

**ASHFIELD DISTRICT COUNCIL**



Council Offices,  
Urban Road,  
Kirkby in Ashfield  
Nottingham  
NG17 8DA

## Agenda

### Council

Date: **Monday, 24th July, 2023**

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Time: **7.00 pm**

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Venue: **Council Chamber, Council Offices, Urban Road,  
Kirkby-in-Ashfield**

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For any further information please contact:

**Lynn Cain**

[lynn.cain@ashfield.gov.uk](mailto:lynn.cain@ashfield.gov.uk)

01623 457317

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# **COUNCIL**

## **Membership**

**Chairman:** Councillor Dale Grounds

**Vice-Chairman:** Councillor Arnie Hankin

**Councillors:**

Kier Barsby  
Will Bostock  
Jodine Cronshaw  
Anna Ellis  
Paul Grafton  
Oliver Hay  
Tom Hollis  
Dawn Justice  
Trevor Locke  
Sarah Madigan  
Cathy Mason  
Warren Nuttall  
Matthew Relf  
Dave Shaw  
Helen-Ann Smith  
Lee Waters  
Jason Zadrozny

Jamie Bell  
Ian Briggs  
Samantha Deakin  
Andy Gascoyne  
Julie Gregory  
Vicki Heslop  
Christopher Huskinson  
Sarah Lewsey  
Rachel Madden  
Gordon Mann  
Andy Meakin  
Nicholas Parvin  
Phil Rostance  
John Smallridge  
David Walters  
John Wilmott

## **FILMING/AUDIO RECORDING NOTICE**

This meeting may be subject to filming or audio recording. If you have any queries regarding this, please contact Members' Services on 01623 457317.

## **SUMMONS**

You are hereby requested to attend a meeting of the Council to be held at the time/place and on the date mentioned above for the purpose of transacting the business set out below.



**Theresa Hodgkinson**  
**Chief Executive**

## AGENDA

Page

1. To receive apologies for absence, if any.
2. **Declarations of Disclosable Pecuniary or Personal Interests and/or Non-Registrable Interests.**
3. To receive and approve as a correct record the minutes of the meeting of the Council held on 25 May 2023. 5 - 16
4. To receive any announcements from the Chairman, Leader, Members of the Cabinet and the Head of Paid Service.
5. To receive questions from the Public in accordance with Council Procedure Rule 11, if any.  
*(None received for this meeting)*
6. To receive and consider any petitions submitted in accordance with Council Procedure Rule 12, if any.  
*(None received for this meeting)*
7. In accordance with Council Procedure Rule 2 (viii) to receive reports from the Cabinet in relation to the Council's budget and policy framework, reports of the Principal Select Committee for debate and reports from Officers of the Council:-
  - a Hucknall Leisure Centre Car Park Extension. 17 - 20
  - b Constitution Update. 21 - 34
  - c Appointment of the Independent Remuneration Panel. 35 - 46
  - d Polling Places Review Working Group. 47 - 52
  - e Changes to Schedule of Meetings 2023/24.
8. In accordance with Council Procedure Rule 2 (ix), to receive recommendations from the Cabinet and the Council's Committees and resolve in accordance with the Council's rules of debate as per the attached schedule.  
*(None received for this meeting)*

9. **Updates from Members of the Cabinet on their Portfolio Activity.**
  
10. **Notices of Motion.**  
*(None received for this meeting)*
  
11. **To answer any questions submitted in writing by Members in accordance with Council Procedure Rule 13, if any.**  
*(None received for this meeting)*
  
12. **To receive a list of minutes and a web link to access Cabinet and Committee meeting minutes that have been published since the last ordinary meeting of the Council for Members to give notice of their intention to ask a question of a relevant Chairman under Procedure Rule 13.2.** 53 - 54  
*(None received for this meeting)*

# Agenda Item 3

## ANNUAL MEETING OF THE COUNCIL

Meeting held in the Council Chamber, Council Offices, Urban Road, Kirkby-in-Ashfield,

on Thursday, 25th May, 2023 at 6.30 pm

**Present:** Councillor David Walters in the Chair;

Councillors Kier Barsby, Jamie Bell, Will Bostock, Ian Briggs, Jodine Cronshaw, Samantha Deakin, Anna Ellis, Paul Grafton, Julie Gregory, Dale Grounds, Arnie Hankin, Oliver Hay, Vicki Heslop, Tom Hollis, Christopher Huskinson, Dawn Justice, Sarah Lewsey, Trevor Locke, Rachel Madden, Sarah Madigan, Gordon Mann, Cathy Mason, Andy Meakin, Nicholas Parvin, Matthew Relf, Phil Rostance, Dave Shaw, John Smallridge, Helen-Ann Smith, Lee Waters, John Wilmott and Jason Zadrozny.

**Apologies for Absence:** Councillors Andy Gascoyne and Warren Nuttall.

**Officers Present:** Craig Bonar, Lynn Cain, Ruth Dennis, Theresa Hodgkinson, Peter Hudson, Jas Hundal, Mike Joy, David Needham and Shane Wright.

### **C.1 Declarations of Disclosable Pecuniary or Personal Interests and/or Non-Registrable Interests**

The Executive Director for Governance and Monitoring Officer, on behalf of all Members and officers' present at the meeting, declared a general Non Registrable Interest in respect of agenda item 15 relating to Political Assistants. The former Political Assistant, present at the meeting and sat in the public gallery, declared that she would be leaving the room whilst the item was discussed and voted upon.

### **C.2 Election of Chairman of the Council**

RESOLVED

that Councillor Dale Grounds be elected Chairman of the Council until the next Annual Meeting.

### **C.3 Declaration of Acceptance of Office by the Chairman**

The newly elected Chairman subscribed the Declaration of Acceptance of Office of Chairman pursuant to the provisions of Section 83 of the Local Government Act 1972 and thanked Members of the Council for his appointment.

Councillor Grounds thanked everyone present for giving him the opportunity to represent the Council and advised that his chosen charities for the year would be Ducklings: the Charity of the Nottingham Children's Hospital School and Enlighten the Shadows, a men's mental health group.

#### **C.4 Vote of thanks to the retiring Chairman**

Councillor Jason Zadrozny led the tributes and thanks to the retiring Chairman, Councillor Walters, and welcomed Councillor Grounds into his new role.

The following Councillors also expressed their thanks and gratitude to Councillor Walters:

Cllr. Matthew Relf  
Cllr. Tom Hollis  
Cllr. Phil Rostance  
Cllr. Helen-Ann Smith  
Cllr. Arnie Hankin.

Councillor Walters took the opportunity to address Council and thanked officers and everyone in attendance at the meeting for their kindness and support throughout the previous year.

#### **C.5 Election of Vice Chairman of the Council**

RESOLVED

that Councillor Arnie Hankin be elected Vice Chairman of the Council until the next Annual Meeting.

#### **C.6 Declaration of Acceptance of Office by the Vice Chairman**

The newly elected Vice Chairman subscribed the Declaration of Acceptance of Office of Vice Chairman pursuant to the provisions of Section 83 of the Local Government Act 1972 and thanked Members of the Council for his appointment.

#### **C.7 Minutes**

RESOLVED

that the minutes of the meetings of the Council held on 2 February and 2 March 2023, as now submitted, be received and approved.

#### **C.8 Chairman and Head of Paid Service Announcements**

The Chief Executive gave her heartfelt thanks to the previous Chairman of the Council and offered her sincere well wishes to the new Chairman and Vice Chairman as elected.

## C.9 Election of Leader of the Council

RESOLVED

that subject to the requirements of the Council's Constitution and in accordance with Council Procedure Rule 1.1 (vii), Councillor Jason Zadrozny be appointed Leader of the Council for a four year term of office.

## C.10 Composition of the Council

RESOLVED

that in accordance with Council Procedure Rule 1.1(viii) and (ix), Council notes the composition of the Executive for the coming year, the names of Members appointed to the Cabinet (as outlined below) and the Scheme of Delegation for the Discharge of Executive Functions as advised by the Leader of the Council:-

<u>Cabinet (10)</u>	<u>Portfolio</u>	<u>Executive Responsibility For:</u>
Jason Zadrozny	Leader of the Council	<ul style="list-style-type: none"> <li>• Corporate Strategy and Performance</li> <li>• Strategic Partnerships</li> <li>• Corporate Risk Management</li> <li>• Corporate Communications</li> <li>• Website Content and Social Media</li> </ul>
Helen-Ann Smith	Deputy Leader and Executive Lead Member for Community Safety and Crime Reduction	<ul style="list-style-type: none"> <li>• To deputise for the Leader</li> <li>• Community Safety Partnership</li> <li>• Anti-Social Behaviour</li> <li>• Community Protection</li> <li>• Safeguarding Vulnerable Adults and Children</li> <li>• CCTV</li> <li>• Community Cohesion</li> <li>• Combating Modern Slavery and Human Trafficking</li> </ul>
Tom Hollis	Deputy Leader and Executive Lead Member for Strategic Housing and Climate Change	<ul style="list-style-type: none"> <li>• To deputise for the Leader</li> <li>• Housing Strategy</li> <li>• Housing Development</li> <li>• Housing Options</li> <li>• Disabled Facilities Grants</li> <li>• Environmental Health Services</li> <li>• Licensing</li> <li>• Building Control</li> <li>• Empty and Dilapidated</li> </ul>

		<p>Properties</p> <ul style="list-style-type: none"> <li>• Private Sector Enforcement</li> <li>• Climate Change</li> </ul>
John Wilmott	Executive Lead Member for Governance	<ul style="list-style-type: none"> <li>• Legal Services</li> <li>• Scrutiny and Democratic Services</li> <li>• Electoral Services</li> <li>• Internal Audit</li> <li>• HR and Payroll</li> <li>• Health and Safety</li> <li>• Emergency Planning and Business Continuity</li> </ul>
Rachel Madden	Executive Lead Member for Finance, Revenues and Benefits	<ul style="list-style-type: none"> <li>• Financial Strategy – including Medium Term Financial Strategy</li> <li>• Treasury Management</li> <li>• Capital Strategy and Programme</li> <li>• Revenues and Benefits</li> <li>• Commercial Property</li> <li>• Financial Governance</li> <li>• Strategic Procurement</li> <li>• Towns Fund – Automated Distribution and Manufacturing Centre (ADMC)</li> </ul>
Andy Meakin	Executive Lead Member for Social Housing and Assets	<ul style="list-style-type: none"> <li>• Social Housing Regulation</li> <li>• HRA Business Plan</li> <li>• Tenancy Support, Management and Engagement</li> <li>• Housing Repairs</li> <li>• Maintenance of Non-Domestic Assets</li> <li>• Housing Capital Investment</li> <li>• Aids and Adaptations</li> </ul>
Christopher Huskinson	Executive Lead Member for Leisure, Health and Wellbeing	<ul style="list-style-type: none"> <li>• Strategic Leisure (including outdoor sports provision)</li> <li>• Health and Wellbeing</li> <li>• Arts, Heritage, Tourism and Culture</li> <li>• Corporate Events</li> </ul>



Samantha Deakin	Executive Lead Member for Parks and Environmental Services	<ul style="list-style-type: none"> <li>• Streets</li> <li>• Parks and Open Spaces</li> <li>• Waste Management</li> <li>• Recycling</li> <li>• Fleet Transport</li> <li>• Cemeteries</li> </ul>
Vicki Heslop	Executive Lead Member for Customer and Digital Experience	<ul style="list-style-type: none"> <li>• Customer Experience</li> <li>• Digital Services Transformation</li> <li>• ICT and IT Strategy, Security, Operations and Website Platform</li> </ul>
Matthew Relf	Executive Lead Member for Growth, Regeneration and Local Planning	<ul style="list-style-type: none"> <li>• Discover Ashfield Board</li> <li>• Regeneration and Economic Growth</li> <li>• Business Support</li> <li>• Town Centres</li> <li>• Markets</li> <li>• Car Park Strategy</li> <li>• Strategic Planning – Local Plan</li> <li>• Development Advice &amp; Management</li> </ul>

### C.11 **Appointment of Committees**

Council was requested to determine the appointment of Committees including Chairmen, Vice Chairmen and membership seats for the ensuing year as per the Committee Membership Schedule as circulated.

RESOLVED that

- a) in accordance with Council Procedure Rule 1.3 (i) and (iv), the following Committees be appointed for the ensuing year:-

Principal Select Committee  
 Inward Focus Select Committee  
 Outward Focus Select Committee  
 Planning Committee  
 Licensing Committee  
 Audit Committee  
 Local Joint Consultative Committee  
 Chief Officers' Employment Committee  
 Standards and Personnel Appeals Committee  
 Charities Committee  
 Local Plan Development Committee

- b) as a result of (a) above, the following appointments for Chairmen, Vice Chairmen and membership seats be approved:-

**Principal Select Committee (7)**  
**(6 Ashfield Independents, 1 Conservative)**

Kier Barsby (Chairman)  
Jodine Cronshaw  
Julie Gregory (Vice Chairman)  
Trevor Locke  
Warren Nuttall  
Phil Rostance  
John Smallridge

**Outward Focus Select Committee (7)**  
**(7 Ashfield Independents)**

Jamie Bell  
Will Bostock  
Paul Grafton  
Sarah Lewsey (Vice Chairman)  
Gordon Mann  
Dave Shaw (Chairman)  
Lee Waters

**Inward Focus Select Committee (7)**  
**(6 Ashfield Independents, 1 Labour)**

Ian Briggs  
Jodine Cronshaw  
Andy Gascoyne  
Oliver Hay (Chairman)  
Sarah Madigan  
Cathy Mason  
David Walters (Vice Chairman)

**Planning Committee (9)**  
**(9 Ashfield Independents)**

Jamie Bell (Vice Chairman)  
Samantha Deakin  
Arnie Hankin  
Rachel Madden  
Sarah Madigan (Chairman)  
Andy Meakin  
John Smallridge  
Helen-Ann Smith  
Jason Zadrozny

**Licensing Committee (10)**  
**(9 Ashfield Independents, 1 Conservative)**

Jamie Bell  
Ian Briggs  
Jodine Cronshaw  
Paul Grafton  
Julie Gregory  
Dale Grounds  
Dawn Justice  
Sarah Madigan  
Warren Nuttall (Chairman)  
John Wilmott

**Audit Committee (7)**  
**(6 Ashfield Independents, 1 Conservative)**

Will Bostock (Chairman)  
Anna Ellis  
Dawn Justice  
Sarah Lewsey  
Trevor Locke  
Nicholas Parvin  
John Smallridge

**Charities Committee (7)**  
**(6 Ashfield Independents, 1 Labour)**

Ian Briggs  
Julie Gregory  
Vicki Heslop  
Sarah Lewsey  
Gordon Mann (Chairman)  
Cathy Mason  
David Walters

**Chief Officers' Employment Committee (7)**  
**(7 Ashfield Independents)**

Jodine Cronshaw (Chairman)  
Samantha Deakin  
Tom Hollis  
Christopher Huskinson  
Rachel Madden  
Helen-Ann Smith  
Jason Zadrozny

**Standards and Personnel Appeals Committee (7)**  
**(6 Ashfield Independents, 1 Conservative)**

Kier Barsby  
Jamie Bell  
Paul Grafton  
Oliver Hay  
Phil Rostance  
Dave Shaw  
Lee Waters (Chairman)

**Local Plan Development Committee (9)**  
**(9 Ashfield Independents)**

Samantha Deakin  
Paul Grafton (Chairman)  
Arnie Hankin  
Christopher Huskinson  
Gordon Mann  
Matthew Relf  
John Smallridge (Vice Chairman)  
Helen-Ann Smith  
Jason Zadrozny

**Local Joint Consultative Committee (7)**  
**(Not subject to political balance rules)**

Vicki Heslop  
Tom Hollis  
Christopher Huskinson  
Rachel Madden  
Andy Meakin  
Matthew Relf  
John Wilmott

**C.12 Schedule of Council, Cabinet and Committee Meetings**

Council was requested to approve the updated Schedule of Council, Cabinet and Committee Meetings for 2023/24 as circulated at the meeting.

RESOLVED

that in accordance with Council Procedure Rule 1.1(x), the Schedule of Council, Cabinet and Committee meetings for 2023/24, as circulated at the meeting, be approved.

**C.13 Constitution Update**

Council was requested to consider and approve the proposed changes to the Council's Constitution, as presented, and to note that further changes would be submitted to the July 2023 meeting for approval.

RESOLVED

that the proposed changes to the Council's Constitution for 2023/24, as outlined in the report, be received and approved.

#### **C.14 Political Assistants**

Council was requested to consider and acknowledge the criteria for the appointment of Political Assistants during the 2023-27 term of office.

RESOLVED that

- a) the information contained in the report, be received and noted;
- b) at the wish of the Ashfield Independents Leader, a political assistant post be duly allocated to the Group and form part of the Council's establishment structure for the 2023-27 term of office;
- c) at the wish of the Conservative Party Leader, the offer of a political assistant being allocated to the Group and forming part of the Council's establishment structure for the 2023-27 term of office, be declined;
- d) the 2023/24 budget and Medium Term Financial Strategy (MTFS) reflecting the cost of the political assistant post as allocated, be duly acknowledged.

#### **C.15 Appointment to Outside Bodies**

Council was requested to nominate/appoint representatives to the Outside Bodies listed in the schedule as circulated at the meeting.

RESOLVED

that the following representatives be appointed to the under-mentioned bodies:-

<b><u>No.</u></b>	<b><u>Body</u></b>	<b><u>Representatives</u></b>	<b><u>New Term Ending</u></b>
1.	Ashfield Citizens' Advice Bureau Management Committee	<b>Cllr. Jodine Cronshaw</b>	31 May 2026 (3 year term)
2.	Ashfield Community Safety Partnership Joint Strategic Group	<b>Cllr. Helen-Ann Smith Cllr. Jason Zadrozny</b>	31 May 2024
3.	Association for Public Service Excellence	<b>Cllr. Jason Zadrozny</b>	31 May 2027 (4 year term)

4.	Beauvale Charity	<b>Cllr. Dave Shaw</b>	30 June 2027 (4 year term)
5.	Byron Charity	<b>Cllr. Ian Briggs Cllr. Trevor Locke Cllr. Gordon Mann Cllr. Phil Rostance Cllr. Dave Shaw Cllr. Lee Waters Cllr. John Wilmott</b>	31 May 2024  (part way through a 3 year term)
6.	D2N2 Local Enterprise Partnership Board	<b>Cllr. Jason Zadrozny</b>	31 May 2027 (4 year term)
7.	Discover Ashfield Board	<b>Cllr. Matthew Relf Cllr. Helen-Ann Smith</b>  <b><u>Scrutiny Member</u> Cllr. Julie Gregory</b>	31 May 2024
8.	East Midlands Councils	<b>Cllr. Tom Hollis Cllr. Jason Zadrozny</b>	31 May 2027 (4 year term)
9.	Economic Prosperity Committee	<b>Cllr. Matthew Relf Cllr. Jason Zadrozny</b>	31 May 2027 (4 year term)
10.	Greater Nottingham Joint Planning Advisory Board	<b>Cllr. Matthew Relf</b>	31 May 2024
11.	Greenwood Community Forest Steering Group	<b>Cllr. Matthew Relf</b>	31 May 2024
12.	Health and Wellbeing Board (County Council)	<b>Helen Hollis</b>  <b><u>Substitutes</u> Cllr. Keir Barsby Cllr. David Walters</b>	31 May 2024
13.	Historic England	<b>Cllr. Nicholas Parvin</b>	31 May 2027 (4 year term)
14.	Hucknall & District Voluntary Partnership (Under One Roof Project)	<b>Cllr. Ian Briggs</b>	31 May 2024

15.	Hucknall Relief in Need Charity	<b>Cllr. Ian Briggs</b> <b>Cllr. Lee Waters</b>	30 November 2024  (part way through a 3 year term)
16.	LGA District Council's Network	<b>Cllr. Jason Zadrozny</b>	31 May 2027  (4 year term)
17.	Mansfield & District Crematorium Joint Committee	<b>Cllr. Tom Hollis</b> <b>Cllr. Chris Huskinson</b> <b>Cllr. Helen-Ann Smith</b>	31 May 2024
18.	Nottinghamshire Building Preservation Trust	<b>Cllr. Nicholas Parvin</b>	31 May 2024
19.	Nottinghamshire Joint Waste Management Committee	<b>Cllr. Samantha Deakin</b>	31 May 2024
20.	Nottinghamshire Local Government Leaders' Group	<b>Cllr. Jason Zadrozny</b>	31 May 2027  (4 year term)
21.	Nottinghamshire Wildlife Trust	<b>Cllr. Dale Grounds</b>	31 May 2024
22.	Our Centre	<b>Cllr. Warren Nuttall</b>	31 May 2027  (4 year term)
23.	PATROL Adjudication Joint Committee	<b>Cllr. Andy Meakin</b>	31 May 2024
24.	Police and Crime Commissioner Panel	<b>Cllr. Helen-Ann Smith</b>  <b><u>Substitute Member</u></b> <b>Cllr. Jason Zadrozny</b>	31 May 2027  (4 year term)
25.	Rural Community Action Nottinghamshire	<b>Cllr. Arnie Hankin</b>	31 May 2024
26.	Sherwood Forest Hospitals NHS Foundation Trust	<b>Cllr. David Walters</b>	31 May 2024

27.	Teversal Grange Advisory Committee	<b>Cllr. Jodine Cronshaw</b> <b>Cllr. Tom Hollis</b> <b>Cllr. Helen-Ann Smith</b>	31 May 2024
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**C.16 Section 100A Local Government Act 1972:  
Exclusion of the Press and Public**

RESOLVED

that in accordance with the provisions of Section 100A of the Local Government Act 1972, the press and public be now excluded from the meeting during the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act and in respect of which the Proper Officer considers the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

**C.17 Funding Programme Governance:  
(Exempt by virtue of Paragraph 3)**

Council was requested to consider the governance of the Council's current funding programme.

RESOLVED that

- a) the detail of the funding model and proposals to increase the borrowing and match funding towards the project outlined in the report, be approved;
- b) delegated authority be granted to the Corporate Resources Director (and S151 officer) in conjunction with the Executive Lead Member for Growth, Regeneration and Local Planning and the Executive Lead Member for Finance, Revenues and Benefits, to vary the Council's borrowing level on approved Towns Fund and Future High Street projects where, following due diligence, it is deemed economically advantageous to do so and the minimum Benefit Cost Ratio (BCR) of the project is not breached.

The meeting closed at 7.38 pm

Chairman.





<b>Report To:</b>	<b>COUNCIL</b>
<b>Date:</b>	<b>24<sup>TH</sup> JULY 2023</b>
<b>Heading:</b>	<b>HUCKNALL LEISURE CENTRE CAR PARK EXTENSION</b>
<b>Executive Lead Member:</b>	<b>CLLR CHRISTOPHER HUSKINSON, EXECUTIVE LEAD MEMBER FOR LEISURE, HEALTH AND WELLBEING</b>
<b>Ward/s:</b>	<b>ALL HUCKNALL WARDS</b>
<b>Key Decision:</b>	<b>NO</b>
<b>Subject to Call-In:</b>	<b>YES</b>

## **Purpose of Report**

Subject to consultation outcome, to recommend the allocation of funding for a car park extension at Hucknall Leisure Centre.

## **Recommendation(s)**

**Subject to consultation outcome, to allocate funding for a car park extension at Hucknall Leisure Centre.**

## **Reasons for Recommendation(s)**

To ensure that there is adequate parking provision for the leisure centre to meet growing demand.

## **Alternative Options Considered**

*Not to allocate funding – rejected, the extension is necessary due to the sustained increase in leisure centre users.*

## **Detailed Information**

Works have now been completed for the second swimming pool at Hucknall Leisure Centre with the opening event held on 15<sup>th</sup> July, providing a fantastic new facility for the local community.

Car parking capacity was reviewed at the project inception but at that time, based on existing and predicted attendances no additional need was identified.

However, since that time attendances have risen significantly and are now 20% higher than previously. With this increase and the predicted usage of the new pool there is a need to consider additional car parking at the site. Initial plans have been drawn up which rationalise the existing layout and create additional spaces to the side of the centre, adjacent to the new learner pool on land owned by the Council. This will take up some of the grassed area, including where the redundant adiZone is located. However, there will still be sufficient space for the play area and fencing between the two areas will remain. The play area will also be refurbished once Section 106 funds become available.

Due to the potential sensitivities with the proposal, full consultation and engagement will be undertaken with ward members and local residents prior to submission of a planning application.

During the winter months when demand is highest there were a number of complaints regarding parking, including inconsiderate parking and blocking of the adjacent footpath, forcing pedestrians to walk through the car park. There were also issues with leisure centre users parking on adjacent residential streets.

The introduction of a Parking Order at the site later in the year will help to address some of these issues but further measures are required. This will include installing bollards along the footpath to prevent vehicles going onto the pavement. This work will be undertaken as part of the improvements to the main car park. The current layout is poor and space will be re-orientated so that it is easier to navigate and for drivers to see where spaces are available.

It is intended to deliver the scheme prior to the New Year when membership numbers and usage are at their highest.

Initial development work has identified a cost of between £600k - £750k and it is therefore recommended that up to £750,000 be allocated to support delivery of the project.

## **Implications**

### **Corporate Plan:**

Support the Health and Happiness corporate priority through: Strategic Leisure: 1. Complete the Leisure Transformation Programme, maximising the wellbeing benefits whilst reducing the cost, 3. Maximise wellbeing outcomes in the new Leisure Operating Contract

### **Legal:**

The Legal Team and Executive Director of Governance are actively supporting and advising in relation to all Regeneration projects where required.

Where required specialist external legal advice is being obtained to advise on the funding programmes to ensure all risks to the Council are fully considered. [LE 14/07/2023]

**Finance:** Costs to be funded from Capital Receipts of £400k and £350k prudential borrowing. [PH 17/07/2023].

Budget Area	Implication
General Fund – Revenue Budget	No implications
General Fund – Capital Programme	Up to £750,000
Housing Revenue Account – Revenue Budget	No implications
Housing Revenue Account – Capital Programme	No implications

**Risk:**

Risk	Mitigation
Programme budget pressures from market changes.	Risk is mitigated by the due diligence work undertaken and approved through a gateway process. Monitoring of market trends and budget forecasting to reduce risks.
Resourcing and delivery risks associated with multiple project/programme delivery	Corporate Risk identified. Appointment and engagement of staff and consultants to support the programmes where necessary. Project Management for each programme.

**Human Resources:**

No HR issues identified.

**Environmental/Sustainability:**

Sustainable elements will be incorporated to the design where appropriate.

**Equalities:**

No issues identified for this report, the existing car park and proposed extension are at the same level as the centre entrance.

**Other Implications:**

*Not applicable.*

**Reason(s) for Urgency**

*Not applicable.*

**Reason(s) for Exemption**

*Not applicable.*

## **Background Papers**

*Not applicable.*

## **Report Author and Contact Officer**

*Sarah Daniel*

**ASSISTANT DIRECTOR - REGENERATION**

**sarah.daniel@ashfield.gov.uk**

**01623 457249**

## **Sponsoring Executive Director**

*Jas Hundal*

**INTERIM EXECUTIVE DIRECTOR OF PLACE**

**jas.hundal@ashfield.gov.uk**



<b>Report To:</b>	<b>COUNCIL</b>
<b>Date:</b>	<b>24 JULY 2023</b>
<b>Heading:</b>	<b>CONSTITUTION UPDATE</b>
<b>Executive Lead Member:</b>	<b>EXECUTIVE LEAD MEMBER FOR GOVERNANCE</b>
<b>Ward/s:</b>	<b>ALL</b>
<b>Key Decision:</b>	<b>NO</b>
<b>Subject to Call-In:</b>	<b>NO</b>

## **Purpose of Report**

The purpose of this report is to present Council with further proposed updates to the Constitution for consideration and approval. The proposed updates detailed within this report have been considered by the Standards and Personnel Appeals Committee at a meeting held in July 2023.

## **Recommendation(s)**

Council is recommended to:

- a. Consider and approve the proposed changes to the Council's Constitution detailed within this report, as recommended by the Standards and Personnel Appeals Committee.

## **Reasons for Recommendation(s)**

The Constitution is reviewed and updated throughout each year to ensure it remains fit for purpose.

## **Alternative Options Considered**

The Council could choose not to review and update the Constitution regularly. However, this would be contrary to best practice and reduce the value of the document as an authoritative guide on how the Council operates.

## Detailed Information

### BACKGROUND

Ashfield District Council has agreed a Constitution which sets out how the Council operates, how decisions are made, and the procedures which are followed to ensure that these are efficient, transparent, and accountable to local people.

### CONSTITUTION UPDATE

The Council's Constitution is reviewed and updated throughout the year to ensure it remains fit for purpose. Changes are made primarily to ensure the Constitution is in line with policy changes within the Council and any changes to legislation that may impact the provisions set out in each section.

The table below sets out changes proposed as part of the most recent update exercise.

The updates listed below have been considered by the Standards and Personnel Appeals Committee at a meeting held in July 2023. Any comments made by the Standards and Personnel Appeals Committee have been included as a note in the relevant section of the table.

Constitution Section	Proposed Updates
<b>Part 3 - Responsibility for Functions</b>	<p><u>Responsibility for Council Functions and Scheme of Delegations</u></p> <p><b>1.2 (e)</b> – Proposed to include a provision as follows:</p> <p><i>It is the responsibility of the Chief Executive (Proper Officer) to enact the wishes of the Groups of the Council in appointing members to committees based on the established political proportionality. This is in accordance with the Local Government and Housing Act 1989, the Local Government Act 2000, the relevant Statutory Regulations, and the Council's Constitution.</i></p> <p><i>Any changes to committee membership must be notified to Democratic Services by the relevant Group Leader no later than 5pm <b>7 clear working days</b> before the meeting where membership will change.</i></p> <p><i>Changes to committee membership will be announced by the appropriate Chairman at the next meeting of the committee with altered membership.</i></p> <p><b>(Note: Concerns were raised by the Standards and Personnel Appeals Committee that this proposed change could lead to Committee Membership being changed without the involved Members having prior notification and/or contribution, and with no recourse to challenge the decision if desired.)</b></p>

**Part 4 – Rules of Procedure**

**Council Rules of Procedure**

Ordinary Meetings – Order of Business

**2.1 (v)** – Proposed to include *Chairman’s Presentation of Awards/Certificates* as a new item on the order of business.

**2.1 (x)** – *Receive updates from members of the Cabinet on their portfolio activity, within a maximum collective time allocation of 30 minutes. Proposed to add a 3 minute maximum speech time per Executive Lead Member.*

Annual Budget Setting – Order of Business

Proposal to include an established order of business for the Annual Budget Setting meeting, like is included for the Annual Council Meeting, Ordinary Council Meetings, and Extraordinary Council Meetings.

The proposer of the Annual Budget report will have **15 minutes** to move the item as well as **5 minutes** to summate following debate. The seconder of the Annual Budget report will have **10 minutes** to second the item. Council Procedure Rule 16.4 – Content and Length of Speeches will still apply for all other Members partaking in debate on the Annual Budget report.

Motions on Notice

**Scope 14.3** – Proposed to include a provision that *Valid motions must include appropriate and sufficient information to enable Councillors to make a lawful decision – for example legal, financial, statutory, and policy implications.*

**Scope 14.3** – Proposed to include a provision that requires a source to be cited for any figures and/or statistical data included in a motion.

**Rules 14.4** – Proposed to include speech timings for proposer and seconders of motions. The timings are proposed as: Proposer – **8 minutes** to move the motion and **5 minutes** to summate following debate. Secunder – **6 minutes** to second a proposed motion, if the seconder reserves their right to speak, they will still have the 6 minutes at any point during the debate. All other Members will have **5 minutes** to speak to the proposed motion, and **5 minutes** to speak to any proposed amendment.

**Rules 14.4** – Proposed to add in a rule stating that *It is not necessary to read the motion in full when moving the motion, providing the motion has been provided in writing to Council.*

**Employment Procedure Rules**

The Employment Procedure Rules have been revised to ensure they remain fit for purpose and in accordance with legislation and policy.

<p><b>Part 5 – Members’ Code of Conduct</b></p>	<p><u>Member Training</u></p> <p><b>Appendix D – Mandatory Training</b> – Proposed to include provision for flexibility regarding certain mandatory training requirements. For example, if a Member has evidence of recently completing training related to GDPR and Data Protection, it may not be necessary to attend Council arranged training.</p> <p>Any arrangement in this regard would need to be agreed with the Monitoring Officer or Deputy Monitoring Officer(s) on a case by case basis.</p> <p>Mandatory training requirements would remain for committee specific training, including Planning Committee, Licensing Committee, Audit Committee, Chief Officers Employment Committee, and Standards and Personnel Appeals Committee.</p> <p><u>Social Media Policy (Appendix A to this report)</u></p> <p>The Standards and Personnel Appeals Committee developed and approved an updated version of the Members’ Social Media Policy in March 2023. Council is recommended to adopt the revised Policy. Following approval, the Policy will be appended to the Members’ Code of Conduct within the Constitution.</p>
<p><b>Miscellaneous</b></p>	<p>Changes will be made throughout the entire Constitution to ensure included information reflects the Council’s most up to date arrangements. This includes changes to job titles (such as the Senior Leadership Team/Assistant Directors) and changes to committee names (such as the new Select Committees).</p>

## Implications

### **Corporate Plan:**

The Council strives to ensure effective community leadership through good governance, transparency, accountability, and appropriate behaviours. The Constitution underpins these aims.

### **Legal:**

In accordance with Article 13 of the Constitution, the Monitoring Officer is responsible for keeping the Constitution under review. The Monitoring Officer is delegated the authority to make minor amendments to the Constitution or make amendments to reflect in year changes. Substantive changes to the Constitution must be approved by the Council.

### **Finance:**

There are no direct financial implications resulting from the recommendations within this report.



Budget Area	Implication
General Fund – Revenue Budget	Not applicable.
General Fund – Capital Programme	
Housing Revenue Account – Revenue Budget	
Housing Revenue Account – Capital Programme	

**Risk:**

Risk	Mitigation
Failing to regularly review and update the Constitution would increase the risk of failing to adhere to legislation, policy, and practices, and could negatively impact the Council’s decision-making.	The Constitution is reviewed and updated regularly to ensure it remains fit for purpose.

**Human Resources:**

There are no direct human resources implications resulting from the recommendations within this report. Sections within the Constitution such as the Code of Conduct for Employees and Member/Officer Protocol are regularly reviewed to ensure they remain fit for purpose, with consideration to any HR implications.

**Environmental/Sustainability:**

There are no direct environmental/sustainability implications resulting from the recommendations within this report.

**Equalities:**

There are no direct equalities implications resulting from the recommendations within this report.

**Other Implications:**

None.

**Reason(s) for Urgency**

None.

## **Reason(s) for Exemption**

None.

## **Background Papers**

None.

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# Ashfield

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DISTRICT COUNCIL

## **Members' Social Media Policy**

**Version: 4.0**

**Approved by Council: TBD**

## **1. INTRODUCTION**

- 1.1. Social media is the term used for online tools, websites, and interactive media that enable users to interact with each other by sharing information, opinions, knowledge, and interests. This policy and guidelines cover social media issues over the internet and by email, smart phones, social networking sites, blogging, and tweeting.

Social media increases our access to audiences and improves the accessibility of our communication. It enables us to be more active in our relationships with citizens, partners, and stakeholders and encourages people to be involved in local decision making, enabling better engagement and feedback, and ultimately helping to improve the services we provide.

- 1.2. For the purposes of this policy, the term 'social media' covers sites and applications including but not restricted to Facebook, Twitter, Instagram, TikTok, YouTube, LinkedIn, blogs, discussion forums, wikis, and any sites which may emerge after the creation of this policy where Ashfield District Council could be represented via online participation.
- 1.3. Ashfield District Council acknowledges social media as a useful tool. However, clear guidelines are needed for the use of social media sites to ensure they are used effectively as part of a wider communications mix and that their use does not expose the Council to security risks, reputational damage, or breach the Data Protection Act.

## **2. POLICY STATEMENT**

- 2.1. This policy provides a structured approach to using social media and will ensure that it is effective, lawful, and does not compromise Council information or computer systems/networks.

Users must ensure that they use social media sensibly and responsibly, in line with corporate policy. They must ensure that their use will not adversely affect the Council or its business, nor be damaging to the Council's reputation and credibility or otherwise violate any Council policies.

## **3. PURPOSE**

- 3.1. This policy applies to Councillors and Co-Opted Members. It gives guidelines on how to use social media, sets out how we can effectively manage social media usage, and indicates how any risks or pitfalls can be minimised or mitigated. The following risks have been identified with social media use (this is not an exhaustive list):

- Virus or other malware (malicious software) infection from infected sites.
- Disclosure of confidential information.

- Damage to the Council's reputation.
- Social engineering attacks (also known as phishing).
- Bullying or 'trolling'. An internet 'troll' is a person who starts arguments or upsets people by posting inflammatory or off-topic messages online with the deliberate intent of provoking readers into an emotional response or otherwise disrupting normal discussion, often for their own amusement.
- Civil or criminal action relating to breaches of legislation.
- Breach of safeguarding through the use of images or personal details leading to the exploitation of vulnerable individuals.
- Breach of the Members' Code of Conduct through inappropriate use.

3.2. In light of these risks, the use of social media sites should be regulated to ensure that such use does not damage the Council, its employees, Councillors, partners, and the people it serves. As such this policy aims to ensure:

- A consistent and corporate approach is adopted and maintained in the use of social media.
- Council information remains secure and is not compromised through the use of social media.
- Users operate within existing policies, guidelines, and relevant legislation.
- The Council's reputation is not damaged or adversely affected.

#### **4. RESPONSIBILITIES OF COUNCILLORS**

- 4.1. You are personally responsible for the content you publish on any form of social media. Publishing or allowing to be published (in the form of a comment) an untrue statement about a person which is damaging to their reputation may incur a libel action for which you will be personally liable.
- 4.2. Social media sites are in the public domain, and it is important to ensure you are confident of the nature of the information you publish. Once published, content is almost impossible to control and may be manipulated without your consent, used in different contexts, or further distributed.
- 4.3. Make use of stringent privacy settings if you do not want your social media to be accessed by the press or public. Read the terms of service of any social

media site accessed and make sure you understand their confidentiality/privacy settings.

- 4.4. Do not disclose personal details such as home addresses and telephone numbers. Ensure that you handle any personal or sensitive information in line with the Council's Data Protection Policy.
- 4.5. Safeguarding issues are paramount because social media sites are often misused by offenders. Safeguarding is everyone's business – if you have any concerns about other site users, you have a responsibility to report these.
- 4.6. Do not publish or report on meetings which are private or internal (where no members of the public are present, or it is of a confidential nature), or exempt reports (which contain confidential information or matters which are exempt under the provision of the Local Government (Access to Information) Act 1985).
- 4.7. Copyright laws still apply online. Placing images or text from a copyrighted source (e.g., extracts from publications or photos) without permission is likely to breach copyright. Avoid publishing anything you are unsure about or seek permission from the copyright holder in advance.
- 4.8. Do not send or post inappropriate, abusive, bullying, racist, or defamatory messages to members of the public, other Councillors, or officers either in or outside the work environment.
- 4.9. The Council will not promote Councillors' social media accounts during the pre-election period.
- 4.10. In any biography, the account should state the views are those of the Councillor in question and may not represent the views of the Council.
- 4.11. Do not use the Council's logo, or any other Council related material, on a personal account or website.
- 4.12. Social media must not be used for actions that would put Councillors in breach of the Members' Code of Conduct. For example, do not publish something on social media you would not say face to face, or at a public meeting.
- 4.13. Be aware of your own safety when placing information on the internet and do not publish information which could leave you vulnerable.
- 4.14. Anyone receiving threats, abuse, or harassment via their use of social media should report it to their political group leader, the Monitoring Officer, and/or the Police.
- 4.15. It is recommended that you have separate social media profiles for your role as a Councillor or Co-opted Member and your private life.

## 5. CONDUCT

- 5.1. Councillors are reminded that in respect of social media, they are governed by the Members' Code of Conduct and relevant law. You are acting in your 'official capacity' and any conduct may fall within the Code whenever:
- You conduct the business of the Authority; or
  - You act as a representative of the Authority; or
  - Your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a Councillor or as a representative of the Authority.
- 5.2. Breaches of this policy may amount to a breach of the Members' Code of Conduct.
- 5.3. Other violations of this policy, such as breaching the Data Protection Act, could lead to fines being issued and possible criminal or civil action being taken against the Council, or the individual(s) involved.
- 5.4. The Council reserves the right to request the removal of any content that is deemed to be in breach of the Members' Code of Conduct.

## 6. PRINCIPLES FOR USE OF SOCIAL MEDIA

- 6.1. You should follow these five guiding principles for any social media activities:
1. **Be respectful** – set the tone for online conversations by being polite, open, and respectful. Use familiar language, be cordial, honest, and professional at all times. Make sure that you respect people's confidentiality – do not disclose non-public information or the personal information of others.
  2. **Be credible and consistent** – be accurate, fair, thorough, and transparent. Encourage constructive criticism and deliberation. Make sure that what you say online is consistent with your other communications.
  3. **Be honest about who you are** – it is important that any accounts or profiles that you set up are clearly and easily identifiable. Be clear about your own personal role.
  4. **Be responsive** – make an effort to share what you know. Offer insights where appropriate and put people in touch with someone who can help if you cannot. Respond to questions and comments in a timely manner.
  5. **Be confident** – do not be scared of participating. Follow these rules and seek further guidance if you need it. If you are about to publish something that makes you even the slightest bit uncomfortable, pause

to think about it. Feel confident in what you say before you say it – and say it as clearly as you can.

## **7. GUIDANCE ON CAPTURING SOCIAL MEDIA POSTS**

- 7.1. Posts made using third party sites such as Facebook or Twitter are not held or within the control of the Council - posts can be deleted by site administrators without knowledge or consent of the Council. In exceptional circumstances, copies of posts may be made and retained by the Council, in line with relevant Council procedures. These copies will be held for a period dependent on the type of investigation they are subject to.
- 7.2. Where inappropriate use is suspected, it is suggested that you should proactively attempt to capture any inappropriate posts before they might be deleted. Copies should be made and reported to the Monitoring Officer within the Council, as well as following the social media sites own reporting procedures where appropriate.

## **8. RELATIONSHIP WITH OTHER COUNCIL POLICIES**

- 8.1. The Members' Social Media Policy should be read in conjunction with:
- The Members' Code of Conduct which regulates the standards of conduct of elected members of Ashfield District Council. The Members' Code of Conduct also outlines the arrangements for investigating and deciding upon complaints against members.



## **EXAMPLES OF THE USE OF SOCIAL MEDIA**

### **Can I comment/respond to questions posted on my social media page regarding general local issues?**

Yes. The Members' Social Media Policy is not intended to restrict the use of social media, it is a guidance tool to make Councillors aware of the risks and pitfalls. Social media is an excellent method for Councillors to interact with members of the public and should be encouraged.

### **Can I comment/respond to questions posted on my social media page regarding upcoming Council matters such as licensing or planning applications?**

Councillors can take a view and express opinions or concerns, however, they must not show bias or pre-determination. Councillors are reminded to remain impartial and open minded and listen to all the facts before coming to a decision. Evidence of any kind of bias or pre-determination could leave the decision open to challenge.

### **I find comments on my social media page posted by a third party insulting and/or confrontational. How should I respond?**

If at all possible, do not respond at all. Internet 'trolls' are people who often try to antagonise public figures on purpose to get a reaction.

If it is clear that the person is a serious, concerned member of the public then a suitably non-confrontational reply may be appropriate. Remember that you remain a representative of the Council online and should not do or say anything that you would not do face-to-face or in a letter.

If the post is potentially defamatory or illegal, then it should be reported to the site administrators and/or the police.

### **I discover information that is incidental to my role as a Councillor (for example, information relating to a planning application). Can I disclose this information via social media?**

Yes, however, you should take great care in doing so. Posting information obtained as a Councillor will be seen as you acting in your official capacity as a Councillor even if this is on your personal account. You should also remember that publishing anything regarding forthcoming or on-going decisions could be seen as pre-determination or bias. If the information is confidential then releasing the information may be a breach of the Members' Code of Conduct.

### **Someone has posted a racially aggravated comment on my social media page, what can I do? Can I be held liable?**

As soon as you become aware of the comment you should inform the site administrator. If you are exclusively in charge of the site, you should consider reporting the comment to the Police. You should keep evidence of the post and then

ensure it is taken down. Providing a Councillor takes reasonable care and reports the potential offence quickly they are unlikely to be held liable for someone else's breaches.

**I publish a post on my social media page regarding a matter that I will be making a decision on (such as a planning or licensing application). As this is my personal social media page, do the rules for pre-determination and bias still apply?**

Yes, they do. The Members' Social Media Policy also extends to personal social media pages where the content/comment relates to Council matters. Councillors should take care when publishing information regarding a Council matter as this may leave the decision open to challenge.

**Do any special rules apply to social media posts and blogs during a local election period?**

During an election period, Councillors should take particular care as legislation relating to electoral matters will apply to the online publication of electoral material or statements relating to the election. For example, if you publish a statement on your personal social media page regarding another candidate, the Representation of the People Act 1983 may apply. Under this legislation it is a criminal offence to make or publish a false statement of fact about the personal character or conduct of an election candidate.

**What happens if I breach the Members' Social Media Policy?**

It depends upon the nature of the breach. However, punishment for a serious breach of the Policy may lead to a code of conduct complaint or even personal liability or criminal charges.



<b>Report To:</b>	<b>COUNCIL</b>
<b>Date:</b>	<b>24 JULY 2023</b>
<b>Heading:</b>	<b>APPOINTMENT OF THE INDEPENDENT REMUNERATION PANEL</b>
<b>Executive Lead Member:</b>	<b>NOT APPLICABLE</b>
<b>Ward/s:</b>	<b>ALL</b>
<b>Key Decision:</b>	<b>NO</b>
<b>Subject to Call-In:</b>	<b>NO</b>

## **Purpose of Report**

The purpose of this report is for Council to agree appointments to the Independent Remuneration Panel for a four-year term. Council is also asked to approve Terms of Reference and role descriptors for the appointed Independent Remuneration Panel.

## **Recommendation(s)**

Council is recommended to:

- a. Approve the appointment of Dr Declan Hall as the Chair of the Independent Remuneration Panel for a four-year term.
- b. Approve the appointment of Paula Watkinson and Andrew Frogson as Lay Members of the Independent Remuneration Panel for a four-year term.
- c. Approve the Independent Remuneration Panel Terms of Reference (Appendix A) and role descriptors for the Chair (Appendix B) and Lay Members (Appendix C).
- d. Delegate authority to the Chief Executive to agree associated fees and expenses connected with the Independent Remuneration Panel.

## **Reasons for Recommendation(s)**

To ensure that a review of the Members' allowances Scheme is carried out in accordance with the requirements of the Local Authorities (Members' Allowances) Regulations Act 2003.

## **Alternative Options Considered**

No alternative options are considered to be appropriate other than to comply with the Local Authorities (Members' Allowances) Regulations 2003.

## **Detailed Information**

### **PREVIOUS REVIEW**

The Council approved the existing Members' Allowances Scheme in April 2020, following consideration of a report from the Independent Remuneration Panel in accordance with the requirements prescribed by the Local Authorities (Members' Allowances) Regulations 2003. The Independent Remuneration Panel comprised of Dr Declan Hall as Chair and Paula Watkinson and Mark Cawar as Lay Members.

### **APPOINTMENT OF THE INDEPENDENT REMUNERATION PANEL, 2023-2027**

Council is recommended to make appointments to the Independent Remuneration Panel, as the Panel's previous four-year term has come to an end.

Dr Declan Hall has Chaired the Independent Remuneration Panel on numerous occasions. A former academic at the Institute of Local Government, University of Birmingham, with extensive experience of public sector member allowance reviews across the UK, Dr Hall is considered an appropriate candidate for the role of Chairman of the Panel. His appointment ensures academic expertise and continuity.

In addition, two prospective Lay Members have been contacted in accordance with the Regulations and have indicated a willingness to participate in the next Independent Remuneration Panel review.

Paula Watkinson is a local business director at Ashfield Effluent Services Ltd, a company providing expert advice and services on all aspects of sewage treatment and waste management. Paula was appointed by Council to previous Panel and can offer valuable previous experience of reviewing member allowances.

Andrew Frogson has worked for many years in the textile industry, and in partnership launched the successful Sauce and Brown brand in April 2014. Sauce and Brown is a men's clothing brand with a shop located in Annesley Woodhouse. Andrew has not previously been appointed to an Independent Remuneration Panel so will offer a fresh perspective to the review process.

The prospective Panel Members will receive out-of-pocket expenses, and the Chairman of the Panel will receive a fixed fee to be agreed with the Chief Executive.

It is recommended that the Panel be appointed for a four-year term to maintain consistency should the Panel need to be re-called or undertake any further review in the future (for example, the Panel will be consulted if the Council looks to establish new Committees to review appropriate allowances to Chairs/Vice Chairs).

### **REVIEW PROCESS**

The Members' Allowances Scheme is index linked and adjusted annually, but this can only be relied upon for a period of 4 years before another review of the Scheme has to be carried out. The previous review was carried out in October 2019. It is intended that the newly appointed Panel will undertake a review in October/November 2023, with dates to be agreed with Panel Members following appointment.

An indicative timeline for the review process would be as follows:

- July 2023 – Appointment of the Independent Remuneration Panel by Council
- October/November 2023 – Review to be carried out by the Independent Remuneration Panel
- January 2024 – Findings of the Panel submitted to the Chief Executive
- April 2024 – Report including findings and final recommendations presented to Council for incorporation into a revised Members’ Allowances Scheme

During the course of the review, the Panel will be asked to make recommendations on:

- The level of the basic allowance payable to all Councillors
- Special responsibility allowances payable to those Members holding positions of particular responsibility
- Any co-optee allowances
- Travel and subsistence allowances
- Childcare/dependent carer’s allowances

As part of the review process, the Panel will seek evidence from Members via questionnaires. The Panel will also interview a cross-section of Members, as well as the Chief Executive, Monitoring Officer, and other relevant Officers. Other local authorities identified as suitable comparators will also be used for benchmarking purposes.

Proposed Terms of Reference for the Independent Remuneration Panel are set out in Appendix A. Proposed role descriptors for the Chair and Lay Members of the Panel are set out in Appendices B and C.

## **Implications**

### **Corporate Plan:**

Appointment of an Independent Remuneration Panel to carry out a review of Member Allowances is in accordance with the Council’s key value of honesty as established within the Corporate Plan. Ensuring effective community leadership through good governance, transparency, accountability, and appropriate behaviours.

### **Legal:**

The Council is obligated to comply with the requirements prescribed in the Local Authorities (Members’ Allowances) (England) Regulations 2003 and arrange to adopt a revised Allowances Scheme following recommendations from the Independent Remuneration Panel no later than April 2024.

### **Finance:**

The costs associated with the Independent Remuneration Panel undertaking a review of the Council’s Members’ Allowances Scheme will include travel and subsistence for all Panel Members along with a fixed fee for the appointed Chair, to be agreed through delegation by the Chief Executive. Any costs will be accommodated within the Member Services budget.

<b>Budget Area</b>	<b>Implication</b>
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General Fund – Revenue Budget	As above.
General Fund – Capital Programme	N/A
Housing Revenue Account – Revenue Budget	N/A
Housing Revenue Account – Capital Programme	N/A

**Risk:**

<b>Risk</b>	<b>Mitigation</b>
The four-year term for the previously appointed Independent Remuneration Panel comes to an end in July 2023. This means the Council would not have a Panel appointed to conduct a review of Members Allowances in accordance with the requirements set out within the Local Authorities (Members' Allowances) (England) Regulations 2003.	Council is recommended to appoint membership to the Independent Remuneration Panel for a new four-year term to enable a review of Member Allowances to take place in 2023 and a revised Members' Allowances Scheme to be adopted in 2024.

**Human Resources:**

There are no direct human resources implications resulting from the recommendations within this report.

**Environmental/Sustainability:**

There are no direct environmental or sustainability implications resulting from the recommendations within this report.

**Equalities:**

There are no direct equalities implications resulting from the recommendations within this report.

**Other Implications:**

There are no other implications resulting from the recommendations within this report.

**Reason(s) for Urgency**

None.

## **Reason(s) for Exemption**

None.

## **Background Papers**

None.

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## APPENDIX A

### ASHFIELD DISTRICT COUNCIL INDEPENDENT REMUNERATION PANEL

#### TERMS OF REFERENCE

##### Members Allowances Review 2023

1. The Panel is to make recommendations to the Council, following a review of Leader, Elected, and Co-opted Member remuneration as to the appropriate level of remuneration. In its deliberations the Panel is required to make recommendations regarding:
  - a. The Basic Allowance to all Councillors and if applicable any expense it should include
  - b. The scope and levels of Special Responsibility Allowances
  - c. Scope and level of Co-optees' Allowances
  - d. Travel and Subsistence Allowances, including applicable rates and terms and conditions by which they may be claimed
  - e. Dependants' Carers' Allowance, including applicable rates and terms and conditions by which they may be claimed
  - f. Maternity leave, sickness and any other applicable absences
  - g. Equipment allowances if applicable
  - h. Applicable indices for allowances and how long they are to run for.
  - i. Council Chairman's SRA, if applicable and Civic Allowance
  - j. Any other issues that are brought to the Panel's attention
2. In reaching its recommendations, the Panel is required to seek, where appropriate, submissions and evidence from:
  - a. All Elected Members of the Council in written form via an aide memoir.
  - b. A cross section of Members via personal interview, such as Executive Lead Member(s), non-executive Members, Committee Chair(s) and Vice(s), Group Leaders etc.
  - c. The Council's Chief Executive.
  - d. The Monitoring Officer and other relevant Officers
  - e. Other Local Authorities and public bodies within the region or nationally which the Panel believes to be comparative.
3. The recommendations are to take account of the Constitution of the Council and the Elected Members' Code of Conduct.
4. The recommendations are to take account of the current financial constraints facing the Council.
5. The recommendations of the Panel are to be formulated into a report to the Chief Executive for reporting to Council for consideration in 2024.

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## **APPENDIX B**

### **ASHFIELD DISTRICT COUNCIL INDEPENDENT REMUNERATION PANEL**

#### **ROLE DESCRIPTOR**

**POST TITLE:** Chair of the Independent Remuneration Panel

**DIVISION:** Governance

**SECTION:** Democratic Services

**WORK BASE:** Ashfield District Council Central Offices, Urban Road, Kirkby in Ashfield, NG17 8DA

**RESPONSIBLE TO:** Executive Director of Governance and Monitoring Officer

#### **PURPOSE OF ROLE:**

To facilitate and manage the process of the review of the Members' Allowances Scheme in accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003.

#### **MAIN RESPONSIBILITIES:**

1. To facilitate and manage the Independent Remuneration Panel meetings.
2. To provide advice and guidance as appropriate to the Panel, consulting with Officers of the Council as necessary.
3. To review the existing Members' Allowances Scheme, using a number of suitable techniques.
4. To collect and collate information in relation to the review of the Members' Allowances Scheme to enable an informed, transparent, and fair review:
  - a. To evaluate the results of a questionnaire to be sent out to Elected Members.
  - b. To develop and appropriate "Call for Evidence" process i.e. request interviews with a number of Elected Members at all levels and across all parties.
  - c. To gather evidence and information from Officers of the Council and other appropriate stakeholders as deemed necessary.
  - d. To compare Members' Allowances Schemes of similar size and make up to Ashfield District Council.
5. To develop and maintain effective partnership working and communication between Lay Members of the Independent Remuneration Panel and Council Officers.
6. To ensure sufficient records of the Panel's work are maintained for audit purposes.

7. After consensus and discussion with the Independent Remuneration Panel Members, to produce a written report with recommendations to the Chief Executive by January 2024.

**FEES/EXPENSES:**

Fixed fee as agreed in advance with the Chief Executive.

## **APPENDIX C**

### **ASHFIELD DISTRICT COUNCIL INDEPENDENT REMUNERATION PANEL**

#### **ROLE DESCRIPTOR**

**POST TITLE:** Lay Member of the Independent Remuneration Panel

**DIVISION:** Governance

**SECTION:** Democratic Services

**WORK BASE:** Ashfield District Council Central Offices, Urban Road, Kirkby in Ashfield, NG17 8DA

**RESPONSIBLE TO:** Executive Director of Governance and Monitoring Officer

#### **PURPOSE OF ROLE:**

To contribute to the review of the Members' Allowances Scheme in accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003.

#### **MAIN RESPONSIBILITIES:**

1. To review the existing Members' Allowances Scheme, using a number of suitable techniques.
2. To collect and collate information in relation to the review of the Members' Allowances Scheme to enable an informed, transparent, and fair review:
  - a. To evaluate the results of a questionnaire to be sent out to Elected Members.
  - b. To consider evidence obtained as part of the "Call for Evidence" process – the interviews with a number of Members at all levels across all parties.
  - c. To consider evidence and information from Officers of the Council and other appropriate stakeholders as deemed necessary.
  - d. To compare Members' Allowances Schemes of similar size and make up to Ashfield District Council.
3. To develop and maintain effective partnership working and communication between the Independent Remuneration Panel and Council Officers.
4. To contribute to the development of recommendations contained within the written report produced for the Chief Executive.

#### **FEES/EXPENSES:**

Out of pocket and travel expenses.

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<b>Report To:</b>	<b>COUNCIL</b>
<b>Date:</b>	<b>24 JULY 2023</b>
<b>Heading:</b>	<b>POLLING PLACES AND POLLING DISTRICT REVIEW WORKING GROUP</b>
<b>Executive Lead Member:</b>	<b>LEADER OF THE COUNCIL</b>
<b>Ward/s:</b>	<b>ALL</b>
<b>Key Decision:</b>	<b>NO</b>
<b>Subject to Call-In:</b>	<b>NO</b>

## Purpose of Report

The report outlines proposals to ensure that the Council fulfils its statutory obligation to review polling places and polling districts.

## Recommendation(s)

Council is request to;

- Approve the establishment of a Polling Places and Polling District Review Working Group
- The Working Group to consist of 7 Members in accordance with Political Balance.
- Appoint the members of the Working Group and appoint the Leader of the Council as Chairman
- The draft timetable as detailed in the report be approved.

## Reasons for Recommendation(s)

To comply with legislation requiring the Council to undertake a periodic review within the compulsory review period.

## Alternative Options Considered

None considered .

## Detailed Information

In accordance with the Electoral Registration and Administration Act 2013 the Council is required to complete a review of its polling districts and polling places at least once every 5 years. The next compulsory review period commences on 1 October 2023, which is when the review recommendations should be published for public consultation before a final report to Council on the 27 November 2023.

## Formal Review Process

The length of the review process is not prescribed. However, it must allow sufficient time for public consultation on the existing and proposed polling places and polling districts, usually a period of 4 weeks in total. It should also provide sufficient time for the Council to consider any representations received and determine the new arrangements. During the consultation period the Acting Returning Officer's proposals on the existing and proposed arrangements must also be published.

## Administration of the Review and Draft Timetable

In order to administer the process of the review efficiently and effectively, it is proposed that the Council delegates the detailed work of the review to a Working Group to provide guidance and consider all representations.

At the end of the review process, the Working Group will make its recommendations to a meeting of the Council for ratification, following which the new polling districts and polling places will be formally designated.

Polling Places Review Working Group	Week commencing 31 July 2023
Polling Places Review Working Group	Week commencing 21 August 2023
Polling Places Review Working Group	Week commencing 11 September 2023
Notice of Review & Recommendations Published <ul style="list-style-type: none"><li>• ARO to publish proposals on polling places and polling districts</li></ul>	29 September 2023
End of Consultation Period	27 October 2023
Polling Places Review Working Group <ul style="list-style-type: none"><li>• To finalise recommendations to the Council for the new polling places and polling districts</li></ul>	Week commencing 6 November 2023
Full Council Meeting	27 November 2023
Publication of review result (Subject to Council approval)	4 December 2023

## Representations

The Council is required to seek views or comments from electors and any persons or bodies with expertise in access to premises or facilities for persons with any type of disability. Representations will also be sought from the Acting Returning Officer for both Parliamentary constituencies. Local political parties, councillors and parish councils will also be consulted. Comments may relate to existing polling districts and polling places or any proposed polling districts or polling places.



## **Overview of Legislative Requirements**

When undertaking the review the Council is required to give due regard to the following considerations:-

- It must seek to ensure that all electors have such reasonable facilities for voting as are practicable in the circumstances
- It must seek to ensure that so far as is reasonable and practicable every polling place for which it is responsible is accessible to electors who are disabled
- Where possible the polling place should be in its own polling district. Special circumstances apply which allow for the polling place to be outside the district where there is no suitable polling place in the district and in these circumstances regard should be had to the convenience of electors
- Where possible each parish (and each parish ward) should be a separate polling district
- Where boundaries for different elections are no longer co-terminous the areas no longer co-terminous must be made into separate polling districts.

## **Completion of the Review**

Once the Council has agreed the proposals, details of the new polling districts and places must be made available to the public. This will be published on the website and at the Council's Offices. The reasons for choosing each polling place and districts must be given.

In addition, the Council must also publish:-

- All correspondence sent to the ARO in connection with the review or sent by the ARO to persons with particular expertise on access issues
- All representations made by any person in connection with the review
- The minutes of any meeting held by the Council or the Working Group
- Details of where the results of the review have been published.

## **Appeals Process**

Following the conclusion of the review, specified persons have the right to make representations to the Electoral Commission. If, on receipt of the representations, the Commission find that the review did not:-

- meet the reasonable requirements of the electors in the constituency or a body of them; or
- take sufficient account of the accessibility for disabled persons of a polling station/polling stations with a designated polling place

then the Commission may direct the Council to make any alterations to the polling places as they think necessary and if the alterations are not made within two months, make the alterations themselves.

## Implications

### Corporate Plan:

- Ensure effective community leadership, through good governance, transparency, accountability and appropriate behaviours  
Put our residents at the heart of what we do and inform, consult and engage with them

### Legal:

Legal requirements contained in the report.

### Finance:

Budget Area	Implication
General Fund – Revenue Budget	Review can be kept within existing budgets
General Fund – Capital Programme	
Housing Revenue Account – Revenue Budget	
Housing Revenue Account – Capital Programme	

### Risk:

Risk	Mitigation
No tolerance. Failure to complete review within timescales will lead to impact on preparation for PCC/Mayoral elections in 2024.	Project managed through corporate structure to ensure timelines are met and can be incorporated into the register of electors publication in December 2024.

### Human Resources:

The administration of the review can be carried out by electoral services in view of there being no scheduled elections in 2023.

### Environmental/Sustainability:

None identified.

### Equalities:

The review will have regard to equality of access and the needs of voters at polling places by ensuring that there are reasonable facilities to vote where practicable. It will also incorporate any changes required through implementation of the Elections Act.

**Other Implications**

None identified

**Reason(s) for Urgency**

*Not applicable*

**Reason(s) for Exemption**

*Not applicable*

**Background Papers**

*None*

Report Author and Contact Officer

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<b>Report To:</b>	<b>COUNCIL</b>
<b>Date:</b>	<b>24 JULY 2023</b>
<b>Heading:</b>	<b>MINUTES OF CABINET AND COMMITTEE MEETINGS</b>
<b>Executive Lead Member:</b>	<b>LEADER OF THE COUNCIL</b>
<b>Ward/s:</b>	<b>N/A</b>
<b>Key Decision:</b>	<b>N/A</b>
<b>Subject to Call-In:</b>	<b>N/A</b>

## Purpose of Report

To present a list of minutes of Cabinet and Committee meetings which have been published since the last ordinary meeting of the Council and for Members to consider whether they wish to give notice of their intention to ask a question of the relevant Chairman under Council Procedure Rule 13.2. Questions are limited to a maximum of two per Member.

## **MINUTES PUBLISHED SINCE 2 FEBRUARY 2023.**

The minutes are accessible via the Council's website:

<https://democracy.ashfield.gov.uk/mgCalendarMonthView.aspx?GL=1&bcr=1>

<b>Committee Meeting:</b>	<b>Date of Meeting:</b>
Scrutiny Panel B	19 January 2023
Cabinet	24 January 2023 21 February 2023 26 June 2023
Audit Committee	30 January 2023 20 March 2023
Planning Committee	1 February 2023 22 March 2023 14 June 2023
Scrutiny Panel A	9 February 2023
Overview and Scrutiny Committee	16 February 2023

Standards and Personnel Appeals Committee	8 March 2023
Charities Committee	17 March 2023
Chief Officers' Employment Committee	21 March 2023
Licensing Committee	15 June 2023

**Report Author and Contact Officer**

**Ruth Dennis**

**EXECUTIVE DIRECTOR OF GOVERNANCE AND MONITORING OFFICER**

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