



### **Annual Meeting of the Council of the City of Coventry**

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**Time and Date**

11.00 am on Thursday, 5th June, 2014

**Place**

Coventry Cathedral

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**Please note: Robing for Councillors will take place from 9.30 am in the Dame Ellen Terry Suite**

**Please be seated in the Cathedral by 10.45 am (with the exception of Councillors who are in the civic procession)**

1. **Apologies**
2. **Correspondence and Announcements of the Lord Mayor**
3. **Election of the Chair of the Council (being the Lord Mayor of the City)**
4. **Vote of thanks to the Retiring Lord Mayor**
5. **Election of the Vice-Chair of the Council (being the Deputy Lord Mayor of the City)**
6. **Election of the Leader of the Council**
7. **To receive a report of the Leader of the Council on the appointment of the Deputy Leader, composition of the Cabinet and allocation of Executive Functions within the Cabinet (Pages 5 - 10)**
8. **Confirmation of Minutes (Pages 11 - 24)**  
To confirm the minutes of the Ordinary Meeting held on 18<sup>th</sup> March and the Extraordinary Meeting held on 10<sup>th</sup> April 2014
9. **Return of Persons Elected as Councillors for the City on 22nd May 2014.**  
(Pages 25 - 28)
10. **Declarations of Interest**

11. **To establish the Licensing and Regulatory Committee, Planning Committee, Health and Wellbeing Board, Scrutiny Co-ordination Committee, Scrutiny Boards, Audit and Procurement Committee, an Ethics Committee, and such other Committees as the Council considers appropriate to deal with matters which are neither reserved to the Council nor are executive functions as set out in the Constitution. This also includes the appointment of the Chair and Deputy Chair of those bodies. (Pages 29 - 58)**
12. **To decide the size and Terms of Reference for those Boards and Committees (as set out in the Constitution)**
13. **To decide the allocation of seats to political groups in accordance with the political balance rules (Pages 59 - 60)**
14. **To receive nominations and appoint Councillors to serve on each Scrutiny Board and Committee**
15. **To receive nominations and appoint to Outside Bodies (Pages 61 - 82)**
16. **To approve a programme of ordinary meetings of the Council, Cabinet, Scrutiny Boards, Committees and Advisory Panels for 2014/15, including the date and time of the next Annual Meeting and agree the scheme of delegation as set out in the Constitution (Pages 83 - 84)**
17. **New Integrated Transport Authority Governance Arrangements (Pages 85 - 142)**  
  
Report of the Executive Director, Resources
18. **If required, to consider any changes to the Constitution or any other matters arising from the Annual Meeting decisions and appointments**

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Chris West, Executive Director, Resources, Council House Coventry

Wednesday, 28 May 2014

Note: The person to contact about the agenda and documents for this meeting is Carolyn Sinclair/Suzanne Bennett 024 7683 3166/3072

Membership: Councillors F Abbott, N Akhtar, M Ali, A Andrews, M Auluck, S Bains, L Bigham, J Blundell, K Caan, D Chater, J Clifford, G Crookes (Chair), G Duggins, C Fletcher, D Galliers, D Gannon, A Gingell, M Hammon, L Harvard, P Hetheron, D Howells, J Innes, L Kelly, D Kershaw, T Khan, A Khan, R Lakha, R Lancaster, J Lepoidevin, A Lucas, K Maton, J McNicholas, C Miks, K Mulhall, J Mutton, M Mutton, H Noonan (Deputy Chair), J O'Boyle, E Ruane, R Sandy, T Sawdon, B Singh, D Skinner, T Skipper, H Sweet, K Taylor, R Thay, S Thomas, P Townshend, S Walsh and D Welsh

Please note: a hearing loop is available in the committee rooms

If you require a British Sign Language interpreter for this meeting  
OR if you would like this information in another format or  
language please contact us.

**Carolyn Sinclair/Suzanne Bennett**  
**024 7683 3166/3072**

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Annual Meeting of the Council

5<sup>th</sup> June 2014

**Report of the Leader:**  
Councillor Mrs Lucas

**Ward(s) affected:**  
Not Applicable

**Title:**

**Composition of the Cabinet and Allocation of Executive Functions**

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**Is this a key decision?**  
No

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**Executive Summary:**

To receive the report of the Leader which confirms the composition of the Cabinet and the allocation of executive portfolios/functions within the Cabinet and to approve the appointment of the Deputy Cabinet Members as indicated.

**Recommendations:**

Council is requested to approve the appointment of the Deputy Cabinet Members as detailed in the attached Appendix.

**List of Appendices included:**  
Cabinet Portfolios 2014/15

**Other useful background papers:**  
N/A

**Has it or will it be considered by Scrutiny?**  
No

**Has it, or will it be considered by any other Council Committee, Advisory Panel or other body?**  
No

Report title: **Composition of the Cabinet and Allocation of Executive Functions**

**1. Context (or background)**

On 23<sup>rd</sup> February 2010, the Council resolved to implement the new Elected Leader and Cabinet (England) form of executive arrangements from 9<sup>th</sup> May 2010. This new form of executive arrangement provides the Leader of the Council with authority to appoint a Deputy Leader, Cabinet Members and their respective portfolios. The attached appendix confirms the appointments of Cabinet Members, Deputy Cabinet Members and their portfolios for 2014/15.

**2. Options considered and recommended proposal**

Not applicable

**3. Results of consultation undertaken**

Not applicable

**4. Comments from Executive Director, Resources**

4.1 Financial implications

Not applicable

4.2 Legal implications

The Leader and Cabinet Executive (England) form of executive arrangements was permitted by the Local Government and Public Involvement in Health Act 2007 and was formally adopted by the Council on 23<sup>rd</sup> February 2010. The implementation of these new arrangements took effect on 9<sup>th</sup> May 2010. The Leader is required to report on any changes to the Council for information.

**5. Other implications**

Not applicable

**Report author(s):** Christine Forde

**Name and job title:**

Assistant Director, Legal & Democratic Services and Monitoring Officer

**Directorate:** Resources

**Tel and email contact:** 024 7683 1587, [christine.forde@coventry.gov.uk](mailto:christine.forde@coventry.gov.uk)

Enquiries should be directed to the above person.

<b>Contributor/approver name</b>	<b>Title</b>	<b>Directorate or organisation</b>	<b>Date doc sent out</b>	<b>Date response received or approved</b>
<b>Contributors:</b>				
Suzanne Bennett	Governance Services Officer	Resources	27/5/14	27/5/14
<b>Approvers:</b>				
Councillor Mrs Lucas	Leader of the Council			

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**APPOINTMENTS – 2014/15  
CABINET PORTFOLIOS**

**APPENDIX**

<b>Member</b>	<b>Portfolio</b>
<p>The Leader (Policy and Leadership)</p> <p>Cllr Mrs Lucas</p>	<p>Corporate Plan Scrutiny External relations / public relations Image and reputation Partnership companies Liaison with Management Board Emergency Planning Regional Matters Risk Management Local Enterprise Partnership</p>
<p>The Deputy Leader (Policing and Equalities)</p> <p>Cllr Townshend</p> <p>Deputy Cabinet Member</p> <p>Cllr Fletcher</p>	<p>Community Safety Community Cohesion Refugees and Asylum Seekers Welfare Advice Services Public Protection and Licensing Democratic Services (incl. Lord Mayor's) Equalities Legal Services Training (Members) Neighbourhood Services Constitutional Matters + Political Management Delivering A Programme for Action Deputising on Leader items Domestic Violence and Sexual Exploitation Local Policing</p>
<p>Cabinet Member (Strategic Finance and Resources)</p> <p>Cllr Gannon</p>	<p>Strategic Finance including Budget Setting External Resources Operational Finance incl. Revenues and Benefits Service Transformation Procurement Value for Money Medium Term Financial Strategy Corporate Service Performance, Policy and Quality Human Resources e-Government Key Staff Recruitment and Retention Information Technology and Customer Services Health and Safety Single Status Operational Property Catering Fuel Poverty</p>

<p>Cabinet Member (Children and Young People)</p> <p>Cllr Ruane</p>	<p>Children and Families Children and Young People's Social Care Young People Youth Offending Service Safeguarding *S19 Children Act 2004 Lead Member Fostering and Adoption</p>
<p>Cabinet Member (Education)</p> <p>Cllr Kershaw</p> <p>Deputy Cabinet Member</p> <p>Cllr Chater</p>	<p>Post 16 Education and Training Schools Early Years Libraries Adult Education Higher and Further Education (incl. Universities)</p>
<p>Cabinet Member (Business, Enterprise and Employment)</p> <p>Cllr Maton</p> <p>Deputy Cabinet Member:</p> <p>Cllr McNicholas</p>	<p>Community Economic Development City Centre International liaison (including Lord Mayor's) Inward Investment Property (Commercial) Urban Regeneration Regional Housing and Planning **Transportation Tourism and Marketing Agenda 21 Climate Change Strategy and Development Carbon Footprint Green Travel Nottingham Declaration Energy Conservation and Renewal Sustainability Energy Policy</p>
<p>Cabinet Member (Public Services)</p> <p>Cllr Lancaster</p>	<p>Building Cleaning Highways and Lighting Licensing Policy (Hackney Carriage and Private Hire) Street Services (Ground Maintenance, Refuse, Street Cleaning) Waste Management Flood Management Building Services Environment</p>



<p>Cabinet Member (Health and Adult Services)</p> <p>Cllr Gingell</p> <p>Deputy Cabinet Member</p> <p>Councillor Caan</p>	<p>Social Care for Adults, Older People and People with Disabilities</p> <p>Carers</p> <p>Health Strategy and Policy</p> <p>Health Inequalities</p> <p>Local Health Economy</p> <p>Public Health</p> <p>Teenage Pregnancies</p> <p>Sexual Health</p> <p>Marmot</p>
<p>Cabinet Member (Culture, Leisure, Sports and Parks)</p> <p>Cllr A Khan</p>	<p>Archives</p> <p>Arts</p> <p>Heritage</p> <p>Museums</p> <p>Conservation</p> <p>Sport</p> <p>Parks</p> <p>Events</p>
<p>Cabinet Member (Community Development, Co-Operatives and Social Enterprise)</p> <p>Cllr Abbott</p>	<p>Social Enterprise Strategy</p> <p>Mutuals</p> <p>Community and Third Sector Relations</p> <p>City Centre Management</p> <p>City of Culture Bid</p> <p>Community Centres</p> <p>Voluntary Sector</p>

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## MINUTES OF THE MEETING OF THE CITY COUNCIL OF THE CITY OF COVENTRY

Held on 18<sup>th</sup> March 2014, in the Council House, Coventry

### PRESENT

Lord Mayor (Councillor Crookes)  
Deputy Lord Mayor (Councillor Noonan)

Councillor Abbott	Councillor Lancaster
Councillor Akhtar	Councillor Lepoidevin
Councillor Ali	Councillor Mrs Lucas
Councillor Auluck	Councillor McNicholas
Councillor Bains	Councillor Maton
Councillor Mrs Bigham	Councillor Mrs Miks
Councillor Blundell	Councillor Mulhall
Councillor Caan	Councillor J Mutton
Councillor Clifford	Councillor M Mutton
Councillor Duggins	Councillor O'Boyle
Councillor Fletcher	Councillor Ruane
Councillor Galliers	Councillor Sandy
Councillor Gannon	Councillor Sawdon
Councillor Gingell	Councillor Sehmi
Councillor Hammon	Councillor Singh
Councillor Harvard	Councillor Skinner
Councillor Hetherton	Councillor Skipper
Councillor Howells	Councillor Mrs Sweet
Councillor Innes	Councillor Thay
Councillor Kelly	Councillor Thomas
Councillor Kershaw	Councillor Townshend
Councillor A Khan	Councillor Walsh
Councillor T Khan	Councillor Welsh
Councillor Lakha	

Honorary Alderman

Present:

Mr J Gazey

Apologies: Councillor Chater

Councillor Foster

Councillor Taylor

Honorary Alderman, Mr T Webb

### Public Business

#### 149. Minutes

The minutes of Meeting held on 25<sup>th</sup> February 2014 were signed as a true record.

150. **West Midlands Police and Crime Commissioner's Awards – Outstanding Citizen Award – Rose and Allen Tyrrell**

On behalf of Bob Jones, the West Midlands Police and Crime Commissioner, Yvonne Mosquito, the West Midlands Deputy Police and Crime Commissioner, and Councillor Abbott, Assistant Police and Crime Commissioner, presented Rose and Allen Tyrrell with the Outstanding Citizen Award. Their citation read:

*“Known to all partner agencies for their work and commitment to the area in which they reside (Henley Ward) and to the City as a whole.*

*Their Enthusiasm to make things better knows no bounds and they work tirelessly in their endeavours to make the area a safer and more pleasant place to live.*

*They both attend a number of different meetings to do with the area and the City and play active roles in all they participate in.*

*Despite their many commitments the couple have taken on the initial training of Police Dogs, something they take very seriously, giving the young dogs every opportunity and experience they can.*

*The couple have experienced significant personal problems and ill health, yet they are still dedicated to the work they do for the community and show no sign or indication that they wish to slow down.*

*All of the works they do within the community are voluntary and nothing is done for personal gain.*

*The nature of much of their work means that they rarely get any recognition as there is often a need for anonymity. Members of this panel feel that this is a justifiable and long overdue recognition for these valued members of a very difficult community.”*

151. **West Midlands Police and Crime Commissioner's Awards - Outstanding Young Citizen Award – Daniel Read**

On behalf of Bob Jones, the West Midlands Police and Crime Commissioner, Councillor Abbott and Yvonne Mosquito, the West Midlands Deputy Police and Crime Commissioner, and Councillor Abbott, Assistant Police and Crime Commissioner, presented Daniel Read with the Outstanding Young Citizen Award. His citation read:

*“Daniel decided he wanted to do more for his community so he joined ‘Grapevine’ (organisation that helps disabled children and adults cope with everyday life).*

*Through this organisation Daniel has contributed to the lives of many people being particularly helpful in raising the confidence of members in activities like cooking, using public transport, going on holiday and many others.*

*He also DJ's for some of the many fundraising events that help fund Grapevine.*

*Within the last year he has become a member of St Oswald's Church organising fetes and helping out at the Foodbank.*

*Wanting to 'give back' to his own community Daniel has become a member of the Bannerbrook Organisation arranging meetings, fundraising events and activities.*

*He is undertaking a Princes Trust Programme and fundraises for their chosen Charity (Barnardos).*

*He has taken his compassion for this community further still by becoming an active member of his local Neighbourhood Watch Scheme. He takes it upon himself to ensure that neighbours and members get to the meetings when they are scheduled.*

*In summary Daniel fundraises for a number of charities and focuses lots of his attention on encouraging young people away from crime and anti-social behaviour into more positive activities."*

#### **152. Coventry Good Citizen Award – Sue and John Farrell**

On behalf of the Council, the Lord Mayor presented Sue and John Farrell with the Coventry Good Citizen Award. Their citation read:

*"Sue and John Farrell are a couple who have spent nearly half their lives as foster carers, having welcomed nearly 100 youngsters in to their home since deciding to take to fostering 30 years ago.*

*Through their selflessness and dedication they have supported many young people through a variety of situations and had a positive effect on many lives. Sue maintains that fostering is in her blood, following in the footsteps of both her own mother and grandmother, who also spent many years looking after a variety of children.*

*Some of the children they have cared for still have regular contact with them and refer to them as 'mum and dad'. One young boy came to them at the age of 6 for a short stay and over 20 years later he still lives with and is cared for by them.*

*Sue and John have a thirst for learning anything which will help them with their role and maintain that there is always something new to learn about fostering.*

*Their nomination for this recognition is a true testament to the positive effect that they have had on many young lives and are fitting recipients of the Good Citizen Award."*

#### **153. Retirement of Members**

The Lord Mayor referred to Councillors Foster and Williams, who were not standing in the forthcoming Municipal Election.

Members of the City Council paid tribute to the work carried out by Councillors Foster and Williams over the years they had been Members of the Council and wished them both well for the future.

#### 154. Petitions

**RESOLVED** that the following petitions be referred to the appropriate City Council body:

- (1) **Request to Remove the One-Hour Parking on Arden Street – 76 signatures – presented by Councillor Andrews.**
- (2) **Request to Fund/Sponsor the Parking Project in Front of the Shops on Hipswell Highway.” – 1,774 signatures – presented by Councillor Townshend.**
- (3) **Request for Traffic Calming - Styvechale Grange and Leamington Road – 33 signatures – presented by Councillor Blundell.**
- (4) **Flooding Problems Around the City End of Broad Lane – 146 signatures – presented by Councillor Hammon.**
- (5) **Request for Pedestrian Crossing - Lynchgate Road – 1,729 signatures – presented by Councillor Blundell.**
- (6) **Request for Road Safety Measures on and around Lynchgate Road – 1,184 signatures – presented by Councillor Blundell.**
- (7) **Request to Remove the Red Route, Ansty Road – 193 signatures – presented by Councillor Abbott.**
- (8) **Request to Approve the Planning Application for a Kashmiri Restaurant, 603-611 Stoney Stanton Road – 143 signatures – presented by Councillor Auluck.**
- (9) **Request to Retain a 50 Metre Swimming Pool in Coventry – 748 signatures – presented by Councillor Skinner.**
- (10) **Request for the Resurfacing of Bruntingthorpe Way – 36 signatures – presented by Councillor J Mutton.**
- (11) **Request to Make Cannon Hill Road a 20mph Zone - 222 signatures – presented by Councillor Sawdon**

#### 155. Declarations of Interest

There were no declarations of Disclosable Pecuniary Interests.

## 156. **Social Value Policy**

Further to Minute 126/13 of the Cabinet, the City Council considered a report of the Executive Director, People that sought approval for a Social Value Policy that set out how the Council would meet its obligations under the Public Services Act 2012.

The Public Services (Social Value) Act 2012 (the “Act”) came into force on 31st January 2013 and placed a requirement on public bodies to consider how the economic, social and environmental well-being of the area in which they operated may be improved through the procurement of their services.

In order to comply with the Act, the Council had developed a draft Social Value Policy (attached as an appendix to the report) that set out how Coventry City Council would deliver social value through its commissioning and procurement activities and the Council’s priorities in relation to social value.

The Policy proposed that consideration of social value would be built into the initial stages of the commissioning cycle – when reviewing service provision, conducting a needs analysis, consulting stakeholders and/or the marketplace, and specifying the services to be procured. This would offer more genuine opportunities to community and voluntary groups to become involved, whilst maintaining focus on obtaining value for money.

All procurement decisions would be managed through the procurement processes set out in the Council’s Constitution.

**RESOLVED that the Social Value Policy be approved.**

## 157. **Question Time**

Councillor Duggins provided written answers to all the questions set out in the Questions Booklet, together with oral responses to supplementary questions put to him at the meeting.

The following Members answered oral questions put to them by other Members as set out below, together with supplementary questions on the same matters:

<b>No</b>	<b>Question Asked By</b>	<b>Question Put To</b>	<b>Subject Matter</b>
1	Councillor Lepoidevin	Councillor Duggins	Feedback from schools on how domestic violence notifications were being received and how they are impacting on safeguarding practices.
2	Councillor Sawdon	Councillor Duggins	Funding of Children’s Services in the previous year.
3	Councillor Hammon	Councillor A Khan	Proposals for use of Heatline in the Friargate development and within the Council’s redundant buildings

			once moved to Friargate.
4	Councillor Hammon	Councillor Lancaster	Concerns from cyclists in relation to potholes.
5	Councillor Andrews	Councillor Lancaster	Bus Lane enforcement on Sky Blue Way.
6	Councillor Skinner	Councillor Ruane	Update on the retention of a 50m swimming pool in the City.
7	Councillor J Mutton	Councillor Gannon	Government decision to decline the right for Councillors to join Local Government Pension Schemes.
8	Councillor Sehmi	Councillor Townshend	Work carried out with the Police Commissioner to achieve 20 additional special constables.

**158. Statements by the Leader – Cabinet Member (Education)**

The Leader, Councillor Lucas, reported that Councillor Kershaw had resumed his Cabinet Member (Education) role from 3<sup>rd</sup> March 2014, following his recent ill health. The Leader welcomed Councillor Kershaw back and requested that her gratitude be formally placed on record to Councillor Chater for deputising as Acting Cabinet Member (Education) during Councillor Kershaw's absence.

**159. Debate – European Union Referendum**

Councillor Hammon moved the following Motion which was seconded by Councillor Lepoidevin:

"That this Council fully supports the Prime Minister's commitment to hold a referendum on the United Kingdom's membership in the European Union in 2017."

The following amendment was moved by Councillor Abbott, seconded by Councillor J Mutton, and carried:-

After the words "This Council" delete the remainder of the debate and insert the following:

"believes that the uncertainty caused by an arbitrary timescale for a referendum on the United Kingdom's membership of the European Union is potentially damaging to business and prosperity in Coventry, and welcomes the approach of the Labour Party in offering a referendum only when there is a proposal to transfer further powers from Westminster. As a City which is open for business, Coventry City Council welcomes this approach, on the basis that it will provide greater certainty for business, families and individuals."



**RESOLVED that the amended motion, as set below, be adopted:-**

**“This Council believes that the uncertainty caused by an arbitrary timescale for a referendum on the United Kingdom’s membership of the European Union is potentially damaging to business and prosperity in Coventry, and welcomes the approach of the Labour Party in offering a referendum only when there is a proposal to transfer further powers from Westminster. As a city which is open for business, Coventry City Council welcomes this approach, on the basis that it will provide greater certainty for business, families and individuals”**

**160 Debate – City Open For Business**

Councillor Mrs Lucas moved the following Motion which was seconded by Councillor Townshend:

“This Council reaffirms its commitment that it is a City “Open for Business” and that the promotion of economic prosperity must be combined with the delivery of social justice. This Council will continue to work in the coming municipal year with all partners in the public, private and voluntary sectors to promote:-

- 1) The creation of jobs;
- 2) Improved health outcomes and a reduction in health inequalities;
- 3) Better social care for older and vulnerable individuals;
- 4) Better and safer children’s services;
- 5) Education, employment and training for all, but, especially, young people;
- 6) Greater community safety through the “Safer Homes” initiative;
- 7) The development of alternative energy sources and supplies, both for commercial and domestic users;
- 8) The development of a greener environment; and
- 9) The development of high quality public services.

This Council evidences the delivery of such policies, thus far, by:

- a) The approval for development and planning permission for the Friargate development;
- b) The introduction of the Coventry Investment Fund;
- c) The reduction in teenage pregnancy rate;
- d) The assistance given to those penalised by “the bedroom tax”;
- e) The improvement in Primary School achievement;
- f) An investment of £5.6m in priority areas of delivery of children’s services in the municipal year 2014/15;
- g) The recruitment of 20 additional special constables as part of the “Safer Homes” initiative, and increased partnership working with the West Midlands Police;
- h) The introduction of Heatline;
- i) The retention of floral displays in the City Centre and the main arterial roads, and the promise to plant two new trees for every tree removed as a result of development;
- j) The creation of high quality public realm;
- k) A new model of working for advice services across the City.”

The following amendment was moved by Councillor Blundell, seconded by Councillor Andrews, and lost:

In d), after the words “those” delete the rest of the line and insert the following: -  
“affected by the removal of the spare room subsidy”.

**RESOLVED that the original motion, as set out, above be adopted.**

**NOTES:**

- (1) The Lord Mayor wished Councillor Duggins and the Chief Executive luck as they were due to compete in the Coventry Half Marathon on Sunday, 23<sup>rd</sup> March 2014.
- (2) On behalf of the City Council, Councillor Townshend, thanked the Lord Mayor for the manner in which he had chaired Council meetings during 2013/14.

(Meeting closed at 6.20 pm)

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Date

**MINUTES OF THE EXTRAORDINARY MEETING OF THE CITY COUNCIL OF THE CITY OF COVENTRY**

Held on 10<sup>th</sup> April 2014, in the Council House, Coventry

PRESENT

Lord Mayor (Councillor Crookes)

Deputy Lord Mayor (Councillor Noonan)

Councillor Abbott	Councillor T. Khan
Councillor Akhtar	Councillor Lakha
Councillor Ali	Councillor Lancaster
Councillor Andrews	Councillor Lepoidevin
Councillor Auluck	Councillor Mrs Lucas
Councillor Bains	Councillor McNicholas
Councillor Mrs Bigham	Councillor Maton
Councillor Blundell	Councillor Mulhall
Councillor Caan	Councillor J. Mutton
Councillor Chater	Councillor Mrs M. Mutton
Councillor Clifford	Councillor Ruane
Councillor Duggins	Councillor Sandy
Councillor Fletcher	Councillor Sawdon
Councillor Galliers	Councillor Sehmi
Councillor Gannon	Councillor Skinner
Councillor Gingell	Councillor Skipper
Councillor Hammon	Councillor Mrs Sweet
Councillor Harvard	Councillor Thay
Councillor Hetherton	Councillor Thomas
Councillor Innes	Councillor Townshend
Councillor Kelly	Councillor Walsh
Councillor Kershaw	Councillor Welsh
Councillor A. Khan	

Honorary Alderman Present: Mr D. Batten  
Mr J Gazey

Apologies: Councillors Howells, Miks, O'Boyle, B. Singh, Taylor, Williams and Honorary Alderman Webb

**Public Business**

**161. Exclusion of Press and Public**

**RESOLVED** that under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the items of business indicated below on the grounds that they involve the likely disclosure of information defined in the specified Paragraph(s) of Schedule 12A of the Act as they contain information relating to the financial or business affairs of any particular person (including the

**authority holding that information) and that in all of the circumstances of the cases, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.**

Minute No.	Subject	Relevant Paragraphs(s) of Part 1 of Schedule 12A
165	Metropolitan Area Network (MAN) Disposal	3
166	Coventry & Solihull Waste Disposal Company – Board Resolution	3

## **162. Procedural Matters**

It was moved by Councillor Townshend, seconded by Councillor Gannon and agreed that:

- 1) In accordance with paragraph 4.1.35.5 of the Constitution, the two debates relating to the findings of the Ofsted Report into Children's Services as detailed on the Council agenda, one to be moved by Councillor Mrs Lucas and seconded by Councillor Duggins and the other to be moved by Councillor Mrs Lepoidevin and seconded by Councillor Blundell, be combined.
- 2) In accordance with paragraph 4.1.85 of the Constitution, paragraph 4.1.58 be suspended to enable Councillors Mrs Lucas, Duggins, Mrs Lepoidevin and Blundell to speak for an unlimited time, with all other Councillors speaking for a maximum of three minutes each.

## **163. Debates – The Findings of the Ofsted Report into Children's Services**

Further to Minute 162 above, the combined debates relating to the findings of the Ofsted Report into Children's Services were moved by Councillor Mrs Lucas and seconded by Councillor Duggins. A copy of the Ofsted Report was circulated.

In moving the debates, Councillor Mrs Lucas also moved the following Recommendations, which were seconded by Councillor Duggins:-

That the City Council:-

1. Welcomes the setting up of the Improvement Board for Children's Services in Coventry, and wishes to place on record our appreciation to colleagues from other Local Authorities and Agencies who are to contribute to the work of the Improvement Board.
2. Requests the Cabinet Member for Children's Services updates all Council meetings during the municipal year 2014/15 on the progress of the Improvement Board.
3. And that the content of all such updates be shared with the relevant Scrutiny Board.

4. Note The Leader, Deputy Leader the Cabinet Members for Finance and Children and Young People's Services, and the Leader of the Opposition or nominee will meet on a bi-monthly basis to assess the outcomes resulting from the additional £5.6 million for 2014/15 allocated to Children's Services in the February Budget report.
5. Reaffirms the call for a national debate on the full range of issues facing Children's Services

The following amendment to the above Recommendations was moved by Councillor Mrs Lepoidevin, seconded by Councillor Blundell and, in accordance with paragraph 4.1.62 of the Constitution, accepted by Councillor Mrs Lucas and therefore incorporated into the original Recommendations detailed above:-

That Recommendation 5 be amended by the insertion of the following after the words "Children's Services"

"including the setting up of a National Information Database for children at risk requiring all partners to participate fully which will enable local information to be shared in detail"

And the insertion of the following additional Recommendation:-

6. Require the Improvement Board to have clear concise performance measures in place that can monitor the key areas that have been highlighted in the Ofsted report.

The City Council then proceeded to debate this issue in detail.

**RESOLVED that the City Council unanimously:**

1. **Welcomes the setting up of the Improvement Board for Children's Services in Coventry, and wishes to place on record our appreciation to colleagues from other Local Authorities and Agencies who are to contribute to the work of the Improvement Board.**
2. **Requests the Cabinet Member for Children's Services updates all Council meetings during the Municipal Year 2014/15 on the progress of the Improvement Board.**
3. **And that the content of all such updates be shared with the relevant Scrutiny Board.**
4. **Notes the Leader, Deputy Leader, the Cabinet Members for Finance and Children and Young People's Services and the Leader of the Opposition or nominee will meet on a bi-monthly basis to assess the outcomes resulting from the additional £5.6 million for 2014/15 allocated to Children's Services in the February Budget Report.**

5. **Reaffirms the call for a national debate on the full range of issues facing Children's Services including the setting up of a National Information Database for children at risk requiring all partners to participate fully which will enable local information to be shared in detail.**
6. **Require the Improvement Board to have clear concise performance measures in place that can monitor the key areas that have been highlighted in the Ofsted report.**

#### **164. Metropolitan Area Network (MAN) Disposal**

Further to Minute 162/14 of the Cabinet, the City Council considered a report of the Executive Director, Resources on proposals for the disposal of the Metropolitan Area Network (MAN), a City-wide fibre optic cable network. A corresponding private report detailing confidential financial matters was also submitted for consideration (Minute 165 below refers). The network, constructed in 2009, replaced rented leased lines and data circuits to all main Council buildings and local schools and libraries in the wider Coventry area, to provide faster and more resilient internet access. Since its delivery, the City Council had been working to commercialise the MAN with a view to creating regeneration and financial benefits for Coventry.

The City Council had undertaken an open competitive process to invite bids for the MAN asset from the market. CityFibre are the preferred bidder from this process. CityFibre are a company who specialise in building fibre optic infrastructure and are involved in similar schemes in Bournemouth, York and Peterborough.

The deal with CityFibre would enable Coventry to become a 'gigabit' City with superfast broadband speeds attracting inward investment and driving socio-economic benefit and reinforcing the City Council's mantra that Coventry was 'open for business'.

#### **RESOLVED that the City Council:**

1. **Authorises the disposal of the Metropolitan Area Network to CityFibre on the terms set out in the Private Report to make Coventry a Gigabit City, leverage investment into the City and generate income for the Council to support existing ABC savings targets.**
2. **Delegates authority to the Executive Director, Resources and the Council Solicitor, in consultation with the Cabinet Member (Strategic Finance and Resources), to enter into contracts within the financial parameters detailed in the private report.**

**Private Business**

**165. Metropolitan Area Network (MAN) Disposal**

Further to Minute 164 above, the City Council considered a report of the Executive Director, Resources that detailed the confidential financial aspects of the Metropolitan Area Network (MAN) Disposal.

**RESOLVED that the City Council:**

- 1. Authorises the disposal of the Metropolitan Area Network to CityFibre on the terms set out in [Section 2] of the report to make Coventry a Gigabit City, leverage investment into the City and generate income for the City Council to support existing ABC savings targets.**
- 2. Delegates authority to Executive Director, Resources and the City Council Solicitor, in consultation with the Cabinet Member (Strategic Finance and Resources), to enter into contracts within the financial parameters detailed in the report.**

**166. Coventry & Solihull Waste Disposal Company – Board Resolution**

The City Council received a report of the Executive Directors, Place and Resources that notified them of the detailed confidential financial aspects of a Coventry & Solihull Waste Disposal Company (CSWDC) Board Resolution.

Councillor Lancaster provided an oral update on matters relating to this issue at the meeting.

**RESOLVED that the City Council:**

- 1. Notes the decision of the Coventry Solihull & Warwickshire Waste Disposal Company Shareholders Panel to accept / adopt the resolution in the Appendix to the report.**
- 2. Notes that the CSWDC Shareholders Panel will be receiving monthly updates from the Company's Board of Directors.**
- 3. As shareholders, endorses recommendations 1 and 2.**

(Meeting closed at 4.00 pm)

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Date

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# Agenda Item 9

## RETURN OF PERSONS ELECTED AS COUNCILLORS FOR THE CITY ON

22<sup>nd</sup> MAY 2014

<b>WARD</b>	<b>NAME</b>	<b>POLITICAL PARTY</b>	<b>YEAR OF RETIREMENT</b>
<b>BABLAKE</b>	Jaswant Singh Birdi	Conservative	2018
<b>BINLEY AND WILLENHALL</b>	John Roderick Mutton	Labour	2018
<b>CHEYLESMORE</b>	Roger Maurice Bailey	Conservative	2018
<b>CHEYLESMORE</b>	Richard James Brown	Labour	2015
<b>EARLSDON</b>	Michael Hammon	Conservative	2018
<b>FOLESHILL</b>	Tariq Khan	Labour	2018
<b>HENLEY</b>	Kevin Barry Maton	Labour	2018
<b>HOLBROOK</b>	Ann Lucas	Labour	2018

<b>LONGFORD</b>	Lindsley Harvard	Labour	2018
<b>LOWER STOKE</b>	Phil Townshend	Labour	2018
<b>RADFORD</b>	Kieran Pascal Mulhall	Labour	2018
<b>SHERBOURNE</b>	Seamus Walsh	Labour	2018
<b>ST MICHAEL'S</b>	David Welsh	Labour	2018
<b>UPPER STOKE</b>	Sucha Singh Bains	Labour	2018
<b>WAINBODY</b>	Gary Edward Crookes	Conservative	2018
<b>WESTWOOD</b>	David John Skinner	Conservative	2018

<b>WHOBBERLEY</b>	Bally Singh	Labour	2018
<b>WOODLANDS</b>	Julia Elizabeth Lepoidevin	Conservative	2018
<b>WYKEN</b>	Faye Abbott	Labour	2018

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# Agenda Item 11

REPORT 11, 12 and 14

**COUNCIL**

**5<sup>th</sup> June, 2014**

## **APPOINTMENTS – 2014/15**

### **CABINET**

Appointed by the Leader (Report 7)

#### Non-Voting Representatives on Cabinet

Councillor Andrews

Councillor Blundell

**CABINET COMMITTEE (COVENTRY INVESTMENT FUND)**

Councillor Maton	(Cabinet Member (Business, Enterprise and Employment) (Chair)
Councillor Gannon	(Cabinet Member (Strategic Finance and Resources) (Deputy Chair)
Councillor Mrs Lucas	(Leader of the Council)

## LICENSING AND REGULATORY COMMITTEE

<b>CHAIR</b>	<b>DEPUTY CHAIR</b>
<b>Councillor Hetherton</b>	<b>Councillor Harvard</b>

Councillor Akhtar

Councillor Ali

Councillor Andrews

Councillor Bigham

Councillor Birdi

Councillor Chater

Councillor Crookes

Councillor Duggins

Councillor Galliers

Councillor Howells

Councillor J Mutton

Councillor O'Boyle

<b>Political Balance</b>	
Conservative	3
Labour	11

## PLANNING COMMITTEE

<b>CHAIR</b>	<b>DEPUTY CHAIR</b>
<b>Councillor Sweet</b>	<b>Councillor Kelly</b>

Councillor Bailey

Councillor Brown

Councillor Caan

Councillor Crookes

Councillor Innes

Councillor McNicholas

Councillor Miks

Councillor Sandy

Councillor Thomas

<b>Political Balance</b>	
Conservative	2
Labour	9



## ETHICS COMMITTEE

<b>CHAIR:</b>	<b>Councillor Hetherton</b>
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Councillor Andrews

Councillor Fletcher

Councillor Gannon

Councillor Mulhall

### **Independent Person**

Mr K Sloan

<b>Political Balance</b>	
Conservative	1
Labour	4

## **INDEPENDENT REMUNERATION PANEL**

### **5 Independent Members**

(Up to 5 to be appointed by the Executive Director, Resources after consultation with the Group Leaders)

## SCRUTINY

### Scrutiny Co-ordination Committee

#### Designated as the Crime and Disorder Committee

<b>CHAIR</b>	<b>DEPUTY CHAIR</b>
<b>Councillor Skipper</b>	<b>Councillor Clifford</b>

Councillor Blundell

Councillor Duggins

Councillor Innes

Councillor Sandy

Councillor Singh

Councillor Taylor

Councillor Thomas

<b>Political Balance</b>	
Conservative	2
Labour	7

#### **Co-opted Members for Education Matters**

Mr. R. Potter (Nominated by the Roman Catholic Church)

1 Vacancy (Nominated from other faith groups in the city)

Mrs. S. Hanson (Nominated by the Church of England)

Mrs. K. Jones (Primary Parent Governor Representative)

1 Vacancy (Secondary Parent Governor Representative)

## Finance and Corporate Services Scrutiny Board (1)

<b>CHAIR:</b>	<b>Councillor Sandy</b>
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Councillor Brown

Councillor Galliers

Councillor Hammon

Councillor Harvard

Councillor Kelly

Councillor Lakha

Councillor J Mutton

Councillor Sawdon

<b>Political Balance</b>	
Conservative	2
Labour	7

**Note: The Chair of the Audit and Procurement Committee (Cllr Galliers) has been appointed as a Member of this Board.**

## Education and Children's Services Scrutiny Board (2)

<b>CHAIR:</b>	<b>Councillor Innes</b>
---------------	-------------------------

Councillor Akhtar

Councillor Bains

Councillor Bigham

Councillor Blundell

Councillor Clifford

Councillor Lakha

Councillor Lepoidevin

Councillor M Mutton

<b>Political Balance</b>	
Conservative	2
Labour	7

### **Co-opted Members for Education Matters**

Mr. R. Potter (Nominated by the Roman Catholic Church)

1 Vacancy (Nominated from other faith groups in the city)

Mrs. S. Hanson (Nominated by the Church of England)

Mrs. K. Jones (Primary Parent Governor Representative)

1 Vacancy (Secondary Parent Governor Representative)

### Business, Economy and Enterprise Scrutiny Board (3)

<b>CHAIR:</b>	<b>Councillor Duggins</b>
---------------	---------------------------

Councillor Bailey

Councillor Bigham

Councillor Birdi

Councillor Mulhall

Councillor Skipper

Councillor Sweet

Councillor Walsh

Councillor Welsh

<b>Political Balance</b>	
Conservative	2
Labour	7

## Communities and Neighbourhoods Scrutiny Board (4)

### Designated as the Flood Management Committee

<b>CHAIR:</b>	<b>Councillor Singh</b>
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Councillor Auluck

Councillor Hammon

Councillor Harvard

Councillor T Khan

Councillor Miks

Councillor Mulhall

Councillor Skinner

Councillor Thay

<b>Political Balance</b>	
Conservative	2
Labour	7

## Health and Social Care Scrutiny Board (5)

### Designated as the Health Overview and Scrutiny Committee

<b>CHAIR:</b>	<b>Councillor Thomas</b>
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Councillor Ali

Councillor Clifford

Councillor Hetherton

Councillor Howells

Councillor J Mutton

Councillor O'Boyle

Councillor Skinner

Councillor Taylor

<b>Political Balance</b>	
Conservative	2
Labour	7

### Co-opted Member

1 Representative from Coventry Healthwatch



## AUDIT AND PROCUREMENT COMMITTEE

<b>CHAIR</b>	<b>DEPUTY CHAIR</b>
<b>Councillor Galliers</b>	<b>Councillor Bains</b>

Councillor Harvard

Councillor Sandy

Councillor Sawdon

Councillor Welsh

<b>Political Balance</b>	
Conservative	1
Labour	5

Labour Group Substitute – Councillor Singh

Conservative Group Substitute – Councillor Blundell

## **COVENTRY HEALTH AND WELL-BEING BOARD**

Councillor Lucas	Leader of the Council
Councillor Gingell	Cabinet Member (Health and Adult Services) – (Chair)
Councillor Ruane	Cabinet Member (Children and Young People)
Councillor Caan	One additional Councillor nominated by the Leader
Councillor Taylor	Conservative Group Representative

Executive Director, People	(Statutory Appointment)
Director of Public Health	(Statutory Appointment)
Coventry Healthwatch – 2 representatives	(Statutory Appointment)
Coventry and Rugby Clinical Commissioning Group – 2 representatives	(Statutory Appointment)
Voluntary Action Coventry – 1 representative	
Coventry University – Vice-Chancellor (or representative)	
Warwick University – Vice-Chancellor (or representative)	
NHS Commissioning Board – 1 representative	
West Midlands Police – 1 representative	
West Midlands Fire Service – Operations Commander Coventry	
Coventry and Warwickshire Partnership Trust – 1 representative	
University Hospitals Coventry and Warwickshire – Chief Executive or representative	

## **CHAIRS OF WARD FORUMS**

Bablake – Councillor Kershaw

Binley and Willenhall – Councillor J Mutton

Cheylesmore – Councillor Bailey

Earlsdon – Councillor Taylor

Foleshill – Councillor A Khan

Henley – Councillor Maton

Holbrook – Councillor Lucas

Longford – Councillor Harvard

Lower Stoke – Councillor Townshend

Radford – Councillor Mulhall

Sherbourne – Councillor Walsh

St. Michael's – Councillor Welsh

Upper Stoke – Councillor Bains

Wainbody – Councillor Sawdon

Westwood – Councillor Sandy

Whoberley – Councillor Singh

Woodlands – Councillor Hetheron

Wyken – Councillor Abbott

## **ADVISORY PANELS / PANEL TO BE RE-APPOINTED DURING 2014/15**

### **ADVISORY PANELS TO BE RE-APPOINTED**

#### **CORPORATE PARENTING BOARD (TO ACT AS THE CABINET ADVISORY PANEL FOR LOOKED AFTER CHILDREN)**

Councillor Ruane	Cabinet Member (Children and Young People) (Chair)
Councillor Kershaw	Cabinet Member (Education)
Councillor Innes	Chair of Education and Children's Scrutiny Board (2)
Councillor M Mutton	Labour Group Representative
Councillor Blundell	Shadow Cabinet Member for Education
Councillor Lepoidevin	Shadow Cabinet Member for Children and Young People
Councillor Skinner	Conservative Group Representative

## **CABINET MEMBER (POLICING AND EQUALITIES) - CONSTITUTIONAL ADVISORY PANEL**

### 2 Council Members on Ethics Committee

Councillor Hetherton      Labour Member on Ethics

Councillor Andrews      Conservative Member on Ethics

### 2 Group Secretaries (Labour Group representative to be appointed Chair)

Councillor Gannon      (Chair)

Councillor Bailey

### 1 Member from Controlling Group

Councillor J Mutton

## **CABINET ADVISORY PANEL – SCHOOL ORGANISATION**

**(NOTE: Councillors may not be Cabinet Members, one to be the Shadow Cabinet Member for Education)**

Councillor Clifford      Labour Councillor

Councillor Innes      Labour Councillor

Councillor Welsh      Labour Councillor

Councillor Blundell      Shadow Cabinet Member (Education)

3 Head Teachers      (1 x Primary, 1 x Secondary, 1 x Special)

3 Governors      (1 x Primary, 1 x Secondary, 1 x Special)

2 Voluntary Aided Sector (1 x Roman Catholic Diocese, 1 Church of England Diocese)

**(NOTE: Chair elected at each meeting and may not be an elected member)**

## **CABINET ADVISORY PANEL - COVENTRY LOCAL DEVELOPMENT PLAN**

Councillor Maton	Cabinet Member (Business, Enterprise and Employment) (Chair)
Councillor Sweet	Chair of Planning Committee
Councillor Lucas	Leader
Councillor Duggins	Chair of Business, Economy and Enterprise Scrutiny Board (3)
Councillor Kelly	Deputy Chair of Planning Committee

**NOTE: The Deputy Leader is invited to attend meetings of this Panel.**

## **CABINET MEMBER (POLICING AND EQUALITIES) ADVISORY PANEL - ELECTORAL ARRANGEMENTS**

Councillor Townshend	Deputy Leader & Cabinet Member (Policing and Equalities) (Chair)
Councillor Lucas	Leader and Cabinet Member (Policy and Leadership)
Councillor Duggins	Labour Councillor
Councillor O'Boyle	Labour Councillor
Councillor Blundell	Leader of Opposition
Councillor Andrews	Deputy Leader of Opposition

**CABINET MEMBER (POLICING AND EQUALITIES) ADVISORY PANEL - THE COVENTRY AWARD OF MERIT**

Councillor Townshend	Cabinet Member (Policing and Equalities) – (Chair)
Councillor Gannon	Cabinet Member (Strategic Finance and Resources)
Councillor Skipper	Chair of Scrutiny Co-ordination Committee (or their nominee)
Councillor Andrews	Shadow Cabinet Member (Policing and Equalities)
Councillor Noonan	Lord Mayor, ex officio
His Honour Judge Griffith-Jones	The Honorary Recorder

**CABINET MEMBER (POLICING AND EQUALITIES) ADVISORY PANEL – THE GOOD CITIZEN AWARD**

Councillor Maton	Cabinet Member (Business, Enterprise and Employment)
Councillor A Khan	Cabinet Member (Culture, Leisure, Sports and Parks)
Councillor Abbott	Cabinet Member (Community Development, Co-operatives and Social Enterprise)
Councillor Andrews	Shadow Cabinet Member (Policing and Equalities)
Councillor Blundell	Conservative Group Nominee
Councillor Noonan	Lord Mayor, ex officio
His Honour Judge Griffith – Jones	The Honorary Recorder (Chair)

The Coventry Member of the UK Youth Parliament

Chief Superintendent of Coventry (or nominee)

**CABINET MEMBER (POLICING AND EQUALITIES) ADVISORY PANEL - DISABILITY EQUALITY**

Councillor Abbott	Labour Group Nominee
Councillor Ali	Substitute for Councillor Abbott

## **CABINET ADVISORY PANEL - SPORTS VISION AND STRATEGY, TOURISM AND CITY WIDE EVENTS**

Councillor Abbott	Cabinet Member (Community Development, Co-operatives and Social Enterprise) – (Joint Chair)
Councillor Maton	Cabinet Member (Business, Enterprise and Employment) – (Joint Chair)
Councillor A Khan	Cabinet Member (Culture, Leisure, Sports and Parks)
Councillor Kershaw	Cabinet Member (Education)
Councillor Ruane	Cabinet Member (Children and Young People)
Councillor Innes	Chair of Education and Children’s Services Scrutiny Board (2)
Councillor Bigham	Labour Councillor
Councillor Duggins	Labour Councillor
Councillor Mulhall	Labour Councillor
Councillor Bailey	Conservative Councillor

**NOTE: Councillors Abbott and Maton will alternate the role of Chair.**

## **CABINET ADVISORY PANEL – REGENERATION AND INFRASTRUCTURE**

Councillor Lucas	Leader (Chair)
Councillor Gannon	Cabinet Member (Strategic Resources and Finance)
Councillor Maton	Cabinet Member (Business, Enterprise and Employment)
Councillor Duggins	Chair, Business, Economy and Enterprise Scrutiny Board (3)
Councillor Blundell	Leader of Opposition



## **ACL SHAREHOLDER PANEL**

Councillor Lucas	Leader (Chair)
Councillor Townshend	Deputy Leader (Deputy Chair)
Councillor Gannon	Cabinet Member (Strategic Finance and Resources)
Councillor Ruane	Cabinet Member (Children and Young People)
Councillor Kershaw	Cabinet Member (Education)
Councillor Maton	Cabinet Member (Business, Enterprise and Employment)
Councillor Lancaster	Cabinet Member (Public Services)
Councillor Abbott	Cabinet Member (Community Development, Co-operatives and Social Enterprise)
Councillor Gingell	Cabinet Member (Health and Adult Services)
Councillor A Khan	Cabinet Member (Culture, Leisure, Sports and Parks)
Councillor McNicholas	Deputy Cabinet Member (Business, Enterprise and Employment)
Councillor Chater	Deputy Cabinet Member (Education)
Councillor Caan	Deputy Cabinet Member (Health and Adult Services)
Councillor Fletcher	Deputy Cabinet Member (Policing and Equalities)
Councillor Blundell	Leader of the Opposition
Councillor Andrews	Deputy Leader of the Opposition

**NOTE: The Chair of Scrutiny Co-ordination Committee (Councillor Skipper) and the Chair of the Ethics Committee (Councillor Hetherton) are invited to attend meetings of this Panel.**



## TERMS OF REFERENCE

1. The terms of reference for the following are as set out in the Constitution:

Audit and Procurement Committee

Cabinet

Cabinet Committee (Coventry Investment Fund)

Coventry Health and Well-being Board

Ethics Committee

Licensing and Regulatory Committee

Planning Committee

Scrutiny Co-ordination Committee

Scrutiny Boards

2. The terms of reference for the other bodies are as set out below:

### **Corporate Parenting Board (To act as a Cabinet Advisory Panel for Looked after Children)**

#### Terms of Reference

1. The Board will be constituted as a Cabinet Advisory Panel with a politically balanced membership.
2. To focus on the requirements in legislation and in good practice advice for Elected Member involvement and support in service improvement for looked after children and young people.
3. To develop a work programme and allocate and monitor tasks within the City Council to improve outcomes for looked after children.
4. To identify key areas where services and partner agencies need to deliver improved support for looked after children and refer these issues to the relevant organisations as necessary.

5. To develop and support direct communication with looked after children, including formal meetings and consultation leading to the establishment of a Children's Council, a structured pattern of visits to children's homes and social work team offices, and also informal meetings with looked after children and young people with a social and enjoyable element.

### **Cabinet Member (Policing and Equalities) Constitutional Advisory Panel**

#### Terms of Reference

1. To be responsible for keeping the Constitution up to date and to make recommendations on proposed amendments to the Constitution to the Cabinet Member (Policing and Equalities)
2. To consider recommendations from the Monitoring Officer on updates to the Constitution or on ways in which the Constitution can be amended in order to better achieve its purpose.
3. To bring to the attention of the Monitoring Officer and the Cabinet Member (Policing and Equalities) any matters of concern regarding the City Council's Constitution.

#### Note

Where the timescale does not permit the Advisory Panel to consider any proposed constitutional amendments, any recommendations to Council on those proposed changes to the constitution will be made by the Cabinet Member only

### **Cabinet Advisory Panel – School Organisation**

#### Terms of Reference

1. The group will be constituted as a Cabinet Advisory Panel Group.
2. To consider any objections received to school organisation proposals (for example the establishment of a new school or the closure of a school) and make recommendations to the Local Authority (Cabinet) on the determination of those proposals.

## **Cabinet Advisory Panel - Coventry Local Development Plan**

### Terms of Reference

There is no legal requirement to set up an Advisory Panel to inform the development of a new Core Strategy, however, it is considered to be good practice to do so. The Advisory Panel will ensure regularly timetabled interaction between Elected Members of the group, in relation to the development of the Core Strategy, and ensure that key issues are identified and discussed early in the process.

## **Cabinet Member (Policing and Equalities) Advisory Panel - Electoral Arrangements**

### Terms of Reference

- (1) To review the division of the 18 Wards within the City into Polling Districts in accordance with the Representation of the People Acts and associated legislation.
- (2) In consultation with local Ward Councillors and other such stakeholders as the Panel believe appropriate, to make recommendations to the Returning Officer about suitable polling places within each Ward within the City.
- (3) To consider the staffing arrangements, including the payment of fees, associated with elections and make appropriate recommendations to the Returning Officer and the Cabinet Member.
- (4) To make recommendations to the Cabinet Member and the Returning Officer in relation to any changes to procedures and practices as appropriate with regard to the electoral process within the City, especially in relation to any proposed legislative changes.

## **Cabinet Member (Policing and Equalities) Advisory Panel - The Coventry Award of Merit**

### Terms of Reference

1. The object of the Coventry Award of Merit shall be to publicly acknowledge and honour behaviour reflecting the highest ideals of citizenship or outstanding performance in any worthy field of human endeavour which enhances the good name of the City of Coventry and affords inspiration to its citizens.
2. Any person, company or other organisation shall be eligible for consideration for the Coventry Award of Merit who has:-
  - 2.1 Rendered outstanding service to the City of Coventry in service to the local community.
  - 2.2 By outstanding personal effort in the field of sport, industry, government or the arts, brought particular renown to the City of Coventry.
  - 2.3 Made an outstanding contribution to the national life or in international affairs in any field of human activity in a manner which has brought credit upon the City of Coventry.
  - 2.4 By personal example of courage or devotion to duty and service to others, demonstrated the highest ideals of citizenship.
3. The grant of the Award of Merit shall be made by the City Council on the recommendation of Cabinet Member (Policing and Equalities), who will be advised by an Advisory Panel established for the purpose.
4. The Cabinet Member and Advisory Panel shall endeavour to maintain consistently high standards in the submission of recommendations and accordingly shall be at liberty to make such further enquiry into a nomination as they think proper, and shall be under no obligation to submit any recommendation unless they are satisfied that in doing so such standards would be maintained.
5. Any individual or organisation (including any member of the panel of Assessors) may submit a nomination for the Award of Merit. Any such nomination shall be in writing and submitted to the Executive Director, Resources, with a detailed statement of the grounds on which it is made.
6. The Award of Merit shall take such form as the City Council may from time to time determine but shall include a Citation signed by the Lord Mayor for the time being stating the grounds on which the Award has been made. Awards shall be made by the Lord Mayor at a public ceremony.

## **Cabinet Member (Policing and Equalities) Advisory Panel – The Good Citizen Award**

### Terms of Reference

To provide advice and guidance and make recommendations to the Cabinet Member (Policing and Equalities) on the Good Citizen Award.

In particular, to assist the Cabinet Member in the following roles:-

1. Promoting the Good Citizen Award and the honour conferred by the Council on recipients of the Award.
2. Promoting the Council's Equality and Diversity objectives and encouraging nominations from all the communities within Coventry
3. Considering nominations received and, in accordance with agreed criteria, approving recipients for the award to full Council

## **Cabinet Member (Policing and Equalities) Advisory Panel - Disability Equality**

### Terms of Reference

To advise the Cabinet Member responsible for equalities on disabled people's issues and to monitor, review and advise the Council on the development of the action plan for its Equality Strategy.

## **Cabinet Advisory Panel - Sports Vision and Strategy, Tourism and City Wide Events**

1. To co-ordinate the Council's work in facilitating and supporting the development of a renewed partnership Vision and Strategy to meet the sporting needs and aspirations of the City of Coventry, for the benefit of the City's residents and its visitors.
2. To support the Cabinet Member on the development of a Tourism Strategy for Coventry, on the marketing of the City and on the provision of tourism services.
3. To support the Cabinet Member on the monitoring of Tourism services and Strategy outcomes.
4. To advise on links with wider tourism and destination partners and partnerships, identifying opportunities to collaborate to ensure services work together to achieve the best possible outcomes for the City.
5. To provide direction to officers on a range of project and policy matters and advise on the overall events programme and the development of a city wide events strategy. In doing so it will ensure that the events programme and strategy considers other major areas of work including:

City Centre events  
Events in the parks and open spaces  
Events in the city centre  
The Godiva Festival  
Christmas related events

6. To provide political guidance in relation to the City's Bid to become UK City of Culture in 2021 and a European Capital of Culture in 2023.

### **Cabinet Advisory Panel - Regeneration and Infrastructure**

1. To direct the work of Coventry in helping to negotiate the City Deal for Coventry and Warwickshire.
2. To ensure that the development of the City Deal and future policy on a single pot for economic growth meets the economic needs of the City
3. To provide political guidance and support to the operational aspects of the wider Friargate programme, including agreeing the scope and general remit of the programme delivery team in accordance with the governance arrangements approved by Cabinet.

### **ACL Shareholder Panel**

#### Terms of Reference

The Shareholder Panel will be a non-decision making body (unless specifically stated below) with an overarching governance role to include consideration, evaluation and assessment of the following areas pursuant to Arena Coventry Limited:-

- Financial overview
- Business Planning and Development
- Risk management
- Consider requests to significantly vary the loan facility
- Any other item deemed appropriate

The Panel will be responsible in making the decision to inform or to make recommendations to Cabinet and/or Council on any matter deemed appropriate. This will not preclude Cabinet and/or Council making decisions independently.

In order to facilitate the Panel's function it will have the authority to obtain any external professional advice deemed appropriate.





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<b>POLITICAL PROPORTIONALITY</b>						
	<b>Proportional Entitlement for groups rounded up</b>			<b>Proportional Entitlement for groups (2dec places)</b>		
	<b>Total</b>	<b>Con</b>	<b>Lab</b>	<b>Total %</b>	<b>Con %</b>	<b>Lab %</b>
<b>Party seats</b>	<b>54</b>	<b>11</b>	<b>43</b>	<b>100.0%</b>	<b>20.4%</b>	<b>79.6%</b>
Cabinet	10	0	10	10.0	n/a	n/a
<b>Entitlement per group excl Cabinet places</b>				<b>0.00</b>	<b>18.33</b>	<b>71.67</b>
Planning Cttee	11	2	9	11.00	2.24	8.76
Licensing & Reg Cttee	14	3	11	14.00	2.85	11.15
Ethics	5	1	4	5.00	1.02	3.98
Audit & Procurement Cttee	6	1	5	6.00	1.22	4.78
Scrutiny Board 1	9	2	7	9.00	1.83	7.17
Scrutiny Board 2	9	2	7	9.00	1.83	7.17
Scrutiny Board 3	9	2	7	9.00	1.83	7.17
Scrutiny Board 4	9	2	7	9.00	1.83	7.17
Scrutiny Board 5	9	2	7	9.00	1.83	7.17
Scrutiny Co-ordination	9	2	7	9.00	1.83	7.17
<b>Totals (excludes Cabinet)</b>	<b>90</b>	<b>19</b>	<b>71</b>	<b>90.00</b>	<b>18.33</b>	<b>71.67</b>
<b>Actual proportionality</b>	<b>100.0%</b>	<b>21.1%</b>	<b>78.9%</b>	100.0%	20.4%	79.6%

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**REPORT 15**

**PRESENTED AT ANNUAL MEETING 5TH JUNE, 2014**  
**APPOINTMENTS TO OUTSIDE BODIES FOR THE 2014/2015**  
**MUNICIPAL YEAR**

ORGANISATION	2014/2015 REPRESENTATIVES	2014/2015 LEAD MEMBER	PURPOSE	FREQUENCY OF MEETINGS and AGM
OBF1 Adoption Panel	Councillor Mrs Miiks NB (i) Member appointed must be Member of Scrutiny (ii) Member must be CRB checked	Councillor Mrs Miiks	Considers the placement of children for adoption bearing in mind background information on the child/proposed placement given to the panel.	Meets fortnightly
OBF2 Coventry School Admissions Forum	Councillor Kershaw CBE Councillor Blundell	Councillor Kershaw CBE	Statutory Body - considers admission matters.	Meets twice yearly
OBF3 Fostering Panel	Councillor M Mutton	Councillor M Mutton	Considers the placement of children for fostering bearing in mind background information on the child/proposed placement given to the panel.	25 meetings per year

Appointments to Partnership Organisations

ORGANISATION	2014/2015 REPRESENTATIVES	2014/2015 MEMBER	LEAD	PURPOSE	FREQUENCY OF MEETINGS and AGM
OBP1 Children and Young People's Commissioning Board	Cabinet Member (Children and Young People) - Councillor Ruane Cabinet Member (Education) - Councillor Kershaw CBE Shadow Cabinet Member (Children Young People) - Councillor Mrs Lepoidevin	Councillor Ruane		Ensures that within the context of the Children Act 2004 services are jointly and efficiently commissioned	Meets monthly
OBP2 Council of Governors of the Coventry and Warwickshire Partnership Trust	Councillor Hetherton Mark Godfrey - Deputy	Councillor Hetherton		To manage the transition to become a NHS Foundation Trust.	
OBP3 Coventry and Warwickshire Local Enterprise Partnership Board (LEP)	Councillor Mrs Lucas Councillor Maton	Councillor Mrs Lucas		To drive Local Enterprise Partnership for the area, which was approved by Government on 28th October, 2010.	Six full Board meetings held per year. Anticipated AGM will be held in September prior to the Board meeting for that month.
OBP4 Coventry and Warwickshire Local Enterprise Partnership: Local Transport Body	Councillor Maton	Councillor Maton		To deal with devolved Government funding for the 2015-2019 period for Major Transport Schemes.	Meetings held ad-hoc (but anticipated to be an average of three per year).

ORGANISATION	2014/2015 REPRESENTATIVES	2014/2015 MEMBER	LEAD	PURPOSE	FREQUENCY OF MEETINGS and AGM
Page 6 OBP4 Coventry Fairtrade City Steering Group	Councillor Lancaster Councillor Hammon	Councillor Lancaster		A group of individuals and organisations from across Coventry who are working together to achieve Fairtrade City Status.	Meets bi-monthly
OBP6 Coventry Learning Disabilities Partnership Board	Councillor Gingell Councillor Taylor OBE	Councillor Gingell		Brings together key partners to create a joint strategy for the future shape of services to people within the remit of the Board; to develop a commissioning strategy and to improve services across the City.	Meets monthly. Does not hold an AGM
OBP7 Coventry Partnership	Councillor Mrs Lucas Councillor Townshend Councillor Maton Councillor McNicholas Councillor Blundell Councillor Andrews	Councillor Mrs Lucas		The Partnership is made up of senior people from Coventry's key public, private, community and voluntary organisations to "improve mainstream services to produce better outcomes in the most deprived areas and contribute to sustainable development".	Meets twice per year. Does not hold an AGM
OBP8 Older People's Partnership Board	Councillor Gingell Councillor Taylor OBE	Councillor Gingell		Set priorities, plan future service delivery, monitor the implementation of the Older People's National Service Framework and develop service and Commissioning Strategies for Older people, including Older People with mental health problems.	Meets quarterly. No AGM held



	ORGANISATION	2014/2015 REPRESENTATIVES	2014/2015 MEMBER	LEAD	PURPOSE	FREQUENCY OF MEETINGS and AGM
OBP9	Voluntary Action Coventry	Councillor Mrs Abbott Councillor Sawdon	Councillor Mrs Abbott	The umbrella body for voluntary and community organisations in Coventry.	Meets quarterly	

Appointments to Outside Bodies

ORGANISATION	2014/2015 REPRESENTATIVES	2014/2015 LEAD MEMBER	PURPOSE	FREQUENCY OF MEETINGS and AGM
OB1 Albany Theatre Trust	Councillor Kershaw CBE	Councillor Kershaw CBE	To manage the affairs of the Albany Theatre.	Meetings normally held monthly. AGM held in June
OB2 Barr's Hill School Trust Limited	Councillor Walsh	Councillor Walsh	Foundation acting on behalf of the Trust School.	Three meetings held yearly, one per term. AGM held in September
OB3 Belgrade Theatre Trust (Coventry) Limited	Councillor Mrs Bigham Councillor Bailey (Cllr Mrs Bigham, or in her absence Councillor Bailey, are authorised to exercise the Council's vote at General Meetings)	Councillor Mrs Bigham	The promotion, maintenance, improvement and advancement of education or for the encouragement of the arts.	Meets 6 to 7 times per year. AGM held in September.
OB4 Birmingham International Airport Holdings Limited - Board of Directors	Councillor McNicholas (Also authorised to exercise the Council's vote at General Meetings) NB Substitutes not permitted	Councillor McNicholas	Airport Company Board of Directors	Meets four times per year. AGM held in July

ORGANISATION	2014/2015 REPRESENTATIVES	2014/2015 LEAD MEMBER	PURPOSE	FREQUENCY OF MEETINGS and AGM
OB5 Birmingham International Airport - Consultative Committee	Councillor McNicholas	Councillor McNicholas	To enable aerodrome operators, communities in the vicinity of the aerodrome, local authorities, local business representatives, aerodrome users and other interested parties to exchange information and ideas; to allow the concerns of interested parties to be raised and taken into account by the aerodrome operators; and to complement the legal framework within which the aerodrome operates.	AGM held in May
OB6 Blue Coat Academy (Governing Body)	Councillor Chater	Councillor Chater	The academy was set up by sponsors who own and run the school with those functions discharged through the governing body and head teacher.	Meet at least once per term
OB7 Bus Lane Adjudication Service Joint Committee (BLASJC)	Cabinet Member (Public Services) - Councillor Lancaster Cabinet Member (Business, Enterprise and Employment) - Councillor Maton	Councillor Lancaster	Participation in the committee puts in place adjudication arrangements for parking Penalty Charge Notice appeals.	Meetings tend to be held every 3 months

Page 6	ORGANISATION	2014/2015 REPRESENTATIVES	2014/2015 LEAD MEMBER	PURPOSE	FREQUENCY OF MEETINGS and AGM
OB8	Coventry Airport Consultative Committee	Councillor Chater Councillor Lakha OBE (substitute)	Councillor Chater	To enable aerodrome operators, communities in the vicinity of the aerodrome, local authorities, local business representatives, aerodrome users and other interested parties to exchange information and ideas; to allow the concerns of interested parties to be raised and taken into account by the aerodrome operators; and to complement the legal framework within which the aerodrome operates	Meets every three months
OB9	Coventry Ambassadors Social Enterprise Board	Councillor Mrs Abbott	Councillor Mrs Abbott	To continue the development of Coventry Ambassadors to enable them to play a key role in future events for the City.	tbc
OB10	Coventry and Solihull Waste Disposal Company Limited - Advisory Forum	Councillor Maton Councillor Harvard Councillor Andrews Councillor Blundell (NB Representatives must not be members of Coventry and Solihull Waste Disposal Company Limited Shareholders' Panel)	Councillor Maton	Consider the waste disposal activities and financial results of the joint account for the two Authorities	Meets once per year

ORGANISATION	2014/2015 REPRESENTATIVES	2014/2015 LEAD MEMBER	PURPOSE	FREQUENCY OF MEETINGS and AGM
OB11 Coventry and Solihull Waste Disposal Company Limited - Shareholders' Panel	Councillor Lancaster (Also authorised to exercise Council's vote at General Meetings) Councillor Townshend (Also substitute for exercising Council's vote at General Meetings) or in the absence of both of the above Chris West (Executive Director, Resources) is the voting representative) Councillor Crookes	Councillor Lancaster	The Shareholders' Panel oversees the operation of the Waste Disposal Company	Meets quarterly
OB12 Coventry Law Centre Limited	Councillor Mrs Bigham Councillor Hammon (NB Councillor Mrs Bigham is a trustee)	Councillor Mrs Bigham	Coventry Law Centre is a charity employing Solicitors and paralegals to offer free legal advice and representation in the areas of housing, immigration, employment and discrimination, education, mental health, community care and welfare benefits, to the people of Coventry.	Meets monthly
OB13 Coventry Refugee and Migrant Centre	Councillor A Khan Councillor Ruane Councillor Birdi	Councillor A Khan	The work of the Centre falls into two main categories: 1. help for asylum seekers in the many problems they face with subsistence, housing, health, racial harassment etc. 2. help set up home for those given leave to remain.	Board meets monthly except for August and December. AGM held in September

ORGANISATION	2014/2015 REPRESENTATIVES	2014/2015 LEAD MEMBER	PURPOSE	FREQUENCY OF MEETINGS and AGM
OB 14 Culture Coventry Trust Board of Directors	Councillor Skipper Councillor Gannon Councillor Hetherton Councillor McNicholas Councillor Sawdon	Councillor Skipper	To oversee operations of facilities	Meets quarterly. AGM held in October
OB 15 Foxford School Trust Limited	Councillor Mrs Bigham	Councillor Mrs Bigham	Foundation acting on behalf of the School	Meet at least once per term
OB 16 Grace Academy (Governing Body)	Councillor Ruane	Councillor Ruane	The academy was set up by sponsors who own and run the school with those functions discharged through the governing body and head teacher.	Meet at least once per term
OB 17 Local Government Association - General Assembly	Councillor Mrs Lucas Councillor Townshend Councillor J Mutton Councillor Blundell	Councillor Mrs Lucas	The LGA General Assembly acts as the "parliament" for local government.	Meets once a year. AGM held in June
OB 18 Lyng Hall Trust Limited	Councillor Mrs Fletcher	Councillor Mrs Fletcher	Foundation acting on behalf of the Trust School	Meetings are arranged ad-hoc. AGM held in June
OB 19 Parking and Traffic Regulation Outside London Adjudication Joint Committee (PATROLAJC)	Cabinet Member (Public Services) - Councillor Lancaster Cabinet Member (Business, Enterprise and Employment) - Councillor Maton (deputy)	Councillor Lancaster	Participation in the committee puts in place adjudication arrangements for parking Penalty Charge Notice appeals.	Meetings tend to be held every 3 months

ORGANISATION	2014/2015 REPRESENTATIVES	2014/2015 LEAD MEMBER	PURPOSE	FREQUENCY OF MEETINGS and AGM
OB20	Police and Crime Panel (NB: One further Member is jointly nominated by Coventry City Council and Solihull Metropolitan Borough Council and appointed by the West Midlands Joint Committee - for the July 2014-2015 term of office this will be a Coventry City Council appointment)	Councillor Mrs Lucas	The Police and Crime Commissioners will be held to account on an ongoing basis by the Crime Panel	Meetings to be held every two months. AGM expected to be held in June.
OB21	Regional Flood and Coastal Committee	Councillor Lancaster	Consider matters relating to the flood risk programme for the midlands region, capital schemes, maintenance policy, strategy and funding.	Meets quarterly. NB Representative rotates with SMBC
OB22	Seva School Due to open September 2014	Councillor Howells B. Claire	Free School underpinned by the Sikh Faith that will operate like an Academy and is funded by Central Government	Meets approx once per term.
OB23	Sidney Stringer Academy (Governing Body)	Councillor Welsh Ms Julie Sullivan - Authority Governor	The academy was set up by sponsors who own and run the school with those functions discharged through the governing body and head teacher.	Meet at least once per term

ORGANISATION	2014/2015 REPRESENTATIVES	2014/2015 LEAD MEMBER	PURPOSE	FREQUENCY OF MEETINGS and AGM
OB24 SIGOMA (Special Interest Groups of Municipal Authorities)	Councillor Bains	Councillor Bains	Represents most of the large towns and cities in the northern, midland and south coast regions of England, is the collective voice of urban areas across these regions and works to release the opportunities and potential of the communities represented.	Meets monthly. AGM held in July
OB25 Stoke Park School Trust Limited	Councillor Bains	Councillor Bains	Foundation acting on behalf of the Trust School.	Meets quarterly. AGM held in November.
OB26 Tile Hill Academy (Governing Body)	Councillor Maton	Councillor Maton	The academy was set up by sponsors who own and run the school with those functions discharged through the governing body and head teacher.	Meet at least once per term.
OB27 University of Warwick Business Innovation Centre Limited	Councillor Maton (Also authorised to exercise Council's vote at General Meetings)	Councillor Maton	Management board for the body.	Meets three times per year. AGM held in July.
OB28 University of Warwick Science Park Foundation (Probably exiting in Spring 2016)	Councillor Maton (Also authorised to exercise Council's vote at General Meetings) Councillor Skipper (Also substitute for exercising Council's vote at General Meetings)	Councillor Maton	Management board for the body.	AGM held in July



ORGANISATION	2014/2015 REPRESENTATIVES	2014/2015 LEAD MEMBER	PURPOSE	FREQUENCY OF MEETINGS and AGM
OB29 West Midlands Employers	Councillor Mrs Lucas Councillor Townshend (alternate)	Councillor Mrs Lucas	An Employers Organisation advising, supporting and representing Authorities in human resource management, industrial relations and employee / organisational development.	The full body is anticipated to meet twice per year.
OB30 West Midlands Fire and Rescue Authority	Councillor O'Boyle (Lead Member for Questions) Councillor Howells (Substitute Member for Questions) Councillor Skinner	Councillor O'Boyle	Statutory responsibilities to the community of West Midlands.	Meets five times per year. NB: Policy Planning Forum, comprising all members, meets eight times per year.

ORGANISATION	2014/2015 REPRESENTATIVES	2014/2015 LEAD MEMBER	PURPOSE	FREQUENCY OF MEETINGS and AGM
<p>Page 74</p> <p>OB32</p> <p>West Midlands Integrated Transport Authority            NB: New governance arrangements come into effect on 04.06.2014 which reduce the number of appointments to one. (OB32 and OB33 below also refer)</p>	<p>Councillor Mrs Lucas            Councillor McNicholas - Substitute for Voting purposes</p>	<p>Councillor Mrs Lucas</p>	<p>Leads on strategy, prioritisation, commissioning and seeks new investment on transport for the area and comprises the 7 Leaders of the seven West Midlands metropolitan councils who's focus is on policy and budget.</p>	<p>AGM held in June</p>
<p>OB32</p> <p>West Midlands Centro Members (Joint Committee)            NB: This is a new Joint Committee established as part of the new ITA Governance arrangements (OB31 above refers)</p>	<p>Councillor McNicholas            Councillor Mrs Miiks            Councillor Taylor OBE</p>	<p>Councillor McNicholas</p>	<p>Responsible for operational transport matters and, as required, provide advice to the new ITA on matters referred to them</p>	<p>tbc</p>

ORGANISATION	2014/2015 REPRESENTATIVES	2014/2015 LEAD MEMBER	PURPOSE	FREQUENCY OF MEETINGS and AGM
OB33 West Midlands ITA Joint Scrutiny Committee NB: 1) This appointment is being made in advance of the establishment of a Joint Scrutiny Committee for the new ITA (OB31 above refers) 2) It is anticipated that one further Member will be jointly nominated by Coventry City Council and Solihull MBC and appointed by the West Midlands Joint Committee.	Councillor Welsh	Councillor Welsh	Required by Government as part of the new governance arrangements for the ITA. Terms of reference, etc, to be agreed.	tbc
OB34 West Midlands Joint Committee	Councillor Mrs Lucas (Leader Voting Member) Councillor Townshend (Substitute Voting Member) Councillor Blundell	Councillor Mrs Lucas	Formerly constituted body of West Midlands District Councils to discharge specific functions concerning the West Midlands.	Meets every three months.
OB35 West Midlands Pensions Committee	Councillor Gannon (Lead Member) Councillor Bains (Substitute Member)	Councillor Gannon	To oversee the pensions administration and investment expenses relating to the West Midlands Metropolitan Authorities Pensions Fund.	Meets every four months

ORGANISATION	2014/2015 REPRESENTATIVES	2014/2015 LEAD MEMBER	PURPOSE	FREQUENCY OF MEETINGS and AGM
Whitefriars Housing Group OB37	Councillor Mrs Bigham Councillor Akhtar Councillor Thay Councillor Crookes Councillors Mrs Bigham and Akhtar authorised as the City Council's representative and substitute representative, respectively, to exercise its vote at General Meetings of Whitefriars Services Limited and that Chris West, Executive Director, Resources, be authorised to act as the voting representative in the absence of the Authorised Representative and the Substitute Representative	Councillor Mrs Bigham	Management of Housing Group	Meets four times per year. AGM for Whitefriars Services Limited is held in October.
Woodlands Academy (Governing Body) OB37	Councillor Hetherton	Councillor Hetherton	The academy was set up by sponsors who own and run the school with those functions discharged through the governing body and head teacher.	Meet at least once per term

Appointments to Charity and Other Non Municipal Year Appointments

ORGANISATION	2014/2015 REPRESENTATIVES	2014/2015 LEAD MEMBER	PURPOSE	FREQUENCY OF MEETINGS and AGM
OBC1 Annie Bettman Foundation	Councillor Mrs Fletcher Councillor Townshend Councillor Skinner Mrs A Brown Mr P Cordle His Honour Donald Hamilton (retired) <b>Nominations for 4 year period, all expire May 2017.</b> <b>Up to 6 appointments who need not be Elected Members</b>	Councillor Mrs Fletcher	Makes payments to persons over 21 and under 40 years of age for assistance in starting a business, any surplus income may be applied for furthering education.	Meets once per year
OBC2 Blue Coat School Foundation	Mrs I Cribdon Mrs J Jackson <b>Yearly nominations</b>	Mrs I Cribdon	Charitable body responsible for property management	Meets two or three times per year
OBC3 Bond's Hospital Estate Charity Trustees	Councillor Townshend ( <b>expires 31st May 2016</b> ) Councillor Mrs Abbott ( <b>expires 31st May 2018</b> ) Mrs S C Forte ( <b>expires 31st May 2017</b> ) <b>Nominations for 4 year period</b>	Councillor Mrs Abbott	Charitable organisation which manages property for the benefit of the elderly.	Meets May, June and July.

ORGANISATION	2014/2015 REPRESENTATIVES	2014/2015 LEAD MEMBER	PURPOSE	FREQUENCY OF MEETINGS and AGM
OBC5 Coventry Association for International Friendship	Councillor Lakha OBE	Councillor Lakha OBE	To bring together organisations and individuals to promote international friendship and to create closer ties between the citizens of Coventry and the people of its twinned towns.	Meets twice a year. AGM held in May
OBC5 Coventry Church (Municipal) Charities Trustees	Councillor Clifford ( <b>expires 30th May, 2018</b> ) Councillor Kershaw CBE ( <b>expires 30th June, 2015</b> ) Mrs R Mason ( <b>expires 30th June, 2015</b> ) <b>Nominations made for 4 year period</b>	Councillor Clifford	Charitable body concerned with the relief of poverty for elderly people.	Meets March, June, September and December
OBC6 Coventry Citizens' Advice Bureau Management Board	Councillor Mrs Abbott ( <b>expires May 2017</b> ) <b>Nominations made for 3 year period</b>	Councillor Mrs Abbott	Manages the business of the bureau.	Meets bi monthly on the second Tuesday of the month, start at 5.45pm and aim to finish by 7.30pm.
OBC7 Coventry General Charities Trustees	Councillor Mrs Miks Councillor Lakha OBE Councillor Thomas Councillor Crookes Mr M Lapsa Mrs E Eaves Mrs Lancaster Mr W Thomson <b>Representatives can be replaced at any time during their term of office. Renewal of Appointments 17th May 2016</b>	Councillor Mrs Miks	Yearly payment to the vicar and churchwardens of the ecclesiastical parish of St Michael for the poor; yearly payment to the Governors of the Monks Kirby exhibition foundation; relief of persons in conditions of need, hardship or distress in the City of Coventry, the payment of pensions to poor people, preference being given to Freeman of the City; the general advancement of education to persons under 25 years, preference being given to sons and daughters of the City.	Meets monthly. AGM held in January

ORGANISATION	2014/2015 REPRESENTATIVES	2014/2015 LEAD MEMBER	PURPOSE	FREQUENCY OF MEETINGS and AGM
OBC8 Daimler Green Recreational Trust	Councillor M Mutton NB Nominee must be a Radford Councillor <b>Nomination made for 3 year period (Expires May 2017)</b>	Councillor M Mutton	The Community Recreation Trust has been established to take responsibility for the new community facilities being provided at Daimler Green.	Meetings likely to be monthly in the first year of the operation of the trust after which the frequency will be reviewed.
OBC9 Governing Body of City College	Councillor Maton <b>(Expires May 2018)</b> <b>Nomination made for 4 year period</b>	Councillor Maton	College Executive, collective decision making body.	Meets July, September, December and March
OBC10 John Friends Memorial Fund Management Committee	Councillor Clifford Councillor Mrs Bigham Councillor Crookes <b>Nominations made for 3 year period (Expires May 2017)</b>	Councillor Clifford	Gives grants to schools and individuals for the study of astronomy and meteorology.	Meets twice per year
OBC11 Martha Flint and Emma Osmond Educational Foundation	Councillor Clifford <b>Nomination made for 3 year period (Expires May 2017)</b>	Councillor Clifford	To award scholarships, bursaries or maintenance allowances to young persons tenable at any university or other place of learning approved by the governors.	Meets twice per year
OBC12 Sir Charles Barratt Memorial Foundation	Councillor Innes Councillor Crookes (NB: nominees must be elected members.) <b>Yearly nominations</b>	Councillor Innes	Charitable body that gives grants for musical instruments.	AGM held in January

Page	ORGANISATION	2014/2015 REPRESENTATIVES	2014/2015 LEAD MEMBER	PURPOSE	FREQUENCY OF MEETINGS and AGM
08	OBC13 Soothern and Craner Educational Foundation	Councillor Mrs Abbott Councillor Mrs Miiks Councillor Thomas Councillor Taylor OBE <b>All nominations expire May 2017. Nominations for a 3 year period</b>	Councillor Mrs Abbott	To assist girls of Friends (Quakers) in Coventry and other girls in the City by means of monetary grants.	Meets once per year. AGM held in July/August
OBC14	Swillington's Charity Trustees	Councillor Lancaster Councillor Townshend <b>Yearly nominations</b>	Councillor Lancaster	Charity for the general benefit of the poor in the City of Coventry	Meets every two months
OBC15	Tansley Charity Trust	Councillor Auluck Councillor Mrs Abbott Councillor Caan Lord Mayor <b>Nominations made for a 3 year period. Expires May 2017</b>	Councillor Auluck	To award grants to elderly or infirm women.	Meets June and December. Any additional meetings on an ad hoc basis
OBC16	Tom Mann Centre Trust Management Committee	Councillor Chater (Trustee) Councillor Lakha OBE Councillor Thay <b>All nominations expire May 2017. Nominations made for 3 year period.</b>	Councillor Chater	Charity fund to promote the life of Tom Mann and his involvement with Trade Unions.	Meets once per year
OBC17	University of Warwick - Advisory Board of the Institute of Education	Councillor Kershaw CBE Ruth Snow <b>All nominations expire May 2015. Nominations made for 3 year period</b>	Councillor Kershaw CBE	Oversees the Activities of the University of Warwick Institute of Education	Meets twice yearly, usually April and November.



	ORGANISATION	2014/2015 REPRESENTATIVES	2014/2015 LEAD MEMBER	PURPOSE	FREQUENCY OF MEETINGS and AGM
OBC18	William Proffitt's Charity	Councillor Auluck Councillor Mrs Abbott Mr W P Thomson <b>Yearly nominations</b>	Councillor Auluck	Education of the poor, money distributed to the Charities and Schools in the parish of Foleshill	Meets March and December

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CALENDAR OF MEETINGS 2014/15

\* denotes "if necessary"

Meeting	Time (unless indicated otherwise)	Jun 14	July 14	Aug 14	Sept 14	Oct 14	Nov 14	Dec 14	Jan 15	Feb 15	Mar 15	Apr 15	May 15
<b>Council</b>	2.00 pm	24	15*		9	14	11	9	13	24	17		21 AGM
<b>Cabinet / Cabinet Members</b>													
Cabinet	2.00 pm	17	8	12	2	7	4	2	6	10, 24 10am	3	14	
Cabinet Briefing	2.00 pm	25	29	19	16	21	18	16	27	17	31	28	
CM (Business, Enterprise and Employment)	10.00 am	23			1	20		1	12	16	23		
CM (Children & Young People)	2.00 pm		1	26		15	25		20		10	7	
CM (Community Development, Co-Operatives & Social Enterprise)	3.00 pm		9	20		1	5	10	21		11	15	
CM (Culture, Leisure, Sports & Parks)	9.00 am		30		3	15	19		7	18		1	
CM (Education)	2.00 am	17 11am	16		30		12		20		10	8	
CM (Health & Adult Services)	10.00 am	17	29	26			11	9	13	17	31		
CM (Policing & Equalities)	2.00 pm		3, 31		4	2	6	18 1pm	22	26	26	23*	
CM (Policy & Leadership)	1.00 pm		3		4		27 10am		15	19			
CM (Public Services)	10.00 am	19	7, 29		2	7	4	9	19	23	17		
CM (Strategic Finance & Resources)	2.00 pm	30	28		8	20		1	19		9	27*	
Coventry Investment Fund Cabinet Committee	10.00 am		29			7		2	27		31		
<b>Scrutiny Boards</b>													
Scrutiny Co-ordination Committee	10.00 am	25	2*, 16, 30*	13*	3, 17*	8, 22*	5, 19*	10	7, 21*	4, 18*	4, 18*	1, 22*	
Finance and Corporate Services Scrutiny Board (1)	10.00 am	23		4	15		3	15		2	16	20	
Education and Children's Scrutiny Board (2)	2.00 pm	23	10		18	22	27		8	12	26	23*	
Job, Skills & Growth Business, Economy and Enterprise Scrutiny Board (3)	2.00 pm	19	16		10 10am	8	12	17	28		11	1	
Communities & Neighbourhoods Scrutiny Board (4)	4.00 pm	25	23		17	22	26		14	25	25		
Health and Social Care Scrutiny Board (5)	2.00 pm	18	30		10	15	19	10	7	11	18	22	
<b>Committees</b>													
Audit and Procurement Committee	4.00 pm		14	18	15	20		1	12	16	23	20	11
Ethics Committee	10.00 am	27		29				19			27		
Licensing & Regulatory Committee	9.30 am	17	22	19	16	21	18	16	20	17	24	28	
Planning Committee	2.00 pm	26	24	21	11	16	13	11	15	5	5	2, 30	
Planning Committee Quarterly Seminar	2.00 pm		17		4			4			19		

Meeting	Time (unless indicated otherwise)	Jun 14	July 14	Aug 14	Sept 14	Oct 14	Nov 14	Dec 14	Jan 15	Feb 15	Mar 15	Apr 15	May 15
<b>Advisory Panels</b>													
ACL Shareholders	Rising of Cab / Brief	17	8, 29	12, 19	2, 16	7, 21	4, 18	2, 16	6, 27	10, 17	3, 31	14, 28	
Capital Projects Monitoring		Dates & Times to be Confirmed											
Constitutional													
Corporate Parenting Board	2.00 pm		31			23			22		12		
Coventry Award of Merit		Dates & Times to be Confirmed											
Coventry Local Development Plan	10.00 am	23 11am	21		15 2pm		10 2pm	15		9	2	13	
Disability Equality	10.30 am		18				14				6		
Electoral Arrangements	12.30 pm		28		11 11am			4 11am			12		
Good Citizen Award		Dates & Times to be Confirmed											
Regeneration & Infrastructure		Dates & Times to be Confirmed											
School Organisation		Dates & Times to be Confirmed											
Sports Vision & Strategy, Tourism & City Wide Events		Dates & Times to be Confirmed											
<b>Other Meetings</b>													
Children and Young People's Commissioning Board	10.00am		8	Further Dates & Times to be Confirmed									
Coventry and Solihull Waste Disposal Company Ltd Shareholders Panel	4.30 pm	18			24				14		4		
Coventry Health and Wellbeing Board	2.00 pm		7		22		10	8		23		20	
Informal Meeting of all SB's and Scrutiny Co-ordination Committee	2.00 pm	16	2										
John Friends Memorial Fund	2.30 pm		22										
Joint Health and Safety Forum		Dates & Times to be Confirmed											
School Admissions Forum		Dates & Times to be Confirmed											
Tansley Charity Trust	11.00 am	24					25					14	



## Public report

5<sup>th</sup> June, 2014

Annual Meeting of the City Council

**Name of Cabinet Member:**

Councillor Mrs Lucas - Cabinet Member (Policy and Leadership)

**Director Approving Submission of the report:**

Executive Director, Resources

**Ward(s) affected:**

Not applicable

**Title:**

New Integrated Transport Authority Governance Arrangements

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**Is this a key decision?**

No

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**Executive Summary:**

This report details changes to the governance arrangements of the West Midlands Integrated Transport Authority (ITA) and seeks approval to the establishment of the Centro Members Joint Committee.

**Recommendations:**

That the City Council:-

- (1) Notes the changes to governance arrangements of the West Midlands Integrated Transport Authority, together with its Terms of Reference, as detailed in Appendix 1 to this report.
- (2) Approves the establishment of the Centro Members Joint Committee with the Terms of Reference as detailed in Appendix 2 to this report.
- (3) Delegates authority to the Executive Director, Resources, (in consultation with the Leader of the Council) to agree and enter into such documents as are necessary to give effect to Recommendations (1) and (2) above.

**List of Appendices included:**

Appendix 1 – Terms of Reference for the new ITA

Appendix 2 – Terms of Reference for Centro Members

**Other useful background papers:**

The West Midlands Integrated Transport Authority (Decrease in Number of Members) Order 2014

**Has it been or will it be considered by Scrutiny?**

No

**Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?**

No

**Will this report go to Council?**

Yes – Annual Meeting - 5<sup>th</sup> June, 2014

## Report title: **New Integrated Transport Authority Governance Arrangements**

### **1. Context (or background)**

- 1.1 Following a review last summer, approval has been sought from the Secretary of State for Transport to changes to the existing governance arrangements for the Integrated Transport Authority (ITA) and the creation of a new ITA.
- 1.2 This followed on from the changes to the Terms of Reference for the West Midlands Joint Committee and the creation of an Interim Shadow ITA. Approval of the Secretary of State for Transport has now been given and the West Midlands Integrated Transport Authority (Decrease in Number of Members) Order 2014 comes into force on 4<sup>th</sup> June, 2014.
- 1.3 The membership of the new ITA will comprise of seven members nominated by the individual authorities forming the geographic area of the ITA, who will lead on strategy, prioritisation, commissioning and seeking new investment on transport for the area. It was agreed at the Shadow Board that each authority would seek to appoint its Leader to reflect the greater use of West Midlands Leaders to assist with effective regional decision making.
- 1.4 The new ITA and the seven Metropolitan Districts will also need to form a Joint Committee called Centro Members. This will initially have a membership of 27 appointed in the same way as previously done for the old ITA. This Joint Committee will take responsibility for operational transport matters and, as required, advise the new ITA on matters referred to them. In addition, the Joint Committee will form appropriate sub-committees as necessary to direct Centro's delivery role.
- 1.5 In addition, the Government requires a Joint Scrutiny Committee to be established for the new ITA and work is currently being undertaken by the seven Metropolitan Districts to progress this. It is likely that this Scrutiny Committee will be based on the same model as currently used for the Police and Crime Panel, ie 12 Members (One per authority), together with 2 members for the Black Country, 2 for Birmingham and one for Coventry/Solihull appointed through the West Midlands Joint Committee.
- 1.6 A review of the membership of Centro Members will be carried out by the new ITA in the coming year in accordance with an assurance given to the Secretary of State.
- 1.7 The appointment of Coventry's representatives to the new ITA, Centro Members and the Joint Scrutiny Committee, in advance of its establishment, are dealt with in the report on "Appointments to Outside Bodies" also submitted to the Annual Meeting of the City Council on 5<sup>th</sup> June, 2014.

### **2. Options considered and recommended proposals**

- 2.1 In order to facilitate the new governance arrangements, it is proposed that the City Council:-
  - (1) Notes the changes to governance arrangements of the West Midlands Integrated Transport Authority, together with its Terms of Reference, as detailed in Appendix 1 to this report.
  - (2) Approves the establishment of the Centro Members Joint Committee with the Terms of Reference as detailed in Appendix 2 to this report.

- (3) Delegates authority to the Executive Director, Resources, (in consultation with the Leader of the Council) to agree and enter into such documents as are necessary to give effect to Recommendations (1) and (2) above.

### 3. Results of consultation undertaken

All seven Metropolitan Councils were consulted by the Secretary of State prior to the placing of the Order which reduces the membership of the West Midlands ITA.

### 4. Timetable for implementing this decision

The Order reducing the number of Members of the new ITA comes into force on 4<sup>th</sup> June, 2014.

### 5. Comments from Executive Director, Resources

#### 5.1 Financial implications

There are no financial implications arising from this report.

#### 5.2 Legal implications

Centro Members is a Joint Committee of all the constituent authorities of the West Midlands ITA. As such, the Council must approve its establishment and terms of reference. This report provides for the appropriate approvals and delegations to be given to allow the establishment of the new ITA and Centro Members to proceed.

#### Report author:

**Suzanne Bennett, Governance Services Team Leader**

**Directorate: Resources**

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Enquiries should be directed to the above person.

Contributor/approver name	Title	Directorate or organisation	Date doc sent out	Date response received or approved
<b>Contributors:</b>				
Carol Bradford	Legal Officer	Resources	20/5/14	20/5/14
Adrian West	Members and Elections Team Manager	Resources	20/5/14	21/5/14
Jenni Venn	Assistant Director, Policy, Partnership and Performance	Chief Executives	20/5/14	21/5/14



<b>Names of approvers for submission:</b> (officers and Members)				
Finance: Paul Jennings	Corporate Finance Manager	Resources	20/5/14	20/5/14
Legal: Christine Forde	Assistant Director Legal and Democratic Services and Monitoring Officer	Resources	21/5/14	27/5/14
Director: Chris West	Executive Director, Resources	Resources	27/5/14	28/5/14
Councillor Mrs Lucas	Cabinet Member (Policy and Leadership)		21/5/14	27/5/14

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**WEST MIDLANDS INTEGRATED TRANSPORT AUTHORITY  
CONSTITUTION**

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## PART 1 - INTRODUCTION

### **West Midlands Integrated Transport Authority**

1. The Authority comprises seven councillors, each of whom must be elected to one of the seven constituent district councils comprising the metropolitan West Midlands. These seven district councils appoint a single member to the Authority in accordance with the provisions of schedule 10 of the Local Government Act 1985 (as amended).
2. Councillors may be removed by their appointing council, subject to the council complying with the statutory requirements as to periods of notification etc. The overriding duty of members of the Authority is to the whole community of the West Midlands. A list of the members of the Authority for current municipal year is set out in Annex 1 of the constitution.
3. All seven members meet together as the West Midlands Integrated Transport Authority, and these meetings are held in public.
4. The West Midlands Integrated Transport Authority has ultimate responsibility for public transport within the region, but has delegated much of its decision making to a Centro Joint Committee. This arrangement is set out more fully in Part 2 of the constitution.

### **Principles of Decision Making**

5. All decisions made by the West Midlands Integrated Transport Authority, and by officers acting under their delegated powers, will be made in accordance with the following principles:
  - they will be within the lawful powers of the Authority;
  - due consultation will be carried out where appropriate (including taking relevant professional advice from officers);
  - they will demonstrate respect for human rights;
  - there will be a presumption in favour of open and transparent decision making;
  - there will be a clarity of aims and desired outcomes;
  - all decisions will be taken within the letter and spirit of the constitution.

### **Compliance with the Constitution**

6. All meetings of the Authority will be conducted in accordance with the relevant Standing Orders set out in Part 3 of this constitution when considering any matter.

### **Review and Revision of the Constitution**

7. The Clerk will monitor and review the operation of the constitution on a yearly basis and make recommendations for amendments as appropriate, to ensure that the aims and principles of the constitution are given full effect.

### **Changes to the Constitution**

8. Changes to the constitution will be approved by the Authority after consideration of proposals submitted by the Clerk.

**Publication of the Constitution**

- 9. The Clerk will arrange for printed copies of the constitution to be made available to all members of the Authority and for public inspection. An electronic copy of the constitution will also be made available on the Authority’s website.

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## PART 2 - RESPONSIBILITY FOR FUNCTIONS

10. The Authority has a statutory responsibility to set out and ensure the implementation of policies to co-ordinate and promote the use of public transport in the West Midlands. The Centro implements the Authority's policies and provides it with expert professional advice to enable it to make appropriate and informed decisions.
11. Collectively they are responsible for:
  - Formulating a long term vision for the West Midlands public transport system that is based on the vision of a 'world class' integrated public transport system that contributes to the economic development of the West Midlands through a network of high volume public transport corridors, and delivered by a 'best in class' organisation.
  - Developing and championing the business case for a rapid transit network, including Midland Metro.
  - Developing and championing the 'Vision for Rail' as part of the development of the rail network, in partnership with Network Rail and train operating companies.
  - Operating a concessionary fares scheme and implementing the government's National Concessionary Scheme and any local variations.
  - Championing and developing Smartcard technology within the region.
  - Developing bus travel, by championing the modernisation of the bus network in the region through a culture that focuses on bus passengers and their needs through the Transforming Bus Travel partnership.
  - Financially supporting subsidised bus services that are socially necessary, but not commercially viable.
  - Providing an annual grant to enable the West Midlands Special Needs Transport Ltd to operate a 'Ring & Ride' service for people who have difficulty in using other public transport facilities.
  - Developing policies for the promotion and encouragement of safe, efficient and economic transport facilities and services to, from and within its area, in partnership with public transport operators, the police and district councils.
  - Promoting and publicising the public transport network through the provision of travel information as part of the 'Network West Midlands' initiative.
  - Constructing and maintaining bus stations and public transport infrastructure.

12. In order to carry out effective decision making in respect of these responsibilities, the West Midlands Integrated Transport Authority has, along with the seven West Midlands metropolitan district councils, established a Centro Members Joint Committee to which it has delegated areas of decision making authority that the joint committee (and/or the joint committee's own sub-committees) can exercise on behalf of the full Authority.

### **Matters Reserved for Determination by the West Midlands Integrated Transport Authority**

13. The following functions of the West Midlands Integrated Transport Authority will remain reserved matters for determination by the Authority only:
- Setting its revenue budget for transport, including approving estimates of income and expenditure of Centro pursuant to s15(1)(b) of the Transport Act 1968, determining the grants to be made to passenger transport companies to s13 of the Transport Act 1968, and the issue of a levy pursuant to the Transport Levying Bodies Regulations 1992;
  - Determining the borrowing limits of the West Midlands Integrated Transport Authority in relation to transport matters, pursuant to s3 of the Local Government Act 2003;
  - Approving borrowing by the West Midlands Integrated Transport Authority, pursuant to s12(3) of the Transport Act 1968, and lending money to Centro;
  - Developing policies for the promotion and encouragement of safe, efficient and economic transport facilities and services and producing a Local Transport Plan;
  - Making a written request to the Secretary of State for Transport to authorise Centro to purchase compulsorily any land which Centro requires for the purposes of its business;

14. Any of the functions set out above may be referred to the Centro Members Joint Committee for it to make recommendations for consideration and determination by the West Midlands Integrated Transport Authority.

### **Delegation from the West Midlands Integrated Transport Authority to the Centro Members Joint Committee**

15. The following functions of the West Midlands Integrated Transport Authority will be delegated to the Centro Members Joint Committee in order for it to make recommendations to the Authority for decision:
- Securing appropriate level of rail services through rail devolution;

- Developing policies for the promotion and encouragement of safe, efficient and economic transport facilities and services for inclusion in the Local Transport Plan;
- The Authority's revenue budget for the forthcoming year and corresponding district council tax levy

16. The following functions of the West Midlands Integrated Transport Authority will be delegated to the Centro Members Joint Committee in order for it to *determine*, subject to the Centro Members Joint Committee exercising these functions in accordance with any transport policies of the Authority, the Local Transport Plan and the Authority's agreed transport budgets:

- Formulating general policies with respect to the availability and convenience of public passenger services pursuant to s9A(5) - (7) of the Transport Act 1968;
- Monitoring and overseeing the activities and performance of Centro (including the power pursuant to s15(6) of the Transport Act 1968) to give to Centro such directions as appears to the Centro Members Joint Committee to be appropriate to secure the policy objectives of the West Midlands Integrated Transport Authority;
- Ensuring that Centro secures the provision of appropriate public passenger transport services under s9A(3) of the Transport Act 1968;
- Considering and approving the creation and development of:
  - Quality Partnership Schemes under s114 - 123 of the Transport Act 2000;
  - Ticketing Schemes under s135 - 138 of the Transport Act 2000; and
  - Concessionary Travel Schemes under s93 - 104 of the Transport Act 1985;
- Determining what local bus information should be made available, and the way in which it should be made available, under s139 - 143 of the Transport Act 2000;
- Ensuring that Centro implements those actions delegated to it for promoting the economic, social and environmental well-being of the West Midlands, under s99 of the Local Transport Act 2008;
- Monitoring the West Midlands Integrated Transport Authority's transport budget, pursuant to s15A(2) of the Transport Act 1968;
- Approving Centro minor works capital programme and the agreed Centro budget for the scheme concerned;



- Monitoring Centro's performance against the agreed Local Transport Plan;
- Formulating, developing and monitoring procedures for public consultation of, and lobbying for, the West Midlands Integrated Transport Authority's transport policies;
- Considering issues arising from the implementation of schemes for the introduction of Smartcards;
- Authorising the disposal, acquisition and development of any land within any budget agreed by the West Midlands Integrated Transport Authority;
- Determining the operation, performance, contract management and development of tendered bus services, bus stations/stops, and passenger transport services, under s10(1) of the Transport Act 1968 and within the agreed Centro budget;
- Determining the operation, performance and development of the West Midlands Integrated Transport Authority's accessible transport provision, pursuant to s106(1) and 106(2) of the Transport Act 1985, and within the agreed Centro budget; and
- Monitoring the performance of Midland Metro, bus and rail services and initiating appropriate action.

**PART 3 - RULES OF PROCEDURE AND DECISION MAKING****WEST MIDLANDS INTEGRATED TRANSPORT AUTHORITY PROCEDURAL  
STANDING ORDERS****Name**

17. The name of the Authority shall be the 'West Midlands Integrated Transport Authority'.

**Membership of the Authority**

18. The Authority shall consist of 7 Members who shall be Members of the constituent councils, appointed by those Councils.
19. Members appointed by a constituent council shall be appointed and continue in office in accordance with sections 31 to 33 of the Local Government Act 1985, as amended by Section 10 of the Local Government Act 1986 and the relevant provisions of the Local Government and Housing Act 1989.
20. A Member of the Authority may resign his/her Membership by giving the Clerk written notice to that effect.
21. Where a vacancy occurs from amongst Members appointed by a constituent council, the provisions of Section 32 of the Local Government Act 1985 shall apply.

**Definitions**

22. Unless the context otherwise requires, the following expressions shall have the meanings respectively given to them below:
- 'Authority' means the West Midlands Integrated Transport Authority.
  - 'Officer' means the person who, as a matter of operational practice, is primarily responsible for, or involved with, the subject under discussion.
  - 'Clerk' means the person appointed pursuant to Section 34(8) of the Local Government Act 1985.
  - 'Clear working day' means any day except Saturday or Sunday or a Bank Holiday and excludes the date of the notice and the date of the meeting.
  - 'Related' in relation to Members and officers has the same meaning as 'a Member of your family' set out in the Introduction to the Members' Code of Conduct.

**Meetings**

23. The first meeting of the Authority after the ordinary elections of councillors each municipal year shall be the Annual Meeting of the Joint Authority and shall be held as soon as possible after the Annual Meetings of the constituent Councils, and in any case not later than 30 June, or such other date as may be provided by law.

24. The Authority shall, between each Annual Meeting, hold at least four other meetings for the transaction of general business on such day and at such time as they may determine except that the Clerk, after consultation with the Chair, may cancel any of such meetings if in his/her opinion insufficient business has arisen for consideration.
25. An Extraordinary Meeting of the Authority shall be convened at any time by the Clerk upon the instructions of the Chair.
26. A Special Meeting of the Authority shall be convened at any time by the Clerk upon receipt by them of a written requisition for that purpose signed by at least three Members of the Authority and specifying the business to be transacted at the meeting.
27. Notice of a meeting convened pursuant to paragraph 26 shall be issued within five clear working days of receipt of the requisition and, notwithstanding paragraph 32, no other business other than that specified in the requisition shall be transacted at the meeting.
28. Meetings of the Authority shall be held at such places as the Authority or, in the case of urgency, the Clerk in consultation with the Chair, may direct.

**Notice of Meetings**

29. At least five clear working days before a meeting of the Authority (excluding the date of the notice and date of the meeting):
  - notice of the time and place of the intended meeting shall be published at the offices of the Authority and such other place as is fixed for the meeting of the Authority.
  - a summons to attend the meeting, specifying the business proposed to be transacted thereat, shall be left at or sent by post to the address designated by each Member.
  - Copies of the summons shall be made available for inspection by Members of the public.
30. Lack of service on a Member of the Authority of the summons referred to in subparagraph 29 above shall not affect the validity of a meeting of the Authority.

31. A Member of the Authority may require a particular item of business, which is relevant to the powers and duties of the Authority, to be discussed at an ordinary meeting of the Authority subject to at least ten clear working days' notice of such intention being given to the Clerk in writing, signed by the Member concerned and specifying the business to be discussed. The Clerk shall set out in the notice of every meeting of the Authority the items of business requested by Members in the order in which they have been received unless the Member or Members concerned has indicated in writing that an items should be discussed at a later meeting or has since withdrawn the item. If the Member is not present at the meeting when an item of which he/she has given notice comes up for discussion, this item shall, unless the Authority decides otherwise, be treated as withdrawn and shall not be raised again without fresh notice.
  32. Except in the case of business required by these Standing Orders to be transacted at a meeting of the Authority and other business brought before the meeting as a matter of urgency and of which the Clerk shall have prior notice and which the Chair considers should be discussed at the meeting, no business shall be transacted at a meeting of the Joint Authority other than that specified in the summons relating thereto.
  33. At any time during a meeting of the Authority, the Chair may direct that an item of business or part thereof (other than one requested by a Member pursuant to paragraph 31) shall be withdrawn and no consideration of that item shall take place at the meeting.
  34. The Monitoring Officer or the Treasurer may, in pursuance of their statutory duties and in consultation with the Clerk, include an item on the agenda of any meeting of the Authority and may require the Clerk to convene a special meeting to convene a special meeting for such a purpose.
- Appointment of Chair and Vice-Chair**
35. At the opening of each Annual Meeting, the Chair/Vice Chair shall ask the Clerk to invite nominations for the positions of Chair and Vice Chair and the Authority shall then elect a Chair and Vice Chair from its Members. Such appointment shall continue until the election of a new Chair and Vice Chair at the next following Annual Meeting. For the avoidance of doubt, this procedure will not remove the requirement for the Member pursuant to these Standing Orders and the Local Government Act 1985 entitled to preside at the meeting to exercise a casting vote in accordance with paragraph 37 below.
  36. On a vacancy arising in the office of Chair or Vice Chair for whatever reason, the Authority shall as soon as possible elect a replacement for the remainder of the year in which such vacancy occurred.
  37. In the case of an equality of votes in respect of the appointment of a Chair of the Authority, the person presiding at the meeting shall give a casting vote in addition to any other vote he/she may have.

**Chair of Meetings**

38. At each meeting of the Authority the Chair, if present, shall preside.
39. If the Chair is absent from a meeting of the Authority the Vice Chair, if present, shall preside.
40. If both the Chair and Vice Chair of the Authority are absent from a meeting of the Authority, the Clerk shall invite Members of the Authority present to select another Member of the Authority to preside at the meeting until such time as the Chair or Vice Chair joins the meeting.
41. Any power or duty of the Chair in relation to the conduct of a meeting shall be exercised by the person presiding at the meeting.

**Quorum**

42. No business shall be transacted at any meeting of the Authority unless at least five Members are present, provided that if more than one third of the whole number of Members of the Authority becomes disqualified at the same time, the quorum shall be determined in accordance with the provisions of the Local Government Act 1972, Schedule 12, paragraph 45.
43. If during any meeting of the Authority, the Chair after counting the number of Members present, declares that there is not a quorum present, the meeting shall stand adjourned to a time fixed by the Chair. If there is no quorum and the Chair does not fix a time for the reconvened meeting, the meeting shall stand adjourned to the next ordinary meeting of the Authority.

**Consideration of Items of Business**

44. All other items of business dealt with at a meeting of the Authority shall be introduced by the Chair who may then invite an officer to explain the item.
45. Members shall then be given an opportunity to speak on the item, the order being decided by the Chair.
46. Unless the Chair shall otherwise determine, each Member shall speak only once on each agenda item.
47. Once each Member who wishes to speak has done so, the Chair shall move the item which, if seconded, shall be voted upon.

**Amendments**

48. Unless the Chair shall otherwise determine, no amendments to an item of business on the agenda for a meeting of the Authority shall be moved at that meeting.

49. If a Member wishes to seek an amendment to the recommendations he/she may, when exercising his/her right to speak on the item pursuant to paragraph 45, explain why he/she wishes an amendment to be made and move that a decision on the item be deferred until the next meeting of the Authority to enable the Clerk to give proper consideration to the issue raised and address them in a revised report.
50. If the request for a deferment is supported by a majority of votes, the item shall be deferred and no further discussion of it shall take place at the meeting.

#### **Members' Items**

51. An item of business requested by a Member pursuant to paragraph 31 shall be introduced by the Member who gave notice of it.
52. The Chair shall then give the Clerk (in person or through another Officer present at the meeting) an opportunity to comment on the item.
53. Other Members shall then be given an opportunity to speak on the item, the order being decided by the Chairman.
54. Unless the Chair shall otherwise determine, each Member shall speak only once on the item.
55. When all Members who wish to speak pursuant to paragraph 45 have done so, the Member who requested the item shall then have a right of reply.
56. The Chair shall then move the item which, if seconded, shall be voted upon.

#### **Order of Business**

57. At every meeting of the Authority the order of business shall be to select someone to preside if the Chair and Vice Chair are absent and thereafter shall be in accordance with the order specified in the notice of the meeting, except that such order may be varied -
- (a) by the Chair at his/her discretion, or
  - (b) on a request agreed to by the Authority.

#### **Minutes**

58. No discussion shall take place upon the minutes except upon their accuracy. At each meeting of the Authority, the minutes of the previous meeting if agreed will be signed by the Chair.

#### **Discussions Affecting Persons Employed by the Authority**

59. If any question arises at a meeting of the Authority as to the appointment, promotion, dismissal, salary, pension or conditions of service, or as to the conduct of any officer, such question shall not be the subject of discussion until the Authority has decided whether or not the power of exclusion of the public under Schedule 12A to the Local Government Act 1972 shall be exercised.

### **Voting**

60. The mode of voting at meetings of the Authority shall be by show of hands unless the Authority decides in any particular case to vote by ballot.
61. In the case of an equality of votes, the Chair of the meeting of the Authority shall have a casting vote in addition to any other vote he/she may have.
62. Where more than two persons are nominated for any appointment to be filled by the Authority and of the votes given there is not an overall majority in favour of one person the name of the person having the least number of votes shall be struck off the list and a fresh vote shall be taken and so on until a majority of votes is given in favour of one person.
63. Any power or duty of a member of the Authority in respect of voting rights shall apply equally to a member properly appointed by a constituent council as a substitute to represent them at any Authority meeting.
64. Any Member not supporting a resolution may request that his/her dissent be recorded.

### **Interests of Members in Contracts**

65. All Members of the Authority shall comply with the requirements of the Authority's Code of Conduct for Members (Part 5) in respect of the registration of Personal Interests and the provisions relating to declaring the same and withdrawing from meetings.

### **Interests of Officers in Contracts**

66. The Clerk shall keep a record of particulars of any notice given by an officer of the Authority under Section 117 of the Local Government Act 1972, of a pecuniary interest in a contract, which record shall be open during office hours for inspection by any Member of the Authority and shall otherwise comply with the requirements of the Code of Conduct for Officers.

### **Gifts and Hospitality**

67. In accordance with the Code of Conduct for Members approved by the Authority a Member must within 28 days of receiving any gift or hospitality over the value of £25 provide written notification to the Clerk of the existence and nature of gift or hospitality.

### **Inspection of Land, Premises etc**

68. A Member of the Authority shall not issue any order respecting any works which are being carried out by or on behalf of the Authority or claim by virtue of his/her membership of the Authority any right to inspect or to enter upon any lands or premises which the Authority has the power or duty to inspect or enter.

### **Canvassing of Members**

69. Canvassing of Members of the Authority directly or indirectly for any appointment under the control of the Authority shall disqualify the candidate concerned for the appointment.

70. A Member of the Authority shall not solicit for any person any appointment under the control of the Authority but this shall not preclude a Member from giving a written testimonial of a candidate's ability, experience or character for submission with an application for employment.

#### **Relatives of Members or Officers**

71. A candidate for any appointment who knows that he/she is related to any Member or officer of the Authority shall when making application, disclose that relationship to the officer to whom the application for appointment is required to be submitted. A candidate who fails to disclose such relationship will be disqualified from the appointment and if appointed, shall be liable to dismissal without notice. Every Member or officer shall disclose to the officer concerned any relationship known to him/her to exist between himself/herself and any person whom he/she knows is a candidate for appointment. The officer concerned shall report to the Authority any such disclosures made to him/her.

#### **Inspection of Minutes and Documents**

72. Without prejudice to any rights which arise as an elector or member of the public, a Member of the Authority may, for the purpose of his/her duty as such Member, but not otherwise, on application to the Clerk, inspect the minutes of the Authority and any document which has been considered by the Authority and shall on request be supplied for the like purposes with a copy of such a document, provided that a Member shall not knowingly call for a copy of any document relating to a matter in which he/she has a Personal Interest as defined in the Authority's Code of Conduct for Members, (Part 5) and that this shall not preclude the Clerk from declining to allow inspection of any document which is, or in the event of legal proceedings would be, protected by privilege arising from the relationship of solicitor and client.

#### **Disturbances at Meetings**

73. If a member of the public interrupts the proceedings of any meeting, the Chair shall warn that person. If the interruption continues, the Chair shall order the person's removal from the meeting room. In the case of a general disturbance in any part of the meeting room open to the public, the Chair shall order that part to be cleared.
74. If at any meeting any Member, in the opinion of the Chair, indulges in misconduct by persistently disregarding the ruling of the Chair, or by behaving irregularly, improperly, offensively, or by wilfully obstructing the business of the Authority, the Chair or any other Member may move "That the Member named be not further heard" and the motion, if seconded, will be put and voted upon without discussion.
75. If the Member named continues the misconduct after a motion under paragraph 74 has been carried, the Chair shall either move "That the Member named do leave the meeting" (in which case the motion shall be put and determined without seconding or discussion) or adjourn the meeting for such period as the Chair shall consider expedient.



### **Variation and Revocation of Standing Orders**

76. Any addition, variation or revocation to these Standing Orders shall when proposed and seconded stand adjourned without discussion to the next meeting of the Authority. Provided that this Standing Order shall not apply to any review of Standing Orders at the annual meeting of the Authority.

### **Suspension of Standing Orders**

77. Any Standing Order may be suspended at a meeting of the Authority where such suspension is moved as regards any business at the meeting and approved by a majority of the Members of the Authority at the meeting.

### **Committees, Sub-Committees and Working Groups of the Authority**

78. The Authority shall, at its Annual Meeting, appoint the Chairs of, and approve terms of reference for, such Committees, Sub-Committees and Working Groups as are deemed necessary to conduct the business of the Authority in the forthcoming year ensuring the membership is determined in accordance with the rules of political balance contained in the Local Government and Housing Act 1989.
79. Where a new Committee, Sub-Committee or Working Group is established during the year, or a casual vacancy occurs in the position of Chair of a Committee, Sub-Committee or Working Group, the meeting of the Authority that establishes the new Committee, Sub-Committee or Working Group, or the meeting of the Authority following the vacancy occurring (as the case may be), shall appoint the Chair of the Committee, Sub-Committee or Working Group.
80. The Chair and Vice-Chair of every Committee, Sub-Committee or working group shall be authorised to carry out any necessary duties (including attendance at meetings with officers) which are related to the discharge of powers or duties of such Committee, Sub-Committee or Working Group.
81. Standing Orders shall, with any necessary modifications, apply to meetings of Committees, Sub-Committees or Working Groups.
82. Subject to any statutory provision or to any resolution (including any such resolution as requires a decision of one Committee, Sub-Committee or Working Group to be considered or approved by another committee) and to the provisions of this Standing Order, powers and duties allocated to any committee shall be delegated to and exercisable on behalf of the Authority by that committee.
83. Every delegation to a Committee, Sub-Committee or Working Group of any power or duty shall be subject to any general or special instructions given by the Authority to the Committee, Sub-Committee or Working Group as to how the power or duty shall be exercised or discharged.

84. The powers and duties allocated to a Committee, Sub-Committee or Working Group, in so far as they are not delegated powers and duties of that committee, shall be exercised by the committee subject to confirmation of their decisions by the Authority.
85. Any decision of a committee with regard to a power or duty which is not delegated to that committee shall be taken as recommendation to the Authority and shall be submitted to the Authority for its consideration and decision.
86. The minutes of a meeting of a Sub-Committee shall be submitted to the next convenient meeting of the Committee by which it was appointed and no act of a Sub-Committee shall have effect until approved by that Committee.
87. Any Member of a Committee, Sub-Committee or Working Group may appoint any other Member of the Authority to attend and act on their behalf at a meeting which they are unable to attend and shall have notified the Clerk accordingly before the relevant meeting.

#### **Legal Proceedings**

88. Where any document will be a necessary step in any legal procedure or legal proceedings on behalf of the Authority it shall be signed by the Clerk unless any enactment otherwise requires or authorises, or the Authority gives the necessary authority to some other person for the purpose of such procedure or proceedings.
89. The Clerk is authorised to institute or defend any legal proceedings in any case where either the institution or defence of such proceedings is necessary to give effect to decisions of the Authority (or of any committee, sub-committee or officer with delegated authority to take decisions in the name of the Authority) or in any case where the Clerk considers that the institution or defence of proceedings is necessary to protect the Authority's interests.
90. The powers of the Clerk under this Standing Order shall include the power to negotiate the settlement of legal proceedings subject to any action taken being reported to the Authority in accordance with the Financial Regulations.

#### **Common Seal**

91. The Common Seal of the Authority shall be kept in the custody of the Clerk and the affixing of the Common Seal shall be attested by the Clerk or a person nominated by him/her.
92. A decision of the Authority shall be sufficient authority for the sealing of any document necessary to give effect to the decision.
93. A record of every sealing of a document of which the Common Seal shall have been affixed shall be made and shall be signed by the person who has attested the Common Seal.
94. Common Seal of the Authority shall be affixed to those documents which in the opinion of the Clerk require to be sealed.

**Signing of Agreements and Contracts etc**

95. The Clerk is the agent of the Authority to sign all formal written agreements and contracts entered into by the Authority or by a Committee which has the power to act on behalf of the Authority.

**Adoption of Financial Regulations**

96. The Authority shall adopt Financial Regulations which shall be observed by all committees, Members and officers.

**Interpretation**

97. The decision of the Chair of the meeting on the question of the construction of the Standing Orders and on any question of order not provided for by the Standing Orders shall be final.

98. The inclusion or exclusion of any specific matters in any other regulation or resolution shall not be construed as limiting in any way the scope of these Standing Orders.

99. In these Standing Orders where the context so requires, reference to the Authority shall mean the Authority itself or acting through its committees or other committees exercising delegated powers.

100. In appropriate circumstances, the functions of the Clerk may be undertaken by a consultant or similar professional person appointed for a specific scheme or purpose.

**Standing Orders to be Given Members**

101. A printed copy of the Authority's Standing Orders and Financial Regulations shall be given by the Clerk to every Member of the Authority on his/her first being appointed to the Authority.

**PART 4 - CODES AND PROTOCOLS**

**Code of Conduct for Elected Members**

**Code of Conduct for Employees**

**Protocol for Member/Officer Relations**

**Guidance for Members and Officers on Publicity in the Pre-Election Period**

**Access to Information Procedure Rules**

**Monitoring Officer Protocol**

**DRAFT**

## CODE OF CONDUCT FOR ELECTED MEMBERS

I ..... being a member of the West Midlands Integrated Transport Authority hereby declare that I will undertake my duties as follows:

102. I will represent the community and work constructively with our staff and partner organisations to secure better social, economic and environmental outcomes for all.

103. As a holder of public office, and as required by law, I will behave in a manner that is consistent with the following principles to achieve best value for our residents and maintain public confidence in the Authority:

**SELFLESSNESS:** I will act solely in terms of the public interest. I will not act in such a way as to gain financial or other material benefits for myself, my family, or my friends.

**INTEGRITY:** I will not place myself under any financial or other obligation to outside individuals or organisations that might seek to influence me in the performance of my official duties.

**OBJECTIVITY:** I will make choices on merit, in carrying out public business, including when making public appointments, awarding contracts, or recommending individuals for rewards and benefits.

**ACCOUNTABILITY:** I am accountable for my decisions and actions to the public and must submit myself to whatever scrutiny is appropriate to my office.

**OPENNESS:** I will be as open as possible about all the decisions and actions I take. I will give reasons for my decisions and restrict information only when the wider public interest or the law clearly demands.

**HONESTY:** I will declare any private interests relating to my public duties and take steps to resolve any conflicts arising in a way that protects the public interests.

**LEADERSHIP:** I will promote and support these principles by leadership and example.

104. As a member of the West Midlands Integrated Transport Authority I will act in accordance with the principles in paragraph 103 and, in particular, I will

(a) Champion the needs of residents - the whole community and all my constituents, including those who did not vote for me - and put the public interest first.

- (b) Deal with representations or enquiries from residents, members of our communities and visitors fairly, appropriately and impartially.
- (c) Not allow other pressures, including the financial interests of myself or others connected to me, to deter me from pursuing constituents' casework, the interests of the West Midlands region or the good governance of the Authority in a proper manner.
- (d) Exercise independent judgement and not compromise my position by placing myself under obligations to outside individuals or organisations who might seek to influence the way I perform my duties as a member of this Authority.
- (e) Listen to the interests of all parties, including relevant advice from statutory and other professional officers, take all relevant information into consideration, remain objective and make decisions on merit.
- (f) Be accountable for my decisions and cooperate when scrutinised internally and externally, including by local residents.
- (g) Contribute to making the Authority's decision-making processes as open and transparent as possible to ensure residents understand the reasoning behind those decisions and are informed when holding me and other members to account, but restricting access to information when the wider public interest or the law requires it.
- (h) Behave in accordance with all my legal obligations, alongside any requirements contained within the Authority's policies, protocols and procedures, including on the use of the Authority's resources.
- (i) Value my colleagues and staff and engage with them in an appropriate manner and one that underpins the mutual respect between us that is essential to good local government.
- (j) Always treat people with respect, including the organisations and public I engage with and those I work alongside.
- (k) Provide leadership through behaving in accordance with these principles when championing the interests of the community with other organisations as well as within this Authority.

105. **Gifts and Hospitality**

I will, within 28 days of receipt, notify the Monitoring Officer in writing of any gift, benefit or hospitality with a value in excess of £25 which I have accepted as a member from any person or body other than the Authority.

I acknowledge that the Monitoring Officer will place my notification on a public register of gifts and hospitality.

I am aware that this duty to notify the Monitoring Officer does not apply where the gift, benefit or hospitality comes within any description approved by the Authority for this purpose.

**106. Register of Interests**

I will:

- (a) register and, where appropriate, disclose those disclosable pecuniary interests that I am obliged to declare under the Localism Act and associated regulations;
- (b) register details of my membership of any organisation or body whose rules or requirements of membership could be regarded as suggesting a degree of loyalty to that organisation or body. I acknowledge that this could arise by reason of an organisation having an obligation of secrecy about its rules, its membership or conduct and/or a commitment of allegiance or support to that organisation or body. I understand that such organisations or bodies may or may not be charitable concerns and they may also have a local, regional, national or international aspect;
- (c) register details of my membership of any trade union within the meaning of Section 1 of the Trade Union and Labour Relations (Consolidation) Act 1992.

I will do this by completing, signing and submitting the prescribed form to the Monitoring Officer at the West Midlands Integrated Transport Authority. I will keep the register updated and acknowledge that its contents will be published on Centro's website and will be open to the public to inspect.

**107. Disclosable Pecuniary Interests Entered on the Register**

I understand that if I am present at a meeting of the Authority and

- (a) I am aware that I have a disclosable pecuniary interest under paragraph 106 above in any matter to be considered or being considered at the meeting; and
- (b) the interest is entered in the Authority's register,

I may not participate in any discussion or further discussion of an item of business or in any vote or further vote taken on that item which affects or relates to the subject matter in which I have such an interest, and I will leave the room where the meeting is held while any discussion or voting takes place.

**108. Disclosable Pecuniary Interests NOT Entered on the Register**

I understand that if I am present at a meeting of the Authority and

- (a) I am aware that I have a disclosable pecuniary interest under paragraph 106 above in any matter to be considered or being considered at the meeting, and

- (b) the interest is not entered in the Authority's register,

I must disclose the interest to the meeting. Furthermore, I may not participate or further participate in any discussion of the matter at the meeting or participate in any vote or further vote taken on the matter at the meeting and I will leave the room where the meeting is held while any discussion or voting takes place.

I also understand that if an interest referred to in 7 above is not entered on the Authority's register and is not the subject of a pending registration, I must notify the Authority's Monitoring Officer of the interest within 28 days of the date of the disclosure.

**109. Other Relevant Interests**

I understand that I have an Other Relevant Interest (which is not a disclosable pecuniary interest) in any matter to be considered or being considered at the meeting) where:

- (a) a decision in relation to that matter might reasonably be regarded as affecting the well-being or financial standing of me or a member of my family or a person with whom I have a close association, or an organisation or body under paragraph 106 above, to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the ward or electoral area for which I have been elected or otherwise of the Authority's administrative area; and
- (b) the interest is one that a member of the public, with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice my judgement of the public interest.

I acknowledge that if I have an Other Relevant Interest as described above:

- (a) I will make a verbal declaration of the existence and nature of that interest at or before the consideration of the item of business or as soon as the interest becomes apparent; and
- (b) I will not participate in any discussion or further discussion of an item of business or in any vote or further vote taken on that item which affects or relates to the subject matter in which I have an Other Relevant Interest at any meeting at which I am present and I will leave the room where the meeting is held while any discussion or voting takes place.

Signed:.....

Full name:

Date:



## CODE OF CONDUCT FOR EMPLOYEES

### Introduction

110. The public is entitled to expect the highest standards of conduct from all employees who work for the West Midlands Integrated Transport Authority. The aim of this code is to lay down guidelines for employees that will help maintain and improve standards and protect employees from misunderstanding and criticism. The Code of Conduct incorporates the principles defined by the Nolan Committee's first report on standards in public life.
111. It is not enough to avoid actual impropriety: you should at all times avoid any appearance of improper conduct or the appearance by your behaviour that you may be subject to improper influence. 'Impropriety' means behaving in a way in which it is not appropriate for a public sector employee to behave - it covers a wide range of things, such as conveying confidential information to external persons or bodies for personal gain or accepting bribes, or doing someone a favour that could be misunderstood as compromising the West Midlands Integrated Transport Authority's integrity.
112. This Code of Conduct sets out guidelines that maintain the highest standards of propriety. If employees are in any doubt over any issue, eg. whether or not to accept a gift or offer of hospitality, they should consult their manager. However, ultimate responsibility rests with the individual employee, who must at all times be able to justify their actions and be able to refute any allegations of impropriety.

### Standards

113. The West Midlands Integrated Transport Authority's employees are expected to give the highest possible standard of service to the public and, where it is part of their duties, to provide appropriate advice to councillors and fellow employees with impartiality and in an objective manner. Employees will be expected, through agreed procedures and without fear of recrimination, to bring to the attention of the appropriate level of management any deficiency in the provision of service.

### Criminal Conduct

114. You must always be able to justify your actions. If an allegation is made, it is up to the employee to demonstrate that any such rewards have not been corruptly obtained.
115. The West Midlands Integrated Transport Authority may cancel a contract where the contractor has made a gift or carried out some kind of favour for an employee of the Authority in relation that contract.
116. Attempts to bribe or corrupt you in connection with the award of contracts must be reported to the appropriate officer.

**Gross Misconduct**

117. Action that falls short of being a criminal offence may still be gross misconduct for the purposes of your employment in respect of which disciplinary action, which could lead to dismissal, could be taken against you.
118. In any organisation there may be individuals with alcohol or drug related problems. Being under the influence of alcohol or drugs to the extent that your work is impaired may constitute gross misconduct. Employees should, for example, avoid drinking at lunchtime to the extent that their work performance is adversely affected.

**Disclosure Of Information**

119. The law requires that certain types of information must be available to members of the Authority, auditors, government departments, service users and the public. The West Midlands Integrated Transport Authority may also decide to be open about other types of information.
120. Employees must not use any information obtained in the course of their employment for personal gain or benefit, nor should they pass it on to others who might use it in such a way.
121. The confidentiality of the West Midlands Integrated Transport Authority's business shall be maintained and employees shall not convey information to external persons or bodies for personal gain, or to compromise the integrity of the West Midlands Integrated Transport Authority.

**Political Neutrality**

122. In their dealings with matters affecting the Authority, employees must be aware that they serve the Authority as a whole. It follows they must serve all councillors and other politicians of any political affiliation, and not just those of the controlling group, and must ensure that the individual rights of all councillors and other politicians are respected. Employees may also be required to advise political groups. They must do so in ways, which do not compromise their political neutrality.
123. Employees must not allow their own personal or political opinions to interfere with their work.

**Councillors and Other Politicians**

124. Certain employees will have direct dealings with councillors and other elected and also non-elected politicians. Mutual respect between employees and politicians is essential to good local government. Close personal familiarity between employees and individual politicians can damage the West Midlands Integrated Transport Authority's integrity and prove embarrassing to other employees and politicians, and should therefore be avoided.

**Contractors**

125. All relationships of a business or private nature with external contractors must be declared in writing to the Clerk. This is particularly important for employees who engage or supervise contractors, or have previously had or currently have a relationship in a private or domestic capacity with contractors.

**Colleagues**

126. Personal relationships or transactions with colleagues should not influence an employee's professional judgement.

**Appointment and Other Employment Matters**

127. Employees involved in appointments must ensure that these are made on the basis of merit. It would be unlawful for an employee to make an appointment, which was based on anything other than the ability of the candidate to undertake the duties of the post. In order to avoid any possible accusation of bias, employees should not be involved in an appointment where they are related to an applicant, or have a close personal relationship outside work with them.
128. Similarly, employees should not be involved in decisions relating to discipline promotion or pay adjustments for any other employee who is a relative, partner, etc.

**Outside Commitments**

129. Employees must declare any outside interests that could be perceived as influencing their decision making or compromise their integrity.
130. Employees must follow the West Midlands Integrated Transport Authority's rules on the ownership of intellectual property or copyright created during their employment.

**Personal Interests**

131. Employees must declare any personal interest in the West Midlands Integrated Transport Authority's business activities.
132. To prevent the possibility of implied impropriety or covert influence, employees must declare their membership of any non-public organisation that has secrecy about its rules, membership and/or behaviour, such organisations or bodies may or may not be charitable concerns and they may also have a local, regional, national or international aspect.

**Equality Issues**

133. All employees must ensure that policies relating to equality issues are complied with in addition to the requirements of the law. All members of the local community, customers and colleagues have a right to be treated with fairness and equity.

**Tendering**

134. Employees must exercise fairness and impartiality when dealing with suppliers and contractors.

135. Employees who are privy to confidential information on tenders or costs of external contractors must not in any circumstances disclose that information to any unauthorised party or organisation, in particular, to any other external contractors or tenderers.
136. Employees must ensure that no special favour is shown to current or recent former employees or their partners, close relatives or associates.

### **Hospitality**

137. Employees must only accept offers of hospitality for a genuine business reason such as a need to impart information or represent the West Midlands Integrated Transport Authority in the community. In all cases you should be able to justify the arrangements as being in the interests of the West Midlands Integrated Transport Authority.
138. The criteria that should be considered in determining whether or not you should accept hospitality include the scale and the location of hospitality offered and whether it can be justified as in furthering the interests of the West Midlands Integrated Transport Authority. An employee must always be able to justify his/her actions as being in the best interests of the West Midlands Integrated Transport Authority.
139. Offers to attend sporting, cultural or arts events should only be accepted if the purpose of attendance is to assist the West Midlands Integrated Transport Authority in building good relationships or networking with local organisations that will better enable it to carry out the policies of the Authority and if there are good reasons for the West Midlands Integrated Transport Authority to be seen to be represented at the event.
140. Acceptance by employees of hospitality through attendance at relevant conferences and courses is acceptable where it is clear the hospitality is corporate rather than personal. Where visits to inspect equipment, etc. are required as part of the procurement process, employees must ensure that the arrangements for such visits do not jeopardise the integrity of the subsequent purchasing decision.
141. When hospitality has to be declined those making the offer should be courteously but firmly informed of the procedures and high standards and integrity expected of the West Midlands Integrated Transport Authority's employees.

### **Hospitality Provided by the West Midlands Integrated Transport Authority**

142. It is recognised that some of the operations of the West Midlands Integrated Transport Authority are of a commercial character and that business is conducted in circumstances where the provision of hospitality is accepted practice.

143. When providing such hospitality employees must have particular regard to the principles of public accountability and to the public image of the West Midlands Integrated Transport Authority. This means such hospitality must be provided on an appropriate scale that merits the occasion and within approved budget provision.

#### **Gifts**

144. Employees, or their families or partners with the employee's knowledge must not accept significant personal gifts in terms of value from contractors and outside suppliers. The West Midlands Integrated Transport Authority will allow employees to keep insignificant items of token value such as pens, diaries, etc. Thus all significant gifts, loans of goods, money or assets, bottles of wine or spirits, prizes and other benefits in kind should be declined. Gifts delivered must be returned to the sender with an appropriately worded letter.
145. All trips, free travel, holidays, accommodation including payment of hotel bills and use of company cars/executive jets at the expense of contractors must be regarded as unacceptable.

#### **Sponsorship - Giving and Receiving**

146. Where an outside organisation wishes to sponsor a West Midlands Integrated Transport Authority employee or is seeking to sponsor a West Midlands Integrated Transport Authority activity or function, whether by invitation, tender, negotiation or voluntarily, the basic conventions concerning acceptance of gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors.
147. Where the West Midlands Integrated Transport Authority wishes to sponsor an event or service, neither an employee nor any partner, spouse or relative (with the knowledge of the employee) must benefit from such sponsorship in a direct way. Similarly, where the West Midlands Integrated Transport Authority through sponsorship, grant aid, financial or other means, gives support in the community, employees should ensure that impartial advice is given and that there is no conflict of interest involved.

## PROTOCOL FOR MEMBER AND OFFICER RELATIONS

### Background

148. Members are elected by the public, whereas officers are appointed to undertake employment by the Authority. Whilst their respective responsibilities are quite distinct, they are nevertheless indispensable to each other.
149. In the Authority, elected members are appointed by their district council and serve for a period of 12 months. Whilst they serve on the Authority, they will be acting on behalf of the Authority. They should be particularly careful to avoid and/or manage conflicts of interest between their responsibility to the Authority, the requirements of their district council and to the electorate.
150. Officers are appointed to the Authority and must be politically neutral in their work. Senior posts are politically restricted, which means that officers in those posts cannot speak or write any message which could affect public support for a political party.
151. Members are covered by a Code of Conduct adopted by the Authority. This requires high personal standards of conduct whereby neither members nor officers may, in behaviour or speech, act discriminatory with regard to eg. gender, race, religion or any other similar matter. This protocol is an extension of those codes of conduct and does not either replace or remove any of their requirements.

### Relationships

152. Members and officers must act with courtesy and mutual respect towards each other at all times. This is a partnership where members should determine the policies through the Authority and the officers implement them in a professional manner.
153. Members should remember that officers cannot respond to personal criticism in the same way politicians can, and therefore temper their remarks accordingly. They should be particularly careful about contact with less senior staff and in all circumstances avoid 'throwing their weight around' or using any form of oppressive or abusive behaviour. If they have any concerns about the behaviour of individual officers, they should report them to the Clerk to the Authority.

### Advice and Support

154. Officers will provide briefings on any transport or administrative matter, either individually or to group meetings, but that advice must not be on political business. Similarly, officers should not be asked to be present at any meetings during which political business is being discussed.

155. Officers are expected to provide impartial advice to all members, irrespective of their political party. To assist members carrying out their duties, they are entitled to a timely response to all reasonable requests for advice. The advice given must be unbiased and not deliberately obstructive, although since it must be provided on a professional basis, it may not necessarily be what the member wishes to hear.
  156. Whilst support is provided to members in relation to all transport matters to assist them in discharging their responsibilities, support cannot be extended to assisting members in any of their political activities. Members must not put pressure on staff to provide resources or support which officers are not entitled to provide.
  157. Mutual confidentiality must be observed. Officers will not divulge, without prior agreement, any letter or communication from a member marked 'strictly confidential'. Similarly, members shall not purport to make decisions on behalf of the Authority or release any documents of a confidential nature.
  158. Officers will provide relevant information, access to documents, advice and explanations when requested by members. All public committee papers will be made available on the West Midlands Integrated Transport Authority's website. Other information will be provided as requested, but shall be treated as confidential unless made public by law or with the express or implied consent of the Authority. No member may utilise such information for personal gain or advantage.
  159. Members and officers must recognise their separate roles and neither must take advantage of the other, or use the resultant relationship to seek advantage either for personal gain or to influence decisions for their own purposes.
  160. Officers, and not Members, implement the policies of the Authority. Members should avoid trying to get officers to act in any way that exceeds their area of responsibility, or is outside the bounds of the authority delegated to them by their manager, or disrupts the officer's work by imposing their own priorities.
  161. Members and officers should respect each other's free (non-employment) time.
  162. Neither members nor officers should openly criticise each other. Such criticism in public or through the media could also affect any complaint or disciplinary process involving a Member or officer.
- Elections, Referendums and Petitions**
163. It is unlawful for a local authority (which includes the Authority) to publish any material designed to affect public support for a political party or for it to give financial or other assistance to bodies to enable them to publish materials which the Authority itself may not publish.

164. Particular care should be taken to ensure that publicity issued by the West Midlands Integrated Transport Authority immediately prior to an election or by-election within the West Midlands area could not be perceived as seeking to influence public opinion, or to promote the public image of a particular candidate, or group of candidates. Proactive publicity in all its forms of candidates and other politicians involved directly in the election should not take place in the period between the notice of an election and the election itself. Publicity should not deal with controversial issues or report views, proposals or recommendations in such a way that identifies them with individual Authority members or groups of members.
165. However, it is acceptable for the West Midlands Integrated Transport Authority to respond, in appropriate circumstances, to events and legitimate service enquiries provided that its answers are factual and not party political. The key factor to remember is that publicity should be objective, balance, informative and accurate, concentrating on facts or explanations. Members holding key political or civic positions should be able to comment in an emergency or where there is a genuine need for a member level response to an important event outside the West Midlands Integrated Transport Authority's control. Proactive events arranged in this period should not involve the Authority's members likely to be standing for election.
166. In line with the requirements of the Government's Code of Recommended Practice on Local Authority Publicity 1988 (as revised), during the period prior to any election, the West Midlands Integrated Transport Authority will not:
- Provide quotes from members to the news media or other organisations, nor arrange publicity events or photo calls that involve the Authority's members;
  - Issue the news media news releases or statements that actively promote a candidate;
  - Issue the news media news releases which refer to policy or controversial matters directly affecting the electoral division.



## **GUIDANCE FOR MEMBERS AND OFFICERS ON PUBLICITY IN THE PRE-ELECTION PERIOD**

### **Introduction**

167. In most years during May, elections to the seven West Midlands metropolitan district councils take place. This note has been prepared to provide guidance to officers on the West Midlands Integrated Transport Authority's duty to comply at all times with the statutory restrictions on publicity. The note focuses in particular on publicity in the pre-election period.

### **The Purpose of Publicity**

168. The main purposes of the West Midlands Integrated Transport Authority's publicity include increasing public awareness of the decisions that it takes, allowing the public to have an informed say about issues that affect them, explaining to the public the reasons for particular policies and priorities and, in general, improving local accountability.
169. 'Publicity' is defined as "any communication, in whatever form, addressed to the public at large or to a section of the public". Publicity is newspapers, newsletters, websites, posters, leaflets, booklets, banners, badges etc. Advertising is publicity. Campaigns, exhibitions, conferences and any other kind of public communication can be defined as publicity.

### **Prohibition of Political Publicity**

170. At all times, and not just in the pre-election period, there is in law an absolute prohibition of political publicity. The West Midlands Integrated Transport Authority is under a duty not to publish any material which, in whole or in part, appears designed to affect support for a political party. In determining whether material falls within the prohibition, regard must be had to:
- the content and style of the material,
  - the time and circumstances of its publication,
  - the likely effect on those to whom it is directed,
  - whether the material refers to a political party or to persons identified with a political party or promotes or opposes a point of view on a question of political controversy which is identifiable as the view of one political party and not of another, and
  - where the material is part of a campaign, the effect which the campaign appears to be designed to achieve.

### **Publicity in the Pre-election Period**

171. The pre-election period, often referred to as the 'purdah' period, is the time from the date the notice of the election is published to polling day.

172. In almost all respects, it will be ‘business as usual’ for the West Midlands Integrated Transport Authority during the pre-election period, and the publicity that this necessarily creates. The national code of practice recognises that publicity may include information about individual member’s proposals, decisions and recommendations where this is relevant to their position and responsibilities within the West Midlands Integrated Transport Authority. The national code does not prohibit the publication of information on politically sensitive or controversial issues but it does provide guidance on publicity at sensitive times such as during the purdah period, in the following terms:

*“The period between the notice of an election and the election itself should preclude proactive publicity in all its forms of candidates and other politicians involved directly in the election. Publicity should not deal with controversial issues or report views, proposals or recommendations in such a way that identifies them with individual members or groups of members.”*

173. It is however,

*“.....acceptable for the authority to respond in appropriate circumstances to events and legitimate service enquiries provided that their answers are factual and not party political.”*

174. The Code acknowledges that a degree of flexibility is necessary:

*“Members holding key political and or civic positions should be able to comment in an emergency or where there is a genuine need for a level response to an important event outside the authority’s control. Proactive events arranged in this period should not involve members likely to be standing for election.”*

#### **Non Prohibited Publicity - for Individual Councillors**

175. Publicity about individual councillors may include the contact details, the positions they hold at the West Midlands Integrated Transport Authority and their responsibilities.
176. Publicity may also include information about individual councillors' proposals, decisions and recommendations only where this is relevant to their position and responsibilities within the West Midlands Integrated Transport Authority.
177. All such publicity should be objective and explanatory and whilst it may acknowledge the part played by individual councillors as holders of particular positions at the West Midlands Integrated Transport Authority, personalisation of issues or personal image making should be avoided.
178. Publicity should not be, or liable to misrepresentation as being, party political.

179. Whilst it may be appropriate to describe policies put forward by an individual councillor which are relevant to his or her position and responsibilities within the West Midlands Integrated Transport Authority, and to put forward his or her justification in defence of them, this should not be done in party political terms, using political slogans, expressly advocating policies of those of a particular political party or directly attacking policies and opinions of other parties, groups or individuals.

**Democratic Services and the Media**

180. During the forthcoming election period, the Democratic Services and Media teams will continue to offer as full a service as possible. However, in some instances, there may be certain activities that could be seen to promote local election candidates that we may not be able to undertake. Whilst staff in these sections are able to support members in their capacity as councillors, by law they are not able to support them in their capacity as local politicians.

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## ACCESS TO INFORMATION PROCEDURE RULES

181. The Authority is required by section 100G(3) of the Local Government Act 1972 to keep at its principal office a summary of various rights to attend meetings and to inspect documents in the Authority's possession, conferred by that Act and by some other legislation.

### **Access to Meetings**

182. A meeting of the Authority (including meetings of its committees or sub-committees) is open to the public, except as stated in paragraphs 183 and 184 below.
183. The public must be excluded from a meeting during any item of business whenever it is likely that, if they were present, confidential information would be disclosed in breach of the obligation of confidence. Confidential information means information provided on a confidential basis by a Government department, and information the disclosure of which is prohibited by statute or by Court Order.
184. The public may be excluded by resolution during an item of business whenever it is likely that there would be disclosure to them of 'exempt information'. A description of 'exempt information' is set out in Schedule 12A to the Local Government Act 1972, as amended.

### **Access to Agenda and Connected Papers**

185. Copies of the agenda and reports for a meeting of the Authority or of any of its committees or sub-committees must be open for inspection by the public, except for any report on an item during the consideration of which the meeting is not likely to be open to the public. Documents must be available five clear working days before the meeting, or as soon as the meeting is convened, or the item added to the agenda, if that is less than five clear working days before the meeting. The papers will be available for inspection between the hours of 9.00am and 5.00pm on working days. All public reports will also be made available before the meeting on the West Midlands Integrated Transport Authority's website.
186. A reasonable number of copies of agenda and reports must be available for members of the public present at a meeting. The agenda and reports must also be made available to the media on request.

### **Inspection**

187. After a meeting and once the minutes have been signed, a copy of the minutes (or, if any of the meeting was held in private, or a summary of what took place in private), together with the documents made available for public inspection under paragraph 185 above, will be available for public inspection between the hours of 9.00am and 5.00pm on working days. This right of inspection exists for six years from the date of the meeting concerned.

**Inspection of Background Papers**

188. Members of the public may also inspect a list of background papers for any report (except those reports containing 'confidential' or 'exempt' information) and a copy of each of the documents included in that list. This right is available as soon as the report to which the list relates is published, and continues for four years from the date of the meeting. (In the case of the public right to inspect background papers, the right is subject to their production as soon as is reasonably practicable after the request is made). Background papers disclosing confidential or exempt information are not required to be listed, and they will not be open to inspection.
189. Background papers are documents which relate to the subject matter of a report, disclose any fact or matter on which the report is based, and have been relied on to a material extent in preparing the report, but exclude any published work.
190. Requests for inspection of such documents should be made to the Democratic Services Manager who will arrange for the production of such documents as soon as reasonably practicable after the request.

**Additional Access for Members**

191. Any document in the possession or under the control of the Authority which contains material relating to any business to be transacted at a meeting is open to inspection by a member of the Authority (subject to paragraph 192 below).

**Publication of Additional Information**

192. The Authority must maintain a register stating the name of every member of the Authority and their appointing council. The register is open to inspection by the public between the hours of 9.00am and 5.00pm on working days. This information will also be published on the West Midlands Integrated Transport Authority's website.
193. The Authority must maintain a list specifying the powers delegated to its officers, and stating the title of the officer by whom each of those powers is exercisable. This list is open to the public inspection, but excludes delegations of less than six months duration.

**Financial Documents**

194. A member of the Authority has a right to inspect its accounts.
195. Any local government elector for a district within the West Midlands area has the right to inspect an order for the payment of money made by the Authority, and the right to inspect the statement of accounts prepared by the Authority under the Accounts and Audit Regulations 2003 (as amended).
196. At the audit of the Authority's accounts by the external auditor, any persons interested may inspect the accounts to be audited and all books, deeds, contracts, bills, vouchers and receipts relating to them, except that no personal information about a member of the Authority's staff is required to be disclosed.

**Documents Deposited with the Authority**

197. Documents may be required to be deposited with a proper officer of the Authority, either under an Act of Parliament or statutory instrument, or pursuant to the Standing Orders of either House of Parliament. A person interested in any such document may inspect it. Requests should be made to the Clerk.

**Other Documents**

198. Any report received from the Local Government Ombudsman under s30 of the Local Government Act 1974 must normally be open to public inspection for a period of three weeks, but the Ombudsman may direct that a particular report shall not be publicly available.
199. Where a public inquiry is to be held into a compulsory purchase order made by the Authority, a statement of the Authority's case to the inquiry, together with copies of any documents it intends to submit to the inquiry, must be made available for inspection by any person on request.
200. The Local Government (Inspection of Documents) (Summary of Rights) Order 1986 lists many other statutory provisions under which documents are required to be available to the public. None of the listed provisions applies to the Authority, except for the matters mentioned in paragraphs 195, 196, 197 and 198 above.

**Fees**

201. No fee will be charged for providing the facility of inspecting background papers (paragraph 187 above).
202. A person who is entitled to inspect a document may (unless copyright law forbids it) make copies of, or extracts from it, or require a photographic copy of, or extract from, the document. The Authority reserves the right to make a charge for providing copies of documents.

## PROTOCOL FOR THE MONITORING OFFICER

### General Introduction to Statutory Responsibilities

203. The Monitoring Officer is a statutory appointment pursuant to section 5 of the Local Government and Housing Act 1989. This Protocol provides some general information on how those statutory requirements will be discharged within the West Midlands Integrated Transport Authority.
204. The Monitoring Officer undertakes to discharge their statutory responsibilities with a positive determination and in a manner that enhances the overall reputation of the Authority. In doing so, they will also safeguard, so far as is possible, Members and Officers, whilst acting in their official capacities, from legal difficulties and/or criminal sanctions.
205. In general terms, the Monitoring Officer's ability to discharge these duties and responsibilities will depend, to a large extent, on Members and officers:
- complying with the law of the land (including any relevant codes of conduct);
  - complying with any general guidance issued, from time to time, by the Ethics Committee and the Monitoring Officer;
  - making lawful and proportionate decisions; and
  - generally, not taking action that would bring the Authority, their offices or professions into disrepute.

### Working Arrangements

206. Having excellent working relations with members and officers will assist in the discharge of the statutory responsibilities of the Monitoring Officer and keep the Authority out of trouble. Equally, a speedy flow of relevant information and access to debate (particularly at the early stages of any decision-making by the Authority) will assist in fulfilling those responsibilities. Members and officers must, therefore, work with the Monitoring Officer in discharging these responsibilities.
207. The Monitoring Officer issues guidance to officers to assist them in understanding the nature, breadth and requirements that the Monitoring Officer puts upon all officers. The guidance also explains how the Monitoring Officer will approach the role. The Monitoring Officer considers that the role is a positive and preventative one, related to legality, avoidance of maladministration and observance of codes of conduct /practice where there is actual / potential transgression by the Authority.

208. The Monitoring Officer gives authoritative advice and guidance on these issues which will be conducive to a culture of propriety and integrity. This will provide comfort for officers and members alike. However, although the Monitoring Officer will seek to be positive about the role, it must be recognised that the role imposes a personal duty to make a public, statutory report where it appears to be necessary. This might ultimately force the authority to consider issues it might not wish to.
209. The Monitoring Officer and the Authority should co-operate in every way possible so as to reduce the chance of the need for the Monitoring Officer to issue a formal report. In support of this, the Monitoring Officer places significant reliance upon the advice and support given by colleagues in Legal Services, Human Resources and Democratic Services, but particularly those in the Legal Services team who will, in providing corporate legal advice do so in an enabling manner, but also identify areas of particular risk and concern, assisting officers / members to achieve their objectives, but ultimately in a lawful and proper manner.
210. The following arrangements and understandings between the Monitoring Officer, members and Directors are designed to ensure the effective discharge of the Authority's business and functions.
211. The Monitoring Officer will:
- be alerted by members and officers to any issue(s) that may become of concern to the Authority, including, in particular issues around legal powers to do something or not, ethical standards, probity, propriety, procedural or other constitutional issues that are likely to arise;
  - have advance notice (including receiving agendas, minutes, reports and related papers) of all relevant meetings of the Authority at which a binding decision of the Authority may be made (including a failure to take a decision where one should have been taken) at or before the Authority's meetings;
  - have the right to attend any meeting of the Authority before any binding decision is taken by the Authority (including a failure to take a decision where one should have been taken);
  - in carrying out any investigation have unqualified access to any information held by the Authority and to any officer who can assist in the discharge of these functions;
  - ensure the other statutory officers are kept up-to-date with relevant information regarding any legal, ethical standards, probity, propriety, procedural or other constitutional issues that are likely to arise;
  - report to the Authority, from time to time, on the constitution and any necessary or desirable changes;



- as per the statutory requirements, make a report to the Authority, as necessary on the staff, accommodation and resources they requires to discharge their statutory functions;
  - have a special relationship of respect and trust with the Chair, and chairs of the committees, sub-committees and working groups with a view to ensuring the effective and efficient discharge of Authority business;
  - develop effective working liaison and relationship with the External Auditor and the Local Government Ombudsman (including having the authority, on behalf of the Authority, to complain to the same, refer any breaches to the same or give and receive any relevant information, whether confidential or otherwise, through appropriate protocols, if necessary);
  - maintain and keep up-to-date relevant statutory registers for the declaration of members' interests, gifts and hospitality;
  - give informal advice and undertake relevant enquiries into allegations of misconduct;
  - defer the making of a formal report under s5 Local Government and Housing Act 1989 where another investigative body is involved;
  - have sufficient resources to enable them to address any matters concerning their Monitoring Officer functions;
  - be responsible for preparing any training programme for members on ethical standards and Code of Conduct issues;
  - ensure that Members and Officers of the Authority are fully aware of their obligations in relation to probity.
212. To ensure the effective and efficient discharge of these arrangements, members and officers will report any breaches of statutory duty or Authority policies or procedures and other vires or constitutional concerns to the Monitoring Officer, as soon as practicable.
213. The Monitoring Officer is also available for members and officers to consult on any issues in respect of possible maladministration, impropriety and probity issues, or general advice on the constitutional arrangements.

#### **Sanctions for Breach of the Code of Conduct for Members and this Protocol**

214. Complaints in relation to a breach of the Code of Conduct for members will be considered by the West Midlands Integrated Transport Authority.

**Monitoring the Protocol**

215. The Monitoring Officer will report to the West Midlands Integrated Transport Authority as to whether the arrangements set out in this protocol have been complied with and will include any proposals for amendments in the light of issues which have arisen.

**Conflicts and Interpretation**

216. Where the Monitoring Officer has received a complaint or is aware of an event which may lead to them issuing a statutory report relating to a matter upon which they has previously advised the Authority, they shall consult the Clerk who may then either refer the matter to another officer for investigation and report to the Clerk, or ask a neighbouring authority to make their Monitoring Officer available to investigate the matter and report to the Clerk and/or the Authority as appropriate.
217. Questions of interpretation of this guidance will be determined by the Monitoring Officer

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**PART 5 - MEMBERS' ALLOWANCES SCHEME**

*[To be inserted here]*

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**ANNEXES**

- Annex 1-           Members of the West Midlands Integrated Transport Authority 2014/15**
- Annex 2 -           Roles and Functions of Members of the Authority**
- Annex 3 -           Senior and Lead Member Role Profiles 2014/15**
- Annex 4 -           Officers of the West Midlands Integrated Transport Authority**

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**ANNEX 1 - MEMBERS OF THE WEST MIDLANDS INTEGRATED  
TRANSPORT AUTHORITY 2014/15**

**Name Party Appointing Council**

*[To be inserted here]*

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## ANNEX 2 - ROLES AND FUNCTIONS OF MEMBERS OF THE AUTHORITY

218. All members are expected:

- (a) to act corporately for the good governance of the Authority, balancing the needs of the whole community of the West Midlands with their role of local representative;
- (b) on a regular basis, to attend meetings of the Authority and any committees, sub-committees, working parties or external bodies to which the member has been appointed and to fully participate in policy formulation and decision making, including the development of strategic policies and the determination of the budget in accordance with principles of good public governance, including a requirement to act at all times in accordance with:
  - statutory and other legal requirements
  - the Code of Conduct for Members
  - Standing Orders of the Authority
  - the Member/Officer relations protocol

### **Rights and Duties of Members**

219. Members will have such rights of access to such documents, information, land and buildings of the Authority as are necessary for the proper discharge of their functions and in accordance with the law.
220. A member of the Authority may, for the purposes of their duty as such member, but not otherwise, on application to the Clerk and Treasurer inspect any document which has been considered by a committee or a sub-committee or by the Authority and shall, on request, be supplied for the like purposes with a copy of such a document if practicable.
221. A member shall not knowingly inspect and shall not call for a copy of any document relating to a matter in which they are professionally interested, or in which they have directly or indirectly any disclosable pecuniary interests within the meaning of the Localism Act 2011 and/or regulations made there under or the Code of Conduct. This provision shall not preclude the Clerk and/or Treasurer from declining to allow inspection of any document which is, or in the event of legal proceedings would be, protected by privilege arising from the relationship of solicitor and client.
222. All reports made or minutes kept by any committee or sub-committee shall be open for the inspection of any member of the Authority during office hours.
223. Subject to any statutory provision in that behalf, no member of the Authority shall, without the consent of the Authority, be entitled to inspect any document in the custody of any officer of the Authority if, in the opinion of that officer and of the Clerk and/or Treasurer, the document is of a confidential nature.

224. A member of the Authority shall not issue any order respecting any works which are being carried out by or on behalf of the Authority, or, unless authorised by the Authority, claim by virtue of their membership of the Authority any rights to inspect or to enter upon any lands or premises of the Authority or which the Authority has the power or duty to inspect or enter.

**Failure to Attend Meetings**

225. Subject to the provisions of Section 85 Local Government Act 1972, any member failing to attend any meeting of the Authority or its committees for a period of six months ceases to be a member of the Authority, unless within that period, the member's absence is approved by the Authority.
226. The Clerk will monitor absences from meetings and, unless approval for any absence is given by the Authority, will report the failure to attend to the Authority in order that it may declare a vacancy and notify the relevant constituent district council.

**Conduct**

227. Members will, at all times, observe the Members' Code of Conduct and the Member/Officer Relations protocol set out in Part 4 of this constitution.

**Allowances**

228. Members will be entitled to receive allowances in accordance with the Members' Allowances Scheme as set out in Part 6 of this Constitution.

**ANNEX 3 - SENIOR & LEAD MEMBERS' ROLE PROFILES 2014/15****Chair of the Authority**

- To chair meetings of the Authority and to ensure their overall effectiveness,
- To provide effective leadership in the development of the Authority's policy, strategy and budget proposals,
- To act as the Authority's principal Member spokesman at local, regional and national level,
- To seek to ensure that good working relationships are established with external public and private sector bodies and networks relevant to the efficient discharge of the Authority's functions.

**Vice-Chair of the Authority**

- To support the Chair of the Authority in discharging the roles associated with the office of Chair.
- To deputise for the Chair in their absence.

**Chairs of Committees/Sub-Committees**

- To chair the committees and ensure its overall effectiveness.
- To have a working knowledge of the Authority's relevant policies and strategies and to ensure that they are sufficiently and effectively briefed by officers on matters coming before the committee.
- To co-ordinate and manage the work of the committee.
- To support the role of the Chair of the Authority in development of policy, strategy and budget proposals.

**Vice-Chairs of Committees/Sub-Committees**

- To support the committee Chairs in discharging their roles.
- To deputise during any absence of the Chair during a meeting.



**ANNEX 4 - OFFICERS OF THE WEST MIDLANDS INTEGRATED  
TRANSPORT AUTHORITY**

**Clerk**

229. The Authority appoints a Clerk to give it advice on governance and ethics matters, to give it advice on any legal matters relating to the conduct of its meetings, and to have responsibility for ensuring that agendas, reports and minutes are prepared and made available for all of its meetings.

**Treasurer**

230. The Authority appoints a Treasurer to ensure that its financial arrangements are lawful and prudent. The Treasurer has responsibility for the administration of the Authority's financial affairs and to give financial advice to members in the discharge of their responsibilities. The Treasurer will provide advice on the scope and powers of the Authority to take decisions about financial impropriety, probity, budget and policy framework issues. James Aspinall was appointed to this position in May 2008.

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### CENTRO MEMBERS - SCHEME OF DELEGATION

- A. The following functions of WMITA will be referred to the Centro Members in order for them to make recommendations to the new ITA for decision:
- Securing appropriate level of rail services through rail devolution.
  - Oversee Centro's input into policies for the promotion and encouragement of safe, efficient and economic transport facilities and services for inclusion in the Local Transport Plan.
  - The Centro elements of the WMITA's revenue budget and Levy
- B. The following functions of the new ITA will be delegated to Centro Members subject to Centro Members exercising these functions in accordance with any transport policies of the ITA, the Local Transport Plan and the ITA's agreed transport budgets:
- Formulating general policies with respect to the availability and convenience of public passenger services pursuant to Sections 9A(5)-(7) of the Transport Act 1968;
  - Monitoring and overseeing the activities and performance of Centro (including the power pursuant to Section 15(6) of the Transport Act 1968 to give to Centro such directions as appear to Centro Members to be appropriate to secure the policy objectives of the new ITA.
  - Ensuring that Centro secures the provision of appropriate public passenger transport services under Section 9A(3) of the Transport Act 1968;
  - Considering and approving the creation and development of:-
    - Quality Contracts and Quality Partnership Schemes under Sections 114-123 of the Transport Act 2000;
    - Ticketing Schemes under Sections 135-138 of the Transport Act 2000; and
    - Concessionary Travel Schemes under Sections 93-104 of the Transport Act 1985;
  - Determining what local bus information should be made available, and the way in which it should be made available under Sections 139-143 of the Transport Act 2000.
  - Ensuring that Centro implements those actions delegated to it for promoting the economic, social and environmental well-being of the West Midlands under Section 99 of the Local Transport Act 2008.
  - Monitoring the new ITA's transport budget pursuant to Section 15A(2) of the Transport Act 1968.
  - Approving Centro minor works capital programme and the agreed Centro budget for the scheme concerned.

- Monitoring Centro performance against the Local Transport Plan.
- Formulating, developing and monitoring procedures for public consultation of, and lobbying for, the new ITA's transport policies.
- Considering issues arising from the implementation of schemes for the introduction of Smartcards.
- Authorising the disposal, acquisition and development of any land within any budget agreed by the new ITA.
- Determining the operation, performance, contract management and development of tendered bus services, bus stations/stops, and passenger transport services under Section 10(1)(via) of the Transport Act 1968 [within the agreed Centro budget].
- Determining the operation, performance and development of the new ITA's accessible transport provision pursuant to Sections 106(1) and 106(2) of the Transport Act 1985 [within the agreed Centro budget].
- Monitoring the performance of Midland Metro, bus and rail services and initiating appropriate action.

Pursuant to Section 101(1) of the LGA 1972, the new ITA have agreed to enter into arrangements to discharge certain of their functions through and by establishing a management committee to be called Centro Members.

From July 2014 each constituent council shall appoint a number of their elected members to be members of Centro Members such number being set out below:

Birmingham	10
Coventry	3
Dudley	3
Sandwell	3
Solihull	2
Walsall	3
Wolverhampton	3

Each constituent council shall make their appointments to Centro Members in accordance with the principles of political balance set out in Section 15(5) of the Local Government and Housing Act 1989. Appointments will be made in accordance with the principle of giving effect to wishes of the relevant political group as to the member(s) to be appointed to any seat allocated to that political group.

Centro Members may establish sub-committees and in establishing sub-committees, it will determine –

- The terms of reference of the sub-committee
- The size and membership of the sub-committee
- The Chair (and Vice-Chair, if any) of the sub-committee
- Any delegated powers of the sub-committee

Appointments to sub-committees will be made in accordance with the principles of political balance set out in Section 15(5) of the LGHA 1989.

Matters retained by the ITA

The Scheme of Delegation sets out the terms of reference of the Centro Members Committee.

With the exception of those functions set out in Parts A and B of Schedule 1 above, the discharge of all the transport functions of the new ITA remain those of WMITA only and in particular but not exclusively

- Setting the ITA’s revenue budget for transport, including approving estimates of income and expenditure of Centro pursuant to Sections 15(1)(b) of the Transport Act 1968, determining the

grants to be made to PTC pursuant to Section 13 of the Transport Act 1968, and the issue of a levy pursuant to the Transport Levying Bodies Regulations 1992;

- Determining the borrowing limits of WMITA in relation to transport matters pursuant to Section 3 of the Local Government Act 2003;
- Approving borrowing by WMITA pursuant to Section 12(3) of the Transport Act 1968, and lending money to Centro;
- Developing policies for the promotion and encouragement of safe, efficient and economic transport facilities and services and producing a Local Transport Plan;
- Making a written request to the Minister to authorise Centro to purchase compulsorily any land which Centro require for the purposes of their business;

Any of the functions set out above may be referred to Centro Members for advice which may make recommendations therein to WMITA.