

NON-CONFIDENTIAL



Borough of Tamworth

10 March 2015

Dear Councillor

You are hereby summoned to attend a **meeting of the Council of this Borough** to be held on **TUESDAY, 17TH MARCH, 2015** at 6.15 pm in the **COUNCIL CHAMBER - MARMION HOUSE**, for the transaction of the following business:-

AGENDA

NON CONFIDENTIAL

1 Apologies for Absence

2 To receive the Minutes of the previous meeting (Pages 1 - 12)

3 Declarations of Interest

To receive any declarations of Members' interests (pecuniary and non-pecuniary) in any matters which are to be considered at this meeting.

When Members are declaring a pecuniary or non-pecuniary interest in respect of which they have dispensation, they should specify the nature of such interest. Members should leave the room if they have a pecuniary or non-pecuniary interest in respect of which they do not have a dispensation.

4 To receive any announcements from the Mayor, Leader, Members of the Cabinet or the Chief Executive

5 Question Time:

- (i) To answer questions from members of the public pursuant to Procedure Rule No. 10.
- (ii) To answer questions from members of the Council pursuant to Procedure Rule No. 11

6 Audit & Governance Annual Report

(Report of the Chair of Audit & Governance Committee) (To Follow)

7 Scrutiny Chairs' Report

(Report of the Chair of Aspire and Prosper Scrutiny Committee) (To Follow)

(Report of the Chair of Healthier and Safer Scrutiny Committee) (To Follow)

8 Review of Members' Allowances (Pages 13 - 42)

9 Petition

(Petition to be presented by the petition organiser Carol Dean)

10 2015 Pay Policy (Pages 43 - 66)

(Report of the Leader Of The Council)

11 Relocation of Polling Place for the TR4 and TR5 Polling Districts (Pages 67 - 78)

(Report of the Chief Executive)

Yours faithfully

A handwritten signature in black ink, appearing to be 'A. Oost', written over a circular stamp or mark.

CHIEF EXECUTIVE

People who have a disability and who would like to attend the meeting should contact Democratic Services on 01827 709264 or e-mail committees@tamworth.gov.uk preferably 24 hours prior to the meeting. We can then endeavour to ensure that any particular requirements you may have are catered for.

Marmion House
Lichfield Street
Tamworth



**MINUTES OF A MEETING OF THE
COUNCIL
HELD ON 24th FEBRUARY 2015**

PRESENT: Councillor R Kingstone (Chair), Councillors M Gant, J Chesworth, M Clarke, S Claymore, T Clements, D Cook, C Cooke, M Couchman, S Doyle, J Faulkner, D Foster, J Goodall, M Greatorex, G Hirons, A James, J Jenkins, A Lunn, T Madge, M McDermid, K Norchi, J Oates, M Oates, S Peale, T Peale, R Pritchard, E Rowe, P Seekings, P Standen and M Thurgood

The following officers were present: Anthony E Goodwin (Chief Executive), John Wheatley (Executive Director Corporate Services), Stefan Garner (Director of Finance), Jane Hackett (Solicitor to the Council and Monitoring Officer), Natalie Missenden (Public Relations Officer) and Janice Clift (Democratic and Elections Officer)

47 APOLOGIES FOR ABSENCE

None

48 TO RECEIVE THE MINUTES OF THE PREVIOUS MEETINGS

The minutes of the meeting held on 16th January 2015 were approved and signed as a correct record.

(Moved by Councillor D Cook and seconded by Councillor S Peale)

49 DECLARATIONS OF INTEREST

There were no Declarations of Interest.

50 TO RECEIVE ANY ANNOUNCEMENTS FROM THE MAYOR, LEADER, MEMBERS OF THE CABINET OR THE CHIEF EXECUTIVE

Tributes were paid to the late Chippy Lees

Councillor M Oates

Looking around the room I think I've known Chippy longer than anybody else. I first met him in 1952 when we moved to Tamworth. He lived two doors away. He was playing his drums then in the back garden on a Sunday afternoon. He was a great bloke. He had a wonderful outlook on life. He didn't like injustice he wanted fairness. I had a younger sister at the time in the fifties and he and his wife used to very often take her to the pictures because they liked to. It was a nice thing to do. As I say he was a nice chap. He liked to defend the innocent. One story really sticks in my mind. One of his hobbies was judo. He was a judo instructor. He used to walk regularly from Fazeley where he lived into Tamworth through the Castle grounds. One summer when I think he was in his sixties he crossed the river bridge by the Jolly Sailor and there was a woman with some little children approaching us. There were some yobbos with a ghetto blaster. "I've asked him to turn it down" she said. Can you ask him? So Chippy went over to these four lads and asked them to turn it down. The one yob said "are you going to make me"? Chippy said "I can do it if you like"? Go on then? So Chippy picks the ghetto blaster up and threw it in the river. At this point the yob lounged at Chippy so he picked him up and threw him in the river and the other three ran off. That was Chippy he was very much like that. I loved him and I shall miss him. At least now he is no longer suffering I expect he will be in a better place. Thank you

Councillor M Gant

I would like to make a tribute to Chippy because Ken and I have known him a long, long time. Ken has known him about thirty years. So on behalf of Ken I think I should say something. I feel as though his heart and soul was in Tamworth and he was a real Tamworthian and he spoke as he saw things. He spoke his mind completely and honestly and he really did care for the people of Tamworth. So I would like to pay a real tribute to a gentleman of Tamworth and our feelings go out to his wife and hopefully we should be seeing her within the next few days anyway. Thank you.

Councillor D Cook

One piece of information Councillor Oates missed out to start with was Chippy throwing this yob in the river and he was in his seventies at the time. Nothing stops that man. Just to echo what's been said Mr Mayor. Chippy was a true character of this town and a true gentleman. It was a mistake if you ever agreed to walk through the town centre with him because you never got more than three paces without someone stopping him to say hello. Everybody knew him, everybody spoke to him and everybody respected him. He always had a story for everybody as well. If the members would indulge me I will give you my personal favourite. As you know Chippy served in the British army in the nineteen fifties. He had the British Empire medal. After he came back to the UK years and years later he retired and decided to take a trip back to the Far East. Over there he met his current or should I say now widow. While he got to know her every morning he woke up in the Far East to the smell of breakfast cooking. No matter what time he woke up she had breakfast cooking. They got married and several months later moved back to the UK. The first morning that they woke up together there was no smell of breakfast cooking she was asleep next to him. He said "where's breakfast"? She said "make your own"! They were happily married for many,

many years and if you were to see them together they were genuinely happy. Those are the sort of stories that always bring a smile and are always a good tale.

Councillor S Claymore

I just pretty much want to repeat what has already been said. I think that anybody that got to know Chippy personally knew what a proud man he was and I think sometimes that was slightly detrimental to him I have to say. How passionately he felt for the welfare of this town and the people in it especially in Castle Ward and one thing I know Chippy would do if anyone was in need he would literally give them his last penny and I know he has done so on many, many occasions. I can't say much more Mr Mayor we have lost a dear friend and I've lost a dear friend and I think this town has lost one of its great characters. He is going to be very sadly missed.

51 QUESTION TIME:

QUESTIONS FROM MEMBERS OF THE PUBLIC NO. 1

Under Procedure Rule No 10, Mr R Bilcliff will ask the Leader of the Council Councillor D Cook, the following question:-

"Can the Leader of the Council inform me what date outline planning permission will be granted for the Golf Course development"?

Councillor D Cook gave the following reply:

The honest answer is I have absolutely no idea when it will be granted. Your question requests I confirm when outline planning permission will be granted that is difficult for me to say for 2 reasons. A) I am not a member of the planning committee that will take the decision. B) For the Leader of this Council to pre-determine the outcome or to pressure the committee in any way I suspect, in fact I know, is illegal. The Council is aiming to take an application sometime around April/May and until we finalise all the infrastructure and environmental reports I cannot give a confirmed date.

Supplementary Question:-

"Could the Leader please inform me why in fact there are three Amington Ward Councillors for this on planning committee? Does this not disadvantage the Amington residents from any support with the Council and in particular planning issued"?

Councillor D Cook gave the following reply:

No I don't know why and I do not think it disadvantages any member. They need to be careful what may be said about pre-determination around planning permission.

QUESTIONS FROM MEMBERS OF THE PUBLIC NO. 2

Under Procedure Rule No 10, Mr R Bilcliff will ask the Leader of the Council Councillor D Cook, the following question:-

“Can the Leader of the Council inform me what is Tamworth Council’s reaction to the 4100 houses being proposed by North Warwickshire Council, which they are planning to build up to our boundary”?

Councillor D Cook gave the following reply:

Shock I think would cover it. When this Council began down a path of potentially building homes for the next generation on the old golf site on North Warwickshire’s border, Councillor S Claymore and I arranged a meeting with the leader and planning chairman of North Warwickshire Borough Council to discuss our plans.

The first I heard of these North Warwickshire District Council’s plans was when a consultation document was sent to Councillor S Doyle as a Stonydelph Councillor.

I have already had a brief chat with Councillor Ray Sweet, Mayor of North Warwickshire Borough Council as their Leader Mick Stanley is still recovering from being hit by a car before Christmas. We have agreed to arrange a meeting to discuss their plans over the next 2 weeks.

I have no issue with making the outcomes of these discussions public afterwards.

Supplementary Question:-

“North Warwickshire meaningful gap the assessment document clearly states that this policy would constitute additional presumption against developers but unfortunately under section 9.6 of that document they are recommending that areas 5 and 7 which are directly on the borders of Amington and Stonydelph are excluded from the finding of being a designation therefore not being in sight of the meaningful gap. Should you withhold sale of any land until we know what North Warwickshire Borough Council’s intentions are”?

Councillor D Cook gave the following reply:

Yes I think the answer is the same as the previous question. I will be meeting with North Warwickshire Borough Council when we know exactly their intention I will be able to answer the questions better.

QUESTIONS FROM MEMBERS OF THE COUNCIL NO. 1

Under Procedure Rule No 11, Councillor C Cooke will ask the Portfolio Holder for Economy and Education Councillor S Claymore, the following question:-

“The General Fund Capital Programme for the period 2015 to 2020 has a budgeted forecast spend of £100,000 for the Assembly Rooms development. We had otherwise been informed that the project would cost the Council an estimated £450,000. Now I read in the Tamworth Herald that Tamworth Council will have to find double that, £900,000 as a result of match funding for grants the Council has received. Can you tell me where this extra £450,000 or £800,000 depending which way you look at it, is going to be found within Tamworth’s Capital programme and which projects will lose that money?”

Councillor S Claymore gave the following reply:-

At the Joint Scrutiny Committee (Budget) a question was asked regarding the costs associated with Assembly Rooms development as the provisional capital programme at that stage only contained a scheme cost of £100,000 in 2015/16. As outlined within the Draft MTFS report and explained at the meeting, the scheme business case had not been revised to reflect the bids for funding from the single local growth fund (SLGF), Heritage Lottery Fund (HLF), Staffordshire County Council (SCC) etc. An update on the Cultural Quarter was due to be presented to Cabinet (subsequently considered by Cabinet on 19th February 2015) following notification of the results of the bids. As a substantial element of the 2014/15 budget will not be spent by March 2015 it will be forecast to under spend. The updated figures were being prepared for inclusion within the final MTFS report – on the agenda for discussion today.

As you will see, the capital scheme proposals now include a budget over 3 years of £4.4m for the Cultural Quarter works, including the planned improvements to the Assembly Rooms – funded through a combination of HLF, SCC, SLGF and donations/small grants resulting in a balance of £994k to be funded by the Council (£320k from the original £400k allocated for the scheme from capital funds and £674k from the anticipated capital receipt from the former Golf Course).

Supplementary Question:-

“In the General Fund Capital Programme I notice a borrowing requirement of £1 million which might just as easily be regarded as financing the assembly rooms project. I also notice the amount of Golf Club subsidy was roughly the same as this additional amount of Assembly Rooms investment. Can you tell me why putting money into the Golf Course should be called a “subsidy” whilst putting money into the Assembly Rooms we must instead regard as an “investment”?

Councillor S Claymore gave the following reply:-

I would honestly say that over many years we have seen a lot of money ploughed into the Golf Course. That money used over many years and over a period of time and dragging up all of the old questions as to why we are selling the Golf Course. We all know the answers to that and why we can't continue to run it is that it's just something we can't offer to do with austerity measures and it's questionable whether we still we want to do that and whether it will be right even if it hadn't gone to these measures we have had to go through. Not only that it is a very limited amount of people that the golf course affects when you are talking about putting money into the assembly rooms. That money will affect everyone and it will secure the Assembly Rooms for the future and not just for a few people that line by the golf course.

QUESTIONS FROM MEMBERS OF THE COUNCIL NO. 2

Under Procedure Rule No 11, Councillor C Cooke will ask the Chair of the Aspire and Prosper Scrutiny Committee Councillor T Clements, the following question:-

“At the last Full Council I put a motion, which was passed, for the subject of Tamworth’s projected housing needs requirement to be scrutinised in committee. This was tagged in with Local Plan Scrutiny set for 20th January with the words “Including Tamworth’s Housing Needs Figures” attached to the title, although there was nothing regarding Tamworth’s Housing Needs in the scoping document for that item nor any report from officers. You refused to allow me to speak at that meeting. If I had spoken I would have drawn the committee’s attention to Nathaniel Lichfield and Partners Past Trends figures that show a dramatic population loss of 2262 between 2012 and 2013. That is clearly nonsense. So much so that officers agreed not to take account of these past trend figures tables because they produced such nonsense. This despite the fact that the National Planning Policy Framework expressly requires such past trends to be taken into account. Would you please comment on this situation”?

Councillor T Clements gave the following reply:

At the start of the municipal year you declared yourself in a political group with UKIP, as an independent group. You are the group leader I believe. As a group you are allocated places on committee’s and your group has a position / seat on Aspire and Prosper Scrutiny. I was sure a member of your group could cover the reasons your group raised this issue as I am aware both yourself and Cllr Madge share your stance on housing numbers. I have yet to see Cllr Danny Cook or Cllr Simon Peale swapping themselves between committees, they use the members they allocated, trusting in their colleagues.

You were refused the chance to speak as your motion didn’t ask for it. You as a member voted for the minutes as a true record never once did you ask for it to be changed to allow you to speak. All committee members had access to the Nathaniel Lichfield and Partner’s document way before the committee was held. At that meeting everyone on the committee had a chance to speak and ask questions some more than others and the decision was made by a majority vote of 7-1 that we as a committee were happy with how the figures were reached and that the officers had worked above and beyond on this subject providing members with a lot more documents so that all information could be scrutinised and having meetings with individual members before the meetings.

As to myself commenting on housing figures as the chairman, I am comfortable, as were Labour members and all of my Conservative Colleagues on the committee that the correct formula as expected by the National Planning Inspector was used to arrive at 6,250 over the life of the local plan.

If you require more technical information, I suggest an appointment with Matt Bowers or Rob Mitchell is made.

Supplementary Question:-

“Those Trends figures were clear computer garbage-out nonsense. Pity we were not allowed to see what garbage was put in. Also very suspect were the household occupation figures which were projected, and manipulated down, across the whole of Tamworth, which artificially jacked up 20% the Local Plan’s Housing Needs figures. And then there were other irregularities. As you know, I

was at your scrutiny meeting. Cllr's Danny Cook and Steven Claymore were somehow allowed to speak to your committee. Don't you think, under the circumstances, that it would have been simple courtesy too both myself and your committee, instead of finding excuses as to why you would not let me speak, that you instead should have asked your committee if they would allow me, as an obviously interested and informed member of this Council, that simple opportunity to address them on this narrow issue of Housing Needs"?

Councillor T Clements gave the following reply:

Councillor D Cook was there as the Leader of the Council when taking the local plan through with the Chief Executive. Councillor S Claymore is the cabinet member for on the agenda and was therefore invited to. I invited him.

Councillor Cooke you have been a Councillor on this Council for over twelve years. You should know the procedures better than anyone else. You have been offered the opportunity to sit with councillors and cabinet members which you haven't done. You have been offered the opportunity to go to Manchester and see the system in putted and the data received. One again you haven't done this. I hope before you stand down in May that you take the opportunity to speak to the officers who will give you the technical answers you require.

QUESTIONS FROM MEMBERS OF THE COUNCIL NO. 3

Under Procedure Rule No 11, Councillor M Couchman will ask the Deputy Leader of the Council Councillor R Pritchard, the following question:-

"Will the Deputy Leader ensure that the consultation on the Council Tax Reduction Scheme, with specific regard to the exclusion of Maintenance Payments for single parents be commenced so that it can be removed in 2016"?

Councillor R Pritchard gave the following reply:

Yes

Supplementary Question:-

"Can I ask when you will be able to update that this has happened"?

Councillor R Pritchard gave the following reply:

A report will be taken to Cabinet in June as per the usual procedure.

QUESTIONS FROM MEMBERS OF THE COUNCIL NO. 4

Under Procedure Rule No 11, Councillor T Madge will ask the Leader of the Council Councillor D Cook, the following question:-

"Would you not agree that in the best effort to show transparency it would be a better policy to advertise land that the Council consider selling that could be used for development, at present only open land is advertised?

By adopting this method the public will be made aware of any potential land sales in their area rather than find out when a developer has bought it"

Councillor D Cook gave the following reply:

As Councillor Madge may be aware, when an asset is identified to be surplus to requirements it will be generally be disposed of in accordance with our disposals policy (which covers most planned disposals).

The need to advertise the disposal of some assets is implicit in legislation; Public Open Space has to be advertised, whereas land held for investment purposes does not. Generally when surplus land is being disposed of, suitable outline planning permission will be obtained prior to sale, which of course is subject to resident's feedback as part of the planning process. Large disposals are considered by Cabinet in every case.

When a planned disposal such as above is undertaken, it is usual to use either a formal or informal "tender" process, which will always include an element of advertising proportionate to the value and desirability of the asset to be disposed of. This may not always be in a local paper, and quite often may be in specialist trade press (such as the Estates Gazette) to ensure the right market is informed of the disposal. For example may be we didn't advertise the old cinema in a local paper, that was advertised in specialist property papers to ensure good coverage. This ensures good competition between prospective purchasers, and enables us to demonstrate best consideration for the asset.

On occasion a spontaneous offer will be received, and this will be assessed against independent valuation to ensure best consideration, and any decision to dispose will be taken by the Executive who will balance the financial value, contribution to Council objectives, certainty of transaction, against the long term need to retain the asset for other purposes.

QUESTIONS FROM MEMBERS OF THE COUNCIL NO. 5

Under Procedure Rule No 11, Councillor T Madge will ask the Leader of the Council Councillor D Cook, the following question:-

"With the recent pre election news that Tamworth is now booming with low unemployment and higher wages can you explain to the chamber why we at TBC still employ people on temporary contracts despite being employed here for some time? Surely this is not suitable or desirable as trying to get a mortgage etc is nigh on impossible when you have little job security beyond a six month contract"?

Councillor D Cook gave the following reply:

Thank you Cllr Madge for your question. However, as before with your question to me on Zero Hours contracts, I have no intention of discussing individual staff member's rights or contract details in a public forum. The staff have rights under law and I will not undermine this in any way.

Please keep in mind for the future that as a Council body, i.e. the 30 of us elected members, we only employ one member of staff, the CEO. The CEO is then employed to hire / fire / manage the staff. Appoints and Staffing do have a role in

monitoring structures and department staffing budgets, but the CEO is the one employed to handle the staff of this authority.

If you are uncomfortable with a staffing issue, I suggest your avenue of question is away from this chamber.

Supplementary Question:-

“We have 8 directors where other councils of similar size have 5 by removing three posts we would save over £200,000 in wages and that’s before you start talking about national insurance cost etc etc, Surely we can also look at the multi layer management systems we have to save costs rather than taking out people on the front line who are providing necessary visible services to the residents of Tamworth.

Why is it we pick on the little person when it comes to employment, when we have some big wage earners, are they too hard to tackle or do you not have the heart for that task”?

Councillor D Cook gave the following reply:

Councillor Madge is aware of the sum of £200,000 because of the policy written into the budget documents. I will say no more about what exactly this means at this time.

There are many who make comments, especially on facebook, about what exactly our senior officers do. If you spend quality time with them you realise exactly what they deliver, in a very dedicated way. Rather than making comments, it is surely easier to actually understand the outcomes delivered by our officers. Low unemployment, wages raising in Tamworth and so much more.

I fail to see in this budget where any front line staff are leaving this Council, we continue to protect front line services.

52 CORPORATE VISION, PRIORITIES PLAN, BUDGET & MEDIUM TERM FINANCIAL STRATEGY 2015/16

The Report of the Leader of the Council and Cabinet to approve the Single Corporate Vision & Strategic Priorities 2015/16 and to approve the recommended package of budget proposals was considered

- RESOLVED** That Council approved
- 1 the Single Corporate Vision & Strategic Priorities for 2015/16;
 - 2 the proposed revisions to Service Revenue Budgets;
 - 3 the sum of £81,670 be applied from Council Tax Collection Fund surpluses in reducing the Council Tax demand in 2015/16;

- 4 the sum of £728,023 be applied from Business Rates Collection Fund surpluses in 2015/16;
- 5 that on 27th November 2014, the Cabinet calculated the Council Tax Base 2015/16 for the whole Council area as 20,628 [Item T in the formula in Section 31B(3) of the Local Government Finance Act 1992, as amended (the "Act")];
- 6 the Council Tax requirement for the Council's own purposes for 2015/16 is £3,271,601;
- 7 the following amounts as calculated for the year 2015/16 in accordance with Sections 31 to 36 of the Act:
 - a. £54,565,489 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act (Outgoings excluding internal GF Recharges);
 - b. £51,293,888 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act (Income excluding internal GF Recharges);
 - c. £3,271,601 being the amount by which the aggregate at 6(a) above exceeds the aggregate at 6(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year (Item R in the formula in Section 31A(4) of the Act);
 - d. £158.60 being the amount at 6(c) above (Item R), all divided by Item T (at 4 above), calculated by the Council, in accordance with Section 31B(1) of the Act, as the basic amount of its Council Tax for the year;
- 8 the Council Tax level for the Borough Council for 2015/16 of £158.60 (an increase of £3.10 (1.99%) on the 2014/15 level of £155.50) at Band D;
- 9 an aggregate Council Tax (comprising the respective demands of the Borough Council, Staffordshire County Council, Office of the Police and Crime Commissioner Staffordshire and Stoke-on-Trent and Staffordshire Fire and Rescue Authority) of £1,452.45 at Band D for 2015/16 be noted;
- 10 the Council Tax levels at each band for 2015/16;
- 11 the sum of £145,682 be transferred from General Fund Revenue Balances in 2015/16;
- 12 the Summary General Fund Revenue Budget for 2015/16;
- 13 the Provisional Budgets for 2016/17 to 2017/18, summarised at Appendix G, as the basis for future planning;
- 14 the minimum level for balances of £500k to be held for each of the General Fund, Housing Revenue Account, General Capital

Fund and Housing Capital Fund;

- 15 that Cabinet be authorised to release funding from the General Contingency budget and that the release of funding for Specific Contingency items be delegated to the Corporate Management Team in consultation with the Leader of the Council; the proposed HRA Expenditure level of £15,388,430 for 2015/16;
- 16 the proposed HRA Expenditure level of £15,388,430 for 2015/16;
- 17 rents for Council House Tenants in 2015/16 be increased by an average of £1.70 per week (1.96%) to £88.30 (2014/15 £86.60), over a 48 week rent year;
- 18 rents for Council House Tenants due for 52 weeks in 2015/16 be collected over 48 weeks;
- 19 the HRA deficit of £3,072,360 be financed through a transfer from Housing Revenue Account Balances in 2015/16;
- 20 the proposed 3 year General Fund Capital Programme of £6.9m, as detailed in Appendix I to the report;
- 21 the proposed 5 year Housing Capital Programme of £54.1m, as detailed in Appendix J to the report;
- 22 to delegate authority to Cabinet to approve/add new capital schemes to the capital programme where grant funding is received or there is no net additional cost to the Council;
- 23 the Treasury Management Strategy Statement, the Treasury Management Policy Statement, Minimum Revenue Provision Strategy and Annual Investment Statement 2015/16 (as detailed at Appendix N);
- 24 the Prudential and Treasury Indicators and Limits for 2015/16 to 2017/18 contained within Appendix N;
- 25 the adoption of the Treasury Management Practices contained within ANNEX 7; and
- 26 the detailed criteria of the Investment Strategy 2015/16 contained in the Treasury Management Strategy within ANNEX 3.

(Moved by Councillor D Cook and seconded by Councillor R Pritchard)

The Mayor

COUNCIL

17 March 2015

Report of the Solicitor to the Council and Monitoring Officer

REVIEW OF MEMBERS' ALLOWANCES

Purpose of Report

To advise Council of the recommendations of the Members Independent Remuneration Panel who have recently undertaken a review of Members Allowances in accordance with regulations. The report of the panel is attached as **Appendix 1**,

Recommendations

Council is recommended to consider the Panel's report and:

- a) **Adopt the recommendations in full or**
- b) **Adopt the recommendations in part and put forward alternative recommendations for those not accepted or**
- c) **Reject the recommendations in full and put forward alternative recommendations.**

Executive Summary

The Members Remuneration Panel was convened on 22 December 2014 and their recommendations and deliberations are attached as **Appendix 1** to this report.

It is a statutory requirement that a summary of the independent remuneration panel recommendations, whether the authority has made or amended the Scheme of Allowances, and the period of time for which the scheme will have effect, are all published in a local newspaper. This will be undertaken following the Council meeting.

Council is requested to consider the recommendations of the panel and after taking regard thereof either accept the proposals or put forward reasonable alternatives.

The amended scheme (either as approved following the Panel's recommendations or following Council Proposals) is to be adopted following the elections on 7 May 2015.

This report does not seek a key decision, but Council is responsible for reviewing and adopting a scheme of allowances for members.

Options considered

This is a statutory obligation and a legal requirement.

Implications of this report

Should the Council decide to adopt the proposed scheme to come into effect from 11 May 2015, the financial implications would mean a reduction in budget for Members Allowances from 2015 / 16 onwards of £3,235.. This saving has been built in to base budget following approval of the Medium Term Financial Strategy (MTFS) by Council on 24th February 2015.

Other recommended changes e.g. discontinuing mileage allowance for attending approved duties within the Borough and paying an SRA of £45 per meeting under 4 hours/ £90 per meeting of 4 hours or more to the Chair of Licensing Sub-Committees are not easily quantifiable given that they depend on the level of duties and claims in the year, but should not have a significant financial effect. **Appendix 2** contains a summary of the proposals for easy reference

It should be noted that the panel is recommending it reconvene in 2 years time to review the Members Allowance Scheme. The legislation allows an authority where the allowances have regard to indices to rely on the indexation for a period of four years before seeking a further recommendation of the panel. Accordingly the Council has to decide whether a review in two years time is appropriate.

The risk of not updating the allowance scheme is that the political management structure of the Council may not be accurately acknowledged in accordance with statutory and regularity requirements.

Background Information

Statutory regulations came into force in May 2003 which require the Council to review and adopt a scheme of allowances for members.

All Councils are required to convene an Independent Remuneration Panel and seek its advice before they make any changes or amendments to their allowance scheme and they must “pay regard” to the Panel’s recommendations before setting a new or amended Members Allowances Scheme.

Report Author

If Members would like further information or clarification prior to the meeting, please contact Jane M Hackett on Ext. 258

List of Background Papers

The Local Government and Housing Act 1989

The Local Government Act 2000

The Local authorities (Members' allowances) (England) Regulations 2003

Appendices

Appendix 1

A Review of Member's Allowances for Tamworth Borough Council; The Sixth Report by the Independent Remuneration Panel.

Appendix 2

Costing of recommended changes to Members Allowances Scheme for 2015/16

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**A Review of
Members' Allowances
For
Tamworth
Borough Council**

The Sixth Report

By the

**Independent Remuneration
Panel**

**Dr Declan Hall (Chair)
Navin Kalia
Stan Orton**

March 2015

Foreword

This is the sixth report produced by the statutory Independent Remuneration Panel (the Panel) for Tamworth Borough Council. The first report (May 2002) was required by the *Local Government Act 2000*, to make recommendations on allowances for what were then new roles for Councillors. The Council adopted the substantive recommendations which established the current allowances framework that, by and large, remains in place to this day.

The *Local Authorities (Members' Allowance) (England) Regulations 2003*¹ required the Council to reconvene the Panel to make recommendations on certain associated allowances before 31 December 2003. The limited recommendations (see 2nd Report December 2003) were again accepted by the Council. The third review in November 2005 arose out of changes in Council political structures. While some revisions were recommended the essential structure of the Tamworth Borough's Allowances scheme was not altered. The fourth report (December 2008) arose out of the requirement for the Council to seek fresh authority for indexation of allowances under what is known as the '4-year rule.' In addition to indexation the Council also accepted the Panel's other substantive recommendation mainly relating to the Leaders' SRA. The fifth review (March 2013) was also driven by the '4-year rule.' The Council also asked the Panel to take an overview of the whole Tamworth Borough Council Members' Allowances scheme to consider whether it was still fit for purpose. The Panel concluded that by and large it was fit for purpose *except* for one area: the Panel recommended that the Council introduce a performance element for their remuneration and that it would revisit it in 12-18 months time to assess its success and whether it needed amended or even extending, particularly in light of further implementation of the Localism Act 2011.

This (sixth) review is that revisiting of the performance related element of remuneration. The Panel is pleased to note that performance related remuneration for Members has not only been accepted in principle but appears to be working in practice. The Panel despite some support to do otherwise has decided not to extend performance related remuneration. The Council continues to face challenging times both financially and in terms of its governance. To further develop performance related remuneration at this stage is not appropriate - the current system is still bedding in. Consequently the Panel has recommended only minor changes that if accepted will result in some savings. This is however a reflection of changing pattern of work rather than an overt objective to find savings. The Council has done this and the Panel has accepted these policy decisions. Yet, as ever, the Panel continues to be cognisant of the need to balance this understandable principle by seeking to ensure financial barriers are not put in place for current and future Members to serve on Tamworth Borough Council.

Dr Declan Hall

Chair of the Tamworth Borough Council Independent Remuneration Panel

March 2015

¹ See Statutory Instruments 2003 Nos. 1021 for further details.

Executive Summary: Recommended Basic Allowance and SRAs 2015/16

Post	Basic Allowance	Special Responsibility Allowance	Maximum Total Per Member
All Members (30)	£5,171		£5,171
Leader (1)	£5,171	£12,942	£18,113
Deputy Leader (1)	£5,171	£9,706	£14,877
Other Cabinet Member (3)	£5,171	£8,412	£13,583
Chair of Scrutiny (2)	£5,171	£5,823	£10,994
Chair of Planning (1)	£5,171	£5,823	£10,994
Chair of Licensing (1)	£5,171	£1,294	£6,465
Chairs of Licensing Sub Committees (3)	£5,171	£45/£90 p/meeting	Variable
Chair of Audit & Governance (1)	£5,171	£3,235	£8,406
Leader of (Larger) Opposition Group (1)	£5,171	£5,823	£10,994
Deputy Leader (Larger) Opposition Group (1) (when Group has 8 or more Members)	£5,171	£3,235	£8,406
Deputy Leader (Larger) Opposition Group (1) (when Group has 7 or less Members ²)	£5,171	£1,941	£7,112
Leader Of (Minor) Opposition Group (1) (when group has 4 or more Members)	£5,171	£1,294	£6,465

The Panel also recommends**No change to the member performance framework**

The Panel is not recommending at this stage that the performance framework is extended and the 75% attendance threshold is retained at least until experience of how the new expectation for Members to attend training seminars is gained.

Confirmation and exception to the 1-SRA only rule

The 1-SRA only rule is confirmed with *the exception* of the SRAs that are paid for chairing the Licensing Sub Committees.

² At present the (larger) Opposition Group has more than 7 Members so the higher SRA (3,235) is payable. If the (larger) Opposition Group was to have 7 or less Members then the Deputy Leader of that Group would be paid the lower SRA (£1,941). Similarly, the recommended SRA (£1,294) is only payable if that group has 4 or more Members).

Removal of reference to access to the Local Government Pension Scheme

That paragraph 6.12 "Local Government Superannuation Scheme" is removed from the published allowances scheme.

Co-optees' Allowance

The Co-optees' Allowance of £45 per meeting under 4 hours and £90 per meeting 4 hours or more is maintained.

Travel and Subsistence Allowances

The mileage allowance for attending approved duties within the Borough is discontinued. For journeys taken by Members outside the Borough the current rates payable for travel and subsistence allowances and the approved duties for which they may be claimed are maintained.

Moreover, the allowances scheme is explicitly clarified to reflect the expectation that Members are to submit relevant petrol receipts when they make mileage claims and to submit relevant receipts when claiming subsistence allowances. Furthermore, all travel and subsistence claims are to be submitted within the same time frame that is required from Officers. Exceptions will only be permitted with the approval of the Monitoring Officer.

The Dependants' Carers' Allowance (DCA)

No change to levels payable and scope of the Dependants' Carers Allowance.

Indexation

That authority for Tamworth Borough Council to index their allowances is refreshed and the following indices are applied to the remuneration and allowances paid to Members of Tamworth Borough Council:

Basic Allowance, SRAs and Co-optees' Allowances:

- Indexed to the annual percentage salary increase for local government staff, where an annual increase is agreed, as published by the National Council for Local Government Services (at spinal column 49) to be implemented from 1 April of the following year to which it applies to staff.

Dependants' Carers' Allowance:

- Indexed to the hourly minimum wage applicable to the age of the carer.

Mileage Allowance:

- Mileage allowances rates indexed to the HMRC mileage rates.

Subsistence Allowances:

- The day and overnight subsistence allowances should be indexed to the same rates that are applicable to Officers.

Implementation

That the recommendations contained within this Report be implemented from the first working day (11 May 2015) following the 7 May 2015 elections.

Refining the Model – Review in 2 years

That the Panel reconvenes in 2 years time to review the Members' Allowances scheme with specific reference to assessing whether to continue or extend the performance related element of remuneration and impacts of any changes in governance arrangements.

The Sixth Review of Members' Allowances

By the

Independent Remuneration Panel

For

Tamworth Borough Council

March 2015

Terms of Reference

1. This (sixth) report is a synopsis of the deliberations and recommendations made by the Panel reconvened by Tamworth Borough Council to advise the Council on its current Members' Allowances scheme in accordance with the recommendations of the fifth review of allowances (paragraph 33, March 2013) which states:

The Panel recommends that it reconvenes once more in 12 months time to review the Members' Allowances scheme with specific reference to assessing the success of the new performance related element of remuneration and to refine accordingly.

2. Accordingly Panel has been convened to specifically assess the success of the performance element of remuneration and to consider whether revisions if any are required.
3. The Council took the opportunity to present the Panel with general terms of reference, namely to review the key elements of the Members' Allowances scheme, taking into account any recent changes in governance or workloads and to make any necessary amendments necessary in relation to the following:

- A. As to the amount of basic allowance that should be payable to Members
- B. About the responsibilities or duties which should lead to the payment of a Special Responsibility Allowance and as to the amount of such an allowance
- C. The duties for which travelling and subsistence allowance can be paid and as to the amount of this allowance
- D. As to the suitability and amount of a co-optees' allowance
- E. As to whether the Authority's allowances scheme should include an allowance in respect of the expenses of arranging for the care of children and dependants and if it does make such a recommendation, the amount of this allowance and the means by which it is determined
- F. On whether any allowance should be backdated to the beginning of a financial year in the event of a scheme being amended
- G. As to whether annual adjustments of allowance levels may be made by reference to an index, and if so, for how long such a measure should run

The Panel

4. Tamworth Borough Council reconvened its statutory Independent Remuneration Panel consisting of the following Members, namely:
 - Navin Kalia:
 - an accountant with the University Hospitals Birmingham NHS Foundation Trust
 - Declan Hall PhD (Chair):
 - a former academic at Institute of Local Government, The University of Birmingham, now an independent consultant specialising in members' allowances and support
 - Stan Orton:
 - retired and a North Warwickshire resident with an interest and background in local government
5. The Panel was supported by Lara Allman, Democratic and Election Services Officer and Jane Hackett, Solicitor to the Council and Monitoring Officer. The Panel would like to record its gratitude to the Members and Officers of Tamworth Borough Council for making themselves available to meet with the Panel and supporting its work during this review.

Process and Methodology

6. As a limited review the approach adopted was based on the principle that the resources devoted to the review should match the probable conclusions, i.e., recommending only minor amendments. This approach is within the spirit of the 2003 Regulations. To formally involve the whole Panel from the beginning would not be an efficient use of Council resources as it would impose a disproportionate cost on the Council and Panel members relative to outcome.

7. As per the fifth review the Panel Chair undertook the initial planning, research, benchmarking and considering the evidence and writing up the first draft of report. In doing so the Chair visited the authority on 24 June 2014 to obtain an initial briefing from Officers to scope out the review. There was a subsequent visit on 8 December 2014 by the Chair to meet with a number of leading Members to discuss the terms of reference. The interviews obtained the views of the groups on Council and raised a number of specific concerns. In addition, all Members were invited to make written submissions to the Panel. Appendix 1 lists those Members and Officers who met with the Chair and Panel, and those Members who made a written submission.
8. Finally, all the evidence and representations have been reviewed and evaluated within the comparative context. As with previous reviews a benchmarking exercise was undertaken, the benchmarking group remaining the other district councils in Staffordshire and Tamworth's immediate neighbouring councils. Other relevant information was also considered by the Chair in the early stages of the review - which in turn was subsequently reviewed by the full Panel. See Appendix 2 for the list of written information the Panel considered.
9. Consequently, the Panel convened on 22 December 2014 at Marmion House, Tamworth, to meet with other Members who wished to talk to the Panel and consider any other evidence called for. It was at this stage that the Panel agreed the final recommendations.

Key Messages and Observations

Recognising the economic climate - council and panel driven savings

10. Ideally, the role of the Panel is to assess what the roles and posts under review are worth based on the evaluation of the evidence, taking into account such variables as workloads and responsibility. However, the Panel cannot *but* be sensitive to the current economic climate, a point emphasized by all the interviewees. The Council has already agreed and continues to explore a number of measures that will automatically decrease spending on members' allowances regardless of the recommendations of this review. Specifically the Council has agreed as of 10 December 2014 to reduce the number of Cabinet Members from 6 to 5 (including Leader and Deputy Leader). While each of the remaining Cabinet Members will take on extra responsibilities there was no suggestion their SRA should be increased proportionately. It is a policy decision to seek savings by trying to 'do more with less', a policy decision the Panel has accepted and has not sought to compensate by reallocating the inherent savings across fewer post holders
11. Similarly, there is a proposal to reduce the number of Overview and Scrutiny Committees from 2 to 1. At this juncture, it is simply that - a proposal but it is

envisaged that all of the current remit and workloads carried out by 2 Overview and Scrutiny Committees would be carried out by its single successor committee. The Panel understands that part of the driver behind this proposal is to seek further savings. Consequently, the case to increase the SRA for a single Chair of Overview and Scrutiny on a proportional basis is limited. If there was a single Overview and Scrutiny Committee there may be a stronger case to pay the Vice Chair a small SRA. However, the proposal on Overview and Scrutiny has not yet been accepted, it might not be adopted or could be adopted in a different form and the Panel has no way of knowing what the impacts will be if the proposal is adopted. So the Panel is not recommending any change to the SRA to the Chair[s] of the Overview and Scrutiny Committee whether there are 1 or 2 committees going forward. The Panel will revisit the impact of any changes in structures in its next review.

12. Regardless, the Panels' recommendations, if adopted by the Council, will lead to further identifiable savings of at least £3,236³ on the current spend on Members' Allowances (see below for details). This has not been driven by a desire to find savings but arises out anomalies in the current scheme due to changing member roles.

The Localism Act 2011 - Limited Impacts at this stage

13. Previously the Panel also flagged up that it would assess the staged implementation of the Localism Act 2011. In general, the Localism Act 2011 has yet to have major impacts on the roles of Members across the board. The power of general competence, changes in how planning policies are developed, enhanced powers for local communities, new freedoms for local area committees where established and the ability of the Council to return to the old committee system if it wishes has not had a noticeable impact on the roles of all Members with the exception of the Chair of Audit & Governance which the Panel has addressed (see below).

Benchmarking

14. Benchmarking - see Appendix 3 - by and large shows that compared to the comparator group of authorities that the levels payable in Tamworth is either marginally above (e.g., Basic Allowance) or noticeably above (e.g., Cabinet Members) the average paid in the comparator group. However, the Panel is content that these apparent anomalies can stand up to public scrutiny and that Tamworth Members Allowances are not excessive in the comparative context. In particular, there are fewer Members in Tamworth than in the comparator authorities and the number of SRAs payable is limited in Tamworth. While the SRAs for the Chair of Licensing and the Deputy Leader of the (Larger)

³ This figure does not include savings arising from any changes in structures implemented by the Council, the discontinuation of the travel allowance for within the Borough and any penalties imposed for not reaching 75% attendance threshold. Nor does it include the £45 per meeting for the Chairs of Licensing Sub Committees.

Opposition Group are addressed below the few SRAs that remain as outliers need to be taken in context:

- Cabinet Members - As of 10 December 2014 there is one less cabinet member, leaving five in total which is half the legal maximum and insofar as can be ascertained all the comparator councils have more cabinet members where they operate an executive model. Thus, although Tamworth pays a higher SRA (£8,412) to Cabinet Members compared to the average (£6,745) in the benchmarking group the total spent on the executive function is less due to fewer executive members in Tamworth.
- Chairs of Overview and Scrutiny - While the SRA (£5,823) paid the Chairs of Overview and Scrutiny in Tamworth is higher than the average (£4,303) paid in the benchmarking group Tamworth is unusual in only having two such committees; many of the comparator councils have more than 2 scrutiny committees or also remunerate their Vice Chair[s] of Scrutiny. Again, the total allowances spent on the overview and scrutiny function is less than that in many comparator authorities. Moreover, if the Council does go down to a single Overview and Scrutiny Committee, the total spent on that function will be reduced further.

Minor amendments only required

15. The key message gained from reviewing all the oral and written evidence and representations received was that the current scheme remains broadly fit for purpose taking into account the current financial context and there should only be minor adjustments to the scheme. This was a unanimous view of all the Member interviewees.

Recommendations

No change to the member performance framework

16. The performance element of remuneration has now been in operation since May 2013. The Panel is pleased to note that the performance element of remuneration has been successful in that two key concerns have been met:
 - Improved attendance: The first year of operation (2013/14) for the member performance framework has had a degree of success regarding its first objective: boosting Members attendance at meetings. There was a noticeable improvement in Members attendance in 2013/14 compared to 2012/13. Last year only 4 Members fell below the 75% attendance threshold compared to 7 Members failing to do so in 2012/13.⁴ No Member in receipt of an SRA has failed to reach the 75% attendance target. This

⁴ There was an 8th Member who failed to attend 75% of meetings in 2012/13 but that was due to bad health, which the performance framework takes into account and therefore not counted for the penalty to be applied.

improvement has been maintained so far this year and may well be bettered by the year's end.

- **Non-attendance penalised:** The second objective, establishing a link between attendance and remuneration, has also been realized. Members not reaching the 75% attendance threshold last year had financial penalties implemented, via the withholding of the 12th monthly instalment of the Basic Allowance, a deduction of £431 apiece. Saying that non-attendance has been penalised is a sign of success after the principle was adopted by the Council may appear to be an exercise in circular logic. However, it must be remembered that collectively Members are the final arbiter of their own remuneration and the acceptance of a lower remuneration by Members not reaching the 75% attendance target represents a step change in a context where Members have traditionally been paid the same Basic Allowance regardless of whether they attend one approved duty every six months (the statutory minimum) or one approved duty every other day. It is not uncommon for councils to insert a penalty clause in their allowances scheme for when Members do not attend a certain percentage of meetings but it is uncommon for the clause to be implemented when there is no compulsion on the part of Members to do so.

17. The majority of representations received supported the view that the performance framework for remuneration has been successful and generally accepted by all Members. However, a number of representations argued that the current performance framework should be extended, partly as a further money saving exercise, in a number of ways:

Adding a second financial penalty below a 50% attendance threshold

18. There was a view that as the performance framework had worked it should be extended further principally through adding a second lower attendance threshold penalty trigger. In other words, if 75% of approved duties are not attended the current penalty of £517 would still apply to the Basic Allowance and if applicable relevant SRAs *and* if 50% of approved duties are not attended then a second penalty of £517 would be imposed with a similar parallel provision extended to SRAs. The suggestion that a lower 2nd threshold of 50% attendance is needed is not borne out by the improvement in attendance - all Members for 2013/14 and so far this year are either attending in excess of 50% of their scheduled meetings or are on target to do so.

Cover the whole meeting and more types of meetings

19. There were three distinct points raised here:
- **Include meetings of the Licensing Sub Committees:** currently those Members who sit on the 3 Member Licensing Sub Committees do not have

those meetings included in their formal attendance figures for performance purposes. This is appropriate due to the ad-hoc nature of the Licensing Sub Committees. They are not scheduled meetings, they meet as and when. Members attend on a voluntary basis based on availability. They should not be included within the performance framework.

- Include training seminars: as Members are now expected to undertake training relevant to their committee then it was argued that training seminars should be included in the performance framework. The Panel notes that training is going to be treated more seriously but was informed that if a Member does not undertake the relevant training then they will be asked to step down from the relevant committee. Consequently, at this stage, the Panel has decided to see how the expectation to attend training plays out and whether it is an issue for the future.
 - Attendance for whole meeting: There should be a requirement it was argued, to attend the whole meeting for it to count towards the 75% threshold for the full Basic Allowances to be payable. If a Member signs out after 10-15 minutes, as it was suggested some do, then it should not count as an 'official' attendance. This is a repeat of the criticism of the old attendance allowance, and one reason it was abolished. To ensure all Members attend meetings for their full length becomes resource intensive both to monitor and enforce and places an overemphasis on formal attendance at meetings.
20. Moreover, the balance of representation received indicated that it was not the right time for the performance framework to be extensively developed. There will be savings in any case through the reduction in cabinet members (and by one less Overview and Scrutiny Committee if proposal is accepted) as well as through further recommendations of this review (see below). In addition, there is a possibility in the next year or so that the total number of councillors will be reduced which in itself will result in savings and the Panel would want to see how a reduction in councillor numbers impacts on workloads before it extended the performance framework. It must be remembered that Tamworth Borough Council by creating a stronger link between members' allowances and their performance is in the vanguard of member performance remuneration - to push too far too quickly could leave the Council overexposed.
21. **Consequently, the Panel is not recommending at this stage that the performance framework is extended. Moreover, that threshold remains unchanged at 75% at least until experience of how Members are meeting the new requirement to attending training seminars is gained.**

Refining the Model – Review in 2 years

22. Now that the principle of having a performance framework for Members remuneration has been established the Panel is keen to revisit the whole area in light of potential changes to the council over the next 2 years.
23. **The Panel recommends it convenes in 24 months to review the Members' Allowances scheme with specific reference to assessing whether to continue or extend the performance related element of remuneration and to refine accordingly in light of further governance changes.**

Special Responsibility Allowances - Chair of Audit and Governance Committee

24. Previously, the Panel flagged up it would revisit its recommended SRA for the Chair of the Audit and Governance Committee. The committee has expanded its remit since the last review. The audit function has developed in accordance with new government audit guidelines in that Audit and Governance Committee now has to approve financial returns. Generally there is a greater emphasis on audit with for example the committee being involved in the preparation of audit reports and annual governance statement (self assessment). A sign of this is that the external auditors now attend the meetings of the committee and the Chair is required to liaise more with the external auditors.
25. In addition the Audit and Governance Committee has acquired responsibility for the residual Standards functions not otherwise assigned to the Monitoring Officer and Independent Person (IP) under the requirements of the Localism Act 2011. While this has not significantly impacted on the responsibility of the Chair of Audit and Governance it does have the potential to do so.
26. All this adds up to a strong case to pay a larger SRA to the Chair of the Audit and Governance Committee, a view also supported in the representations made to the Panel. In setting the appropriate level benchmarking is of limited value as the mean SRA (£2,247) paid to Chairs of Audit in the comparator authorities does not compare like with like, as some councils retain a separate Standards Committee with a remunerated chair, e.g., Newcastle Under Lyme £2,830, while not all the other benchmarked Audit Committees have responsibility for governance. The model adopted in Tamworth is distinctive.
27. The Panel has decided that current ratio utilised (15%% of the Leader's SRA) to set the SRA for the Chair of Governance and Audit should be increased to 25% of the Leader's SRA, which equals £3,235. **It is recommended that the SRA for the Chair of Audit and Governance be increased to £3,235.**

The Chair of the Licensing Committee

28. The nature of this committee has also changed. The Licensing Committee now meets less frequently (typically twice per year), with the bulk of the work regarding licensing applications being dealt with by Licensing Sub Committees. The SRA for this post is currently £5,823 which is no longer defensible. The

Panel has decided this SRA should be reduced to reflect not simply the workload which is minimal but also the potential responsibility regarding licensing policy and set it at 10% of the Leader's SRA.

29. The Chair of the Licensing Committees' recommended SRA is £1,294.

Chairs of the Licensing Sub Committees (3)

30. Conversely, much of the on-going work of Licensing is handled by the Licensing Sub Committees. They consist of 3 or 4 Members and appoint a Chair on the day and deal with licensing applications when any objections are made. There is a case to take some of the savings resulting in the lower recommended SRA for the Chair of Licensing and assign it to the Chairs of the Licensing Sub Committees. However, the variation in who chairs the Licensing Sub Committees and in how often they meet makes it difficult to recommend a standard sum. For instance, in the past 2 years one Member chaired 15 Licensing Sub Committees while One Member only chaired two in total during the same period. Similarly, last year the Licensing Sub Committees met 16 times with 5 further meetings cancelled or applications withdrawn. This year so far there have only been 4 Licensing Sub Committees with 3 cancelled or withdrawn.
31. Benchmarking is of limited value as none of the comparator authorities remunerate their Licensing Sub Committee Chairs. This is either because licensing appeals are not a big issue or the Chair and often the Vice Chair have a lead role in the appeals process for which they receive their SRA.
32. Due to the ad hoc nature of the Licensing Sub Committees and the practice of appointing a Chair on the day the Panel has decided that the current arrangements in remunerating Co-optees (£45 per meeting) should be replicated in determining the appropriate SRA for the Chairs of the Licensing Sub Committees. **It is recommended that the Chairs of the 3 Licensing Sub Committees receive an SRA of £45 per meeting that lasts under 4 hours and £90 for meetings of 4 or more hours.**

Deputy Leader of the (larger) Opposition Group - a 2 tier SRA

33. The current SRA (£3,235) for to the Deputy Leader of the (larger) Opposition Group is on a par with the recommended SRA for the Chair of the Audit & Governance Committee. Benchmarking shows this SRA is somewhat of an anomaly. It is a post that is only paid in two of the comparator councils and even then at a lower level, Lichfield £570 and North Warwickshire £1,745.
34. The relatively high SRA for the Deputy Leader of the (larger) Opposition Group dates to when there was no overall control of the Council and the Deputy Leader of the (larger) Opposition Group has a council business role and was generally more high profile. As things stand the (larger) Opposition Group

remains substantial in size (12) and the Deputy Leader of the (larger) Opposition Group has a notable role to play mostly through assisting Leader of the (larger) Opposition Group in specific duties as required and set out in the role profile. In this case the Panel has decided that there should be no change the current SRA payable as long as the (larger) Opposition Group has 25% (8) or more of the council membership.

35. **It is recommended that where the (larger) Opposition Group has at least 25% of council membership (8 or more Members) then the SRA payable to the Deputy Leader of the (larger) Opposition Group remains at £3,235.**
36. However, if the larger Opposition Group was to decrease in size to less than 25% of council membership, or less than 8 members, then the current SRA should be reduced to 15% of the Leader's SRA which is £1,941.
37. **It is recommended that if the (larger) Opposition Group falls below 8 Group Members then the SRA payable to the Deputy Leader of the (larger) Opposition Group be reduced to £1,941.**

Leader of Other (minor) Opposition Group - 4 or more members

38. The Panel received representation that there could be a scenario whereby the Leader of the Other (minor) Opposition Group merited an SRA, namely if it reached a critical mass. The Panel accepted the argument in principle and benchmarking shows that this post is paid in just under half the comparator councils with the average SRA being £2,305. Moreover, it is a not uncommon for such an SRA to be payable once a minor opposition group has a certain percentage of council membership. e.g., 10% in East Staffordshire and Newcastle-under-Lyme and the Panel proposes that a similar approach is adopted in Tamworth in that an SRA to the Leader of the Other (minor) Opposition Group becomes payable if the group has more than 10% of the council membership, which is 4 Members. In determining the appropriate level the Panel has maintained its methodology in arriving at SRAs by setting as a ratio of the Leader's SRA, in which case 10%.
39. **The Panel recommends that if the Other (minor) Opposition Group attains 4 or more members that the Group Leader receives an SRA of £1,294.**

Other Special Responsibility Allowances

40. The Panel considered whether there was a case to consider revision of other SRA or add posts to or omit posts from the current SRA schedule but no evidence was received to make a compelling case for further reform.
41. **The Panel recommends that the current scope and levels of other SRAs remain the same for 2015/16 subject any application of an index.**

Exception to the 1-SRA only Rule

42. **The Panel confirms the 1-SRA only rule *with the exception* of the SRAs paid for chairing the Licensing Sub Committees.**

Removal of reference to access to the Local Government Pension Scheme

43. Since April 2014, membership of the Local Government Scheme (LGPS) has been closed to new Members and those Members already in the LGPS will have to leave once their current term of office ends. For Tamworth, it only affects a handful of elected Members. Nonetheless, the allowances scheme needs up dating to reflect changes in legislation.
44. **The Panel recommends that paragraph 6.12 "Local Government Superannuation Scheme" is removed from the published allowances scheme.**

Co-optees' Allowance

45. Currently, the allowance scheme contains provision for a Co-optees' Allowance payable as follows:
- Meetings under 4 hours: £45 per meeting
 - Meetings 4 hours and over: £90 per meeting
46. At present it is only payable to Co-opted Members on the Nominations Committee which meets as and when. No evidence was received to suggest the Co-optees' Allowance required amendment. **The Panel recommends that the Co-optees' Allowance of £45 per meeting if under 4 hours and £90 per meeting if 4 hours or more is maintained.**

Travel and Subsistence Allowances

The Mileage Allowance - within the Borough

47. The Panel received representation that one means of saving further money on the allowances would be to discontinue the right of Members to claim a travel allowance for attending approved duties within the Borough. The Panel had sympathy with this argument, not necessarily on cost savings grounds; rather on grounds of it being rarely claimed. The reality is that Tamworth Borough Council is less than 12 square miles and travel to and from approved duties within the Borough does not impose an onerous cost upon Members, for many it is negligible. For the vast majority of Members, such as the Leader and other senior Members, where travel from home to council offices may impose a

perceptible cost they are in receipt of an SRA which is largely to compensate for their time and responsibility must also be seen to bear some of the marginal costs of holding such a post.

48. **The Panel recommends that the mileage allowance for attending approved duties within the Borough is discontinued.** This does not preclude Members claiming for public transport costs if they are required to attend approved duties in the Borough subject to the agreement of the Monitoring Officer.

Petrol and Subsistence receipts and timely claims

49. Representation was received to the effect that if Members attach relevant petrol receipts when they submit claims for mileage it makes it easier to claim back the VAT. Similarly, when subsistence claims are made receipts should be submitted. Also, it would be administratively less cumbersome for the Council if relevant travel and subsistence claims were submitted in a timely fashion. The Panel recognises that it is not always possible to produce petrol receipts for every vehicle journey undertaken and there may be valid reasons in delaying submission of travel and subsistence claims yet both of these practices are standard procedures that Officers observe and Members should be expected to abide by them. **Consequently, the Panel recommends that the allowances scheme is clarified to alert Members to the fact that they are normally expected to submit relevant petrol receipts when they make mileage claims and it is a requirement for subsistence claims. In addition, all travel and subsistence claims will be submitted within the same time frame that is applicable to Officers. Exceptions will only be permitted with the approval of the Monitoring Officer.**
50. **The Panel recommends that the current rates payable for travel and subsistence allowances when attending approved duties outside the Borough are maintained.**

The Dependants' Carers' Allowance (DCA)

51. Legislation specifically enshrines the right of Members to claim a Dependants' Carers' Allowance (DCA) to assist with the costs of caring for any dependants a Member may have while they undertake approved duties. It is designed to reduce barriers to being an elected Member. The DCA is provided for within the Tamworth Borough Council Members' Allowances scheme but is rarely claimed. Nonetheless, the Panel feels that the scheme should still be made available lest a Member's circumstances change or a new Member does have dependants.

52. **The Panel recommends no change to the scope and levels payable for the Dependants' Carers Allowance, including the relevant indices.**

Indexation

53. While the Panel provided authority to index allowances for 4 years from 1 April 2013 the Panel has decided to provide further authority for another 4 years from 1 April 2015.
54. The Panel points out that if the principle of indexing allowances is not adopted by the Council it will not be able to apply an annual cost of living increase without coming back for advice to the Panel. However, where a Council has adopted indices they are under no obligation to apply them each year. Council and individual Members retain the right to not apply an index to their allowances.
55. **The Panel recommends that authority for the Council to index allowances is refreshed and the following indices applied to the remuneration and allowances paid to Members of Tamworth Borough Council:**

Basic Allowance, SRAs and Co-optees' Allowances:

- Indexed to the annual percentage salary increase for local government staff, where an annual increase is agreed, as published by the National Council for Local Government Services (at spinal column 49) to be implemented from 1 April of the following year to which it applies to staff.

Dependants' Carers' Allowance:

- Indexed to the hourly minimum wage applicable to the age of the carer.

Mileage Allowance:

- Members mileage allowances rates should be indexed to the HMRC mileage rates.

Subsistence Allowances:

- The day and overnight subsistence allowances should be indexed to the same rates that are applicable to Officers.

Implementation

56. **The Panel recommends that the recommendations contained within this Report be implemented from the first working day (11 May 2015) following the 7 May 2015 local government elections.**

Appendix One

Members and Officers who met with the Chair and Panel

Members

Cllr Danny Cook:	Leader of Council and Conservative Group
Cllr Chris Cooke:	Leader of Independent Group
Cllr Marion Couchman:	Labour Member
Cllr Maureen Gant:	Chair of Audit & Governance Committee (Conservative)
Cllr John Faulkner:	Deputy Leader of the (Labour) Opposition Group

Written Submissions from Members

Cllr Tina Clements:	Chair of Aspire & Prosper Committee & Licensing Committee Member (Conservative)
Cllr Marion Couchman:	Labour Member
Cllr Maureen Gant:	Chair of Audit & Governance Committee (Conservative)
Cllr Michael Greatorex:	Heritage Champion & Conservative Member
Cllr Tony Madge:	UKIP Member
Cllr Patrick Standen:	Labour Member

Officers

Tony Goodwin:	Chief Executive
Jane Hackett:	Solicitor to the Council and Monitoring Officer
Lara Allman:	Democratic & Election Services Officer

Appendix Two

Information Received and Reviewed by the Panel for Tamworth Borough Council – Member Allowances Review 2015

1. Panels' terms of reference
2. Consolidated Guidance for panels re-issued 2006 by Department Of Local Government and Communities.
3. Statutory Instrument 2003 No. 1021, *The Local Authorities (Members' Allowances) Regulations 2003*
4. Tamworth Borough Council Members' Allowances scheme 2014/15
5. Copies of Allowances schemes (2013/14) paid in comparator authorities
6. The Fifth Report by the Independent Remuneration Panel, March 2013
7. Summary of Members' Attendance records 2012/13 and 2013/14 and to end of calendar year 2014
8. Breakdown of number of Licensing Sub Committee meeting, including who was appointed Chair, for 2013/14 and so far this year up to end of 2014
9. Schedule of meetings and list of Committees, including membership for 2013/14 and 2014/15
10. Member role profiles including post holder, where available
11. Revised portfolios of Leader, Deputy Leader and 3 other Cabinet Members

Appendix Three: Allowances paid the Staffordshire and Immediate Neighbour Districts 2014/15

BM 1: Tamworth BC Comparator Group: BA plus Executive, Scrutiny & Civic Head SRAs 2014/15											
Authority	Basic Allowance	Leader	Leader Total	Deputy Leader	Other Cabinet Members	Cabinet Member w/o Portfolio	Chair[s] of Scrutiny	V/Chair Scrutiny	Chair Health Scrutiny	Chair Council	V/Chair Council
East Staffs	£4,540	£18,417	£22,957	£9,208	£9,208		£1,842				
Cannock Chase	£5,339	£18,150	£23,489	£9,260	£8,025		£6,791		£1,853		
Lichfield	£3,020	£11,360	£14,380	£6,820	£6,250		£2,270			£2,740	£820
North Warwickshire	£4,942	£10,987	£15,929		NA		£4,983		£1,745		
North West Leicestershire	£3,699	£14,795	£18,494	£9,247	£5,548		£4,808			£3,699	£462
Newcastle Under Lyme	£3,285	£13,590	£16,875	£9,510	£5,660	£2,830	£2,830	£1,130			
South Derbyshire	£6,034	£18,096	£24,130	£9,947	£9,039	£2,259	£9,039	£2,259			
South Staffs	£5,000	£10,000	£15,000		£5,000		£2,500				
Stafford	£3,837	£8,800	£12,637	£7,278	£5,529		£3,103				
Staffordshire Moorlands	£2,902	£9,565	£12,467	£5,739	£4,783		£3,348	£1,913		£1,435	
<i>Tamworth BC</i>	£5,171	£12,942	£18,113	£9,706	£8,412		£5,823				
Highest	£6,034	£18,417	£24,130	£9,947	£9,208	£2,830	£9,039	£2,259		£3,699	
Lowest	£2,902	£8,800	£12,467	£5,739	£4,783	£2,259	£1,842	£1,130		£1,435	
Mean	£4,343	£13,337	£17,679	£8,524	£6,745	£2,545	£4,303	£1,767		£2,625	
Median	£4,540	£12,942	£16,875	£9,247	£5,955	£2,545	£3,348	£1,913		£2,740	
BM 2: Tamworth BC Comparator Group: Main Regulatory SRAs											

Authority	Chair of Planning	V/Chair of Planning	Chair of Licensing	V/Chair Licensing	Chair of Audit	Chair HR or Employment Appeals	Members HR Appeals	Chair Public Protection or Appeals	V/Chair Public Protection	Chair Standards	V/Chair Standards
East Staffs	£5,526		£5,526		£924					£924	
Cannock Chase	£4,322		£1,853		£1,853						
Lichfield	£6,250	£2,270	£2,270	£570	£2,270	£2,270				£50 p/meeting	
North Warwickshire	£4,983		N/A				£260			£293	
North West Leicestershire	£4,808		£4,808		£4,808						
Newcastle Under Lyme	£4,230	£1,410	£3,430	£1,130	£2,830			£3,430	£1,130	£2,830	£1,130
South Derbyshire	£9,039	£2,259	£2,259								
South Staffs	£2,500		£2,500		£2,500					£2,500	
Stafford	£4,067	£3,385	£1,523		£2,223	£3,611		£1,523		£902	
Staffordshire Moorlands	£3,348	£957	£3,348	£957		£1,913				£2,391	£478
Tamworth BC	£5,823		£5,823		£1,941						
Highest	£9,039	£3,385	£5,823	£1,130	£4,808	£3,611				£2,830	
Lowest	£2,500	£957	£1,523	£570	£924	£1,913				£293	
Mean	£4,991	£2,056	£3,334	£886	£2,419	£2,598				£1,640	
Median	£4,808	£2,259	£2,924	£957	£2,247	£2,270				£1,658	

BM 3: Tamworth Comparator Group Opposition & Other SRAs & Co-optees 2014/15

Authority	Main Opposition Leader	Main Opposition Deputy Leader	Other Opposition Group Leaders	Area Chairs	Other SRAs/Comments
East Staffs	£9,208		£1,842		Co-optees £211
Cannock Chase	£6,791				Chair Policy Development £1,853
Lichfield	£2,270	£570			£570 SRA to Chair of Parish Forum Co-optees £44 per meeting
North Warwickshire	£1,162 + £233 p/mbr	£1,745	£1,162 + £233 p/mbr	£873	£1,745 SRA to Chairs of Housing + Safer Communities Sub Committee
North West Leicestershire	£3,699				50% of 2nd SRA payable
Newcastle Under Lyme	£1,130		£1,130		Vice Chair of Audit £1,130
South Derbyshire	£9,039				Tele Allow £300
South Staffs	£2,500				
Stafford	£4,400		£2,900		£1,523 SRA to Chair of Joint Parking. SRAs for Planning Chair & Employee Appeals paid quarterly only if post holder has chaired a meeting that quarter
Staffordshire Moorlands	£3,348		£3,348		£1,913 SRA to Chair Constitution Review WP + Member Development Champion V/Chair of Employment Appeals £478
<i>Tamworth</i>	£5,823	£3,235			<i>Co-optees £45 p/meeting</i>
Highest	£9,208	£3,235	£3,348		
Lowest	£1,130	£570	£1,130		
Mean	£4,821	£1,850	£2,305		
Median	£4,050	£1,745	£2,371		

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Appendix 2

Costing of recommended changes to Members Allowances Scheme for 2015/16

Role	Current Special Responsibility Allowance (SRA)	Recommended SRA	Change for budget 2015/16
Leader of the Council	£12,942	£12,942	£0
Deputy Leader of the Council	£9,706	£9,706	£0
Member of Cabinet (other than Leader and Deputy)	£8,412	£8,412	£0
Chairs of Scrutiny Committees	£5,823	£5,823	£0
Chair of Planning Committee	£5,823	£5,823	£0
Chair of Audit & Governance Committee	£1,941	£3,235	£1,294
Chair of Licensing Committee	£5,823	£1,294	-£4,529
Chairs of Licensing Sub-Committees	£0	£45/90 per meeting	New proposal
Leader of the (larger) Oppositions Group	£5,823	£5,823	£0
Deputy Leader of the (larger) Opposition Group	£3,325	£3,325	£0
Deputy Leader of the (larger) Opposition Group (when group has 7 or less members)	£0	£1,941	New proposal
Leader of Minor Opposition Group (when group has 4 or more members)	£0	£1,294	New proposal
Effect on budget 15/16			-£3,235

Other proposed changes

Removal of reference to access to the Local Government Pension Scheme.

Discontinuance of mileage allowance for approved duties within the Borough.

Basic Allowance, SRA's and Co-optees Allowances indexed to the annual percentage salary increase for local government staff.

Dependant Carer Allowance indexed to the hourly minimum wage applicable to the age of the carer.

Mileage Allowance indexed to HMRC mileage rates.

Subsistence Allowances indexed to the same rates applicable to Officers.

NO CHANGE

To the member basic allowance currently £5,171

To the member performance framework.

The 1-SRA only rule confirmed with the exception of the SRA's paid to Chairs of Licensing Sub-Committees.

Co-optees allowance maintained at existing rates.

REVIEW

The Panel seeks to reconvene in 2 years time.

17TH MARCH 2015

REPORT OF THE LEADER OF THE COUNCIL

2015 PAY POLICY

EXEMPT INFORMATION

No

PURPOSE

This report details Tamworth Borough Council's Pay Policy Statement so that statutory guidance as set out in S38 of the Localism Act is adhered to.

RECOMMENDATIONS

That the committee approve the Pay Policy Statement to go forward to Cabinet and full Council for formal adoption in line with the Localism Act 2011.

That the Leader recommend to full council that the Chief Executive's Pay is increased by 2% from 1st January 2015 in line with all other Chief Officer grades.

EXECUTIVE SUMMARY

Under section 112 of the Local Government Act 1972, the Council has the "power to appoint officers on such reasonable terms and conditions as authority thinks fit". This Pay Policy Statement (the 'statement') sets out the Council's approach to pay policy in accordance with the requirements of Section 38 of the Localism Act 2011.

The purpose of the statement is to provide transparency with regard to the Council's approach to setting the pay of its employees by identifying;

- the methods by which salaries of all TBC employees are determined;
- the detail and level of remuneration of TBC's most senior staff i.e. 'chief officers', as defined by the relevant legislation;
- the Committees responsible for ensuring the provisions set out in this statement are applied consistently throughout the Council and recommending any amendments to the full Council.

Once approved by full Council, this policy statement will come into immediate effect and will be subject to review on a minimum of an annual basis in accordance with the relevant legislation prevailing at that time

Following recent National Joint Council (NJC for all employees) and Joint Negotiating Committee (JNC for chief officers) a pay settlement has been reached from 1st January 2015 to 31st March 2016.

The Leader has discretion to determine that the pay settlement will also apply to the Chief Executive pay band as to all other staff. And the recommendation of this report is that the 2% increase will also apply to the Chief Executive pay band from 1st January 2015. This will also impact on the responsibility allowance payable to the Deputy Chief Executive.

RESOURCE IMPLICATIONS

There are no resource implications associated with this report. All pay is accounted for with the Council Budget.

LEGAL/RISK IMPLICATIONS BACKGROUND

Section 38 of the Localism Act must be complied with by 1st April 2015. Therefore, so as to minimise risk this report must be approved by full Council before that date

SUSTAINABILITY IMPLICATIONS

BACKGROUND INFORMATION

The Council's first pay policy was introduced in 2012 and has been updated annually.

REPORT AUTHOR

Anica Goodwin, Director of Transformation and Corporate Performance x 225 and Christie Tims Head of Organisational Development x 215

LIST OF BACKGROUND PAPERS

Pay Policy 2014

APPENDICES

Appendix 1 Pay Policy 2015

Appendix2 NJC Circular

Appendix 3 JNC Circular

Appendix 4 TBC Pay rates and bands 2015



PAY POLICY 2015

Document Status: Final

Document Ref: HRPP2015

Originator: Christie Tims

Owner: Anica Goodwin

Version: 01.01.05

Date: 04.03.15

Approved by Appointments and Staffing / Cabinet / Full Council

Classification: SEC1 - Routine

Document Location

This document is held by Tamworth Borough Council, and the document owner is Anica Goodwin.

Printed documents may be obsolete; an electronic copy will be available on Tamworth Borough Councils Intranet. Please check for current version before using.

Revision History

Revision Date	Version Control	Summary of changes
17.01.13	2013	Update figures and spinal column points
09.01.14	2014	Reviewed & updated with 2013 pay settlement
10.02.15	2015	Updated following 2015 settlement
04.03.15	2015	Finalised figures based on recommendations of Leader & Appointments & Staffing Committee 26.2.15

Key Signatories

Approvals Creation and Major Change

Name	Title	Approved
Appointments & Staffing	Director of Transformation and Corporate Performance	26.02.15
Cabinet	Director of Transformation and Corporate Performance	12.03.15
Full Council	Leader of the Council	17.03.15

Approval Path

Major Change

Anica Goodwin

Tony Goodwin

Trade Union Liaison Group

Appointments & Staffing

CMT / Cabinet

Full Council

Action

Submission

Sponsor

Consultative Group

Approval

Corporate Approval

Council Approval

Document Review Plans

This document is subject to a scheduled annual review. Updates shall be made in accordance with business requirements and changes and will be with agreement with the document owner.

Distribution

The document will be available on the Intranet and published on our internet site.

Security Classification

This document is classified as SEC 1 Routine with access restricted to Tamworth Borough Council Staff and business partners.

PAY POLICY STATEMENT

Tamworth Borough Council

March 2015

Introduction and Purpose

Under section 112 of the Local Government Act 1972, the Council has the “power to appoint officers on such reasonable terms and conditions as authority thinks fit”. This Pay Policy Statement (the ‘statement’) sets out the Council’s approach to pay policy in accordance with the requirements of Section 38 of the Localism Act 2011. The purpose of the statement is to provide transparency with regard to the Council’s approach to setting the pay of its employees by identifying;

- the methods by which salaries of all employees are determined;
- the detail and level of remuneration of its most senior staff i.e. ‘chief officers’, as defined by the relevant legislation;
- the Committee responsible for ensuring the provisions set out in this statement are applied consistently throughout the Council and recommending any amendments to the full Council.

Once approved by the full Council, this policy statement will come into immediate effect and will be subject to review on a minimum of an annual basis in accordance with the relevant legislation prevailing at that time.

Legislative Framework

In determining the pay and remuneration of all of its employees, the Council will comply with all relevant employment legislation. This includes the Equality Act 2010, Part Time Employment (Prevention of Less Favourable Treatment) Regulations 2000, The Agency Workers Regulations 2010 and where relevant, the Transfer of Undertakings (Protection of Earnings) Regulations. With regard to the Equal Pay requirements contained within the Equality Act, the Council ensures there is no pay discrimination within its pay structures and that all pay differentials can be objectively justified through the use of equality proofed Job Evaluation mechanisms which directly relate salaries to the requirements, demands and responsibilities of the role. These are Hay for Chief Officer and Gauge for all other staffing groups.

We also need to take account of recent rulings and case law, including the recent ruling on Holiday Pay, which ensures all employees receive their regular earnings whilst on annual leave.

Pay Structure

Based on the application of the Job Evaluation process (Pay and Conditions Review); the Council uses the nationally negotiated pay spine (Appendix 2 - National Joint Council for Local Government Services, 2014-16 Pay Scales &

Allowances, Appendix 3 – Joint Negotiating Committee for Chief Officers & Local Authorities, Chief Officers Pay agreement 2014-16) as the basis for its local grading structure (Appendix 4). This determines the salaries of all of its employees. The Council remains committed to adherence with national pay bargaining in respect of the national pay spine and any annual cost of living increases negotiated in the pay spine.

All other pay related allowances are the subject of either nationally or locally negotiated rates, having been determined from time to time in accordance with collective bargaining machinery and/or as determined by Council Policy. Additional Payments Policy and Other Payments Policy specify such payments that may be made.

In determining its grading structure and setting remuneration levels for all posts, the Council takes account of the need to ensure value for money in respect of the use of public expenditure, balanced against the need to recruit and retain employees who are able to meet the requirements of providing high quality services to the community, delivered effectively and efficiently and at times at which those services are required.

New appointments will normally be made at the minimum of the relevant grade, although this can be varied where necessary to secure the best candidate. From time to time it may be necessary to take account of the external pay market in order to attract and retain employees with particular experience, skills and capacity. From 1st April 2015 the Council intends that no employee will be subject to such a payment, but retains the right within the Pay Policy to justify such a payment where necessary. The Council will ensure the requirement for such a payment (taking into account whole package comparisons) is objectively justified by reference to clear and transparent evidence of relevant market comparators, using appropriate data sources available from within and outside the local government sector in line with the Council's Market Supplement Policy.

Recruitment of Chief Officers

The Council's policy and procedures with regard to recruitment of chief officers is set out within the Officer Employment Procedure Rules as detailed in Part 4 / D55 of the Constitution. When recruiting to all posts the Council will take full and proper account of its own Equal Opportunities, Recruitment and Selection, Employment Stability and Re-engagement Policies. The determination of the remuneration to be offered to any newly appointed chief officer will be in accordance with the pay structure and relevant policies in place at the time of recruitment. Where the Council is unable to recruit to a post at the designated grade, it will consider the use of temporary market forces supplements in accordance with its relevant policies where this is appropriate.

Where the Council remains unable to recruit chief officers under a contract of service, or there is a need for interim support to provide cover for a vacant substantive chief officer post, the Council will, where necessary, consider and

utilise engaging individuals under 'contracts for service'. These will be sourced through a relevant procurement process ensuring the council is able to demonstrate the maximum value for money benefits from competition in securing the relevant service. The Council does not currently have any chief officers engaged under such arrangements.

Senior Management Remuneration

For the purposes of this statement, senior management means 'chief officers' as defined within S43 of the Localism Act. The posts falling within the statutory definition are set out below, with details of their basic salary and allowances as at 1st April 2015

Job Type / Allowance	Scale Pt	Salary	Car Allowance	Health Shield
Chief Executive	100	107,188.40	1,239.00	99.24
Deputy Register of Electors Allowance		1,336.00		
Deputy Head of Paid Service Responsibility		1,836.00		
Executive Director	CD4	82,399.00	1,239.00	99.24
Returning Officer		2,671.00		
Director	D9	73,578.00	1,239.00	99.24
Director	D9	73,578.00	1,239.00	99.24
"O" Licence Allowance		3,679.00	1,239.00	99.24
Director	D9	73,578.00	1,239.00	99.24
Director	D9	73,578.00	1,239.00	99.24
Director	D9	73,578.00	1,239.00	99.24
Director	D5	67,334.00	963.00	99.24
Solicitor & Monitoring Officer	D5	65,373.00	1,239.00	99.24
Head of Landlord Services	SM4	58,014.00	963.00	99.24

Additions to Salary of Chief Officers

The Council does not apply any bonuses or performance related pay to its chief officers.

In addition to basic salary, set out in the above table are details of other elements of 'additional pay' which are chargeable to UK Income Tax and do not solely constitute reimbursement of expenses incurred in the fulfillment of duties.

In terms of additional statutory appointments the Representation of the People Act 1983 requires the Council to appoint an Electoral Registration Officer and

a Returning Officer in order to fulfil the authority's duties carrying out the electoral registration and elections process. The appointed officer receives an annual remuneration calculated according to the number of registered electors. For the year commencing 1 April 2015 the annual payment will be £890.00. The payment is subject to income tax, national insurance and superannuation. In addition, the aforesaid officer can appoint in terms of the legislation Deputy Returning Officer(s) to assist with the election process, any payments made to such deputies are at the discretion of the statutory appointee, such payments are not superannuable.

Returning Officer/Registration of Electors duties are determined by Electoral Registration Officer Section 8 Representation of the People Act 1983 and Returning Officer Section 35 Representation of the People Act 1983. They are based on the size of the electorate multiplied by a figure set by County Council on an annual basis.

Deputy Head of Paid Service Responsibility Allowance is payable for duties undertaken in the absence of the Head of Paid Service. These are set by members on an annual basis.

Essential Car User Allowances as determined by the Council's Travel and Subsistence Policy and reviewed and updated in line with NJC rates.

License Payments are made in line with the Council's Additional Payments Policy – License Holder Payments approved as part of the Pay & Conditions Review 2007. The "O" License is for Vehicle Certificate of General Competence.

With the exception of progression through the incremental scale of the relevant grade being subject to satisfactory performance, which is assessed on an annual basis, the level of remuneration is not variable dependent upon the achievement of defined targets.

Payments on Termination

The Council's approach to statutory and discretionary payments on termination of employment of chief officers, prior to reaching normal retirement age, is set out within its policy statement in accordance with Regulations 5 and 6 of the Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations 2006. We have chosen not to adopt Regulations 12 and 13 of the Local Government Pension Scheme (Benefits, Membership and Contribution) Regulations 2007.

Any other payments falling outside the provisions (such as Settlement Agreements) or the relevant periods of contractual notice shall be subject to a formal decision made by the Head of Paid Service and Directors with delegated authority to approve such payments. These must be notified to members.

Publication

Upon approval by the full Council, this statement will be published on the Council's Website. In addition, for senior employee* posts where the full time equivalent salary is at least £50,000, the Council's Annual Statement of Accounts will include a note setting out the total amount of

- salary, fees or allowances paid to or receivable by the person in the current and previous year;
- any sums payable by way of expenses allowance that are chargeable to UK income tax;
- any compensation for loss of employment and any other payments connected with termination;
- any benefits received that do not fall within the above – including contribution to the person's pension

* As defined by in the Accounts & Audit (England) Regulations 2011

Lowest Paid Employees

The lowest paid persons employed under a contract of employment with the Council are employed on full time 37 hours equivalent salaries in accordance with the minimum spinal column point currently in use within the Council's grading structure. As at 1st January 2015, this is spinal column point 5, **£13,500** per annum until 1st October 2015, when the lowest spinal column point will be spinal column point 6 **£13,614**. The Council employs Apprentices or other such categories of workers who are not included within the definition of 'lowest paid employees' as they are employed under the National Minimum Wage for Apprentices.

The relationship between the rate of pay for the lowest paid and chief officers is determined by the processes used for determining pay and grading structures as set out earlier in this policy statement.

The statutory guidance under the Localism Act recommends the use of pay multiples as a means of measuring the relationship between pay rates across the workforce and that of senior managers, as included within the Hutton 'Review of Fair Pay in the Public Sector' (2010). The Hutton report was asked by Government to explore the case for a fixed limit on dispersion of pay through a requirement that no public sector manager can earn more than 20 times the lowest paid person in the organisation. The report concluded that the relationship to median earnings was a more relevant measure and the Government's Code of Recommended Practice on Data Transparency recommends the publication of the ratio between highest paid salary and the median average salary of the whole of the authority's workforce, which for Tamworth is currently **£20,253.00 (£24,472 excluding casual employees)**.

The current pay levels within the Council define the multiple between the lowest paid (full time equivalent) employee and the Chief Executive as **1:7.9** (excluding allowances) and; between the lowest paid employee and average chief officer as **1:5.3**. The multiple between the median average full time

equivalent earnings and the Chief Executive is **1:5.3 (1:4.4 excluding casual employees)** and; between the median average full time equivalent earnings and average chief officer as **1:3.5** (this excludes the Chief Executive and is 1:2.9 excluding casual employees) .

As part of its overall and ongoing monitoring of alignment with external pay markets, both within and outside the sector, the Council will use available benchmark information as appropriate.

Accountability and Decision Making

In accordance with the Constitution of the Council, the Appointments and Staffing Committee are responsible for decision making in relation to the recruitment, pay, terms and conditions and severance arrangements in relation to employees of the Council.

Where appropriate these may be delegated to the Head of Paid Service and Directors under the scheme of delegation.

Amendments to the Policy

This statement may be amended during the course of a financial year to reflect changes or developments in the authority's pay policy. However, section 39(5) of the Act requires that amendments can only be made by resolution of the full council and that any amended statement must be published as soon as is reasonably practicable.

Equality Impact Assessment

Is this a new or existing policy?	Existing		
1. Briefly describe the aims, objectives and purpose of the policy?	To provide clear and transparent guidance of how TBC Pay Policies interrelate and are formally approved by the full Council		
2. Are there any associated policy/ procedure/ practice which should be considered whilst carrying out this equality impact assessment?	All TBC Pay & Conditions Policies, NJC pay spines, Council Constitution		
3. Who is intended to benefit from this policy and in what way?	The general public in having clear visibility on how Local Government Pay is determined		
4. What are the desired outcomes from this policy?	Transparency		
5. What factors/ forces could contribute/ detract from the outcomes?	Ability to make payments to staff and chief officers		
6. Who are the main stakeholders in relation to the policy?	Trades unions all employees and Chief Officers		
7. Which individuals/ groups have been/ will be consulted with on this policy?	TULG, CMT, Members		
8. Are there concerns that the policy <u>could</u> have a differential impact on racial groups?	Y		Biennial review to assess any adverse impact on this group.
9. Are there concerns that the policy/ procedure/ practice <u>could</u> have a differential impact due to gender?	Y		Biennial review to assess any adverse impact on this group.
10. Are there concerns that the policy <u>could</u> have a differential impact due to them being transgender or transsexual?		N	Please explain
11. Are there concerns that the policy <u>could</u> have a differential impact due to disability?	Y		Biennial review to assess any adverse impact on this group.
12. Are there concerns that the policy <u>could</u> have a differential impact due to sexual orientation?		N	Please explain
13. Are there concerns that the policy <u>could</u> have a differential impact due to age?	Y		Biennial review to assess any adverse impact on this group.
14. Are there concerns that the policy <u>could</u> have a differential impact due to religious belief?		N	Please explain
15. Are there concerns that the policy <u>could</u> have a differential impact on Gypsies/ Travellers?		N	Please explain
16. Are there concerns that the policy <u>could</u> have a differential impact due to dependant/caring responsibilities?		N	Please explain
17. Are there concerns that the policy <u>could</u> have a differential impact due to them having an		N	Please explain

offending past?			
18. Are there concerns that the policy could have an impact on children or vulnerable adults?		N	Please explain
19. Does any of the differential impact identified cut across the equality strands (e.g. elder BME groups)?		N	Please explain
20. Could the differential impact identified in 8 – 19 amount to there being the potential for adverse impact in this policy/ procedure/ practice?		N	Please explain
21. Can this adverse impact be justified: <ul style="list-style-type: none"> • on the grounds of promoting equality of opportunity for one group? • For any other reason? 			Please explain
22. As a result of carrying out the equality impact assessment is there a requirement for further consultation?		N	Please explain
23. As a result of this EIA should this policy be recommended for implementation in its current state?	Y		Please explain

PLEASE COMPLETE THE FOLLOWING ACTION PLAN FOR ALL IMPACT ASSESSMENTS
Equality Impact Assessment Action Plan

Complete the action plan demonstrating the changes required in order to meet TBC's commitment to equality and diversity. The action plan must contain monitoring arrangements, the publishing of results and the review period required for this policy.

ACTION/ ACTIVITY	RESPONSIBILITY	TARGET	PROGRESS
Pay Review	Head of Organisational Development	31 st December 2013	Completed as part of Workforce Development Plan
	Head of Organisational Development	31 st December 2014	Equal Pay Review carried out
		31 st January 2016	
Monitoring arrangements:		Data collected 6 monthly	reports and updates to CMT/ Appts & Staffing Committee
Publication:		Internet and Intranet	
Review Period:		Reviewed annually	

End of Document

Classified: SEC1 Routine

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National Joint Council for Local Government Services

Employers' Secretary:

Sarah Messenger
Local Government House, Smith Square
London, SW1P 3HZ
Tel: 020 7187 7373 Fax: 020 7664 3030

Trade Union Secretaries

Fiona Farmer, Unite
Brian Strutton, GMB
Heather Wakefield, UNISON

Address for correspondence:

UNISON Centre
130 Euston Road
London NW1 2AY
Tel: 0845 3550845
Fax: 020 7551 1195

**To: Chief Executives in England, Wales and N Ireland
(copies for the Finance Director and HR Director)
Members of the National Joint Council**

14 November 2014

Dear Chief Executive,

2014-16 PAYSCALES & ALLOWANCES

Agreement has now been reached on rates of pay applicable from **1 January 2015**.

The new pay rates are attached at **Annex 1**.

Details of the non-consolidated payments to be paid in December 2014 (SCPs 5-49 only) and in April 2015 (SCPs 26-49 only) are attached at **Annex 2**.

The new rates for allowances up-rated in line with the pay increase of 2.20% are also set out at **Annex 3**.

It has been agreed that Spinal Column Point 5 (SCP5) will be deleted with effect from 1 October 2015. Therefore, employees on SCP5 shall progress to SCP6 on 1 October 2015.

NJC future work

Both Sides recognise that local government is undergoing a period of unprecedented change. The way that public services are designed and delivered is evolving at a rapid pace and against this background the NJC agrees that councils and their workforce need collective agreements that:

- reward employees fairly and recognise the diverse needs of the workforce
- attract, retain and train people with the skills needed for the future
- enable local service providers to react more quickly to changing circumstances
- facilitate effective partnership working and collaboration across organisations
- remove or modify existing barriers to ensure employees can move more easily between different public sector employers

The NJC remains committed to national collective bargaining and aims to ensure that the bargaining machinery can reflect and support new ways of working. The NJC will focus on

producing outputs that are relevant, fair and beneficial to both employers and those employed to provide public services.

Yours sincerely



Sarah
Messenger



Fiona
Farmer

Brian Strutton

Brian
Strutton



Heather
Wakefield

Joint Secretaries

NJC PAY SPINE 2014-16

SCP	1 Apr 13	1 Jan 15
5 (until 1 Oct 15)	£12,435	£13,500
6	£12,614	£13,614
7	£12,915	£13,715
8	£13,321	£13,871
9	£13,725	£14,075
10	£14,013	£14,338
11	£14,880	£15,207
12	£15,189	£15,523
13	£15,598	£15,941
14	£15,882	£16,231
15	£16,215	£16,572
16	£16,604	£16,969
17	£16,998	£17,372
18	£17,333	£17,714
19	£17,980	£18,376
20	£18,638	£19,048
21	£19,317	£19,742
22	£19,817	£20,253
23	£20,400	£20,849
24	£21,067	£21,530
25	£21,734	£22,212
26	£22,443	£22,937
27	£23,188	£23,698
28	£23,945	£24,472
29	£24,892	£25,440
30	£25,727	£26,293
31	£26,539	£27,123
32	£27,323	£27,924
33	£28,127	£28,746
34	£28,922	£29,558
35	£29,528	£30,178
36	£30,311	£30,978
37	£31,160	£31,846
38	£32,072	£32,778
39	£33,128	£33,857
40	£33,998	£34,746
41	£34,894	£35,662
42	£35,784	£36,571
43	£36,676	£37,483
44	£37,578	£38,405
45	£38,422	£39,267
46	£39,351	£40,217
47	£40,254	£41,140
48	£41,148	£42,053
49	£42,032	£42,957

NON-CONSOLIDATED PAYMENTS (see also Appendix)

SCP	December 14	April 15
5	£325	
6	£325	
7	£325	
8	£150	
9	£150	
10	£150	
11	£100	
12	£100	
13	£100	
14	£100	
15	£100	
16	£100	
17	£100	
18	£100	
19	£100	
20	£100	
21	£100	
22	£100	
23	£100	
24	£100	
25	£100	
26	£100	£3
27	£100	£7
28	£100	£10
29	£100	£14
30	£100	£18
31	£100	£22
32	£100	£26
33	£100	£29
34	£100	£33
35	£100	£36
36	£100	£39
37	£100	£43
38	£100	£47
39	£100	£52
40	£100	£56
41	£100	£60
42	£100	£65
43	£100	£69
44	£100	£73
45	£100	£77
46	£100	£81
47	£100	£85
48	£100	£89
49	£100	£93

Part 3 Paragraph 2.6(e) Sleeping-in Duty Payment

1 Jan 15
£34.00

**RATES OF PROTECTED ALLOWANCES AT 1 JAN 15
(FORMER APT&C AGREEMENT (PURPLE BOOK))**

Paragraph 28(3) Nursery Staffs in Educational Establishments - Special Educational Needs Allowance

1 Jan 15
£1,215

Paragraph 28(14) Laboratory / Workshop Technicians

City and Guilds Science Laboratory Technician's Certificate Allowance

1 Jan 15
£197

City and Guilds Laboratory Technician's Advanced Certificate Allowance

1 Jan 15
£144

Paragraph 32 London Weighting and Fringe Area Allowances £ Per Annum

Inner Fringe Area

1 Jan 15
£824

Outer Fringe Area

1 Jan 15
£573

Paragraph 35 Standby Duty Allowance - Social Workers (1)(a)(i) Allowance - Per Session

1 Jan 15
£27.35

FORMER MANUAL WORKER AGREEMENT (WHITE BOOK)

Section 1 Paragraph 3 London and Fringe Area Allowances £ Per Annum

Inner Fringe Area

1 Jan 15
£824

Outer Fringe Area

1 Jan 15
£573

Technical issues related to the non-consolidated payments

1. The payments are subject to the normal tax and national insurance requirements and are pensionable
2. The payments should be paid only to those employees who are in post on 1 December 2014. The payments are not 'back pay', so should not be paid to any employees who leave employment before 1 December
3. The payments should be paid on a pro-rated basis according to each council's established procedure for remunerating part-time employees
4. The payments should be paid to employees on SCPs 5, 6, 7, 8, 9 and 10 as indicated regardless of whether councils are already applying some form of Living Wage supplement
5. The payments should be paid to those on maternity leave whether in the paid or unpaid period at full rate (subject to appropriate pro-rating)
6. The payments should be paid to those on long-term sickness absence (even if on nil pay)
7. The payments should be paid at the relevant rate based on the current SCP at 1 December 2014, eg. an employee on SCP7 acting up to SCP12 should get the payment that applies to SCP12
8. The payments should be paid to those on adoption leave and parental leave
9. The payments should not be paid to employees on a career break at 1 December 2014
10. The payments do not apply to employees who are being paid above SCP49
11. If an employee has more than one contract, the payments should be paid pro-rata on each contract
12. Subject to any other exclusions, the payments should be paid to all employees whose pay is set in accordance with NJC for Local Government Services pay arrangements, regardless of whether they are on permanent or temporary contracts

Joint Negotiating Committee for Chief Officers of Local Authorities

**To: Chief Executives in England and Wales (N Ireland for information)
(copies for the Finance Director and HR Director)
Regional Directors
Members of the Joint Negotiating Committee**

2 February 2015

Dear Chief Executive,

CHIEF OFFICERS' PAY AGREEMENT 2014-16

Agreement has now been reached on rates of pay applicable from **1 January 2015**.

The individual salaries and salary scales of all officers within scope of the JNC for Chief Officers of Local Authorities should be increased by two per cent on guaranteed FTE basic salary¹ of £99,999² or less [as at 31 December 2014].

This pay agreement covers the period to 31 March 2016.

Yours faithfully,

Sarah Messenger
Brian Strutton

Joint Secretaries

cc Mike Short, UNISON

¹ 'Guaranteed FTE basic salary' should exclude other separately identified payments such as London area / fringe allowances or Returning Officer fees etc.

² The pay award applies only to those employees whose guaranteed FTE basic salary was £99,999 or less at 31 December 2014. The pay award should not be applied to the first £99,999 of salaries of £100,000 or more.

Employers' Secretary: Sarah Messenger Local Government Association Local Government House Smith Square London SW1P 3HZ info@local.gov.uk	Officers' Secretary: Brian Strutton GMB 22-24 Worples Road London SW19 4DD brian.strutton@gmb.org.uk
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TBC Grade Structure 2015

Appendix 3

	S.C.P.	2.2% Increase effective Jan 2015	
Grade			
1	5	£13,500	<i>deleted 01/10/15</i>
	6	£13,614	
2	7	£13,715	
	8	£13,871	
	9	£14,075	
	10	£14,338	
	11	£15,207	
3	12	£15,523	
	13	£15,941	
	14	£16,231	
	15	£16,572	
	16	£16,969	
	17	£17,372	
4	18	£17,714	
	19	£18,376	
	20	£19,048	
	21	£19,742	
	22	£20,253	
5	23	£20,849	
	24	£21,530	
	25	£22,212	
	26	£22,937	
	27	£23,698	
	28	£24,472	
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	37	£31,846	
	38	£32,778	
8	39	£33,857	
	40	£34,746	
	41	£35,662	
	42	£36,571	
9	45	£39,267	
	46	£40,217	
	47	£41,140	
	48	£42,053	
	49	£42,957	
	50	£44,030	
10	51	£45,148	
	52	£46,259	
Snr Mgt	ADE1	£52,437	
	ADE2	£54,111	
	ADE3	£55,784	
	ADE4	£58,015	
DIR1	D1	£57,346	
	D2	£59,014	
	D3	£61,243	
	D4	£63,469	
DIR2	D4	£63,469	
	D5	£65,373	
	D6	£67,334	
DIR3	D7	£69,354	
	D8	£71,435	
	D9	£73,578	
Exec Dir	CD2	£77,944	
	CD3	£80,170	
	CD4	£82,400	
Chief Exec	100	£107,188	

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COUNCIL

TUESDAY, 17 MARCH 2015

REPORT OF THE CHIEF EXECUTIVE

RELOCATION OF POLLING PLACE FOR THE TR4 AND TR5 POLLING DISTRICTS

EXEMPTION INFORMATION

None

PURPOSE

To advise Members of the need to relocate the polling place for the TR4 and TR5 polling districts from Dosthill Primary School to Dosthill Boys Club as the preferred alternative location following appeal and subsequent review by Officers and the Electoral Commission..

RECOMMENDATIONS

That the Council

1. Considers and endorses the Officer recommendation together with reasons for said proposal to relocate the polling place from Dosthill Primary School to Dosthill Boys Club for the TR4 and TR5 polling districts, and
2. Publish such information as prescribed in compliance with legislation.

EXECUTIVE SUMMARY

The Electoral Administration Act 2006 (EAA 2006) introduced a duty upon all Local Authorities to review their parliamentary polling districts and polling places at least once in every four year period. Local Authorities are required to divide every constituency into polling districts for the purpose of Parliamentary elections and to designate a polling place for each polling district. Polling places should be within the polling district unless special circumstances make it necessary to designate an area outside this.

The last such review was completed at the end of 2013. Since the conclusion of the last review an appeal has been submitted to the Electoral Commission under section 18D of the Representation of the People Act 1983. The appeal is in regard to Dosthill Primary School, the designated polling place for the TR4 and TR5 polling districts. The appeal states that the Council has failed to take sufficient account of the accessibility to disabled persons to the polling place and requests that the polling place is moved to an alternative location, namely Dosthill Boys Club (see Appendix A). It is expected following detailed discussion with the Electoral Commission that they will uphold the appeal and instruct the Authority to find an alternative location within the locality. It is Officers opinion that the Dosthill Primary School does not provide appropriate parking or access for disabled persons. The Dosthill Boys Club does provide ideal access and parking for all voting persons. In light of the pending elections on 7th May 2015 it is prudent that the proposed alternative arrangements are confirmed by

Members at the earliest point in order to ensure the provision of an appropriate venue reducing the risk of any further disruption in the election process as voting cards will have to be issued and notices advertised shortly on polling station locations in compliance with legislation.

RESOURCE IMPLICATIONS

The cost implications for moving are negligible, however, if the proposed relocation is not agreed then additional resource cost would be incurred and result in associated increased risk to the election process within the ward.

LEGAL/RISK IMPLICATIONS BACKGROUND

Perhaps the most fundamental point to make here is that there is no such thing within the Borough or possibly the country as a purpose built polling station. Secondly, none are owned/under the control of the Returning Officer but are instead hired for the day of poll. The premises that are used within the Borough range from church halls, schools, to community centres and finally temporary stations. It is important to remember the elector when selecting suitable premises for the poll. This can at times cause conflict between what premises are available and providing a fully accessible polling station that is convenient to use.

The Representation of the People Act 1983 places an obligation on local authorities, so far as reasonable and practicable, to designate polling places that are accessible to disabled people and keep them under review. When selecting a polling place it is essential that regard should be given to ensure it offers accessibility for disabled people as stated by the Equalities and Human Rights Commission. If the Authority was to move away from a perfectly accessible building in favour of a temporary station so that the location is slightly more convenient it could open the door for a claim regarding disability discrimination. Also, the generators that the temporary stations use tend to be loud and can cause difficulties for those that are hard of hearing as well as being unpleasant for polling staff. Conversely, if the Authority was to turn down the use of an accessible building in favour of one that is not as suitable for use by disabled people this could also increase the risk of a claim for disability discrimination. It is important to remember that despite the growth in absent voting the majority of electors (86%) still choose to attend their local polling station. As an appeal has been submitted to the Electoral Commission under Section 18D of the Representation of the People Act 1983 the Local Authority could ultimately be directed to move the polling place from Dosthill Primary School.

SUSTAINABILITY / EQUALITIES IMPLICATIONS

These have been considered as part of the officer determinations. The review has also considered disability and equality legislation on arriving at our conclusion and recommendations.

CONCLUSION

The current scheme has been in place since the last review and took effect for the 2014 elections. It is important to remember that the Electoral Commission have received representations from Parliamentary electors stating that the current polling place at Dosthill Primary School is unsuitable for electors with mobility issues and as such it is a requirement for the Council to look at finding an alternative polling place. From discussion with the Electoral Commission it is highly likely that they will uphold the appeal and an alternative

location will need to be found. It is Officers opinion that the Boys Club (Appendix A) provides an ideal alternative location which satisfies all the points of the appeal and issues raised by the Electoral Commission who have favourably responded to the alternative location.

It is not tenable financially or from an accessibility point of view to move to a temporary station as an appropriate site is not available within easy access. It is the Electoral Commission's view that the use of temporary stations should be avoided if at all possible.

It is therefore recommended by the Returning Officer after considering all the issues and alternative locations (albeit limited) that the Polling station be relocated to Dosthill Boys Club who have confirmed their willingness to provide the venue.

BACKGROUND INFORMATION

In accordance with the requirements of the Electoral Administration Act 2006 and Electoral Administration and Registration Act 2013 a review of polling stations with the Borough falling within the Tamworth Constituency was undertaken in 2013.

REPORT AUTHOR

Bernadette Flanagan
Senior Elections Officer

LIST OF BACKGROUND PAPERS

The Representation of People Act 1983
(<http://www.legislation.gov.uk/ukpga/1983/2/contents>)

The Electoral Administration Act 2006
(<http://www.legislation.gov.uk/ukpga/2006/22/section/16>)

The Electoral Registration and Administration Act 2013
(<http://www.legislation.gov.uk/ukpga/2013/6/contents>)

Electoral Commission – Review of polling districts, polling places and polling stations
(http://www.electoralcommission.org.uk/__data/assets/word_doc/0020/161633/Pollingdistrict-review-guidance.doc)

Appendices

Appendix A –Visit Report for Dosthill Boys Club

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Potential Polling place / polling station – evaluation checklist

Part A – Potential polling place details		
Polling place identifier	Dosthill Boys Club	
Polling place name	Dosthill Boys Club	
Polling place address	Cadogan Road Dosthill Tamworth B77 1PD	
Number of electors (If more than one polling station within the polling place, identify split of electors)	TR4 – 1,033 TR5 - 880	
Number of postal voters	TR4 – 169 TR5 – 176	
Building availability for future elections/referendums	Yes but must ensure that it is booked in advance.	
Polling place review		
Check	√	Comment
• Are there suitable transport links?	Yes	Bus stopped is located opposite.
• Are there any access issues regarding main/busy roads, railways, rivers, etc.?	No	
• Is the polling place capable of accommodating more than one polling station together with the necessary staff and equipment? If so, could it accommodate all allocated voters going in and out of the polling stations, even where there is a high turnout?	Yes	There are several room options depending on whether we would wish to house both polling stations here. These are either the Sports Hall or the Multi-Activity Room.
• Is the building readily available in the event of any unscheduled elections?	Yes	But as much notice as possible would need to be given.
• Is there any possibility that the building may be demolished as part of a new development?	No	

Identify any complaints/comments received from stakeholders at previous electoral events

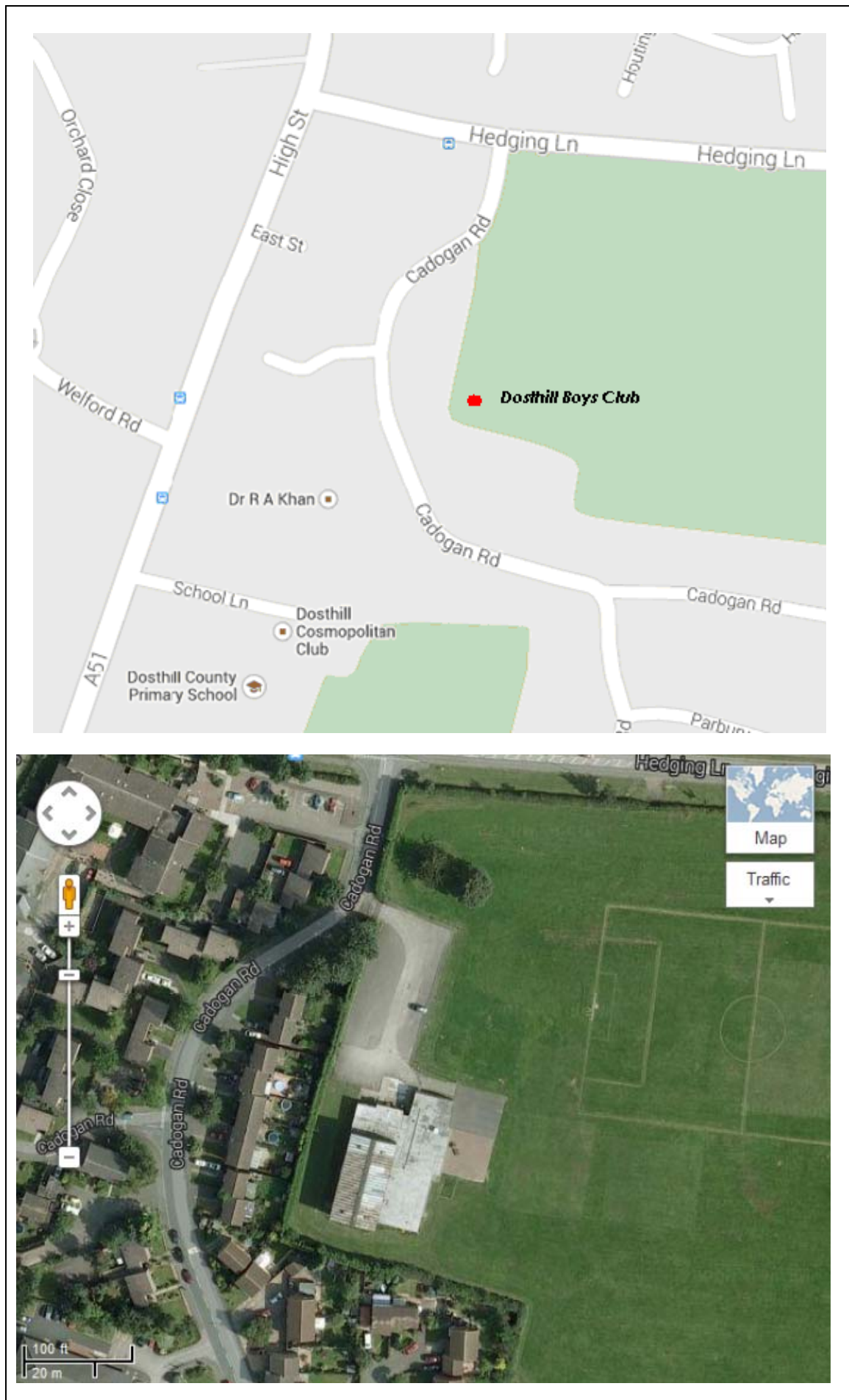
The Headteacher, Chair of Governors, The Boys Club, The Vicar of St Paul's Church (Dosthill) and parents from the school have put in a number of submissions asking that we look at other locations to house this polling station within the local area. Putting aside the issue of the school closing and the inconvenience this causes for parent the fact is that Dosthill Primary School is poorly laid out and causes access issues for voters with disabilities. The school can offer no solution to this. There is also no parking available at the school for disabled or able bodied electors. This has caused issues in the past particularly with disabled electors as they have been unable to park their vehicles and access the polling station. Even if disabled parking was available on site this would still require any disabled elector to walk the perimeter of the school into the polling station. It is worth noting that the authority may be open to a challenge by disabled electors should they not be able to access the polling station and financial implications may arise from this. The Boys Club is an excellent alternative and is an option that should be given the fullest consideration by Full Council. Fees would no be dissimilar to the fees currently paid to Dosthill Primary School. Costs for the rooms are as follows:

Multi-Activity Room = £256 (half this cost would be re-charged to NW Borough Council when they have elections)

Sports Hall = £336 (one third of which would be re-charged to NW Borough Council when they have elections.)

Part B – External areas access and facilities		
Check	(√)	Comments
• Are there good public transport links to the polling place?	Yes	Bus stop across the road
• Is the approach to the building safe and free from obstructions and does it have a dropped kerb?	Yes	The premises are accessed via a large car park to the front.
• Is the building clearly identifiable?	Yes	The building and location is extremely well known with this locale.
• Is additional signage required between street and entrance?		If additional signage is needed this could be placed upon the fence boarding the road
• Is there the facility to put up the required signage for polling day?	Yes	
• Are there parking facilities for disabled people?	Yes	There are several dedicated disabled parking spaces that are located to the front left of the main entrance.
• Are there parking facilities for polling staff?	Yes	
• Does the approach to the building have external lighting?	Yes	
• Does the building have level access? Yes/No. If no –	Yes	
• Has a purpose built ramp been installed?		
• If so, does it have a handrail?		
• Does the ramp have a gentle slope?		
• Does the building require a temporary ramp or is there an alternative disabled access?		
• Is the entrance door wide enough for a disabled person using a motorised wheelchair?	Yes	
• Are the doors light enough for frail/elderly voters to open?	Yes	
• Can the 'Guidance for voters' notice be clearly displayed outside the premises, as required by the election rules?	Yes	
• Are there any external security concerns?	No	
• Can tellers be accommodated outside the building?	Yes	There is a reception area with seating that could be used to by tellers.

External plan – B1



Part C – Internal areas access and facilities		
Check	(√)	Comments
• Are all doors easy to open (including by wheelchair users) or do they need to be permanently locked back?	Yes	
• Are there any internal steps or obstructions/hazards?	No	
• Are any doormats level with the floor?	Yes	
• Is the floor covering non-slip (including in wet weather)?	Yes	
• Are there any corridors that may cause access problems?	No	
• Is there adequate lighting in the corridors?	Yes	
• Are there toilet facilities?	Yes	Including disabled facilities.
• Is there a kitchen that staff can use?	Yes	
• Is the area adequately lit for day and night time?	Yes	
• Is there adequate space for signage?	Yes	
• How many polling stations can the building accommodate?	3/4	
• Does the building have a telephone available (land line) in the event of mobile network problems?	Yes	

Part D – The polling station(s)		
Check	(√)	Comments
<ul style="list-style-type: none"> Is there sufficient space to accommodate and manage the flow of a high volume of electors in the case of a high turnout of electors? 	Yes	
<ul style="list-style-type: none"> If multiple polling stations need to be provided, are there other rooms available, or can the space be clearly divided to provide adequate room for more than one polling station? 	Yes	The Sports Hall and Multi-Activity Room are large enough to accommodate multiple busy polling stations.
<ul style="list-style-type: none"> Is there sufficient space inside the polling station to comfortably accommodate staff, voters, polling agents and observers? 	Yes	
<ul style="list-style-type: none"> Could ballot booths be positioned in a way that would preserve the secrecy of the ballot, even where there may be a high volume of electors? 	Yes	
<ul style="list-style-type: none"> Is there adequate lighting for day and night time? 	Yes	
<ul style="list-style-type: none"> Is there suitable furniture (tables and chairs) available for all types of election for polling staff and for those voters who may need to rest? 	Yes	
<ul style="list-style-type: none"> Could motorised wheelchairs be accommodated? 	Yes	
<ul style="list-style-type: none"> Can the official notices be clearly displayed, including the large-print version of the ballot paper(s)? 	Yes	

Internal – The polling station(s) – D1

Entrance



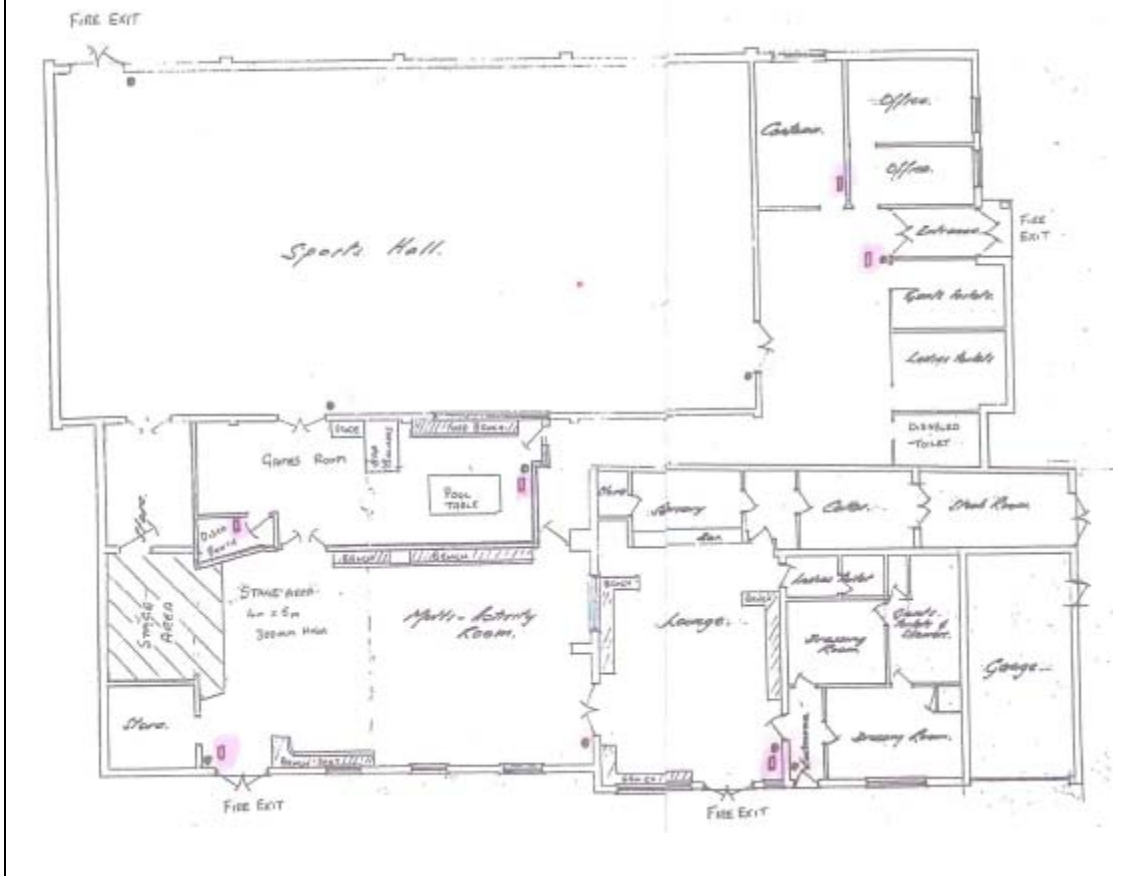
Option 1 The Multi-Activity Room – TR4 only (plus station from N Warwickshire BC)
Dimensions: 7.5m x 13.4m



Option 2 The Sports Hall – TR4 & TR5 (plus station from N Warwickshire BC)
Dimensions: 24m x 12m



Plan of Dosthill Boys Club



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