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Hinckley & Bosworth
Borough Council

Bill Cullen MBA (ISM), BA(Hons) MRTPI
Chief Executive

Date: 26 February 2024

**To: Members of the Ethical Governance and
Personnel Committee**

Cllr A Pendlebury (Chair)
Cllr E Hollick (Vice-Chair)
Cllr MB Cartwright
Cllr MA Cook
Cllr MJ Crooks

Cllr WJ Crooks
Cllr C Harris
Cllr KWP Lynch
Cllr LJP O'Shea

Copy to all other Members of the Council

(other recipients for information)

Dear member,

There will be a meeting of the **ETHICAL GOVERNANCE AND PERSONNEL COMMITTEE** in the De Montfort Suite, Hinckley Hub on **TUESDAY, 5 MARCH 2024** at **6.30 pm** and your attendance is required.

The agenda for the meeting is set out overleaf.

Yours sincerely

A handwritten signature in black ink, appearing to read 'R Owen'.

Rebecca Owen
Democratic Services Manager

Hinckley Hub • Rugby Road • Hinckley • Leicestershire • LE10 0FR

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- **Do not** stop to collect belongings.

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Use of mobile phones

To minimise disturbance to others attending the meeting, please switch off your phone or other mobile device or turn it onto silent or vibrate mode.

Thank you

ETHICAL GOVERNANCE AND PERSONNEL COMMITTEE - 5 MARCH 2024

A G E N D A

1. **APOLOGIES AND SUBSTITUTIONS**

2. **MINUTES OF PREVIOUS MEETING (Pages 1 - 2)**

To confirm the minutes of the previous meeting.

3. **ADDITIONAL URGENT BUSINESS BY REASON OF SPECIAL CIRCUMSTANCES**

To be advised of any additional items of business which the Chair decides by reason of special circumstances shall be taken as matters of urgency at this meeting.

4. **DECLARATIONS OF INTEREST**

To receive verbally from members any disclosures which they are required to make in accordance with the Council's code of conduct or in pursuance of Section 106 of the Local Government Finance Act 1992. **This is in addition to the need for such disclosure to be also given when the relevant matter is reached on the agenda.**

5. **QUESTIONS**

To hear any questions received in accordance with Council Procedure Rule 12.

6. **WORKFORCE EMPLOYMENT MONITORING 2022/23 (Pages 3 - 18)**

Members are asked to note the report.

7. **ANY OTHER ITEMS OF BUSINESS WHICH THE CHAIR DECIDES HAVE TO BE DEALT WITH AS MATTERS OF URGENCY**

As announced under item 3.

8. **MATTERS FROM WHICH THE PUBLIC MAY BE EXCLUDED**

To consider the passing of a resolution under Section 100A(4) of the Local Government Act 1972 excluding the public from the undermentioned item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 1 and 10 of Schedule 12A of the 1972 Act.

9. **COMPLAINTS UPDATE**

10. **COMPLAINT 2024/02 (Pages 19 - 28)**

11. **COMPLAINT 2024-01 (Pages 29 - 40)**

12. **COMPLAINT 2023/23 (Pages 41 - 56)**

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HINCKLEY AND BOSWORTH BOROUGH COUNCIL

ETHICAL GOVERNANCE AND PERSONNEL COMMITTEE

22 NOVEMBER 2023 AT 6.30 PM

PRESENT: Cllr A Pendlebury - Chair
Cllr E Hollick – Vice-Chair
Cllr MB Cartwright, Cllr MA Cook, Cllr MJ Crooks, Cllr WJ Crooks, Cllr C Harris,
Cllr KWP Lynch and Cllr LJP O'Shea

Also in attendance: Gordon Grimes, Independent Person

Officers in attendance: Rachel Burgess, Rebecca Owen and Julie Stay

176. **Minutes of previous meeting**

It was moved by Councillor J Crooks, seconded by Councillor Harris and

RESOLVED – the minutes of the meeting held on 10 October be confirmed as a correct record.

177. **Declarations of interest**

Councillors Hollick and O'Shea declared a personal interest in item 12 and stated they would abstain from voting. Councillors Cartwright and Harris stated they had no personal interest but would abstain from voting on the same item.

178. **Policy on the management of unacceptable and violent customer behaviour**

Consideration was given to the policy on the management of unacceptable and violent customer behaviour. In response to members' concerns, they were assured that customers would not be left without access to services, but the contact with the authority would be managed to ensure staff safety. It was moved by Councillor O'Shea, seconded by Councillor Cartwright and unanimously

RESOLVED – the policy on management of unacceptable and violent customer behaviour be approved.

179. **Revision of Disciplinary and Grievance Policy and introduction of a new Capability Policy**

An updated disciplinary policy, updated grievance policy and new capability policy and associated procedures were presented to the committee. Members welcomed the very comprehensive report. It was moved by Councillor O'Shea, seconded by Councillor Cartwright and

RESOLVED – the disciplinary policy, grievance policy and capability policy be approved.

180. Matters from which the public may be excluded

On the motion of Councillor Pendlebury seconded by Councillor Harris, it was

RESOLVED – in accordance with section 100A(4) of the Local Government Act 1972, the public be excluded from the following items of business on the grounds that they involve the disclosure of exempt information as defined in paragraphs 1, 2 and 10 of Part I of Schedule 12A of that Act.

181. Statutory Safety Committee minutes

The committee received the minutes of the last Staff Safety Committee. Concern was expressed that some staff had still not completed the health and safety training and a report back on how the authority would ensure compliance was requested.

Having declared a personal interest in the following item, Councillor O’Shea left the meeting at 6.59pm.

182. Corporate complaint update

Members received an independent report from East Midlands Councils following a complaint about the Monitoring Officer.

At this juncture, Councillor Cartwright noted that he had been named in the report as a witness and whilst he restated he had no interest to declare, he felt it inappropriate to remain in the meeting and left at 7.04pm.

Members noted the complaint had not been upheld and felt the report was balanced and accurate. They expressed concern that part of the complaint was based on the complainant’s assumption of what had happened in the meeting that was discussed in the report.

It was moved by Councillor W Crooks, seconded by Councillor J Crooks and

RESOLVED – the report be endorsed.

Councillors Harris and Hollick wished it to be recorded that they abstained from voting.

(The Meeting closed at 7.10 pm)

CHAIR



Hinckley & Bosworth Borough Council

Forward timetable of consultation and decision making

Ethical Governance & Personnel Committee 28 February 2024

Wards affected: All wards

Workforce Employment Monitoring 2022/23

Report of Director (Corporate Services)

1. Purpose of report

1.1 This report presents workforce data for the period April 2022 to March 2023 (including comparison data for the financial year 2021/22). The data covers an equality analysis of Headcount, FTE, Recruitment and Selection, Leavers, and Employment Relation matters. The report also sets out the mandatory gender pay gap on 31 March 2023.

2. Recommendation

2.1 Members of the committee:

- Note the data as set out in the report.
- Note the positive reduction in the gender pay gap which is 3.1% on 31 March 2023 (previously reported as 3.3% on 31 March 2022).

3. Background to the report

3.1 Under the Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017 (SI 2017/353) there are three specific duties:

- to publish equality information,
- to publish equality objectives and
- to publish gender pay gap information

3.2 The public sector equality duty relates to the following nine protected characteristics:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnerships
- Pregnancy and maternity
- Race
- Religion and belief
- Sex and
- Sexual orientation

3.3 In order to meet the specific duty, the council is also required to publish sufficient information on protected characteristics, grievance, disciplinary and recruitment to demonstrate that it is compliant with the general equality duty.

This report forms part of that evidence and will be published on the council's website.

3.4 The workforce monitoring report **Appendix 1** covers the period from April 2021 to March 2023 including an equality analysis of Headcount, FTE, Segregation by Grade, Gender Pay Gap information, Recruitment and Selection, Leavers and Employment Relations data. This information will be used to determine if any practices, procedures, policies, or work cultures unfairly discriminate against staff based upon the protected characteristics and to act where inequalities exist.

3.5 Workforce Profile 2022/23

Key headline data for 2022/23 is outlined below. For more detailed comparative data please refer to **Appendix 1**.

- Headcount is 430 and this has remained static over the last few years with a slight increase following the ICT service transfer in January 2022
- The workforce is split 52% Male and 48% Female
- 74% are full time of which 63% are male
- 26% are part time of which 84% are female
- The median age of the workforce is 52 years
- 12% of the workforce are Grade 2, 83% are male
- 63% of the workforce are Grade 3 to 6, 56% are female
- 23% of the workforce are Grade 7 and above, 44% are female
- 4% of the workforce is aged under 25. 19% of the workforce is over 60
- Disabled employees represent 5.6% of the workforce

- Ethnic Minority employees represent 5.1% of the workforce. The 2021 Census reports 5.7% in the HBBC area.
- Religion or belief: 45% employees are of Christian denomination, 34% advise no religion or belief, 0.5% Muslim, 0.9% Hindu and 14% have not disclosed their religion or belief.
- Lesbian, gay, bisexual and trans (LGBTQ) staff is 3.5%
- Return rate from maternity leave for 2021/22 and 2022/23 is 100%.
- Turnover was 11% across the council in 2022/23, with a total of 48 leavers (of which 67% is due to resignation). This is balanced across both directorates.

3.6 Occupational Segregation

The detailed analysis set out within Appendix 1 does identify that predominantly male employees sit within lower paid roles at Grade 2. This is due to manual work based at the depot and this type of work is lower paid. The council does however operate a job evaluation scheme that fairly evaluates job roles which covers all diverse job roles, from professional roles to manual work, including assessing factors such as skills, responsibility and physical requirements.

At the higher end of the grade structure, male and females are evenly balanced across senior grades, particularly at SLT and Head of Service Level. However, males dominate Grade 11; this is because of low turnover in that particular grade range.

3.7 Disciplinary and Grievance 2022/23

There was with no identifiable pattern in any service area or nature of the disciplinary or grievance.

3.8 Return rate from maternity leave 2022/23

There were 3 employees on maternity leave last year. During that period 100% of staff returned to employment after their maternity leave.

3.9 Training and Development on Equalities

Employees have completed the online equality and diversity in the workplace e-learning module, this is repeated ever three years. The council has also delivered drama-based programmes to manual workers which is repeated every year. Staff have also attended online mandatory training to support the roll out of the refreshed Officer Code of Conduct.

3.10 Mandatory Gender Pay Gap Reporting

The Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017 expanded the specific duties within the Equality Act 2010 to introduce the gender pay gap reporting duty for public authorities. This is a requirement for employers with more than 250 employees at a snapshot date of 31 March each year. Employers should publish specific figures about their gender pay gap on their own website and on the government's online reporting service, in particular:

- The mean and median gender pay gap
- The mean and median bonus
- The proportion of males and females receiving a bonus payment;
- The proportion of males and females in each quartile pay band; and

On 31 March 2023 the council's gender pay gap was 3.1% (3.3% on 31 March 2022).

The average mean hourly rate for female employees on 31 March 2023 is £15.45 which is lower compared to male employees which is £15.95. This is a difference of 50 pence per hour. The calculation is set out below:

$$0.50/£15.95 \times 100 = \text{a gap of } 3.1\%$$

Full details are contained within the gender pay gap report **Appendix 2** which should be published no later than 31 March 2024. The pay gap reported is extremely positive given that it is significantly lower than other public sector employers with a mean pay gap of 14.9% and the private sector which is 17.8% (Office for National Statistics (ONS) 2021).

3.11 Positive measures

The council is a 'Disability Confident Leader' and is one of only two local authorities in the Leicestershire area to be awarded this status. The council was awarded this status in October 2020 and has just recently renewed its application to maintain this status (required every three years) which, at the time of writing, is still going through the validation process.

Leader status means that the council:

- ✓ is taking all the core actions to be a Disability Confident Leader
- ✓ has provided evidence demonstrating that we are a Disability Confident Leader which has been independently validated
- ✓ ensure that disabled people and those with long term health conditions have the opportunity to fulfil their potential and realise their aspirations

4. Exemptions in accordance with the Access to Information procedure rules

4.1 Report is to be taken in open session.

5. Financial implications [DW]

5.1 None.

6. Legal implications [MR]

6.1 Set out within the body of the report.

7. Corporate Plan implications

7.1 Aligns to the value 'Fair' within the corporate Plan which is to - value diversity, promote equality of opportunity and fair treatment for all and ensure that our services are accessible to everyone. We will be proactive in engaging our rural and more remote communities as well as those who live in our main towns.

8. Consultation

8.1 The report has been presented to the council's Corporate Equality Steering Group (CESG).

9. Risk implications

9.1 It is the council's policy to proactively identify and manage significant risks which may prevent delivery of business objectives.

9.2 It is not possible to eliminate or manage all risks all of the time and risks will remain which have not been identified. However, it is the officer's opinion based on the information available, that the significant risks associated with this decision / project have been identified, assessed and that controls are in place to manage them effectively.

9.3 The following significant risks associated with this report / decisions were identified from this assessment:

Management of significant (Net Red) risks		
Risk description	Mitigating actions	Owner
None.		

10. Knowing your community – equality and rural implications

10.1 Set out within the report, particularly paragraph 3.12.

11. Climate implications

11.1 None.

12. Corporate implications

12.1 By submitting this report, the report author has taken the following into account:

- Community safety implications
- Environmental implications
- ICT implications
- Asset management implications
- Procurement implications
- Human resources implications
- Planning implications
- Data protection implications
- Voluntary sector

Background papers: None.

Contact officer: Julie Stay - 01455 255688

Executive member: Councillor S Bray

Workforce Monitoring 2022/23

Staff Profile

	2021/22	%	2022/23	%
Total employees	414		430	
Full time equivalent (FTE)	378		391	
Full time	310	74.9	319	74.2
Part time	104	25.1	111	25.8
Female	202	48.8	210	48.8
Male	212	51.2	220	51.2
Male FT	114	36.8	117	36.7
Female FT	196	63.2	202	63.3
Male PT	88	84.6	93	83.8
Female PT	16	15.4	18	16.2
Male PT FTE	58	NA	61	NA
Female PT FTE	10	NA	12	NA
Disability	27	6.5	24	5.6
Ethnic Minority	17	4.1	22	5.1
LGBTQ	13	3.1	15	3.5
Age	2021/22	%	2022/23	%
16-19	0	0.0	1	0.2
20-24	14	3.4	16	3.7
25-29	16	3.9	23	5.3
30-44	124	30.0	131	30.5
45-59	177	42.8	177	41.2
60-64	54	13.0	54	12.6
65 +	29	7.0	28	6.5

Religion or belief	2021/22	%	2022/23	%
Buddhist	1	0.2	2	0.5
Christian (all denominations)	193	46.6	194	45.1
Hindu	5	1.2	4	0.9
Muslim	1	0.2	2	0.5
No religion or belief	140	33.8	146	34.0
Other	12	2.9	18	4.2
Prefer not to say	58	14.0	60	14.0
Sikh	4	1.0	4	0.9

Census 2021 comparison

Census Comparison	Male	Female	Disability	Ethnic Minority	LGBTQ	18 to 25
Census 2021 - Hinckley and Bosworth	49.3%	50.7%	6.5%	5.7%	1.4%	16.8%
Hinckley and Bosworth Borough Council 31 March 2023	52.0%	48.0%	5.6%	5.1%	3.5%	4.0%

Gender Pay Gap

31 March 23	Mean (hourly rate)	Median (hourly rate)
Male (A)	15.95	14.45
Female(B)	15.45	13.48
Gender Pay Gap % $A - B = X / A \times 100$	3.1	6.7

31 March 22	Mean (hourly rate)	Median (hourly rate)
Male (A)	15.02	13.05
Female(B)	14.53	12.56
Gender Pay Gap % $A - B = X / A \times 100$	3.3	3.8

Gender distribution across the workforce by grade on 31 March 2023

Grade	Number of staff	Number of staff %	Male	Male %	Female	Female %	Disability (%)	Ethnic Minority (%)
Apprentice	5	1.2	3	60	2	40	0	0
Grade 1	3	0.7	1	33	2	67	0	0
Grade 2	52	12.1	43	83	9	17	17	5
Grade 3	43	10.0	17	40	26	60	13	14
Grade 4	95	22.1	29	31	66	69	21	14
Grade 5	59	13.7	34	58	25	42	13	9
Grade 6	74	17.2	38	51	36	49	8	27
Grade 7	29	6.7	10	34	19	66	4	5
Grade 8	36	8.4	25	69	11	31	17	14
Grade 9	8	1.9	4	50	4	50	4	9
Grade 10	8	1.9	4	50	4	50	4	0
Grade 11	8	1.9	8	100	0	0	0	5
Heads of Service	7	1.6	3	43	4	57	0	0
SLT	3	0.7	1	33	2	67	0	0
Total	430	100.0	220	51	210	49	5.6	5.1

Return from maternity leave

Year	2021/22	2022/23
Return rate	6 out of 6	3 out of 3
Currently on maternity leave	3	4

Labour Turnover

Labour Turnover 2022/23	Total staff	%	Leavers	Turnover %	Voluntary	%	Involuntary	%
Community and Development Services	189	44	22	12	18	82	4	18
Corporate and Street Scene Services	235	55	25	11	21	84	4	16
Chief Executive	6	1	1	17	1	100		0
Total	430	100	48	11.2	40	83.3	8	16.7

Labour Turnover 2021/22	Total staff	%	Leavers	Turnover %	Voluntary	%	Involuntary	%
Community and Development Services	183	44	32	17	30	94	2	6
Corporate and Street Scene Services	224	54	28	13	25	89	3	11
Chief Executive	7	2	1	14	1	100	0	0
Total	414	100	61	14.7	56	91.8	5	8.2

Labour Turnover	2021/22	2022/23
Resignation	75%	67%
Male	52%	60%
Female	48%	40%
Disabled	6.5%	6%
Ethnic Minority	6.5%	10%
LGBTQ	0%	0%

New starters

New starters 2022/23	Starters	Male	Female	Disability	Ethnic Minority	LGBTQ	25 Under
Community and Development Services	27	37%	63%	7.4%	14.8%	7.4%	11.1%
Corporate and Street Scene Services	43	63%	37%	0%	16.3%	4.6%	11.6%
Chief Executive	0	0%	0%	0%	0%	0%	0%
Total	70	53%	47%	4.3%	15.7%	5.7%	11.4%

New starters 2021/22	Starters	Male	Female	Disability	Ethnic Minority	LGBTQ	25 Under
Community and Development Services	33	61%	39%	0%	6%	3%	27%
Corporate and Street Scene Services	44	77%	23%	2.3%	6.8%	2.0%	9%
Chief Executive	1	0%	100%	NA	NA	NA	NA
Total	78	69%	31%	2.5%	6.4%	2.5%	16.6%

Recruitment applicant profile

Recruitment	Applicants	Male	Female	Disability	Ethnic Minority	LGBTQ	25 Under
2021/22	547	47%	53%	5.6%	19.9%	3.5%	17.7%
2022/23	962	49%	51%	5.9%	21.7%	4.6%	19.6%

Disciplinary and Grievances

Disciplinary records	2021/22	2022/23
Disciplinary action taken	8	2
Female	0	0
Male	100%	100%
Verbal Warning	1	0
First Written	3	0
Final Written	2	2
Dismissal	2	0
Ethnic minority	0%	50%
White	100%	50%
Disabled	0%	0%
LGBTQ	0%	0%
Grievance records	2021/22	2022/23
Grievances	2	2
Female	50%	0%
Male	50%	100%
Upheld	0	0
In part	1	0
Not upheld	1	0
Informal resolution	1	2
Terms and conditions	0%	0%
Breach of policy	0%	0%
Bullying	0%	0%
Behaviour/Conduct	0%	100%
Discrimination	50%	0%
Poor Supervision	50%	0%
Health and Safety	0%	0%

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Gender Pay Gap Report as of 31 March 2023

Background

Introduced in April 2017, government legislation requires all employers of 250 or more employees to publish their gender pay gap. Gender pay gap is not the same as equal pay, though linked and they remain separate and use different measures:

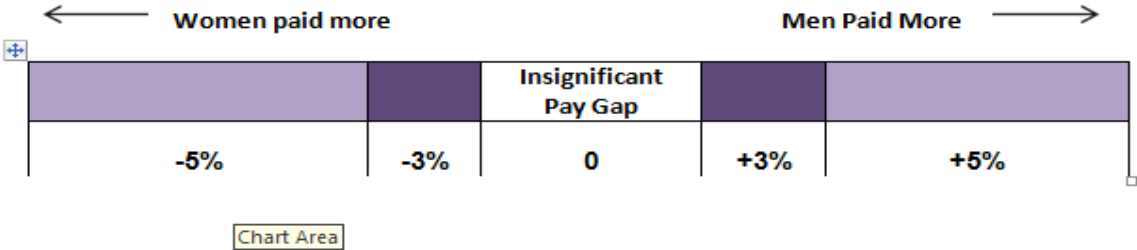
- **Equal Pay** – The statutory right for men and women to be paid the same for completing work of equal value. The Council has policies in place and is an Equal Pay employer.
- **Gender Pay Gap** – A measure of the average earnings between all men and all women within an organisation.

As a result, the gender pay gap is affected by how the workforce is made up, and not due to unequal pay. It is affected by the numbers of men and women in different types of jobs and at different levels of seniority.

Reporting requirements

Gender Pay Gap

This is the difference between the average hourly rate of pay for men and women, based on a snapshot as of 31 March 2023. A positive pay gap indicates men are paid more; a negative pay gap indicates that women are paid more.



Quartile Pay Bands

Putting the combined workforce in order of hourly rate of pay and then splitting them into four groups of equal size, known as 'quartiles' (lower, lower middle, upper middle, and upper) provides the proportions of men and women in each of the four groups.

Median and Mean

The legislation requires average hourly pay to be calculated in two separate ways.

Median – Having lined up all women in order of pay, taking the middle value gives the median. This is repeated for men. The two values are compared giving the median gender pay gap.

Mean – The total earnings for all women is combined and divided by the number of women. This is repeated for the men. The two values are compared giving the mean gender pay gap.

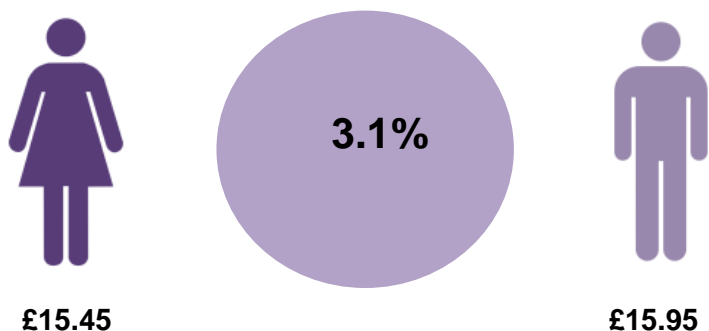
Our current gender pay gap

Below are the gender pay gap figures for Hinckley and Bosworth Borough Council which is reported in line with central government regulations. As of 31 March 2023, the council's workforce is comprised of 430 employees. 210 were women and 230 were men. We do not publish bonus gender pay information as bonus payments are not made.

According to the Office for National Statistics (ONS), the overall UK gender pay gap is 14.9% and this shows that our gap is considerably lower than the national average across all sectors.

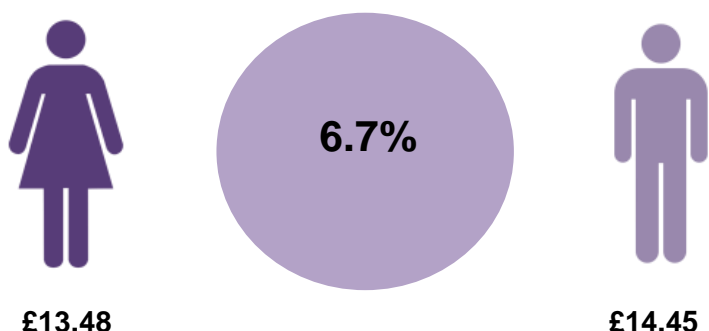
Mean Gender Pay Gap

The mean gender pay gap for the Council on 31 March 2023 is **3.1%**



Median Gender Pay Gap

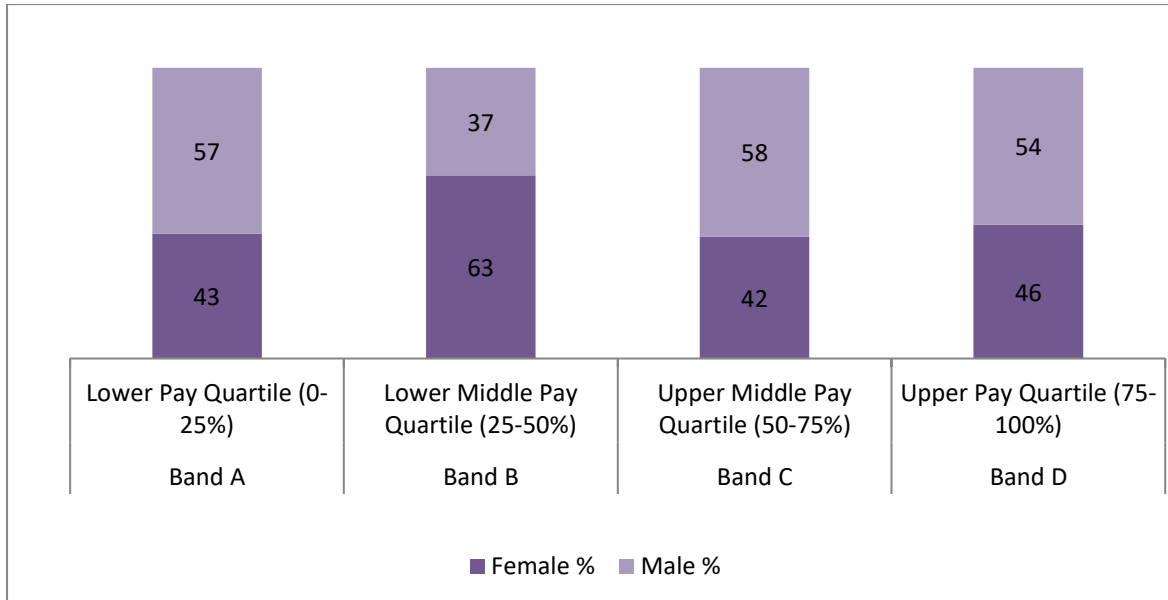
The median gender pay gap for the Council on 31 March 2023 is **6.7%**



Hinckley and Bosworth Pay Quartiles

This chart shows the proportion of male and female "full-pay relevant employees" in each of four pay bands (quartiles) where pay band A represents the lowest salaries and pay band D represents the highest salaries.

Gender Pay Gap by Quartiles 31 March 2023



Understanding our gap

We have identified that occupational segregation is the primary cause for our gender pay gap within the council. The council is an equal pay employer and has equal pay policies in place to ensure the same pay rates apply for roles irrespective of whether they are occupied by women or men. Even if men and women working in the same role are paid the same on average, a gap could still arise if women or men are concentrated in those occupations which pay less.

What is the council doing to address its gender pay gap?

Whilst the council's gender pay gap compares favourably with that of the public sector generally and the whole UK economy this is not a subject about which the council is complacent, and the organisation is committed to seeking to reduce the current gender pay gap further.

To date, the steps that the council has taken to promote gender diversity in all areas of its workforce include the following:

- Encouraging women into senior roles and this is demonstrated through the gender profile of the Strategic Leadership Team which is split 33% male and 66% female.
- Flexible working arrangements are available to all staff.
- Hinckley and Bosworth actively encourages a healthy work life balance and promotes a flexible approach to work. We have a high level of part-time staff working within the Council (26%) and high take up of childcare vouchers and staff returning from maternity and paternity leave.

- We provide a range of training opportunities through e-learning which enables greater access and availability for staff.
- The council has delivered drama-based programmes on both equality and diversity and the officer code of conduct.
- We have increased our numbers of apprentices, work experience and other educational outreach schemes with schools, colleges, and universities.

By virtue of paragraph(s) 1, 10 of Part 1 of Schedule 12A of the Local Government Act 1972.

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By virtue of paragraph(s) 1, 10 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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