub-Committee hearings, although not as frequent as some other Committee meetings, can be lengthy and require Members to consider a lot of detailed information. For premises hearings, Members are encouraged to conduct a site visit in advance of the hearing so that they are familiar with the premise's area, and this adds to preparation time.
- 3.10 Based on the work required to chair Licensing Sub-Committee hearings, it is proposed that the Chairman of a Licensing Sub-Committee hearing should receive an SRA for doing so. As it is recognised that not all Licensing Committee members will chair a hearing during a municipal year, it is proposed that an SRA should be paid per meeting to Councillors for chairing Licensing Sub-Committee hearings. A payment of £174.78 per meeting has been identified as an appropriate level at which to set this SRA, in line with the SRA paid per meeting to the Chairmen of the Appointments and Electoral Matters Committees respectively.

Vice Chairmen of Committees

- 3.11 The CRWG discussed the potential for the Vice Chairmen of formal Committees to be paid an SRA for chairing meetings of Committees during a municipal year. Currently, as detailed at paragraph 3.4, Vice Chairmen are not entitled to claim an SRA, although informal consideration can be given to arrangements.
- 3.12 It was recognised by the CRWG that in some cases, the Chairman of a Committee will chair all meetings of a Committee during the year but in other cases, the Vice Chairman may be called upon to chair a number of meetings in the absence of the Chairman. For example, in 2024/25, a total of eight Committee meetings, across all formal public Committees, were chaired by the Vice Chairmen of those Committees, which included four meetings where the Vice Chairmen chaired part of a meeting because the Chairmen were unable to be present for the whole meeting. In this context, the CRWG proposed that an SRA should be payable to Vice Chairmen for chairing Committee meetings, to be paid on a per meeting basis.
- 3.13 In line with the figure identified as a proposed SRA for the Chairmen of Licensing Sub-Committee hearings, the CRWG is proposing that the SRA payable to Vice Chairmen of Committees should be £174.78 per meeting.

Council
2025

16th July

Members' Travel Expenses – Cycling

- 3.14 The Scheme of Members' Allowances 2025/26 also details the travel expenses that can be claimed by elected Members. Currently, the Scheme of Members' Allowances 2025/26 states that "*a cycling allowance may be paid at the same mileage rate as for vehicles*" which is 45 pence per mile.
- 3.15 At the CRWG meeting held on 4th July 2025, Members were advised that the current arrangement for claiming expenses for cycling is 25p a mile over the HMRC rate of 20p per mile for cycles. Based on this information, the CRWG concluded that this should be amended in the Scheme of Members' Allowances 2025/26 to a cycling allowance of 20 pence per mile.

Trial Restrictions on Motions and Questions on Notice

- 3.16 Questions on Notice can be submitted by both Councillors and members of the public for consideration at ordinary Council meetings. In addition, elected Members can also submit Motions on Notice for consideration at ordinary Council meetings. The current rules in respect of considering Questions on Notice from the public, Questions on Notice from Members and Motions on Notice can be viewed at paragraphs 8, 9 and 10 of the Council Procedure Rules in the Council's constitution.
- 3.17 There are already some restrictions, as detailed in the Council Procedure Rules, in respect of Questions and Motions on Notice that the Monitoring Officer may reject. However, at the meeting of the CRWG held on 10th April 2025, Members raised concerns that some of these restrictions could be viewed as subjective and therefore open to interpretation. The suggestion was therefore made by Members at this meeting that the rules needed to be strengthened in order to ensure that Questions and Motions on Notice considered at ordinary Council meetings focus on issues that the authority can influence and thereby make best use of Council resources.
- 3.18 In this context, the CRWG proposed at the meeting in April 2025 to amend the Council Procedure Rules to clarify that Questions and Motions on Notice would not be regarded as affecting the District of Bromsgrove if they:
- (a) Relate to national issues and would have no more effect on the District of Bromsgrove than on any other area; or

Council
2025

16th July

(b) Relate to actions or statements made by a body or individual connected with the District of Bromsgrove, but those actions or statements are not specifically related to the District.

- 3.19 As part of the considerations in relation to 3.18 (a) it is expected that those issues that local government is responding to nationally will be picked up as appropriate by the District Council as business as usual and reported through the normal democratic processes for Members to engage with where relevant.
- 3.20 The recommendation in respect of this matter was reported to the Annual Council meeting in May 2025, as part of the review of the Council's constitution. At that meeting, the Leader announced that group leaders had agreed to refer this recommendation back to the CRWG for further consideration. No decision was therefore taken on this recommendation at the Annual Council meeting.
- 3.21 At the meeting of the CRWG held on 4th July 2025, this recommendation was subsequently discussed again. During consideration of this item, a majority of Members vote in favour of taking this recommendation back to Council for consideration. It should be noted that at both the April and July meetings, the proposed amendments did not receive unanimous support, although the majority of Members in attendance at both CRWG meetings were in support of the proposed change.
- 3.22 In recognition of the fact that unanimity had not been reached in considering this proposed change, the CRWG proposed that these amendments should be implemented for a trial period. Subject to Council's agreement, this trial period will be in place for three consecutive ordinary Council meetings. At the end of the trial period, the CRWG has agreed to review the outcomes of the trial. The CRWG has also asked to view all the Motions on Notice that may have been rejected during the trial period when Members review the outcomes of the trial. The discussions at this meeting of the CRWG will inform any future recommendations made by the group on this subject.

Additional Issues Discussed by the CRWG

- 3.23 During the meeting of the CRWG held on 4th July 2025, Members discussed the political balance at the Council. This discussion took place in a context in which under the current political balance there are two vacant seats, one each on the Audit, Standards and Governance Committee and on the Overview and Scrutiny Board respectively, that cannot be filled by a political group. This is because all the members of that political group have been appointed to Cabinet. Cabinet

Members are legally not permitted to be appointed to Overview and Scrutiny Committees. In addition, the terms of reference for the Audit, Standards and Governance Committee do not permit Cabinet Members to be appointed to the Committee, a rule which complies with national best practice.

- 3.24 At the CRWG meeting, Members raised concerns about the vacant seats on the Audit, Standards and Governance Committee and Overview and Scrutiny Board due to the important role of these bodies in challenging decision-making at the Council. To address this concern, Members discussed two potential solutions:
- a) To suspend the political balance, to enable a full complement of Members to be appointed to serve on the Audit, Standards and Governance Committee and the Overview and Scrutiny Board respectively. Legally, Councils can suspend the political balance as long as no Councillor votes against when the matter is debated at Council. However, at the CRWG meeting, concerns were raised that it would be difficult to reach consensus on which political groups should be allocated the vacant seats on these two Committees and some Members commented that it was unlikely that this could be successfully voted on at a Council meeting without at least one Member voting against the proposed distribution of seats.
 - b) Increasing the number of seats on both the Audit, Standards and Governance Committee and the Overview and Scrutiny Board from 11 to 13. Members recognised that there would still be at least one vacant seat on both of these Committees in this scenario, as one political group would still not be able to take up seats on either Committee whilst all the members of that group remain members of the Cabinet. However, the increase in the number of seats would likely result in at least 11 Members being appointed to both Committees and it was suggested that this would strengthen the ability of both to challenge decision-making at the Council.
- 3.25 At the end of the debate in respect of the political balance, a majority of members of the CRWG voted to retain the existing arrangements for the membership of the Audit, Standards and Governance Committee and the Overview and Scrutiny Board respectively. This vote was agreed by three votes to two at the meeting.

4. FINANCIAL IMPLICATIONS

Members' Allowances

Council
2025

16th July

- 4.1 The Scheme of Members' Allowances details the allowances payable to elected Members during a financial year. The current scheme for 2025/26 was reviewed and agreed by Council in January 2025/26 following consideration of proposals made by the Independent Remuneration Panel (IRP). The scheme includes a basic allowance of £5,826 paid to all elected Members. In addition, SRAs are paid to Members in specific roles and the amounts paid in the SRAs, although varied, are based on a multiplier of the basic allowance.
- 4.2 It should be noted that the current SRA paid per meeting to the Chairmen of the Appointments Committee and Electoral Matters Committee is £174.78 per meeting, based on a multiplier of 0.03 times the basic allowance.
- 4.3 Members are not obliged to claim their allowances. Any Councillor who opts not to receive any allowance to which they are entitled, should notify the Democratic Services team in writing accordingly.
- 4.4 There is a budget for Members' allowances in Bromsgrove, which also covers payment of SRAs. Currently, there is no additional funding available for SRAs. However, the Leader appointed six Members to Cabinet in 2025/26, compared to seven Members in 2024/25, creating a small amount of flexibility in the budget for this financial year.

Honorarium Payment

- 4.5 The CRWG's proposal to pay the Vice Chairman of the Planning Committee in 2024/25 an honorarium for chairing three meetings in 2024/25 would have financial implications for the Council. Should this honorarium be paid at a rate of £165.54 per meeting, this would represent a total payment of £496.62.

Chairmen of Licensing Sub-Committee Hearings and Vice Chairmen of Committees

- 4.5 The CRWG is proposing that the SRA payable to both the Chairmen of Licensing Sub-Committee hearings and Vice Chairmen of Committees, where they are chairing a meeting, should be paid at a rate of £174.78 per meeting. This figure is slightly higher than the figure per meeting identified for the proposed honorarium for the Vice Chairman of the Planning Committee in 2024/25 because the honorarium figure is based on allowances paid to Members during the 2024/25 financial year.
- 4.6 At Bromsgrove District Council, Members are eligible to receive one SRA payment only at a time, which corresponds with best practice identified by the IRP. This means that there are therefore some SRAs that do not

get paid during a municipal year because the same Councillor is appointed to multiple positions that are eligible to receive SRA remuneration. Consequently, whilst recommendations 2 and 3 will have financial implications for the Council, payments will not need to be made on every occasion to the Chairmen of Licensing Sub-Committee hearings or to the Vice Chairmen of Committees for chairing meetings as some of those Members will already be in receipt of other SRAs.

Cycling Allowance for Members

- 4.7 Officers advised the CRWG that the current arrangements, whereby Councillors can claim expenses for a bicycle at the same level as for a car, is 25p a mile over the HMRC rate of 20p per mile for cycles. This would mean any payment in excess of the MRC rate is classed as a taxable benefit and Councillors receiving a higher rate for cycling may have to complete a self-assessment tax return. The CRWG therefore considered it to be prudent to amend the Scheme of Members' Allowances 2025/26 to allow for a cycling allowance of 20 pence per mile in line with the HMRC rate.
- 4.8 Members are asked to note that there have been no claims received from Councillors in the last ten years for a cycling allowance. This is therefore unlikely to have significant financial implications for either the Council or elected Members.

Trial Amendments to the Rules for Considering Motions and Questions on Notice

- 4.9 No specific financial implications have been identified arising from the proposed trial amendments to the rules for submission of Motions and Questions on Notice.

5. LEGAL IMPLICATIONS

Members' Allowances

- 5.1 Each Council is required by law to have an IRP which recommends the level of allowances for Councillors. The Panel is made up of suitably skilled members of the public who are completely independent of the District Council. It also makes recommendations to four other District Councils in Worcestershire (not including Wyre Forest District Council).
- 5.2 The Council is required to "have regard" to the recommendations of the Panel. However, it is not obliged to agree to them. It can choose to implement them in full or in part, or not to accept them.

Council
2025

16th July

- 5.3 If the Council decides to review its scheme of allowances for Councillors, it is also required to take into account recommendations from the Panel before doing so.
- 5.4 In 2024/25, when reviewing proposals for the Scheme of Members' Allowances for 2025/26, the IRP was asked to investigate the potential to pay Members an SRA for chairing Licensing Sub-Committee hearings. The IRP undertook this review, based on data for the 2023/24 municipal year.
- 5.5 The data provided to the IRP related to the Licensing Sub-Committee hearings held in 2023/24 at the five District Councils served by the IRP. The IRP was informed that out of 15 Licensing Sub-Committee hearings scheduled to take place in Bromsgrove District that year, six meetings were cancelled and nine went ahead. The meetings lasted an average of one hour ten minutes, with a total of ten hours 15 minutes required for all nine meetings combined. There was only one other District Council that held fewer Licensing Sub-Committee hearings in 2023/24, Malvern Hills District Council, which held eight meetings, although none of these were cancelled. All of the other District Councils held more Licensing Sub-Committee hearings in 2023/24 than Bromsgrove District Council, with the highest number held by Redditch Borough Council: a total of 27 hearings, none of which were cancelled, which lasted for a total 61 hours and 30 minutes over the course of that municipal year. Members are asked to note that Redditch Borough Council does not pay the Chairmen of their Licensing Sub-Committee hearings an SRA per meeting, although the Chairman of their Licensing Committee is eligible to receive an SRA.
- 5.6 Based on the evidence gathered, the IRP reported in their Annual Report and Recommendations for 2025/26 *"Upon request, the Panel reviewed a SRA to be paid to Licensing Committee members but having compared activity to that of the other councils, it did not feel a change was required."*

Political Balance

- 5.7 Sections 15 -17 of the Local Government and Housing Act 1989 place a duty on Councils to allocate the seats on certain committees in proportion to the size of the political groups on the Council.
- 5.8 The definition of a Political Group for these purposes is that it has a minimum of two members.

Council
2025

16th July

- 5.9 A review of the political balance must take place as soon as is reasonably possible after a change occurs to the Council's political balance. There is also a requirement for the political balance to be reviewed at the Annual Council meeting.
- 5.10 Under paragraph 17 (1) (b) of the Local Government and Housing Act 1989, the Council can suspend the political balance when making appointments to Committees as long as no Member votes against.
- 5.11 Under Part IV of Regulation 20 (2) of The Local Government (Committees and Political Groups) Regulations 1990, any proposal to suspend the political balance must be included in the summons to the Council meeting. The summons is included in the agenda, which in accordance with Section 100B of the Local Government Act 1972 (as amended) must be published five clear working days in advance of the meeting.

6. OTHER - IMPLICATIONS

Local Government Reorganisation

- 6.1 There are no specific implications for Local Government Reorganisation.

Relevant Council Priority

- 6.2 It is appropriate for the CRWG to review the Council's constitution from time to time to ensure that the content remains fit for purpose. The proposals detailed in this report are designed to support the Council's priority of sustainability.

Climate Change Implications

- 6.3 There are no specific climate change implications.

Equalities and Diversity Implications

- 6.4 There are no specific equalities and diversity implications.

7. RISK MANAGEMENT

- 7.1 The main risks associated with the details included in this report are failure to comply with governance requirements which may expose the Council to the risk of challenge by way of judicial review or which may result in awards of damages and costs against the Council and loss of reputation.

Council
2025

16th July

- 7.2 In respect of the proposed changes to the cycling allowance for Members, if Councillors continue to be able to claim 45 pence per mile for cycling, this is a taxable benefit and Members would need to complete a self-assessment tax return.

8. APPENDICES and BACKGROUND PAPERS

Appendices

Appendix 1 – Members Scheme of Allowances 2025/26 (proposed changes in track changes)

Appendix 2 – Extract from the Council Procedure Rules (proposed changes in track changes)

Background Papers

Constitution Review Report to Annual Council, 14th May 2025:
[Agenda for Council, 14/05/2025](#)

SCHEME OF MEMBERS' ALLOWANCES 2025/26

The Council's Scheme of Members' Allowances was reviewed at the meeting of the Council held on 22nd January 2025 following recommendations made by the Independent Remuneration Panel for Worcestershire District Councils. It is the Council's intention that the Scheme should be reviewed annually.

The scheme for the financial year 2025/26 includes the following:

Basic Allowance and Special Responsibility Allowance

- (a) A Basic Allowance payable to all Members of the Council of £5,826, which includes a payment for communications costs.
- (b) Special Responsibility Allowances to be paid to the holders of the following Offices, in addition to the Basic Allowance referred to above:

Position	Multiplier of Basic Allowance for 2020/21	Special Responsibility Allowance
Leader of the Council	3.0	£17,478
Deputy Leader (including SRA as a Portfolio Holder)	1.75	£10,195
Executive Members (Cabinet Portfolio Holders)	1.5	£8,739
Chairman of Overview and Scrutiny Board	1.5	£8,739
Chairman of Planning Committee	1.0	£5,826
Chairman of Licensing Committee	0.3	£1,747.80
Chairman of Audit, Standards and Governance Committee	0.25	£1,456.50
Chairmen of Overview and Scrutiny Task Groups	0.25	£1,456.50
Chairman of Joint Appointments Committee	0.03	£174.78 per meeting

Chairman of Electoral Matters Committee	0.03	£174.78 per meeting
Leaders of political groups	0.25	£1,456.50
<u>Chairmen of Licensing Sub-Committee Hearings</u>	<u>0.03</u>	<u>£174.78 per meeting</u>

~~Where Special Responsibility Allowance is payable to a Chairman on an annual basis there are no formal arrangements for payment of Special Responsibility Allowance to a Vice-Chairman for chairing a committee meeting in the absence of the Chairman. Any such payments shall be determined on an informal basis. Vice Chairmen of Committees shall be eligible to receive an SRA of £174.78 per meeting chaired, based on a multiplier of 0.03 of the basic allowance.~~ Where Special Responsibility Allowance is payable per meeting, this will be payable to the person chairing that meeting.

In addition to the allowances set out above, an allowance of £5,826 is payable to the Chairman of the Council. This allowance is permitted in the Local Government Act 1972 and is separate to those which are reviewed by the Independent Remuneration Panel.

Childcare and Dependant Care Allowances

Childcare and dependent care allowances are payable to cover reasonable and legitimate costs incurred as a result of attendance at Approved Duties, **as defined in Appendix 1**. Evidence of costs incurred should be submitted with any claim.

Travelling and Subsistence Allowances

- (a) Travelling and subsistence allowances are payable for attendance at Approved Duties, **as defined in Appendix 1**.
- (b) Travelling expenses are paid in accordance with the approved HM Revenue and Customs mileage allowance rate which is currently 45p per mile, irrespective of vehicle engine capacity, subject to the production of valid VAT receipts for fuel purchased.
- (c) Councillors may claim actual expenditure incurred on tolls or parking fees, in addition to travelling allowances. Proof of expenditure must be provided.
- (d) The rate for travel by Taxi Cab shall not exceed:
 - (i) In cases of urgency or where no public transport is reasonably available, the amount of the actual fare and any reasonable gratuity paid, and
 - (ii) In any other case, the amount of the fare for travel by appropriate public transport.

- (e) Claims for travel by public transport must not exceed the ordinary standard class fare (or any available cheap fare as incurred).
- (f) If you are using your private vehicle for attendance at Council meetings, Committees, etc you should advise your insurance company and ensure that you have the necessary cover in place for such business journeys.
- (g) A cycling allowance may be paid at ~~the same mileage rate as for vehicles~~ 20 pence per mile in accordance with HM Revenue and Customs Mileage Allowance.
- (h) Subsistence allowances are paid for duties over 4 hours where no refreshments have been provided. Members are reimbursed for actual expenses incurred up to the following maximum amounts, subject to the production of receipts:-

Breakfast	£ 8.00
Lunch	£ 12.00
Evening Meal	£ 25.00
Overnight Stay (accommodation only)	
London and annual conferences	£150.00
Other	£100.00

In very exceptional circumstances, these maximum amounts may be exceeded, subject to prior approval being obtained from the Head of Financial Services in each case and the action being reported to the Overview and Scrutiny Board.

Claims for Allowances

Members should submit claims for allowances on a monthly basis within the deadlines specified.

Forgoing an Allowance

Any Member may elect to forgo their entitlement to all or part of their allowances if they so wish. If a Member has made this decision, he/she can change his/her mind, but not retrospectively.

Repayment of Allowance

A Councillor will be required to repay any allowances which they have already been paid in respect of any period during which they have:

- (a) Ceased to be a Member of the Council; or
- (b) Been in any other way not entitled to receive the allowance in respect of that period.

General Support for Councillors

In addition to the allowances set out in this scheme, Councillors are provided with IT equipment to support them in carrying out their Council duties.

Councillors may also claim up to £100 per year towards broadband costs; full details about this are included in the Policy for Members' IT in the constitution.

APPROVED DUTIES

1. Attendance at meetings of the Council or any of its committees or sub-committees as a member of that body, observer, invited attendee or to address such a body
2. Attendance at meetings of the Executive Cabinet or any of its committees or sub-committees as a member of that body, observer, invited attendee or to address such a body
3. Meetings of Working Groups or Panels established by the authority, any of its committees or sub-committees or by the Leader of the Council provided that members of at least two political groups have been invited to attend
4. Any duty undertaken by the Chairman of the Council, the Vice-Chairman of the Council, the Civic Head, the Deputy Civic Head or by the Leader of the Council in that role
5. Attendance by Portfolio Holders, Committee Chairmen and Vice-Chairmen at preparation or briefing meetings for formally convened meetings of the Council.
6. Meetings of area or neighbourhood committees or forums
7. Other Bodies to which the authority makes appointments or nominations, or any committee or sub-committee of such a body
8. Meetings of any association of authorities of which the Council is a member
9. Site visits, provided these are in connection with the discharge of the functions of the authority or any of its committees or sub-committees
10. Joint meetings with other local authorities, conferences, seminars, presentations, training or induction sessions, provided these are in connection with the discharge of the functions of the authority or of any of its committees or sub-committees.
11. Any other special duties which the Council may wish to approve from time to time, provided these are in connection with the discharge of the functions of the authority or any of its committees or sub-committees

Note: Members may not claim allowances from more than one body in respect of any duty.

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Appendix 2 – Extract from Council Procedure Rules

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Bromsgrove District Council

Procedure Rules - Extract

8. Public Participation at Council Meetings

What is included

- 8.1 The agenda for each ordinary meeting of the Council will include a period of up to 15 minutes for members of the public to put comments about matters in the agenda and/or questions to the Council and to present petitions. The Chairman of the Council may agree to allow a similar arrangement at Extraordinary meetings of the Council.
- 8.2 The Chairman of the Council will have complete discretion as to how public participation is conducted and may agree to extend the time available under exceptional circumstances.
- 8.3 Comments, questions or petitions must be about matters for which the Council is responsible or which affect the District. The Council will not consider comments, questions or petitions that relate to specific planning or licensing matters. Neither will it consider matters which are confidential or exempt.
- 8.4 The Monitoring Officer may reject any comments, questions or petitions that:

- relate to national issues and would have no more effect on the District of Bromsgrove than on any other area;
- relate to actions or statements made by a body or individual connected with the District of Bromsgrove, but those actions or statements are not specifically related to the District;
- are, or appear to be, defamatory, racist or contain offensive language, or are otherwise not appropriate for consideration at a Council meeting;
- are substantially the same as a question that has been put to a meeting of the Council in the last 6 months;
- would more appropriately be considered at a meeting of the Cabinet or a Committee, in which case the request to participate will be passed to the relevant body.

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- 8.5 Members of the public do not include:

Appendix 2 – Extract from Council Procedure Rules

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- Employees of the Council or their representatives, on any matter relating to their employment;
- Any applicants for, or recipients of, approvals, permissions or licenses;
- Any person in a contractual relationship with the Council on a matter relating to that contract;
- Councillors from a Local Authority on a matter concerning that local authority.
- Political parties or persons asking question on behalf of a political party. For the purposes of this section a political party is an organisation that has been registered as such by the Electoral Commission.

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How to Apply

- 8.6 A copy of the comment, question or terms of petitions must be provided to the Monitoring Officer by 12 noon seven clear working days prior to but not including the date of the meeting (.). This may be in writing or by e-mail and should include:
- The name of the person to whom it is addressed – at the meeting this will go to the Chairman in the first instance;
 - The name and address of the person submitting it;
 - In the case of petitions, the number of signatories with their names and addresses supplied.

- 8.7 The Chairman has discretion to allow a question and/or comment from a member of the public received after the deadline in exceptional circumstances.

At the Meeting

- 8.8 A member of the public may spend up to 3 minutes to:

- (a) Present a petition and explain its purpose;
- (b) Ask a question, or
- (c) make a comment on a matter on the agenda

Members of the public who register to participate in a meeting of Council under the rules set out in this section can do so using one of the three options below:-

- By attending in person and addressing the committee verbally;
- By joining the meeting virtually by video link and addressing the committee verbally; or
- By providing a written statement in advance of the meeting to be read out by an officer.

Appendix 2 – Extract from Council Procedure Rules

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- 8.9 A petition may be presented to the Council by a Councillor acting on his/her own behalf or on behalf of members of the public.
- 8.10 The Chairman will receive a petition. If the petition relates to a matter on the agenda for the meeting it may be referred to during the debate on that item. Usually a petition will be received without comment at the meeting but the Chairman will ensure it is responded to as quickly as possible.
- 8.11 A question should be addressed to the Chairman of the Council who may reply in one of the following ways:
- (a) An oral answer;
 - (b) By asking the Leader or another Councillor to reply, either orally or in writing;
 - (c) By asking an Officer to reply in writing;
 - (d) By referring to information in a publication;
 - (e) A written answer following the meeting, a copy of which will be published on the Council's website and included with the signed minutes of the Council meeting.
- 8.12 No response will be given to a comment under this item but it may be referred to during the debate on the relevant item.

9. Questions from Councillors at Council Meetings

- 9.1 A Councillor may ask the Leader or the Chairman of a Committee any question without notice on an item of the minutes and/or any report of the Cabinet or Committee when that item is being received or considered by the Council.

Questions on Notice

- 9.2 A Councillor may ask:
- The Chairman;
 - A member of the Cabinet;
 - The Chairman of any Committee or Sub-Committee

a question on any matter to which the Council, Cabinet, Committee or sub-committee has powers or duties or which affects the District of Bromsgrove.

[The Councillor who has been asked the question may, if appropriate, refer it to another Councillor for answer.](#)

Appendix 2 – Extract from Council Procedure Rules

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A question shall not be regarded as affecting the District of Bromsgrove

(a) If it is one which relates to national issues and would have no more effect on the District of Bromsgrove than it would on any other area*;

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(b) If it relates to actions or statements made by a body or individual connected with the District of Bromsgrove, but those actions or statements are not specifically related to the ~~Borough~~District*.

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The content of the question should comply with Procedure rule 9.8 – Content

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Deadline for Questions

- 9.3 The deadline for questions to be received by the Monitoring Officer is 12 noon, seven clear working days prior to but not including the date of the meeting
- 9.4 A question must be submitted in writing.
- 9.5 If a question relates to an urgent matter, the Councillor should obtain the permission of the Chairman and submit the question to the Monitoring Officer not less than 2 hours before the start of the meeting at which it will be asked.

Content

- 9.6 The Monitoring Officer may reject a question if:

(a) It is not about a matter for which the local authority has responsibility or which affects the District of Bromsgrove*;

(b)

~~(a)~~(c) it is defamatory, frivolous or offensive,

~~(b)~~(d) it is substantially the same as one submitted within the previous six months;

~~(c)~~(e) it asks the Council about a matter which is outside the powers or responsibility of the full Council;

~~(d)~~(f) it relates to a specific planning or licensing matter;

~~(e)~~(g) it does not relate to functions undertaken by the Council;

~~(f)~~(h) It could be dealt with more appropriately by an officer.

Appendix 2 – Extract from Council Procedure Rules

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At the meeting

- 9.7 The question will be read out at the meeting by the Councillor who has asked it or by another Councillor on his/her behalf.
- 9.8 The answer may be given as:
- (a) A direct oral answer;
 - (b) A reference to information contained in a publication; or
 - (c) Where the answer cannot conveniently be given orally, a written answer, circulated to the questioner at the latest with the minutes of the Council meeting and appended to the signed copy of the minutes.
- 9.9 The Councillor who has been asked the question may, if appropriate, refer it to another member to answer.
- 9.10 Every question shall be put and answered without discussion.

Supplementary Questions

- 9.11 A Member asking a question under rule 9.2 may, without notice, ask one supplementary question of the member to whom the first question was addressed. The supplementary question must arise directly out of the original question or the reply.

Time limit

- 9.12 At each meeting a maximum of 15 minutes will be allowed for the asking and answering of questions under this procedure rule.
- 9.13 The Chairman may at his/her discretion extend the time if s/he and the majority of those present agree.
- 9.14 Any questions that remain unanswered shall be dealt with at the next ordinary meeting of the Council in the order in which they were received, unless the Councillor who gave notice of it agrees to receive the answer in writing.

Appendix 2 – Extract from Council Procedure Rules

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10 Motions on Notice at Council Meetings

- 10.1 Any Councillor may give notice of not more than one Motion for consideration at any meeting of the Council.

Deadline for Motions

- 10.2 Notices of Motion must be submitted to the Monitoring Officer by 12 noon seven clear working days, prior to but not including the date of the meeting
- 10.3 A Motion must be submitted in writing.

Urgent Notice of Motion

- 10.4 If a Motion relates to an urgent matter and otherwise complies with the requirements set out in this procedure rule, the Councillor submitting it should obtain the permission of the Chairman and submit the Motion to the Monitoring Officer not less than 24 hours before the start of the meeting at which it will be moved.

Content

- 10.5 The Notice must contain a written notice of the motion;
- 10.6 Motions must be about matters for which the Council is responsible or which affect the District.

A motion shall not be regarded as affecting the District of Bromsgrove if

(a) it is one which relates to national issues and would have no more effect on the District of Bromsgrove than it would on any other area*;

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(b) it relates to actions or statements made by a body or individual connected with the District of Bromsgrove, but those actions or statements are not specifically related to the District*.

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- 10.7 The Monitoring Officer may reject a Notice of Motion if:

(a) the scope of the motion exceeds that set out in Rule 10.6 above;

(b) it is defamatory, frivolous or offensive,

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Appendix 2 – Extract from Council Procedure Rules

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(b)(c) it is substantially the same as one submitted within the previous six months;

(c) it requests the Council to make a decision which is outside the powers or responsibility of the full Council;

(d) it is not of a strategic nature;

(e) it does not relate to functions undertaken by the Council.

At the meeting – Proposal and Withdrawal of Motion

10.8 The Motion can be moved by the Signatory to the Notice or another Councillor on their behalf.

10.9 If a Motion is not moved at a Council meeting, it will lapse and can only be moved again if Notice is given in accordance with these procedure rules.

Deferment of Motions

10.10 If, having taken advice from the Chief Executive and Monitoring Officer, the Chairman considers that the Motion should be dealt with in conjunction with a report from an Officer, the Motion will be deferred until this can be arranged.

10.11 No Motion shall be deferred for longer than one Ordinary meeting of the Council. The Chairman will inform the Council under his/her Announcements of any such deferrals.

Referral of Motions

10.12 If a Notice of Motion relates to an Executive function and is proposed and seconded, the Council may discuss the matter in order to inform the Cabinet's consideration of it. It cannot decide the matter.

10.13 Motions which relate to matters reserved to the Council or to non-Executive functions may be debated and decided by the Council.

10.14 If the motion is not debated, it will be referred to the Cabinet or appropriate body to consider and report back to the Council with recommendations on how to proceed.

10.15 If a Motion is referred to the Cabinet or another Committee for consideration, then the Proposer of the Motion will be invited to attend the relevant meeting when it is discussed to introduce and speak to it.

Time Limit for Motions on Notice

Appendix 2 – Extract from Council Procedure Rules

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- 10.16 At each meeting up to one hour shall be allowed for consideration of all Motions on Notice. This may only be exceeded with the agreement of the Council.
- 10.17 At the end of the hour – or other time period if agreed by the Council – the Chairman will ask the Councillor speaking to conclude immediately.
- (a) If the speaker is proposing the motion then it can be formally seconded without comment;
 - (b) If the speaker is moving an amendment, the Chairman will allow the amendment to be formally seconded, without comment, and the mover of the motion to exercise their right of reply;
 - (c) If neither (a) nor (b) then the mover of the motion will be allowed to have their right of reply for up to 5 minutes.
- 10.18 The Chairman will put to the vote, without further discussion, all questions necessary to dispose of the motion being debated and put the Motion to the vote.
- 10.19 If as a result of reaching the time limit a motion is not moved by either the Councillor who gave notice or another Councillor on their behalf, it shall be either:
- (a) treated as withdrawn and cannot be moved without fresh notice, although it will not be restricted by the 6 month rule set out at Procedure rule 6; or
 - (b) with the consent of the Council, be postponed until the next Ordinary meeting.