



Tuesday, 26 February 2019

Dear Sir/Madam

A meeting of the Council will be held on Wednesday, 6 March 2019 in the New Council Chamber, Town Hall, Foster Avenue, Beeston NG9 1AB, commencing at 7.00 pm.

Should you require advice on declaring an interest in any item on the agenda, please contact the Monitoring Officer at your earliest convenience.

Yours faithfully

Chief Executive

To Councillors:

E H Atherton	G Harvey
S A Bagshaw	R I Jackson
D Bagshaw	E Kerry
L A Ball BEM	S Kerry
J S Briggs	H G Khaled MBE
T P Brindley	L A Lally
M Brown	P Lally
D A Burnett BEM	W J Longdon
B C Carr	R D MacRae
S J Carr	G Marshall
M J Crow	J K Marsters
E Cubley	J W McGrath
T A Cullen	P J Owen
R H Darby	J M Owen
J A Doddy	J C Patrick
S Easom	M E Plackett
D A Elliott	M Radulovic MBE
L Fletcher	C H Rice
J C Goold	K E Rigby
M Handley	R S Robinson
J W Handley	P D Simpson
A Harper	A W G A Stockwell

A G E N D A

1. APOLOGIES FOR ABSENCE

2. DECLARATIONS OF INTEREST

Members are requested to declare the existence and nature of any disclosable pecuniary interest and/or other interest in any item on the agenda.

3. MINUTES

PAGES 1 - 16

To approve as a correct record the minutes of the Council meetings held on 19 December 2018.

4. MAYOR'S ANNOUNCEMENTS

5. REFERENCES

5.1 Finance and Resources Committee

PAGES 17 - 18

8 January 2019
Local Council Tax Support Scheme 2019/20

The Committee considered the arrangements to operate in 2019/20 in respect of the Local Council Tax Support Scheme (LCTSS).

The current scheme allows for up to 100% of the council tax liability to be paid in council tax support. The Council had benefitted from the overall bill for LCTSS falling from 2013/14 to 2016/17 as the numbers of claimants requiring support had reduced.

RECOMMENDED to Council that the current LCTSS remains in place for 2019/20.

5.2 Policy and Performance Committee

PAGES 19 - 20

6 February 2019
Management Restructure Update

RECOMMENDED to Full Council on 6 March 2019 the appointment of the interim Deputy Chief Executive to the role of section 151 officer, and AGREE to nominate members to appointment panels for the remaining three senior Management positions.

5.3 Finance and Resources Committee

24 January 2019

Pay Award and Review of Allowances

The Committee considered the recommendation of the Independent Remuneration Panel to adopt a 2% pay award for 2019/20 on allowances to be paid to members. It was proposed that no increase to members' allowances be made. On being put to the meeting the motion was carried.

RECOMMENDED to Council that there be no increase in allowances for members.

5.4 Finance and Resources Committee

PAGES 21 - 30

24 January 2019

Member Allowances

The Committee considered the level of allowance to be recommended to Council. It was proposed that no change to the existing remuneration policy or remuneration levels be made. On being put to the meeting the motion was carried.

RECOMMENDED to Council that no changes to the existing remuneration policy be approved.

6. BUSINESS RATES - NEW RETAIL DISCOUNT RATES RELIEF

PAGES 31 - 36

Following consideration by the Policy and Performance Committee on 6 February 2019 and the consequent recommendation to Council, it is requested that the proposed new business retail discount rates relief scheme for the 2019/20 and 2020/21 financial years be adopted.

7. OFFICER DELEGATED DECISIONS

PAGES 37 - 44

To update members on Officer Delegated Decisions.

8. PAY POLICY - 2019/20

PAGES 45 - 64

To seek Council approval for the Pay Policy Statement for 2019/20.

9. TO APPROVE THE REVENUE AND CAPITAL BUDGETS, CAPITAL STRATEGY, PRUDENTIAL INDICATORS, TREASURY MANAGEMENT STRATEGY, INVESTMENT STRATEGY, MEDIUM TERM GENERAL FUND FINANCIAL STRATEGY AND FIX THE COUNCIL TAX FOR THE YEAR COMMENCING 1 APRIL 2019

(Members should note that, in accordance with the Local Authorities (Standing Orders) (England) (Amendment Regulations 2014, there will be a recorded vote on this item).

The Finance and Resources Committee, at its meeting held on 14 February 2019, considered a report dealing with:

- Budget consultation,
- Impact Analysis,
- Housing Revenue Account budget and council house rents 2019/20,
- General Fund Revenue Budget 2019/20,
- Capital Programme 2019/20 to 2021/22,
- Capital Strategy 2019/20 to 2021/22 including Prudential Indicators
- Treasury Management Strategy 2019/20 to 2021/22
- Investments Strategy 2019/20 to 2021/2022
- General Fund Medium Term Financial Strategy to 2022/23.

The report is available in the Members Room and is included at:

<https://www.broxtowe.gov.uk/about-the-council/councillors-committees/agendas-minutes-for-meetings/finance-resources-committee/>

Copies are also available on request.

The minutes which reflect the recommendations as agreed by the Committee are available at:

<https://www.broxtowe.gov.uk/about-the-council/councillors-committees/agendas-minutes-for-meetings/finance-resources-committee/>

The recommendations from that report have been referred to the Council for resolution and these are set out below together with the resolution to fix the Council Tax for the 2019/20 financial year.

The precept figures for Nottinghamshire County Council have not been confirmed at the time of printing these papers. These will be considered and resolved at a meeting to be held on 28 February 2019. Any changes resulting from that meeting will be reflected in sections 4 and 5 of the resolution and presented at the Council meeting on 6th March 2019.

The Council is asked to RESOLVE that:

1. The recommendations arising from the Finance and Resources Committee meeting of 14 February 2019 as set out below be approved and adopted.

- The Housing Revenue Account Budget as submitted by approved.
- The General Fund Revenue Budgets as submitted be approved.
- The Capital Submissions and Priorities within them be approved.
- The Interim Deputy Chief Executive be authorised to arrange the financing of the capital programme as necessary.
- An amount of £25,000 be provided for General Contingency in 2019/20.
- The Council Tax Requirement for 2019/20 including special expenses (but excluding local precepting requirements) be £5,475,252.
- An amount of £350,720 be withdrawn from the General Fund reserve in 2019/20.
- An amount of £264,325 be withdrawn from non-earmarked reserves in 2019/20.
- The Capital Strategy be approved.
- The Minimum Revenue Provision policy as set out be approved.
- The Treasury Management Statement be approved.
- The General Fund Medium Term Financial Strategy be approved.

2. It be noted that, at its meeting on 8 January 2019, The Finance and Resources Committee approved the following amounts for the year 2019/20 in accordance with the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012:

(a) 33674.71 being the amount calculated by the Council, in accordance with regulation 3 of the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012, as its council tax base for the year.

(b) Part of the Council's area

Parish of Awsworth	615.03
Parish of Brinsley	698.95
Parish of Cossall	208.48
Parish of Eastwood	2,791.97
Parish of Greasley	3,663.94
Parish of Kimberley	1,804.75

Parish of Nuthall	2,268.75
Parish of Stapleford	4,051.19
Parish of Trowell	821.17
Beeston Special Expense Area	16,569.21

being the amounts calculated by the Council, in accordance with regulation 6 of the Regulations as the amounts of its council tax base for the year for dwellings in those parts of its area to which one or more special items relate.

The amount calculated for dwellings in those parts of its area to which no special item relates is 181.27.

3. The following amounts be now calculated by the Council for the year 2019/20 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992 (the Act) as amended:

(a) £54,371,430 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (2) of the Act.

(b) £48,044,857 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (3) of the Act.

(c) £6,326,573 being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council, in accordance with Section 31A (4) of the Act, as its council tax requirement for the year.

(d) £187.87 being the amount at 3(c) above divided by the amount at 2(a) above, calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its council tax for the year.

(e) £876,321 being the aggregate amount of all special items (including parish precepts and special expenses) referred to in Section 34(1) of the Act.

(f) £161.85 being the amount at 3(d) above less the result given by dividing the amount at 3(e) above by the amount at 2(a) above, calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its council tax for the year for dwellings in those parts of its area to which no special item relates.

(g) Part of the Council's Area

Parish of Awsworth	£291.92
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Parish of Brinsley	£255.17
Parish of Cossall	£217.16
Parish of Eastwood	£198.81
Parish of Greasley	£217.41
Parish of Kimberley	£228.00
Parish of Nuthall	£215.13
Parish of Stapleford	£180.22
Parish of Trowell	£250.91
Beeston Special Expense Area	£163.36

being the amounts given by adding to the amount at 3(f) above the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned above divided in each case by the amount at 2(b) above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its council tax for the year for dwellings in those parts of its area to which one or more special items relate.

h) PART OF THE COUNCIL'S AREA	VALUATION BANDS							
	A £	B £	C £	D £	E £	F £	G £	H £
Parish of Awsworth	194.61	227.05	259.48	291.92	356.79	421.66	486.53	583.84
Parish of Brinsley	170.11	198.47	226.82	255.17	311.87	368.58	425.28	510.34
Parish of Cossall	144.77	168.90	193.03	217.16	265.42	313.68	361.93	434.32
Parish of Eastwood	132.54	154.63	176.72	198.81	242.99	287.17	331.35	397.62
Parish of Greasley	144.94	169.10	193.25	217.41	265.72	314.04	362.35	434.82
Parish of Kimberley	152.00	177.33	202.67	228.00	278.67	329.33	380.00	456.00
Parish of Nuthall	143.42	167.32	191.23	215.13	262.94	310.74	358.55	430.26
Parish of Stapleford	120.15	140.17	160.20	180.22	220.27	260.32	300.37	360.44
Parish of Trowell	167.27	195.15	223.03	250.91	306.67	362.43	418.18	501.82
Beeston Special Expense Area	108.91	127.06	145.21	163.36	199.66	235.96	272.27	326.72
All other parts of the Council's Area	107.90	125.88	143.87	161.85	197.82	233.78	269.75	323.70

being the amounts given by multiplying the amounts at 3(f) and 3(g) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in Valuation Band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

4. That it be noted for the year 2019/20 the Nottinghamshire and City of Nottingham Fire and Rescue Authority, Nottinghamshire County Council and the Nottinghamshire Police and Crime Commissioner are proposing the following amounts in precepts issued to the Council, in accordance with Section 40 of the Act, for each of the categories of dwellings shown below:

Precepting Authority	VALUATION BANDS							
	A £	B £	C £	D £	E £	F £	G £	H £
Nottinghamshire County Council	984.04	1,148.05	1,312.05	1,476.06	1,804.07	2,132.09	2,460.10	2,952.12
Nottinghamshire Police and Crime Commissioner	146.22	170.59	194.96	219.33	268.07	316.81	365.55	438.66
Nottinghamshire and City of Nottingham Fire and Rescue Authority	53.20	62.07	70.93	79.80	97.53	115.27	133.00	159.60

5. That, having calculated the aggregate in each case of the amounts at 3(h) and 4 above, the Council, in accordance with Section 30(2) of the Act, hereby sets the following amounts as the amounts of council tax for the year 2019/20 for each of the categories of dwellings shown below:

PART OF THE COUNCIL'S AREA	VALUATION BANDS							
	A £	B £	C £	D £	E £	F £	G £	H £
Parish of Awsworth	1,378.07	1,607.76	1,837.42	2,067.11	2,526.46	2,985.83	3,445.18	4,134.22
Parish of Brinsley	1,353.57	1,579.18	1,804.76	2,030.36	2,481.54	2,932.75	3,383.93	4,060.72
Parish of Cossall	1,328.23	1,549.61	1,770.97	1,992.35	2,435.09	2,877.85	3,320.58	3,984.70
Parish of Eastwood	1,316.00	1,535.34	1,754.66	1,974.00	2,412.66	2,851.34	3,290.00	3,948.00
Parish of Greasley	1,328.40	1,549.81	1,771.19	1,992.60	2,435.39	2,878.21	3,321.00	3,985.20
Parish of Kimberley	1,335.46	1,558.04	1,780.61	2,003.19	2,448.34	2,893.50	3,338.65	4,006.38
Parish of Nuthall	1,326.88	1,548.03	1,769.17	1,990.32	2,432.61	2,874.91	3,317.20	3,980.64
Parish of Stapleford	1,303.61	1,520.88	1,738.14	1,955.41	2,389.94	2,824.49	3,259.02	3,910.82
Parish of Trowell	1,350.73	1,575.86	1,800.97	2,026.10	2,476.34	2,926.60	3,376.83	4,052.20
Beeston Special Expense Area	1,292.37	1,507.77	1,723.15	1,938.55	2,369.33	2,800.13	3,230.92	3,877.10
All other parts of the Council's Area	1,291.36	1,506.59	1,721.81	1,937.04	2,367.49	2,797.95	3,228.40	3,874.08

BROXTOWE BOROUGH COUNCIL

COUNCIL MEETING

19 DECEMBER 2018

Councillor D A Burnett BEM, Mayor

Councillors:	E H Atherton	G Harvey
	S A Bagshaw	R I Jackson
	D Bagshaw	E Kerry
	L A Ball BEM	L A Lally
	J S Briggs	P Lally
	T P Brindley	W J Longdon
	M Brown	R D MacRae
	B C Carr	G Marshall
	S J Carr	J K Marsters
	M J Crow	J W McGrath
	E Cubley	P J Owen
	R H Darby	J M Owen
	J A Doddy	J C Patrick
	S Easom	M E Plackett
	D A Elliott	M Radulovic MBE
	L Fletcher	C H Rice
	J C Goold	R S Robinson
	A Harper	P D Simpson

Also in attendance: W Mee, Youth Mayor and F Hussain, Deputy Youth Mayor

Apologies for absence were received from Councillors T A Cullen, M Handley, J W Handley, S Kerry, H G Khaled MBE, K E Rigby and A W G A Stockwell.

54. DECLARATIONS OF INTEREST

There were no declarations of interest.

55. FREEMAN OF THE BOROUGH

It was proposed by Councillor J C Patrick and seconded by Councillor E H Atherton that:

“Neville Bostock being a person who has rendered eminent services to the Borough within the meaning of the Local Government Act 1972, be admitted as an Honorary Freeman of the Borough of Broxtowe.

That a Certificate of Admission be presented to Neville Bostock.”

On being put to the meeting, it was **RESOLVED** that, in pursuance of Section 249 of the Local Government Act 1972, the distinction of Honorary Freeman of the Borough of Broxtowe be conferred upon Neville Bostock, who has, in the opinion of the Council, rendered eminent service to the community of the Borough and as an expression of the high regard in which he is held by the members of the Council and his fellow citizens.

The Mayor presented to Neville Bostock the Certificate of his Admission as an Honorary Freeman of the Borough and Neville Bostock thanked the Council for the honour conferred upon him.

56. HONOURS BOARD

The Honours Boards were unveiled by the Mayor.

BROXTOWE BOROUGH COUNCIL

COUNCIL MEETING

19 DECEMBER 2018

Present: Councillor D A Burnett BEM, Mayor

Councillors:	E H Atherton	G Harvey
	S A Bagshaw	R I Jackson
	D Bagshaw	E Kerry
	L A Ball BEM	L A Lally
	J S Briggs	P Lally
	T P Brindley	W J Longdon
	M Brown	R D MacRae
	B C Carr	G Marshall
	S J Carr	J K Marsters
	M J Crow	J W McGrath
	E Cubley	P J Owen
	T A Cullen	J M Owen
	R H Darby	J C Patrick
	J A Doddy	M E Plackett
	S Easom	M Radulovic MBE
	D A Elliott	C H Rice
	L Fletcher	R S Robinson
	J C Goold	P D Simpson
	A Harper	

Also in attendance: W Mee, Youth Mayor and F Hussain, Deputy Youth Mayor

Apologies for absence were received from Councillors M Handley, J W Handley, S Kerry, H G Khaled MBE, K E Rigby and A W G A Stockwell.

57. DECLARATIONS OF INTEREST

There were no declarations of interest.

58. MINUTES

The minutes of the meetings held on 17 October and 21 November 2018 were confirmed and signed as a correct record.

59. MAYOR'S ANNOUNCEMENTS

The Mayor gave a résumé of his engagements since the last Council meeting, which included his attendance at numerous engagements and a variety of fundraising events.

60. YOUTH MAYOR'S REPORT ON BROXTOWE YOUTH VOICE ACTIVITIES

The Youth Mayor, Will Mee, updated the meeting on the work of Broxtowe Youth Voice and his attendance at various events such as remembrance parades and the switch-on Christmas lights.

61. PRESENTATION OF PETITIONS

No petitions were presented.

62. LEADER'S REPORT

The Leader presented his report and stated that the part 2 Local Plan Examination Hearing sessions took place over two weeks from 4 December and finished on 13 December 2018.

He stated that despite the pressure applied by many in the development industry the Inspector appeared to accept the point made by the Council that the sites put forward in the Plan did meet the overall housing requirements, both in terms of overall numbers and the distribution as set out in the Core Strategy. It is also an endorsement of the extensive preparation work that went into the Plan that the majority of town and parish councils and neighbourhood forums who are in the process of preparing their own neighbourhood plans, were broadly in support of the approach the Council is taking with the Part 2 Local Plan. Many of them appeared at the examination hearing sessions and for two of the largest and complex sites, Chetwynd and Toton, the Chetwynd Neighbourhood Forum were supportive of the approach taken and the Leader thanked them and others for their support. The final stage, on the basis of receiving an Inspector's report recommending adoption of the Plan, was to prepare a report for Full Council to enable the Plan to be adopted. This was likely to be after the local elections in May.

Further progress had been made on the redevelopment of the Beeston Town Centre site and the Leader had visited two of the three Cinema operators who were interested in coming to Beeston and negotiations were at an advanced stage.

A new house-building delivery plan was presented to the Housing Committee which sets out an ambitious new programme of house building through the Council's Housing Revenue Account, due to the government's relaxations on the debt cap, existing available revenue within the HRA and capital receipts from right to buy sales. The recent Housing and Finance Committees had approved the building of two new dementia friendly bungalows on the old market site on Willoughby Street. Beeston. Other opportunities for similar developments were being looked for.

It was reported at 31 March 2018 the general fund reserves were £6.044 million compared to £4.338 million at 31 March 2015. This reflected a great team effort in managing financial resources efficiently and effectively and delivering the Council's corporate priorities.

(Councillor R S Robinson left the meeting following the item thereon.)

63. PUBLIC QUESTIONS

63.1 The following question was submitted by Lewis Bryan for the Chair of the Community Safety Committee:

"Myself and my partner witnessed an increased number of anti-social behaviour incidents by young people during the start of the new academic year. In one recent incident my female partner witnessed three young men urinating outside the entrance to our apartment complex.

What actions have and will Broxtowe Borough Council take to ensure young new arrivals into the area respect the community they live, study and work within?"

The Chair of the Community Safety Committee responded that there were over 60,000 students studying at further education establishments in the Greater Nottingham area. While the majority of these lived in Nottingham City, some lived in the surrounding boroughs, including Broxtowe.

Broxtowe Borough Council recognised that a large percentage of these students were young people who were living away from parental controls for the first time in their lives and this could, in some cases, lead to a reduction in social responsibility and respect for their community. While this may have been understandable, it was clearly not acceptable. Anti-social behaviour could take many forms including noise from dwellings, noise in the street, as well as behaviour brought about by consumption of excess alcohol.

The Council had powers to deal directly with some anti-social behaviour (for example noise from dwellings), but also worked with a number of partners to try and minimise other aspects of such behaviour and increase respect amongst the student population for the communities in which they lived. The role of the universities themselves and Nottinghamshire Police were much bigger in this regard than that of the Council.

The Communities Team of the Public Protection Division was co-located with Nottinghamshire Police in Beeston. This enabled both organisations to work very closely on a range of issues, including dealing with anti-social behaviour. Officers from the police attended Freshers' Week to deliver advice and information and represent both teams at this event.

Every student at Nottingham Universities signed up to the Student Charter. These had been developed and agreed in partnership with the Students' Union. They sought to describe the environment, relationships and mutual expectations which underpinned the student experience at the University of Nottingham and Nottingham Trent University. They also contained a Code of Discipline (Nottingham University) and Code of Behaviour (Nottingham Trent). The purpose of these was to ensure that good standards of communal life were maintained. Both set out that students were expected to adhere to the regulations, procedures and policies of the University, to show respect for the persons within, and for the property of, the University and the wider community. Where the University believed that the behaviour of a student fell below the expected standards, the procedures in the Codes could be instigated. The Codes extended to alleged misconduct by a student occurring on or off University premises and where the affected party was the University itself, a member of the community, or a visitor.

Ultimately, legal sanctions for anti-social behaviour could be applied against individuals, but as with any offence, this relied on evidence and perpetrators being identified. However, the Council and other partners would seek to advise and change behaviours in the first instance, with the ultimate aim of producing a community where all could enjoy their own lifestyle without causing alarm or distress to others.

- 63.2 The following question was submitted by Lyn Harley for the Chair of the Jobs and Economy Committee:

“The village of Trowell has been subjected to odours, dust, noise and excessive HGV traffic for many years from Quarry Hill Industrial Estate, the latest application which was passed by Derby County Council allows a waste recycling company to operate within a building from 04.00 until 23.00 Monday to Friday, 04.00 to 19.00 Saturdays, Sundays & Bank Holidays, with extended operations on all other parts of the site from 07.00 to 19.00 Monday to Friday and 07.00 to 13.00 Saturday to 06.00 to 19.00 six days a week. Broxtowe Borough Council or Trowell Parish Council were not consulted. This site is about 750 metres from Trowell when are BBC going to act on behalf of the residents of Trowell to mitigate the damage being done to their health, environment and living conditions.”

The Chair of the Jobs and Economy Committee responded that the licence for this activity was issued by Derbyshire County Council. This Council intended to write to Derbyshire County Council to ask, on behalf of residents of Trowell, that Derbyshire County Council take the necessary steps available to minimise disturbance to nearby residents as a result of this activity and also to ensure that the impacts on Trowell residents were taken fully into account when this licence became necessary for renewal.

- 63.3 The following question was submitted by Don Pringle for the Chair of the Jobs and Economy Committee:

“In July 2025 HS2 Limited will commence work in close proximity to Trowell on 6 Construction Compounds, Building the Viaduct, Realigning the M1, building a bridge over Stapleford Road (A6007), commence major earth moving operations between Trowell garden Centre and the M1, commencing major earthworks on Trowell Moor, closing 7 footpaths permanently, followed by a bridge over Nottingham Road (A609) in mid-2026. This work will be completed between 2027 and 2031. How do Broxtowe Borough Council (BCC) plan to get HS2 Ltd to mitigate the damage about to be inflicted on the residents of Trowell, and will this be addressed if and when BCC respond to the Consultation ending at 23.45 on the 21st of December. Trowell Residents need to be able to travel to work, take children to and from school, enjoy a social life and shop for food during this period of construction.”

The Chair responded that the Council’s Jobs and Economy Committee considered this matter at its meeting on 17 December and the Council would be writing to HS2 to ask that the negative impacts of the construction work were minimised and also that unavoidable effects were mitigated as fully as possible. A number of points were discussed at the Committee meeting, including the need to ask that all construction traffic for the station utilised the new access road to the station, therefore keeping disturbance to a minimum to surrounding communities. Additionally, that there must be access maintained on both sides of the railway line to Stapleford and Sandiacre during construction, that the loss of the local nature reserve at Toton was avoided, that

the Greenwood Community Centre was not demolished, other demolitions were kept to the minimum that was necessary and that bridge arrangements over existing roads were fit for purpose during construction work.

- 63.4 The following question was submitted by Debby Pitchfork for the Leader of the Council:

“The report of the Interim Monitoring Officer lists a number of procedures that should be put in place for future sales of council-owned assets, implying that no such protections were previously in place. Moreover, the council has not produced any clear criteria that were used for determining the selection of land for sale and the order in which it was sold. To what extent do you feel that the move to sell off council-owned garage sites without criteria for site selection and clear protections in place contribute to the Redwood Crescent situation and the council's breach of its legal responsibilities?”

The Leader responded that following the incident a new policy had been developed and adopted, which set out a clearer framework for decision making relating to surplus assets. It was not wrong to sell-off assets such as garage sites which were under-utilised, unoccupied, redundant or unproductive, as long as all the appropriate formalities and safeguards were complied with. The Leader stated that he was satisfied that lessons had been learnt from the experience of what happened at Redwood Crescent.

- 63.5 The following question was submitted by David Johnson for the Leader of the Council:

“No background papers are provided with the Interim Monitoring Officer's report. When might we expect papers upon which the officer based his report to be released?”

The Leader responded that the material relied on by the Interim Monitoring Officer was exempt and so not listed on the report. In response to Freedom of Information requests the Council had already released as much background material as it could legally produce without prejudicing proceedings which had recently concluded or which may be anticipated in the future.

- 63.6 The following question was submitted by Graham Lockwood for the Chair of the Jobs and Economy Committee:

“I understand that at last week's full Council meeting of Erewash Borough Council on 13th December, where their HS2 mitigation plans were hotly debated, it was surprising to hear them declare that tunnelling under our joint areas had been turned down twice. However, when questioned at their last road show HS2 Ltd stated they had never been formally asked to consider a tunnelling option. In our previous question this evening you heard what will happen to Trowell, Broxtowe (Trowell and Stapleford) and Erewash (particularly Long Eaton) will be the most affected areas in The East Midlands, why do you not both combine and jointly petition HS2 Ltd to properly cost the tunnel option, making sure that is measured against the cost/effect 6 years of major construction will have on the business and public economy in Nottinghamshire and Derbyshire.”

The Chair of the Jobs and Economy Committee responded that Broxtowe was a member of the HS2 Mitigation Board which had commissioned work to investigate the

potential for a tunnel to minimise the impact on residents and businesses in Broxtowe. It was understood that the work would be very costly, but the Council could include a response to the current consultation that HS2 fully investigate this option as part of their ongoing mitigation work.

63.7 The following question was submitted by Kath Johnson for the Leader of the Council:

“The Interim Monitoring Officer's report states that the council were legally bound by the option agreement. However, given that concerns were raised with the Council months before the sale went through, what attempts, if any, were made to negotiate the matter with the purchaser?”

The Leader responded that there was no evidence of attempts to negotiate a buy-back of the land from the Developer. Given the Developer's wish and steadfast intent to develop the land for modular housing development it seemed highly unlikely that this would have been a course of action that would have been possible without incurring additional costs.

63.8 The following question was submitted by Robert Pitchfork for the Leader of the Council:

“Prior to the September 2017 Planning Committee, residents and developers had agreed to a process of mediation run through the council's own mediation service. Without notifying residents, this process was cancelled shortly before the committee and the developers agreed with the Chief Executive that there would be just one meeting, of which residents received very short notice. Upon speaking to the Chief Executive, I was told that there was no other option and that this was the only meeting that would happen. At the meeting with the developers, we were told by them, in front of several witnesses, that if they did not get planning permission at the September 2017 Planning Committee, they would have to pull out. This would have offered a way out of the option agreement for the council. On this basis, to what extent does the council leadership feel responsible for the sale and all of the difficulties that followed?”

The Leader responded that the questioner posed a hypothetical situation regarding what might have occurred if the Developer had taken a certain course of action. It would not have been helpful for him to speculate on what might have happened in those circumstances, although he had ensured that the full facts on what actually did occur or did not occur, which were known, had been made public as soon as this had been practically possible to share the information.

63.9 The following question was submitted by Lindsay Clay for the Leader of the Council:

“The report states that the sale price of £60,000 for Redwood Crescent was considered to be within a range of value in all the circumstances and so a definitive judgement about whether the best consideration was obtained for the land could not be made. However, this value range covers the land if it had planning permission and if it did not. The value given for the land without planning permission was £30,000; the value with planning permission was £120,000. The trigger for the option agreement was that the developer would have to get planning permission. In that context, surely the accepted price of £60,000 was far below what might have been obtained if the sale of the land was advertised and a range of potential bidders approached?”

The Leader responded that it was difficult to speculate about what might have been the outcome if different choices had been made. If more units of accommodation had been permitted to be built on the land, a higher price might have been obtainable, however this would not have been in accordance with the preferences of local residents.

63.10 The following question was submitted by Kris Poole for the Leader of the Council:

“The Interim Monitoring Officer’s report states that the only record of approaches to developers other than Precision Homes about the sale of land at Redwood Crescent is a statement made by a council officer. This same officer could not name any such companies and has since been dismissed for their actions. In the absence of any corroborating evidence, is the Leader of the Council therefore willing to accept that Precision Homes was the only company approached, or is this a matter that residents will need to refer to the Information Commissioner and Local Government Ombudsman?”

The Leader responded that the position was as outlined in the report to Council. He further stated that he was not aware of any additional information to that which had been stated in the report. He was satisfied that there had been a proper process of holding to account for what had occurred, and had made a public apology on behalf of the Council for what had gone wrong which he repeated in response to the question.

64. MEMBERS’ QUESTIONS

64.1 The following question had been submitted by Councillor R D MacRae for the Leader of the Council:

“As you know both Councillor John McGrath and myself have asked several times if we can restart the Stapleford Working Group. We have been told this is not going to happen but told there will be a meeting with ALL Ward Councillors to discuss matters relating to Stapleford. My question is when will this meeting take place?”

The Leader responded that there was an intention to circulate potential dates to ward councillors in early January with a view to holding the meeting in late January or early February.

64.2 The following question had been submitted by Councillor J W McGrath for the Chair of the Housing Committee:

“Councillor Kerry, at the last Housing Committee meeting, it was announced that we as a Council intend to build 230 affordable houses, can we have a breakdown of how we are going to achieve this?”

The Chair responded that members of the Housing, Finance and Resources and Policy and Performance Committees would know that there were plans to build two new dementia friendly bungalows in Willoughby Street, Beeston. These would be delivered through the Capital Works Team. Proposals would be presented to the next Policy and Performance Committee to augment the Capital Works Team to build more capacity to increase delivery of social affordable and intermediate housing schemes to meet the target set by the Housing Committee.

The Chief Executive and Deputy Chief Executive were having systematic meetings with a range of registered social housing providers to explore potential partnership relationships and a sequential plan was being drawn up to ensure that best use was made of all existing assets. A meeting was planned for 9 January at which this plan, which would align with the recent social and affordable needs study, would be discussed, with a view to bringing it before the first available committee for approval.

64.3 The following question had been submitted by Councillor S A Bagshaw for the Chair of the Finance and Resources Committee:

“Would the Chair of the Finance and Resources Committee outline details of the risks associated with the roll out of Universal Credit across the Borough? At the recent Housing Performance Group it was said that up to 29% of all rental income was at risk of not being collected. Would the Chair of the Finance and Resources Committee give the total amount in figures of the rental actually at risk and what measures are being implemented to reduce the risk to the Council’s finances?”

The Chair of the Finance and Resources Committee stated that the Council had known the timetable for the implementation of Universal Credit and officers had drawn up comprehensive arrangements to mitigate its effects on both recipients and this Council.

There were two major challenges to the roll-out. Firstly, the transition period from the old to the new systems of operation. The government had made changes and these had gone some way to mitigate issues. The second major change concerned payment of housing rents. Previously for clients on housing benefit, payments were made directly to the landlord. This aspect of the policy was flawed; it would inevitably lead some clients who had chaotic financial planning lifestyles into serious debt. However, this was government policy and the Council had to deal with the consequences.

The Council had been working with Mobyssoft Housing Intelligence in respect of identifying the potential impact of Universal Credit. Mobyssoft were market leaders in respect of housing intelligence software and had helped the Council identify the maximum exposure to be 29% of its current rental charge, equating to £4.5m in financial terms. This figure was the total amount that the Council was likely to have to collect directly from tenants, whereas now they received directly from Housing Benefit. Of those who do transition over to Universal Credit, there would be a significant amount that would continue to pay their rent using the housing element they received from Universal Credit. In line with this transition, the Council were setting up direct debits for rent payments, which were anticipated to be live by February 2019. This additional payment method would help those who were able to manage their finances ensuring payments were prompt and controlled.

In addition to the above, on 4 December 2018 the Housing Committee agreed the restructure of the Rents Team. This restructure was put in place to mitigate the impact of Universal Credit and transition to the Housing Department. The new structure created an Income and Housing Manager as well as three additional Income Collection Officers. The role of these individuals would be to ensure robust processes and timely recovery action was taken, whilst working with tenants to explain their obligations and relevant payment methods available.

The Rents Team will be utilising the Rents Sense software, provided by Mobyssoft, which will enable the team to prioritise the high risk tenancies and address relevant

early intervention as well as providing relevant timely support for those experiencing difficulties maintaining their tenancy and finances.

There was an awareness of the issue and it was believed that the Council had taken the necessary steps to mitigate the effect of the revised payment scheme on the Housing Revenue Account.

A supplementary question was submitted by Councillor Bagshaw which queried whether the risk of non-collection could be a contributing factor on the usage of food parcels.

The Chair of the Finance and Resources Committee responded that the Council had worked with the voluntary sector and people were in place. The Council was doing the best it could and would continue to work with tenants.

64.4 The following question had been submitted by Councillor G Marshall for the Chair of the Jobs and Economy Committee:

“Approximately how many businesses in Broxtowe are registered and how many of these businesses employ people on temporary, short term or zero hours contracts?”

The Chair of the Jobs and Economy Committee stated that there were currently 3,310 registered businesses in the Borough. These could be split in to business size based on employee numbers:

- Micro (0 to 9) - 2,975
- Small (10 to 49) - 275
- Medium (50 to 249) - 40
- Large (250+) - 20

There was no information on the contracts companies offer out, and this information is unobtainable as it is usually commercially sensitive.

A supplementary question was submitted by Councillor Marshall which queried whether benefit receivers are in-work recipients and how fluctuating incomes would be mitigated of those receiving benefits.

The Chair of the Jobs and Economy Committee responded that the Council would be sympathetic to people’s cases and the situation would be mitigated when the information was received.

64.5 The following question has been submitted by Councillor M Radulovic MBE for the Leader of the Council:

“Is the Leader of the Council now in a position to say that the external investigation in relation to senior members of staff has been concluded? And is he now in a position to state what the total was of all costs associated with the external investigation as a whole sum”.

The Leader responded that the external investigation in relation to senior members of staff had been concluded. The total associated external investigation costs stood at £206,900, of which 75% would be met by the HRA and 25% by the General Fund.

A supplementary question was submitted by Councillor Radulovic which asked if the figure was actually closer to £600,000 when considering the cost of pay-outs and temporary staff?

The Leader responded that if the chosen course had not been followed and by not employing temporary staff the cost to the Council would have been far greater.

65. MEMBERS' SPEECHES ON WARD ISSUES

Councillor P J Owen provided an update on issues relating to Nuthall East and Strelley which included information concerning Severn Trent Water in relation to Gloucester Avenue.

Councillor J Doddy provided an update on issues relating to Bramcote which included information concerning embedding health issues into planning consultations.

66. QUESTIONS ON OUTSIDE BODIES

There were no questions on Outside Bodies.

67. APPOINTMENTS TO COMMITTEES AND WORKING GROUPS

There were no amendments to the Committees and Working Groups.

68. REFERENCES

68.1 STATEMENT OF PRINCIPLES – GAMBLING ACT 2005

Alcohol and Entertainments Licensing Committee
11 September 2018

The Alcohol and Entertainments Committee had been advised of the consultation on the Council's draft revised Gambling Act 2005 Statement of Principles for 2019-2021.

RESOLVED that the Statement of Licensing Policy be approved for adoption for publication by 3 January 2019 and implementation on 31 January 2019.

68.2 REVIEW OF STATEMENT OF LICENSING POLICY

Alcohol and Entertainments Licensing Committee
11 September 2018

The Alcohol and Entertainments Committee had been advised of the consultation on the Council's draft revised Licensing Act 2003 Statement of Licensing Policy for 2019-2024.

RESOLVED that the Statement of Licensing Policy be approved for publication by 7 January 2019 and implementation on 7 January 2019.

68.3 BOARD OF DIRECTORS
Liberty Leisure Ltd Board Meeting
14 November 2018

Council noted the resignation of Andrea Stone from the Board of Directors of Liberty Leisure Ltd.

RESOLVED that as Mr E Czerniak no longer represents the organisation from which he was appointed he should be removed from the Board of Directors of Liberty Leisure Ltd.

68.4 REVIEW OF POLLING DISTRICTS AND PAGES POLLING PLACES
Governance, Audit and Standards Committee
3 December 2018

Members considered the issues arising from the review of polling districts and polling places. A minor amendment was noted in relation to the name of a polling place.

RESOLVED that:

1. **The proposed changes to the polling district boundaries between GRE2 and GRE3 and KIM4 and KIM5 respectively as set out in appendix 1 be approved.**
2. **That polling places for the Broxtowe Parliamentary Constituency and the part of the Ashfield Constituency within the Broxtowe Borough area be designated as set out in appendix 2.**
3. **That authority be delegated to the (Acting) Returning Officer to make any changes necessary to polling stations at short notice before an election, with any permanent changes being approved by Full Council.**

69. PROGRAMME OF MEETINGS

Members considered the proposed programme and were informed that in accordance with the Member Development Charter criteria the programme took account of cultural and faith commitments and had been composed so as to avoid collision with any significant dates.

RESOLVED that the Programme of Meetings for May 2019 to April 2020, as set out in the appendix, be approved.

70. NOTTINGHAMSHIRE ECONOMIC PROSPERITY COMMITTEE – CHANGES TO THE TERMS OF REFERENCE

At its meeting on 7 January 2014 Cabinet agreed to the establishment of a joint committee of local authorities in the City of Nottingham and Nottinghamshire to drive future investment in growth and jobs within their areas. Members considered amendments to the Nottinghamshire Economic Prosperity Committee terms of reference.

RESOLVED that:

1. **The amended terms of reference for the Economic Prosperity Committee be approved.**
2. **The Council's Constitution be amended accordingly.**

71. GOVERNANCE ISSUES ARISING FROM THE SALE OF LAND AT REDWOOD CRESCENT

Members considered a report which concerned several governance issues arising from the way Council officers had handled the sale of land at Redwood Crescent. The sale of land and garages at Redwood Crescent in Beeston, and the subsequent difficulties with the small housing development there had been the subject of much local controversy and media attention.

The report considered issues arising under the legal framework governing the Council's power to dispose of land (section 123 of the Local Government Act 1972); issues arising under the legal framework for Assets of Community Value; and issues arising under the law, guidance and local constitutional provisions concerning Freedom of Information Act requests. The following points were amongst those raised:

- There was confidence that the Council was well placed to ensure that there was no repeat of these issues.
- Corporate governance was lacking through the process. Poor practice should have been stopped sooner and it was a failure of all involved with the Council.
- The tenacity and vigilance of the residents should be noted. The report was welcome but there were still unanswered questions. Recommendation 4 should be strengthened and it was queried whether there was a structure in place for dealing with Assets of Community Value under Recommendation 8. It was further queried what action was taken when it was realised that responses to Freedom of Information requests had been fabricated.
- There was a worry whether other items would now come to light.
- It was not right that Council amenities were being sold. The environment was being destroyed.
- The reason that officers responsible have left the authority was due to a lack of professionalism. The Council had to make decisions based on flawed advice and protocol. When the professionalism of officers is lacking then all members are vulnerable. The Council had been let down by some senior officers and there was now a need to move forward with new staff.

The Leader of the Council apologised for the circumstances that were set out in the report and assured members and residents that all necessary actions would be taken to solve current problems and prevent similar issues arising in future on other sites.

RESOLVED that:

1. **That the report be noted and the Chief Executive be requested to implement the following recommendations.**
2. **That when considering sites for disposal, a site visit is carried out by a professional valuer and a record, including photographic, be taken of the land and any buildings and other characteristics including the use actually being made of it.**
3. **That ward councillors be advised when any site in their ward is being considered for inclusion in a list of sites for potential disposal.**
4. **That, before disposing of land, other than under short-term let or licence, the Council take professional valuation advice, which should be made independent of the purchaser.**
5. **That the Council introduce procedures to ensure that its duties under section 123 of the Local Government Act 1972 are complied with, including:**

- (a) provision for not disposing of the freehold of any site without the approval of the Chief Executive, in consultation with the Chair of the appropriate committee, unless individual authority for the disposal had already been given by Council or under the delegated authority of a committee;
 - (b) provision for ensuring that there is effective market testing, using template practices, in the interests of achieving best consideration for a site;
 - (c) advertising any land which may be considered to be open space, with a default assumption of advertisement where there is any doubt as to whether a site consists of, or includes, open space.
6. That where a site is sold for housing purposes, any intended limitations on user to encourage affordable housing provision by the purchaser, which may have discounted its open market value, must be reflected in contractual commitments by the purchaser which will run with the title to the land.
 7. That, for sales (other than sales at auction) of sites for housing purposes at any discounted value, the ability of the purchaser to develop the site is tested, by way of references from other local authorities, prior to the Council entering into any legal commitment.
 8. That any notice received for or on behalf of a vendor or purchaser of an Asset of Community Value claiming to be a relevant disposal or otherwise requesting that the asset should be de-listed must be subject to full examination, including, where necessary, inquiries of HM Land Registry, to confirm the claimed transaction will have, or has had, the claimed effect, before any such asset is de-listed.
 9. That officers be reminded of their personal accountability in relation to the accuracy of any information supplied in response to any Freedom of Information or Environmental Information Regulations requests, with standard form internal electronic documentation being prepared or amended to clearly emphasise the seriousness within which any deliberately false, reckless or negligently prepared information will be treated.

72. VOTER ID PILOT - MODEL

At the meeting of the Governance, Audit and Standards Committee on 24 September 2018 the application to take part in the voter ID pilots next year was approved on the basis of photographic ID. Confirmation of the model to be adopted for the voter ID pilot in May 2019 was sought. It was suggested the electorate would need to be reassured that they would not be disenfranchised and it would be beneficial to gain experience by being part of the pilot. However, it was also suggested that a pilot would be costly and give rise to people feeling outside of the system.

RESOLVED that the mixed model, as included in the appendix to the report, be adopted for the voter ID pilot in May 2019.

73. URGENT ITEM: HS2 UPDATE

Members considered a report that was submitted to the Jobs and Economy Committee on 17 December 2018. HS2 had sought views on a Working Draft Environment Statement which attempted to identify the likely significant environmental

effects likely to be caused by the construction and operation of the HS2 railway along the proposed route. As consultation on the draft statement was due to close on 21 December 2018 the Mayor declared that due to there being special circumstances the report would be considered as a matter of urgency under section 100B (4)(b) of the Local Government Act 1972. This would allow for all councillors to comment on the consultation. The following comments were agreed as the Council's response:

- The negative impacts of the construction work on HS2 are kept to a minimum.
- Where there are unavoidable effects that these are mitigated as fully as possible.
- All construction traffic for the station utilises the new access road to the station and not surrounding roads, keeping disturbance to a minimum to neighbouring communities.
- There must be access maintained on both sides of the railway line to Stapleford and Sandiacre during construction.
- The loss of the local nature reserve at Toton is avoided.
- The Greenwood Community Centre is not demolished.
- Other demolitions or land take are kept to the minimum that is necessary.
- Bridge arrangements over existing roads are fit for purpose during construction work.
- HS2 should more seriously consider a tunnelling option for the HS2 station, having regard to the potential economic impact and disruption to residents and businesses of the current proposal.

RESOLVED that the amended points be submitted as the Council's response to the consultation.

74. COMMON SEAL

RESOLVED that the Common Seal be affixed to or the Proper Officer do sign on behalf of the Council, where appropriate, any orders, deeds or documents necessary to give effect to any resolutions of the Council or Committee.

Report of the Interim Deputy Chief Executive

LOCAL COUNCIL TAX SUPPORT SCHEME 2019/201. Purpose of report

To seek approval for arrangements to operate in 2019/20 in respect of the Local Council Tax Support Scheme (LCTSS).

2. Background

Members will recall that council tax benefit ceased at the end of 2012/13 and was replaced by a Local Council Tax Support Scheme defined by each Authority. Cabinet considered the LCTSS on 27 November 2012 and the new scheme was approved by Council on 19 December 2012. The new scheme was effectively the government's default scheme with due allowance being made to allow the continuation of the discretionary policy relating to the treatment of war pensions.

The current scheme allows for up to 100% of the council tax liability to be paid in council tax support. The majority of councils have not adopted this approach. Most have passed some of the reduction in funding on to LCTSS recipients. The council had benefitted from the overall bill for LCTSS falling from 2013/14 to 2016/17 as the numbers of claimants requiring support has reduced. In 2017/18, there was a small increase that is attributed to the other precepting authorities increasing their share of the Council Tax.

3. Financial implications

There are no direct financial implications arising from the proposals in respect of LCTSS. The 2019/20 budget will be set on the basis of existing estimates of take-up and collection.

Recommendation

The Committee is asked to RECOMMEND to Council that the current LCTSS remains in place for 2019/20.

Background Papers: Nil

APPENDIX

1. Council Tax Support to Date

The Council has maintained a consistent approach to the administration of LCTSS, which has been influential in the continued high level of Council Tax collection. Many council's adopted schemes which required all those Council Tax payers receiving support to pay a minimum of 8.5% up to 100% of their liability.

In doing this, they have seen a significant increase in the number of small levels of Council Tax required to collect, with the associated costs that come with this approach. At Broxtowe, the methodology of continuing with a scheme, almost identical to Council Tax Benefit, has ensured a greater understanding for the people of the borough, whilst also seeing an improvement in relation to collection.

The estimated charge for the LCTSS in 2018/19 is £6,794,663, which is a rise of 1.7%.

Year	LCTSS charge (£)
2017/18	6,676,016
2016/17	6,661,822
2015/16	6,799,286
2014/15	6,909,373
2013/14	7,192,268

2. Proposals for 2019/20 Onwards

The current scheme has worked successfully with no administration issues. Financially the overall position is better than expected as the overall LCTSS spend has stabilised with no adverse effect being seen on the collection rates and no significant changes in arrears and collection costs.

From 2014/15 the LCTSS grant to local authorities has not been separately identified but has been subsumed within the overall funding assessment which sets figures for revenue support grant and business rates. The government has on several occasions indicated that it has made no moves to further reduce funding towards the LCTSS but this cannot be quantified due to the lack of a financial breakdown.

The issue to be resolved, therefore, is whether or not the Council wishes to change from the current arrangements to claw back some of the reduction in funding that the government is imposing. Any scheme changes would have to go through a formal consultation process and so a decision is required at the earliest stage, not only to complete the consultation, but to allow for the planning of any scheme changes within the system itself.

Report of the Chief Executive

MANAGEMENT RESTRUCTURE UPDATE1. Purpose of report

To update Councillors on arrangements concerning the Management restructure.

2. Background

Discussions with the Interim Deputy Chief Executive since the last meeting have led to agreement that he would transfer to the payroll on the top of the current grade for the Deputy Chief Executive establishment position on 1 April 2019 subject to formal confirmation by full Council on 6 March 2019.

Job descriptions, person specifications and recruitment brochures have been completed for the Strategic director position, Head of Housing and Monitoring Officer and advertising the positions is imminent.

Recruitment for each role will entail a combination of specialist independent psychometric testing and independent assessed skills based testing, together with an interview with a Member appointment panel.

3. Dates of appointment panels

- To be confirmed.

Recommendation

The Committee is asked to RECOMMEND to Full Council on 6 March 2019 the appointment of the interim Deputy Chief Executive to the role of section 151 officer, and AGREE to nominate members to appointment panels for the remaining three senior Management positions

Background papers

Nil

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Report of the Deputy Chief Executive

MEMBER ALLOWANCES1. Purpose of report

To seek the Panel's recommendation on the level of allowances payable to members.

2. Background

Following the Council elections in May 2015 a new administration was established. The new administration stated an intention to review the governance structure of the Council, to include consideration of the option of establishing a committee system, rather than the previous Leader and Cabinet model.

At the Council meeting of 11 May 2016 a new governance structure was approved. Allowances for the chairs and vice chairs of the new committees were also approved at the meeting based on the recommendations made by the Independent Remuneration Panel at its meeting of 25 January 2016.

To support the review comparable information was obtained from Councils in Nottinghamshire. The findings of the exercise are included in appendix 1.

To further support last year's review, members who were engaged in specific roles were invited to the meeting to outline the work that they undertake. This was to enable comparisons between member roles within Broxtowe and, to allow the Panel to gauge whether the current allowance is commensurate with each role. Evidence from the meeting is also included in the appendix.

3. Further considerations

At the Council meeting held on 1 March 2017 members formed two new committees, namely the Ad Hoc Committee and the Investigating and Disciplinary Committee. Further information on these committees will be provided at the meeting.

4. Financial implications

Options for consideration are presented in the appendix in addition to financial implications of each option.

Recommendation

The Panel is asked to CONSIDER whether, and to what extent, any of the current allowances need to be adjusted and RECOMMEND accordingly.

APPENDIX 1**1. Comparative data on members allowances**

- 1.1. Comparative information was gathered from all councils in Nottinghamshire and from Nottinghamshire Fire and Rescue Authority.
- 1.2. The exercise highlighted that there is a wide range of governance arrangements in place and consequently significant variation in Members' roles. This makes direct comparison difficult as in some cases roles that exist in Broxtowe do not exist at other authorities and, secondly, that where there are similar roles at one or more authority they may have different components and different workloads according to, for example, the number of meetings that each Member is expected to attend, the level of engagement that the participants are expected to achieve and the degree of complexity of the subject matter addressed.
- 1.3. Some of the roles are broadly similar, at least across the district councils. In particular the civic offices of Mayor and Deputy Mayor, the leader of the Council and the Leader of the opposition are comparable across all sites where these functions exist. For Newark and Sherwood there is no mayor: all civic duties are performed by the Chairman of the Council.
- 1.4. The work of the quasi-judicial panels is also broadly similar across district councils but this can vary according to the scale and scope of the terms of reference of each committee and also to the extent to which the work of the relevant committee overlaps with other roles. For example, there are a wide range of overlapping functions in respect of Governance, Audit and Standards which are incorporated into one group in Broxtowe but separated into different functions elsewhere.
- 1.5. The comparative data can only be used as a guide, therefore. Accordingly data is presented only where there is a reasonable level of comparison between Broxtowe's functions and offices and those at other District Councils. The allowance for each function across all the councils has been averaged and Broxtowe's allowances compared with the mean average position. Overall Broxtowe's costs are 20% below that of the average of the seven districts but this reflects not only the allowances given but the number of members in total and the number of posts for which an allowance is made. In some instances allowances are made for posts that are currently vacant. Where this is the case, the allowance has been taken into account for averaging purposes. There are no posts in Broxtowe at present which are not filled.
- 1.6. A summary of the comparative position is provided in the table at Annex A. The table in Annex A highlights some obvious differences which are summarised in the following paragraphs.

1.7. Broxtowe has the lowest overall cost, which is 20% less than the average across all the Council but is joint second highest in terms of the number of members

1.8. Broxtowe has a number of functions for which allowances are made which are not replicated (or, if so, are not remunerated elsewhere). These are:

- Vice chairs of committees, which are only remunerated in one other Council
- The absence of an overview and scrutiny committee (the allowances provided by other councils are shown only for information regarding the role of chairs of committees and working groups in general)
- Chair of the Housing Payments Committee
- Chair of Health Panel
- Health Lead on Outside Bodies
- Allowance of members of the Alcohol and Entertainments Licencing Committee (Bassetlaw have an allowance of £24 per meeting)
- Carer's allowance (although a similar allowance of £6.70 is provided by Nottingham City Council).

2. Further evidence

2.1. To support the review, five Council Members were invited to the meeting to outline their roles and explain as necessary any differences in these roles and their work under the previous governance structure. These were:

Councillor Milan Radulovic MBE: Leader of the Opposition

Councillor Tony Harper: Chair of the Jobs and Economy Committee and member of the Police and Crime Panel

Councillor Lydia Ball: Vice Chair of the Planning Committee

Councillor Halimah Khaled MBE: Chair of the Health Panel

Councillor Janet Patrick: Active member of the Opposition Group on several committees and formerly Lead Member of the Member Development working Group.

2.2. The results of the exercise showed that:

- Members are fully aware of their responsibilities and duties and undertake these diligently
- The level of work involved varies considerably from function to function. For instance, the leader of the Opposition has an ex officio place on all of the new committees and must therefore review business at all of them, whereas committee leads can focus on their own portfolio areas, albeit in more detail
- The role of the Vice Chair varies according to the availability of the Chair
- Activities on external bodies vary according to the type and nature of that group but are in addition to any Council post as well as work on behalf of constituents

2.3. The work of Broxtowe Borough Council Members is, therefore, broadly similar in scope to that of similar authorities in Nottinghamshire and each individual role needs to be considered in accordance with its own functions rather than through comparison with other roles. Since the introduction of the new structure, the scope and the workload of the various member roles has begun to become clearer. However no definition of the scope or expected standards that might apply to the role has yet been established.

2.4. Options for consideration

Option 1: move all posts to the average for Nottinghamshire Districts immediately

2.5. On the basis that the only benchmarks that are available are broad comparisons across district councils, this option would enable a degree of consistency. It is an arbitrary measurement, however, and does not take into account the detailed differences between roles across different organisations. The financial implications are that, in general, the proposal would result in an overall increase of £92,490. This is calculated by taking into account the average difference between the amounts paid at those districts other than Broxtowe, where allowances are provided, and remuneration levels at Broxtowe multiplied by the number of Council posts. However there will be significant changes for individuals, with both substantial increases and substantial decreases for some posts.

Option 2: move the remuneration levels to the average benchmark over time

2.6. This has the same considerations as option 1 but, if scheduled over the lifetime of the current administration, this would allow for financial planning within the Council's Medium Term Financial Strategy. The financial implications are as follows:

2018/19 £	2019/20 £	Total £
30,830	30,830	92,490

Option 3: Undertake a detailed role definition exercise and set rates in accordance with agreed role components and standards.

2.7. This option would enable the Panel to consider each role on its individual merits and would not require consideration of how the role was shaped at other organisations. The exercise could be undertaken during 2018 with a view to informing the 2019/20 budget. There would, therefore, be no financial impact in 2018/19. A further report to the Panel would determine the financial implications of any proposed changes that would have an implication for future budget setting.

Option 4 to propose no changes to the existing remuneration policy or remuneration levels.

2.8. Option 4 is in line with the commitment the leading group not to allow increases in Member remuneration. This commitment was for the lifetime of the current administration. If Option 4 is accepted there will be no financial impact on the 2018/19 or Medium Term Financial Strategy.

Members allowances as at May 2016 for district councils in Nottinghamshire

	Broxtowe			Ashfield	Bassetlaw	Gedling	Mansfield	Newark & Sherwood	Rushcliffe	Average where allowance is paid (excluding Broxtowe)	Difference
No. of members	44			35	48	40	36	39	44		
	Number	Allowance	Cost	Allowance	Allowance	Allowance	Allowance	Allowance	Allowance		
		£p.a	£p.a.								
Basic allowances	44	3741	164604	6800	4628	3987	6386	4700	5188	5282	1541
Additional allowances											
Leader of the Council	1	13558	13558	18705	7500	13696	54863*	13000	14545	20385	6827
Deputy Leader	1	6101	6101	14032	3200	10956	18546*	2600	8606	9657	3556
Committees											
Portfolio Holders/Chair of Committee	6	4745	28470	11227	5600	6848	15364	5298	5670	8334	3589
Deputy portfolio Holders/Vice Chair of Committee	6	1563	9378					977		163	-1400

Overview and Scrutiny											
Chair				11,227	3100	3424					
Vice chair					600						
Sub Groups				7,426			7690				
				3,709							
Quasi Judicial Committees Boards etc.											
Chair											
Planning	1	3391	3391	7426	3100	4793		5298	4823	5088	1697
Licensing and Appeals	1	2712	2712	3709	2100	4793		3129	1200	2986	274
Housing Payments Committee	1	1355	1355							0	-1355
Governance, Audit & Standards	1	2033	2033	4225	3100	3424	2121	1795	3276	2990	957
Vice Chair											
Planning	1	678	678	3709	600			977	2411	1924	1246
Licensing & Appeals	1	542	542		400			460		430	-112
Housing Payments Committee	1	271	271							0	-271
Governance, Audit & Standards	1	271	271	3,709	600				1092	1800	1529

Members of Alcohol and Entertainments (11+2)	13	678	8814		24					24	-654
Independent Person (standards)	1	1355	1355	1032		515	530		1200	819	-536
Chair of Health Panel	1	1102.50	1102.5							0	- 1102.5
Health Lead on Outside Bodies	1	1102.50	1102.5							0	- 1102.5
Police and Crime Panel	1	678	678							0	-678
Political Groups – Additional Allowance											
Leader of Opposition	1	1355	1355	7426		6848		4500	4684	5864	4509
Business Manager	2	850	1700		1800	3424		977		2067	1217
Civic											
Mayor	1	4745	4745	7426	7900	5136	2874*		6444	5956	1211
Deputy Mayor	1	1355	1355	4262	2500	1712	1184*		2048	2341	986
Sub Total: additional allowances			90967								
TOTAL			255571								

Other allowances											
Carer's allowance		6.50									
	Full year		2241								
Total costs			257812	419804	305509	267416	441197	236815	320310		

Notes

* Mansfield has an elected Mayor who acts as leader and a chair of Council who performs Civic duties

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Report of the Interim Deputy Chief Executive

BUSINESS RATES – NEW RETAIL DISCOUNT RATES RELIEF1. Purpose of report

Following consideration by the Policy and Performance Committee on 6 February 2019 and the consequent recommendation to Council, it is requested that Council adopt the proposed new business retail discount rates relief scheme for the 2019/20 and 2020/21 financial years. If the Council adopts the Government's Retail Discount guidelines it will be eligible for 100% reimbursement.

2. Background

The Government announced in the Autumn Budget on 29 October 2018 that it will provide business rates relief of up to 1/3rd to all occupied retail properties with a rateable value of £51,000 or less in each of the years 2019-20 and 2020-21.

As this is a measure for 2019-20 and 2020-21 only, the Government will not change the legislation around the reliefs available to properties. Instead the Government will, in line with the eligibility criteria set out guidance, reimburse local authorities that use their discretionary relief powers, introduced by the Localism Act (under section 47 of the Local Government Finance Act 1988, as amended) to grant relief.

It will be for individual local billing authorities to adopt a local scheme, based on Central Government guidelines, and decide in each individual case when to grant the relevant relief. Appendix 1 details the scheme guidelines set out by Central Government. The Council intends to adopt the central government guidelines for the new Retail Discount Rates Relief in order to qualify for full reimbursement of the relief granted. As this scheme will be based on central government guidelines there will be no appeal rights.

3. Financial Implications

Central government will fully reimburse local authorities for the local share of the discretionary relief (using a grant under section 31 of the Local Government Act 2003). The Government expects local government to grant relief to qualifying ratepayers.

Recommendation

Council is asked to RESOLVE that:

1. **The New Retail Discount Scheme for financial years 2019-20 and 2020-21 be adopted.**
2. **The Head of Revenues, Benefits and Customer Services applies the discount to all eligible businesses and informs businesses of their revised Business Rates.**

Background papers

Nil

APPENDIX 1



Broxtowe
Borough
COUNCIL

Positive People - Positive Leadership - Positive Partnerships

**Business Rates – Retail
Discount Relief Scheme 2019/20
& 2020/21**

Date:	April 2019
Prepared by:	Phil Sudlow - Head of Revenues, Benefits and Customer Services

Discretionary Retail Rate Relief 2019/20 & 2020/21

The Government announced in the Autumn Budget on 29th October 2018 that it will provide business rates relief of up to 1/3rd to all occupied retail properties with a rateable value of £51,000 or less in each of the years 2019-20 and 2020-21.

As this is a measure for 2019-20 and 2020-21 only, the Government will not change the legislation around the reliefs available to properties. Instead the Government will, in line with the eligibility criteria set out guidance, reimburse local authorities that use their discretionary relief powers, introduced by the Localism Act (under section 47 of the Local Government Finance Act 1988, as amended) to grant relief.

It will be for individual local billing authorities to adopt a local scheme and decide in each individual case when to grant relief.

Central government will fully reimburse local authorities for the local share of the discretionary relief (using a grant under section 31 of the Local Government Act 2003). The Government expects local government to grant relief to qualifying ratepayers.

1. Proposed Retail Rate Relief Scheme

Which properties will benefit from relief?

Properties that are occupied with a rateable value of £51,000 or less, that are wholly or mainly being used as shops, restaurants, cafes and drinking establishments. Therefore, properties which are occupied but not wholly or mainly used for the qualifying purpose will not qualify for the relief.

The following are considered to be shops, restaurants, cafes and drinking establishments for the purposes of this scheme:

Properties that are being used for the sale of goods to visiting members of the public including:

Shops (such as: florist, bakers, butchers, grocers, greengrocers, jewellers, stationers, off licence, chemists, newsagents, hardware stores, supermarkets, etc)

Charity shops

Opticians

Post offices

Furnishing shops/ display rooms (such as: carpet shops, double glazing, garage doors)

Car/ caravan show rooms

Second hand car lots

Markets

Petrol stations

Garden centres

Art galleries (where art is for sale/hire)

Properties that are being used for the provision of the following services to visiting members of the public:

Hair and beauty services (such as: hair dressers, nail bars, beauty salons, tanning shops, etc)
Shoe repairs/ key cutting
Travel agents
Ticket offices e.g. for theatre
Dry cleaners
Launderettes
PC/ TV/ domestic appliance repair
Funeral directors
Photo processing
DVD/ video rentals
Tool hire
Car hire

Properties that are being used for the sale of food and/ or drink to visiting members of the public:

Restaurants
Takeaways
Sandwich shops
Coffee shops
Pubs
Bars

The list set out above is not intended to be exhaustive, properties not listed that are broadly similar in nature to those above should be considered as eligible for the relief.

Which properties will not benefit from relief?

The types of uses set out in the list below are not considered to be retail use for the purpose of this relief. Properties that are similar in nature to those below are also not considered to be eligible for the relief under this scheme.

Properties that are being used for the provision of the following services to visiting members of the public:

Financial services (e.g. banks, building societies, cash points, bureau de change, payday lenders, betting shops, pawn brokers)
Other services (e.g. estate agents, letting agents, employment agencies)
Medical services (e.g. dentists, doctors, osteopaths, chiropractors)
Professional services (e.g. solicitors, accountants, insurance agents/ financial advisers, tutors)
Post office sorting office

Eligibility for the relief and the relief itself will be assessed and calculated on a daily basis.

The relief will be applied against the net bill after all other reliefs have been applied.

2. State Aid

The state aid provisions that govern this relief come under Section 69 of the Localism Act which amended Section 47 Local Government Finance Act 1988.

The support offered under this policy is given under the State Aid Regulations (1407/2013). This allows an undertaking to receive up to €200,000 of De Minimis aid in a three year period (consisting of the current financial year and the two previous years).

There will be a requirement for ratepayers receiving support to confirm that they have not received any other State Aid that, together, exceeds in total €200,000, in accordance with the above.

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Report of the Interim Strategic Director

OFFICER DELEGATED DECISIONS

1. Purpose of report

To update members on Officer Delegated Decisions.

2. Detail

Further detail of Officer delegated decisions can be found in the appendix.

Recommendation

Council is asked to NOTE the report.

Background papers

Nil

APPENDIX

Date	Description	Reason	Outcome
12 July 2018 – Finance and Resources Committee	<u>Beeston Square Street Art</u> The Committee is asked to RESOLVE that: 1. A supplementary revenue estimate of £8,200 be made in 2018/19 for Beeston Square street art funded from the Henry Boot allocation be approved. 2. The approval of the design of the final scheme be delegated to the Interim Deputy Chief Executive.	To enable an appropriate design to be chosen and implemented.	Street Art was completed in autumn 2018, with a further phase to follow.
12 July 2018 – Finance and Resources Committee	<u>Disabled Facilities Grants – Grants Caseworker</u> The Committee is asked to RESOLVE that: i) A temporary part time Grants Case Worker as set out above be appointed. ii) Authority to extend the contract be delegated to the Chief Executive based on need and the level of DFG capital grant allocations received.	To enable contract period to be extended.	Officer still in initial contract period so power not yet used.
8 January 2019 – Finance and Resources Committee	<u>Beeston Town Centre Redevelopment – Sale of Land Associated With The Residential Element of The Scheme</u> Committee is asked to NOTE the bids received and to DELEGATE to the Interim Deputy Chief Executive the sale of the land to the most appropriate party and on the most appropriate terms, in consultation with the three party leaders.	To enable the sale of land associated with the Beeston Square Phase 2 development.	Discussions are continuing.

Date	Description	Reason	Outcome
3 December 2018 – Governance, Audit and Standards	<p><u>Review of Polling Districts and Polling Places</u></p> <p>The Committee is asked to RECOMMEND to Council that:</p> <ol style="list-style-type: none"> 1. The proposed changes to the polling district boundaries between GRE2 and GRE3 and KIM4 and KIM5 respectively as set out in appendix 1 be approved. 2. That polling places for the Broxtowe Parliamentary Constituency and the part of the Ashfield Constituency within the Broxtowe Borough area be designated as set out in appendix 2. 3. That authority be delegated to the (Acting) Returning Officer to make any changes necessary to polling stations at short notice before an election, with any permanent changes being approved by Full Council. 	To enable changes to polling stations to be made at short notice.	The delegation has not yet been exercised. Action will only be necessary when a polling station becomes unavailable and change is needed in an emergency.
31 May 2018 – Governance, Audit and Standards	<p><u>Corporate Governance Arrangements</u></p> <p>The Committee is asked to:</p> <p>NOTE compliance with the Code on Delivering Good Governance in Local Government.</p> <p>RESOLVE that the draft Annual Governance Statement as shown in</p>	To enable comments and feedback from the Committee members, before being approved.	Completed feedback from Committee members, before being approved.

Date	Description	Reason	Outcome
	<p>appendix 3 be approved in principle for inclusion in the Council's Statement of Accounts.</p> <p>DELEGATE responsibility to the Interim Deputy Chief Executive and the Chair of this Committee to make any further amendments deemed necessary.</p>		
<p>14 March 2018 – Housing Committee</p>	<p><u>Independent Review of Retirement Living Service</u></p> <p>The Committee is asked to approve recommendations 5 to 8 in appendix 2 and to note that recommendations 1 to 4 in that appendix are being implemented under officer delegation.</p>	<p>1. Lifeline Service Reinstatement of the twice-yearly checks of customers' details</p> <p>2. Lifeline Service Recalculate the cost and purchase of specialist equipment including smoke detectors</p> <p>3. Lifeline Service Increase advertising to GPs surgeries etc</p> <p>4. Lifeline Service Review the office-hours emergency response service to Lifeline customers once the data on callouts is available.</p>	<p>Checks are being undertaken by telephone</p> <p>There has been a recommendation to increase the cost of the service by CPI +1%.</p> <p>A Lifeline marketing plan is being implemented.</p> <p>Emergency calls are managed by the Tunstall and transferred to the emergency contact or Emergency Services.</p>
<p>28 March 2018 – Leisure and Environment Committee</p>	<p><u>Play Area and Parks/Open Space Improvements</u></p> <p>The Committee is asked to RESOLVE that:</p> <p>1. The 2018/19 Capital Programme of £125,000 including capital salaries for Broxtowe Borough Council play areas be allocated to the seven high priority year 1 schemes identified.</p>	<p>To ensure that the submissions by Town and Parish Councils met the criteria set by the Leisure and Environment Committee.</p>	<p>Majority of the funds for 2018/19 have been committed.</p>

Date	Description	Reason	Outcome
	<p>2. The 2018/19 capital programme of £125,000 for Town and Parish Council improvements to parks/open spaces be allocated to the six Town/Parish Councils at the funding levels identified in appendix 2.</p> <p>3. Delegated authority be given to the Head of Environment in discussion with the Chair and Vice Chair of the Leisure and Environment Committee to consider and approve where appropriate schemes submitted by Town/Parish Councils.</p> <p>4. The financial and administration process for Town and Parish Councils is as detailed in appendix 1 section 2.</p> <p>The 2019/20 capital programme allocates £100,000 to support bids for schemes at Hickings Lane Recreation Ground and King George's Park play areas.</p>		
23 January 2019 – Leisure and Environment Committee	<p><u>Events in Parks</u></p> <p>The Committee is asked to RESOLVE that:</p> <p>1. The Council continues to support the events as detailed with any funding implications contained within the existing revenue budget.</p> <p>2. Delegated authority be given to the Head of Environment in consultation with the Chair and Vice Chair of the Leisure and</p>	To enable an efficient response to any requests that are received.	No new events have been scheduled for 2018/19.

Date	Description	Reason	Outcome
	Environment Committee to consider and approve where appropriate new events.		
22 March 2018 – Licensing and Appeals	<p><u>Delegation of Enforcement Powers For Hackney Carriage and Private Hire Vehicles</u></p> <p>Committee is asked to RESOLVE the following matters:</p> <ol style="list-style-type: none"> 1. Approve the delegation of taxi licensing enforcement functions under the Local Government (Miscellaneous Provisions) Act 1976 as set out in appendix 2 of the protocol at appendix B of this report, to the licensing authorities contained in appendix 1 of the protocol, subject to those authorities accepting the delegation. 2. Authorise the Head of Public Protection to appoint authorised officers to carry out enforcement functions under the Local Government (Miscellaneous Provisions) Act 1976 as set out in appendix 2 of the protocol transferred to this authority by the licensing authorities contained in appendix 1 of the protocol, subject to those authorities delegating those functions to Broxtowe Borough Council. 3. That the Head of Public Protection be authorised to sign the 	<p>Enable Licensing Officer to be authorised to undertake enforcement duties in other districts in the county.</p> <p>Enable Broxtowe to be part of county wide joint working protocol.</p>	<p>Licensing Officer authorised.</p> <p>Broxtowe now part of county wide joint working agreement.</p>

Date	Description	Reason	Outcome
	agreement contained within the protocol attached as appendix B to this report on behalf of Broxtowe Borough Council.		
4 July 2018 – Policy and Performance Committee	<p>The Committee is asked to:</p> <ol style="list-style-type: none"> 1. RESOLVE that the implementation of the Care Leavers Council Tax Reduction Scheme be adopted. 2. RESOLVE that the Head of Revenues and Benefits be delegated the authority to decide upon the award of Care Leavers' Council Tax Reduction Scheme. 3. RECOMMEND to the Finance and Resources Committee that a supplementary capital estimate of £5,700 for software to administer the Care Leavers' Council Tax Reduction Scheme be approved with funding from 2018/19 capital contingencies 	The Council's Care Leavers Scheme is a result of discretionary powers under Section 13(A) of the Local Government Finance Act 1992. It is a Nottinghamshire wide scheme to assist care leavers with a reduction in their Council Tax until they are 25. Due to the nature of Council Tax recovery, decisions in respect of care leavers needs to be made timely to reduce any unnecessary recovery action.	There are currently five people in the borough receiving the relevant reduction which has a total cost of £1,211.
4 July 2018 – Policy and Performance Committee	<p><u>Broxtowe Lotto – Delegation of Authority to Approve Good Causes</u></p> <p>That the Committee RECOMMENDS to Council that authority be delegated to the Commercial Manager, in consultation with the three group leaders, to approve good causes which wish to</p>	To seek approval from the Committee to authorise approval for Broxtowe Lotto income for good causes.	Approval was agreed.

Date	Description	Reason	Outcome
	participate in the Broxtowe Lotto.		
6 February 2018 – Policy and Performance Committee	<u>Beeston Town Centre Redevelopment</u> <ol style="list-style-type: none"> 1. The Project Board terms of reference be approved. 2. The delegations to the Interim Deputy Chief Executive for the finalisation of the heads of terms and the financing of the necessary items outlined in appendix 3 be approved. 	To enable the Beeston Square Phase 2 development.	Discussions are continuing.

Scarcity Rating
Application of scarcity ratings have been applied to the following posts in line with the Policy:
<ul style="list-style-type: none"> • Modernisation Officer • Leaseholder Officer • Chief Accountant

Report of the Chief Executive

PAY POLICY STATEMENT – 2019/201. Purpose of report

To seek Council approval for the Pay Policy Statement for 2019/20.

2. Background

Section 38 of the Localism Act 2011 requires local authorities to publish an annual Pay Policy Statement. The purpose of the statement is to increase accountability in relation to payments made to senior members of local authority staff by enabling public scrutiny.

3. Detail

The Pay Policy Statement for 2019/20, distributed with the agenda, sets out, among other items, the Council's policies relating to the remuneration of its senior officers (those at Head of Service level and above), the remuneration of its lowest paid employees and the relationship between the remuneration of its senior officers and the remuneration of its employees who are not senior officers.

The statement has now been updated and includes the following changes which occurred during 2018:

- Reference to the extension of the voluntary redundancy scheme.
- Updating the information on gender pay gap and pay ratios.
- Reference to the National Employers pay offer.

The Pay Policy Statement must be approved by a resolution of the full Council before 31 March immediately before the financial year to which it relates. The Pay Policy Statement may be amended by resolution during the year and must be published on the Council's website as soon as possible after approval. Publishing the Pay Policy Statement also meets requirements under the Code of Recommended Practice for Local Authorities on Data Transparency.

Recommendation

The Council is asked to RESOLVE that the Pay Policy Statement for 2019/20 be approved.

Background Papers

Nil

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Pay Policy

2019 - 2020

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PAY POLICY 2019 – 2020

1. Introduction

The Council is required to publish a Pay Policy Statement by 31 March each year in accordance with Section 38 of the Localism Act 2011. The purpose of this Statement is to set out the Council's guiding principles of its current reward system and increase accountability in relation to the total remuneration of its Chief Officers by enabling public scrutiny of that remuneration.

2. Main Principles

This policy statement confirms the Council's on-going commitment to operate transparent pay systems, whilst recognising that its reward system must be affordable and at the same time support the requirement to provide excellent customer service in accordance with its corporate objectives.

The importance of managing pay fairly will mean that the Council will be able to:

- attract, motivate and retain appropriately talented people who make a positive contribution to improve the Council's performance and meet future challenges;
- reflect the market for comparable jobs, with skills and competencies required to meet agreed delivery and performance outcomes;
- appropriately reward and value employees for their work;
- operate within the provisions of Chief Officers' pay and conditions as set out in the Joint Negotiating Committee for Chief Executives and Chief Officers of Local Authorities;
- Operate within the provisions of the national agreement on pay and conditions of service as set out in the National Joint Council for Local Government Services.

3. Scope of the Policy

Whilst this policy specifically covers those employees defined as a Chief Officer within Section 2 of the Local Government and Housing Act 1989, it also makes reference to other levels of employees within the organisation.

The term 'Chief Officer' and 'Deputy Chief Officer' referred to in this policy (and for the purposes of this pay policy statement only) includes:

- a. the Head of Paid service designated under section 4(1) of the Local Government and Housing Act 1989 (the Chief Executive);
- b. the Monitoring Officer designated under Section 5(1) of that Act.
- c. a statutory Chief Officer mentioned in section 2(6) of that Act (Section 151 Officer also Deputy Chief Executive);

- d. a non-statutory Chief Officer mentioned in Section 2(7) of that Act (one Director by virtue of reporting directly to the head of paid service);
- e. a Deputy Chief Officer mentioned in section 2(8) of that Act (all Heads of Service by virtue of reporting directly to statutory and non-statutory Chief Officers).

The Council has decided for completeness and transparency to publish information which includes all posts at Heads of Service / Deputy Chief Officer level. These roles are identified in the Chief Officers' Remuneration Table at appendix 4

4. Evaluation of Roles at Broxtowe Borough Council

In accordance with the national requirement for all local authorities to review their pay and grading frameworks to ensure fair and consistent practice, all job roles within the Council's structure up to but not including Head of Service level were taken through a comprehensive job evaluation process using the Greater London Provincial Council (GLPC) scheme with implementation of changes to pay and grading taking place on 1 March 2011.

The Council's pay framework for its Chief Executive, Chief Officers and Heads of Service was also considered and revised with changes implemented on 1 March 2011, with the grade for each role being determined by a consistent job evaluation process using the Hay scheme.

The job evaluation process is now embedded within the Council's pay and grading systems and all senior officer roles continue to be evaluated using the Hay scheme for Chief Officers or the Greater London Provincial Council (GLPC) scheme for all other posts to ensure that pay rates are equitable and non-discriminatory. A Hay job evaluation scheme review of all senior officer roles was undertaken again during 2015.

5. Broxtowe Local Pay Scale for Senior Officers

The review of roles for Head of Service and Chief Officers during 2015 resulted in an increase from five to six pay grades within the Broxtowe Local Pay Scale for Senior Officers (BLPSSO).

The scale is increased in line with the annual national Joint Negotiating Committee pay award.

6. Broxtowe Local Pay Scale for all Posts below Head of Service Level

The Council also adopted a local pay scale (BLPS) for all posts below Head of Service level and this is shown, together with the relevant job evaluation points score for each grade, at appendix 2. Whilst the Council has adopted a local pay scale for this group of employees, it continues to recognise the National Joint Council annual pay award for the Broxtowe Local Pay Scale appendix 2 and Scale of Local Allowances appendix 2a.

7. Terms and Conditions of Employment for Chief Officers

The terms and conditions of employment for Chief Officers are subject to collective agreements negotiated with the trade unions recognised by the Council. Agreements reached nationally are set out in the Scheme of Conditions of Service of the Joint Negotiating Committee for Chief Officers. In addition, the Council makes local agreements which are included within the Conditions of Service for Broxtowe employees.

i) Working Hours

Working arrangements for Chief Officers are nominally one of 37 hours (for full time positions), however the seniority and nature of the posts will necessitate the working of additional hours for which there is no additional payment. The grading of the post takes account of the requirement to work outside of the normal working week.

ii) Whole-Time Service

Chief Officers are required to devote their whole-time service to the work of the Council and should not engage in any other business or take up any other additional appointment without the express consent of the Council.

iii) Allowances

Chief Officers are entitled to the reimbursement of one professional fee and one legal practising certificate (if appropriate). All Chief Officer posts hold designated car user status which entitles them to receive the current car allowance rate attached at appendix 2a.

iv) Leave Entitlement

Annual leave entitlement for Chief Officers is 33 days increasing to 35 after 5 years local government service and 37 days after 10 years Broxtowe Borough Council service, plus 8 statutory days.

v) Sickness Entitlement

Sickness entitlement for Chief Officers is in accordance with the provisions of the local government sickness scheme.

vi) Pension

All Chief Officers are entitled to participate in the Local Government Pension Scheme.

8. Performance Related Pay/Bonus Scheme

Broxtowe Borough Council does not operate a performance related pay or bonus scheme for Chief Officers.

Exceptional effort from employees can be rewarded by accelerating increments to a maximum of two within the grade band they occupy in any one year. The costs of accelerated increments have to be met from existing budgets.

9. Honoraria and Ex-Gratia Payments

The Council operates an Honoraria and Acting Up Payments Policy, the application of which for Chief Officers requires prior Policy and Performance Committee approval.

10. Expenses

In accordance with nationally agreed terms, the Council pays reasonable out-of-pocket expenses actually incurred.

11. Market Related Pay

The grading structures that were introduced for all employees in 2011 were aimed at meeting the current and/or market position for most jobs. The Council currently operates a scarcity supplement covered in the Evaluation and Re-evaluation of Posts policy.

12. Recruitment of Chief Officers

In accordance with Standing Orders 8.2 (xii) within the Council's Constitution, where any vacancy occurs in the post of Chief Executive, Monitoring Officer, Chief Financial Officer (Section 151), Chief Officer or Deputy Chief Officer, the Council or a committee of the Council will determine whether to fill the vacancy or otherwise. The Council or committee will also approve an interview committee prior to the commencement of the recruitment process. The full details of the recruitment process can be found within the Constitution, available on the Council's website.

13. Remuneration of Chief Officers on Recruitment

Recruitment to the Council will normally be to the first point of the relevant scale designated to the Chief Officer post or will reflect a level commensurate with a candidate's existing skills and experience in the job. This practice applies to all new employees at the Council.

14. Levels and Elements of Remuneration for each Chief Officer

The table at appendix 4 provides a breakdown of the elements of remuneration for each Chief Officer at the Council.

15. Chief Officers Leaving Service

i) Redundancy payments:

The Council's Redundancy and Re-organisation Policy applies equally to all employees across the organisation, including Chief Officers. The Council's policy operates in accordance with section 220 of the Employment Rights Act 1996. A week's pay is therefore calculated in accordance with the statutory maximum redundancy amount. Approval for any Chief Officer post under the Redundancy Policy must be given by Policy and Performance Committee.

In a report approved by Cabinet on 23 September 2014, a temporary enhancement of the Council's Voluntary Redundancy Scheme was again extended for the period 1 October 2014 and 30 September 2015 and further extended to March 2016. This was further extended to March 2017 and is still in force.

The temporary enhancement allows for successful VR applications to be based on actual week's pay rather than statutory entitlement at all levels of employee up to and including Chief Executive. The payback of any pension strain and redundancy costs must however be covered by savings within three years. The enhancement is aimed at making reductions in the workforce in order to help meet budget deficits.

The effectiveness of the scheme will be regularly monitored and reviewed by Policy and Performance Committee during 2019-20.

ii) Severance Payments – Regulation 6 of the Local Government (Early Termination of Employment/Discretionary Compensation) (England and Wales) Regulations 2006.

The Council may apply discretion on the use of severance payments for employees leaving the Council where criteria such as ill-health retirement or early retirement cannot be met, for example termination on the grounds of efficiency, or where employees have long service and there is a financial and organisational benefit to the Council. Posts at Chief Officer level would need to be approved either by Policy and Performance Committee or full Council.

iii) Flexible Retirement (Regulation 18, of The Local Government Pension Scheme) (Benefits, Membership and Contributions) Regulations 2007

The Council operates a flexible retirement scheme which is available for all employees to apply for, including Chief Officers, subject to the appropriate criteria being met. Under this policy Policy and Performance Committee is required to provide approval for posts at Chief Officer level.

The policy states that, other than in very exceptional circumstances, the Council will not waive the costs of early release of pension.

iv) Early Retirement – Members of the Local Government Pension Scheme

Employees, including Chief Officers, may apply to the Council for consideration of early retirement if they are over the age of 55. Any pension and lump sum which may be payable has to be reduced by percentages decided by an actuary.

If, in the Council's opinion, there are grounds of compassion which are fair and justifiable. Any request by an employee (at any level) for the discretion to be exercised must clearly establish real and ongoing reasons to substantiate why the discretion should be allowed. The cost of approval must be given proper weight and all applications would be considered by Policy and Performance Committee.

v) Augmentation of Scheme Membership on Termination of Employment (Regulation 12, of The Local Government Pension Scheme) (Benefits, Membership and Contributions) Regulations 2007

Applications from officers at all levels (including Chief Officers) will only be considered under this discretion in circumstances that are exceptional or specifically determined by Policy and Performance Committee.

16. Additional Payments Made to Chief Officers – Election Duties

The Chief Executive is nominated as the Returning Officer. In accordance with the national agreement, the Chief Executive is entitled to receive and retain the personal fees arising from performing the duties of Returning Officer, Acting Returning Officer, Deputy Returning Officer or Deputy Acting Returning Officer and similar positions which he or she performs subject to the payment of pension contributions thereon, where appropriate.

The role of Deputy Returning Officer may be applied to any other post and payment may not be made simply because of this designation.

Payments to the Returning Officer are governed as follows:

- for national elections, fees are prescribed by legislation;
- for local elections, fees are determined within a local framework used by other district councils within the county. This framework is applied consistently and is reviewed periodically by lead Electoral Services Officers within Nottinghamshire.

As these fees are related to performance and delivery of specific elections duties, they are distinct from the process for the determination of pay for Senior Officers.

17. Payments made in connection with Electoral Services Functions

Proposals on fees for all staff employed in connection with the electoral services function are reviewed and approved by Policy and Performance Committee as and when appropriate. The current scale is attached at appendix 5.

18. Publication of and Access to Information Relating to Remuneration of Chief Officers

The Council publishes information relating to the remuneration of its Chief Officers on its website and which it updates annually. The Council also publishes each year within its annual Statement of Accounts, the salary and fees of its four General Management Team members (Chief Executive, Deputy Chief Executive and S.151 Officer, Strategic Director and the Monitoring Officer.

19. Definition of Lowest Paid Employee

Changes to the Broxtowe Local Pay Scale (BLPS) were recommended by Cabinet on 30 July 2013 following consideration of issues relating to the 2013 pay award, the National Minimum Wage level and the Living Wage campaign rate. A collective agreement was subsequently achieved with the Council's recognised trade unions on the removal of spinal column points 1 to 7 within the lower pay grades of the BLPS. These changes did not affect the job evaluation points score of any jobs.

The lowest evaluated score in accordance with the GLPC job evaluation scheme remains the post of cleaner with 202 points and this falls within grade 2 of the Broxtowe Local Pay Scale of which there are 2 spinal column points.

On 1 January 2019 the salary difference between the lowest paid employee and the highest paid employee will be £93646.

From April 2018 a two year pay award was agreed which incorporated a move to create some headroom from the National Living Wage. The minimum hourly rate for April 2018 was £8.50 per hour and £9.00 per hour from April 2019. For the lower pay spine points that represents an increase of between 3.7% and 8.8%. For the rest of the scale the increase is 2% in each of the two years.

As the BLPS pay spine uses the maximum and minimums of the national pay spine some adjustment to the BLPS was necessary. As grade 2 is the bottom grade and has only two spine points within it and that the bottom point will be £8.50 per hour, £16394 per annum, adjustments to grade 3 were required to keep the incremental steps and grade boundaries in place. Removing the middle two points within grade 3 achieved this and ensured that grade 2 and grade 3 both had two spine points within them.

20. Ratio of Pay

The ratio of the pay of the Council's top earner (Chief Executive) to that of its median earner is currently 5.26:1. This calculation of the pay multiple is based on base salary as at January 2019.

21. Relationship Between Remuneration of Chief Officers and Remuneration of Employees who are not Chief Officers.

The Council implemented Single Status for all employees of the Council on 1 March 2011 following cabinet approval of a new pay and grading structure for Chief Officers on 10 March 2009 and all other employees on 29 June 2010.

The continuing evaluation of posts at all levels demonstrates non-discriminatory pay practices and that the Council pays equally for work of equal value.

22. Gender pay Gap

Although Broxtowe Borough Council has produced Gender Pay Gap information for a number of years, from April 2017 this is now a mandatory requirement. The rate is now expressed as the difference by hourly rate of pay rather than full time equivalent annual pay as produced previously.

The gender pay gap is calculated as the average difference between male and female earnings as a percentage of male earnings.

Note: The mean is an average. It is the grand total divided by the number of data points. The median is the middle value in a sample sorted into ascending order. If the sample contains an even number of values, the median is defined as the mean of the middle two.

The Gender Pay Gap for 2017-2018 as published on Gov.uk and the Council's website by hourly rate is as follows:

All Employees		All Employees	
Mean male hourly rate	12.4135	Median male hourly rate	10.6273
Mean female hourly rate	11.4302	Median female hourly rate	10.6273
Gender Pay Gap	7.92%	Gender Pay Gap	0.00%
Full Time Employees		Full Time All Employees	
Mean male hourly rate	12.4172	Median male hourly rate	10.6273
Mean female hourly rate	12.4491	Median female hourly rate	10.6273
Gender Pay Gap	-0.26%	Gender Pay Gap	0.00%
Part Time Employees		Part Time All Employees	
Mean male hourly rate	12.3503	Median male hourly rate	9.0971
Mean female hourly rate	10.5759	Median female hourly rate	10.6273
Gender Pay Gap	14.57%	Gender Pay Gap	-16.82%

APPENDIX 1 – BROXTOWE LOCAL PAY STRUCTURE – FOR SENIOR POSTS EVALUATED USING HAY SCHEME.

From April 2019

Grade	HAY JE Points	SCP	Salary 2017/18
15	0-499	71	43947
		72	44543
		73	45135
		74	45590
CO1 HoS	500-629	75	44931
		76	46056
		77	47174
		78	48303
		79	49421
CO2 HoS	630-759	80	50966
		81	52241
		82	53516
		83	54792
		84	56062
CO3 Dir	760-939	85	67062
		86	68736
		87	70420
		88	72095
		89	73768
CO3a Dir.	901-939	85a	75891
		86b	78014
		87c	80136
		88d	82259
		89e	84382
CO4 DCEO	940-1119	90	85850
		91	87996
		92	90143
		93	92289
		94	94430
CO5 CEO	1120+	95	99012
		96	102881
		97	106745
		98	108448
		99	112241

APPENDIX 2 – BROXTOWE LOCAL PAY STRUCTURE – FOR POSTS EVALUATED USING THE GLPC SCHEME.

From April 2019

Grade / JE Points	SCP	Salary	Hourly Rate	Grade / JE Points	SCP	Salary	Hourly Rate
2 182 – 240	10	17364	9.0002	8 440-469	36	25827	13.3868
	11	17711	9.1802		37	26333	13.6488
					38	26838	13.9109
					39	27343	14.1725
3 241-285	12	18066	9.3638	9 470-500	41	28246	14.6406
	15	18456	9.5662		42	28797	14.9264
					43	29350	15.2127
					44	29901	15.4985
4 286-324	16	18724	9.7051	10 501-533	46	31086	16.1128
	17	19171	9.9367		47	31697	16.4293
	18	19517	10.1161		48	32305	16.7448
	19	19847	10.2870		49	32914	17.0602
5 325-365	21	20015	10.3744	11 534-563	51	33780	17.5089
	22	20454	10.6020		52	34361	17.8104
	23	20892	10.8290		53	34942	18.1113
	24	21331	11.0566		54	35523	18.4127
6 366-401	26	21827	11.3133	12 564-593	56	36290	18.8102
	27	22255	11.5355		57	36913	19.1332
	28	22684	11.7576		58	37535	19.4551
	29	23111	11.9793		59	38158	19.7782
7 402-439 OT Limit	31	23707	12.2877	13 594-622	61	39034	20.2322
	32	24197	12.5417		62	39611	20.5315
	33	24686	12.7952		63	40188	20.8303
	34	25175	13.0486		64	40765	21.1296
				14 623-653	66	41425	21.4715
					67	41887	21.7109
					68	42346	21.9492
					69	42808	22.1887
				15 654 +	71	43946	22.7786
					72	44543	23.0876
					73	45135	23.3945
					74	45590	23.6307

APPENDIX 2a – BROXTOWE LOCAL PAY STRUCTURE – SCALE OF LOCAL ALLOWANCES

Broxtowe Borough Council Local Allowances

	2019/20
Relocation	
Lodging Allowance - per week	72.86
Settling in Allowance	372.47
Mileage Allowances	
Car Mileage Allowance (per mile) - (HMRC Rate from August 2014)	0.45
Car PSV Rate (Training and Out of County Mileage over 50 miles)	0.22
Motor cycles - per mile	
not exceeding 500cc - (HMRC Rate)	0.24
Exceeding 500cc - (HMRC Rate)	0.24
Pedal cycles - per mile (HMRC Rate)	0.20
Voluntary Reliable Call Out	
Calls initiated between 11.00 pm and 6.0 am	15.52
Calls initiated at other times	11.20
Standby	
Per weekday session	12.12
Per day at weekend or bank holiday	36.36
First Aid - per month	13.47
Travel and Subsistence Allowances	
Breakfast	6.19
Lunch	8.49
Tea	3.39
Evening Meal	10.47
Out of pocket expenses (Residential Courses)	
per night	4.88
per week	19.51
Long Service / Retirement Awards	
25 Years	439.38
Additional Years	19.00

APPENDIX 3 - CAR MILEAGE RATES

All designated car users receive the HMRC rate, currently 45p per mile

APPENDIX 4 - CHIEF OFFICERS' REMUNERATION TABLE

Post	Salary Grade	Designated Car User Allowance	Professional Fees	BBC Pension Contribution
Chief Executive	CO5	Y	Y	14.4%
Deputy Chief Executive and Section 151 Officer	CO4	Y	Y	14.4%
Strategic Director	CO3a	Y	Y	14.4%
Monitoring Officer	CO3	Y	Y	14.4%
Head of Housing	CO2	Y	Y	14.4%
Head of Finance	CO2	Y	Y	14.4%
Head of Environment	CO2	Y	Y	14.4%
Head of Property Services	CO2	Y	Y	14.4%
Head of HR and Public Protection	CO2	Y	Y	14.4%
Head of Planning and Economic Development	CO2	Y	Y	14.4%
Head of Revenues, Benefits and Customer Services	CO2	Y	Y	14.4%
Head of Administration	15	Y	Y	14.4%

APPENDIX 5 – SCALE OF FEES FOR ELECTORAL FUNCTIONS

1. Elections

These fees are effective from 1 April 2019.

Polling Station Staff Fees

Fee	Scale
Presiding Officer Add 20% for 1st additional combined election and 10% for each combination thereafter	£208*
Poll Clerk Add 20% for 1st additional combined election and 10% for each combination thereafter	£128*
Polling Station Inspector	£208*
Training fee: face to face and test face to face or test only	£40* £20*
Delivery of training, fee per session	£150

*These fees do not include travelling expenses, which are at the discretion of the Returning Officer. Councils may use casual user mileage rates as laid down by the N.J.C - 45 pence per mile (private vehicle) and 24 pence per mile (motor cycle) or 20 pence per mile (bicycle). Reasonable out-of-pocket expenses may be paid where public transport is used.

Count Staff Fees

Fee	Scale
Deputy Returning Officer, for conducting the count and preparing or declaring the result, per hour	£25*
Count Supervisor per hour	£15.50* £18 – if overnight
Assistant Count Supervisor	£13.75* £16.50* – if overnight
Count Assistant per hour	£12.50* £15 – if overnight

Payment of additional fees for working overnight, to reflect unsociable hours, is at the discretion of the Returning Officer.

*These fees do not include travelling expenses, which are at the discretion of the Returning Officer. Councils may use casual user mileage rates as laid down by the N.J.C - 45 pence per mile (private vehicle) and 24 pence per mile (motor cycle) or 20 pence per mile (bicycle). Reasonable out-of-pocket expenses may be paid where public transport is used.

Postal Voting Staff Fees

Fees for issue or receipt of Postal Votes	Scale
Postal Vote Co-ordinator	£15
Postal Voting Supervisor per hour	£12.00
Postal Voting Assistant per hour	£9.05 £15 - evening

Returning Officer Fees

Fee	Scale
Returning Officer's fee for the 1st 1,000 local electors within each ward for which an election is held	£102
Returning Officer's fee for each additional 1,000 electors or part thereof per ward	£34
Returning Officer's fee for an uncontested Election	£41.50
Returning Officer's clerical fee per 1,000 electors	£8.40
Returning Officer's fee for postal voting (issue and receipt)	£165

Deputy Returning Officer and other Fees

Fee	Scale
Deputy Returning Officer's fee or Acting Deputy Returning Officer's fee for other duties (excluding count), eg: processing nominations	£160
General clerical staffing per 100 electors	£8.10
Poll card hand delivery per poll card	15p

Notes

Additional fees may be paid to cover the actual and necessary costs incurred by the Returning Officer for all purposes including clerical assistance, in connection with the election not already included in this scale.

2. Electoral Registration

Fee	Scale
Household Canvass	
For each visit	£1.30
Training – online course only	£10
Training – face to face and online course	£20
Mileage	45p per mile
Individual Canvass	
For each visit	£1.90
Mileage	45p per mile