



COTSWOLD
DISTRICT COUNCIL

Tuesday, 7 March 2023

Tel: 01285 623181/623208
e-mail - democratic@cotswold.gov.uk

COUNCIL

A meeting of the Council will be held at Council Chamber - Trinity Road on **Wednesday, 15 March 2023 at 2.00 pm.**

Rob Weaver
Chief Executive

To: Members of the Council

(Councillors Stephen Andrews, Tony Berry, Gina Blomefield, Claire Bloomer, Ray Brassington, Patrick Coleman, Rachel Coxcoon, David Cunningham, Tony Dale, Andrew Doherty, Mike Evemy, Jenny Forde, Joe Harris, Mark Harris, Stephen Hirst, Robin Hughes, Roly Hughes, Nikki Ind, Sue Jepson, Julia Judd, Richard Keeling, Juliet Layton, Andrew Maclean, Nick Maunder, Richard Morgan, Dilys Neill, Richard Norris, Nigel Robbins, Gary Selwyn, Lisa Spivey, Tom Stowe, Ray Theodoulou, Steve Trotter and Clive Webster)

Recording of Proceedings – The law allows the public proceedings of Council, Cabinet, and Committee Meetings to be recorded, which includes filming as well as audio-recording. Photography is also permitted.

As a matter of courtesy, if you intend to record any part of the proceedings please let the Committee Administrator know prior to the date of the meeting.

AGENDA

1. **Apologies**
2. **Declarations of Interest**
To receive any declarations of interest from Members and Officers, relating to items to be considered at the meeting.
3. **Minutes (Pages 7 - 22)**
To confirm the minutes of the meeting of Council held on 15th February 2023.
4. **Announcements from the Chair, Leader of Chief Executive**
5. **Public Questions**
To deal with questions from the public within the open forum question and answer session of fifteen minutes in total. Questions from each member of the public should be no longer than one minute each and relate to issues under the Council's remit. At any one meeting no person may submit more than two questions and no more than two such questions may be asked on behalf of one organisation.

The Chair will ask whether any members of the public present at the meeting wish to ask a question and will decide on the order of questioners.

The response may take the form of:

- a) a direct oral answer;
- b) where the desired information is in a publication of the Council or other published work, a reference to that publication; or
- c) where the reply cannot conveniently be given orally, a written answer circulated later to the questioner.

6. **Member Questions**

A Member of the Council may ask the Chair, the Leader, a Cabinet Member or the Chair of any Committee a question on any matter in relation to which the Council has powers or duties or which affects the Cotswold District. A maximum period of fifteen minutes shall be allowed at any such meeting for Member questions.

A Member may only ask a question if:

- a) the question has been delivered in writing or by electronic mail to the Chief Executive no later than 5.00 p.m. on the working day before the day of the meeting; or
- b) the question relates to an urgent matter, they have the consent of the Chair to whom the question is to be put and the content of the question is given to the Chief Executive by 9.30 a.m. on the day of the meeting.

An answer may take the form of:

- a) a direct oral answer;
- b) where the desired information is in a publication of the Council or other published work, a reference to that publication; or

- c) where the reply cannot conveniently be given orally, a written answer circulated later to the questioner.

The following questions have been submitted:

Question 1

Question from Councillor Stephen Andrews to Councillor Jenny Forde, Cabinet Member for Health and Wellbeing and Armed Forces Champion

In January of this year, you will recall that you undertook to provide a short briefing note for Members so that we are all aware of the support that this Council will now provide, or act to encourage those that it can influence to provide as part of this new Armed Forces Covenant Duty.

I have not yet seen this briefing note. This should not be complicated as the Council should already have the measures in place with guidance available to Staff.

When will this briefing note be produced and made available to Members?

Question 2

Question from Councillor Stephen Andrews to Councillor Juliet Layton, Cabinet Member for Development Management and Licensing

As of the 3rd March 2023, the version of the Scheme of Delegation posted on the Planning Committee page of the CDC website (<https://www.cotswold.gov.uk/planning-and-building/planning-permission/planning-committee/>) is clear at 4 i under Development Management (DM) that Planning Applications should be referred to the Planning Committee unless the Scheme of Delegation applies:

“... with the following exceptions:-

- i. Applications where the views of the Town Council or Parish Council are clearly contrary to the proposed recommendation and cannot be resolved by condition or negotiation (with the exception of householder development or advertisement consent, which may continue to be delegated)”

In this and other areas, the published Scheme of Delegation differs significantly from the current practice of this Council.

Would she agree with me that the Scheme of Delegation followed by the Council should, in the interest of openness, transparency and good governance, be that made available to the public on the website of the Council?

Question 3

Question from Councillor Tom Stowe to Councillor Joe Harris, Leader of the Council

With the international cost of living crisis continuing, and council employees' morale at a low, can Cllr Harris please confirm what financial hardship and well-being arrangements the council has in place to help council employees who may be struggling financially?

7. **Gloucestershire-Wide Code of Conduct for Elected Members (Pages 23 - 44)**

Purpose

This report sets out the proposed Member Code of Conduct.

Recommendations

The Council resolves to:

- adopts the Gloucestershire-wide Code of Conduct with effect from the 9th May 2023
- Council notes that the Monitoring Officer will carry out training prior to it coming into effect.

8. **Amendments to the Constitution - Report of the Constitution Working Group (Pages 45 - 72)**

Purpose

To consider proposals from the Constitution Working Group for amendments to the Constitution to –

- commence the recruitment process and agree remuneration for up to two independent members on the Audit Committee, and associated amendments to the Constitution;
- Implement a Monitoring Officer Protocol

change the meeting duration for Overview and Scrutiny Committee and Audit Committees to a maximum duration of three hours.

Recommendations

That Council resolves to:

- a) approve the recruitment of up to two Independent Members of Audit Committee on the basis of the recruitment pack at annex A;
- b) delegate authority to the Director of Governance & Development (Monitoring Officer, and Deputy Chief Executive & S151 Officer, in consultation with the Chair of Audit Committee, to agree three members of Audit Committee to be on the interview panel;
- c) approve an annual payment of £1,000.00 to be paid to independent members of Audit Committee;
- d) authorises the Director of Governance & Development (Monitoring Officer) to update Part C3: Committee Functions to make the consequential amendments to the Audit Committee's membership.
- d) approve the Monitoring Officer Protocol for inclusion in the Constitution.
- f) update Procedure Rule 9 in Part D of the Constitution to read as follows:

“The maximum duration of one sitting of a meeting (excluding any comfort breaks) will be as shown below. When the time limit is reached the current agenda item will be completed in the normal way. Any subsequent business will fall or may be reschedule to a later meeting or the meeting may be adjourned (to conclude on a different date).

Council – four hours*

Cabinet – four hours*

Audit Committee – three hours

Overview and Scrutiny Committee – three hours

Planning and Licensing Committee – no maximum duration

*For Council and Cabinet, at the conclusion of an item of business, after three hours have elapsed, a vote will be taken by a simple majority to continue for the final hour”.

9. **Approval of contract awards for Leisure and Culture (Pages 73 - 86)**

Purpose

To seek authority to award a contract for;

- a. the management of the Council's leisure facilities
- b. the management of the Council's culture facilities

Recommendations

That, subject to the decision of Cabinet on 13 March 2023, Council resolves to:

1. Agree to award the Leisure Management Contract to the preferred bidder set out in EXEMPT Annex C (i).
2. Agree to award the Culture Management Contract to the preferred bidder set out in EXEMPT Annex C (ii).
3. Delegate authority to the interim Head of Legal Services for Contract finalisation.
4. Delegate authority to Deputy Chief Executive and s151 Officer, in consultation with the Cabinet Member for Health and Wellbeing and Leadership and Management Team (Chief Executive, Deputy Chief Executive and Director of Governance and Development), to accept capital investment proposals set out in preferred bidder's Leisure tender submission.
5. Notes the position set out in paragraph 5.6 for the mobilisation period and in the early process of embedding the new contracts.

10. **Notice of Motions**

In accordance with Council Procedure Rule 12, the following Motions have been received:-

Motion proposed by Councillor Julia Judd and seconded by Councillor Tony Berry

Motion to consider the provenance and supply chain for approval of bricks for building developments in the Cotswolds.

I congratulate the member of the public for lobbying me about this ethical proposal.

Through Building Regulation powers, Cotswold District Council prohibits the use of unethical and unsustainable bricks from being used in the Cotswolds. Some bricks on the open market derive from dubious supply sources particularly on the Asian subcontinent, where poor working conditions and the use of bonded and child labour is used to produce them. Furthermore, it cannot be sustainable to transport bricks, heavy freight for thousands of miles to the UK. This issue has recently been highlighted in the national press.

A report produced in February 2022, written evidence submission from Department of Geography, Royal Holloway, titled: The Environmental Footprint of UK Trade: Three Case Studies and Recommendations states:

The first case examined here concerns the rapidly growing phenomenon of brick importation from outside the UK. Once self-sufficient in terms of brick production, the UK has since the recession of 2008 seen production fall behind demand. As a result, the UK has now risen to become the world's largest importer of bricks, importing more

than 400,000 in 2019 (HMRC, 2020). Moreover, these bricks are coming from further and further afield. Bricks imported from outside the EU increased more than tenfold in the five years between 2015 and 2019, from 3,088,902 to 32,942,280: a low value, high weight trade that generates carbon on an enormous scale. Produced in largely unregulated kilns and shipped thousands of miles by boat, a three-kilogram house brick imported from outside the EU has a carbon cost three times higher than one produced domestically. Worse still, they carry with them a legacy of local environmental destruction and human exploitation on a scale that the UK has long since eliminated domestically, yet on which the goods we consume continue to depend.

The Brick Development Association has produced a Charter which states: 'Through our everyday monitoring of brick statistics and UK market throughput, we have noticed and have evidenced through work with our partners, at University College London and others, a significant increase in the importation of clay bricks from outside of the EU into the UK. Most notably from Asia. There is a large defined area across Pakistan, India, Nepal and Bangladesh as well as Sub-Saharan Africa and the Far East, which is causing concern where bricks are manufactured seasonally, in large numbers, and more often than not using bonded or child labour. Those individuals making these bricks work under extreme conditions with little or no regard to health and safety, poor sanitation, often with little or no pay. This is unacceptable in today's business world.'

Developers and merchants are becoming aware of this ethical provenance issue, however our policies can specifically exclude unethical bricks from approval so that they cannot be used. If bricks are registered for approval by the BDA Brick Makers Quality Charter, they would qualify. If they're not listed there, then don't approve them!

Resolution

Therefore, this motion requests that the Council actively encourages the use of ethical bricks for current and future developments within the district.

11. **Next meeting**

The next meeting will be Wednesday 24th May 2023 for Annual Council.

12. **Matters exempt from publication**

If Council wishes to exclude the press and the public from the meeting during consideration of any of the items on the exempt from publication part of the agenda, it will be necessary for Council to pass a resolution in accordance with the provisions of section 100A of the Local Government Act 1972 on the grounds that their presence could involve the likely disclosure of exempt information as described in specific paragraphs of Schedule 12A of the Local Government Act 1972.

Council may maintain the exemption if and so long as, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

13. **Exempt annexes of for the award of contracts for the management of the Council's leisure and culture facilities (Pages 87 - 166)**

(END)