

Wychavon District Council

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Organisation Name: Wychavon District Council

Comment text:

At a full meeting of Wychavon District Council held on 23 February 2022, it was unanimously resolved: "That the Council agrees that the Chief Executive be asked to respond to the consultation on behalf of the Council on the following basis: • That in respect of the proposed Hartlebury and Dodderhill 2-member ward, the proposal would create a ward that would be too large. The two areas have distinct communities with little commonality. The preference would be for 2 single member wards. • That in respect of the proposed Broadway and Wickhamford 2-member ward, the proposal would create a ward that would be too large and contain unrelated communities. Similarly, the proposed Bredon 2-member ward would be too large and contain unrelated communities. Splitting each of these proposed wards into 2 single member wards would be preferable and a way of achieving this whilst maintaining electoral equality and effective and convenient local government has been identified as follows: A Bredon ward, consisting of the parishes of Bredon's Norton and Bredon; A South Bredon Hill ward, consisting of the parishes of Kemerton, Overbury, Conderton, Beckford, Ashton under Hill and Sedgeberrow*; An Elmley Castle and Childswickham ward, consisting of the parishes of Elmley Castle, Netherton, Hinton on the Green, Aston Somerville, Wickhamford, Childswickham and part of Broadway parish north of the railway line / former railway line; A Broadway ward, consisting of the remaining part of the parish of Broadway, south of the railway line / former railway line. *The proposal to move Sedgeberrow parish to the proposed Bredon ward would only be acceptable if the proposed Bredon ward was split into 2 single member wards as outlined above. • That in respect of the proposed border between the new Evesham South and The Hamptons wards, it is suggested that the Fairfield Road area off Cheltenham Road be reallocated to the Evesham South ward from The Hamptons ward and the Thistledown estate area further south be reallocated to The Hamptons ward from the Evesham South ward. The current LGBC proposal would sever an identifiable community in the Fairfield Road area containing a through route and services for the wider community whereas the Thistledown area only has a road connection with Cheltenham Road. The proposal could also remove the need to have the 'Hospital' parish ward." The minutes of the meeting have been uploaded to this submission.

Uploaded Documents:

[Download \(https://consultation.lgbce.org.uk/download_document?file=draft%2F1646940323_Public+minutes+23022022+1815+Council.pdf\)](https://consultation.lgbce.org.uk/download_document?file=draft%2F1646940323_Public+minutes+23022022+1815+Council.pdf)

Wychavon District Council

Minutes of A Meeting of Wychavon District Council Held In The the Chamber, Civic Centre, Queen Elizabeth Drive, Pershore On Wednesday, 23 February 2022 Commencing At 6.15 p.m.

Present: Councillor Robert Raphael – Chairman

Members:-

Councillors:-

| | | |
|---------------|------------------|----------------|
| R C Adams | A I Hardman | Mrs A M Rowley |
| S H Bateman | Mrs C J Harford | T Rowley |
| G S Bearcroft | M D J Hartley | Mrs F S Smith |
| D Boatright | J D R Hartley | Mrs E K Stokes |
| E J Bowden | Miss E J Kearsey | B A Thomas |
| E D Cohen | M T King | Mrs E B Tucker |
| A M G Darby | A P Miller | Mrs J D Tucker |
| C J Day | D J Morris | C G J Tucker |
| A L Dyke | R J Morris | M K Ward |
| Mrs E A Eyre | N D A Robinson | D Wilkinson |
| M S Goodge | Mrs L Robinson | N J Wright |
| J Grady | Mrs H M Robson | |

64. **Prayers**

The Chairman's Chaplain led the Council in prayer.

65. **Declarations of Interest**

No declarations of interest were made.

66. **Apologies for Absence**

Apologies for absence were received from Councillors R Davis, G Duffy, T Havemann-Mart, A Powell, A Sinton and Mrs A Steel.

Apologies for absence were also received from Ms H Jones, Director of Planning and Infrastructure.

67. **Minutes of the Previous Meeting**

It was proposed by Councillor R Raphael, seconded by Councillor A P Miller and

Resolved

That the Minutes of the previous meeting of the Council held on 1 December 2021 be approved as a correct record and signed by the Chairman.

68. **Chairman's Announcements**

The Chairman made the following announcements:-

1. *Jack Jeffrey* – he paid tribute to Jack Jeffrey, a talented young rugby player for Evesham Rugby Football Club, who tragically lost his life after a match at Berkswell and Balsall on 12 February. He sent the Council's thoughts and heartfelt condolences to Jack's family, friends and team mates at the Club.
2. *Hannah Robson* – the Chairman congratulated Hannah Robson, the Green Party candidate who won the by-election on 13 January 2022 to become District Councillor representing The Littletons ward. He welcomed Councillor Mrs Robson to her first Council meeting at Wychavon.
3. *Raising a flag for the Commonwealth* – he advised that there would be a short ceremony taking place on Monday 14 March 2022 at 10am outside the Civic Centre and invited Members to attend and support.
4. *Civic Service* – the Chairman reminded Members that his Civic Service would take place on Sunday 20 March 2022 and invites should be in Member's pigeon holes for them to collect after the meeting.
5. *Chairman's End of Term event* – he advised that his end of term event would take place on Friday 13 May 2022 and further details would be circulated nearer the time.
6. *Loo of the Year award* – the Chairman invited Councillor Mrs E K Stokes to update the Council on the recent Loo of the Year awards where Wychavon was the National Category Winner for Public Toilets. She explained that 7 public toilets were granted diamond status and the remaining 3 public toilets were granted platinum status.

69. **Public Participation**

No questions were received from members of the public.

70. **Petitions from Members of the Council**

No petitions were received.

71. **Notices of Motion from Members of the Council**

One Notice of Motion, entitled Developers Climate Change Declaration Motion, had been received in accordance with the Council's Constitution.

The Notice of Motion was proposed by Councillor E Cohen and seconded by Councillor T Rowley.

Councillor Cohen advised that he intended it to be a 'carrot' for developers to state how they will meet requirements but hopefully will go beyond the minimum

standards.

Councillor T Rowley thanked Councillor Cohen and colleagues for bringing the Motion forward. He added that he was happy to support it and that there needed to be an urgent but balanced approach to climate change to enable value for the ratepayer.

Councillor D Boatright advised that whilst he was happy to support the Motion, he asked for the wording to be amended slightly from “To invite developers to complete a statement.....” to “To require developers.....”. This was seconded by Councillor Mrs E B Tucker.

However Mrs M Patel, Director of Legal and Governance, advised that the Council could not require developers to do anything without statutory backing as there was no way that this could be enforced.

Further discussions ensued and a vote was then taken on the amendment.

With 7 votes for the amendment and 29 against, the amendment was lost.

A vote was then taken on the substantive Motion which had been proposed by Councillor E Cohen and seconded by Councillor T Rowley and unanimously

Resolved

That the Council agreed

1. To invite developers to complete a statement, but not part of, with each relevant Planning Application addressing the following:
 - What measures will be taken to reduce the energy demand associated with the proposed development beyond the requirements of the Building Regulations;
 - What measures will be taken to reduce the carbon consumed through the implementation and construction process;
 - What measures will be taken to utilise renewable or low carbon materials and energy sources;
 - What measures will be taken to promote biodiversity in the proposed development;
2. To ask the Carbon Reduction Panel to review the information provided and report annually thereon including advising whether any public recognition of developers actions is appropriate.
3. To ask the Carbon Reduction Panel to review the information provided to assist in identifying any revisions to the Building Regulations or other associated matters, which may assist in reducing carbon consumption in connection with new development.

72. 2022/23 Strategy and Promises update

Councillor B A Thomas introduced the report and highlighted some key achievements over the past 12 months including paying out over £24.8million in support grants for which he thanked the Deputy Chief Executive, Jayne Pickering, and her team, together with setting up 10 starter units and opening The Pillar for start up businesses and various other projects.

He then ran through the proposed amendments to timescales for five of the current promises, together with the amendments to the wording of a further four promises and details of three new promises which he proposed the approval of.

Councillor R J Morris, in seconding the proposals, highlighted that Wychavon was renowned for stepping up and getting things done to help residents.

Following further comments from Members the recommendations were put to the vote and it was unanimously

Resolved

1. That the extensions to the timescales for five of the Council's current promises detailed in the table below be approved:

| Promise | Current deadline | Extended deadline |
|---|-------------------|---|
| Deliver a programme of funding, mentoring and advice to improve and increase the range of community-based transport options available across the district including the ticket to ride project. | 31 March 2023 | 31 March 2024 |
| Invest £180,000 over three years to provide grants to encourage small and medium-sized businesses to take on apprentices and a bursary to help overcome barriers to work. | 31 March 2023 | 31 March 2024 |
| Produce an ambitious economic strategy, setting out how we will support the recovery, regrowth and diversification of the local economy over the next two decades. | 31 March 2022 | 30 September 2022 |
| Complete and submit the South Worcestershire Development Plan review for examination. | 28 February 2022 | 30 November 2022 In line with revised SWDDPR timetable |
| Develop masterplans for the proposed new settlements in the South Worcestershire Development Plan Review. | 30 September 2021 | 31 August 2022 In line with revised SWDDPR timetable |

2. That the amendments to the wording of four of the current promises, as detailed in the table below be approved:

| Promise | Revised promise |
|--|--|
| Work with partners to create a multi-purpose cycling attraction including a BMX pump track, mountain bike trails and a simulated road circuit in Evesham by 31 March 2024. | Work with partners to create a multi-purpose floodlit cycling facility in Evesham, including a BMX pump track, all ability cycling track for users with disabilities, a 1km closed road circuit and a learn to ride area by March 2024. |
| Publish a comprehensive new design guide to promote good quality design and layout of new developments and public spaces as soon as possible after the adoption of the revised SWDP and no later than autumn 2022. | Publish a comprehensive new design guide to promote good quality design and layout of new developments and public spaces as soon as possible after the adoption of the revised SWDP and no later than summer 2022 . |
| Start delivering our new Intelligently Green Plan including supporting a low carbon oil buying scheme, promoting the development of an electric vehicle forecourt and issuing a call for sites for renewable energy developments by 31 March 2024. | Continue delivering our Intelligently Green Plan including carbon literacy training for staff and councillors, supporting low income households to improve energy efficiency and investigating the use of alternative low carbon emission fuels, such as hydrotreated vegetable oil, for waste collection vehicles by 31 March 2024. |
| Run a four year campaign to reduce litter and single use of plastics involving a package of measures including education, litter picks, enforcement action and engaging with schools | Run a four year litter reduction campaign involving a package of measures including education, litter picks, enforcement action and engaging with schools. The plastics element of this promise is covered by our waste reduction promise. |

3. That the three new promises detailed below be approved:

- Work with partners to create an index and map of community facilities across the district and use this to target our future funding and support by March 2024.
- Work with partners to deliver sports and leisure improvements including improved pavilions for Badsey Sports Club and Bretforton Cricket Club and improved football facilities at Prince Henry's High School and Inkberrow Football Club by 31 March 2025.

- Promote and further develop Wychavon's visitor offer, increasing visitor spend by 10% above pre-Covid levels by 31 March 2025.
4. That it be noted that each service is working on its 2022/23 Service Plan which will translate delivery of the strategy at an operational level.

73. **Grow Save Charge 2022/23 Budget**

Councillor M T King, Executive Board member for Resources and Investment, introduced the report and paid tribute to his predecessor, Councillor R Davis, who had done a lot of the work on the Budget that was being brought before Members that evening. He also paid tribute to the Deputy Chief Executive and Head of Financial Services for all the extra work carried out in order to give residents financial support due to Covid, together with the finance team and the Budget Scrutiny Team that had considered the draft Budget in great deal prior to it being presented to Council for final approval.

He explained the changes to the Budget in light of the promises agreed earlier in the meeting, together with the proposed Council Tax freeze for 2022/23. He added that this was a robust Budget which he commended to the Council.

Councillor Mrs J Tucker, Leader of the Green Group, advised the Council that following discussions with officers it was decided that the Green Group would like to withdraw their Budget amendment paper.

Councillor B A Thomas then seconded the proposed Budget and added that he was grateful to Councillor Mrs J Tucker for withdrawing her amendment paper. He added that the Council was still in a strong financial position and highlighted that Wychavon had an average Band D precept that was 4th lowest in the Country.

Councillor C G J Tucker then introduced and proposed the Liberal Democrats Budget amendments and highlighted the importance of carbon reduction. He explained that massive changes were required by 2030 and that the Council needed to do much more now to be able to achieve these targets. He explained his Group's proposal to set up three £1 million funds to deliver the following objectives:

- Increase household energy efficiency in the District
- Create new wetlands for increased biodiversity, carbon storage and natural flood management
- Reduce carbon emissions from our leisure centres.

Councillor Tucker explained that Wychavon prided itself on being innovative but he felt that it was more reactive and waited on funding to be available before it agreed to projects.

Councillor D Boatright seconded the Liberal Democrats amendments and, following comments from other members of the Council, he reiterated the urgency to commit to projects to ensure that the deadline of 2030 was achieved.

Following further comments a named vote was taken on the amendments to the Budget, in accordance with the Council's Constitution, and voting was recorded as follows:-

Those voting for the motion were Councillors D Boatright, E Cohen, A M G Darby, Mrs C Harford, N Robinson, Mrs H Robson, Mrs A M Rowley, C G J Tucker and Mrs E B Tucker (9)

Those voting against the motion were Councillors R C Adams, S Bateman, G S Bearcroft, E Bowden, C Day, A L Dyke, Mrs E A Eyre, M S Goodge, J Grady, A I Hardman, J Hartley, M Hartley, Miss E Kearsey, M T King, A P Miller, D Morris, R J Morris, R W Raphael, Mrs L Robinson, T Rowley, Mrs F S Smith, Mrs E K Stokes, B A Thomas, M Ward, D Wilkinson and N Wright (26)

There were 9 votes for the amendment with 26 votes against and Councillor Mrs J Tucker abstaining. Therefore the amendment was LOST.

The original proposals then became the substantive motion and the voting was recorded as follows:-

Those voting for the motion were Councillors R C Adams, S Bateman, G S Bearcroft, E Bowden, E Cohen, C Day, A L Dyke, Mrs E A Eyre, M S Goodge, J Grady, A I Hardman, J Hartley, M Hartley, Miss E Kearsey, M T King, A P Miller, D Morris, R J Morris, R W Raphael, Mrs L Robinson, N Robinson, Mrs H Robson, T Rowley, Mrs F S Smith, Mrs E K Stokes, B A Thomas, Mrs J Tucker, M Ward, D Wilkinson and N Wright (30)

Those voting against the motion were Councillors D Boatright, A M G Darby, Mrs C Harford, Mrs A M Rowley, C G J Tucker and Mrs E B Tucker (6)

With 30 votes for and 6 votes against it was

Resolved

1. That the revenue budgets and the use of reserves and balances in 2022/23 as summarised in Appendix A to the report be approved;
2. That Fees and Charges for the year 2022/23 as detailed in the report to the Executive Board on 2 February 2022 be approved;
3. That the Capital Programme summary and Capital Money Plan for 2021/22 to 2026/27 as set out in Appendix B be approved;
4. That the report of the chief financial officer (Deputy Chief Executive) at Appendix C be noted along with the Revenue Money Plan summary at Appendix D indicating a council tax freeze in 2022/23 and annual increases of 2% in future years.

74. Council Tax 2022/23 Formal Resolution

Councillor M T King, introduced the report and proposed a council tax freeze for 2022/23 which would be a fifth successive council tax freeze without there being

a reduction in services.

Councillor B A Thomas seconded the recommendations and a named vote was taken in accordance with the Council's Constitution and voting was recorded as follows:

Those voting for the motion were: Councillors R C Adams, S Bateman, G S Bearcroft, D Boatright, E Bowden, E Cohen, A M G Darby, C Day, A L Dyke, Mrs E A Eyre, M S Goodge, J Grady, A I Hardman, Mrs C Harford, J Hartley, M Hartley, Miss E Kearsey, M T King, A P Miller, D Morris, R J Morris, R W Raphael, Mrs L Robinson, N Robinson, Mrs H Robson, Mrs A M Rowley, T Rowley, Mrs F S Smith, Mrs E K Stokes, B A Thomas, C G J Tucker, Mrs E B Tucker, Mrs J Tucker, M Ward, D Wilkinson and N Wright. (36)

With a unanimous vote it was

Resolved

1. Further to the Executive Board meeting on 17 November 2021, that Council resolves that no change be made to the current Council Tax Support scheme from April 2022 other than uprating for allowances in line with the Housing Benefit Regulations 2006, as amended;
2. Furthermore, it be noted that, at its meeting on 5 January 2022, the Executive Board calculated the following amounts for the year 2022/23 in accordance with Regulations made under Section 31B(5) of the Local Government Finance Act 1992, as amended ("the Act"):-

- (a) 52,818.58 being the amount calculated by the Executive Board, in accordance with Regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992, as the Council's council tax base for the year;

(b) Part of the Council's area

| | |
|------------------------|----------|
| Droitwich Town Council | 8,642.57 |
| Evesham Town Council | 9,354.00 |
| Pershore Town Council | 3,225.79 |

| | | |
|------------|---------------------------|----------|
| Parish of: | Abberton | 31.84 |
| | Abbots Morton | 88.56 |
| | Ashton-under-Hill | 372.13 |
| | Badsey & Aldington | 1,265.64 |
| | Beckford | 291.54 |
| | Bickmarsh | 34.83 |
| | Birlingham | 170.15 |
| | Bishampton & Throckmorton | 421.88 |
| | Bredicot | 10.95 |
| | Bredon & Bredons Norton | 1,347.23 |
| | Bretforton | 458.70 |
| | Broadway | 1,778.07 |
| | Broughton Hackett | 85.57 |
| | Charlton | 258.70 |
| | Childswickham | 367.16 |

| | |
|---|----------|
| Churchill | 14.93 |
| Cleeve Prior | 284.57 |
| Cookhill | 588.05 |
| Crothorne | 300.49 |
| Crowle | 527.35 |
| Defford & Besford | 453.72 |
| Dodderhill | 991.02 |
| Drakes Broughton, Wadborough & Pirton | |
| Drakes Broughton Ward | 787.05 |
| Wadborough Ward | 117.41 |
| Pirton Ward | 63.68 |
| Eckington | 584.07 |
| Elmbridge | 252.73 |
| Elmley Castle, Bricklehampton & Netherton | 362.18 |
| Elmley Lovett | 167.16 |
| Fladbury | 416.91 |
| Flyford Flavell, Grafton Flyford & North Piddle | 293.53 |
| Great Comberton | 150.25 |
| Hampton Lovett & Westwood | 177.11 |
| Hanbury | 473.62 |
| Hartlebury | 1,372.11 |
| Harvington | 658.69 |
| Hill & Moor | 327.36 |
| Hindlip, Martin Hussingtree & Salwarpe | 986.04 |
| Hinton & Aston Somerville | 209.94 |
| Honeybourne | 775.10 |
| Inkberrow | 1,068.63 |
| Kemerton | 221.88 |
| Kington & Dormston | 216.91 |
| Little Comberton | 144.27 |
| Naunton Beauchamp | 85.57 |
| North & Middle Littleton | 373.12 |
| North Claines | 1,846.72 |
| Norton & Lenchwick | 580.08 |
| Norton Juxta Kempsey | 969.13 |
| Offenham | 601.97 |
| Ombersley & Doverdale | 1,213.90 |
| Overbury & Conderton | 133.33 |
| Pebworth | 450.73 |
| Peopleton | 258.70 |
| Pinvin | 330.34 |
| Rous Lench | 143.28 |
| Saleway | 563.17 |
| Sedgeberrow | 400.98 |
| South Lenches | 374.12 |
| South Litteton | 519.39 |
| Spetchley | 40.79 |
| Stock & Bradley | 176.11 |
| Stoulton | 217.90 |
| Strensham | 143.28 |
| Tibberton | 327.35 |
| Upton Snodsbury | 176.11 |
| Upton Warren | 162.18 |
| White Ladies Aston | 102.48 |
| Whittington | 634.81 |

| | |
|-------------|--------|
| Wick | 213.92 |
| Wickhamford | 298.50 |
| Wyre Piddle | 288.55 |

being the amounts calculated by the Executive Board, in accordance with Regulation 6 of the Regulations, as the amounts of the council tax base for the year for dwellings in those parts of the Council's area to which one or more special items relate;

3. The Council Tax requirement for the Council's own purposes for 2022/23 (excluding Town / Parish Precepts but including special expenses of £72,565) is £6,415,020;
4. That the following amounts be now calculated by the Council for the year 2022/23 in accordance with Sections 31 to 36 of the Act:-
 - (a) £65,872,894 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2)(a) to (f) of the Act, taking into account all precepts issued to it by town and parish councils;
 - (b) £56,715,893 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3)(a) to (d) of the Act;
 - (c) £9,157,001 being the amount by which the aggregate at 4(a) above exceeds the aggregate at 4(b) above, calculated by the Council, in accordance with Section 31A(4) of the Act, as its council tax requirement for the year;
 - (d) £173.37 being the amount at 4(c) above divided by the amount at 2(a) above, calculated by the Council, in accordance with Section 31B(1) of the Act, as the basic amount of its council tax for the year (including town / parish precepts and special expenses);
 - (e) £2,814,546 being the aggregate amount of all special items (town and parish precepts and special expenses) referred to in Section 34(1) of the Act;
 - (f) £120.08 being the amount at 4(d) above less the result given by dividing the amount at 4(e) above by the amount at 2(a) above, calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its council tax for the year for dwellings in those parts of its area to which no special items (town / parish precepts or special expenses) relate;

(g) Part of the Council's area (District and Parish combined at Band D)

| | £ |
|---|--------|
| Droitwich Town Council | 170.63 |
| Evesham Town Council | 185.18 |
| Pershore Town Council | 202.88 |
| Parish of: | |
| Abberton | 120.08 |
| Abbots Morton | 170.27 |
| Ashton-under-Hill | 168.80 |
| Badsey & Aldington | 168.08 |
| Beckford | 189.84 |
| Bickmarsh | 120.08 |
| Birlingham | 161.55 |
| Bishampton & Throckmorton | 169.86 |
| Bredicot | 120.08 |
| Bredon & Bredons Norton | 154.39 |
| Bretforton | 199.56 |
| Broadway | 170.25 |
| Broughton Hackett | 131.77 |
| Charlton | 172.91 |
| Childswickham | 142.79 |
| Churchill | 120.08 |
| Cleeve Prior | 194.53 |
| Cookhill | 160.20 |
| Crothorne | 146.38 |
| Crowle | 180.43 |
| Defford & Besford | 155.34 |
| Dodderhill | 194.20 |
| Drakes Broughton, Wadborough & Pirton | |
| Drakes Broughton Ward | 147.12 |
| Wadborough Ward | 141.82 |
| Pirton Ward | 140.89 |
| Eckington | 175.07 |
| Elmbridge | 139.18 |
| Elmley Castle, Bricklehampton & Netherton | 166.24 |
| Elmley Lovett | 174.60 |
| Fladbury | 175.85 |
| Flyford Flavell, Grafton Flyford & North Piddle | 167.84 |
| Great Comberton | 149.53 |
| Hampton Lovett & Westwood | 181.34 |
| Hanbury | 174.44 |
| Hartlebury | 147.41 |
| Harvington | 168.74 |
| Hill & Moor | 167.48 |
| Hindlip, Martin Hussingtree & Salwarpe | 157.35 |
| Hinton on the Green & Aston Somerville | 153.58 |
| Honeybourne | 230.49 |
| Inkberrow | 141.35 |
| Kemerton | 162.21 |
| Kington & Dormston | 151.32 |
| Little Comberton | 166.52 |
| Naunton Beauchamp | 175.84 |
| North & Middle Littleton | 168.32 |

| | |
|--|--------|
| North Claines | 176.98 |
| Norton & Lenchwick | 144.04 |
| Norton Juxta Kempsey | 181.72 |
| Offenham | 182.77 |
| Ombersley & Doverdale | 160.66 |
| Overbury & Conderton | 140.37 |
| Pebworth | 202.61 |
| Peopleton | 154.04 |
| Pinvin | 179.91 |
| Rous Lench | 163.11 |
| Saleway | 132.63 |
| Salwarpe <i>see Hindlip & Martin</i> | |
| <i>Hussingtree</i> | |
| Sedgeberrow | 148.72 |
| South Lenches | 149.41 |
| South Littleton | 201.20 |
| Spetchley | 120.08 |
| Stock & Bradley | 161.78 |
| Stoulton | 170.56 |
| Strensham | 159.16 |
| Tibberton | 231.61 |
| Upton Snodsbury | 155.15 |
| Upton Warren | 132.91 |
| White Ladies Aston | 120.08 |
| Whittington | 181.70 |
| Wick | 163.09 |
| Wickhamford | 157.50 |
| Wyre Piddle | 161.48 |

being the amounts given by adding to the amount at 4(f) above, the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned above divided in each case by the amount at 2(b) above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its council tax for the year for dwellings in those parts of its area;

- (h) The amounts shown in Schedule 1 being the amount given by multiplying the amounts at 4(g) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation Band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands;
5. It be noted for the year 2022/23 that the Worcestershire County Council, the Hereford and Worcester Fire and Rescue Authority and the Office of the Police and Crime Commissioner for West Mercia have stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:-

| <u>Precepting Authority</u> | <u>Valuation Bands</u> | | | | | | | |
|--|------------------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| | A £.p | B £.p | C £.p | D £.p | E £.p | F £.p | G £.p | H £.p |
| Worcestershire County Council (including ASC precept) | 931.19 | 1,086.38 | 1,241.58 | 1,396.78 | 1,707.18 | 2,017.57 | 2,327.97 | 2,793.56 |
| Hereford & Worcester Fire & Rescue Authority | 59.60 | 69.53 | 79.47 | 89.40 | 109.27 | 129.13 | 149.00 | 178.80 |
| The Office of the Police and Crime Commissioner for West Mercia | 166.44 | 194.18 | 221.92 | 249.66 | 305.14 | 360.62 | 416.10 | 499.32 |

6. Having calculated the aggregate in each case of the amounts at 4(h) and 5 above, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby sets the amounts shown in Schedule 2 as the amounts of council tax for the year 2022/23 for each of the categories of dwellings shown;
7. The details in Schedule 3 i.e. Parish Precepts and grants from the Council for 2022/23, and the percentage change in the respective levies at Band D compared to 2021/22 as well as the special expenses levy at Band D be noted;
8. Employees of Civica UK Ltd working on behalf of the Council, and Council staff, be authorised to:-
 - (a) collect and recover any National Non-Domestic Rates or Council Tax made by the Council, and;
 - (b) prosecute and to appear on behalf of the Council at the hearing of any legal proceedings in respect of unpaid National Non-Domestic Rates or Council Tax.

75. **Capital Strategy 2022/23**

Councillor M T King introduced the report presenting the proposed Capital Strategy for the Council for 2022/23 as required by the Chartered Institute of Public Finance and Accountancy (CIPFA) Prudential Code 2021.

Councillor King proposed the recommendation which was seconded by Councillor Mrs F S Smith who thanked the Deputy Chief Executive and her team for all their hard work and with 28 votes for, 4 votes against and 4 abstentions, it was

Resolved

That the proposed Capital Strategy for 2022/23 be approved.

76. Treasury Management Strategy 2022/23

Councillor M T King introduced the report seeking approval of the Council's proposed Treasury Management Strategy for 2022/23 and Prudential Indicators for the period 2022/32 to 2026/27.

Councillor King advised that these had already been discussed by the Executive Board and had been scrutinised by the Audit Committee. He reminded Members that they received update reports on a regular basis.

It was then proposed by Councillor King, seconded by Councillor C Day who thanked the team for looking after the Council's cash balances, and unanimously

Resolved

That the following items be approved:-

1. Treasury Management Strategy for 2022/23;
2. Prudential indicators and limits for 2022/23 to 2026/27 and the Minimum Revenue Provision (MRP) policy statement;
3. Treasury Management Policy Statement and Practices (TMPs);
4. Non-Treasury Management Investments Policy Statement and Practices (Investment Management Practices – IMPs)
5. Previous agreement that any urgent changes that may be necessary to the list of organisations or criteria for investment purposes included in the Treasury Management Strategy be delegated to the Deputy Chief Executive in consultation with the Executive Board member for Resources and Investment or, in his or her absence, the Leader of the Council.

77. 2022/23 Pay Policy Statement

Councillor M T King introduced the report of the Head of Human Resources and Organisational Development, seeking approval of the Council's Pay Policy Statement for 2022/23 as required by Section 38 of the Localism Act 2011. He explained that it covered Wychavon staff and pay for those working with other Councils where be provide services.

Councillor C G J Tucker requested a copy of the Spinal Column Points and the number of staff on each of those points. It was agreed that this would be circulated outside of the meeting.

It was then recommended by Councillor King, seconded by Councillor Mrs F S Smith as Chairman of the Joint Consultative Committee who thanked the Deputy Chief Executive and Head of Human Resources and Organisational Development for pulling this information together. It was then unanimously

Resolved

That the 2022/23 Pay Policy Statement, as attached, be approved.

78. Appointment of Committees and Political Balance

Councillor B A Thomas introduced the report and explained that this was just a formality following the election of Councillor Mrs H Robson.

Mr V Allison, Chief Executive, advised of an error in the table at paragraph 3.3 of the report and explained that for the Licensing Committee, the line should read:-

Licensing 11 members - 8 Conservatives, 1 Liberal Democrat, 1 Green and 1 Independent.

It was then proposed by Councillor B A Thomas, seconded by Councillor Mrs J Tucker and unanimously

Resolved

1. That the allocation of places on the Council's committees be agreed.
2. That the political group leaders confirm or amend appointment to their Groups' places on each Committee.

79. Local Government Boundary Commission for England - draft recommendations on the new electoral arrangements for Wychavon District Council

Councillor B A Thomas introduced the report detailing draft recommendations on the new electoral arrangements for Wychavon District Council.

He explained that it was proposed that there would be a reduction of 2 members i.e. from 45 members down to 43 and he also explained about the proposed changes to warding arrangements as detailed in the report and recommendations from the Local Government Boundary Commission for England (LGBCE).

Councillor Thomas advised that a cross party group had met to discuss the proposals and some consensus had been agreed. He explained that the Conservative group would be putting in its submission on the proposals but he urged all Members to encourage their parishes to take a look at the draft recommendations and make their own submissions to the LGBCE by 21 March 2022.

Councillor Thomas then proposed the recommendations which were seconded by Councillor E Cohen and it was unanimously

Resolved

1. That the draft recommendations made by the Local Government Boundary Commission for England (LGBCE) on the new electoral arrangements for Wychavon District Council be noted.

2. That agreement be given that the Chief Executive be asked to respond to the consultation on behalf of the Council on the following basis:-
- That in respect of the proposed Hartlebury and Dodderhill 2-member ward, the proposal would create a ward that would be too large. The two areas have distinct communities with little commonality. The preference would be 2 single member wards.
 - That in respect of the proposed Broadway and Wickhamford 2-member ward, the proposal would create a ward that would be too large and contain unrelated communities. Similarly, the proposed Bredon 2-member ward would be too large and contain unrelated communities. Splitting each of these proposed wards into 2 single member wards would be preferable and a way of achieving this whilst maintaining electoral equality and effective and convenient local government has been identified as follows:
 - A Bredon ward, consisting of the parishes of Bredon's Norton and Bredon;
 - A South Bredon Hill ward, consisting of the parishes of Kemerton, Overbury, Conderton, Beckford, Ashton under Hill and Sedgeberrow*;
 - An Elmley Castle and Childswickham ward, consisting of the parishes of Elmley Castle, Netherton, Hinton on the Green, Aston Somerville, Wickhamford, Childswickham and part of Broadway parish north of the railway line/former railway line.
 - A Broadway ward, consisting of the remaining part of the parish of Broadway, south of the railway line/former railway line.
- *The proposal to move Sedgeberrow to the proposed Bredon ward would only be acceptable if the proposed Bredon ward was split into 2 single member wards as outlined above.
- That in respect of the proposed border between the new Evesham South and The Hamptons wards, it is suggested that the Fairfield Road area off Cheltenham Road be reallocated to the Evesham South ward from The Hamptons ward and the Thistledown estate area further south to be reallocated to The Hamptons ward from the Evesham South ward. The current LGBCE proposal would sever an identifiable community in the Fairfield Road area containing a through route and services for the wider community whereas the Thistledown area only has a road connection with Cheltenham Road. The proposal could also remove the need to have the 'Hospital' parish ward.
- 3 That parish and town councils, local ward members and other groups and individuals be encouraged to submit their own responses to the Local Government Boundary Commission regarding their draft recommendations on the new electoral arrangements for Wychavon District Council

80. **Local Development Scheme 2021-2024 Review**

Councillor B A Thomas introduced the report which detailed the proposed changes to the Local Development Scheme including the proposed timetable changes to the South Worcestershire Travellers and Travelling Showpeople Policies and Site Allocations Development Plan Document.

He also advised that the Local Development Scheme was now being produced as a South Worcestershire wide document as opposed to being on an individual local authority basis.

A question was asked regarding the date of the Council meeting to discuss the South Worcestershire Travellers and Travelling Showpeople Policies and Site Allocations Development Plan Document and it was noted that this would take place on 22 June 2022 in order for the public consultation to still take place during July and August 2022.

A further question was asked to ensure that officers were mindful of the size of the document and the need for Members to be able to read it prior to the Council meeting. It was noted that there were briefings scheduled during March/April and Members would have sight of the relevant documents at that time.

It was then proposed by Councillor B A Thomas, seconded by Councillor T Rowley and unanimously

Resolved

1. That the South Worcestershire Local Development Scheme 2021-2024 set out at Appendix 1 to the report to come into effect from 1 March 2022 be approved.
2. That delegated authority be given to the Director of Planning and Infrastructure, in consultation with the Portfolio Holder for Planning, Infrastructure and Urban Design, to make minor amendments to the Local Development Scheme prior to publication.

81. **Planning Services - Scheme of Delegation**

Councillor B A Thomas introduced the report and highlighted the key changes to the existing Planning Scheme of Delegation before proposing the recommendations.

In seconding the recommendations Councillor D Wilkinson, Chairman of the Planning Committee, advised Members that this had been triggered by the independent planning review that had recently taken place. He added that these were fairly small, common sense, changes and would fit in with the 'One Team' approach.

Following further discussions the recommendations were put to the vote and with 30 votes for and 6 against it was

Resolved

1. That the amended Joint Planning Services Scheme of Delegation as attached, be approved.
2. That any minor updates and adjustments be delegated to the Monitoring Officer.

82. Amended Code of Conduct

Councillor Mrs E A Eyre explained that the Member Conduct Committee considered the revised model Code of Conduct issued by the Local Government Association at its last meeting.

She explained that it had been reviewed by Monitoring Officers across Worcestershire who had made certain additions in order to bring it in line with the current Worcestershire code. These amendments were discussed by the Member Conduct Committee who agreed the 3 recommendations, as set out in the report, for approval by full Council.

Questions were asked by Members in relation to certain areas and the Monitoring Officer responded to say that many of the queries raised were outside of this Code of Conduct and were covered by additional codes or else were already embedded in the current Code of Conduct.

It was then proposed by Councillor Mrs E A Eyre, seconded by Councillor Mrs E K Stokes, and unanimously

Resolved

1. That the amended code as detailed at the appendix attached be adopted from 1 April 2022.
2. That any minor amendments be delegated to the Monitoring Officer in consultation with the Chair of the Member Conduct Committee.
3. That all Town and Parish Councils within the District be recommended to adopt the final amended code.

Recommendations from Committees

83. Recommendations from Executive Board

Councillor B A Thomas introduced and proposed the recommendation in relation to the Home Improvement Agency and Housing Assistance Policy which was seconded by Councillor C Day.

With a unanimous vote it was

Resolved

That the refresh of the Housing Assistance Policy for both Malvern Hills and

Wychavon District Councils be approved.

84. Recommendations from the Audit Committee

Councillor A I Hardman, introduced the recommendation from the Audit Committee in relation to the Public Sector Auditor Appointments Process.

Councillor Hardman explained the options and advantages of being part of the wider procurement process and proposed the recommendation.

Councillor M T King then seconded the recommendation and reminded Members of the implications of not being part of the procurement process and the delays that this could cause.

With a unanimous vote it was

Resolved

That the Council opt in to the Public Sector Auditor Appointment (PSAA) process for the procurement of External Audits for audits commencing in April 2023.

Updates from Committees

85. Executive Board

Councillor B A Thomas advised that there had been 2 meetings of the Executive Board since the last Council meeting.

On the 5 January 2022 the Board discussed the Council Tax Base and agreed necessary changes to the Housing Assistance Policy which were approved earlier in the meeting.

On the 2 February 2022 the Board considered the proposed changes to the Council's Strategy and Promises for 2022/23, the Budget proposals for 2022/23 taking into account the recommendations from the Budget Scrutiny Team. The Board also considered the Capital and Treasury Management Strategies.

86. Overview and Scrutiny Committee

Councillor Mrs F S Smith, Chairman of the Overview and Scrutiny Committee, gave the following update:-

"At the Overview and Scrutiny meeting on 9th February 2022 Members received an update from the Director of Planning, Holly Jones, on the recent Planning Peer Review, giving a brief summary of the findings and highlighting the 12 key recommendations and findings. These include reconsideration of the proposed restructure of the Development Management service, ensuring strong consistent leadership of the Planning service, corporate recognition of the SWDP and improving engagement and collaboration on the SWDP between planning and other Malvern Hills & Wychavon District Council services; improving communications between officers and councillors; consideration of the

establishment of an officer advisory board to discuss key planning matters; engaging specialists early in the design of corporate projects; implementing consistent policies and processes to provide a more efficient shared service; improving councillors understanding of the planning process and improving the customer experience of planning committees; reconsideration of locally set performance targets and finally improving governance, processes and transparency of developer contributions.

The Chief Executive presented a report on the 2022/23 strategy and promises which had been presented to the Executive Board on 2nd February 2022 and Members were asked to consider extensions to 5 of the current promises and amendments to the wording of 3 of the current promises, as set out. Members were in agreement.

The Deputy Chief Executive asked Overview and Scrutiny to consider recommendations to the Grow, Save, Charge 2022/23 budget as set out at 2.1 in the report which included a 2% council tax rise in 2022/23 and proposals for fees and charges as detailed in Appendix B.

The Executive Board Forward Plan and the O&S Committee Workplan were again considered.

Future Overview and Scrutiny meetings are scheduled for 6th April and 6th July.”

87. Planning Committee

Councillor D Wilkinson, Chairman of the Planning Committee, made the following announcements:-

“Since the last Council meeting the Planning Committee has met on two occasions, not virtually but in the Council Chamber, following social distancing rules. We have had to manage public speaking very carefully but we have ensured that we still provide an opportunity for those that want to address the Committee. We have considered eight applications, comprising developments of varying scale including 60 residential units in Honeybourne, 222 dwellings off Cheltenham Road, Evesham, a caravan park extension of 50 units and an interesting glamping proposal for two units near Ombersley.

Members of the Committee have received planning training on self-build units, and have taken part in a Question and Answer session.

Planning performance for the year shows strong performance, with 96% of Major applications determined in 13 weeks, 87% of Minors and 88% of Others determined in eight weeks.”

88. Licensing Committee

Councillor A P Miller, Chairman of the Licensing Committee, advised that there had been 3 Licensing Sub-Committee meetings since the last Council meeting.

The first on the 13 December 2021, the Sub-Committee considered an application for a Hackney Carriage vehicle licence which was granted, together

with an application for a premises licence to sell alcohol which was also granted with a minor amendment to the times that alcohol could be served.

On the 26 January 2022 the Sub-Committee considered a number of applications. The first was for a vehicle licence which was granted although Members expressed the wish to see more fuel efficient vehicles in future. The Sub-Committee also considered several driver matters, including an application for a new licence which was granted, the review of a licence which was approved subject to the driver undergoing further training and a further review of a licence which involved the revocation of that licence.

A Licensing Sub Committee was also held on the 16 February which considered an application for a Street Trading Consent that was refused, an application for a Hackney Carriage vehicle licence that was granted and 2 applications for drivers licences that were also granted.

89. Member Conduct Committee

Councillor Mrs E A Eyre, Chairman of the Member Conduct Committee, advised that the Committee had met once since the last Council meeting.

She explained that the Committee considered updates on current complaints and looked at the revised member code of conduct which had been discussed by the Council earlier in the meeting.

Councillor Mrs Eyre informed Members that it had been a very busy time with a steady increase in the number of standards related complaints. She added that whilst every effort had been made to deal with complaints informally, there were still 3 on-going matters.

She concluded by advising the Council that the next scheduled meeting of the Member Conduct Committee would take place in late July 2022.

90. Audit Committee

Councillor A I Hardman, Chairman of the Audit Committee, advised that the Committee had met once since the last Council meeting and had reviewed the Corporate Risk Register to ensure that all risks had been updated. He added that particular focus had been given to the risks associated with cyber security.

He added that he was delighted to reassure Members that whilst the External Auditors continued to disappoint, the Wychavon's Internal Auditors, headed by Mr A Bromage, continued to give assurances that the Council's internal controls were robust.

He concluded by adding that the Committee had also considered the Grow Save Charge Budget for 2022/23 as well as the Capital Strategy and Treasury Management Strategy that were discussed and agreed earlier in the evening.

91. Questions (if any) from Members of the Council

No questions were received from Members of the Council.

92. Council Debate

Councillor G S Bearcroft introduced the Council debate entitled

“How do we encourage more young people into apprenticeships and how do we better reward them in monetary terms?”

Councillor Bearcroft highlighted that, particularly in the construction industry that he was involved in, a lot of young people were drifting away from construction with the main issue being money. He added that this would lead to a real shortage of skills in the future.

Councillor R J Morris advised of the work being carried out by Wychavon in respect of apprentices and apprenticeships including:-

- Grants to small and medium sized businesses to encourage them to take on apprentices.
- Working closely with Worcestershire apprenticeships which was set up by the Worcestershire LEP in conjunction with the County Council. He advised that there was a lot of useful information on their website.
- A bursary to support apprentices that could be used for travel costs or towards computers etc
- Sue Owen, the Council’s Skills Officer who goes into businesses to promote apprenticeships as part of her role.
- Apprentices were not necessarily just school leavers – they could be any age, including graduates.

Councillor Morris added that he felt that as a Council Wychavon went a long way to support businesses with apprenticeships and added that a number of senior officers within Wychavon had started out as apprentices.

Further points raised included:-

- Young people were learning on the job whilst finishing their apprenticeship with no debt.
- Status issue – degrees are seen as being better.
- Many people still think of it as cheap labour.
- Lack of rural transport – the bursaries are good to help pay for transport but not if there is no transport available.
- Perception that apprenticeships were only for manufacturing jobs.
- Strong opportunity to foster links with schools.
- Good opportunity for Wychavon to include the role of the apprentice over the next 20 years in its Industrial Strategy.

In summing up Councillor Bearcroft thanked Members for the very good points that were raised and he looked forward to seeing Wychavon’s actions in the future.

The Meeting closed at 9.00 p.m.

Chairman

Introduction and Purpose

Wychavon District Council employs approximately 236 employees (c.215 full time equivalent (FTE) people). The provision of many of the Council's services is outsourced to the private or third sectors and others are carried out by partner councils through shared services arrangements. Wychavon remains responsible for these services, and in addition provides services to other councils, including Malvern Hills District Council, also under shared service arrangements. The Council's annual turnover is in the region of £68 million (gross expenditure as per Comprehensive Income and Expenditure Account for 2020/21).

Under section 112 of the Local Government Act 1972, the Council has the "power to appoint officers on such reasonable terms and conditions as authority thinks fit". This Pay Policy Statement (the 'Statement') sets out the Council's approach to pay policy in accordance with the requirements of Section 38 of the Localism Act 2011. The purpose of the statement is to provide transparency with regard to the Council's approach to setting the pay of its employees by identifying:

- the methods by which salaries of all employees are determined;
- the detail and level of remuneration of its most senior staff i.e. 'chief officers', as defined by the relevant legislation;
- the arrangements for ensuring the provisions set out in this Statement are applied consistently throughout the Council.

Once approved by the Council, this Pay Policy Statement will be effective for the relevant financial year and will be subject to review on a minimum of an annual basis in accordance with the relevant legislation prevailing at that time.

Legislative Framework

In determining the pay and remuneration of all of its employees, the Council will comply with all relevant employment legislation. This includes the Equality Act 2010, Part Time Employment (Prevention of Less Favourable Treatment) Regulations 2000, The Agency Workers Regulations 2010 and where relevant, the Transfer of Undertakings (Protection of Employment) Regulations. With regard to the Equal Pay requirements contained within the Equality Act, the Council seeks to ensure there is no pay discrimination within its pay structures and that all pay differentials can be objectively justified through the use of equality proofed Job Evaluation mechanisms which directly relate salaries to the requirements, demands and responsibilities of the role. The Council will conduct an annual gender pay gap audit, will publish its gender pay gap figures as required under the Equality Act 2010, and will undertake action to reduce any pay inequalities identified.

In addition to this legislative compliance, the Council also ensures it pays at least the national living wage to all of its employees, and thus is compliant with regard to mandatory national living wage requirements.

Pay Structure

In determining its grading structure and setting remuneration levels for all posts, the Council takes account of the need to ensure value for money in respect of the use of public expenditure, balanced against the need to recruit and retain employees who are able to meet the requirements of providing high quality services to the community, delivered effectively and efficiently and at times at which those services are required.

The Council's pay and grading structure comprises Grades 1–M3, which encompasses all employees excluding the senior management team (Chief Executive, Deputy Chief Executive and other Directors). Within each grade there are a number of salary / pay points. Up to and including Grade 9, the Council uses the nationally negotiated pay spine for local government employees. Salary points above this, i.e. for Grades 10, M1, M2 and M3 inclusive, are locally determined.

Wychavon District Council has formally entered into a joint senior management structure with Malvern Hills District Council and as a result is sharing resources at a senior level. This Pay Policy Statement includes all posts where the host employer is Wychavon District Council. Salaries for these posts are detailed in full, with salary part-funding agreements in place between Wychavon District Council and Malvern Hills District Council for each service as applicable.

The Council's Pay Structure from 1 April 2022 (subject to any pay award in line with national negotiations) is set out below:

| Grade | Spinal Column Points | | Annual (full time) rates | |
|-------|----------------------|-----|--------------------------|--------------|
| | | | Minimum £ | Maximum £ |
| 1 | 1 | 2 | 17,842 | 18,198 |
| 2 | 2 | 4 | 18,198 | 18,933 |
| 3 | 4 | 6 | 18,933 | 19,698 |
| 4 | 6 | 8 | 19,698 | 20,493 |
| 5 | 8 | 12 | 20,493 | 22,183 |
| 6 | 12 | 17 | 22,183 | 24,491 |
| 7 | 18 | 24 | 24,982 | 28,672 |
| 8 | 24 | 28 | 28,672 | 32,234 |
| 9 | 28 | 32 | 32,234 | 35,745 |
| 10 | W33 | W36 | 35,745 | 39,131 |

| | | | | |
|-------|----|------|---------|----------------|
| M1 | 38 | 42 | 41,881 | 45,859 |
| M2 | 43 | 47 | 46,845 | 51,402 |
| M3 | 48 | 51 | 51,992 | 59,002 |
| SMT 1 | 1 | 5/6* | 70,930 | 78,142/79,946 |
| SMT 2 | 1 | 4/5* | 81,744 | 86,728/*88,508 |
| CEO | 1 | 4 | 128,678 | 139,037 |

Key * denotes excellence point/salary – see ‘Additions to Salaries of Chief Officers’ below.

The Council remains committed to adherence with national pay bargaining in respect of the national pay spine and any annual cost of living increases negotiated in the pay spine as appropriate to the respective staff group. Note, the pay award due 1 April 2021 remains outstanding and unsettled at the time of preparation of this Pay Policy Statement.

Council posts are allocated to a grade within this Pay Structure based on the application of a Job Evaluation process. For posts up to and including Grade 9, we use the Greater London Whitley Council (GLWC) scheme. Posts at Grade 10 and above are evaluated by an external assessor using the Hay Job Evaluation scheme.

In relation to progression within a post grade, employees generally progress from the minimum spinal column point of their grade at April each year until they reach the maximum of their post grade. Progression across career grades within career graded posts usually requires the achievement of some specified criterion before progression may occur.

New appointments will normally be made at the minimum of the relevant grade, although this can be varied if necessary, to secure the best candidate. From time to time it may prove appropriate to take account of the external pay market such as where difficulties in attracting applicants or retaining employees with particular experience and skills occur. Where necessary, the Council will ensure the requirement for any such market forces supplements is objectively justified by reference to clear and transparent evidence of relevant market comparators, using appropriate and timely data sources available from within and outside the local government sector. There are currently no such market forces supplements being paid within the Council.

Senior Management Team members’ pay is nationally negotiated through the Chief Executives and Chief Officers’ pay bargaining arrangements.

Other pay related allowances are the subject of either nationally or locally negotiated rates, having been determined from time to time in accordance with collective bargaining machinery and/or as determined by Council policy.

Chief Officers Remuneration

For the purposes of this Statement, ‘chief officers’ is defined within section 43 of the Localism Act. The posts falling within the statutory definition are set out below, with details of their basic FTE salary as at 1 January 2022:

a) Chief Executive

This is a shared service post with Malvern Hills District Council. The current salary of the post-holder is £132,132. The salary falls within a range of 4 incremental points between £128,678 rising to a maximum of £139,037. In addition to this, payment for returning officer duties is made. For local elections (Parish, District and County) this remains in accordance with the scale of fees agreed at the Council meeting on 12 December 2018, the agenda and minutes of which can be found on the Council's website. Fees for Parliamentary, European and national referenda are set nationally.

b) Deputy Chief Executive

This is a Wychavon District Council post and is not shared with Malvern Hills District Council. The current salary of the post-holder is £86,728.

c) Directors (SMT2)

Two Wychavon District Council employed Directors at SMT2, paid £83,168 and £81,744. These are both shared service posts with Malvern Hills District Council.

d) Directors (SMT1)

No Wychavon District Council employees sit in posts currently within the SMT1 pay band. Malvern Hills District Council employs a Director at SMT1 in a shared service with Wychavon District Council.

e) Heads of Service (Grades M1 to M3)

Heads of Service report directly to Directors and are all paid at grades M1, M2 or M3. The numbers of Heads of Service posts at each of these grades is as follows:

| Grade | Number of Heads of Service at grade | Number of these posts which are in shared services with Malvern Hills District Council |
|-------|-------------------------------------|--|
| M3 | 5 | 3 |
| M2 | 5 | 2 |
| M1 | 3 | 1 |

Key * denotes excellence point/salary – see 'Additions to Salaries of Chief Officers' below

Recruitment of Chief Officers

The Council's policy and procedures with regard to recruitment of Chief Officers is set out within the rules for the Appointment, Discipline and Dismissal of Council Staff within Chapter 11 'Officers' of the Council's Constitution. When recruiting to all posts the Council will take full and proper account of its own equality and diversity responsibilities, Vacancy Management and Redeployment Policies. The determination of the remuneration to be offered to any newly appointed Chief Officer will be in accordance with the Pay Structure and relevant policies in place at the time of recruitment. Where the Council is unable to recruit to a post at the designated grade, it will consider the use of temporary market forces supplements in accordance with its relevant policies.

Where the Council remains unable to recruit Chief Officers under a contract of service, or there is a need for interim support to provide cover for a vacant substantive Chief Officer post, the Council will, where necessary, consider engaging individuals under 'contracts for service'. The appointment of a suitably qualified agency worker or alternative will be sourced in accordance with the Council's agreed procurement procedures. The Council does not currently have any Chief Officers engaged under such arrangements.

Additions to Salaries of Chief Officers

For all members of the Senior Management Team listed under (b) above, an additional increment is possible where the post-holder is assessed by their manager as delivering exceptional performance over the preceding year. The payment of an exception performance increment is subject to annual determination. Award in any one year does not entitle the post-holder to receive payment on an on-going basis. Exceptional performance increments are only payable when the post-holder has reached the substantive maximum of the grade.

In addition to basic salary, set out below are details of other elements of current 'additional pay' provisions which are chargeable to UK Income Tax and do not solely constitute reimbursement of expenses incurred in the fulfilment of duties:

- Fees paid for returning officer / other election duties, where identified and paid separately (see above);
- Market forces supplements in addition to basic salary, where identified and paid separately (see above);
- Car allowances are available for Senior Management Team members;
- Two Service Managers receive a lump sum payment to compensate them for needing to provide a private car as an essential part of their role;
- Relevant professional subscriptions are paid for all staff including Chief Officers;
- Honorarium or ex gratia payments may be made to staff including Chief Officers for undertaking additional duties outside of their substantive role for which they receive an amount reflective of the duration and nature of the work they undertake. For Chief Officers, such payments are rare and will only be made in accordance with the Council's relevant policy. For example, a standby allowance is currently paid to three Service Managers who will receive calls and deal with emergencies outside of normal office hours.

The Council has no special arrangements with any of its chief officers which are aimed at minimising the tax burden for the officer or the Council.

Subject to qualifying conditions, employees are automatically admitted (auto enrolment) to join the Local Government Pension Scheme unless they choose to opt out or are employed in a contract for less than 3 months. The employee contribution rates for Chief Officers range from 6.8% to 8.5% for those Service Managers on Grades M1, M2 and M3; 9.9% for Directors and the Deputy Chief Executive for total earnings up to £96,200; and 11.4% for the Chief Executive. The Employer contribution rates are set by actuaries advising the Worcestershire Pension Fund and are reviewed on a triennial basis in order to ensure the scheme is appropriately funded. The rate from 1 April 2021 is 18.3%.

Payments on Termination

The Council's approach to discretionary payments on termination of employment of Chief Officers, prior to reaching normal retirement age, is set out within its policy statement concerning discretions provided for under various Local Government Pension Scheme (LGPS) Regulations, Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations 2006 Local Government Pension Scheme (Benefits, Membership and Contribution) Regulations 2007, Local Government Pension Scheme (LGPS) Regulations 2013 and the LGPS (Transitional Provisions and Savings) Regulations 2014.

These discretions relate to the funding of additional pensions, flexible retirement, waiving of actuarial reductions and the award of additional pension. The Statement of Policy on Pension discretions was agreed at the Council meeting on 24 June 2014, the agenda and minutes of which can be found on the Council's website.

Redundancy payments are based upon an employee's actual weekly salary and, in accordance with the Employee Rights Act 1996, will be up to 30 weeks, depending upon length of service and age.

The Council will not re-employ Chief Officers who have previously been made redundant by the Council either directly or under a contract for service.

The Council will comply with any legislation with regard to exit payments relating to the termination of employment.

Lowest Paid Employees

The lowest paid person employed in a substantive role with the Council is paid at Grade 1, the lowest spinal point being point 1. The Council also occasionally employs work experience students (paid at an equivalent of the national living wage). These students are not included within the definition of 'lowest paid employees' as they are employed under separate terms. Similarly, in addition to a number of apprentice traineeships in substantive posts (remunerated in accordance with the council's normal grading structure), the Council employs apprentices on fixed term contracts for which we pay the national apprentice rate. The relationship between the rate of pay for the lowest paid and Chief Officers is determined by the processes used for determining pay and grading structures as set out earlier in this policy statement.

The statutory guidance under the Localism Act recommends the use of pay multiples as a means of measuring the relationship between pay rates across the workforce and that of senior managers, as included within the Hutton 'Review of Fair Pay in the Public Sector' (2010). The Hutton Review was asked by Government to explore the case for a fixed limit on dispersion of pay through a requirement that no public sector manager can earn more than 20 times the lowest paid person in the organisation. The report concluded that the relationship to median earnings was a more relevant measure and the Government's Code of Recommended Practice on Data Transparency recommends the publication of the ratio between highest paid salary and the median average salary of the whole of the Council's workforce.

The current pay levels within the Council define the multiple between the lowest paid (full time equivalent) employee and the Chief Executive as 1:7.4 and between the lowest paid employee and the (weighted) average Chief Officer (excluding the Chief Executive) as 1:3.1 NB.

The multiple between the median (average) full time equivalent earnings and the Chief Executive is 1:4.6 and between the median (average) full time equivalent earnings and average Chief Officer is 1:2.1.

As part of its overall and ongoing monitoring of alignment with external pay markets, both within and outside the sector, the Council will use available benchmark information as appropriate. This will include the pay multiples as set out above.

Publication

Upon approval by the full Council, this Statement will be published on the Council's Website. In addition, for posts where the full-time equivalent salary is at least £50,000, the Council's Annual Statement of Accounts will include a note on Officers Remuneration setting out the total amount of:

- Salary, fees or allowances paid to or receivable by the person in the relevant and previous year;
- Any bonuses paid or receivable by the person in the relevant and previous year;
- Any sums payable by way of expenses allowance that are chargeable to UK income tax;
- Any compensation for loss of employment and any other payments connected with termination;
- Any benefits received that do not fall within the above.

In addition the key roles and responsibilities and employment benefits for each of our Senior Management Team members is available on the Council's website.

Finally the Council meets its obligations under the Local Government Transparency Code 2015, details of which can be found on the Council's website.

Accountability and Decision Making

In accordance with the Constitution of the Council, the full Council is responsible for decision making in relation to the recruitment, pay, terms and conditions and severance arrangements in relation to employees of the Council, subject to delegations as set out in the Council's constitution. In line with Government expectations in relation to openness and accountability in pay, the full Council will consider and approve new salary packages of more than £100,000 and severance payments of more than £100,000.

February 2022

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Minute Item 81

Updated 4 Jan 2021

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| Director of Planning & Infrastructure | | |
| <p>To determine planning applications in accordance with the Scheme of Delegation on planning decisions.</p> <p>To respond to consultations on planning applications, plans and proposals received from neighbouring local authorities and the County Council in accordance with the policies of this Council and the Scheme of Delegation on Planning Decisions in consultation with the Portfolio Holder.</p> | | |
| Subject | Recommended Change to be adopted by both MHDC and WDC | <p>Recommend delegated to.</p> <p>Process/ Protocol</p> |
| Development Management | | |
| Planning – Appeals (Including Enforcement) | <p>Agreement to Written Representation procedure, Informal Hearing or Public Inquiry.</p> <p>Preparation, processing and presentation (where appropriate) of the Council’s case on written representation appeals, informal hearings and public inquiries.</p> <p>Instruction of Counsel where required.</p> | Director of Planning and Infrastructure and their designated deputies. |
| <p>Planning and Similar – Applications/ Notifications</p> <p>Including:-</p> <ul style="list-style-type: none"> • Outline, Full and Reserved matters applications. (s.70) • Non-material Amendments to Existing Planning Permissions (s.96A) • Applications to Vary or | <p>Determination of all applications under the Town and Country Planning Act 1990 (TCPA 1990) except:-</p> <ul style="list-style-type: none"> • Applications (or Regulation 3 and 4 applications - Town and Country Planning General Regulations 1992) submitted by the Council. • Applications submitted by any elected member of the Council • Applications submitted by a senior member of MHDC/WDC staff – i.e. the Chief Executive, Deputy Chief Executive, Directors, Heads of Service, or Development Managers, or a member of staff of Planning Services. • An application which is a material departure from the Development Plan and the officer recommendation is for approval, save that application falling within the Department for Levelling Up, Housing and Communities minor and other application categories, may be approved where other material considerations indicate that planning permission should not be refused and the relevant Local Ward Member is in agreement. | Director of Planning and Infrastructure and their designated deputies. |

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| <p>Remove Conditions or make Minor Material Amendments to Existing Planning Permissions (s.73)</p> <ul style="list-style-type: none"> Applications for Permission in principle and Technical Details Consent. | <p>The following applications will also be reported to the appropriate Planning Committee and not determined as delegated decisions.</p> <p>Applications to be reported to committee at the request of the relevant Ward Councillor(s), where:</p> <ul style="list-style-type: none"> There is a substantial conflict between the officer recommendation and local views and/or technical advice, the Local Ward Member, in response to the summary report may require within the stated period, that the application is reported to the relevant Planning Committee giving reasons for the request, taking into account relevant policy and other material planning considerations. | |
| S106 Legal Agreements | <ul style="list-style-type: none"> Preparation and negotiation of planning obligation deeds under s106 of the Town and Country Planning Act 1990. Preparation and negotiation of planning obligation deeds or unilateral undertakings in connection with appeal proceedings. <p>Agreement of deeds of variation to and/or rescission of existing planning obligation deeds and unilateral undertakings (under s.106A of the Town and Country Planning Act 1990 unless referred to the relevant Planning Committee by the local ward member.</p> <p>Approval of any details required to be submitted to the Council for approval under the terms of any Planning Obligation, s.106 agreement or unilateral undertaking or approval of expenditure of any monies paid to the Council under the terms of any such delegation.</p> | Director of Planning and Infrastructure and their designated deputies. |
| Planning – Certificates of Lawfulness | Included above under Planning and Similar Applications. | Director of Planning and Infrastructure and their designated deputies. |
| Planning – Declining to determine applications | To decline to validate an application under s.70A of the Town and Country Planning Act 1990. | Director of Planning and Infrastructure and their designated deputies in consultation with Portfolio Holder. |

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| Planning – Approval or Refusal of details submitted to discharge planning conditions | <p>Approval or Refusal of details submitted to discharge planning conditions.</p> <p>Note: This is to be general to all conditions not specific to materials.</p> | Director of Planning and Infrastructure and their designated deputies. |
| Planning – Environmental Impact Assessment | <p>To make decisions on screening, scoping and related matters as provided for in The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended)</p> <p>a) Deal with request made to the Council for a preliminary opinion as to whether or not an Environmental Assessment is required in accordance with Regulation 5;</p> <p>b) Require the submission of an Environmental Statement where considered appropriate in accordance with Regulation 9;</p> <p>c) Follow any other procedures laid down by the Secretary of State in the Regulations.</p> | Director of Planning and Infrastructure and their designated deputies. |
| Planning – Hazardous Substances Consent | Delegation to WRS to remain for MHDC and introduced to WDC. | Director of Planning and Infrastructure and their designated deputies. |
| Planning - Listed Buildings Building Preservation Notices | To serve Building Preservation Notices | Director of Planning and Infrastructure and their designated deputies. |
| Planning - Listed Buildings (Urgent Works and Repairs) | <p>To deal with all matters relating to Listed Building Notices.</p> <p>To arrange the carrying out of any works considered urgently necessary for the preservation of any unoccupied listed building (or part listed building) and to serve notice of the proposed works on the owner of the building, in accordance with s.54 of The Planning (Listed Building and Conservation Areas) Act 1990 and recovery of expenses under s.55 of the Act wherever reasonably practicable.</p> | Director of Planning and Infrastructure and their designated deputies. |
| Planning - Listed Buildings and Conservation Areas. | Included above under Planning and Similar Applications. | Director of Planning and Infrastructure and their designated deputies. |

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| Planning – Pastoral Measure – Notices of Enquiry | Respond to notices of enquiries from the Church Commissioners or Diocesan Pastoral Committees. | Director of Planning and Infrastructure and their designated deputies. |
| Planning – Notifications and Consultations (from Various Others) | <p>To comment on proposals by Statutory Undertakers for Operational Development.</p> <p>To comment on consultations on proposed developments from other Local Authorities (including Worcestershire County Council) in consultation with the Local Ward Member(s) and provided that the comments of the Parish/ Town Council are relayed as part of any submission, unless the relevant Parish / Town Council has been consulted separately.</p> <p>To comment on notifications relating to use of land for caravan rallies by exempted organisations.</p> <p>To comment on Forestry Commission consultations on:</p> <ul style="list-style-type: none"> • Felling Licence applications; • Woodland Grant Schemes applications. | Director of Planning and Infrastructure and their designated deputies in consultation with Portfolio Holder. |
| Planning – Operator Licences | The making of representations in objection to or comments on an application for Heavy Goods Vehicle Operators Licences. Subject to Local Ward Member(s) being informed. | Director of Planning and Infrastructure and their designated deputies, subject to Local Ward Member(s) being informed. |
| Planning – Powers of Entry | To provide written authorisation and the necessary notice for Officers of Planning Services to exercise any of the Statutory Powers of Entry. | Director of Planning and Infrastructure and their designated deputies. |
| Planning – Public Rights of Way | <p>a) To make public path and/ or railway crossing orders;</p> <p>b) To make extinguishment of public path and/or railway crossing orders;</p> <p>c) Confirmation of unopposed Orders, under planning legislation, for the extinguishment and diversion of public footpaths and bridleways.</p> | Director of Planning and Infrastructure and their designated deputies. |
| Planning – Public Speaking at Area Planning | To implement any minor changes to the scheme of public speaking that are considered necessary, arising from feedback from the | Director of Planning and Infrastructure |

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| Committee Meetings | public, as a result of experience or that may be required for specific major development proposals of a strategic nature. | and their designated deputies. |
| Planning - To deem planning applications as "finally disposed of" | Power to deem planning applications as "finally disposed of" i.e. treated as withdrawn. | Director of Planning and Infrastructure and their designated deputies. |
| Planning - Reference of applications to Secretary of State | Power to formally request the call in of an application by the Secretary of State. | Director of Planning and Infrastructure and their designated deputies. |
| Planning – Revocation of Planning Permission | Revocation of planning permission on waiving of compensation. | Director of Planning and Infrastructure and their designated deputies. |
| Planning – Trees | <p>a) Making of Tree Preservation Orders;</p> <p>b) Confirmation of Tree Preservation Orders;</p> <p>c) Approval or refusal of felling of trees :-</p> <ul style="list-style-type: none"> • Within the scope of a Tree Preservation Order; • In Conservation Areas provided the matter is not of significant public interest or controversial. <p>Confirmation of TPOs to be reported to committee where:-</p> <p>The Chairman of the relevant Planning Committee has been sent a copy of the summary report on the TPO, where objections have been made to the making of that TPO, and has required, within the stated time period, that the matter is to be reported to the relevant Planning Committee;</p> <p>The local ward member has notified the Landscape Officer (in writing within 21 days of the TPO first being made, that it must be reported to the relevant Planning Committee for consideration.</p> | Director of Planning and Infrastructure and their designated deputies. |
| Planning - Miscellaneous | <ul style="list-style-type: none"> • Power to request additional information. | |

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| | <ul style="list-style-type: none"> • Identification of applications representing departures from the Development Plan. • Identification of County Matter applications. • Power to undertake relevant statutory and non-statutory consultations. | |
| Planning Enforcement | | |
| Planning – Enforcement | <p>Powers to authorise, issue and (where appropriate) discontinue:-</p> <ul style="list-style-type: none"> • Enforcement Notices; • Stop Notices and Temporary Stop Notices; • Breach of Condition Notices; • Planning Contravention Notices; • Untidy Site/Amenity Notice (s.215 Town and Country Planning Act 1990); • Requisition for Information; • Service of Discontinuance Notice (adverts); • Dangerous Trees Notice; <p>Together with all forms of enforcement action under the Town and Country Planning Act 1990 (as amended), Planning Listed Buildings and Conservation Areas Act 1990, Planning and Compulsory Purchase Act 2004, Hedgerow regulations 1997, Planning Act 2008, Local Government (Misc. Provisions) Act 1976 and Anti-Social Behaviour Act 2003.</p> <ul style="list-style-type: none"> • To instigate legal proceedings in the event of non-compliance. • To carry out works in default of compliance with Planning and/ or Listed Buildings enforcement action up to a maximum estimated cost of £5,000 in each case and recovery of default expenses be pursued wherever reasonably practical. • Authorisation of action to remove or obliterate placards and posters displayed in contravention of Advertisement Controls (Fly-Posting). | Director of Planning and Infrastructure and their designated deputies. |

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| | <ul style="list-style-type: none"> • Services of notices under s23 of the Local Government (Misc Provisions) Act 1976 in respect of dangerous trees. • To authorise entry onto land and works in default of a Dangerous Tree(s) Notice not complied with. • Enforcement powers to deal with high hedges disputes. • Determination of high hedge applications (complaints). | |
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Any reference to an Act or Regulation includes reference to that Act or Regulation as amended or replaced.

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**Local Government Association****Model Councillor Code of Conduct 2020****Joint statement**

The role of councillor across all tiers of local government is a vital part of our country's system of democracy. It is important that as councillors we can be held accountable and all adopt the behaviors and responsibilities associated with the role. Our conduct as an individual councillor affects the reputation of all councillors. We want the role of councillor to be one that people aspire to. We also want individuals from a range of backgrounds and circumstances to be putting themselves forward to become councillors.

As councillors, we represent local residents, work to develop better services and deliver local change. The public have high expectations of us and entrust us to represent our local area, taking decisions fairly, openly, and transparently. We have both an individual and collective responsibility to meet these expectations by maintaining high standards and demonstrating good conduct, and by challenging behaviour which falls below expectations.

Importantly, we should be able to undertake our role as a councillor without being intimidated, abused, bullied, or threatened by anyone, including the general public.

This Code has been designed to protect our democratic role, encourage good conduct and safeguard the public's trust in local government.

Introduction

The Local Government Association (LGA) has developed this Model Councillor Code of Conduct, in association with key partners and after extensive consultation with the sector, as part of its work on supporting all tiers of local government to continue to aspire to high standards of leadership and performance. It is a template for councils to adopt in whole and/or with local amendments.

All councils are required to have a local Councillor Code of Conduct.

The LGA will undertake an annual review of this Code to ensure it continues to be fit-for-purpose, incorporating advances in technology, social media and changes in legislation. The LGA can also offer support, training and mediation to councils and councillors on the application of the Code and the National Association of Local Councils (NALC) and the county associations of local councils can offer advice and support to town and parish councils.

The LGA Model Councillor Code of Conduct has been reviewed by councils across Worcestershire together with Hereford & Worcester Fire Authority and slightly amended to provide a pan-Worcestershire Code. The relevant Monitoring Officers will undertake further reviews of this Code should further significant changes be recommended by the LGA.

Definitions

For the purposes of this Code of Conduct, a “councillor” means a member or co-opted member of a local authority or a directly elected mayor. A “co-opted member” is defined in the Localism Act 2011 Section 27(4) as “a person who is not a member of the authority but who

- a) is a member of any committee or sub-committee of the authority, or;
- b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority;

and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee”.

For the purposes of this Code of Conduct, “local authority” includes county councils, district councils, London borough councils, parish councils, town councils, fire and rescue authorities, police authorities, joint authorities, economic prosperity boards, combined authorities and National Park authorities.

Purpose of the Code of Conduct

The purpose of this Code of Conduct is to assist you, as a councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow councillors, local authority officers and the reputation of local government. It sets out general principles of conduct expected of all councillors and your specific obligations in relation to standards of conduct. The LGA encourages the use of support, training and mediation prior to action being taken using the Code. The fundamental aim of the Code is to create and maintain public confidence in the role of councillor and local government.

General principles of councillor conduct

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, councillors and local authority officers; should uphold the [Ten Principles of Public Life](#), also known as the Nolan Principles.

Building on these principles, the following general principles have been developed specifically for the role of councillor.

In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty
- I act lawfully
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of councillor.

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.

Application of the Code of Conduct

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a councillor.

This Code of Conduct applies to you when you are acting in your capacity as a councillor which may include when:

- you misuse your position as a councillor
- Your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a councillor;

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and show leadership at all times when acting as a councillor.

Where you act as a representative of the Council:

- (a) on another relevant authority, you must, when acting for that other authority, comply with that other authority's code of conduct; or

- (b) on any other body, you must, when acting for that other body, comply with the authority's code of conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.

Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct. Town and parish councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring Officer.

Standards of councillor conduct

This section sets out your obligations, which are the minimum standards of conduct required of you as a councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance is included to help explain the reasons for the obligations and how they should be followed.

General Conduct

1. Respect

As a councillor:

1.1 I treat other councillors and members of the public with respect.

1.2 I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a councillor engaging in a political debate with other councillors you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

The robust manner in which councillors engage with each other during political debate is not appropriate when engaging with local authority employees, employees and representatives of partner organisations and those volunteering for the local authority. As strategic leaders and employers, it is expected that councillors will set a positive example to staff by treating them with politeness and courtesy at all times.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's councillor-officer protocol.

2. Bullying, harassment and discrimination

As a councillor:

2.1 I do not bully any person.

2.2 I do not harass any person.

2.3 I promote equalities and do not discriminate unlawfully against any person.

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services. Councillors must not do anything that is likely to cause the Council to breach its public commitment to equality and fostering good relations with all communities.

Appendix D sets out additional guidance that Councillors must read alongside this Code of Conduct.

3. Impartiality of officers of the council

As a councillor:

3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.

Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

You must:

- (a) when reaching decisions on any matter have regard to any relevant advice provided to you by the Council's officers and in particular by the Monitoring Officer and Section 151 Officer; and
- (b) give reasons for all decisions in accordance with any statutory requirement and any reasonable additional requirements imposed by the Council.

4. Confidentiality and access to information

As a councillor:

4.1 I do not disclose information:

- a. given to me in confidence by anyone
- b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless
 - i. I have received the consent of a person authorised to give it;
 - ii. I am required by law to do so;
 - iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or
 - iv. the disclosure is:
 - 1. reasonable and in the public interest; and
 - 2. made in good faith and in compliance with the reasonable requirements of the local authority; and
 - 3. I have consulted the Monitoring Officer prior to its release.

4.2 I do not improperly use knowledge gained solely as a result of my role as a councillor for the advancement of myself, my friends, my family members, my employer or my business interests.

4.3 I do not prevent anyone from getting information that they are entitled to by law.

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include information relating to ongoing negotiations or personal data relating to individuals.

With regards to personal data relating to individuals, you must not do anything that is likely to cause your authority to breach Data Protection law. You must seek to ensure you are familiar with how the Data Protection Act applies to your role in handling personal data through training, and if you are not sure you should seek advice from the Monitoring Officer.

5. Disrepute

As a councillor:

5.1 I do not bring my role or local authority into disrepute.

As a Councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other councillors and/or your local authority and may lower the public's confidence in your or your local authority's ability to discharge your/its functions. For example, behaviour that is considered dishonest and/or deceitful can bring your local authority into disrepute.

You are able to hold the local authority and fellow councillors to account and are able to constructively challenge and express concern about decisions and processes undertaken by the council whilst continuing to adhere to other aspects of this Code of Conduct.

6. Use of position

As a councillor:

6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.

Your position as a member of the local authority provides you with certain opportunities, responsibilities, and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

7. Use of local authority resources and facilities

As a councillor:

7.1 I do not misuse council resources.

7.2 I will, when using the resources of the local authority or authorising their use by others:

- (a) act in accordance with the local authority's requirements;**
- (b) ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed; and**
- (c) have regard to any applicable Local Authority Code of Publicity during elections.**

You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a councillor.

Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport
- access and use of local authority buildings and rooms.

These are given to you to help you carry out your role as a councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the local authority's own policies regarding their use.

8. Complying with the Code of Conduct

As a Councillor:

8.1 I undertake Code of Conduct training provided by my local authority.

8.2 I cooperate with any Code of Conduct investigation and/or determination.

8.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with any investigation or proceedings.

8.4 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.

It is extremely important for you as a councillor to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with your Monitoring Officer.

Protecting your reputation and the reputation of the local authority

9. Interests

As a councillor:

9.1 I register and disclose my interests.

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority .

You need to register your interests so that the public, local authority employees and fellow councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or disclose a disclosable pecuniary interest as set out in **Table 1**, is a criminal offence under the Localism Act 2011.

Appendix B sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from your Monitoring Officer.

10. Gifts and hospitality

As a councillor:

- 10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.**
- 10.2 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £25 within 28 days of its receipt.**
- 10.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.**

In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a councillor. If you are unsure, do contact your Monitoring Officer for guidance.

Appendices

Appendix A – The Ten Principles of Public Life

The principles are:

Selflessness – Members should serve only the public interest and should never improperly confer an advantage or disadvantage on any person.

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

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

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

Openness – Members should be as open as possible about their actions and those of their Authority and should be prepared to give reasons for those actions.

Personal judgement – Members may take account of the views of others, including their political groups, but should reach their own conclusions on the issues before them and act in accordance with those conclusions.

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

Duty to uphold the Law – Members should uphold the law and, on all occasions, act in accordance with the trust that the public is entitled to place in them.

Stewardship – Members should do whatever they are able to do to ensure that their authorities use their resources prudently and in accordance with the law.

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

Appendix B Registering interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

"Disclosable Pecuniary Interest" means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

"Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register. The Monitoring Officer may state on the register that the councillor has an interest the details of which are withheld.

Non-participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If the interest has not already been recorded, notify the Monitoring Officer of the interest within 28 days beginning with the date of the meeting. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest.
Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.
5. [Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it]

Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which **directly relates** to the financial interest or wellbeing of one of your Other Registerable Interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
8. Where a matter arises at a meeting which **affects** –
 - a. your own financial interest or well-being;
 - b. a financial interest or well-being of a relative or close associate; or
 - c. a financial interest or wellbeing of a body included under Other Registrable Interests as set out in **Table 2**

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied

9. Where a matter (referred to in paragraph 8 above) **affects** the financial interest or well-being:
 - a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
 - b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

10. [Where you have an Other Registrable Interest or Non-Registrable Interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it]

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

| Subject | Description |
|--|---|
| Employment, office, trade, profession or vocation | Any employment, office, trade, profession or vocation carried on for profit or gain. |
| Sponsorship | Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992. |
| Contracts | Any contract made between the councillor or his/her spouse or civil partner or the person with whom the |

| | |
|----------------------------|---|
| | <p>councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council —</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p> |
| Land and Property | <p>Any beneficial interest in land which is within the area of the council.</p> <p>‘Land’ excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.</p> |
| Licenses | <p>Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer</p> |
| Corporate tenancies | <p>Any tenancy where (to the councillor’s knowledge)—</p> <p>(a) the landlord is the council; and</p> <p>(b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.</p> |
| Securities | <p>Any beneficial interest in securities* of a body where—</p> <p>(a) that body (to the councillor’s knowledge) has a place of business or land in the area of the council; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were</p> |

| | |
|--|--|
| | spouses/civil partners have a beneficial interest exceeds one hundredth of the total issued share capital of that class. |
|--|--|

* 'director' includes a member of the committee of management of an industrial and provident society.

* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Table 2: Other Registrable Interests

You must register as an Other Registrable Interest :

- a) any unpaid directorships
- b) any body of which you are a member or are in a position of general control or management and to which you are not nominated or appointed by your authority
- c) any body
 - (i) exercising functions of a public nature
 - (ii) directed to charitable purposes or
 - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

of which you are a member or in a position of general control or management

The LGA has undertaken this review whilst the Government continues to consider the recommendations made by the Committee on Standards in Public Life in their report on [Local Government Ethical Standards](#). If the Government chooses to implement any of the recommendations, this could require a change to this Code.

The recommendations cover:

- Recommendations for changes to the Localism Act 2011 to clarify in law when the Code of Conduct applies
- The introduction of sanctions
- An appeals process through the Local Government Ombudsman
- Changes to the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012
- Updates to the Local Government Transparency Code
- Changes to the role and responsibilities of the Independent Person
- That the criminal offences in the Localism Act 2011 relating to Disclosable Pecuniary Interests should be abolished

The Local Government Ethical Standards report also includes Best Practice recommendations. These are:

Best practice 1: Local authorities should include prohibitions on bullying and harassment in codes of conduct. These should include a definition of bullying and harassment, supplemented with a list of examples of the sort of behaviour covered by such a definition.

Best practice 2: Councils should include provisions in their code of conduct requiring councillors to comply with any formal standards investigation and prohibiting trivial or malicious allegations by councillors.

Best practice 3: Principal authorities should review their code of conduct each year and regularly seek, where possible, the views of the public, community organisations and neighbouring authorities.

Best practice 4: An authority's code should be readily accessible to both councillors and the public, in a prominent position on a council's website and available in council premises.

Best practice 5: Local authorities should update their gifts and hospitality register at least once per quarter, and publish it in an accessible format, such as CSV.

Best practice 6: Councils should publish a clear and straightforward public interest test against which allegations are filtered.

Best practice 7: Local authorities should have access to at least two Independent Persons.

Best practice 8: An Independent Person should be consulted as to whether to undertake a formal investigation on an allegation, and should be given the option to

review and comment on allegations which the responsible officer is minded to dismiss as being without merit, vexatious, or trivial.

Best practice 9: Where a local authority makes a decision on an allegation of misconduct following a formal investigation, a decision notice should be published as soon as possible on its website, including a brief statement of facts, the provisions of the code engaged by the allegations, the view of the Independent Person, the reasoning of the decision-maker, and any sanction applied.

Best practice 10: A local authority should have straightforward and accessible guidance on its website on how to make a complaint under the code of conduct, the process for handling complaints, and estimated timescales for investigations and outcomes.

Best practice 11: Formal standards complaints about the conduct of a parish councillor towards a clerk should be made by the chair or by the parish council, rather than the clerk in all but exceptional circumstances.

Best practice 12: Monitoring Officers' roles should include providing advice, support and management of investigations and adjudications on alleged breaches to parish councils within the remit of the principal authority. They should be provided with adequate training, corporate support and resources to undertake this work.

Best practice 13: A local authority should have procedures in place to address any conflicts of interest when undertaking a standards investigation. Possible steps should include asking the Monitoring Officer from a different authority to undertake the investigation.

Best practice 14: Councils should report on separate bodies they have set up or which they own as part of their annual governance statement and give a full picture of their relationship with those bodies. Separate bodies created by local authorities should abide by the Nolan principle of openness and publish their board agendas and minutes and annual reports in an accessible place.

Best practice 15: Senior officers should meet regularly with political group leaders or group whips to discuss standards issues.

The LGA has committed to reviewing the Code on an annual basis to ensure it is still fit for purpose.

Appendix D

This Code of Conduct must be read alongside:

ACAS Guidance “If You’re Treated Unfairly at Work”

<https://www.acas.org.uk/if-youre-treated-unfairly-at-work/being-bullied>

Equality and Human Rights Commission – Public Sector Equality Duty Guidance