

HUMAN RESOURCES COMMITTEE

25 FEBRUARY 2014

Present:- Councillor R Callender (Chairman), Councillor C W Griffiths (Vice-Chairman), Councillor C D Amos, Councillor C Callender, Councillor G W J Calver, Councillor J B Chapman, Councillor A F W Colbourne, Councillor R A Heaney, Councillor J Henderson, Councillor S A Honeywood, Councillor S J Richardson, Councillor I P Tracey

Also Present:- Councillors P B Honeywood, McWilliams and Mitchell.

In Attendance:- Chief Executive (Ian Davidson), Human Resources Manager (Anastasia Simpson), Senior Human Resources Generalist (Emma Horne), Workforce Development Manager (Stuart Brian) and Senior Democratic Services Officer (Ian Ford).

(7.30 p.m. - 8.07 p.m.)

16.. SILENT TRIBUTE

All persons present paid a silent tribute to the memory of the late Councillor Mitch Mitchell, the late Chairman of the Committee.

17. ELECTION OF CHAIRMAN OF THE COMMITTEE

Following the death of its previous Chairman, the late Councillor Mitch Mitchell, the Committee gave consideration to electing its Chairman for the remainder of the municipal year.

It was moved by Councillor Griffiths, seconded by Councillor Amos and:

RESOLVED that Councillor R Callender be elected the Chairman of the Committee for the remainder of the municipal year.

In the light of the fact that there was now a vacancy in the office of Vice-Chairman of the Committee, it was then moved by Councillor R Callender, seconded by Councillor Heaney and:

RESOLVED that Councillor Griffiths be appointed the Vice-Chairman of the Committee for the remainder of the municipal year.

18. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

An apology for absence was submitted on behalf of Councillor Broderick.

19. MINUTES OF THE LAST MEETING

The minutes of the last meeting of the Committee held on 15 October 2013 were approved as a correct record and signed by the Chairman.

Further to the Committee's decision to adopt the Reservists' Policy at its last meeting, the Chief Executive informed the Committee that the Council had, on this day, received a Certificate of Recognition as being a supportive employer of armed forces' reservists. The certificate was awarded on behalf of the Secretary of State for Defence.

The Chairman and Members congratulated the Officers.

20. DECLARATIONS OF INTEREST

Councillor Griffiths declared a non-pecuniary interest in respect of item A.4 of the Report of the Corporate Director (Corporate Services) – Time Off and Facilities Time Agreement insofar as he was a GMB union works convenor at his employer.

The Human Resources Manager advised Councillor Griffiths that he would not have to withdraw from the meeting as the Council's agreement was with UNISON.

21. STAFF SURVEY AND INVESTOR IN PEOPLE 2013

There was submitted a report by the Corporate Director (Corporate Services), which presented to the Committee details of the findings of:

(a) The recent staff survey and pulse survey undertaken by Dr Martin Reddington in conjunction with the Local Government Association; and

(b) The Investor in People (IiP) assessment undertaken by Mr David Abdul on behalf of EMB Excellence Limited and IiP UK.

The Chief Executive reported the key findings of the staff survey and pulse survey which included:

- The Council had a committed workforce, investing time, energies and concentration to get the job done;
- There was a sense of pride within the workforce with high job engagement and efficacy; and
- Commitment at a team level was ranked high with most respondents reporting good conversations and dialogue with their managers.

The Chief Executive also reported that in November 2013 the Council had been re-assessed for IiP accreditation and had again been awarded Bronze status for a further three years and had come within two points of achieving Silver status. Mr Abdul's feedback had highlighted, amongst other things, a willingness of staff to get things done, take fresh approaches, take more ownership of their job and that the Council was well placed to deliver some exciting projects around sea defences, addressing deprivation and increasing council housing stock. Staff had also been complimentary about the Council's future direction, change management, values, improvements, review of services, achieving affordable excellence and securing their futures. Staff were increasingly innovative, flexible, professional and committed to delivering excellent services.

In addition, the Chief Executive informed the Committee that Mr Abdul was urging the Council to seek Gold status at its next IiP assessment in November 2016 and would work with the Management Team to try to achieve this. To that end the Chief Executive undertook to submit an action plan to the Committee at a future meeting.

Whilst anecdotal in nature the Chief Executive felt that comments made by Mr Kevin Sutcliffe of Marlborough Training and Consultancy were worthy of mention in the context of this report on external feedback. Members were reminded that a few years ago Mr Sutcliffe had delivered a large scale management development programme for the Council over an 18 month period and he had got to know the Council very well. Recently, he had been back providing a short project management programme and he was currently delivering our management development programme. Mr Sutcliffe had commented to the Workforce Development Manager on several occasions that the "feel of the place" was very different

now with the delegates he had met being more engaged, more positive and more “go-ahead”.

Councillor Tracey drew the Committee’s attention to Dr Reddington’s feedback that “....it was also evident that the Chief Executive’s personal investment in listening to employees’ concerns and articulating a vision for the future of the organisation had a discernible beneficial impact...”

Councillor Calver congratulated the staff on achieving the liP award and stressed how very difficult it was to even achieve Bronze status.

It was moved by Councillor Tracey, seconded by Councillor Heaney and:

RESOLVED that

- (a) the contents of the report be noted;
- (b) the Chief Executive, senior managers, the Human Resources section and the staff are congratulated on the distance the Council has come in its response to the massive organisational change it has undergone; and
- (c) an appropriate press release be issued.

22. PAY POLICY STATEMENT 2014/2015

There was submitted a report by the Corporate Director (Corporate Services), which presented to the Committee the proposed Pay Policy statement for 2014/2015.

The Committee was advised that Section 38(1) of the Localism Act 2011 required local authorities to produce a pay policy statement and that those matters which were required to be included in the statutory Pay Policy Statement were as follows:

- A local authority’s policy on the level and elements of remuneration for each Chief Officer.
- A local authority’s policy on the remuneration of its lowest-paid employees (together with its definition of “lowest-paid employees” and its reasons for adopting that definition).
- A local authority’s policy on the relationship between the remuneration of its Chief Officers and other Officers.
- A local authority’s policy on other aspects of Chief Officers’ remuneration: remuneration on recruitment increases and additions to remuneration, use of performance related pay and bonuses, termination payments and transparency.

The Committee was made aware that the three years without a national pay award had been particularly difficult for staff employed on the lower pay bands within the Council. Last year the Council had removed three spinal column points on the pay bands (points 4-6), so that the starting salary would be £12,915 per annum for full time employees commencing at the lowest salary scale. This year it was proposed that a further spinal column point (point 7) be removed so that the pay band would commence at spinal column point 8, which was £13,321 per annum for full time employees. The cost of that change would be £16,820 (£7,320 for contracted staff and £9,500 for casual staff). UNISON had been consulted and was very supportive of the Council’s incremental approach to raising the lowest salary scale.

The Committee was further made aware that the Pay Policy Statement needed to be approved by the Council before the end of March 2014.

At the request of Councillor Calver, the Chief Executive undertook to bring a report to the Committee in due course which would examine whether the Council could implement the

“Living Wage” in its salary scales and whether this would lead to issues of affordability.

It was moved by Councillor Tracey, seconded by Councillor C Callender and:

RESOLVED that

(a) the Pay Policy Statement 2014/15, as set out in Appendix A to item A.2 of the Report of Corporate Director (Corporate Services), be approved and forwarded to Council for its consideration, at its meeting to be held on 25 March 2014; and

(b) costs will be met from existing salary/vacancy provision within budgets.

23. SICKNESS UPDATE

There was submitted a report by the Corporate Director (Corporate Services), which presented the Committee with an update on sickness absence trends within the Council.

At the request of Councillor Tracey, the Chief Executive undertook to report a “sensitivity analysis” of pressure points within the Council to a future meeting of the Committee

RESOLVED that:

(a) the contents of the report be noted; and

(b) the Committee continues to monitor sickness and receive a regular update from the Human Resources Manager.

24. TIME OFF AND FACILITIES TIME AGREEMENT

The Committee was aware that Councillor Griffiths had previously declared a non-pecuniary interest in this item, as detailed in minute 20 above.

There was submitted a report by the Corporate Director (Corporate Services), which sought the Committee's approval to update the Council's Time Off and Facilities Agreement for Trade Union Duties and Activities. The previous document had been produced in 2002 and following legislative and structural changes within the organisation, UNISON and Human Resources had jointly revised and updated the policy to reflect current working practices.

RESOLVED that:

(a) the Time Off and Facilities Agreement for Trade Union Duties and Activities, as detailed at Appendix A to item A.4 of the Report of Corporate Director (Corporate Services), be adopted with immediate effect; and

(b) the Corporate Director (Corporate Services) be authorised to update the Agreement with any future legislative and/or best practice changes.

25. NO SMOKING POLICY

There was submitted a report by the Corporate Director (Corporate Services), which presented to the Committee a proposed updated No Smoking Policy.

The Committee was advised that:

- The Health Act 2006 had required that all work places be smoke free by 1 July 2007, however, the legislation had not included electronic cigarettes;

- This Council had introduced a No Smoking policy in June 2007;
- The use of electronic cigarettes had increased since the mid- 2000s through increased marketing and online sales as an aid to reducing or quitting smoking;
- Guidance from the British Medical Association (BMA) stated that there was no evidence that electronic cigarettes were safe or effective and they had advised prohibiting them in the workplace as second hand exposure to the vapour exhaled by the user undermined smoking preventions and cessation; and
- The revised policy therefore included a ban on electronic cigarettes being used in this Council's workplaces.

RESOLVED that:

(a) the revised No Smoking Policy, as detailed at Appendix A to item A.5 of the Report of Corporate Director (Corporate Services), be adopted with immediate effect; and

(b) the Corporate Director (Corporate Services) be authorised to update the Policy with any future legislative and/or best practice changes.

26. ANY OTHER ITEMS THE CHAIRMAN DECIDES ARE URGENT

There were none.

27. 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.

28. 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.

29. 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.

30. 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.

31. 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.

32. 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.

33. 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.

34. 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.

35. 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.

36. URGENT MATTERS FOR DEBATE

There were none on this occasion.

37. URGENT MATTERS FOR DEBATE

There were none on this occasion.

Chairman