

Open

Council

Agenda

6pm
Wednesday, 10th May 2017
Council Chamber
Wyre Forest House
Finepoint Way
Kidderminster



Council

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COUNCIL MEETING

2nd May 2017

TO ALL MEMBERS OF THE COUNCIL AND HONORARY ALDERMEN

PRESS AND PUBLIC

Dear Member

YOU ARE INVITED to attend a meeting of the Wyre Forest District Council to be held **at 6.00p.m. on Wednesday 10th May 2017**, in the Council Chamber, Wyre Forest House, Finepoint Way, Kidderminster.

The Agenda for the meeting is enclosed.

Yours sincerely

Ian Miller
Chief Executive

Declaration of Interests by Members – interests of members in contracts and other matters

Declarations of Interest are a standard item on every Council and Committee agenda and each Member must provide a full record of their interests in the Public Register.

In addition, alongside the Register of Interest, the Members Code of Conduct (“the Code”) requires the Declaration of Interests at meetings. Members have to decide first whether or not they have a disclosable interest in the matter under discussion.

Please see the Members’ Code of Conduct as set out in Section 14 of the Council’s constitution for full details.

Disclosable Pecuniary Interest (DPI) / Other Disclosable Interest (ODI)

DPI’s and ODI’s are interests defined in the Code of Conduct that has been adopted by the District.

If you have a DPI (as defined in the Code) in a matter being considered at a meeting of the Council (as defined in the Code), the Council’s Standing Orders require you to leave the room where the meeting is held, for the duration of any discussion or voting on that matter.

If you have an ODI (as defined in the Code) you will need to consider whether you need to leave the room during the consideration of the matter.

(A) TERMS OF REFERENCE OF THE COUNCIL

The Council

1. Is the ultimate decision making Body.
2. Determines the Budget (but reserves powers to itself in relation to requirements).
3. Is responsible for appointing (and dismissing) the Leader of the Council.
4. Appoints at its Annual Meeting, the Regulatory Committees, the Overview and Scrutiny Committee and any other Committees/Forums necessary to conduct the Council’s business.
5. Decides on matters where the Cabinet is not minded to determine a matter in accordance with Council policy.

(B) MATTERS RESERVED TO THE COUNCIL

1. Those reserved by Law e.g. levying a rate, borrowing money, promotion of or opposition to a Bill in Parliament.
2. Matters reserved to the Council by financial regulations.
3. The adoption and amendment of Standing Orders, including the powers and duties of Committees and other forums.
4. Power to make, amend, revoke or enact or enforce any byelaws.
5. The determination of the objectives of the Council.
6. Matters of new policy or variation of existing policy as contained within the budget and policy framework.
7. Local Development Framework adoption.
8. Any function where a decision would be contrary to a plan, policy, budget or strategy previously adopted by the Council, which would be contrary to the Council’s Standing Orders, Financial Regulations or Executive arrangements.
9. The Scheme of Delegations to Officers.

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At the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed.

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By entering the meeting room and using the public seating area, you are consenting to be filmed and to the possible use of those images and sound recordings for webcasting and or training purposes.

If members of the public do not wish to have their image captured they should sit in the Stourport and Bewdley Room where they can still view the meeting.

If any attendee is under the age of 18 the written consent of his or her parent or guardian is required before access to the meeting room is permitted. Persons under 18 are welcome to view the meeting from the Stourport and Bewdley Room.

If you have any queries regarding this, please speak with the Council's Legal Officer at the meeting.

* Unless there are no reports in the open session.

Wyre Forest District Council

Council

Wednesday, 10th May 2017

Council Chamber, Wyre Forest House, Finepoint Way, Kidderminster

Part 1

Open to the press and public

Agenda item	Subject	Page Number
1.	Prayers To be read by Rev. Denise Williamson, Foley Park Methodist Church.	
2.	Election of Chairman To elect a Chairman of the Council for this Municipal Year.	
3.	Chairman – Investiture and Declaration of Acceptance of Office To invest the Chairman of the Council with the Chain of Office after which the Chairman will make his or her Declaration of Acceptance of Office.	
4.	Chairman’s Response The Chairman of the Council will express thanks for his or her election.	
5.	Retiring Chairman The Leader of the largest political group will thank the retiring Chairman of the Council.	
6.	Retiring Chairman – Presentation of Badges To present the retiring Chairman of the Council with a Past Chairman’s Badge. The retiring Chairman may wish to respond.	
7.	Appointment of Vice-Chairman To appoint a Vice-Chairman of the Council for this Municipal Year.	
8.	Vice-Chairman – Investiture and Declaration of Acceptance of Office To invest the Vice-Chairman of the Council with his or her Badge of Office after which the Vice-Chairman will make a Declaration of Acceptance of Office.	

9.	Apologies for Absence	
10.	<p>Declarations of Interests by Members</p> <p>In accordance with the Code of Conduct, to invite Members to declare the existence and nature of any Disclosable Pecuniary Interests (DPI's) and / or Other Disclosable Interests (ODI's) in the following agenda items and indicate the action that they will be taking when the item is considered.</p> <p>Please see the Members' Code of Conduct as set out in Section 14 of the Council's Constitution for full details.</p>	
11.	<p>Minutes</p> <p>To confirm as a correct record the Minutes of the meeting held on 22nd February 2017.</p>	10
12.	<p>Public Participation</p> <p>In accordance with the Council's scheme for public speaking at meetings of Council, to allow members of the public to present petitions, ask questions, or make statements, details of which have been received by 12 noon on Friday 28th April 2017.</p> <p><i>If you wish to speak on an urgent matter that has arisen since the deadline and you could not reasonably have known about it at the time, you should register your interest in speaking no later than 9am on the day of the meeting of Council. In the case of a request to speak on an urgent matter, the Solicitor to the Council will rule on whether or not the matter is urgent and that ruling will be final.</i></p>	
13.	<p>Questions</p> <p>No questions have been submitted in accordance with Standing Order A5 by Members of the Council.</p> <p><i>In the case of an urgent matter that has arisen since the deadline above, and could not have been reasonably known at that time, it must be delivered in writing to the Solicitor to the Council no later than 9am on the day of Council.</i></p>	
14.	<p>Chairman's Communications</p> <p>To note the engagements of the Chairman of the Council since the Council's last meeting.</p>	21
15.	<p>Changes to the Governance Structure of The Community Housing Group</p> <p>To consider a report from the Chief Executive on the Council's position on changes to the governance structure of the Community Housing Group. This includes recommendations from the Cabinet meeting held on 14th March 2017 on the Council's Membership on Community Housing Group (CHG).</p>	22

16.	<p>Political and Constitutional Structures 2017/2018</p> <p>To consider a report from the Solicitor to the Council on the proposed political and constitutional structures for the municipal year 2017/2018.</p>	52
17.	<p>Members' Annual Activity Reports and Attendance 2016/2017</p> <p>To note the schedule of Members' Annual Reports giving details of their activities in their role as District Councillors for the 2016/2017 municipal year and to receive a record of Members' attendance for the 2016/2017 municipal year.</p> <p><i>These reports have been circulated electronically an inspection copy is available on request. (See front cover for details.)</i></p>	80
18.	<p>Annual Reports for the Municipal Year 2016/2017</p> <p>(a) Cabinet</p> <p>(b) Overview & Scrutiny Committee</p> <p>(c) Ethics and Standards Committee</p>	<p>82</p> <p>86</p> <p>92</p>
19.	<p>Leader of the Council Announcements</p> <p>To receive announcements from the Leader of the Council.</p>	
20.	<p>Motions Submitted under Standing Orders</p> <p>One motion has been received in accordance with Standing Orders (Section 7, 4.1).</p> <p>Motion from Councillor Nigel Knowles, Leader Labour Group</p> <p>“Wyre Forest District Council is determined to make a positive difference to the economic and social structure of our District, and to provide an income stream to alleviate short falls in our budget.</p> <p>Council approved the borrowing of £35million to help achieve that ambition, and all Council members should be included in the project.</p> <p>There is a real need to provide housing in the District, both social and private residential and affordable to accommodate all of those 2,000 on the housing waiting list or those who are struggling to get onto the housing ladder with a mortgage, often presently unaffordable.</p> <p>We welcome the prospect of WFDC, and a suitable partner, being a provider of new and refurbished rented housing and accommodation at fair rent levels.</p> <p>Council urges that the project gets underway at the earliest opportunity, and therefore will illustrate suitable sites and units, and seek a building partner.</p>	

	<p>We will continue to support, given the strictures of legislation, local, social community housing groups.</p> <p>Council will press ahead with the provision of small scale start-up industrial units on our currently available sites.</p> <p>We will endeavour to be a strong player for this sector, with partners who can give the best terms and conditions for young people who can benefit from apprenticeships and fair wages in environments where health and safety is a priority, and also have the opportunity to join a trade union.”</p>	
21.	<p>Urgent Motions submitted under Standing Orders</p> <p>To consider motions in the order they have been received which, by reason of special circumstances, should be considered as a matter of urgency, in accordance with Standing Orders (Section 7, 4.1 (vii)).</p>	
22.	<p>Senior Management Structure</p> <p>To consider a report from the Chief Executive on proposed changes to the senior management structure of the Council.</p>	95
23.	<p>To consider any other business, details of which have been communicated to the Solicitor to the Council before the commencement of the meeting, which the Chairman by reason of special circumstances considers to be of so urgent a nature that it cannot wait until the next meeting.</p>	
24.	<p>Exclusion of the Press and Public</p> <p>To consider passing the following resolution:</p> <p>“That under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting during the consideration of the following item of business on the grounds that it involves the likely disclosure of “exempt information” as defined in the paragraph 1 of Part 1 of Schedule 12A to the Act”.</p>	

Part 2

Not open to the Press and Public

25.	<p>To consider any other business, details of which have been communicated to the Solicitor to the Council before the commencement of the meeting, which the Chairman by reason of special circumstances considers to be of so urgent a nature that it cannot wait until the next meeting.</p>	
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WYRE FOREST DISTRICT COUNCIL

COUNCIL

**COUNCIL CHAMBER, WYRE FOREST HOUSE, FINEPOINT WAY,
KIDDERMINSTER**

22ND FEBRUARY 2017 (6 PM)

Present:

Councillors: R Bishop (Chairman), D Little (Vice-Chairman), J Aston, J Baker, J-P Champion, S J Chambers, S J M Clee, J R Desmond, N J Desmond, H E Dyke, P Dyke, S E Fearn, N Gale, I Hardiman, J A Hart, M J Hart, K Henderson, V Higgs, A T Hingley, N Knowles, N Martin, S Miah, F M Oborski MBE, T L Onslow, M Rayner, C Rogers, J A Shaw, J D Smith, R J Vale, S J Walker, S J Williams and G C Yarranton.

C.62 Prayers

Prayers were said by Dr John Jenkins, Elder, Offmore Evangelical Church.

C.63 Apologies for Absence

Apologies for absence were received from Councillor R Wilson.

C.64 Declarations of Interests by Members

Councillor J-P Champion declared a Disclosable Pecuniary Interest (DPI) in Agenda Item 13 Council Tax 2017-18, which sought to approve the formal resolution for setting the Council Tax for 2017-18. As this included the precepts by the Office of the Police and Crime Commissioner for West Mercia in his capacity as the Police and Crime Commissioner, he would leave the room whilst the agenda item was discussed.

Councillor T Onslow declared a DPI in Agenda Item 13, Council Tax 2017-18, as she was employed by the Office of the Police and Crime Commissioner for West Mercia and would leave the room whilst the agenda item was discussed.

C.65 Minutes

Decision: The minutes of the meeting held on 14th December 2016 be confirmed as a correct record and signed by the Chairman.

C.66 Public Participation

There was no public participation.

C.67 Questions

There were no questions to Council.

C.68 Chairman's Communications

The Council received a list of functions attended by the Chairman or Vice-Chairman since the Council's last meeting.

C.69 Leader of the Council Announcements

The Leader of the Council referred Members to his tabled report.

C.70 Motions Submitted Under Standing Orders.

Two motions were received in accordance with Standing Orders (Section 7,4.1).

1) Motion from the Conservative Group on Worcestershire Acute Hospitals NHS Trust.

The Leader of the Council presented the motion and commented that he recognised that health services were an important and emotive issue for Wyre Forest residents and hoped for unanimity in voting in favour of the motion. He drew Members' attention to an amendment to the motion at the request of the Independent and Liberal Democrat Group which he was happy to incorporate.

A full and robust debate on the amended motion took place. A number of Councillors praised the superb work of nursing staff at the Worcestershire Acute Hospitals and welcomed the Consultation. A number of Councillors referred to the mention of Mark Garnier MP in the motion, with one Member saying that he could not support the motion for that reason.

Upon a vote the amended motion was agreed.

Decision: The following motion from the Conservative Group on Worcestershire Acute Hospitals NHS Trust be agreed:

This Council notes the Consultation launched in respect of the Future of Acute Services and welcomes the fact that this Consultation, which is long overdue, is now underway.

This Council welcomes that the Kidderminster site is to be retained and planned procedures are to continue to take place and would encourage further activity to ensure that this asset is utilised to its full potential to the benefit of local patients.

This Council supports the continued provision of services from the Kidderminster site and the retention of the minor injuries unit.

This Council expresses deep concern at the current state of the Worcestershire Acute Hospitals NHS Trust, in particular regarding Accident and Emergency at the Worcestershire Royal Site.

This Council notes under the current Consultation, there are proposed changes to provision at the Alexandra Accident and Emergency site in Redditch, and that this will inevitably increase activity on the Worcester Royal site and urges the Trust to ensure that it has adequate capacity to ensure that the Worcester Royal can cope with this and thus ensuring that Wyre Forest residents are not affected by this change.

Council is however concerned that, as presently constituted the Sustainability and Transformation Plan for Herefordshire and Worcestershire would see in the period to 2021, Acute beds in Worcestershire decrease by 3 beds whilst Community Beds would be cut from 324 to 182, a reduction of 44%.

Council is concerned that any such reduction could potentially see more delayed discharges from the Worcester Royal Hospital, thus increasing pressures on the Acute Trust.

This Council supports Mark Garnier MP's work in lobbying hard on behalf of Wyre Forest residents to raise his concerns with the Secretary of State and requests that he continues to do so in the strongest possible terms to ensure that the trust is effectively run and managed.

This Council resolves to write to the new Chairman and Chief Executive of the Trust to invite them to give a presentation to this Council as a matter of urgency.

This Council resolves to request the Chief Executive to write on behalf of WFDC and support the clinical model as having considered the consultation document this best supports the needs of Wyre Forest residents as it is essential that we have a safe, sustainable and fit for purpose Health Service.

2) Motion from the Conservative Group in respect of the Governance Structure at Wyre Forest District Council

The Leader of the Council presented the Motion and reaffirmed the administration's commitment to the current model of governance adopted by Wyre Forest District Council which allowed for the Cabinet style governance and the Strong Leader model. He highlighted the importance of the value and contribution of all 33 elected Members, who played a vital role in decision making and emphasised that the current model was

entirely fit for purpose.

A lengthy and robust debate ensued. A number of Members referred to the governance structure in previous years when there were 2 Overview and Scrutiny Committees. One Member referred to the Strong Leader model, and suggested that important decisions should be debated on by the full Council and not decided on by an administration.

Councillor N Martin entered the meeting at 6.58 pm.

The Leader of the Council responded to Members' comments. He confirmed that all Members were encouraged to debate issues in a democratic way and were included in all important matters. He further added that Overview and Scrutiny meetings had been known to be cancelled due to lack of business, but the administration welcomed scrutiny. He added that the system of governance was fair, open and transparent.

Upon a vote, the motion was agreed:

Decision: The following motion from the Conservative Group in respect of the Governance Structure at Wyre Forest District Council be agreed:

This Council wholeheartedly supports the current structure of Governance adopted by Wyre Forest District Council.

As a result of the Local Government Act 2000, the Cabinet style system was adopted by this Council on 18 June 2001 with effect from 1 September 2001.

This Council adopted the strong leader model on 1 December 2010 as a result of the 2000 Act as amended by the Local Government and Public Involvement in Health Act 2007.

This Council values the work and contribution of all 33 elected members.

This Council acknowledges the ways in which all elected members play an active part in decision-making as the revenue budget, council tax and capital programme, local plan, other strategic policies relating to planning and licensing and a range of issues relating to elections and civic matters are decisions reserved for Full Council, where all members have the opportunity to speak and vote and such votes are by majority decision.

This Council acknowledges and values the opportunities afforded at meetings of full Council for any Councillor to propose a motion or ask a question; and for members of the public to address Councillors or present a petition.

This Council acknowledges that decisions of a regulatory nature are taken by the Planning Committee and Licensing Committee and they are politically proportioned allowing cross party representation on these Committees.

The Council acknowledges the independence of the Overview and Scrutiny Committee to scrutinise the work and decisions of the Executive and supports the Leader's decision to recommend to Council that the chairmanship and vice-chairmanship of this committee are drawn from councillors who are not members of the administration.

This Council rejects any assertion that the current structure is undemocratic and that a return to a Committee style of Governance would be more democratic or better serve the electorate; and believes that such a change would be an unnecessary and costly distraction.

C.71 Urgent Motions Submitted Under Standing Orders.

There were no urgent motions.

C.72 Policy and Budget Framework.

a) Recommendations from the Overview and Scrutiny Committee, 2nd February 2017

Treasury Management Report for 2017/18

Decision:

- 1. The restated Prudential Indicators and Limits for the financial years 2017-18 to 2019-20 included in Appendix 3 of the report to the Overview and Scrutiny Committee be approved. These have been revised, as per paragraph 7.3 of the report to the Overview and Scrutiny Committee, following any changes to the Capital Programme brought about as part of the budget process.**
- 2. The updated Treasury Management and Investment Policy and Strategy Statements for the period 1st April 2017 to 31st March 2018 (the associated Prudential Indicators are included in Appendix 3 and the detailed criteria is included in Section 10 and Appendix 5 of the Overview and Scrutiny Committee) be approved.**
- 3. The Minimum Revenue Provision (MRP) Statement that sets out the Council's policy on MRP included in Appendix 1 of the report to the Overview and Scrutiny Committee be approved.**

4. The Authorised Limit Prudential Indicator included in Appendix 3 of the report to the Overview and Scrutiny Committee be approved.

The Chair of Treasury Management Committee thanked those who attended the Treasury Management training session and urged other Members to attend. She thanked the Council's Officers for their excellent work.

b) Recommendations from the Licensing and Environmental Committee, Monday 6th February 2017.

- **Review of Fees and Charges for the Council's Licensing and Regulatory Services Function 2017/18**

Decision: The proposals for fees and charges within the Council's Licensing, Food, Health, Safety and Pollution Control functions for 2017/18, as detailed in the report to the Licensing and Environmental Committee be included in the Council's 2017/18 budget strategy.

C.73

Medium Term Financial Strategy 2017-20

A report was considered from the Chief Financial Officer which updated Council on the Medium Term Financial Strategy 2017-20, having considered the proposed decision and budget reports recommended to Council by Cabinet on 7th February 2017 including:

- Base Budget Projections 2017-20
- Capital Programme
- Cabinet Proposals
- Fees and Charges
- Report of the Chief Financial Officer in respect of Sections 25-28 Local Government Act 2003
- Efficiency Plan

The Cabinet Member for Resources led Members through the report and explained that it set out a robust and balanced budget for future spending and direction over the next 3 years, with bold ideas to grow income for the Council and supported regeneration, housing and economic growth.

He added that the Council would face financial challenges and the reduction in £600,000 in New Homes Bonus monies meant that the Council would have to seek new ways of generating income. He highlighted the Council's excellent track record in generating income to protect front line services, having successfully grown income to 33% of net revenue budget over the last 4 years. He confirmed that the administration were happy to take on board the Labour Group's amendment to consider the Wealden District Council model for investment, which looked at housing growth through an arm's length trading company.

Agenda Item No. 11

The Cabinet Member for Resources further explained that up to £35 million would be borrowed, £10 million for Loans to Third Parties and up to £25 million to create a portfolio fund, expenditure of which would be considered on individual business cases. He added that the budget also contained proposals for the first stage of investment at the Green Street Depot site, and to raise fees and charges by an average of approximately 5% which meant that Council Tax could continue to be frozen.

Councillor P Dyke left the meeting at 7.24pm and returned at 7.26 pm.

Councillor Oborski presented an amendment to the Budget Proposals on behalf of the Independent and Liberal Democrat Group, which sought to divert £500,000 from the Worcester Street project to facilitate a cleared site for marketing and redevelopment of Crown House, increased staffing in Civil Enforcement teams and reviewed the content of the previous Master Plan for Stourport Riverside to inform an updated Plan.

Councillor J Desmond left the meeting at 7.45 pm and returned at 7.48 pm.

A lengthy debate ensued. The Cabinet Member for Resources acknowledged that there were broad similarities between the proposals of the administration and those of the Independent and Liberal Democrat Group, although the proposals for Crown House were fundamentally different. He confirmed that, although both parties would like to see the building demolished, it would not be economically viable to do so and hence the priority lay with the redevelopment of Worcester Street.

The Leader of the Council thanked the Independent and Liberal Democrat Group for their alternative budget and added that it was a shining example of how all Members can have their say. He confirmed that the administration did not intend to propose a huge increase in Council Tax and added that the Government imposed a maximum increase of 2% or £5, whichever was greater, thus there would be no sharp increase in Council Tax payments at the end of the freeze. He acknowledged that the public wanted Crown House demolished but this should not be at the taxpayers' expense. He confirmed that £0.5 million had already been allocated to the Worcester Street Development, and Worcestershire County Council had allocated another £0.5 million and Wyre Forest District Council would not want to lose that fundamental and vital scheme.

A named vote on the Independent and Liberal Democrat Group amendment was recorded as follows and the amendment was defeated:

For: (5)

Councillors: J Aston, H Dyke, P Dyke, S Miah and F Oborski.

Against (27)

Councillors: J Baker, R Bishop J-P Champion, S J Chambers, S J M Clee,

Agenda Item No. 11

J R Desmond, N J Desmond, S E Fearn, N Gale, I Hardiman, J A Hart, M J Hart, K Henderson, V Higgs, A T Hingley, N Knowles, D Little, N Martin, T L Onslow, M Rayner, C Rogers, J A Shaw, J D Smith, R J Vale, S J Walker, S J Williams and G C Yarranton.

Councillors N Gale and G Yarranton left the meeting at 8.23 pm and returned at 8.25 pm

The Cabinet Member for Culture, Leisure and Community Protection referred Members to the substantive report and commented that it was a bold plan and a plan for the future. She added that it was pleasing to see money earmarked for Brinton Park and the Community Leadership Fund as over 100 local projects and groups had been helped by the fund.

Councillor R Vale left the meeting at 8.25 pm and returned at 8.27 pm.
Councillor J Baker left the meeting at 8.27 pm and returned at 8.28 pm
Councillor S Fearn left the meeting at 8.27 pm and returned at 8.29 pm.

The Leader of the Council stated that the proposals were a budget for growth and sustainability for the future of the residents of Wyre Forest.

A named vote on the substantive budget proposal was recorded as follows and was agreed.

For (23)

Councillors: J Baker, R Bishop, J-P Campion, S J Chambers, S J M Clee, J R Desmond, N J Desmond, S E Fearn, N Gale, I Hardiman, J A Hart, M J Hart, K Henderson, A T Hingley, D Little, N Martin, T L Onslow, M Rayner, C Rogers, J D Smith, R J Vale, S J Williams and G C Yarranton.

Against (5)

Councillors: J Aston, H Dyke, P Dyke, S Miah and F Oborski

Abstained (4)

Councillors: V Higgs, N Knowles, J Shaw and S Walker.

Decision:

1. THREE YEAR BUDGET, CAPITAL PROGRAMME AND POLICY FRAMEWORK 2017-20

- 1.1 The updated Medium Term Financial Strategy 2017-20 be approved.**
- 1.2 The Cabinet Proposals – taking into account the impact on the Council’s Capital and Revenue Budgets for 2017-20 as shown in Appendix 3 of the report to Council**

be approved, including:

- a) **The new Council Policy on Loans to Third Parties to support our corporate priority of regeneration and economic development as set out in Appendix 3/1 of the December report.;**
- b) **The new Council Policy to create a Capital Portfolio Fund to support our corporate priority of regeneration and economic development and to create a net revenue income stream as set out in Appendix 3/2 of the December report to Cabinet.**

The approval of both in-principle decisions on a) Policy on Loans to Third Parties and b) Policy to create a Capital Portfolio Fund includes:

- i) **An initial allocation of £10m to support progression of the policy on Loans to Third Parties and £25m to support progression of the policy of a Capital Portfolio Fund is made to the capital programme in 2017-18, this being a maximum sum in both cases. Expenditure will be subject to specific approval of the business case for each proposal by the Cabinet following consideration by Overview and Scrutiny Committee and due diligence.**
 - ii) **The financing of such expenditure be delegated to the Chief Financial Officer and that requisite amendments are made to the revenue budget to reflect potential financing costs (likely to be PWLB loan finance) and income streams to support the initial capital allocation in a) and b) above.**
 - iii) **Subject to this approval, delegation is given to the Chief Financial Officer to make the requisite updates to the Financial Regulations and Treasury Management Service Strategy (TMSS) in due course.**
- 1.3 The fees and charges in line with this Strategy and the impact on the Council's Revenue Budget for 2017-20, as shown in Appendix 4 of the report to Council, be approved.**
- 1.4 The Capital Programme and Vehicle, Equipment and Systems Renewal Schedule as set out in Appendix 2, Parts 1 and 2 of the report to Council, be approved.**
- 1.5 Any Final Accounts savings arising from 2016-20 over and above the target allowed for in the Council's Financial Strategy, together with surplus Earmarked**

Reserves, be allocated by the Chief Financial Officer in consultation with the Leader be approved.

- 1.6 The Efficiency Strategy 2017-20 as set out in Appendix 6 of the report to Council be approved.
- 1.7 The General Fund Revenue Budget including all updates from the position in December 2016 and 7th February 2017 as set out in the report to Council be approved. .

2.1 COUNCIL TAX

- 2.1.1 The Council Tax for Wyre Forest District Council on a Band D Property at £205.36 for 2017-18 (£205.36 2016-17) which represents a freeze on Council Tax from 2016-17 be set
- 2.1.2 The provisional Council Tax on a Band D Property in 2018-19 of £209.34 and £213.40 in 2019-20, being an increase of 1.94 % in both years be endorsed.
- 2.1.3 The Chief Financial Officer's opinion on the budget proposals, recommended by the Cabinet in the report to, as detailed in Appendix 5 of this report be noted.

Councillors J-P Campion and T Onslow left the meeting at 8.48 pm

C.74 Council Tax 2017-18

Council considered the formal resolution for setting the Council Tax for 2017-18. The amount of Council Tax depends on the budget proposal recommendations from Cabinet to Council on 7th February 2017 which includes the precepts by Worcestershire County Council, The Office of the Police and Crime Commissioner for West Mercia and Hereford and Worcester Fire Authority.

A named vote on the Council Tax resolution was recorded as follows and was agreed:

For: (30)

Councillors: J Aston, J Baker, R Bishop, S J Chambers, S J M Clee, J R Desmond, N J Desmond, H E Dyke, P Dyke, S E Fearn, N Gale, I Hardiman, J A Hart, M J Hart, K Henderson, V Higgs, A T Hingley, N Knowles, D Little, N Martin, S Miah, F M Oborski MBE, M Rayner, C Rogers, J A Shaw, J D Smith, R J Vale, S J Walker, S J Williams and G C Yarranton.

Decision: The formal Council Tax Resolution 2017-18 at Appendix 1 of the report to Council, taking into account information contained in Appendices 2 to 5 of the report to Council, be approved.

Councillors J-P Campion and T Onslow returned to the meeting at 8.51 pm

C.75 Community Governance Review – Stourport-on-Severn

A report was considered from the Chief Executive on the results from Stage 1 of the Community Governance Review for Stourport on Severn.

The Cabinet Member for Resources referred Members to the report and advised of the recommendations that the number of Stourport - on -Severn Town councillors for the North and Stour & Wilden wards would be changed to four for each ward, and would take effect from May 2019. He added that this was a sensible option which produced a more even distribution of electors to Councillors across the wards.

Decision:

- 1.1 Following feedback from Stage 1 of the Community Governance Review for Stourport-on-Severn, the number of Stourport-on-Severn Town Councillors for the North and Stour & Wilden wards should be changed to four for each ward, which would take effect from May 2019.**
- 1.2 Subject to obtaining the formal consent of the Local Government Boundary Commission for England to the recommendation in paragraph 2.1 of the report to Council, an order should be made under section 86(2) of the Local Government and Public Involvement in Health Act 2007 to give effect to the outcome of the review, with delegated authority for the Solicitor to the Council to prepare the order and arrange for its sealing.**

C.76 Annual Report of the Chief Executive

Members received the Annual Report of the Chief Executive.

Decision: The Annual Report of the Chief Executive be noted.

There being no further business, the meeting ended at 8.56 p.m.

Chairman's List of Functions – 2016/17

FEBRUARY 2017

24th Mayor of Droitwich Jazz Night*

MARCH 2017

3rd Phillips Coach Launch
3rd WFDC Chairman's Charity Dinner
5th Queen's Sapphire service at Holy Innocents
7th Mayor of Bewdley's Charity Dinner
8th Worcestershire Skills Show
10th Mayor of Stourport's Quiz Night
14 Parish Quiz
17 Wyre Forest Young Voices
20th Launch of Quiet Aisle at Tesco (Dementia Association Action)
22nd King Charles I School Awards
23rd Fairtrade Coffee Morning
24th Worcester Brass Band Concert
25th Mayor of Redditch's Charity Dinner
30th West Midlands Ambulance Awards
31st Mayor of Leominster Charity Concert

APRIL 2017

1st Kidderminster Male Choir
7th Chairman of Bromsgrove Charity Dinner
8th Launch of Rhydd Covert Appeal
8th Opening of Play Area, Wribbenhall, Bewdley
8th Mayor of Stourport's Charity Lunch
9th Victoria Cross Memorial Service, Stourbridge
15th Easter Egg Hunt in Brinton Park
22nd Freedom of the Town – Mercian Regiment
22nd Malvern Town Council Civic Service
23rd St George's Day Parade
28th Unveiling of Defibrillator at Youth House
29th Parkrun in Wyre Forest
29th Mayor of Evesham's Charity Concert

MAY 2017

1st President's Invitation to the Rugby Club
4th Youth Makes Music
6th Valentines Concert
6th Mayor of Pershore's Charity Concert*
8th Worcester Mayor's Thank You Reception
8th Mayor of Bridgnorth's Curry Night

* Denotes attendance by Vice Chairman

WYRE FOREST DISTRICT COUNCIL

COUNCIL

10TH MAY 2017

Changes to the Governance Structure of The Community Housing Group

OPEN	
CABINET MEMBER:	The Leader of the Council
DIRECTOR:	Ian Miller, Chief Executive
CONTACT OFFICER:	Caroline Newlands, Ext. 2715 caroline.newlands@wyreforestdc.gov.uk
APPENDICES:	Appendix 1 Proposed rules for the Community Housing Group as a registered society under the Co-operative and Community Benefit Societies Act 2014

1. PURPOSE OF REPORT

To consider the Council's position on changes to the governance structure of the Community Housing Group.

2. RECOMMENDATION

The Council is asked to:

- 2.1 support the changes to the governance structure of the Community Housing Group (CHG);**
- 2.2 mandate the three Councillors serving on the CHG membership to sign in favour of the written special resolution to convert CHG into a community benefit society and to adopt rules governing the society;**
- 2.3 note that any question of mandating how the Council shareholder should vote in future would be a matter for Cabinet to decide;**
- 2.4 delegate authority to the Solicitor to the Council to terminate the Memorandum of Understanding between the Council and Community Housing Group relating to Community Member Nominations.**

3. BACKGROUND

- 3.1 This report deals with proposed significant governance changes to the Community Housing Group that also affect appointments to be made by the Council.**

4. KEY ISSUES

- 4.1 The proposals in respect of appointments to Community Housing Group reflect the recommendation from Cabinet at its meeting on 14 March 2017:**

- 4.1.1 That from May 2017 the Council no longer makes any nominations to the roles of Community Member on any of the Community Housing Group boards or committees;
 - 4.1.2 That the Council considers the outcome of the governance review commissioned by Community Housing Group when it is received and makes necessary changes to nominations to positions on the Community Housing Group as a result of any re-structure, as invited to do;
 - 4.1.3 That delegated authority is given to the Solicitor to the Council to terminate the Memorandum of Understanding between the Council and Community Housing Group relating to Community Member Nominations.
- 4.2 The governance review commissioned by CHG involves significant changes which reflect its maturing role now that 17 years have passed after stock transfer. They are also required as a result of legislation changes to ensure that registered social landlords are classified as private sector bodies, and to assist CHG to obtain the highest governance rating from its regulator. In summary, the changes are:
- 4.2.1 to convert CHG from being a company limited by guarantee to a community benefit society under section 115 of the Co-operative and Community Benefit Societies Act 2014;
 - 4.2.2 to adopt rules governing CHG as a community benefit society (appendix 1);
 - 4.2.3 subsequently, to merge CHG with Wyre Forest Community Housing (WFCH) by a transfer of engagements process under section 110 of the 2014 Act;
 - 4.2.4 all assets and liabilities of CHG would be vested in Wyre Forest Community Housing and CHG would be dissolved;
 - 4.2.5 WFCH would adopt new rules that mirror the board and shareholder structure for CHG, which is explained below.
- 4.3 The board of CHG and, in due course, WFCH would consist of ten independent board members appointed on the basis of their skills and experience alone. There is nothing to prevent Councillors from putting themselves forward for consideration in the event of vacancies. However the Council would have no role in the appointment process (except to the extent that the Council shareholder will have a vote in election of Board members) and, if any Councillor was appointed, he or she would not be a representative of the Council in any guise.
- 4.4 The shareholders of CHG and, in due course, WFCH would comprise the 10 board members, who would have 10 votes, the Council shareholder and the tenant shareholder, who would each have one vote. Provision for the Council shareholder is in rule C11.2 and the provision for voting is in rule C30 of the proposed rules at Appendix 1. The role of shareholders is set out in section C of the rules, in particular paragraphs C16 to C19 which deal with the annual general meeting and special general meetings. The annual general meeting would perform similar functions to the AGM of a company such as approval of the accounts, appointment of auditors, election of Board members etc.

- 4.5 In terms of timing, CHG has already asked the current CHG membership to approve the conversion to a community benefit society and adoption of the rules at appendix 1 by means of a written special resolution. It thus falls to the Council to consider whether to mandate the three Councillors currently appointed to serve on the membership of Community Housing Group (Councillors J Hart, M Rayner and S Miah) on how they should vote on the resolution. (Appointments to CHG currently run from September to September each year, aligned with the timing of its AGM.) Their role as members would cease on completion of the conversion (proposed to be mid June) when the new Council appointment would become effective.
- 4.6 The administration supports the proposed changes to the governance arrangements in CHG. The report therefore contains a recommendation to mandate the Council's three representatives on the CHG membership to sign in favour of the written special resolution to convert CHG into a community benefit society and to adopt rules governing the society (paragraph 4.2.1 and 4.2.2 above). If Council approves this recommendation, the three Councillors will be asked to sign the relevant documentation before 16th May 2017.
- 4.7 The transfer of engagements process described in paragraphs 4.2.3 and 4.2.4 above would require two resolutions by CHG's shareholders at two separate general meetings which it is proposed should be held in August and September 2017. These meetings will be attended by the member appointed at tonight's meeting as the Council shareholder. The change in the relationship with CHG marks an appropriate point to consider the question of how the Council's shareholder would, if necessary, be mandated to vote on particular issues in future. There is no provision in relevant legislation, such as the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, which specifies that this is a function reserved to full Council and therefore it is automatically an executive function. Council is asked to note therefore that any question of mandating how the Council shareholder should vote in future would be a matter for Cabinet to decide.
- 4.8 Finally, it is necessary to "undo" the arrangements that were agreed a few years ago in respect of community member nominations to various boards and companies within the Community Housing Group. Council is accordingly asked to delegate authority to the Solicitor to the Council to terminate the Memorandum of Understanding between the Council and CHG relating to such nominations. As a result of this and the governance changes described above, the appointments previously made by Council to community member roles which extend beyond 2017 will come to an end by the autumn of this year.

5. FINANCIAL IMPLICATIONS

- 5.1 There are no significant financial implications arising from this report.

6. LEGAL AND POLICY IMPLICATIONS

- 6.1 There are none. Relevant provisions of legislation and the Council's constitution have been mentioned as appropriate in the report.

7. EQUALITY IMPACT NEEDS ASSESSMENT

- 7.1 An equality assessment impact has been undertaken and it is considered that there are no discernible impacts on the six equality strands.

8. RISK MANAGEMENT

8.1 There are no significant risks associated with the changes to CHG's governance structure.

9. CONCLUSION

9.1 The Council is invited to approve the changes to CHG's governance structure.

10. CONSULTEES

10.1 The Leader of the Council.

10.2 Corporate Leadership Team.

10.3 Group Leaders

11. BACKGROUND PAPERS

11.1 Local Government Act 2000 and Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000.



RULES of: The Community Housing Group Limited

*A Registered Society under the Co-operative and
Community Benefit Societies Act 2014*

Register No.

MODEL RULES 2015

National Housing Federation

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Part A Name and objects**Name**

- A1 The name of the society shall be The Community Housing Group Limited (the **Association**).

Objects

- A2 The Association is formed for the benefit of the community. Its objects shall be to carry on for the benefit of the community:
- A2.1 the business of providing and managing housing, including Social Housing, and providing assistance to help house people and associated facilities, amenities and services for poor people or for the relief of aged, disabled (whether physically or mentally) or chronically sick people and to support the relief of social deprivation;
- A2.2 any other object that can be carried out from time to time by a registered society registered as a provider of Social Housing with the Regulator.

Non-profit

- A3 The Association shall not trade for profit and any profits shall only be applied for the purpose of furthering the Association's objects and/ or in accordance with these Rules.
- A4 Nothing shall be paid or transferred by way of profit to Shareholders of the Association.

Corporate status

- A5 The Association is not a subsidiary of another organisation and shall not become a subsidiary of another organisation without first amending these rules to state the name of the parent entity and without first having obtained the consent of the Regulator to such a rule change pursuant to section 212 of the Housing and Regeneration Act 2008.

Part B Powers of Association, Board, and Shareholders**Powers**

- B1 The Association shall have power to do anything that a natural or corporate person can lawfully do which is necessary or expedient to achieve its objects, except as expressly prohibited in these Rules.
- B2 Without limiting its general powers under rule B1, and only so far as is necessary or expedient to achieve its objects, the Association shall have power to:
- B2.1 purchase, acquire or dispose, take or grant any interest in property including any mortgage, charge, floating charge or other security whatsoever;
- B2.2 construct or carry out works to buildings;
- B2.3 help any charity or other body not trading for profit in relation to housing and related services;

- B2.4 subject to rules F12, F13 and F14, borrow money or issue bonds, notes loan stock or any other debt instrument or enter into any transaction having the effect of borrowing;
- B2.5 enter into and perform any Derivative Transaction on such terms as the Association thinks fit for the purpose of hedging or otherwise managing any treasury risk or other financial exposure of the Association;
- B2.6 subject to rule F15, invest the funds of the Association;
- B2.7 lend money on such terms as the Association shall think fit;
- B2.8 guarantee, enter into any contract of indemnity or suretyship in relation to, or provide security for, the borrowing or performance of the obligations of any other organisation, in each case on such terms as the Association shall think fit.
- B3 The Association shall not have power to receive money on deposit in any way which would require authorisation under the Financial Services and Markets Act 2000 or any other authority required by statute unless it has such authorisation.

Powers of the Board

- B4 The business of the Association shall be directed by the Board.
- B5 Apart from those powers which must be exercised in General Meeting:
- B5.1 by statute; or
- B5.2 under these Rules;
- all the powers of the Association may be exercised by the Board for and in the name of the Association.
- B6 The Board shall have power to delegate, in writing, subject to rules D29-D33, the exercise of any of its powers. Such delegation may include any of the powers and discretions of the Board.

Limited powers of Shareholders in General Meetings

- B7 The Association in General Meetings can only exercise the powers of the Association expressly reserved to it by these Rules or by statute.

General

- B8 The certificate of an Officer of the Association that a power has been properly exercised shall be conclusive as between the Association and any third party acting in good faith.
- B9 A person acting in good faith who does not have actual notice of these Rules or the Association's regulations shall not be concerned to see or enquire if the Board's powers are restricted by these Rules or such regulations.

Part C Shareholders and General Meetings**Obligations of Shareholders**

- C1 All Shareholders agree to be bound by the obligations on them as set out in these Rules. When acting as Shareholder they shall act, at all times in the interests of the Association and for the benefit of the community, as guardians of the objects of the Association.

Nature of shares

- C2 The Association's share capital shall be raised by the issue of shares. Each share has the nominal value of one pound which shall carry no right to interest, dividend or bonus. Shares shall be non-withdrawable.
- C3 Only shares held by the nominee of an unincorporated body (alone or jointly with other nominees) can be transferred and only to a new nominee of that unincorporated body (alone or jointly with other nominees).
- C4 When a Shareholder ceases to be a Shareholder or is expelled from the Association, his or her share shall be cancelled. The amount paid up on that share shall become the property of the Association.

Nature of Shareholders

- C5 A Shareholder of the Association is a person or body whose name and address is entered in the Register of Shareholders. The Shareholders shall be the Board Members from time to time (the Independent Shareholders) together with the Council Shareholder and the Tenant Shareholder.
- C6 The following cannot be Shareholders:
- C6.1 a minor;
 - C6.2 a person who has been expelled as a Shareholder, unless authorised by special resolution at a General Meeting;
 - C6.3 an employee of the Association or an employee of any other group Member;
 - C6.4 a person who has been removed by the Board in accordance with rule D8;
 - C6.5 a person in respect of whom a registered medical practitioner who is treating that person gives a written opinion to the Association stating that the person has become physically or mentally incapable of exercising their rights as a Shareholder and may remain so for more than three months.
- C7 A Shareholder can be the nominee of an unincorporated body. In such cases the register shall contain the name and address of the Shareholder and shall designate the Shareholder as the nominee of a named unincorporated body. The address of the unincorporated body shall also be entered in the register if it differs from the address of the Shareholder nominee.
- C8 A corporate body can be a Shareholder. It can appoint an individual to exercise its rights at General Meetings. Any such appointment shall be in writing, and given to the Secretary.

- C9 No Shareholder shall hold more than one share.
- C10 A share cannot be held jointly unless by nominees of an unincorporated body.

Admission of Shareholders

C11

C11.1 The Board shall set, review and publish its policies and objectives for admitting new Shareholders. The Board shall only admit new Shareholders in accordance with such policies.

C11.2 The Council Shareholder shall be a Shareholder. Wyre Forest District Council shall appoint the Council Shareholder by notice in writing to the Secretary.

C11.3 The Tenant Shareholder shall be admitted in accordance with policies set by the Board from time to time.

C11.4 The Board Members shall be Shareholders.

C12 An applicant for a share shall apply in writing to the Association's registered office:

C12.1 setting out their reasons for applying and how they meet any criteria set by the Association's policies under rule C11; and

C12.2 pay the sum of one pound (which shall be returned to them if the application is not approved).

C13 Every application shall be considered by the Board in accordance with rule C11. The Board has the power in its absolute discretion to accept or reject the application. If the application is approved, the name of the applicant and the other necessary particulars shall be entered in the Register of Shareholders. One share in the Association shall be issued to the applicant.

Ending of shareholding

C14 A Shareholder shall immediately cease to be a Shareholder if:

C14.1 they die; or

C14.2 they are expelled under rule C15; or

C14.3 they withdraw from the Association by giving notice to the Secretary, which shall be effective on receipt, unless they are one of the last three remaining Shareholders, in which case they must provide at least one month's written notice of the withdrawal to the Secretary; or

C14.4 they do not attend in person or appoint a proxy in respect of, nor deliver written apologies in advance for two consecutive annual General Meetings of the Association; or

C14.5 in the case of a body corporate it ceases to be a body corporate; or

C14.6 in the case of the nominee of an unincorporated body, they transfer their share to another nominee of that body; or

C14.7 they cease to be eligible to be a Shareholder under rule C6; or

- C14.8 having been a Board Member or a member of a committee, they cease to be a Board Member or member of a committee (unless the Board in its absolute discretion resolves that they shall remain as a Shareholder); or
- C14.9 they are a Resident and in the opinion of the Board are in material or serious breach of their tenancy agreement or lease or are subject to a possession order or are in breach of a suspended possession order, or are subject to any of the following types of court order: anti-social behaviour order, anti-social behaviour injunction, demoted tenancy, or closure order; or
- C14.10 they are a Resident and the Association has obtained an order of a competent court or tribunal against them for recovery of monies due from them to the Association provided that if the order is suspended or is an order for payment in instalments they shall only cease to be a Shareholder upon failing to meet the terms of the order; or
- C14.11 being the Tenant Shareholder they cease to be a Resident; or
- C14.12 being the Council Shareholder they are removed by notice in writing sent to the Secretary by Wyre Forest District Council.
- C15 A Shareholder may only be expelled by a Special Resolution at a special General Meeting called by the Board provided that the following rules apply to the process:
- C15.1 The Board must give the Shareholder at least one month's notice in writing of the General Meeting. The notice to the Shareholder must set out the particulars of the complaint of conduct detrimental to the Association and must request the Shareholder to attend the meeting to answer the complaint.
- C15.2 At the General Meeting called for this purpose the Shareholders shall consider the evidence presented by the Board and by the Shareholder (if any). The meeting may take place even if the Shareholder does not attend.
- C15.3 If the resolution to expel the Shareholder is passed in accordance with this rule, the Shareholder shall immediately cease to be a Shareholder.

Annual General Meeting

- C16 The Association shall hold a General Meeting called the annual General Meeting within six calendar months after the close of each of its financial years or such later date as may be permitted by law.
- C17 The functions of the annual General Meeting shall be:
- C17.1 to receive the annual report which shall contain:
- the revenue accounts and balance sheets for the last accounting period;
 - the auditor's report (if one is required by law) on those accounts and balance sheets;
 - the Board's report on the affairs of the Association;
- C17.2 subject to rules F3 and F4, to appoint the auditor (if one is required by law);
- C17.3 to elect (or re-elect) Board Members if applicable;

C17.4 to transact any other general business of the Association set out in the notice convening the meeting including any business that requires a Special Resolution.

Special General Meetings

- C18 All General Meetings other than annual General Meetings shall be special General Meetings and shall be convened either:
- C18.1 upon an order of the Board; or
 - C18.2 upon a written requisition signed by one-tenth of the Shareholders (to a maximum of twenty-five but not less than three) stating the business for which the meeting is to be convened; or
 - C18.3 by the Shareholders who have signed the requisition if within twenty-eight days after delivery of a requisition to the Secretary a meeting is not convened.
- C19 A special General Meeting shall not transact any business that is not set out in the notice convening the meeting.

Calling a General Meeting

- C20 Subject to rule C22, all General Meetings shall be convened by at least fourteen Clear Days' written notice posted or delivered by hand or sent by Electronic Communication to every Shareholder at the address or Electronic Communication address given in the share register. The notice shall state whether the meeting is an annual General Meeting or special General Meeting, the time, date and place of the meeting, and the business for which it is convened.
- C21 Any accidental failure to get any notice to any Shareholder shall not invalidate the proceedings at that General Meeting. A notice or communication delivered by hand or sent by post to a Shareholder at their address or Electronic Communication address shown in the Register of Shareholders shall be deemed to have arrived as specified in rule G14.14.
- C22 Seventy-five per cent of Shareholders may agree, by consenting in writing or by confirming through Electronic Communication, to a General Meeting being held with less notice than required by rule C20.

Proceedings at General Meetings

- C23 Before any General Meeting can start its business there must be a quorum present. A quorum is one-tenth of all Shareholders, with a minimum number of five and a maximum number of 25. As part of the quorum at least two Shareholders must be present in person.
- C24 A meeting held as a result of a Shareholder requisition will be dissolved if too few Shareholders are present half an hour after the meeting is scheduled to begin.
- C25 All other General Meetings with too few Shareholders will be adjourned to the same day, at the same time and at the registered office in the following week. If less than the number of Shareholders set out in rule C23 are present within half an hour of the

time the adjourned meeting is scheduled to have started, those Shareholders present shall carry out the business of the meeting.

C26 The Chair of any General Meeting can:

C26.1 take the business of the meeting in any order that the Chair may decide; and

C26.2 adjourn the meeting if the majority of the Shareholders present in person or by proxy agree. An adjourned meeting can only deal with matters adjourned from the original meeting. An adjourned meeting is a continuation of the original meeting. The date of all resolutions passed is the date they were passed (as opposed to the date of the original meeting). There is no need to give notice of an adjournment or to give notice of the business to be transacted.

C27 At all General Meetings of the Association the Chair of the Board shall preside. If there is no such Chair or if the Chair is not present or is unwilling or unable to act, the Senior Independent Director (if any) shall chair the meeting, failing which the Shareholders present shall elect a Shareholder to chair the meeting. The person elected shall be a Board Member if one is present and willing to act.

Proxies

C28 Any Shareholder entitled to attend and vote at a General Meeting may appoint another person, whether or not a Shareholder, as their proxy to attend and vote on their behalf. A proxy can be appointed by delivering a written appointment, which may be by way of Electronic Communication, to the registered office, or such other place as may be selected by the Board and stated in the meeting notice, at least 48 hours before the date of the meeting at which the proxy is authorised to vote. It must be signed or confirmed by Electronic Communication and sent by the Shareholder or a duly authorised attorney. Any proxy form delivered late shall be invalid. Any question as to the validity of a proxy shall be determined by the chair of the meeting whose decision shall be final.

Voting

C29 Subject to the provisions of these Rules or of any statute, a resolution put to the vote at a General Meeting shall, except where a ballot is demanded or directed, be decided upon a show of hands.

C30 Subject to rule D13.3, on a show of hands and on a ballot Shareholders present in person or by proxy shall have votes as follows:

- The Independent Shareholders shall share 10 votes between them equally, with ten votes being divided equally between each of the Independent Shareholders; and
- The Tenant and the Council Shareholders shall each have one vote.

C31 Unless a ballot is demanded (either before or immediately after the vote), a declaration by the chair of the meeting that a resolution on a show of hands has been carried or lost, unanimously or by a particular majority, is conclusive. An entry made to that effect in the book containing the minutes of the proceedings of the Association shall be conclusive evidence of that fact.

C32 Any question as to the acceptability of any vote whether tendered personally or by proxy, shall be determined by the chair of the meeting, whose decision shall be final.

- C33 A ballot on a resolution may be demanded by any three Shareholders at a meeting (in person or by proxy) or directed by the chair of the meeting (and such demand or direction may be withdrawn). A ballot may be demanded or directed after a vote on the show of hands, and in that case the resolution shall be decided by the ballot.
- C34 A ballot shall be taken at such time and in such manner as the chair of the meeting shall direct. The result of such a ballot shall be deemed to be the resolution of the Association in General Meeting.
- C35 Save where the Act requires a general meeting to be held, a resolution in writing signed or confirmed by letter or by Electronic Communication by or on behalf of the requisite majority of the Shareholders, for the time being, entitled to vote on the relevant resolution shall be as valid and effective as a resolution passed at a properly called and constituted meeting of Shareholders provided that a copy of the proposed resolution has been delivered in accordance with these Rules to all Shareholders and the requisite majority of Shareholders referred to in rule C36 has delivered their agreement in accordance with these Rules. Such resolution when signed or approved may comprise more than one document in the same form, each signed or approved, by one or more Shareholders.
- C36 For the purposes of rule C35 the requisite majorities are:
- in the case of an ordinary resolution, a simple majority of Shareholders who would have been entitled to vote had the resolution been proposed at a properly called and constituted General Meeting;
 - in the case of a resolution requiring a two-thirds majority of Shareholders, at least two-thirds of the Shareholders who would have been entitled to vote had the resolution been proposed at a properly called and constituted General Meeting; or
 - in the case of a resolution requiring a three-quarters majority of Shareholders, at least three-quarters of the Shareholders who would have been entitled to vote had the resolution been proposed at a properly called and constituted General Meeting.

Representatives and nominees

- C37 Under the provisions of these Rules (including rules A3, A4, C2 and C4) no Shareholder is entitled to property of the Association in that capacity, and in the event of the death a person shall cease to be a Shareholder, their share shall be cancelled and the amount paid up on that share shall become the property of the Association. The following make provisions for representatives and nominees taking into account the provisions of these Rules:
- C37.1 The Act provides that a Shareholder may nominate a person or persons to whom property in the Association at the time of his/ her death shall be transferred. As any such share will have been cancelled, no person so nominated under the Act shall be entitled to any property of that Shareholder on their death.
- C37.2 No property shall be capable of transfer to any personal representative of a deceased Shareholder.

- C38 Upon a claim being made by a trustee in bankruptcy of a bankrupt Shareholder to the share held by that Shareholder, the Association shall transfer such share to which the trustee in bankruptcy is entitled and as the trustee in bankruptcy may direct them.

Part D The Board

Functions

- D1 The Association shall have a Board who shall direct the affairs of the Association in accordance with its objects and these Rules and ensure that its functions are properly performed. These functions will be agreed by the Board and set out separately in a code of governance or otherwise in writing.

Composition of the Board

- D2 The Board shall consist of up to ten Board Members plus co-optees (subject to a maximum Board size of twelve including co-optees). A majority of Board Members shall always be capable of appointment or election by the Shareholders.
- D3 Except for co-optees and employees only Shareholders can be Board Members.
- D4
- D4.1 The Board shall make available the obligations (including the expected standards of conduct) of every Board Member (including co-optees) to the Board and to the Association. The Board shall review and may amend the obligations of Board Members from time to time.
- D4.2 Any Board Member or co-optee who has not signed a statement confirming that they will meet their obligations (including the expected standards of conduct) to the Board of the Association without good cause within one month of election or appointment to the Board or, if later, within one month of adoption of these Rules, shall immediately cease to be a Board Member or co-optee unless the Board resolves to disapply this rule in respect of any Board Member or co-optee.
- D5 The Board may appoint co-optees to serve on the Board on such terms as the Board resolves and may remove such co-optees. Not more than five co-optees can be appointed to the Board or to any committee at any one time. A co-optee may act in all respects as a Board Member, but they cannot take part in the deliberations nor vote on the election of Officers nor any matter directly affecting Shareholders.
- D6 For the purposes of these Rules and of the Act, a co-optee is not included in the expression "Board Member" or "Member of the Board". For the purposes of the Housing and Regeneration Act 2008, Board Members and co-optees are Officers.
- D7 No one can become or remain a Board Member, a committee member or co-optee at any time if:
- D7.1 they are disqualified from acting as a director of a company, as a Board Member of another registered society or as a charity trustee for any reason; or
- D7.2 they have been convicted of an indictable offence which is not, or cannot be, spent; or

- D7.3 a composition is made with that person's creditors generally in satisfaction of that person's debts; or
- D7.4 they are not a Shareholder (unless they are a co-optee or employee of the Association or any other Group Member); or
- D7.5 they have absented themselves from three consecutive meetings of the Board or committee (as the case may be) in one rolling twelve-month period without special leave of absence from the Board; or
- D7.6 a registered medical practitioner who is treating that person gives a written opinion to the Association stating that that person has become physically or mentally incapable of acting as a Board Member, co-optee or committee member and may remain so for more than three months; or
- D7.7 they are a Resident and in the opinion of the Board are in material or serious breach of their tenancy agreement or lease or are subject to a possession order or are in breach of a suspended possession order, or are subject to any of the following types of court order: anti-social behaviour order, anti-social behaviour injunction, demoted tenancy, or closure order; or
- D7.8 they are a Resident and the Association has obtained an order of a competent court or tribunal against them for recovery of monies due from them to the Association provided that if the order is suspended or is an order for payment in instalments they shall only cease to be a Board Member, co-optee or committee member upon failing to meet the terms of the order; or
- D7.9 they are an employee and their contract of employment is terminated; or
- D7.10 they are a specifically elected or appointed as a Resident Board Member and cease to be a Resident;

and any Board Member, co-optee or committee member who at any time ceases to qualify under this rule shall immediately cease to be a Board Member, co-optee or committee member (as appropriate).

D8 A Board Member may be removed from the Board:

- D8.1 by a Special Resolution at a General Meeting; or
- D8.2 by a resolution passed by two-thirds of the Board Members, excluding the Board Member subject of the proposed removal and excluding co-optees and employees, provided the following conditions are satisfied:
- at least fourteen day's notice of the proposed resolution has been given to all Board Members; and
 - the notice sets out in writing the reasons for the removal; and
 - the Board is satisfied that the reasons justify the removal.

D9 Whenever the number of Board Members and co-optees is less than permitted by these Rules, the Board may appoint a further Board Member in addition to the Board's power to co-opt. Any Board Member so appointed shall retire at the next annual General Meeting.

Terms of office and election or appointment to the Board

- D10 In every notice for an annual General Meeting the Board shall state those Board Members continuing in office and those candidates intending to offer themselves for election.
- D11 Each Board Member, save for Board Members appointed under rule D14, shall be elected in accordance with any board membership policies adopted by the Board from time to time and shall be elected for a fixed term of office expiring at the conclusion of an annual General Meeting (each a "fixed term"). The fixed term shall be for a term of three annual General Meetings unless the Board has set a lower number of annual General Meetings for the relevant Board Member on their election. No fixed term shall be set which would cause the relevant Board Member to serve beyond their sixth consecutive annual General Meeting (and for this purpose time served on the board of another Group Member or on the board of any predecessor of the Association of another Group Member shall be counted), save where the Board agrees that circumstances exist where it would be in the best interests of the Association for a Board Member to serve for a longer period.
- D12
- D12.1 At every annual General Meeting each Board Member elected under rule D11 who has served their fixed term shall retire from office. Any Board Member who retires from office at an annual General Meeting under this rule D12 shall be eligible for re-election subject to any board membership policies and subject to any restrictions contained within these Rules.
- D12.2 Any Board Member retiring under rule D12.1 having completed six years' continuous service (or six years' continuous service plus any extended period agreed by the Board under rule D11) on either the Board of the Association and/or the Board of a Group Member (or any predecessor) shall not be eligible for re-appointment or re-election, unless the Board agrees that circumstances exist where it would be in the best interests of the Association for a Board Member to be re-appointed.
- D13
- D13.1 Board Members elected under rule D11 will be elected in accordance with open and transparent selection criteria and election procedures set out in any board membership policies adopted by the Board from time to time. These may provide for prospective candidates to be approved by the Board before they are eligible to stand for election as Board Members.
- D13.2 The Board, in accordance with the election procedures set under rule D13.1, shall endeavour to ensure that the Board possesses the quality, skills, competencies and experience which the Board has from time to time determined that it requires.
- D13.3 In an election for candidates wishing to be Board Members at a General Meeting every Shareholder present in person or by proxy shall have one vote for every vacancy but shall not give more than one vote to any one candidate.
- D13.4 If at elections the number of candidates for election as Board Members does not exceed the number of vacancies on the Board the Chair shall declare those candidates to have been duly elected. If the number of candidates

exceeds the number of vacancies the meeting shall elect the Board Members in such a manner as the Chair directs and in accordance with any procedures set under rule D13.1.

- D14 The Board may appoint or co-opt employees to the Board on such terms as the Board resolves but no employee may be appointed (or co-opted) to the Board if, following their appointment (or co-option), employees would be in a majority.

Quorum for the Board

D15

- D15.1 Subject to the provisions of rule D15.2 three Board Members shall form a quorum. The Board may determine a higher number or impose additional requirements.
- D15.2 The Board will not be quorate unless Board Members who are employees of the Association are in a minority.
- D15.3 If the number and make up of Board Members falls below the number and make up necessary for a quorum, the remaining Board Members may continue to act as the Board for a maximum period of six months and the provisions of rule D15.2 shall be suspended for that time. At the end of that time the only power that the Board may exercise shall be to bring the number and make up of Board Members up to that required by these Rules.

Board Members' interests

- D16 No Board Member, co-optee or member of a committee shall have any financial interest in any contract or other transaction with the Association or with any other Group Member, or be granted a benefit by the Association, unless such interest or benefit:
- D16.1 is expressly permitted by these Rules; or
- D16.2 would not be in breach of, and would not be inconsistent with, any guidance, standard or code published by the Regulator, section 122 of the Housing and Regeneration Act 2008 or any code of conduct and/or governance adopted by the Board.
- D17 Any Board Member, co-optee or member of a committee, having an interest in any arrangement between the Association and someone else shall disclose their interest before the matter is discussed by the Board or any committee. Such disclosure must comply with any code of conduct and/or governance adopted by the Board from time to time. Unless it is expressly permitted by these Rules they shall not remain present (unless requested to do so by the Board or committee) and they shall not have any vote on the matter in question.
- D18 Subject to rule D19, if a question arises at a meeting of Board Members or of a committee of the Board as to the right of a Board Member, co optee or member of a committee to participate in the meeting (or part of the meeting) for voting or quorum purposes, the question may, before the conclusion of the meeting, be referred to the Chair or chair of the committee in the case of a member of a committee, whose ruling in relation to any Board Member, co optee or member of a committee (other than the Chair or chair of the committee) is to be final and conclusive.

- D19 If any question as to the right to participate in the meeting (or part of the meeting) should arise in respect of the Chair or chair of the committee, the question is to be decided by a decision of the Board Members or members of that committee at that meeting, for which purpose the Chair or chair of the committee is not to be counted as participating in the meeting (or that part of the meeting) for voting or quorum purposes.
- D20 Any decision of the Board or of a committee shall not be invalid because of the subsequent discovery of an interest which should have been declared.
- D21 Every Board Member, co-optee and member of a committee shall ensure that the Secretary at all times has a list of:
- D21.1 all other bodies in which they have an interest as:
- a director or Officer; or
 - a member of a firm; or
 - an official or elected member of any statutory body; or
 - the owner or controller of more than two per cent of a company the shares in which are publicly quoted or more than ten per cent of any other company;
- D21.2 any property owned or managed by the Association which they occupy; or
- D21.3 any other significant or material interest.
- D22 If requested by a majority of the Board Members or members of a committee (as appropriate) at a meeting convened specially for the purpose, a Board Member, co-optee or member of a committee failing to disclose an interest as required by these Rules shall vacate their office either permanently or for a period of time as the Board directs.
- D23 Notwithstanding rule D16, the Association may:
- D23.1 pay properly authorised expenses to Board Members, co-optees and members of committees when actually incurred on the Association's business;
- D23.2 pay insurance premiums in respect of insurance taken out to insure Officers and employees;
- D23.3 pay reasonable and proper remuneration, fees, allowances or recompense for loss of earnings to Board Members, co-optees and members of committees following appropriate independent advice; and
- D23.4 subject to compliance with Section 122 of the Housing and Regeneration Act 2008, and subject to compliance with any code of conduct and/or governance adopted by the Board from time to time grant reasonable and proper benefits to Board Members, co-optees and members of committees;
- D23.5 grant benefits to Board Members, co-optees or members of committees who are beneficiaries which are granted on the same terms and in accordance with the same criteria as they would be granted to any other beneficiary of the Association.

- D24 A Board Member, co-optee or member of a committee shall not have an interest for the purpose of rules D16 to D21 as a Board Member, director or Officer of any other Group Member.
- D25 Board Members, co-optees or members of committees who are Residents shall be deemed not to have an interest for the purpose of rules D16 to D21 in any decision affecting all or a substantial group of Residents.

Meetings of the Board

- D26 The Board shall meet at least three times every calendar year. At least seven days' written notice (delivered by hand, sent by post or Electronic Communication) of the date and place of every Board meeting shall be given by the Secretary to all Board Members and co-optees. The Board may meet on shorter notice where not less than seventy-five per cent of the Board Members so agree.
- D27 Meetings of the Board may be called by the Secretary, or by the Chair, or by two Board Members who give written notice to the Secretary specifying the business to be carried out. The Secretary shall send a written notice to all Board Members and co-optees to the Board as soon as possible after receipt of such a request. Pursuant to the request, the Secretary shall call a meeting on at least seven days' notice but not more than fourteen days' notice to discuss the specified business. If the Secretary fails to call such a meeting then the Chair or two Board Members, whichever is the case, shall call such a meeting.
- D28 Meetings of the Board or a committee can take place in any manner and through any medium which permits those attending to hear and comment on the proceedings. Any person who attends in this manner will be deemed to be present at the meeting whether or not all are assembled in one place

Management and delegation

- D29 The Board may delegate any powers under written terms of reference to its committees or to Officers or employees. Those powers shall be exercised in accordance with any written instructions given by the Board.
- D30 The Board may reserve to itself certain significant matters that cannot be delegated to committees or employees.
- D31 The Membership of any committee shall be determined by the Board. Every committee shall include one Board Member or co-optee to the Board. The Board will appoint the chair of any committee and shall specify the quorum.
- D32 All acts and proceedings of any committee shall be reported to the Board.
- D33 No committee can incur expenditure on behalf of the Association unless at least one Board Member or co-optee of the Board on the committee has voted in favour of the resolution and the Board has previously approved a budget for the relevant expenditure.

Miscellaneous provisions

- D34 All decisions taken at a Board or any committee meeting in good faith shall be valid even if it is discovered subsequently that there was a defect in the calling of the meeting, or the appointment of the members at a meeting.
- D35 A resolution sent to all Board Members or all members of a committee and signed, or confirmed by Electronic Communication by three-quarters of the Board Members or three-quarters of the members of a committee shall be as valid and effective as if it had been passed at a properly called and constituted meeting of the Board or committee and may consist of documents in the same form and signed or confirmed by Electronic Communication by one or more persons.
- D36 Notice may be given to Board Members or members of a committee by hand, post or Electronic Communication at the last address for such communication given to the Secretary. The accidental failure to give notice to a Board Member or member of a committee or the failure of the Board Member or committee member to receive such notice shall not invalidate the proceedings of the Board.

Part E Chair, Senior Independent Director, chief executive, Secretary and other Officers**The Chair**

- E1 The Association shall have a Chair, who shall chair Board meetings, and shall be elected by the Board on such terms as the Board determines. The Senior Independent Director will be the vice Chair who, in the Chair's absence, shall act as the Chair and have the Chair's powers and duties and who shall be elected by the Board.
- E2 The first item of business for any Board meeting when there is no Chair (or Senior Independent Director) or the Chair (or Senior Independent Director) is not present shall be to elect a Chair for the purpose of the meeting. The Chair shall at all times be a Shareholder and a Board Member and cannot be an employee.
- E3 In a case of an equality of votes, the Chair shall have a second vote.
- E4 The Chair of the Association may be removed at a Board meeting called for that purpose provided the resolution is passed by at least two-thirds of the Board Members present and voting at the meeting.

The Chair's responsibilities

- E5 The Chair's responsibilities will be set out in a written document and agreed by the Board.

The chief executive

- E6 The Association may have a chief executive appointed by the Board. The chief executive shall be appointed with a written and signed contract of employment, which shall include a clear statement of the duties of the chief executive.

The Secretary

- E7 The Association shall have a Secretary who shall be appointed by the Board and who may be an employee. The Board may also appoint a deputy Secretary (who may also be an employee) to act as Secretary in the Secretary's absence. The Secretary's duties will be clearly set out in writing and agreed by the Board.

Other Officers

- E8 The Board may designate as Officers such other executives, internal auditor and staff of the Association on such terms (including pay) as it from time to time decides.

Miscellaneous

- E9 Every Officer or employee shall be indemnified by the Association for any amount reasonably incurred in the discharge of their duty.
- E10 Except for the consequences of their own dishonesty or negligence no Officer or employee shall be liable for any losses suffered by the Association or any Group Member.

Part F Financial control and audit**Auditor**

- F1 The Association, if required by law to do so, shall appoint an auditor to act in each financial year. They must be qualified as provided by Section 91 of the Act.
- F2 The following cannot act as auditor:
- F2.1 an Officer or employee of the Association;
 - F2.2 a person employed by or employer of, or the partner of, an Officer or employee of the Association.
- F3 The Association's auditor may be appointed by the Board or by a resolution of Shareholders.
- F4 Where an auditor is appointed to audit the accounts for the preceding year, they shall be re-appointed to audit the current year's as well unless:
- F4.1 a General Meeting has appointed someone else to act or has resolved that the auditor cannot act; or
 - F4.2 the auditor does not want to act and has told the Association so in writing; or
 - F4.3 the person is not qualified or falls within rule F2 (above); or
 - F4.4 the auditor has become incapable of acting; or
 - F4.5 notice to appoint another auditor has been given.
- F5
- F5.1 No less than twenty-eight days' notice shall be given for a resolution to appoint another person as auditor, or to forbid a retiring auditor being re-appointed;

- F5.2 the Association shall send a copy of the resolution to the retiring auditor and also give notice to Shareholders at the same time and in the same manner, if possible;
- F5.3 if not, the Association shall give notice by advertising in a local newspaper at least 14 days before the proposed meeting. The retiring auditor can make representations to the Association which must be notified to Shareholders under Section 95 of the Act.

Auditor's duties

- F6 The findings of the auditor shall be reported to the Association, in accordance with Section 87 of the Act.
- F7 The Board shall produce the revenue account and balance sheet audited by the auditor, if required, and the auditor's report, if required, at each annual General Meeting. The Board shall also produce its report on the affairs of the Association which shall be signed by the person chairing the meeting which adopts the report.

Accounting requirements

- F8 The end of the accounting year must be a date allowed by the Registrar.
- F9 The Association shall keep proper books of account detailing its transactions, its assets and its liabilities, in accordance with Sections 75 and 76 of the Act.
- F10 The Association shall establish and maintain satisfactory systems of control of its books of account, its cash and all its receipts and payments.

Annual returns and balance sheets

- F11 Every year, within the time period specified by legislation, the Secretary shall send the Association's annual return to the Registrar. The return shall be prepared in accordance with the period specified in the Act, or such other date allowed by the Registrar and shall be lodged within the period required by law. The annual return shall be accompanied by the auditor's report, if required, for the period of the return and the accounts and balance sheets to which it refers.

Borrowing

- F12 The total borrowings of the Association at any time shall not exceed £500 million (five hundred million) pounds sterling or such a larger sum as the Association determines from time to time in General Meeting. For the purpose of this rule F12, at any relevant time, any amount of the Association's borrowings in any currency other than pounds sterling (as may be permitted or not prohibited by the Regulator from time to time) shall be converted to sterling using the exchange rate or rates applicable under the related Derivative Transaction or transactions by which the Association has hedged its exposure to currency exchange rate movements in relation to the principal amount of such borrowings, or in the absence of such a rate or rates (in whole or in part) using the official spot exchange rate or rates recognised by the Bank of England for the conversion of that currency or currency unit into sterling at or about 11:00 on the relevant day.

F13 The rate of interest payable at the time terms of borrowing are agreed on any money borrowed shall not exceed the rate of interest which, in the opinion of the Board, is reasonable having regard to the terms of the loan. The Board may delegate the determination of the said interest rate within specified limits to an Officer, Board Member or member of a committee.

F14

F14.1 In respect of any proposed borrowing, for the purposes of rule F12 and in relation to the amount remaining un discharged of any deferred interest or index-linked monies or amounts on any deep discounted security previously borrowed by the Association, the amount of such pre-existing borrowing shall be deemed to be the amount required to repay such pre-existing borrowing in full if such pre-existing borrowing became repayable in full at the time of the proposed borrowing; and

F14.2 for the purposes of rule F13 in respect of any proposed borrowing intended to be on deferred interest or index-linked terms or on any deep discounted security the amount of borrowing shall be deemed to be the proceeds of such proposed borrowing receivable by the Association at the time of the proposed borrowing; and

F14.3 no person dealing in good faith with the Association shall be concerned to know whether rule F12, F13 or this rule F14 have been complied with.

Investment

F15 The funds of or monies borrowed by the Association may be invested by the Board in such manner as it determines.

Part G Miscellaneous and statutory

Registered office and name

G1 The Association's registered office is: 3 Foley Grove, Foley Business Park, Kidderminster, Worcestershire, DY11 7PT

G2 The Association's registered name must:

G2.1 be placed prominently outside every office or place of business; and

G2.2 be engraved on its seal; and

G2.3 be stated on its business letters, notices, advertisements, official publications, cheques, invoices, website and any other formal corporate communication whether electronic or otherwise.

Disputes

G3 Any dispute on a matter covered by these Rules shall be referred by either party to a suitably qualified independent mediator for settlement. The mediator shall be appointed by agreement between the parties or, in default of agreement, by the Centre for Effective Dispute Resolution whether the disagreement be as to the qualifications, the identity of the mediator or otherwise. The mediation will be conducted in accordance with the requirements of the mediator. Both parties will be

obliged to comply and co-operate with this procedure at each stage and to share equally the costs of appointment of the relevant mediator as referred to above. Costs thereafter will be borne as the mediator will determine. Where the dispute is not resolved by mediation, any claim shall be dealt with in the county court which shall have sole jurisdiction over any dispute arising under the Rules.

Minutes, seal, registers and books

- G4 The Secretary shall keep the seal. It shall not be used except under the Board's authority. It must be affixed by one Board Member signing and the Secretary countersigning or in such other way as the Board resolves. The Board may in the alternative authorise the execution of deeds in any other way permitted by law.
- G5 The Association must keep at its registered office:
- G5.1 the Register of Shareholders showing:
- the names and addresses of all the Shareholders; and
 - a statement of all the shares held by each Shareholder and the amount paid for them; and
 - a statement of other property in the Association held by the Shareholder; and
 - the date that each Shareholder was entered in the Register of Shareholders;
- G5.2 a duplicate Register of Shareholders showing the names and addresses of Shareholders and the date they became Shareholder;
- G5.3 a register of the names and addresses of the Officers, their offices and the dates on which they assumed those offices as well as a duplicate;
- G5.4 a register of holders of any loan;
- G5.5 a register of mortgages and charges on land; and
- G5.6 a copy of the Rules of the Association.
- G6 The Association must display a copy of its latest balance sheet and auditor's report (if one is required by law) at its registered office.
- G7 The Association shall give to all Shareholders on request copies of its last annual return with the auditor's report (if one is required by law) on the accounts contained in the return, free of charge.
- G8 The Secretary shall give a copy of these Rules to any person on demand who pays such reasonable sum as permitted by law.

Statutory applications to the Registrar

- G9 Ten Shareholders can apply to the Registrar to appoint an accountant to inspect the books of the Association, provided all ten have been Shareholders of the Association for a twelve-month period immediately before their application.
- G10 The Shareholders may apply to the Registrar in order to get the affairs of the Association inspected or to call a special General Meeting. One hundred

Shareholders, or one-tenth of the Shareholders, whichever is the lesser, must make the application.

Amendment of Rules

G11

- G11.1 The Rules of the Association may be rescinded or amended but not without the prior consent of the Regulator where such consent is required under the Housing and Regeneration Act 2008.
- G11.2 The Rules may only be amended by a resolution put before the Shareholders by the Board.
- G11.3 Rules A2; A3; A4; B1; B2; B3; C2; C3; D16; G11 and G13 can only be amended or rescinded by way of a written resolution or by three-fourths of the votes cast at a General Meeting. Any other rule can be rescinded or amended by two-thirds of the votes cast at a General Meeting or by way of a written resolution.
- G11.4 Amended Rules shall be registered with the Registrar as soon as possible after the amendment has been made. An amended rule is not valid until it is registered.
- G11.5 A copy of the amended Rules shall be sent to the Regulator as soon as possible after registration by the Registrar.

Dissolution

G12

The Association may be dissolved by a three-fourths majority of Shareholders who sign an instrument of dissolution in the prescribed format or by winding-up under the Act.

G13

- G13.1 Any property that remains, after the Association is wound-up or dissolved and all debts and liabilities dealt with, the Shareholders may resolve to give or transfer to another body with objects similar to that of the Association.
- G13.2 If no such institution exists, the property shall be transferred or given to the Housing Associations Charitable Trust.
- G13.3 If the Association is registered as a provider of Social Housing with the Regulator any transfer or gift must be in compliance with the Housing and Regeneration Act 2008 or any other relevant legal and Regulatory provisions which exist from time to time.

Interpretation of terms

G14

In these Rules, including this rule, unless the subject matter or context is inconsistent:

- G14.1 words importing the singular or plural shall include the plural and singular respectively;
- G14.2 words importing gender shall include the male and female genders;

- G14.3 **Amendment of Rules** shall include the making of a new rule and the rescission of a rule, and "amended" in relation to Rules shall be construed accordingly;
- G14.4 the **Act** shall mean the Co-operative and Community Benefit Societies Act 2014;
- G14.5 the **Association** shall mean the Association of which these are the registered Rules;
- G14.6 **Board** shall mean the Board appointed in accordance with Part D and **Board Member** or shall mean a member of the Board for the time being but shall not include a person co-opted to the Board under rule D5;
- G14.7 **Chair** shall mean the person appointed as Chair in accordance with rule E1 and where applicable shall include the Senior Independent Director;
- G14.8 **Clear Days**, in respect of notice for a meeting, shall mean a period calculated excluding both the day on which any notice or communication is deemed to be received under these rules and the date of the meeting;
- G14.9 **Council Shareholder** means a person nominated to be a Shareholder by Wyre Forest District Council in accordance with rule C11.2;
- G14.10 **Derivative Transaction** means any transaction which is a forward, swap, future, option or other derivative on one or more rates, currencies, commodities, equity securities or other equity instruments, debt securities or other debt instruments, economic indices or measures of economic risk or value, or other benchmarks against which payments or deliveries are to be made, or any combination of these transactions;
- G14.11 **Electronic Communication** shall have the meaning set out in section 148 of the Act;
- G14.12 **General Meeting** shall mean a General Meeting of the Association's Shareholders called and held in accordance with rules C16-34;
- G14.13 **Group Member** means the Association, each subsidiary of the Association, any body corporate of which the Association is a subsidiary and any subsidiary of such body corporate and for this purpose "subsidiary" has the meaning within the Act and/or the Housing and Regeneration Act 2008 and/or the Companies Act 2006;
- G14.14 **Independent Shareholder** means a Shareholder who is not the Tenant Shareholder or the Council Shareholder;
- G14.15 **notice** shall be deemed to have been received by a person:
- (1) if posted by first class post at least two business days (meaning Monday to Friday but excluding bank holidays) after being posted;
 - (2) if sent by Electronic Communication one hour after transmission provided that no transmission notification of non-delivery or error has been received by the person transmitting the communication and the transmission is to the Electronic Communication address or number last notified by that person to the Secretary;

(3) if delivered by hand, on delivery to the person's address last notified by that person to the Secretary;

G14.16 **Officer** shall include the Chair and Secretary of the Association and any Board Member for the time being and such other persons as the Board may appoint under rule E8;

G14.17 **Property** shall include all real and personal estate (including loan stock certificates, books and papers);

G14.18 **Register of Shareholders** means the register kept in accordance with rule G5.1;

G14.19 **Registrar** means the Financial Conduct Authority or any statutory successor to or any assignee of any or all of its relevant functions from time to time;

G14.20 **Regulator** means the Homes and Communities Agency acting through its Regulation Committee established pursuant to the Housing and Regeneration Act 2008 or any future body or authority (including any statutory successor) carrying on similar regulatory or supervisory functions;

G14.21 **Resident** means a person who alone or jointly with others holds a tenancy, lease or licence to occupy the Association's premises or the premises of any other Group Member for residential use;

G14.22 **Secretary** means the Officer appointed by the Board to be the Secretary of the Association or other person authorised by the Board to act as the Secretary's deputy;

G14.23 **Senior Independent Director** means the Board Member appointed to fulfil this role by the Board;

G14.24 **Shareholders** shall mean one of the persons referred to in rule C5 and means member as defined by the Act;

G14.25 **Social Housing** means low cost rental accommodation and low cost home ownership accommodation as defined in sections 68 to 77 of the Housing and Regeneration Act 2008;

G14.26 **Special Resolution** means a resolution at a General Meeting passed by a two-thirds majority of all Shareholders who vote in person or by proxy;

G14.27 **Tenant Shareholder** means a Shareholder who is also a Resident who is admitted in accordance with rule C11.3;

G14.28 **these Rules** shall mean the registered rules of the Association for the time being;

G14.29 references to any provision in any Act shall include reference to such provision as from time to time amended, varied, replaced, extended or re-enacted and to any orders or regulations made under such provision.

G15 Nothing in these Rules overrides the provisions of the Act (as amended, rescinded or replaced), including the requirement for resolutions to be passed in accordance with statutory procedures set out therein.

CO-OPERATIVE AND COMMUNITY BENEFIT SOCIETIES ACT 2014

Acknowledgement of Registration of Society

Register No.....R

The Community Housing Group Limited

is this day registered under the Co-operative and Community Benefit Societies Act 2014.

Dated (Seal of Central Office)

Copy kept.....Registrar

1 Shareholder

2 Shareholderr

3 Shareholder

..... Secretary

WYRE FOREST DISTRICT COUNCIL

COUNCIL

10TH MAY 2017

Political and Constitutional Structures 2017/2018

OPEN	
CABINET MEMBER:	The Leader of the Council
DIRECTOR:	Solicitor to the Council
CONTACT OFFICER:	Caroline Newlands, Ext. 2715 caroline.newlands@wyreforestdc.gov.uk
APPENDICES:	Appendix 1 Political Management Structure Appendix 2 Committee Appointments Appendix 3 Municipal Calendar Appendix 4 Political balance (<i>to follow, after the by-election result is declared on 5 May</i>) Appendix 5 Appointments to outside bodies

1. **PURPOSE OF REPORT**

To consider the Political and Constitutional Structures for the municipal year 2017/2018.

2. **RECOMMENDATION**

The Council is asked to:

- 2.1 **Approve the proposed Political Management Structure of committees for 2017/2018 as set out in Appendix 1 of the report.**
- 2.2 **Agree the Chairmen and Vice-Chairmen of Committees as contained in Appendix 2.**
- 2.3 **Adopt the Municipal Calendar as set out in Appendix 3.**
- 2.4 **Approve the revised chart of political balance as set out in Appendix 4.**
- 2.5 **Agree the appointments to outside bodies as set out in Appendix 5.**
- 2.6 **Authorise the Solicitor to the Council to settle any outstanding details relating to the political structures and to make changes as necessary to the Council's Constitution to give effect to the Council's decisions and any other revisions necessary to reflect needs or circumstances.**

3. BACKGROUND

- 3.1 Council is responsible for establishing the political structures which are not the responsibility of the Leader and Cabinet.
- 3.2 Under the Local Government Act 2000 as amended by the Public Involvement in Health Act 2007, the Leader of the Council is responsible for appointments to the Cabinet and allocating responsibilities to Cabinet members. Since 2011, the Council has appointed the Leader of the Council under the “strong leader” model. Councillor Marcus Hart was appointed as Leader in May 2015 for the period to 2019.
- 3.3 It remains Council’s role to establish such Committees as it thinks fit to carry out the discharge of functions which are not the responsibility of the Cabinet. This report addresses the political and constitutional structures for the Council to decide. It also appoints their Chairmen and Vice Chairmen.
- 3.4 Under section 7, 1.4 of the Council’s constitution, it is a function of full Council to make appointments to external bodies including relevant joint committees. Vacancies that arise during the course of the municipal year are dealt with by the Cabinet. The previous report on tonight’s agenda has dealt with proposed governance changes to the Community Housing Group that also affect appointments to be made by the Council.

4. KEY ISSUES

- 4.1 The Conservative Group will continue to have a majority on the Council, whatever the result of the by-election on 4 May 2017. The administration’s proposals for the 2017/2018 political structure are detailed in Appendix 1. There are no changes from the structure agreed for 2016/17.

Political Balance

- 4.2 Following the by-election held on 4 May 2017, Councillors will form themselves into political groups. The table shows the up-to-date position for membership of the groups.

Conservative	21
Independent & Lib Dem Group	5
Labour	4
Independent Community and Health Concern	2

Legislation requires that the aggregate allocation of committee seats must be in accordance with the principles of political balance and proportionality. Subject to this, individual committee membership should reflect the political balance of the Council as far as practicable. Council can depart from these principles provided no member votes against doing so. As usual, it is not possible to achieve precise political balance. The political balance of committees is set out in Appendix 4 for Council’s approval.

Committee Appointments

- 4.3 After determining its political structures and allocations of seats to committees, Council must appoint Chairmen and Vice-Chairmen to committees. The nominations for these posts are set out in Appendix 2. The Solicitor to the Council will fill other seats in accordance with the nominations from the respective political Groups.

Municipal Calendar

- 4.4 The calendar of meetings for 2017/2018, attached at Appendix 3 has been prepared based on the Council's proposed decision-making structure and in accordance with the Council's Standing Orders.

Outside appointments

- 4.5 Each year the Council appoints Members as representatives on a number of outside bodies. The attached schedule at Appendix 5 details the appointments due at this time and the number of nominations required for each body, including the Council shareholder for CHG. Members will note that the appointments are made for the municipal year 2017/2018 unless otherwise annotated.
- 4.6 The schedule in Appendix 5 sets out the administration's proposals for who should be appointed in each case along with information, where relevant, on the other nominations submitted by the various groups.

5. FINANCIAL IMPLICATIONS

- 5.1 There are no significant financial implications arising from this report.

6. LEGAL AND POLICY IMPLICATIONS

- 6.1 The proposals comply with the requirements of Section 21 of the Local Government Act 2000 and the Local Government and Public Involvement in Health Act 2007 which require one or more Overview and Scrutiny Committees to be established.
- 6.2 The proposals for the allocation of seats on committees reflect political balance in accordance with the Local Government and Housing Act 1989.

7. EQUALITY IMPACT ASSESSMENT

- 7.1 An equality impact assessment has been undertaken and it is considered that there are no discernible impacts on the six equality strands.

8. RISK MANAGEMENT

- 8.1 There are no significant risks associated with the proposed political management structure for 2017/2018.

9. CONCLUSION

- 9.1 The proposals contained within this report meet the requirements of the relevant legislation including the Local Government Act 2000 and provide clear links to the Council's priorities.

10. CONSULTEES

10.1 The Leader of the Council.

10.2 The Chief Executive.

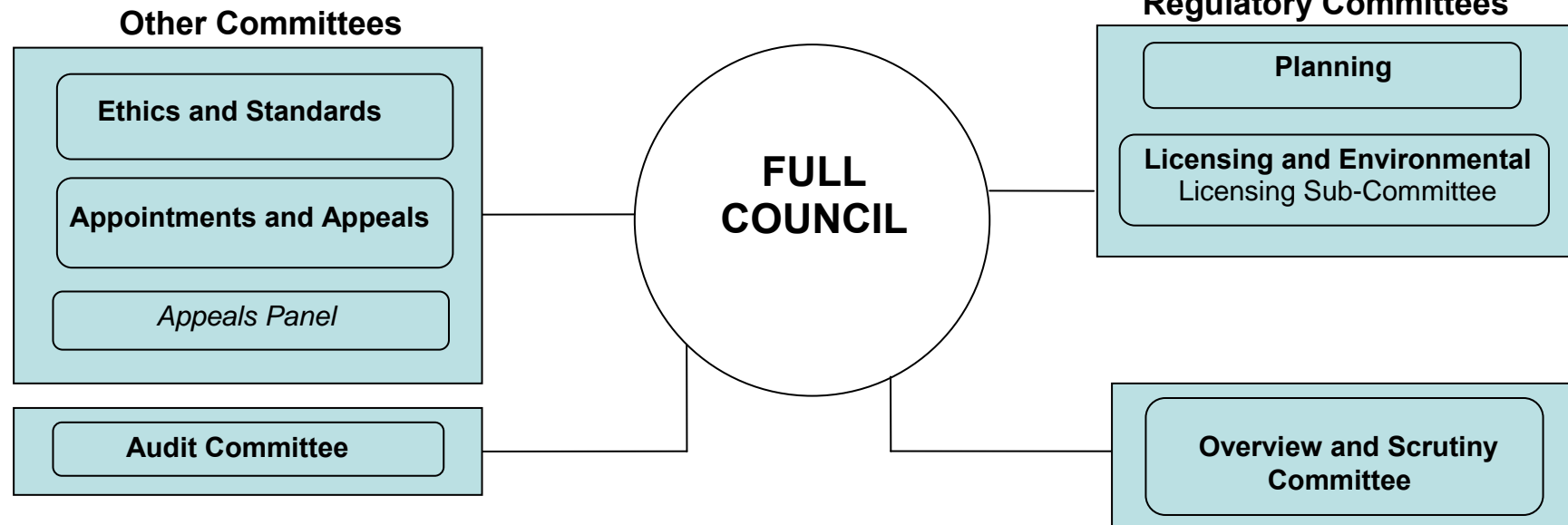
10.3 Group Leaders – in respect of the municipal calendar and appointments to outside bodies.

11. BACKGROUND PAPERS

11.1 Local Government Act 2000, Local Government and Public Involvement in Health Act 2007, Local Government and Housing Act 1989, The Police and Criminal Justice Act 2006; Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000; the Local Authorities (Standing Orders) (England) Regulations 2001 as amended by the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 No. 881; the Accounts and Audit Regulations 2015 No 234.



Political Structure May 2017



The Cabinet					
<p>Cllr Marcus Hart Leader of the Council and Cabinet Member for Strategy</p> <p>Strategic policy co-ordination National & Regional Influence Oversight of strategic projects including Wyre Forest House and depot investment project Localism agenda including asset transfers; relations with parish councils Emergency planning Partnerships, policy and performance Communication & branding</p>	<p>Cllr Ian Hardiman Deputy Leader and Cabinet Member for Planning and Economic Regeneration</p> <p>Forward planning, local development framework Development Control Building Control Land charges Economic Development & Regeneration Town Centres Tourism Regeneration schemes including town centre developments in Kidderminster, Bewdley Load Street, Lloyds Garage site Development of assets to support regeneration and increase income Building maintenance and facilities management</p>	<p>Cllr Nathan Desmond Cabinet Member for Resources</p> <p>Finance & Audit Legal services Democratic services Human resources Revenues & benefits Customer Services Information and Communication Technology Wyre Forest Forward Equality & diversity</p>	<p>Cllr Juliet Smith Cabinet Member for Culture, Leisure and Community Protection</p> <p>Cultural and leisure services Countryside service Regulatory services Community Safety Income generation, safeguarding, relations with voluntary sector</p>	<p>Cllr Rebecca Vale Cabinet Member for Operational Services</p> <p>Parks and open spaces Grounds Maintenance Waste Reduction Refuse Collection & Recycling Fleet Management Street Cleansing Public Conveniences Parking Services Cemeteries Health and safety</p>	<p>Cllr Chris Rogers Cabinet Member for Housing, Health and Well-being</p> <p>Housing including Registered Social Landlords, Private Sector & Homelessness Health and well-being Sustainability</p>

COMMITTEE APPOINTMENTS
WYRE FOREST DISTRICT COUNCIL
COMMITTEES 2017/18

<p>Appointments And Appeals Committee</p> <p>Chairman: Vice-Chairman:</p>	<p>Councillor Marcus Hart Councillor Ian Hardiman</p>
<p>Audit Committee</p> <p>Chairman: Vice-Chairman:</p>	<p>Councillor Anne Hingley Councillor Tracey Onslow</p>
<p>Overview & Scrutiny Committee</p> <p>Chairman: Vice-Chairman:</p>	<p>Councillor Helen Dyke Councillor Mary Rayner</p>
<p>Licensing and Environmental Committee</p> <p>Chairman: Vice-Chairman</p>	<p>Councillor John Hart Councillor Jeff Baker</p>
<p>Licensing Sub-Committee</p>	<p>A rota of 3 Members of the Licensing and Environmental Committee, including, and Chaired by, the Committee's Chairman or Vice-Chairman.</p>
<p>Planning Committee</p> <p>Chairman: Vice-Chairman:</p>	<p>Councillor Stephen Williams Councillor John Desmond</p>
<p>Local Plans Review Panel</p> <p>Chairman:</p>	<p>Councillor Fran Oborski MBE</p>
<p>Ethics and Standards Committee</p> <p>Chairman: Vice-Chairman:</p>	<p>Councillor Nicky Gale Councillor John Desmond</p>

MAY 2017

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
1 Bank Holiday	2 CLT	3	4 County Council Elections	5	6	7
8	9 Cabinet/CLT	10 6 pm Council	11	12	13	14
15	16 CLT 6 pm Planning	17	18	19	20	21
22 9.30am Local Plans Review Panel	23 4.30 pm Group Leaders 6pm Cabinet	24	25	26	27	28
29 Bank Holiday	30	31 6 pm Audit				

JUNE 2017

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
			1 6 pm Overview & Scrutiny	2	3	4
5	6 CLT	7	8 General Election	9	10	11
12 10.30 am Licensing & Environmental	13	14 6pm Cabinet	15	16	17	18
19	20 CLT 6 pm Planning	21 6pm Members Briefing on Local Plan Preferred Options Consultation	22	23	24	25
26	27 Cabinet/CLT	28	29	30		

JULY 2017

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
					1	2
3	4 CLT 5.30pm Bewdley Museum Management Committee	5	6 6 pm Overview & Scrutiny	7	8	9
10	11 4.30 pm Group Leaders 6 pm Cabinet	12	13 6 pm Members Forum	14	15	16
17	18 CLT 6 pm Planning	19	20	21	22	23
24	25	26 6 pm Council	27	28	29	30
31 6 pm Audit						

AUGUST 2017

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
	1 CLT	2	3	4	5	6
7 10.30 am Licensing & Environmental	8	9	10	11	12	13
14	15 6 pm Planning	16	17	18	19	20
21	22 CLT	23	24	25	26	27
28 Bank Holiday	29	30	31			

SEPTEMBER 2017

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
				1	2	3
4 4 pm Treasury Management Training 6 pm Treasury Management Review Panel	5 Cabinet/CLT	6	7 6 pm Overview & Scrutiny	8	9	10
11	12 CLT	13	14 WCC Council 6 pm Ethics & Standards	15	16	17
18 6.30 pm Parish Forum	19 6 pm Planning	20 4.30 pm Group Leaders 6 pm Cabinet	21 WCC Cabinet	22	23	24
25 6 pm Audit Committee	26 CLT	27 6 pm Council	28	29	30	

** Cabinet Financial Strategy Advisory Panel to be programmed in

OCTOBER 2017

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
						1
2 10.30 am Licensing & Environmental	3 5.30 pm Bewdley Museum Management Committee Cabinet/CLT	4	5 6 pm Overview & Scrutiny	6	7	8
9	10 CLT	11	12 WCC Cabinet 6 pm Members Forum	13	14	15
16	17 6 pm Planning	18	19	20	21	22
23	24 CLT	25	26	27	28	29
30	31 Cabinet/CLT					

* Treasury Management Review Panel to be programmed in (October / November)

Agenda Item No. 16 Appendix 3

NOVEMBER 2017

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
		1	2 6 pm Overview & Scrutiny	3	4	5
6	7	8	9 WCC Council	10	11	12
13	14 CLT 4.30 pm Group Leaders 6 pm Cabinet	15	16 WCC Cabinet	17	18	19
20	21 6 pm Planning	22	23	24	25	26
27 6 pm Audit	28 CLT	29	30			

* Treasury Management Review Panel to be programmed in (October / November)

** Cabinet Financial Strategy Advisory Panel to be programmed in

Agenda Item No. 16 Appendix 3

DECEMBER 2017

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
				1	2	3
4 10.30 am Licensing & Environmental	5 5.30 pm Bewdley Museum Management Committee Cabinet/CLT	6	7 6 pm Overview & Scrutiny	8	9	10
11	12 6 pm Planning	13 6 pm Council	14 WCC Cabinet	15	16	17
18	19 CLT 4.30 pm Group Leaders 6 pm Cabinet	20	21	22	23	24
25 Bank Holiday	26 Bank Holiday	27 Offices Closed	28 Offices Closed	29 Offices Closed	30	31

JANUARY 2018

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
1 Bank Holiday	2	3	4 6 pm Overview & Scrutiny	5	6	7
8	9	10	11	12	13	14
15	16 CLT 6 pm Planning	17	18	19	20	21
22 6 pm Audit	23 Cabinet/CLT	24	25	26	27	28
29	30	31				

- * Treasury Management Review Panel & Training to be programmed in
- ** Cabinet Financial Strategy Advisory Panel (x 2) to be programmed in

Agenda Item No. 16 Appendix 3

FEBRUARY 2018

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
			1 6 pm Overview & Scrutiny	2	3	4
5 10.30 am Licensing & Environmental	6 CLT	7 4.30 pm Group Leaders 6 pm Cabinet	8	9	10	11
12	13	14	15	16	17	18
19	20 CLT 6 pm Planning	21 6 pm Council	22	23	24	25
26	27 Cabinet/CLT	28				

Agenda Item No. 16 Appendix 3

MARCH 2018

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
			1 6 pm Overview & Scrutiny	2	3	4
5	6 CLT 6 pm Ethics & Standards	7	8 6 pm Members Forum	9	10	11
12	13 Cabinet/CLT	14	15 6.30 pm Parish Forum	16	17	18
19 6 pm Audit	20 CLT 6 pm Planning	21	22	23	24	25
26	27 4.30 pm Group Leaders 6 pm Cabinet	28	29	30 Bank Holiday	31	

APRIL 2018

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
						1
2 Bank Holiday	3	4	5 6 pm Overview & Scrutiny	6	7	8
9 10.30 am Licensing & Environmental	10 CLT	11	12	13	14	15
16	17 4.30 pm Group Leaders 6 pm Planning	18	19	20	21	22
23	24 CLT	25	26	27	28	29
30						

MAY 2018

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
	1 CLT	2	3 Election	4	5	6
7 Bank Holiday	8	9	10	11	12	13
14	15 CLT	16	17	18	19	20
21	22 CLT/Cabinet	23 6 pm Council	24 6 pm Planning	25	26	27
28 Bank Holiday	29	30 6 pm Audit	31			

JUNE 2018

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
				1	2	3
4	5 CLT	6	7 6 pm Overview & Scrutiny	8	9	10
11 10.30 am Licensing & Environmental	12 4.30pm Group Leaders 6pm Cabinet	13	14	15	16	17
18	19 6 pm Planning	20	21	22	23	24
25	26 CLT	27	28	29	30	

JULY 2018

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
						1
2	3 Cabinet/CLT	4	5 6 pm Overview & Scrutiny	6	7	8
9	10 6 pm Planning	11	12 6 pm Members Forum	13	14	15
16	17 CLT 4.30 pm Group Leaders 6 pm Cabinet	18	19	20	21	22
23	24	25 6 pm Council	26	27	28	29
30	31					

		Conservative		Labour		Independent Community and Health Concern		Ind & Lib Dem Group		Non- aligned		Total
No. of Cllrs.			21		4		2		5		1	33
Percentage			63.64%		12.12%		6.06%		15.15%		3.03%	100.00%
Executive Cttees												
Membership												
Appts & Appeals	5	3	3.18	1	0.61	0	0.30	1	0.76	0	0.15	5
Audit cttee	6	4	3.82	1	0.73	0	0.36	1	0.91	0	0.18	6
Ethics & standards *	6	4	3.82	1	0.73	0	0.36	1	0.91	0	0.18	6
Scrutiny												
Scrutiny Committee	10	6	6.36	1	1.21	1	0.61	2	1.52	0	0.30	10
Regulatory												
Planning	12	8	7.64	1	1.45	1	0.73	2	1.82	0	0.36	12
Lic & Env	12	8	7.64	1	1.45	1	0.73	2	1.82	0	0.36	12
Total	51	33	32.45	6	6.18	3	3.09	9	7.73	0	1.55	51
Percentage		64.71%		11.76%		5.88%		17.65%		0.00%		100.00%
Difference between % No. of Cllrs. And % Number of Seats		1.07%		-0.36%		-0.18%		2.50%		-3.03%		

* the table shows only district councillor members

1. Each member is required to notify the Proper Officer which political group, if any, he or she wishes to be identified with. A group comprises of two or more members.
2. Each Group Secretary is required to notify the Proper Officer which members of his or her groups he/she wishes to sit on each relevant committee or sub-committee.
3. The allocation of seats required the rounding up or down of calculated figures to give whole numbers.
4. Single party representatives and independent members (who do not form part of a political group) are not legally entitled to seats on committees to which the rules of proportionality apply.

Representation on Outside Bodies 2017/2018

External Body	Representative 2016/2017	Representative 2017/2018	Number of Representatives
Age Concern	Councillor Sara Fearn	Councillor Jeff Baker	1 Councillor
Bewdley Development Trust	Councillor Rod Wilson	Councillor Rod Wilson	1 Councillor
Bewdley Museum Management Committee	Councillor Juliet Smith Councillor Stephen Clee Councillor Rebecca Vale	Councillor Juliet Smith Councillor Rebecca Vale Councillor John-Paul Campion	Relevant Cabinet Member plus 2 Bewdley & Rock Ward or Wribbenhall & Arley Ward Councillors
Carpet Museum Trust Registered Charity 1163401	Councillor Rose Bishop Councillor Anne Hingley	Councillor Rose Bishop Councillor Anne Hingley	Under the Trust's constitution, the Council may appoint 2 elected members as charity trustees
Community Housing Group Council Shareholder	N/A	Relevant Cabinet Member: Councillor Chris Rogers	1 Councillor
Disability Action Wyre Forest	Councillor Rose Bishop	Councillor Rose Bishop	1 Councillor
District Councils' Network	Councillor Marcus Hart Councillor Ian Hardiman	Councillor Marcus Hart Substitute - Councillor Ian Hardiman	Leader, Deputy Leader as named substitute
Greater Birmingham & Solihull Local Enterprise Partnership Joint Scrutiny Committee	Councillor Nigel Knowles Substitute – Councillor Nicky Martin	Councillor Nigel Knowles Substitute – Councillor Nicky Martin	1 Councillor and 1 named substitute (not Members of the Cabinet)

External Body	Representative 2016/2017	Representative 2017/2018	Number of Representatives
Greater Birmingham & Solihull Local Enterprise Partnership Supervisory Board (Joint Committee)	Councillor Marcus Hart Councillor Ian Hardiman	Councillor Marcus Hart Substitute - Councillor Ian Hardiman	Leader, Cabinet Member as named substitute
Kidderminster and District Youth Trust	Councillor Helen Dyke Councillor Mary Rayner Councillor Jeff Baker	Councillor Helen Dyke Councillor Mary Rayner Councillor Jeff Baker	3 Councillors
Local Government Association General Assembly	Councillor Marcus Hart	Councillor Marcus Hart	Leader of the Council
National Parking Adjudication Joint Committee	Councillor Rebecca Vale (substitute – Councillor Marcus Hart)	Councillor Rebecca Vale Substitute – Councillor Marcus Hart	Relevant Cabinet Member, 1 Councillor as named substitute
Stourport Forward Board	Councillor Chris Rogers	Councillor Chris Rogers	1 Stourport Councillor / 1 Officer
The Elizabeth Mills Centre (formerly Stourport Day Centre)	Councillor David Little	Councillor David Little	1 Stourport Councillor
10:32 Wyre Forest Early Help (Formerly Tree Tops Sure Start Children's Centre)	Councillor Sally Chambers	Councillor Sally Chambers	1 Foley Park and Hoobrook Ward Member
West Mercia Police and Crime Panel	Councillor Juliet Smith	Councillor Juliet Smith	1 Councillor

External Body	Representative 2016/2017	Representative 2017/2018	Number of Representatives
West Midlands LGA	Councillor Marcus Hart	Councillor Marcus Hart	Leader of the Council
Worcestershire County Council Corporate Parenting Board	Councillor Nicky Gale	Councillor Nicky Gale	1 Councillor (Expectations from WCC: Relevant Cabinet Member or Councillor with relevant experience)
Worcestershire County Council Health Overview and Scrutiny Committee	Councillor Anne Hingley	Proposal: Councillor Anne Hingley Other nomination: Councillor Nigel Knowles	1 Councillor
Worcestershire County Waste Forum	Councillor Rebecca Vale	Councillor Rebecca Vale	Relevant Cabinet Member
Worcestershire Health Improvement Group	Councillor Chris Rogers	Councillor Chris Rogers	Relevant Cabinet Member
Worcestershire Leaders Board	Councillor Marcus Hart Councillor Ian Hardiman	Councillor Marcus Hart Substitute - Councillor Ian Hardiman	Leader, Deputy Leader as named substitute
Worcestershire Shared Services Joint Committee	Councillor Juliet Smith Councillor John Hart	Councillor Juliet Smith Councillor John Hart	2 Councillors (Past practice: Relevant Cabinet Member & Chairman of Licensing & Environmental Committee)
Wyre Forest Citizen's Advice Bureau - Management Committee	Councillor Juliet Smith	Councillor David Little	1 Councillor

External Body	Representative 2016/2017	Representative 2017/2018	Number of Representatives
Wyre Forest Clinical Commissioning Group - Advisory Group	Councillor Nicky Gale Councillor Rebecca Vale	Proposal: Councillor Nicky Gale Councillor Chris Rogers Other nomination: Councillor Nigel Knowles	2 Councillors
Wyre Forest Community Leisure Association Ltd - Local Partnership Board	Councillor John Hart Councillor Helen Dyke	Proposal: Councillor John Hart Councillor Helen Dyke Other nomination: Councillor Stephen Walker	2 Councillors / 2 Officers
Wyre Forest Local Children and Young People's Trust	Councillor Juliet Smith Councillor Rose Bishop	Councillor Juliet Smith Councillor Rose Bishop	2 Councillors including relevant Cabinet Member / 1 Officer
Wyre Forest Nightstop and Mediation Service Management Committee	Councillor Juliet Smith	Councillor Chris Rogers	Relevant Cabinet Member

Outside Bodies – Wyre Forest District Councillors Representing North Worcestershire Districts (for information).

At a meeting on 17th May 2017, the Leaders of Bromsgrove, Redditch and Wyre Forest will agree North Worcestershire representation on the bodies below for 2017/18. Information will be sent to members of Council after that meeting.

External Body	Representative 2016/2017	Representative 2017/2018
Greater Birmingham and Solihull Local Enterprise Partnership	Councillor Greg Chance (Redditch) Sub: Councillor Ian Hardiman (Wyre Forest)	TBC
Greater Birmingham and Solihull Local Enterprise Partnership Transport Board	Councillor Greg Chance (Redditch) Sub: Councillor Ian Hardiman (Wyre Forest)	TBC
Greater Birmingham and Solihull LEP ESIF Committee	Cllr John Fisher (Redditch) Sub: Dean Piper (NWEDR)	TBC
Worcestershire LEP	Councillor Karen May (Bromsgrove) Sub: leader from Wyre Forest or Redditch	TBC
Worcestershire Local Transport Board	(Two seats, not drawn from the council supplying the representative on the Worcestershire LEP) Councillor Ian Hardiman (Wyre Forest) Councillor Greg Chance (Redditch)	TBC

External Body	Representative 2016/2017	Representative 2017/2018
Worcestershire ESIF Committee	Cllr John Fisher (Redditch) Sub: Dean Piper (NWEDR)	TBC
Worcestershire Health and Well-being Board	Councillor Karen May (Bromsgrove) Sub: Cllr Pat Witherspoon (Redditch)	TBC
Worcestershire Local Access Forum	Cllr Pat Witherspoon (Redditch)	TBC

Armed Forces Champions (for information)

These appointments are made by the Leader of the Council.

	2016/2017	2017/2018
Armed Forces Champion	Councillor Nicky Gale Councillor Jeff Baker	Councillor Nicky Gale Councillor Jeff Baker

**Index of Members' Activity Reports Received as of the date of
publication of the Council Agenda**

Electronic Copies of all reports are available on the Internet

	Attendance Percentage for 2016/17	Number of Meetings Attended
Councillor J Aston	68%	17/25
Councillor J Baker	93%	13/14
Councillor R Bishop	79%	11/14
Councillor J-P Campion	70%	7/10
Councillor S Chambers	88%	15/17
Councillor S J M Clee	68%	15/22
Councillor J Desmond	72%	26/36
Councillor N J Desmond	96%	23/24
Councillor H Dyke	88%	23/26
Councillor P Dyke	69%	11/16
Councillor N Gale	74%	14/19
Councillor I Hardiman	100%	26/26
Councillor J Hart	85%	33/39
Councillor M J Hart	100%	33/33
Councillor K Henderson	68%	13/19
Councillor V Higgs	81%	13/16
Councillor A T Hingley	92%	22/24
Councillor N Knowles	97%	28/29
Councillor D Little	83%	24/29
Councillor N Martin	81%	30/37
Councillor S Miah	100%	18/18
Councillor F M Oborski	97%	38/39
Councillor T L Onslow	88%	14/16
Councillor M Rayner	84%	21/25
Councillor C Rogers	94%	29/31
Councillor J Shaw	93%	26/28
Councillor J Smith	91%	21/27
Councillor R Vale	91%	31/34
Councillor S Walker	67%	12/18
Councillor S J Williams	91%	41/45
Councillor R Wilson	44%	8/18
Councillor G C Yarranton	67%	8/12

*** Please refer to the individual Members Activity Reports for further details.**

Cabinet

Annual Report 2016/2017

Report from the Leader

It gives me great pleasure to produce my report as Leader of Wyre Forest District Council having now completed three full municipal years in post, since I was appointed on 2nd April 2014.

The municipal year 2016/17 has yet again been another very busy year for Wyre Forest District Council.

The political make up of the Council in 2016/17 is broadly the same as it was in 2015/16, save that in May 2016, the Conservatives went from 23 to 22 seats and then later in the year a defection from Conservative to non-aligned Independent meant the administration group were 21 out of 33. At the time of writing the Conservatives are on 20 as a result of a resignation for re-location purposes, with a by-election to be held on 4th May.

2016/17, like the previous year, has seen significant and encouraging progress with the delivery of regeneration projects throughout the District, one of these key infrastructure projects being the Hoobrook Link Road. I am pleased to say that the road is now open and working very well.

The Council committed to the delivery of this road as a key development to unlock growth in the South Kidderminster Enterprise Park. The new leisure centre and sheltered WFCH building are both open and a substantial number of homes are now built and occupied. There is also planning consent for a new Aldi Supermarket.

Members will not have failed to have seen the £2 million public realm improvement project within Kidderminster Town Centre. I know that there have been one or two comments about the quality of some of the finish but, rest assured, these issues have now been addressed by the Council to ensure that the residents and taxpayers of this District have an excellent quality public realm improvement scheme. I have had many, many positive comments about the work which is the largest major investment in public realm work in a generation. As Leader of the Council I and the Cabinet remain committed to trying to find a long term solution to the demolition of Crown House. However, as I am sure all Councillors would agree, this is a complex matter and not something that can be easily resolved, especially given the rent that WFDC receives and I remain firmly of the view that WFDC taxpayers should not pick up the bill for demolition. Mike Parker's Team continue to have discussions with the tenants.

The redevelopment of the Medical Centre in the Dog Lane car park in Bewdley is now completed and extensions to car parking at Dog Lane and Gardners Meadow have now taken place. I look forward to the final part of the project, the demolition of buildings on Load Street car park, being done in order to redevelop this area and extend the car parking offer.

Agenda Item No. 18 (a)

This is now the fourth year that the Council has occupied Wyre Forest House. I am exceptionally proud of all of our dedicated staff who continue to deliver day to day services. The new Headquarters is a vastly improved working environment for our staff. As I previously reported in last year's report, we continue to make the building as efficient as we can and there has been a relentless drive to do so.

Following the successful renting of office space at Wyre Forest House and the strategic decision to relocate the whole of the Cabinet, Corporate Leadership Team and Executive Support Officers to the main part of the building, I am pleased to say all of the Executive suite is now fully let. Just2Easy, one of the tenants in this area, has grown and taken on rental of a second office. Our other tenants include Heads-Up Compliance Limited who offer legal compliance training, Integrated Continuity Solutions, a provider of business continuity and crisis management, and our partners in economic regeneration, Wolverhampton University. Wyre Forest House was proving so popular we provided another cellular office in the area where the Executive Support Officers used to work. This has now been rented by Native Web, a data processing company. We also have WRS and DHJH Accountants as our tenants. The current annual rental income for office space, the provision of ICT services for some of our tenants and meeting room hire at Wyre Forest House has now topped £228,500. There is great news from the Facilities Team as they work to continue to increase the income generated from Wyre Forest House. The team has increased income from hiring out the meeting rooms by 77% this year compared to the previous year.

Moving into Wyre Forest House, owning our own building and allowing us to maximise our income, I am absolutely convinced, was the right thing to do and it is a great asset for the Council.

The financial strategy for 2017-20 is a budget for affordable growth, with bold ideas to grow income for the Council but also supporting regeneration, housing and economic growth in line with our priorities. Our ambitious plans involve borrowing up to £35m to strengthen the council's capital property portfolio and to lend money to third parties to help them to realise regeneration and housing projects. This approach reinforces the important role the Council plays in shaping future growth and investment in Wyre Forest and beyond, while generating revenue for the council to protect the front-line services that communities value and delivering the council's commitment to keep taxation low.

The Council's ongoing transformation has moved us strongly in the direction of a budget where expenditure is matched by income. We have proceeded in a determined but balanced way. As part of this transformation we continue to deploy reserves in making the transition to being a self-funding council as part of the Government's significant reforms to local government funding that are due to take full effect in 2020. The full detail of the reforms has yet to be unveiled and the financial strategy takes a reasonable but cautious approach to estimating the impact on Wyre Forest, including the complete phasing out of revenue support grant and changes to New Homes Bonus.

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As part of our financial strategy we are adopting a diverse range of approaches to help to spread risk, increase resilience, and ensure sustainability. This includes the continued drive for savings, income generation and both council tax and business rates growth. More recently, we have also been exploring alternative service delivery models and have signed up with the Public Sector Partnership to help deliver property investment and are actively considering setting up a Local Authority Trading Company.

The exceptionally challenging financial landscape faced by this and indeed all Councils looks set to continue. We will press forward with our transformation programme and develop our new policies for investment as part of this transformation to ensure this Council retains financial sustainability essential to efficient ongoing service delivery to our communities.

We know that, whilst having set a balanced budget in February, the scale of the challenge is going to become greater and that within the financial year 2018/19 we have had to substantially increase our Wyre Forest Forward savings to ensure we live within our means. Whilst there will be difficult choices ahead, I am confident that this Council is in a sound financial position to rise to those challenges.

I would like to place on record my grateful thanks to the Chief Executive, Corporate Leadership Team and all officers within the Council for their help and support this year. I know that the challenges within local government grow ever larger year on year, but the drive and commitment shown by the officers within our Council never ceases to amaze me.

I would also like to place on record my thanks to my Cabinet colleagues for their support and counsel during the last year. There have been a number of changes this year due to different reasons and can I thank all of those members as well.

The last year has been challenging and I have little, if any, doubt that this year will be even more challenging, but I am confident we will all continue as members and officers to work together for our common aim; the residents, businesses and tax payers of Wyre Forest.

Wyre Forest District Council
Annual Scrutiny Report
2016/2017



Foreword of the Chairman of the Overview and Scrutiny Committee



The 2016/17 municipal year has been very busy for the Overview and Scrutiny Committee, with a varied and extensive work programme.

The Committee has met 9 times during the year and has worked hard to ensure that the decisions taken by the Council have been thoroughly scrutinised on a cross party basis.

Some decisions taken have proved to be more controversial than others, in particular the sale of the Stourport Sports Centre, which was taken under the Strong Leader Model. The decision was 'called-in' and reviewed at an extraordinary meeting of the Committee. This resulted in the Committee endorsing the decision, which was taken in the best interests of the residents of Wyre Forest.

Throughout the year I have always tried to take on board and implement any suggestions for review panels or ideas made by Members for an improved Scrutiny process. I think it is important that all Members feel able to take part in Scrutiny and I am pleased to say we have had many observers attend during the year.

Since the Overview and Scrutiny Committee has been part of the Council's structure for many years, we have contributed greatly towards shaping Council policies, and carried out some useful and beneficial review panels, such as the S106 Monies review panel. As part of the Peer Review, I took the opportunity to discuss how we could refresh the scrutiny process to become even more proactive in the challenging times which lie ahead for Local Authorities, and we will be looking at ideas to take this forward in 2017-2018.

The Committee has responsibility for discharging the Council's Crime and Disorder Scrutiny function. The Committee received a presentation on crime and disorder issues and scrutinised the progress made against the Wyre Forest Community Safety Partnership's priorities.

I have enjoyed chairing the Overview and Scrutiny Committee and have found the work to be most rewarding. I would like to thank the Vice Chairman of the Committee, the Members of the Committee and the Officers for the support they have given me during the municipal year.

Councillor Helen Dyke

Scrutiny at Wyre Forest

For this municipal year, the Council's scrutiny function was carried out through the Overview and Scrutiny Committee.

The Committee consisted of 10 cross party Members. The workload included scrutinising proposals for new or amended policies before their consideration by the Cabinet and Council, undertaking detailed reviews into existing procedures and policy, and monitoring the schedule of proposed decisions as set out in the Council's Forward Plan.

Review Panels

Review Panels are in depth investigations into issues conducted by Members outside of the formal Scrutiny Committee setting. They allow more detailed work on particular topics and make recommendations to the Overview and Scrutiny Committee which in turn make recommendations to Cabinet. Their flexibility allows for a wide range of evidence sources, guests and methods of evidence gathering to be considered.

The following Panels have taken place during the 2016/2017 year:

Name	No. of meetings	Purpose
Treasury Management	3	Allowed detailed scrutiny and training in respect of treasury management.
Local Plans Includes co-opted Members from Town Councils	8	Detailed scrutiny of the draft policy documents relating to the local development framework, helping to shape them before the formal process of consultation or adoption.
Section 106 Monies	2 – continued from previous municipal year	Review of management, allocation and understanding of Section 106 monitoring and implementation processes. A Member of the Overview and Scrutiny Committee put the item forward for the full scrutiny process after the subject was raised at a meeting of the Cabinet Financial Strategy Advisory Panel during the budget setting process.



Recommendation Tracking

As Scrutiny Committees can only make recommendations and do not take decisions, it is important to keep track of what has happened to the recommendations made by Scrutiny.

After recommendations have been made, the Committee have considered feedback from Cabinet regarding their recommendations so that there was a clear means of tracking the outcome of recommendations.

In addition, the Committee looked back at the recommendations made in the previous year, so that they were able to examine the progress made in implementing the recommendations. This was carried out and there were no concerns raised over outstanding recommendations. The tracking recommendations from this year's Committee will be reviewed at the first meeting of the Committee of the new municipal year.

Public and Stakeholder Involvement in Scrutiny

Scrutiny is an important means of involving the community in the Democratic Process. If you have any suggestions or comments for issues affecting your area which you feel Scrutiny could consider, please contact the Democratic Services Team via email: CommitteeSection@wyreforestdc.gov.uk telephone: 01562 732763, or in writing to Democratic Services, Wyre Forest House, Finepoint Way, Kidderminster DY10 7WF.

More information on Scrutiny at Wyre Forest District Council can be found at <http://www.wyreforestdc.gov.uk/cms/your-council-and-elections.aspx>

Terms of Reference - The Overview and Scrutiny Committee

1. Reviews the policies of the Council and the Cabinet and recommends to the Council or the Cabinet:
 - (i) Whether any new policies are required.
 - (ii) Whether any existing policies are no longer required.
 - (iii) Whether any changes are required to any existing policies.
 - (iv) Whether any action is required to make the policies more effective.
2. Reviews the discharge of Cabinet functions, and recommends to the Council or the Cabinet:
 - (i) Whether any action should be taken to improve the economy, efficiency and effectiveness of those functions.
 - (ii) Whether any action should be taken to improve the co-ordination of the various functions within the Authority, or with any other person or body.
 - (iii) Whether the function should continue to be discharged or be discharged in another way.



3. Reviews any decisions or proposed decisions of the Council and of the Cabinet. In undertaking such reviews, the Overview and Scrutiny Committee shall in particular consider:
 - (i) Whether the relevant criteria were used.
 - (ii) Whether the decision is in accordance with the budget and policy framework of the Council.
 - (iii) Whether the decision or action was within the powers of the Authority.
 - (iv) Whether the decision was lawful.
 - (v) Whether the decision contributes to the efficient, effective and economic discharge of the function.
4. Recommendations should all take account of the following:
 - (i) Whether the decision should be reconsidered, and if so, what alternative decision should be taken.
 - (ii) Whether the proposed decision should be taken or taken in a different form.
 - (iii) Whether any further action should be taken in the experience of that decision to ensure proper or better implementation of decisions.
 - (iv) Whether any further actions should be taken in the experience of that decision to improve the manner or quality of decision-making for the future.
5. Considers any matters which affect the Council or its administrative area or the inhabitants of that area and makes recommendations to the Council or the Cabinet arising from that consideration.
6. External Partners

Reviews the performance and effectiveness of the Council's external partner organisations, including the duty to scrutinise the local Crime and Disorder Reduction Partnership.
7. Review Panels

Establishes time limited Review Panels which focus upon specific issues of concern raised by Members through a Scrutiny Proposal Form, consider evidence, and subsequently make recommendations to the Overview and Scrutiny Committee. A protocol for the establishment of Review Panels is attached as Appendix C at section 10 of the Constitution.
8. Review the Forward Plan

Regularly reviews the Forward Plan with a view to deciding which, if any, forthcoming items require consideration.
9. Sets and agrees an Annual Work Programme and prioritises the work of the Committee.

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10. Ensures consideration is given to encouraging public participation and engagement in functions of the Committee.
11. Ensures that the views of any invitees and co-opted Members (where appropriate) are taken into account when conducting investigations.
12. Monitors the implementation of scrutiny recommendations.
13. Reviews and scrutinises relevant public bodies and partners in the District, including the Council's contribution and relationship with them. Where necessary, requesting them to address overview and scrutiny about their activities, performance, particular decisions, initiatives or projects.



Wyre Forest District Council
Ethics and Standards Committee
Annual Report 2016/2017

During this year as there were no conduct issues or legislative updates to consider, the Ethics and Standards Committee only met once but we continue to work closely with the council and public to ensure that any conduct issues are dealt with as quickly as possible.

Councillor Nicky Gale

Chairman – Ethics and Standards Committee

Role of the Standards Committee / Terms of Reference

1. Promotes and maintains high standards of conduct by councillors and co-opted members.
2. Assists the councillors and co-opted members to observe the Members' Code of Conduct.
3. Advises the Council on the adoption or revision of the Members' Code of Conduct.
4. Monitors the operation of the Members' Code of Conduct.
5. Advises, trains or arranges to train councillors and co-opted members on matters relating to the Members' Code of Conduct.
6. Considers complaints against any member relating to alleged breach of the Code of Conduct, to make findings of fact and decisions in respect of the action to be taken, and where necessary to make recommendations to full Council.
7. Grants dispensations, if necessary, to councillors and co-opted members from requirements relating to interests set out in the Members' Code of Conduct.
8. Exercises (1) to (6) above in relation to the parish councils' wholly or mainly within the Wyre Forest District area and the members of those parish councils'.
9. Recommends approval and adoption of relevant codes, plans and policies.
10. Oversees the Whistle Blowing Policy.
11. Oversees the complaints handling and Ombudsman investigations.
12. Keeps the operation of the constitution under review so far as it relates to ethics and standards of behaviour.

Member Activity Reports

Members continue to submit an annual activity report which outlines their activities during the municipal year, Significant work has been undertaken to

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ensure that the reports are detailed and are a useful tool for Members of the electorate to see the activities their elected Member have been undertaking during the municipal year.

Membership of the Ethics and Standards Committee

(6 Councillors, 3 co-opted Independent Members non-voting,
3 Parish Councillors non-voting)

Chairman: Councillor N Gale

Vice-Chairman: Councillor J Desmond

Councillors I Hardiman, V Higgs, S Miah and R Vale.

Independent Member – Mr R Reynolds

Independent Member – Rev J A Cox

Parish Council representatives – R Hobson, LGreen and C Edington-White

WYRE FOREST DISTRICT COUNCIL

COUNCIL

10TH MAY 2017

Senior Management Structure

OPEN	
CABINET MEMBER:	The Leader of the Council
DIRECTOR:	Ian Miller, Chief Executive and Head of Paid Service
CONTACT OFFICER:	Ian Miller, Ext. 2700 ian.miller@wyreforestdc.gov.uk
APPENDICES:	Appendix 1 – Proposed revised management structure chart, June 2017

1. **PURPOSE OF REPORT**

To consider proposed changes to the senior management structure of the Council.

2. **RECOMMENDATION**

The Council is asked to **AGREE** the creation of the post of **Corporate Director: Resources** which would be filled by the **Chief Financial Officer** with effect from **1 June 2017**.

3. **BACKGROUND**

3.1 The present senior management structure was implemented in 2013 and included a deputy chief officer post of Head of Transformation and Communications, covering a range of corporate services from facilities and estates to elections and the media team. The postholder resigned with effect from early April. The Chief Executive discussed with the Leader of the Council and Cabinet how best to meet the future needs of the Council; and with the Corporate Leadership Team he reviewed the management structure and developed changes which were published in late February. The document set out that that the Council had undertaken significant transformation in recent years and acknowledged the substantial contribution of the Head of Transformation and Communications to that. However, it noted that more transformation was required and this included transforming the current management structure. The thrust of the changes were:

- (a) to delete the post of Head of Transformation and Communications;
- (b) to transfer the various responsibilities of the post to members of the Corporate Leadership Team with effect from 3 April 2017.

3.2 The Council needs more capacity for strategic legal advice and input as a result of the capital portfolio fund and loans to third parties (part of the approved financial strategy for 2017-2020) and significant changes in service delivery vehicles including a local authority trading company and Limited Liability Partnership with Public Sector plc. It is also the case that the Solicitor to the Council will need some additional capacity as

a result of taking on management responsibility for elections and committee services. The Solicitor to the Council has therefore increased working hours to four days a week from April 2017 onwards. The changes described above have all been implemented.

- 3.3 The final element of the changes relates to the creation of the post of Corporate Director: Resources with effect from 1 June 2017.

4. KEY ISSUES

4.1 The Council needs more strategic capacity within the Corporate Leadership Team to prepare for challenges ahead. In particular, the opportunity is being taken to reduce line management responsibilities for the Chief Executive in order to increase capacity for strategic tasks such as: providing strategic leadership for the Connecting Families initiative, roll out of which commenced in Wyre Forest in mid March; planning for further changes to reduce costs and increase income by 2019; identifying and taking advantage of opportunities from public service reform, devolution and the new constitutional settlement that will follow the UK leaving the EU; and responding to other strategic changes in the legal and policy framework, such as local government finance reform, the Government’s industrial strategy and the housing white paper – to which can now be added responding to the priorities and programme of the new Government that will be formed after the general election on 8 June.

4.2 It is therefore proposed to transfer the line management of the Revenues, Benefits and Customer Services to the Chief Financial Officer on 1 June 2017. Responsibility for Information and Communication Technology transferred in early April. The transfer of these significant additional responsibilities to the Chief Financial Officer has led to a review of the post’s designation which has been externally verified as warranting positioning on the JNC Chief Officer’s grade. Subject to formal confirmation by the Council, it is intended that the post will be moved to the JNC Chief Officer grade and be re-designated as Corporate Director: Resources. Based on HR advice, this constitutes “slotting in” which does not require a recruitment process. The other two Directors have been re-designated as Corporate Director: Community Well-being and Environment and Corporate Director: Economic Prosperity and Place. The change in titles underlines the corporate leadership nature of these posts, with the ability to drive corporate change and transformation across the Council, regardless of the line management responsibilities.

FINANCIAL IMPLICATIONS

- 5.1 The changes described in this report make a positive contribution to the Council’s financial position, providing on-going annual revenue savings of £14k. The table summarises the financial effect of the changes in a full year, inclusive of on costs.

2018-19 full year effect	£k, rounded
Delete post of Head of Transformation and Communications	(68,000)
Increase Solicitor to the Council from 3 days to 4 days; regrade Chief Financial Officer to JNC Chief Officer grade	33,000
Fund digital services officer post	21,000
Total saving	(14,000)

6. LEGAL AND POLICY IMPLICATIONS

- 6.1 The Council's constitution does not deal with the precise circumstances of the creation of a director level post into which a serving officer will be "slotted in". There is no recruitment process and thus no role for the Appointments and Appeals Panel, as would ordinarily be the case with director-level appointments. Nevertheless, given that this is a change to the senior management structure and affects the Council's section 151 officer, the Council's support for the change is being sought through this report.

7. EQUALITY IMPACT NEEDS ASSESSMENT

- 7.1 An initial screening has been undertaken and no potential adverse impact on protected characteristics has been identified.

8. RISK MANAGEMENT

- 8.1 There are no significant risks associated with the recommendations in this report. It is good practice to review the senior management structure from time to time to ensure that it provides sufficient leadership capacity and remains appropriate to support the Council's strategic agenda.

9. CONCLUSION

- 9.1 The Council is invited to agree the creation of the post of Corporate Director: Resources which would be filled by the Chief Financial Officer with effect from 1 June 2017.

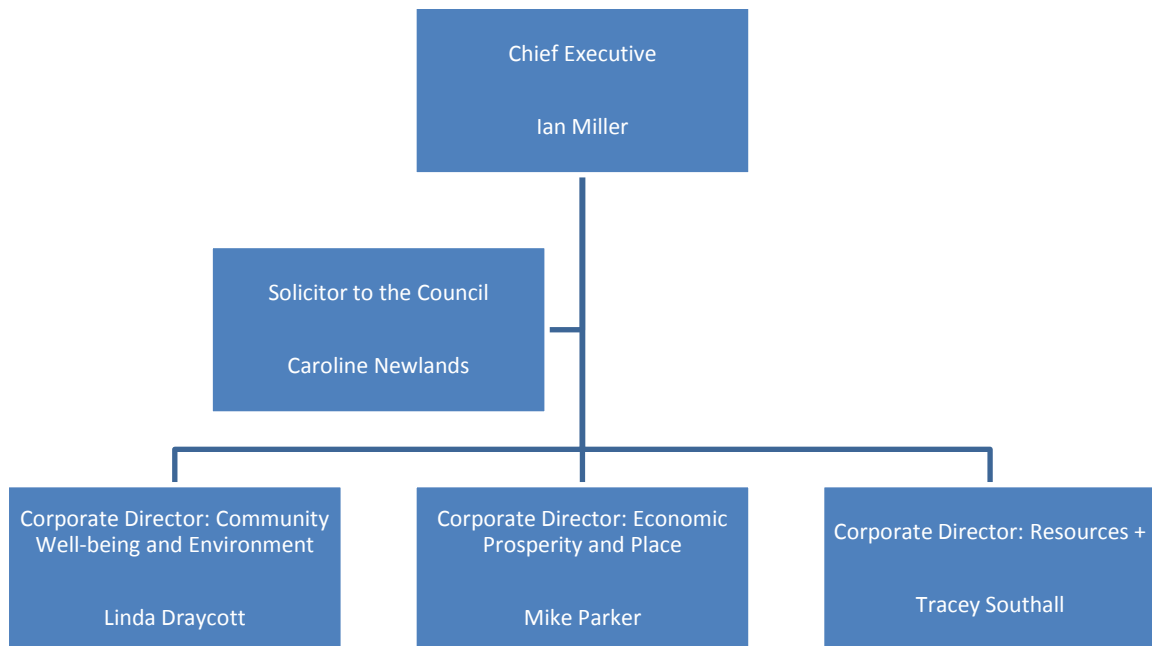
10. CONSULTEES

- 10.1 Cabinet.
- 10.2 Corporate Leadership Team.

11. BACKGROUND PAPERS

- 11.1 "Management structure – the way ahead", paper issued by Chief Executive, 27 February 2017.

Proposed revised management structure and service responsibilities, June 2017



Service responsibilities			
Corporate Director: Community Well-being and Environment	Corporate Director: Economic Prosperity and Place	Corporate Director: Resources +	Solicitor to the Council
Cultural and leisure services Waste and recycling collection Environmental maintenance (Street scene and car parks) Parks and green spaces Community safety Media, web and digital services Emergency planning	Planning policy Economic development and regeneration Development control Land charges Building control Strategic housing Environmental health Licensing Facilities & asset management	Customer services ** Revenues and benefits ** ICT Accountancy Internal audit Procurement Payroll	Elections Committee & member services Legal services Human resources
← Transformation →			

+ designation subject to approval of Council, May 2017; Chief Financial Officer prior to then
 ** with effect from 1 June 2017