

vi) the procedure for Public Speaking at meetings is as follows:

PROCEDURE FOR PUBLIC SPEAKING

Members of the public have the right to speak / ask questions at many of the meetings of the Borough Council on issues listed on the agenda for the particular meeting. Time is also set aside at the beginning of most meetings for the public to ask questions.

This leaflet explains the rights of the public to ask questions at meetings of the Council and other Committees of the Council.

A separate leaflet explains the procedure for speaking at meetings of the Development Control Committee.

Formatted: Indent: Left: 0 cm

IF YOU WOULD LIKE ANY FURTHER INFORMATION
OR HAVE ANY QUERIES, PLEASE CONTACT:

Democratic Committee and Member Services Section
Rossendale Borough Council
P.O. Box 74 Kingfisher The Business Centre
Futures Park
Bacup
Lancashire
OL13 0BB
Tel: 01706 252422
Email: democracy@rossendalebc.gov.uk

Formatted: Left, Tab stops: 2.86 cm,
Left + 2.94 cm, Left + 9.29 cm,
Centered

DETAILS OF MEETINGS

Meetings are usually held in the Council Chamber, ~~Hardman Mill, New Hall Hey, Rawtenstall~~ and usually start at 6.30pm, ~~with the exception of Full Council and Neighbourhood Forum meetings which start at 7pm.~~ Details of meeting dates, times and venues are publicised on the Council's website www.rossendale.gov.uk/meetings; outside the One Stop Shop in Rawtenstall, or they can be obtained from ~~the Democratic Committee and Member Services Section.~~

AGENDA PAPERS

Agendas are usually published on the Council's website 5 clear days before the meeting. For a meeting on a Wednesday the agenda should be available for inspection on the preceding Tuesday evening. Public copies of the agenda are available at the meeting. Please contact ~~Democratic Committee and Member Services~~ if you require

information before the meeting or a copy of the agenda. Some items of Council business are confidential and the information is not available to the public.

PUBLIC QUESTION TIME

At certain Committee meetings, members of the public have a right to ask questions.

Question time will normally last up to half an hour.

Please note that you will have to attend the meeting in order to put your question to the Committee, and that you should attend the Committee meeting which is responsible for the issue you are interested in. If you are unsure which meeting you should attend please contact Committee and Member Democratic Services.

The Public Question Time does not apply to meetings of the Development Control and Licensing Committees.

PUBLIC RIGHT OF ADDRESS

In addition to Public Question Time the public also have a right to ask questions at meetings on items which appear on the published agenda and guidance is given below. This does not apply to meetings of Full Council and the Cabinet.

MEETINGS OF COUNCIL AND THE CABINET

At these meetings members of the public will only be entitled to ask questions at-during the Public Question Time item on the agenda and not on each agenda item.

GUIDANCE

WHO CAN ASK A QUESTION?

Any person who lives or works in the Borough or their representative.

DO I NEED TO GIVE NOTICE THAT I WANT TO ASK A QUESTION?

No, but it will help the Council prepare an answer to your question if you do submit it in writing advance. Only one question from each person can be submitted. One person should act as spokesperson for a group with a common interest. The Chairman-Chair of the meeting has discretion to allow a follow up question.

WHAT HAPPENS WHEN I ARRIVE?

You should arrive at the meeting at least 10 minutes before the start of the meeting. Please make yourself known to the Committee Administrator/Officer. This allows time for an explanation of the procedures. It is usual for items for which members of the public are attending to be taken early in the proceedings.

CONSIDERATION OF AN ITEM ON THE AGENDA WILL NORMALLY RUN THROUGH THE FOLLOWING STAGES:-

- First, the Chair~~man~~ will call for a report to be made (a Council Officer will normally have submitted a written report with the agenda and he or she will be called upon to speak upon the report).
- Second, the members of the public will be invited to speak / ask a question.
- Next, members will debate the item.
- Following the debate, a decision will be made.

HOW LONG MAY I SPEAK FOR?

A time limit of 3 minutes ~~applies to each speaker~~ for asking a question applies, though this may be extended if the ~~meeting~~ Chairman agrees. Please note that only 1 question from each person can be submitted. ~~a speaker can only usually only address Members once, unless it is in response to a question from a member, or the Chair allows you to address members again.~~ The Chairman has discretion to allow a follow up question

HOW SHOULD I ASK A QUESTION ~~OR GIVE A STATEMENT?~~

Begin by giving your name ~~and address~~ and whether you are speaking ~~asking a question~~ as an individual member of the public or as a representative of a group. Please note that statements are not permitted and only 1 question from each person can be submitted. The Chairman has discretion to allow a follow up question.

It is useful to prepare notes in advance to ensure that all the important points are covered. Try and be brief and to the point.

Do not make derogatory or defamatory statements.

SOME QUESTIONS ARE NOT ALLOWED

You may not ask a question in furtherance of your own particular circumstances. These should be taken up with officers or Councillors outside of the meeting. Nor may people ask about a matter where there is a right of appeal to the courts, tribunal or to a Government minister. You may not ask a question about the service of any person employed by the Council.

The Chairman may disallow any question that, in his or her opinion, is improper, vexatious irrelevant or otherwise objectionable. The Chairman can also limit the number of questions that a person may ask. The answer may be given verbally or in writing.

Any question that is not dealt with at the meeting will normally be answered within 10 working days.

Complaints Citizens have the right to complain to:

- (i) the Council itself under its complaints scheme;
- (ii) the Local Government Ombudsman, after using the Council's own complaints scheme;

(iii) the Standards Committee about a breach of the Members' Code of Conduct.

Citizens Charter The Council will maintain a Citizens Charter which sets out the rights of citizens under this Constitution.

3.02 Citizens' Responsibilities

Citizens must not be violent, abusive or threatening to Councillors or Officers and must not wilfully damage property owned by the Council, Councillors or Officers.

Citizens must not make vexatious or irrelevant complaints nor must they make unreasonable and repeated demands of the Council which could be to the detriment of other service users.

YOUR RIGHT TO SPEAK AT THE DEVELOPMENT CONTROL COMMITTEE

This procedure explains how the Council's Development Control Committee works and how you can have your say upon an application of concern to you.

The Committee has to make decisions in the public interest and upon the merits of each application individually, upon the basis of what is relevant in the Development Plan and "any other material considerations". All representations made in writing will be taken into account in the written report, but this is another opportunity for you to make your views known.

A leaflet which summarises the procedure is available on the Council web site or from Democratic Committee and Member Services. Please email democracy@rossendalebc.gov.uk or telephone 01706 252423.

DETAILS OF MEETINGS

Meetings of the Development Control Committee are usually held in the Council Chamber, ~~Hardman Mill, New Hall Hey, Rawtenstall~~ and usually start at 6.30pm. Details of meeting dates, times and venues are publicised on the Council's website at www.rossendale.gov.uk/meetings, outside the One Stop Shop in Rawtenstall, or they can be obtained from the Democratic Committee and Member Services Section (see 'Contact Details').

AGENDA PAPERS

Agendas are usually published on the Council's website 5 clear days before the meeting. For example, if a meeting is on a Wednesday the agenda is published on the preceding Tuesday evening. Public copies of the agenda are available at the meeting. Please contact Democratic Committee and Member Services if you require information before the meeting or a copy of the agenda.

BEFORE THE MEETING

Please inform ~~the Democratic Committee and Member Services Section~~ (see contact details) by no later than 12 noon on the day of the Committee if you wish to speak on an application (one in favour and one against). It is recommended that you arrive about 10-15 minutes before the meeting. If several people are objecting to an application, we will ask

them to agree amongst themselves who will speak upon their behalf. If no agreement can be reached then the first party to have 'registered' a wish to speak will be chosen.

THE PROCEDURE FOR SPEAKING ON AN APPLICATION

The ~~Team-Planning~~ Manager ~~Development-Control~~ or ~~Senior~~-Planning Officer will briefly identify, introduce and describe the application and refer to any new issues raised since the report was published.

The objector or a representative of all objectors will then address the Committee for up to a maximum of three minutes.

Members of the Committee may then, if necessary, through the Chair, question the objector to clarify any points, or issues already raised by the objector.

The applicants/supporters or their representative (if present) will then address the Committee for up to a maximum of three minutes.

Members of the Committee may then, if necessary, through the Chair, question the applicant/supports to clarify any points, or issues already raised by the ~~objector~~applicant/supporter.

The ~~Team-Planning~~ Manager ~~Development-Control~~ will then bring any necessary information, in addition to that contained in ~~his~~the report to the Committee's attention.

~~"Any Elected Ward member who is not a member of the Committee may, by prior agreement with the Chair, be allowed to address the Committee once per application, for a maximum of 5 minutes in each case. In exceptional circumstances any other elected member wishing to speak can do so in consultation with the Chair."~~
~~Any Elected Member who is not a member of the Committee may, by prior agreement with the Chair, be allowed to address the Committee once per application, for a maximum of 5 minutes in each case.~~

Formatted: Indent: Left: 0 cm

Formatted: Font: Not Bold

Formatted: Font: Not Bold

The members of the Committee only then debate and decide upon the application. The public cannot take part in this debate and decision making.

After hearing the Committee's decision you are welcome to stay and listen to the discussion about other applications but if you wish to leave please do so as discreetly as possible so as not to unduly disturb and delay the Committee and other parties who may well be attempting to consider later applications.

AFTER THE DECISION

The Committee's decision is final. However, Applicants have the right of appeal to the First Secretary of State if their application is refused, or if conditions are attached which they do not like. In this event, anyone who has written about the original application will be informed.

Objectors have no right of appeal to the First Secretary of State against a decision to approve an application, but they can seek to have the decision quashed by application to the High Court by ways of a Judicial Review.

PROCEDURE FOR SPEAKING ON OTHER ITEMS ON THE PUBLISHED AGENDA

The Chair will call for a report to be made (a Council Officer will normally have submitted a written report with the agenda and he or she will be called upon to speak upon the report).

Second, ~~the-any~~ members of the public who have registered will be invited to speak. A time limit of 3 minutes applies to each speaker, though this may be extended if the **meeting Chair** agrees. Please note that a speaker can only usually only address members once, unless it is in response to a question from a member, or the Chair allows you to address members again.

Next, members will debate the item.

Following the debate, a decision will be made.

HOW SHOULD I ASK A QUESTION OR GIVE A STATEMENT?

Begin by giving your name ~~and address~~ and whether you are speaking as an individual member of the public or as a representative of a group.

It is useful to prepare notes in advance to ensure that all the important points are covered. Try and be brief and to the point.

Do not make derogatory or defamatory statements.

You may also Bbring an extra copy of any prepared statement for the Chair's information.

QUESTIONS THAT ARE NOT ALLOWED

You may not ask a question in furtherance of your own particular circumstances. These should be taken up with officers or councillors outside of the meeting. Nor may people ask about a matter where there is a right of appeal to the courts, tribunal or to a government minister. You may not ask a question about the service of any person employed by the Council.

The Chair may disallow any question that, in his or her opinion, is improper, vexatious irrelevant or otherwise objectionable. The Chair can also limit the number of questions that a person may ask. The answer may be given verbally or in writing.

Any question not dealt with at the meeting will normally be answered within 10 working days.

CONTACT DETAILS

Democratic Committee and Member Services,
democraticservices@rossendalebc.gov.ukdemocracy@rossendalebc.gov.uk, 01706 252423.

3.01 (cont) **Complaints** Citizens have the right to complain to:

- (i) the Council itself under its complaints scheme;
- (ii) the Local Government Ombudsman, after using the Council's own complaints scheme;

9.03 **Audit and Accounts Committee**

The Council will have an Audit and Accounts Committee comprising seven Members appointed on a politically balanced basis.

The Committee's role will be to approve the Council's Statement of accounts and to oversee the internal and external audit of the Council's finances and performance and to receive the Annual Governance Report and other reports dealing with governance.

The Audit and Accounts Committee will be politically balanced. Members of the Cabinet are excluded from membership of the Audit and Accounts Committee. The Audit and Accounts Committee may also appoint people who are not Members of the Authority in a non voting capacity.

Members of the Audit and Accounts Committee may act as substitutes on Overview and Scrutiny.

ARTICLE 10 – JOINT ARRANGEMENTS AND NEIGHBOURHOOD FORUMS

10.01 Arrangements to Promote Well Being

The Council, in order to promote the economic, social or environmental well-being of its area, may:

- (a) enter into arrangements or agreements with any person or body;
- (b) co-operate with, or facilitate or co-ordinate the activities of, any person or body; and
- (c) exercise on behalf of that person or body any functions of that person or body.

10.02 Joint Arrangements

- (a) The Council may establish joint arrangements with one or more local authorities and/or their Cabinets to exercise functions which are not Cabinet functions in any of the participating authorities, or to advise the Council. Such arrangements may involve the appointment of a Joint Committee with these other local authorities.
- (b) The Council may establish joint arrangements with one or more local authorities to exercise functions which are Cabinet functions. Such arrangements may involve the appointment of joint committees with these other local authorities.
- (c) Except as set out below, the Cabinet may only appoint Cabinet members to a Joint Committee established under Articles 10.0.2(b) and those Committees need not reflect the political composition of the local authority as a whole.
- (d) The Cabinet may appoint members to a Joint Committee established under Paragraphs 10.02 (a) and (b) from outside the Cabinet where the Joint Committee has functions for only part of the area of the authority, and that area is smaller than two-fifths of the authority by area or population. In such cases, the Cabinet may appoint to the Joint Committee any Councillor who is a member for a ward which is wholly or partly contained within the area. In this case, the political balance requirements do not apply to such appointments.
- (e) The Council is a member of the following Joint Committees:
 - 1) Lancashire Contact Centre, Joint Management Committee
 - 2) East Lancashire Procurement and Consultation Joint Collaboration
 - 3) The Parking and Traffic Regulations outside London Adjudication Joint Committee (PATROLAJC)
 - ~~4) Lancashire Local – Rossendale~~
 - 5) Pennine Lancashire Local Authorities Leaders.

Formatted: Bullets and Numbering

- To monitor the Forward Plan and agree those policies to be scrutinised prior to decision by Cabinet/Full Council
- To conduct research, undertake community and other consultation in the analysis of policy issues and possible options
- To make recommendations to the Cabinet, Council and other organisations where appropriate
- To question and gather evidence from any person (with his or her consent)

6.4 TERMS OF REFERENCE OF THE PERFORMANCE OVERVIEW AND SCRUTINY COMMITTEE

- To monitor complaints handling
- To monitor Ombudsman Complaints
- To monitor and scrutinise National Indicators and other performance targets, Service Improvement Plans and policy objectives
- To consider and monitor the performance of the Cabinet and other Council Committees and Officers, as appropriate
- Scrutinise decisions referred to it under the 'Call-in Procedure'
- To scrutinise decisions made by the Cabinet and other Council Committees and Officers
- To question members of the Cabinet and Chairs of Committees, Chief Officers and Head of Service about their decisions and performance
- To make recommendations to the Cabinet, Council and other organisations where appropriate
- Review and scrutinise the performance of other public bodies whose operations affect the area and invite reports from them or request them to address the Performance Scrutiny Committee and local people about their activities and performance
- Question and gather evidence from any person (with his or her consent)
- To monitor the revised funding and legal agreement agreed with Rossendale Leisure Trust and receive monthly financial/performance monitoring reports on a facility by facility basis.
- To oversee, monitor and respond to progress reports ~~from:~~on Leisure.

- ~~The Pool Review Panel~~

- ~~The Bacup Leisure Hall Review Panel~~

- ~~The Strategic Leisure Review including options around the leisure delivery mechanism~~

Formatted: Bullets and Numbering

7 TERMS OF REFERENCE OF REGULATORY COMMITTEES

7.1 TERMS OF REFERENCE OF THE DEVELOPMENT CONTROL COMMITTEE

1. Applications made by the Council, Councillors or their spouses or partners, Members of Staff or where the ~~Executive~~ Director of Business has been made aware that a member of the Council or an Officer has an interest in the property.
2. All planning applications on Council owned land, by or on behalf of the Council, its parties, organisations or other agents.

- To share learning best practice.
- To ensure and promote accessibility.
- To promote diversity.
- To demonstrate continuous improvement.
- To identify learning objectives.
- To agree the Induction Programme.
- To promote the Protocol on Member/Officers Relations
- Oversee the programme of Member Development Events
- Produce an Annual Training Programme
- Produce a Training and Development Strategy

Formatted: Not Highlight

Formatted: Left, Bulleted + Level: 1 + Aligned at: 0.63 cm + Indent at: 1.27 cm

CIVIC MATTERS WORKING GROUP

Number of Councillors: 5 (Group Leaders, Mayor and Deputy Mayor)

Quorum: 3

Terms of Reference: ~~to be agreed~~

- To agree amendments to the Civic Protocol
- To agree the nominations for Deputy Mayor and Honorary Alderman
- To set the date and format for Annual Council

Formatted: Font: (Default) Arial, 12 pt

Formatted: List Paragraph, Bulleted + Level: 1 + Aligned at: 0.63 cm + Indent at: 1.27 cm, Tab stops: Not at 6.35 cm

ROSSENDALE MARKETS LIAISON WORKING GROUP

Number of Councillors: 7

Quorum: 3

Terms of Reference

- To act as the focal point for discussion and exchange of information and to liaise on all opportunities and initiatives within Rossendale Markets.
- To take a strategic view for the future provision of Markets within Rossendale in terms of supporting traders in the marketing, publicity and future development of the Markets, at all times giving consideration to market bylaws.
- To bring queries and concerns to its meetings and to ensure all information gained from the meetings is related back to the traders via their representations.
- To consult with Members of the Group on all issues regarding the licences, trading and legislation requirements of Rossendale Markets as and when required and to make recommendations for Elected Member approval.

2.9 To make any amendments to the Committee meetings schedule approved at the Annual meeting of the Council.

3.0 **Head of People and Policy**

3.1 The Head of People and Policy be authorised to exercise strategic control of Human Resources.

3.2 The Head of People and Policy is responsible for the day to day management of the Council's functions in relation to:

- a) industrial relations
- b) employment
- c) health and safety matters
- d) administration of payroll function
- e) organisational development

3.3 In consultation with the Portfolio Holder for Finance and Resources and the Chief Executive to develop and implement all appropriate policies in relation to Equalities and Employment .

4.0 **Director of Customers and Communities**

4.1 The Director of Customers and Communities shall be authorised to exercise strategic control of: ~~Transportation, Engineering, Environmental Services,~~ Culture, Community Planning, Urban Renewal, ICT, Operations and Neighbourhoods, ~~Economic Regeneration, Strategic Housing,~~ Economic Strategy, Customer Services and E. Government (including the Service Assurance Team), Community and Partnership; and shall be responsible for the day to day management of the Council's functions in relation to:

- a) the local strategic partnership
- b) cultural services through partnership, including:
 - i) arts
 - ii) art galleries and museums
 - iii) recreation, sports facilities and sports development
 - iv) tourism
- c) developing partnership arrangements
- d) developing community involvement
- e) the Strategic Governance Board for Capita

~~5. Head of Regeneration~~

~~The Head of Regeneration is responsible for the control of Economic Development, Regeneration, Housing Strategy, Economic Strategy, Single Regeneration Budget, Housing Market Renewal, Promotion of Rossendale, Public Car Parks, Engineering Services, On-Street Car Parking, Off-Street Car Parking, and Private Sector Housing, including:~~

- ~~i) the administration of the housing grants regime~~
- ~~ii) other private sector renewal activities, for example, clearance, area renewal, etc.~~
- ~~iii) disabled adaptations service~~
- ~~iv) policies and procedures relating to the condition and occupation of the stock, for example, Empty Properties Policy~~
- ~~v) liaison with and accreditation of private landlords~~
- ~~vi) the Private Sector Housing Strategy.~~

~~6. Director of Customers and Communities~~

~~The Director of Customers and Communities is responsible for the day to day control and management of Communities Teams, Refuse and Recycling, Management of Parks and Open Spaces (including cemeteries), Neighbourhood Management, Community Safety, including the following powers under the Clean Neighbourhoods and Environmental Protection Act 2005:~~

Formatted: Indent: Left: 0 cm

~~1. Vehicles~~

~~Power to authorise Officers and other suitably qualified support staff to:~~

- ~~a) Under Section 6 issue fixed penalty notices for the offences of exposing vehicles for sale or repairing a vehicle on the road.~~
- ~~b) Sub-Section 8 fix the amount of the penalty at £100 which can be amended under Sub-Section 9.~~
- ~~c) Under Section 2A issue a fixed penalty notice set at £200 in respect of an offence of abandoning a vehicle.~~
- ~~d) Under Section 11 issue notice of removal of vehicles immediately.~~
- ~~e) Under Section 12 dispose of abandoned vehicles immediately where neither a registration mark or current licence is displayed.~~
- ~~f) Under Section 15 issue notices of removal.~~

~~2. Litter and Refuse~~

- b) allotments
- c) grounds maintenance (including the provision and maintenance of landscaping schemes and burials and cemeteries)
- d) refuse collection, street cleansing and waste management
- e) transport, including fleet management and maintenance
- f) public conveniences
- g) markets
- h) statutory duties under the Environmental Protection Act 1990
- i) all environmental health issues.

75. The Director of Business and Monitoring Officer

- 57.1** The Director of Business and Monitoring Officer is responsible for the control of Legal, Planning, Building Control, Licensing, Environmental Health, Land Charges, ~~and Democratic Services,~~ Economic Regeneration & Strategic Housing.
- 57.2** The Director of Business and Monitoring Officer shall be authorised to act as Solicitor to the Council and to take any action intended to give effect to a decision of the Full Council, Committees, Sub-Committees or an Officer.
- 57.3** The Director of Business and Monitoring Officer is also authorised to discharge the functions of the Monitoring Officer; (the Principal Solicitor Assistant Head of Legal shall act as Deputy Monitoring Officer in the absence of the Monitoring Officer) and authority is given by Full Council on 24th September 2008 to provide that the Monitoring Officer may update the list of Legislation at Appendix 1 as required.
- 57.4** The Director of Business and Monitoring Officer is responsible for the day to day management of the Council's functions in relation to:
- a) the commencement, defence, withdrawal or settlement of legal or other proceedings
 - b) the authorisation of Council employees to conduct legal matters in court
 - c) contracts
 - d) the requirements of the Data Protection Act 1998, Freedom of Information Act 2000 and the Regulation of Investigatory Powers Act 2000 and the Environmental Information Regulations 2004.

- e) environmental health, environmental protection, public health and land drainage
- f) Regulatory licensing matters.
 - House to House and Street Collections
 - Licensing of Hackney Carriage Vehicles and Drivers
 - Licensing of Private Hire Operators, Vehicles and Drivers
 - Second Hand Goods Dealers
 - Hypnotism
 - Sex Establishments
 - Street Trading
 - Licensing Matters (Licensing Act 2003)
 - Licensing Matters (Gambling Act 2005)
- g) Building Control
- h) Development Control
- i) Conservation
- j) Land Charges
- k) Environmental Health

l) Regeneration & Strategic Housing

5.5 The Director of Business and Monitoring Officer has power to determine planning applications.

Formatted: Indent: Hanging: 1.27 cm

MATTERS DELEGATED TO THE DIRECTOR OF BUSINESS

The Director of Business shall be responsible for the day to day management of the Council's functions in relation to

- 1) Development Control
- 2) Conservation
- 3) Forward Planning
- 4) Building Control

To act on behalf of the Council and in accordance with the legislation, in relation to all Town and Country Planning and Development Control matters as set out in Regulation 2 and Schedule 1 to the Local Government (Functions and Responsibilities)(England) Regulations 2000, including determining applications for planning permission or advertisement control applications for listed building, tree works consent and Conservation Area Consent, lawful development certificates and under the Building Regulations, responding to consultations and

~~68~~.1 The Director of Business shall be authorised to exercise strategic control of Financial Services, Policy and Performance, Elections, Civic and Ceremonial, Committee Management, Committee and Member Services, and Town Twinning.

~~97~~. ~~Head of Financial Services~~Head of Finance

~~97~~.1 The ~~Head of Financial Services~~Head of Finance is authorised to discharge all the functions of the Chief Financial Officer (including Sections 114, 115 and 151 of the Local Government Act 1972).

~~97~~.2 The ~~Head of Financial Services~~Head of Finance is responsible for the control of the Council's functions in relation to:

- a) financial services
- b) in consultation with the appropriate Director and Head of Service, authority to determine requests for grants, financial assistance including hardship and discretionary charitable relief, discretionary rate relief and support up to £5000
- c) the treasury management function (borrowing and investments)
- d) the client officer for computer contracts
- e) accountancy
- f) the Council's insurance arrangements and risk management
- g) the writing off of debts up to £52000
- h) pensions
- i) creditor payments
- j) collection of sundry debtors
- k) banking arrangements
- l) setting the Council tax base
- m) contract management of the audit function
- n) procurement
- o) management, maintenance and exploitation of the Council's property portfolio.

- e) Contract management arrangements in relation to telephones and IT
- f) e-government and information services

419. **The Head of People and Policy** is responsible for the day to day management of the Council's functions in relation to:

- a) performance management
- b) preparation and monitoring of the Corporate Plan

120. **The Elections Manager** is responsible for the day to day management of electoral matters.

11. **Head of Regeneration**

The Head of Regeneration is responsible for the control of Economic Development, Regeneration, Housing Strategy, Economic Strategy, Single Regeneration Budget, Housing Market Renewal, Promotion of Rossendale, Public Car Parks, Engineering Services, On-Street Car Parking, Off Street Car Parking, and Private Sector Housing, including:

- i) the administration of the housing grants regime
- ii) other private sector renewal activities, for example, clearance, area renewal, etc.
- iii) disabled adaptations service
- iv) policies and procedures relating to the condition and occupation of the stock, for example, Empty Properties Policy
- v) liaison with and accreditation of private landlords
- vi) the Private Sector Housing Strategy.

<p>PART IV PROPER OFFICERS</p>
--

1.0 LEGISLATION

1.1 Legislation requires the Council to appoint specific officers and to identify officers for particular responsibilities.

2.0 PRINCIPAL APPOINTMENTS

2.1 The principal appointments are set out below:

Statutory Requirements

Officer Appointed

Section 151 Local Government Act 1972
Responsibility for financial administration

Head ~~of~~ ~~Financial Services~~ Head of Finance

Section 4 Local Government and Housing Act 1989
Head of Paid Service

Chief Executive

Section 5 Local Government and Housing Act 1989
Monitoring Officer

Director of Business

Section 8 Representation of People Act 1983
Registration Officer

Chief Executive

Section 35 Representation of People Act 1983
Returning Officer

Chief Executive

Part III of the Public Health (Control of Disease) Act 1984

~~Consultant in Communicable Disease Control~~ Director of Business

- i) is not about a matter for which the Local Authority has a responsibility or which affects the Borough
- ii) requires the disclosure of exempt or confidential information
- iii) is defamatory, frivolous or offensive
- iv) is substantially the same as a question which has been asked at a meeting of the Council in the past six months.

9.6 Record of Questions

The Head of Paid Service ~~will enter each written question received in a book open to public inspection and~~ will immediately send a copy of ~~the~~ written questions to the Leader and/or the appropriate Committee Chair. Rejected questions will include reasons for rejection.

9.7 Asking the Question at the Meeting

The Mayor will invite the questioner to read the written question. If a questioner who has submitted a written question is unable to be present a written reply will be given.

9.8 Answers to Questions

The Leader of the Council will determine which Cabinet Member will answer a particular question.

9.9 Written Answers

Any question which cannot be dealt with during Public Question Time will be dealt with by a written answer.

10 QUESTIONS BY MEMBERS

10.1 Subject to Council Procedure Rule 10.2, a Member of the Council may put a written question to:

The Leader

A Member of the Cabinet

The Chairman of any Committee or Sub-Committee

The Member of the Council appointed to a Joint Authority and nominated as Spokesperson for the Joint Authority.

The Member of the Council appointed as the Council's representative on an Outside Body.

delivered to the Head of Paid Service at least eight clear days before the date of the meeting. ~~These will be entered in a book open to public inspection.~~

11.2 **Motion Set Out in Agenda**

Motions or a topic for which notice has been given will be listed on the agenda in the order in which notice was received, unless the Member giving notices states, in writing, that they propose to move it to a later meeting or withdraw it.

11.3 **Scope**

Motions must be about matters for which the Council has a responsibility or which affect the Borough.

PREVIOUS DECISION AND MOTIONS

11.4 **Motion to Rescind a Previous Decision**

A motion or amendment to rescind a decision made at a meeting of Council within the past six months cannot be moved unless the notice of motion is signed by at least 12 Members or unless it is a recommendation contained in the Minutes of a Committee and the Summons to attend the meeting of that Committee contained notice that the matter was to be considered.

- 11.5 A Committee or Sub-Committee of the Council acting under delegated powers may rescind a resolution adopted under delegated powers within a period of six months provided the Summons to attend the meeting of the Committee or Sub-Committee contains a notice that the matter is to be reconsidered.

11.6 **Motion Similar to One Previously Rejected**

A motion or amendment in similar terms to one that has been rejected at a meeting of Council in the past six months cannot be moved unless the notice of motion or amendment is signed by at least 12 Members. Once the motion or amendment is dealt with, no-one can propose a similar motion or amendment for six months.

12. **MOTIONS WITHOUT NOTICE AT FULL COUNCIL**

The following motions may be moved without notice:-

- a) to appoint a chair of the meeting at which the motion is moved;
- b) in relation to the accuracy of the Minutes;
- c) to change the order of business in the agenda;

conclusion/decision. These reasons must be given prior to the vote and be recorded. Be aware that you may have to justify the resulting decision by giving evidence in the event of any challenge. In certain instances it may be preferable to defer the application to the next Development Control Committee so that Members can have a further report on the application in light of their proposed decision to determine the application contrary to the Officer's recommendation.

12. Application of the Code to the Development Plan process and other Planning Functions

- In the [Local Development Framework \(LDF\)](#) process, decisions are made by the Council regarding allocations and policies which relate to specific sites, or general policies which are not site specific but can have a bearing on how and what land can be developed. All these affect private interests.
- During the [Development Plan LDF](#) process the Council will be dealing with people putting forward proposals for inclusion in the Plan, whilst others will be objecting to the proposals in the Plan.
- [The Council makes decisions in relation to the LDF which comprise Development Plan Documents \(DPDs\), such as the Core Strategy and the Allocations DPD, as well as Supplementary Planning Documents, which provide greater detail on the policies in the DPDs.](#)
- ~~The decision-making Committee in relation to the Development Plan is Development Regeneration and Environment Committee.~~
- Interested parties will primarily be landowners or developers and interest groups, together with statutory bodies and authorities, and local residents. All play a part in the process and interact with Members and Officers.
- In addition to planning applications, other development control functions include enforcement action, tree preservation orders and dealing with listed buildings and conservation areas. All these areas of work involve important decisions being made which affect people's interests, and this Code applies to these decisions as well.
- It is essential, therefore, that Members have regard to the guidance in this Code of Conduct in relation to these other areas of work besides planning applications.

Formatted: Bullets and Numbering

13. Training

- **Don't** participate in decision making at meetings dealing with planning matters if you have not attended planning training provided by the Council.

Calculation and Indexing of Allowances

14. The allowances in this Scheme are calculated using the Basic Minimum Wage (currently £5.80) and are based upon the following formula:

$(2/3 \times \text{average weekly hours}) \times \text{Basic Minimum Wage} \times 48 \text{ working weeks}$
The average weekly hours worked in 2007/08 is estimated at 185.

The Basic Minimum Wage is reviewed in October each year, however for 2010/2011 the level of allowances will not increase in line with the new rate in October and the value will remain at £5.80. The use of Basic Minimum Wage as an index will be reviewed at least every four years, the next date for review being no later than April 2013.

~~The Basic Minimum Wage is reviewed in October each year and the level of allowances will be increased in line with the new rate in October each year. The use of Basic Minimum Wage as an index will be reviewed at least every four years, the next date for review being no later than April 2011.~~

Amendment of the Scheme

15. Amendments to this Scheme can only be made following a report by the Independent Remuneration Panel.

SPECIAL RESPONSIBILITY ALLOWANCES

The following are specified as special responsibilities in respect of which special responsibility allowances are payable in the amounts stated.

LEADERS/DEPUTY LEADERS	£
Leader of the Majority or Largest Group	13,368
Deputy Leader of the Majority or Largest Group	10,026
Leader of the Minority or Second Largest Group	6,684
CABINET MEMBERS	
Cabinet Member	6,684
COMMITTEE CHAIRS	
Overview & Scrutiny Committee Management Committee	6,684
Policy Scrutiny Committee	3,342
Performance Scrutiny Committee	3,342
Audit and Accounts Scrutiny Committee	3,342
Standards	3,342
Development Control	3,342
Licensing	3,342
COMMITTEE VICE-CHAIRS	
Standards	1,671
Development Control	1,671
Licensing	1,671