
Bath & North East Somerset Council

Improving People's Lives

Council

Date: Tuesday 4th May 2021

Time: 6.30 pm

Venue: <https://www.youtube.com/bathnescouncil>

To: All Members of the Council

Dear Member

You are invited to attend the Annual meeting of the **Council** on **Tuesday 4th May 2021** in zoom.

The agenda is set out overleaf.

Yours sincerely



Jo Morrison
Democratic Services Manager
for Chief Executive

Jo Morrison

Democratic Services

Lewis House, Manvers Street, Bath, BA1 1JG

Telephone: 01225 39 4435

Web-site - <http://www.bathnes.gov.uk>

E-mail: Democratic_Services@bathnes.gov.uk

NOTES:

1. **Inspection of Papers:** Papers are available for inspection as follows:

Council's website: <https://democracy.bathnes.gov.uk/ieDocHome.aspx?bcr=1>

2. **Details of decisions taken at this meeting** can be found in the minutes which will be circulated with the agenda for the next meeting. In the meantime, details can be obtained by contacting as above.

3. **Broadcasting at Meetings:-**

The Council will broadcast the images and sounds live via the internet <https://www.youtube.com/bathnescouncil> . The Council may also use the images/sound recordings on its social media site or share with other organisations, such as broadcasters.

4. **Public Speaking at Meetings**

The Council has a scheme to encourage the public to make their views known at meetings. They may make a statement relevant to what the meeting has power to do. They may also present a petition or a deputation on behalf of a group and ask a question.

Advance notice is required not less than two full working days before the meeting. This means that for this meeting, notice must be received in Democratic Services by 5.00pm Wednesday 28th April.

Deadline for questions is 4 clear working days so by 5pm on Monday 26th April.

The Council now has a maximum time limit for this, so any requests to speak cannot be guaranteed if the list is full.

Further details of the scheme can be found at:

<https://democracy.bathnes.gov.uk/ecCatDisplay.aspx?sch=doc&cat=12942>

5. **Supplementary information for meetings**

Additional information and Protocols and procedures relating to meetings
<https://democracy.bathnes.gov.uk/ecCatDisplay.aspx?sch=doc&cat=13505>

Council - Tuesday, 4th May, 2021

at 6.30 pm in Zoom Online - Public Link will be provided

A G E N D A

1. WELCOME & APOLOGIES FOR ABSENCE

2. ELECTION OF CHAIR(MAN) 2021/22

It is a legal requirement that the first formal business at the Annual General meeting shall be the election of a Councillor to be the Chair(man) of the Council. The term of office of the Chair(man) expires on the election of her/his successor at the Annual meeting of the Council in 2022. The present Chair(man) of the Council is Councillor Andy Furse who will preside over the election of his successor. Once the new Chair(man) is elected, she will make the Declaration of Acceptance of Office.

3. APPOINTMENT OF VICE-CHAIR(MAN) 2021/22

4. MINUTES - 25TH MARCH 2021 (Pages 7 - 12)

To be confirmed as a correct record and signed by the Chair(man)

5. DECLARATIONS OF INTEREST

At this point in the meeting declarations of interest are received from Members in any of the agenda items under consideration at the meeting. Members are asked to complete the green interest forms circulated to groups in their pre-meetings (which will be announced at the Council Meeting) to indicate:

(a) The agenda item number in which they have an interest to declare.

(b) The nature of their interest.

(c) Whether their interest is **a disclosable pecuniary interest** *or* **an other interest**, (as defined in Part 2, A and B of the Code of Conduct and Rules for Registration of Interests)

Any Member who needs to clarify any matters relating to the declaration of interests is recommended to seek advice from the Council's Monitoring Officer or a member of his staff before the meeting to expedite dealing with the item during the meeting.

6. ANNOUNCEMENTS FROM THE CHAIR OF THE COUNCIL OR FROM THE CHIEF EXECUTIVE

These are matters of information for Members of the Council. No decisions will be required arising from the announcements.

7. TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

If there is any urgent business arising since the formal agenda was published, the Chair will announce this and give reasons why it has been agreed for consideration at this meeting. In making this decision, the Chair will, where practicable, have consulted

with the Leaders of the Political Groups. Any documentation on urgent business will be circulated at the meeting, if not made available previously.

8. ELECTION OF LEADER OF THE COUNCIL

The Council is required to elect a Councillor to be the Leader of the Council for the remainder of the 4 year election term from May 2021 AGM to May 2023 AGM.

The Council is asked to note that all decisions regarding the appointment of a Deputy Leader, Cabinet Members and portfolios, the executive delegation scheme and frequency of Cabinet meetings are decisions solely for the Leader to make and publicise in due course.

9. APPOINTMENT OF COMMITTEES & PANELS & OTHER ASSOCIATED BUSINESS (Pages 13 - 60)

This report invites the Council to consider its non-executive and regulatory Committee arrangements for the Council Year May 2021 to May 2022 and associated annual business.

10. CONTINGENCY OPTIONS - DECISION MAKING POST MAY 7 2021 (Pages 61 - 66)

A report to consider arrangements for decision making post 7 May 2021.

11. REPORT OF THE INDEPENDENT REMUNERATION PANEL ON MEMBERS' ALLOWANCES (Pages 67 - 104)

To consider the report of the Independent Remuneration Panel on Members' Allowances.

12. PARENTAL LEAVE POLICY (Pages 105 - 110)

Council, on 10th September 2020, adopted a Parental Leave policy and asked for 2 aspects to be further explored, to be reported back to the Council AGM in May 2021 regarding proxy voting; and options for handling casework.

13. QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM THE PUBLIC

The Democratic Services Manager will announce any submissions received. The Council will be invited to decide what action it wishes to take, if any, on the matters raised in these submissions. As the questions received and the answers given will be circulated in written form there is no requirement for them to be read out at the meeting. The questions and answers will be published with the draft minutes.

14. QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM COUNCILLORS

The Democratic Services Manager will announce any submissions received. The Council will be invited to decide what action it wishes to take, if any, on the matters raised in these submissions. As the questions received and the answers given will be circulated in written form there is no requirement for them to be read out at the meeting. The questions and answers will be published with the draft minutes.

The Committee Administrator for this meeting is Jo Morrison who can be contacted on 01225 394358.

This page is intentionally left blank

BATH AND NORTH EAST SOMERSET COUNCIL

MINUTES OF COUNCIL MEETING

Thursday, 25th March, 2021

Present:- **Councillors** Rob Appleyard, Tim Ball, Sarah Bevan, Colin Blackburn, Alison Born, Shelley Bromley, Neil Butters, Vic Clarke, Sue Craig, Paul Crossley, Gerry Curran, Chris Dando, Jess David, Tom Davies, Sally Davis, Douglas Deacon, Winston Duguid, Mark Elliott, Michael Evans, Andrew Furse, Kevin Guy, Alan Hale, Liz Hardman, Steve Hedges, Joel Hirst, Lucy Hodge, Duncan Hounsell, Shaun Hughes, Eleanor Jackson, Grant Johnson, Dr Kumar, Hal MacFie, Ruth Malloy, Paul May, Sarah Moore, Robin Moss, Paul Myers, Michelle O'Doherty, Lisa O'Brien, Bharat Pankhania, June Player, Vic Pritchard, Manda Rigby, Dine Romero, Mark Roper, Richard Samuel, Bruce Shearn, Brian Simmons, Alastair Singleton, Shaun Stephenson-McGall, Karen Walker, Sarah Warren, Karen Warrington, Andy Wait, Chris Watt, Ryan Wills, David Wood and Joanna Wright

Apologies for absence: **Councillors** Matt McCabe

73 DECLARATIONS OF INTEREST

Councillors Steve Hedges and Eleanor Jackson declared an 'other' interest as holders of Blue Badges, in relation to the statement made by Councillor Sarah Moore regarding disabled access to the region. Councillor Robin Moss also declared an 'other' interest on the same item as a family member is a Blue Badge holder. *[These statements were made at the Councillor statements item.]*

74 MINUTES - 23RD FEBRUARY 2021

On a motion from Councillor Eleanor Jackson, seconded by Councillor Alan Hale, it was

RESOLVED that the minutes of 23rd February 2021 are approved as a correct record to be signed by the Chairman in due course.

75 ANNOUNCEMENTS FROM THE CHAIR OF THE COUNCIL OR FROM THE CHIEF EXECUTIVE

The Chairman read the following statement;

“At a recent Council meeting, the word gaslighting was used by a member in the context of political debate. Gaslighting is defined as “a form of emotional manipulation that often results in the recipient doubting their perception of reality and their sanity.” Whilst the member using that word continues to hold the views they were seeking to express in the overall debate, upon reflection they acknowledge the wider meaning of the term 'gaslighting' in connection with domestic abuse and would emphasise that it was not meant to trivialise the act of gaslighting and they sincerely regret any offence caused.”

The Chairman then invited the Leader to give a brief update on 2 issues;

- Safety for women; – Councillor Romero spoke of the shock and upset on hearing of Sarah Everards death. She explained that the women councillors of this council had met last week and agreed that they would make a stand against this and work together with all their colleagues to make streets and public places feel safe for everyone. This includes empowering all to call out unwanted attention and aggression in speech and action. She hoped all councillors would support this position.
- The latest Covid situation for the Council; – Councillor Romero explained that case numbers were low and the vaccination programme was going well. Asymptomatic and symptomatic testing facilities were now available across Bath, Keynsham and Midsomer Norton. Pressure on the RUH was reducing and they were working with the Police to help ensure people were sticking within the rules. The Council was still distributing business grants and had processed over 9000 applications as well as over 12,000 calls at the Hub. Councillor Romero acknowledged and thanked the contribution of staff doing their day jobs and volunteering. She welcomed the light at the end of the tunnel but urged caution as regulations were gradually relaxed.

76 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

The Chair informed the meeting that he had agreed one item of urgent business which had arisen since the publication of the agenda and had been circulated to all Members and published online. This was taken at minute number 79.

77 URGENT DECISION BY CHIEF EXECUTIVE - ASYMPTOMATIC MASS TESTING

It was noted that the Chief Executive had agreed the award of contracts to support the Council in rolling out a Lateral Flow Testing programme as part of the national response to COVID-19, at a cost of approximately £346,000 per month (subject to any changes in DHSC requirements).

This was made under Part 4G, rule 5 of the Constitution which requires that, following the decision, a report be made to the next available Council meeting explaining the decision, the reasons for it and why the decision was treated as a matter of urgency.

78 QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM THE PUBLIC

Statements were made by the following members of the public;

Martin Grixoni addressed Council about its engagement with the community, expressing a view that consultation was poor and citing various recent examples where he considered this to be the case. He drew attention to the Council's Community Engagement Charter listing the 5 commitments within that to provide early, timely information, take into account all responses, and provide feedback and he urged the Council to follow its own principles and do this more effectively. Councillor Joanna Wright asked if Martin was aware that she and officers had visited the school he mentioned 3 times in the last 3 months, contrary to what Martin had said in his statement. Martin responded that the information he had seen from the

school suggested otherwise. Councillor Paul Myers asked Martin if had a record of the examples he had listed and whether he had submitted those to the Council already. Martin responded that he did and would be happy to provide any information that would be helpful.

Bob Goodman spoke to the Council about ecological issues. He welcomed the news of peregrine falcon eggs at St John's Church and spotting the first swallows of the season. He was frustrated, however, with his perception of inconsistent application of planning policy with regard to a recent city farm application being refused, when similar ecological aspects were shared with the Tufa field application which was of national ecological significance. He queried whether the latter being an Aequus development was a factor. Councillor Tim Ball asked if Bob understood the planning process and the due diligence process that Committee members were subject to. Bob responded that he did.

Ben Reed made a statement, as Chair of the Friends of Bath Approach Golf course, a copy of which is available to read in full linked to the minutes. In his statement, he explained the steps taken to keep the golf course open for everyone to enjoy. A volunteer community group – Friends of Bath Approach Golf Course – has been established with the intention of repairing and maintaining the golf greens, keeping the site clean and tidy and raising funds for future improvements. Councillor Paul Myers asked if a Community Asset Transfer was intended for this group. Ben replied that he was aware of those but that was not the intention for this group which would be a Friends group, as existed for other parks in the area. Councillor Karen Walker asked Ben if a business plan had been submitted to the Council. Ben replied that a detailed document had been submitted setting out the Group's intentions. Councillor Liz Hardman asked Ben if he agreed that keeping the site open would encourage residents from outside Bath to enjoy the site as well, to which he replied that he certainly agreed, and that the petition of over 4800 signatures confirmed that support came from across the B&NES area.

The Chairman thanked all speakers for their statements which would be referred to the relevant Cabinet Members.

79 REPORT TO DELEGATE POWER TO MAKE ORDERS UNDER SECTION 91 LOCAL GOVERNMENT ACT 1972

The Council considered a report which had been brought as an urgent item arising after publication of the agenda.

On a motion from Councillor Dine Romero, seconded by Councillor Paul Myers, it was unanimously

RESOLVED to

1. Delegate authority to the Monitoring Officer, in consultation with the Group Leaders, to make an Order (Appendix 1) to appoint parish councillors to ensure that an inquorate Parish Council is quorate and can continue to act;
2. Adopt the process for appointment at Appendix 2 of the report.

80 AMENDMENTS TO THE CONSTITUTION

The Council considered a report concerning various amendments to the Constitution to ensure the rules remain accurate, transparent and accountable to local people.

On a motion from Councillor Tim Ball, seconded by Councillor Sally Davis, it was unanimously

RESOLVED to

1. Agree the amendments to the Planning Delegation scheme, as set out in the revised Appendix 1, and to agree to delegate to officers any other textual changes as may be required to ensure clarity;
2. Agree the amendments to the Planning Committee Terms of Reference contained in Appendix 2 and described in paragraph 3.3 of the report (with the proposed changes shown in tracked changes);
3. Agree the insertion of a clarifying paragraph to the general officer delegation scheme, as described in section 3.4 of the report;
4. Amend the Constitution to formalise the position that political group motions continue to be taken as the last items on the agenda, as described in paragraphs 3.6 – 3.8 of the report;
5. Agree to remove the Petition scheme from the Constitution, as described in section 3.9 – 3.14 of the report.

81 INTERIM MONITORING OFFICER

The Council considered a report seeking an extension to the interim appointment of the Monitoring Officer.

On a motion from Councillor Dine Romero, seconded by Councillor Paul Myers, it was unanimously

RESOLVED to agree the extension of the appointment of Interim Head of Legal and Democratic Services and Monitoring Officer of Michael Hewitt, on a salary of £80,108 pro rata per annum for a further period from 1 April 2021 to 31 July 2021.

82 CONFIRMATION OF CHAIR DESIGNATE 2021/22

This report invites Councillors to indicate which Councillor will be formally nominated as Chairman at the Council's AGM.

On a motion from Councillor Paul Myers, seconded by Councillor Dine Romero, and supported by Councillor Robin Moss and current Chairman Councillor Andy Furse, it was unanimously

RESOLVED that, for forward planning purposes, Councillor Lisa O'Brien is named as Chair(man) of the Council (Designate) for the 2021/22 Council Year.

83 MOTION FROM LIBERAL DEMOCRAT GROUP - VIRTUAL MEETINGS

On a motion from Councillor Jess David, seconded by Councillor Paul Myers, it was

RESOLVED that

Council notes that:

1. B&NES Council meetings have been held virtually since Spring 2020 as permitted by the Coronavirus Regulations 2020, under which virtual meetings have the same status and validity as in-person meetings.
2. These regulations will expire on 7 May 2021.
3. The LGA and B&NES Group Leaders, as well as many Councils across the UK, and national professional bodies, have called for virtual meetings to be made a permanent option for Councils.

Council believes that:

4. There are many benefits to virtual and hybrid meetings for participants, observers and the general public, including: improved access and safety, reduced emissions from transport, savings on time and expenses, and better engagement with residents.
5. Councillors, officers and the public have made great progress in developing the technological skills to participate in virtual meetings on various platforms.
6. Longer term, the option of holding virtual and hybrid meetings could attract a more diverse range of Councillors and officers.
7. Councils should be able to choose between a virtual, hybrid or in-person format for Council meetings, depending on factors such as participants or weather conditions.

Council therefore:

8. Calls on the Government to bring forward legislation enabling virtual and hybrid meetings to be a permanent option for Councils, alongside in-person meetings.
9. Requests that the Leader write to relevant Ministers and local MPs on this matter.
10. Calls on all Councillors to raise this issue with colleagues such as Parish Councillors.

[Notes;

1. *The above successful resolution was carried with 1 Councillor voting against and the remaining Councillors voting in favour.]*

84 MOTION FROM CONSERVATIVE GROUP - INITIATIVES TO IMPROVE CHILDREN'S WELLBEING

This item was not moved, and therefore no debate took place.

85 MOTION FROM LABOUR GROUP - COMMUNITY WEALTH BUILDING

This item was not moved, and therefore no debate took place.

86 QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM COUNCILLORS

Councillor Sarah Moore made a statement about disability access in B&NES, a full copy of which is available linked to the online minutes. She made several suggestions regarding parking bays and parking provisions and urged Councillors to look more closely at the small steps that could be taken in their wards to improve independence for all residents. Councillor Dine Romero asked Councillor Moore if she was making this statement in her newly appointed role as Member Advocate for Access, to which Councillor Moore confirmed that she was. Councillor Robin Moss asked Councillor Moore if she considered the Council was doing enough for Blue Badge holders at the moment to which she replied that there was more work that could be done, and she hoped that they could push forward on this as lockdown eased.

Councillor Jess David made a statement about the impact of Covid-19 on women, a full copy of which is available linked to the online minutes. Councillor David addressed the work, caring and wellbeing impact on women and called for a scrutiny review picking up all these issues. Councillor Dine Romero asked if Councillor David’s intention was that this referral should be considered by the Scrutiny Chairs and Vice-Chairs initially, to which Councillor David confirmed that she agreed, and did indeed consider this a cross cutting issue.

Councillor Chris Watt made a statement about the Bath Half Marathon 20/21. He applauded this event which was beneficial on many fronts, not least for the valuable fundraising opportunities it provides for many charities. He acknowledged that every effort needed to be made to ensure the event is staged safely but welcomed the work being done by Council officers committed to finding a date and venue for this to take place.

The Chairman thanked the above Councillors for their statements which would be referred to the relevant Cabinet Members.

The meeting ended at 8.05 pm

Chairman

Date Confirmed and Signed

Prepared by Democratic Services

Bath & North East Somerset Council	
MEETING:	Council
MEETING DATE:	4 th May 2021
TITLE:	Appointment of Committees and Panels and other Annual Business
WARD:	ALL
AN OPEN PUBLIC ITEM	
<p>List of attachments to this report:</p> <p>Appendix 1 – Terms of Reference of Panels, Committees and other bodies in the Council’s Constitution</p> <p>Appendix 2 – Member Advocates – Annual Activity report</p>	

1 THE ISSUE

1.1 This report invites the Council to consider its non-executive and regulatory Committee arrangements for the Council Year May 2021 to May 2022 and associated annual business.

2 RECOMMENDATION

Council is asked to:

- 2.1 Approve the structure for non-executive and regulatory decision making and Policy Development & Scrutiny working (set out in current form in Appendix 1);
- 2.2 Accordingly, appoint those bodies with membership, terms of reference and delegated powers as set out in the Constitution (and with any necessary amendments arising from this meeting);
- 2.3 Approve the allocation of seats on those Committees and Panels (such seats to be filled in accordance with the nominations made by the political groups);
- 2.4 Appoint to chair each committee and panel those Councillors as may from time to time be nominated by the political group to whom the chairmanship of the body is allocated;
- 2.5 Authorise the Monitoring Officer to fill any casual vacancies in membership of all the bodies constituted and vacancy in the office of Chair of such bodies in accordance with the wishes of the political groups;

- 2.6 Determine the bodies on which co-opted and independent members are to have seats, as either voting or non-voting members and appoint such members accordingly (current arrangements are set out in Appendix 1);
- 2.7 Authorise the Monitoring Officer, in consultation with the Chairs of the Policy Development & Scrutiny Panels, to constitute and support any required Panel joint working as outlined in section 5;
- 2.8 Note the arrangements for the conduct of Cabinet business, as set out in section 6;
- 2.9 Note the activity of the Member Advocates, as set out in Appendix 2;
- 2.10 Instruct the Monitoring Officer, in consultation with Group Leaders, to make appointments on non-executive outside bodies and note that the Leader or Cabinet Members will do so for executive outside bodies, where such vacancies arise;
- 2.11 Note the calendar of meeting dates that has been prepared up to May 2022 which is available on the Council's website;
- 2.12 Authorise the Monitoring Officer to make and publicise any amendment to the Council's Constitution required, or take any other necessary action, as a result of decisions taken at this meeting on this and other reports within the agenda, or otherwise as required by law, and in particular to amend references to job titles within the Constitution, as described in section 9.

3 FINANCIAL IMPLICATIONS

- 3.1 None.

4 APPOINTMENT OF COMMITTEES AND PANELS AND THEIR CHAIRS AND MEMBERS

- 4.1 The Council's Constitution sets out the approved non-executive and regulatory decision-making structure and the Council's overview and scrutiny arrangements (known as Policy Development & Scrutiny). The size, terms of reference and delegated powers of those bodies are set out in the Constitution and attached as Appendix 1 to this report.
- 4.2 Political groups have appointed members to the bodies listed in Appendix 1 and as Chairs of the Policy Development and Scrutiny Panels and the regulatory, non-executive committees. Unless otherwise advised by the political groups, these appointments continue for the 4 year term.

5 ARRANGEMENTS CONCERNING OVERVIEW AND SCRUTINY BUSINESS

The trend towards collective scrutiny by West of England Councils and participation in a wider range of scrutiny activity on a regional basis is likely to continue. For this reason, it is proposed that any Panel should be able to participate in informal joint working with other Councils when it is expedient and cost-effective for there to be a collective approach.

6 CABINET WORKING & REPORT OF SPECIAL URGENT DECISIONS

- 6.1 Council is reminded that the arrangements for the discharge of executive (Cabinet) functions are the sole responsibility of the Leader of Council. A change in leadership is addressed elsewhere on this agenda. The newly appointed Leader may address the Council if he so wishes in respect of any implemented or proposed changes to the arrangements.
- 6.2 The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 require any decisions taken by the Cabinet or single Cabinet Member under special urgency provisions in the previous year to be reported to Council (Constitution part 4B, rule 16 refers). This Council has decided that will happen on an annual basis.
- 6.3 There were 4 decisions taken in the previous municipal year;

E3208 RULES 4 and 16 - Covid-19 Business Support Grants: Discretionary Fund

In response to the Coronavirus, COVID-19, the government announced there would be support for small businesses, and businesses in the retail, hospitality and leisure sectors, delivered through the Small Business Grant Fund and the Retail, Leisure and Hospitality Grant Fund. The government has now announced an additional discretionary fund aimed at providing support for some small and micro businesses who were not eligible for the Small Business Grant Fund or the Retail, Leisure and Hospitality Fund.

Decision Maker: Cabinet Member for Resources
Decision published: 22/05/2020

Decision:

The Cabinet Member agreed that,

- the Discretionary Fund scheme as set out in Appendix 1 is approved.
- the proposed grant application and award process and timeline as set out in Appendix 2 is noted, and
- the application of the grant fund is delegated to the Director of Economy & Growth, in consultation with the Cabinet Member for Resources, the CX, the S151 Officer and the Monitoring Officer to ensure the grant is distributed within the £2.143m government funding, with fair distribution across the eligible business groups.

Lead officer: Andy Rothery, John Wilkinson

E3209 RULE 16 - Social distancing, active travel and LTN schemes

Temporary measures to widen pavements, remove traffic from roads, and cycling improvements, will be introduced in parts of the city to help people to socially distance and to encourage a long-term shift in the way people travel around Bath and North East Somerset.

Decision Maker: Cabinet Member for Transport Services, Cabinet Member for Resources, Council Leader

Decision published: 05/06/2020

Decision:

The Cabinet Members decided to:

- 1.1 agree to the principle of the reallocation of road space and access restrictions, both to encourage active travel and to enable social distancing in a form that is appropriate for the location in areas across Bath and North East Somerset;
- 1.2 recognise and agree to the principle of, where strictly necessary, the removal of parking spaces to deliver the schemes;

- 1.3 approve the incorporation of Social Distancing and Active Travel Measures as a new grant funded scheme into the Councils provisional Capital programme.
- 1.4 delegate authority to the relevant Director, in consultation with the Cabinet Members for Transport, the decisions to agree and to proceed with any relevant legal processes to ensure the delivery of the schemes as developed;
- 1.5 support the development and adoption of a reviewable plan setting out the consultation and review processes for all temporary and experimental schemes; and
- 1.6 consider the Equalities Impact Assessment (EqIA)

Lead officer: Chris Major

E3218 RULE 16 Local Outbreak Management Plan

As part of the national response to Covid-19, all Local Authorities are asked to have an agreed Local Outbreak Management Plan in place by the end of June 2020.

Decision Maker: Cabinet

Date of decision: 02/07/2020

RESOLVED (unanimously) that the Cabinet agreed to:

- 2.1 Accept the Covid-19 Local Outbreak Management Plan as a suitable framework plan on which to base further planning of the local response to this pandemic.
- 2.2 Commit the Council to providing local leadership during this period of crisis, working with communities and other stakeholders in order to protect the health, wellbeing and prosperity of people in Bath and North East Somerset.
- 2.3 Commit to the provision of adequate material support for the implementation of this plan, while also taking into account other Council needs and pressures. (This is a commitment in principle: the framework plan does not detail any specific requests, but these will follow and be subject to separate decision making processes).

E3247 RULE 4 and RULE 16 - COVID19 Business Support Grants: Additional Restrictions Grant Policy

The government has announced a further Covid-19 business support funding package to be administered by Local Authorities. The funding is available either at the point the area enters tier 3 local restrictions or on the imposition of national restrictions. National restrictions came into effect on 5th November 2020 triggering the need to implement the business support schemes in all Local Authority areas.

Decision Maker: Cabinet Member for Resources

Decision published: 13/11/2020

Decision:

The Cabinet Member agreed to:

- 1) Approve the Additional Restrictions Grant scheme policy as set out in Appendix 1.
- 2) Delegate the application of the grant fund to the Director of Finance, in consultation with the Cabinet Member for Resources, the CX, and the Monitoring Officer to ensure the grant is distributed within the £3.866m government funding, with fair distribution across the eligible business groups.

Lead officer: Andy Rothery

7 MEMBER ADVOCATES

- 7.1 The Council has appointed a number of Member Advocates to champion the needs of a particular interest;

<https://democracy.bathnes.gov.uk/documents/s65299/Member%20Advocates%20role%20description.pdf>

7.2 The scheme requires a brief annual report to Council about the work the Advocate has done in their role in the preceding year. A summary of these is attached at Appendix 2.

8 APPOINTMENTS ON OUTSIDE BODIES

8.1 Currently, appointments are made by full Council (through delegation to the Monitoring Officer in consultation with Group Leaders) for Council functions, and by the Leader for Cabinet ones.

9 CHANGES TO THE CONSTITUTION

9.1 The references to senior officer posts in various sections of the Constitution need amending to pick up the amended job titles within the senior officer structure.

9.2 Approval is sought to permit the Head of Legal and Democratic Services to make any such changes as required; making reference to the post of Chief Operating Officer & Directors and deleting reference to Corporate Directors, wherever this is required.

10 RISK MANAGEMENT

10.1 No risk assessment related to the issue and recommendations has been undertaken as the Council needs to put in place the arrangements contained in this report.

11 EQUALITIES

11.1 Equalities Impact Assessments have been carried out on the Access to the Democratic process and the Scrutiny function and are available for public inspection.

12 ADVICE SOUGHT AND CONSULTATION

12.1 The Council's Chief Executive, Monitoring Officer (Head of Legal and Democratic Services) and Section 151 Officer (Director - Finance) have had the opportunity to input to this report and have cleared it for publication.

12.2 Group Leaders have been consulted on relevant aspects of this report.

Contact person	Jo Morrison, Democratic Services Manager (ext 4358)
Background papers	The Council's Constitution
Please contact the report author if you need to access this report in an alternative format	

This page is intentionally left blank

TERMS OF REFERENCE

Appendix 1

TERMS OF REFERENCE

1 Avon Pension Fund Committee

Bath and North East Somerset Council, in its role as administering authority, has executive responsibility for the Avon Pension Fund. The Council delegates its responsibility for administering the Fund to the Avon Pension Fund Committee which is the formal decision making body for the Fund.

The Avon Pension Fund is a member of the Brunel Pension Partnership (Brunel). Brunel Pension Partnership Ltd (BPP Ltd) will gradually become responsible for implementing the Fund's Investment Strategy. The Fund's assets will transfer to portfolios offered by Brunel from April 2018 with most of the quoted assets transferring within 3 years. Once Avon's assets are within a Brunel portfolio, the appointment, monitoring and deselection of managers will be the responsibility of BPP Ltd. The Terms of Reference reflects this transition.

Function and Duties

To discharge the responsibilities of Bath and North East Somerset Council in its role as lead authority for the administration of the Avon Pension Fund. These include determination of all Fund specific policies concerning the administration of the Fund, the investment strategy and the investing of Fund monies and the management of the Fund's solvency level. In addition, the Committee is responsible for all financial and regulatory aspects of the Fund. At all times, the Committee must discharge its responsibility in the best interest of the Avon Pension Fund.

The key duties in discharging this role are:

1. Having taken appropriate advice determining the following:
 - a. the investment strategy and strategic asset allocation
 - b. the administration strategy
 - c. the funding strategy.
2. Monitoring the performance of the investment strategy, scheme administration, and external advisors.
3. Ensuring that the investment strategy can be delivered by the portfolios offered by BPP Ltd. If not, agree alternative arrangements. In relation to Brunel Pension Partnership:
 - a. Monitoring the performance of BPP Ltd in delivering investment services to the Fund. Make representations to the Brunel Oversight Board on matters of concern regarding the service provided by BPP Ltd and the performance of its portfolios.
 - b. Monitoring the governance of Brunel Pension Partnership and making recommendations to the Brunel Oversight Board. Terminating the Service Agreement with BPP Ltd.

4. Approving and monitoring compliance of statutory statements and policies required under the Local Government Pension Scheme Regulations.
5. Approving the annual budget and 3 year Service Plan and resource requirements to deliver the work plan.
6. Approving variances to budget within a financial year.
7. Approving the annual budget for the Pension Board subject to the approval of Pension Board's work plan.
8. Commissioning actuarial valuations in accordance with the provisions of the Local Government Pension Scheme Regulations.
9. Making representations to government and responding to consultations as appropriate concerning any proposed changes to the Local Government Pension Scheme.
10. Nominating a representative (and named substitute) from the Committee to represent the Committee on the Oversight Board for Brunel Pension Partnership.

Delegations

In discharging its role the Committee can delegate any of the above or implementation thereof to the Sub-Committee (referred to as the Investment Panel) or Officers. The current delegations are set out below.

Membership of the Committee

Voting members (14)	5 elected members from B&NES (subject to the rules of political proportionality of the Council) 3 independent members 1 elected member nominated from each of Bristol City Council, North Somerset Council and South Gloucestershire Council 1 nominated from the Higher and Further education bodies 1 nominated from the Academy bodies 1 nominated by the trades unions
Non-voting members (3)	1 nominated from the Parish Councils Up to 2 nominated from different Trades Unions

The Council will nominate the Chair and Vice Chair of the Committee. The Vice Chair will be the Chair of Investment Panel.

Meetings

Meetings will be held at least quarterly. Meetings will be held in public, though the public may be excluded from individual items of business in accordance with the usual exemption procedures.

Quorum

The quorum of the Committee shall be 5 voting members who shall include at least 1 member from Bath and North East Somerset Council

Substitution

Named substitutes to the Committee are allowed.

2 Investment Panel

The role of the Avon Pension Fund Committee Investment Panel shall be to consider, in detail matters relating to the investment of the assets within the strategic investment framework and performance of investment managers in achieving the Fund's investment objectives.

The Investment Panel will:

1. Review strategic and emerging opportunities outside the strategic asset allocation and make recommendations to the Committee.
2. Review the performance of the investment and risk management strategies
3. Report matters of strategic importance to the Committee.

And have delegated authority for:

4. Monitoring the transition of assets to the Brunel portfolios and allocate assets to the relevant portfolio offered by Brunel
5. Approve and monitor tactical positions within strategic allocation ranges.
6. Approve allocations to emerging opportunities within the strategic allocations.
7. Approve commitments to Brunel's private market portfolios at each commitment cycle to maintain strategic allocations.
8. For Risk Management strategies, monitor the implementation of the structures, consider strategies for restructuring, and monitor collateral requirements.
9. For assets held outside Brunel:
 - Implement investment management arrangements in line with strategic policy.
 - Monitor investment managers' investment performance and make decision to terminate mandates on performance grounds.
10. Monitor the investment performance of the portfolios managed by BPP Ltd and report to Committee on investment matters with specific reference to strategy delivery.
11. Delegate specific decisions to Officers as appropriate.

Panel Membership

The Panel shall comprise a maximum of 6 voting Members of the Avon Pension Fund Committee, of which 3 shall be Bath and North East Somerset Councillors. The membership shall include the Chairman of the Committee and /or the Vice-Chair and 4 other Members (or 5 if the Chair or Vice-Chairperson is not a member of the Panel).

Note: The appointment of Bath and North East Somerset Councillors to the Panel is subject to the rules of political proportionality of the Council.

Members shall be appointed to the Panel for a term of one year.

The Council will nominate the Chair of the Panel.

Panel Meetings

Though called a “Panel”, it is an ordinary sub-committee of the Committee. Accordingly, meetings must be held in public, though the public may be excluded from individual items of business in accordance with the usual exemption procedures.

The Panel shall meet at least quarterly ahead of the Committee meeting on dates agreed by Members of the Panel.

Panel Quorum

The quorum of the Panel shall comprise 3 Members, who shall include at least one Member who is not a Bath & North East Somerset Councillor.

Panel Substitution

Substitutes for the Panel must be members of Committee or their named Committee substitute.

Panel Minutes

Minutes of Panel meetings (whether or not approved by the Panel) shall appear as an item on the next agenda of the meeting of the Committee that follows a meeting of the Panel.

3 Brunel Oversight Board Representative

Brunel Oversight Board (the Board) is the primary governance body within the Brunel Pension Partnership. Each Fund within the partnership has a representative on the Board and this representative represents the Committee when discharging its duties.

Acting for the administering authorities in their capacity as shareholders in BPP Ltd., the Board has responsibility for ensuring that BPP Ltd delivers the services required to achieve investment pooling across the Brunel Pension Partnership.

Subject to the terms of reference for the Board and the applicable shareholder documentation, the Board’s role is to consider and address relevant matters on behalf of the administering authorities. These include the monitoring and strategic oversight functions necessary to its role, as well as acting as a conduit and focus of shareholder requirements and views.

Consistent with this role, the Board’s duties include reviewing and discussing any matter which it considers appropriate in relation to BPP Ltd including BPP Ltd.’s services, performance, operations, governance, strategy, financing and management.

The main duties of the Board Representative are:

1. To represent the Committee and Shareholder on the Brunel Oversight Board.
2. To ensure that the Committee’s views are communicated to the Board and BPP Ltd.

3. To ensure the Fund's and shareholder's interests are protected within Brunel in line with the legal framework within which Brunel operates.
4. To report back to the Committee and Shareholder all relevant issues discussed by the Board and recommendations to the Brunel Client Group and/or the Shareholders.
5. To seek the consensus view of the Committee for Shareholder and Board matters where necessary.
6. To raise issues with the Board at the request of Committee members, the shareholder representative or Head of Pensions.

4 Brunel Pension Partnership Working Group

This is a group of Committee members whose role is to consider in greater detail any issues arising from Brunel Pension Partnership with Officers, for example Reserve Matters, papers to be discussed at BOB. This will not include routine investment matters which are monitored by the Investment Panel.

This group will consist of:

- a) the BOB Representative,
- b) named BOB substitute
- c) the Chair and/or Vice Chair if not the BOB representative /substitute
- d) an independent committee member.
- e) Head of Pensions
- f) Investments Manager

The Working Group shall be quorate if three members are in attendance, with at least 2 that are not fund officers. The Head of Pensions shall chair the Working Group.

The Working Group shall meet as and when required as determined by the Head of Pensions. Meetings may be via telephone conference.

Key discussions and action points from the Working Group will be recorded and the committee will be updated at the next committee meeting.

The responsibilities of the working group are as follows:

With regard to any matters arising from Brunel Pension Partnership where the Avon Pension Fund have an interest:

- a) to consider each matter that will be brought to the Pension Committee and / or Shareholder representative for decisions in due course
- b) to provide guidance to the Pension Committee and / or Shareholder Representative in relation to each matter when they are being considered
- c) to provide guidance to the BOB representative as required
- d) to make recommendations to the Pension Committee regarding general oversight of the pool, as considered appropriate.

Officer Delegations

In addition to the responsibilities listed in the Council's scheme of delegation, some additional responsibilities for functions specifically related to pension fund activities and the authorisation of transactions have been delegated to officers by the Pension Fund Committee. These are set out in the Fund's Scheme of Delegation and include the following:

1. Implementation and day to day monitoring of the administration, investment and funding strategies and related policies.
2. Implementing investments in emerging opportunities within strategic allocations, either to be managed outside Brunel or instruct allocation to Brunel portfolio.
3. Implementing investment management arrangements in line with the strategic policy as follows:
 - a. For assets managed outside Brunel, this includes the setting of mandate parameters and the appointment of managers, in consultation with the Investment Panel.
 - b. For assets managed within Brunel, deciding and instructing the allocation to each Brunel portfolio.
4. Restructuring the risk management strategies as required where sensitive to market prices or technical in nature, having taken expert advice.
5. Rebalancing the investment assets to target strategic allocations, when deemed prudent to do so, taking account of tactical allocations approved by the Investment Panel.
6. Representing the Fund on the Brunel Client Group to develop Brunel investment strategies and policies which effectively support the interests of the Fund.
7. Commissioning Elective Services from BPP Ltd and issuing instructions as permitted by the Brunel Service Agreement to BPP Ltd.
8. The appointment of specialist advisors to support the Committee and Officers in discharging their functions.
9. Determining policies that support the investment and funding strategies having taken expert advice.
10. In consultation with the Chair of the Committee, the Head of Pensions will approve the draft Statement of Accounts and Annual Report for audit.
11. Authorising expenditure from the Fund in accordance with the annual budget.
12. Admitting new admitted bodies into the Fund subject to them meeting Fund policy.
13. The Section 151 Officer has authority to dismiss investment managers, advisors and 3rd party providers if urgent action is required (does not refer to performance failures but to their inability to fulfil their contractual obligations or a material failing of the company).

14. The Section 151 Officer has authority to suspend policy (in consultation with the Chairs of Committee and Panel) in times of extreme market volatility where protection of capital is paramount
15. Under its wider delegated powers, the Section 151 Officer has delegated authority to effectively manage the liabilities of the Fund including the recovery of debt.
16. Exercising the discretions specified in the Local Government Pension Scheme Regulations in connection with deciding entitlement to pension benefits or the award or distribution thereof.

Approved by Avon Pension Fund Committee 26 June 2020

5 Local Pension Board for Avon Pension Fund

Function and role

The regulations state that the role of the local Pension Board (the “Board”) is to assist the administering authority.

- a) to secure compliance with:
 - i. The LGPS (Amendment) (Governance) Regulations 2014 (the “regulations”)
 - ii. Any other legislation relating to the governance and administration of the Scheme
 - iii. Requirements imposed by the Pensions Regulator in relation to the Scheme; and
- b) to ensure the effective and efficient governance and administration of the Scheme.

The Board has an advisory role in assisting the Administering Authority by making recommendations about compliance, process and governance. The Board does not have a decision making role with regard to strategy or policy nor will it ratify or challenge decisions made by the administering authority. Its role is to have oversight of the governance process for making decisions and agreeing policy and assisting the Avon Pension Fund Committee in improving its governance and administrative arrangements.

The Board will exercise its responsibilities in the following areas:

1. Through monitoring and progress reporting to the Committee including making recommendations on the following activities;
 - a. Implementation of the Pensions Administration Strategy
 - b. Implementation of the Communications policy including the emerging digital strategy.
 - c. Monitoring compliance with the relevant legislation and Codes of Practice as set out by The Pensions Regulator;

- d. Reviewing all new and emerging regulatory issues and themes and identifying material implications for the Fund
2. That governance arrangements and controls are in place to;
 - a. Ensure strategies policies and processes are in place to deliver the objectives of the Avon Pension Fund Committee
 - b. Policies and processes are in place to achieve Employer and Fund compliance with their obligations under the Scheme and regulations
 - c. Monitor the administration performance, including implementation of compliance and improvement projects
 - d. Review Internal and External audit reports and other external inspection reports
 - e. Recommending improvement actions on the above to Pensions Committee where necessary.
3. From time to time the administering authority may consult the Board or ask assistance on specific issues.
4. The Pension Board in undertaking its duties may make recommendations to the Avon Pension Fund Committee aimed at improving the effective governance and administration the scheme

The costs of the Board will be met by the Avon Pension Fund (as set out in the regulations) subject to approval of their annual workplan and budget. This may enable the Board to commission independent advice as appropriate. It is important that the Board maintains its independence from the Avon Pension Fund Committee's decision-making process in order to effectively scrutinise the decision-making process.

Board Membership

There will be up to seven Board members comprising three member representatives, three employer representatives and an Independent Chairperson.

Member representatives can be drawn from the membership and are not restricted to Trades Union representatives. Employer representatives should be representative of the employers within the scheme.

No officer or councillor of the administering authority who is responsible for the discharge of any function under the LGPS regulations can be a member of the Board.

In respect of the Chairperson the term independent means having no current employment, contractual, financial or other material interest in either the Council or any scheme employer in the Avon Pension Fund. The Chairperson can delegate to another Board member if unable to attend a meeting.

The Service Director – One West will represent the Administering Authority as an independent support to the Board and oversee the operation of the Board to ensure it is achieving its terms of reference. They can make recommendations on any changes to Board membership or the terms of reference of the board to Council on an annual basis.

Appointment process

The Avon Pension Fund will facilitate the nominations process for all Board members; the appointment process will be undertaken by the Service Director – One West. The appointment of the Chair will be following an advertised competitive process, which shall be subject to the Board's approval of the successful candidate.

The selection process for employer and employee reps will take into account their capacity to fulfil the role as set out in the Role and Person Specification.

Role of advisors

The Board may appoint professional advisors as appropriate to their work plan. The cost will be met within the budget approved by the administering authority.

Role of officers

Democratic Services will be responsible for providing secretariat services to the Board. The Service Director – One West will ensure appropriate officer support is provided to the Board. Avon Pension Fund officers will be required to provide information to the Board for the Board to fulfil its task.

Frequency of meetings

Meeting frequency will be dictated by the work plan of the Board and formal meetings will be held in public, though the public may be excluded from individual items of business in accordance with the usual exemption procedures.

Voting rights

The objective is to reach consensus on all issues; however, each employer and employee rep has one vote. The Under Regulation 106 (7) of the LGPS Regulations 2013 the Independent Chairperson is explicitly excluded from having the right to vote.

Board Quorum

The quorum of the Board shall comprise three members who shall include at least one member and one employer representative.

Substitutes and Sub-Committees

Substitutes will not be permitted as they would have to be nominated as part of the appointment process. Sub-committees will not be permitted.

Board work plan and Budget

The Board will agree its work plan annually and the budget required to deliver it. As the expenses of the Board are to be met by the Avon Pension Fund the Board's

workplan and budget, having taken advice from the Service Director – One West, will be submitted to the Avon Pension Fund Committee for approval annually. The Board will be required to operate within the approved budget and approved budget purposes. It is envisaged that the Board will review aspects of the pension fund over time rather than react to the regular monitoring cycle of the pension committee.

Access to Board papers

The agenda papers will be circulated in line with normal council democratic processes and minutes of meetings will be recorded and published in the same way.

Term of office

All appointments will be for a four year term with the maximum term of Board membership limited to two terms. All new appointments will be subject to a review of performance after 12 months to assess any additional training requirements.

Code of Conduct

Board members are required to adhere to the Council's Code of Conduct

Declarations of Interest and Conflicts of interest

Board members are required to adhere to the Council's policy for declarations of interests. Members must provide information that the administering authority may reasonably require from time to time.

The Board is required to act within its Terms of Reference. The Board should ensure that in addition to the Council Policy it has its own policy for managing conflicts of interest in line with any further stipulations from the Pensions Regulator and members must abide by this policy.

Removal from Board

A Board member can be removed from the Board in the following circumstances (but not limited to):

- Competency issues;
- Poor attendance record;
- If a member does not undertake training as requested by the administering authority to meet their statutory duties;
- If a member is in breach of Council's Code of Conduct / Declarations policy i.e. If a member has a conflict of interest that cannot be managed in accordance with the Board's conflicts policy;
- If a representative member ceases to represent his constituency e.g. leaves the employer so no longer has the capacity to represent the Fund's employers. If there is an unsatisfactory annual review of individual members

If there is a vote of no confidence in the Chairperson by the Board then the Administering Authority will conduct a process to appoint another Chairperson

The Service Director – One West will consult with the Monitoring Officer to determine the correct process prior to any removal from the Board.

Expenses

The pension fund will meet reasonable meeting expenses, reasonable training expenses relevant to discharging the role and independent advice required to support work agenda (including legal, technical and other professional advice).

Allowances

An annual allowance will be paid to the Independent Chairperson.

Knowledge and understanding

The Board are required to agree and maintain a policy and framework to address the knowledge and understanding requirements, as set out in various legislation and the Pension Regulator's Code of Practice, that apply to its members. The knowledge and understanding requirement applies to each Board member individually rather than to the members as a collective group. The policy and framework will be considered in light of the role of the Board; however, Board members will need to understand the duties and obligations of the administering authority in order to be able to assist it.

Board members will be required to undertake training to ensure they acquire the appropriate level of knowledge and understanding and keep a record of the learning activities of individual members and of the Board as a whole.

Reporting

The Board will publish an annual report to Council outlining the work it has carried out to fulfil its terms of reference including any recommendations on process or governance. This should be available via the Avon Pension Fund website to members and employers.

Direct reporting line if the Board has material concerns – Service Director – One West

The Board minutes will be circulated to administering authority and the Pension committee.

The Board is required to report breaches of law or material (and not actioned) breaches of the Code of Practice to the Pensions Regulator.

Where any breach of duty is committed or alleged to have been committed by the Administering Authority (the Pensions Committee) the Board shall:

1. Discuss the breach or alleged breach that is identified with Pension Committee Chair and the proposed actions to be taken by the Board
2. Enable the Chair of the Committee to review the issue and report back the Board on the breach
3. The Board will determine action and if sufficiently material will report the breach to the Pensions Regulator or the Scheme Advisory Board as set out in the regulations.

Data protection and Freedom of Information

For legal purposes the Board is considered a committee of and part of the administering authority legal entity. Therefore, the Board must comply with the Council's Data Protection and Freedom of Information policies.

6 - Terms of reference - Charitable Trust Board

The purpose of the Charitable Trust Board is to facilitate the management of the charitable Trust for which the Council is the sole trustee; independently, in accordance with their governing documents and in the best interests of the charity.

In respect of the charities listed in Schedule 1 the Charitable Trust Board shall have the following powers delegated to it.

The Role of the Board is to exercise the powers delegated to it for the management of the trust, namely;

- to manage the charity in pursuit of the charitable purposes,
- to manage the finances of the charity and ensure its solvency,
- to ensure the charity acts within the governing documents,
- to ensure the charity deals with their regulatory and public accountability obligations, and
- to identify and manage potential conflicts of interest.

In respect of the charities listed in Schedule 2 the Charitable Trust Board shall investigate the governing documents of each charity and recommend to Council the inclusion of any Charity suitable for incorporation into Schedule 1 and until such time as the Council decides to delegate its functions in respect of such Trust to the Charitable Trust Board it shall advise the Council as trustee on;

- the strategic direction of those Trusts,
- the financial resources needed to operate those Trusts;

The Charitable Trust Board shall, in respect of all Trusts, ensure compliance with the Charity Commission's registration and reporting requirements and periodically consider if Trust's assets could be consolidated and more efficiently /effectively used in conjunction with another Trust. Where appropriate it should consult on consolidation proposals with the Charity Commission and interested parties and make any recommendations for consolidation in its annual report to Council.

Decisions about requests for works to be undertaken, or events to be approved that fall outside of the Charitable Trust Board cycle shall be delegated to the Chair of the Trust Board in consultation with the Lead Officer.

Urgent works required under health and safety legislation shall be delegated to the Lead Officer to action promptly.

The Board will comprise:

- Five councillors
(to include the Cabinet member responsible for Community Services and at least one councillor who is not a member of the controlling group but whose appointment is determined by the controlling group), and

- One independent person with suitable skills, experience or interests to be appointed by the Board from applicants who wish to be considered following advertisement of the role.

The Board will elect a Chair and Vice-Chair. Decisions will be by a majority of the councillors present. Quorum will be three councillors.

The Board shall have the power to create a sub-committee for each charity listed in Schedule 1 to ensure that each charity shall be separately administered. Each sub-committee shall consist of at least 3 councillors and co-opted non-voting members consisting of the ward councillor(s) for the area where any land subject to the Trust is situated and any other non-voting members who may be able to assist it in its work. The Trust Board and each sub-committee shall undertake its duties through meetings as required and will meet at least twice annually.

In any meeting, the affairs of each Trust will be considered separately and in relation to the purpose and governing document of each Trust.

Each sub-committee will report annually to the Trust Board after submitting any annual report to the Charity Commissioners and the Trust Board shall thereafter provide an annual report to Council on the financial standing of each Trust and update the Council on the work undertaken by each Trust in the preceding year

Support for the Board and sub-committees as necessary will be provided through the relevant Council sections. Lead advisors will be identified for each charitable Trust in Schedule 1.

Schedule 1 Charitable Trusts for which the Council is sole trustee	Schedule 2 Charitable Trusts for which the Council is responsible
The Alice Park	Weston Recreation Ground
Free Fields (Rainbow Woods)	4 The Circus
	Firs Field
	Beechen Cliff
	Backstones
	Innox Park
	Post Office Museum

7 Alice Park Trust Sub Committee

The Sub-Committee shall discharge the Council's functions as sole corporate trustee in respect of the Alice Park Trust, the site and its resources in accordance with Trust's objects and the duties it owes pursuant to the Charities legislation.

To report to the Charitable Trust Board on an annual basis each year detailing the work undertaken by the Trust in the preceding year and confirming to the Board that the Trust has complied with the objects of the charity and the Charities Legislation.

Appointed by: The Charitable Trust Board

Membership:

- 3 Councillors from the membership of the Charitable Trust Board (excluding the Cabinet member)
- Ward members(s) for Lambridge as co-opted non-voting members
- 2 non-voting independent members

Quorum: 3 voting members

The Sub-Committee may co-opt other non-voting members as appropriate.

Lead Officer	Head of Parks & Green Spaces
Deputy Officers	Team Leader Parks & Green Spaces Project Manager, Parks.

Decision Making Powers:

1. To discharge the Council's role as Corporate Trustee for the Alice Park Trust, in line with Charities Commission guidance. The objects of the Alice Park Trust are for use as a public park and children's recreation ground.
2. To agree the Trust's annual budget and business plan.
3. To approve the use of any reserves.
4. To agree the Trust's annual accounts.
5. To receive and respond to the audit findings relating to the annual accounts.
6. To receive reports on the effective day to day management and financial performance of the Trust.
7. To allow interested parties to give their view on the performance and direction of the Trust.

8 Corporate Audit Committee

Powers and Duties

The Council has delegated to this Committee its powers and duties relating to the following matters:

The Council delegates to the Corporate Audit Committee the following responsibilities:

1. To approve on behalf of the Council its Annual Accounts, as prepared in accordance with the statutory requirements and guidance.
2. To approve the External Auditors' Audit Plan and to monitor its delivery and effectiveness during the year.
3. To approve the Internal Audit Plan within the budget agreed by the Council and to monitor its delivery and effectiveness (including the implementation of audit recommendations).
4. To consider, prior to signature by the Leader of the Council and Chief Executive, the Annual Governance Statement (including the list of significant issues for action in the ensuing year), as prepared in accordance with the statutory requirements and guidance; and to monitor progress on the significant issues and actions identified in the Statement.
5. To review periodically the Council's risk management arrangements, make recommendations and monitor progress on improvements.
6. To review periodically the Council's key financial governance procedures, i.e. Financial Regulations, Contract Standing Orders, Anti-Fraud & Corruption Policy and to recommend any necessary amendments.
7. To consider the annual Audit & Inspection Letter from the External Auditor and to monitor progress on accepted recommendations.
8. To monitor and promote good corporate governance within the Council and in its dealings with partner bodies and contractors, including review of the Council's Code of Corporate Governance and in any such other ways as the Committee may consider expedient (within the budget agreed by the Council).
9. To consider and make recommendations of any other matters relating to corporate governance which are properly referred to the Committee or which come to its attention.
10. To make an annual report to Council on the work [and findings] of the Committee, including (if necessary) any measures necessary to improve the effectiveness of the Committee.

In all of the above, the Committee will, as appropriate, wish to develop effective liaison with the following:

- A. the Standards Committee of the Council with regard to matters of ethical governance;
- B. the relevant Policy Development and Scrutiny Panel(s) - to complement but not to duplicate the exercise of their legitimate role in checking compliance with Council processes and policies and in reviewing policies and practice;

C. relevant Cabinet Members, in particular the Leader and the Cabinet Member for Resources, whose portfolios include executive functions related to the matters covered by these terms of reference

D. the Council when developing the Council's Code of Corporate Governance

Membership

The membership of the Committee shall be 5 Councillors (3 Liberal Democrat, 1 Conservative, 1 Independent Group) plus one independent voting co-opted Member.

Chairing nomination rights are allocated to the Liberal Democrat Group.

Frequency of Meetings

The Committee will hold 4 meetings each Council year in the months of June/July, September/October, December/January and March/April. Additional meetings may be arranged to deal with the volume of business if required.

9 Employment Committee

To exercise all powers and duties of the Council under section 112 of the Local Government Act, 1972 relating to its role as an employer, except those reserved to the Restructuring Implementation Committee.

To hear staff appeals requiring Member level involvement, under accepted national or Council schemes of conditions of service.

To conduct investigatory hearings requiring Member level involvement under accepted national or Council schemes of conditions of service.

To determine on behalf of the Council its powers and duties as an employer relating to pensions.

The Committee's Span of Responsibility

All matters relating to the role of the Council as an employer except those reserved to the Restructuring Implementation Committee.

All appeals or investigatory hearings requiring Member consideration including those relating to disciplinary, capability, grievance, and redundancy matters for all staff, including teachers.

Membership

The Committee when meeting to consider ordinary business, or as a hearing, will comprise 3 Members in the political proportion - 2 Liberal Democrat Members and 1 Conservative Member, chaired by a Liberal Democrat Member.

10 Bath and North East Somerset Health and Wellbeing Board

[A full review of these is expected during the next 12 months]

1. Statement of purpose

- 1.1 By working together the Board aspires to provide strategic leadership to reduce health inequalities and improve health and wellbeing in Bath and North East Somerset.
- 1.2 To achieve these aims the Board will work collaboratively with partners to join up commissioning and provision across the NHS, social care, public health and other areas related to health and wellbeing (where appropriate).

2 Roles and responsibilities

2.1 The Board will be responsible for:

- developing a strong, place based vision for health and wellbeing
- overseeing the development of local needs assessments, including joint strategic needs assessment (JSNA) and pharmacy needs assessment (PNA)
- leading the development and delivery of the joint health and wellbeing strategy (JHWS)
- considering whether the Clinical Commissioning Groups' (CCG) commissioning plan has given due regard to the JHWS
- ensuring local placed-based health and social care commissioning plans have adequate regard to the JHWS
- The Improved Better Care Fund for B&NES including sign off and ongoing oversight.

2.2 The Board will seek to:

- influence the strategic planning and service delivery of the NHS and Council in B&NES through the promotion of the JSNA, PNA and JHWS
- promote joint working and the use of the NHS Act 2006 flexibilities to increase joint commissioning, pooled and aligned budgets (where appropriate), to support the effective delivery of the JHWS
- work with and influence services including planning, transport, housing, environment, economic development, education and community safety in order to address the wider determinants of health and wellbeing
- work collaboratively across our local partnership framework
- strategically performance manage key activity against the key priorities of the JHWS

2.3 Responsibility for the scrutiny of health and wellbeing will continue to lie with the Council's Policy Development and Scrutiny Panels.

3. Scope

3.1 The Board's scope shall be set out within the Joint Health and Wellbeing Strategy.

3.2 The Health and Wellbeing Board may consider services beyond health and social care enabling the Board to look more broadly at factors affecting the health and wellbeing of the B&NES population.

4. Accountability

4.1 Those stakeholders with statutory responsibilities will retain responsibility for meeting their individual duties and responsibilities.

4.2 The Board is responsible for working with the Children and Young People's Sub Group to deliver strategic commitments and outcomes, in line with the JHWS.

4.3 Accountability for safeguarding lies with the Local Safeguarding Adults Board and Local Safeguarding Children's Board.

4.4 The Safeguarding Children Board, the Safeguarding Adult Board and the Children and Young People's Sub Group will report to the Board on relevant performance outcomes against the JHWS priorities, through a regular performance reporting process.

5. Membership

5.1 Membership of the Board is:

- B&NES Council x 6 (Cabinet Member for Adult Social Care and Health, Cabinet Member for Children's Services, Chief Executive, Strategic Director for People and Communities, Director of Integrated Health and Care Commissioning, Director of Public Health)
- Clinical Commissioning Group x 2 (CCG Clinical Chair, CCG Chief Officer)
- Healthwatch B&NES x 1
- Avon and Somerset Police x 1
- Avon Fire and Rescue x 1
- Housing provider representative x 1
- Higher and further education representative x 3
- Health and social care provider representatives x 4 (acute care, community care, primary care and voluntary, community and social enterprise sector)

- NHS England x 1
- 5.2 The Board will be co-chaired by the Council's Cabinet Member for Adult Social Care and Health and the Chair of the Clinical Commissioning Group. Chairing of each meeting will alternate between the two co-chairs and matters of agenda planning will be considered jointly. Co-chairs will also be able to provide cover and support to each other in the absence of one of them.
- 5.3 In the event of a vote on a substantive matter, the quorum for the meeting will be:
- 3 members of the Council
 - 1 member of the CCG
 - 1 member of Healthwatch B&NES
 - 1 health and social care provider representative
 - 1 member of Avon and Somerset Police, Avon Fire and Rescue, Higher and Further Education representative or Housing representative
- 5.4 Board members may nominate a named substitute from an appropriate member of their organisation or service.

6. *Wider engagement*

- 6.1 By working together the Health and Wellbeing Board will proactively embed good public and patient engagement within the day-to-day business of the Board through adhering to the following principles:
- Taking responsibility for good public engagement
 - Clarity about purpose
 - Harnessing a range of engagement methods
 - Engaging with everyone
 - Committed to cultural change
 - Providing access to information
 - In partnership
 - Feeding back engagement results
 - With Healthwatch B&NES
 - Evaluating engagement
- 6.2 The Board will seek to engage all stakeholders (including key health and social care providers) on the JHWS and commissioning plans.

6.2 The Council's policy development and scrutiny function offers an opportunity for broader engagement on key issues.

6.3 It is intended that one representative of each Political Group on the council, not currently represented on the board, be invited to formal Board meetings in an observer capacity.

7. *Business management*

7.1 The Board is a statutory committee of the Council and will be treated as if it were a committee appointed by the Council under section 102 of the Local Government Act 1972.

7.2 The Board will act in accordance with the Council's committee procedures.

7.3 Formal Board meetings shall be held in public. The Board may resolve to hold closed sessions in accordance with the Access to Information rules.

7.4 The Board will develop a work programme framed by the JHWS which will guide its work.

7.5 The Board will meet at least 5 times per year.

7.6 The Board may establish sub-groups to lead on issues such as children and young people, JSNA, joint commissioning and health inequalities.

11 Licensing Committee

Status of the Committee

The Licensing Committee is a statutory committee of the Council appointed to perform the discharge of the local authority's licensing functions, except the approval of licensing policies, the setting up of a Committee and the resolution not to issue casino licences.

Licensing policies shall be the responsibility of the Cabinet Member with responsibility for Community Services except where there is a statutory requirement for Full Council to determine policies.

The setting up of a Licensing Committee shall be the responsibility of Full Council.

Membership of the Committee

The Committee shall comprise 11 elected members of the authority in the political group proportion (6 Lib Dem: 3 Con: 1 Ind: 1 Lab), or such other proportion agreed by the Council from time to time.

The Committee shall be chaired by a nominee of the Liberal Democrat Group.

The Head of Legal and Democratic Services and Monitoring Officer shall be authorised, by the Council, to fill vacancies on this Committee in accordance with the nominations of the relevant political group which holds the nomination rights to the vacancy.

The Council's objectives on Licensing

In exercising its functions the Committee must have regard to the statutory licensing objectives under the Licensing Act 2003, i.e.

- the prevention of crime and disorder;
- public safety;
- the prevention of public nuisance; and
- the protection of children from harm.

In addition, the Committee will have regard to the statutory licensing objectives under the Gambling Act 2005, i.e.

- preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;
- ensuring that gambling is conducted in a fair and open way, and
- protecting children and other vulnerable persons from being harmed or exploited by gambling.

In addition, the Committee will, where applicable, have regard to –

- (a) the Council's Statement of Licensing Policy, published under section 5 of the Licensing Act 2003;
- (b) the Council's Statement of Principles published under section 349 of the Gambling Act 2005;
- (c) any other policy determined by Council or Cabinet;
- (d) any Codes of Practice and Guidance issued from time to time by the Secretary of State;
- (e) the Council's Corporate Plan and improvement priorities insofar as these do not conflict with statutory requirements which take precedence.

The Committee will also have regard to the Council's Core Strategy three principles:-

- Preparing for the Future
- Delivering for Local Residents
- Focusing on Prevention

Powers and Duties of the Committee

1. At the request of the Council, to review the Council's licensing policies at any time within the statutory period under the Licensing Act 2003 and Gambling Act 2005 and to make recommendations to the Council for change, after the prescribed consultation has been completed.
2. To carry out all of the Council's licensing functions as covered in the Licensing Act 2003 and the Gambling Act 2005, excluding the making of licensing policies, the setting up of a Licensing Committee and the resolution not to issue casino licences (these being functions of the Council).
3. To determine individual licence applications which fall outside Officer delegations, or which are referred by Officers for Member attention, in relation to the issue and renewal of all registrations, licences, permits, consents etc. in relation to the enactments listed below and all such other enactments as may fall within the remit of the Committee:

Animal Boarding Establishments Act 1963
Animal Welfare Act 2006
Breeding of Dogs Act 1973
Breeding of Dogs Act 1991
Caravan Sites and Control of Development Act 1960
Charities Act 2006
Dangerous Wild Animals Act 1976
Environmental Protection Act 1990
Fireworks Act 2003
Food Act 1984
Food Safety Act 1990
Gambling Act 2005
Game Act 1831
Guard Dogs Act 1975
Highways Act 1980 Part VIIA
House to House Collections Act 1939
Hypnotism Act 1952
Licensing Act 2003
Local Government (Miscellaneous Provisions) Act 1976
Mobile Homes Act 2013
Local Government (Miscellaneous Provisions) Act 1982
Performing Animals (Regulation) Act 1925
Pet Animals Act 1951
Pet Animals 1951 (Amendment) Act 1983

Petroleum (Regulation) Acts 1928 & 1936
Poisons Act 1972
Police Factories, etc. (Miscellaneous Provisions) Act 1916
Public Health (Control of Disease) Act 1984
Public Health Acts Amendment Act 1907
Riding Establishments Act 1964
Riding Establishments Act 1970
Scrap Metal Dealers Act 2013
Theatres Act 1968
Town Police Clauses Act 1847
Town Police Clauses Act 1889
Transport Act 1981
Vehicles (Crime) Act 2001
Violent Crime Reduction Act 2006
Zoo Licensing Act 1981

4. To determine appeals against decisions made by the Proper Officer under the Marriages and Civil Partnerships (Approved Premises) Regulations 2005.

5. To establish one or more Sub-Committees and, subject to statutorily prescribed exceptions, to delegate any of its functions to such Sub Committee(s).
6. Subject to statutorily prescribed exceptions, to delegate any of its functions to an Officer of the authority

How the Committee will operate, including Substitution and Delegated Powers

The Committee will meet in full to consider any matters on which it is asked or required to submit a recommendation to the Council.

Substitutions will be permitted at meetings of the Licensing Committee from among other members of the Council, in accordance with non-Executive Committee Procedure Rule 11, as set out in the Constitution.

The Committee has delegated to the Sub-Committee and Officers the power to determine applications in the circumstances set out in the tables below.

The Committee has appointed a Sub-Committee to act as a hearing Panel as follows:

- Licensing (Regulatory) Sub-Committee [3 Members – 2 Lib Dem, 1 Conservative] – this Sub-Committee hears and determines all licence applications, not delegated to officers, listed in the Powers and Duties of the Committee section above.

(Chairing nomination rights for the Sub-Committee are allocated to the Liberal Democrat Group).

Substitutes for the Sub Committee will be drawn from the membership of the Licensing Committee. Any member of the Licensing Committee substituting at Sub-Committee meetings will do so in accordance with the wishes of the political group arranging the substitution.

[The Licensing Committee delegation scheme can be viewed in Part 3 of the Constitution.]

12 PARISH LIAISON

1. Purpose

1.1. Parish Liaison is a partnership meeting between Bath & North East Somerset Council and the parishes within its district to facilitate the way in which they work together to serve the people of Bath and North East Somerset.

1.2. The Parish Charter is the framework within which the Parish Liaison meetings operate and support the implementation of the Charter's key principles of:

- Respecting and valuing each other
- Strengthening relationships

- Providing practical support
- Making the best of our skills and resources

1.3. The Parish Liaison meeting does not have any decision-making powers but can advise and make representations to Bath & North East Somerset Council.

2. Membership

2.1. Membership of the Parish Liaison meeting is limited to elected representatives of Bath & North east Somerset Council and representatives of the parishes within the district.

2.2. Bath & North east Somerset Council will appoint representatives to the Parish Liaison meetings in such numbers as it decides.

2.3. The parishes will each be entitled to send their nominated representative (usually the Chair of the Council) and their Clerk to the meetings. Additional parish representatives may attend subject to notification to Democratic Services prior to the meeting and the subsequent approval of the Chair of the meeting.

2.4. The Avon Local Councils Association for Bath and North East Somerset will be entitled to send representation to the meetings in their own right.

2.5. Officers of Bath & North East Somerset Council will attend meetings as necessary to advise and assist discussion.

3. Meetings

3.1. There will normally be three meetings per year, held in open session.

3.2. Meetings will usually be held in the evening for no longer than three hours.

3.3. There is an option for one of these meetings to be 'conference style' for networking and to provide training; updates; briefing and presentations on good practice from parishes. Where appropriate these will also be provided at other meetings in the cycle.

3.4. The meetings will be chaired by an agreed, elected representative of Bath & North East Somerset Council. The meeting Chair shall act independently and work on behalf of the Parish Liaison meeting for the wider benefit.

3.5. The Parish Liaison meeting is not a statutory meeting of the Council.

3.6. The general public may attend Parish Liaison meetings as observers but have no automatic right to speak or make statements. The Chair may exercise his/her discretion if a member of the public has given notice prior to the meeting date that they wish to raise an item of general interest and relevance to the membership.

3.7. Agendas and papers for meetings will be circulated a minimum of seven calendar days before a meeting. A record of each meeting will be taken.

4. Conduct at Meetings

4.1. The Parish Liaison meeting recognises that the Council and parishes have a common purpose to promote the wellbeing of Bath and North East Somerset; and serve the same residents. While the meeting relies on open discussions there is a need to respect and value each other's views and opinions.

4.2. Attendees will:

- Engage positively in discussions
- Working together on finding solutions
- Sharing good practice
- Help strengthen relationships

4.3. All those attending Parish Liaison meetings shall be accorded the same degree of respect, dignity and consideration by all other attendees, irrespective of people's protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation and with regard to equalities legislation.

5. Agenda Setting

5.1. Parish Liaison will convene a sub-group for the purpose of setting the agendas for Parish Liaison as well as monitoring the Parish Charter. The sub-group will consist of representatives from the Council, parishes and Avon Local Councils' Association for Bath and North East Somerset.

5.2. Agenda items of relevance for discussion at Parish Liaison meetings will be those:

- That are strategic or legislative issues
- That have direct impact on all, or a significant number of parishes
- That support an effective working partnership between tiers of local government
- That relate to the Parish Charter
- Where a collective view from parishes would be helpful

5.3. Items that are not relevant for Parish Liaison will be those:

- That relate to a single, or small number of parishes, other than important items raised by a single parish or a small number of parishes that are agreed by the Parish Liaison agenda setting group which will be included on the agenda
- For which other, effective channels of communication exist
- That are day to day operational issues

- That need to be addressed immediately

5.4. The agenda items will take account of other local Forums' interests in discussions on topics and will avoid duplication where possible. Further information on protocols can be found in the Parish Toolkit.

5.5. The infrequency of Parish Liaison meetings means that it is not a practical forum through which to engage in routine enquire and those that require immediate action.

6. Review

6.1. The Terms of Reference will be reviewed annually, and any agreed changes will be ratified at the Annual General Meetings of Bath & North East Somerset Council and Avon Local Councils' Association for Bath and North East Somerset, usually held in May.

Definition of terms

For the purposes of these Terms of Reference, the term 'parishes' relates to Town, Parish and Village Councils and Parish meetings.

13 PLANNING COMMITTEE

Functions

1. The Committee will exercise all the Council's powers and duties in respect of planning. The Committee is also granted delegated authority to exercise the Council's powers and duties in respect of public rights of way and commons registration to the extent set out below. All of the Committee's decisions are subject to the applicable schemes of delegation in the Constitution, depending on the specific decision being taken. In addition, decisions of the Committee on planning matters are subject to provisions of Section 8 below. With regard to planning decisions, the Committee will act in accordance with the planning policy framework for B&NES which includes National Planning Policy Guidance and the National Planning Policy Framework.
2. The Committee is granted delegated authority to establish working practices and protocols for operation on a District-wide basis.
3. The Committee is granted delegated authority to exercise all the Council's powers and duties in respect of:
 - (1) Modification Orders, Reclassification Orders and Public Path Orders where the matters are contentious.
 - (2) Commons Registration (including Town and Village Greens) where the matters are contentious.

***Note 1** – *The Assistant Director Highways and Transport and Team Manager - Highway Maintenance and Drainage have been delegated general as well as specific responsibility in respect of these functions.*

***Note 2** – *For these purposes, ‘contentious’ is defined as an application which receives more than 12 objections or an application which has received an objection from either the affected parish/town council or one of the affected ward members.*

In exercising the above powers and duties, the Committee may also:

- a. *establish such sub committees and working parties as are considered helpful in exercising the above functions.*
- b. *delegate any of its functions to a sub-committee and to delegate any of its non-policy making functions to Officers (see delegation scheme).*
4. To monitor service delivery and service trends and to make recommendations.
5. To be a body of influence across its geographical area of responsibility and with the community in its area.
6. To engage in consultation with the community and specifically with other bodies which have an interest in the span of responsibility of this Committee.
7. To participate with others in joint initiatives on planning.

Limitation on delegation

8. The exercise of this delegated authority is subject to the Director with overall responsibility for planning, or the Head of Planning (or any of the other Managers specifically listed in the Planning Scheme of Delegation when standing in for the Head of Planning) being authorised, in exceptional circumstances, to refer any decision or determination of the Planning Committee which is clearly contrary to law or locally or nationally adopted planning policy and against officer advice, to a subsequent meeting of the Planning Committee. When such a decision or determination is referred, it shall be of no effect until the Committee has fully reconsidered the matter in the light of all the information originally before the Committee plus such additional information and advice as the Director or the Head of Planning (as the case may be) considers necessary. Further to such reconsideration, the Committee shall be entitled to make such decision or determination as it sees fit.

Frequency

Monthly

Membership

10 Members in the political proportion– 6 Liberal Democrat, 2 Conservative, 1 Independent Member and 1 Labour Member; chaired by a Liberal Democrat Member.

14 POLICY DEVELOPMENT AND SCRUTINY PANELS

Role of Overview and Scrutiny¹ Panels

Overview and Scrutiny is the name in legislation given to the system of checks and balances implemented by the rest of the Councillors as they monitor the activity of the Cabinet and also assist them in developing policy. In Bath & North East Somerset Council, it is known as Policy Development and Scrutiny and is a key part of local government allowing citizens to have a greater say in Council matters by holding public inquiries into matters of local concern.

The main decision making powers in Bath & North East Somerset Council lie with Councillors who sit on the Cabinet, intended to create clear leadership and accountability for service delivery. By contrast, Policy Development and Scrutiny is intended to review the work of the Cabinet and to enhance the performance of services. It is also designed to provide a forum through which policy review and development can be extensively examined before consideration and decision by the Cabinet and/or Full Council.

The proceedings of all overview and scrutiny bodies will be conducted in accordance with the Overview and Scrutiny Procedure Rules set out in this Constitution.

Policy Development and Scrutiny has two key roles:

Overview

- To assist the Council and the Cabinet in the development of new policy.
- To assist the Cabinet by giving comments on issues identified as "key decisions" prior to a decision being made.
- To assist the Cabinet by giving comments on service and budget plans at their draft stage and assisting in the development of its budget and policy framework.

Scrutiny

- Scrutinise performance management information to ensure that the Council is performing to agreed targets and to agreed action plans.
- Determine "call-ins" of decisions made but not yet implemented by the Cabinet.
- Scrutinise particular "key decisions" and other aspects of Cabinet activity to ensure compliance with agreed Council policies and plans.
- Evaluate the impact of Council and or Cabinet decisions and policies.

Within their allocated remits, each Panel has a broad-based responsibility for Policy Development and Scrutiny in its particular area of responsibility, including:-

¹ Overview and Scrutiny is the legal and generic term for the function carried out by Policy Development and Scrutiny Panels

- carrying-out of in-depth reviews, as set out in their Policy Development and Scrutiny Work Plan
- reviewing and/or scrutinising decisions made or actions taken in connection with the discharge of any of the Council's functions
- make recommendations to the Cabinet arising from the outcome of the scrutiny process
- undertaking scrutiny of particular Key Decisions and other aspects of Cabinet activity, including evaluating the impact of Council and Cabinet decisions and policies
- offering overview advice and reports of policy development issues
- dealing with any relevant Councillor Call for Action
- carries out its roles within the Council's petition scheme
- may send communications and reports directly to other Policy Development and Scrutiny Panels, Cabinet and Council, and provide them to any member of the Council, subject to provisions regarding confidential and exempt information;
- may invite persons to be co-opted non-voting members (excepting those statutory co-optees with voting rights);
- may invite participants to give evidence, either verbally or in writing, on any issue contained within their Policy Development and Scrutiny Work Plan, giving a minimum of two weeks notice unless mutually agreed otherwise
- may require officers of the Council and members of the Cabinet to attend to give evidence, subject to the provisions of the Policy Development and Scrutiny Procedural Rules
- may form discretionary joint bodies with other Councils for the purpose of enabling joint scrutiny of bodies/activities beyond the remit of Bath and North East Somerset, without delegation of any responsibilities or powers.
- conduct research, community and other consultation in the analysis of policy issues and development of possible options for the future, and implement mechanisms to encourage and enhance community participation in the development of policy options;
- liaise with other external organisations to ensure that the interests of local people are enhanced by collaborative working;

Meeting Frequency: Panels will determine their own frequency relevant to the requirements of the Overview and Scrutiny Work Plan, and within resources allocated to them.

Panel Remits

CORPORATE

Panel remit is –

- Democratic & Legal Services including Registration and Electoral Services
- Corporate Finance
- Procurement & Commissioning
- Pensions & Financial Administration
- Management Accounts
- Human Resources & Organisation Development
- Strategy, Engagement & Marketing Including Equalities
- Business Support, Programmes & Performance
- Digital & Customer Services
- Commercial Including Audit & Assurance²
- Property Investment including Estates
- Construction Maintenance & FM

Membership: 9 Members (6 LD, 2 Con, 1 Ind)

[Chair is nominee of the Conservative group. Vice Chair is nominee of the LD group.]

CLIMATE EMERGENCY & SUSTAINABILITY

- *Delegated Flood Risk Management Panel*

Panel remit is –

- Tackling Climate Emergency³
- Natural Environment & Green Infrastructure
- Planning Policy, including Conservation and Enforcement
- Building Control & Public Protection including Health & Environment
- Housing, including, Strategy, Enabling & Development, Standards & Improvement and Homelessness Policy
- Heritage, Including Tourism, and Arts
- Growth & Enterprise including Regeneration, Employment & Skills, Business Growth, Bath Enterprise Area
- WECA
- Transport & Parking
- Highways & Traffic
- Neighbourhoods including Environmental Services
- Development & Management

Membership: 9 Members (6 LD, 1 Con, 1 Ind, 1 Lab)

² While it is appropriate for scrutiny to pay due regard to the authority's financial position, this will need to happen in the context of the formal audit role which is undertaken by the Council's Corporate Audit Committee

³ Whilst this Panel will have primary responsibility for climate change issues, tackling the climate emergency will need consideration by all Panels.

[Chair is nominee of the Independent group. Vice Chair is nominee of the LD group.]

CHILDREN, ADULTS, HEALTH & WELLBEING

- *Delegated Committee for the statutory health scrutiny function under the Health & Social Care Act 2012*
- *Delegated Crime & Disorder Panel*
- *Delegated Curriculum Complaints Panel*

Panel remit is –

- Health Scrutiny including Healthwatch and Community Safety
- Public Health
- Integrated Commissioning including, Mental Health & Substances, Children, Better Care Fund, Learning disability, Transformation
- Safeguarding Outcomes
- Care Outcomes including Corporate Parenting
- Inclusion (SEND)
- Prevention (CYP)
- Safeguarding Children & Young People
- Safeguarding of Adults & Quality Assurance including Data Protection & Complaints
- Service Development
- Health, Safety & Wellbeing
- Education Transformation including virtual schools, school improvement and Music

Membership: 9 Members (6 LD, 2 Con, 1 Lab)

[Chair is nominee of the Conservative group. Vice Chair is nominee of the LD group.]

In addition to General Terms of Reference

Further to the **Police and Justice Act 2006** (and associated regulations), the designated Crime and Disorder Panel in relation to responsible authorities (or co-operating bodies or persons) may

- a. review the decisions and performance at least once per year;
- b. with reasonable notice, require the attendance of an officer or employee to answer questions, and more recently to include the new Police and Crime Commissioner
- c. require a response in writing to reports and recommendations of the Panel within 28 days, or as soon as reasonably possible

Further to the **Local Government and Public Involvement in Health Act 2007** (and associated regulations), the designated Health Scrutiny Committee may

- a. receive referrals from the Local Healthwatch and acknowledge receipt,
- b. decide which if any of its powers are exercisable in relation to the matter and whether to exercise them (either by Council or by the delegated

Committee), and

- c. keep the referrer informed of the Committee's actions and decisions in relation to the matter.

Health Scrutiny - The Health and Social Care Act 2012 requires local authorities with social services responsibilities to have in place arrangements to scrutinise health services. This function is bestowed on the local authority's Full Council but can be delegated however the Full Council sees fit. In Bath & North East Somerset Council, the function is delegated to the Health & Wellbeing Panel. Councillors on the Health & Wellbeing Panel therefore have a role, as representatives of the public, to hold to account local Health organisations when they are making big decisions about the future of health care provision in Bath & North East Somerset.

Provisions of the Health Scrutiny Regulations

- The council's overview and scrutiny body can scrutinise any NHS Commissioning Board, Clinical Commissioning Group or NHS body that provides services for people in the council's area.
- Local NHS bodies must provide any information the council reasonably requires (excluding information about individuals), and NHS staff can be required to attend and provide information.
- Scrutiny reports can be made to the council and to NHS bodies. If requested, the NHS body must respond within 28 days.
- NHS bodies must consult the designated health scrutiny function of the council about proposals for substantial development or variation of NHS services in the area. The designated health scrutiny function can refer a matter to the Secretary of State for Health, if the local authority is not satisfied of the merits for change or if it considers there has been inadequate consultation on the proposals.
- Councils can set up joint health scrutiny committees with one or more other councils. Councils can delegate aspects of this role to another council's overview and scrutiny body. Joint Health Scrutiny Committees also have the power to directly refer a matter to the Secretary of State for Health.
- County councils can co-opt neighbouring authority council members onto their scrutiny committees dealing with health scrutiny, either for an indefinite time or for a particular project.
- Following any health overview & scrutiny topic undertaken, the Committee will make a report with recommendations to NHS bodies and B&NES Council. Such reports will also be copied to key stakeholders including local MPs, Healthwatch, Clinical Commissioning Groups and/or the NHS Commissioning Board.

JOINT HEALTH SCRUTINY FUNCTION

Working across Local Authority Boundaries

Some health issues will be specific to the B&NES area whilst others (e.g. performance of large hospitals or regional health services with a wide catchment area) will extend beyond the B&NES local authority boundaries. Protocols for a Joint Health Scrutiny Committee for cross-boundary overview and scrutiny of health issues and institutions have been established with the other Councils in the former Avon area (as agreed at Council November 2003). In such cases, B&NES will adopt the following approach:

Membership

The membership of each Joint Health Scrutiny Committee should be made up of not more than 3 Councillors from each Council participating in the review(s) being undertaken by that Committee.

The three B&NES Councillors participating in the Joint Health Scrutiny will be agreed by and appointed from the Committee designated as the Health & Wellbeing Panel, as and when it is agreed to participate in a Joint Health Scrutiny Committee.

Terms of Reference

- 1) Where more than one local authority is consulted by a local NHS body in respect of any proposal that it has under consideration for the substantial development of the health service or the substantial variation of such service, to review and scrutinise such proposal jointly.
- 2) Where more than one local authority has an interest in the planning, provision and operation of health services which cross-geographical boundaries, to review and scrutinise any such matters jointly.
- 3) To require the local NHS body to provide information about the proposal under consideration and where appropriate to require the attendance of a representative of the NHS body to answer such questions in connection with the consultation.
- 4) To prepare a report to the health body and the participating local authorities, setting out any comments and recommendations on any matter reviewed or scrutinised.
- 5) To report to the Secretary of State in writing where it is not satisfied that consultation on any proposal referred to in paragraph (1) has been adequate in relation to the content or time allowed.
- 6) To report to the Secretary of State in writing in any case where it considers that the proposal would not be in the interests of the health service in the area of the joint committees participating local authorities.

Health Services located within B&NES *E.g. Royal United Hospital (RUH), Bath.*

B&NES Council will take the lead on any health overview & scrutiny activities based in its area and invite participation from neighbouring authorities that have an interest. Neighbouring authorities may provide a Member of their council for co-opted membership.

Health Services located elsewhere but used by B&NES residents *E.g. Bristol Royal Infirmary (BRI)*

B&NES Council would expect that a 'host' local authority would take the lead on a major issue within its area. In such cases, B&NES could seek to have representative(s) from the health overview and scrutiny Committee co-opted (on a reciprocal agreement, as above) to the host authority's own Health Overview & Scrutiny arrangements so that it may contribute and represent B&NES residents on the specific topic.

A Member of the B&NES Health & Wellbeing Panel attend such joint meetings, as are relevant, and report back to the rest of the health & wellbeing Panel.

15 Re-Structuring Implementation Committee

The Committee's Span of Responsibility

To determine all necessary arrangements for implementing the indicative senior management structure.

To decide on numbers of 1st and 2nd Tier officers and the span of work responsibility allocations for those officers.

To determine appointments to or dismissal from the posts of Director and other JNC Officers reporting to the Chief Executive, or Head of Paid Service, subject to there being no objection to the appointment / dismissal being lodged by the Leader of the Council.

To recommend to the Council the appointment or dismissal of the Head of Paid Service, the Monitoring Officer and the Chief Financial Officer.

All severance and flexible retirement cases (excluding compulsory redundancy) that are in excess of £100,000 on total costs including redundancy, pay in lieu of notice, holiday pay, pension costs are required to go to the Restructuring Implementation Committee for approval. This is for all employees, not just Chief Officers.

Compulsory redundancy cases where the total cost is in excess of £100,000 do not require approval from the RIC, but a note will be shared with the RIC at the next available meeting for information, or communicated directly to RIC Members if no meeting is scheduled.

Membership

The Committee shall comprise one Member from each political group (by convention, this is the Group Leaders).

16 Education (School Appeals) Panels

Function

To hear and to determine appeals under the School Standards and Framework Act 1998, School Admissions (Appeal Arrangements) (England) regulations 2012, School Admissions Code 2012, Education Act 2002 as amended by Education Act 2011, School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012 and Education and Inspections Act 2006 relating to school admission, exclusion and reinstatement matters as applicable, within the general framework contained in the Code of Practice on Procedure produced by the local authority associations.

Membership

No fixed membership - panels are constituted from independent persons in accordance with the provisions of the above legislation and Code of Practice. Councillors are not eligible to serve.

Timetable

Meetings fixed as and when necessary.

17 Standards Committee

Terms of reference

- (a) Promote and maintain high standards of conduct by Councillors; Parish Councillors; co-opted members and church and parent governor representatives
- (b) Oversee the effectiveness of the Council's Constitutional arrangements from an ethical perspective and make recommendations to the Council on any desirable or necessary changes
- (c) Recommend to the Council Codes of Conduct and Practice or Protocols for members and/or employees of the Council, including planning issues and Arrangements for dealing with complaints
- (d) Monitor and review such Codes and Protocols and the Register of Members interests
- (e) Consider and determine any allegations of misconduct against Members of the Council in accordance with the Codes and the Arrangements for dealing with complaints against councillors

- (f) Grant dispensations to Councillors; Parish Councillors; co-opted members and church and parent governor representatives relating to disclosable pecuniary interests as set out in the Localism Act 2011.
- (g) Consider i) any application for exemption from political restrictions in respect of a post, by the holder of that post, and ii) any application from any person for a direction requiring a post to be included in the list of politically restricted posts.
- (h) Consider any reports from the Council's Monitoring Officer regarding illegality, unlawfulness or maladministration and any report of the Local Government Ombudsman.
- (i) Consider and determine the Council's response to any internal or District Audit regulatory recommendations referred to the Committee by the Monitoring Officer.
- (j) Make representations to the Government, Local Government Association and other external bodies on matters relating to the general principles of conduct for members and employees of the Council;
- (k) Make arrangements for training to Councillors; Parish Councillors; co-opted members and employees in connection with any matter within the terms of reference of the Committee.
- (l) Liaise with the District Auditor and the Local Government Ombudsman in connection with any matter within the committee's terms of reference;
- (m) Recommend to the Council from time to time as necessary the appointment of Independent Members to the Committee following open advertisement, short listing and interview.

Membership of the Standards Committee

- 5 x elected members (voting) –
- 3 x independent members - one of whom will chair the Committee (non-voting).
- 3 x Parish representatives (non-voting)
- The Independent Person and Deputy Independent Person will be invited to attend the meeting and provide relevant comment.

Quorum

For ordinary business, the quorum is 3 members, plus one independent member. When considering parish matters, the quorum shall include at least one parish representative.

For considering individual cases, the quorum shall be 5 members, including at least one independent member, and if a parish matter, at least one parish representative.

No more than one Cabinet Member may be appointed to the Committee. The Leader of the Council may not be a member of the Committee. In no circumstances may a Cabinet member chair a meeting of the Standards Committee.

WEST OF ENGLAND COMBINED AUTHORITY ARRANGEMENTS

18 WECA Overview And Scrutiny Committee

Terms of Reference of the West of England Combined Authority Overview and Scrutiny Committee are available on the WECA website;

<https://westofengland-ca.moderngov.co.uk/mgCommitteeDetails.aspx?ID=143>

19 WECA Audit Committee

Terms of Reference of the West of England Combined Authority Audit Committee are available on the WECA website;

<https://westofengland-ca.moderngov.co.uk/mgCommitteeDetails.aspx?ID=144>

This page is intentionally left blank

MEMBER ADVOCATES – ANNUAL ACTIVITY REPORT 2020-21

Councillor Sue Craig – Member Advocate for Great Spas of Europe

This project remains on hold while we wait for a decision from UNESCO regarding the 44th World Heritage Committee 2020 which was postponed due to the pandemic.

We are currently expecting the meeting to take place in June/July 2021 and the Chinese Government feel that they can offer a safe venue for it to take place.

Until this is confirmed, the timetable for potential inscription as a World Heritage Site remains unclear.

In the meantime, the project team is using the time to look at options for creating a legal entity to provide a mechanism of addressing tax issues, brand registration, etc – all made slightly more complex by the UK now being the only “3rd country” amongst the other EU member states.

We are also taking the opportunity to upgrade the website and put some plans in place for celebrations and marketing later in the year, should our bid be successful.

<https://greatspasofeurope.org/>

Councillor Jess David – Member Advocate for Biodiversity

- Attended various events, including West of England Nature Partnership Conference, speaking for B&NES on local government’s role in accelerating nature recovery.
- Monthly meetings with officers on green infrastructure and ecological emergency.
- Responded to Local Plan partial update consultation on revising policies on ecology and new policy on biodiversity net gain.

Councillor Alan Hale – Member Advocate for Road Safety

The advocacy has not been overly busy though I have been consulted by two or three non-Keynsham South residents about matters that had clearly come to me for no other obvious reason than they were aware of my role. Basic advice was given but they were also referred to their ward councillor as they were enquiring about circumstances that a ward councillor is best suited to continue with and should be aware of.

I have been contacted by an action group seeking to have Charlton Road (rural section – Saltford ward) improved from a safety point of view. I was able to offer advice but also to lower their expectations to a reasonable level and rationalise some of the collision data that they had obtained from the council.

I have given advice to Cllr Alastair Singleton regarding potential measures regarding the improvement of the safety of the junction of Charlton Road at the junction with Redlynch Lane, on the edge of Keynsham but within Saltford Ward.

In the same way I stand available to give similar help and advice to other councillors and to undertake site visits. For those who do not know my pedigree, for 20 of my 31 years as a police officer I was an advanced driver and motorcyclist on Road Motor Patrol plus time on the police driving school as an advanced class 1 instructor. After retirement from the police service my last employment was as Senior Road Safety Officer for South Gloucestershire Council for twelve years, during which time I was chair of the West of England Road Safety Partnership for a number of years. I continue to be an Academy Member of Road Safety GB and I am also a driving examiner for IAM Road Smart (previously the Institute of Advanced Motorists).

Councillor Yuktेशwar Kumar – Member Advocate for BAME issues

The Race Panel was established in October last year and several enthusiastic and learned members from cross sections of the society have joined the panel. The panel has met almost every month since then. The panel is also planning to invite some scholars who work on race & gender issues to speak at appropriate fora. The members of the panel are extremely active and share various informative articles and events among the group which is then cascaded further. The panel's remit includes:

- Educational inequalities
- Employment inequalities
- Financial inclusion and poverty
- Hate crime and preventing discrimination
- Health and wellbeing inequality

The Panel will strengthen the voice of people from different race and ethnic backgrounds in shaping and influencing policy development, decisions, and delivery within our county and beyond.

Councillor Ruth Malloy – Member Advocate for Twinning

This year has been challenging for twinning activities. The pandemic has prevented many events, visits and exchanges from taking place. However, many of the twinning associations have held online (Zoom) meetings and invited their counterparts in the twin cities to join them, which has been a great way to keep in touch and strengthen our friendships.

Councillor Paul Myers – Member Advocate for Community & Public Buildings

Our community and public buildings are vital assets for local people across Bath & North East Somerset, providing a place to come together and have individual or shared experiences, and as a base for projects of all kinds such as the famous 'Room of Requirement' in Harry Potter.

Ordinarily, being Advocate for Community and Public Buildings involves a combination of giving advice, routing enquiries, getting expert support and inputting on all aspects of Council policy on the subject.

However, the pandemic over the last 12 months has seen many of these buildings play a key role while at the same time face an unprecedented threat to their viability. Most of these organisations

survive on extremely small and tight budgets, are reliant on volunteers and, therefore, unless they have been hired for pandemic operations, they have been forced to close and face a catastrophic loss of income. I have encouraged many to apply for the grants available and signposted committees on where to find COVID-19 guidance.

Looking to the future, we need to support our Community and Public Buildings sector and the teams that run them in order to help them survive and continue to provide valuable spaces at the heart of our community.

Councillor Alastair Singleton – Member Advocate for Renewable Energy

Proposed motion which facilitated B&NES to support the Local Electricity Bill; maintain link to national campaign. Liaise with community energy groups; contribute to communications approach to residents and Parish Councils. Meet and explore ideas with energy providers, academics, entrepreneurs and activists. Work with/support Cabinet Lead and Sustainability Team.

Councillor Shaun Stephenson-McGall – Member Advocate for Engagement with students

I've been working with the Leader of the Council, and Officers to review and refresh the Student Community Partnership and the periodic formal Agreement with the aim to increase the engagement by Cabinet Members and senior officers with the Partnership and thus students and their elected leaders in the city.

Councillor Chris Watt - Member Advocate for Looked After Children

These past 12 months have posed enormous challenges for the Council. The authority has been on the frontline leading the response to the COVID-19 pandemic in the community. Nowhere has this work been more vital than in the realms of looked after children.

The pandemic has, for sure, had some detrimental effects on the wellbeing of children in B&NES. Being isolated from friends and having to learn from home have been significant challenges for young people and their parents.

For the authority's looked after children, these challenges have been no less acute. It can often be the case that school provides significant stability to a looked after child. The challenges of accessing both foster and biological families in different homes under lock down and stay at home orders has added complexity.

Throughout the pandemic, the Council has worked hard to ensure that our looked after children have suffered the minimum disruption to their stability. This has not been straight forward, and I would like to place on record mine and other elected members appreciation for the lengths our support teams have gone to during the pandemic to maintain contact with and stability for our looked after children.

This year, the Council has closely reviewed the needs of children and young people in care, and I, as Member Advocate, have every confidence that the service will continue to offer the best it possibly can for some of our community's most vulnerable young people.

Councillor Ryan Wills – Member Advocate for Rural Communities

I have been looking at rural communities largely focusing on connectivity issues. I have attended events held by the Rural Services Network including their annual conference as well as seminars on specific topics. I have taken the ideas from these as well as research of other authorities' work on rural issues and discussed with the Leader of Council and other Cabinet members as to take matters forward. I plan to push for more action on these matters in the year ahead.

Bath & North East Somerset Council		
MEETING	Council	
MEETING DATE:	4 May 2021	
TITLE:	Contingency Options for Decision Making Post 7 May 2021	
WARD:	All	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		
Appendix A Recommended contingency arrangements for holding Council meetings		

1 THE ISSUE

1.1 A report to consider arrangements for decision making post 7 May 2021.

2 RECOMMENDATION

The Council is asked to;

- 2.1 Subject to a High Court Declaration as to lawfulness, hold all meetings of the Council, Cabinet and its Committees virtually after 6 May 2021 until further review by Council.
- 2.2 Authorise the extension of use of the Councils Virtual Procedure Meetings Rules (VPMR) to all virtual meetings held after the 6 May 2021 until further review by Council.
- 2.3 Contingent upon any high court declaration that virtual meetings are not formal meetings of councillors determine to hold Council, Cabinet & all Committee meetings (including scrutiny) in accordance with Appendix A.
- 2.4 Authorise the Monitoring Officer to make all necessary amendments to the Constitution to effect the arrangements to hold all meetings either virtually or otherwise in accordance with any High Court declaration or Appendix A.

- 2.5 To agree that these measures will automatically terminate on the coming into force of any regulations which permit remote attendance at meetings of the Council.
- 2.6 To agree that all members unable to attend a council meeting for a period greater than six months receive a dispensation further to section 85(1) of the Local Government Act 1972 to 7 November 2021.

3 THE REPORT

- 3.1 On the 7 May 2021 the power for the Councils to hold meetings virtually in accordance with the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panels Meetings) (England and Wales) Regulations 2020 (the 'Regulations') will end. The Councils Virtual Procedure Meetings Rules cease to operate following the repeal of the Regulations unless extended by Council.
- 3.2 Whilst it is hoped that the ability of the Council to hold remote meetings will be clarified by the High Court before the 7 May 2021, this report details possible arrangements to enable Council decision making to continue as far as possible throughout any period when remote meetings may not constitute formal meetings of councillors.
- 3.3 The matter is due to be heard by the High Court on the 21 April 2021. It is hoped that judgement will be issued swiftly following the conclusion of proceedings, as the court will be fully aware of the importance of this decision to local government decision making. The LLG & ADSO are confident that there are strong legal arguments to enable the court to conclude that virtual meetings can constitute lawful meetings under existing local government legislation. Nevertheless, councils are advised to make contingency arrangements.
- 3.4 This report details in Appendix A the recommended options to enable Council Cabinet and Committees to operate as effectively as possible whilst minimising risk of transmission of the Covid Virus and in compliance with social distancing restrictions and the Council's Health & Safety duties to its councillors and staff acting upon the advice of the Director of Public Health.

4 STATUTORY CONSIDERATIONS

- 4.1 Following the repeal of the Regulations remote meetings may not constitute formal meetings of councillors unless the High Court declaration determines that they are. In the event the high court declaration does not determine that remote meetings are formal meetings of councillors it is necessary to make contingency arrangements to hold formal meetings of councillors in person in order to enable Council decision making to continue.
- 4.2 Section 85(1) of the Local Government Act 1972 states that all councillors must attend a committee meeting of the council within a six month period unless the failure was due to a reason approved by the local authority.
- 4.3 Council is asked to resolve that special dispensation is granted to all members for any non-attendance at meetings of the Council until 7 November 2021. The dispensation will be automatically removed on the coming into force of regulations which permit remote attendance at Council meetings.

5 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

5.1 Arrangements to be implemented in accordance with the advice of the Director of Public Health and associated costs are to be funded from the government's Contain Outbreak Management Fund Grant.

6 RISK MANAGEMENT

6.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance and Covid risk assessments.

7 EQUALITIES

7.1 None

8 CLIMATE CHANGE

8.1 None

9 OTHER OPTIONS CONSIDERED

9.1 Failure to implement contingency arrangements to ensure effective decision making will result in the Chief Executive exercising emergency decision making powers which is likely to be viewed as undermining democratic accountability.

10 CONSULTATION

10.1 Group Leaders, Chief executive, S.151 Officer & Monitoring Officer

Contact person	Michael Hewitt, Interim Monitoring Officer Michael_Hewitt@bathnes.gov.uk
Background papers	None
Please contact the report author if you need to access this report in an alternative format	

Executive (Cabinet) decision making

The Leader has authority to make any executive decision and may delegate to Cabinet, individual Cabinet Members or officers as the Leader considers necessary for the proper management of council business.

While the Leader is able to amend the delegations within the Leader's Scheme of Delegation, the Council's Financial Regulations and Procurement Standing Orders provide that some decisions need to be made collectively by Cabinet.

To provide for ongoing decision making it is proposed that Council agrees to amend the Financial Regulations and other rules so that any reference to Cabinet requires either a formal Cabinet meeting* or the Leader or nominated Cabinet Member individually making a decision.

Any individual decision will be made as a formal decision of a Cabinet Member with full public notice and the right to scrutinise. All key executive decisions (unless under General exception or Special urgency rules (Constitution Part 4B Rules 15 & 16 respectively)) will be subject to call in procedures.

Non-executive (Council & Committees, sub committees) decision making

Council has responsibility for non-executive decision making and has delegated some functions to committees and officers e.g. Planning and Licensing Committees

To the extent that delegations of functions do not exist the political groups on the council would come together, through Group Leaders, (virtually) to agree a "pairing off" system to distribute any decision-making requirements amongst members (leaving out the most vulnerable elderly with medical conditions), whilst maintaining political balance on Council/Committees and the minimum quorum level.

Those members who do agree to attend could then be spread out in the room to ensure the required social distancing level and to ensure the health and safety of Councillors and staff is maintained.

The Council /Committees* will hold informal meetings virtually on the day prior to the physical meeting taking place. The indicative meeting will be held in accordance with the VPMR to permit public participation in meetings. Following the informal meeting a physical meeting of that body held with the minimum number of members present to form a quorum while also maintaining political proportionality requirements.

Subject to technical feasibility the public will be able to remotely access both the indicative and physical meetings in order to minimise the need for attendance. However, members of the public have the right to attend local authority meetings unless the council or committee in question resolves that it will exclude members of the public. A local authority can only exclude members of the public for one of a number of specific reasons, set out in statute: there is no general power for councillors to choose to sit in private.

* Cabinet & smaller committees may be able to meet physically if all members agree, health & safety and room considerations permit.

Quorum & Proportionality Requirements

Council

15 plus 4 reserves (one from each group) in the event of no shows.

Proportionality:

9 LD

3 Con

2 Ind

1 Lab

Committees

3 plus 1 reserve in the event of no show

Room capacities** based on 2 metre social distances	
MEETING ROOM	CAPACITY
Council Chamber	14
Banqueting room	18
Brunswick room	10
Kaposvar room	7
Aix room	7 (without 2 metre perimeter)

Room capacities** based on 1 metre plus social distances	
MEETING ROOM	CAPACITY
Council Chamber	24
Banqueting room	21 (with screens, * cost £5-6k)
Brunswick room	16 as Boardroom, 13 as Horseshoe
Kaposvar room	12 as Boardroom, 7 as Horseshoe
Aix room	10 as Boardroom, 9 as Horseshoe

****Note room capacities are subject to any updated guidance on social distancing & Health & Safety advice at the time.**

This page is intentionally left blank

Bath & North East Somerset Council		
MEETING	Council	
MEETING	04 May 2021	
TITLE:	Report of the Independent Remuneration Panel on Members' Allowances	
WARD:	All	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		
Appendix 1 Report of the Independent Remuneration Panel on Members' Allowances		
Appendix 2 Proposed response to queries raised by the IRP		

1 THE ISSUE

- 1.1 To consider the report of the Independent Remuneration Panel on Members' Allowances.

2 RECOMMENDATION

The Council is asked to

- 2.1 Note the report of the Independent Remuneration Panel (IRP) on Members' Allowances and determine which recommendations to implement and from what date.
- 2.2 Consider the proposed responses to the Appendix to the IRP report (Appendix 2) and authorise the Monitoring Officer to respond to the IRP's queries with any necessary amendments.
- 2.3 Formally thank the Panel for their work.

3 THE REPORT

- 3.1 The Independent Remuneration Panel has submitted its report on its review of the allowances which it recommends be paid to councillors by the Council from the current financial year.
- 3.2 The report recommends retaining all allowances at present levels save for the following proposed changes:
- 3.3 The basic allowance is to be increased by £958 from £7993 to £8951 in 2021/22. There is also a proposed stepped increase to bring the allowance up to £11,555 by 2025/26. The increase to be staged by £750 each year for the years 2021/22 to 2024/25 and £354 in 2025/26 (Recommendation 1)
- 3.4 Introduce a new allowance for the role of Vice Chair of Planning of £3,578 for 2021/22 (Recommendation 7).
- 3.5 Political Group Leaders to receive a basic governance allowance and a differential allowance to recognise group size (Recommendation 12).
- 3.6 Remove the Additional Group Allowance of £100 per member and incorporate this into the budget for member support (Recommendation 13).
- 3.7 Travel and subsistence to have an additional entry for the approved list for attending parish council meetings (Recommendation 16).
- 3.8 The Dependents Carers Allowance should permit claims subject to a maximum of the real living wage, currently £9.50 per hour, instead of the current differential rates (Recommendation 17).
- 3.9 All allowances to be index linked to the headline percentage increase agreed by the National Joint Council as the pay award for staff on the national pay scale (green book) (Recommendation 18).
- 3.10 Backdate the changes to the level of allowances to take effect from the 1 April 2021 (Summary of Recommendations).
- 3.11 The IRP also recommends that it reviews the members allowance scheme on a regular basis with at least an annual Health Check (Recommendation 19).
- 3.12 The IRP propose to review at an early opportunity the
- Special Responsibility Allowance bandings to reduce the number of different bands to make the scheme clear and transparent.
 - agenda management arrangements for the Policy Development and Scrutiny panels to review their effectiveness in delivering scrutiny.
 - effectiveness of the changes to the Dependents Carers Allowance.
- 3.13 The panel seeks responses to the advisory observations at Appendix A and items i to iv of Recommendation 20.
- 3.14 During consideration of the IRP report by Group Leaders it was identified that the Foster Panel Allowance in the current scheme had not been evaluated by the IRP as a result of this review. The IRP have confirmed to the Monitoring Officer that this should be included in the report as an additional

recommendation and should continue to be paid at the current rate until the banding review, detailed in para 3.12, has concluded. There are no financial implications for the Council in respect of this additional recommendation because this allowance is paid by the fostering body.

4 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 4.1 The Local Authorities (Members Allowances) (England) Regulations 2003 constitute the legal framework for councillors' allowances. The Council must establish an Independent Panel to advise on these and the Council is required to have regard to the advice and recommendations of the Panel when it decides on the allowances that councillors are paid.
- 4.2 The Council's existing Scheme of Allowances remains in force until it is amended by any changes approved at this meeting following consideration of the Panel's report.
- 4.3 The approved 2021/22 budget is sufficient to fund the recommended proposals. Existing budgets for the basic allowance and special responsibility allowances will be realigned accordingly. Additional inflationary budget growth will be required in future years as the cost increase from 2022/23 onwards is over and above current assumptions built into the Medium-Term Financial Strategy. This will be taken into account in the 2022/23 budget planning cycle.

5 RISK MANAGEMENT

- 5.1 A risk assessment was not required.

6 EQUALITIES

- 6.1 Elected representatives should be remunerated fairly for the duties that they undertake and in doing so this should encourage a more diverse and broader spectrum of the community to enter public life.

7 CLIMATE CHANGE

- 7.1 No direct impact.

8 OTHER OPTIONS CONSIDERED

- 8.1 None

9 CONSULTATION

- 9.1 The Independent remuneration Panel has consulted members and considered comparator authorities members allowance schemes in making its recommendations.
- 9.2 The Cabinet member for Resources, Group leaders, Monitoring officer, Chief Executive, Chief Financial Officer have been consulted.

Contact person	Michael Hewitt, Acting Monitoring Officer tel: 01225 395125
-----------------------	---

	Michael_Hewitt@bathnes.gov.uk
Background papers	None.
Please contact the report author if you need to access this report in an alternative format	

**BATH AND NORTH EAST
SOMERSET: REVIEW OF
MEMBERS'
ALLOWANCES**

**Independent
Remuneration Panel**

Ronnie Alexander
Graham Russell
Wendy Stephenson

DATE: March 2021

**BATH AND NORTH EAST SOMERSET COUNCIL: INDEPENDENT
REMUNERATION PANEL**

REPORT ON MEMBERS' ALLOWANCES

SUMMARY OF RECOMMENDATIONS

The Panel is recommending that all the changes to the level of allowances for the year 2021/22 as set out below should take effect from 1st April 2021 (so backdated from the Council meeting if after that date).

RECOMMENDATION 1: The Basic Allowance should:

- i. Be set at £8,951 in 2021/22;
- ii. Subsume the homeworking allowance;
- iii. Be Index linked as set out below in Recommendation 18;
- iv. In addition to increases due to index linking set out at iii above, be subject to additional annual increases of £750 per annum applied in 2022/23; 2023/24 and 2024/25 and then a final uplift of £354 in 2025/26.

RECOMMENDATION 2: Special Responsibility allowances:

- i. Should be limited to no more than 50% of Members;
- ii. The present practice of permitting a member to receive 50% of a second SRA in relation to a role for which such an allowance is payable, be continued;
- iii. The Council is asked to note the intention of the Panel to review the current banding of allowances at an early opportunity;
- iv. The Council is invited to respond to the Advisory Comments relating to SRAs as set out in the Report;
- v. The inflationary uprating in Recommendation 18 should apply to all SRAs.

RECOMMENDATION 3: The Council Leader's allowance should remain at £32,445 for 2021/22 subject to any inflationary uplift in line with Recommendation 18.

RECOMMENDATION 4: The Deputy Leader's allowance should remain at £19,484 for 2021/22 subject to any inflationary uplift in line with Recommendation 18.

RECOMMENDATION 5: The Cabinet Members' allowance should remain at £19,484 for 2021/22 subject to any inflationary uplift in line with Recommendation 18.

RECOMMENDATION 6: The Chair of the Planning Committee allowance should remain at £14,314 for 2021/22 subject to any inflationary uplift in line with Recommendation 18.

RECOMMENDATION 7: The Vice Chair of Planning Committee should receive an allowance of £3,578 for 2021/22 subject to any inflationary uplift in line with Recommendation 18.

RECOMMENDATION 8:

- i. The Policy Development and Scrutiny Panel Chair's allowance should remain at £7,952 for 2021/22 subject to any inflationary uplift in line with recommendation 18;
- ii. The Panel looks forward to reviewing the impact of changes reported to them at an early stage but also invites the Council to consider their advisory comments on overview and scrutiny (as set out at the end of the Report and in recommendation 20).

RECOMMENDATION 9: Chair of Licensing Sub Committee's allowance should remain at £5,052 for 2021/22 subject to any inflationary uplift in line with Recommendation 18.

RECOMMENDATION 10: Chair of Avon Pension Fund Committee should remain at £5,052 for 2021/22 subject to any inflationary uplift in line with Recommendation 18.

RECOMMENDATION 11: Committee member Avon Pension Fund Committee should remain at £3,817 for 2021/22 subject to any inflationary uplift in line with Recommendation 18.

RECOMMENDATION 12: Political Group Leaders should receive:

- All opposition Leaders should receive 0.25 of the Basic Allowance as a 'governance element', £2,238
- In addition, Political Group Leaders (including the Council Leader) should receive an allowance based on the size of their Group:
 - For Groups of more than 75% of the council membership 1x Basic Allowance, £8,951;
 - For Groups of 50%-75% of the council membership 0.75x Basic Allowance, £6,713;
 - For Groups of 25% - 50% of the council membership 0.25 of the Basic Allowance, £4,476.
 - For Groups of 8%- 25% of the council membership 0.25 of the Basic Allowance, £2,238.
 - For Groups of up to 7% of the council membership £0

RECOMMENDATION 13: Group Allowances should no longer form part of the Members' Allowances scheme but if required the budget should be transferred to Democratic Services budget head for members' support.

RECOMMENDATION 14: The Chair of the Council:

- i. The Allowance should remain at £9,543 for 2021/22 subject to any inflationary uplift in line with Recommendation 18.
- ii. The Panel invites the Council to consider their advisory comments on the future level of commitment required of the Chair (as set out at the end of the Report and in Recommendation 20).

RECOMMENDATION 15: The Vice Chair of Council Allowance should remain at £2,418 for 2021/22 subject to any inflationary uplift in line with Recommendation 18.

RECOMMENDATION 16: Travel and Subsistence:

- i. Should continue to be paid on the current basis as supported by the list of Approved duties;
- ii. The current Approved Duty list should be amended to include attending a parish council when there is an issue of relevance to the work of the Council which is of interest to a Councillor within their ward or of interest and relevance to a Portfolio holder within Bath and North East Somerset Council area.

RECOMMENDATION 17: Dependant Carers' Allowances:

- i. Details should be clarified and promoted (particularly to those considering standing for election);
- ii. The current provisions of the Scheme in relation to dependant carers' allowance (including the list of approved duties to which it applies) should remain unchanged;
- iii. The maximum allowed to be claimed for any care support should be the Real Living Wage, currently £9.50ph. This figure should be updated annually based on changes to the Real Living Wage. This allowance can be claimed per person per hour for whom care needs to be provided;
- iv. The effectiveness of the scheme and level of financial support would be subject to early review by the Panel.

RECOMMENDATION 18: The Basic Allowance and all SRAs should be updated annually on the basis of any headline percentage increase agreed by the National Joint Council (NJC) for Local Government as the pay award for staff on the national pay scale (Green Book).

RECOMMENDATION 19: The Independent Remuneration Panel be supported to review the Members' Allowances scheme on a regular basis with at least an annual 'health check'.

RECOMMENDATION 20: To note the Panel's advisory observations at Appendix A and respond to these in due course. In particular, the Council is invited to comment on:

- i. The policy of allowing 1.5 SRAs to be claimed by an individual Member;**
- ii. The observations about the Policy Development and Scrutiny Panels and in particular indicate to this Panel what arrangements formally exist for the leadership, direction and management of this statutory function at Member level;**
- iii. The observations on the role of Chair and in particular to advise the Panel about the future level of commitment required of the Chair over and above chairing Council meetings; and**
- iv. Measures for supporting Councillor development and performance management of Councillors, particularly those in receipt of an SRA.**

Introduction

1. The Local Government Act 2000 requires local authorities to make a Scheme of Allowances over which they can exercise local discretion as to the amounts being paid. Under the Local Government (Members Allowances) (England) Regulations, 2003, Councils have to set up an Independent Remuneration Panel to make recommendations on Councillors' allowances. Bath and North East Somerset appointed the following Panel in 2020:

Ronnie Alexander

Ronnie Alexander left Welsh Government in 2013 to pursue a variety of other interests, including consultancy. He is a member of the Welsh Parliament Remuneration Board and is Independent Chair of the Standards Committee for Blaenau Gwent County Borough Council. Ronnie had a civil service career spanning over 20 years and prior to that worked for a number of local authorities. He has a considerable track record of engaging with the public, professionals and politicians at all levels, to influence policy. He is also a member of the Bristol City Council IRP.

Graham Russell

Graham Russell is a former Head of Democratic Services with Bath and North East Somerset Council. He has written some regional guidance for Independent Remuneration Panels and officers. Graham has served on a number of similar Panels around the South West. He is currently a marriage celebrant in Bath and North East Somerset Council. He is also a member of the Bristol City Council, Chair of the West of England Combined Authority IRP and is the Chair of Stroud District Council IRP.

Wendy Stephenson

From 2005 to 2017 Wendy was Chief Executive of Voscur, the support and development organisation for Bristol's voluntary and community sector. In this role Wendy gained a good knowledge of the workings of the local authority and the roles and responsibilities of Councillors. Wendy has participated in Bristol City Council assessment Panels during the recruitment of senior officers, and worked with Councillors and officers in a number of different policy areas. She is also Chair of the Bristol City Council IRP.

2. At their first meeting on 3rd February 2020 the Panel elected Ronnie Alexander as the Chair. The Panel was supported by Bryony Houlden, Chief Executive of South West Councils as an independent adviser. The Panel was grateful to the Bath and North East Somerset officer team for their support. The Panel particularly wished to thank Jo Morrison, Michaela Gay and Mark Durnford.
3. The Panel held their second meeting on 16th March 2020 and initially planned to undertake and complete the Review in time for the Council meeting in May 2020. As a result of the pandemic the Review was put on hold and then restarted with virtual meetings in the Autumn. The Panel takes its responsibilities very seriously and have held 6 virtual meetings (8th October/15th January/5 February/22 February/3rd and 12th March) in addition to holding interviews with Members on 9th November and 7th December.
4. As part of their research the Panel circulated a survey to all the Members. The Panel was grateful to all 50 Members who completed the survey, this was an extremely high response rate, and provided considerable information of use to the

Panel in forming their recommendations. In addition, it was also very helpful to be able to interview the Leader, the Group Leaders, the job share Cabinet Members and a number of other Councillors in order to explore issues in more depth.

5. The Panel has made a number of recommendations that will increase the overall net spend on Members' allowances by £36,817 if all the allowances were taken by Councillors [based on current dual roles undertaken by Group Leaders this additional cost reduces to £27,747 if recommendation 2 ii providing for Members to only accept 50% of a second allowance is accepted]. This increase is attributable to the increase in the Basic Allowance for all Councillors. Whilst the Panel was mindful of the ongoing financial pressures affecting public sector bodies, it also strongly felt that elected representatives should be remunerated fairly for the work that they were undertaking and that in doing so this might encourage a more diverse and broader spectrum of the community to enter public life. The Current Basic Allowance has fallen far below comparator Councils and the increase in 2020/21 only goes a small way to address this issue. The recommendation takes a stepped approach to achieving what the Panel regards as an appropriate level.

Background

6. The current Allowances and Expenses Scheme is based on a Panel report from 2017. That Panel was stood down and the new Panel appointed in 2020.

General Principles of Review

7. The Panel has based its review on a number of core principles as follows:
 - Recognising the core values of Bath & North East Somerset Council both as a service provider/commissioner and as an employer;
 - Making recommendations that are supported by evidence offered in the review and which would withstand robust scrutiny;
 - Making recommendations that provide fair recompense for councillors in all their roles and do not of themselves create barriers to standing or returning as a councillor;
 - Recognising the contribution the Council can make to fair and effective working in Member roles through the way it structures its meetings and through such initiatives as job sharing;
 - Making recommendations on SRAs that clearly distinguish those Member roles that qualify for such allowances from those that are adequately recognised through an appropriate Basic Allowance;
 - Maintaining the principle of not having more than 50% of Councillors receiving a SRA.

Context

8. Whilst the Panel does not have a requirement upon it to develop an Allowance Scheme explicitly looking to shape the composition of the Council the Panel was mindful of the importance of Councillors reflecting the community they served. This

was a point made in interviews. As background information, the Panel therefore looked at the latest National Census of Local Authority Councillors carried out in 2018.

9. The Census asked Councillors about; their work as Councillors; their views on a range of issues; and their personal background.

NATIONAL CENSUS FINDINGS

Work as a Councillor

- On average, councillors had served for 9.2 years in their current authority; 47 per cent had served for up to 5 years while 11 per cent had done so for more than 20 years;
- 54 per cent of councillors held a position of responsibility, most commonly membership of the cabinet/executive
- Councillors spent, on average, 22 hours per week on council business, the largest chunk of which was on council meetings (8 hours);
- 39 per cent of councillors were also members of another public body;

Issues and views of Councillors

- 85 per cent of councillors became councillors in order to serve their community;
- 60 per cent thought that representing local residents was among the most important role of councillors, and 51 per cent thought the same of supporting local communities;
- 34 per cent of councillors thought they were very effective in their role, and 57 per cent fairly effective;
- 85 per cent would recommend the role of councillor to others;
- 68 per cent intended to stand for re-election

Personal background of Councillors

- 45 per cent of councillors were retired and 26 per cent were in full- or part-time employment;
- 64 per cent of councillors held other voluntary or unpaid positions, such as school governorships;
- 68 per cent of councillors held a degree or equivalent qualification; only 3 per cent did not hold any qualification;
- 63 per cent of councillors were male, and 36 per cent female;
- The average age of councillors in 2018 was 59 years; 15 per cent were aged under-45 and 43 per cent were aged 65 or over;
- 96 per cent described their ethnic background as white;
- 88 per cent described their sexual orientation as heterosexual or straight;
- 16 per cent had a long-term health problem or disability which limited their daily activities;
- 36 per cent of councillors had a responsibility as a carer, most commonly looking after a child.

10. Within Bath and NE Somerset, the Councillor cohort is currently 34% female and 66% male; 97% White and 3% BAME. The Council does not collect age data but the majority of Councillors are believed to be between 50 and 70. The latest census had the Bath population as 95% white; male/female population as 48.9/51.1. Aged between 18-45 37.3%; 45-64 25.5% and 17.9% over 65.

11. In terms of setting the context for the review, the Panel noted that austerity meant severe ongoing budget challenges for Bath and North East Somerset. The financial position has been challenging through the pandemic as the Council has been required to additionally support its communities and business as it has also seen income sources seriously affected.
12. The pandemic impacts go very much wider than just financial, and the Panel has been impressed by the work of both Councillors and Officers as they have stepped up to deliver in extremely challenging circumstances. It is not clear how the changes in working arrangements adopted during the pandemic might change the way the Council works and this is something the Panel will wish to consider as part of any future reviews.

Methodology

13. As noted above, key information was provided by Councillors through both a survey and a series of interviews. There were some councillors whom the Panel wished to interview because of their positions of influence or the particular member role they carried out. Equally, the Panel was happy to receive evidence from councillors who had indicated a willingness to come and talk to the Panel on general or specific matters. In all cases, the Panel was extremely grateful for the time that councillors have been able to devote to helping the Panel in this way.
14. In addition, the Panel reviewed benchmarking information from Unitary authorities that they considered formed an appropriate comparator group: Bristol, Swindon, Bournemouth, Christchurch and Poole, Plymouth and the City of York.
15. The panel also received background briefings on the work of the Council and information about structures, Councillor role descriptions and approved duties information.

Basic Allowance

16. The Basic Allowance is the allowance that every Councillor in Bath and North East Somerset is entitled to claim and includes recognition of the time and effort involved in performing ward duties. The present level of Basic Allowance is £7,993.
17. The Basic Allowance is not intended to totally compensate for all the hours spent by Councillors on Council related duties. Indeed, the Government anticipates that Independent Remuneration Panels will apply a discount to the assessed total hours spent to reflect what they see as the voluntary element of a Councillor's role. The Panel noted that the % reduction applied by Panels varies considerably with some authorities applying a 50% reduction and others, such as the neighbouring Bristol City 20%. A mid-range reduction of 33% or 30% was used by several authorities. The Panel concluded that 30% was appropriate as a public service discount for Bath and North East Somerset.
18. In considering changes to the Basic Allowance the Panel considered several pieces of evidence as set out below. The Panel regarded it as important context to record that being a Councillor is not a salaried position. Whilst it is still technically a voluntary role for which certain allowances and expenses are payable, Councillors and the Council are subject to rigorous public scrutiny. They are held to account for policies and services covering all aspects of community and family life. The public

has high, and possibly unrealistic, expectations of what a Councillor should do and possibly little or no recognition of how the role might impact on career or family life. All of this requires a robust and realistic level of support for councillors both in terms of remuneration and administration.

19. The Survey provided evidence that the Basic Allowance was currently seen as insufficient to reflect the work required of each Councillor. 62% of respondents said 'No' the allowance was not sufficient. Comments as to why the level was not appropriate included;
 - reference to the failure to reflect the amount of work involved;
 - the failure to compensate for lost earnings;
 - insufficient to attract a range of members including new and younger members making the Council unrepresentative of the local population.
20. Of a different view were the 36% who answered 'Yes' to the question. However, a number of these added comments that the allowance was fine for them as they had other incomes (normally a pension) but they recognised it would be more difficult for others to undertake the role at this level of remuneration.
21. The benchmarking information showed an average basic allowance from the benchmark group set out above (excluding Bath and NE Somerset) of £11,342 (median £10,371). All the five other councils in the benchmarking group have a higher Basic Allowance. The highest paying authority was Bristol City at £14,330, BCP Council (Bournemouth, Christchurch and Poole) was second at £12,500; Plymouth is £10,788, York £10,371 and the lowest Swindon at £8,723.
22. The Panel noted that Members receive an additional "Homeworking Allowance" of £208. [Note: The homeworking allowance is the term used by HMRC and replaces the incidental costs previously received. It covers expenses associated with homeworking such as heating charges etc]. Members were asked in the survey for their views on this allowance. 68% of responders felt this was an appropriate allowance although many felt it didn't cover the full costs of homeworking (the survey was completed pre-Covid). A number said they had responded 'yes' to it being needed because the Basic Allowance was inadequate and did not sufficiently cover costs. Adding this sum to the Basic Allowance means Councillors each receive £8,201 - still below the figure paid in each of the benchmarking councils.
23. The Panel considered all the evidence and concluded that the current Basic Allowance for Bath and North East Somerset was low and that it did not meet the guiding principles that the Panel had set, notably to ensure the Basic Allowance provided fair recompense and did not act as a barrier for engagement. The Panel believes that all Councillors have an important role to play in supporting their communities and shaping the future of the area and the remuneration should be more reflective of this work.
24. The Panel also concluded that a separate homeworking allowance was no longer appropriate and could get in the way of transparency about the level of remuneration for a Councillor undertaking the basic duties required by their role.
25. The Panel was not of the view that benchmarking data should be the driver of the Basic Allowance but only a guide and that a better approach, as adopted by a number of other Panels, would be to use local pay information. The Panel obtained

information that the 2020 median hourly pay B&NES figures, (based on ONS current data) was £14.43 (full time)

26. The Panel took the median hourly wage of £14.43 applied the 30% discount and used a 22 hour week (the average from the national LGA survey referenced above):

$$£14.43 - 30\% = £10.101 \times 22 \times 52 = £11,555.54$$

27. The Panel, having reflected on the evidence concluded that an allowance of £11,555 would be a more appropriate level in reflecting the responsibilities of a Councillor and that it supported the principle of having an allowance that would encourage wider participation, particularly amongst working age members of the community. At this level, the Basic Allowance would subsume the existing Homeworking Allowance and compensate for the loss of tax benefits attached to that allowance.
28. The Panel recognises that this would be a substantial increase in the £8,201 currently allowable for Councillors to claim (the Basic Allowance plus the current homeworking allowance) although it still only places Bath and NE Somerset just above the average of the benchmark group. But recognising the difficult economic climate the Panel is therefore recommending that a Basic Allowance of £11,555 should be an aspiration and that it should be achieved through a staged approach by introducing incremental steps of a £750 increase per annum as follows (taking £8,201 as the starting point):

2021/22	£8,951	2024/25	£11,201
2022/23	£9,701	2025/26	£11,555
2023/24	£10,451		

29. The final uplift is £354 to reach the target being set at this point in time but the Panel would expect that the normal inflationary uplift as set out below and in Recommendation 18 will also be applied each year to avoid the allowance at the end of the period being potentially once again out of step with the benchmark group. The Panel recognises this is a long time frame over which to achieve the appropriate increase and the Panel would wish to keep the position under regular review.
30. The Panel also recognises the difficulty of Councillors voting directly on their own remuneration. The Panel hopes the staged approach will be supported, particularly as it straddles the timing of the next local election in 2023 and therefore sets some distance from existing Councillors (whilst recognising some would be re-elected) in achieving the final aspirational level of the Basic Allowance. The Panel would however reiterate the importance they attach to ensuring the level of allowance is sufficient to recognise the roles and responsibilities of Councillors, and to leave it unchanged would represent a potential barrier to attracting a broad range of candidates for election to public office.

RECOMMENDATION 1: The Basic Allowance should:

- i. Be set at £8,951 in 2021/22;**
- ii. Subsume the homeworking allowance;**
- iii. Be Index linked as set out below in Recommendation 18;**
- iv. In addition to increases due to index linking set out at iii above, be subject to additional annual increases of £750 per annum applied in 2022/23; 2023/24 and 2024/25 and then a final uplift of £354 in 2025/26.**

Special Responsibility Allowances (SRAs) – General Principles

31. These are discretionary payments within the Scheme of Allowances. They are intended to recognise the responsibility, accountability, time and effort required from those Members of the Council who perform duties significantly over and above what might reasonably be expected of them through a robust Basic Allowance.
32. The Panel noted the guidance of the Government that no more than 50% of Councillors in an authority should receive an SRA.
33. The present Scheme allows that *“if a Councillor is entitled to more than one Special Responsibility Allowance for any approved responsibility under the Council's Scheme then s/he shall be entitled to receive the higher or highest allowance and 50% of the other allowance. For the purpose of this rule, any allowance paid by an outside or partnership organisation on which s/he represents the Council, or paid to members of the Avon Pension Fund Committee, shall not be included in the calculation of a member's entitlement”*. The Panel is aware that the previous Panel recommended that *“no B&NES Member should receive more than one SRA, with the exception of Political Group Leaders”*. The current position is that it is only the Group Leaders who receive more than one SRA but under the current scheme other Members would also be eligible to receive 50% of another allowance, if undertaking a second role for which an SRA is payable.
34. The Panel has looked very carefully at all the roles which currently attract a SRA and evaluated them against the following criteria:
 - the time and effort requirement;
 - any specialist skills required;
 - degree of functional leadership
 - accountability and responsibility levels;
 - degree of important decision making;
 - complexity of the role;
 - culpability in the role; and
 - constitutional relevance of the role.
35. Where the Panel has recommended SRAs be retained or introduced as set out below they believe that the role has met sufficient of the criteria set out above.
36. The Panel found the benchmarking and survey responses helpful in assessing SRAs. The question as to whether an SRA was at the right level elicited some ‘No’ answers with comments that they were too high and other ‘No’ answers that they were too low. The Panel has considered these comments alongside the statistics

from the survey. The recommendations provide a package of changes and whilst some SRAs may have remained the same when there were survey comments that they were insufficient, the individuals concerned will be seeing an overall increase in their allowances if the change recommended for the Basic Allowance is accepted.

Special Responsibility Allowances – General:

37. The Panel is of the view that SRAs are by their very nature ‘special’ and so should not be paid to more than half of the members. As set out above this is one of the Panel’s guiding principles.
38. The survey evidence suggested that Members were generally supportive of the current policy allowing a Member to receive 1.5 SRAs with 67% responding that it should not be restricted to one allowance.
39. Currently only the four Group Leaders receive more than one allowance.
40. The Panel has not attempted in this review to rationalise the number or span of special responsibility allowance bandings within the Scheme. In normal circumstances, the Panel would consider making recommendations to minimise the number of different bands and different levels of allowances in order to make the Scheme clear and transparent. In view of the number of issues that are outstanding, as detailed in the Panel’s report, this is something the Panel would wish to review at an early future opportunity.
41. There are a number of issues set out in the Advisory Comments to this report that the Panel would also wish to consider at an early opportunity and would welcome the Council’s comments on these points.

RECOMMENDATION 2: Special Responsibility allowances:

- i. Should be limited to no more than 50% of Members;**
- ii. The present practice of permitting a member to receive 50% of a second SRA in relation to a role for which such an allowance is payable, be continued;**
- iii. The Council is asked to note the intention of the Panel to review the current banding of allowances at an early opportunity;**
- iv. The Council is invited to respond on the Advisory Comments relating to SRAs as set out in the Report;**
- v. The inflationary uprating in Recommendation 18 should apply to all SRAs.**

Special Responsibility Allowances: Council Leader

42. Currently the Leader receives an allowance of £32,445. In the survey 44% felt this was the right level but 56% disagreed. Using relevant comparable data, an allowance at this level compares favourably with that awarded to Leaders in the benchmark group. The average is £30,073 and only Plymouth pays higher at £33,010 (NB excludes directly elected Mayor’s allowance).

43. The Panel recognises that the Leadership role in a Council like Bath and North East Somerset is a significant one. In addition to managing the ongoing local issues facing all local authorities and Bath & NE Somerset in particular, the role has a significant remit on the regional, sub-regional and national stages.
44. The management of the Covid-19 emergency for the local community has to be recognised both in terms of its community leadership and in addressing the ongoing financial and economic aftermath. Much of the responsibility for addressing these issues falls on the Council Leader, both now and in the future as the Council adapts to new working arrangements and new realities.
45. Having considered the range of evidence; whilst the Panel was clear the Leader had a difficult and challenging role, they did not believe there was strong evidence of the need to enhance the allowance when set against comparators. On balance they concluded the current allowance was appropriately set but they would wish to keep it under review.

RECOMMENDATION 3: The Council Leader's allowance should remain at £32,445 for 2021/22 subject to any inflationary uplift in line with Recommendation 18.

Special Responsibility Allowances: Deputy Leader

46. Currently the Deputy Leader receives an allowance of £19,484. In the survey 40% of respondents felt this was the right level but 60% disagreed.
47. The average allowance in the benchmarking group is £21,428 with the highest in Bristol of £26,000 and the lowest in Swindon, £16,138.
48. The level of this allowance exactly matches that of a Cabinet Member and this recognises that the Deputy Leader will have some portfolio responsibility and will exercise the same oversight, management, leadership and delegated powers as applies to a Cabinet Member. At present, the Panel notes there is no additional enhancement to acknowledge the deputising role for the Leader of the Council.
49. On balance, the Panel concluded that there was no strong evidence to suggest that there is a need to enhance this allowance. The deputising role is infrequent. The Panel believes it is a matter for the Leader to determine alternative arrangements to cover the Deputy Leader's portfolio responsibilities should the situation arise when the deputising role becomes more significant. The Panel would wish to keep this matter under review.

RECOMMENDATION 4: The Deputy Leader's allowance should remain at £19,484 for 2021/22 subject to any inflationary uplift in line with Recommendation 18.

Special Responsibility Allowances: Cabinet Members

50. Currently Cabinet Members receive an allowance of £19,484. In the survey 42% of respondents felt this was the right level but 58% disagreed.

51. There are currently four Cabinet Members who job share and as such split the Cabinet member allowance receiving 50% each. However, the Panel has noted that the job share partners do not necessarily manage the same portfolio. In one instance, a job share partner alone manages the crucial climate change element of the shared portfolio.
52. The Panel has interviewed some of these job share partners to establish more information about their responsibilities, workload and practical working arrangements. The formal arrangements for the job share roles have been set out by the Council as below:

CABINET PORTFOLIO HOLDER JOB SHARE ARRANGEMENTS

Single Member decision making

- *Within each portfolio operating as a job-share, separate responsibility areas within the portfolio will be allocated to each job share partner.*
- *Report authors will seek approval from the appropriate lead Member for any entry into the Cabinet Forward plan and will liaise with this Member for the 'life' of that decision.*
- *The Leader will adjudicate on any issues where there is ambiguity, and nominate a lead Member, or advise that both job share partners will be jointly responsible for all aspects of that decision if appropriate.*
- *If a single job-share Cabinet Member is responsible for a decision, they will sign the decision notice. Where both job-share partners are responsible, they will both sign the decision notice.*
- *There should only be one vote per portfolio holder on a matter that is being job-shared. The member who is leading should have this vote and the non-lead would not vote. (If they abstain, then the recorded vote cannot be unanimous). If the lead job share member is absent, then their job share partner can lead and vote. This will mean that the quorum for different items will change, ie it will be one member less for job share items, but this should not have any real effect. The minutes will reflect the voting Members for all split portfolio items.*
- *In a matter that is not led by a job share member, then as the Cabinet Members and Leader do not exceed 10 Members in total (legal maximum), each Cabinet Member could vote. Both the job share members will be able to vote on any item that is not within their joint portfolio.*

53. The introduction of job-share arrangements for such a significant Member role is to be applauded and is a credit to the authority, which has set out (above) clear working parameters for the management of such arrangements. This will encourage a wider range of councillors to develop the capacity to participate in higher executive positions.

54. Where job share partners share the same portfolio responsibilities, it is clear that the special responsibility allowance should be divided equally with an expectation that each partner would operate within the above arrangements. However, where the job share partners are managing different and discrete portfolios, the position is less clear.
55. The special responsibility allowance for Cabinet Members was assessed as meeting sufficient of the criteria at para 34. In applying job share arrangements, account must be taken of the capacity of the individual to meet the expectations both in terms of carrying out the responsibilities of the portfolio and the time/effort required. These are of course matters for the Leader of the Council in determining the Council's executive arrangements.
56. The Panel has examined data relating to Cabinet Member positions in the benchmark group and Bath and North East Somerset is very close to the average of £19,551 with the highest in Bristol: £24,000 and the lowest in Swindon: £13,085. While appreciating that executive positions in other authorities may not necessarily share the same degree of delegation and accountability, the Panel feels that the present allowance is robust enough and should therefore remain at its present level.

RECOMMENDATION 5: The Cabinet Members' allowance should remain at £19,484 for 2021/22 subject to any inflationary uplift in line with Recommendation 18.

Special Responsibility Allowances: Chair of Planning

57. Currently the Chair of Planning receives the third highest allowance of £14,314. In the survey 66% of respondents felt this was the right level but 34% disagreed.
58. The benchmarking average is £8,358 with the highest allowance in Plymouth: £11,003 and the lowest in Bristol at £6,465.
59. The Panel recognises that Bath and North East Somerset has some unique issues and that there are significant risks to the Council if the planning process is not properly managed. The Panel understands the Chair and the Vice Chair are heavily involved in determining which "called-in" applications are referred to Committee and which are delegated to officers. This requires regular liaison with officers and a full understanding and appreciation of the sensitivity of some applications.
60. The impact of Covid-19 on the way in which the Chair and Vice Chair operate has been explained, with particular emphasis on the significance of remote working and the impact of social media comments that need to be addressed.
61. The Panel believes the special responsibility allowance at its present level for the Chair is fully justified and satisfies sufficient of the criteria listed above in para 34 above.

RECOMMENDATION 6: The Chair of the Planning Committee allowance should remain at £14,314 for 2021/22 subject to any inflationary uplift in line with Recommendation 18.

Special Responsibility Allowances: Vice Chair of Planning

62. Evidence has also been offered to the Panel about the involvement of the Vice Chair of Planning in many aspects of the process in support of the Chair, in particular reading through the same applications as the Chair and offering views to the Chair. In view of the need to ensure the integrity of the planning process at member level remains robust, the Panel believes the Scheme should also recognise the Vice Chair.
63. In the benchmarking group only Plymouth pays an allowance to their Vice Chair of £5,502.
64. The Panel was of the view that the introduction of a special responsibility allowance for the Vice Chair was justified and met sufficient of the criteria listed above in para 34 above. The Panel concluded this should be set at 25% of the Chair's allowance. This should be subject to future detailed review by the Panel.

RECOMMENDATION 7: The Vice Chair of Planning Committee should receive an allowance of £3,578 for 2021/22 subject to any inflationary uplift in line with Recommendation 18.

Special Responsibility Allowances: Policy Development and Scrutiny Chairs (PDSC)

65. Currently, the Chairs of the Policy Development and Scrutiny Panels receive an allowance of £7,952. In the survey, 64% of respondents felt this was the right level but 36% disagreed.
66. This role is difficult to benchmark given the differing arrangements across Councils. The figures for Overview and Scrutiny Chairs in the benchmark group showed a high of £11,000 in Plymouth and a low in Bristol of £6,465 with the average at £8,358. The Panel noted in Bath & NE Somerset that the number of such Panels has reduced from 5 to 3. This has inevitably led to a greater span of work for the remaining Panels and more selectivity in the business that they have the capacity to pursue. It is understood there are 6 x public meetings per year for each Panel.
67. It appears from the evidence that there is little capacity for policy development work. Much of the business is standard agenda business relating more to monitoring service delivery. The Panel did not feel that at present they had sufficient evidence to objectively comment on the extent to which the Scrutiny process was appropriately offering challenge to executive members in delivering the policy for which they were accountable. The Panel was informed by officers that robust agenda management principles are now in place and that this includes completion of a pro-forma before any new item is placed on a scrutiny panel agenda. The Panel was told these are reviewed and approved at the agenda planning meeting by the Chair and Vice-Chair. Suggestions are now routinely re-directed if more appropriate for a training session, or simply require signposting to existing resources. The Panel looks forward to considering how these changes have impacted in practice and how this has improved the delivery of scrutiny when they next review the allowances scheme.
68. The Panel concluded that the PDS Chair role met sufficient of the criteria listed above in para 34. On balance, the Panel believes the current allowance is appropriate. However, the Panel has some concerns about the lack of clarity as to

where the “overview and scrutiny” leadership is focussed and these concerns have been set out in the advisory comments at the end of the Report.

RECOMMENDATION 8:

- i. **The Policy Development and Scrutiny Panel Chair’s allowance should remain at £7,952 for 2021/22 subject to any inflationary uplift in line with recommendation 18;**
- ii. **The Panel looks forward to reviewing the impact of changes reported to them at an early stage but also invites the Council to consider their advisory comments on overview and scrutiny (as set out at the end of the Report and in recommendation 20).**

Special Responsibility Allowances: Chair of Licensing Sub Committee

69. Currently the Chair of Licensing Sub Committee receives an allowance of £5,052. In the survey 61% of respondents felt this was the right level but 39% disagreed. The average from the benchmarking group for this role is £7,581 with the highest in Plymouth: £11,003 and the lowest in Bournemouth, Christchurch and Poole: £5,000.
70. It is clear to the Panel that the Licensing Chair’s role satisfies sufficient of the criteria listed above in para 34 above.

RECOMMENDATION 9: Chair of Licensing Sub Committee’s allowance should remain at £5,052 for 2021/22 subject to any inflationary uplift in line with Recommendation 18.

Special Responsibility Allowances: Chair of Avon Pension Fund Committee

71. Currently the Chair of the Avon Pension Fund Committee receives an allowance of £5,052. In the survey 77% of respondents felt this was the right level but 23% disagreed. The Panel did not feel that they had evidence to change this allowance, the cost of which they noted is covered by the pension fund.

RECOMMENDATION 10: Chair of Avon Pension Fund Committee should remain at £5,052 for 2021/22 subject to any inflationary uplift in line with Recommendation 18.

Special Responsibility Allowances: Member of Avon Pension Fund Committee

72. Currently the Committee members on the Avon Pension Fund Committee receive an allowance of £3,817. In the survey 72% of respondents felt this was the right level but 28% disagreed. Again, the Panel did not feel that they had evidence to change this allowance, the cost of which they noted is covered by the pension fund.

RECOMMENDATION 11: Committee member Avon Pension Fund Committee should remain at £3,817 for 2021/22 subject to any inflationary uplift in line with Recommendation 18.

Special Responsibility Allowances: Political Group Leaders

73. Under the present Scheme, Political Group Leaders receive a per capita allowance of £428 per Group member. Under the present political group arrangements this gives the following allocations:

Group Leader allowance						
Liberal Democrat	37 x £428	£15,836		Independent	6 x £428	£2,568
Conservative	11 x £428	£4,708		Labour	5 x £428	£2,140

74. In practice, each Group Leader receives 50% of the above allowances in accordance with the 1.5 SRA rule per member.
75. This allowance, as structured, recognises the group management role of the Leader and the allowance is scaled precisely according to group size.
76. The Panel believes that it is important to recognise in some way that the Leaders of all political groups on the Council have some responsibility to contribute to the effective governance of the Council. For example, there are Group Leader meetings and constitutional rights for all Leaders to be engaged on key issues. On these matters, the rights and level of participation are equal among all Leaders, irrespective of group size. The Panel received some support for this view in evidence offered during member interviews. However, the view was also expressed that there should remain some differential to recognise group size.
77. The Panel has reviewed a number of formulae being applied in comparator Councils. Most Schemes identify the role of Minority/Opposition Group Leader(s) but the SRA for these posts is calculated on a formula based on multiples of the Basic Allowance and geared to % of Council seats held per group.
78. The Panel wishes the Scheme to be explicit in terms of the nature of the role being recognised as well as offering a clear formula for calculation of the allowance. The present Scheme wording reflects only the group size. Accordingly, the Panel proposes a two-part allowance for all Minority/Opposition Group Leaders i.e., a fixed allowance, the same for all such Leaders, to acknowledge the governance role they play regardless of the size of their Group, plus for the larger Groups (5+ Councillors) an allowance geared to the proportion of Council seats held and based on a multiplier of the Basic Allowance paid to all Group Leaders. The Panel has not recommended that the Leader of the Council should receive the Governance element as the Panel has assumed that the Governance element is already taken account of in the Council Leader's Allowance. The following table represents the application of this proposal to the position for the present political groups on the Council:

Group/ Leader	Governance element	More than 75% of Cllrs (45+)	51% – 75% of Cllrs (30 – 44)	26 -50% of Cllrs (16 – 29)	8 – 25% of Cllrs (5 -15)	0-7% of Cllrs (0-4)	TOTAL
	(0.25 BA)	(1 BA)	(0.75 BA)	(0.5 BA)	(0.25 BA)	(0)	
Leader of Council <i>(currently Lib Dem)</i>	Already catered for in Leader's SRA		£6,713	-			£6,713
Leader of Largest Opposition Party <i>(currently Cons)</i>	£2,238	-		-	£2,238		£4,476
Leader of Minority Party <i>(currently Ind)</i>	£2,238	-		-	£2,238		£4,476
Leader of Minority Party <i>(currently Labour)</i>	£2,238	-			£2,238		£4,476
TOTAL COST ON CURRENT GROUP STRUCTURE							£20,141

RECOMMENDATION 12: Political Group Leaders should receive:

- **All opposition Leaders should receive 0.25 of the Basic Allowance as a 'governance element', £2,238;**
- **In addition, Political Group Leaders (including the Council Leader) should receive an allowance based on the size of their Group:**
 - **For Groups of more than 75% of the council membership 1x Basic Allowance, £8,951;**
 - **For Groups of 50%-75% of the council membership 0.75x Basic Allowance, £6,713;**
 - **For Groups of 25% - 50% of the council membership 0.25 of the Basic Allowance, £4,476;**
 - **For Groups of 8%- 25% of the council membership 0.25 of the Basic Allowance, £2,238;**
 - **For Groups of up to 7% of the council membership £0.**

Additional Group Allowance

79. Each Group also gets £100 per member to spend on training. The Panel understands that this allowance was introduced many years ago to enable political groups to determine their own training priorities, distinct from corporate or mandatory training which was funded centrally.
80. The Panel believes that, if this resource is still required, then the amount should be transferred to other Democratic Services budget heads for members' support. Such a move would ensure that the purpose of the Scheme of Allowances remains clear and transparent.

RECOMMENDATION 13: Group Allowances should no longer form part of the Members Allowances scheme but if required the budget should be transferred to Democratic Services budget head for members' support.

Special Responsibility Allowances: Chairman of the Council

81. Currently, the Chair of the Council receives an allowance of £9,543. In the survey, 59% of respondents felt this was the right level but 41% disagreed. At the time this allowance was set, the Chair was attending approximately 300 civic/ceremonial events a year as well as chairing 8 x meetings of the full Council.
82. Benchmarking provides some background although the role may vary considerably in different Councils. In the benchmarking group Bristol paid the highest: £21,559 and York the lowest: £3,111. The average for Chair/Civic Mayor was £12,487.
83. Following a review in 2019, the number of events supported by the Chair's attendance was dramatically reduced. The Panel has noted that in 2019/20 the total number of events attended was 52 – 46 by the Chair, 5 by the Vice Chair and 1 by the Past Chair. By comparison, in 2018/19 the Chair attended 222 events, the Vice Chair 13 and the Past Chair 2
84. The Panel heard evidence that at the moment it was difficult to ascertain the number of events that the Chair would be asked to attend in future. Officers confirmed these would have to reduce dramatically because of financial and staff resources. Community events have halted but the Panel understood that currently there have been more regular Council meetings, the three times a year Parish Liaison meetings and an increased number of Citizenship ceremonies requiring the Chair to preside. Officers confirmed there were approximately 12 citizenship ceremonies per year.
85. The Panel was interested in identifying the extent of any other Council budgets available to support the office of the Chair for such items as clothing and hospitality/charitable donations. The Panel understands that there is a small budget of around £2k for the use of the Chair, but the management of this budget is undertaken by officers. The rest of the budget for the chairman's office has been given up for budget savings and was agreed at the Council meeting on 23 February.
86. Ordinarily, the Panel would be minded to recommend a reduction in this particular allowance, in view of the significant reduction in civic/ceremonial engagements. However, because of the evidence about the practical difficulties in managing remote meetings and the increased level of other commitments, the Panel is recommending that the allowance remains the same in 2021/22.

RECOMMENDATION 14: The Chair of the Council:

- i. The Allowance should remain at £9,543 for 2021/22 subject to any inflationary uplift in line with Recommendation 18.**
- ii. The Panel invites the Council to consider their advisory comments on the future level of commitment required as Chair (as set out at the end of the Report and in Recommendation 20).**

Special Responsibility Allowances: Vice Chair of Council

87. The Vice Chair of Council currently receives £2,418. In the survey, 61% of respondents felt this was the right level but 39% disagreed.
88. Only three of the benchmarking group pay allowances for Vice Chair/Civic Mayor with the average £5,003. Bristol pays the highest: £6,465 and Swindon the lowest: £3,500.

RECOMMENDATION 15: The Vice Chair of Council Allowance should remain at £2,418 for 2021/22 subject to any inflationary uplift in line with Recommendation 18.

Travel and Subsistence and Approved Duties

89. The scheme provides for Members to be able to claim for travel and subsistence. It currently provides subsistence may only be claimed in respect of activities outside of the Council's boundaries. Claims can be made when on an "Approved Duty".
90. The Panel was aware of discussions within the South West region about the possibility of adopting a common approach to Approved Duties. These discussions are ongoing and the Panel, having reviewed the current list of Bath and North East Somerset Approved Duties agreed that they were appropriate to use for travel and subsistence.
91. The Panel had the issue of the cost of travelling to Parish Council meetings raised with them. They felt this travel could be appropriate to be claimed as an approved duty where there was an issue relevant to the work of the Council which was of interest to a Councillor within their ward or to a Portfolio holder across the whole Council area. The Panel was satisfied that, given the current level of administrative checking of Councillor claims, the addition of this as an approved duty would not impact significantly on administrative costs.

RECOMMENDATION 16: Travel and Subsistence:

- i. should continue to be paid on the current basis as supported by the list of Approved duties;**
- ii. The current Approved Duty list should be amended to include attending a parish council when there is an issue of relevance to the work of the Council which is of interest to a Councillor within their ward or of interest and relevance to a Portfolio holder within Bath and North East Somerset Council area.**

Dependant Carers' Scheme

92. The Panel was mindful of the need to support those with caring responsibilities. The Panel noted the current provision for the payment of Dependant Carers' Allowance within the present Scheme and did not identify a need for fundamental change. They did think it important, however, that the availability of support for carers should be made clearer in trying to attract, and retain, Councillors from the broad spectrum of the community.
93. The Panel also does recommend providing more clarity about eligibility as outlined below. In providing this clarity the Panel wishes to emphasise that fundamental to the scheme and support of dependants is the need for always ensuring proper safeguarding of those dependants.

Carer's Allowance

A claim can be made when a carer has been engaged to enable a Councillor to carry out an approved duty. A carer will be any responsible adult who does not normally live with the member as part of his/her family.

Where charges are levied on an hourly basis, Members may claim actual and necessary costs incurred for the period of the approved duty (including time travelling taken by a Member to 'drop-off' or 'pick-up' a dependant or by a carer engaged by a member to look after a dependant in the member's home – this would normally not exceed 1 hour before and 1 hour after) for each dependant;

or

Where charges are levied by a provider for a fixed period or session, Members may claim the cost of any such fixed period/session or periods/sessions incurred for the period of the approved duty (including time traveling time taken by a Member to 'drop-off' or 'pick-up' a dependant) for each dependant;

An allowance will be payable if the dependant being cared for:

- (i) is a child under the age of 14; or
- (ii) is an elderly person; or
- (ii) has a recognised physical or mental disability who normally lives with the Member as part of that Member's family and should not be left unsupervised.

94. The current scheme allows Councillors to claim in respect of the expenses for the care of their children or other dependants when attending meetings of the Council, its subordinate bodies or performing other approved duties. Currently Councillors can claim:

Childcare (including After School Clubs)	Up to £6.00 per hour/per child
Childcare for a child with a disability or special needs	Up to £8 per hour/per child
Care for an adult with a disability or ill health	Up to £8 per hour/person

95. The Panel was of the view that these differential levels of support should be removed and that claims should be limited to a maximum of the Real Living Wage, as calculated annually by the Resolution Foundation and overseen by the Living Wage Commission. The Real Living Wage is currently £9.50ph. The Panel is keen to ensure that there are not barriers to all members of the community standing for election and hope that this scheme will offer support to Councillors with caring responsibilities. The Panel will wish to review the effectiveness of the scheme and level of financial support at an early stage.

RECOMMENDATION 17: Dependant Carers' Allowances:

- i. **Details should be clarified and promoted (particularly to those considering standing for election);**
- ii. **The current provisions of the Scheme in relation to dependant carers' allowance (including the list of approved duties to which it applies) should remain unchanged;**
- iii. **The maximum allowed to be claimed for any care support should be the Real Living Wage, currently £9.50ph. This figure should be updated annually based on changes to the Real Living Wage. This allowance can be claimed per person per hour for whom care needs to be provided;**
- iv. **The effectiveness of the scheme and level of financial support would be subject to early review by the Panel.**

Inflationary increases

96. Currently the scheme provides: *"any uplifts or changes to Members' Allowances be implemented on the same date and by the same amount as officers' salaries are adjusted, in line with the National Joint Conditions"*. The Panel was of the view that this was an appropriate approach.
97. The Panel notes that on occasions the NJC award is split with staff on lower scale points paid a bigger increase: 'bottom loading'. The Panel recommendation is that the increase to be applied to all allowances is based on the headline pay award, not any 'bottom loaded increase'.

RECOMMENDATION 18: the Basic Allowance and all SRAs should be updated annually on the basis of any headline percentage increase agreed by the National Joint Council (NJC) for Local Government as the pay award for staff on the national pay scale (Green Book).

Concluding Comments and Overall Impact of Recommendations

98. The Panel, as noted above, was grateful for all the support of officers and the input of elected Members. The Panel was impressed by the hard work of Councillors that had been particularly evident during the Covid crisis. The Panel believes that it is vital that Councillors are paid appropriate allowances. Whilst recognising that allowances are not intended as a wage they should be set at a sufficient level to ensure that there is not a barrier to standing for election and sufficiently recognises the hard work of Councillors.

99. The Panel was particularly concerned that the level of the Basic Allowance had become eroded over time and that Bath and North East Somerset now remunerated its Councillors at the lowest level of any authority in the benchmarking group and was over 5% lower than the next lowest payer in the benchmark group. The Panel recognised the difficulty of moving in one step to a new, more appropriate, allowance and have therefore proposed a stepped approach. They are mindful that under this stepped approach the Basic Allowance will not be at what they regard as the appropriate level until 2025.
100. The Panel will particularly want to revisit the level of the Basic Allowance but in addition the Review raised several issues which the Panel wishes to explore further. The Panel believes it is important to regularly review their recommendations particularly as the review was undertaken during the Covid pandemic when the Council was working in unique circumstances and the Panel may particularly wish to revisit some areas as the 'new normal' working returns post-pandemic.

RECOMMENDATION 19: The Independent Remuneration Panel be supported to review the Members' Allowances scheme on a regular basis with at least an annual 'health check'.

101. The Table on the following page sets out how the present scheme compares to the recommendations to be implemented from April 2021 (these figures exclude any inflationary uplift in line with Recommendation18).

OVERALL COSTINGS – EXISTING AND RECOMMENDED (Changes shaded)

(The total figures below assumes all allowances are taken up at 100%)

Current Allowances		Total	Proposed Allowances	Total
Basic (x 59)	7,993	471,587	8,951	528,109
Homeworking (x 59)	208	12,272	Nil	-
Leader (x1)	32,445	32,445	32,445	32,445
Deputy Leader (x1)	19,484	19,484	19,484	19,484
Cabinet Members (x 6) (4x full time + 4 job share)	19,484	116,904	19,484	116,904
Chair Planning (x1)	14,314	14,314	14,314	14,314
Vice Chair Planning (X1)	Nil	-	3,578	3,578
Chair PDS Panels (x3)	7,952	23,856	7,952	23,856
Chair Licensing Sub (x1)	5,052	5,052	5,052	5,052
Chair Avon Pension Fund Cttee (x1)	5,052	5,052*	5,052	5,052*
Members Avon Pensions Fund Cttee (x4)	3,817	15,268*	3,817	15,268*
Political Group Leaders (x4)	428 per member	25,252	<u>Governance element (x3)**</u> 2,238 <u>Group size element (variable)</u> Lib Dem – 6,713 Cons – 2,238 Ind – 2,238 Lab – 2,238	6,714 13,427
Group Allowance	100 per member	5,900	Nil	-
Chair Council (x1)	9,543	9,543	9,543	9,543
Vice Chair Council (x1)	2,418	2,418	2,418	2,418
Overall totals		759,347		796,164
Net with Pensions refund		739,027		775,844

- Amounts refunded from Avon Pensions Fund ** The Governance element for the Leader of largest party is incorporated within the Council Leader's SRA (see table at para 79 of the report)

APPENDIX A: ADVISORY OBSERVATIONS

1. During the course of the review, the Panel has identified a number of issues which it wishes to reflect on with the Council. The main body of the report identifies the evidence used to justify the Panel's main recommendations.
2. The Panel fully recognises the responsibility of the Council to put in place such arrangements as it feels appropriate to address its statutory responsibilities and other business. The same applies to the responsibility of the Leader of the Council to set the executive arrangements.
3. However, the Panel offers the following comments in the hope that the Council might respond with advice or clarification for the Panel in addressing future reviews of the Members' Allowances Scheme.

Multiple Special Responsibility Allowances

4. The Panel noted that the Scheme allows a member to claim 50% of a second SRA if they hold a second position that attracts such an allowance. The Panel is anxious to ensure that Councillors are properly remunerated for the roles they undertake. There is no indication that Councillors receiving the 50% allowance are expected to perform in those roles at anything less than 100% of their capacity, yet the current provision takes no account of this.
5. The Panel believes that the 1.5 SRA rule is confusing and lacks clarity about the capacity of the Councillor to deliver in the second role and the Council's expectation of the Councillor in that role.
6. Many Council Schemes of Allowances restrict the number of SRAs to one per member which ensures that key member roles are open to a wider group of members.
7. The Panel is keen to review this issue but would appreciate first the comments of the Council in justifying why this uncommon provision should be retained.

RECOMMENDATION 20 (i): The Panel invites comments from the Council on the policy of allowing 1.5 SRAs to be claimed by an individual Member.

Policy Development and Scrutiny Panels

8. As the name suggests, these Panels are intended to look at service delivery, review policies and practices and develop new policies for recommendation to the Council/Cabinet. In addition, they are the part of the Council structured to hold the executive to account.
9. In evidence, the Panel has gained the impression that these panels are overwhelmed with routine reports at the expense of both policy development and effective scrutiny.

10. Whether or not this impression is correct, the Panel was unable to establish specific evidence of where the member leadership of this function was located within the structure.
11. Overview and scrutiny is a statutory function. The Panel believes that as such, it is necessary for there to be a clear individual or body to be accountable to the Council for the effective delivery of that function. The Panel would then be able to take that leadership into account in recommending a robust allowance framework to recognise the time, effort and accountability involved. Such leadership would have responsibility for effective work programming across the function; balancing priorities between corporate objectives, member issues and public concerns; conflict resolution and management of the resources allocated to the function. It is not clear to the Panel where, and if, such leadership functions exist.
12. The Panel believes there is an understanding within the Council that the Chair of the Corporate Panel is effectively the “first among equals”. If this is the case, the Panel would suggest that this should be formalised within the Council’s structures so that this role can be recognised, within the Scheme of Allowances.
13. The Council has made a decision to reduce the number of PDS Panels. That is an entirely proper action and not the concern of this Panel. However, in evidence the Panel has been informed that the PDS Panels are having to prioritise what they do and so strict agenda management principles are now in operation so the Panels can focus on their core responsibilities.

RECOMMENDATION 20 (ii): That the Council be invited to comment on these observations about the Policy Development and Scrutiny Panels and in particular indicate to this Panel what arrangements formally exist for the leadership, direction and management of this statutory function at Member level.

Chair of the Council

14. It will be seen from the main report that the Panel is aware of the review undertaken by the Council in 2019 which resulted in a significant reduction in the number of engagements attended/facilitated by the Chair of the Council and the Vice Chair.
15. In assessing whether or not a special responsibility allowance is justified, the Panel would apply the criteria set out in our main report. In the past, predecessor Panels would have placed particular emphasis on the time and effort criterion in recommending an allowance for this role. The current Panel would have done likewise. This reflected the then significant number of commitments/engagements in addition to the management of the Council meetings – the main policy making body of the Authority.
16. Faced with the significant reduction in engagements, the Panel would normally have concluded that the time and effort criterion was not as relevant. However, because of other factors apparent during the Covid-19 emergency, we have recommended the status quo.

RECOMMENDATION 20 (iii): The Council be invited to comment on these observations on the role of Chair and in particular to advise the Panel about the future level of commitment required of the Chair over and above chairing Council meetings.

Member Performance and Development

17. The Panel believes that it is very important not only to recognise and support the work of Councillors through the Allowances Scheme but also think it important to provide support for Councillors to develop their skills and expertise thereby enabling them to perform to a high level when serving the community. The Panel has recommended the removal of the Additional Group Allowance and they would like to ensure that there remains investment in Member Development.
18. The Panel supports this and would encourage the Council to consider adopting the principles and approach of *The Charter for Member Development*. The Charter has been developed in partnership between the Local Government Association and the nine Regional Employers Organisations. There are a number of Charter and Charter Plus authorities in the South West who would also help with the sharing of best practice. The national LGA encourages Councils to consider adopting the Charter principles:

I would strongly encourage local areas to adopt the Member Development Charter and Charter Plus as a guide and a benchmark as part of your improvement journey. Every profession has continuing professional development at the heart of their improvement and so should we. The Member Development Charter and Charter Plus supports this continuing professional development for councillors by being a contract between the council and its councillors that commits to invest in councillors' growth and development.

Lord Gary Porter
LGA Chairman

19. Linked to the support for Member development the Panel would also encourage the introduction of a more formal approach to performance management of elected Members. The Panel envisages this as a role for the Leader/ Group Leader.

RECOMMENDATION 20 (iv) The Council be invited to comment on measures for supporting Councillor development and performance management of Councillors, particularly those in receipt of an SRA.

This page is intentionally left blank

ADVISORY OBSERVATIONS

Proposed responses

Multiple Special Responsibility Allowances

RECOMMENDATION 20 (i): The Panel invites comments from the Council on the policy of allowing 1.5 SRAs to be claimed by an individual Member.

The 1.5 SRA provision is understood to have been inherited from the Bath City Council/Wansdyke Council prior to B&NES formation on Local Government Reorganisation.

Policy Development and Scrutiny Panels

RECOMMENDATION 20 (ii): That the Council be invited to comment on these observations about the Policy Development and Scrutiny Panels and in particular indicate to this Panel what arrangements formally exist for the leadership, direction and management of this statutory function at Member level.

As part of our statutory duty the Council is required to appoint at least one Overview and Scrutiny Committee / Panel that will have sole responsibility to discharge the functions under Sections 9F and 9FA to 9FI of the Local Government Act 2000, as relevant to the Council's statutory duties and responsibilities. Our current model includes; 3 Policy Development & Scrutiny Panels these include: -

1. Corporate Panel
2. Climate Emergency & Sustainability Panel
3. Children, Adult, Health & Wellbeing Panel

The agreed structure and remits of the Overview & Scrutiny Panels were discussed by the new administration and agreed by full Council at the AGM on the 21st May 2019. This was based on a paper that was developed during 2018, which explored whether the existing model, number and structure for scrutiny is working, and the different options for future change. The underlying objective is to ensure that the Council is delivering good scrutiny

The Policy Development & Scrutiny Chairs & Vice Chairs Group has oversight of the overall PDS work planning and has responsibility for co-ordinating the Council's scrutiny activity, as follows:

- Share and co-ordinate individual PDS Panel work plans, in order to prioritise resources effectively
- Decide how to deal with cross-boundary issues, or issues that do not readily fall into the remit of any of the Panels (Integrated forward plan)
- Decide how to respond to/programme instructions from Council or requests from Executive
- Identify training, development and support needs for all Panel members

- Consider progress and direction of PDS function and working practices, and identify and implement future developments
- Oversight of financial, staff and other resources made available to support scrutiny.
- Discuss or propose variations to Panel membership, operating framework and Terms of Reference (constitutional) for Council approval where appropriate
- Champion the PDS process within the Council and externally
- Compile (with PDS Team) and approve Annual Report; take to Council.

The Chair of the group has been nominated as the chair of the Corporate panel and from the Chairs & Vice Chairs group. The agreement of chairing this meeting is decided at the first meeting after the elections for that period. The scrutiny officer supports the coordination and delivery of this group.

The terms of reference for the Chairs & Vice Chairs group is currently agreed internally and is not formalised at Council, however this could be formalised and added to Section 5 (TOR) of the Constitution to formalise the role. This role could then be reviewed by the IRP review.

The proceedings of all overview and scrutiny bodies are conducted in accordance with the Overview and Scrutiny Procedure Rules set out in our Constitution and within the Overview & Scrutiny procedure Rules which includes Rule 9¹ and 10² on the agreed work programming for the panel.

¹ Rule 9: - A rolling programme of work for each Policy Development and Scrutiny Panel is drawn up, with individual discretion as to the best means for achieving their individual work programme. Overview and Scrutiny Chairs and Vice Chairs will ensure work plan activities are maximised to the benefit of the whole Overview and Scrutiny function, within shared resources and available budgets.

If there is any doubt or disagreement about the allocation of business between Panels, the Chief Executive is authorised to determine such matters after consultation with Overview and Scrutiny Chairs and/or Group Leaders (or their nominees).

² Rule 10: Where a matter for consideration by a Policy Development and Scrutiny Panel also falls within the remit of one or more other such Panels, the Monitoring officer, on behalf of the Chief Executive, and in consultation with the Chairs and Vice Chairs of the relevant Policy Development and Scrutiny Panels will determine (a) which such body will consider it, or (b) which parts will be considered by which body or (c) that the matter will be considered by a joint meeting of the relevant bodies

Chair of the Council

RECOMMENDATION 20 (iii): The Council be invited to comment on these observations on the role of Chair and in particular to advise the Panel about the future level of commitment required of the Chair over and above chairing Council meetings.

The role of the Chairman of the Council will be considerably reduced due to a reduction in the resources available to support this role, this includes a substantial reduction in the funding and staffing available for the Chairman's role.

The Executive Support team responsible for supporting the Chairman will continue in this role, however, the role will only concentrate on the following type of events:

- Chairing Council Meetings
- Citizenship ceremonies
- Key national or local events (such as chairman awards, royal visits etc)

The team will continue to review any specific requests received from local communities or organisations and will review these on a case by case basis to ascertain whether the chairman can help or support these events.

Member Performance and Development

RECOMMENDATION 20 (iv) The Council be invited to comment on measures for supporting Councillor development and performance management of Councillors, particularly those in receipt of an SRA.

Councillor development

All Councillors receive training as part of their induction process and for those with a special responsibility, further training is offered in the various roles assigned to them e.g.; Planning issues, Pensions, Chairing meetings etc.”

Councillor Performance

Cabinet members are required to have a quarterly performance development review and all those with special responsibility are required to have at least an annual performance development review with their Group Leader. This review should include a discussion about any development or support required.

This page is intentionally left blank

Bath & North East Somerset Council		
MEETING	Council	
MEETING DATE:	4th May 2021	
TITLE:	Parental leave policy – report back	
WARD:	All	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		
None		

1 THE ISSUE

1.1 Council, on 10th September 2020, adopted a Parental Leave policy and asked for 2 aspects to be further explored, to be reported back to the Council AGM in May 2021. They asked;

- the Constitution Group to consider options for proxy voting; and
- the Corporate Policy Development & Scrutiny Panel to investigate options for handling casework.

2 RECOMMENDATION

The Council is asked to;

2.1 Note the position regarding proxy voting;

2.2 Agree the principles set out at paragraph 3.1, incorporating the action points from the Corporate PDS Panel's consideration.

3 THE REPORT

Proxy voting

- 3.1 It is not currently legally possible for proxy voting to take place, as Councillors must be 'present and voting'*. Group Leaders agreed therefore that there was no rationale for convening the Constitution Working group, as they would have no options to consider. [While virtual meeting regulations are in place, the requirement to be 'present' is satisfied by the Councillor being present at the meeting being streamed on YouTube.]
- 3.2 Should Council wish to do so, they could write to the Government to call for a change in the law in this regard.

Handling casework

- 3.3 The Corporate Policy Development & Scrutiny panel considered a report on this at their meeting on 29th March 2021 covering the points below;
- (1) The Council recognises a duty of care to Councillors and must seek to support Councillors in those areas which it can manage and control. However, Councillors are not employees of the Council so employee benefits do not apply to them.
 - (2) A number of Councils (just under 40) were contacted to see how they handled this. None of those that responded reported formal arrangements being put in place to manage casework during a period of parental or other such absence. The majority stated that it was a matter for the member taking the leave of absence to decide which responsibilities (if any) they wished to continue e.g. meeting attendance, a degree of casework, special responsibilities etc. and to discuss and agree this with their Group Leader.
 - (3) For those wards represented by two councillors, a councillor taking a leave of absence may naturally signpost to their ward colleague. For single member wards, if they chose not to call upon their ward colleague, another named councillor from their group should be identified for constituency casework. One Council stated an example of a councillor employing a caseworker to assist, as a private arrangement not organised or funded by the Council.
 - (4) A key theme from consulting other Councils was that the arrangements political groups make to cover member's roles must go across party politics to ensure that there is no democratic deficit to constituents.
 - (5) Council officers do not manage casework for councillors so this must remain a matter between the councillor and their political group, although the Council can help to facilitate such arrangements.
 - (6) As B&NES has a Political Assistant or Group Support Officer for each political group, which is not the case in many Councils, they are best placed to handle the necessary liaison between the Group Leader and absent councillor.
- 3.4 The Panel agreed the following steps, when a councillor indicates they intend to take a period of parental leave;

- (1) *The Group Leader has a discussion with the councillor to establish;*

- a) *A formal agreement of relevant dates for start and end of period of leave (end date could be amended) and an agreement to notify this and any changes to Democratic Services;*
- b) *Whether the councillor would like to maintain any councillor responsibilities during this period and, if so, which ones;*
- c) *How and how often the councillor would like to be contacted;*
- d) *How they would like their Councillor Contact webpage to be amended regarding contact details;*
- e) *Record keeping arrangements during the period of leave;*
- f) *A review and handover of open issues at the start of the period of parental leave;*
- g) *Return/settling back in review at the end of the leave (work handover, whether further support is needed)*
- h) *Any other relevant considerations including undertaking a risk assessment as required;*
- i) *The Group Leader or Political Assistant then communicates the above information to Democratic Services and they jointly agree what is needed. Understandably, each case will be individual, and so a flexible approach will be needed, and the arrangements may need to adapt with circumstances.*
- j) *Advice and support will be available from Democratic Services.*

3.5 The Panel raised the following further points in their discussion;

- (1) Arrangements should be determined on a case by case basis and flexibility will be key.
- (2) Good record keeping will be needed so that an audit of activity is available, and handing issues back to the returning councillor is efficient and doesn't disadvantage any resident with an ongoing case.
- (3) It was noted that the relevant Group Leader needed to keep arrangements under review to check that the covering councillor is managing the extra workload.
- (4) Clarity was sought about whether proof of circumstances is required, with a view to ensuring transparency to the public.
- (5) The Panel noted that the issue of allowances for basic and special responsibility was covered in the adopted policy and not for the Panel's consideration. The usual substitution arrangements for committees would be available.
- (6) The Panel welcomed these arrangements as part of a package of benefits to encourage people to stand as councillors.

(7) The Panel would like to review these arrangements at a suitable point, should the policy have been utilised in the interim.

4 STATUTORY CONSIDERATIONS

4.1 The Local Government Act 1972, Schedule 12, para 39 – ‘present and voting’*.

5 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

5.1 The finance implications of the Parental Leave policy are addressed within the policy.

6 RISK MANAGEMENT

6.1 Risk assessment issues would be addressed as part of the support for the councillor taking parental leave.

7 EQUALITIES

7.1 The role of a councillor should be open to all, regardless of their background, and adopting principles to support a Parental Leave policy is a step towards encouraging a wider range of people to become councillors, and also to encourage existing councillors who may want to start a family to remain as councillors.

8 CLIMATE CHANGE

8.1 No direct considerations.

9 OTHER OPTIONS CONSIDERED

9.1 No other options considered as this was a request of Council.

10 CONSULTATION

10.1 Chair and Vice Chair of Corporate Policy Development & Scrutiny Panel, Group Leaders, Chief Executive, Monitoring Officer, Section 151 Officer.

Contact person	Jo Morrison, Democratic Services Manager
Background papers	Report to Corporate PDS Panel; https://democracy.bathnes.gov.uk/documents/s65047/Report%20Parental%20leave.pdf Parental leave policy adopted by Council; https://democracy.bathnes.gov.uk/documents/s62883/7a%20-%20Parental%20Leave%20Policy.pdf
Please contact the report author if you need to access this report in an alternative format	