

---

HUMAN RESOURCES COMMITTEE15 OCTOBER 2013

Present:- Councillors L McWilliams (in the Chair), Amos, C Callender, Calver, Chapman, Colbourne, Griffiths, J Henderson, P Honeywood, S Honeywood, Nicholls and Scott

In Attendance:- Democratic Services Manager (Colin Sweeney), Finance and Procurement Manager (Richard Barrett), Human Resources Manager (Anastasia Simpson), Senior Human Resources Generalist (Emma Horne) and Workforce Development Manager (Stuart Brian).

7.30 p.m. - 8.10 p.m.  
-----

10. ELECTION OF CHAIRMAN

The Council's Democratic Services Manager advised the Committee that both the Chairman and Vice-Chairman of the Committee had submitted apologies for absence from this evening's meeting and that he was required to seek from the floor, nominations to elect a Chairman for this evening's meeting.

Accordingly, the following nominations were received in the order detailed below:

Nominee	Nominated by	Seconded by
Councillor L McWilliams	Councillor P Honeywood	Councillor S Honeywood
Councillor P Honeywood	Councillor C Amos	Councillor T Colbourne
Councillor J Henderson	Councillor G Scott	No seconder

The Democratic Services Manager asked if both Councillors McWilliams and P Honeywood were willing to be considered for the role. Councillor P Honeywood confirmed that he would be happy not to stand against Councillor McWilliams.

RESOLVED, that Councillor Lynda McWilliams be elected as Chairman for the meeting.

11. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were submitted on behalf of Councillors A J Mitchell (Chairman) (with Councillor P Honeywood substituting), R Callender (Vice-Chairman) (with Councillor L McWilliams substituting), Broderick, Heaney (with Councillor F Nicholls substituting) and Tracey.

12. MINUTES OF THE LAST MEETING

The minutes of the last meeting of the Committee held on 23 July 2013 were approved as a correct record and signed by the Chairman.

13. DECLARATIONS OF INTEREST

There were none.

**14. LOCAL GOVERNMENT PENSION SCHEME- AUTO-ENROLMENT DEFERRAL**

There was submitted a report by the Corporate Director (Corporate Services), which presented to the Committee, an overview of the Council's obligations in respect of new pension auto-enrolment requirements and sought the Committee's approval to defer its implementation until 1 October 2017.

RESOLVED that:

1. The new auto-enrolment requirements, and the associated obligations on the Council, be noted;
2. The use of the transitional period to defer the introduction of the auto-enrolment requirements until 1 October 2017, be agreed; and
3. The use of the postponement option to support the auto-enrolment implementation process, as appropriate, be agreed.

**15. LOYALTY AND RETIREMENTS GIFT POLICY**

There was submitted a report by the Corporate Director (Corporate Services), which sought the Committee's approval to agree an updated policy in respect of loyalty and retirement gifts, following the suspension of the discretionary Long Service and Loyalty Awards Policy on 30 June 2011.

Councillor Scott, seconded by Councillor Calver, moved that Option 5 (a tiered retirement policy) be introduced as set out below:

"5) A Tiered Retirement Policy is introduced as follows:

- 10 to 19 years - £150
- 20 to 24 years - £200
- 25 to 29 years - £250
- 30 to 34 years - £300
- 35 years plus - £350

This would apply where an employee reaches the national retirement age or, in accordance with the Local Government Pension Scheme, chooses to retire from the Council after they have reached the national retirement age, and has a minimum of 10 years of service with Tendring District Council - their commitment and loyalty is rewarded with a gift as detailed above.

Estimated cost is £11,750 over three years."

On a vote being taken by a show of hands, seven Members voted in favour of Option 5, with four Members voting against.

Accordingly, it was RESOLVED that:

1. Option 5, as detailed above, be agreed as the Council's new policy in respect of loyalty and retirement gifts, subject to the necessary amendment being made; and
2. The Corporate Director (Corporate Services) be authorised to update the Policy with any future legislative or best practice changes.

16. FLEXIBLE RETIREMENT DECISION-MAKING

There was submitted a report by the Corporate Director (Corporate Services), which sought the Committee's approval to an amendment to the decision-making process within the approved Flexible Retirement Policy.

On the proposition by Councillor Scott, seconded by Councillor Chapman, it was RESOLVED that:

1. The existing Flexible Retirement Policy being amended to reflect the approach to determination of flexible retirement, as set out in the report, be approved; and
2. The Corporate Director (Corporate Services) be authorised to make minor amendments to this policy, as necessary, to reflect organisational and legislative changes.

17. RESERVISTS' POLICY

There was submitted a report by the Corporate Director (Corporate Services), which sought the Committee's approval to adopt a Reservists' Policy on behalf of the Council.

On the proposition by Councillor Scott, seconded by Councillor Chapman, it was RESOLVED that:

1. The Reservists' Policy, as detailed at Appendix A to the report, be adopted with immediate effect;
2. The Council's Chief Executive register a commitment with Supporting Britain's Reservists and Employers and the East Anglian Reserve Forces and Cadets' Association, as a "supportive employer"; and
3. The Corporate Director (Corporate Services) be authorised to update the Policy with any future legislative or best practice changes.

18. ANY OTHER ITEMS THE CHAIRMAN DECIDES ARE URGENT

There were none.

19. WORK PROGRAMME 2015/16

The Chairman referred to the Committee's Work Programme and invited Members to contact Democratic Services should they wish to have an item of business included.

The Committee agreed that a workshop be held in advance of the next meeting for Members of the Committee to attend to receive a briefing on the role of the Committee and to consider any additional items for inclusion within the Committee's Work Programme.

20. DATE OF NEXT SCHEDULED MEETING

The date of the next meeting of the Committee was scheduled to be held at 7.30 p.m. on Monday 21 September 2015 in the Council Chamber, Council Offices, Weeley.

The meeting was declared closed at 9.26 p.m.

21. THE LATE COUNCILLOR M J BRAGG

The Chief Executive formally reported with sadness the death of Councillor Mary Bragg. Notice of the vacancy in the St Bartholomew's Ward would be given shortly.

The Chief Executive reminded Members that the cortege for Mary Bragg's funeral would be leaving her house at 1.30 p.m. on Friday 10 February and would pass by the front of the Town Hall in Clacton-on-Sea shortly thereafter. He requested of anyone who wished to pay their respects that they should be outside the front of the Town Hall shortly after 1.30 p.m. Councillor Bragg's funeral would then take place at 2.00 p.m. at Weeley Crematorium.

Council noted the foregoing.

22. PETITIONS

In accordance with the provisions of Council Procedure Rule 35 the Chief Executive formally reported the receipt of petitions in respect of the following:-

- (i) Review of the Council's Cash Collection Service
- (ii) Land Exchange and Disposal at The Hangings, Dovercourt

Council noted the foregoing.

23. URGENT NEED FOR ROAD SAFETY MEASURES ON THE ENTIRE LENGTH OF THE A120 FROM HARE GREEN TO RAMSEY

The Council had before it for its consideration the following motion, notice of which had been given by Councillors Nicholls and Heaney pursuant to Council Procedure Rule 16:-

"That this Council

- is appalled that another serious accident has occurred on the A120, this time involving a double decker bus full of school children,
- recognises that plans are currently being drawn up by the Highways Agency to improve safety on the A120 and calls on the Highways Agency to urgently review safety on the entire length of the A120 from Hare Green to Ramsey and to publish its plans for improvements as soon as possible,
- demands that the Highways Agency take urgent action to immediately reduce the speed limit and introduce such other safety measures as are possible to reduce the risk of further such incidents,
- calls on the County Council and local Members of Parliament to support this motion and to do everything possible to ensure that the A120 is made safe for all road users, especially children travelling home from school."

Councillor Candy declared a personal interest in the subject matter of this item insofar as she was also a County Councillor for the Tendring Rural West division.

Councillor Nicholls moved the motion and Councillor Heaney seconded the motion.

The Chairman informed Members that it was his intention to allow the motion to be dealt with at this meeting.

Councillor Nicholls' motion on being put to the vote was declared unanimously CARRIED.

24. MEMBERS' PERSONAL AND PREJUDICIAL INTERESTS

At the beginning of this new Municipal Year, Members were reminded of their obligations regarding "personal" and "prejudicial" interests. Those were contained in the Members' Code of Conduct which had been adopted by the Council on 26 June 2007 and which were set out in the Council's Constitution. Members were also reminded of the need to ensure that their Register of Interest forms were kept up-to-date.

It was moved by Councillor Stock, seconded by Councillor Talbot and:-

RESOLVED – That Members note the obligations contained in the Members' Code of Conduct and act accordingly.

25. ANNUAL REVIEW OF THE SCHEME OF MEMBERS' ALLOWANCES BY THE INDEPENDENT REMUNERATION PANEL

The Council had before them a report that submitted for their approval a scheme of Members' Allowances based on the recommendations of the Independent Remuneration Panel.

The Chairman of the Independent Remuneration Panel (Mr Frederick Abbott) attended the meeting and answered Members' questions.

Attached as Appendix 'A' to item A.3 of the Report of the Head of Financial Services for the Council's consideration was the Independent Remuneration Panel's report on their review of Members' Allowances.

Members had circulated to them the Conservative Group's amendment to the recommendations contained in Appendix 'A' to item A.3 of the Report of the Head of Financial Services.

Having had regard to the report and the recommendations of the Independent Remuneration Panel, together with the amended recommendations which had been circulated, it was moved by Councillor Halliday, seconded by Councillor Stock and:-

RESOLVED - (a) That the allowances recommended by the Independent Remuneration Panel, as set out in its report to the Council be approved except that:-

- i. The Special Responsibility Allowance for the Chairman of the Scrutiny Committee be deleted following the removal of that Committee.
- ii. The Special Responsibility Allowance for the Deputy Leader of the Council (both with and without Portfolio) be deleted as it is not considered appropriate to add this additional allowance in a period of financial austerity.
- iii. The allowances for the Chairman and Vice-Chairman of the Council be set at £6,070 and £2,140 respectively and are not increased by inflation to bring them in line with the other member allowances.
- iv. The Chairman and Vice-Chairman of the Council are not able to claim both the Chairman or Vice-Chairman allowance and a Special Responsibility Allowance. If any member is entitled to claim both the Chairman or Vice-Chairman of the Council allowance and Special Responsibility Allowance(s) only the higher allowance will be payable.

(b) That the Council adopts a principle of indexing of allowances for the following three

years, and that Tendring District Council Members' Allowances commencing in May 2012, May 2013 and May 2014 be increased in each of those years in accordance with the officers' agreed pay award commencing in April of each of those respective years and that the same principle of indexation be recommended to the Tendring Parish Councils in each of those years. In the event that the officers' pay award is settled after 1st April in any year, the subsequent Members Allowances be calculated and paid backdated to 1st of May in that municipal year.

(c) That subsequent to (b) above Council does not wish the Independent Remuneration Panel to meet prior to the Annual Council Meetings in 2012, 2013 and 2014 but requests that a full review is undertaken and report prepared in relation to the district and parish schemes of allowances to commence on 1 May 2015.

(d) That Officers bring forward to a future Council meeting a report on the options for the provision of an Independent Remuneration Panel following the expiry of the term of appointment of the current members of the Tendring District Council Independent Remuneration Panel.

(e) That the separate Broadband Allowance ceases to be paid with effect from 1 May 2011.

(f) That the Council's Scheme of Members' Allowances incorporated in Part 7 of the Constitution be amended accordingly and to reflect Council's decisions and that the approved amended Scheme Allowances be advertised as required by the Regulations.

(g) That in accordance with the approval given for the last three years, the Chairman and Vice-Chairman of the Council continue to be allowed to claim reimbursement in respect of in-district mileage when attending functions and duties in accordance with the remit set out in the Constitution, the mileage rate to be the same as that paid for general approved duties.

26. OVERVIEW AND SCRUTINY COMMITTEES: PROPOSED WORK PROGRAMME FOR 2011/2012 AND A REVIEW OF THE WORK CARRIED OUT DURING THE PERIOD APRIL 2010 TO MARCH 2011

The Council considered a report which sought their approval to a proposed work programme for the Community Leadership and Partnerships Committee, the Corporate Management Committee and the Service Development and Delivery Committee for the 2011/2012 Municipal Year and which reviewed the work carried out by those Committees and the Scrutiny Committee during the period April 2010 to March 2011.

RESOLVED - That the proposed work programmes for the Community Leadership and Partnerships Committee, the Corporate Management Committee and the Service Development and Delivery Committee for the 2011/2012 Municipal Year and the review of the work carried out by those three committees and the Scrutiny Committee in the period April 2010 to March 2011, as set out in Appendices "A4A" and "A4B" to item A.4 of the Reference from Committees, be approved.

27. PROGRAMME OF MEETINGS: 2011/2012 MUNICIPAL YEAR

The Council gave consideration to a proposed timetable of meetings of the Council, the Audit Committee, the Community Leadership and Partnerships Committee, the Corporate Management Committee, the Council Tax Committee, the Planning Committee and the Service Development and Delivery Committee for the 2011/2012 Municipal Year.

RESOLVED - That the programme of meetings for the Council, the Audit Committee, the

Community Leadership and Partnerships Committee, the Corporate Management Committee, the Council Tax Committee, the Planning Committee and the Service Development and Delivery Committee, as set out in the Appendix to item A.5 of the Reference from Cabinet, be approved.

28. SUB-COMMITTEES OF THE LICENSING AND REGULATORY COMMITTEES AND THEIR CHAIRMEN AND VICE-CHAIRMEN

To avoid the need for formal meetings of the Licensing and Regulatory Committees to be held to appoint their Sub-Committees and the Chairmen and Vice-Chairmen of those Sub-Committees:-

It was moved by Councillor Stock, duly seconded and:-

RESOLVED – (a) That the Appeals Sub-Committee be, and is, hereby appointed and that the members thereof for the 2011/2012 Municipal Year be as follows:-

Councillor Aldis  
Councillor Bragg  
Councillor S A Honeywood  
Councillor Nicholls  
Councillor Platt  
Councillor Simons

(b) That Councillor S A Honeywood be elected Chairman of the Appeals Sub-Committee for the 2011/2012 Municipal Year.

(c) That Councillor Platt be appointed Vice-Chairman of the Appeals Sub-Committee for the 2011/2012 Municipal Year.

(d) That the Licensing (General Purposes) Sub-Committee be, and is, hereby appointed and that the members thereof for the 2011/2012 Municipal Year be as follows:-

Councillor Casey  
Councillor De-Vaux Balbirnie  
Councillor Downing  
Councillor Fawcett  
Councillor V E Guglielmi  
Councillor Powell  
Councillor Pugh  
Councillor Skeels

(e) That Councillor Downing be elected Chairman of the Licensing (General Purposes) Sub-Committee for the 2011/2012 Municipal Year.

(f) That Councillor Fawcett be appointed Vice-Chairman of the Licensing (General Purposes) Sub-Committee for the 2011/2012 Municipal Year.

(g) That Premises/Personal Licences Sub-Committee 'A' be, and is, hereby appointed and that the members thereof for the 2011/2012 Municipal Year be as follows, with the appointment of a third member from the Labour Group, which appointment to be dealt with by the Chief Executive in accordance with the authority delegated to him to appoint a member at the request of the Group Leader:-

Councillor Downing  
Councillor Powell

(h) That Councillor Downing be elected Chairman of the Premises/Personal Licences Sub-Committee 'A' for the 2011/2012 Municipal Year.

(i) That Premises/Personal Licences Sub-Committee 'B' be, and is, hereby appointed and that the members thereof for the 2011/2012 Municipal Year be as follows:-

Councillor V E Guglielmi  
Councillor G L Mitchell  
Councillor Shearing

(j) That Councillor V E Guglielmi be elected Chairman of the Premises/Personal Licences Sub-Committee 'B' for the 2011/2012 Municipal Year.

(k) That Premises/Personal Licences Sub-Committee 'C' be, and is, hereby appointed and that the members thereof for the 2011/2012 Municipal Year be as follows:-

Councillor De Vaux-Balbirnie  
Councillor Fawcett  
Councillor Platt

(l) That Councillor Platt be elected Chairman of the Premises/Personal Licences Sub-Committee 'C' for the 2011/2012 Municipal Year.

29. TENDRING DISTRICT LOCAL PLAN PREFERRED OPTIONS CONSULTATION

Council's approval was sought in respect of the Tendring District Local Plan Preferred Options Consultation.

The Local Plan Committee had considered the consultation document at its meeting held on 9 June 2016 and Council had before it the Committee's recommendations.

Council also had before it a report of the Head of Planning Services which informed Members of major as well as minor changes to the consultation documents in order to make the Plan up-to-date prior to public consultation and to be consistent in not allocating sites for housing which had been refused permission. Some of those changes were a result of decisions made by the Planning Committee at its meeting held on 14 June 2016. The changes had been made to the Plan attached as Appendix A to the report of the Head of Planning Services and a schedule of those changes was provided in Appendix C thereto.

Members had had circulated to them prior to the commencement of the meeting amended maps in relation to Great Bentley and Frinton, Walton, Kirby-le-Soken, Kirby Cross and Great Holland. Those maps had been altered as a result of the recent refusal of related planning applications.

Councillor Stock, Chairman of the Local Plan Committee, thanked the Members of that Committee and the Officers, particularly the Head of Planning Services (Cath Bicknell) and the Planning & Regulation Manager (Simon Meecham), for their hard work and dedicated effort in getting the Local Plan to its current position. He also thanked the members of the public and representatives of parish councils who had participated in the public speaking scheme at meetings of the Local Plan Committee.

Councillors Stock, Turner, Scott, Winfield, Parsons, Stephenson, Calver, Bray, V E Guglielmi, Howard, G V Guglielmi, Coley, Broderick and M Brown participated in the debate.



It was moved by Councillor Stock, seconded by Councillor Turner and RESOLVED that Council:

(a) approves the content of the Tendring District Local Plan Preferred Options consultation document, attached as Appendix A to the Report of the Head of Planning Services, which incorporates the changes set out in Appendix C thereto and including the amended maps for Great Bentley and Frinton, Walton, Kirby-le-Soken, Kirby Cross and Great Holland, as circulated, for public consultation for a period of eight weeks;

(b) delegates authority to the Head of Planning Services, in consultation with the Chairman of the Local Plan Committee, to make minor amendments to the text of the Local Plan consultation documents up to the point of publication for consultation purposes. Such amendments are to be circulated to all Members of the Council prior to the commencement of the public consultation; and

(c) delegates authority to the Head of Planning Services, in consultation with the Chairman of the Local Plan Committee, to agree the content of the Sustainability Appraisals for the Local Plan Consultation Documents for public consultation for a period of six weeks. The content of the Sustainability Appraisals are to be circulated to all Members of the Council prior to the commencement of the public consultation.

NOTES: (1) in accordance with the provisions of Council Procedure Rule 18.5, Councillors Bray, Broderick, Parsons and Whitmore each requested that they be recorded in the minutes as having voted against the above decisions; and

(2) in addition, Councillor G V Guglielmi requested that he be recorded in the minutes as having abstained from voting on the above decisions.

30. URGENT MATTERS FOR DEBATE

There were none on this occasion.

31. URGENT MATTERS FOR DEBATE

There were none on this occasion.

Chairman