



GENERAL PURPOSES COMMITTEE

Meeting to be held in Civic Hall, Leeds, LS1 1UR on
Thursday, 30th August, 2012 at 10.00 am

MEMBERSHIP

Councillors

| | | |
|---------------------|---|---------------------------|
| A Blackburn | - | Farnley and Wortley; |
| J Blake | - | Middleton Park; |
| R Finnigan | - | Morley North; |
| S Golton | - | Rothwell; |
| P Gruen | - | Cross Gates and Whinmoor; |
| G Latty | - | Guiseley and Rawdon; |
| J Lewis | - | Kippax and Methley; |
| A Lowe | - | Armley; |
| E Nash | - | City and Hunslet; |
| J Procter | - | Wetherby; |
| M Rafique | - | Chapel Allerton; |
| K Wakefield (Chair) | - | Kippax and Methley; |

Agenda compiled by:
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LEEDS LS1 1UR
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A G E N D A

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|---------|--------------------------|---------------|--|---------|
| 1 | | | <p>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</p> <p>To consider any appeals in accordance with Procedure Rule 25 of the Access to Information Procedure Rules (in the event of an appeal the press and public will be excluded).</p> <p>(*In accordance with Procedure Rule 25, written notice of an appeal must be received by the Head of Governance Services at least 24 hours before the meeting)</p> | |
| 2 | | | <p>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</p> <p>1 To highlight reports or appendices which officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.</p> <p>2 To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>3 If so, to formally pass the following resolution:-</p> <p>RESOLVED – That the press and public be excluded from the meeting during consideration of the following parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information, as follows:-</p> | |

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| 3 | | | <p>LATE ITEMS</p> <p>To identify items which have been admitted to the agenda by the Chair for consideration</p> <p>(The special circumstances shall be specified in the minutes)</p> | |
| 4 | | | <p>DECLARATION OF DISCLOSABLE PECUNIARY AND OTHER INTERESTS</p> <p>To disclose or draw attention to any disclosable pecuniary interests for the purposes of Section 31 of the Localism Act 2000 and paragraphs 13-18 of the Members' Code of Conduct. Also to declare any other significant interests which the Member wishes to declare in the public interest, in accordance with paragraphs 19-20 of the Members' Code of Conduct</p> | |
| 5 | | | <p>APOLOGIES FOR ABSENCE</p> <p>To receive any apologies for absence from the meeting.</p> | |
| 6 | | | <p>MINUTES OF THE PREVIOUS MEETING</p> <p>To receive as a correct record the minutes of the meeting held on 25th June 2012.</p> | 1 - 4 |
| 7 | | | <p>DEPUTATION TO FULL COUNCIL - FALUN GONG</p> <p>To receive the report of the Director of Resources considering the deputation received by full Council on the 11th July 2012 from Ms Man regarding practitioners of Falun Gong and the Council's response to it.</p> | 5 - 10 |

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| 8 | | | <p>PROPOSED AMENDMENTS TO THE MEMBERS' CODE OF CONDUCT ARISING FROM DCLG GUIDANCE</p> <p>To receive a report of the City Solicitor in considering the proposed amendments to the Members' Code of Conduct in accordance with new guidance from the Department of Communities and Local Government.</p> | 11 - 34 |
| 9 | | | <p>NEW REGULATIONS REGARDING MEETINGS OF THE EXECUTIVE AND ACCESS TO INFORMATION</p> <p>To receive a report of the City Solicitor outlining the new provisions introduced by the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, seeking Members' views on proposed amendments to current practice, and to highlight any areas of risk to the authority.</p> | 35 - 70 |
| 10 | | | <p>REVIEW OF COUNCIL MEETINGS</p> <p>To receive a report of the Chief Executive considering the proposals contained in the report and recommend to Full Council adoption of the additional new arrangements, with the necessary consequential changes to Council Procedure Rules being delegated to the City Solicitor in consultation with Group Whips.</p> | 71 - 78 |

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| 11 | | | <p>COMMUNITY GOVERNANCE REVIEW RECOMMENDATIONS ON WHETHER TO INCREASE THE NUMBER OF PARISH COUNCILLORS FOR SCARCROFT PARISH COUNCIL</p> <p>To receive a report of the Head of Licensing and Registration considering EWG's recommendations regarding the request from Scarcroft Parish Council to increase the size of the Parish Council from 7 to 9 Councillors and subsequent Community Governance Review to establish whether such an increase should be approved.</p> | 79 - 110 |
| 12 | | | <p>COMMUNITY GOVERNANCE REVIEW RECOMMENDATIONS ON WHETHER TO CREATE A NEW PARISH OF RAWDON</p> <p>To receive a report of the Head of Licensing and Registration considering EWG's recommendations regarding the petition from electors in polling districts from the Horsforth, Guiseley & Rawdon and Otley & Yeadon wards and subsequent Community Governance Review to establish whether a new parish for Rawdon should be created.</p> | 111 - 148 |

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| 13 | | | <p>WEBCASTING COUNCIL CHAMBER MEETINGS</p> <p>To receive a report of the Chief Officer Democratic & Central Services and Chief Officer ICT Services considering the introduction of webcasting for Council meetings. The purpose of this paper is to present the main issues, a broad summary of the likely costs and benefits in the introduction of webcasting and to seek guidance as to whether Members would wish to introduce webcasting as part of improving engagement and transparency in local democracy.</p> | 149 - 160 |
| 14 | | | <p>REVIEW OF PLANS PANELS</p> <p>To receive the report of the Director of City Development considering proposals for the establishment of a new strategic and city centre plans panel to deal with those planning applications with significant implications for the future prosperity of the City's economy.</p> | 161 - 184 |

Agenda Item 6

GENERAL PURPOSES COMMITTEE

MONDAY, 25TH JUNE, 2012

PRESENT: Councillor K Wakefield in the Chair

Councillors A Blackburn, J Blake, S Golton,
P Gruen, G Latty, T Leadley, J Lewis,
L Mulherin, E Nash, J Procter and
M Rafique
A, Lowe (in attendance)

Apologies Councillor R Finnigan

1 Appeals against refusal of inspection of documents

There were no appeals against the refusal of inspection of documents.

2 Exempt Information - possible exclusion of the press and public

There were no resolutions to exclude the public

3 Late items

There were no late items submitted to the agenda

4 Declaration of Interests

Councillor G Latty declared an interest in agenda item 8 Community Governance Review to consult on proposals to create a new parish of Rawdon, as he had helped raise the petition in support of Rawdon becoming a Parish Council. (minute 8 refers)

5 Apologies for absence

Apologies were received from Councillor Finnigan.

6 Minutes of the Previous Meeting

RESOLVED – That the minutes of the General Purposes Committee meeting held on Wednesday 9th May 2012 be approved as a correct record.

7 Community Governance Review to consult on proposals to increase the number of parish councillors for Scarcroft parish council

The Committee received a report of the Head of Licensing and Registration outlining a request which had been received from Scarcroft Parish Council asking the Council to consider a Community Governance Review to increase the number of parish councillors from 7 to 9.

Draft minutes to be approved at the meeting
to be held on Thursday, 30th August, 2012

RESOLVED – Members of the General Purposes Committee resolved to approve the process and timetable for the Community Governance Review as detailed in the report.

8 Community Governance Review to consult on proposals to create a new parish of Rawdon

The Committee considered a report of the Head of Licensing and Registration seeking approval for a Community Governance Review to be undertaken following the receipt of a valid petition (seeking the establishment of a Parish Council for (Rawdon) from electors in polling districts from Horsforth, Guiseley & Rawdon and Otley & Yeadon wards.

Following questions from the committee the Head of Licensing and Registration confirmed that the Community Governance Review will specifically consider the electoral area for the potential Parish and issues relating to precepts.

RESOLVED - The General Purposes Committee resolved to approve the process and timetable for the Community Governance Review outlined in the report

Councillors Rafique, Gruen and Blackburn entered the meeting at 2.05pm. Councillor Mulherin left the meeting at the conclusion of this item¹.

9 Establishment of the West Yorkshire Police and Crime Panel

The City Solicitor presented her report which advised Members about establishing a Police and Crime Panel as a joint committee with other West Yorkshire authorities, to scrutinise an elected Police and Crime Commissioner from November 2012.

RESOLVED – Members of the General Purposes Committee resolved to:

- (a) note the Council's statutory obligation to establish, and agree arrangements for the West Yorkshire Police and Crime Panel;

and recommend that full Council;

- (b) approve the establishment of a joint committee with four other West Yorkshire councils, as detailed in the report;
- (c) delegate authority to the City Solicitor to enter into an agreement to formalise the panel arrangements set out in the report; and
- (d) appoint Councillors Lowe, Iqbal, and J. L. Carter as the council's representatives on the Panel.

¹ Councillor Lowe joined the meeting at this point and declared a personal interest in agenda item 9 Establishment of the West Yorkshire Police and Crime Panel, as a nominated member of the panel. (minute 9 refers). However as per Council Procedure Rule 26.2, Councillor Lowe's participation in the meeting was in a non voting capacity.

10 Amendments to Council Delegation Scheme

The Committee considered a report of the Director of City Development and the Director of Environment and Neighbourhoods which outlined the proposed changes to the Officer Delegation Scheme (Council (non executive) functions) in respect of the Director of Environment and Neighbourhoods and Director of City Development.

RESOLVED – Members of the General Purposes Committee resolved to recommend that full Council adopt the changes.

11 Appointment of the Independent Person

The Committee considered a report of the City Solicitor in relation to the appointment of an Independent Person.

Members gave their support for the appointment of Gordon Tollefson as the Independent Person.

RESOLVED – Members of the General Purposes Committee resolved to recommend that full Council appoint Mr Gordon Tollefson for a period of up to one year under the transitional arrangements contained in Article 7 of the Commencement Order.

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Report of Director of Resources

Report to General Purposes Committee

Date: 30th August 2012

Subject: Deputation to full Council – Falun Gong

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|--|------------------------------|--|
| Are specific electoral Wards affected? If relevant, name(s) of Ward(s): | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Are there implications for equality and diversity and cohesion and integration? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Is the decision eligible for Call-In? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number: | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

Summary of main issues

1. The purpose of this report is to consider the Deputation received by full Council on the 11th July 2012 from Mary Man regarding practitioners of Falun Gong and the Council's response to it.
2. Ms Man's deputation asked that Council consider;
 - Making a proclamation to call to stop the persecution of Falun Gong Practitioners in China, and;
 - Follow other cities' example in naming a "Falun Dafa Day" in recognition of the courage and sacrifices of Falun Gong practitioners in China and abroad."

Recommendations

It is recommended that General Purposes Committee;

- a) note the issues raised by Ms Man;
- b) request that the Chief Executive to:-
 - write to Ms Man on the Council's behalf thanking her for her presentation;
 - bring the issues raised by Ms Man to the attention of the Foreign and Commonwealth Office;
- c) reaffirms unequivocal support for the right of freedom of expression and views with concern any actions that may deny this basic human right.

1. Purpose of this report

- 1.1 The purpose of this report is to consider the deputation received by full Council on the 11th July 2012 from Ms Man regarding practitioners of Falun Gong and the Council's response to it.

2. Background information

- 2.1 The deputation was presented at full Council on 11th July 2012 by Ms Man, a resident of Kirkstall. Shen Jingmin, Li Qiong, Alex Rostron and Chris Sugden attended and supported Ms Man at the full Council meeting. The full speech is attached at Appendix 1.

3. Main issues

- 3.1 Ms Man, and those who accompanied her at full Council, are concerned about the persecution of practitioners of Falun Gong.
- 3.2 The deputation draws attention to a number of reported incidents of ill-treatment of Falun Gong practitioners and to a recent Amnesty International call for action.
- 3.3 Ms Man's deputation concluded in asking the Council to consider;
- Making a proclamation to call to stop the persecution of Falun Gong Practitioners in China, and;
 - Follow other cities' example in naming a "Falun Dafa Day" in recognition of the courage and sacrifices of Falun Gong practitioners in China and abroad."
- 3.4 Full Council resolved to refer the matters raised by Ms Man to the General Purposes Committee for further consideration.

Role of the Foreign and Commonwealth Office

- 3.5 In his foreword to the 2011 Foreign and Commonwealth Office Report, Foreign Secretary William Hague stated that the promotion and protection of human rights is at the heart of UK foreign policy.
- 3.6 The issue of persecution of the Falun Gong community have been considered in the House of Commons where the Government has confirmed that reports of the harassment and detention of Falun Gong practitioners have been raised with the Chinese government.
- 3.7 Given the substantial and influential role of the UK Government on these matters, General Purposes Committee may wish to consider bringing the issues raised, and specific requests made by Ms Man in her deputation, to the attention of the Foreign and Commonwealth Office.

Falun Dafa Proclamations and designated Days

- 3.8 Officers are aware of no cities in the UK that have made proclamations or designated particular days as Falun Dafa days. There are some examples elsewhere, most notably North America and Canada, where a day in mid May is designated as World Falun Dafa day.

3.9 Leeds is a multicultural city where a wide range of faiths and cultures are represented, many of whom have current and historic human rights concerns. Campaigns and activities in respect of these issues are often brought to the attention of the Council. The Council supports a number of days designated by bodies such as the UN for worldwide concern. However in other cases it is considered that a general statement of values and beliefs is a more helpful approach rather than giving support to particular designated days. This reinforces the view that the Council supports freedom of expression and human rights in all circumstances.

3.10 As such, in recognition of the issues raised in the deputation, General Purposes Committee may wish to consider restating this view as follows;

‘That General Purposes Committee reaffirms unequivocal support for the right of freedom of expression and views with concern any actions that may deny this basic human right’

4. Corporate Considerations

4.1 Consultation and Engagement

4.1.1 Deputations provide a direct route for citizens to make representations to the Council.

4.2 Equality and Diversity / Cohesion and Integration

4.2.1 The Council has a general public duty under the Equalities Act 2010 to:

- eliminate unlawful discrimination, harassment, and victimisation;
- advance equality of opportunity; and
- foster good relations.

4.2.2 These duties are placed upon the Council when delivering or redesigning services or doing anything else, for example under the general power of competence set out in the Localism Act 2011.

4.3 Council policies and City Priorities

4.3.1 The issues raised by Ms Man do not directly link with any of the City Priorities set out in the City Priority Plan 2011-15.

4.4 Resources and Value for Money

4.4.1 There are no implications in respect of resources or value for money.

4.5 Legal Implications, Access to Information and Call In

4.5.1 There are no legal implications arising from this report.

4.5.2 The report is an open item and is not otherwise restricted by the Council’s Access to Information obligations. As the matter is not related to an Executive function Call In does not apply.

4.6 Risk Management

4.6.1 There are no specific implications in respect of the Council's risk management arrangements.

5. Recommendations

5.1 It is recommended that General Purposes Committee;

- a) note the issues raised by Ms Man.
- b) request the Chief Executive to:-
 - write to Ms Man on the Council's behalf thanking her for her presentation;
 - bring the issues raised by Ms Man to the attention of the Foreign and Commonwealth Office.
- c) reaffirms unequivocal support for the right of freedom of expression and views with concern any actions that may deny this basic human right.

6. Background documents¹

None.

¹ The background documents listed in this section are available for inspection on request for a period of four years following the date of the relevant meeting. Accordingly this list does not include documents containing exempt or confidential information, or any published works. Requests to inspect any background documents should be submitted to the report author.

THE LORD MAYOR: Good afternoon and welcome to today's Council meeting. Please now make your speech to Council, which should not be longer than five minutes, and please begin by introducing the people in your deputation.

MS M MAN: My Lord Mayor and fellow Councillors, my name is Mary Man and I live in Kirkstall. The other members of the reputation are Shen Jingmin, Li Qiong, Alex Rostron and Chris Sugden.

On 31st May this year Amnesty International released an urgent call for action for China to release the two Falun Gong practitioners who are at risk of torture. What is Falun Gong and why have they been tortured?

Started in China in 1992, Falun Gong is a traditional Chinese meditation exercise based on the principles of truthfulness, compassion and tolerance. The number of Falun Gong practitioners in China was estimated to be between 70 to 100 million and because it became the largest and fastest growing group in China, in 1999 the persecution started. Ten years later separate courts in Spain and Argentina indicted Jiang Zemin, the then head of China, and several other Communist Party officials on the charge of torture and genocide for persecuting Falun Gong.

According to the US State Department report in 2008, Falun Gong practitioners constitute at least half of the inmates in China's vast labour camp system.

The UN Special Rapporteur on Torture and Detention stated in 2006 that 66% of the victim reports of torture and ill-treatment from China were Falun Gong practitioners.

A number of sources have reported that since 1999 the Chinese Communist regime has been illegally harvesting and selling organs from Falun Gong practitioners for profit.

Mr Edward McMillan-Scott, the Yorkshire and Humber MEP, said in an open letter in 2009, "One particular concern is that only Falun Gong – who neither smoke nor drink – are routinely blood tested and blood-pressure tested in prison; this is not for their wellbeing. They become the prime source for the People's Liberation Army's lucrative live organ transplant trade. More than 40,000 additional unexplained transplants have been recorded recently in China since 2001."

The persecution is nationwide. The Minghui website, which has first hand information from China, has published several cases which have connections with our twin city, Hangzhou.

(a) It is reported that as Mr Yu Shaoqi changed trains in Hangzhou railway station he was arrested because he was searched and found to have Falun Gong materials.

(b) It is reported in Hangzhou city that Mrs Wang Yizhi was locked by the guards in solitary confinement. After seven years of torture and mistreatment, she passed away.

(c) As we know, Hangzhou is famous for silky umbrellas. It is reported that Ms Huang Zhijiao was forced to be an unpaid slave labourer in Hangzhou detention centre. She said the toxic chemicals from the umbrella made her hand skin become very thin, painful and extremely itchy when touched. She worked 15 hours per day without a break. On average she had to make an umbrella in 18 minutes. This is an example of one of the umbrellas made in Hangzhou. It is exactly same brand, Paradise. It refers to biggest umbrella factory in China. (*Demonstrated*)

With the tight control on information in China, what we know about the persecution in Hangzhou is only the tip of the iceberg.

Chinese Falun Gong practitioners now living in Leeds were dismissed from their jobs in China and their relatives were sentenced to forced labour camps. They cannot go back to China now because of the danger of being persecuted and their families cannot come here either because they were refused a passport by the Chinese government.

Not only Chinese British, native Leeds citizen was violently treated and deported when he tried to peacefully protest in China.

The Council has a responsibility to uphold civil liberties and human rights. Thirteen years of persecution and it is still going on today. We hope you can make a proclamation to call to stop the persecution and follow other cities' example in naming a "Falun Dafa Day" in recognition of the courage and sacrifices of practitioners in China and abroad.

Please make the right choice.

By the way, it is not easy to explain Falun Gong in five minutes. We have other information on outside desk, so help yourself during the break. We also have a Truthfulness, Compassion, Tolerance art exhibition at the Corn Exchange.

THE LORD MAYOR: Would you make your final point now, please? The red light has come on.

MS M MAN: Thanks for listening. (*Applause*)

COUNCILLOR J LEWIS: Thank you. I move that the matter be referred to the General Purposes Committee for consideration.

COUNCILLOR G LATTY: I second that, Lord Mayor.

THE LORD MAYOR: All those in favour? (*A vote was taken*) CARRIED. Thank you for attending and for what you have said. You will be kept informed of the consideration which your comments will receive. Good afternoon.

Report of the City Solicitor

Report to General Purposes Committee

Date: 30th August 2012

Subject: Proposed amendments to the Members' Code of Conduct arising from DCLG Guidance

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|--|------------------------------|--|
| Are specific electoral Wards affected? If relevant, name(s) of Ward(s): n/a | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Are there implications for equality and diversity and cohesion and integration? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Is the decision eligible for Call-In? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: n/a Appendix number: n/a | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

Summary of main issues

1. The purpose of this report is bring Members attention to new guidance from the Department of Communities and Local Government called "Openness and transparency on personal interests: A guide for councillors".
2. Amendments to the Members' Code of Conduct are proposed in light of guidance relating to Member participation in business in which a Member has a disclosable pecuniary interest.
3. Amendments are also proposed to Article 15 of the Constitution to enable the Standards and Conduct Committee to make recommendations directly to full Council regarding amendments to the Members' Code of Conduct in future.

Recommendations

4. Members are also asked to consider whether any representations should be made to DCLG on the new Guidance
5. Members of General Purposes Committee are asked to recommend to full Council that:
 - the proposed amendments to the Members' Code of Conduct (as shown in Appendix 2) be approved; and
 - the proposed amendment to Article 15 of the Constitution (as shown in Appendix 3) be approved.

1 Purpose of this report

- 1.1 The purpose of this report is bring Members attention to new guidance from the Department of Communities and Local Government called “Openness and transparency on personal interests: A guide for councillors”.
- 1.2 Amendments to the Members’ Code of Conduct are proposed in light of guidance received from DCLG restricting any Member participation in business in which a Member has a disclosable pecuniary interest.

2 Background information

- 2.1 The DCLG have issued practical guidance (attached as Appendix 1 to this report) to further explain how the provisions of the Localism Act 2011 relating to Standards should be interpreted.
- 2.2 The guidance was published on Thursday 2nd August and Bob Neill MP wrote to all Council Leaders to let them know about the guidance.

3 Main issues

- 3.1 The guidance clarifies various aspects of the legislation in relation to the Register of Members’ Interests, including requirements relating publishing, maintenance, and format.
- 3.2 However more significantly the guidance clarifies the extent of the prohibitions in place for Members who have a disclosable pecuniary interest in a matter being considered at a meeting.
- 3.3 If a Member is present at a formal meeting of the Council, and they have a disclosable pecuniary interest relating to any business that is or will be considered at the meeting, the Localism Act stipulates that they must not:
 - Participate in any discussion of the business at the meeting, or if they become aware of their disclosable pecuniary interest during the meeting, participate further in any discussion of that business, or
 - Participate in any vote or further vote taken on the matter at the meeting.
- 3.4 The guidance states that “these prohibitions apply to any form of participation, including speaking as a member of the public”.
- 3.5 In Leeds, the Members’ Code of Conduct makes provision for Members to make representations, answer questions or give evidence relating to a matter in which they have a disclosable pecuniary interest, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.
- 3.6 Given the wording of the guidance it is clear that DCLG are of the view that it is no longer possible to draw such a distinction between participation in any discussion and making representations, and Members attending the meeting to make representations would be committing a potential criminal offence.

- 3.7 As this is a significant departure from previous practice and places restrictions on Members ability to make direct representations which do not apply to the public, Members may wish Officers to make representations to DCLG on these matters.
- 3.8 In any event, to ensure Members do not inadvertently fail to comply with conduct provisions, where a Member with a disclosable pecuniary interest wishes to make representations on a matter, it would appear that to do so it would be necessary for the Member to put the representation in writing or ask a colleague or professional representative to make their representations on their behalf.
- 3.9 In light of this change in emphasis, and the inherent risks Members might be otherwise exposed to, General Purposes Committee is asked to recommend that the Code of Conduct is amended to remove this paragraph. Appendix 2 contains the proposed amendments.

Process for amending the Members' Code of Conduct

- 3.10 The Standards and Conduct Committee currently has the power to “advise the authority in relation to the adoption, revision or replacement of the code dealing with the conduct that is expected of members and co-opted members of the authority when they are acting in that capacity”. This is part of the Committee’s wider role of promoting and maintaining high standards of conduct by members and co-opted members of the authority.
- 3.11 However, Article 15 of the Constitution states that where approval of full Council is required for changes in Parts 3 to 5 of the Constitution, then they will only be approved by full Council after consideration of the proposal by the General Purposes Committee and following advice from the Monitoring Officer.
- 3.12 It is proposed that Article 15 is amended to allow the Standards and Conduct Committee to make any recommendations for amendment to the Members’ Code of Conduct (Part 5(a) of the Constitution) directly to full Council, rather than through the General Purposes Committee. This will mean that necessary amendments can be made much more quickly, whilst allowing the Standards and Conduct Committee to fully exercise its role. The proposed amendments are shown in Appendix 3.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 The guidance has been published on the DCLG website and has been circulated to all Council Leaders.
- 4.1.2 The Parish and Town Councils in Leeds will need to be advised of the implications of the guidance so that they can amend their own codes of conduct accordingly.

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 There are no implications for equality and diversity arising from this report.

4.3 Council policies and City Priorities

- 4.3.1 Principle 3 of the Code of Corporate Governance states that the Council will keep the Members’ Code of Conduct under review, as well as any supplementary

codes and protocols. The Codes of Practice in relation to Licensing and Planning will also need to be further reviewed to ensure that any reference to Members being able to make representations is removed.

4.4 Resources and value for money

4.4.1 There are no resource implications arising from this report.

4.5 Legal Implications, Access to Information and Call In

4.5.1 The guidance released by the DCLG explains how the legislation underpinning the new standards regime should be interpreted, and therefore the Council should have regard to the guidance.

4.5.2 Adopting, revising or replacing the Members' Code of Conduct is a function of the full Council, and therefore General Purposes Committee is being asked to make a recommendation to full Council for approval.

4.5.3 There are no implications in relation to access to information or call in.

4.6 Risk Management

4.6.1 If the Code of Conduct is not amended to reflect the guidance from DCLG there is a risk that Members may place themselves at risk of committing a criminal offence by participating in the meeting with a disclosable pecuniary interest.

5 Conclusions

5.1 The guidance (attached as Appendix 1 to this report) provides clarity on the extent to which Members are able to participate in business in which they have a disclosable pecuniary interest. As a result of this clarification amendments are proposed to the Members' Code of Conduct (attached as Appendix 2).

6 Recommendations

6.1 Members are also asked to consider whether any representations should be made to DCLG on the new Guidance.

6.2 Members of General Purposes Committee are asked to recommend to full Council that:

- the proposed amendments to the Members' Code of Conduct (as shown in Appendix 2) be approved; and
- the proposed amendment to Article 15 of the Constitution (as shown in Appendix 3) be approved.

7 Background documents¹

None

¹ The background documents listed in this section are available for inspection on request for a period of four years following the date of the relevant meeting. Accordingly this list does not include documents containing exempt or confidential information, or any published works. Requests to inspect any background documents should be submitted to the report author.



Department for
Communities and
Local Government

Openness and transparency on personal interests

A guide for councillors

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The Guide

This guide on personal interests gives basic practical information about how to be open and transparent about your personal interests. It is designed to help councillors, including parish councillors, now that new standards arrangements have been introduced by the Localism Act 2011¹.

Why are there new rules?

Parliament has abolished the Standards Board regime and all the rules under it. It has done this because that centrally-imposed, bureaucratic regime had become a vehicle for petty, malicious and politically-motivated complaints against councillors. Rather than creating a culture of trust and openness between councillors and those they represent, it was damaging, without justification, the public's confidence in local democratic governance.

The new standards arrangements that Parliament has put in place mean that it is largely for councils themselves to decide their own local rules. It is essential that there is confidence that councillors everywhere are putting the public interest first and are not benefiting their own financial affairs from being a councillor. Accordingly, within the new standards arrangements there are national rules about councillors' interests.²

Such rules, in one form or another, have existed for decades. The new rules are similar to the rules that were in place prior to the Standards Board regime. Those rules, originating in the Local Government Act 1972 and the Local Government and Housing Act 1989, involved local authority members registering their pecuniary interests in a publicly available register, and disclosing their interests and withdrawing from meetings in certain circumstances. Failure to comply with those rules was in certain circumstances a criminal offence, as is failure to comply in certain circumstances with the new rules.

Does this affect me?

Yes, if you are an elected, co-opted, or appointed member of:

- a district, unitary, metropolitan, county or London borough council
- a parish or town council
- a fire and rescue authority
- a transport or other joint authority
- a combined authority or an economic prosperity board
- the London Fire and Emergency Planning Authority

¹ The Guide should not be taken as providing any definitive interpretation of the statutory requirements; those wishing to address such issues should seek their own legal advice.

² The national rules are in Chapter 7 of the Localism Act 2011 and in the secondary legislation made under the Act, particularly in The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 (S.I. 2012/1464).

- the Broads Authority
- a National Park authority
- the Greater London Authority
- the Common Council of the City of London
- the Council of the Isles of Scilly

How will there be openness and transparency about my personal interests?

The national rules require your council or authority to adopt a code of conduct for its members and to have a register of members' interests.

The national rules require your council's code of conduct to comply with the Seven Principles of Public Life, and to set out how, in conformity with the rules, you will have to disclose and register your pecuniary and your other interests. Within these rules it is for your council to decide what its code of conduct says. An illustrative text for such a code is available on the Department's web site.³

Your council's or authority's monitoring officer (or in the case of a parish council the monitoring officer of the district or borough council) must establish and maintain your council's register of members' interests. Within the requirements of the national rules it is for your council or authority to determine what is to be entered in its register of members' interests.

What personal interests should be entered in my council's or authority's register of members' interests?

Disclosable pecuniary interests, and any other of your personal interests which your council or authority, in particular through its code of conduct, has determined should be registered.

Any other of your personal interests which you have asked the monitoring officer, who is responsible for your council's or authority's register of members' interests, to enter in the register.

What must I do about registering my personal interests?

Under your council's code of conduct you must act in conformity with the Seven Principles of Public Life. One of these is the principle of honesty - that **'holders of public office have a duty to declare any private interests**

³ <http://www.communities.gov.uk/publications/localgovernment/localcodeconduct>

relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest'⁴.

Your registration of personal interests should be guided by this duty and you should give the monitoring officer who is responsible for your council's or authority's register of members' interests any information he or she requests in order to keep that register up to date and any other information which you consider should be entered in the register.

All sitting councillors need to register their declarable interests. Any suggestion that you should tell the monitoring officer about your pecuniary interests only in the immediate aftermath of your being elected is wholly incompatible with this duty, with which you must comply.

If you have a disclosable pecuniary interest which is not recorded in the register and which relates to any business that is or will be considered at a meeting where you are present, you must disclose⁵ this to the meeting and tell the monitoring officer about it, if you have not already done so, so that it can be added to the register. You must tell the monitoring officer within 28 days of disclosing the interest. For this purpose a meeting includes any meeting of your council or authority, of its executive or any committee of the executive, and of any committee, sub-committee, joint committee or joint sub-committee of your authority.

If you have a disclosable pecuniary interest which is not shown in the register and relates to any business on which you are acting alone, you must, within 28 days of becoming aware of this, tell the monitoring officer about it, if you have not already done so, so that it can be added to the register. You must also stop dealing with the matter as soon as you become aware of having a disclosable pecuniary interest relating to the business.

When you are first elected, co-opted, or appointed a member to your council or authority, you must, within 28 days of becoming a member, tell the monitoring officer who is responsible for your council's or authority's register of members' interests about your disclosable pecuniary interests. If you are re-elected, re-co-opted, or reappointed a member, you need to tell the monitoring officer about only those disclosable pecuniary interests that are not already recorded in the register.

What are pecuniary interests?

A person's pecuniary interests are their business interests (for example their employment, trade, profession, contracts, or any company with which they are

⁴ http://www.public-standards.gov.uk/Library/Seven_principles.doc

⁵ If the interest is a sensitive interest you should disclose merely the fact that you have such a disclosable pecuniary interest, rather than the interest. A sensitive interest is one which the member and the monitoring officer, who is responsible for the register of members' interests, consider that disclosure of its details could lead to the member, or a person connected to the member, being subject to violence or intimidation.

associated) and wider financial interests they might have (for example trust funds, investments, and assets including land and property).

Do I have any disclosable pecuniary interests?

You have a disclosable pecuniary interest if you, or your spouse or civil partner, have a pecuniary interest listed in the national rules (see annex). Interests of your spouse or civil partner, following the approach of the rules under the 1972 and 1989 Acts, are included to ensure that the public can have confidence that councillors are putting the public interest first and not benefiting the financial affairs of themselves or their spouse or civil partner from which the councillor would stand to gain. For this purpose your spouse or civil partner includes any person with whom you are living as husband or wife, or as if they were your civil partner.

Does my spouse's or civil partner's name need to appear on the register of interests?

No. For the purposes of the register, an interest of your spouse or civil partner, which is listed in the national rules, is **your** disclosable pecuniary interest. Whilst the detailed format of the register of members' interests is for your council to decide, there is no requirement to differentiate your disclosable pecuniary interests between those which relate to you personally and those that relate to your spouse or civil partner.

Does my signature need to be published online? Won't this put me at risk of identity theft?

There is no legal requirement for the personal signatures of councillors to be published online.

Who can see the register of members' interests?

Except for parish councils, a council's or authority's register of members' interests must be available for inspection in the local area, and must be published on the council's or authority's website.

For parish councils, the monitoring officer who is responsible for the council's register of members' interests must arrange for the parish council's register of members' interests to be available for inspection in the district or borough, and must be published on the district or borough council's website.

Where the parish council has its own website, its register of members' interests must also be published on that website.

This is in line with the Government's policies of transparency and accountability, ensuring that the public have ready access to publicly available information.

Is there any scope for withholding information on the published register?

Copies of the register of members' interests which are available for inspection or published must not include details of a member's sensitive interest, other than stating that the member has an interest the details of which are withheld. A sensitive interest is one which the member and the monitoring officer, who is responsible for the register of members' interests, consider that disclosure of its details could lead to the member, or a person connected to the member, being subject to violence or intimidation.

When is information about my interests removed from my council's register of members' interests?

If you cease to have an interest, that interest can be removed from the register. If you cease to be a member of the authority, all of your interests can be removed from the register.

What does having a disclosable pecuniary interest stop me doing?

If you are present at a meeting of your council or authority, of its executive or any committee of the executive, or of any committee, sub-committee, joint committee, or joint sub-committee of your authority, and you have a disclosable pecuniary interest relating to any business that is or will be considered at the meeting, you must not:

- participate in any discussion of the business at the meeting, or if you become aware of your disclosable pecuniary interest during the meeting, participate further in any discussion of the business, or
- participate in any vote or further vote taken on the matter at the meeting.

These prohibitions apply to any form of participation, including speaking as a member of the public.

In certain circumstances you can request a dispensation from these prohibitions.

Where these prohibitions apply, do I also have to leave the room?

Where your council's or authority's standing orders require this, you must leave the room. Even where there are no such standing orders, you must leave the room if you consider your continued presence is incompatible with your council's code of conduct or the Seven Principles of Public Life.

When and how can I apply for a dispensation?

The rules allow your council or authority in certain circumstances to grant a dispensation to permit a member to take part in the business of the authority even if the member has a disclosable pecuniary interest relating to that business. These circumstances are where the council or authority considers that:

- without the dispensation so great a proportion of the council or authority would be prohibited from participating in that business as to impede the council's or authority's transaction of that business,
- without the dispensation the representation of different political groups dealing with that business would be so upset as to alter the likely outcome of any vote,
- the granting of the dispensation is in the interests of people living in the council's or authority's area,
- without the dispensation each member of the council's executive would be prohibited from participating in the business, or
- it is otherwise appropriate to grant a dispensation.

If you would like your council or authority to grant you a dispensation, you must make a written request to the officer responsible for handling such requests in the case of your council or authority.

What happens if I don't follow the rules on disclosable pecuniary interests?

It is a criminal offence if, without a reasonable excuse, you fail to tell the monitoring officer about your disclosable pecuniary interests, either for inclusion on the register if you are a newly elected, co-opted or appointed member, or to update the register if you are re-elected or re-appointed, or when you become aware of a disclosable pecuniary interest which is not recorded in the register but which relates to any matter;

- that will be or is being considered at a meeting where you are present, or
- on which you are acting alone.

It is also a criminal offence to knowingly or recklessly provide false or misleading information, or to participate in the business of your authority where that business involves a disclosable pecuniary interest. It is also a

criminal offence to continue working on a matter which can be discharged by a single member and in which you have a disclosable pecuniary interest.

If you are found guilty of such a criminal offence, you can be fined up to £5,000 and disqualified from holding office as a councillor for up to five years.

Where can I look at the national rules on pecuniary interests?

The national rules about pecuniary interests are set out in Chapter 7 of the Localism Act 2011, which is available on the internet here:

<http://www.legislation.gov.uk/ukpga/2011/20/part/1/chapter/7/enacted>

and in the secondary legislation made under the Act, in particular The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 which can be found here:

<http://www.legislation.gov.uk/uksi/2012/1464/contents/made>

Annex

Description of disclosable pecuniary interests

If you have any of the following pecuniary interests, they are your **disclosable pecuniary interests** under the new national rules. Any reference to spouse or civil partner includes any person with whom you are living as husband or wife, or as if they were your civil partner.

- Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner, undertakes.
- Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992. The relevant period is the 12 months ending on the day when you tell the monitoring officer about your disclosable pecuniary interests following your election or re-election, or when you became aware you had a disclosable pecuniary interest relating to a matter on which you were acting alone.
- Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority -
 - under which goods or services are to be provided or works are to be executed; and
 - which has not been fully discharged.
- Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.
- Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.
- Any tenancy where (to your knowledge) -
 - the landlord is your council or authority; and
 - the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.

- Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -
 - (a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and
 - (b) either -
 - the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
 - if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

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| MEMBERS' CODE OF CONDUCT |
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This Code applies to elected Members and voting co-opted Members of Leeds City Council in all aspects of their public life. This means that the Council expects Members to follow this Code when they are conducting the work of the Council, representing the Council on any external organisation, and otherwise acting in their official capacity. The Code of Conduct does not apply to what Members do in their purely private and personal lives¹.

Part One - Standards of Conduct

You must have regard to, and act in accordance with, the following standards of conduct²:

1. **Selflessness**
You should serve only in the public interest, and should never improperly confer an advantage or disadvantage on any person, organisation or group, or any other third party.³
2. **Honesty and Integrity**
You should not place yourself in situations where your honesty and integrity may be questioned, you should not behave improperly and should avoid the appearance of such behaviour.
3. **Objectivity**
You must make decisions based on the information before you, having had regard to any professional advice provided to you and in accordance with your view of the public interest.

You should make decisions on merit, this includes when making appointments, awarding contracts, or recommending individuals for awards or other recognition.

4. **Accountability**
You are accountable to the public for your decisions and actions and the manner in which you carry out your duties. You must co-operate fully and honestly with any scrutiny appropriate to your office.

You should not undertake any action which would bring the Council, your position, or the position of Members generally, into disrepute.

¹ When engaging in political activities such as canvassing for re-election Members are not acting in their official capacity, and for the purposes of this Code of Conduct, such political activities are considered part of a Member's private and personal life.

² And in accordance with any supplementary guidance or protocols agreed by the authority from time to time.

³ This does not mean that Members are under any obligation to support or become involved in all requests for assistance from their constituents.

Members' Code of Conduct

5. **Openness**

You must be as open as possible about your actions and those of the authority, and should be prepared to give reasons for those actions.

6. **Leadership**

You must promote and maintain high standards of conduct by supporting these principles by leadership and by example, and should act in a way that secures or preserves the confidence of others.

You must have due regard to the impartiality and integrity of the authority's statutory officers and its other employees⁴.

Part Two – Registration and disclosure of interests

Registration of Interests

7. Within 28 days of your election or co-option, you must notify the Monitoring Officer of any 'disclosable pecuniary interests' which you have at that time⁵.
8. Where you are re-elected or re-appointed, notification is only required of any new disclosable pecuniary interests within 28 days of your election or co-option.
9. You must keep your Register of Interests entry up to date by notifying the Monitoring Officer of any changes to your disclosable pecuniary interests within 28 days of the change occurring, or of you becoming aware of the change.
10. A pecuniary interest is a 'disclosable pecuniary interest' in relation to you if it is of a type described in Appendix 1, and either:
 - (a) it is an interest of yourself, or
 - (b) it is an interest of -
 - (i) your spouse or civil partner,
 - (ii) a person with whom you are living as husband and wife, or
 - (iii) a person with whom you are living as if you are civil partners, and you are aware that that other person has the interest.
11. You are also required to notify the Monitoring Officer of any gifts or hospitality with an estimated value of at least £50⁶ which you receive in your role as a

⁴ Members may express themselves robustly in representing their, or their constituents' views, although where a Member engages in a sustained or systematic challenge of an employee which is unfounded or in any other way unreasonable, such conduct would fall within the scope of this code. However an unintentional remark, made in isolation, is unlikely to amount to a failure to comply with the code of conduct.

⁵ The Monitoring Officer must enter these interests into the Register of Interests, which will be made available for public inspection and published on the Council's website.

⁶ This financial limit will be maintained in line with the definition of a donation to be declared by election candidates during local authority elections in England and Wales (as set out in Schedule 2A of the Representation of the People Act 1983).

Members' Code of Conduct

Leeds City Councillor⁷. You must inform the Monitoring Officer of any such gifts or hospitality within 28 days of receiving them so that the details can be entered into the Register of Interests.⁸

Sensitive interests

12. If the nature of an interest is such that you and the Monitoring Officer consider that disclosure of the details of the interest could lead to you, or a person connected with you, being subject to violence or intimidation, the interest must not be included in any published version of the Register of Interests, or be entered into any copy of the register that is made available for public inspection^{9 10}.

Disclosure of disclosable pecuniary interests at meetings

13. The following provisions apply if you are present at a meeting of the authority or of any committee¹¹, sub-committee, joint committee or joint sub-committee of the authority, and you are aware that you have a disclosable pecuniary interest in a matter to be considered, or being considered, at the meeting.
14. If the interest is not entered in the authority's Register of Interests, you must disclose the interest to the meeting (unless the interest is a sensitive interest).
15. If the interest is not entered in the authority's Register of Interests and is not the subject of a pending notification, you must notify the Monitoring Officer of the interest before the end of 28 days beginning with the date of the disclosure.
16. Where the interest does appear in the Register of Interests, you must bring the interest to the attention of the meeting (unless the interest is a sensitive interest).
17. You may not:
 - (a) participate, or participate further, in any discussion of the matter at the meeting,
 - (b) participate in any vote, or further vote, taken on the matter at the meeting (unless the Member has requested and been granted a relevant dispensation by the Standards and Conduct Committee), or
 - (c) remain in the room during the discussion or vote on the matter.

Deleted: <#>Where you have a disclosable pecuniary interest in a matter to be considered at a meeting, you may attend the meeting but only for the purposes of making representations, answering questions or giving evidence relating to the matter, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise. Once you have finished, or the meeting decides you have finished, you must leave the room and may not remain in the room during the discussion or vote on the matter.¶

⁷ This does not include civic gifts or hospitality received by the Lord Mayor of Leeds whilst acting in this capacity. Civic gifts are to be recorded in a separate register maintained by the Lord Mayor's office.

⁸ These details will be removed from the register two calendar years after they were added by the Monitoring Officer.

⁹ Instead the Register of Interests may state that the Member has an interest the detail of which are withheld under section 32(2) of the Localism Act 2011

¹⁰ If the Member is required to disclose such an interest in a meeting, the Member need not disclose the interest, but merely the fact that the Member has a disclosable pecuniary interest in the matter concerned.

¹¹ This includes the Executive Board and any committee of the executive.

Members' Code of Conduct

Disclosure of other interests at meetings

18. Where you are present at a meeting of the authority, or any committee, sub-committee, joint committee or joint sub-committee of the authority, and identify any other significant interests which you feel should be declared in the public interest, such interests may be declared to the meeting.
19. In such circumstances you must consider whether your continued participation in the matter relating to your interest would be reasonable in the circumstances, particularly if the interest may give rise to a perception of a conflict of interests in the matter under discussion.

Allegations of a Failure to Comply with Code of Conduct

20. All complaints alleging a failure to comply with this Code will be considered in accordance with a procedure agreed by full Council.

APPENDIX 1 - DEFINITION OF A 'DISCLOSABLE PECUNIARY INTEREST'¹²

Employment, office, trade, profession or vocation - Any employment, office, trade, profession or vocation carried on for profit or gain.

Sponsorship - Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period¹³ in respect of any expenses incurred by you in carrying out your duties as a Member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

Contracts - Any contract which is made between the relevant person¹⁴ (or a body in which the relevant person has a beneficial interest¹⁵) and the relevant authority –

- (a) under which goods or services are to be provided or works are to be executed; and
- (b) which has not been fully discharged.

Land - Any beneficial interest in land¹⁶ which is within the area of the relevant authority.

Licences - Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.

Corporate tenancies - Any tenancy where (to your knowledge) –

- (a) the landlord is the relevant authority; and
- (b) the tenant is a body in which the relevant person has a beneficial interest.

Securities - Any beneficial interest in securities¹⁷ of a body where –

- (a) that body (to your knowledge) has a place of business or land in the area of the relevant authority; and
- (b) either –

¹² As defined in The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012/1464.

¹³ "Relevant period" means the period of 12 months ending with the day on which the Member completes their notification.

¹⁴ "Relevant person" refers to the Member and their spouse or civil partner, or a person with whom the Member is living as husband or wife, or a person with whom the Member is living as if they were civil partners, so long as the Member is aware that that other person has the interest.

¹⁵ This means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest. The definition of "director" includes a member of a committee of management of an industrial and provident society.

¹⁶ "Land" excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income.

¹⁷ "Securities" means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Members' Code of Conduct

- (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
- (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

ARTICLE 15 - REVIEW AND REVISION OF THE CONSTITUTION

15.1 DUTY TO MONITOR AND REVIEW THE CONSTITUTION

The Monitoring Officer will monitor and review the operation of the Constitution to ensure that the aims and principles of the Constitution are given full effect.

- **Protocol for monitoring and review of constitution**

A key role for the Monitoring Officer is to be aware of the strengths and weaknesses of the Constitution adopted by the Council, and to make recommendations for ways in which it could be amended in order better to achieve the purposes set out in Article 1.

In undertaking this task the Monitoring Officer may:

- (a) observe meetings of different parts of the Member and officer structure;
- (b) undertake an audit trail of a sample of decisions;
- (c) record and analyse issues raised with him/her by Members, officers, the public and other relevant stakeholders; and/or
- (d) compare practices in this authority with those in other comparable authorities, or national examples of best practice.

15.2 CHANGES TO THE CONSTITUTION

- **Approval**

Changes to Parts 1 and 2 of the Constitution will only be approved by the full Council after consideration of the proposal by the General Purposes Committee and following advice from the Monitoring Officer, save that authority to make certain changes is delegated to the Monitoring Officer as detailed below. Changes to the Constitution may be made by simple majority.

Changes to Parts 3 to 7 of the Constitution will be approved by the body or person to whom such authority has been delegated as indicated in the relevant Part of the Constitution.

Where the approval of full Council is required for such changes in Parts 3 to 5 of the Constitution, then they will only be approved by full Council after consideration of the proposal by the General Purposes Committee, except in the case of the Members' Code of Conduct which will be considered by the Standards and Conduct Committee, and following advice from the Monitoring Officer.

The Monitoring Officer is authorised to make any changes to any Part of the Constitution which are required:

- as a result of legislative change or decisions of the Council¹ or Executive² to enable him/her to maintain it up to date;
- or for the purposes of clarification only.

All changes made by officers under delegated authority will be recorded as delegated decisions.

¹ Including Council Committees and Officers acting under delegated authority.

² Including Committees of the Executive and Officers acting under delegated authority.

Report of the City Solicitor

Report to General Purposes Committee

Date: 30th August 2012

Subject: New Regulations regarding meetings of the executive and access to information

| | |
|--|---|
| Are specific electoral Wards affected? If relevant, name(s) of Ward(s): n/a | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Are there implications for equality and diversity and cohesion and integration? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Is the decision eligible for Call-In? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: n/a Appendix number: n/a | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |

Summary of main issues

1. The purpose of this report is to outline the new provisions introduced by the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, to seek Members' views on proposed amendments to current practice, and to highlight any areas of risk to the authority.

2. The Regulations were made on 10th August 2012 and will come into force on Monday 10th September 2012. The new Regulations revoke the current Regulations which govern meetings of the executive and how executive decisions are recorded.

Recommendations

3. Members of the General Purposes Committee are asked to:
 - Note the implications of the new Regulations and officers' suggestions that clarification should be sought as to the scope and definition of 'executive decisions'.
 - Consider whether the Council should continue to produce some form of Forward Plan, and what period it should cover.
 - Recommend that full Council approve the proposed amendments to Article 12 in relation to the functions of the Head of Paid Service (Appendix 2), and the amended terms of reference for the Standards and Conduct Committee (Appendix 3).

- Note that the City Solicitor's intention, in consultation with Members, to amend the Constitution¹ to give effect to the new Regulations and the amendments to current practice.

1 Purpose of this report

- 1.1 The purpose of this report is to outline the new provisions introduced by the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, to seek Members' views on proposed amendments to current practice, and to highlight any areas of risk to the authority.

2 Background information

- 2.1 The Regulations (attached as Appendix 1) were made on 10th August 2012 and will come into force on Monday 10th September 2012. The new Regulations revoke the current Regulations which govern meetings of the executive and how executive decisions are recorded.
- 2.2 The Government has chosen not to consult on the contents of these Regulations, but did conduct a short, focussed informal sounding exercise with partners, including the Local Government Association (LGA), Society of Local Authority Chief Executives, Association of Council Secretaries and Solicitors, Centre for Public Scrutiny, Local Government Regulation, and the Chartered Institute of Public Finance and Accountancy. Unfortunately local authorities were not informed of the Regulations until they were published, and in their response the LGA stated that no amendments to existing Regulations were necessary. The Government did not share that view.
- 2.3 The Government consider that the Regulations are necessary in order to clarify and extend the circumstances in which local authority executive decisions are to be open to the public by requiring maximum transparency rather than allowing it. The Government does not plan to issue any separate guidance on these Regulations, as they are considered to be self explanatory, nor does the Government intend to monitor local authority compliance with the new Regulations.

3 Main issues

Meetings of the Executive Board and other executive committees

- 3.1 The previous Regulations required that any meeting of the Executive where a key decision was to be made must be held in public. The new Regulations establish a presumption that all Executive Board meetings (and meetings of executive committees) will be held in public, unless certain circumstances apply. Whilst the meeting is open to the public, any person attending the meeting for the purpose of reporting the proceedings is, so far as practicable, to be afforded reasonable facilities for taking their report. However, as before, this does not mean that the

¹ The City Solicitor (as Monitoring Officer) has the authority to make any changes to any part of the Constitution which are required as a result of legislative change, or decisions of the Council or Executive, to enable her to maintain it up to date.

authority must permit photographs, video or audio recordings of the meeting, or an oral report of the proceedings as they take place.

- 3.2 It is still up to a local authority executive to decide which of its meetings, and which of the meetings of any committee of the executive, are to be open to the public and which of those meetings are to be held in private. The Regulations prescribe the procedures which must be followed before the Executive Board or one of its committees holds a meeting in private, including allowing the public to make representations about why the meeting should be open to the public. This is unlikely to be an issue for Leeds City Council as since the adoption of executive arrangements all decision making meetings of the Executive have been held in public as a matter of course.

Key decisions

- 3.3 The definition of a key decision provided in the Regulations remains the same. As Members will be aware the definition of a Key decision used in Leeds differs from the definition provided in the Regulations. The Regulations state that a decision is a Key decision if it is significant in terms of its effects on communities living or working in an area comprising two or more wards, whereas in Leeds a decision is treated as Key if it significantly affects one or more wards.
- 3.4 The Secretary of State issued guidance in October 2000 on the definition of a key decision through the 'New Council Constitutions: Guidance to Local Authorities in England' which stated that "nevertheless, local authorities should, unless it is impracticable to do so, specify that they will treat as if they were key any decisions which are likely to have a significant impact on communities in one or more ward". Therefore the definition used in Leeds is consistent with the guidance issued in October 2000.
- 3.5 It is considered that the definition of a key decision currently being used does not present a risk to the authority given that the result is that more decisions are treated as Key decisions and are therefore subject to greater transparency and public scrutiny.

Forward Plan

- 3.6 The Council is no longer required to produce and publish a Forward Plan detailing the Key decisions to be taken during a four month period. Instead the new Regulations state that where a decision maker intends to make a Key decision, that decision must not be made until a document has been published at least 28 clear days beforehand. This document must be made available for inspection by the public at the offices of the relevant authority and on the website.
- 3.7 This deadline is significantly earlier than the 14 days which decision makers currently need to comply with, and therefore some key decisions which are due to be taken after 10th September will not have been publicised early enough. This will affect key decisions which are taken by officers on Monday 10th September until Thursday 13th September (inclusive). However, the new rules regarding notification will not prevent key decisions being made during this period, as key decisions can still be made under the provisions for general exception or special

urgency (detailed later in this report). Any key decisions which are due to be taken during the remainder of September will have been the subject of a notification 28 clear days earlier, as the Forward Plan for September was published on Thursday 16th August. The change will not affect any decisions due to be taken by the Executive Board as it is not scheduled to meet during this period.

- 3.8 In order to mitigate the risk for decisions which are due to be taken during the beginning of October, the Forward Plan for October – January will to be published on Friday 31st August rather than on 17th September. This will mean that details of decisions which are due to be taken on 1st October onwards will have been available for 28 clear days beforehand. The format of the Forward Plan will also be amended to include the additional details required under the new Regulations.
- 3.9 The notice of a key decision must contain additional information relating to the documents submitted to the decision maker for consideration, where the public can access the documents, and the procedure for requesting any other documents to be considered as they become available. The requirements to detail information about the consultation process that will be used and to identify the groups that would be consulted on the decision have been removed. However as the issue remains a cross cutting Council priority it would be appropriate for any such notice to include this information.
- 3.10 It is recommended that the Council continues to publish pending key decisions on a monthly basis, a month in advance, with the period covered being four months. This enables Scrutiny Boards to have a reasonable period of notice of forthcoming executive decisions that might be suitable for pre decision scrutiny. The new Regulations also provide an opportunity for the plan to be updated in real time. This has the advantage of being similar to the current process for producing the Forward Plan, maintains and improves the current notification process linked to scrutiny, and does not require a new facility for such a list to be produced and managed through the Council's website.
- 3.11 Where it is not possible for an officer to comply with the notification requirements it is still possible to rely on the provisions of 'general exception' or 'special urgency'. The rules regarding general exception are broadly the same, although the Regulations now state that as soon as reasonably practicable the proper officer must make available at the offices of the local authority a notice setting out the reasons why compliance with the 28 days notification period is impracticable and that notice must be published on the Council's website.
- 3.12 In relation to cases of special urgency, there is now a requirement that as soon as reasonable practicable after the decision maker has obtained agreement that the making of the decision is urgent and cannot reasonably be deferred, the decision maker (rather than the proper officer) must make available at the offices of the Council a notice setting out the reasons that the decision is urgent and cannot reasonably be deferred, and that notice must be published on the Council's website.
- 3.13 Although these are new requirements in the Regulations, the delegated decision form used by decision makers in Leeds already requires them to specify why the

decision has not been included in the Forward Plan when the general exception or special urgency provisions are being used.

- 3.14 Alongside these changes, the requirement to have the report and other documents relating to an officer delegated decision available for inspection five days before the decision is taken has been removed. However, Members views are sought on whether the 5 clear working day publication for officer key decisions should be maintained.

Recording of executive decisions

- 3.15 Under the previous Regulations, as soon as reasonably practicable after an officer had made a decision which was a **key decision**, the officer would produce a written statement which had to include:

- A record of the decision;
- A record of the reasons for the decision;
- Details of any alternative options considered and rejected by the officer at the time when he made the decision;
- A record of any conflict of interest declared, in relation to the decision, by any executive member who was consulted, and a record of any dispensation granted.

- 3.16 The previous Regulations only required Key decisions to be recorded in this way. However, in Leeds, three other categories of executive decision were developed. These were Major, Significant Operational and Administrative. All decisions except Administrative decisions were required to be formally recorded by officers (including the information listed above), and more recently these decisions have all be published on the Council's website alongside the report and other documents considered by the decision maker.

- 3.17 In May 2012 the Council decided to delete the category of Major decisions, although the definition of a Key decision was also widened to include decisions which significantly affect communities living or working in one or more wards, rather than two or more wards. This allows more decisions to be treated as Key decisions and therefore increases transparency and the opportunity for Member and public involvement in these decisions.

- 3.18 However the new Regulations state that as soon as reasonably practicable after an officer has made a decision which is an **executive decision**, the officer must produce a written statement which must include –

- A record of the decision including the date it was made;
- A record of the reasons for the decision;
- Details of any alternative options considered and rejected by the officer when making the decision;

- A record of any conflict of interest declared by an executive member who is consulted by the officer which relates to the decision, a note of any dispensation granted.

- 3.19 Furthermore, the new Regulations defines the term 'executive decision' as a decision made or to be made, by a decision maker, in connection with the discharge of a function which is the responsibility of the executive of a local authority. This seems to have significantly widened the scope of decisions which must be formally recorded to include Administrative decisions made by officers, not just Key and Significant Operational decisions.
- 3.20 Given the efforts already undertaken by Leeds City Council to be transparent, it is recommended that clarification be sought from the Department for Communities and Local Government as to the intended focus of this new Regulation, and whether Leeds' existing practice of publishing significant operational as well as key decisions satisfies the Regulations.

Background papers

- 3.21 Where a report considered at a public meeting or by an officer contains a list of background papers, a copy of each of the documents in that list must now be published on the Council's website, unless it contains exempt or confidential information. The effect of this change is that background documents must be published in relation to executive decisions, but not council decisions. The Council's report writing guidance will be reviewed prior to 10th September to ensure that all report authors are aware that background documents will need to be submitted to Governance Services alongside their reports.

Dispensations

- 3.22 At various points in the new Regulations there are references made to the Head of Paid Service granting dispensations to Members who have a declared conflict of interest. In the Localism Act 2011 this power is granted to the local authority and it does not specify that this function should be carried out by the Head of Paid Service. Full Council has already chosen to delegate this role to the Standards and Conduct Committee, with written applications for dispensations being received by the Monitoring Officer.
- 3.23 The Chief Executive has suggested that Article 12 of the Constitution is amended to transfer the function of granting dispensations to the Head of Paid Service, but only following consultation with the Chair of the Standards and Conduct Committee. This function will also need to be removed from the Standards and Conduct Committee terms of reference. The proposed amended documents are attached as Appendices 2 and 3.

Members' rights of access to information

- 3.24 Members' rights of access are broadly unchanged, although the new Regulations have introduced timescales within which Members must be provided with the requested information. Any document which is required to be available for inspection by any member of the relevant local authority must be made available

for inspection within 24 hours of the conclusion of a private meeting or the decision being made.

- 3.25 As before members of overview and scrutiny committees have additional rights to access documents relating to decisions that committee is scrutinising, and in certain circumstances the committee can access exempt or confidential information. The executive must provide the requested document as soon as reasonably practicable and in any case no later than 10 clear days after the executive receives the request. Furthermore, where the executive determines that a member of an overview and scrutiny committee is not entitled to a copy of a document for reasons set out in the regulations, it must provide the overview and scrutiny committee with a written statement setting out its reasons for that decision.

Reports from the Leader

- 3.26 Under the previous regulations the Leader was required to submit a quarterly report to the authority containing details of each executive decision taken where the decision was agreed as urgent. The new Regulations remove the requirement for the Leader to make such reports quarterly, but now state that the authority can determine when the reports should be received but the Leader must submit at least one report annually. It is suggested that this report might naturally fit within the annual decision monitoring report considered by the Corporate Governance and Audit Committee.

Inspection of documents by members of the public

- 3.27 The rules regarding the inspection and retention of documents are broadly the same. However, the new Regulations clarify that wherever a document is to be open to public inspection it should be published on the Council's website. Furthermore, subject to copyright rules, any member of the public may, in any publicly available medium, reproduce, or provide commentary in relation to, any document supplied to that person or made available for public inspection.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.2 According to the explanatory memorandum to the Regulations, the Government has chosen not to consult on the contents of these Regulations, but did conduct a short, focussed informal sounding exercise with partners, including the Local Government Association, Society of Local Authority Chief Executives, Association of Council Secretaries and Solicitors, Centre for Public Scrutiny, Local Government Regulation, and the Chartered Institute of Public Finance and Accountancy.

- 4.1.3 The Government has not carried out an impact assessment and does not plan to produce guidance on the Regulations.

4.2 Equality and Diversity / Cohesion and Integration

4.2.1 The Regulations do not explicitly require information in relation to equality and diversity to be included in the notification of a key decision. However the report writing guidance still requires decision makers to include such information in their reports to decision makers.

4.3 Council policies and City Priorities

4.3.1 These new Regulations will require amendments to the Council's Constitution and decision making procedures, particularly the Executive and Decision Making Procedure Rules and the Access to Information Procedure Rules.

4.3.2 The Council Business Plan will also be amended to clarify that key decisions are now subject to a longer notification period.

4.4 Resources and value for money

4.4.1 There are resource implications in terms of officer time involved in recording administrative decisions made by officers and ensuring that records of all executive decisions made by officers are available for inspection by Members within 24 hours of a decision being made. It is not possible to fully analyse the implications of these changes until clarification is received from DCLG regarding whether administrative decisions made by officers need to be formally recorded from 10th September onwards.

4.5 Legal Implications, Access to Information and Call In

4.5.1 These Regulations come into force on 10th September 2012 and will revoke the following current Regulations:

- The Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000;
- The Local Authorities (Executive Arrangements) (Access to Information) (England) Amendment Regulations 2002; and
- The Local Authorities (Executive Arrangements) (Access to Information) (Amendment) (England) Regulations 2006.

4.6 Risk Management

4.6.1 There are risks associated with the new Regulations, in particular that key decisions taken from Monday 10th September must have been the subject of a notification for 28 clear days beforehand. The steps proposed to mitigate these risks are detailed in the main issues section of this report.

5 Conclusions

5.1 The Government has issued new Regulations dealing with public access to meetings of the executive and how executive decisions are to be recorded. This

report highlights the implications of the new Regulations for Leeds City Council, and any areas of risk to the Council arising from the changes.

- 5.2 The most significant changes include that decision makers will need to publish a notice of a key decision 28 clear days in advance of the decision and there is no longer a requirement to publish a forward plan. The Regulations also suggest that the Head of Paid Service should be responsible for granting dispensations to Members of the executive.

6 Recommendations

6.1 Members of the General Purposes Committee are asked to:

- Note the implications of the new Regulations and officers' suggestions that clarification should be sought as to the scope and definition of 'executive decisions'.
- Consider whether the Council should continue to produce some form of Forward Plan, and what period it should cover.
- Recommend that full Council approve the proposed amendments to Article 12 in relation to the functions of the Head of Paid Service (Appendix 2), and the amended terms of reference for the Standards and Conduct Committee (Appendix 3).
- Note that the City Solicitor's intention, in consultation with Members, to amend the Constitution² to give effect to the new Regulations and the amendments to current practice.

7 Background documents³

7.1 None

² The City Solicitor (as Monitoring Officer) has the authority to make any changes to any part of the Constitution which are required as a result of legislative change, or decisions of the Council or Executive, to enable her to maintain it up to date.

³ The background documents listed in this section are available for inspection on request for a period of four years following the date of the relevant meeting. Accordingly this list does not include documents containing exempt or confidential information, or any published works. Requests to inspect any background documents should be submitted to the report author.

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 STATUTORY INSTRUMENTS

2012 No. 2089

LOCAL GOVERNMENT, ENGLAND
**The Local Authorities (Executive Arrangements) (Meetings and
Access to Information) (England) Regulations 2012**

| | |
|-------------------------------|----------------------------|
| <i>Made</i> - - - - | <i>10th August 2012</i> |
| <i>Laid before Parliament</i> | <i>15th August 2012</i> |
| <i>Coming into force</i> - - | <i>10th September 2012</i> |

The Secretary of State for Communities and Local Government, in exercise of the powers conferred by sections 9G, 9GA and 105 of the Local Government Act 2000(a), makes the following Regulations.

PART 1

General

Citation and commencement

1. These Regulations may be cited as the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 and come into force on 10th September 2012.

Interpretation

2. In these Regulations—

“the 1972 Act” means the Local Government Act 1972(b);

“the 2000 Act” means the Local Government Act 2000;

“background papers” in relation to a report or part of a report, means those documents other than published works, that—

(a) relate to the subject matter of the report or, as the case may be, the part of the report; and

(b) in the opinion of the proper officer—

(i) disclose any facts or matters on which the report or an important part of the report is based; and

(ii) were relied on to a material extent in preparing the report;

(a) 2000 c.22. Sections 9G and 9GA were inserted into the Local Government Act 2000 by section 21 of, and Schedule 2 to, the Localism Act 2011 (c.20). Schedule 2 to the Localism Act 2011 inserted Part 1A, applying to England only, into the 2000 Act. Section 105 is amended by section 100(3) of, and Schedule 3 to, the Local Government Act 2003 (c.26), by section 191(5) of the Local Government and Public Involvement in Health Act 2007 (c.28), and by paragraph 70 of Schedule 3 to the Localism Act 2011.

(b) 1972 c.70.

“confidential information” means—

- (a) information provided to the local authority by a government department on terms (however expressed) which forbid the disclosure of the information to the public; or
- (b) information the disclosure of which to the public is prohibited by or under any enactment or by the order of a court,

and in either case, a reference to the obligation of confidence is to be construed accordingly;

“copy” in relation to any document includes a copy made from a copy;

“decision maker” means the decision-making body by which, or the individual by whom, an executive decision is made;

“the decision-making body” means—

- (a) the executive of a local authority;
- (b) a committee of a local authority executive;
- (c) a joint committee, where all the members of the joint committee are members of a local authority executive, which is authorised to discharge the function to which the executive decision relates in accordance with the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012(a);
- (d) a sub-committee of a joint committee where all the members of the joint committee are members of a local authority executive, which is authorised to discharge the function to which the executive decision relates in accordance with the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012; or
- (e) an area committee of a local authority executive, within the meaning of section 9E of the 2000 Act;

“document” means any report or background papers, other than that only in a draft form, taken into consideration in relation to an executive decision;

“executive decision” means a decision made or to be made by a decision maker in connection with the discharge of a function which is the responsibility of the executive of a local authority;

“exempt information” has the meaning given by section 100I of the 1972 Act (exempt information and power to vary Schedule 12A);

“head of paid service” means a person designated as a head of paid service under section 4 of the Local Government and Housing Act 1989 (designation and reports of head of paid service)(b);

“information” includes an expression of opinion, any recommendations and any decision made;

“joint committee” means a committee appointed under section 102(1) of the 1972 Act (appointment of committees) in accordance with regulations made under section 9EB of the 2000 Act (joint exercise of functions)(c);

“key decision” has the meaning given in regulation 8;

“local authority” means a county council in England, a district council or a London borough council which is operating executive arrangements in accordance with Part 1A of the 2000 Act;

“newspaper” includes—

- (a) a news agency which systematically carries on the business of selling and supplying reports or information to the newspapers; and
- (b) any organisation which is systematically engaged in collecting news—

(a) S.I. 2012/1019.

(b) 1989 c.42; There are amendments to section 4 which are not relevant to these Regulations.

(c) Section 9EB was inserted into the 2000 Act by section 21 of, and Schedule 2 to, the Localism Act 2011 (c.20).

- (i) for sound or television broadcasts;
- (ii) for inclusion in programmes to be included in any programme service within the meaning of the Broadcasting Act 1990(a) other than a sound or television broadcasting service within the meaning of Part 3 or Part 1 of that Act respectively; or
- (iii) for use in electronic or any other format to provide news to the public by means of the internet;

“political adviser or assistant” means a person appointed pursuant to section 9 of the Local Government and Housing Act 1989(b) (assistants for political groups) or regulations made under paragraph 5 of Schedule A1 to the 2000 Act (regulations for mayor’s assistant);

“private meeting” means a meeting, or part of a meeting, of the decision-making body during which the public are excluded in accordance with regulation 4(2);

“proper officer” has the same meaning as in section 270(3) of the 1972 Act (general provisions as to interpretation);

“public meeting” means a meeting of the decision-making body which is open to the public in accordance with regulation 4(1);

“relevant local authority” means the local authority whose executive is responsible for the discharge of the function to which the executive decision relates;

“relevant overview and scrutiny committee” means an overview and scrutiny committee of the relevant local authority which has terms of reference including the power to review or scrutinise decisions made, or other actions taken, in connection with the discharge of the function to which the decision relates;

“report” in relation to an executive decision does not include a report in draft form.

PART 2

Admission of public to meetings of local authority executives and their committees

Meetings of local authority executives and their committees to be held in public

3. Subject to regulation 4, a meeting of a decision-making body must be held in public.

Admission of the public to meetings of local authority executives and their committees

4.—(1) A meeting of a decision-making body must be open to the public except to the extent that the public are excluded under paragraph (2).

(2) The public must be excluded from a meeting during an item of business whenever—

- (a) it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during that item, confidential information would be disclosed to them in breach of the obligation of confidence;
- (b) the decision-making body concerned passes a resolution to exclude the public during that item where it is likely, in view of the nature of the item of business, that if members of the public were present during that item, exempt information would be disclosed to them; or
- (c) a lawful power is used to exclude a member or members of the public in order to maintain orderly conduct or prevent misbehaviour at a meeting.

(3) A resolution under paragraph (2)(b) must—

- (a) identify the proceedings, or the part of the proceedings to which it applies, and

(a) 1990 c.42.

(b) 1989 c.42.

- (b) state, by reference to the descriptions in Schedule 12A to the 1972 Act (access to information: exempt information), the description of exempt information giving rise to the exclusion of the public.
- (4) The public may only be excluded under sub-paragraph (a) or (b) of paragraph (2) for the part or parts of the meeting during which it is likely that confidential information or exempt information would be disclosed.
- (5) Without prejudice to any power of exclusion to suppress or prevent disorderly conduct or other misbehaviour at a meeting, the decision-making body is not to have the power to exclude members of the public from a meeting while it is open to the public.
- (6) While the meeting is open to the public, any person attending the meeting for the purpose of reporting the proceedings is, so far as practicable, to be afforded reasonable facilities for taking their report.

Procedures prior to private meetings

5.—(1) A decision made by a decision-making body to hold a meeting in private is a prescribed decision for the purpose of section 9GA(5) of the 2000 Act (regulations requiring prescribed information about prescribed decisions).

- (2) At least 28 clear days before a private meeting, the decision-making body must—
 - (a) make available at the offices of the relevant local authority a notice of its intention to hold the meeting in private; and
 - (b) publish that notice on the relevant local authority’s website, if it has one.
- (3) A notice under paragraph (2) must include a statement of the reasons for the meeting to be held in private.
- (4) At least five clear days before a private meeting, the decision-making body must—
 - (a) make available at the offices of the relevant local authority a further notice of its intention to hold the meeting in private; and
 - (b) publish that notice on the relevant local authority’s website, if it has one.
- (5) A notice under paragraph (4) must include—
 - (a) a statement of the reasons for the meeting to be held in private;
 - (b) details of any representations received by the decision-making body about why the meeting should be open to the public; and
 - (c) a statement of its response to any such representations.
- (6) Where the date by which a meeting must be held makes compliance with this regulation impracticable, the meeting may only be held in private where the decision-making body has obtained agreement from—
 - (a) the chairman of the relevant overview and scrutiny committee; or
 - (b) if there is no such person, or if the chairman of the relevant overview and scrutiny committee is unable to act, the chairman of the relevant local authority; or
 - (c) where there is no chairman of either the relevant overview and scrutiny committee or of the relevant local authority, the vice-chairman of the relevant local authority,
 that the meeting is urgent and cannot reasonably be deferred.
- (7) As soon as reasonably practicable after the decision-making body has obtained agreement under paragraph (6) to hold a private meeting, it must—
 - (a) make available at the offices of the relevant local authority a notice setting out the reasons why the meeting is urgent and cannot reasonably be deferred; and
 - (b) publish that notice on the relevant local authority’s website, if it has one.

Procedures prior to public meetings

6.—(1) The decision-making body must give notice of the time and place of a public meeting by displaying it at the offices of the relevant local authority and publishing it on that authority's website, if it has one—

- (a) at least five clear days before the meeting; or
 - (b) where the meeting is convened at shorter notice, at the time that the meeting is convened.
- (2) An item of business may only be considered at a public meeting—
- (a) where a copy of the agenda or part of the agenda including the item has been available for inspection by the public as required by regulation 7 for at least five clear days before the meeting; or
 - (b) where the meeting is convened at shorter notice, a copy of the agenda including the item has been available for inspection by the public from the time that the meeting was convened.

Access to agenda and connected reports for public meetings

7.—(1) Subject to paragraph (2), a copy of the agenda and every report for a meeting must be made available for inspection by the public—

- (a) at the offices of the relevant local authority; and
- (b) on the relevant local authority's website, if it has one.

(2) If the proper officer thinks fit, there may be excluded from the copy of any report provided pursuant to paragraph (1) the whole, or any part, of the report which relates only to matters during which, in the proper officer's opinion, the meeting is likely to be a private meeting.

(3) Any document which is required by paragraph (1) to be available for inspection by the public must be available for such inspection for at least five clear days before the meeting except that—

- (a) where the meeting is convened at shorter notice, a copy of the agenda and associated reports must be available for inspection when the meeting is convened; and
- (b) where an item which would be available for inspection by the public is added to the agenda, copies of the revised agenda and any report relating to the item for consideration at the meeting, must be available for inspection by the public when the item is added to the agenda.

(4) Nothing in paragraph (3) requires a copy of the agenda, item or report to be available for inspection by the public until a copy is available to members of the decision-making body concerned.

(5) Where by virtue of paragraph (2) the whole or any part of a report for a public meeting is not available for inspection by the public—

- (a) every copy of the whole report or of the part of the report, as the case may be, must be marked "not for publication"; and
- (b) there must be stated on every copy of the whole or the part of the report—
 - (i) that it contains confidential information; or
 - (ii) by reference to the descriptions in Schedule 12A to the 1972 Act, the description of exempt information by virtue of which the decision-making body discharging the executive function are likely to exclude the public during the item to which the report relates.

(6) Except during any part of a meeting during which the public are excluded, the relevant local authority must make available for the use of members of the public present at the meeting a reasonable number of copies of the agenda and of the reports for the meeting.

(7) Subject to regulation 20, following a request made by a member of the public or on behalf of a newspaper and on payment being made of postage, copying or other necessary charge for transmission, a relevant local authority must supply to that person or newspaper—

- (a) a copy of the agenda for a public meeting and a copy of each of the reports for consideration at the meeting;
 - (b) such further statements or particulars, as are necessary to indicate the nature of the items contained in the agenda; and
 - (c) if the proper officer thinks fit in the case of any item, a copy of any other document supplied to members of the executive in connection with the item.
- (8) Paragraph (2) applies in relation to copies of reports provided pursuant to paragraph (6) or (7) as it applies in relation to copies of reports made available for inspection pursuant to paragraph (1).

PART 3

Key decisions

Key decisions

8.—(1) In these Regulations a “key decision” means an executive decision, which is likely—

- (a) to result in the relevant local authority incurring expenditure which is, or the making of savings which are, significant having regard to the relevant local authority’s budget for the service or function to which the decision relates; or
- (b) to be significant in terms of its effects on communities living or working in an area comprising two or more wards or electoral divisions in the area of the relevant local authority.

(2) In determining the meaning of “significant” for the purposes of paragraph (1) the local authority must have regard to any guidance for the time being issued by the Secretary of State in accordance with section 9Q of the 2000 Act (guidance).

Publicity in connection with key decisions

9.—(1) Where a decision maker intends to make a key decision, that decision must not be made until a document has been published in accordance with paragraph (2), which states—

- (a) that a key decision is to be made on behalf of the relevant local authority;
 - (b) the matter in respect of which the decision is to be made;
 - (c) where the decision maker is an individual, that individual’s name, and title if any and, where the decision maker is a decision-making body, its name and a list of its members;
 - (d) the date on which, or the period within which, the decision is to be made;
 - (e) a list of the documents submitted to the decision maker for consideration in relation to the matter in respect of which the key decision is to be made;
 - (f) the address from which, subject to any prohibition or restriction on their disclosure, copies of, or extracts from, any document listed is available;
 - (g) that other documents relevant to those matters may be submitted to the decision maker; and
 - (h) the procedure for requesting details of those documents (if any) as they become available.
- (2) At least 28 clear days before a key decision is made, the document referred to in paragraph (1) must be made available for inspection by the public—
- (a) at the offices of the relevant local authority; and
 - (b) on the relevant local authority’s website, if it has one.

(3) Where, in relation to any matter—

- (a) the public may be excluded under regulation 4(2) from the meeting at which the matter is to be discussed; or
- (b) documents relating to the decision need not, because of regulation 20(3), be disclosed to the public,

the document referred to in paragraph (1) must contain particulars of the matter but may not contain any confidential, exempt information or particulars of the advice of a political adviser or assistant.

General exception

10.—(1) Subject to regulation 11, where the publication of the intention to make a key decision under regulation 9 is impracticable, that decision may only be made—

- (a) where the proper officer has informed the chairman of the relevant overview and scrutiny committee or, if there is no such person, each member of the relevant overview and scrutiny committee by notice in writing, of the matter about which the decision is to be made;
- (b) where the proper officer has made available at the offices of the relevant local authority for inspection by the public and published on the relevant local authority's website, if it has one, a copy of the notice given pursuant to sub-paragraph (a); and
- (c) after five clear days have elapsed following the day on which the proper officer made available the notice referred to in sub-paragraph (b).

(2) Where paragraph (1) applies to any matter, regulation 9 need not be complied with in relation to that matter.

(3) As soon as reasonably practicable after the proper officer has complied with paragraph (1), he or she must—

- (a) make available at the offices of the relevant local authority a notice setting out the reasons why compliance with regulation 9 is impracticable; and
- (b) publish that notice on the relevant local authority's website, if it has one.

Cases of special urgency

11.—(1) Where the date by which a key decision must be made, makes compliance with regulation 10 impracticable, the decision may only be made where the decision maker has obtained agreement from—

- (a) the chairman of the relevant overview and scrutiny committee; or
- (b) if there is no such person, or if the chairman of the relevant overview and scrutiny committee is unable to act, the chairman of the relevant local authority; or
- (c) where there is no chairman of either the relevant overview and scrutiny committee or of the relevant local authority, the vice-chairman of the relevant local authority,

that the making of the decision is urgent and cannot reasonably be deferred.

(2) As soon as reasonably practicable after the decision maker has obtained agreement under paragraph (1) that the making of the decision is urgent and cannot reasonably be deferred, the decision maker must—

- (a) make available at the offices of the relevant local authority a notice setting out the reasons that the meeting is urgent and cannot reasonably be deferred; and
- (b) publish that notice on the relevant local authority's website, if it has one.

PART 4

Recording of executive decisions and inspection of related papers or documents

Recording of executive decisions made at meetings

12.—(1) As soon as reasonably practicable after any meeting of a decision-making body at which an executive decision was made, the proper officer, or if the proper officer was not present at the meeting, the person presiding, must ensure that a written statement is produced for every executive decision made which includes the information specified in paragraph (2).

(2) The statement referred to in paragraph (1) must include—

- (a) a record of the decision including the date it was made;
- (b) a record of the reasons for the decision;
- (c) details of any alternative options considered and rejected by the decision-making body at the meeting at which the decision was made;
- (d) a record of any conflict of interest relating to the matter decided which is declared by any member of the decision-making body which made the decision; and
- (e) in respect of any declared conflict of interest, a note of dispensation granted by the relevant local authority's head of paid service.

(3) For the purposes of paragraph (1) "person presiding" means the person actually presiding or the person nominated to preside at that meeting.

(4) Executive decisions made by decision-making bodies are prescribed decisions for the purposes of section 9G(3) of the 2000 Act (duty to keep written records of private meetings).

Recording of executive decisions made by individuals

13.—(1) As soon as reasonably practicable after an individual member has made an executive decision, that member must produce or instruct the proper officer to produce a written statement of that executive decision which includes the information specified in paragraph (2).

(2) The statement referred to in paragraph (1) must include—

- (a) a record of the decision including the date it was made;
- (b) a record of the reasons for the decision;
- (c) details of any alternative options considered and rejected by the member when making the decision;
- (d) a record of any conflict of interest declared by any executive member who is consulted by the member which relates to the decision; and
- (e) in respect of any declared conflict of interest, a note of dispensation granted by the relevant local authority's head of paid service.

(3) Executive decisions made by individual members of local authority executives are prescribed decisions for the purposes of section 9G(4) of the 2000 Act (duty to keep a written record of decisions made by individual members of local authority executives).

(4) As soon as reasonably practicable after an officer has made a decision which is an executive decision, the officer must produce a written statement which must include—

- (a) a record of the decision including the date it was made;
- (b) a record of the reasons for the decision;
- (c) details of any alternative options considered and rejected by the officer when making the decision;
- (d) a record of any conflict of interest declared by any executive member who is consulted by the officer which relates to the decision; and

- (e) in respect of any declared conflict of interest, a note of dispensation granted by the relevant local authority's head of paid service.

Inspection of documents following executive decisions

14.—(1) Subject to regulation 20, after a meeting of a decision-making body at which an executive decision has been made, or after an individual member or an officer has made an executive decision the proper officer must ensure that a copy of—

- (a) any records prepared in accordance with regulations 12 or 13; and
- (b) any report considered at the meeting or, as the case may be, considered by the individual member or officer and relevant to a decision recorded in accordance with regulations 12 or 13 or, where only part of the report is relevant to such a decision, that part,

must be available for inspection by members of the public, as soon as is reasonably practicable, at the offices of the relevant local authority, and on that authority's website, if it has one.

(2) Where a request on behalf of a newspaper is made for a copy of any of the documents available for public inspection under paragraph (1), those documents must be supplied for the benefit of the newspaper by the relevant local authority on payment by the newspaper to the local authority of postage, copying or other necessary charge for transmission.

Inspection of background papers

15. Subject to regulation 20, when a copy of the whole or part of a report for a meeting is made available for inspection by members of the public in accordance with regulation 7 or 14, at the same time—

- (a) a copy of a list compiled by the proper officer of the background paper to the report or part of the report, must be included in the report or, as the case may be, part of the report; and
- (b) at least one copy of each of the documents included in that list,

must be available for inspection by the public at the offices of the relevant local authority and on that authority's website, if it has one.

PART 5

Additional rights of members of the local authority and of members of overview and scrutiny committees

Additional rights of access to documents for members of local authorities

16.—(1) Subject to paragraphs (5) to (6), any document which—

- (a) is in the possession or under the control of the executive of a local authority; and
- (b) contains material relating to any business to be transacted at a public meeting,

must be available for inspection by any member of the relevant local authority.

(2) Any document which is required by paragraph (1) to be available for inspection by any member of the relevant local authority must be available for such inspection for at least five clear days before the meeting except that—

- (a) where the meeting is convened at shorter notice, such a document must be available for inspection when the meeting is convened; and
- (b) where an item is added to the agenda at shorter notice, a document that would be required to be available under paragraph (1) in relation to that item, must be available for inspection when the item is added to the agenda.

(3) Subject to paragraphs (5) to (6), any document which—

- (a) is in the possession or under the control of the executive of the local authority; and
- (b) contains material relating to—
 - (i) any business transacted at a private meeting;
 - (ii) any decision made by an individual member in accordance with executive arrangements; or
 - (iii) any decision made by an officer in accordance with executive arrangements,

must be available for inspection by any member of the relevant local authority when the meeting concludes or where an executive decision is made by an individual member or an officer immediately after the decision has been made.

(4) Any document which is required by paragraph (3) to be available for inspection by any member of the relevant local authority must be available for such inspection, in any event, within 24 hours of the conclusion of the meeting or the decision being made, as the case may be.

(5) Paragraphs (1) and (3) do not require a document to be available for inspection if it appears to the proper officer that it discloses exempt information of a description falling within Part 1 of Schedule 12A to the 1972 Act (descriptions of exempt information: England).

(6) Notwithstanding paragraph (5), paragraphs (1) and (3) do require the document to be available for inspection if the information is information of a description for the time being falling within—

- (a) paragraph 3 of Schedule 12A to the 1972 Act (except to the extent that the information relates to any terms proposed or to be proposed by or to the authority in the course of negotiations for a contract); or
- (b) paragraph 6 of Schedule 12A to the 1972 Act.

(7) Where it appears to the proper officer that compliance with paragraph (1) or (3) in relation to a document or part of a document would involve the disclosure of advice provided by a political adviser or assistant that paragraph will not apply to that document or part.

(8) The rights conferred by paragraphs (1) and (3) are in addition to any other rights that a member of a local authority may have.

Additional rights of access to documents for members of overview and scrutiny committees

17.—(1) Subject to paragraph (3) a member of an overview and scrutiny committee of a relevant local authority is entitled to a copy of any document which—

- (a) is in the possession or under the control of the executive of that authority; and
- (b) contains material relating to—
 - (i) any business that has been transacted at a meeting of a decision-making body of that authority;
 - (ii) any decision that has been made by an individual member of that executive in accordance with executive arrangements; or
 - (iii) any decision that has been made by an officer of the authority in accordance with executive arrangements.

(2) Subject to paragraph (3), where a member of an overview and scrutiny committee requests a document which falls within paragraph (1), the executive must provide that document as soon as reasonably practicable and in any case no later than 10 clear days after the executive receives the request.

(3) No member of an overview and scrutiny committee is entitled to a copy—

- (a) of any such document or part of a document as contains exempt or confidential information unless that information is relevant to—
 - (i) an action or decision that that member is reviewing or scrutinising; or
 - (ii) any review contained in any programme of work of such a committee or sub-committee of such a committee; or

- (b) of a document or part of a document containing advice provided by a political adviser or assistant.

(4) Where the executive determines that a member of an overview and scrutiny committee is not entitled to a copy of a document or part of any such document for a reason set out in paragraph (1) or (3), it must provide the overview and scrutiny committee with a written statement setting out its reasons for that decision.

Reports to the local authority where the key decision procedure is not followed

18.—(1) Where an executive decision has been made and—

- (a) was not treated as being a key decision; and
- (b) a relevant overview and scrutiny committee are of the opinion that the decision should have been treated as a key decision,

that overview and scrutiny committee may require the executive which is responsible for the decision to submit a report to the relevant local authority within such reasonable period as the committee may specify.

(2) A report under paragraph (1) must include details of—

- (a) the decision and the reasons for the decision;
- (b) the decision maker by which the decision was made; and
- (c) if the executive of the relevant local authority are of the opinion that the decision was not a key decision, the reasons for that opinion.

Executive reports to the local authority

19.—(1) The executive leader or elected mayor must submit to the relevant local authority at such intervals as may be determined by the relevant local authority a report containing details of each executive decision taken during the period since the last report was submitted to the authority where the making of the decision was agreed as urgent in accordance with regulation 11.

(2) A report submitted for the purposes of paragraph (1) must include—

- (a) particulars of each decision made; and
- (b) a summary of the matters in respect of which each decision was made.

(3) The executive leader or elected mayor must submit at least one report under paragraph (1) annually to the relevant local authority.

PART 6

General provisions relating to information

Confidential information, exempt information and advice of a political adviser or assistant

20.—(1) Nothing in these Regulations is to be taken to authorise or require the disclosure of confidential information in breach of the obligation of confidence.

(2) Nothing in these Regulations—

- (a) authorises or requires a local authority to disclose to the public or make available for public inspection any document or part of document if, in the opinion of the proper officer, that document or part of a document contains or may contain confidential information; or
- (b) requires a local authority to disclose to the public or make available for public inspection any document or part of document if, in the opinion of the proper officer, that document or part of a document contains or is likely to contain exempt information or the advice of a political adviser or assistant.

(3) Where a member of a local authority executive or an officer makes an executive decision in accordance with executive arrangements, nothing in these Regulations—

- (a) authorises or requires documents relating to that decision to be disclosed to the public, or made available for public inspection where, the documents contain confidential information; or
- (b) requires documents relating to that decision to be disclosed to the public, or made available for public inspection where the disclosure of the documents would, in the opinion of the member or officer making the decision, give rise to the disclosure of exempt information or the advice of a political adviser or assistant.

(4) Nothing in these Regulations requires a decision-making body to permit the taking of any photographs of any proceedings or the use of any means to enable persons not present to see or hear any proceedings (whether at the time or later), or the making of any oral report on any proceedings as they take place.

Inspection and supply of documents

21.—(1) Any document required by any provision of these Regulations to be open to inspection by members of the public must be available for inspection—

- (a) at all reasonable hours at the offices of the relevant local authority;
- (b) on the relevant local authority's website, if it has one; and
- (c) in the case of documents to be available for inspection pursuant to regulation 15, on payment of a reasonable fee required by the relevant local authority by the person seeking to inspect the documents at the offices of the relevant local authority.

(2) Subject to paragraph (4), where a document is to be available for inspection by a person under any provision in these Regulations, the person may—

- (a) make a copy of the whole or part of the document; or
- (b) require the person having custody of the document to supply the person requiring inspection a copy of the whole or part of the document,

on payment by the person requiring the copy to the relevant local authority of postage, copying or other necessary charge for transmission.

(3) Subject to paragraph (4), any member of the public may, in any publicly available medium, reproduce, or provide commentary in relation to, any document supplied to that person or made available for inspection by members of the public under these Regulations.

(4) Paragraphs (2) and (3) do not require or authorise the doing of any act which infringes the copyright in any work except that, where the owner of the copyright is the relevant local authority, nothing done pursuant to that paragraph constitutes an infringement of the copyright.

(5) Where any document required by these Regulations to be open to inspection by the public—

- (a) is supplied to or available for inspection by members of the public; or
- (b) is supplied for the benefit of any newspaper in pursuance of regulation 7(7) or 14(2),

the publication thereby of any defamatory matter contained in the document is privileged unless the publication is proved to be with malice.

(6) Any written record of an executive decision or any report required by regulation 14 to be available for inspection by members of the public, must be retained by the relevant local authority and made available for inspection by the public for a period of at least six years beginning on the date on which the decision, to which the report or record relates, was made.

(7) Any background papers required by regulation 15 to be available for inspection by members of the public must be retained by the relevant local authority and be available for inspection by the public for a period of at least four years beginning on the date on which the decision, to which the background papers relate, was made.

(8) The rights conferred on any person by these Regulations to inspect, copy or be supplied with documents are in addition to any such rights that person may have apart from those under these Regulations.

Offences

22.—(1) A person who has custody of a document which is required by regulation 7, 14 or 15 to be available for inspection by members of the public commits an offence if, without reasonable excuse, that person—

- (a) intentionally obstructs any person exercising a right conferred under these Regulations to inspect, or to make a copy of the whole or part of the document; or
- (b) refuses to supply a copy of the whole or part of the document in accordance with regulation 7(7), 14(2) or 21(2).

(2) A person who commits an offence under paragraph (1) is liable on summary conviction to a fine not exceeding level 1 on the standard scale.

Revocations

23. The following Regulations are revoked—

- (a) the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000(a);
- (b) the Local Authorities (Executive Arrangements) (Access to Information) (England) Amendment Regulations 2002(b); and
- (c) the Local Authorities (Executive Arrangements) (Access to Information) (Amendment) (England) Regulations 2006(c).

Signed by the authority of the Secretary of State for Communities and Local Government

10th August 2012

Bob Neill
Parliamentary Under Secretary of State
Department for Communities and Local Government

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations apply to county councils in England, district councils and London borough councils which are operating executive arrangements under Part 1A of the Local Government Act 2000. The Regulations make provision for public access to meetings and to information relating to decisions of local authority executives, and their committees. In addition, they provide for access to information relating to decisions made by joint committees of local authorities where these are solely comprised of executive members and are discharging executive functions. The Regulations also make provision for public access to documents where executive decisions are made by individual members or officers.

The general principle of the Regulations is for the public to have access to meetings and documents where a local authority executive, committee or individual is taking an executive decision, as defined by regulation 2.

Part 1 sets out preliminary matters and defines terms used in the Regulations.

(a) S.I. 2000/3272.
(b) S.I. 2002/716.
(c) S.I. 2006/69.

The purpose of Part 2 is to establish the presumption that meetings of local authority executives and their committees are to be held in public. Regulation 4 sets out the circumstances during which the public must be excluded from meetings. Regulation 5 sets out the formalities to be complied with before a private meeting is held. Regulation 6 sets out formalities to be complied with before a public meeting takes place. Rules relating to access to the agenda and reports for executive meetings are contained in regulation 7.

Part 3 provides for specific requirements relating to executive decisions which are key decisions. Regulation 8 sets out the meaning of key decision and regulation 9 sets out the publicity requirements in relation to key decisions. Regulations 10 and 11 allow exceptions to these requirements.

Part 4 deals with the recording of all executive decisions. In particular, regulations 12 and 13 require decisions to be recorded in a written statement. Regulations 14 and 15 set out the documents which must be made available for inspection by the public.

Members of the local authority and of overview and scrutiny committees are given additional rights to access documents in Part 5. Regulation 17 sets out additional rights of members of overview and scrutiny committees in relation to decisions that committee is scrutinising and in certain circumstances the committee can access exempt or confidential information.

An overview and scrutiny committee can require the executive to make a report to the local authority on matters which have not been dealt with as a key decision and which an overview and scrutiny committee consider should have been treated as such under regulation 18. Regulation 19 is a reporting requirement that the executive provides reports to the local authority on all matters which have been treated as urgent under regulation 11.

Part 6 makes general provision relating to information. In particular, regulation 20 sets out general principles applicable to the whole instrument relating to the non-disclosure of confidential, exempt information or the advice of a political adviser or assistant. Regulation 21 establishes the manner in which documents required to be available for inspection by the Regulations are to be held at the offices of the local authority. Regulation 22 sets out offences where documents have not been made available for inspection as required under these Regulations.

No impact assessment has been produced in relation to these Regulations because no impact on the private or voluntary sector is foreseen.

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STATUTORY INSTRUMENTS

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| ARTICLE 12 - OFFICERS |
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12.1 MANAGEMENT STRUCTURE

- **General**

The full Council may engage such staff (referred to as officers) as it considers necessary to carry out its functions.

- **Chief Officers**

The full Council will engage persons for the following posts, who will be designated Chief Officer¹:

| POST | FUNCTIONS AND AREAS OF RESPONSIBILITY |
|--|--|
| Chief Executive (and Head of Paid Service) | <p>Overall corporate management and operational responsibility (including overall management responsibility for all officers);</p> <p>Provision of professional advice to all parties in the decision making process;</p> <p>Together with the Monitoring Officer, responsibility for a system of record keeping for all the Council's decisions;</p> <p>Representing the Council on partnership and external bodies (as required by statute or the Council);</p> <p>Electoral matters</p> |
| Deputy Chief Executive | <p>Assisting the Chief Executive in the overall corporate management and operational responsibility of the Council;</p> <p>Taking the lead on corporate initiatives, particularly the delivery of the Council's organisational corporate objectives;</p> <p>Representing the Council on partnership and external bodies.</p> |

¹ Any reference to a Director within the constitution shall be deemed to include reference to all officers listed in this Article, except where the context requires otherwise.

Article 12 – Officers

| POST | FUNCTIONS AND AREAS OF RESPONSIBILITY |
|--|---|
| <p>Assistant Chief Executive (Customer Access and Performance)</p> | <p>Corporate planning and policy development, Performance management, service improvement and transformation; Corporate equality and diversity activities; International and external relations; Communications strategy and policy, press and media relations; Knowledge and information management; Customer services and the promotion of welfare rights; and Management and oversight of area based working arrangements.</p> |
| <p>Director of Resources (and Section 151 Officer)</p> | <p>The Chief Finance Officer (Section 151 Officer) to the Council - provision of financial advice; Ensuring financial prudence of decision making, and the proper administration of financial affairs including benefits, student support, the collection of revenue, Council tax and national non domestic rates, internal audit, creditor payments and the Council’s insurance arrangements; Industrial relations and employment matters including employee training and health and safety; Management of corporate governance; Risk management, civil defence and emergency planning; The application of information, communication and associated technologies to support the discharge of any of the Council’s functions; Licensing and other related functions, and enforcement Services relating to building maintenance, catering, cleaning, transport and school crossing patrols; Procurement and purchasing; Civic and community buildings, accommodation and facilities management. Registration of births, deaths and marriages and civil partnerships; The management of matters relating to Members, the Lord Mayor,</p> |

Article 12 – Officers

| POST | FUNCTIONS AND AREAS OF RESPONSIBILITY |
|---|--|
| | <p>Committees and Scrutiny Support; and</p> <p>Parish councils.</p> |
| <p>Director of City Development</p> | <p>Contaminated land, obtaining information as to interest in land, and arrangements for the execution of highways works;</p> <p>The management of land (including valuation, acquisition, appropriation, disposal and other dealings with land or any interest in land); the operation of retail and wholesale markets and car boot sales;</p> <p>The promotion of economic development and economic regeneration;</p> <p>The management of the city centre (including the promotion of the city centre and management of public spaces);</p> <p>Highways and road traffic functions excluding parking enforcement;</p> <p>Building control; safety at sports ground; flood and water management; environmental management including the formulation and implementation of environmental improvement programmes;</p> <p>Design services and asset management;</p> <p>Street naming and numbering;</p> <p>Tourism and promotions;</p> <p>Cultural services (including the arts, libraries, record repositories, museums and art galleries, public entertainment, halls and venues);</p> <p>Recreation services (including parks, countryside and sports facilities);</p> <p>Cemeteries, crematoria, burial grounds and mortuaries;</p> <p>Countryside management (including all matters relating to the provision and maintenance of footpaths and bridleways), and the provision and maintenance of landscaping schemes;</p> <p>Operation of markets and car boot sales, promotion of economic development and economic led regeneration, the management of the city centre and tourism and promotions; and</p> <p>Assets of Community Value.</p> |
| <p>Director of Environment and Neighbourhoods</p> | <p>Statutory nuisances and air quality;</p> <p>Housing (excluding those matters delegated to ALMOs); the condition and occupation of housing; caravan sites and land occupied by travelling people;</p> <p>Area based housing led regeneration; community planning and community initiatives; community safety and the reduction of crime and disorder;</p> <p>Vocational training and allied services for persons over compulsory</p> |

Article 12 – Officers

| POST | FUNCTIONS AND AREAS OF RESPONSIBILITY |
|--|--|
| | <p>school age, and the promotion of arrangements to assist persons to obtain employment, and employers to obtain employees;</p> <p>Environmental and consumer protection; health and safety, public health (including the investigation and control of notifiable diseases); animal welfare;</p> <p>The development and implementation of the municipal waste policy; and</p> <p>Streetscene management and related enforcement functions.</p> |
| Director of Children’s Services ² | The planning, commissioning and delivery of children’s services (i.e. education, social and health services pertaining to children), child poverty and the promotion of arrangements for inter-agency co-operation. |
| Director of Adult Social Services ³ | The planning, commissioning and delivery of services for vulnerable adults including social services and the promotion of arrangements for inter-agency co-operation. |
| City Solicitor | <p>The Solicitor to the Council and Monitoring Officer; provision of legal advice;</p> <p>Land charges; and</p> <p>Data protection, human rights, freedom of information and regulation of surveillance activities.</p> |
| Chief Planning Officer | The authority’s role as local planning authority,. |

Officer functions are further described in Part 3 of the Constitution.

- **Head of Paid Service, Monitoring Officer and Chief Finance Officer**

The Council will designate the following posts as shown:

| DESIGNATION | POST | DEPUTY |
|-----------------------|-----------------------|--------------------------------------|
| Head of Paid Service | Chief Executive | Deputy Chief Executive |
| Monitoring Officer | City Solicitor | Head of Governance Services |
| Chief Finance Officer | Director of Resources | Chief Officer (Financial Management) |

² Appointed under Section 18 Children Act 2004

³ Appointed under Section 6 of the Local Authority Social Services Act 1970

Article 12 – Officers

By law, some functions of the Monitoring Officer and Chief Finance Officer (apart from the administration of the financial affairs of the Council) must be carried out personally, or carried out by a deputy nominated by them in cases of absence or illness⁴.

Such posts will have the functions described in Article 12.2–12.4 below.

- **Structure**

The Head of Paid Service will determine and publicise a description of the overall departmental structure of the Council showing the management structure and deployment of officers. This is set out at Part 7 of this Constitution.

FUNCTIONS OF THE HEAD OF PAID SERVICE

- **Discharge of functions by the Council**

The Head of Paid Service will report to full Council on the manner in which the discharge of the Council's functions is co-ordinated, the number and grade of officers required for the discharge of functions and the organisation of officers.

- **Politically restricted posts**

The Head of Paid Service will grant and supervise exemptions from political restriction⁵, in consultation with the Monitoring Officer.

- **Dispensations**

Following consultation with the Chair of the Standards and Conduct Committee, the Head of Paid Service will consider and determine written requests for dispensations.⁶

- **Restrictions on functions**

The Head of Paid Service cannot be the Monitoring Officer but may hold the post of Chief Finance Officer if a qualified accountant.

12.2 FUNCTIONS OF THE MONITORING OFFICER

- **Maintaining the Constitution**

The Monitoring Officer will maintain an up-to-date version of the Constitution and will ensure that it is widely available for consultation by Members, staff and the public.

⁴ See further Section 5/5A Local Government and Housing Act 1989

⁵ Section 3A Local Government and Housing Act 1989

⁶ In accordance with Section 33 of the Localism Act 2011.

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- **Ensuring lawfulness and fairness of decision making.**

After consulting with the Head of Paid Service and Chief Finance Officer, the Monitoring Officer will report to the full Council or to the Executive in relation to an executive function, if he/she considers that any proposal, decision or omission would give rise to unlawfulness or if any decision or omission has given rise to maladministration. Such a report will have the effect of stopping the proposal or decision being implemented until the report has been considered.

- **Reporting on maladministration or injustice**

The Monitoring Officer will prepare reports as required by the Local Government Act 1974 and the Local Government and Housing Act 1989 in relation to complaints which have been the subject of investigation by the Local Government Ombudsman and which have revealed maladministration, whether or not that maladministration has caused injustice.

- **Supporting the Standards Committee**

The Monitoring Officer will contribute to the promotion and maintenance of high standards of conduct through provision of support to the Standards and Conduct Committee⁷.

- **Functions relating to the Members' register of interests**

The Monitoring Officer will establish, maintain and publish the register of Members' interests⁸.

- **Proper officer for access to information.**

The Monitoring Officer will ensure that decisions, together with the reasons for those decisions and relevant officer reports and background papers are made publicly available as soon as possible.

- **Advising whether executive decisions are within the budget and policy framework**

The Monitoring Officer will advise whether decisions of the Executive are in accordance with the Budget and Policy Framework

- **Contributing to corporate management**

The Monitoring Officer will contribute to the corporate management of the Council, in particular through the provision of professional legal advice.

⁷ Including any action under the procedure for considering complaints alleging a failure to comply with the Members' Code of Conduct

⁸ In relation to Leeds City Councillors, voting co-opted Members of Leeds City Council, and Members of Parish and Town Councils in the Leeds area

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- **Providing advice**

The Monitoring Officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and Budget and Policy Framework issues to all Councillors and will support and advise Councillors in their respective roles. The Monitoring Officer will also advise Members on the interpretation of the Members' Code of Conduct.

- **Reporting on resources**

The Monitoring Officer will report to the Council, as necessary on the staff, accommodation and resources s/he requires to discharge his/her statutory functions.

- **Receiving copies of certificates**

The Monitoring Officer will receive copies of certificates under the Local Authorities (Contracts) Regulations 1997.

- **Restrictions on posts**

The Monitoring Officer cannot be the Chief Finance Officer or the Head of Paid Service.

12.3 FUNCTIONS OF THE CHIEF FINANCE OFFICER

- **Ensuring lawfulness and financial prudence of decision making**

After consulting with the Head of Paid Service and the Monitoring Officer, the Chief Finance Officer will report to the full Council or to the Executive in relation to an executive function and the Council's external auditor if he/she considers that any proposal, decision or course of action will involve incurring unlawful expenditure, or is unlawful and is likely to cause a loss or deficiency or if the Council is about to enter an item of account unlawfully.

- **Administration of financial affairs**

The Chief Finance Officer will have responsibility for the administration of the financial affairs of the Council.

- **Contributing to corporate management**

The Chief Finance Officer will contribute to the corporate management of the Council, in particular through the provision of professional financial advice.

- **Providing advice**

The Chief Finance Officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and Budget and

Article 12 – Officers

Policy Framework issues to all Councillors and will support and advise Councillors and officers in their respective roles.

- **Give financial information**

The Chief Finance Officer will provide financial information to the media, members of the public and the community.

12.4 Duty to provide sufficient resources to the Monitoring Officer and Chief Finance Officer

The Council will provide the Monitoring Officer and Chief Finance Officer with such officers, accommodation and other resources as are in their opinion sufficient to allow their duties to be performed.

12.5 Conduct

Officers will comply with the codes of conduct and protocols set out in Part 5 of this Constitution.

12.6 Employment

The recruitment, selection and dismissal of officers will comply with the Officer Employment Procedure Rules set out in Part 4 of this Constitution.

Standards and Conduct Committee

The Standards and Conduct Committee is authorised to discharge the following functions:

1. To promote and maintain high standards of conduct by members and co-opted members of the authority¹.
2. To advise the authority in relation to the adoption, revision or replacement of the code dealing with the conduct that is expected of members and co-opted members of the authority when they are acting in that capacity.
3. To consider and determine written allegations that a member or co-opted member of the authority has failed to comply with the authority's code of conduct, or that a member or co-opted member of a parish council in the Leeds area has failed to comply with the parish council's code of conduct².
4. Following a determination of whether or not a member or co-opted member of the authority has failed to comply with the code of conduct, to consider whether or not action might be necessary, and to make recommendations³ on the form of action⁴.
5. ~~To advise the authority in relation to the adoption, revision or replacement of the code dealing with the conduct that is expected of employees of the authority⁶.~~

Deleted: <#>To consider and determine written requests for dispensations⁵.¶¶

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¹ In accordance with Section 27 of the Localism Act 2011.

² In accordance with Section 28(6), (7) and (9) of the Localism Act 2011.

³ Including to full Council, the Leader, the Chief Executive, or the relevant Group Whip.

⁴ In accordance with Section 28(11) of the Localism Act 2011.

⁶ It is not the function of the Committee to determine or become involved in individual employee conduct or disciplinary cases.

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Report author: Andy Hodson

Tel: 43208

Report of the Chief Executive

Report to General Purposes Committee

Date: 30th August 2012

Subject: Review of Council Meetings

| | |
|--|---|
| Are specific electoral Wards affected? If relevant, name(s) of Ward(s): | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Are there implications for equality and diversity and cohesion and integration? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Is the decision eligible for Call-In? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number: | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |

Summary of main issues

The Annual meeting of Council in May 2012 adopted new arrangements for the operation of Ordinary Council meetings in particular to allow for greater opportunities for Council to engage in activities linked to Community Leadership and holding the Executive to account and these new arrangements were in place for the meeting of Council in July 2012.

Following the July meeting of Council whips from all political groups on the Council have met to review the new arrangements and to address any areas of concern.

In broad terms Whips felt that the new arrangements had worked well , however they did feel that;

- the introduction of a third White Paper would give an increased opportunity for all groups on the Council to have White Papers debated during the course of the year
- and an opportunity for members to comment upon more than just the Executive Board minutes would be beneficial.

An introduction of a third White Paper will require an alteration of timings for other elements of business and this is detailed within the main body of the report.

Recommendations

General Purposes Committee is asked to;

- a) consider the proposals contained in this report and recommend to Full Council adoption of the additional new arrangements, with the necessary consequential changes to Council Procedure Rules being delegated to the City Solicitor in consultation with Group Whips.
- b) That the revised arrangements be reviewed by General Purposes Committee during the course of the Municipal Year.

1 Purpose of this report

- 1.1 Group Leaders and Whips earlier in the year discussed the scope for modernising the operation of the Full Council Meeting, in particular to allow for greater opportunities for Council to engage in activities linked to Community Leadership and holding the Executive to account, and a number of proposals were approved at the Annual Meeting of Council in May 2012.
- 1.2 Following the introduction of the new arrangements at the Council meeting in July , group whips have met to review the new arrangements and to address any areas of concerns, this report contains proposals arising from those discussions and General Purposes Committee is asked to recommend to Full Council adoption of the proposed new arrangements outlined, with the necessary consequential changes to Council Procedure Rules being delegated to the City Solicitor in consultation with Group Whips.

2 Background information

- 2.1 Group Leaders and Whips discussed the scope for modernising the operation of the Full Council Meeting on the lead up to the Annual Meeting in May 2012, in particular to allow for greater opportunities for Council to engage in activities linked to Community Leadership and holding the Executive to account. At the Annual meeting it was agreed that ;
 - Deputations to be retained in the present format but be reduced by one to four
 - That there be two free standing State of the City Meetings per municipal year
 - The order of Council business be altered to allow for the receipt of recommendations from the Executive Board and committees immediately after the item receiving reports from Statutory Officers
 - The period of Question Time be retained without amendment
 - The receipt of minutes be retained with minutes from joint committees/authorities and the Leeds Initiative also presented to full Council.
 - A new item 'Members' Community Concerns' be introduced;
 - Restrict the number of White Paper Motions to two (with each being time limited) with the first being reserved to the opposition
 - The viability of live streaming of the proceedings of Council be explored with a further report to Executive Board

3 Main issues

- 3.1 Following the Council meeting in July Whips from all political groups have met to review the new arrangements and to address any areas of concerns.

In broad terms Whips felt that the new arrangements had worked well , however they felt that ;

- the introduction of a third White Paper would give an increased opportunity for all groups to have White Papers debated during the course of the year, and
- an opportunity for members to comment upon more than just the Executive Board minutes would be beneficial.

- 3.2 The proposal therefore is to introduce a third White Paper and reserve submission of these as follows;
- 1 to the Labour Group
 - 1 to the Conservative Group
 - 1 to the Liberal Democrat, Morley Borough Independents and Green Groups on a rota to be agreed between those groups.
- 3.3 Members may wish to note that the consequence of introducing the additional White Paper will be the need to reduce the amount of time available for comments on minutes by 15 minutes and the need to extend the length of the Council meeting by a further 15 minutes to give an approximate finish time of 7.30pm.
- 3.4 The impact of reducing the time available for minutes and introducing the ability to comment on more than just the Executive Board minutes prior to the winding up of business will mean that the minutes element of Council would operate as follows;
- Discussion on Executive Board minutes would end at 4.10pm (the start time of these as always would be dependent on the time that Question Time concludes)
 - Discussion on the other minutes (Scrutiny, Regulatory, Area Committees, Advisory & Procedural and Leeds Initiative/Joint Cttees) would commence at 4.10pm and end at 4.30pm.
 - The Leader of Council would sum up on the minutes at 4.30pm until 4.40pm.
- 3.5 The alteration of the timings would also allow for 2 Community Concerns to be heard prior to tea with the remaining 4 concerns heard after tea and prior to the 3 White Papers. Details of the indicative timings can be seen at Appendix 1.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.2 Whips from across all political groups have been consulted on these proposed alterations to the format of full Council meetings.

4.3 Equality and Diversity / Cohesion and Integration

- 4.3.1 An initial consideration of the equality, diversity, cohesion and integration screening form indicates that there are no issues raised by the review of the operation of Full Council .

4.4 Council Policies and City Priorities

- 4.4.1 The Council's Business Plan 2011 – 2015 sets out the Council's priorities in delivering services to the public over that period. Particularly the priorities and performance measures for Corporate Directorate require that we "Ensure there are good rules and procedures to govern the council's business".

4.5 Legal Implications, Access to Information and Call In

4.5.1 These proposed amendments need to be made by Full Council.

4.6 Risk Management

4.6.1 There are no corporate risks arising from this report.

5 Conclusions

5.1 The proposals contained within this report seek to further embed democratic accountability within the Council's governance arrangements and build upon the arrangements approved at the Annual Meeting of Council in May 2012.

6 Recommendations

6.1 General Purposes Committee is asked to;

- a) consider the proposals contained in this report and recommend to Full Council adoption of the new arrangements, with the necessary consequential changes to Council Procedure Rules being delegated to the City Solicitor in consultation with Group Whips.
- b) That the revised arrangements be reviewed by General Purposes Committee during the course of the Municipal Year .

7 Background documents¹

7.1 None

¹ The background documents listed in this section are available for inspection on request for a period of four years following the date of the relevant meeting. Accordingly this list does not include documents containing exempt or confidential information, or any published works. Requests to inspect any background documents should be submitted to the report author.

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Indicative Timings for Full Council

| Indicative Timings | Item |
|--|--|
| 1.30pm – 1.45pm | Approval of Minutes from Previous Meeting Declarations of Interest Communications |
| <u>Community Time</u> 1.45pm – 2.10pm | Deputations (Up to 4) |
| <u>Procedural Time</u> 2.10pm – 2.30pm | Reports & Recommendations from Council Committees and Executive Board |
| <u>Focus on the Executive</u> 2.30pm – 3.00pm | Questions |
| <u>Committee Time</u> 3.00pm – 4.30pm | 3.00pm to 4.10pm comments on Executive Board minutes 4.10pm to 4.30pm comments on 'other' minutes |
| 4.30 – 4.40PM | Leader of Council Sums Up on the Minutes |
| <u>Back Bench Time</u> 4.40 – 5.00pm | 2 Back Bench Community Concerns |
| 5.00pm – 5.20pm Adjournment (for Council Tea) | |
| <u>Back Bench Time(continued)</u> 5.20pm – 6.00pm | 4 Back Bench Community Concerns |
| <u>Policy Time</u> 6.00pm – 7.30pm | 3 White Paper Motions ¹ |

¹ Debate on each of the three White Papers would be time limited to no more than ½ an Hour at the conclusion of which a formal vote will be taken.

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Report author: John Mulcahy

Tel: 39 51877

Report of the Head of Licensing and Registration

Report to General Purposes Committee

Date: 30 August 2012

Subject: Community Governance Review recommendations on whether to increase the number of parish councillors for Scarcroft parish council

| | | |
|--|---|--|
| Are specific electoral Wards affected? If relevant, name(s) of Ward(s): Harewood | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| Are there implications for equality and diversity and cohesion and integration? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Is the decision eligible for Call-In? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number: | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

Summary of main issues

1. The Council received a request from Scarcroft Parish Council on 2 April 2012 to increase the size of the Parish Council from 7 to 9 councillors.
2. Following the receipt of such a request the Council is required to consider undertaking a Community Governance Review. General Purposes Committee agreed the process and Terms of Reference for a review on 25 June 2012.
3. Public consultation was carried out during the period 26 June to 31 July 2012. The council's Elections Working Group (EWG) met on 21 August 2012 to consider any representations received and additional background information before making their recommendations for General Purposes Committee's consideration which are given in this report.

Recommendations

4. That the recommendations as detailed in the report be confirmed as the authority's final proposals and sent to Full Council for approval.

1 Purpose of this report

- 1.1 To consider EWG's recommendations regarding the request from Scarcroft Parish Council to increase the size of the Parish Council from 7 to 9 Councillors and subsequent Community Governance Review to establish whether such an increase should be approved.

2 Background information

- 2.1 The Council received a letter from the clerk to Scarcroft parish council on 2 April 2012. Following the receipt of such a request the Council is required to consider undertaking a Community Governance Review. A copy of the request is attached at Appendix A.
- 2.2 The request was submitted in accordance with Part 4 of the Local Government and Public Involvement in Health Act 2007 (the Act).
- 2.3 Before the Act came into force, Councils had power to vary the numbers on local parish councils by making an order. Procedures were not prescriptive and numbers on parish councils, or other Parish electoral arrangements, could be varied easily and quickly. Unfortunately this is no longer the case and the procedures prescribed for community governance reviews, set out in the 2007 Act, have to be followed even when the only issue to be considered is a variation in a parish council's numbers.
- 2.4 The Act allows for the public to petition for reviews in their areas. It is, however, not necessary for a petition to be received to initiate a review. Scarcroft Parish Council has requested an increase in its numbers and it is for the Council to decide whether it wishes to undertake a review of the Scarcroft parish area with a view to increasing the size of the parish council.
- 2.5 A community governance review must in any event, make recommendations as to what new parish or parishes (if any) should be constituted in the area under review. If the review recommends that a new parish should be constituted, the review must also make recommendations as to the name of the new parish, whether or not the new parish should have a parish council, and whether or not the new parish should have one of the alternative styles. However, where a new parish has 1,000 or more local government electors, the review must recommend that the parish should have a council.
- 2.6 The Council has the power to undertake a community governance review of the whole or part of its area other than in response to a valid community governance petition. As a result, the Council could commence a separate review of a wider area than the petition area if it so wished, and could then make recommendations as to new parishes, the aggregation of parishes, or the alteration or abolition of parishes in a wider part of its area.
- 2.7 At its meeting on 25 June 2012, General Purposes Committee agreed the process and Terms of Reference for a Community Governance Review to determine the request received from Scarcroft Parish Council.

3 Main issues

3.1 When a request such as this is received, and the Council decides to undertake a Community Governance Review, it must do so within 12 months. In these circumstances the stages of the Review are as follows: -

- Terms of Reference for the Review Agreed (agreed by GPC on 25 June 2012)
- Council consults widely with local people on proposal (public consultation was carried out between 26 June and 31 July 2012)
- Council takes into account any representations received (all representations were considered by EWG at their meeting on 21 August 2012)
- Council makes recommendations whether there should be an increase to the number of parish councillors (the reason for this report)
- Council publishes its decision
- Interim governance arrangements agreed
- Election held (the timetable for the review has been set so the elections to any new parish can coincide with the Police and Crime Commissioner elections in November 2012 to help reduce costs)

3.2 When undertaking a Community Governance Review a principal council must have regard to guidance issued by the Secretary of State and the Electoral Commission. The stages outlined above take account of the requirements of the legislation and the available guidance. However, subject to this, it is for the Council to decide how to undertake the review. In deciding what recommendations to make, the Council must take into account any other arrangements (apart from those relating to parishes) that have already been made, or that could be made for the purposes of community representation or community engagement in respect of the area under review. EWG considered this at its meeting on 21 August 2012 before agreeing their recommendations.

3.3 In order for any required election to take place jointly with the Police and Crime Commissioner elections on 15 November 2012, this review needs to be finalised by no later than 5 October in order to make the necessary changes to the registers before publication on 16 October. Also, it should be noted that the last date for publication of Notice of Election for a parish election to take place on 15 November is 11 October, after this date the election could not take place on 15 November. This makes the timetable critical with no allowance for any slippage.

3.4 Recommendations of Elections Working Group (EWG) – EWG met on 21 August 2012 to consider the following information from the review: -

- A map of the area affected by the review, and its relation to other nearby parish or town councils and existing polling districts;

- Any other arrangements (apart from those relating to parishes) that have already been made, or that could be made for the purposes of community representation or community engagement in respect of the area under review (e.g. residents' associations, community forums, tenant management organisations, area committees);
- The need to secure that community governance in the area under review reflects the identities and interests of the community in that area, and is effective and convenient.
- Details of any developments in the area under review which is likely to occur in the period of five years from the start of the review;
- Demographic information on population size for the area under review and any change which is likely to occur in the period of five years from the start of the review;
- Electorate information for the area under review including the number of local government electors for the parish, any change in the number, or distribution, of the local government electors which is likely to occur in the period of five years from the start of the review, the desirability of fixing boundaries which are, and will remain, easily identifiable, and any local ties which will be broken by the fixing of any particular boundaries;
- Potential effects of any proposals by the Boundary Commission's review of parliamentary constituencies on the area under review;
- Details of any likely precept or any change to an existing precept as a potential consequence of a review;
- Details of any council land or property that will transfer to any new parish on formation;
- Details of any representations made during the public consultation; and
- Officer recommendations regarding the electoral arrangements for the area under review which will include: -
 - The ordinary year in which elections are held;
 - The number of councillors to be elected to the council;
 - The division (or not) of the parish into wards for the purpose of electing councillors;
 - The number and boundaries of any such wards;
 - The number of councillors to be elected for any such ward; and
 - The name of any such ward.

3.5 A copy of the report that went to EWG is at Appendix A which includes the above information. After careful consideration of the above information, EWG also considered the need to secure that community governance arrangements reflect the identities and interests of the community in the area and have recommended: -

- To increase the size of Scarcroft Parish Council from 7 to 9 Councillors;
- That the electoral arrangements are as set out in Appendix A; and
- That the interim arrangements are that the existing parish councillors cover the duties of the two new parish councillors until those vacancies to the parish council are filled

3.6 GPC is asked to consider the report and information to EWG at Appendix A as well as the recommendations made by EWG, and to agree final proposals to be submitted to full Council for approval.

4 Corporate Considerations

4.1 Consultation and Engagement

4.1.1 All local government electors for the area under review and any other person or body who appears to have an interest in the review has been consulted on the proposal, and GPC is asked to take into account all representations received in connection with the review. GPC is also asked to have regard to the need to secure that the community governance arrangements for the area reflect the identities and interests of the community in the area and are effective and convenient. In deciding what recommendations to make to full Council, GPC is also asked to take into account any other arrangements (apart from those relating to parishes and their institutions), that have already been made, or that could be made, for the purposes of community representation or community engagement in respect of the area.

4.2 Equality and Diversity / Cohesion and Integration

4.2.1 An equality screening document has been completed for this review and has concluded that the consultation arrangements have helped ensure all people affected by the review were given an opportunity to comment which includes an opportunity to raise any equality, diversity, cohesion or integration issues.

4.3 Council policies and City Priorities

4.3.1 This review does not affect the council's budget and policy framework, although reviewing local electors' needs does support the council's aims to be the best city for communities, and in particular the four year priority to increase a sense of belonging that builds cohesive and harmonious communities.

4.4 Resources and value for money

4.4.1 No additional human resources are required to carry out the review.

4.4.2 There is no budget to carry out Community Governance Reviews so the cost of this review will have to be met from within existing budget. The cost of carrying out this review was estimated at £1,000. This is mainly costs from printing and publishing Notices in local press.

4.5 Legal Implications, Access to Information and Call In

4.5.1 Under the Council's Constitution, General Purposes Committee alone has the delegated authority to make recommendations for the final proposals for any Community Governance Review to Full Council. This is not delegated to the Chief Executive.

4.6 Risk Management

4.6.1 There is always a risk of challenge to the decision. There is no right to appeal as such, although if local electors disagreed with the final recommendations they could lobby the full Council not to give effect to them, or a decision by full Council could be challenged by way of judicial review on the usual principles.

5 Conclusions

5.1 That EWG have properly considered any representations received and the additional information listed at 3.4 of this report to determine their recommendations whether the number of parish councillors for Scarcroft should increase.

6 Recommendations

6.1 That the recommendations as detailed at 3.5 in the report be confirmed as the authority's final proposals and sent to Full Council for approval

7 Background documents¹

- Local Government and Public Involvement in Health Act 2007
- The Electoral Commission Guidance on Community Governance Reviews, April 2008
- Reasons for Scarcroft's request and guidance on number of parish councillors on parish or town councils

¹ The background documents listed in this section are available for inspection on request for a period of four years following the date of the relevant meeting. Accordingly this list does not include documents containing exempt or confidential information, or any published works. Requests to inspect any background documents should be submitted to the report author.



Report author: John Mulcahy

Tel: 39 51877

Report of the Head of Licensing and Registration

Report to Electoral Working Group

Date: 21 August 2012

Subject: Considering information and representations for the Community Governance Reviews of Scarcroft and Rawdon

1 Purpose of this report

- 1.1 To outline the process that will be followed to consider all the background info and any representations received regarding the two Community Governance Reviews.

2 Background information

- 2.1 At its meeting on 25 June 2012, General Purposes Committee agreed the Terms of Reference, process and timetable to conduct: -

- A Community Governance Review for the existing parish council of Scarcroft to determine whether the number of parish councillors should be increased from seven to nine; and
- A Community Governance Review to determine whether a new Parish and new Parish Council for Rawdon be established

- 2.2 As part of that process, it was agreed that EWG would be used to consider the background information and any representations received in response to the public consultation for each review. EWG would then make its recommendations for consideration by General Purposes Committee on 30 August 2012 before that committee makes final proposals for approval by Full Council on 12 September 2012.

- 2.3 The public consultation ran for five weeks commencing 26 June 2012 and ended on 31 July 2012. Appendix 1 holds all the required background information and details of representations received for Scarcroft. Appendix 2 holds the same information for Rawdon.

3 Main issues

- 3.1 The background information included in the appendices that EWG has to consider for each review includes: -

- A map of the area affected by the review, and its relation to other nearby parish or town councils and existing polling districts;

- Any other arrangements (apart from those relating to parishes) that have already been made, or that could be made for the purposes of community representation or community engagement in respect of the area under review (e.g. residents' associations, community forums, tenant management organisations, area committees);
- Details of any developments in the area under review which is likely to occur in the period of five years from the start of the review;
- Demographic information on population size for the area under review and any change which is likely to occur in the period of five years from the start of the review;
- Electorate information for the area under review including the number of local government electors for the parish, any change in the number, or distribution, of the local government electors which is likely to occur in the period of five years from the start of the review, the desirability of fixing boundaries which are, and will remain, easily identifiable, and any local ties which will be broken by the fixing of any particular boundaries;
- Potential effects of any proposals by the Boundary Commission's review of parliamentary constituencies on the area under review;
- Details of any likely precept or any change to an existing precept as a potential consequence of a review;
- Details of any council land or property that will transfer to any new parish on formation;
- Details of any representations made during the public consultation; and
- Any recommendations received, with officer comments, regarding the electoral arrangements for the area under review which will include: -
 - The ordinary year in which elections are held;
 - The number of councillors to be elected to the council;
 - The division (or not) of the parish into wards for the purpose of electing councillors;
 - The number and boundaries of any such wards;
 - The number of councillors to be elected for any such ward; and
 - The name of any such ward.

3.2 Whilst considering the information above, EWG will need to have regard to Section 93 of the Local Government and Public Involvement and Health Act 2007 which requires principal councils to ensure that community governance within the area under review will be:

- reflective of the identities and interests of the community in that area; and
- effective and convenient.

- 3.3 The 2007 Act requires principal councils to have regard to the need to secure that community governance reflects the identity and interests of local communities; the impact on community cohesion is linked strongly to it. Cohesion issues are connected to the way people perceive how their local community is composed and what it represents, and the creation of parishes and parish councils may contribute to improving community cohesion. EWG will need to ensure that community governance arrangements should reflect, and be sufficiently representative of, people living across the whole community and not just a discrete cross-section or small part of it. DCLG's guidance states it would be difficult to think of a situation in which a principal council could make a decision to create a parish and a parish council which reflects community identities and interests in the area and at the same time threatens community cohesion. Principal councils should be able to decline to set up such community governance arrangements where they judged that to do so would not be in the interests of either the local community or surrounding communities, and where the effect would be likely to damage community cohesion.
- 3.4 The 2007 Act requires principal councils to make recommendations as to: -
- a) Whether a new parish or any new parishes should be constituted;
 - b) Whether existing parishes should or should not be abolished or whether the area of existing parishes should be altered; or
 - c) What the electoral arrangements for new or existing parishes, which are to have parish councils, should be.
- 3.5 When making recommendations to General Purposes Committee, EWG will therefore need to specify the following: -
- What new parish or parishes (if any) should be constituted in the area under review. In relation to existing parishes under review, the review must also make recommendations as to whether the parish should be abolished or not, or its area altered or not, whether or not the name of the parish should be changed, and whether or not the parish should continue to have a council. However, if the proposed parish has 1,000 or more local government electors, the review must recommend that the parish should have a council. If the review recommends a parish should continue to have a parish council, the review must also make recommendations as to what changes (if any) should be made to the council's electoral arrangements (which include the number of councillors to be elected to the council).
 - What electoral arrangements should be constituted in the area under review. The review must consider whether to recommend that the parish should, or should not, be or continue to be divided into wards for the purpose of electing councillors. For these purposes, the Council must consider whether the number, or distribution, of the local government electors for the parish would make a single election of councillors impracticable or inconvenient, and whether it is desirable that any area or areas of the parish should be

separately represented on the council. In deciding to recommend that a parish should be divided into wards, the Council must have regard to certain factors¹ when considering the size and boundaries of the wards, and the number of councillors to be elected for each ward. In deciding to recommend that a parish should not be so divided, the Council must have regard to the number of local government electors for the parish, and any change in that number likely to occur in the next 5 years when considering the number of councillors to be elected for the parish.

- Interim Arrangements for any new parish or change to any existing parish. Normally the existing local authority Ward Councillors will act as parish councillors until any required election is determined.

3.6 EWG's recommendations will be considered by General Purposes Committee on 30 August 2012 before that committee makes final proposals for approval by Full Council on 12 September 2012. Once approved any new parish or changes to an existing parish will be made in a Reorganisation of Community Governance Order. This Order will be drafted and executed by the council's Legal Services.

4 Recommendations

4.1 Note the contents of the report and confirm recommendations for proposals for both Scarcroft and Rawdon.

¹ Included in electorate information under 3.1 of this report

Community Governance Review Increase in the number of Parish Councillors for Scarcroft Parish Council

Information pack for Electoral Working Group
Tuesday 21 August 2012

Electoral Services
Level 2
Town Hall
The Headrow
Leeds LS1 3AD

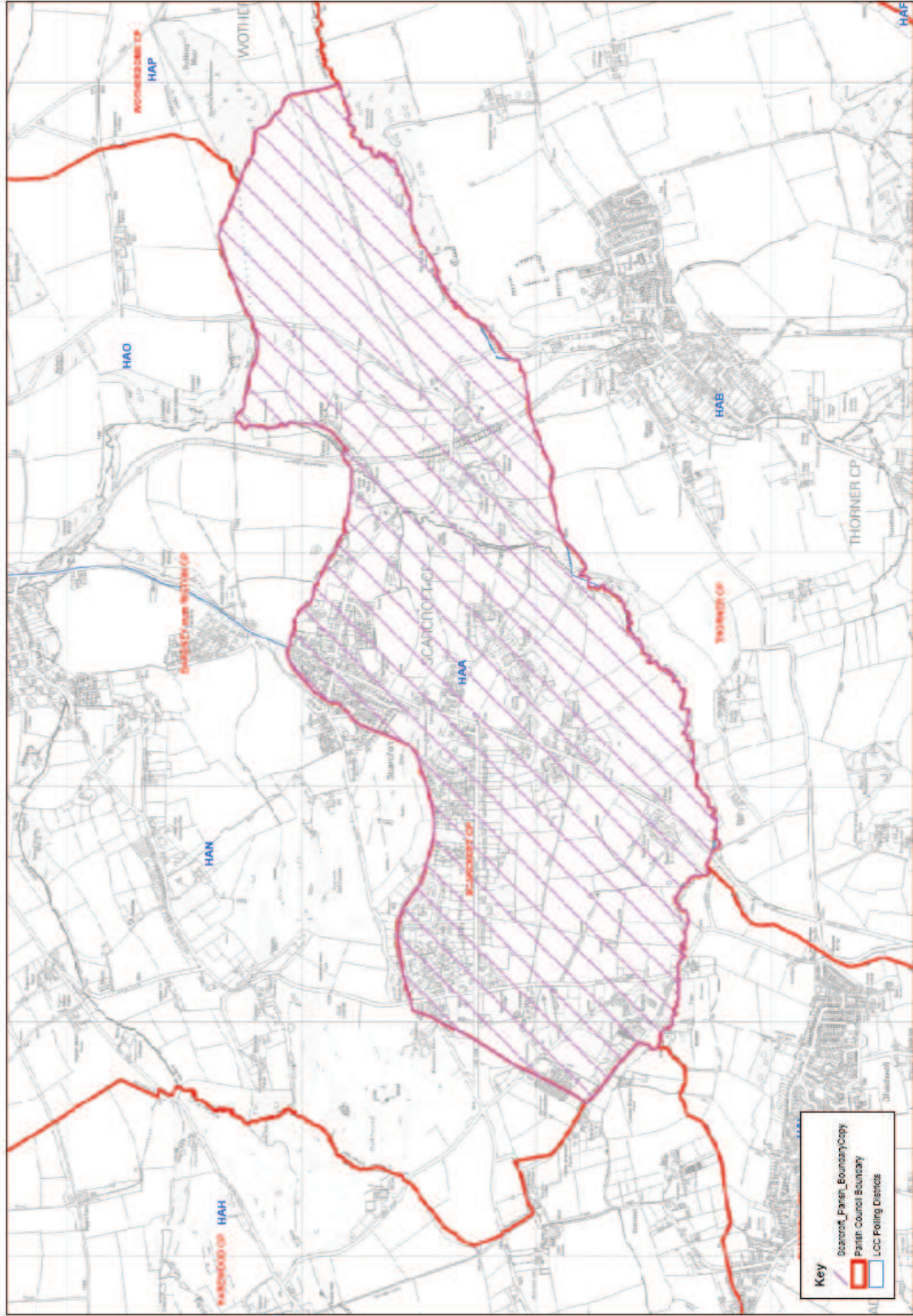
0113 3952858
electors@leeds.gov.uk
www.leeds.gov.uk/elections



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| • Details of developments | 6 |
| • Demographic information | 7 |
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| • Potential effects of Boundary Commission's review | 9 |
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Map of Scarcroft Parish Council



Current arrangements relating to community engagement / representation

| Organisation | Purpose |
|--|--|
| <p>North East (Outer) Area Committee</p> <p>Stuart Robinson 0113 2474360 stuart.robinson@leeds.gov.uk</p> | <p>Area Committees aim to improve the delivery and co-ordination of local council services and improve the quality of local decision making.</p> <p>Area Committees have a lot of influence. They make sure local concerns are taken into account in the development of major policies and strategies.</p> <p>Area Committees also make sure priorities are addressed through local partnership working arrangements, with senior officer groups from Leeds City Council collaborating with organisations such as the Primary Care Trust and the Police which sit under the umbrella organisation, the Leeds Initiative: http://www.leedsinitiative.org/</p> <p>The council has given specific responsibilities to the Area Committees known as Area Functions. These include:</p> <ul style="list-style-type: none"> • Area Well Being budgets – a budget to be spent on local priorities • Community centres • Neighbourhood wardens • CCTV • Neighbourhood management co-ordination • Community engagement • Other areas where the Committees powers can exert influence but do not directly manage are: <ul style="list-style-type: none"> • Community greenspace • PCSOs, neighbourhood policing teams and multi agency Crime & Grime operations • Environmental action teams • Street cleansing • Highways maintenance • Local children and young people plans |

| | |
|--|---|
| | <ul style="list-style-type: none">• Health and wellbeing (including adult social care)• Conservation area reviews• Grounds maintenance• Area based regeneration schemes and Town & District Centre projects• Advertising on lampposts |
|--|---|

Developments

There is a small residential development of 11 houses (Shepherd Homes) at Syke Lane which is currently under construction.

Planning permission is also about to be granted for another development of 11 houses off Wetherby Road.

Demographic information

The Scarcroft Parish Council area has an approximate population of 1,300.

Given the information regarding developments, it is anticipated that this could increase to approximately 1375 within the next 5 years.

Electorate

Figures provided as of current register of electors, published on 2 July 2012.

| Polling Districts | Electorate |
|--------------------------|-------------------|
| HAA | 1012 |

Given the information regarding developments, it is anticipated that this could increase to approximately 1060 within the next 5 years.

Potential effects of Boundary Commission's review

The Boundary Commission's review of Parliamentary Constituencies does not affect this review.

Precept

Precept information for Scarcroft Parish Council is as follows:

| Budget/Precept 2011/12 £ | Budget/Precept 2012/13 £ | 2012/13 Parish Band D Council Tax £ p |
|------------------------------------|------------------------------------|---|
| 11,000 | 16,000 | 23.56 |

As Scarcroft is an existing Parish Council, any changes to the precept is at the discretion of the Parish.

Transfer of land and property

Any transfer of land and property was a matter for consideration when the Parish was originally established and is therefore not applicable in this instance.

Summary of representations

| Ref No. | Representation made by | Date submitted |
|--------------|---|----------------|
| SPC 1 | Mr Alec Shelbrooke Member of Parliament for the Elmet & Rothwell Constituency (Conservative) | 2 July 2012 |
| SPC 2 | Cllr Matthew Robinson Harewood Ward (Conservative) | 17 July 2012 |

Representation SPC1

Sent: Mon 02/07/2012 13:47

From: SHELBOOKE, Alec [alec.shelbrooke.mp@parliament.uk]
To: Benton, Susanna
Cc: peter.r.har@btinternet.com; Robinson, Cllr Matthew; Castle, Cllr Ann; Procter, Cllr Rachael
Subject: Consultation: Scarcroft Parish Council

Dear Ms Benton,

I am writing to formally add my support to the request made by Scarcroft Parish Council to expand their number of Councillors to 9.

Scarcroft Parish Council, like many villages in my constituency, have a well established Council of local residents who do so much to better the local community. In my opinion, the extra workload added to Parish Councils by the Localism Act validates the need for additional Councillors.

Parish Council's rely on good will and kind heartedness of local residents to get involved and represent the community. Even with this good will it is impossible for a small group to do everything and believe increasing the number of Councillors, sharing the workload, and bringing additional voices to the table will only benefit the resident of Scarcroft.

I am fully supporting Scarcroft Parish Council's request to increase the number of Councillors to 9.

Yours sincerely,

Alec

Alec Shelbrooke MP

Conservative Member of Parliament for Elnet & Rothwell -
Parliamentary Private Secretary to the Minister of State for Transport



House of Commons
London SW1A 0AA
Office 01937 838 081
Email alec.shelbrooke.mp@parliament.uk

Representation SPC2

From: Mulcahy, John
To: Robinson, Cllr Matthew
Cc: Benton, Susanna
Subject: RE: Community Governance Review of Scarcroft

Sent: Tue 17/07/2012 11:52

-----Original Message-----
From: Robinson, Cllr Matthew
Sent: 17 July 2012 11:03
To: Mulcahy, John
Subject: RE: Community Governance Reviews of Rawdon and Scarcroft - Public Consultation Progress

Dear John,

I fully support the proposed increase of parish councillors for Scarcroft and wish them every success going forward.

Best,
Matthew

Cllr Matthew Robinson
Harewood Ward Member
matthew.robinson@leeds.gov.uk
or visit, <http://matthewrobinson.yourcllr.com/>

Electoral arrangements

Officer recommendations

The ordinary year in which elections are held

New or revised parish electoral arrangements come into force at ordinary Parish elections, rather than parish by-elections, so they usually have to wait until the next scheduled Parish elections. They can come into force sooner only if the terms of office of sitting Parish Councillors are cut so that earlier Parish elections may be held for terms of office which depend on whether the parish is to return to its normal year of election.

The next scheduled elections will take place on 7 May 2015.

Elections for the two additional Scarcroft Parish Councillors would take place on 15 November 2012, the date of the Police and Crime Commissioner elections, with a shorter term of office for those elected, being up for re-election should they so choose on 7 May 2015.

The number of Councillors to be elected to the Council

Please find attached for reference at Appendix A, a schedule which shows the number of Councillors per existing Parish/Town Council, and their respective wards (if any). Please note that the electorates shown on the schedule are as at 1 December 2011.

The Local Government Boundary Commission for England's guidance on community governance reviews states that typical Parish Councils representing between 501 and 2,500 electors have between 6 and 12 Councillors.

The representation is to increase the number of Councillors from 7 to 9 for an electorate of 1,012.

Officers are happy to support the proposed increase.

Directory of Parish/Town Councils 2012

Appendix A

Type: PC = Council PM = Parish Meeting CPC = Common Parish Council TC = Town Council

| Parish/Town Council | Parish/Town Council Wards | Polling District(s) | Electorate | No. of Cllrs | Type | Clerk | Contact Details |
|--------------------------------|---------------------------|---------------------|------------|--------------|------|---------------------|--|
| Aberford & District | Aberford | HAC | 234 | 5 | PC | Mrs Marolyn Piper | 5 Hayton Wood View Aberford Leeds LS25 3AN ☎ Not available ✉ ruthpi1412@hotmail.com |
| | | HAG | 673 | | | | |
| | Lotherton cum Aberford | HAD | 160 | | | | |
| | Parlington | HAE | 78 | | | | |
| | Sturton Grange | GSA | 310 | | | | |
| Allerton Bywater | Central | KML | 575 | 2 | PC | Mrs Claire Murray | 4 St Mary's Court Allerton Bywater, Castleford WF10 2AZ ☎ 01977 517519 ✉ abparishclerk@tiscali.co.uk |
| | East | KMF | 1609 | 4 | | | |
| | North | KMG | 1186 | 4 | | | |
| Alwoodley | - | ALB | 2749 | 11 | PC | Mrs Catriona Hanson | 17 Oakridge Court, Bingley, BD16 4TA ☎ 07532 011269 ✉ the.clerk@alwoodleyparishcouncil.org |
| | - | ALH | 2797 | | | | |
| | - | ALI | 770 | | | | |
| | - | ALJ | 867 | | | | |
| Arthington | - | AWI | 224 | 5 | PC | Ms Val Butcher | 2 Valley View, Arthington, Otley LS21 1NP ☎ 0113 2842065 ✉ arthingtonparish@live.co.uk |
| | - | AWL | 247 | | | | |
| Austhorpe | East | GSQ | 20 | 0 | PM | - | - |
| | West | GSR | 18 | | | | |
| Bardsey cum Rigton | - | HAN | 1199 | 9 | PC | Mrs P J Gallant | 21 Rose Croft, East Keswick Leeds LS17 9HR ☎ 01937 573365 ✉ june.gallant@virgin.net |
| | - | HAO | 666 | | | | |

| Parish/Town Council | Parish/Town Council Wards | Polling District(s) | Electorate | No. of Cllrs | Type | Clerk | Contact Details | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---------------------------------------|---------------------------|---------------------|------------|--------------|------|-------------------------|--|-------------------------------|------|-----|------|----|----|-------------------------|--|-------------------------------|------------|------|-------------------------------|----|-----|-----------------|--|--------|----------------|---|-------------------------------|---------------------|------|------|-----|-----|-----------------|--|--|------------|-----|-----------------|---|-----|-------------|--|--------|---------------|---|-------------------------------|---------------------|------|------|-----|----|-------------|--|--|------|-----|------|---------------------|------|-----|-----|---|----|----------------|--|
| Barwick in Elmet & Scholes | Barwick | HAF | 2076 | 6 | PC | Mr Chris Hassell | Chessingham, Elmwood Lane, Barwick in Elmet LS15 4JX ☎ 0113 3935861 ✉ chrisdhassell@hotmail.com | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Scholes | HAI | 2007 | 6 | | | | Boston Spa | - | WYF | 1261 | 10 | PC | Mrs Katharine Wilkinson | The Village Hall, High Street, Boston Spa, Wetherby LS23 6AA ☎ 01937 835736 ✉ bostonspapcc@btinternet.com | - | WYI | 2051 | Bramham cum Oglethorpe | - | WYH | 1372 | 9 | PC | Ms Marie Lynch | 1 Fossards Close, Bramham LS 23 6WD ✉ clerk@bramhamparishcouncil.org.uk | Bramhope & Carlton | - | AWJ | 2768 | 13 | CPC | Mrs Kate Fraser | Robert Craven Hall, Old Lane, Bramhope, Leeds LS16 9AZ ☎ 07530 900934 ✉ bramhopecarlton@hotmail.com | - | OYF | 118 | Clifford | - | WYG | 1324 | 9 | PC | Mr Peter Seed | 1 Mill Dam, Clifford, Wetherby, LS23 6EZ ☎ 07500 462279 ✉ clerk@clifford-pc.org.uk | Collingham with Linton | Collingham | HAK | 1860 | 7 | PC | Mr G Robins | 28 Oakdale, Harrogate HG1 2LW ☎ 01423 531235 ✉ glymrobbins@gmail.com | Linton | HAL | 555 | 3 | Drighlington | East | MNF | 894 | 4 | PC | Mr Derek Lacey | 105 Rein Road, Tingley WF3 1QJ ☎ 0113 2532528 ✉ hlacey@reinroad105.freeserve.co.uk |
| Boston Spa | - | WYF | 1261 | 10 | PC | Mrs Katharine Wilkinson | The Village Hall, High Street, Boston Spa, Wetherby LS23 6AA ☎ 01937 835736 ✉ bostonspapcc@btinternet.com | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | - | WYI | 2051 | | | | | Bramham cum Oglethorpe | - | WYH | 1372 | 9 | PC | Ms Marie Lynch | 1 Fossards Close, Bramham LS 23 6WD ✉ clerk@bramhamparishcouncil.org.uk | Bramhope & Carlton | - | AWJ | 2768 | 13 | CPC | Mrs Kate Fraser | Robert Craven Hall, Old Lane, Bramhope, Leeds LS16 9AZ ☎ 07530 900934 ✉ bramhopecarlton@hotmail.com | - | OYF | 118 | Clifford | - | WYG | 1324 | 9 | PC | Mr Peter Seed | 1 Mill Dam, Clifford, Wetherby, LS23 6EZ ☎ 07500 462279 ✉ clerk@clifford-pc.org.uk | Collingham with Linton | Collingham | HAK | 1860 | 7 | PC | Mr G Robins | 28 Oakdale, Harrogate HG1 2LW ☎ 01423 531235 ✉ glymrobbins@gmail.com | Linton | HAL | 555 | 3 | Drighlington | East | MNF | 894 | 4 | PC | Mr Derek Lacey | 105 Rein Road, Tingley WF3 1QJ ☎ 0113 2532528 ✉ hlacey@reinroad105.freeserve.co.uk | West | MNA | 3423 | 8 | | | | | | | |
| Bramham cum Oglethorpe | - | WYH | 1372 | 9 | PC | Ms Marie Lynch | 1 Fossards Close, Bramham LS 23 6WD ✉ clerk@bramhamparishcouncil.org.uk | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Bramhope & Carlton | - | AWJ | 2768 | 13 | CPC | Mrs Kate Fraser | Robert Craven Hall, Old Lane, Bramhope, Leeds LS16 9AZ ☎ 07530 900934 ✉ bramhopecarlton@hotmail.com | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | - | OYF | 118 | | | | | Clifford | - | WYG | 1324 | 9 | PC | Mr Peter Seed | 1 Mill Dam, Clifford, Wetherby, LS23 6EZ ☎ 07500 462279 ✉ clerk@clifford-pc.org.uk | Collingham with Linton | Collingham | HAK | 1860 | 7 | PC | Mr G Robins | 28 Oakdale, Harrogate HG1 2LW ☎ 01423 531235 ✉ glymrobbins@gmail.com | Linton | HAL | 555 | 3 | Drighlington | East | MNF | 894 | 4 | PC | Mr Derek Lacey | 105 Rein Road, Tingley WF3 1QJ ☎ 0113 2532528 ✉ hlacey@reinroad105.freeserve.co.uk | West | MNA | 3423 | 8 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Clifford | - | WYG | 1324 | 9 | PC | Mr Peter Seed | 1 Mill Dam, Clifford, Wetherby, LS23 6EZ ☎ 07500 462279 ✉ clerk@clifford-pc.org.uk | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Collingham with Linton | Collingham | HAK | 1860 | 7 | PC | Mr G Robins | 28 Oakdale, Harrogate HG1 2LW ☎ 01423 531235 ✉ glymrobbins@gmail.com | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Linton | HAL | 555 | 3 | | | | Drighlington | East | MNF | 894 | 4 | PC | Mr Derek Lacey | 105 Rein Road, Tingley WF3 1QJ ☎ 0113 2532528 ✉ hlacey@reinroad105.freeserve.co.uk | West | MNA | 3423 | 8 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Drighlington | East | MNF | 894 | 4 | PC | Mr Derek Lacey | 105 Rein Road, Tingley WF3 1QJ ☎ 0113 2532528 ✉ hlacey@reinroad105.freeserve.co.uk | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | West | MNA | 3423 | 8 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

| Parish/Town Council | Parish/Town Council Wards | Polling District(s) | Electorate | No. of Cllrs | Type | Clerk | Contact Details | | | |
|-----------------------------------|---------------------------|---------------------|------------|--------------|------|------------------|---|--|----|------------|
| East Keswick | - | HAM | 958 | 7 | PC | Mrs P J Gallant | 21 Rose Croft, East Keswick Leeds LS17 9HR ☎ 01937 573365 ✉ june.gallant@virgin.net | | | |
| | | MNB | 2966 | 13 | PC | Ms Sheila Leeman | 59 Forest Bank, Gildersome, Leeds LS27 7AD ☎ 0113 2536412 ✉ leemans01@ntlworld.com | | | |
| Great & Little Preston | - | GSK | 968 | | | | | 9 | PC | Mrs J Winn |
| | | GSO | 239 | | | | | | | |
| Harewood | Harewood & Wike | HAH | 507 | 2 | PC | Mr Kevin Sedman | 36 High Ash Mount, Leeds LS17 8RW ☎ 0113 3490685 ✉ harewoodpc@yahoo.co.uk | | | |
| | | ALA | 2473 | 7 | | | | | | |
| | Broadfields | HOG | 2963 | 5 | 5 | TC | Mr Tom Ferry | Mechanics Institute Town Street, Horsforth Leeds LS18 5BL ☎ 0113 2580988 ✉ clerk@horsforthtowncouncil.gov.uk | | |
| | | HOB | 3378 | 5 | | | | | | |
| Horsforth | Hall Park | HOE | 1627 | 5 | TC | Mr Tom Ferry | | | | |
| | | HOJ | 2221 | 5 | | | | | | |
| | Victoria | HOD | 1492 | 5 | | | | | | |
| Kippax | Central | HOI | 2297 | 5 | PC | Mr Colin Child | The Stables, Rudstone Grove Sherburn In Elmet LS25 6EQ ☎ 07775 567094 ✉ clerk.kippaxparishcouncil@btinternet.com | | | |
| | | HOC | 1421 | 2 | | | | | | |
| | East | KMH | 1811 | 6 | | | | 5 | PC | |
| | | KMK | 1084 | 5 | | | | | | |
| North | KMJ | 2428 | 5 | 5 | | | | | | |
| | | KMC | 2484 | 5 | | | | | | |

| Parish/Town Council | Parish/Town Council Wards | Polling District(s) | Electorate | No. of Cllrs | Type | Clerk | Contact Details |
|---------------------|---------------------------|---------------------|------------|--------------|------|--------------------|---|
| Ledsham | - | KME | 146 | 7 | PC | Chris Pilkington | 41 The Oval, Notton, Wakefield, West Yorkshire, WF4 2NX ☎ 01226 700260/07754 905223 ✉ chris.pilkington@phonecoop.coop |
| | - | KMD | 166 | 5 | PC | Ms Catherine Black | 7 Main Street, Ledston, Castleford WF10 2AA ☎ 07775 567094 ✉ chrisblackmail@fiscali.co.uk |
| Micklefield | - | KMA | 722 | 9 | PC | Ms Joanne Hebden | 6 Churchville Avenue, Micklefield, Leeds LS25 4AS ☎ 0113 2875829 ✉ jobrigante@aol.com |
| | - | KMB | 734 | | | | |
| Morley | Central | MSD | 1644 | 3 | TC | Ms Karen Oakley | Morley Town Hall Queen Street Morley LS27 9DY ☎ 0113 2474370 ✉ town.clerk@morley.gov.uk |
| | | MSE | 1353 | | | | |
| | Churwell | MND | 824 | 4 | | | |
| | | MNH | 1855 | | | | |
| | Elmfield | MNI | 1712 | 4 | | | |
| | | MSC | 1869 | | | | |
| | Scatcherd | MSG | 1840 | 5 | | | |
| | | MNC | 2822 | | | | |
| | Teale | MNE | 1820 | 3 | | | |
| | | MSA | 1597 | | | | |
| Topcliffe | MSB | 1179 | 5 | | | | |
| | MSF | 1203 | | | | | |
| | MSI | 1095 | | | | | |
| Otley | Ashfield | MSJ | 2393 | 5 | TC | Mr Iain Plumtree | Civic Centre Cross Green Otley LS21 1HD ☎ 01943 466335 ✉ townclerk@otleytowncouncil.gov.uk |
| | | OYA | 2698 | 4 | | | |
| | Manor | OYE | 2208 | 4 | | | |
| | | OYC | 2216 | 3 | | | |
| | West Chevin | OYD | 1673 | 4 | | | |

| Parish/Town Council | Parish/Town Council Wards | Polling District(s) | Electorate | No. of Cllrs | Type | Clerk | Contact Details | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---------------------|---------------------------|---------------------|------------|--------------|------|-------------------------------------|--|------------------|---|-----|-----|---|----|-------------------------------------|---|---|-----|------|-----------------|---|-----|-----|---|----|-------------------------------------|---|--------------------|-----|------|------|-----|-----|--------------------|--|-----|------|-----|----------------|----------------|--|-----|-----|-----|----------------|--|-----|-----|-----|-------------------|---------------|--|------|-----|-----|-------------------|---|-----|------|-----|---------------|----------------|---|-----|-----|-----|---------------|--|-----|-----|------|---------------|---------------|--|-----|-----|------|---------------|--|-----|-----|-----|----|
| Pool | - | AWG | 222 | 9 | PC | Mr John Ryan | 11 Avondale Grove, Shipley, Bradford BD18 4QT ☎ 07766547651 ✉ poolparishcouncil@gmail.com | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | - | AWH | 1514 | | | | | Scarcroft | - | HAA | 983 | 7 | PC | Mr P R Hart | Cooper's Croft, 1 The Dell, Church Lane, Bardsey LS17 9DL ☎ 01937 573722 ✉ peter.r.hart@btinternet.com | - | HAI | 1524 | Shadwell | - | GSI | 162 | 9 | PC | Mr B Caulfield & Mrs K Caulfield | 2 Parklands Crescent Bramhope Leeds LS16 9AQ ☎ ✉ shadwellpc@hotmail.com | - | GSJ | 1665 | - | GSS | 853 | Swillington | - | HAB | 1342 | 9 | PC | Mr Steven Wood | 41 Glencoe Gardens Great Preston, Leeds LS25 7QY ☎ 0113 2870780 ✉ clerk@swillingtonparishcouncil.gov.uk | - | WYD | 612 | Thornor | - | WYE | 175 | 5 | PC | Mr Colin Pool | 5 Camp Square, Thornor Leeds LS14 3BX ☎ 0113 2893121 ✉ thorn Clerker@btinternet.com | - | WYD | 612 | Thorp Arch | - | HAB | 1342 | 9 | PC | Mr Steven Wood | 7 Prospect Bank, Bramham, Wetherby LS23 6RS ☎ 01937 844687 ✉ clerk@thorp-arch.org.uk | - | WYE | 175 | Walton | - | GSI | 162 | 7 | PC | Mr Colin Pool | 7 Prospect Bank, Bramham, Wetherby LS23 6RS ☎ 01937 844687 ✉ secretary@walton-pc.gov.uk | - | GSJ | 1665 | Walton | - | GSS | 853 | 7 | PC |
| Scarcroft | - | HAA | 983 | 7 | PC | Mr P R Hart | Cooper's Croft, 1 The Dell, Church Lane, Bardsey LS17 9DL ☎ 01937 573722 ✉ peter.r.hart@btinternet.com | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | - | HAI | 1524 | | | | | Shadwell | - | GSI | 162 | 9 | PC | Mr B Caulfield & Mrs K Caulfield | 2 Parklands Crescent Bramhope Leeds LS16 9AQ ☎ ✉ shadwellpc@hotmail.com | - | GSJ | 1665 | | - | GSS | 853 | | | | | Swillington | - | HAB | 1342 | 9 | PC | Mr Steven Wood | 41 Glencoe Gardens Great Preston, Leeds LS25 7QY ☎ 0113 2870780 ✉ clerk@swillingtonparishcouncil.gov.uk | - | WYD | 612 | Thornor | - | WYE | 175 | 5 | PC | Mr Colin Pool | 5 Camp Square, Thornor Leeds LS14 3BX ☎ 0113 2893121 ✉ thorn Clerker@btinternet.com | - | WYD | 612 | Thorp Arch | - | HAB | 1342 | 9 | PC | Mr Steven Wood | 7 Prospect Bank, Bramham, Wetherby LS23 6RS ☎ 01937 844687 ✉ clerk@thorp-arch.org.uk | - | WYE | 175 | Walton | - | GSI | 162 | 7 | PC | Mr Colin Pool | 7 Prospect Bank, Bramham, Wetherby LS23 6RS ☎ 01937 844687 ✉ secretary@walton-pc.gov.uk | - | GSJ | 1665 | Walton | - | GSS | 853 | 7 | PC | Mr Colin Pool | 7 Prospect Bank, Bramham, Wetherby LS23 6RS ☎ 01937 844687 ✉ secretary@walton-pc.gov.uk | - | GSS | 853 | |
| Shadwell | - | GSI | 162 | 9 | PC | Mr B Caulfield & Mrs K Caulfield | 2 Parklands Crescent Bramhope Leeds LS16 9AQ ☎ ✉ shadwellpc@hotmail.com | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | - | GSJ | 1665 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | - | GSS | 853 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Swillington | - | HAB | 1342 | 9 | PC | Mr Steven Wood | 41 Glencoe Gardens Great Preston, Leeds LS25 7QY ☎ 0113 2870780 ✉ clerk@swillingtonparishcouncil.gov.uk | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | - | WYD | 612 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Thornor | - | WYE | 175 | 5 | PC | Mr Colin Pool | 5 Camp Square, Thornor Leeds LS14 3BX ☎ 0113 2893121 ✉ thorn Clerker@btinternet.com | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | - | WYD | 612 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Thorp Arch | - | HAB | 1342 | 9 | PC | Mr Steven Wood | 7 Prospect Bank, Bramham, Wetherby LS23 6RS ☎ 01937 844687 ✉ clerk@thorp-arch.org.uk | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | - | WYE | 175 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Walton | - | GSI | 162 | 7 | PC | Mr Colin Pool | 7 Prospect Bank, Bramham, Wetherby LS23 6RS ☎ 01937 844687 ✉ secretary@walton-pc.gov.uk | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | - | GSJ | 1665 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Walton | - | GSS | 853 | 7 | PC | Mr Colin Pool | 7 Prospect Bank, Bramham, Wetherby LS23 6RS ☎ 01937 844687 ✉ secretary@walton-pc.gov.uk | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | - | GSS | 853 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

| Parish/Town Council | Parish/Town Council Wards | Polling District(s) | Electorate | No. of Cllrs | Type | Clerk | Contact Details |
|---------------------|---------------------------|---------------------|------------|--------------|------|---|---|
| Wetherby | East | WYC | 1534 | 5 | TC | Ms B Ball | The Town Hall, Market Place, Wetherby LS22 6NE ☎ 01937 583584 ✉ wetherbytc@btconnect.com |
| | | WYJ | 864 | | | | |
| | North | WYA | 1434 | 5 | | | |
| | | WYK | 1452 | 5 | | | |
| | West | WYB | 2207 | 5 | | | |
| | | WYL | 1261 | 5 | | | |
| Wothersome | - | HAP | 19 | 0 | PM | Mr G C Wakeham Wothersome Grange, Bramham Wetherby LS23 6LT | |

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Report author: John Mulcahy

Tel: 39 51877

Report of the Head of Licensing and Registration

Report to General Purposes Committee

Date: 30 August 2012

Subject: Community Governance Review recommendations on whether to create a new parish of Rawdon

| | |
|--|---|
| Are specific electoral Wards affected? If relevant, name(s) of Ward(s): Horsforth, Guiseley & Rawdon and Otley & Yeadon | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| Are there implications for equality and diversity and cohesion and integration? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Is the decision eligible for Call-In? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number: | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |

Summary of main issues

1. The Council received a petition from electors in polling districts from the Horsforth, Guiseley & Rawdon and Otley & Yeadon wards on 18 May 2012 asking for the creation of a new parish council for Rawdon.
2. The petition was validated by Electoral Services staff and met the requirements of the Local Government and Public Involvement in Health Act 2007.
3. Following the receipt of a valid petition the Council was required to undertake a Community Governance Review. General Purposes Committee agreed the process and Terms of Reference for this review on 25 June 2012.
4. Public consultation was carried out during the period 26 June to 31 July 2012. The council's Elections Working Group (EWG) met on 21 August 2012 to consider any representations received and additional background information before making their recommendations for General Purposes Committee's consideration which are given in this report.

Recommendations

5. That the recommendations as detailed in the report be confirmed as the authority's final proposals and sent to Full Council for approval.

1 Purpose of this report

- 1.1 To consider EWG's recommendations regarding the petition from electors in polling districts from the Horsforth, Guiseley & Rawdon and Otley & Yeadon wards and subsequent Community Governance Review to establish whether a new parish for Rawdon should be created.

2 Background information

- 2.1 The Council received a valid petition from electors in polling districts from the Horsforth, Guiseley & Rawdon and Otley & Yeadon wards on 18 May 2012. Following the receipt of a petition the Council was required to undertake a Community Governance Review.
- 2.2 The petition was submitted in accordance with the Local Government and Public Involvement in Health Act 2007 (the Act).
- 2.3 The area covered by the review has 5,684 local Government electors and as such would need any petition to be signed by at least 569 of those electors in accordance with the Act¹. The petition has been signed by 751 local government electors in the area affected by the review.
- 2.4 The petition defined on a map the area to which the review is to relate. A map was submitted with the petition and the geographical area is defined as that currently known as Rawdon.
- 2.5 The petition asked for the creation of a new parish, and a new parish council called Rawdon to serve the community. A copy of the map illustrating the boundaries of the proposed new parish is attached as Appendix A.
- 2.6 A community governance review must in any event, make recommendations as to what new parish or parishes (if any) should be constituted in the area under review. If the review recommends that a new parish should be constituted, the review must also make recommendations as to the name of the new parish, whether or not the new parish should have a parish council, and whether or not the new parish should have one of the alternative styles. However, where a new parish has 1,000 or more local government electors, the review must recommend that the parish should have a council.
- 2.7 The Council has the power to undertake a community governance review of the whole or part of its area other than in response to a valid community governance petition. As a result, the Council could commence a separate review of a wider area than the petition area if it so wished, and could then make recommendations as to new parishes, the aggregation of parishes, or the alteration or abolition of parishes in a wider part of its area.

¹ Section 80 (3) (c) - If the petition area has more than 2500 local government electors, the petition must be signed by at least 10% of the electors

2.8 At its meeting on 25 June 2012, General Purposes Committee agreed the process and Terms of Reference for a Community Governance Review of the area affected by the petition.

3 Main issues

3.1 When a valid petition is received the Act says the Council is required to undertake a Community Governance Review within 12 months. In these circumstances the stages of the Review are as follows: -

- Petition validated (the petition has been validated by Electoral Services)
- Terms of Reference for the Review Agreed (agreed by GPC on 25 June 2012)
- Council consults widely with local people on proposal (public consultation was carried out between 26 June and 31 July 2012)
- Council takes into account any representations received (all representations were considered by EWG at their meeting on 21 August 2012)
- Council makes recommendations whether a new parish should be implemented (the reason for this report)
- Council publishes its decision
- Interim governance arrangements agreed and precept set
- Election held (the timetable for the review has been set so the elections to any new parish can coincide with the Police and Crime Commissioner elections in November 2012 to help reduce costs)

3.2 When undertaking a Community Governance Review a principal council must have regard to guidance issued by the Secretary of State and the Electoral Commission. The stages outlined above take account of the requirements of the legislation and the available guidance. However, subject to this, it is for the Council to decide how to undertake the review. In deciding what recommendations to make, the Council must take into account any other arrangements (apart from those relating to parishes) that have already been made, or that could be made for the purposes of community representation or community engagement in respect of the area under review. EWG considered this at its meeting on 21 August 2012 before agreeing their recommendations.

3.3 In order for any required election to take place jointly with the Police and Crime Commissioner elections on 15 November 2012, this review needs to be finalised by no later than 5 October in order to make the necessary changes to the registers before publication on 16 October. Also, it should be noted that the last date for publication of Notice of Election for a parish election to take place on 15 November is 11 October, after this date the election could not take place on 15 November. This makes the timetable critical with no allowance for any slippage.

3.4 If a decision is taken to create a new parish council they will have the ability to produce a Neighbourhood Plan for their area.

3.5 Recommendations of Elections Working Group (EWG) – EWG met on 21 August 2012 to consider the following information from the review: -

- A map of the area affected by the review, and its relation to other nearby parish or town councils and existing polling districts;
- Any other arrangements (apart from those relating to parishes) that have already been made, or that could be made for the purposes of community representation or community engagement in respect of the area under review (e.g. residents' associations, community forums, tenant management organisations, area committees);
- The need to secure that community governance in the area under review reflects the identities and interests of the community in that area, and is effective and convenient.
- Details of any developments in the area under review which is likely to occur in the period of five years from the start of the review;
- Demographic information on population size for the area under review and any change which is likely to occur in the period of five years from the start of the review;
- Electorate information for the area under review including the number of local government electors for the parish, any change in the number, or distribution, of the local government electors which is likely to occur in the period of five years from the start of the review, the desirability of fixing boundaries which are, and will remain, easily identifiable, and any local ties which will be broken by the fixing of any particular boundaries;
- Potential effects of any proposals by the Boundary Commission's review of parliamentary constituencies on the area under review;
- Details of any likely precept or any change to an existing precept as a potential consequence of a review;
- Details of any council land or property that will transfer to any new parish on formation;
- Details of any representations made during the public consultation; and
- Officer recommendations regarding the electoral arrangements for the area under review which will include: -
 - The ordinary year in which elections are held;
 - The number of councillors to be elected to the council;
 - The division (or not) of the parish into wards for the purpose of electing councillors;

- The number and boundaries of any such wards;
- The number of councillors to be elected for any such ward; and
- The name of any such ward.

3.6 A copy of the report that went to EWG is at Appendix A which includes the above information except details of representations received which are included as background documents. After careful consideration of the above information, EWG also considered the need to secure that community governance arrangements reflect the identities and interests of the community in the area and have recommended: -

- That a new parish and parish council for Rawdon be constituted, excluding the polling district OYG (from the original proposal contained in the petition received on 18 May 2012);
- That the precept for the new parish council be set at £40,000;
- That the electoral arrangements are as set out in Appendix A; and
- That the interim arrangements for the new parish are that the existing Local Government Ward Councillors act as parish councillors until vacancies to the new parish council are filled

3.7 GPC is asked to consider the report and information to EWG at Appendix A as well as the recommendations made by EWG, and to agree final proposals to be submitted to full Council for approval.

4 Corporate Considerations

4.1 Consultation and Engagement

4.1.1 All local government electors for the area under review and any other person or body who appears to have an interest in the review has been consulted on the proposal, and GPC is asked to take into account all representations received in connection with the review. GPC is also asked to have regard to the need to secure that the community governance arrangements for the area reflect the identities and interests of the community in the area and are effective and convenient. In deciding what recommendations to make to full Council, GPC is also asked to take into account any other arrangements (apart from those relating to parishes and their institutions), that have already been made, or that could be made, for the purposes of community representation or community engagement in respect of the area.

4.2 Equality and Diversity / Cohesion and Integration

4.2.1 An equality screening document has been completed for this review and has concluded that the consultation arrangements have helped ensure all people affected by the review were given an opportunity to comment which includes an opportunity to raise any equality, diversity, cohesion or integration issues.

4.3 Council policies and City Priorities

- 4.3.1 This review does not affect the council's budget and policy framework, although reviewing local electors' needs does support the council's aims to be the best city for communities, and in particular the four year priority to increase a sense of belonging that builds cohesive and harmonious communities.

4.4 Resources and value for money

- 4.4.1 No additional human resources are required to carry out the review.
- 4.4.2 There is no budget to carry out Community Governance Reviews so the cost of this review will have to be met from within existing budget. The cost of carrying out this review was estimated at £1,000. This is mainly costs from printing and publishing Notices in local press.

4.5 Legal Implications, Access to Information and Call In

- 4.5.1 Under the Council's Constitution, General Purposes Committee alone has the delegated authority to make recommendations for the final proposals for any Community Governance Review to Full Council. This is not delegated to the Chief Executive.

4.6 Risk Management

- 4.6.1 There is always a risk of challenge to the decision. There is no right to appeal as such, although if local electors disagreed with the final recommendations they could lobby the full Council not to give effect to them, or a decision by full Council could be challenged by way of judicial review on the usual principles.

5 Conclusions

- 5.1 That EWG have properly considered any representations received and the additional information listed at 3.4 of this report to determine their recommendations whether a new parish of Rawdon should be established.

6 Recommendations

- 6.1 That the recommendations as detailed in 3.6 of the report be confirmed as the authority's final proposals and sent to Full Council for approval

7 Background documents²

- Local Government and Public Involvement in Health Act 2007
- The Electoral Commission Guidance on Community Governance Reviews, April 2008

² The background documents listed in this section are available for inspection on request for a period of four years following the date of the relevant meeting. Accordingly this list does not include documents containing exempt or confidential information, or any published works. Requests to inspect any background documents should be submitted to the report author.

- Petition from electors in Horsforth, Guiseley & Rawdon and Otley & Yeadon wards received on Friday 18 May 2012
- Details of all representations received during public consultation from 26 June to 31 July 2012

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Report author: John Mulcahy
Tel: 39 51877

Report of the Head of Licensing and Registration

Report to Electoral Working Group

Date: 21 August 2012

Subject: Considering information and representations for the Community Governance Reviews of Scarcroft and Rawdon

1 Purpose of this report

1.1 To outline the process that will be followed to consider all the background info and any representations received regarding the two Community Governance Reviews.

2 Background information

2.1 At its meeting on 25 June 2012, General Purposes Committee agreed the Terms of Reference, process and timetable to conduct: -

- A Community Governance Review for the existing parish council of Scarcroft to determine whether the number of parish councillors should be increased from seven to nine; and
- A Community Governance Review to determine whether a new Parish and new Parish Council for Rawdon be established

2.2 As part of that process, it was agreed that EWG would be used to consider the background information and any representations received in response to the public consultation for each review. EWG would then make its recommendations for consideration by General Purposes Committee on 30 August 2012 before that committee makes final proposals for approval by Full Council on 12 September 2012.

2.3 The public consultation ran for five weeks commencing 26 June 2012 and ended on 31 July 2012. Appendix 1 holds all the required background information and details of representations received for Scarcroft. Appendix 2 holds the same information for Rawdon.

3 Main issues

3.1 The background information included in the appendices that EWG has to consider for each review includes: -

- A map of the area affected by the review, and its relation to other nearby parish or town councils and existing polling districts;

- Any other arrangements (apart from those relating to parishes) that have already been made, or that could be made for the purposes of community representation or community engagement in respect of the area under review (e.g. residents' associations, community forums, tenant management organisations, area committees);
- Details of any developments in the area under review which is likely to occur in the period of five years from the start of the review;
- Demographic information on population size for the area under review and any change which is likely to occur in the period of five years from the start of the review;
- Electorate information for the area under review including the number of local government electors for the parish, any change in the number, or distribution, of the local government electors which is likely to occur in the period of five years from the start of the review, the desirability of fixing boundaries which are, and will remain, easily identifiable, and any local ties which will be broken by the fixing of any particular boundaries;
- Potential effects of any proposals by the Boundary Commission's review of parliamentary constituencies on the area under review;
- Details of any likely precept or any change to an existing precept as a potential consequence of a review;
- Details of any council land or property that will transfer to any new parish on formation;
- Details of any representations made during the public consultation; and
- Any recommendations received, with officer comments, regarding the electoral arrangements for the area under review which will include: -
 - The ordinary year in which elections are held;
 - The number of councillors to be elected to the council;
 - The division (or not) of the parish into wards for the purpose of electing councillors;
 - The number and boundaries of any such wards;
 - The number of councillors to be elected for any such ward; and
 - The name of any such ward.

3.2 Whilst considering the information above, EWG will need to have regard to Section 93 of the Local Government and Public Involvement and Health Act 2007 which requires principal councils to ensure that community governance within the area under review will be:

- reflective of the identities and interests of the community in that area; and
- effective and convenient.

- 3.3 The 2007 Act requires principal councils to have regard to the need to secure that community governance reflects the identity and interests of local communities; the impact on community cohesion is linked strongly to it. Cohesion issues are connected to the way people perceive how their local community is composed and what it represents, and the creation of parishes and parish councils may contribute to improving community cohesion. EWG will need to ensure that community governance arrangements should reflect, and be sufficiently representative of, people living across the whole community and not just a discrete cross-section or small part of it. DCLG's guidance states it would be difficult to think of a situation in which a principal council could make a decision to create a parish and a parish council which reflects community identities and interests in the area and at the same time threatens community cohesion. Principal councils should be able to decline to set up such community governance arrangements where they judged that to do so would not be in the interests of either the local community or surrounding communities, and where the effect would be likely to damage community cohesion.
- 3.4 The 2007 Act requires principal councils to make recommendations as to: -
- a) Whether a new parish or any new parishes should be constituted;
 - b) Whether existing parishes should or should not be abolished or whether the area of existing parishes should be altered; or
 - c) What the electoral arrangements for new or existing parishes, which are to have parish councils, should be.
- 3.5 When making recommendations to General Purposes Committee, EWG will therefore need to specify the following: -
- What new parish or parishes (if any) should be constituted in the area under review. In relation to existing parishes under review, the review must also make recommendations as to whether the parish should be abolished or not, or its area altered or not, whether or not the name of the parish should be changed, and whether or not the parish should continue to have a council. However, if the proposed parish has 1,000 or more local government electors, the review must recommend that the parish should have a council. If the review recommends a parish should continue to have a parish council, the review must also make recommendations as to what changes (if any) should be made to the council's electoral arrangements (which include the number of councillors to be elected to the council).
 - What electoral arrangements should be constituted in the area under review. The review must consider whether to recommend that the parish should, or should not, be or continue to be divided into wards for the purpose of electing councillors. For these purposes, the Council must consider whether the number, or distribution, of the local government electors for the parish would make a single election of councillors impracticable or inconvenient, and whether it is desirable that any area or areas of the parish should be

separately represented on the council. In deciding to recommend that a parish should be divided into wards, the Council must have regard to certain factors¹ when considering the size and boundaries of the wards, and the number of councillors to be elected for each ward. In deciding to recommend that a parish should not be so divided, the Council must have regard to the number of local government electors for the parish, and any change in that number likely to occur in the next 5 years when considering the number of councillors to be elected for the parish.

- Interim Arrangements for any new parish or change to any existing parish. Normally the existing local authority Ward Councillors will act as parish councillors until any required election is determined.

3.6 EWG's recommendations will be considered by General Purposes Committee on 30 August 2012 before that committee makes final proposals for approval by Full Council on 12 September 2012. Once approved any new parish or changes to an existing parish will be made in a Reorganisation of Community Governance Order. This Order will be drafted and executed by the council's Legal Services.

4 Recommendations

4.1 Note the contents of the report and confirm recommendations for proposals for both Scarcroft and Rawdon.

¹ Included in electorate information under 3.1 of this report

Community Governance Review Establishment of a Parish Council for Rawdon

Information pack for Electoral Working Group
Tuesday 21 August 2012

Electoral Services
Level 2
Town Hall
The Headrow
Leeds LS1 3AD

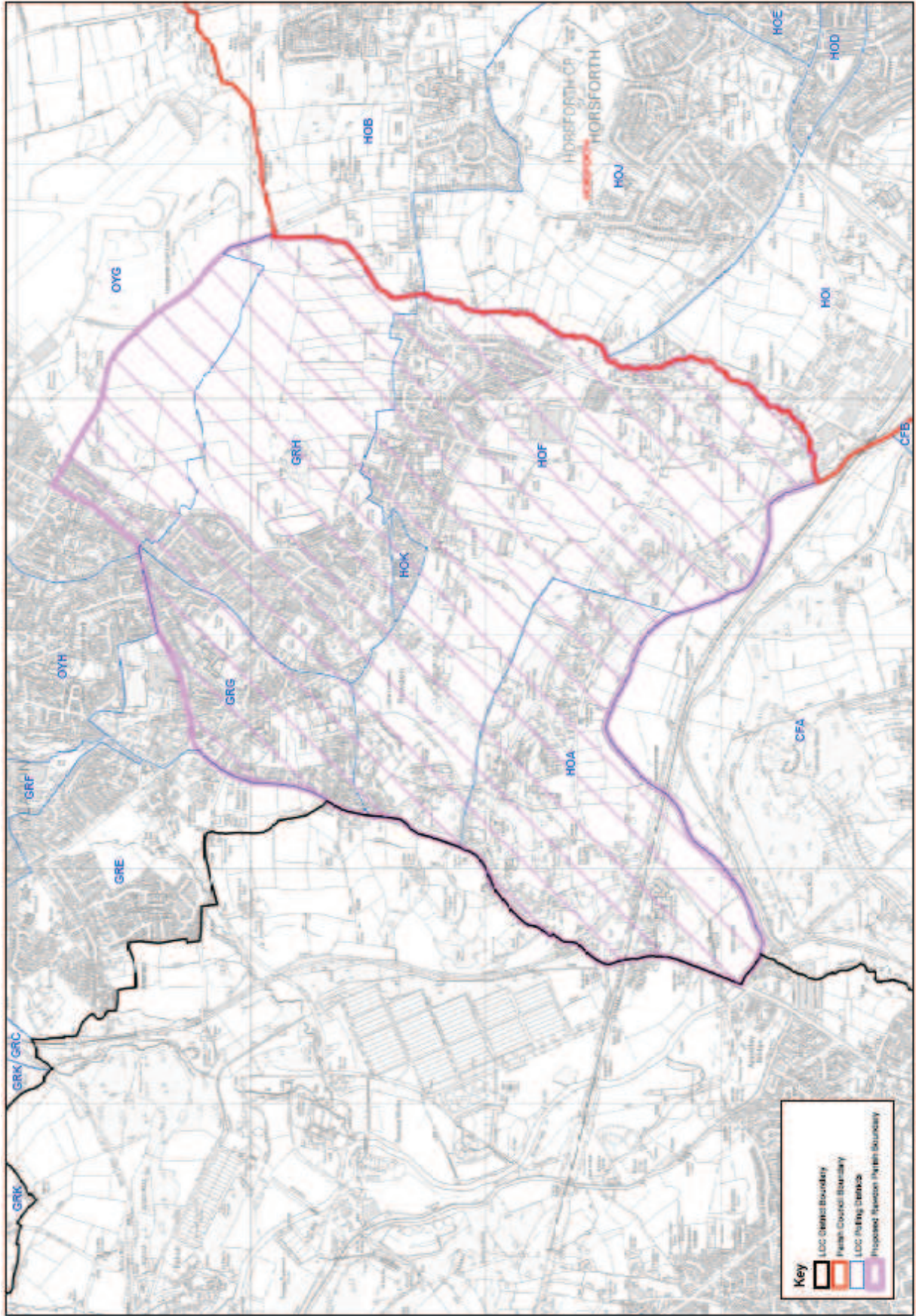
0113 3952858
electors@leeds.gov.uk
www.leeds.gov.uk/elections



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Map of the proposed Rawdon Parish Council area



Current arrangements relating to community engagement / representation

| Organisation | Purpose |
|---|---|
| <p>Rawdon Billing Action Group</p> <p>Joan Roberts - Treasurer 27 Billing View LS19 6PR 0113 2509843 Joanroberts295@msn.com</p> <p>Diana Al- Saadi - Secretary 15 Billing View LS19 6PR` 0113 2100154 Diana.Al-Saadi@ntlworld.com</p> <p>Janet Bennett—Chairman</p> | <p>Opposing development and protecting greenbelt status on Rawdon Billing and associated land.</p> |
| <p>Leeds North West (Outer) Area Committee</p> <p>Jane Maxwell West North West Area Leader 0113 336 7858 jane.maxwell@leeds.gov.uk</p> | <p>Area Committees aim to improve the delivery and co-ordination of local council services and improve the quality of local decision making.</p> <p>Area Committees have a lot of influence. They make sure local concerns are taken into account in the development of major policies and strategies.</p> <p>Area Committees also make sure priorities are addressed through local partnership working arrangements, with senior officer groups from Leeds City Council collaborating with organisations such as the Primary Care Trust and the Police which sit under the umbrella organisation, the Leeds Initiative: http://www.leedsinitiative.org/</p> <p>The council has given specific responsibilities to the Area Committees known as Area Functions. These include:</p> <ul style="list-style-type: none"> • Area Well Being budgets – a budget to be spent on local priorities • Community centres • Neighbourhood wardens |

| | |
|--|---|
| | <ul style="list-style-type: none">• CCTV• Neighbourhood management co-ordination• Community engagement• Other areas where the Committees powers can exert influence but do not directly manage are:<ul style="list-style-type: none">• Community greenspace• PCSOs, neighbourhood policing teams and multi agency Crime & Grime operations• Environmental action teams• Street cleansing• Highways maintenance• Local children and young people plans• Health and wellbeing (including adult social care)• Conservation area reviews• Grounds maintenance• Area based regeneration schemes and Town & District Centre projects• Advertising on lampposts |
|--|---|

Developments

There are no proposed developments in the area of the proposed Rawdon Parish Council within the next five years..

Demographic information

The proposed Rawdon Parish Council area has an approximate population of 7,300.

There is no anticipated major increase in the above figures within the next five years, due to the lack of developments planned for the area.

Electorate

Figures provided as of current register of electors, published on 2 July 2012.

| Polling Districts | Electorate |
|--------------------------|-------------------|
| HOA | 346 |
| HOF | 1712 |
| HOK | 173 |
| GRG (part) | 1417 |
| GRH | 1810 |
| OYG (part) | 263 |
| Total | 5721 |

There is no anticipated major increase in the above figures within the next five years, due to the lack of developments planned for the area.

Potential effects of Boundary Commission's review

The Boundary Commission's review of Parliamentary Constituencies does not affect the proposed Parish area, as the boundaries of wards and polling districts will remain unchanged.

Precept

Possible precepts (based on estimated tax base):

| Possible Parish Precept 2013/14 £ | Equivalent Parish Band D Council Tax £ |
|--------------------------------------|---|
| 30,000 | 10.45 |
| 40,000 | 13.93 |
| 45,000 | 15.67 |
| 50,000 | 17.41 |
| 60,000 | 20.89 |

Comparative Information For Nearby Parishes:

| Parish | Parish Tax base 2012/13 | Parish Precept 2012/13 £ | Parish Band D Council Tax 2012/13 £ |
|--------------------|-------------------------|-----------------------------|--|
| Horsforth | 7,006 | 104,000 | 14.84 |
| Otley | 4,973 | 276,425 | 55.59 |
| Bramhope & Carlton | 1,805 | 55,000 | 30.47 |

Comparative information for other new parishes when set up:

| Parish (and year established) | Parish Tax base | Anticipated Precept £ | Parish Band D Council Tax £ |
|-------------------------------|-----------------|--------------------------|--------------------------------|
| Drighlington (2004/05) | 1,649 | 16,490 | 10.00 |
| Gildersome (2004/05) | 1,852 | 18,520 | 10.00 |
| Kippax (2004/05) | 2,957 | 35,484 | 12.00 |
| Alwoodley (2008/09) | 3,672 | 36,720 | 10.00 |

Precepts for Parish & Town Councils in Leeds 2011/12 & 2012/13

| Parish/Town Council | Budget/Precept 2011/12 £ | Budget/Precept 2012/13 £ | 2012/13 Parish Band D Council Tax £ p |
|----------------------------|-----------------------------|-----------------------------|--|
| Aberford & District | 9,000 | 11,000 | 14.01 |
| Allerton Bywater | 27,000 | 28,000 | 20.26 |
| Alwoodley | 36,720 | 36,720 | 9.94 |
| Arthington | 2,000 | 2,000 | 6.80 |
| Austhorpe | 0 | 0 | 0.00 |
| Bardsey cum Rigton | 28,500 | 30,000 | 25.58 |
| Barwick in Elmet & Scholes | 39,000 | 39,000 | 19.06 |
| Boston Spa | 35,000 | 38,000 | 20.38 |
| Bramham cum Oglethorpe | 20,000 | 20,000 | 27.32 |
| Bramhope & Carlton | 65,000 | 55,000 | 30.47 |

| | | | |
|------------------------|---------|---------|-------|
| Clifford | 21,000 | 21,000 | 27.96 |
| Collingham with Linton | 51,500 | 51,500 | 30.80 |
| Drighlington | 22,000 | 22,000 | 11.51 |
| East Keswick | 15,500 | 16,500 | 28.16 |
| Gildersome | 21,000 | 21,000 | 10.65 |
| Great & Little Preston | 8,500 | 8,500 | 17.21 |
| Harewood | 1,000 | 1,000 | 0.55 |
| Horsforth | 102,002 | 104,000 | 14.84 |
| Kippax | 45,250 | 45,250 | 14.64 |
| Ledsham | 2,550 | 2,550 | 26.29 |
| Ledston | 3,200 | 3,200 | 19.51 |
| Mickefield | 40,925 | 40,925 | 72.43 |
| Morley | 175,083 | 175,083 | 17.67 |
| Otley | 299,950 | 276,425 | 55.59 |
| Pool in Wharfedale | 33,777 | 38,046 | 38.94 |
| Scarcroft | 11,000 | 16,000 | 23.56 |
| Shadwell | 33,000 | 30,000 | 31.19 |
| Swillington | 25,470 | 25,979 | 24.12 |
| Thorner | 27,000 | 27,000 | 35.29 |
| Thorp Arch | 8,460 | 9,000 | 25.28 |
| Walton | 4,500 | 5,000 | 40.65 |
| Wetherby | 232,964 | 232,964 | 50.22 |
| Wothersome | 0 | 0 | 0.00 |

Budget shown rounded to the nearest £

Estimated first year expenses for a Parish the size of Rawdon

| | £ | Notes |
|--|----------|-------|
| 1. Staffing | | |
| Parish Clerk (Salary scales for parish clerks are subject to a national agreement and are calculated according to the council's annual income) | | |
| Assuming SCP 26, 12 hours per week for 9 months in the first Year (including superannuation and National Insurance) | 7,000.00 | (1) |
| Total staffing costs (a) | 7,000.00 | |
| 2. Set up and other running costs | | |
| Office accommodation and hire of room for meetings, say | 700.00 | (2) |
| Office equipment | | |
| Photocopier – assume £250 a quarter (serviced) | 1,000.00 | (3) |
| Computer and peripherals, say | 2,000.00 | |

| | | |
|--|-------------------------|-----|
| Other equipment | 1,300.00 | |
| Postage, say | 1,500.00 | (4) |
| Telephone and internet, say | 700.00 | (5) |
| Election expenses, est. | 10,850.00 | (6) |
| Audit fees, for first year est. | 0.00 | |
| Insurance, est. | 800.00 | |
| Subscriptions/membership fees est. | 700.00 | (7) |
| Training | 300.00 | (8) |
| Bank charges, say | 400.00 | |
| Stationery & printing, say | 2,000.00 | |
| Total set up/running costs (b) | 22,250.00 | |
| <u>Total estimated first year costs (staff+office+set up) (a)+(b)</u> | <u>29,250.00</u> | |

Based on an estimated tax base of 2,872, estimated running costs would equate to £10.18 per Band D equivalent property

Notes: The cost of any services provided by the Parish Council, such as street cleaning, maintenance, additional street lighting, crime prevention, and community grants would be in addition to this estimate. Setting the precept at £15.67 per Band D property would give a total precept of £45,000, £15.750 above the estimated running costs.

Notes

(1) Parish Clerk

Using the LC2 scale (local councils with an annual income between £25,000 and £250,000) SCP26 (2013/14)

| | | |
|-----------------------------|---|-------------------|
| Full time equivalent salary | = | £22,444.00 |
| National Insurance | = | £1,495.00 |
| Superannuation | = | £3,254.00 |
| Total | = | <u>£27,193.00</u> |

| | | |
|--------------------------------|---|------------------|
| Hourly equivalent | = | £14.13 |
| Hours required (12 over 9mths) | = | <u>468.00</u> |
| Total | = | <u>£6,614.51</u> |
| Say | | £7,000.00 |

(2) Accommodation

Assume 10 meetings per annum at £70 per meeting

Say £700.00

(3) Photocopier

Advertisement from Yorkshirecopiers.com

Photocopier rental at £81.25 pcm

Annually = £975.00

Say £1,000.00

(4) Postage

Postage taken as some second class letter to all households

Households = 3,021

Second class postage (with discount for volume) = £0.40

Cost £1,208.40

Business postage £250.00

Total cost = £1,458.40

Say £1,500.00

(5) Telephone and internet

Internet £35 pcm = £420.00

Mobile telephone £25 pcm = £300.00

Total cost £720.00

Say £700.00

(6) Election costs

Estimate by Electoral Services £10,850.00

(7) Memberships

Join National Association of Local Councils through
the Yorkshire Local Councils Association = £500.00

Society of Local Council Clerks = £152.00

Community, Parish & Local Councils (membership) = £30.00

£682.00

Say £700.00

(8) Training

Certificate in Local Council Administration (initial
costs only) = £220.00

say £300.00

Transfer of land and property

There are two allotment sites that fall within the proposed Rawdon Parish Council area.

Both are self administered sites, one is called Victory Gardens (off Park View Road) and the other is called Crowtrees (Off Crowtrees Court/Leeds Road).

Both are self managed sites and equate to 58 full sized plots.

Electoral arrangements

Representations made

During the consultation period, only 1 representation was made in respect of the electoral arrangements of the proposed Parish.

This representation was made by Councillor Dawn Collins, Councillor Graham Latty, Councillor Pat Latty and Councillor Paul Wadsworth.

The detail of the representation is as follows:-

1. We would like to propose that you keep the boundaries the same as they are at present with the one exception that HOK should be added to HOF.
2. We would also like to propose the following names for the wards and the following number of councillors for each.
3. We would like to propose that you keep the boundaries the same as they are at present with the one exception that HOK should be added to HOF.

| Reference | Name | Number of Councillors |
|-----------|--------------------|-----------------------|
| HOA | Cragg Wood Ward | 1 |
| HOF & HOK | Layton Ward | 3 |
| GRH | Larkfield Ward | 3 |
| GRG | Greenacre Ward | *3 |
| OYG | North Billing Ward | 1 |

*Cllr Collins has indicated that she is happy to support the change in number Councillors proposed for the Greenacre Ward from 3 to 2, as described in more detail under Officer Recommendations below.

Officer recommendations

The ordinary year in which elections are held

Ordinary Parish elections are held once every four years with all Councillors being elected at the same time. The standard parish electoral cycle is for elections in 2015 and every four years after 2015, but Parish elections may be in held in other years so that they can coincide with other elections and share costs.

New or revised parish electoral arrangements come into force at ordinary Parish elections, rather than parish by-elections, so they usually have to wait until the next scheduled Parish elections. They can come into force sooner only if the terms of office of sitting Parish Councillors are cut so that earlier Parish elections may be held for terms of office which depend on whether the parish is to return to its normal year of election.

It is therefore recommended that the ordinary year for elections to Rawdon Parish Council be every fourth year, in line with the existing cycle for Parish Council elections.

The next scheduled elections will take place on 7 May 2015.

The initial Rawdon Parish elections would take place on 15 November 2012, the date of the Police and Crime Commissioner elections, with a shorter term of office for those elected, being up for re-election should they so choose on 7 May 2015.

The number of Councillors to be elected to the Council

Please find attached for reference at Appendix A, a schedule which shows the number of Councillors per existing Parish/Town Council, and their respective wards (if any).

The Local Government Boundary Commission for England's guidance on community governance reviews states that typical Parish Council representing between 2,501 and 10,000 electors have between 9 and 16 Councillors.

The representation made by Councillor Dawn Collins, Councillor Graham Latty, Councillor Pat Latty and Councillor Paul Wadsworth is for a total of 11 Councillors.

Officer recommendations for the number of Councillors can be found under the warding information below.

Boundaries

Officers recommend that the overall Parish Council boundary be redrawn to exclude the portion of OYG which it currently takes in. This is due to the representations made by OYG residents, largely against the inclusion of those streets in OYG, in the Rawdon Parish area. A map showing the amended boundaries can be seen at Appendix B.

Officers would also like to point out that as only part of polling district GRG is to be included in Rawdon Parish Council, GRG will need to be split to create 2 polling districts (GRG and GRL). This can be seen on the map attached at Appendix C.

Both polling districts GRG and GRL would continue to vote at Greenacre Community Hall, New Road Side.

As the newly created GRL would only contain a minimal number of electors, it is proposed that this be merged with a neighbouring polling district during the 2013 polling district review.

The representation submitted by Councillor Dawn Collins, Councillor Graham Latty, Councillor Pat Latty and Councillor Paul Wadsworth also suggests that polling districts HOF and HOK be merged. Officers agree that this is reasonable, but should be considered at the full polling district review in 2013, as the current arrangements do not affect the outcome of this review.

The division of the Parish into wards for the purpose of electing Councillors

Parish warding is the division of a parish into wards for the purpose of electing Councillors. This includes the number and any boundaries of any wards, the number of councillors to be elected for any ward and the names of wards.

In considering whether or not a Parish should be divided into wards, the 2007 Act requires that consideration be given to whether:

- a) the number, or distribution of the local government electors for the parish would make a single election of councillors impracticable or inconvenient; and
- b) it is desirable that any area or areas of the parish should be separately represented

Officers agree that warding is the preferable option for a Parish of this size.

Officers have no objections to the suggested wards and ward names proposed in the representation.

Officers, would, however, recommend a slightly different number of Councillors per ward, based on the electorates of the wards as follows:

| Ward name | Polling Districts | Electorate | No. of Councillors |
|------------------|--------------------------|-------------------|---------------------------|
| Cragg Wood Ward | HOA | 346 | 1 |
| Greenacre Ward | GRG (part) | 1417 | 2 |
| Layton Ward | HOF & HOK | 1885 | 3 |
| Larkfield Ward | GRH | 1810 | 3 |
| Total | | 5458 | *9 |

*If part OYG to remain in Rawdon Parish Council area then:

| | | | |
|----------------------|------------|-------------|-----------|
| North Billing Ward | OYG (part) | 263 | 1 |
| Revised Total | | 5721 | 10 |

Directory of Parish/Town Councils 2012

Appendix A

Type: PC = Council PM = Parish Meeting CPC = Common Parish Council TC = Town Council

| Parish/Town Council | Parish/Town Council Wards | Polling District(s) | Electorate | No. of Cllrs | Type | Clerk | Contact Details |
|--------------------------------|---------------------------|---------------------|------------|--------------|------|---------------------|--|
| Aberford & District | Aberford | HAC | 234 | 5 | PC | Mrs Marolyn Piper | 5 Hayton Wood View Aberford Leeds LS25 3AN ☎ Not available ✉ ruthpi1412@hotmail.com |
| | Lotherton cum Aberford | HAG | 673 | | | | |
| | Parlington | HAD | 160 | | | | |
| | Sturton Grange | HAE | 78 | | | | |
| | | GSA | 310 | | | | |
| Allerton Bywater | Central | KML | 575 | 2 | PC | Mrs Claire Murray | 4 St Mary's Court Allerton Bywater, Castleford WF10 2AZ ☎ 01977 517519 ✉ abparishclerk@tiscali.co.uk |
| | East | KMF | 1609 | 4 | | | |
| | North | KMG | 1186 | 4 | | | |
| Alwoodley | - | ALB | 2749 | 11 | PC | Mrs Catriona Hanson | 17 Oakridge Court, Bingley, BD16 4TA ☎ 07532 011269 ✉ the.clerk@alwoodleyparishcouncil.org |
| | - | ALH | 2797 | | | | |
| | - | ALI | 770 | | | | |
| | - | ALJ | 867 | | | | |
| Arthington | - | AWI | 224 | 5 | PC | Ms Val Butcher | 2 Valley View, Arthington, Otley LS21 1NP ☎ 0113 2842065 ✉ arthingtonparish@live.co.uk |
| | - | AWL | 247 | | | | |
| Austhorpe | East | GSQ | 20 | 0 | PM | - | - |
| | West | GSR | 18 | | | | |
| Bardsey cum Rigton | - | HAN | 1199 | 9 | PC | Mrs P J Gallant | 21 Rose Croft, East Keswick Leeds LS17 9HR ☎ 01937 573365 ✉ june.gallant@virgin.net |
| | - | HAO | 666 | | | | |

| Parish/Town Council | Parish/Town Council Wards | Polling District(s) | Electorate | No. of Cllrs | Type | Clerk | Contact Details | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|----------------------------|---------------------------|---------------------|------------|--------------|------|-------------------------|---|------------------------|------|-----|------|----|----|-------------------------|---|------------------------|------------|------|------------------------|----|-----|-----------------|--|--------|----------------|---|--------------------|--------------|------|------|-----|-----|-----------------|--|--|------------|-----|----------|---|-----|-------------|---|--------|---------------|---|------------------------|--------------|------|------|-----|----|-------------|---|--|------|-----|------|--------------|------|-----|-----|---|----|----------------|--|
| Barwick in Elmet & Scholes | Barwick | HAF | 2076 | 6 | PC | Mr Chris Hassell | Chessingham, Elmwood Lane, Barwick in Elmet LS15 4JX ☎ 0113 3935861 ✉ chrisdhassell@hotmail.com | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Scholes | HAJ | 2007 | 6 | | | | Boston Spa | - | WYF | 1261 | 10 | PC | Mrs Katharine Wilkinson | The Village Hall, High Street, Boston Spa, Wetherby LS23 6AA ☎ 01937 835736 ✉ bostonspapc@btinternet.com | - | WYI | 2051 | Bramham cum Oglethorpe | - | WYH | 1372 | 9 | PC | Ms Marie Lynch | 1 Fossards Close, Bramham LS 23 6WD ✉ clerk@bramhamparishcouncil.org.uk | Bramhope & Carlton | - | AWJ | 2768 | 13 | CPC | Mrs Kate Fraser | Robert Craven Hall, Old Lane, Bramhope, Leeds LS16 9AZ ☎ 07530 900934 ✉ bramhopecarlton@hotmail.com | - | OYF | 118 | Clifford | - | WYG | 1324 | 9 | PC | Mr Peter Seed | 1 Mill Dam, Clifford, Wetherby, LS23 6EZ ☎ 07500 462279 ✉ clerk@clifford-pc.org.uk | Collingham with Linton | Collingham | HAK | 1860 | 7 | PC | Mr G Robins | 28 Oakdale, Harrogate HG1 2LW ☎ 01423 531235 ✉ glynrubins@gmail.com | Linton | HAL | 555 | 3 | Drighlington | East | MNF | 894 | 4 | PC | Mr Derek Lacey | 105 Rein Road, Tingley WF3 1QJ ☎ 0113 2532528 ✉ hlacey@reinroad105.freeserve.co.uk |
| Boston Spa | - | WYF | 1261 | 10 | PC | Mrs Katharine Wilkinson | The Village Hall, High Street, Boston Spa, Wetherby LS23 6AA ☎ 01937 835736 ✉ bostonspapc@btinternet.com | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | - | WYI | 2051 | | | | | Bramham cum Oglethorpe | - | WYH | 1372 | 9 | PC | Ms Marie Lynch | 1 Fossards Close, Bramham LS 23 6WD ✉ clerk@bramhamparishcouncil.org.uk | Bramhope & Carlton | - | AWJ | 2768 | 13 | CPC | Mrs Kate Fraser | Robert Craven Hall, Old Lane, Bramhope, Leeds LS16 9AZ ☎ 07530 900934 ✉ bramhopecarlton@hotmail.com | - | OYF | 118 | Clifford | - | WYG | 1324 | 9 | PC | Mr Peter Seed | 1 Mill Dam, Clifford, Wetherby, LS23 6EZ ☎ 07500 462279 ✉ clerk@clifford-pc.org.uk | Collingham with Linton | Collingham | HAK | 1860 | 7 | PC | Mr G Robins | 28 Oakdale, Harrogate HG1 2LW ☎ 01423 531235 ✉ glynrubins@gmail.com | Linton | HAL | 555 | 3 | Drighlington | East | MNF | 894 | 4 | PC | Mr Derek Lacey | 105 Rein Road, Tingley WF3 1QJ ☎ 0113 2532528 ✉ hlacey@reinroad105.freeserve.co.uk | West | MNA | 3423 | 8 | | | | | | | |
| Bramham cum Oglethorpe | - | WYH | 1372 | 9 | PC | Ms Marie Lynch | 1 Fossards Close, Bramham LS 23 6WD ✉ clerk@bramhamparishcouncil.org.uk | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Bramhope & Carlton | - | AWJ | 2768 | 13 | CPC | Mrs Kate Fraser | Robert Craven Hall, Old Lane, Bramhope, Leeds LS16 9AZ ☎ 07530 900934 ✉ bramhopecarlton@hotmail.com | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | - | OYF | 118 | | | | | Clifford | - | WYG | 1324 | 9 | PC | Mr Peter Seed | 1 Mill Dam, Clifford, Wetherby, LS23 6EZ ☎ 07500 462279 ✉ clerk@clifford-pc.org.uk | Collingham with Linton | Collingham | HAK | 1860 | 7 | PC | Mr G Robins | 28 Oakdale, Harrogate HG1 2LW ☎ 01423 531235 ✉ glynrubins@gmail.com | Linton | HAL | 555 | 3 | Drighlington | East | MNF | 894 | 4 | PC | Mr Derek Lacey | 105 Rein Road, Tingley WF3 1QJ ☎ 0113 2532528 ✉ hlacey@reinroad105.freeserve.co.uk | West | MNA | 3423 | 8 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Clifford | - | WYG | 1324 | 9 | PC | Mr Peter Seed | 1 Mill Dam, Clifford, Wetherby, LS23 6EZ ☎ 07500 462279 ✉ clerk@clifford-pc.org.uk | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Collingham with Linton | Collingham | HAK | 1860 | 7 | PC | Mr G Robins | 28 Oakdale, Harrogate HG1 2LW ☎ 01423 531235 ✉ glynrubins@gmail.com | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Linton | HAL | 555 | 3 | | | | Drighlington | East | MNF | 894 | 4 | PC | Mr Derek Lacey | 105 Rein Road, Tingley WF3 1QJ ☎ 0113 2532528 ✉ hlacey@reinroad105.freeserve.co.uk | West | MNA | 3423 | 8 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Drighlington | East | MNF | 894 | 4 | PC | Mr Derek Lacey | 105 Rein Road, Tingley WF3 1QJ ☎ 0113 2532528 ✉ hlacey@reinroad105.freeserve.co.uk | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | West | MNA | 3423 | 8 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

| Parish/Town Council | Parish/Town Council Wards | Polling District(s) | Electorate | No. of Cllrs | Type | Clerk | Contact Details |
|-----------------------------------|---------------------------|---------------------|--------------|--------------|------|------------------|---|
| East Keswick | - | HAM | 958 | 7 | PC | Mrs P J Gallant | 21 Rose Croft, East Keswick Leeds LS17 9HR ☎ 01937 573365 ✉ june.gallant@virgin.net |
| | - | MNB MNG | 2966 1621 | 13 | PC | Ms Sheila Leeman | 59 Forest Bank, Gildersome, Leeds LS27 7AD ☎ 0113 2536412 ✉ leemans01@ntlworld.com |
| Great & Little Preston | - | GSK | 968 | 9 | PC | Mrs J Winn | 8 Whitehouse Avenue, Great Preston, Leeds LS26 8BW ☎ 0113 2869288 ✉ janet.winn8@hotmail.co.uk |
| | - | GSO | 239 | | | | |
| Harewood | Harewood & Wike | HAH | 507 | 2 | PC | Mr Kevin Sedman | 36 High Ash Mount, Leeds LS17 8RW ☎ 0113 3490685 ✉ harewoodpc@yahoo.co.uk |
| | Wigton | ALA | 2473 | 7 | | | |
| Horsforth | Broadfields | HOG | 2963 | 5 | | | Mechanics Institute Town Street, Horsforth Leeds LS18 5BL ☎ 0113 2580988 ✉ clerk@horsforthtowncouncil.gov.uk |
| | Brownberrie | HOB | 3378 | 5 | | | |
| | Hall Park | HOE HOJ | 1627 2221 | 5 | TC | Mr Tom Ferry | |
| | Victoria | HOD HOI | 1492 2297 | 5 | | | |
| | Woodside | HOC | 1421 | 2 | | | |
| Kippax | Central | KMH KMK | 1811 1084 | 6 | | | The Stables, Rudstone Grove Sherburn In Elmet LS25 6EQ ☎ 07775 567094 ✉ clerk.kippaxparishcouncil@btinternet.com |
| | East | KMJ | 2428 | 5 | PC | Mr Colin Child | |
| | North | KMC | 2484 | 5 | | | |

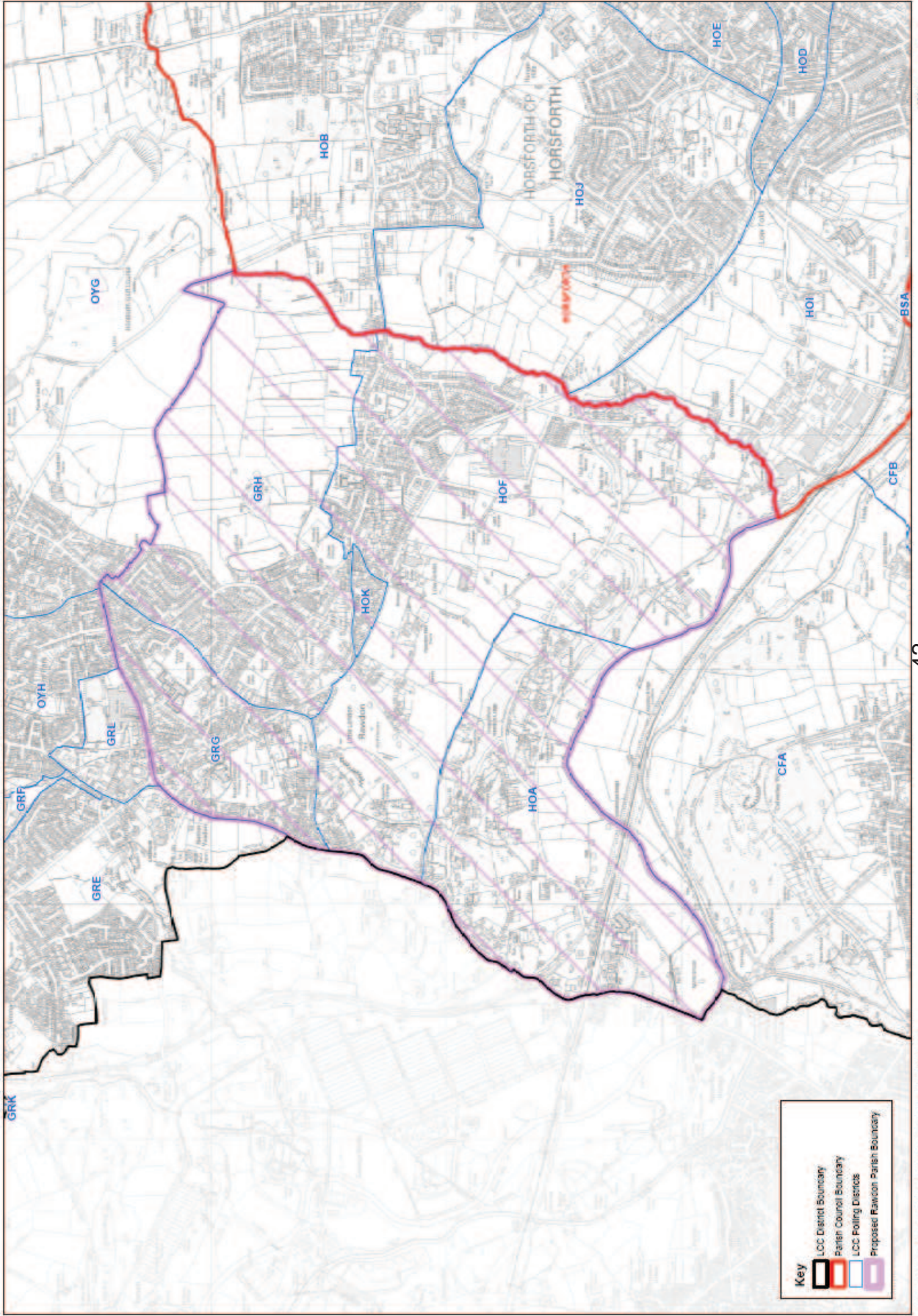
| Parish/Town Council | Parish/Town Council Wards | Polling District(s) | Electorate | No. of Cllrs | Type | Clerk | Contact Details |
|---------------------|---------------------------|---------------------|------------|--------------|------|--------------------|---|
| Ledsham | - | KME | 146 | 7 | PC | Chris Pilkington | 41 The Oval, Notton, Wakefield, West Yorkshire, WF4 2NX ☎ 01226 700260/07754 905223 ✉ chris.pilkington@phonecoop.coop |
| | - | KMD | 166 | 5 | PC | Ms Catherine Black | 7 Main Street, Ledston, Castleford WF10 2AA ☎ 07775 567094 ✉ chrisblackmail@fiscali.co.uk |
| | - | KMI | 152 | | | | |
| Micklefield | - | KMA | 722 | 9 | PC | Ms Joanne Hebden | 6 Churchville Avenue, Micklefield, Leeds LS25 4AS ☎ 0113 2875829 ✉ jobrigante@aol.com |
| | - | KMB | 734 | | | | |
| Morley | Central | MSD | 1644 | 3 | TC | Ms Karen Oakley | Morley Town Hall Queen Street Morley LS27 9DY ☎ 0113 2474370 ✉ town.clerk@morley.gov.uk |
| | | MSE | 1353 | | | | |
| | | MND | 824 | | | | |
| | Churwell | MNH | 1855 | 4 | TC | Ms Karen Oakley | Morley Town Hall Queen Street Morley LS27 9DY ☎ 0113 2474370 ✉ town.clerk@morley.gov.uk |
| | | MNI | 1712 | | | | |
| | Elmfield | MSC | 1869 | 4 | TC | Ms Karen Oakley | Morley Town Hall Queen Street Morley LS27 9DY ☎ 0113 2474370 ✉ town.clerk@morley.gov.uk |
| | | MSG | 1840 | | | | |
| | Scatcherd | MNC | 2822 | 5 | TC | Ms Karen Oakley | Morley Town Hall Queen Street Morley LS27 9DY ☎ 0113 2474370 ✉ town.clerk@morley.gov.uk |
| | | MNE | 1820 | | | | |
| | Teale | MSA | 1597 | 3 | TC | Ms Karen Oakley | Morley Town Hall Queen Street Morley LS27 9DY ☎ 0113 2474370 ✉ town.clerk@morley.gov.uk |
| | | MSB | 1179 | | | | |
| | Topcliffe | MSF | 1203 | 5 | TC | Ms Karen Oakley | Morley Town Hall Queen Street Morley LS27 9DY ☎ 0113 2474370 ✉ town.clerk@morley.gov.uk |
| MSI | | 1095 | | | | | |
| MSJ | | 2393 | | | | | |
| Otley | Ashfield | OYA | 2698 | 5 | TC | Mr Iain Plumtree | Civic Centre Cross Green Otley LS21 1HD ☎ 01943 466335 ✉ townclerk@otleytowncouncil.gov.uk |
| | | OYE | 2208 | | | | |
| | Manor | OYC | 2216 | 4 | TC | Mr Iain Plumtree | Civic Centre Cross Green Otley LS21 1HD ☎ 01943 466335 ✉ townclerk@otleytowncouncil.gov.uk |
| | | OYD | 1673 | | | | |
| | Prince Henry | OYB | 2290 | 3 | TC | Mr Iain Plumtree | Civic Centre Cross Green Otley LS21 1HD ☎ 01943 466335 ✉ townclerk@otleytowncouncil.gov.uk |
| | West Chevin | OYB | 2290 | 4 | TC | Mr Iain Plumtree | Civic Centre Cross Green Otley LS21 1HD ☎ 01943 466335 ✉ townclerk@otleytowncouncil.gov.uk |

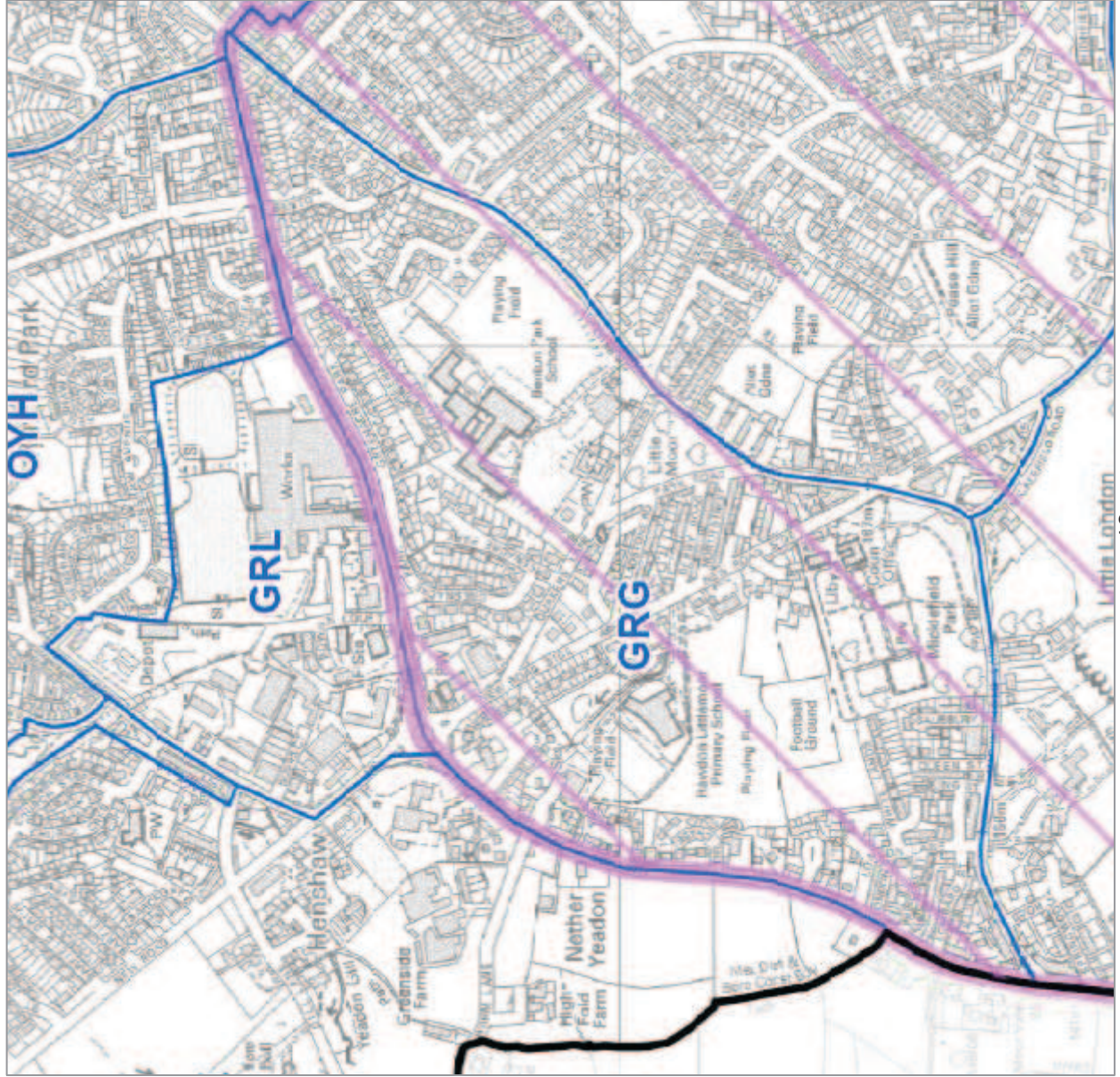
| Parish/Town Council | Parish/Town Council Wards | Polling District(s) | Electorate | No. of Cllrs | Type | Clerk | Contact Details | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---------------------|---------------------------|---------------------|------------|--------------|------|-------------------------------------|--|------------------|---|-----|-----|---|----|-------------------------------------|---|---|-----|------|-----------------|---|-----|-----|---|----|-------------------------------------|---|--------------------|-----|------|------|-----|-----|--------------------|----------------|--|------|---|----|----------------|--|-----|-----|-----|-----|-----|----------------|----------------|-----|------|------|----|----------------|---|---|-----|-----|-------------------|-------------------|-----|-----|-----|----|---------------|---|---|-----|-----|---------------|---------------|-----|------|------|----|----------------|--|--|-----|-----|---------------|---------------|-----|-----|-----|----|---------------|
| Pool | - | AWG | 222 | 9 | PC | Mr John Ryan | 11 Avondale Grove, Shipley, Bradford BD18 4QT ☎ 07766547651 ✉ poolparishcouncil@gmail.com | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | - | AWH | 1514 | | | | | Scarcroft | - | HAA | 983 | 7 | PC | Mr P R Hart | Cooper's Croft, 1 The Dell, Church Lane, Bardsey LS17 9DL ☎ 01937 573722 ✉ peter.r.hart@btinternet.com | - | HAI | 1524 | Shadwell | - | GSI | 162 | 9 | PC | Mr B Caulfield & Mrs K Caulfield | 2 Parklands Crescent Bramhope Leeds LS16 9AQ ☎ ✉ shadwellpc@hotmail.com | - | GSJ | 1665 | - | GSS | 853 | Swillington | - | HAB | 1342 | 9 | PC | Mr Steven Wood | 41 Glencoe Gardens Great Preston, Leeds LS25 7QY ☎ 0113 2870780 ✉ clerk@swillingtonparishcouncil.gov.uk | - | WYD | 612 | - | WYE | 175 | Thorner | - | HAB | 1342 | 9 | PC | Mr Steven Wood | 5 Camp Square, Thorner Leeds LS14 3BX ☎ 0113 2893121 ✉ thornerclerk@btinternet.com | - | WYD | 612 | Thorp Arch | - | WYD | 612 | 5 | PC | Mr Colin Pool | 7 Prospect Bank, Bramham, Wetherby LS23 6RS ☎ 01937 844687 ✉ clerk@thorp-arch.org.uk | - | WYE | 175 | Walton | - | HAB | 1342 | 9 | PC | Mr Steven Wood | 41 Glencoe Gardens Great Preston, Leeds LS25 7QY ☎ 0113 2870780 ✉ clerk@swillingtonparishcouncil.gov.uk | - | WYD | 612 | Walton | - | WYD | 612 | 5 | PC |
| Scarcroft | - | HAA | 983 | 7 | PC | Mr P R Hart | Cooper's Croft, 1 The Dell, Church Lane, Bardsey LS17 9DL ☎ 01937 573722 ✉ peter.r.hart@btinternet.com | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | - | HAI | 1524 | | | | | Shadwell | - | GSI | 162 | 9 | PC | Mr B Caulfield & Mrs K Caulfield | 2 Parklands Crescent Bramhope Leeds LS16 9AQ ☎ ✉ shadwellpc@hotmail.com | - | GSJ | 1665 | | - | GSS | 853 | | | | | Swillington | - | HAB | 1342 | 9 | PC | | Mr Steven Wood | 41 Glencoe Gardens Great Preston, Leeds LS25 7QY ☎ 0113 2870780 ✉ clerk@swillingtonparishcouncil.gov.uk | - | | | | | WYD | 612 | - | WYE | 175 | Thorner | - | HAB | 1342 | 9 | PC | Mr Steven Wood | 5 Camp Square, Thorner Leeds LS14 3BX ☎ 0113 2893121 ✉ thornerclerk@btinternet.com | - | WYD | 612 | Thorp Arch | - | WYD | 612 | 5 | PC | Mr Colin Pool | 7 Prospect Bank, Bramham, Wetherby LS23 6RS ☎ 01937 844687 ✉ clerk@thorp-arch.org.uk | - | WYE | 175 | Walton | - | HAB | 1342 | 9 | PC | Mr Steven Wood | 41 Glencoe Gardens Great Preston, Leeds LS25 7QY ☎ 0113 2870780 ✉ clerk@swillingtonparishcouncil.gov.uk | - | WYD | 612 | Walton | - | WYD | 612 | 5 | PC | Mr Colin Pool |
| Shadwell | - | GSI | 162 | 9 | PC | Mr B Caulfield & Mrs K Caulfield | 2 Parklands Crescent Bramhope Leeds LS16 9AQ ☎ ✉ shadwellpc@hotmail.com | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | - | GSJ | 1665 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | - | GSS | 853 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Swillington | - | HAB | 1342 | 9 | PC | Mr Steven Wood | 41 Glencoe Gardens Great Preston, Leeds LS25 7QY ☎ 0113 2870780 ✉ clerk@swillingtonparishcouncil.gov.uk | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | - | WYD | 612 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | - | WYE | 175 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Thorner | - | HAB | 1342 | 9 | PC | Mr Steven Wood | 5 Camp Square, Thorner Leeds LS14 3BX ☎ 0113 2893121 ✉ thornerclerk@btinternet.com | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | - | WYD | 612 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Thorp Arch | - | WYD | 612 | 5 | PC | Mr Colin Pool | 7 Prospect Bank, Bramham, Wetherby LS23 6RS ☎ 01937 844687 ✉ clerk@thorp-arch.org.uk | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | - | WYE | 175 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Walton | - | HAB | 1342 | 9 | PC | Mr Steven Wood | 41 Glencoe Gardens Great Preston, Leeds LS25 7QY ☎ 0113 2870780 ✉ clerk@swillingtonparishcouncil.gov.uk | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | - | WYD | 612 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Walton | - | WYD | 612 | 5 | PC | Mr Colin Pool | 7 Prospect Bank, Bramham, Wetherby LS23 6RS ☎ 01937 844687 ✉ secretary@walton-pc.gov.uk | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | - | WYE | 175 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

| Parish/Town Council | Parish/Town Council Wards | Polling District(s) | Electorate | No. of Cllrs | Type | Clerk | Contact Details |
|---------------------|---------------------------|---------------------|------------|--------------|------|----------------|---|
| Wetherby | East | WYC | 1534 | 5 | TC | Ms B Ball | The Town Hall, Market Place, Wetherby LS22 6NE ☎ 01937 583584 ✉ wetherbytc@btconnect.com |
| | | WYJ | 864 | | | | |
| | North | WYA | 1434 | 5 | | | |
| | | WYK | 1452 | 5 | | | |
| | West | WYB | 2207 | 5 | | | |
| | | WYL | 1261 | 5 | | | |
| Wothersome | - | HAP | 19 | 0 | PM | Mr G C Wakeham | Wothersome Grange, Bramham Wetherby LS23 6LT |

Revised Rawdon Parish Council Boundary (excluding part OYG)

Appendix B





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Report author: Mumtaz Hussain
Tel: 07891 270094

Report of : Chief Officer Democratic & Central Services and
Chief Officer ICT Services

Report to : General Purposes Committee

Date: 30th August 2012

Subject: Webcasting Council Chamber Meetings

| | |
|--|--|
| Are specific electoral Wards affected? If relevant, name(s) of Ward(s): | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Are there implications for equality and diversity and cohesion and integration? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Is the decision eligible for Call-In? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number: | <input type="checkbox"/> Yes <input type="checkbox"/> No |

Summary of main issues

In May 2012 General Purposes Committee approved proposals to review and modernise the arrangements for Council meetings. The report referred to the potential for webcasting Council meetings and officers were asked to carry out more detailed work and report back with further information.

This report provides information on the potential benefits and the experiences of other authorities who already provide webcasts of meetings. It sets out the main options and costs to to implement a system in Leeds and concludes that it is feasible, within reasonable costs, to provide the facilities to webcast Council meetings.

Recommendations

General Purpose Committee are recommended to agree to the trial webcasting of a Council meeting as a one off event and, subject to the outcome of the trial, authorise the Director of Resources to develop the proposal to webcast Council meetings from the start of the 2013/14 municipal year.

1 Purpose of this report

- 1.1 This report considers the introduction of webcasting for Council meetings. The purpose of this paper is to present the main issues, a broad summary of the likely costs and benefits in the introduction of webcasting and to seek guidance as to whether Members would wish to introduce webcasting as part of improving engagement and transparency in local democracy.

2 Background information

- 2.1 In May 2012 General Purposes Committee approved proposals to review and modernise the arrangements for Council meetings. The report referred to the potential for webcasting Council meetings and officers were asked to carry out more detailed work and report back with further information.
- 2.2 Officers undertook discussions with two leading suppliers, together with the Chief Officer for Democratic & Central Services and appropriate ICT Officers, suggest it is feasible to implement a webcasting system.
- 2.3 The following information has been obtained through discussions with representatives of leading suppliers and one neighbouring council as well research via the Internet.

3 Overview of Webcasting

- 3.1 It is possible to make a live event viewable via the Internet using streaming media technology. All the audience needs is a device with an Internet connection and they can tune-in and watch the event.
- 3.2 Typically, features of such systems allow 'live' access over the Internet to full Council meetings and on-demand to a library of previous meetings. Webcast Providers are also able, alongside the video screen options, to provide access to the agenda, papers and presentation documents, along with index points and times. Some sites encourage and facilitate discussion via email, and social media such as Twitter.
- 3.3 The end to end process of producing a live video Webcast requires an audio input, video production, video encoding of the stream, transmission of the stream over the Internet to a streaming media server(s).

4 Main issues

4.1 Potential benefits

- 4.1.1 Webcasting would potentially enable website visitors to:

- View meetings live, which may be helpful for people who have difficulty travelling to attend the meeting, who may find attendance at a formal meeting intimidating or who may otherwise prefer to watch from another location

- Replay meetings after they have taken place, which may be helpful when the meeting time or location is inconvenient
- Search for, and view, particular speakers or agenda items
- Allow viewers to re-view points which may not be immediately clear to them as a result of the necessary procedures to a formal meeting appearing alien to the observer
- Hear meetings (for people with visual impairments or basic skills needs)
- Gain additional contextual information from e.g. speakers' names, agenda documents, PowerPoint presentations etc. appearing with the webcast, however, some of this is additional functionality and the full scope of the webcasting requirements will need to be determined

4.2 In addition:

- Members not able to participate and travel to the Civic Hall would be able to view meetings live
- Members would be able to draw on webcasts as a resource for the purposes of tracking debate on particular issues or for the purposes of drawing constituents' attention to relevant parts of a Council meeting
- It could provide a learning resource (e.g. in relation to citizenship lessons in schools or induction training for both officers and Members)
- There would be scope to relay transmission of particularly popular meetings to the public screen on Millennium Square (e.g. civic events such as Mayor Making and Freedom Ceremonies or Executive Board/Plans Meetings dealing with matters of particularly wide interest)
- Local media could more readily access and report information regarding council meetings

4.3 In turn webcasting could potentially:

- Strengthen the Council's democratic accountability to the local public both directly and via the local media
- Increase public understanding of the workings of local government both directly and via local media, schools etc
- Improve public participation in the political process
- Ensure greater equality of access to council information

- 4.4 Although the focus of this report is directed towards consideration of this technology in relation to broadcasting Council meetings, the technology could also be used for a range of other purposes (e.g. in connection with community events or conferences) but this would require further detailed study. Similarly the introduction of webcasting potentially provides a platform to build on to extend the e-democracy agenda.
- 4.5 Experiences of other councils.
- 4.5.1 More than 50 U.K local authorities now regularly webcast their council meetings and / or other meetings as part of their strategy to involve and engage people in local democracy. These include: Barnsley, Birmingham, Bristol, Derby, Hull, Kirklees, Leicester, Liverpool and a number of the large county councils.
- 4.5.2 Comments from Democratic Services Officers in Kirklees, who first broadcast Council in May 2010, are that the service has been well received by the public and the local press. They report that engagement in meetings is increasing from the usual small number of people in the public gallery to more than 10 times that number and audiences of more than 1000 where an item of significant interest is to be discussed.
- 4.5.3 Some Councils, including Kirklees, have linked webcasting to the refurbishment of the Council Chamber and the purchase of upgraded audio and voting equipment. More recent technology enables audio systems to link directly to webcast systems so that cameras automatically track the speaker.
- 4.5.4 There is no definitive source of statistics on viewing figures but quoted viewing figures can be anything from 30 to 1400 people.
- 4.5.5 Typically councils using webcasts report that the number of people watching live is considerably higher than the number of people who actually attend meetings, and that significantly higher numbers of people watch archived material as opposed to those who watch live.
- 4.5.6 Many councils seem to have identified the local media as a key target audience and a common feature seems to be increased media coverage of Council meetings as a result of journalists having ready access to details from meetings without the need to attend.
- 4.5.7 Although feedback seems to be largely positive, some have pointed to various technical difficulties they have had to face (e.g. the positioning of equipment being compromised by the constraints of listed building status and the inability of pre-existing sound systems to provide satisfactory quality). However, these difficulties are not insurmountable but may carry additional costs.
- 4.5.8 One council contacted had experienced considerable difficulties in obtaining member buy-in and was at pains to emphasise that ensuring this should not be over shadowed by a concentration on the technical aspects of the process. There would be significant cultural change required, including development of a programme for member support and training.

4.6 Issues to be addressed

4.6.1 There are a number of issues, technical and non technical, which would need to be addressed in order to take full advantage of webcasting Council meetings.

- Given the layout of the Council Chamber and its Listed Building status, any installation works will have to be carried out within these constraints. However, initial discussions with two leading suppliers suggest that they have the experience of implementing similar systems in listed buildings, including civic chambers of other councils and are confident they can work within the listed status restrictions. Any installation works to be carried out will require consultation with Planning and ICT Officers.
- A webcasting solution requires an audio input and a video source. The council already has an audio system in the Council Chamber. Although the existing audio system can provide an audio feed, the webcasting system will not be able to automatically point the camera to the speaker whose audio unit is switched on. An additional manual action is required to point the camera to the speaker. However, initial advice indicates that an upgrade of the audio system will obviate the need for manual operation and resource and allow automatic tracking of speaker by the camera, upon switching on of the speaker's particular sound unit.
- The current audio system is relatively old (installed 1990) and more up to date technology is available. The use of the current audio system may be prolonged but there is significant risk that it may break down. Moreover, there are no maintenance and support arrangements in place and any failure would necessitate an unplanned spend to re-instate the system.
- Advice from the existing audio system supplier suggests that due to the modular nature of the system, parts and components can be replaced on a 'need to' basis and the system should be maintainable for a few more years and currently does not present any problems. Although the introduction of webcasting presents an opportunity for its replacement this would incur significant high costs.
- If a modest upgrade of the current audio system is undertaken, an audio feed out of the current audio system can be provided with the signal to allow 'camera follow' to the speaker.

5 Options on Webcasting acquisition and deployment

5.1 Market research as well as discussions with leading suppliers has shown there are number of options for the deployment of webcasting of which an in-house option is the least favoured. Discussions with internal ICT staff confirm that this is a very specialist area and there is no expertise for the provision of in-house webcast solution and service.

5.2 Other options involve utilising external specialist webcast providers but these options also require a provision of audio capability and the Council already has an old, albeit operational audio system in the Chamber. It would be pragmatic for any

webcasting solution option to take an audio feed from this system, unless a view is taken to replace this system. Internal ICT resources would be required to separate out the video stream traffic on the ICT network, routing it through to external webcast provider and this work will require a commission to Corporate ICT services.

5.3 In addition, there will be internal IT costs and other internal services costs that will need to be managed depending on the option selected. e.g. ICT Officers time in the determination of the detailed requirements, Procurement Officers time in the procurement process and Planning Officers time in relation to works that may be permitted within the constraints of the Listed status.

5.4 As a consequence, Officers have concentrated on the main options that will work with the current audio system. Each option is listed in the following table with indicative costs provided by lead suppliers as well as brief appraisal comments. The option of complete replacement of the current audio system with a fully integrated audio, video, electronic voting and webcasting solution is also listed below for consideration.

| | Option | Indicative Costs | Appraisal comments |
|---|--|---|---|
| 1 | Fully hosted – this option entails leasing of equipment with the provision of webcasting live and on-demand from an external webcast provider, using audio system in place. Webcast Provider provides end to end service and support, enabling viewers to access video content. | Fully managed service at £16K per annum for the Civic Chamber and optionally extra to webcast Committee Rooms 6/7 at an additional cost of £9K. Plus basic upgrade of current Audio system at a 1-off cost of circa £6K Dependent on detailed requirements there may be additional internal ICT costs Supplier has indicated that they are able to webcast a full council meeting from the Council chamber, taking a feed from the current audio system as a trial for a one off cost of £3500 (plus travel and accommodation. | A simple managed service paid on an annual basis. This is a tried and tested solution and is used by majority of the Local Authorities who have elected to deploy webcasting. It can be acquired and implemented fairly quickly. There are no in-house ICT resources required for support, however, internal ICT will need to provide an adequate network routing facility to enable the audio feed to be sent across the Internet to the external webcast provider. The option to trial the webcasting of a Council meeting is attractive |
| 2 | Purchase equipment | Purchase and | LCC own the |

| | Option | Indicative Costs | Appraisal comments |
|---|---|--|--|
| | <p>and use external webcast provider to host and broadcast video content.</p> <p>With this option LCC purchase the equipment and upgrade the existing audio system to provide a feed to an external webcast hosting provider.</p> | <p>installation costs of between £17K to £20K, plus annual webcast hosting costs of £10K. Plus Audio system upgrade costs as option 1 (£6K) Plus internal ICT estimated costs as option 1 (£15K)</p> | <p>equipment but pay for the hosting of the webcast on an on-going annual basis. LCC will have to make provision at an extra cost for the maintenance and support of the equipment and it may become necessary to renew the equipment to maintain the compatibility with webcast provider system and this may present issues going forward.</p> |
| 3 | <p>Refurbish Civic Chamber with fully integrated audio, video and voting system.</p> <p>This option entails replacing the existing hardware and software, including microphones, the desk units, switching equipment etc with a modern up to date system that incorporates the webcasting equipment and system.</p> | <p>Based on an estimate received a few years ago, supplier costs would be in the region £110K-£150K, however recent study shows some authorities have spent up to £250K.</p> | <p>This is a major refurbishment project at a significant cost to the authority but if executed to completion will provide for an up to date fully integrated system offering enhanced functionality. It has an added benefit of future proofing the audio and voting capability within the Chamber and putting the system on a more robust footing.</p> |

6 Corporate Considerations

6.1 Consultation and Engagement

- 6.1.1 The introduction of webcasting is likely to have a significant impact on Members and it would be necessary to invest a considerable effort into ensuring buy-in and overcoming any potential concerns or difficulties that they may have. Webcasting would have considerable impact on the conduct and governance aspect of the council meetings. Webcasting providers include training as part of the implementation and this would have to be tailored to take account of member concerns and needs. It would also be necessary to put in place member support and an on-going training programme and this would entail costs particularly if it was extended to cover media training and presentation skills.

6.1.2 Members across all parties have not yet been consulted, however, members can be provided reassurance that there is an opportunity for trialling the system as a one-off event, as proposed by one leading supplier at an indicative cost of £3.5K. Members can also get a feel for the nature of webcasts of other Local Authorities by visiting their websites.¹

6.2 Equality and Diversity / Cohesion and Integration

6.2.1 Webcasting of Council meetings could potentially make an important contribution in promoting local democracy and increasing community engagement by enabling more of its citizens to having greater involvement in the democratic process.

6.2.2 People who cannot currently access the public gallery of the Council Chamber (e.g. wheelchair users).

6.2.3 It would remove the need to travel to Civic Hall, in order to view Council Meetings and observe the decision making process.

6.2.4 It would also further the interests of good governance by providing increased transparency of decision making.

6.3 Resources and value for money

6.3.1 Option 1 - Indicative pricing from leading suppliers for webcasting as a managed service are around £16000 per annum depending on a number of factors (e.g. number of hours for webcasting, number of cameras and the sophistication of the hardware provided etc.) Normally these include:

- Leased hardware (including maintenance and upgrades)
- Software licence
- Project and account management
- Helpdesk support
- Full hosting of all content.

6.3.2 The current audio system provider has indicated the system can be upgraded at a cost of between £6K and £26K (depending on components purchased), to enable integration with a webcasting solution. At the top range cost figure, it builds on the existing infrastructure rather than replace the existing audio and voting system (e.g. microphones, desk units etc). The updated equipment would include cameras and control system, screens, a new control PC and the latest audio conference system, providing the ability to broadcast live events internally from within the civic building on projector screens e.g. show live voting results in different graphic formats etc. The webcasting solution would be a bolt-on to the upgraded audio system with additional costs. However Officers believe, it is not necessary to upgrade at the top-end cost, rather the LCC requirements for an audio feed output to enable camera automation can be achieved at a relatively modest cost, estimated to be £6K.

¹ http://www.surreycc.public-i.tv/core/portal/webcast_interactive/70697,
http://connect.kirklees.public-i.tv/site/player/pl_v7.php?a=79877&t=0&m=wm&l=en_GB

- 6.3.3 Option 2 - Alternative to a fully managed service is to purchase the equipment and use an external webcast provider for managing the video content and streaming the webcast. One supplier has provided indicative prices between £17,000 and £26,000 to supply the equipment. There will be additional costs to stream the webcast on a monthly basis, to store previous webcasts of meetings and potential archiving and to manage and support the equipment. In this case the indicative annual costs for webcasting would be circa £10K.
- 6.3.4 Additionally, having purchased the necessary upgrade equipment from current audio system supplier, recurring costs would arise in relation to the hosting of meetings (assuming 120 hours of meetings hosted per year, one supplier has indicated a charge of £17,000 for providing this service although, again, this estimate may prove to be on the low side). Support and maintenance charges for the audio equipment would also have to be added.
- 6.3.5 There would be additional internal ICT costs to determine detailed requirements and to investigate the network capacity and works required to upgrade the communications network to channel the video traffic to the external webcast provider.
- 6.3.6 As a consequence, Officers are of the opinion that option 1 together with the upgrade of the current audio system presents the optimum 'value for money' solution.

6.4 Legal Implications, Access to Information and Call In

- 6.4.1 It would be appropriate to develop a protocol in relation to the webcasting of council Meetings, including such matters as notifying of the intention to record and broadcast particular meetings, how long broadcasts should be made available, retention and archiving criteria etc. and arrangements for withholding the broadcasting of any particular items etc.

6.5 Risk Assessment and Management

- 6.5.1 A high level risk assessment has been carried out pertaining to the options considered and the main ones are listed below.
- 6.5.2 Option 3 has relatively high costs and consideration would need to be given to the timing of any required structural works against any scheduled meetings to minimise the disruption to activities within the Council Chamber.
- 6.5.3 As a consequence, Officers have concentrated efforts on the remaining two options that include using the audio feed from the current audio system and using a professional webcast provider to host and broadcast proceedings:
- (a) Option 1 – Leased equipment and external webcast hosting of Council Chamber meetings facility, optionally including committee room 6/7;
 - (b) Option 2 – Purchased equipment and external webcast hosting of Council Chamber meetings and optionally including committee room 6/7 meetings

- 6.5.4 Of the above options considered, option 1 utilising expert webcast providers to provide an end-to-end solution, is a tried and tested approach that has been adopted by many local authorities and presents the least risk to the authority.
- 6.5.5 The current audio system presents a significant risk as it may fail at any point and it may not be possible to re-instate and recover the system to an operational mode. The PC is very old, there is no software copy held within the council to re-install, even if a new PC is acquired, there is no expertise to re-configure the system without seeking external expertise which will be at a cost to the authority. Moreover, there is no guarantee, that any new PC and software upgrade will re-instate the system to its current functionality. Early indications from the existing supplier are that this element of the system is upgradeable and is compatible with the remainder of the system but this needs a detailed survey to confirm. Similarly the initial indications are that the additional “bolt-on” functionality to support web-casting does not present an additional risk with respect to the failure of the current audio and voting system (although naturally, if the system did fail during a live broadcast there would be potentially greater visibility).
- 6.5.6 It may be appropriate to resource a Member Development programme (either internally or with our Training partner) to support members in relation to participation in webcast meetings.

7 Conclusions

- 7.1 It is apparent from initial discussions with suppliers that by having close working arrangements with Civic Building staff, Planning Officers and ICT Officers and subject to a detailed supplier survey, a viable solution can be implemented.
- 7.2 The webcasting of Council meetings could make a contribution to promoting the democratic process and to increasing the transparency of the Council’s decision making. Additionally, once acquired, webcasting equipment could be used for a variety of other purposes, though these would require further detailed study and would typically involve additional costs.
- 7.3 Option 3 pertaining to the full refurbishment of the Council Chamber with a fully integrated audio, video, electronic voting and webcasting system would lead to significant expenditure and there would be a need to manage and minimise any disruption to the Chamber proceedings.
- 7.4 In order to get the maximum benefit from such a system, it would be necessary at an early stage to consult widely with Members in order to identify and offset any concerns and difficulties that they may anticipate.
- 7.5 An in-house solution is unrealistic and impractical as there is no in-house expertise to undertake the development, implementation and support of video streaming.
- 7.6 In terms of the technical solution, the nature of webcasting is a highly specialist area and as a result there is a reliance on suppliers to deliver the functionality required. Option 1 combined with an upgrade of the audio system, constitutes the only viable solution at this time.

7.7 One feature of Option 1 is that before making a long term commitment to a webcasting solution there is an opportunity to trial the webcasting of a Council meeting as a one off event.

7.8 At the present time no budget or funding source is identified for this project. The relatively low level of cost for a one off event can be met within current budgets. It would be necessary to secure a funding source if it was decided to go ahead with regular webcasting. Provision could be made in the 2013/14 budget if implementation was planned for the 2013/14 municipal year..

8 Recommendations

8.1 General Purpose Committee are recommended to agree to the trial webcasting of a Council meeting as a one off event and, subject to the outcome of the trial, authorise the Director of Resources to develop the proposal to webcast Council meetings from the start of the 2013/14 municipal year.

9 Background documents²

9.1 Report to General Purposes Committee 9th May 2012 “Review of Council Meetings”

² The background documents listed in this section are available for inspection on request for a period of four years following the date of the relevant meeting. Accordingly this list does not include documents containing exempt or confidential information, or any published works. Requests to inspect any background documents should be submitted to the report author.

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Report of Director of City Development

Report to General Purposes Committee

Date: 30 August 2012

Subject: Review of Plans Panels

| | | |
|---|---|--|
| Are specific electoral Wards affected? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| If relevant, name(s) of Ward(s): | All | |
| Are there implications for equality and diversity and cohesion and integration? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| Is the decision eligible for Call-In? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Does the report contain confidential or exempt information? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| If relevant, Access to Information Procedure Rule number: | | |
| Appendix number: | | |

SUMMARY OF MAIN ISSUES

Effective Member decision making in the plans panels is important in providing a democratic framework for decisions on the use of land in the city and a key factor in generating business confidence and hence attracting and retaining new investment and jobs. The scale of growth it thereby generates is important for the future welfare of the citizens of Leeds and attraction of funding from Central Government. In so doing, it is essential that Ward Members and local communities influence the form of development. This report looks at opportunities for strengthening the involvement of ward members and local communities in the determination of planning applications and associated legal agreements.

This report also makes proposals for the establishment of a new strategic and city centre plans panel to deal with those planning applications with significant implications for the future prosperity of the City's economy. Consideration is also given to the existing two area panels and the report makes proposals for revising the geographical boundaries to even up workloads, which will allow appropriate time to be spent on a range of major and other types of applications which are the most significant and sensitive to a locality, and where members can add the most value. It is proposed to rename East and West panels as North and East and South and West, to more closely reflect the areas served.

The report has been influenced by and taken account of the discussions with a plans panel review working group, a cross party group of ward members, chaired by the Executive Member for Neighbourhoods, Planning and Support Services. The group's original remit was to consider the options available and the potential for a strategic panel, but through discussions, widened the agenda to consider stakeholder involvement in the plans panel process which could form part of the strategic plans panel framework.

Recommendation

Members are asked to.

- I. Consider the outcome of the review of the composition of the plans panels and agree the associated Terms of Reference to be considered for approval by Council
- II. Recommend to Council that Article 8 of the Constitution be amended to dis-apply the restriction on membership numbers to the proposed Strategic Plans Panel;
- III. Review arrangements of the revised plans panels after 12 months
- IV. Note and support the Executive member's commitment to produce, in consultation with Members from all political groups;
 - a. a revised protocol for pre-application involvement, including Heads of Terms where there are legal agreements
 - b. an action plan to take forward the suggestions made from the working party, as set out in paragraph 3.1.15

1.0 Purpose of this report

- 1.1 In the past few years, the context of planning has changed significantly at national, City Region and local level. At national level, the publication of the National Planning Policy Framework (NPPF) and the Localism Act 2011 have brought a new focus to the delivery of investment (especially housing) and engagement of local communities in decision-making and shaping the future of their communities through the preparation of Neighbourhood Plans.
- 1.2 The abolition of regional structures has been accompanied by the emergence of new governance structures for the Leeds City Region based on the LEP and the City Region Leaders Board. City Region leaders rejected the idea of non-local governance structures, but recommended that each authority should come to their own view regarding local arrangements which would allow for strategic decision making and the introduction of a Planning Charter to encourage a consistent approach to major investment proposals across the LCR.
- 1.3 Within Leeds, some communities have responded enthusiastically to the preparation of Neighbourhood Plans (over 37 expressions of interest have so far been received) and this is a reflection of peoples' concerns about the identity of communities in which they live and work and the quality of their physical and natural environment.
- 1.4 Equally it is important that the interests of ward councillors, the public and of developers and their professional representatives are fully involved in all stages of the decision making process. Measures to improve these processes are a key component of these proposals.
- 1.5 These changes mean that we need to deliver the planning agenda in Leeds in a different way. In summary, this involves being able to think and deliver strategically on key projects and schemes for investment in the city but also involve people at local level so that they have an influence on the form of development that takes place. This means the establishment of appropriate forums and mechanisms to help to resolve the conflicts that can arise in the process of considering new development

proposals and for new ways of engaging communities in helping to shape the places in which they live and work.

- 1.6 This report makes proposals for the establishment of a strategic plans panel with responsibility for making decisions on strategically significant planning applications for the district and for those city centre planning applications which are considered by members. It also provides proposals for changes to the geographical areas covered by the other two panels, which takes account of recent application workloads, the need to achieve timely and predictable outcomes for major developments, the need to improve performance in the determination of major applications and the importance of securing involvement and participation in planning decision making by Members, local residents and other interest groups. It is important in all of this to recognise the sensitive and important balance between public involvement and influence on the form of development, whilst delivering major investment proposals which are vital to the prosperity of the City and the welfare of our residents.

2.0 Background Information

- 2.1 The Plans Panels are a shop window for the public, developers, agents, and applicants and in many ways of the City Council. For many residents, investors and agents, they create an image of the Council about the way we do our business. It is important, therefore, that the following principles are seen to operate in the plans panel decision-making process:
- Decision-making should be timely and effective
 - Decisions should be high quality and consistent
 - The process of decision-making should be reliable and transparent
 - All parties involved in the process should be treated with respect
- 2.2 Furthermore it is important to recognise that Leeds has to be competitive with other cities both in the UK and across Europe in maintaining and attracting even scarcer investment. The scale of future investment is crucial to the welfare of our citizens and to the provision of jobs and new homes. The plans panel decision process has an important role in setting the reputation of the City in terms of its relationship with the development industry, generating confidence and being seen as an attractive location for new investment. This role is further emphasised by a determination across the Leeds City Region to help foster economic growth and prosperity through the recent Leeds City Region Deal¹. Substantial delays, the length of time applications take to come before the plans panels and inconsistent decision-making both within and between panels can contribute to a negative perception of the planning authority and adversely affect investor perceptions and confidence.
- 2.3 The City Council has announced its intention to be the best council in the UK by 2030. It has recently produced the Strategy for Leeds and this is reflected in land use terms in the draft core strategy which has recently been out for consultation. To be successful we need to turn the aspirations of both the Strategy for Leeds and the draft core strategy into reality, and to deliver development proposals which are

¹ Leeds City Region Unlocking our economic potential- a Leeds City Region deal, July 2012

deemed as being successful by communities and by developers. The housing growth debate and scrutiny review of housing, undertaken last year, have helped in providing principles which can assist in delivering new residential development and several of these principles are included in the draft core strategy. The outcome of all of these processes will help deliver the Council's agenda..

- 2.4 The NPPF recommends that Planning Authorities should approach decision making in a positive way to deliver sustainable developments. It urges engagement at an early stage in the process of considering development proposals and closer co-ordination between private and public sectors in order to generate improved outcomes for the community.

3.0 Main Issues

3.1 Review of the plans panel working group

- 3.1.1 A working group, comprising elected members from all parties, and chaired by the Executive Member for Neighbourhoods, Planning and Support Services was formed to investigate the feasibility of a strategic panel in Leeds. Two meetings of the working group were held and through discussions, the agenda was widened to cover both the proposed strategic panel and also current panel processes. A number of papers and presentations were prepared for the working group for consideration and discussion. The discussions focussed on securing more effective arrangements for public and ward member involvement, panel members and the development industry.
- 3.1.2 In considering future options for Member decision making in Leeds, the working group noted the following objectives:-
- The need for timely, effective and efficient decision making which reflects the Council's ambitions to promote regeneration and economic recovery
 - The need to ensure that there is effective local involvement in the decision making process
 - The need for consistent decision making, so that similar applications are dealt with in the same way throughout the City
 - To deliver high levels of satisfaction with decision making (for residents, applicants and Members)
- 3.1.3 Of particular concern to the working group were the operating processes at the plans panel meetings. Members wish to see a greater balance between the role of the applicant and views of the community and to ensure an appropriate focus is spent on the largest and more sensitive applications in order to fully deal with the issues. It was recognised that this is time intensive and with a full and varied agenda on an area plans panel it is not always possible to devote the necessary time, especially on major applications. This can result in applications being deferred, thereby contributing to lower planning performance. The local performance measure for determining applications in 13 weeks is 75%, an ambitious target given that our 2011-12 performance was 56.3%. Delays in completing legal agreements have been a significant factor in contributing to lower performance.
- 3.1.4 Performance becomes even more important when the proposals for the planning guarantee comes into force. This is a government proposal which is designed to

ensure no application takes longer than 12 months to be determined, including any appeal. In 2011-12 of the 62 major applications determined by the plans panels, 30 were out of time and 18 of those were over 6 months old.

- 3.1.5 The working group also recognised there were differences of approach to dealing with similar types of applications, which can lead to inconsistent decision making across the city. Whilst, in part this can be dealt with in member training, it is imperative with significant and strategically important schemes that there is parity across the city.
- 3.1.6 Pre-application involvement by ward members and the community was discussed in some detail by the working group and all agreed that it was vital for developers to engage more effectively and at an earlier stage. Although, it was recognised that this is not a statutory requirement.
- 3.1.7 The working group also noted the significant reduction in the number of applications submitted to the Council. This reflects the downturn in economic activity, but also the extension of permitted development rights to many smaller forms of development. This could be further extended by the Government's ambitions to take further development proposals out of the development control process through Neighbourhood Development Orders as part of the neighbourhood planning process.
- 3.1.8 Table 1 below, demonstrates that in the past six years, the overall number of decisions made at panels has fallen by over 50% and a number of plans panels have been cancelled due to the absence of new proposals or because of the relatively small number of decisions which needed to be made.

| Year | Applications determined | Majors determined | Plans Panel Decisions | | | |
|---------|-------------------------|-------------------|-----------------------|-------|-------|-------|
| | | | Major | Minor | Other | Total |
| 2006\07 | 7,378 | 314 | 107 | 107 | 96 | 310 |
| 2007\08 | 7,265 | 310 | 86 | 83 | 98 | 267 |
| 2008\09 | 5,096 | 250 | 85 | 69 | 86 | 240 |
| 2009\10 | 4,628 | 192 | 51 | 52 | 47 | 150 |
| 2010\11 | 4,169 | 267 | 114* | 86 | 25 | 225 |
| 2011\12 | 4,167 | 190 | 62 | 96 | 13 | 171 |

Table 1: Application Numbers and Plans Panel Workload 2006\7 – 20011\12

* Includes a number of extension of time and minor amendments to major PFI schemes

- 3.1.9 Changes in arrangements to the plans panel process would provide an opportunity to reflect these expectations and put new processes in place and to improve, where appropriate, ward member and community involvement in the plans panel decision making process. However, there will need to be a careful balance between more meaningful involvement of ward members and local communities at the pre-application stage and the need to encourage investment and facilitate prosperity in the city, in a timely fashion.
- 3.1.10 The group also considered the role of pre-application presentations at plans panels which are well established and allow developers to present their emerging proposals to seek member comments at the earliest stage. A protocol exists for the conduct of pre-application presentations at plans panels, however, the current arrangements do not refer to ward member or community involvement. The government has stressed the importance of community involvement and suggested the establishment of local community forums to input into planning applications, so that proposals better reflect the needs and aspirations of the communities involved. It is suggested that where such forums are in place, the Chair of the forum has the opportunity to summarise the views of the community at the application stage.
- 3.1.11 Public speaking has been a feature of the plans panel meetings for a number of years and it was agreed to review the protocol to allow additional public speaking at the Chair's discretion where particularly controversial applications are being determined. In so doing, account will be taken of the need for effective decision making.
- 3.1.12 It is also important to secure a closer relationship between council strategies and decision making on strategically significant planning applications. This is reflected in the Killian Pretty Review² of planning applications which recommended a closer relationship between the strategic decision-making role of the Council and its decision making in planning applications as follows:
- "In addition, in the interests of optimising the effectiveness of the committee, we believe that the cabinet member with portfolio responsibility for planning should sit on the planning committee. This will ensure continuity between plan making and development management and that the administration's view on the strategic significance of developments forms part of the decision making process."*
- 3.1.13 An effective planning decision-making process is also crucial to the future funding of the council, which will be dependent upon the delivery of new homes and growth in the local economy. New home completions as well as increasing the council's income from council tax, will for a period of six years attract an equivalent amount, in the form of the New Homes Bonus from the Government. This grant amounted to £2.733m in 2011/12 and £5.473m in 2012\13, and this will increase if more homes are delivered. Albeit as part of a complicated system, from 2012/13 local authorities will be given a financial stake in the growth in their local economy through the retention of a proportion of the future growth in business rates. The implementation of a CIL

² CLG The Killian Pretty Review: Planning applications - A faster and more responsive system: Final Report Executive Summary and Recommendations 2008

charging scheme will further add to the benefits arising from new development. Thus, the confidence that can potentially be generated by an effective member decision making forum such as those proposed, has an important role to play in generating income for council projects.

- 3.1.14 Although a consensus on the need for a strategic panel was not reached, the group identified a fundamental tension between the necessity for good strategic decision making for our city to meet our future needs in terms of business, housing and investment, and the desire of local communities to have a greater involvement and say in their local areas as embodied in the Localism Act and demonstrated in the massive interest in neighbourhood planning. The working group agreed on the need to review panel decision making arrangements so they are more responsive to local issues, giving ward members and local communities a louder voice in the process, whilst balancing the strategic needs of the city.
- 3.1.15 An action plan will be created to implement the suggestions from the working group which will look at the pre-application process, public speaking protocol, nature and form of officers presentations and operational matters relating to more effective officer-member communication on major applications.

3.2 Proposals for revised decision making

- 3.2.1 In order to meet the working group's aspirations for community involvement and engagement aspirations at plans panel, a fresh approach is needed. This approach could be achieved by creating a greater focus for member decision making resulting in a panel which would deal with a small number of applications and allow the agenda to concentrate on the largest and most sensitive applications, potentially providing an opportunity for a greater role for ward members and the local community. With the appropriate assurances in place to strengthen ward member and local community involvement, a strategic plans panel would deliver strategically, whilst working locally.
- 3.2.2 It is therefore proposed to create a strategic and city centre plans panel with a simplified and more focussed agenda to allow greater discussions on those applications of major significance to the future of Leeds. This would also:
- support improved performance targets, particularly in respect of major applications which are particularly linked to the regeneration and economic prosperity of the city and its residents
 - provide a consistent decision making framework on the most controversial, and sensitive applications so that similar applications are dealt with in the same way throughout the city, providing good governance and
 - allow for additional opportunities for public speaking (where appropriate)
- 3.2.3 A definition of what a strategic application is described in section 3.4 below.
- 3.2.4 Attached as appendix 1 are the terms of reference for the strategic and city centre plans panel. The strategic and city centre plans panel would have representatives of all political parties on it to reflect the political make up of the Council and so the number of members would increase from the present arrangement to enable this to happen.. Attached as appendix 1a is a map showing the boundaries for the proposed strategic and city centre panel.

3.3 Decision making on other applications

3.3.1 Responsibility for plans panel decisions on other applications (up to an average of 200 dwellings, in the case of residential developments) will continue to be determined on a geographical basis. Both existing area based plans panels will continue to deal with a wide range of applications including those of significance to the localities involved (the proposed division in workloads is described in greater detail in paragraph 3.4 below). Attached as appendix 2 are the terms of reference for the area plans panels.

3.3.2 Currently, the application workload is disproportionately greater for the East panel (a reflection of the size and geographical makeup of the area). There will be a revision to the boundaries of the West plans panel and the East plans panel which will be renamed North and East plans panel and South and West plans panel. The new South and West plans panel would be given responsibility for dealing with applications in the following wards: parts of City & Hunslet (outside the City Centre planning boundary), Morley North, Morley South, Ardsley & Robin Hood and Rothwell, Beeston and Holbeck and Middleton Park, in addition to the current wards (a plan showing the distribution of responsibilities between the new North and East and South and West plans panels is attached as appendix 2a). Based on 2011-12 application numbers, approximately 17 more applications would have been determined by the new South and West panel, rather than the North and East panel. This represents a 12% increase in workload to the new South and West panel but makes the workloads between the panels more equitable.

3.4 Distinction between strategic and non-strategic applications (to be determined by a panel)

3.4.1 If this decision making framework was adopted, careful consideration needs to be given to workload in relation to the strategic plans panel. The City Council development charter identifies the strategic applications to be determined by the new panel as follows:

Major strategic significance in terms of at least one of the following:

- Job growth, investment value and regeneration (these should be of city-wide importance)
- Or are proposals that are eligible for large scale time limited public funding.
- Residential schemes over 200 units.
- Or by size and scale, as outlined in the panel's terms of reference in appendix 1

3.4.2 Examples of development that would meet these criteria include Trinity and Eastgate retail proposals, major food store redevelopment proposals (over approximately 6,000 m².) and the Council's PFI programme (eg Schools for the Future and Little London and Beeston PFI schemes), Thorpe Park and East Leeds Extension and major transportation infrastructure (eg southern access to Leeds Station). These types of applications would be determined by the strategic and city centre plans panel. This panel would also deal with the other smaller city centre applications on which members currently make decisions.

- 3.4.3 The area plans panels would still oversee both important major and minor planning applications. However, the major applications would be smaller in scale and could, for example, involve a residential development of up to 200 units, commercial schemes below 5,000 m². gross and smaller scale retail developments such as those proposed by Aldi, Netto and other retail developers.
- 3.4.4 On this basis the strategic and city centre plans panel would in 2010-11, have considered approximately 30 applications during the year. This would amount to a workload of approximately 2 applications per month, although in practice the workload would be greater allowing for proper consideration of pre-application presentations and position reports. A much greater focus on strategically significant applications would therefore be brought to bear and Members would not be distracted by the often lengthy debates which can accompany the smaller but sensitive applications. Furthermore, the public, agents and investors who are in attendance at the panel meeting would see a greater focus on member decision-making.
- 3.4.5 The number of smaller applications considered by each of the two area plans panels would approximate to 100 per year based on existing workload giving an agenda of approximately 10 applications per meeting. Whilst in some cases, it may be appropriate for some of these applications to be the subject of pre-application presentations and panel reports, the number of these would be fewer than at present.
- 3.4.6 If there is a difference of view as to which application is reported to the relevant plans panel it is suggested that this be discussed between the Cabinet Member for planning together with the relevant panel chairs so that a clear and timely decision results. The criteria for a decision would be based on those set out in paragraph 3.4.1 above.

3.5 Strengthening local involvement

3.5.1 Ward members, Town and Parish Councils and local communities

- 3.5.2 As noted above, the working group were particularly focussed on the need for effective pre application engagement and wished for it to become a consistent part of the way we handle applications in Leeds. Members also wanted a protocol which establishes the principle of officers providing an early alert to them of pre-application discussions with developers taking place.
- 3.5.3 The government is placing greater importance on pre-application engagement and is introducing statutory pre-application engagement discussions on the largest of schemes in the near future. The government's policy objectives are to:
- increase community engagement in the planning system and allow communities the opportunity to shape their neighbourhoods
 - reduce the costs of the planning process and speed up the system, and
 - increase the number of high quality, major applications agreed³

³ Localism Bill: compulsory pre-applications for consultations between prospective developers and local communities. Impact assessment. DCLG January 2011

3.5.4 The thresholds have not yet been set for this statutory pre-application requirement, nor have the processes been specified. However, Leeds has always considered pre-application involvement of ward members and the local community as a vital stage in dealing with major schemes. A Charter has been used successfully for a number of schemes and we already encourage developers to undertake pre-application discussions, but these are of varying quality and sometimes fail to address local community concerns. The Housing and Regeneration Scrutiny Board has already begun the process of reviewing arrangements for pre-application consultations and consultation on heads of terms for Section 106 agreements. It is proposed that guidance for developers be drawn up following the following principles:

- Early engagement – before proposals have been ‘fixed’, was there an opportunity to influence and shape development
- Meaningful – is it ‘real’, can it be demonstrated that changes have been made, range of tools / techniques used?
- Inclusive - what steps were taken to ‘reach out’, tools and techniques, was wider community involved?
- Monitor, review and gaps addressed – map, gap and take action to ensure it is balanced and representative

3.5.5 Developers

3.5.6 Whilst it is recognised widely by local planning authorities and by some in the development industry that community and ward member consultation at the earliest stage is a valuable and important part of the planning process, at present the council can only strongly encourage effective community consultation it cannot insist upon it. Currently, the council cannot therefore refuse to accept a valid planning application if it disagrees with the way in which a developer has consulted the community. However, if the developer fails to carry out appropriate consultation, this may lead to unnecessary objections, which may create difficulties or delay at a later stage of the process.

3.5.7 Work is underway with Town and Parish Council, developers and community organisations to produce a guide for developers which clearly sets out the council’s expectations of community involvement.

3.5.8 Developers will be expected to provide evidence of their community involvement based on these principles as part of their formal submission. It will be essential to get developer and community “buy in” to this, as in practice engagement in the past, has been inconsistent developers “doing consultation to”, rather than “with” and without reflecting the principles set out in paragraph 3.5.4 above.

3.5.9 Without the buy in of developers, the protocol will carry little weight and would only be aspirational. Further discussions will take place with the Chamber of Commerce and the Home Builders Federation to secure support to these principles.

3.5.10 Officer arrangements

3.5.11 It is also important that planning officers engaged in development management and local planning (particularly those dealing with site allocations, planning briefs and

neighbourhood plans) should be closely involved with ward members , community groups, and where appropriate, Town and Parish Councils. They should become a contact point for member and community organisations for planning matters on their “patch” and proactively support developers in working with appropriate community groups as they work up their proposal.

3.5.12 The restructure of planning services has resulted in a principal planning officer with responsibility for each area committee area so that there is a single and consistent point of contact for members and community groups. These arrangements will help planning officers to gain a much clearer understanding of community and political concerns and thereby help ensure that there is better pro-active communication with ward members, town and parish councils and communities and greater sensitivity is brought to the decision making process.

3.5.13 The principal planner will take a proactive role ensuring that members are fully appraised of pre-application discussions taking place, new major and significant schemes, so there are no “surprises” for members and early alert of applications which are likely to come to panel.

3.5.14 Information about planning applications has been readily available through Public Access for a number of years, allowing the public to look at and make comments about applications easily. The new Council website will allow the service to showcase major developments on the news area of the site and will provide enhanced information about the proposed scheme. The planning pages on the council website will also be expanded to promote planning issues in specific localities giving local residents more information than ever before.

4.0 Corporate Considerations

4.1 Consultation and Engagement

4.1.1 The plans panel working group, comprising representations from all political parties and chaired by the Executive Member for Neighbourhoods, Planning and Support Services provided the focus for consultation through the two sessions held in May and June 2012. In addition to undertaking a survey of the Core Cities, and discussing the proposed City Region Charter with the private sector and Planning Reform Group, the major Group Whips and Conservative Party Leader have been consulted as well as the plans panel chairs. There is general support for the procedural change contained in this report, but less consensus on the need for a strategic plans panel.

4.2 Equality and Diversity / Cohesion and Integration

4.2.1 An Equality Impact Screening Assessment has been undertaken and concluded that no negative equality, diversity, cohesion or integration issues are foreseen as a result of changes to planning committee arrangements. This is due to the existing robust procedures and protocols in place that will continue to be used.

4.2.2 Throughout the planning process applicants and interested parties have the opportunity to make representations throughout the statutory notification and consultation period. There is an additional opportunity for making representations

when an application comes to the plans panel through the public speaking arrangements, which are open to everyone. Additionally, there is an existing protocol on the effective involvement of elected members and local communities during the pre-application stage of a major or significant application. These protocols will be reviewed for the proposed new panel arrangements ensuring that the public's right to represent their views is respected.

4.3 Council Priorities and City Priority

4.3.1 The recommendations set out in this report are consistent with and support the aspirations of the Vision and the City priorities. In this context, it is essential that we have a robust, transparent decision making process which is consistent with those used by the cities we compete against, in seeking to be recognised as the best city in the UK. An efficient, consistent and speedy decision making process on planning applications will particularly support the Vision for Leeds' economy to be prosperous and sustainable

4.4 Resources and Value for Money

4.4.1 The proposals outlined would represent value for money with the plans panels and the strategic panel making decisions on the applications where member input will add value. There are no additional resource implications as three panels will remain.

4.4.2 As indicated in 3.1.13 above, in the future the main sources of revenue which the Council will be able to increase its funding will be Council Tax and Business Rates and the New Homes Bonus. If the level of housing and other development activity cannot be accelerated then the other services of the Council will be financially affected.

4.5 Legal Implications, Access to Information and Call In

4.5.1 Given the important role of the Strategic Plans Panel, it is considered appropriate for all political groups to have representation. As such Article 8 of the Constitution – needs to be re-visited. This currently provides for membership of Plans Panels to be constrained to between 7 and 11. However, to facilitate all groups having representation on the proposed Strategic Plans Panel, it is recommended that Article 8 is amended to dis-apply the membership restriction to the Strategic Panel – the proposals are contained in Appendix 3.

4.5.2 With regard to both options it is intended that substitution arrangements should continue with the Development Plan Panel and that the quorum for panels should be 4. For clarification, these proposals do not propose a change to the current scope of the officer delegation scheme to the Chief Planning Officer.

4.6 Risk Management

4.6.1 The existing safeguards to panel decision-making would be maintained and a legal representative would be in attendance at each meeting. A more objective approach to decision-making would be likely to reduce the potential for procedural judicial review and probably reduce the number of adverse appeal decisions and lost applications.

5.0 Conclusions

- 5.1.1 This report has set out the case for reviewing the operation of plans panels in Leeds. It is important that the Council has a decision-making process which reflects the City's ambition to be the best Council and is comparable in speed, certainty and reputation with the other Core Cities. A number of CBI studies have shown perceptions about the speed, consistency and effectiveness of decision making on planning applications are important in attracting and retaining new investment. At a time of severe economic recession and downturn, it is vital that Leeds is in the best position to attract new development.
- 5.2. Nevertheless, it is important that communities and ward members have the opportunity to have a greater role in planning matters and for their voices to be heard. The proposal outlines a number of changes which would enhance the opportunities for ward members and local communities to participate and contribute to the planning issues that matter to them and their communities the most. The work highlighted by the Housing and Regeneration Scrutiny Board for a protocol for developers on effective and meaningful pre-application engagement with local communities and elected members is underway and will provide a foundation for ensuring that local issues are voiced and taken on board.

6. Recommendations

- 6.1 Members are asked to:
- I. Consider the outcome of the review of the composition of the plans panels and agree the associated Terms of Reference to be considered for approval by Council;
 - II. Recommend to Council that Article 8 of the Constitution be amended to dis-apply the restriction on membership numbers to the proposed Strategic Plans Panel as per Appendix 3;
 - III. Review arrangements of the revised plans panels after 12 months
 - IV. Note and support the Executive member's commitment to produce, in consultation with Members from all political groups;
 - a. a revised protocol for pre-application involvement, including Heads of Terms where there are legal agreements
 - b. an action plan to take forward the suggestions made from the working party, as set out in paragraph 3.1.15

7. Background Papers¹

Area Based Decision Making for Development Control: A Review (PAS April 2006)
Councillor Involvement in Planning Decisions (CLG January 2007)
Correspondence with Core Cities
Strategy for Leeds
Housing Growth Debate
Draft Core Strategy
Charter for Major Investment Proposals and Protocol for Community Involvement
National Planning Policy Framework
Leeds City Region Unlocking our economic potential- a Leeds City Region deal, July 2012
Leeds City Region Planning Charter for Major Investment Proposals
CLG Killian Pretty Review 2008
Leeds City Council Guide to Section 106, 2011
Leeds City Council Protocol for Pre application discussions with local communities and Ward Members, 2008

¹ The background documents listed in this section are available for inspection on request for a period of four years following the date of the relevant meeting. Accordingly this list does not include documents containing exempt or confidential information, or any published works. Requests to inspect any background documents should be submitted to the report author.

Strategic Plans Panel

The Strategic Plans Panel is authorised to discharge¹ the following functions²

1. all Council (non-executive)³ functions relating to:
 - (a) town and country planning and development management⁴ in respect of the following types of applications:
 - proposals within the City Centre⁵
 - proposals that (in the opinion of the Chief Planning Officer having consulted the appropriate Executive Member⁶ and Chair of the relevant Area Plans Panel⁷ and the Chair of the Strategic Plans Panel) are of major strategic significance (either individually or cumulatively) in terms of one or more of the following; job growth or retention; investment value and regeneration
 - residential schemes involving 200 residential units or more or a site area of 4 hectares or more if the number of units is not known.
 - non residential schemes involving proposed floor space of 5,000 square metres (gross) or more, or a site area of 2 hectare or more if the floor space is not known.
 - proposals that (in the opinion of the Chief Planning Officer having consulted the appropriate Executive Member and Chair of the relevant Area Plans Panel and the Chair of the Strategic Plans Panel) are eligible for significant , time limited public funds (including PFI schemes)
 - (b) within the City Centre⁸ :
 - safety certificates for sports grounds⁹;
 - common land or town and village greens¹⁰;
 - street works and highways¹¹;
 - public rights of way¹²;
 - the protection of hedgerows and the preservation of trees¹³; and

¹ With the exception of any licensing function under the Licensing Act 2003, the Strategic Planning Committee and the Council may arrange for any of these functions to be discharged by an officer – the functions for the time being so delegated are detailed in Section 2 of Part 3 of this Constitution.

² “Functions” for these purposes shall be construed in a broad and inclusive fashion and shall include the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions

³ Local Authorities (Functions and Responsibilities)(England)Regulations 2000 as amended

⁴ Items 5-31, Para. A of Schedule 1 of the 2000 Regulations

⁵ The City Centre for these purposes is the area indicated on the plan attached

⁶ An “appropriate Executive Member” is the Leader or other appropriate portfolio-holding Member of the Executive Board.

⁷ “relevant Area Plans Panel” means the Plans Panel which covers the geographical area within which the application is submitted

⁸ See footnote 5 for definition of City Centre

⁹ Items 26 and 27 of Para B of Schedule 1 of the 2000 Regulations

¹⁰ Items 37, 38 and 72 of Para B and Items 51-53 of Para I of Schedule 1 of the 2000 Regulations

¹¹ Items 41,46A to 55 of Para B of Schedule 1 of the 2000 Regulations

¹² Part I of Para I of Schedule 1 of the 2000 Regulations

¹³ Items 46 and 47 of Para I of Schedule 1 of the 2000 Regulations

- high hedges¹⁴
2. in respect of any approval, consent, licence, permission, or registration which they may grant:
 - (a) to impose conditions limitations or restrictions;
 - (b) to determine any terms;
 - (c) to determine whether and how to enforce any failure to comply;
 - (d) to amend, modify, vary or revoke; and/or
 - (e) to determine whether a charge should be made or the amount of such charge.
 3. to discharge any licensing function¹⁵ where full Council has referred a matter to the Strategic Plans Panel.

¹⁴ Item 47A of Para. I of Schedule 1 of the 2000 Regulations

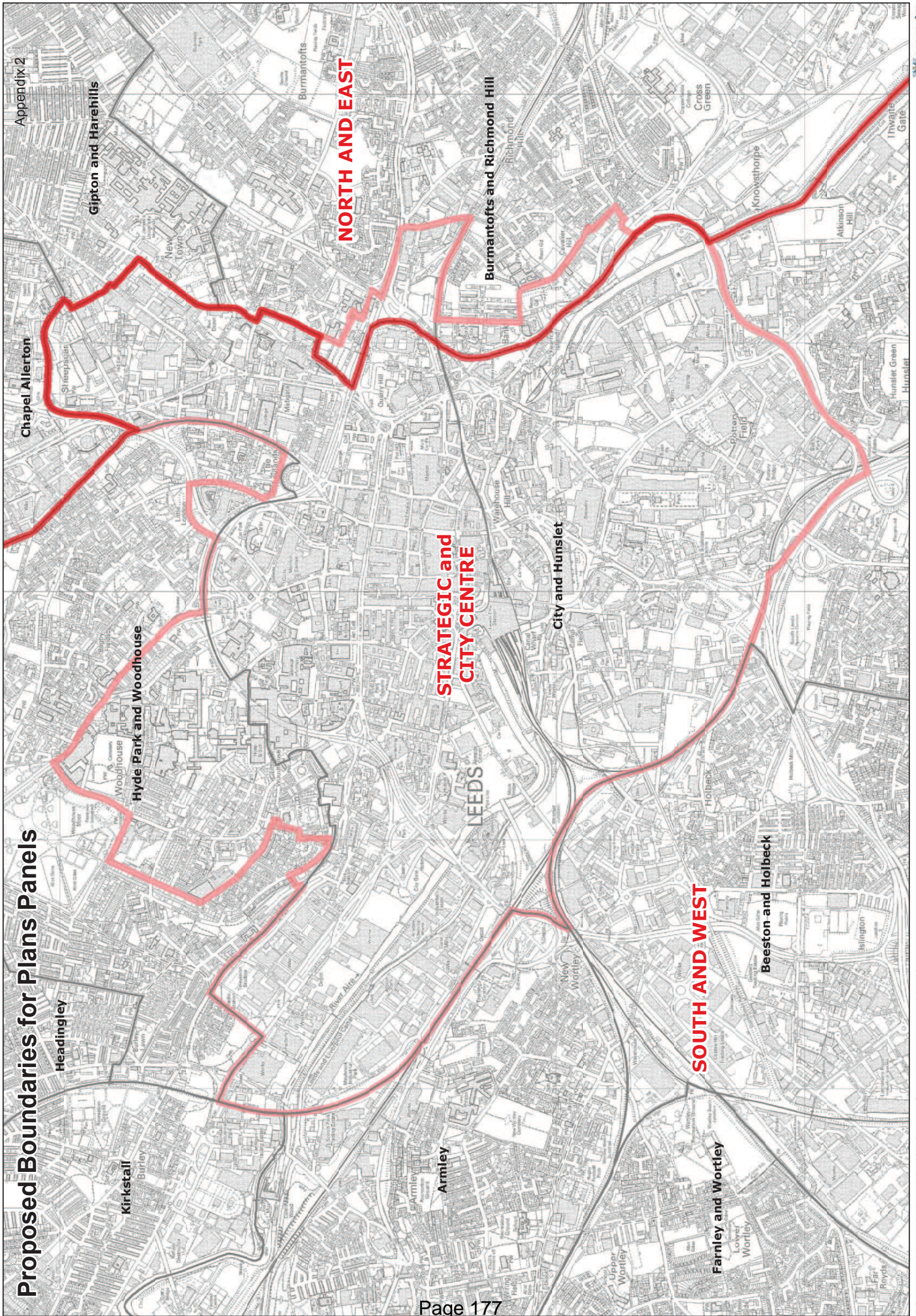
¹⁵ (section 7 (5) (a) of the Licensing Act 2003) The matter must relate to:

- a licensing function of the licensing authority and
- a function which is not a licensing function

Unless the matter is urgent, the Strategic Planning Committee must consider a report of the Licensing Committee in respect of the matter before discharging the function concerned (Section 7 (6))

Proposed Boundaries for Plans Panels

Appendix 2



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Area Plans Panels

The Area Plans Panels are authorised¹ to discharge² the following functions³

1. all Council (non-executive)⁴ functions relating to:
 - (a) town and country planning and development management⁵ with the exception of functions which the Strategic Plans Panel is authorised to discharge.
 - (b) safety certificates for sports grounds⁶;
 - (c) common land or town and village greens⁷;
 - (d) street works and highways⁸;
 - (e) public rights of way⁹
 - (f) the protection of hedgerows and the preservation of trees¹⁰; and
 - (g) high hedges¹¹

2. in respect of any approval, consent, licence, permission, or registration which they may grant:
 - (a) to impose conditions limitations or restrictions;
 - (b) to determine any terms;
 - (c) to determine whether and how to enforce any failure to comply;
 - (d) to amend, modify, vary or revoke; and/or
 - (e) to determine whether a charge should be made or the amount of such charge.

3. to discharge any licensing function¹², where full Council has referred a matter to the Area Plans Panel.

¹ Each Plans Panel is authorised to discharge functions in respect of its own geographical area as indicated on the plan attached as Appendix 2 (A larger scale more detailed copy of the plan is maintained by the Chief Planning Officer)

² With the exception of any licensing function under the Licensing Act 2003, the Planning Panel and the Council may arrange for any of these functions to be discharged by an officer – the functions for the time being so delegated are detailed in Section 2 of Part 3 of this Constitution.

³ “Functions” for these purposes shall be construed in a broad and inclusive fashion and shall include the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions

⁴ Local Authorities (Functions and Responsibilities)(England)Regulations 2000 as amended

⁵ Items 5-31, Para. A of Schedule 1 of the 2000 Regulations

⁶ Items 26 and 27 of Para B of Schedule 1 of the 2000 Regulations

⁷ Items 37, 38 and 72 of Para B and Items 51-53 of Para I of Schedule 1 of the 2000 Regulations

⁸ Items 41,46A to 55 of Para B of Schedule 1 of the 2000 Regulations

⁹ Part I of Para I of Schedule 1 of the 2000 Regulations

¹⁰ Items 46 and 47 of Para I of Schedule 1 of the 2000 Regulations

¹¹ Item 47A of Para. I of Schedule 1 of the 2000 Regulations

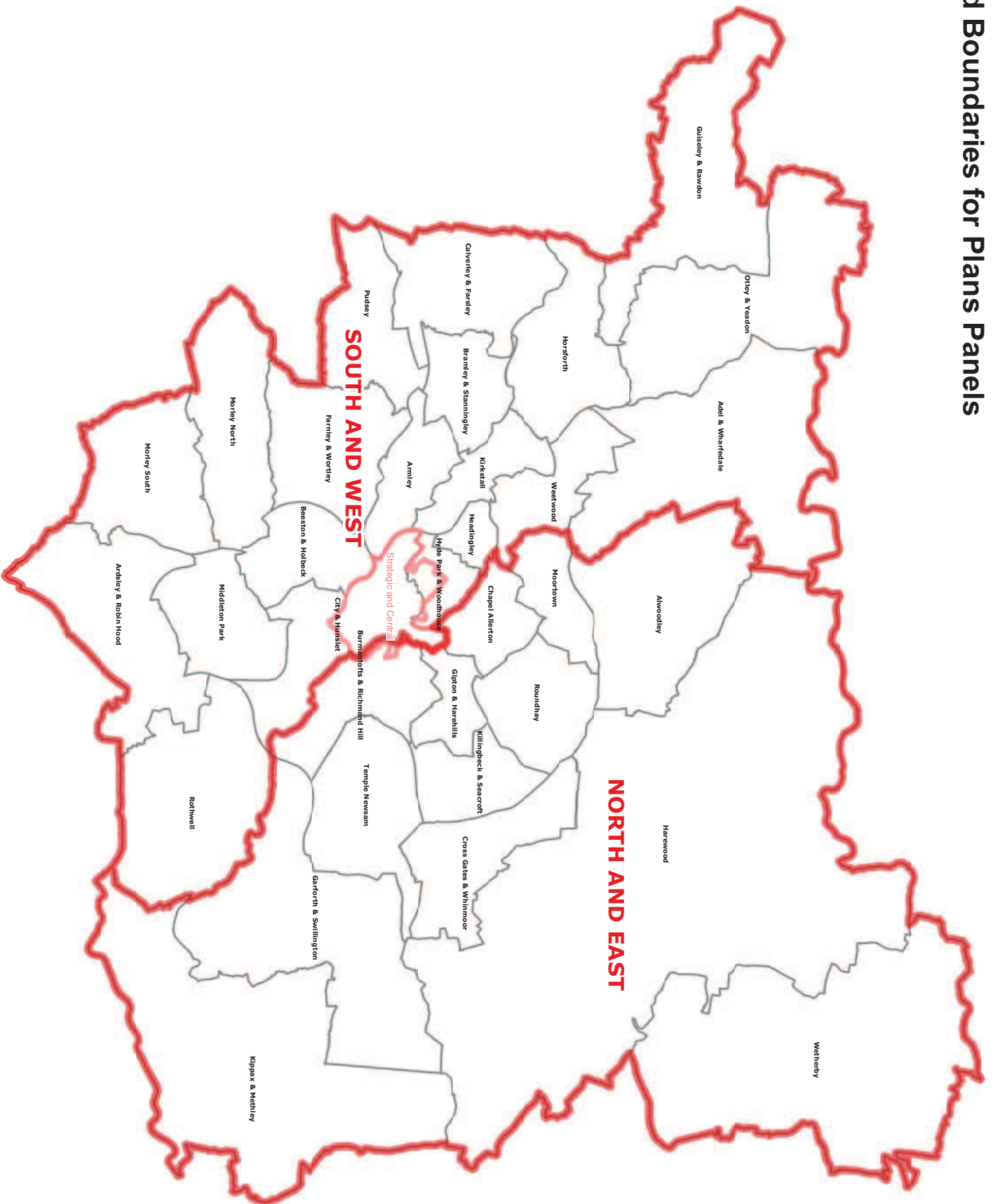
¹² (section 7 (5) (a) of the Licensing Act 2003) The matter must relate to:

- a licensing function of the licensing authority and
- a function which is not a licensing function

Unless the matter is urgent, the Planning Panel must consider a report of the Licensing Committee in respect of the matter before discharging the function concerned (Section 7 (6))

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Proposed Boundaries for Plans Panels



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ARTICLE 8 - PLANS PANELS

8.1 PLANS PANELS

The Council will appoint the Plans Panels as set out in Part 3 Section 2B of this Constitution to discharge the functions described in Part 3 Section 2A.

8.2 PLANS PANEL MEMBERSHIP

8.2.1 Each Area Plans Panels will comprise of no less than 7 and no more than 11 members of Council¹.

8.2.2 Members of the Plans Panels must complete all compulsory training and shall not sit as a Member of the Panel unless such training has been undertaken in accordance with the Council's prescribed training programme.

¹ This requirement will not apply to the Strategic Plans Panel

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