

Summons and Agenda 17 October 2017

Chief Executive
Reading Borough Council
Civic Offices, Bridge Street,
Reading, RG1 2LU

Peter Sloman
Chief Executive

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9 October 2017

To: All Members of the Council

Your contact is:

Michael Popham - Democratic Services Manager

Dear Sir/Madam

You are hereby summoned to attend a meeting of the Reading Borough Council to be held at the Civic Offices, Reading, on **Tuesday 17 October 2017 at 6.30pm**, when it is proposed to transact the business specified in the Agenda enclosed herewith.

Yours faithfully



CHIEF EXECUTIVE

A G E N D A

Mayor's Announcements

1. To receive Mayor's Announcements.

Declarations of Interest

2. To receive any declarations of interest.

Minutes

3. The Mayor to sign the Minutes of the proceedings of the Council Meeting held on 24 May 2017 (Pages A1-A19)

Petitions

4. To receive petitions in accordance with Standing Order 8.
- 4A. Petition - Save Reading Central Club Mural/ Do Not Sell The Central Club (A Community Asset) to Commercial Developers - To hold a debate in accordance with Standing Order 8(6)(e). (Pages B1-B3)

Questions from Members of the Public

5. Questions in accordance with Standing Order 9.

Questions from Councillors

6. Questions in accordance with Standing Order 10.

Reports and Recommendations from Committees

7. Regional Adoption Agency - Joint Arrangement
Report by Director of Children, Education & Early Help Services
(Pages C1-C4)
8. Standards Committee
Report by Monitoring Officer (Pages D1-D7)

Motions

9. Thames Water

Councillor Debs Absolom to move:

This Council notes with concern the number of times that Thames Water have disrupted local roads and pavements over recent months, particularly where this has been in the same or very nearby locations.

Whilst understanding that Thames Water need to carry out both emergency repairs and also planned upgrades of their infrastructure, this Council believes this work could be better coordinated and communicated to the public.

The recent problems which caused low water pressure and even no water supply in West Reading have also increased concern that more disruption may be planned.

This Council therefore resolves to ask the Director of Environment and Neighbourhood Services to write to Thames Water inviting them to meet with relevant councillors and officers to discuss their programme of planned works and a communication strategy with local residents.

WEBCASTING NOTICE

Please note that this meeting may be filmed for live or subsequent broadcast via the Council's website. At the start of the meeting the Mayor will confirm if all or part of the meeting is being filmed. You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during a webcast will be retained in accordance with the Council's published policy.

Members of the public seated in the public gallery will not ordinarily be filmed by the automated camera system. However, please be aware that by moving forward of the pillar, or in the unlikely event of a technical malfunction or other unforeseen circumstances, your image may be captured. **Therefore, by entering the meeting room, you are consenting to being filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes.**

Members of the public who participate in the meeting will be filmed, unless they have given prior notice that they do not consent to this.

Please speak to a member of staff if you have any queries or concerns.

COUNCIL MEETING MINUTES - 24 MAY 2017

Present: Councillor Ayub (Mayor);

Councillors David Absolom, Debs Absolom, Ballsdon, Chrisp, Davies, Dennis, Duveen, Eden, D Edwards, K Edwards, Ennis, Gavin, Gittings, Hacker, Hopper, Hoskin, James, Khan, Lovelock, Maskell, McDonald, , McElligott, McGonigle, McKenna, Page, Pearce, Robinson, Rodda, Singh, Skeats, Stanford-Beale, Steele, Terry, Tickner, Vickers, White, J Williams, R Williams and Woodward.

Apologies: Councillors Grashoff, Jones, O'Connell and Stevens.

1. MAYOR'S ANNOUNCEMENTS

The Mayor referred to the horrific terrorist attack in Manchester on 22 May 2017. The Council then stood in silence to pay their respects to those people who had died or had been affected by the atrocity. The Mayor then opened and signed a Book of Condolence, which was made available in the Victoria Hall for guests to sign during the evening. The Condolence Book would be brought to the reception area at the Civic Offices for Reading residents to add their own contributions from 25 May 2017.

2. ELECTION OF MAYOR

The first business to be transacted being the election of the Mayor, it was moved by Councillor Ennis and seconded by Councillor Rodda and CARRIED:

"That Councillor R Williams be elected Mayor of this Borough."

No other candidate having been nominated, Councillor R Williams was duly declared elected.

3. APPOINTMENT OF DEPUTY MAYOR

It was moved by Councillor Singh and seconded by Councillor Eden and CARRIED:

"That Councillor Dennis be appointed Deputy Mayor of this Borough."

4. ADDRESS BY MAYOR

Councillor R Williams addressed the Council.

5. MINUTES

The Minutes of the meeting held on 28 March 2017 were confirmed as a correct record and signed by the Mayor.

6. VOTE OF THANKS TO COUNCILLOR AYUB AND ROKHSHAH ANJUM AYUB

It was moved by Councillor Page and seconded by Councillor Tickner and CARRIED:

"That the Council record their sincere appreciation of the ability, courtesy and diligence with which Councillor M Ayub has discharged his duties attached to the

COUNCIL MEETING MINUTES - 24 MAY 2017

office of Mayor since 25 May 2016. They also record their grateful thanks to Rokhshah Anjum Ayub for the support and assistance she rendered in the capacity of Mayor's escort throughout his term of office."

7. ADDRESS BY RETIRING MAYOR

Councillor Ayub addressed the Council.

8. APPOINTMENT OF LEADER OF THE COUNCIL

It was moved by Councillor Page and seconded by Councillor Debs Absolom and CARRIED:

"That Councillor Lovelock be appointed Leader of the Council for the Municipal Year 2017/18."

9. CONSTITUTION; POWERS AND DUTIES OF THE COUNCIL AND COMMITTEES; SCHEME OF MEMBERS' ALLOWANCES; AND DELEGATIONS

The Monitoring Officer submitted a report making recommendations for the Municipal Year 2017/18 to:

- (1) appoint the Committees of the Council: the allocation of seats between Groups has to be calculated in accordance with Sections 15-17 of the Local Government and Housing Act 1989 and details have been circulated to Group Leaders before the meeting;
- (2) appoint a local Standards Committee for the authority;
- (3) agree the powers and duties of committees, sub-committees, partnerships and consultative Working Parties (Appendices A, B and C);
- (4) agree changes to the Constitution
 - To confirm the decision of Council on 24 January 2017 (Minute 39 refers) to include 'opting in' to the 'Appointing Person' arrangement to seek external auditors on behalf of the Council; and to confirm the appointment of the external auditors being included in the list of matters reserved to Council set out in Article 4 of the Council's Constitution, as prescribed by the Local Audit (Appointing Persons) Regulations 2015 (see 2.2(h) below).
 - Part 4: Rules of Procedure
 - (a) Contracts Procedure Rules - To agree an update to the Contracts Procedure Rules.
 - (b) Council Procedure Rules - To harmonise the arrangements for public speaking at Council with those permitted at Committee meetings.

COUNCIL MEETING MINUTES - 24 MAY 2017

- (5) agree the general dispensation granted to all Members as set out in para. 2.18 below.
- (6) amend the Council's scheme of Councillors' Allowances, and confirm those Councillors who meet the definition of Members having significant responsibilities in relation to the discharge of the Council's functions in terms of entitlement to Special Responsibility Allowance at Tier 3 for the remainder of the financial year 2017/18;
- (7) re-establish the Remuneration Panel for the Municipal Year 2017/18.

The Constitution for the authority would be amended in the light of these changes and published on the Council's website.

The powers and duties of the Committees and Sub-Committees were included in **Appendices A and B**. The terms of reference of Partnership and advisory and consultative bodies, and Member:Officer working groups, were included in **Appendix C**.

The recommendations set out in the report were:

A. Constitution

- 2.1 That the Constitution for the authority be amended to include the action set out below.

B. General Reservation of Powers to the Council

- 2.2 That the following matters be reserved to the Council, in line with Article 4 of the Constitution, and any decisions of Committees in relation to them shall be submitted to the Council as recommendations:

- (a) changing the Constitution;
- (b) approving the authority's budget, and any application to the Secretary of State in respect of any Housing Land Transfer;
- (c) Approving the authority's budget strategy, including plans or strategies for:
 - o The control of borrowing and investments
 - o Capital expenditure
 - o Determining the authority's minimum revenue provision

and agreeing the Council's capital strategy and asset management plan;

The budget framework is as set out in Part 4 of the Constitution;

- (d) agreeing and/or amending the terms of reference for committees appointed by the Council, deciding on their composition and making appointments to them;

COUNCIL MEETING MINUTES - 24 MAY 2017

- (e) making a Members' allowances scheme under Article 2.5 of the Constitution;
- (f) changing the name of the area, conferring the title of freedom or freeman of the Borough;
- (g)
 - (i) confirming the appointment of the Head of Paid Service;
 - (ii) confirming the dismissal of the Head of Paid Service, Chief Finance Officer and Monitoring Officer;
- (h) appointing the external auditors and agreeing the arrangements for their appointment;
- (i) making, amending, revoking, re-enacting or adopting bylaws and promoting or opposing the making of local legislation or personal Bills;
- (j) requesting a change to single-member electoral areas, and passing a resolution to change the Council's scheme of elections;
- (k) reorganisation of community governance - making an order giving effect to recommendations made in a community governance review under Section 86 of the Local Government and Public Involvement in Health Act 2007;
- (l) promoting and maintaining high standards of conduct by Councillors and Co-opted Members, including adopting a local Member code of conduct and establishing a local Standards Committee;
- (m) passing a resolution to make a change in governance arrangements for the authority under Section 9KC(1) of the Local Government Act 2000 as amended by Schedule 2 of the Localism Act 2011;
- (n) those functions set out in Part 3 Schedules 2 and 3 of the Council's Constitution which are shown as being for the Council to exercise, and which the Council has not delegated to a Committee or an officer;
- (o) setting the strategic vision and corporate objectives of the Council;
- (p) making referrals to the Secretary of State, the regulator or the NHS Commissioning Board arising from the exercise of the health scrutiny function of the authority, under Section 22A of the National Health Service Act 2006 (as added under Section 190(3) of the Health & Social Care Act 2012);
- (q) entering into joint arrangements with other local authorities under sections 101 and 102 of the Local Government Act 1972;
- (r) all other matters which, by law, must be reserved to Council.

C. Powers and Duties of Committees

2.3 Subject to the Schemes of Delegation to Officers,

COUNCIL MEETING MINUTES - 24 MAY 2017

The Committees listed in 2.4 below shall have delegated authority to exercise and perform the Powers and Duties of the Council in relation to the functions set out in Appendices A and B to this report.

D. Constitution of Committees

- 2.4. That for the Municipal Year 2017/18 there be constituted four standing Committees, and five Regulatory and Other Committees, as set out below:

Standing Committees

Policy Committee

Adult Social Care, Children's Services & Education Committee

Housing, Neighbourhoods & Leisure Committee

Strategic Environment, Planning & Transport Committee

Regulatory and Other Committees

Audit and Governance Committee

Health & Wellbeing Board

Licensing Applications Committee

Personnel Committee

Planning Applications Committee

- 2.4.1 That with regard to the Health and Wellbeing Board, under the provision of regulations 6 and 7 of the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013:

- a) the duty to allocate seats to political groups under Sections 15 and 16 of the Local Government & Housing Act 1989 be disapplied;
- b) the following statutory Members, as officers, be non-voting members of the Board:
 - Director of Children, Education and Early Help Services (or her representative)
 - Director of Adult Care & Health Services (or his representative)
 - Director of Public Health, Berkshire (or her representative)
- c) the Chief Executive, as an officer, be a non-statutory co-opted non-voting member of the Board.

E. Codes and Protocols

- 2.5 That a local Standards Committee be appointed for the Municipal Year 2017/18; that the Committee will consist of Councillors and at least one Co-opted Member; that Mrs T Barnes be re-appointed as a Co-opted Member for the Municipal Year; and that Mr D Comben be re-appointed as the Independent Person for 2017/18.

F. Constitution of Sub-Committees

- 2.6 That for the Municipal Year 2017/18 a Traffic Management Sub-Committee will be appointed by the Strategic Environment, Planning & Transport

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Committee; The Mapledurham Playing Fields Trustees Sub-Committee will be appointed by the Policy Committee; and the Licensing Applications Committee will establish a number of sub-committees (See Meetings of Committees, item (c) later on the agenda).

G. Establishment of Appeal, Review and Complaints Panels

2.7 That for the Municipal Year 2017/18, the following bodies be set up to handle appeals against decisions made by or on behalf of the authority:

- a) an Appeals Panel from which trained Councillors will be drawn to hear appeals on matters considered by the following bodies, as required by regulation:
 - Curriculum Complaints Panel
 - Removal of Early Years Providers Appeals Panel
- b) an Education Appeals Panel to deal with schools admission and school exclusion reviews in line with the provisions of the School Standards Framework Act, 1998, to which Councillors may not be appointed.
- c) a Social Services Complaints Review Panel to hear individual complaints which reach the third stage of the Council's Social Services Complaints process, to which Councillors may not be appointed.
- d) a Secure Accommodation Panel.

H. Partnership Bodies

2.8 That, for the Municipal Year 2017/18, the Authority will continue to participate in the following joint consultative partnership bodies:

- Community Safety Partnership
- Children's Trust Board
- Children's Centres Strategic Advisory Board
- Cultural Partnership Board
- Lifelong Learning Board
- Local Sustainable Transport Fund Cross-Boundary Councillor Steering Group
- Safer Reading Neighbourhood Forum

I. Education Bodies

2.9 That for the Municipal Year 2017/18 the following Education bodies be set up:

- SACRE (Standing Advisory Council on Religious Education)
- School Admission Forum

J. Safeguarding Bodies

2.10 That for the Municipal Year 2017/18 the following safeguarding bodies be set up:

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- Adult Safeguarding Panel
- Children's Safeguarding Panel
- Parenting Panel

K. Advisory and Consultative Working Parties, Panels and Forums

- 2.11 That for the Municipal Year 2017/18, Councillors be appointed to serve on the following advisory and consultative bodies, which may not meet formally, and which may operate as special interest groupings with whom partners and stakeholders may liaise and consult:

Equality Groups

- Access and Disabilities Working Group
- Alliance for Cohesion & Racial Equality
- Older People's Working Group

Special Interest Groups

- Arts and Heritage Forum
- Cycle Forum
- Town Twinning Group

L. Member:Officer Working Parties

- 2.12 That for the Municipal Year 2017/18 the following advisory Member:Officer consultative Working Parties be established, to report to the bodies set out below:

COUNCIL

- Civic Board

PERSONNEL COMMITTEE

- Local Joint Forum

PLANNING APPLICATIONS COMMITTEE

- Planning Management Panel

- 2.13 That the powers and duties of the above bodies listed in H-L above for the Municipal Year 2017/18 be as set out in Appendix C to this report.

M. The Council's Constitution

- 2.14 That the following amendments be made to the Council's Constitution for 2017/18:

- (a) Contracts Procedure Rules - To amend the wording of Contracts Procedure Rules 10 and 11 by deleting existing rules 10.(2) c) and 11 (4) c):

"10. Submissions and Opening of Electronic Tenders

- (1) Where a competitive tender procedure is required, every such tender shall be returned using the Council's e-tendering system.

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- (2) Tenders for any one contract shall be opened at one time, which shall be as soon as practicable after the closing date for the receipt of tenders stated in the invitation to tender and only in the presence of:
 - a) the Chief Executive or his/her representative; and
 - b) the Service Head or Project Officer responsible for the invitation of the tenders or his/her representative;
- (3) The e-tendering system must be configured to ensure all tenders are locked and not accessible by anyone until the date and time set for opening. The identity of tenderers who have submitted returns must be anonymised until after the tenders have been opened.

11. Submissions and Opening of Paper Tenders

- (1) In exceptional circumstances, and with the approval of the Head of Legal & Democratic Services, a tender may be returned in paper (hard copy) form.
- (2) Where a paper (hard copy) invitation to tender is required, every such invitation shall state:-
 - a) The place where, and the time by which, the tender shall be delivered;
 - b) That no tender will be considered unless it is delivered in a plain, sealed envelope addressed to the Head of Legal & Democratic Services, and bearing the word "Tender..." followed by the subject to which it relates.
- (3) On receipt, tenders shall be kept in the custody of the Head of Legal & Democratic Services until the time appointed for their opening.
- (4) Tenders for any one contract shall be opened at one time, which shall be as soon as practicable after the closing date for the receipt of tenders stated in the invitation to tender and only in the presence of:
 - a) the Chief Executive or his/her representative, and
 - b) the Service Head or Project Officer responsible for the invitation of the tenders or his/her representative.

(b) Council Procedure Rules (Standing Orders) 8 & 9

To harmonise the arrangements for submitting petitions to and asking questions at Council with those applied at Committee meetings. This would allow members of the public 30 minutes in total at Council for presenting petitions and asking questions. In order to make the Council arrangements consistent with Committee meetings, Lead Petitioners would be given five minutes in total to speak to their petition. The Monitoring Officer is authorised to make the

COUNCIL MEETING MINUTES - 24 MAY 2017

changes to Council Procedure Rules 8 and 9 to reflect the changes described above.

O. Scheme of Members' Allowances for the Financial Year 2017/18

2.15 That, further to Minute 55 of the meeting of Council on 28 March 2017, the following persons shall be regarded as, or equivalent to, "other Councillors carrying out other activities in relation to the discharge of the authority's functions as require the commitment of equivalent time and effort as for other categories of activity which would qualify for Special Responsibility Allowance" at Tier 3 for the remainder of the financial year 2017/18 (and subject to no Councillor receiving more than one Special Responsibility Allowance):

- Vice-Chairs of Committees
- Independent Person appointed in accordance with Section 28 of the Localism Act 2011

2.16 That the Remuneration Panel be re-established for 2017/18 with the same terms of reference as agreed at Minute 51 of the Council meeting on 13 November 2001; that its membership be Francis Connolly, Annette Hendry and Brian Revell.

P. DELEGATIONS

2.17 The Monitoring Officer's delegated authority, under Section 33 of the Localism Act 2011, to grant a dispensation from the restrictions in Section 31(4) of the Act, which would allow members of the authority with a disclosable pecuniary interest to take part and vote on decisions in certain prescribed circumstances be agreed in the following circumstances:

- "(i) housing, where you are a tenant of your authority provided that those functions do not relate particularly to your tenancy or lease;
- (ii) school meals or school transport and travelling expenses, where you are a parent or guardian of a child in full time education, or are a parent governor of a school, unless it relates particularly to the school which the child attends;
- (iii) statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of, such pay;
- (iv) an allowance, payment or indemnity given to members;
- (v) any ceremonial honour given to members; and
- (vi) setting Council Tax or a precept under the Local Government Finance Act 1992;
- (vii) any other business which might reasonably be regarded as affecting the financial position of the Member and/or his/her spouse or partner to a greater extent than the majority of other

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Council Tax payers, ratepayers or inhabitants of the electoral division or ward, as the case may be, affected by the decision”;

and the general dispensation apply for four years, subject to it being renewed each year at the Annual Council Meeting.

It was moved by Councillor Lovelock and seconded by Councillor Page and CARRIED:

Resolved -

That recommendations 2.1 to 2.17 in the report by the Monitoring Officer be approved.

10. APPOINTMENT OF DEPUTY LEADER AND LEAD COUNCILLORS AND ALLOCATION OF PORTFOLIOS

It was moved by Councillor Lovelock and seconded by Councillor Page and CARRIED:

Resolved -

- (1) That Councillor Page be appointed the Deputy Leader of the Council for the Municipal Year 2017-18;
- (2) That for the Municipal Year 2017-18, the following Councillors be appointed as Lead Councillors for the services listed below:

Adult Social Care	Councillor Eden
Children's Services & Families	Councillor Gavin
Culture, Sport & Consumer Services	Councillor Hacker
Education	Councillor Jones
Health	Councillor Hoskin
Housing	Councillor Ennis
Neighbourhoods	Councillor Terry
Strategic Environment, Planning & Transport	Councillor Page

11. APPOINTMENT OF COUNCIL COMMITTEES AND OTHER BODIES

It was moved by Councillor Lovelock and seconded by Councillor Page and CARRIED:

Resolved -

- (1) That, subject to the provisions of the Local Government and Housing Act, 1989, and Regulations made thereunder, the following Councillors be appointed to serve on Committees in the Municipal Year 2017/18:

COUNCIL MEETING MINUTES - 24 MAY 2017

Adult Social Care, Children's Services & Education Committee (9:3:1:1)

<u>Labour Councillors</u>	<u>Conservative Councillors</u>	<u>Liberal Democrat Councillor</u>	<u>Green Councillor</u>
Eden Gavin Hoskin Jones Khan Maskell McElligott McKenna Pearce	Robinson Stanford-Beale Vickers	O'Connell	J Williams

Audit & Governance Committee (6:2:1)

<u>Labour Councillors</u>	<u>Conservative Councillors</u>	<u>Liberal Democrat Councillor</u>
Lovelock McElligott McKenna Page Rodda Terry	Steele Stevens	Duveen

Health & Wellbeing Board

Leader of the Council
Lead Councillor for Health
Lead Councillor for Adult Social Care
Lead Councillor for Children's Services & Families

Named Substitutes: Councillors McElligott, Tickner and R Williams

Observers: Conservative and Liberal Democrat Group Spokespersons

Housing, Neighbourhoods & Leisure Committee (10:3:1:1)

<u>Labour Councillors</u>	<u>Conservative Councillors</u>	<u>Liberal Democrat Councillor</u>	<u>Green Councillor</u>
Debs Absolom Davies Dennis K Edwards Ennis Hacker James Terry	Grashoff McDonald Steele	O'Connell	McGonigle

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Tickner
R Williams

Licensing Applications Committee (7:3)

<u>Labour Councillors</u>	<u>Conservative Councillors</u>
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Chrisp	Grashoff
Dennis	McDonald
D Edwards	Skeats
Livingston	
Maskell	
Page	
Woodward	

Personnel Committee (4:1)

<u>Labour Councillors</u>	<u>Conservative Councillor</u>
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David Absolom	Skeats
Lovelock	
Page	
Terry	

(or nominees)

Planning Applications Committee (9:3:1:1)

<u>Labour Councillors</u>	<u>Conservative Councillors</u>	<u>Liberal Democrat Councillor</u>	<u>Green Councillor</u>
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Brock	Hopper	Duveen	J Williams
Gavin	Robinson		
Livingston	Vickers		
Maskell			
McKenna			
Page			
Pearce			
Singh			
R Williams			

Policy Committee (9:3:1:1)

<u>Labour Councillors</u>	<u>Conservative Councillors</u>	<u>Liberal Democrat Councillor</u>	<u>Green Councillor</u>
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Eden	Hopper	Duveen	White
Ennis	Skeats		
Gavin	Stevens		

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Hacker
Hoskin
Jones
Lovelock
Page
Terry

Standards Committee (5:2)

<u>Labour Councillors</u>	<u>Conservative Councillors</u>
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Ayub	Robinson
Brock	Steele
D Edwards	
Khan	
Livingston	

(Together with the following independent member: Mrs T Barnes)

Named Substitutes (1:1)

<u>Labour Councillor</u>	<u>Conservative Councillor</u>
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Eden	Skeats
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Strategic Environment, Planning & Transport Committee (9:3:1:1)

<u>Labour Councillors</u>	<u>Conservative Councillors</u>	<u>Liberal Democrat Councillor</u>	<u>Green Councillor</u>
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David Absolom	Hopper	Duveen	McGonigle
Ayub	McDonald		
Brock	Vickers		
Chrisp			
Gittings			
Khan			
Maskell			
Page			
Rodda			

- (2) That the following Councillors be appointed to serve on other bodies in the Municipal Year 2017-18:

Access and Disabilities Working Group (3:1)

<u>Labour Councillors</u>	<u>Conservative Councillor</u>
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Eden	Grashoff
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Khan
R Williams

Adult Safeguarding Panel (3:1:1)

Labour
Councillors

Conservative
Councillor

Liberal Democrat
Councillor

Eden
Hoskin
Jones

Vickers

O'Connell

Alliance for Cohesion and Racial Equality (1:1:1:1)

Labour
Councillor

Conservative
Councillor

Liberal Democrat
Councillor

Green
Councillor

Lovelock

McDonald

O'Connell

McGonigle

Appeals Pool from which Members will be drawn to serve on the Curriculum Complaints Panel or the Removal of Early Years Providers Appeals Panel, as required by regulation.

Labour Councillors

Conservative
Councillor

Liberal Democrat
Councillor

D Edwards
Lovelock

Vickers

O'Connell

Arts & Heritage Forum (5:2)

Labour Councillors

Conservative
Councillor

Davies
Hacker
James
Livingston
R Williams

Grashoff
Steele

Children's Centres Strategic Advisory Board

Lead Councillor for Children's Services & Families

Children's Safeguarding Panel (3:1:1)

Labour
Councillors

Conservative
Councillor

Liberal Democrat
Councillor

Gavin
McElligott

Stanford-Beale

O'Connell

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McKenna

Children's Trust Board

Lead Councillors for Children's Services & Families and Education

Observers: Conservative and Liberal Democrat Group Spokespersons

Civic Board (6:3:1)

Labour
Councillors

Conservative
Councillors

Liberal Democrat
Councillor

Gittings
Jones
Livingston
Lovelock
Page
R Williams

Skeats
Stanford-Beale
Stevens

Duveen

Community Safety Partnership

Councillors Gavin, Page and Terry

Observer: Conservative Group Spokesperson

Cultural Partnership Board

Lead Councillor for Culture, Sport & Consumer Services and other Group Spokespersons.

Cycle Forum (3:1:1)

Labour
Councillors

Conservative
Councillor

Liberal Democrat
Councillor

Debs Absolom
Gittings
Page

Hopper

O'Connell

Lifelong Learning Board

Lead Councillors for Education and Children's Services & Families

Local Joint Forum (3:1)

Labour Councillors

Conservative
Councillor

David Absolom
Lovelock
Page

Steele

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(or nominees)

Local Sustainable Transport Fund Cross-Boundary Councillor Steering Group

Group Leaders, Lead Councillor for Strategic Environment, Planning & Transport, and other Group Transport spokespersons.

Older People's Working Group (4:1)

<u>Labour Councillors</u>	<u>Conservative Councillor</u>
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Eden Jones Khan Singh	Vickers
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Parenting Panel (3:1:1)

<u>Labour Councillors</u>	<u>Conservative Councillor</u>	<u>Liberal Democrat Councillor</u>
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Gavin Jones Maskell	Stanford-Beale	O'Connell
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Planning Management Panel (3:1:1)

<u>Labour Councillors</u>	<u>Conservative Councillor</u>	<u>Liberal Democrat Councillor</u>
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Brock Livingston McKenna	Vickers	Duveen
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(or nominees)

SACRE (3:1:1)

<u>Labour Councillors</u>	<u>Conservative Councillor</u>	<u>Liberal Democrat Councillor</u>
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Jones Khan Singh	Robinson	O'Connell
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Safer Reading Neighbourhood Forum (3:1)

<u>Labour Councillors</u>	<u>Conservative Councillor</u>
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COUNCIL MEETING MINUTES - 24 MAY 2017

Ayub
Khan
Terry

McDonald

School Admission Forum

Councillors Jones and Pearce

Observers - Councillors O'Connell and Robinson

Secure Accommodation Panel

Councillor D Edwards

Standing Deputy: Councillor Gavin

Town Twinning Group (2:1)

Labour Councillors Conservative
Councillor

Dennis
Tickner

Grashoff

(Mayor - ex-officio)

- (3) That the terms of reference of the above bodies be as set out in Appendices A, B and C to the Monitoring Officer's report on the Constitution, Powers and Duties of the Council and Committees etc;
- (4) That the following Councillors be appointed/nominated as appropriate as Chairs/Vice-Chairs of the bodies listed at (2) above:

Working Party etc

Chair/Vice Chair

Access & Disabilities Working Group	Councillor Eden (Chair) Councillor R Williams (Vice-Chair)
Adult Safeguarding Panel	Councillor Eden (Chair)
Arts & Heritage Forum	Councillor Hacker (Chair) Councillor Davies (Vice-Chair)
Children's Safeguarding Panel	Councillor Gavin (Chair)
Children's Trust Board	Councillor Gavin (Chair)
Civic Board	Councillor Page (Chair)
Community Safety Partnership	Councillor Terry (nomination)
Cultural Partnership Board	Councillor Hacker (Chair)
Cycle Forum	Councillor Page (Chair)
Lifelong Learning Board	Councillor Jones (Chair)
Local Joint Forum	Councillor Lovelock (Vice-Chair)
Local Sustainable Transport Fund	Councillor Page (Chair)
Cross-Boundary Councillor Steering Group	

COUNCIL MEETING MINUTES - 24 MAY 2017

Older People's Working Group	Councillor Khan (Chair)
	Councillor Eden (Vice-Chair)
Parenting Panel	Councillor Gavin (Chair)
	Councillor Jones (Vice-Chair)
Planning Management Panel	Councillor Livingston (Chair)
SACRE	Non-Councillor
Safer Reading Neighbourhood Forum	Councillor Terry (Chair)
	Councillor Ayub (Vice-Chair)
School Admission Forum	Councillor Jones (Chair)
Town Twinning Group	The Mayor

12. APPOINTMENT OF CHAIRS/VICE CHAIRS OF COMMITTEES

It was moved by Councillor Lovelock and seconded by Councillor Page and CARRIED:

Resolved -

That the following be appointed Chairs and Vice-Chairs of the following Committees for the Municipal Year 2017/18:

Committee	Chair	Vice-Chair
Adult Social Care, Children's Services & Education	Councillor McElligott	Councillor Pearce
Audit & Governance	Councillor Stevens	Councillor McElligott
Health & Wellbeing Board	Councillor Hoskin	Dr A Ciecierski
Housing, Neighbourhoods & Leisure	Councillor James	Councillor Dennis
Licensing Applications	Councillor Woodward	Councillor Livingston
Planning Applications	Councillor Livingston	Councillor Brock
Personnel	Councillor Lovelock	Councillor Page
Policy	Councillor Lovelock	Councillor Page
Standards	Mrs T Barnes	Councillor D Edwards
Strategic Environment, Planning & Transport	Councillor David Absolom	Councillor Brock

13. PARLIAMENTARY GENERAL ELECTION - INDEMNITY AND POLLING STATIONS

Further to Minute 100 of Policy Committee on 13 April 2015, the Chief Executive submitted a report, formally requesting an indemnity in respect of any claims made against the (Acting) Returning Officer in respect of the 2017 general election, and future elections, which were not covered by the Council's insurance policy.

COUNCIL MEETING MINUTES - 24 MAY 2017

The report explained that responsibility for running Parliamentary General Elections was personal to the Returning Officer, to whom the writ would be sent directly by the Crown. Any insurance claims arising from the running of the election and count would therefore be made against the (Acting) Returning Officer in respect of his/her own actions or those of his/her staff.

Further to Minute 30 of Council on 21 October 2014, the report also gave notice of the change of polling place for polling district A in Battle ward; and a temporary arrangement for the polling station in polling district MB in Caversham ward. These would have effect for the general election on Thursday 8 June 2017.

It was moved by Councillor Lovelock and seconded by Councillor Page and CARRIED:

Resolved -

- (1) That the Returning Officer / (Acting) Returning Officer be granted an indemnity, under the provisions of the Local Authority (Indemnity for Members and Officers) Order 2004, to cover all costs arising from the conduct of the 2017 parliamentary elections, and future parliamentary, European and local elections and referendums by himself and his staff which were not covered by the Council's insurance policy with QBE.
- (2) That with regard to polling district A in Battle ward, the Emmanuel Methodist Church, 448 Oxford Road, Reading, be designated as the polling place in place of Cranbury College.
- (3) That with regard to polling district MB in Caversham ward, it be noted that the designated polling station at the Amersham Road Youth & Community Centre would not be available for use at the general election on 8 June 2017 due to the Centre being closed for building works, and the polling place will therefore be located at the adjacent Caversham Children's Centre, in Amersham Road.

14. DATES OF COUNCIL MEETINGS FOR 2017/18

It was moved by the Mayor and seconded by the Deputy Mayor and CARRIED:

Resolved -

That, before the day of the Annual Meeting in 2018, meetings of the Council be held at half-past six o'clock in the afternoon on 27 June and 17 October 2017, and 23 January, 28 February and 27 March 2018, unless the Mayor shall specify some other date and time.

(The meeting closed at 7.29pm).

READING BOROUGH COUNCIL

REPORT BY CHIEF EXECUTIVE

TO:	COUNCIL		
DATE:	17 OCTOBER 2017	AGENDA ITEM:	4A
TITLE:	PETITION - SAVE READING CENTRAL CLUB MURAL/ DO NOT SELL THE CENTRAL CLUB (A COMMUNITY ASSET) TO COMMERCIAL DEVELOPERS		
LEAD COUNCILLOR:	JO LOVELOCK	PORTFOLIO:	LEADERSHIP
SERVICE:	LEGAL & DEMOCRATIC	WARDS:	ALL
LEAD OFFICER:	CHRIS BROOKS	TEL:	0118-9372602
JOB TITLE:	HEAD OF LEGAL & DEMOCRATIC SERVICES	E-MAIL:	Chris.brooks@reading.gov.uk

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 To report on the process for considering a petition, which was submitted to the Council on 25 September 2017, following an earlier decision of the Policy Committee on 17 July 2017 (Minute 11 refers) to market the Central Club building as widely as possible, to include both the private and third sector. The Policy Committee agreed that all bids received through this process would be considered at a future Policy Committee and would be evaluated on the basis of money offered together with community benefit.
- 1.2 As the petition has collected approximately 4,000 signatories it has exceeded the 1,500 threshold and at the request of the Lead Petitioner, it has therefore triggered a debate by full Council of the issue, in accordance with Council Procedure Rule 8(6)(e).

2. RECOMMENDED ACTION

- 2.1 To note the report and debate the issues raised in the petition about the Save Reading Central Club Mural/ Do Not Sell The Central Club (A Community Asset) to Commercial Developers, in accordance with Council Procedure Rule 8(6)(e).

3. POLICY CONTEXT

- 3.1 The Council sets out how it will deal with petitions from people living, working or studying in Reading in its Petition Scheme, which is included in Part 4 of the Council's Constitution and under Contract Procedure Rule 8 of the Council's Standing Orders.

4. THE PROPOSAL

- 4.1 On 25 September a petition was presented to the Leader of the Council in the following terms:

"Do Not Sell The Central Club (A Community Asset) to Commercial Developers

We the undersigned, petition Reading Borough Council (RBC) to think again and give proper consideration to the Aspire (Reading) CIC compelling, compliant, fully funded £10 Million Bid to acquire the spiritual home of the Black diaspora of Reading, the Central Club site and buildings.

We feel the black community of Reading should not be scapegoated and made to suffer disproportionately for RBC's financial budgeting failure. We believe Aspire's bid provides strategic services to the diaspora that RBC are retreating from which makes Aspire a long term partner to the solution as their bid is 100% consistent with RBC's strategic priorities."

- 4.2 The petition was accompanied by a letter in the following terms:

"Petition - Save Reading Central Club Mural

I enclose a petition signed by more than 1,500 persons to save the Reading Central Club Mural from damage or destruction, howsoever caused.

In July 2016, Reading Borough Council invited third sector and community groups to submit Bids to acquire the Central Club building and site. The Caribbean Associations Group, an umbrella organisation for the main African Caribbean groups in Reading, created Aspire (Reading) CIC to bid for the premises. Aspire submitted a compliant, compelling and fully funded bid to acquire and develop the site for use as a community hub where the Diaspora can educate, celebrate and entertain. Aspire made it clear in their bid submission that they would protect the Mural because of its significant historical value to, and recognition of, the African Caribbean Diaspora in Reading.

On 17 July 2017, Reading Borough Council's Policy Committee met in closed session to determine the applications. They decided to abandon the bidding process and start a new process by offering the premises for sale on the open market.

The Council has claimed that the Mural is damaged and that they propose to commission an expert to clean and stabilise it. The Council further stated that

during such cleaning the Mural could be damaged. The artist who painted the Mural has visited the site recently and could not find any damage to the Mural. The presence of the Mural is depressing the value of the site. The community believe that the Council's decision to sell the site with the Mural on the open market and claiming that the Mural is damaged is a prelude to a commercial developer 'accidentally' damaging or destroying the Mural to make it a more commercially attractive and viable site for development.

The community is outraged by such a prospect and want a cast iron guarantee from the Council that the Mural will be preserved.

I would like the petition debated at the meeting of the Council on 17 October 2017 and I would like to address the meeting."

- 4.3 The Council is invited to debate the issues raised in the above petition, in accordance with Council Procedure Rule 8(6)(e).

5. EQUALITY IMPACT ASSESSMENT

- 5.1 Under the Equality Act 2010, Section 149, a public authority must, in the exercise of its functions, have due regard to the need to—
- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

6. LEGAL IMPLICATIONS

- 6.1 The Council's Procedure Rule 8(6)(e) states that where a petition is submitted to the Council signed by 1,500 or more people who live work or study in the local authority's area, the Head of Legal and Democratic Services, at the request of the Lead Petitioner, will ensure that the topic of the petition is included on the next available agenda to allow a full Council debate on the matter. This item has been included on the Council's agenda in accordance with this local provision within the Council's Standing Orders.

7. FINANCIAL IMPLICATIONS

- 7.1 There are no direct financial consequences arising from this report as it deals purely with the process of considering a petition with over 1,500 signatories.

8. BACKGROUND PAPERS

- 8.1 None

READING BOROUGH COUNCIL

REPORT BY DIRECTOR OF CHILDREN, EDUCATION AND EARLY HELP SERVICES

TO:	COUNCIL		
DATE:	17 OCTOBER 2017	AGENDA ITEM:	7
TITLE:	REGIONAL ADOPTION AGENCY - JOINT ARRANGEMENT		
LEAD COUNCILLOR:	COUNCILLOR GAVIN	PORTFOLIO:	CHILDREN & FAMILIES
SERVICE:	ADOPTION SERVICE	WARDS:	BOROUGHWIDE
LEAD OFFICER:	ANN MARIE DODDS	TEL:	72421
JOB TITLE:	DIRECTOR OF CHILDREN, EDUCATION AND EARLY HELP SERVICES	E-MAIL:	Annmarie.dodds@reading.gov.uk

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 The report is seeking the Council's formal agreement to enter into the Adopt Thames Valley Regional Adoption Agency (RAA), which as a joint arrangement falls within the scope of a reserved matter for Council under Article 4 of the Constitution. The detail of the participation, inclusion and performance in the RAA has previously and will in future be considered by the Adult Social Care, Children's Services and Education Committee (ACE).
- 1.2 Reading Borough Council's inclusion in the RAA is an effective move in achieving positive outcomes through permanence for Reading's children. In joining the RAA, Adoption Services will be delivered on a greater scale and with more innovative approaches to practice. This approach has real potential to improve outcomes for Reading's children.
- 1.3 The Council wants to ensure that in joining the RAA we will have an adoption system where children are matched with the most suitable adopter as quickly as possible. The recruitment of adopters will take place on an efficient scale to provide a pool of 'adoption ready' adopters large enough and well matched to meet the needs of Reading children who are waiting and that there will be enough high quality adoption support services available nationwide to continue to meet the needs of our children.
- 1.4 The 'go live' date for the RAA is November 2017.

2. RECOMMENDED ACTION

- 2.1 That, in accordance with Article 4 of the Constitution, "The Full Council", the joint arrangement to participate in the Adopt Thames Valley Regional Adoption Agency with Oxfordshire County Council as the lead authority, be approved.
- 2.2 That, in accordance with Article 11 of the Constitution, "Joint Arrangements", the Adopt Thames Valley Regional Adoption Agency be included in the list of joint arrangements set out in the table in paragraph 11.2.2 of the Constitution.

3. POLICY CONTEXT

- 3.1 The ACE Committee at its meeting on 20 March 2017 (Minute 57 refers) agreed the Council's ongoing participation in the Adopt Thames Valley Regional Adoption Agency, in order to speed up matching, markedly improve the life chances of neglected and damaged children, improve adopter recruitment and adoption support, and reduce costs. The development of RAAs will create a system where there are fewer organisations recruiting and assessing adopters - enabling operation on a much greater scale.
- 3.2 The Policy Committee, at its meeting on 10 April 2017 (Minute 116 refers) re-affirmed the Council's continued participation in the Adopt Thames Valley Regional Adoption Agency and approved financial contributions of £487k for 2017/18 and £430k for 2018/19 to enable that ongoing involvement.

4. THE PROPOSAL

Current Position

- 4.1 As described above, the Council's ACE and Policy Committees have considered reports on the Adopt Thames Valley Regional Adoption Agency and approved the Council's ongoing participation in the process.
- 4.2 The final formula for the RAA was agreed in late March 2017 by the Adopt Thames Valley Board. Local Authority contributions have been evaluated against the formula and a financial commitment was made at Policy Committee on 10 April 2017 to be part of the Adopt Thames Valley Regional Adoption Agency.

Options Proposed

- 4.3 The Constitution allows the Council to establish joint arrangements with one or more local authorities and/or their executives to exercise functions in any of the participating authorities. In so doing, the Council must formally give its approval to enter the joint arrangement. This formal approval is now being sought.

Other Options Considered

4.4 There are no other options being considered.

5. CONTRIBUTION TO STRATEGIC AIMS

5.1 The strategic aim that the participation in the RAA will most contribute to is safeguarding and protecting those that are most vulnerable. It will also achieve economies of scale for the Adoption Service, which will contribute to the financial sustainability of the Council.

6 COMMUNITY ENGAGEMENT AND INFORMATION

6.1 Officers impacted by the creation of the RAA have been consulted. Additional engagement with these staff will take place throughout the period of TUPE in line with employment legislation.

7 EQUALITY IMPACT ASSESSMENT

7.1 Under the Equality Act 2010, Section 149, a public authority must, in the exercise of its functions, have due regard to the need to—

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

7.2 As this is a process report it does not have a differential impact on: racial groups; gender; people with disabilities; people of a particular sexual orientation; people due to their age; people due to their religious belief. As such it does not require an equality impact assessment.

8 LEGAL IMPLICATIONS

8.1 Under Sections 101 and 102 of the Local Government Act 1972:

(a) Full Council may establish joint arrangements with one or more local authorities and/or their executives to exercise functions in any of the participating authorities, or to advise the Council. Such arrangements may involve the appointment of a joint committee with these other local authorities.

(b) Where the function to be exercised is an executive function in the other participating authorities, then full Council will establish the joint arrangement with the executives of those authorities. Such arrangements may involve the appointment of joint committees with these other local authorities.

8.2 Article 4 of the Council's Constitution, specifies at paragraph 4.2 the list of matters reserved to the full Council for decision. Included at Paragraph

4.2.2(q) is entering into joint arrangements with other local authorities under sections 101 and 102 of the Local Government Act 1972.

8.3 Oxfordshire County Council is the host authority for the RAA.

9 FINANCIAL IMPLICATIONS

9.1 At the Policy Committee meeting on 10 April 2017 (Minute 116 refers), it was agreed that financial contributions of £487k for 2017/18 and £430k for 2018/19 should be made with respect to the Council's participation in the Adopt Thames Valley Regional Adoption Agency.

9.2 At present all financial modelling suggests that in entering the RAA, RBC will reduce the current costs for adoption services. The financial modelling is based on previous adoption performance amongst other demographics. The potential is that where RBC would expect adoption performance to improve and the volume of children matched to successful adopters increase there is a likelihood that in future years with higher volumes and improved performance, costs will increase against a fixed finance formula.

9.3 The host authority is in the process of gathering adoption performance data from all partner Local Authorities for the past three years (placement data). The current budget is £766,300 for the provision of Adoption Services; this excludes the adoption allowances paid which will continue to be the responsibility of the Local Authority. The move to a Regional Adoption Arrangement will result in a more effective service, at a reduced cost to the Local Authority, achieving value for money. This will allow the Local Authority to achieve part year effect efficiency savings that have been identified by the Senior Management Team

10 BACKGROUND PAPERS

Reports and Minutes to ACE Committee on 20 March 2017 and Policy Committee on 10 April 2017

Regionalising Adoption

<https://www.gov.uk/government/publications/regional-adoption-agencies-programme>

READING BOROUGH COUNCIL
REPORT BY MONITORING OFFICER

TO:	COUNCIL		
DATE:	17 OCTOBER 2017	AGENDA ITEM:	8
TITLE:	STANDARDS COMMITTEE		
LEAD MEMBER:	TINA BARNES	PORTFOLIO:	CHAIR OF STANDARDS COMMITTEE
SERVICE:	LEGAL & DEMOCRATIC	WARDS:	BOROUGH-WIDE
LEAD OFFICER:	CHRIS BROOKS	TEL:	0118 9372602 / 72602
JOB TITLE:	HEAD OF LEGAL & DEMOCRATIC SERVICES	E-MAIL:	Chris.brooks@reading.gov.uk

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

1.1 The Council's annual meeting, on 24 May 2017, appointed a Standards Committee for the Municipal Year 2017/18. The Committee met on 29 June 2017 to consider a number of matters, including the following:

- a) the powers and duties of the local Standards Committee, set up by the Annual Council Meeting for the Municipal Year 2017/18;
- b) the Standing Orders and local arrangements for the Committee and principles for dealing with complaints about Councillors;
- c) the local Member Code of Conduct for the authority, as agreed by full Council on 23 October 2012, which incorporated into the Council's Standing Orders provisions for the exclusion of Members from meetings for items of business in which they have a disclosable pecuniary interest;

1.2 The Minutes of the Standards Committee on 29 June 2017 are attached at **Appendix A**, for the Council to receive. These summarise the issues that were considered and decided by the Committee.

2. RECOMMENDED ACTION

2.1 That the Minutes of the Standards Committee held on 29 June 2017 (Appendix A) be received.

3. POLICY CONTEXT

- 3.1 The Localism Act was passed in November 2011. Chapter 7 deals with standards. The Government introduced a Commencement Order in mid-January 2012, to have effect from 31 January 2012. A further Commencement Order brought into force the remaining parts of Chapter 7 of the Localism Act 2011 from 1 July 2012. This meant that the local elements of the former statutory regime, including statutory standards committees with the power to suspend Councillors, ended on 30 June 2012, and from 1 July 2012, all standards matters have been the responsibility of the local authority, to be handled under the new arrangements.
- 3.2 In addition, the Secretary of State issued The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 on 6 June 2012 and these also came into effect on 1 July 2012.
- 3.3 The Standards Committee, on 12 July 2012, agreed a 'Complaints about Councillors' document, which has been published on the Council's website. The procedure for investigating allegations of breaches of the local Member Code is set out in the Committee's terms of reference, and in Article 9 of the Council's Constitution.

4. CONTRIBUTION TO STRATEGIC AIMS

- 4.1 One of the Council's aims is to promote the participation of Reading people in local democracy through effective consultation and communication. This is only likely to be successful if people have confidence in the integrity of the Council and its members. The local Standards Committee will assist in building and maintaining that confidence.

5. LEGAL IMPLICATIONS

- 5.1 The standards regime applies to voting Members of Council and its Committees, including both Councillors and non-elected Members.
- 5.2 Chapter 7 of the Localism Act 2011 (Sections 26 to 37) has ended the statutory requirement for local authorities to have a Standards Committee, revoked the Model Code of Conduct, and abolished Standards for England and the statutory facility for disqualification through the First-Tier Tribunal. It has replaced these by a duty on local authorities to promote and maintain high standards of conduct by Members, and a requirement to adopt a local code of conduct, and arrangements for investigating allegations that Members had not complied with the local code. Local authorities are able to continue to appoint Standards Committees, but these will not have any statutory status, and there will be no statutory basis for sanctions in cases of breach. The exception to this is where a Member intentionally fails to declare a disclosable pecuniary interest, in which case the Member may be found guilty of a criminal offence, and may be fined, and disqualified by the court from serving as a Member for up to five years.

- 5.3 Chapter 7 has been enacted by Commencement Order (Regulation). The relevant Order ending the national standards regime came into effect on 31 January 2012. The Localism Act 2011 (Commencement No. 6 and Transitional, Savings and Transitory Provisions) Order 2012, which changed the local regime, was issued on 6 June 2012 and came into effect from 1 July 2012.
- 5.4 The Secretary of State issued the Relevant Authorities (Disclosable Pecuniary Interests) Regulations, dealing with the definition, registration and declaration of pecuniary interests, also on 6 June 2012.
- 5.5 Under Section 28(13-14) of the Localism Act 2011, the function of adopting, revising or replacing a local code of conduct may only be discharged by full Council, and it may not be delegated to the Standards Committee or any other body or person.
- 5.6 The local Standards Committee has been set up, by full Council, as a committee under Section 101(a) of the Local Government Act 1972.

6. FINANCIAL IMPLICATIONS

- 6.1 Subject of course to the number of allegations made against Members of the authority, local investigation and determination under the former statutory procedure generated additional work for the Monitoring Officer and any other officers who undertook a formal investigation. In addition, the Standards Committee was required to set up sub-committee meetings to assess all complaints received, and to hear the individual allegations, which had associated costs of administrative support.
- 6.2 Under the non-statutory local arrangements, the authority has moved back to a more informal, local system, where the first stage focus is on complaints about individual Councillors being pursued within political groups, and any subsequent investigations taking place within a process which is appropriate to the individual complaint, not governed by restrictive external processes, and less resource intensive.
- 6.3 There is no specific budget line in the Council's estimates for standards, or the costs of investigating complaints about Councillors.

7. BACKGROUND PAPERS

- 7.1 Localism Act 2011 (Commencement No. 6 and Transitional, Savings and Transitory Provisions) Order 2012 (SI 2012 - 1463)
- 7.2 The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 (SI 2012 - 1464)

STANDARDS COMMITTEE MINUTES - 29 JUNE 2017

Present: Mrs T Barnes (Chair);
Councillors Ayub, Brock, Khan, Livingston, Robinson and Steele;

Apologies: Councillor D Edwards;

In Attendance: Mr D Comben (Independent Person).

1. MINUTES

The Minutes of the meeting held on 30 June 2016 were confirmed as a correct record and signed by the Chair.

2. TERMS OF REFERENCE AND ANNUAL REPORT

The Monitoring Officer submitted a report setting out the Committee's terms of reference and constitutional role for the Municipal Year 2017/2018, updating the Committee on developments and complaints during the Municipal Year 2016/2017 and looking forward to the current Municipal Year.

The report advised that Chapter 7 of the Localism Act 2011 had ended the statutory standards regime set up by the Local Government Act 2000, and introduced in its place a duty on local authorities to promote and maintain high standards of conduct by Councillors and Co-opted Members, including adopting a local Member code of conduct. The Act also required local authorities to adopt arrangements to deal with allegations that Members had not complied with their local Code of Conduct, and allowed local authorities to establish a local Standards Committee, and to make Standing Orders relating to aspects of the standards process (Section 31(10)). In the light of recommendations made by the Standards Committee on 19 March 2012, the Annual Council Meeting on 23 May 2012 had agreed to establish a local Standards Committee, which had been re-appointed at the subsequent Council AGMs, most recently on 24 May 2017, with the terms of reference and Standing Orders set out in **Appendix A**.

The report had the local Member Code of Conduct attached at **Appendix B**, which was based on a good practice draft produced by the Association of Council Secretaries and Solicitors (ACScS). The Code retained those elements of the former statutory Model Code which had not been the subject of significant legal challenge. It also set out the statutory requirement for Members to register and declare disclosable pecuniary interests, as informed by the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012.

The Standing Orders and Rules of Procedure for the Standards Committee, together with this Committee, would form the authority's local arrangements for investigating complaints about Councillors. The local procedure was set out in the "Complaints about Councillors" document, attached at **Appendix C** to the report and had been published on the Council's website.

Local authorities were required to appoint at least one Independent Person with statutory responsibilities to be consulted and to advise on complaints made about Members. The 2011 Act also prescribed the recruitment process for the

STANDARDS COMMITTEE MINUTES - 29 JUNE 2017

Independent Person. Mr David Comben had originally been appointed by the Council as the Independent Person, following the prescribed recruitment exercise in April 2013. He had most recently been re-appointed to this role at the Council meeting on 24 May 2017.

The report also reminded the Committee about the law with regard to the registration and declaration of interests by Members. There was a legal requirement on Members to register and declare interests. The report noted that the Monitoring Officer was the Proper Officer for the receipt of requests from Members for a dispensation to take part in decisions on items of business in which they had a disclosable pecuniary interest, in specified circumstances, under Section 33 of the Localism Act 2011. Under Section 33(2) of the Localism Act 2011, a dispensation may only be granted where the authority considered, having had regard to all relevant circumstances, that:

- (a) without the dispensation the number of persons prohibited from taking part in the item of business would be so great a proportion of the meeting to impede the transaction of the business;
- (b) without the dispensation the representation of different political groups at the meeting would be so upset as to alter the likely outcome of any vote relating to the item of business;
- (c) granting the dispensation was in the interests of persons living in the authority's area;
- (d) each member of the authority's executive would be prohibited from participating in any particular business to be transacted by the authority's executive.

The authority to grant a dispensation to a Member with a disclosable pecuniary interest could also be delegated to an officer in accordance with the prescribed circumstances. However, the local arrangements set out in Section 7.7 of the Members' Code of Conduct required, in the first instance, Members seeking a dispensation to make a written request to the Monitoring Officer. The Monitoring Officer would then put the request before the Standards Committee, to which the Council had delegated the authority to determine requests for dispensations. Additionally, at the Annual Council Meeting on 24 May 2017, the delegation to the Monitoring Officer to grant a general dispensation to members of the authority was re-established in the following circumstances:

- "(1) That a general dispensation be granted to all Members of the authority to take part and vote on decisions related to the functions of your authority in respect of:
 - (i) housing, where you are a tenant of your authority provided that those functions do not relate particularly to your tenancy or lease;
 - (ii) school meals or school transport and travelling expenses, where you are a parent or guardian of a child in full time education, or

STANDARDS COMMITTEE MINUTES - 29 JUNE 2017

are a parent governor of a school, unless it relates particularly to the school which the child attends;

- (iii) statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of, such pay;
 - (iv) an allowance, payment or indemnity given to members;
 - (v) any ceremonial honour given to members; and
 - (vi) setting Council Tax or a precept under the Local Government Finance Act 1992;
 - (vii) any other business that might reasonably be regarded as affecting the financial position of the Member and/or his/her spouse or partner to a greater extent than the majority of other Council Tax payers, ratepayers or inhabitants of the electoral division or ward, as the case may be, affected by the decision.
- (2) That the general dispensation apply for four years, subject to its being renewed each year at the Annual Council Meeting."

The Register of Gifts and Hospitality offered to Councillors in the financial year 2015/16 was attached to the report at **Appendix D**.

The Committee also noted that, at the Annual Council Meeting, on 24 May 2017, Mrs Tina Barnes, the co-opted Independent Member, had been re-appointed as Chair of the Committee for the Municipal Year 2017/18.

Resolved -

- (1) That the Committee's terms of reference and Standing Orders and Rules of Procedure (Appendix A) be noted;
- (2) That the local Member Code of Conduct (Appendix B) be noted;
- (3) That the Complaints about Councillors document (Appendix C) be noted;
- (4) That the re-appointment of Mrs Tina Barnes as the independent member and Chair of the Standards Committee and Mr David Comben re-appointment as the Independent Person for 2017/18 be noted;
- (5) That the Monitoring Officer's delegated authority to grant a general dispensation relieving Members from the restrictions on participating in the discussion or voting on any item of business in which they had a disclosable pecuniary interest in the prescribed circumstances described in paragraph 6.20(1) of the report be noted;
- (6) That the list of gifts and hospitality registered by Members in the financial year 2016/17 be received (Appendix D);

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- (7) That, if considered necessary, the Vice-Chair be invited to present the Minutes of this meeting to the next full Council meeting (17 October 2017), in order to use that meeting to express to all Councillors any matters of concern identified by the Committee.

3. REQUEST FOR GRANT OF A DISPENSATION

In accordance with Section 100B (4)(b) of the Local Government Act 1972, the Chair had agreed that this item of business should be added to the agenda by reason of special circumstances, in order that a decision on a request for a dispensation in relation to ongoing business of the Council could be determined without unnecessary delay.

The Monitoring Officer had submitted a report on a request from Councillors Tony Jones and Liz Terry seeking a dispensation to allow them to take part in business related to equal pay claims that had been made against the Council. The nature of Councillor Jones' interest in equal pay was that he was employed by UNISON which was representing a number of equal pay claimants. Councillor Terry's interest occurred by virtue of being Councillor Jones' partner, which was defined as a 'relevant person' in the Localism Act and therefore she also had a duty to declare known pecuniary interests held by Councillor Jones.

The Chair reported that she had received a letter, which had also been circulated to the Committee, from Councillor Jones requesting a postponement of the Committee's consideration of his and Councillor Terry's request for a dispensation in relation to ongoing business of the Council related to unsettled equal pay claims to allow them time to prepare a written statement in support of their application.

Resolved -

- (1) That consideration of the request for a dispensation from Councillors Tony Jones and Liz Terry, in relation to equal pay claims against the Council, be deferred at the request of the applicants to allow them time to prepare a written statement in support of their application;
- (2) That the provisional date to consider the application by Councillors Tony Jones and Liz Terry to allow them to participate in business related to equal pay claims be Monday 24 July 2017 at 6.30pm in Committee Room 1.

(The meeting commenced at 6.35pm and closed at 6.50pm).

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