



BROMSGROVE DISTRICT COUNCIL

YOU ARE HEREBY SUMMONED to attend a MEETING of BROMSGROVE DISTRICT COUNCIL to be held in the Council Chamber at Parkside Suite - Parkside at 6.00 p.m. on Wednesday 22nd May 2019, when the business referred to below will be brought under consideration:-

1. Election of Chairman for the Ensuing Year

Following election the Chairman will make a Declaration of Acceptance of Office.

2. Election of Vice-Chairman for the Ensuing Year

Following election the Vice-Chairman will make a Declaration of Acceptance of Office.

3. Vote of thanks to retiring Office Holders

4. Election of Leader of the Council

5. To receive apologies for absence

6. Declarations of Interest

To invite Councillors to declare any Disclosable Pecuniary Interests or Other Disclosable Interests they may have in items on the agenda, and to confirm the nature of those interests.

7. To confirm the accuracy of the minutes of the meeting of the Council held on 27th March 2019 (Pages 1 - 22)

8. To receive any announcements from the Chairman and/or Head of Paid Service

9. **To receive any announcements from the Leader including Appointment of Deputy Leader and membership of the Cabinet**
10. **Appointment of Committees 2019-20** (Pages 23 - 46)

To consider the report of the Head of Legal, Equalities and Democratic Services.
11. **Scheme of Delegations** (Pages 47 - 124)
12. **Appointments to Outside Bodies** (Pages 125 - 128)

K. DICKS
Chief Executive

Parkside
Market Street
BROMSGROVE
Worcestershire
B61 8DA

TO ALL MEMBERS OF THE BROMSGROVE DISTRICT COUNCIL

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE COUNCIL

27TH MARCH 2019, AT 6.00 P.M.

PRESENT: Councillors C. J. Spencer (Chairman), M. J. A. Webb (Vice-Chairman), S. J. Baxter, C. J. Bloore, M. T. Buxton, S. R. Colella, B. T. Cooper, R. J. Deeming, G. N. Denaro, R. L. Dent, M. Glass, C.A. Hotham, R. E. Jenkins, H. J. Jones, R. J. Laight, L. C. R. Mallett, K.J. May, C. M. McDonald, P. M. McDonald, S. R. Peters, S. P. Shannon, M. A. Sherrey, C. B. Taylor, P.L. Thomas, M. Thompson, L. J. Turner, K. J. Van Der Plank, S. A. Webb and P. J. Whittaker

90\18 **TO RECEIVE APOLOGIES FOR ABSENCE**

The Chairman invited Ms. P. Tansell, Chairman of the Bromsgrove Society to give a short presentation on the work of the organisation.

Apologies for absence were received from Councillors C. Allen-Jones and J. Griffiths. It was noted Councillor S. Colella would need to leave the meeting at 7.00 pm.

91\18 **DECLARATIONS OF INTEREST**

Councillor C. Hotham declared an other disclosable interest in respect of Councillor C. Bloore's notice of motion as his wife was a GP and also under the notice of motion from Councillor S. Colella as he was a private landlord.

92\18 **MINUTES**

The minutes of the meeting of Council held on 27th February 2019 were submitted.

During consideration of the minutes the following areas were raised as a matter of accuracy:

- Councillor Thompson requested that on page 9 the word rhetorical be removed as he had expected to receive responses to the questions he had raised.
- On page 17 Councillor Thompson said there had been a number of other questions asked which were not recorded. However, he had not received notification from the Portfolio Holder in respect of the meaning of MATES. The Portfolio Holder for Leisure,

Culture, Environmental and Regulatory Services confirmed that this stood for Multi Agency Tasking Enforcement Strategy.

- Councillor B. Cooper advised that in respect of the question from Councillor S. Baxter detailed on page 18 of the minutes, he had responded to the question on behalf of the Leader.

RESOLVED that the minutes of the meeting of Council held on 27th February 2019 be approved as a true record, subject to the pre-amble above.

93\18

TO RECEIVE ANY ANNOUNCEMENTS FROM THE CHAIRMAN AND/OR HEAD OF PAID SERVICE

The Chairman advised that she had two announcements to make; the first was in respect of her attendance at the Young Enterprise Showcase event, with the winner going through to the County final on 9th May 2019 to be held at County Hall.

The second event was her annual civic dinner which would take place at Grafton Manor on 12th April with all proceeds going to her chosen charity, Bosom Friends Cancer Care.

94\18

TO RECEIVE ANY ANNOUNCEMENTS FROM THE LEADER

The Chairman reminded everyone that under the Leader's announcements any questions should be in respect of clarification of items raised by the Leader. Any other matters should be directed to the Leader separately, and he has indicated he is happy to respond to these outside of the meeting, either by phone or email.

The Leader took the opportunity to thank all current Councillors, who were not standing in the May elections. He thanked them on behalf of the Council for giving up their time over the last four years to support this Council in carrying out its duties to the residents.

Councillor M. Thompson echoed the Leader's sentiments and also took the opportunity to suggest that the Leader may wish to provide an update in respect of the recent incident at the former council offices in Burcot Lane. The Leader confirmed that this was the subject of a Police enquiry and as soon as he had further information he would advise Members accordingly.

Councillor C. Bloore also asked if it was appropriate to suggest at this point that consideration should be given to allow Members to ask supplementary questions. The Leader advised that this would be considered at the next meeting of the Constitution Review Working Group.

95\18 **REPORT OF AN URGENT DECISION - COUNCIL TAX RESOLUTION**

The Leader advised that this was a record of the Urgent Decision that was made in relation to an incorrect title of one of the precepting bodies. Officers had initially included the name 'Warwickshire and West Mercia Police and Crime Commissioner' but the decision revised this to purely say Police and Crime Commissioner for West Mercia.

96\18 **TO RECEIVE COMMENTS, QUESTIONS OR PETITIONS FROM MEMBERS OF THE PUBLIC**

Members were advised that there were no questions or petitions from members of the public on this occasion.

97\18 **RECOMMENDATIONS FROM THE CABINET**

Cabinet Recommendations 13th March 2019

Finance Monitoring Quarter 3 Report

The recommendations from Cabinet in respect of the Finance Monitoring Quarter 3 Report were proposed by Councillor B. Cooper and seconded by Councillor G. Denaro.

In proposing the recommendations Councillor Cooper advised this report outlined the Council's financial position at the end of quarter 3 in December 2018. He commented that the Council was well on target to achieve a comfortable underspend for the full year. There were four financial matters relating to this report which needed Council's approval.

The first matter was in respect of £120k which had been earmarked for replacement parking machines, and which currently sat in the vehicle replacement programme budget. Council was asked to approve a virement of this into its own budget in 2018/19. This was an accounting exercise to aid clarity.

Councillor K. May confirmed that the current machines were due to be replaced and that a review was being undertaken of all machines, which included their location and how residents paid for car parking.

The second was in respect of increased grant funding received from the government for Disabled Facilities Grants, following the Budget announcement in Dec 2018. Council was asked to approve an increase in the 2018/19 capital budget of £102k for the Disabled Facilities Grant budget.

Councillor C. Hotham raised concerns that the funds for Disabled Facilities Grants seemed to be increasing and there was an urgent need for these funds to be spent.

The third asked Council to approve an increase of £390k in the 2018/19 capital budget for Bromsgrove combined footpath and cycleway network. The money had come from a grant from Worcestershire County Council.

The final recommendation was in respect of the existing sports hall, which was closed last month as it was no longer usable due to health and safety issues. The background to this was detailed in para 6.4 of the report. Members were reminded that they had agreed last July to release £734k for its demolition. The work had been put out to tender and the successful tender in terms of price and quality was for £1.05m, which was £346k more than was allocated in the budget. The reasons for the higher costs were outlined in para 6.4.2 of the report. Council is asked to approve an increase in the 2019/20 capital budget of £346k for the demolition of the Dolphin Centre including the sports hall and carrying out of associated car park work. It was confirmed that of the £346k, £202k was to be funded from capital receipts and £144k from balances.

Councillor M. Thompson asked if the recommendations could be taken individually rather than en bloc, which was agreed. He further suggested that the figures in respect of the demolition of the Sports Hall simply confirmed what had been discussed at previous meetings in that the option of either building a new Sports Hall or refurbishing the current one should have been the preferred option. He also questioned why this increased amount had not been included in the budget setting discussions at the previous Council meeting. Councillor Cooper advised that this could not have been included as it had not been agreed by Council at that time.

Members discussed a number of areas in more detail, this included the following:

- The increase in the cost of the demolition compared to the original quote and whether the original contractors were asked to provide an up to date quotation for the work. Councillor Cooper drew Members' attention to paragraph 6.4.2 of the report which provided details of the cost and reasons for the increase.
- The Executive Director, Finance and Resources also confirmed that the tender process had been undertaken by MACE on behalf of the Council.
- Members continue to be disappointed with the size of the increase as Members had made a decision based on the original business case presented to them, if the revised figures had been in that business case then Members may well have reached a different decision.
- Members questioned whether the revised costs would be measured against any future profit for the new Leisure Centre.
- Councillor Cooper confirmed that the business case had not been reopened but the matter could be scrutinised through the usual channels should Members so wish.

- The impact of the loss of the Sports Hall together with the additional cost and services that additional cost could have been used to support.
- By delaying the demolition this has enabled contractors to see how much was originally estimated for the cost and given them the opportunity to resubmit at a higher price. The business case should therefore have been resubmitted and new quotes obtained.

Councillor Thompson proposed an amendment, as this was such an important area, for recommendation d) of the report to be deferred until the next meeting of Council in order for a full and detailed business case to be prepared. The proposal was seconded by Councillor P. McDonald. Councillor McDonald explained he supported the deferral as it would give the Council the opportunity to revisit the business case and have the opportunity to save the Council some money.

A number of Members spoke in support of the amendment and commented that the cost was now over £1m which appeared excessive for the work that was being done. The matter had been going on for a long time and the original plan had been not to have a sports hall, but this had changed and Council had then been asked to consider whether it wanted a sports hall or not. Again it was reiterated that when the decision was made, if the current cost had been made available then, the decision made by Council may have been different.

Councillor Cooper advised Members that there had been a number of complaints from the public in respect of the parking around the current sports hall site, which was impacting on the car park usage and also the developer from the new Leisure Centre had raised concerns that the old site and its condition was having an impact on usage of the new centre.

Councillor Thompson reminded Members that the Save Our Sports Hall group continue to campaign for the facility which had been a great loss to the community and this was an opportunity for the Council to reconsider its decision and take account of its residents' views.

On being put to the vote the amendment was lost.

The substantive motion was then considered and after a short debate it was

RESOLVED:

- a) that the virement of £120k in 2018/19 for replacement parking machines currently held within the vehicle replacement programme budget be approved. This is to ensure clarity of the current spend under these project headings;
- b) that an increase in the 2018/19 Capital Budget of £102k for the Disabled Facilities Grant budget be approved. This is due to

additional grant funding being received following the budget announcement in December 2018;

- c) that an increase in the 2018/19 Capital Budget of £390k for a Bromsgrove combined Footpath and Cycle Way Network funded from a grant from Worcestershire County Council be approved; and
- d) that an increase in the 2019/20 Capital Budget of £346k for the demolition of the Dolphin Centre to be funded from Capital Receipts (£202k) and balances (£144k) following receipt of tender quotations be approved

Treasury Management and Capital Strategy

The recommendations from Cabinet in respect of the Treasury Management and Capital Strategy were proposed by Councillor B. Cooper and seconded by Councillor G. Denaro.

Councillor Cooper advised Members that the Capital Strategy report was a new requirement for 2019/20, due to changes in guidance from the Chartered Institute for Public Finance and Accountancy (CIPFA) and the Ministry of Housing, Communities and Local Government (MHCLG).

The reports were required by central government and were written in a prescribed format which made them very technical. The strategies set limits and indicators that embody the risk management approach that the Council believed to be prudent. The strategies were set against the Council's Medium Term Financial Plan, the context of the UK economy, and projected interest rates. The reports set treasury investment criteria and limits, which were (largely) unchanged. The investment strategy pulled together information on commercial property and loans to show the Council's risk management approach in those areas.

Each year, the Council was required to approve a Treasury Management Strategy, which concerned the management of the Council's cash flows, borrowing and investments and associated risks. The report included the Treasury Management Policy statement in appendix C to the report and the Annual Minimum Revenue Provision statement in appendix D.

Council was also required to approve the Capital Strategy report. This was a high-level overview of capital expenditure, capital financing, and treasury management activity that contributed to the provision of local public services, along with an overview of how associated risk was managed and the implications for future financial sustainability. A very important part of this report was the authorised limit and operational boundary for external debt set out. Appendix E contained the policy for the flexible use of capital receipts, which was a new requirement. The Treasury Management half yearly report was also included in the report and noted by Cabinet, but did not need approval at this meeting.

RESOLVED:

- a) that the Capital Strategy as an appropriate overarching strategy for the Council be approved and the flexible use of capital receipts as per appendix E; and
- b) that Council approve the Treasury Management Strategy for 2019/20 and the associated limits, MRP policy and treasury management policy (appendices C and D) and specific indicators included in this report.

Investment and Acquisition Strategy 2019/20

The recommendations from Cabinet in respect of the Investment and Acquisition Strategy 2019/20 were proposed by Councillor B. Cooper and seconded by Councillor G. Denaro.

Councillor Cooper advised Members that this was a new report for 2019/20, which met the requirements of the statutory guidance issued by the Government in January 2018. Members noted that some aspects of the Investment Strategy had also been covered in the Treasury Management and Capital Strategy reports that had just been approved by Council. Councillor Cooper confirmed that the Council invests its money for three broad reasons:

- It had surplus cash as a result of its day-to-day activities, for example when income was received in advance of expenditure. These were known as treasury management investments.
- To support local public services by lending to or buying shares in other organisations. These were service investments.
- To earn investment income. These were known as commercial investments where income was the main purpose.

It was confirmed that the strategy was relatively flexible, allowing the Council to invest for commercial activity, regeneration and development.

Councillor Thompson questioned the use of loans and whether this was linked to the proposed Housing Company to be set up for the Burcot Lane site redevelopment. It was also noted that investment in commercial property was highlighted but this was not referenced within the Medium Term Financial Plan. Councillor Cooper confirmed that as such matters would be commercially sensitive, it would not be appropriate to provide full details of any potential investments within it.

Members also briefly discussed the potential impact of Brexit on the work of the Council and any investments it made, which it was agreed was difficult to quantify at the current time.

RESOLVED that the Investment Strategy Report 2019/20 be approved and adopted.

Cabinet Recommendations 27th March 2019

ERP Finance System

The recommendation from Cabinet in respect of the ERP Finance System Report was proposed by Councillor B. Cooper and seconded by Councillor G. Denaro.

In presenting the report Councillor Cooper reminded Members that this system was scrutinised by the Finance and Budget Working Group in June 2018 and discussed by Council in July. The background information provided was that over recent years, weaknesses had been identified in the financial management, planning and forecasting capabilities of the systems that were currently in place in the Council. It had been reported by officers, by external and internal audit, and within the Corporate Peer Challenge, that the Council's finance systems did not enable the Council to make decisions based on accurate, timely or easily retrievable information. This would become increasingly important if the Council was to meet the future challenges in the commercial environment.

It was also recognised that there were a significant number of manual processes that had to be undertaken in payroll, payments and Human Resources to facilitate access to data that officers and external partners may require. Furthermore, there were no seamless links between systems and so, information had to be manually transferred between systems. This could cause problems related to data loss, consistency and reliability. It was worrying that managers were unable to see their budgets on the existing financial systems and had to rely on spreadsheets to undertake budget monitoring. This could lead to lack of ownership and accountability, and to poor forecasting and financial monitoring. Councillor Cooper advised that the Council's systems for finance and human resources were no longer fit for purpose. Another important consideration was that the licences for a number of the existing systems were due for renewal in the coming year.

Councillors were reminded that in July 2018, they had approved implementation of an Enterprise Resource Planning solution to provide an integrated Financial and Human Resources system for the Council, and had approved that the 2018/19 capital programme be increased by £198k to cover the implementation costs of the new system, which was to be paid from capital receipts. The Resources system was put out to tender and the process was summarized in paragraphs 3.2 – 3.4 of the report. As a result of the procurement process, a preferred supplier was identified.

The preferred system would cost a total of £736k for both Bromsgrove and Redditch Councils, and this Council would have to pay £368k an additional £170k above the amount already allocated. It was thought to be wise to add a contingency of 10% for unexpected costs, so that the total additional cost to Bromsgrove Council would be £207k. The

preferred supplier's price included an implementation cost based on the number of days that it estimated would be required for implementation of what was a complex system. If less implementation days were used by the supplier than were budgeted for by the Council, then there would be a consequential reduction in implementation costs. The Enterprise Resource Planning system would be funded by using capital receipts so there was no need for borrowing or a requirement for a return on the investment. No savings from implementation of the system were built into the current Medium Term Financial Plan, although it was anticipated that resources would be realigned to support the commercial and financial activities of the Council once the new system was fully functioning.

In the discussion at the Finance and Budget Working Group, there was focus on organisational change and potential job losses. It was acknowledged that this was an ambitious programme of change for the Council. However, no redundancies were planned. At present there were two vacant posts in the Finance Department whose salary costs would be used towards offsetting implementation costs. It was not likely that those posts would be filled when the new system was operational. It was envisaged that some roles within finance could change as indicated earlier. It was envisaged that implementation would start early in the new financial year and would be completed within 18 months.

Councillor L. Mallett as Chairman of the Overview and Scrutiny Board and its Finance and Budget Working Group clarified that from the information available the Working Group had raised concerns at the significant increase in the cost of the system and that further information on the reasons for this was needed before a decision could be made, together with details of the impact on jobs within the various teams. Concerns had been raised as to the cost of the system in comparison to the "turnover" of the Council particularly in light of the significant increase. The Working Group had not been provided with clear detailed information around exactly what the system could do and whether the benefits of it outweighed the cost of it.

Councillor Cooper reiterated his previous comments in that all concerned had considered the initial report, which had agreed the system going forward. He appreciated that the savings to be made from the system were important, but as the current system was no longer fit for purpose it was more important to get a system in place which would carry out all the functions that were needed taking the Council forward. A Project Group had been set up, including staff from the IT team, who had initially given estimates on the potential cost of such a project. Councillor Cooper provided detail around the soft market testing which was carried out which had highlighted that the cost of a system to meet the Council's needs would take more time to implement than had been anticipated. Although there was the potential for any reduction in the implementation time to be refunded to the Council. The introduction of the system would allow for much tighter budgeting and control of the

Council's finances, which was something that had been highlighted a number of times through both the internal and external auditors.

A number of Members spoke in support of the system and the need for improvements going forward into a commercial environment, but continued to be concerned about the significant increase in the cost. It was felt that much more detail should have been included within the report in order for Members to make an informed decision. Further concerns were also raised that as the costs had already increased that once the work began, it would increase further. Councillor Cooper, whilst acknowledging this point, said he was not aware of the potential need for further funds, and that a 10% contingency had been built in to the amount now requested.

Councillor P. McDonald reminded Members of a previous project which had cost the Council dearly and suggested that it would be useful for the Overview and Scrutiny Board to receive regular updates on progress of the scheme to ensure that there were no additional cost incurred, without Members being aware of them. Members asked for this to be minuted to ensure that this was carried out.

RESOLVED that additional capital receipts to the value of £207k as detailed at 3.6 of the report be approved, to fund the system in 2019/20 and that the Capital Programme be updated to reflect this expenditure.

98\18

TO NOTE THE MINUTES OF THE MEETINGS OF THE CABINET HELD ON 27TH FEBRUARY AND 13TH MARCH 2019

The Minutes from the Cabinet meetings held on 27th February and 13th March 2019 were submitted for information and noted by Members.

99\18

TO RECEIVE AND CONSIDER A REPORT FROM THE PORTFOLIO HOLDER FOR HEALTH AND WELL BEING AND ENVIRONMENTAL SERVICES

Councillor M. Sherrey, the Portfolio Holder for Health and Well Being and Environmental Services advised Members that she did not intend to present her report in detail, but was happy to respond to questions and would take the report page by page.

Members discussed a number of areas within the report in detail and raised the following questions:

- Whether the Portfolio Holder felt that the Council was taking its role as Corporate Parenting role seriously enough and whether training should be made mandatory. Councillor Sherrey was in agreement with this and highlighted that training had been arranged but there had been a very disappointing attendance at these sessions.
- The income made from the Lifeline service and whether this was appropriate or should the cost of the service be reduced. The

Portfolio Holder confirmed that any surplus made from the scheme was reinvested in the service.

- Whether the income made was solely from the Cannock Chase contract and whether the amount detailed was the overall income or just the portion for this Council.
- In respect of the section on young people, Members felt it would have been more useful to have received more data and outcomes of the services referred to in order to ensure that they were being of benefit to all concerned.
- Members were disappointed that there was no reference to the good work that was being carried out by a number of parishes in respect of dementia friendly communities. It was acknowledged that much of this work was being carried out by volunteers.
- The accessibility of the new leisure centre by the more vulnerable groups and whether this was acceptable.
- Whether there should have been reference to the failing services at Worcestershire County Council and this being the reason why there had been changes to the services detailed in the report. Particular reference was made to the Adult Social Care Services and the services provided for young people.
- No mention of sustainable travel, air quality or the grant for electric charging points – it was noted that air quality came under the portfolio of Councillor P. Whittaker.
- Whether electric charging points would be made available in all car parks in order to encourage residents to choose sustainable modes of transport. Councillor Sherrey confirmed that this was at the early stages but she was hopeful that they would be rolled out to car parks as a later date.
- Councillors C. Bloore and L. Mallett shared their disappointment that there was no reference to holiday hunger or the Active Kitchen scheme, which had been discussed at a previous Council meeting, or the causes of this, including the changes to the benefit system.
- Data in respect of those that attended the Active Kitchen sessions. Councillor Bloore advised Members that this scheme had been well publicised and the relevant Portfolio Holders had been quoted in the local press about the scheme. He felt that this should have been included within the report as it had an important role to play in the work of this Council.
- The role Members' played on the Children and Families Scrutiny Board at Worcestershire County Council and whether this was effective.
- The role of a Portfolio Holder and the work they were expected to carry out, including the presenting of these reports, which was an opportunity for other Members to hold the Portfolio Holders to account.
- The support Portfolio Holders received from officers.

100\18

QUESTIONS ON NOTICE

Question submitted by Councillor M. Thompson

“There has been an increase in drivers using areas of the town as race tracks. Will the leader - or the appropriate portfolio holder - raise this as an issue at the next meeting of Safer Bromsgrove. Nothing - not even time - can heal the wounds made by dangerous drivers and I hope he will support me in this endeavour.”

The Leader responded that this matter would be raised at the next meeting of Safer Bromsgrove and he would support Councillor Thompson in this endeavour.

Questions submitted by Councillor M. Buxton

“The hoarding around the Market Hall is an increasingly unattractive view in the town. If work is not going to start on this site any time soon could the Council consider improving the look of the area by organising an Art competition for local Schools to paint the hoardings and brighten the area?”

Councillor K. May, the Deputy Leader and Portfolio Holder for Economic Development, the Town Centre and Strategic Partnerships responded to Councillor Buxton's question. In so doing she took the opportunity to say she had enjoyed working with Councillor Buxton and advised that the current agreement in respect of this site was coming to an end and she was looking at a number of improvements to the area including 'meanwhile' use of the site in order to brighten up the area.

Question submitted by Councillor S. Baxter

“Following the lengthy debate at the last Council meeting on litter picking which highlighted the effort that our community volunteers put into trying to keep our streets clean and tidy, I was very pleased to see that Bromsgrove has been awarded a Government 'Clean up our high street' grant of £17,108.

According to the government press release:

‘Councils in partnership with existing community groups will be able to use this one-off funding to support volunteers. They will be able to buy tools such as litter pickers, gloves and brushes and provide training for residents on how to remove graffiti or tackle fly-tipping, as well as organise events to encourage more families to get involved’.

Please can the portfolio confirm that this money will be spent on items as described above to support the work of our community groups and that the 'Adopt An Area To Keep Bromsgrove Tidy' scheme is being funded separately to recognise the work that they do.”

Councillor M. Sherrey, Portfolio Holder for Health and Wellbeing and Environmental Services responded to Councillor Baxter's question and advised Members that the Adopt an Area scheme was being funded from existing budgets and proposals were being drawn up in respect of projects to be funded by the Government Grant.

Question submitted by Councillor S. Webb

"Please could the leader give an update on Bromsgrove's position regarding libraries following a request for assistance from Worcestershire County Council."

The Leader had been advised by the County Council that there were no libraries within Bromsgrove District that were under fear of closure in the next financial year (2019/20).

Notwithstanding this his aim was to keep all the libraries in the District open and the Council would be looking to work with County Council colleagues to fully assess the opportunities afforded by these facilities in the provision of services to the District. Any proposals would need to be the subject of business cases which would enable Members to consider any financial impact as part of the Medium Term Financial Plan for 2020/21.

The Council was fully committed to supporting the library service and would welcome consideration of this later in the year.

101\18

MOTIONS ON NOTICE

Action against Knife Crime

Members considered the following Notice of Motion submitted by Councillor L. Mallett:

"Council notes the recent triple stabbing incident over the Birmingham border in Northfield, as well as incidents in our District and the growing rate of knife crime across the UK.

Council believes that key to tackling knife crime is integrated working across services including the police, education, health and youth services. Council is concerned about the impact of cuts to youth services and policing upon the ability to tackle this growing problem.

Council calls on the Leader and Cabinet to:

- a) Write to Sajid Javid and the PCC to ask them to address Council on the issue of knife crime and police funding
- b) To reaffirm our funding for youth projects in Bromsgrove and to encourage our partners to support knife crime reduction programmes.

- c) To call on Worcestershire County Council to reinstate funding for publicly funded youth services in the District, and to support initiatives in education to keep knives out of our schools. “

The Motion was proposed by Councillor L. Mallett and seconded by Councillor C. Bloore.

In proposing the Motion Councillor Mallett firstly, confirmed that he was a trustee of a local youth charity, but did not believe that this was an interest which needed to be declared. He went on to highlight that there were hundreds of young people who had lost their lives from the growing knife crisis. Statistics showed that this was a crime, which had been on the rise and since 2015 had almost doubled to 40,000 per annum. This was a serious issue and he hoped that Members could reach a consensus as they had the ability to be able to do something about the growing problem. He believed that the cuts at both national and County Council level had impacted on this, in particular with the cuts to youth provision. The library cuts would further impact on the services, as many libraries were also used as a meeting place for many members of the community. The reduction in early intervention services had also played its part in isolating those in most need of support. The issue had been compounded by the reduction of Police officers, whilst it was acknowledged that the Police and Crime Commissioner was hoping to put more Police on the streets, this would in reality only take the County back to its position in 2010 before the cuts had begun to take effect. There had been a drastic cut in the number of youth workers and a clear link had been shown between the cuts and an increase in the level of crime.

Councillor Mallett went on to make reference to the recent knife attack in Northfield which was on the board with the District and that there had been arrests in Bromsgrove for possession of knives and that it was likely that there would soon be an incident where someone was injured in Bromsgrove if action was not taken soon. The Council had the ability to take action now, before it was too late and to show its residents that it was prepared to do what it could to address the growing problem.

A number of Members spoke in favour of the motion and in so doing highlighted the following:

- The impact of the significant cuts to youth services and the need for these to be properly funded.
- The need for appropriate funding to be provided in order to address the problems faced.
- The reintroduction of Youth Clubs in order for there to be somewhere for the most vulnerable to go and seek help and support. This type of support had proved to be a very effective way of dealing with issues.
- The importance of appropriate support being in place in order to ensure young people feel safe and have someone to talk to, and somewhere to go.

- The need for young people to be given a purpose and future and to be able to contribute positively to society.

Councillor P. Whittaker responded to the Notice of Motion and advised that 27 teenagers had lost their lives so far this year and he saw no reason for anyone to carry a knife. He believed that the Police had a bigger role to play in the matter and discussed the work of the North Worcestershire Community Safety Partnership (of which he was a member in his role as Portfolio holder). It was important that the Police and Police and Crime Commissioner were held to account. He also spoke about “county lines” and the growing issue of cross boarder crime, which impacted on the District. He advised that the Metropolitan Police Commissioner had only recently addressed Parliament about the issues and the need for action to be taken. There were a number of projects across England and Wales which had been set up specifically to try and deal with the problems. The Home Secretary and Police and Crime Commissioner were therefore very much aware of the problem and concerns of everyone. Councillor Whittaker therefore proposed an amendment, which was seconded by Councillor G. Denaro, as detailed below:

Council calls on the Leader and Cabinet to:

- a) Write to Sajid Javid and the PCC to ask them to address Council on the issue of knife crime and advise of the current progress.
- b) (To remain as per Councillor Mallett’s original Notice of Motion.)
- c) To support initiatives in education to keep knives out of our schools.

Councillor Mallett thanked Councillor Whittaker for putting forward the amendment but advised that he was unable to accept it, as he believed the reduction in youth services at Worcestershire County Council played a large part in compounding the issues and that funding was a vital part to addressing the matter.

Councillor Denaro spoke in support of the amendment and highlighted that he was not belittling the importance of the issue in any way. He commented on the assertions that the lack of Police and youth funding was a factor in the increase in stabbing incidents and that he had noted that the Chief Constable for the West Midlands had set out to the House of Commons Home Affairs Committee the previous day his three reasons for the increase in the area, these were, the drug trade, other crime including car theft and the proliferation of weapon carrying (the fist fight had become a knife fight). He had observed that young people at the moment felt under protected. When asked what he would do if more funding were provided, the Chief Constable had responded that visibility around school closing times, safe routes for young people to travel in areas were the strategies he would employ.

Councillor Denaro believed that a multi-stranded approach was essential to tackling serious violence and involved a range of partners across different sectors. It was also crucial that the issue was understood and owned locally in order for all relevant partners to tackle the issue. The role of the Police and Crime Commissioner was a pivotal one, by working with community Safety partnerships and other local partners, in order to prioritise tackling serious violence at a local level.

Members were advised that the Government had made available new rounds of the anti-knife crime Community Fund for 2018-19 and 2019-20 to help communities tackle knife crime and which had funded 68 projects so far. The Government would also continue to provide match funded support for local and regional reviews in England and Wales to respond to “county lines” and gang related problems. Early Intervention Youth Funding was already supporting 29 projects in England and Wales and funding had already been allocated to projects delivering interventions to young people at risk of criminal involvement, gang exploitation and “county lines”.

The Safer Bromsgrove Group via North Worcestershire Community Safety Partnership had provided £20k to fund a dedicated worker at the Bromsgrove Youth Hub, based in the Baptist Church, alongside this the Hub had received substantial funding from the Ward Member, the PCC, the New Homes Bonus Scheme and the Heart of England Baptist Church alongside multiple donations, in-kind donations and match funding from a range of businesses, stores and local organisations.

Councillor Denaro further advised that WCC had informed him that all Positive Activities organisations that were receiving funding had had confirmation of a further year’s allocation to March 2020 at current levels. The YMCA ran positive activities provision in the Bromsgrove District and were also members of the Children and Young People’s Providers consortium that developed the Bromsgrove Youth Hub, alongside the delivery of other youth activities. Discussions would take place about the future programme in alignment with the development of the 0-19 Early Intervention Strategy.

Following the tabling of the proposed amendment, number of Members spoke to it and made a number of points, including:

- Disappointment that the proposed amendment had not been discussed prior to the meeting.
- The benefits of youth services and the opportunities they provided.
- The lack of understanding by WCC in respect of the impact of youth services.
- Concerns that young people in some areas are frightened to leave their homes and the worries parents faced when they did.
- The need for investment in young people and the need for the Council to be able to help, as those that were affected were unable to vote.

- The need to make people throughout the district aware of what actions were being taken to give them confidence that the Council was doing all it could.
- Holding those responsible to account – it was understood that the PCC was attending an event in Hagley and suggested that he might have been better attending a Council meeting.
- The need for the Council to do more and the need for the focus to be on preventative work which was where the youth services became invaluable.
- That WCC seemed to be looking at the taking action when it was too late, rather than at the earlier stages, again this was where more adequate youth services would be able to help.
- Whether it was appropriate for the Youth Hub to be based at the Baptist Church and the need for such services to be more accessible to all.
- The need for action to be taken before it was too late and there was a fatality in the district due to knife crime. It was noted that there had been an incident recently in Sanders Park.

A proposal was put forward and seconded, for the amendments to be voted on individually, rather than as a whole. Following a brief, 5 minute, adjournment to consult with the Monitoring Officer on the logistics of this, it was agreed that the amendments to a) and c) would be voted on individually.

In accordance with Council Procedure Rule 18.3 a recorded vote was taken in respect of the amendments to a) and b) of the Motion and the voting was as follows:

- a) Write to Sajid Javid and the PCC to ask them to address Council on the issue of knife crime and advice of the current progress.

For the Motion Councillors Cooper, Deeming, Denaro, Dent, Glass, Jenkins, Jones, Laight, May, Peters, Sherrey, Taylor, Mike Webb, Shirley Webb, Whittaker, Spencer (16)

Against the Motion Councillors Baxter, Bloore, Mallett, Peter McDonald, Christine McDonald, Shannon, Thompson, Turner, Van der Plank (9)

Abstaining from the Motion (0)

c) To support initiatives in education to keep knives out of our schools.

For the Motion Councillors Cooper, Deeming, Denaro, Dent, glass, Jenkins, Jones, Laight, May, Peters, Sherrey, Taylor, Thomas, Mike Webb, Shirley Webb, Whittaker, Spencer (17)

Against the Motion Councillors Baxter, Bloore, Hotham, Mallett, Peter McDonald, Christine McDonald, Shannon, Thomson, Turner, Van der Plank (10)

Abstaining from the Motion (0)

The Chairman declared a) and c) of the amended motion to be carried.

On summing up part b) of the substantive motion Councillor Mallett he expressed his disappointment in Members reaction and decision to “water down” the main body of his motion. He reiterated his concern that the reduction in Youth Services had and would continue to impact on the young people in the District and inevitably the problem of knife crime would continue.

On being put the vote the Chairman declared b) of the substantive motion to be carried.

Funding of the NHS

The Chairman confirmed that there was 10 minutes remaining from the allotted time for consideration of Notices of Motion. Councillor C. Bloore proposed an extension of time to 9.00 p.m. to allow his Motion to be discussed. As there had been an adjournment earlier in the proceedings, and with Council’s agreement the time allotted to consider Notices of Motion was extended by 10 minutes to 9.00 p.m.

Members considered the following Notice of Motion submitted by Councillor C. Bloore:

“Council Notes

- Secretary of State for Health Matt Hancock’s recent visit to the Royal Worcester Hospital, to discuss the ongoing problems facing healthcare services in Worcestershire.
- The publication of the government’s long-term ten-year plan for the NHS.
- The shared view of the Office for Budget Responsibility and the Institute for Fiscal Studies was that 4% was the annual increase needed by the NHS to reverse its decline.
- That instead of meeting the identified 4% target, the government has proposed 3.4% (£20.5bn over five years) investment in funding for the NHS.
- Since this announcement cuts to public health spending – including on alcohol and sexual health clinics funded by councils – means the true size of the increase in health spending is still lower: just 2.7% in 2019-20.
- The woefully inadequate targets for mental health diagnosis, support and treatment contained in the ten-year plan.
- The current 100,000 vacancies in the NHS workforce and the absence of a specific workforce plan as part of the report.
- The publication of the government’s green paper on Adult Social Care has been delayed several times: from an original publication date of “summer 2017” and then to “the end of” 2017, a revised timeframe of “before the summer [Parliamentary] recess” (i.e. 25

July 2018) was announced. In June 2018, the then Health and Social Care Secretary announced a further delay to the “autumn” of 2018 following the announcement that a ten-year plan for the NHS would be developed; this was later tweaked to “before the end of the year”.

Council Believes

- That the NHS is the jewel in the crown of our public services and the public expect it to be funded properly which means the government should follow the advice of the Office for Budget Responsibility to increase funding by 4% annually.
- The continued failure and postponement of the government’s green paper on the funding of adult social care is having a drastic effect on local health services. And until Hospitals can discharge patients safely into the community or back home with the appropriate car packages, hospital beds will remain oversubscribed.
- That it is imperative for any long term plan for the NHS to include a specific workforce plan that tackles the likely loss of clinical staff through Brexit and clearly identifies how it will train, retain and attract 100,000 new staff to the NHS
- That if Mental Health is truly to gain parity of esteem with physical conditions then targets for Mental Health diagnosis and treatment must reflect those of physical conditions.

Council Resolves

- To write to the Secretary of State for Health Matt Hancock to call for the government to increase annual funding to the NHS by 4%
- Noting the comments of Simon Trickett (NHS accountable officer) that between 250 and 300 EU nationals currently work in the NHS in Worcestershire. To write to the Secretary of State for Health Matt Hancock for clarification on plans in place to deal with the potential loss of staff due to Brexit in Worcestershire.
- To write to the Secretary of State for Health Matt Hancock to urge him to raise targets for mental health diagnosis and treatment found within the plan.
- To write to the Secretary of State for Health Matt Hancock urging him to publish the governments green paper on Adult Social Care funding so that the NHS, local authorities and families can properly plan for the plan.
- To write to the Secretary of State for Health Matt Hancock to show its support for ‘competitive tendering introduced by 2012’s Health and Social Care Act to be scrapped’.

The Motion was proposed by Councillor C. Bloore and seconded by Councillor L. Mallett.

In proposing the Motion Councillor Bloore reiterated the areas covered within his Notice of Motion and discussed a recent meeting of the Worcestershire Health Overview and Scrutiny Committee (HOSC) which

he had attended and where the NHS 10 Year Plan had been discussed. It appeared from that, that the ongoing problems were not addressed and that there had been a missed opportunity to deal with this. A number of areas were highlighted, including the aging population in the district, the fact that there was no plan in place to deal with staffing issues post Brexit and any plans in place to address the inability to fill the current vacancies. Councillor Bloore also raised concerns in respect of problems within the Adult Social Care service and its cost. It was apparent to him that HOSC was not able to deal with the issues raised and it was therefore important that this Council took action before it was too late.

Councillor K. May proposed an amendment to the Notice of Motion, which was seconded by Councillor M. Sherrey. In proposing the amendments Councillor May advised that she believed that the figures quoted were incorrect and elements of the 'notes' section and the Council 'believes' section were factually incorrect. She therefore proposed the following amendments:

Council Notes:

- a) The Secretary of State for Health Matt Hancock's recent visit to the Royal Worcester Hospital, to discuss the ongoing problems facing healthcare services in Worcestershire.
- b) The publication of the Government's long term ten year plan for the NHS.
- c) The shared view of the Office for Budget Responsibility and the Institute for Fiscal Studies was that 4% was the annual increase needed by the NHS to bring stability.
- d) That instead of meeting the identified 4% target, the government has proposed 3.4% (£20.5bn over five years plus £12bn already allocated) investment in funding for the NHS, with the balance being made from efficiency in the long term plan.
- e) The inadequate targets for mental health diagnosis support and treatment contained in the ten-year plan.
- f) The current 100,000 vacancies in the NHS workforce and the absence of specific workforce plan as part of the report.
- g) The publication of the Government's green paper on Adult Social Care has been delayed several times; from an original publication date of "summer 2017" and then to "the end of" 2017, a revised timeframe of "before the summer [Parliamentary] recess" (i.e. 25th July 2018) was announced. In June 2018, the then Health and Social Care Secretary announced a further delay to the "autumn" of 2018 following the announcement that a ten-year plan of the NHS would be developed; this was later tweaked to "before the end of the year".

Council Believes:

- a) That the NHS is the jewel in the crown of our public services and the public expect it to be funded properly which means the Government should follow the advice of the Office for Budget Responsibility to increase funding by 4% annually.

- b) The continued failure and postponement of the Government's green paper on the funding of adult social care is having an effect on local health services, but notes there is no evidence that County Council delayed discharges are having any effect on the system; since they are amongst the lowest delays in the West Midlands.
- c) That it is imperative for any long term plan for the NHS enacts the plan for workforce contained in Chapter 4, which builds on the 5,000 extra doctors and 8,000 extra nurses employed in the service since 2010.
- d) That if Mental Health is truly to gain parity of esteem with physical conditions then targets for Mental Health diagnosis and treatment must reflect those of physical conditions.

Council Resolves:

- a) To write to the Secretary of State for Health, Matt Hancock, to welcome £32bn of investment into the NHS, and ask him to review the formula of distribution of funds since changes made under Labour administrations would appear to disadvantage counties like Worcestershire. This change would enable the counties health system to be on a long term secure footing.
- b) Noting the comments of Simon Trickett (NHS Accountable Officer) that between 250 and 300 EU nationals currently work in the NHS in Worcestershire.
- c) To write to the Secretary of State for Health, Matt Hancock, for clarification on plans in place to deal with the potential loss of staff due to Brexit in Worcestershire.
- d) To write to the Secretary of State for Health, Matt Hancock, to urge him to raise targets for mental health diagnosis and treatment found within the plan.
- e) To write to the Secretary of State for Health, Matt Hancock, the Shadow Chancellor John MacDonald and the Shadow Secretary for Health urging them to work on a cross party basis so progress can be made on Adult Social Care funding to ensure local authorities and families can properly plan for the future.

Councillor Bloore accepted the amendments and reiterated his concerns in respect of the workforce and the need for a separate plan in future year. Due to the time constraints he was happy for the amended motion to be put to the vote.

On being put the vote the Chairman declared the amendment to the Notice of Motion to be carried.

The Chairman confirmed that the remaining motions would be carried over to the next full Council meeting.

Local Volunteers

Motion submitted by Councillor M. Thompson.

Living Wage – Contractors

Motion submitted by Councillor P. McDonald.

Private Sector Landlords

Motion submitted by Councillor S. Colella.

Committee Governance System

Motion submitted by Councillor C. Hotham.

Anti-Semitic Behaviour

Motion submitted by Councillor M. Glass.

The meeting closed at 9.00 p.m.

Chairman

ANNUAL COUNCIL

22nd May 2019

APPOINTMENT OF COMMITTEES 2019-20

Relevant Portfolio Holder	Cllr G Denaro
Portfolio Holder Consulted	Yes
Relevant Head of Service	Claire Felton, Head of Legal, Equalities & Democratic Services
Wards Affected	All Wards
Ward Councillor Consulted	N/A
Non-Key Decision	

1. SUMMARY OF PROPOSALS

- 1.1 Members are asked to approve the appointment and composition of the Council's Boards and Committees for the 2019-20 Municipal Year.

2. RECOMMENDATIONS

- 2.1 That for the ensuing Municipal Year, the Committees set out in the table in Appendix 1 of the report be appointed and that the representation of the different political groups on the Council on those Committees be as set out in that table until the next Annual Meeting of the Council, or until the next review of political representation under Section 15 of the Local Government and Housing Act 1989, whichever is the earlier.
- 2.3 That Members be appointed to the Committees and as substitute members in accordance with nominations to be made by Group Leaders.
- 2.4 That the terms of reference for the Boards and Committees as set out at appendix 2 be confirmed.

Financial Implications

- 3.1 There are no direct financial implications arising from this report.

Legal Implications

- 3.2 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.

ANNUAL COUNCIL

22nd May 2019

Service / Operational Implications

- 3.3 The Council is required by law and/or its own Constitution to appoint various Boards and Committees, agree their terms of reference and to agree the allocation of seats which are subject to the rules of political proportionality. It must review the political balance on an annual basis.
- 3.4 The rules of political proportionality mean that the political balance of the Council needs to be reflected in the political composition of individual Boards and Committees. In addition, the total number of seats allocated to each group must reflect the political balance of the Council.
- 3.5 The proposed allocation of seats on each Board/Committee is done on a strict mathematical basis.
- 3.6 When the Council reviewed the constitution in June 2015, it agreed the principle of substitute members on the Planning and Licensing Committees undertaking the same training as the full members of the Committees. In order that such training can be run effectively by including all Councillors for whom it is most relevant, group leaders area asked to identify who will act as substitute members for the Licensing and Planning Committees for this municipal year.
- 3.7 For all other committees substitutes will be notified to the Democratic Services Officers, as required on the instruction of the Group concerned.

Customer / Equalities and Diversity Implications

- 3.8 No implications have been identified.

4. RISK MANAGEMENT

- 4.1 There are no significant risks associated with this item.

5. APPENDICES

Appendix 1 Proposed Committees & allocation of Committee Places
2019-20

Appendix 2 Terms of reference of Boards and Committees

ANNUAL COUNCIL

22nd May 2019

6. BACKGROUND PAPERS

None

AUTHOR OF REPORT

Name: Amanda Scarce – Senior Democratic Services Officer
E Mail: a.scarce@bromsgroveandredditch.gov.uk
Tel: (01527) 881443

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The figures in *italics* are the mathematical calculations.

Committee	Cons 17 <i>54.84% of total</i>	Lab 5 <i>16.13% of total</i>	Lib Dem 3 <i>9.68% of total</i>	Independent Alliance 6 <i>19.35% of total</i>	Total
Overview and Scrutiny Board	6 <i>6.03</i>	2 <i>1.77</i>	1 <i>1.06</i>	2 <i>2.13</i>	11 11 members on Board <i>11</i>
Licensing Committee	6 <i>6.03</i>	2 <i>1.77</i>	1 <i>1.06</i>	2 <i>2.13</i>	11 11 members on Cttee <i>11</i>
Planning Committee	6 <i>6.03</i>	2 <i>1.77</i>	1 <i>1.06</i>	2 <i>2.13</i>	11 11 members on Cttee <i>11</i>
Audit, Stds & Gov'ce Committee	5 <i>4.94</i>	1 <i>1.45</i>	1 <i>0.87</i>	2 <i>1.74</i>	9 9 members on Cttee <i>9</i>
Electoral Matters Cttee	4 <i>3.84</i>	1 <i>1.13</i>	1 <i>0.68</i>	1 <i>1.35</i>	7 7 members on Cttee <i>7</i>
Appeals	3 <i>2.74</i>	1 <i>0.81</i>	0 <i>0.48</i>	1 <i>0.97</i>	5 5 members on Cttee <i>5</i>
Appointments	3 <i>2.74</i>	1 <i>0.81</i>	0 <i>0.48</i>	1 <i>0.97</i>	5 5 members on Cttee <i>5</i>
Statutory Officers	3 <i>2.74</i>	1 <i>0.81</i>	0 <i>0.48</i>	1 <i>0.97</i>	5 5 members on Cttee <i>5</i>
TOTAL Entitlement	36 <i>35.10</i>	11 <i>10.32</i>	5 <i>6.20</i>	12 <i>12.38</i>	64 <i>64</i>

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COMMITTEE TERMS OF REFERENCE

PART 5

APPEALS PANEL

Number of Members	5
Politically Balanced Y/N	Y
Quorum	3
Procedure applicable	Rules
Terms of Reference	Applicable Council Procedure Rules
Special provisions as to the Chairman	To hear, consider and determine appeals in accordance with the Council's policies and procedures
Special provisions as to membership	None
	Only those Councillors who have undertaken appropriate training may sit on the Appeals Panel.

COMMITTEE TERMS OF REFERENCE

PART 5

APPOINTMENTS COMMITTEE

Number of Members	6 made up of 5 members of Bromsgrove District Council and the Leader of Redditch Borough as co-optee
Politically Balanced Y/N	Y
Quorum	6
Procedure Rules applicable	Officer Employment Procedure Rules and Council Procedure Rules and applicable Council Procedure Rules
Terms of Reference	<p>a. To consider and recommend to Council matters relating to the appointment of the Head of Paid Service (Chief Executive), Monitoring Officer, Section 151 Officer and Chief Officers as defined in the Local Authorities (Standing Orders) Regulations 2001;</p> <p>b. For the same officers but excluding the head of paid service, monitoring officer and chief finance officer, to consider and decide on matters relating to disciplinary action.</p>
Provisions relating to appointment of Chairman	None
Special provisions as to membership	When considering the appointment or of the Head of Paid Service, monitoring officer or chief finance office, or the appointment or dismissal of the other Chief Officers defined in

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COMMITTEE TERMS OF REFERENCE

PART 5

	<p>paragraph 3 of the Officer Employment Procedure Rules, one member of the Panel must be a member of the Cabinet (paragraph 4 (2) of the Rules).</p> <p>Only those Councillors who have undertaken appropriate training may sit on the Appointment Committee..</p> <p>The Shared Service arrangements between Bromsgrove District and Redditch Borough Councils require the Chief Executive, Monitoring Officer, Section 151 officer and other Chief Officers to carry out work for both authorities. In the light of this the Leader of Redditch Borough Council will be co-opted onto the Appointments Panel as a non-voting member.</p>
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COMMITTEE TERMS OF REFERENCE

PART 5

AUDIT, STANDARDS AND GOVERNANCE COMMITTEE

Number of Members	9, none of whom may be members of the Cabinet + 2 co-opted non voting Parish Council representatives, who may not also be District Councillors, for the purpose of Standards
Attendance by other Councillors	Portfolio Holder with responsibility for finance expected to attend each meeting
Politically Balanced Y/N	Y
Quorum	5
Procedure applicable Rules	Audit, Standards and Governance Committee Procedure Rules and Council Procedure Rules (with the exception of Council Procedure Rules 2-4, 6, 8-10, 12.2 – 12.3, 14, 17,19, 20 and 21) – if there is any conflict, Audit, Standards and Governance Committee Procedure Rules to take precedence
Terms of Reference	<u>Stewardship and Audit</u> To provide independent assurance to the Council in relation to: a. The effectiveness of the Council's governance arrangements, risk management framework and internal control environment, including overseeing: <ul style="list-style-type: none"> • Risk management strategies; • Anti-fraud arrangements; • Whistle-blowing strategies; • Internal and external audit activity • Democratic governance b. the effectiveness of the Council's financial and non-financial performance to the extent it affects

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COMMITTEE TERMS OF REFERENCE

PART 5

	<p>exposure to risk and poor internal control;</p> <p>c. the annual governance statement.</p> <p>d. The review of the annual statement of accounts, confirming the appropriate accounting policies have been followed, including the external auditor's report to those charged with governance on issues arising from the audit of the accounts.</p> <p><u>Appointment of External Auditors</u></p> <p>e. To arrange the recruitment and operation of the Council's Auditor Panel, in accordance with the requirements of the Audit and Accountability Act 2014.</p> <p><u>Standards</u></p> <p>f. Promote and maintain high standards of conduct by Councillors and any co-opted members of Council bodies.</p> <p>g. Assist Councillors and co-opted members to observe the Members' Code of Conduct.</p> <p>h. Advise the Council on the adoption or revision of the Members' Code of Conduct.</p> <p>i. Monitor the operation of the Members' Code of Conduct.</p> <p>j. Advise, train or arrange to train Councillors and co-opted members on matters relating to the Members' Code of Conduct.</p> <p>k. Formulate advice for Members and officers on declarations of gifts and hospitality and monitor and review the arrangements for recording interests, gifts and hospitality.</p> <p>l. Grant dispensations to Councillors and co-opted members from requirements relating to interests set out in the Members' Code of Conduct.</p> <p>m. For both District and Parish Councils, deal with</p>
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COMMITTEE TERMS OF REFERENCE

PART 5

	<p>any report from the Monitoring Officer following an investigation into a complaint concerning the Members' Code of Conduct (statutory requirement).</p> <p>n. For both District and Parish Councils, consider and determine allegations that a Councillor or co-opted Councillor may have failed to follow the Code of Conduct and where a breach of the Code is established, impose sanctions as delegated by full Council or make recommendations as to any sanctions to the appropriate person or body (statutory requirement).</p> <p>o. Monitor and review the operation of the Protocol on Member-Officer relations.</p> <p>p. Monitor and review the operation of the Protocol on Member-Member relations.</p>
Special provisions as to the Chairman	None
Whipping arrangements	The party whip must not be applied
Substitutes	<p>Substitutes are permitted</p> <p>A substitute is permitted for the Co-opted Non-voting Parish Representative (who shall not be a member of the same Parish Council as either of the Parish members).</p>
Officer attendance	S151 Officer, Monitoring Officer and Audit Services Manager or their deputies are expected to attend each meeting.
Special provisions as to membership	<p>Quasi-judicial meetings training will be required before members sit on hearings.</p> <p>Members of the Cabinet or the Chairman of the Council may not be a member of or substitute on the Audit, Standards & Governance Committee.</p>

COMMITTEE TERMS OF REFERENCE

PART 5

ELECTORAL MATTERS COMMITTEE

Number of Members	7
Politically Balanced Y/N	Y
Quorum	4
Procedure Rules applicable	Council Procedure Rules (with the exception of Council Procedure Rules 1-4, 9 - 11, 13.4, 13.5, 14, 15, 18.2, 20.1 and 22)
Terms of Reference	To exercise powers and undertake functions relating to electoral matters and elections
Special provisions relating to appointment of Chairman	None
Special provisions as to membership	None

COMMITTEE TERMS OF REFERENCE

PART 5

LICENSING COMMITTEE

Number of Members	11
Politically Balanced Y/N	Y
Quorum	6
Procedure applicable	Rules Council Procedure Rules (with the exception of Council Procedure Rules 1-4, 10-11, 13.4, 13.5, 14 and 21)
Terms of Reference	<ol style="list-style-type: none"> 1. To exercise all powers and duties of the Council in licensing and registration except the determination of applications and other matters relating to licences or licence applications delegated to Licensing Sub-Committees; in particular (but not limited to) the exercise of all powers and duties conferred by the Licensing Act 2003 and the Gambling Act 2005 2. Enforcement of licensing and registration 3. To determine street amenity consents
Special provisions as to the Chairman	None
Whipping arrangements	No whipping is permitted
Special provisions as to membership	<p>Only those Councillors who have undertaken appropriate training may sit on the Licensing Committee.</p> <p>Neither the Leader nor Deputy Leader may be a member of the Licensing Committee</p>

COMMITTEE TERMS OF REFERENCE

PART 5

LICENSING SUB-COMMITTEE (Parent Committee – Licensing Committee)

Number of Members	3 (from the membership of the Licensing Committee)
Politically Balanced Y/N	N
Quorum	3
Procedure applicable	Rules Council Procedure Rules (with the exception of Council Procedure Rules 1-4, 9-11, 13.4, 13.5, 14, 18.2, 20.1 and 22)
Terms of Reference	To consider and determine applications and hearings arising from the Licensing Act 2003 and the Gambling Act 2005
Special provisions as to the Chairman	None
Special provisions as to membership	Only those Councillors who have undertaken appropriate training may sit on the Licensing Sub-Committee. Neither the Leader nor Deputy Leader may be a member of the Licensing Committee

COMMITTEE TERMS OF REFERENCE

PART 5

LICENSING (MISCELLANEOUS) SUB-COMMITTEES A AND B (Parent Committee – Licensing Committee)

Sub-Committee A and Sub-Committee B will sit in rotation

Number of Members	3 (from the membership of the Licensing Committee) including either the Chairman or Vice-Chairman of the Licensing Committee (with a fourth Member on standby for each meeting)
Politically Balanced Y/N	N (but to include where possible a member of the opposition)
Quorum	3
Procedure applicable	Rules Council Procedure Rules (with the exception of Council Procedure Rules 1-4, 9-11, 13.4, 13.5, 14, 18.2, 20.1 and 22)
Terms of Reference	To determine licensing applications (other than those arising under the Licensing Act 2003 and the Gambling Act 2005) including (but not limited to): 1. private hire and hackney carriage driver, operator and vehicle licensing; 2. street trading consents; 3. sex shop applications; 4. pet shop licences; 5. animal boarding licences; 6. riding establishment licences; 7. charitable collections; 8. street amenity consents.
Special provisions as to the Chairman	The Chairman shall be either the Chairman or Vice-Chairman of the Licensing Committee
Whipping arrangements	No whipping is permitted
Special provisions as to	Neither the Leader nor Deputy Leader may be a

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COMMITTEE TERMS OF REFERENCE

PART 5

membership	<p>member of the Licensing (Miscellaneous) Sub-Committee</p> <p>Only those Councillors who have undertaken appropriate training may sit on the Licensing (Miscellaneous) Sub-Committee.</p>
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COMMITTEE TERMS OF REFERENCE

PART 5

OVERVIEW AND SCRUTINY BOARD

Number of Members	11, none of whom shall be members of the Cabinet
Politically Balanced Y/N	Y
Quorum	6
Procedure applicable	Rules Overview and Scrutiny Procedure Rules and Council Procedure Rules (with the exception of Council Procedure Rules 1-4, 9-11, 13.4, 13.5, 14, 18.2, 20.1 and 22) – where there is any conflict, Overview and Scrutiny Procedure Rules to take precedence
Terms of Reference	<p>The general terms of reference of the Overview and Scrutiny Board will be to perform all overview and scrutiny functions on behalf of the Council in relation to any matter affecting the District and its inhabitants</p> <p>The specific terms of reference include:-</p> <ol style="list-style-type: none"> To receive and consider Councillor Calls for Action To perform the functions relating to Crime and Disorder Scrutiny (in accordance with the Police and Justice Act 2006) To receive and consider Petitions To scrutinise the Budget To monitor performance improvement To identify unsatisfactory progress or performance and make recommendations on remedial action to the Cabinet; To monitor the following Council documents/strategies <ul style="list-style-type: none"> Council Plan

Updated May 2016

COMMITTEE TERMS OF REFERENCE

PART 5

	<ul style="list-style-type: none"> • Council Annual Report • Improvement Plan • Performance Management Strategy/Data Quality Strategy • Quarterly Finance & Performance Monitoring report
Special provisions as to the Chairman	None
Officer attendance	A Director is expected to attend each meeting. The relevant Head of Service is expected to attend for consideration of any item within his/her area of responsibility
Whipping arrangements	When considering any matter in respect of which a member of the Overview and Scrutiny Board is subject to a party whip, the Councillor must declare the existence of the whip, and the nature of it before the commencement of the Overview and Scrutiny Board's deliberations on the matter. The declaration, and the detail of the whipping arrangements, shall be recorded in the minutes of the meeting.
Substitutes	Substitutes are permitted subject to the restriction that each member of the Board may only nominate a substitute on up to two occasions during each municipal year (as set out in rule 1.3 of the Overview and Scrutiny Procedure Rules). [Substitutes cannot be used for Task Group meetings.]
Special provisions as to membership	Members of the Cabinet or the Chairman of the Council may not be a member of or substitute on the Overview & Scrutiny Board.

COMMITTEE TERMS OF REFERENCE

PART 5

PLANNING COMMITTEE

Number of Members	11
Politically Balanced Y/N	Y
Quorum	6
Procedure applicable	Rules Planning Procedure Rules and Council Procedure Rules (with the exception of Council Procedure Rules 1-4, 9-11, 13.4, 13.5, 14, 18.2, 20.1 and 22) – where there is any conflict, Planning Procedure Rules to take precedence
Terms of Reference	<ol style="list-style-type: none"> 1. To exercise all powers and duties of the Council on all matters relating to development control, including but not limited to:- <ol style="list-style-type: none"> a. considering and determining applications for planning permission b. enforcement of planning control c. building preservation, Listed Buildings and Conservation areas d. Tree preservation orders e. Control of advertisements f. Footpath diversion orders under the Town and Country Planning legislation g. Certificates of Lawfulness h. Operational planning policies 2. To comment on proposals for development submitted by Worcestershire County Council and other public authorities 3. To determine High Hedges applications in accordance with Part 8 of the Anti-Social Behaviour Act 2003
Special provisions as to	The Chairman of Planning cannot be a member of

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COMMITTEE TERMS OF REFERENCE

PART 5

the Chairman	Cabinet.
Substitutes	Trained substitutes are permitted
Special provisions as to membership	<p>Only those Councillors who have undertaken appropriate training may sit on the Planning Committee.</p> <p>The Leader may not be a member or act as a substitute for a member of the Planning Committee.</p>

COMMITTEE TERMS OF REFERENCE

PART 5

STATUTORY OFFICERS DISCIPLINARY ACTION PANEL

Number of Members	8 made up of 5 District Council Members, 2 Independent Persons with voting rights and the Leader of Redditch Borough Council as co-optee
Politically Balanced Y/N	Y
Quorum	7
Procedure applicable	Rules Officer Employment Procedure Rules (incorporating the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015) and applicable Council Procedure Rules
Terms of Reference	In relation to disciplinary action affecting the statutory posts of head of the authority's paid service, monitoring officer and chief finance officer, to consider the issues, including the conclusions of any investigation, and make recommendations to Full Council as to dismissal or alternative action.
Special provisions as to the Chairman	None
Officer attendance	When meeting to determine an issue relating to disciplinary action the committee will be supported by independent external legal advisors.
Special provisions as to membership	The shared service arrangements between Bromsgrove District and Redditch Borough Councils require the Chief Executive, Monitoring Officer, Section 151 officer and other Chief Officers to carry out work for both authorities. In the light of this the Leader of Redditch Borough Council will be co-opted onto the Committee as a non-voting

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COMMITTEE TERMS OF REFERENCE

PART 5

	<p>member.</p> <p>Only those Councillors who have undertaken appropriate training may sit on the Statutory Officers Disciplinary Action Panel.</p>
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DELEGATIONS

Relevant Portfolio Holder	Cllr G Denaro
Portfolio Holder Consulted	Yes
Relevant Head of Service	Claire Felton, Head of Legal, Equalities and Democratic Services
Ward(s) Affected	All
Ward Councillor(s) Consulted	N/A
Key Decision / Non-Key Decision	Non-key

1. SUMMARY OF PROPOSALS

- 1.1 The Council is required to review its scheme of delegations on an annual basis. This report presents the scheme for noting.

2. RECOMMENDATIONS

It is recommended that

- 2.1 The current version of the Officer scheme of Delegations is agreed as set out at Appendix 1.

3. KEY ISSUES

Financial Implications

- 3.1 There are no financial implications arising directly from this report.

Legal Implications

- 3.2 Review and revision of the Constitution is governed by Article 15 of the Constitution.
- 3.3 Section 101 of the Local Government Act 1972 (as amended) gives a general power to local authorities to discharge functions through officers. Local Authorities are required by the same Act to maintain a list of these, which is referred to as the Scheme of Delegation. This sets out those powers of the Council which can be carried out by officers of the Council.

Service / Operational Implications

- 3.4 The Council's Constitution currently requires that the Officer Scheme of Delegations be approved by Members at the Annual Meeting of the Council.
- 3.5 The Officer Scheme of Delegations is the part of the Constitution that gives authority for certain decisions to be delegated from Council, the executive (Cabinet) or other committees to certain specified officers. It sets out the

decisions which are delegated by Council to officers and the decisions which are delegated by the Executive/ Leader to officers. In relation to certain regulatory decisions, the delegation is from Council to the relevant committee, namely Planning Committee or Licensing Committee.

- 3.6 The Scheme of Delegations is regularly altered and updated to reflect changes in the operation of the Council and changes to legislation. Changes have been made by the Monitoring Officer in accordance with the delegation that currently exists to amend the scheme to reflect changes in legislation, job titles and reallocation of functions. They do not extend the delegations.
- 3.7 A full review of the scheme of delegations was undertaken in consultation with the Constitution Review Working Group Members in order for these to reflect the changes in the reporting process and a report was brought back to Council and agreed on 19th September 2018.

Customer / Equalities and Diversity Implications

- 3.8 There are no specific customer or equalities implications arising from this report.

4. RISK MANAGEMENT

- 4.1 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 appeal which may result in awards of damages and costs against the Council and loss of reputation.

5. APPENDICES

Appendix 1 - scheme of delegations to officers revised in September 2018.

6. BACKGROUND PAPERS

None

7. KEY

AUTHOR OF REPORT

Name: Claire Felton

email: c.felton@bromsgroveandredditch.gov.uk

Bromsgrove District Council

Constitution

Chapter 10 – Officers and the Scheme of Delegation

Appendix 3A – The Scheme of Delegations

TRANSFORMATION AND HUMAN RESOURCES			
1. IT and Street naming and numbering			
Subject	Detail	Delegated by:	Delegated to:
IT Development.	To monitor and update the Council's IT development strategy.	Cabinet/ Leader.	Head of Transformation and Organisational Development.
Street Naming, House Numbering and Locality Names.	To determine all matters relating to street naming, house numbering and locality names.	Cabinet/ Leader.	Head of Transformation and Organisational Development following consultation with the Ward Member and, where relevant, Parish Council.
Regulation of Investigatory Powers Act.	See Corporate delegations	Council.	See corporate delegations

2. Human Resources			
Subject	Detail	Delegated by:	Delegated to:
Grants and Honoraria.	To make decisions on the payment of gratuities and honoraria to Council employees undertaking additional duties, provided budgetary provision exists.	Council.	Executive Director Finance and Resources in consultation with the Portfolio Holder.
Posts - Addition, Deletion.	Within the policy and budgets decided by the Council, to make decisions on the addition and deletion of posts and on adjustments to working conditions applying to particular posts (but not generally) insofar as it relates to a restructure which is not associated with the setting of the Council's budget.	Council.	Chief Executive.
Posts - Grading.	Within the policy and budgets decided by the Council, to make decisions on the grading of posts and on adjustments to working conditions applying to particular posts (but not generally).	Council.	Head of Transformation and Organisational Development
Seminars and Conferences.	To appoint the Council's representatives to meetings, seminars, conferences and other events which are not expected to be on-going.	Cabinet/Leader.	Heads of Service.
Appointment of Heads of Service.	To make appointments (where appropriate in consultation with the Head of Paid Service).	Council.	Executive Directors.
Appointment of Executive Directors.	To make appointments.	Council.	Chief Executive.
Appointment of Staff (below the level of Head of Service).	To make appointments (where appropriate in consultation with the Executive Director(s)).	Council.	Heads of Service.

Appeals.	To consider and determine appeals in respect of discipline, dismissal, the exercising of delegations (in respect of pension matters) for staff below the level of Head of Service.	Council.	Any one of the following: Chief Executive, Deputy Chief Executive Directors, Heads of Service (other than Head of Transformation and Organisational Development) or a consultant selected by the Head of Transformation and Organisational Development
Appeals (Job Evaluation).	To consider and determine appeals in respect of salary grading.	Council.	Any Officer of Head of Service level or above or a consultant selected by the Head of Transformation and Organisational Development
Careers Conventions.	To make decisions on Careers Conventions and the Council's involvement in work experience and similar schemes, relating to the training of young people.	Cabinet/Leader.	Head of Transformation and Organisational Development.
Disciplinary and Capability Action.	1. Within the Council's approved disciplinary and capability procedures and National Conditions of Service, [to take disciplinary action against, (including) dismissal of the Head of Paid Service, s151 Officer or Monitoring Officer subject to compliance with the Local Authorities (Standing Orders) (England) Regulations 2001 (as amended).	1. N/a.	1. Council.

	<p>2. Within the Council's approved disciplinary and capability procedures, to take action against, (including dismissal of), Executive Directors, subject, in the case of any Officer designated as Chief Finance Officer or Monitoring Officer, to compliance with the Local Authorities (Standing Orders) (England) Regulations 2001.</p>	2. Council.	2. Head of Paid Service.
	<p>3. Within the Council's approved disciplinary and capability procedures, [to take action against including] dismissal of Heads of Service and Assistant Chief Executive subject, in the case of any Officer designated as Chief Finance Officer or Monitoring Officer, to compliance with the Local Authorities (Standing Orders) (England) Regulations 2001 (as amended).</p>	3. Council.	3. Chief Executive/ Head of Paid Service or Executive Directors.
	<p>4. Within the Council's approved disciplinary and capability procedures, [to take disciplinary action against (including) dismissal of any member of staff in the department concerned below Head of Service level.</p>	4. Council.	4. Heads of Service.

Early Retirement Payments.	To exercise discretionary powers under the Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations 2006 to make a single lump sum payment (including any redundancy payment where necessary) of up to no more than 52 weeks actual pay to any employee in accordance with agreed criteria.	Council.	Chief Executive in consultation with The Executive Director, Finance and Resources, Head of Transformation and Organisational Development and the relevant Portfolio Holder.
Examination Success and other Achievements.	Within the budget determined by Council, to make decisions on matters arising from examination success or other special achievements by Council employees.	Cabinet/Leader.	Heads of Service in consultation with Head of Transformation and Organisational Development
Overtime Payments.	Within the budget determined by Council, to approve payments for overtime working where staff are required to work such overtime in pursuance of the Council's obligations or objectives.	Council.	Chief Executive, Executive Directors, Deputy Chief Executive, Heads of Service.
Pay Award.	Within the budget determined by Council, to implement increases in respect of the annual cost of living pay award as negotiated and agreed by the National Joint Councils or the Joint national Council for all staff.	Council.	Financial Services Manager.
Pay Protection.	To determine an appropriate pay protection policy for all staff.	Council.	Head of Transformation and Organisational Development in consultation with the Chief Executive and Executive Director - Finance and Corporate Resources.

Recruitment Scheme of Allowances.	To review on a regular basis the Council's policy and allowance rate in respect of the recruitment scheme of allowances (moving house).	Council.	Head of Transformation and Organisational Development.
Terms and Conditions of Employment.	To determine HR policies and procedures and terms and conditions of employment (save where specified by statutory provisions) in respect of all staff (except the Chief Executive).	Council.	Head of Transformation and Organisational Development.
Travel Allowances.	<ol style="list-style-type: none"> 1. To implement increases in respect of the lump sum and mileage allowance payable to all staff in accordance with circulars issued by the Joint National Council and National Joint Council. 2. To implement and review increases in respect of subsistence allowances on an annual basis. 	Council.	1. & 2. Finance Services Manager

COMMUNITY SERVICES			
1. Strategic Housing			
Subject	Detail	Delegated by:	Delegated to:
Discretionary Housing Assistance Grants.	To determine applications for Housing Assistance Grants under the Regulatory (Housing Assistance Grants) (England and Wales) Order 2002.	Cabinet/ Leader.	Strategic Housing Manager.
Home improvement Agency	To deal with day to day management of the Home Improvement Agency Service	Cabinet	Head of Community Services/ Strategic Housing Manager/Private Sector Team Leader
Houses in Multiple Occupation.	<ol style="list-style-type: none"> 1. To approve, revoke and vary licences relating to houses in multiple occupation under the Housing Act 2004. 2. To sign housing-related notices for houses in multiple occupation under the Housing Act 2004. 3. To inspect conditions under the Housing Health and Safety Rating System - Housing Act 2004. 4. To issue interim and final orders 	<ol style="list-style-type: none"> 1. Cabinet/ Leader 2. Cabinet/ Leader. 3. Cabinet/ Leader. 4. Cabinet/ Leader 	<ol style="list-style-type: none"> 1. Strategic Housing Manager. 2. Strategic Housing Manager. 3. Strategic Housing Manager. 4.Strategic Housing Manager
Housing Act 1985 and Housing Act 2004.	<p>To exercise all functions relating to housing conditions, issue of licences, service of orders and notices and powers of entry.</p> <p>To institute legal proceedings</p>	Cabinet/ Leader.	<p>Strategic Housing Manager</p> <p>Strategic Housing Manager in consultation with Principal Solicitor</p>

Agenda Item 11

Housing Associations - Nominations.	To deal with the nomination where necessary of homeless applicants to housing association dwellings.	Cabinet/ Leader.	Strategic Housing Manager.
Housing Capacity Study.	To update the site details and housing figures in the Housing Capacity Study on an annual basis using data from the Housing Land Availability Study.	Cabinet/ Leader.	Strategic Housing Manager.
Housing Corporation Social Housing Grant.	To administer and approve applications and to authorise payment of local authority grant and Housing Corporation Grant under the Housing Corporation IMS System.	Cabinet/ Leader.	Strategic Housing Manager.
Housing Grants.	To determine applications for housing grants under the Housing Grants, Construction and Regeneration Act 1996.	Cabinet/ Leader.	Strategic Housing Manager.
Low Cost Housing.	<ol style="list-style-type: none"> 1. To administer the Council's low cost housing scheme including the making of nominations and the sale of the Council's interest in dwellings. 2. To take all necessary action including the institution of legal proceedings to recover deferred payments from the purchases of low cost homes who are in breach of covenants made in the purchase of low cost housing. 3. To revise fees in relation to low cost housing transactions. 	<ol style="list-style-type: none"> 1. Cabinet/ Leader. 2. Cabinet/ Leader. 3. Cabinet/ Leader. 	<ol style="list-style-type: none"> 1. Strategic Housing Manager. 2. Principal Solicitor. 3. Head of Legal, Equalities & Democratic Services, Head of Community

			Services and Financial Services Manager in consultation with the relevant Portfolio Holders.
Mandatory Disabled Facilities Grant.	<ol style="list-style-type: none"> 1. To determine applications for housing grants under the Housing Grants, Construction and Regeneration Act 1996. 2. To grant extensions of time of up to six months within which improvements are to be completed. 	<ol style="list-style-type: none"> 1. Cabinet/ Leader. 2. Cabinet/ Leader. 	<ol style="list-style-type: none"> 1.Strategic Housing Manager. 2.Head of Community Services.
Protection from Eviction Act.	To take appropriate action (including the institution of criminal or civil proceedings).	Cabinet/ Leader	Head of Community Services or Principal Solicitor.
Utilities - Restoration or Continuance of Services.	To deal in consultation with the relevant Portfolio Holder and generally in accordance with emergency procedures with applications received pursuant to the arrangements according to section 33 of the Local Government (Miscellaneous Provision) Act 1976 (Public Utility Services to Dwellings) and to take such action as may be necessary for the recovery of any payments made by the Council in pursuance of such arrangements.	Cabinet/ Leader.	Executive Director Finance and Resources or Head of Community Services
Regulation of Mobile Home Sites	<p>To institute legal proceedings under section 1 of the Caravan Sites and Control of Development Act 1960</p> <p>To take all steps to manage and regulate Mobile Home Sites, including the exercise of power of entry under the following</p>	<p>Council</p> <p>Cabinet/Leader</p>	<p>Strategic Housing Manager in consultation with the Principal Solicitor</p> <p>Strategic Housing Manager</p>

	legislation:- <ul style="list-style-type: none"> • Caravan Sites and Control of Development Act 1960 • Caravan Sites Act 1968 		
Requisition for Information	To serve a requisition for information under section 16 of the Local Government (Miscellaneous Provisions Act 1976	Cabinet/Leader	Strategic Housing Manager
Boarding up of dangerous buildings	To serve notice under Section 9 of the Local Government (Miscellaneous Provisions) Act 1982	Cabinet/Leader	Strategic Housing Manager
Statutory Nuisance	To take all necessary action in relation to statutory nuisance under the Environmental Protection Act 1990.	Council	Strategic Housing Manager

COMMUNITY SERVICES

1.Community Safety

Subject	Detail	Delegated by:	Delegated to:
Civil Injunctions	To seek a civil injunction in accordance with Sections 1 –21 of the Anti Social Behaviour, Crime and Policing Act 2014.	Council	Head of Community Services and Head of Housing in consultation with the Principle Solicitor and where appropriate the Ward Member.
Community Protection Notices and Fixed Penalty Notices	To serve Community Protection notices (and Fixed Penalty Notices in the event of a breach) in accordance with Section 43 – 58 of the Anti Social Behaviour, Crime and Policing Act 2014.	Council	Head of Community Services, Head of Environmental Services, Head of Worcestershire Regulatory Services and the Head of Planning and Regeneration and where appropriate the Ward Member.

Public Space Protection Orders (PSPOs)	To initiate and implement the consultation process required to make a Public Space Protection Order (PSPO) in accordance with Sections 59 – 75 of the Anti Social Behaviour, Crime and Policing Act 2014.	Council	Head of Community Services, Head of Housing Services, Head of Environmental Services and Head of Leisure and Cultural Services and where appropriate the Ward Member.
Closure Notices and Closure Orders	To issue Closure notices (up to 48 hours) and to apply for a Closure Order in accordance with Sections 76 – 93 of the Anti Social Behaviour, Crime and Policing Act 2014.	Council	Head of Community Services, Head of Housing, Head of Environmental Services, Head of Planning and Regeneration and Head of Worcestershire Regulatory Services and where appropriate the Ward Member.

3. CCTV/Lifeline

Subject	Detail	Delegated by	Delegated to
CCTV/Lifeline	Day to day management of the 24 hour CCTV/NEW Lifeline Monitoring Centre, Installation Team and telephone answering out of hours service, in accordance with the Council's adopted codes of practice and industry best practice.	Cabinet/Leader	CCTV and Lifeline Manager

CORPORATE DELEGATIONS			
1. Corporate			
Subject	Detail	Delegated by:	Delegated to:
Authentication of Documents.	To sign any document necessary to any legal procedure or proceedings on behalf of the Council.	Council.	Chief Executive (unless any enactment otherwise authorises or requires or the Council has given requisite authority to some other person).
Consultation Documents.	<p>1. To respond on behalf of the Council to consultation documents where there is insufficient time for a response to be agreed by Full Council and where it affects the District of Bromsgrove.</p> <p>[NOTE: For the purposes of this delegation a consultation shall not be regarded as affecting the District of Bromsgrove if it relates to a national issue and would have no more effect on Bromsgrove than it would on any other area.]</p> <p>2. To respond to consultations by the County Council in respect of proposals to carry out alterations to schools in the District or nearby.</p>	1. & 2. Council	<p>1. The Leader and Chief Executive in consultation with the relevant Head of Service or Director.</p> <p>2. Chief Executive in consultation with the relevant Ward Members.</p>

Emergencies.	<ol style="list-style-type: none"> 1. To act in accordance with the delegated procedures set out in the Emergency Plan. 2. To enable Officers to undertake appropriate communications activity during an emergency without recourse to members, should the situation require an immediate response. 3. To incur expenditure essential to meet any immediate needs created by an emergency in accordance with the Financial Regulations. 	1. - 3. CabinetLeader.	<ol style="list-style-type: none"> 1. Chief Executive, Executive Directors, Deputy Chief Executive , Executive Director & Heads of Service. 2. Chief Executive, Deputy Chief Executive, Executive Director. 3. Heads of Service with agreement of the Cabinet/ Leader or, if the Cabibnet/ Leader is unavailable and in cases of extreme emergency only, the relevant Portfolio Holder.
Proper Officer.	<ol style="list-style-type: none"> 1. To sign summonses to Council Meetings and to receive notices regarding addresses to which summons to meeting is to be sent under provisions of paragraphs 4(1A) and 4(1B) of Schedule 12 to the Local Government Act 1972. 2.To be appointed "Proper Officer" in relation to the following provisions of the Local Government Act 1972: 		<ol style="list-style-type: none"> 1. Chief Executive or in his/her absence the Monitoring Officer.

	<ul style="list-style-type: none"> a. Sections 83(1) to (4) - Witness and receipt of acceptance of office. b. Section 84 - Receipt of declaration of resignation of office. c. Section 89 (1) (b): Receipt of notice of casual vacancy from two local electors. d. Section 229(5): Certification of photographic copies of document. e. Sections 234(1) and (2): Authentication of documents. f. Section 88 (2): Convening of meeting to fill casual vacancy in the office of Chairman. g. Section 210 (6) and (7): Charity functions of holders of offices with existing authorities transferred to holders of equivalent office with new authorities, or, if there is no such office to "Proper Officers". 		<ul style="list-style-type: none"> a. Chief Executive. b. Chief Executive. c. Head of Legal, Equalities and Democratic Services. d. Head of Legal, Equalities and Democratic Services. e. Head of Legal, Equalities and Democratic Services. f. Chief Executive. g. Head of Legal, Equalities and Democratic Services.
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	<p>h. Section 225: Deposit of documents.</p> <p>i. Section 236(9): To send copies of byelaws for parish records.</p> <p>j. Section 236(10): To send copies of byelaws to the County Council.</p> <p>k. Section 238: Certification of byelaws.</p> <p>l. Section 228 (3): Accounts of “any Proper Officer” to be open to inspection by any member.</p> <p>m. Section 191: Function with respect to ordnance survey.</p> <p>n. Sections 115(2) and 146(1) (a) and (b): Receipt of money due from Officers declaration and certificates with regard to securities.</p> <p>o. Section 151.</p>		<p>h. Head of Legal, Equalities and Democratic Services.</p> <p>i. Head of Legal Equalities and Democratic Services.</p> <p>j. Head of Legal, Equalities and Democratic Services.</p> <p>k. Head of Legal, Equalities and Democratic Services.</p> <p>l. Executive Director Finance and Resources.</p> <p>m. Head of Planning and Regeneration.</p> <p>n. Executive Director Finance and Resources.</p> <p>o. Executive Director Finance and Resources.</p>
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<p>Regulation of Investigatory Powers Act.</p>	<ol style="list-style-type: none"> 1. To review, revise and update the Council's RIPA policy. 2. Under the provisions of Part 1 chapter 2 of the Regulation of Investigatory Powers Act 2000 relating to the Accessing of Communications Data, to appoint officers to act as SPOCs (Single Point of Contact). 3. To grant authorisations, subject to approval by the Magistrate's Court, under the Regulation of Investigatory Powers Act (RIPA) 2000 to conduct covert surveillance. 4. In relation to requests for Directed Surveillance, including authorisation as referred to above, to sign all necessary documents and forms whether by way of Authorisation, Review, or Cancellation 5. In relation to requests for Covert Human Intelligence Sources where the source is aged under 18, to sign all necessary documents and forms whether by way of Authorisation, Review, or Cancellation. 	<p>1. – 7. Council</p>	<ol style="list-style-type: none"> 1. Head of Legal, Equalities and Democratic Services. 2. Head of Legal, Equalities and Democratic Services. 3. Heads of Service authorised to do so under Appendix 2 of the RIPA policy. 4. Heads of Service authorised to do so under Appendix 2 of the RIPA policy. 5. Chief Executive or in his/her absence the Deputy Chief Executive.
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	<p>6. To maintain the central record of documents, relating to RIPA policy, including authorisations.</p> <p>7. To carry out all necessary action to ensure that the Office of Surveillance Commissioners is satisfied with the Council's Policy and Procedures in respect of RIPA.</p>		<p>6. The Information Management Team under the supervision of the Head of Transformation and Organisational Development.</p> <p>7. Head of Legal, Equalities and Democratic Services.</p>
Urgent Business.	To determine matters requiring attention as a matter of such urgency that formal reporting to Council, Cabinet or Committee is not possible.	Council or Cabinet/ Leader (as appropriate).	Chief Executive in consultation with the Cabinet/ Leader, s151 Officer and the Monitoring Officer, together with, where appropriate, the Chairman of the Overview and Scrutiny Board.

2. Monitoring Officer			
Subject	Detail	Delegated by:	Delegated to:
Constitution and Scheme of Delegation - amendments.	1. To make amendments to the Scheme of Delegation and other areas of the Constitution in order to reflect changes in legislation or regulations, job titles and the reallocation of functions of the Council between departments, provided that the amendments do not extend or reduce the existing delegations or other powers and duties currently listed in the Constitution.	Council.	Monitoring Officer.
	2. To make amendments to that part of the Constitution which comprises the Management Arrangements to the extent that such amendment reflects either a change in personnel or changes to the corporate structure which have been agreed by Council.		Monitoring Officer.
Independent Members of Audit, Standards & Governance Committee.	To undertake all the administrative arrangements in respect of the recruitment of the Independent Member on the Committee, including <ul style="list-style-type: none"> • Short listing of candidates in consultation with the Chairman of the Committee for interview by the Appointments Committee; • Where only one candidate meets the essential criteria, in consultation with the Chairman of the Committee to make recommendations to Council. 	Council.	Monitoring Officer.

Agenda Item 11

Outside Bodies.	To maintain and amend a list of external bodies and organisations to which Members have been appointed by the Council.	Council.	Monitoring Officer in consultation with the Leader.
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ENVIRONMENT

1. Business Waste Collection and Recycling Service

Subject	Detail	Delegated by:	Delegated to:
Varying charges for the Business Waste Collection and Recycling service.	To vary charges for the Business Waste Collection service when agreeing terms with customers within a variance of plus or minus 25%	Council	Head of Environmental Services

2. Cemeteries

Cemeteries.	<ol style="list-style-type: none"> 1. To operate the Bromsgrove Cemetery and North Bromsgrove Cemetery within the Budget and Policy Framework. 2. To determine applications to sell flowers at Bromsgrove Cemetery and North Bromsgrove Cemetery and to determine a suitable charge. 3. To remove and dispose of floral tributes remaining on a grave where the grave owner has not complied with two written requests to remove tributes. 	<ol style="list-style-type: none"> 1. Cabinet/ Leader. 2. Cabinet/ Leader. 3. Cabinet/ Leader. 	<ol style="list-style-type: none"> 1. & 2. Head of Environmental Services; Environmental Services Manager and Bereavement Services Manager Head of Environmental Services; Environmental Services Manager and Bereavement Services Manager Environmental Services Manager and Bereavement Services Manager
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3. Use of land / dogs			
Subject	Detail	Delegated by:	Delegated to:
Flowers, Bulbs and Trees.	To approve requests from charitable organisations to plant flowers, bulbs and trees in support of the Charity in parks and open spaces.	Cabinet/Leader.	Head of Environmental Services and Environmental Services Manager
Inland Revenue Mobile Advice Centre.	To determine requests to site a mobile tax advice centre on the Recreation Road South Car Park.	Cabinet/Leader.	Head of Environmental Services.
Hay.	To determine requests to harvest hay from areas of recreation and amenity land subject to any environmental and conservation considerations and that any income generated be allocated to recreation purposes.	Cabinet/Leader.	Head of Leisure and Cultural Services
Dogs.	To make decisions connected with the control of dogs and fouling nuisance including the designation of areas of land under The Dogs (Fouling of Land) Act 1996.	Cabinet/ Leader.	Head of Worcestershire Regulatory Services.

4. Car Parking and Transport			
Subject	Detail	Delegated by:	Delegated to:
Car Parks - Holding of Events.	To determine requests to hold events on any Council car park.	Cabinet/Leader.	Head of Environmental Services following consultation with the relevant Parish Council (if any). Environmental Services Manager
Car Parking Order.	<ol style="list-style-type: none"> 1. To make amendments to the Car Parking Order (other than alterations to car parking charges and excess penalty notice charges). 2. To make amendments to the Car Parking Order to alter car parking charges and excess penalty notice charges where such alterations have been approved by Council or Executive/ Leader, as appropriate. 	<ol style="list-style-type: none"> 1. Cabinet/ Leader. 2. Cabinet/ Leader. 	<ol style="list-style-type: none"> 1. Head of Environmental Services. 2. Head of Environmental Services.
Off Street Parking - Removal of Vehicles.	To arrange for the removal of any vehicle left in a parking place in contravention of an Order made by the Council under the Road Traffic Regulation Act 1984 relating to off-street parking or to arrange for the alteration of the position of any vehicle so its position complies with the provision of such an Order.	Cabinet/Leader.	Head of Environmental Services.; Environmental Services Manager
Goods Vehicles - Operators Licences.	To comment or object to applications made under the Goods Vehicles (Licensing of Operators) Act 1985.	Council.	Head of Environmental Services; Environmental Services Manager.

5. Trees			
Subject	Detail	Delegated by:	Delegated to:
High Hedges.	<ol style="list-style-type: none"> 1. To determine High Hedge applications submitted in accordance with Part 8 of the Anti-Social Behaviour Act 2003 and to issue a remedial notice where appropriate when: <ol style="list-style-type: none"> a. such applications are submitted by or on behalf of any officer of the Council or any Parish Council within the District of Bromsgrove. b. such applications are submitted by or on behalf of any County, District or Parish Councillor whose ward is within the district of Bromsgrove. c. any County, District or Parish Councillor whose ward is within the District of Bromsgrove is affected by such an application. 2. In all other circumstances to determine all High Hedge applications submitted in accordance with Part 8 of the Anti-Social Behaviour Act 2003 and to issue a remedial notice where appropriate. 	<ol style="list-style-type: none"> 1. Council. 2. Planning Committee. 	<ol style="list-style-type: none"> 1. Planning Committee 2. Head of Environmental Services.
Inspection Notices.	To serve notices of intended inspection under sections 196A, 196B, 214B and 325 of the Town and Country Planning Act 1990.	Planning Committee.	Principal Solicitor.
Rights of Entry - Proper Officer.	1. To be designated as the Proper Officer for the purposes of authorising persons to enter onto land in connections with the exercise of functions under sections 196A, 196B, 214B and	1. Planning Committee.	1. Head of Planning and Regeneration

	<p>324 of the Town & Country Planning Act 1990.</p> <p>2. To issue and serve notices of intended inspection under sections 196A, 214B, 324 and 325 of the Act.</p>	<p>2. Planning Committee.</p>	<p>1. Principal Solicitor.</p>
Tree Preservation Orders.	To initiate Tree Preservation Orders.	Council.	Head of Environmental Services.
Tree Preservation Orders - Confirmation.	<p>1. To confirm Tree Preservation Orders under the provisions of the Town & Country Planning Act 1990 in cases where objections have been received.</p> <p>2. To confirm Tree Preservation Orders in all other cases.</p>	<p>1. Council.</p> <p>2. Planning Committee.</p>	<p>1. Planning Committee.</p> <p>2. Head of Environmental Services</p>
Tree Preservation Orders - Applications to Fell	To determine applications for the felling of large trees (i.e. mature or over-mature trees), major pruning operations (i.e. major canopy reduction, reshaping works) and contentious applications for tree work, whether or not as part of a planning application.	Council	Planning Committee
Tree Preservation Orders - Works to Protected Trees.	<p>1. To authorise certain categories of works to protected trees.</p> <p>2. To determine applications to carry out the following work:</p> <ol style="list-style-type: none"> the felling of small trees. the removal of dead, dying or diseased trees. pruning for reasons of health and safety to trees of any size. minor pruning works. the felling of conifers and pioneer trees species (including but not limited to birch, ash, rowan and hawthorn). 	<p>1. Planning Committee.</p> <p>2. Planning Committee.</p>	<p>1. Head of Environmental Services.</p> <p>2. Head of Environmental Services.</p>

Tree Preservation Orders - Contravention.	To institute proceedings under S210 of the Town & Country Planning Act 1990 in respect of contraventions of Tree Preservation Orders.	Council	Planning Committee
Tree Preservation Orders - revocation or variation.	<ol style="list-style-type: none"> 1. To revoke or vary a Tree Preservation Order where the original confirmation was made by Planning Committee. 2. To revoke or vary in all other cases 	<ol style="list-style-type: none"> 1. Council 2. Planning Committee 	<ol style="list-style-type: none"> 1. Planning Committee 2. Head of Environmental Services
Trees & Shrubs overhanging the Highway.	To serve notices under section 154 of the Highways Act 1980 requiring the lopping or cutting of the hedge, tree or shrub on the owner of a hedge, tree or shrub, or on the occupier of land on which a hedge tree or shrub is growing, which overhangs a highway or any other road or footpath to which the public has access so as to endanger or obstruct the passage of vehicles or pedestrians or obstructs or interferes with the view of drivers of vehicles or the light from a public lamp so as to remove the cause of danger, obstruction or interference.	Leader/Executive	Head of Environmental Services
Trees - Dangerous.	<ol style="list-style-type: none"> 1. Where notice is received under s23(2) of the Local Government (Miscellaneous Provisions) Act 1976 that trees are in such condition that they are likely to cause damage to persons or property on the land of the person giving notice: <ol style="list-style-type: none"> a. To take any steps necessary to make the trees safe (whether by felling or otherwise) where the owner of the land is not 	1. Planning Committee	1. Head of Environmental Services

	<p>known.</p> <p>b. to serve a notice under s23 (3) of the Act on the owner or occupier of the land on which the trees are growing where the name and address of such or occupier is known requiring the taking of steps to make the trees safe and if the Notice is not complied with to take the steps specified therein and recover such expenses.</p> <p>2. To take any necessary action under s23 – 26 of the Local Government (Miscellaneous Provisions) Act 1976 to secure the removal of dangerous trees and to deal with dangerous excavations.</p>		
		2. Planning Committee	2. Head of Environmental Services

6. Enforcement and Fixed Penalty Notices within Environmental Services			
Enforcement & Fixed Penalty Notices for Environmental Services	1. To take enforcement action in relation to the Council's enforcement powers under the legislation detailed in (a) below, including the issuing of Fixed Penalty Notices.	Cabinet/Leader	Head of Environmental Services
	2. To select and authorise officers to take enforcement action in relation to the Council's enforcement powers under the legislation detailed in (a) below, including the power to give advice to offenders, to issue verbal warning and written warnings and issue Fixed Penalty Notices.	Cabinet/Leader	Head of Environmental Services
	3. To commence court proceedings where necessary including authorising court proceedings, or defending any action	Cabinet/Leader	Head of Environmental Services in consultation with Principal Solicitor.
	4. To administer Formal Cautions as an alternative to court Proceedings.	Cabinet/Leader	Officers authorised in writing by the Head of Environmental Services.
	(a) Refuse Disposal (Amenity) Act 1978, Control of Pollution (Amendment) Act 1989, Environmental Protection Act 1990, Anti-social Behaviour Act 2003 and Clean Neighbourhoods and Environment Act 2005.		

HOUSING			
Subject	Detail	Delegated by	Delegated to
Allocation of Accommodation	To approve nominations for housing applicants qualifying under the Council's Allocation Policy.	Cabinet /Leader.	Strategic Housing Manager.
Asylum Seekers.	To approve the allocation of dwellings through nomination rights to asylum seekers to suit the requirements of individual cases.	Cabinet/Leader.	Strategic Housing Manager.
Homeless Persons.	To implement the provisions of the Housing Act 1996, the Homelessness Act 2002 and the Homelessness Reduction Act 2017.	Cabinet/Leader.	Strategic Housing Manager.
Housing Waiting List.	To approve nominations and arrangements where necessary to applicants on the Housing Needs Register in accordance with the Council's Allocation Policy.	Cabinet/Leader.	Strategic Housing Manager.
Secure Tenancies.	<p>To make nominations in respect of secure tenancies to:</p> <p>a. applicants who have not been granted tenancies but who have been selected under either sections 193 or 195 of the Housing Act 1996 and qualify for an offer of a secure tenancy from the Housing Register based on the Council's Allocations Scheme date order; and</p>	Cabinet/Leader.	Strategic Housing Manager.

	<p>b. applicants who have been selected under sections 193 or 195 of the Housing Act 1996 and have become non-secure tenants and qualify from the Housing Register to be made secure tenants of their existing property based on the Council's Allocations Scheme date order.</p>		
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LEGAL, EQUALITIES AND DEMOCRATIC SERVICES			
1. Legal			
Subject	Detail	Delegated by:	Delegated to:
Appeals.	To appeal on behalf of the Council against decisions of courts, tribunals or other decision-making bodies.	Council.	Principal Solicitor.
Dedications.	To approve dedications of cycleways, bridleways, footways, footpaths and highways where no objections to the proposal have been received.	Cabinet/Leader.	Head of Legal, Equalities & Democratic Services.
Documents, Orders and Notices (other than contracts falling under the Contracts Procedure Rules).	To sign or seal any document, Order or Notice on behalf of the Council and to serve or receive any documents on behalf of the Council.	Council.	Head of Legal, Equalities & Democratic Services Or Principal Solicitor.
Footpaths.	<ol style="list-style-type: none"> 1. To deal with all matters relating to public footpaths where no objections to the proposal have been received. 2. To comment on consultation to correct known errors to the definitive footpath maps and to comment on proposals to stop up or extinguish existing footpaths or to create new footpaths. 	<ol style="list-style-type: none"> 1. Planning Committee. 2. Planning Committee. 	<ol style="list-style-type: none"> 1. Principal Solicitor. 2. Head of Planning and Regeneration.
Formation of Companies.	To undertake the formation of limited companies where this is calculated to facilitate or is conducive to the discharge of any of the Council's functions.	Cabinet/Leader.	Principal Solicitor.

Legal Advice and Assistance.	To provide legal advice, support and guidance (including the conduct of court proceedings) on behalf of external clients, including local authorities or other bodies to which the Council is empowered by legislation to provide legal advice.	Council/Cabinet / Leader (as appropriate).	Principal Solicitor.
Low Cost Housing Transactions.	<ol style="list-style-type: none"> 1. To administer the Council's Low Cost Housing Scheme, including the making of nominations and the sale of the Council's interest in dwellings. 2. To take all necessary action, including the institution of legal proceedings to recover deferred payments from the purchases of low cost homes who are in breach of covenants made in the purchase of these homes. 3. To revise fees in relation to low cost housing transactions. 	1. – 3. Cabinet/ Leader.	<ol style="list-style-type: none"> 1. Head of Planning. 2. Principal Solicitor. 3. Head of Legal, Equalities & Democratic Services, Head of Planning and Regeneration and Financial Services Manager in consultation with the relevant Portfolio Holders.
Planning Consultants.	<ol style="list-style-type: none"> 1. To engage the services of consultants to advise officers and given evidence at public local enquiries. 2. To engage the services of consultants in such cases as may be considered appropriate in appeals on planning and 	<ol style="list-style-type: none"> 1. Cabinet/ Leader. 2. Cabinet/ Leader 	1. & 2. Principal Solicitor or Head of Planning and Regeneration.

	planning enforcement issues.		
Police and Crime Panel – budget	To approve the budget for the administration of the West Mercia Police and Crime Panel, providing no financial contribution is sought.	Council	Head of Legal, Equalities and Democratic Services following consultation with the Leader of the Council.
Proceedings and Prosecutions.	<ol style="list-style-type: none"> 1. To commence any proceedings/prosecutions considered necessary in relation to frauds or attempted frauds against the Council. 2. To prosecute or defend or to appear in or make arrangement for the Council to be represented in any proceedings before any court or tribunal and to deal with all procedural aspects of Court proceedings. 3. To authorise Officers to sign statements of Truth, Statutory Declarations and Affidavits on behalf of the Council. 4. To act as informant in the laying of an information to commence proceedings before the Magistrates Court. 5. To sign indictments in appropriate Crown Court proceedings. 	<ol style="list-style-type: none"> 1. Council. 2. Council. 3. Council. 4. Council. 5. Council. 	<ol style="list-style-type: none"> 1. Principal Solicitor. 2. Principal Solicitor. 3. Principal Solicitor. 4. Head of Legal, Equalities & Democratic Services. 5. Head of Legal, Equalities & Democratic Services.

	<p>6. To sign any document required as part of any court procedure including statutory demands or bankruptcy petitions.</p>	6. Council.	6. Principal Solicitor.
	<p>7. To select and authorise Officers to prosecute or defend on the council's behalf (subject to 9 below).</p>	7. Council.	7. Principal Solicitor.
	<p>8. To select and authorise Officers to appear on the Council's behalf in proceedings before a Magistrates' Court (subject to 9 below).</p>	8. Council	8. Principal Solicitor.
	<p>9. To select and authorise Officers to appear before Magistrates Courts and Tribunals to:</p> <p>(a) represent the Council in the recovery of Council Tax and non-domestic rates monies due to the Council;</p> <p>(b) represent the Council before a Valuation Tribunal in consideration of any appeals which may arise concerning Council Tax and non-domestic rates.</p>	9. Council.	9. Principal Solicitor or Head of Resources.
	<p>10. To prosecute or defend in respect of all environmental health related statutory provisions listed in Appendix EH1 of this scheme.</p>	10. Council.	10. Principal Solicitor.

	11. To take such action (including but not limited to the institution of criminal or civil proceedings, or the prosecution or defence of proceedings, judicial review and any proceedings under section 222 of the Local Government Act 1972) as is considered appropriate, or to effect the wishes of the Council or to protect the interests of the Council.	11. Council.	11. Principal Solicitor.
	12. To take all necessary action, including the institution of legal proceedings, to recover deferred payments from the purchasers of low cost homes who are in breach of covenants.	12. Council.	12. Principal Solicitor.
	13. To institute proceedings relating to contravention of bye-laws.	13. Council.	13. Principal Solicitor.
	14. To lodge and prosecute applications to, and the defence of, proceedings in any statutory and administrative tribunal in connection with the employment of an Officer or a servant of the Council.	14. Council.	14. Principal Solicitor.
Processions and Assemblies.	To apply to the Secretary of State under section 14A of the Public Order Act 1986 for consent to make an order prohibiting the holding of all trespassory assemblies in the district or a part of it and for such period of time as may be specified in the application.	Cabinet/Leader.	Head of Legal, Equalities & Democratic Services.

Regulation of Investigatory Powers Act.	See Under Corporate Delegations	-	-
Road Closures - Temporary.	To determine requests to make Orders under section 21 of the Town and Police Clauses Act 1847.	Cabinet/Leader.	Principal Solicitor In consultation with Head of Environmental Services.
Seal.	To decide to which documents the common seal should be affixed and to attest the affixing of common seal.	Council.	Principal Solicitor.
Section 106 Agreements - Fees.	To determine the fee to be charged to commercial organizations for legal work undertaken in respect of Section 106 Agreements to which a commercial organization is a party.	Cabinet/Leader.	Principal Solicitor.
Trespassers and Unauthorised Encampments.	<ol style="list-style-type: none"> 1. To take action including the institution of legal proceedings in relation to trespass or unauthorized encampments on any land or premises owned by the Council. 2. To take action including the institution of legal proceedings in relation to trespass or unauthorized encampments on any land or premises in the District insofar as the Council is empowered to do so. 3. To give directions under section 77 of the Criminal Justice and Public Order Act 1994. 	1. – 4.Cabinet / Leader.	1. – 4. Principal Solicitor.

	4. To institute proceedings for an Order requiring the removal of any vehicle or other property on land within the District and any person residing in such vehicle in contravention of a direction given under section 77 of that Act.		
2. Elections			
Subject	Detail	Delegated by:	Delegated to:
Fees for Election Duties.	To set within the approved budget the fees for various election duties and to make payments to those employed by the Returning Officer to carry out the duties related to an election.	Electoral Matters Committee.	Returning Officer.
Re-organisation of Community Governance.	To make Orders under section 86 of the Local Government and Public Involvement in Health Act 2007 or any subsequent or amending legislation.	Electoral Matters Committee.	Head of Legal, Equalities and Democratic Services.
Alteration of Polling Places	To alter polling places outside compulsory review periods.	Electoral Matters Committee	(Acting) Returning Officer following consultation with the Portfolio Holder and ward members.
Proper Officer.	To be designated: a. Electoral Registration Officer under section 8 of the Representation of the People Act 1983; b. Returning Officer for elections of Councillors of the district and for elections for Councillors of parishes within the District under S53 of the Representation of the People Act 1983.	Council.	Chief Executive.

3. Democratic Services			
Subject	Detail	Delegated by:	Delegated to:
Programme of Council and Committee meetings.	To agree the programme of Council and Committee meetings.	Council.	Head of Legal, Equalities & Democratic Services following consultation with the Executive/Leader and relevant Portfolio Holder.
Members' Expenses.	<ol style="list-style-type: none"> 1. To administer payments made under the Members' Allowance Scheme. 2. To approve attendance at and payment of expenses for Members at conferences organised by external bodies in accordance with the Council's agreed policy and criteria. 	<ol style="list-style-type: none"> 1. Council. 2. Council. 	<ol style="list-style-type: none"> 1. Senior Democratic Services Officer. 2. Senior Democratic Services Officer.
Remuneration Panel Members.	To undertake all the administrative arrangements, including short-listing of candidates, in respect of the recruitment of members to the Independent Remuneration Panel.	Council.	Senior Democratic Services Officer.

LEISURE AND CULTURE			
Subject	Detail	Delegated by:	Delegated to:
Allotments.	To grant, transfer and accept the termination of allotment tenancies.	Cabinet/Leader.	Head of Leisure and Culture.
Events on the High Street.	To determine requests to hold events in Bromsgrove High Street in accordance with policy.	Cabinet/Leader.	Head of Leisure and Culture.
Fairs, Circuses and Special Events.	Within the Budget and Policy Framework to determine arrangements for fairs, circuses and other special events on land or in buildings controlled by the Council.	Cabinet/Leader.	Head of Leisure and Culture.
Fees and Charges - Sports, Leisure, Community & Cultural services.	<ol style="list-style-type: none"> 1. To review and amend the agreed maximum scale of fees and charges for sports and leisure activities as appropriate within the Budget and Policy Framework. 2. To vary the charges at the Leisure & Cultural facilities in response to additional competition and market demand. 3. To approve and implement promotional activities at all Sports, Leisure & Cultural facilities in order to maximise participation usage and /or income. 	1. to 3. Cabinet/Leader.	1. to 3. Head of Leisure and Culture.
National Health Campaigns.	To support regional & nationally recognised health and fitness campaigns in the Council's sports, cultural and leisure facilities by the implementation of additional activities/discounted sessions/fees as appropriate.	Cabinet/Leader.	Head of Leisure and Culture.

Flowers, Bulbs and Trees.	To approve requests from charitable organisations to plant flowers, bulbs and trees in support of the Charity at locations in parks. Open Spaces now comes under Environmental Services	Cabinet/Leader.	Head of Leisure and Culture.
Play Areas.	<ol style="list-style-type: none"> 1. Day-to-day management of play areas including Health and Safety matters, maintenance and renewals. 2. To determine representations/applications (retrospective or otherwise) received which fall within the standards and policies to be applied for play areas within residential estates. 	Cabinet/Leader.	Head of Leisure and Culture.
Public Open Space.	<ol style="list-style-type: none"> 1. To adopt Public Open Space on behalf of the Council which has previously been agreed as part of a Section 106 Agreement. 2. To negotiate the adoption of Public Open Space on behalf of the Council which has previously not been part of a Section 106 agreement. 	Cabinet/Leader.	Head of Leisure and Culture.
Recreational, Sports, Community & Cultural Facilities	<ol style="list-style-type: none"> 1. To determine applications for the free use of Council recreational facilities by non-commercial organisations which fall within the Budget and Policy Framework or other policies. 2. To determine applications for the use of the Recreation Ground, Bromsgrove and the Boleyn Road Recreation Ground Frankley by fun fairs which fall within established 		1. - 3. Head of Leisure and Culture.

	<p>policy.</p> <p>3. To determine applications for the use of non-commercial events of Council owned or managed recreational and sports facilities and/or parks and open spaces.</p> <p>4. To determine applications for the bookings of the Council's recreational and sports facilities.</p> <p>5. To determine applications from partners organisations relating to contract or SLA arrangement in line with relevant agreement & Council Policy frameworks.</p> <p>6. To determine dates for the closure of recreational facilities for Bank Holidays, Christmas and New Year Holidays.</p>		<p>4. Head of Leisure and Culture except that the agreement of the relevant Portfolio Holder is required to agree to any bookings by political or religious groups.</p> <p>5. Head of Leisure and Culture.</p> <p>6. Head of Leisure and Culture.</p>
Recreational Land.	To decide on arrangements for the access, usage & leasing of recreational land or facilities to parish Councils and other organisations and to determine any applications for consents required under such leases.	Cabinet/Leader	Executive Director - Finance and Corporate Resources and Head of Leisure and Culture.
Recreational Provision.	Within the Budget and Policy Framework to make decisions on recreational provision which is being made in partnership with	Cabinet	Head of Leisure and Culture.

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	other organisations.		
Sanders Park & Open Spaces– Use by Hot Air Balloons.	To determine applications for the use of Sanders Park and Open Spaces for hot air balloon flights.	Cabinet	Head of Leisure and Culture.
Playing Pitches.	To grant hire agreements, licenses or lease arrangements for the use of such facilities in line with budget and Policy frameworks.	Cabinet	Head of Leisure and Culture.

PLANNING AND REGENERATION

1. Assets of Community Value

Subject	Detail	Delegated by:	Delegated to:
Confirmation of valid application	To check validity of nominations of an asset of community value and reject if not appropriate or incomplete.	Cabinet.	Head of Planning and Regeneration
Consultation	To arrange consultation on valid nominations of an asset; consultees to include Ward members.	Cabinet.	Head of Planning and Regeneration
Recommend nomination	To recommend to Cabinet whether or not a nomination should be accepted and included on the list of Assets of Community Value.	Cabinet.	Head of Planning and Regeneration
Review of decision	To review a decision to list a property as an Asset of Community Value.	Cabinet.	Executive Director
Assess compensation claims	To assess claims for compensation.	Cabinet.	Head of Planning and Regeneration.
Review compensation claims	To review and decide initial decisions about compensation.	Cabinet.	Executive Director

2. Building Control			
Subject	Detail	Delegated by:	Delegated to:
Building Regulations - Applications.	To determine applications under the Building Regulations 1991 and 2000.	Council.	Head of Planning and Regeneration-
Building Regulation - Charges.	To review and determine the scale of charges in accordance with the Building Act 1984 and the Building (Local Authority Charges) Regulations 1998.	Council.	Head of Planning and Regeneration.
Dangerous Buildings.	To take such action as is considered necessary under sections 77 and 78 of the Building Act 1984 when the condition of any building is such as to render it necessary to require the owner to make it safe for the Council to take action to remove the danger, as a matter of urgency.	Council.	Head of Planning and Regeneration in consultation with the relevant Portfolio Holder.
Demolition.	To determine applications for demolition under sections 80 and 81 of the Building Act 1984.	Council.	Head of Planning and Regeneration.
Ground Movement.	To take such action as may be necessary to deal with any events of structural distress and ground movement affecting properties in order to safeguard the public interest.	Council.	Head of Planning and Regeneration.

3. Development Control			
Subject	Detail	Delegated by:	Delegated to:
Prior Notification Procedure.	To require further details from the applicant when an application for prior determination is submitted in respect of permitted development for agricultural, forestry and telecommunications development.	Planning Committee.	Head of Planning and Regeneration.
Article 4 Directions.	To make Directions under Article 4(1) of the Town & Country Planning (General Permitted Development) Order 1995.	Planning Committee.	Head of Planning and Regeneration.
Certificate of Lawfulness.	To determine applications for Certificates of Lawfulness of Proposed Use of Development or Certificates of Existing Use of Development under sections 191 and 192 of the Town & Country Planning Act 1990.	Planning Committee.	Head of Planning and Regeneration.
Development Proposals by other Public Authorities.	To comment on proposals for development submitted by Worcestershire County Council and other public authorities.	Council.	Head of Planning and Regeneration
Entry of Premises -Proper Officer.	To be designated as the Proper Officer for the purposes of authorising persons to enter onto land in connections with the exercise of functions under sections 196A, 196B, 214B, 324 and 325 of the Town & Country Planning Act 1990.	Planning Committee.	Head of Planning and Regeneration.
Inspection Notices.	To serve notices of intended inspection under sections 196A, 196B, 214B, 324 and 325 of the Town and Country Planning Act 1990.	Planning Committee.	Principal Solicitor.
Landscaping Schemes.	To approve landscaping/tree planting schemes submitted as a	Planning Committee.	Head of Planning and Regeneration.

	result of planning permissions subject to such conditions as may be appropriate.		
Minor Amendments.	To determine applications for minor amendments to approved plans.	Planning Committee.	Head of Planning and Regeneration.
Planning Agreements and Unilateral Undertakings.	To negotiate with developers and to approve the amounts to be received by the Council as financial contributions in lieu of on-site provision of affordable housing or recreational facilities/open space and as contributions towards the costs of highways works, educational provision or any other kind of provision by the Council or County Council.	Planning Committee.	Head of Planning and Regeneration.
Planning Agreements and Unilateral Undertakings.	To negotiate the legal, drafting and all terms of the agreements and undertaking, except for those which involve planning gain, restriction of the development or use of the land, obligations relating to the land and financial contributions.	Planning Committee.	Principal Solicitor.
	To execute and complete planning agreements.	Planning Committee.	Principal Solicitor.
Planning Agreements and Unilateral Undertakings.	To determine applications or requests for discharge or modification of planning agreements or undertakings (whether by approval or further agreement) unless it includes the following: a. Deletion, addition or variation of one or more of the heads of terms originally approved by the Planning Committee. b. Significant change in the overall area of land to	Planning Committee.	Head of Planning and Regeneration.

	<p>transferred to the Council.</p> <p>c. Significant change in financial contributions to be provided to the Council (except where this is as a result of a subsequent decision by the Planning Committee).</p> <p>d. Significant change in the any obligation to be performed by the developer or any restriction on the developer or the development or use in land.</p> <p>e. A member makes a written request for a case to be considered by the Planning Committee.</p>		
Planning Agreements and Unilateral Undertakings.	To approve the enforcement of a planning obligation.	Planning Committee.	Head of Planning and Regeneration.
Planning Applications.	<p>1. To determine:</p> <p>a) applications for dwelling houses where the number of houses to be provided is 10 or more.</p> <p>b) applications for the provision of a building or buildings with a floor space of 1000 square metres or more.</p> <p>c) other applications which have been called-in by a member for determination by Planning Committee provided that the application has been called-in in accordance with the procedure set out in paragraphs 6 - 7 of the introductory paragraphs to the Scheme of Delegations.</p>	1. Council	1. Planning Committee

	<p>d) applications by serving Officers and members</p> <p>e) applications by the Council or by Council Service Areas or Council departments.</p> <p>f) The Head of Planning and Regeneration considers that the application should be considered by the Planning Committee.</p> <p>2. To determine all other planning applications.</p> <p>NB: For the avoidance of doubt the term 'planning applications' include applications to vary or remove planning conditions attached to a planning permission, applications for development which has already been carried out and applications to extend the time for implementing planning permissions.</p>	2. Planning Committee	2. Head of Planning and Regeneration
Planning Applications.	<p>To impose conditions on applications (for planning permission, listed building consent or Conservation area consent) which have been approved by the Planning Committee contrary to the Planning Officer's recommendation where such conditions are:</p> <p>a. Necessary.</p> <p>b. Relevant to planning.</p> <p>c. Relevant to the development which has been applied for.</p> <p>d. Enforceable.</p> <p>e. precise and</p> <p>f. Reasonable in all other aspects.</p>	Planning Committee.	Head of Planning and Regeneration.
Listed Building	To determine applications for	Planning Committee.	Head of Planning and

and Conservation Area Consent.	<p>listed building consent and Conservation Area consent unless they are:</p> <ul style="list-style-type: none"> a. Applications for dwelling houses where the number of houses to be provided is 10 or more. b. Applications for the provision of a building or buildings with a floor space of 1000 square metres or more. c. Other applications which have been called-in by a member for determination by Planning Committee provided that the application has been called-in in accordance with the procedure set out in paragraphs 6 - 7 of the introductory paragraphs to the Scheme of Delegations. d. Applications by serving Officers and members. e. Applications by the Council or by Council Service Areas or Council departments. <p>The Head of Planning and Regeneration considers that the application should be considered by the Planning Committee.</p>		Regeneration.
Appeals.	To take all action to defend the Council where there has been an appeal against a refusal to grant planning permission, listed building consent or conservation area consent.	Planning Committee.	Head of Planning and Regeneration in consultation with the Principal Solicitor.
Revocation and	To revoke or modify planning	Planning Committee.	Head of Planning and

modification.	permissions, listed building or conservation area consent under section 97 of the Town and Country Planning Act 1990 and sections 23 and 74 of the Planning (Listed Buildings & Conservation Area Acts) 1990		Regeneration.
Completion Notice.	To authorise and serve a completion notices.	Planning Committee.	Head of Planning and Regeneration.
Declining Planning Applications.	To decide to decline to determine application on the grounds set out in sections 70A and 70B of the Town and Country Planning Act 1990 and sections 81A and 81B of the Planning (Listed Buildings & Conservation Area Acts) 1990.	Planning Committee.	Head of Planning and Regeneration.
Advertisements.	To determine applications for express advertisement consent	Planning Committee.	Head of Planning and Regeneration.

4. Economic Development			
Subject	Detail	Delegated by:	Delegated to:
Business Start -Up Grants.	To approve Business Start-Up Grants of up to £1,000 per individual applications.	Cabinet/Leader.	Head of Planning and Regeneration.
Farmers' Markets.	To determine applications for consent for Farmers' Markets.	Cabinet/Leader.	Head of Planning and Regeneration in consultation with the Executive/ Leader and Deputy Executive/Leader.
Financial Assistance to Small Businesses.	<ol style="list-style-type: none"> 1. To determine applications for grants of up to £500. 2. To determine applications for grants of between £500 and £1,000. 	<ol style="list-style-type: none"> 1. Cabinet/ Leader. 2. Cabinet/ Leader. 	<ol style="list-style-type: none"> 1. Head of Planning and Regeneration. 2. Head of Planning and Regeneration in consultation with the relevant Portfolio Holder.
Markets.	<ol style="list-style-type: none"> 1. To approve events to be held. 2. To let stalls. 	<ol style="list-style-type: none"> 1. Cabinet/ Leader. 2. Cabinet/ Leader. 	<ol style="list-style-type: none"> 1. Head of Planning and Regeneration. 2. Head of Planning and Regeneration.

5. Heritage			
Subject	Detail	Delegated by:	Delegated to:
Local Heritage List	<ol style="list-style-type: none"> 1. To administer the Local Heritage List for Bromsgrove; 2. To approve draft selection criteria and final lists 	Council	<ol style="list-style-type: none"> 1. Head of Planning and Regeneration 2. Head of Planning and Regeneration following consultation with the Portfolio Holder for Planning.

6.Neighbourhood Planning			
Subject	Detail	Delegated by:	Delegated to:
Designation of Neighbourhood Area	To decide whether to accept and designate a Neighbourhood Area	Council	Head of Planning and Regeneration following consultation with the Ward Member(s) for the area affected and the Portfolio holder for Planning.
Designation of a Neighbourhood Forum	To decide whether to designate a community organisation as a Neighbourhood Forum		Head of Planning and Regeneration following consultation with the Ward Member(s) for the area affected and the Portfolio holder for Planning.
Assessing the validity and acceptance of plans	To decide the validity and acceptance of submissions for a Neighbourhood Development Plan or a Neighbourhood Development Order, including assessing the compliance of the Plan/Order with other relevant policies and legislation.		Head of Planning and Regeneration following consultation with the Ward Member(s) for the area affected and the Portfolio holder for Planning.
Repeat proposals	To decide whether to decline to accept repeat proposals for Neighbourhood Development Plans or Neighbourhood Development Orders		Head of Planning and Regeneration following consultation with the Ward Member(s) for the area affected and the Portfolio holder for Planning.
Appointment of Examiner	To appoint an Examiner for a Neighbourhood Development Plan or Order		Head of Planning and Regeneration following consultation with the Ward Member(s) for the area affected and the Portfolio holder for Planning.

7. Planning Enforcement			
Subject	Detail	Delegated by:	Delegated to:
Article 4 Directions.	To make Directions under Article 4(1) of the Town & Country Planning (General Permitted Development) Order 1995 1.	Planning Committee.	Head of Planning and Regeneration.
Breach of Condition Notices.	To authorise the issue and service of Breach of Condition Notices under section 187A of the Town & Country Planning Act 1990 2.	Planning Committee.	Head of Planning and Regeneration in consultation with the Principal Solicitor.
Cautions.	To administer formal cautions to offenders as an alternative to Court proceedings.	Planning Committee.	Officers authorised in writing by the Head of Planning and Regeneration.
Enforcement Notices.	To authorise the issue and service of Enforcement Notices under section 172 of the Town & Country Planning Act 1990.	Planning Committee.	Head of Planning and Regeneration.
Entry of Premises - Proper Officer.	To be designated as the Proper Officer for the purposes of authorising persons to enter onto land in connections with the exercise of functions under sections 196A and 196B, 214B, 324 and 325 of the Town & Country Planning Act 1990.	Planning Committee.	Head of Planning and Regeneration.
Inspection Notices.	To serve notices of intended inspection under sections 196A, 196B, 214B, 324 and 325 of the Town and Country Planning Act 1990.	Planning Committee.	Principal Solicitor.
Injunctions.	To seek injunctions in the High Court under Section 187B of the Town & Country Planning Act 1990 or any other relevant statutory power restraining breaches of planning control 3.	Planning Committee.	Head of Legal, Equalities and Democratic Services or Principal Solicitor in consultation with, where practicable, the Chairman of Planning Committee.

Listed Buildings - Enforcement Notices.	<ol style="list-style-type: none"> 1. To authorise the issue and service of Listed Building Enforcement Notices under section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990. 2. To authorise the issue and service of Listed Building Enforcement Notices under section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in circumstances in cases of urgency when, in the opinion of Head of Planning & Environment Services, reporting to Planning Committee is impractical. 	<ol style="list-style-type: none"> 1. Council. 2. Planning Committee. 	<ol style="list-style-type: none"> 1. Planning Committee. 2. Head of Planning and Regeneration.
Planning Contravention Notices.	<ol style="list-style-type: none"> 1. To serve Planning Contravention Notices under section 171C of the Town & Country Planning Act 1990 (and any other statutory power which enables the Council to require information about land). 2. To respond to offers to apply for planning permission or to refrain from carrying out any operations or activities following the service of a Planning Contravention Notice. 	<ol style="list-style-type: none"> 1. Planning Committee. 2. Planning Committee. 	<ol style="list-style-type: none"> 1. Head of Planning and Regeneration. 2. Head of Planning and Regeneration.
Stop Notices.	<ol style="list-style-type: none"> 1. To authorise the issue and service of Stop Notices under section 183 of the Town & Country Planning Act 1990. 	<ol style="list-style-type: none"> 1. Council. 	<ol style="list-style-type: none"> 1. Planning Committee.

	2. To authorise the issue and service of Stop Notices under section 183 of the Town & Country Planning Act 1990 in cases of urgency when, in the opinion of Head of Planning & Environment Services, reporting to Planning Committee is impractical.	2. Planning Committee.	2. Head of Planning and Regeneration in consultation with the Principal Solicitor.
Temporary Stop Notice.	The issue and service Temporary Stop Notices under ss171E-H of the Town & Country Planning Act 1990.	Planning Committee.	Head of Planning and Regeneration in consultation with the Principal Solicitor.
Proper Maintenance of Land.	1. To authorise the issue of notices under section 215 of the Town and Country Planning Act 1990. 2. To serve notices under section 215 of the Town and Country Planning Act 1990.	Planning Committee.	1. Head of Planning and Regeneration. 2. Principal Solicitor.
Appeals.	To take all action to defend the Council where there has been an appeal against a refusal to grant planning permission, listed building consent or conservation area consent.	Planning Committee.	Head of Planning and Regeneration in consultation with the Principal Solicitor.
Advertisement Controls.	1. To authorise the service of an advertisement discontinuance notice. 2. To take action for the control of advertisements (but not including the service of a discontinuance notice) in the interest of amenity and public safety under the Town and Country Planning (Control of Advertisements) Regulations 2007.	1. Council. 2. Planning Committee.	1. Planning Committee. 2. Head of Planning and Regeneration in consultation with the Principal Solicitor.

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8. Strategic Planning			
Subject	Detail	Delegated by:	Delegated to:
Inspection Notices.	To serve notices of intended inspection under sections 196A, 196B, 214B, 324 and 325 of the Town and Country Planning Act 1990.	Planning Committee.	Principal Solicitor.
Local Plan Enquiry.	To provide direction on behalf of the Council to any Local Plan/Local Development Framework Inquiry on policy issues and site details.	Council	Head of Planning and Regeneration.
Rights of Entry - Proper Officer.	To be designated as the Proper Officer for the purposes of authorising persons to enter onto land in connections with the exercise of functions under section 324 and 325 of the Town & Country Planning Act 1990.	Planning Committee.	Head of Planning and Regeneration.

Note: All delegations to Head of Planning and Regeneration Services are to include any designated deputy, such designation to be in writing.

REGULATORY SERVICES

1. LICENSING

HEAD OF REGULATORY SERVICES (WORCESTERSHIRE REGULATORY SERVICES)

To determine applications made for licences of premises for acupuncture, tattooing, ear piecing and electrolysis.

To determine applications for the registration of animal trainers and exhibitors.

To be responsible for inspections of premises are undertaken to ensure compliance with animal welfare licensing legislation and to engage veterinary surgeons for these purposes where necessary.

To authorise officers for the purpose of Part II of the Local Government (Miscellaneous Provisions) Act 1976.

To be designated as “Proper Officer” for the provisions of the Breeding of Dogs Act 1973 and to act on behalf of the Council in respect of the provisions of the Act and to engage veterinary surgeons for the purpose of inspecting premises under the Act.

To determine applications for house to house and street collections.

To respond to applications where the Council is a responsible authority or consultee.

To be designated as “Proper Officer” for the purposes of the administration of the Dangerous Wild Animals Act 1976 and to be authorised to carry out all appropriate functions including the entering of premises.

To grant consents for uncontested Street Amenity Consents under the Highways Act 1980

To authorise the entry of premises for the purpose of enforcing the provisions of the following legislation on behalf of the Council:

- Animal Boarding Establishments Act 1963.
- Breeding of Dogs Act 1973.
- Gambling Act 2005.
- Licensing Act 2003.
- Local Government (Miscellaneous Provisions) Acts 1976 and 1982.
- Town Police Clauses Act 1847.
- Zoo Licensing Act 1981.

To determine all matters under the Gambling Act 2005 except:

- Determination of fee levels.
- Applications for aviations to premises licences, provisional statements, club gaming/club machine permits and other permits where representations have been received and not withdrawn.
- Applications for transfer of premises licences where representations have been made by the Gambling Commission.
- Review of premises licenses.
- Decision to give a counter notice to a temporary use notice.
- Refusal of applications for registration by societies wishing to promote lotteries.

Hackney Carriages and Private Hire Operators', Vehicles and Drivers'

To determine all matters in relation to Hackney Carriage Drivers and Private Hire Operators, Vehicles and Drivers except:

Hackney Carriage and Private Hire Drivers

- Determination of applications where the applicant does not meet the Council's application criteria.
- "Suspension / revocation of a drivers licence, where suspension / revocation is required with immediate effect (in consultation with the Licensing Committee Chairman / Vice-Chairman) that since the grant of the licence they have:-
 - (i) been convicted of an offence involving dishonesty, indecency or violence; or
 - (ii) been convicted of an offence under or has failed to comply with the provision of the Act of 1847 or section 61 of the Local Government (Miscellaneous Provisions) Act 1976; or
 - (iii) any other reasonable cause.

subject to a report being presented to a meeting of the Licensing Sub-Committee."

Hackney Carriage and Private Hire Vehicles

- Determination of an application where the vehicle does not meet the Council's application criteria.
- "Suspension / revocation / refuse to renew a vehicle licence, where suspension / revocation is required with immediate effect (in consultation with the Licensing Committee Chairman / Vice-Chairman) on any of the following grounds:-
 - (i) that the vehicle is unfit for use as a hackney carriage or private hire vehicle;
 - (ii) any offence under, or non-compliance with, the provision of the Act of 1847 or section 60 of the Local Government (Miscellaneous Provisions) Act 1976; or
 - (iii) any other reasonable cause.

subject to a report being presented to a meeting of the Licensing Sub-Committee.

Operator's

- Determination of an application where the applicant does not meet the Council's criteria in respect of character.

Fares/Stand

- Revisions to the Council's Table of Hackney Carriage Fares.
- Appointment of Hackney Carriage stands/revisions to existing Hackney Carriage stands.

To suspend Premises and Club Premises Licences following non payment of fees under sections 55A and 92A of the Licensing Act 2003 (as amended)

To determine all matters under the Licensing Act except:

- Application to vary designated premises supervisors if representations are made.
- Applications for personal licences, premises licences/ club premises licences and provisional statements where representations have been received.
- Applications for Interim Authorities if a police representation is made.
- Application to vary premises licences/ club premises certificates if representations are made.
- Applications to review premises/ club premises certificate.
- Any interim steps following an application for an expedited review.
- Determination of Temporary Event Notices where representations have been **made** by the Police.
- Applications to transfer premises licences if representations are made.
- Applications for minor variations if representations are made by the Police.

To determine all matters relating to Market and Street Trading except:

- Designation of consent streets and non consent streets under Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982.
- Deciding the Council's policy in relation to the issue of street trading consents.

To determine applications for licences for riding establishments

To determine applications for Zoo Licensing

To carry out any other function or responsibility in relation to the legislation listed at RS1 not specifically referred to above

RS1

- Animal Boarding Establishments Act 1963.
- Animal Welfare Act 2006.

- Breeding and Sale of Dogs (Welfare) Act 2006.
- Breeding of Dogs Act 1973 and 1991.
- Dangerous Wild Animals Act 1976.
- Gambling Act 2005.
- Licensing Act 2003.
- Local Government (Miscellaneous provisions) Acts 1976 and 1982.
- Pet Animals Act 1951.
- Police Factories Act (miscellaneous provisions) Act 1916.
- Riding establishments Acts 1964 and 1970.
- Scrap Metal Dealers Act 2013.
- Vehicle Crime Act 2001 - Section 4 (13) - Motor Salvage Operators.
- Town Police Clauses Act 1847.
- Video Recordings Act 1984 and 1993.
- Licensing Act 2003.
- Hackney carriage licensing.
- Private Hire (including driver, vehicle and operator) licensing.
- Control of sex establishments (including lap dancing and sexual entertainment venues).
- Street Trading.
- Street amenity licences.
- Zoo Licensing Act 1981.

2. ENVIRONMENTAL HEALTH

HEAD OF REGULATORY SERVICES (WORCESTERSHIRE REGULATORY SERVICES)

(i) In accordance with the legal agreement for Regulatory Services Shared Service, the Council has delegated to the Head of Service of Worcestershire Regulatory Services all the duties and functions listed below arising out of the legislation set out in Appendix RS 2.

- (a) Appointment of Inspectors, Authorised Officers or similar designated persons.
- (b) Undertaking inspections and investigation of complaints.
- (c) Signing and service of notices.
- (d) Signing and issuing, revoking and varying, any licence, permit, order or other document.
- (e) Executing, or arranging for the execution of, works in default.
- (f) Purchasing or otherwise procuring samples, seize equipment, goods and animals.
- (g) The exercise of powers of entry.
- (h) The engagement of specialist advisors/contractors to support/supplement service activity.
- (i) The institution of legal proceedings (in consultation with the Head of Legal Services of the Relevant Authority).
- (j) The obtaining of warrants of entry.

(ii) The Head of Service has authority to delegate further, in writing, all or any of their delegated functions to other officers, and may authorise certain of those officers to further delegate to officers under their management or control.

RS2

Accommodation Agencies Act 1953.

Administration of Justice Act 1970 (Section 40).

Agriculture (Safety, Health & Welfare Provisions) Act 1956.
Agriculture Act 1970.

Agriculture Produce (Grading & Marking) Acts 1928 & 1931.

Animal Boarding Establishments Act 1963.

Animal By-Products Regulations 2005.

Animal Health & Welfare Act 1984.

Animal Health Act 1981.

Animal Health Act 2002.

Animal Welfare Act 2006.

Animals and Animal Products (Import & Export) (England) Regs 2006.

Anti-Social Behaviour Act 2003.

Avian Influenza (Preventative Measures) (England) Regulations 2006.

Avian Influenza (Vaccination) (England) Regulations 2006.

Biofuel (Labelling) Regulations 2004.

Bluetongue Regulations 2008.

Breeding and Sale of Dogs (Welfare) Act 1999.

Breeding of Dogs Act 1973 and 1991.

Building Act 1984.

Business Protection from Misleading Marketing Regulations 2008.

Cancellation of Contracts made in a Consumers House or Place of Work etc Regulations 2008.

Caravan Sites Act 1968.

Caravan Sites and Control of Development Act 1960.

Cat and Dog Fur (Control of Import, Export and Placing on Market) Regulation 2008.

Cattle Identification Regs 2007.

Charities Act 1993.

Children & Young Persons (Protection from Tobacco) Act 1991.

Children & Young Persons Act 1933.

Chronically Sick and Disabled Persons Act 1970.

Cinemas Act 1985.

Civic Amenities Act 1967.

Civil Defence Act 1948 and Regulations made thereunder.

Clean Air Act 1993.

Clean Neighbourhoods and Environment Act 2005.

Construction Products Regulations 1991.

Consumer Credit Act 1974.

Consumer Protection (Distance Selling) Regulations 2000.

Consumer Protection Act 1987.

Consumer Protection from Unfair Trading Regulations 2008.

Control of Pollution Act 1974.

Copyright, Designs and Patents Act 1988.

Criminal Justice and Immigration Act 2008.

Criminal Justice and Public Order Act 1994.

Crystal Glass (Descriptions) Regs 1973.

Dangerous Dogs Act 1990

Dangerous Wild Animals Act 1976.

Deer Act 1991.

Defective Premises Act 1972.

Development of Tourism Act 1969 (Section 18).

Disabled Persons Act 1981.

Distance Selling Regulations 2000.

Ecodesign for Energy-Using Product Regulations 2007.

Education Reform Act 1988.

Eggs (Marketing Standards) Regulations 2005.

Eggs and Chicks (England) Regulations 2008.

Electromagnetic Compatibility Regs 1992.

Electro-medical Equipment (EEC Requirements) Regs 1988.

Energy Act 1976 (Section 18).

Energy Conservation Act 1981 (Section 20).

Energy Efficiency (Refrigerators and Freezers) Regs 1997.

Energy Information (Combined Washer-driers) Regs 1997.

Energy Information (Dishwashers) Regs 1999.

Energy Information (Household Air Conditioners) (No.2) Regulations 2005.

Energy Information (Household Electric Ovens) Regulations 2003.

Energy Information (Household Refrigerators and Freezers) Regs 2004.

Energy Information (Lamps) Regs 1999.

Energy Information (Tumble Driers) Regs 1996.

Energy Information (Washing Machines) Regs 1996.

Energy Performance of Buildings (Certificates and Inspections) (England and Wales) Regulations 2007.

Enterprise Act 2002.

Environment Act 1995.

Environmental Protection (Controls on Substances that Deplete the Ozone Layer) Regs 2002.

Environmental Protection Act 1990.

Estate Agents Act 1979.

Explosives Act 1875.

Export Restrictions (Foot and Mouth Disease) Regulations 2007.

Factories Act 1961.

Fair Trading Act 1973.

Farm and Garden Chemicals Act 1967.

Feed (Hygiene and Enforcement) (England) Regulations 2005.

Firework Act 2003.

Firework Regulations 2004.

Food & Environmental Protection Act 1985.

Food (Jelly Mini-Cups) (Emergency Control) (England) Regulations 2009.

Food (Suspension of the use of E128 Red 2G as food colour) (England) Regulations 2007.

Food Act 1984.

Food Hygiene (England) Regulations 2006.

Food of Particular Nutritional Uses (Addition of Substances for Specific Nutritional Purposes) (England) Regs 2009.

Food Safety Act 1990.

Food Standards Act 1999.

Forgery and Counterfeiting Act 1981 Part 1.

Fraud Act 2006.

Game Act 1831.

General Food Regulations 2004.

General Product Safety Regulations 2005.

Guard Dogs Act 1975.

Hallmarking Act 1973.

Health & Safety at Work etc Act 1974.

Health Act 2006.

Highways Act 1980.

Home Energy Conservation Act 1995.

Home Information Pack Regulations 2007.

Home Safety Act 1961.

Horse Passports Regulations 2009.

House to House Collections Act 1939.

Housing & Planning Act 1986.

Housing Act 1980, 1985, 2004.

Hypnotism Act 1952.

Imported Food Regulations 1997.

Imported Food Regulations 2007.

Intoxicating Substances (Supply) Act 1985.

Land Drainage Acts 1976 & 1991.

Litter Act 1983.

Local Government & Housing Act 1989.

Local Government (Miscellaneous Provisions) Acts 1976 & 1982.

Manufacturing and Storage of Explosives Regulations 2005.

Materials and Articles in Contact with Food England Regs 2007.

Measuring Instruments (Automatic Catchweighers) Regulations 2006.

Measuring Instruments (Automatic Discontinuous Totalisers) Regulations 2006.

Measuring Instruments (Automatic Gravimetric Filling Instruments) Regulations 2006.

Measuring Instruments (Beltweighers) Regulations 2006.

Measuring Instruments (Capacity Serving Measures) Regulations 2006.

Measuring Instruments (Cold Water Meters) Regulations 2006.

Measuring Instruments (Liquid Fuel and Lubricants) Regulations 2006.

Measuring Instruments (Liquid Fuel delivered from Road Tankers) Regulations 2006. Measuring Instruments (Material Measures of Length) Regulations 2006.

Measuring Instruments (Non prescribed Instruments) Regulations 2006.

Measuring Instruments (Rail - Weighbridges) Regulations 2006.

Medicines Act 1968.

Mobile Homes Acts 1975 & 1993.

Motor Cycle Noise Act 1987.

National Assistance Act 1948 Sec 47.

Natural Mineral Water, Spring Water & Bottled Water England Regs 1999.

Noise & Statutory Nuisance Act 1993.

Noise Act 1996.

Non-Automatic Weighing Instruments (EEC Requirements) Regs 2000.

Offensive Weapons Act 1996.

Offices, Shops & Railway Premises Act 1963.

Official Controls (Animal Feed and Food) (England) Regs 2006.

Official Feed & Food Controls (England) Regs 2007.

Olive Oil (Marketing Standards) Regs 2003.

Olympic Symbol etc. (Protection) Act 1995.

Organic Product Regulations 2009.

Package Travel, Package Holidays & Package Tours Regs 1992.

Packaging (Essential Requirements) Regs 2003.

Party Wall Act 1966.

Performing Animals (Regulation) Act 1925.

Personal Protective Equipment Regulations 2002.

Pet Animals Act 1951.

Petroleum (Transfer of Licences) Act 1936.

Petroleum Consolidation Act 1928.

Planning (Hazardous substances) Act 1990.

Plastic Materials and Articles in Contact with Food England Regs 2009.

Poisons Act 1972.

Police, Factories etc (Miscellaneous Provisions) Act 1916.

Pollution Prevention and Control Act 1999.

Poultry Meat (Water Content) Regs 1984.

Prevention of Damage by Pests Act 1949.

Prices Acts 1974 and 1975.

Private Security Industries Act 2001.

Proceeds of Crime Act 2002.

Products of Animal Origin (Disease Control) (England) Regulations 2008.

Products of Animal Origin (Import and Export) Regulations 1996 (as amended).

Products of Animal Origin (Third Country Imports) (England) Regulations 2006.

Property Mis-descriptions Act 1991.

Protection of Animals Act 1911 as amended.

Protection of Children (Tobacco) Act 1986.

Public Health (Control of Disease) Act 1984.

Public Health Acts (Amendment) Act 1907.

Public Health Acts 1875, 1925, 1936 & 1961.

Quick Frozen Food Stuffs (England) Regulations 2007.

Radio Equipment and Telecommunications Terminal Equipment Regs 2000.

REACH Enforcement Regulations 2008.

Refuse Disposal (Amenity) Act 1978.

Regulation (EC) No. 178/2002.

Regulation (EC) No. 852/2004.

Regulation (EC) No. 853/2004.

Regulation (EC) No. 854/2004.

Regulation (EC) No. 2073/2005.

Rent Act 1977.

Rice Products (Restrictions on First Packaging on the Market) (England) Regs 2006.

Riding Establishments Acts 1964 & 1970.

Road Traffic (Consequential Provisions) Act 1988.

Road Traffic (Foreign Vehicles) Act 1972.

Road Traffic Acts 1988 and 1991.

Road Traffic Offenders Act 1988.

Road Traffic Regulation Act 1984 (Section 5).

Safety of Sports Grounds Act 1975.

Sale of Goods Act 1979.

Scotch Whisky Act 1988.

Scrap Metal Dealers Act 2013.

Simple Pressure Vessels (Safety) Regs 1991.

Slaughter of Poultry Act 1967.

Slaughterhouses Act 1974.

Smokefree (Exemptions and Vehicles) Regulations 2007.

Smokefree (Penalties and Discounted Amounts) Regulations 2007.

Smoke-free (Premises and Enforcement) Regulations 2006.

Smokefree (Signs) Regulations 2007.
Smokefree (Vehicle Operators and Penalty Notices) Regulations 2007.
Sunday Trading Act 1994.

Supply of Goods and Services Act 1982.

Supply of Machinery (Safety) Regs 1992.

Telecommunications Act 1984.

Textile Products (Indications of Fibre Content) Regs 1986.

Theft Acts 1968 and 1978.

Timeshare Act 1992.

Town Police Clauses Act 1847.
Trade Descriptions Act 1968.

Trade Marks Act 1994.

Trading Standards - Agricultural (Miscellaneous Provisions) Act 1968.

Transmissible Spongiform Encephalopathies (England) Regulations 2008.

Unfair Terms in Consumer Contracts Regulations 1999.

Unsolicited Goods and Services Acts 1971 and 1975.

Video Recordings Acts 1984 and 1993.

Warm Homes & Energy Conservation Act 2000.
Water Acts 1973-2003.

Water Industry Act 1991.

Water Industry Act 1999.

Weeds Act 1959.
Weights and Measures Act 1985.

Wildlife and Countryside Act 1981.

Wine Regulations 2009.

Worcester City Act 1985.

Zoo Licensing Act 1981.

RESOURCES			
1. Finance			
Subject	Detail	Delegated by:	Delegated to:
Capital Programme.	To place with private firms any projects within the Capital Programme which it is not possible to undertake within the Council.	Cabinet/Leader.	Heads of Service in consultation with the Procurement Manager.
			We no longer undertake these any more.
Corporate Risk Register.	To monitor, review and update the corporate and departmental risk registers.	Cabinet/Leader.	Executive Director Finance and Resources in consultation with the Audit Board and the relevant Portfolio Holder.
Debts.	To write off irrecoverable debts: a. up to the value of £2,500. b. over £2,500.	a. & b. Cabinet/Leader.	a. Executive Director Finance and Resources b. Executive Director Finance and Resources with the agreement of the Leader of the Council.
Local Government and Housing Act 1989.	To make determinations under the following Schedules and Sections of the Act: <ul style="list-style-type: none"> • Part 1 Schedule 3 • Paragraph 9 (1) (b) Schedule 3 • Section 42 (2) (g) • Section 50 (3) (b) • Section 56 (1) • Section 60 (2) • Section 63 (1) 	Cabinet/Leader.	Financial Services Manager

Maturity Mortgages.	To deal with requests for the premature repayment of monies secured by maturity mortgages/local bonds.	Cabinet/Leader.	Financial Services Manager.
New Homes Bonus scheme	<ol style="list-style-type: none"> 1. To administer the New Homes Bonus scheme including initial assessment of applications. 2. Following consultation with the Chairman of the New Homes Bonus Community Grants Panel, to reject applications which are ineligible or inappropriate. 	Cabinet/Leader	<ol style="list-style-type: none"> 1. Executive Director Finance and Resources. 2. Following consultation with the Chairman of the New Homes Bonus Community Grants Panel
Tax Relief Reimbursement.	To be an authorized signatory of the purpose of making formal claims to the Inland Revenue for the periodic reimbursement of tax relief granted by the Council.	Cabinet/Leader.	Head of Customer Access and Financial Support.
Utilities - Restoration or Continuance of Services.	To deal in consultation with the relevant Portfolio Holder and generally in accordance with emergency procedures with applications received pursuant to the arrangements according to section 33 of the Local Government (Miscellaneous Provision) Act 1976 (Public Utility Services to Dwellings) and to take such action as may be necessary for the recovery of any payments made by the Council in pursuance of such arrangements.	Cabinet/Leader.	Financial Services Manager or Head of Planning & Regeneration.

2. Procurement

Subject	Detail	Delegated by:	Delegated to:
Approved Officers.	To nominate Approved Officers to undertake procurement on behalf of the Council accordance with Contract Procedure Rules.	Cabinet/Leader.	Chief Executive, Executive Directors, Deputy Chief Executive and Heads

Agenda Item 11

			of Service.
Contracts.	To enter into contracts in accordance with Contract Procedure Rules.	Cabinet/Leader.	Heads of Service.
Select List.	To decide the composition of Select Lists of contractors which are relevant to the Cabinet's work.	Cabinet/Leader.	Chief Executive, Executive Directors and Heads of Service.
Selective Tendering Procedures.	To select contractors from an approved standing list of contractors.	Cabinet/Leader.	Chief Executive, Executive Directors and Heads of Service.
Tenders.	To engage in the formal tender process in accordance with Contract Procedure Rules.	Cabinet/Leader.	Heads of Service.

3. Revenues and Benefits			
Subject	Detail	Delegated by:	Delegated to:
Cautions.	To administer cautions to offenders as an alternative to Court proceedings.	Council.	Officers authorised in writing by the Head of Customer Access and Financial Support.
Council Tax.	To act in Council Tax matters under the powers of S101 of the Local Government Act 1972.	Council.	Head of Customer Access and Financial Support.
Council Tax Support Scheme – Consultation	To carry out statutory consultation on the draft Council Tax Support Scheme in accordance with legislative guidelines.	Council	Head of Customer Access and Financial Support following consultation with the Portfolio Holder.
Court Proceedings.	<p>To select and authorise officers to appear before Magistrates Courts and Tribunals to:</p> <p>(b) represent the Council in the recovery of Council Tax and non-domestic rates monies due to the Council;</p> <p>(b) represent the Council before a Valuation Tribunal in consideration of any appeals which may arise concerning Council Tax and non-domestic rates.</p>	Council.	Principal Solicitor or Head of Customer Access and Financial Support.
Discretionary Rate Relief - National Non-Domestic Rates.	To approve future Discretionary Rate Relief Awards subject to the criteria and policies of the Council.	Cabinet/Leader.	Head of Customer Access and Financial Support
Essential Living Fund	To administer the Essential Living Fund in accordance with Council policy	Cabinet/Leader	Head of Customer Access and Financial Support
Housing Benefit.	To deal with housing benefit determinations and notifications including the issue of written	Cabinet/Leader.	Head of Customer Access and Financial Support

	explanations and confirmations or amendments of previous determinations.		
Council Tax Reduction	To administer the Council Tax Reduction scheme in accordance with Council policy (as determined by the Members)	Cabinet/Leader.	Head of Customer Access and Financial Support
Local Valuation Court.	To select and authorise officers to appear for the Council at sittings of the Local Valuation Court.	Cabinet/Leader.	Head of Customer Access and Financial Support
Rate Relief (Mandatory).	To determine applications for mandatory rate relief under Section 43 of the Local Government Finance Act 1988.	Cabinet/Leader.	Head of Customer Access and Financial Support

4. Property Services			
Subject	Detail	Delegated by:	Delegated to:
Applications for Planning Consent.	To submit planning applications on behalf of the Council where necessary for any project.	Council.	Executive Director - Finance and Corporate Resources.
Erection of Structures on Council land.	To determine applications for consent for the erection of structures on land/properties on any land owned or managed by the Council, erection of which requires (under a covenant on the sale or lease of the properties), consent by the Council.	Cabinet/Leader.	Executive Director - Finance and Corporate Resources.
Leasehold Reform Act Notices.	To serve notices and counter notices, institute proceedings and take any other necessary action under the Leasehold Reform Act 1967.	Cabinet/Leader.	Executive Director - Finance and Corporate Resources.
Leases and Tenancies.	To agree terms for, and accept the surrender of, leases or tenancies of properties allocated to his/her charge, in accordance with Council policy and the relevant legislation.	Cabinet/Leader.	Executive Director - Finance and Corporate Resources.
Management of Land.	To manage, maintain and undertake relevant negotiations in respect of the Council's properties allocated to his/her charge, in accordance with the Assets Management Plan and relevant legislation.	Cabinet/Leader.	Executive Director - Finance and Corporate Resources.
Minor Matters affecting land.	To deal with minor matters affecting lands and to authorise the signing or sealing of any related documents.	Cabinet/Leader.	Executive Director - Finance and Corporate Resources.
Notices relating to Land.	<ol style="list-style-type: none"> 1. To give notice to quit and other notices for formal demands which are required in the interests of the Council. 2. To sign and serve notices and counter notice;- 	Cabinet/Leader.	<ol style="list-style-type: none"> 1. Executive Director - Finance and Corporate Resources. 2. Executive Director - Finance and Corporate Resources.

	<p>(a) determining leases, tenancy agreements and licences to occupy (except residential premises held under Part V of the Housing Act 1957) and</p> <p>(b) under Part II of the Landlord and Tenant Act 1954 when the Council wishes to grant or oppose the grant of a new lease, tenancy or licence.</p>		
Purchase of Land.	<p>1. To agree terms for the acquisition of land or individual properties required for an approved scheme after consultation with Chief Officers concerned complete the purchases where a capital scheme for the acquisition has been approved by the Council.</p> <p>2. To buy buildings or land at the best price reasonably obtainable in accordance with the Assets Management Plan and relevant legislation.</p>	<p>1. Cabinet/Leader.</p> <p>2. Cabinet/Leader.</p>	<p>1. Executive Director - Finance and Corporate Resources</p> <p>2. Executive Director - Finance and Corporate Resources.</p>
Repurchase of Former Council Houses.	To waive the right to repurchase former Council houses under the pre-emption clauses and to substitute the discount provisions contained in the Housing Act 1980.	Cabinet/Leader.	Executive Director - Finance and Corporate Resources.
Recreational Land.	To decide on arrangements for the access, usage & leasing of recreational land or facilities to parish councils and other organisations and to determine any applications for consents required under such leases.	Cabinet/Leader.	Executive Director - Finance and Corporate Resources and Head of Leisure and Culture.
Right to Buy - Postponement of	To determine requests for the postponement of the Council's	Cabinet/Leader.	Executive Director - Finance and Corporate

Statutory Charge.	statutory charge on property sold under the Right to Buy scheme.		Resources.
Sale of Land.	<ol style="list-style-type: none"> To determine applications for the purchase, grants of easements, rights of way and other minor licenses of small areas of land owned by the Council, which is defined as: <ul style="list-style-type: none"> less than half a hectare in size and with a value of less than £49,999 plus VAT/fees) all garden licenses or grazing licenses regardless of the size of land in accordance with Council policy for Minor Land Disposal. Following a Cabinet decision to declare as surplus, to sell buildings and land at the best price reasonably obtainable in accordance with the Assets management Plan and relevant legislation. 	<ol style="list-style-type: none"> Cabinet/Leader. Cabinet/Leader. 	<ol style="list-style-type: none"> Executive Director Finance and Resources following consultation with the Ward Member(s). Executive Director - Finance and Resources.
Parkside Suite	To grant to local charitable organisations free use of the Parkside Suite on up to 4 occasions per year.	Cabinet/Leader.	Executive Director - Finance and Resources.
Temporary Use of Land.	To take up any offer received from the Department of the Environment for the temporary use of properties acquired for road schemes provided that terms offered are satisfactory.	Cabinet/Leader.	Executive Director - Finance and Resources.
Use of Council facilities by the public.	To approve the use of the Committee Room and Parkside suite by external organisations and the public.	Cabinet/Leader.	Executive Director - Finance and Resources.
Use of Land.	To determine applications for the use of small areas of land owned by the Council.	Cabinet/Leader.	Executive Director - Finance and Resources.

APPOINTMENTS TO OUTSIDE BODIES

Relevant Portfolio Holder	Cllr Denaro
Portfolio Holder Consulted	Yes
Relevant Head of Service	Claire Felton, Head of Legal, Equalities and Democratic Services
Ward(s) Affected	All
Ward Councillor(s) Consulted	N/A
Key Decision / Non-Key Decision	Non-key

1. SUMMARY OF PROPOSALS

- 1.1 The Council makes appointments and nominations to a number of Outside Bodies each year. This report sets out the details of the appointments which are made by the Council.

2. RECOMMENDATIONS

It is recommended that the Council considers nominating to the bodies listed at Appendix 1 to the report as appropriate.

3. KEY ISSUES

Financial Implications

- 3.1 There are no financial implications arising directly from this report.

Legal Implications

- 3.2 No specific legislation governs the appointment or nomination of members to outside bodies by the Council. Depending on the nature of the relationship the Council has with the organisation, the legal status of the organisation, its corporate, charity or other status and its constitution, there are differing legal implications for the members sitting on these bodies.
- 3.3 The Local Authorities (Indemnities for Members and Officers) Order 2004 governs the Council's ability to indemnify members sitting on outside bodies.

Service / Operational Implications

- 3.4 A number of bodies ask the Council to make appointments to them for terms of office which vary from one year upwards.
- 3.5 The Council has previously agreed that a number of such appointments, usually to national or regional bodies, should be made by office. Where there are specific requirements for appointments these are shown against the organisations in the appendix.

Customer / Equalities and Diversity Implications

- 3.6 There are no specific customer or equalities implications arising from this report.

4. RISK MANAGEMENT

- 4.1 There would be risks arising if the Council failed to make appointments to the Outside Bodies listed in this report; the nature of the risk would vary depending on the type of body in question. The Council needs to participate in certain Outside Bodies to ensure that existing governance arrangements can be complied with. On other bodies the risk would be less severe but non-participation would detract from the Councils ability to shape and influence policies and activities which affect the residents of Bromsgrove.

5. APPENDICES

Appendix 1 - list of appointments to outside bodies

6. BACKGROUND PAPERS

Terms of reference and governing documents of organisations are held by Democratic services

7. KEY

AUTHOR OF REPORT

Name: Claire Felton

email: c.felton@brmsgroveandredditch.gov.uk

Appointments to Outside Bodies – nominations 2019/2020

Organisation	No. of Appts & Length of Office	Current appointments 2018/2019	Nominations 2019/2020
Amphlett Hall Management Committee	4 1 year	M. Buxton J. Griffiths R. Laight S. Webb	
Citizens' Advice Bromsgrove and Redditch	2 1 year	B. Cooper S. Webb	
Greater Birmingham and Solihull Local Enterprise Partnership (LEP) – Joint Overview and Scrutiny Committee for the Supervisory Board	1 and a substitute 1 year	C. Allen-Jones Substitute: P. Thomas	
Shared Services Members Board (2 representatives also by office)	2 and a substitute 1 year	(G. Denaro & K. May by office) R. Deeming S. Baxter Substitute: B Cooper	
Midlands Joint Council for Environmental Protection	2 1 year	K. May S. Shannon	
West Mercia Police and Crime Panel <i>Rep and sub must be from majority political group on the Council</i>	1 rep and 1 substitute	K. May Substitute: K. Taylor	
Worcestershire County Council Corporate Parenting Board	1 1 year	M. Sherrey	
Worcestershire County Council Health Overview and Scrutiny Committee	1 1 year	C. Bloore	
Worcestershire Regulatory Services Board (previously Worcestershire Shared Services Joint Committee)	2 1 year To include relevant Portfolio holder and one other member of the controlling group and one substitute	R. Laight P. Whittaker Substitute: R. Dent	

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Organisation	No. of Appts & Length of Office	Current appointments 2018/2019	Nominations 2019/2020
Bromsgrove Arts Development (Holding Trust)	<p>6 4 years</p> <p>(note four year period ends 2019)</p>	<p>S. Shannon</p> <p>K. May</p> <p>K. Taylor</p> <p>C. Allen-Jones</p> <p>M. Sherrey</p> <p>R. Laight</p>	
Bromsgrove Arts Centre (Operating Trust)	<p>2 4 years</p> <p>(note four year period ends 2019)</p>	<p>J. Griffiths</p> <p>C. Spencer</p>	