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HUMAN RESOURCES COMMITTEE

7 JULY 2014

Present:- Councillor R Callender (Chairman), Councillor C W Griffiths (Vice-Chairman), Councillor C D Amos, Councillor C Callender, 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, L A McWilliams and G L Mitchell

In Attendance:- Corporate Director (Corporate Services) (Martyn Knappett), Human Resources Manager (Anastasia Simpson), Senior Human Resources Generalist (Emma Horne), Workforce Development Manager (Stuart Brian), Work Based Learning Manager (Debianne Messenger) and Senior Democratic Services Officer (Ian Ford)

(7.30 p.m. - 8.27 p.m.)  
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1.. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were submitted on behalf of Councillors Broderick, Calver and Scott.

2. MINUTES OF THE LAST MEETING

The minutes of the last meeting of the Committee held on 25 February 2014 were approved as a correct record and signed by the Chairman.

3. DECLARATIONS OF INTEREST

There were none.

4. TO RECEIVE A VERBAL UPDATE ON APPRENTICESHIPS FROM THE WORK BASED LEARNING MANAGER (DEBIANNE MESSENGER)

The Committee was provided with a verbal update on the Apprenticeships Programme from the Work Based Learning Manager (Debianne Messenger), who gave an annual review of the Career Track programme, including apprenticeship statistics, the numbers of apprentices who had gained permanent employment or who had progressed to university and also details of the new Management NVQs. Debianne Messenger was also delighted to inform the Committee that the Career Track section had passed its recent Matrix inspection and been successfully re-accredited. She also outlined challenges facing the service in the future such as changes to funding and a new framework for apprenticeships.

The Workforce Development Manager (Stuart Brian) then outlined to the Committee the Council's aspirations to become an Accredited Centre to deliver Qualifications up to the level of NVQ5 initially in areas such as environmental health and health and safety.

Members asked questions to which the Work Based Learning Manager and Workforce Development Manager responded.

The Chairman, on behalf of the Committee, thanked the Work Based Learning Manager and the Workforce Development Manager and congratulated the career track section on its success.

5. HEALTH AND WELLBEING UPDATE

There was submitted a report by the Corporate Director (Corporate Services), which presented the Committee with the annual analysis (2013/14) of current health and wellbeing trends; the 4th Quarter (1 January – 31 March 2014) sickness statistics and an overview of other wellbeing initiatives within the Council.

During discussion of this item the Human Resources Manager (Anastasia Simpson) undertook to include an analysis of Sections and identify areas of concern in future reports of this nature.

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.

6. TWO TICKS DISABILITY SYMBOL ACCREDITATION

There was submitted a report by the Corporate Director (Corporate Services), which informed the Committee that the Council had been awarded the use of the Two Ticks symbol by Job Centre Plus for the 18th consecutive year.

The key findings of the assessor had been as follows:

- The Council had striven to retain employees who were, or had become disabled;
- The Council had a number of staff who were accredited Health Champions;
- The Council had a Wellbeing Policy and had shown evidence of constantly reviewing its procedures to reinforce its commitment to working with prospective and current employees with disabilities;
- The Council undertook Equality Impact Assessments; and
- Mental health awareness sessions had been provided for staff.

RESOLVED that the contents of the report be noted.

7. THE LIVING WAGE

There was submitted a report by the Corporate Director (Corporate Services), which explained to the Committee The Living Wage, progress made towards achieving The Living Wage by the Council during 2013/14 and 2014/15 and its further costs and implications for this Council.

The Committee was advised that:

- The Living Wage was an hourly rate set independently and updated annually;
- The rate was calculated according to the basic cost of living in the UK;
- Employers chose to pay The Living Wage on a voluntary basis;
- The Living Wage was currently £7.65 per hour; and
- Hourly salary rates across the Tendring District were 17% lower than the national average.

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

RESOLVED that:

(a) the progress made by the Council in moving towards The Living Wage during 2013/14

and 2014/15 be noted; and

(b) the Council continued to aspire towards paying The Living Wage but the Committee recognised the Council's financial circumstances.

8. HR/PAYROLL SYSTEM

There was submitted a report by the Corporate Director (Corporate Services), which provided the Committee with a brief summary of the current position regarding the HR/Payroll software project.

RESOLVED that the contents of the report be noted.

9. 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.

10. 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.

11. ANY OTHER ITEMS THE CHAIRMAN DECIDES ARE URGENT

There were none.

12. 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.

13. 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.

14. 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.

15. 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.

16. 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.

17. 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.

18. 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.

19. 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.

## 20. 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.

21. URGENT MATTERS FOR DEBATE

There were none on this occasion.

22. URGENT MATTERS FOR DEBATE

There were none on this occasion.

Chairman