

POLICY & RESOURCES COMMITTEE

Date: 19 January 2015

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 7.30 pm

Present: Councillors:-

Richard Lewis	(Chairman)
Glenvil Greenwood-Smith	(Vice-Chairman)
Steven North	(Leader of the Council)
Glenn Harwood MBE	(Deputy Leader of the Council)
Peter Baden	M Hillson
David Brackenbury	Dudley Hughes JP
Wendy Brackenbury	Andy Mercer
John Farrar	Rupert Reichhold
Roger Glithero JP	

329. MINUTES OF PREVIOUS MEETING

The minutes of the Policy and Resources Committee meeting held on 8 December 2014 were approved and signed by the Chairman.

330. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Sue Homer and Jeremy Taylor.

331. DECLARATIONS OF INTEREST

The following interests were declared in the Agenda items specified below:

Councillor	Agenda item	Nature of Interest	DPI	Other Interest
John Farrar	Private Sector Housing Redress Scheme	Is landlord for a property in the district		Yes

332. QUESTIONS BY MEMBERS UNDER COUNCIL PROCEDURE RULE 10.3

No questions had been received.

333. MINUTES OF SUB-COMMITTEES AND WORKING PARTIES

(a) Personnel Sub-Committee – 8 and 22 December 2014

The minutes of the meetings held on 8 and 22 December 2014 were received (see pages 329 to 334).

It was noted that the sub-committee's recommendations regarding the 2014 – 2016 National Pay Award (item 4) had been directly recommended to the Council meeting on 15 December 2014 and been approved.

334. EAST NORTHAMPTONSHIRE GREENWAY FORWARD PLAN 2014 - 18

The Community Partnerships Manager presented a report which sought adoption of the Greenway Forward Plan 2014-2018 on behalf of the council.

It was reported that the Greenway programme focused on the development of attractive and safer walking and cycling routes through East Northamptonshire that follow the Nene Valley corridor with the eventual aim of connecting Wellingborough railway station to Peterborough railway station. The Programme Board, made up of members from key partner organisations, had produced a Forward Plan outlining the proposed development of future phases, detailing projected costs, sponsorship opportunities and maintenance arrangements for each individual phase.

The Forward Plan was seen as a vital tool for both the development of the Greenway and the management of the routes in the future. Each phase of the development of the Greenway was set out with all the key information necessary to support negotiations, drawing up agreements and commissioning work as required. The Board has recommended that all partner organisations adopt the plan in order for it to receive maximum commitment for the future.

RESOLVED:

That the Greenway Forward Plan 2014 – 2018 be adopted, subject to typographical amendments being made to the costings detailed within the plan.

(Reason – to ensure East Northamptonshire Council continues to be the lead partner in the development and maintenance of the Greenway Programme.)

335. IMPLICATIONS OF THE NEW WASTE REGULATIONS (ENGLAND AND WALES) 2012 AND THE APPLICATION OF THE TECHNICAL, ECONOMIC AND ENVIRONMENTALLY PRACTICABLE (TEEP) TEST

The Waste Manager presented a report advising the committee of the outcome of work undertaken to test the authority's compliance with the Waste Regulations (England and Wales) 2012, which require the council to ensure that it takes all reasonable measures to ensure that any waste paper, metal or plastic which has been collected separately is not then mixed with other waste.

It was reported that the effect of the regulations was to require the application of the 'technically, environmentally and economically practicable' (TEEP) test to existing waste collections where glass, metal, paper and plastic are collected together or 'co-mingled'. East Northamptonshire's waste collection service was subject to the TEEP test and was evaluated against set criteria.

The evaluation indicated that the existing service (alternate weekly co-mingled and weekly food waste contained in bins) scored the highest when combining evaluating scores under headings for total cost, position in the waste hierarchy, carbon produced, material capture rates and performance indicators. Two other case studies for a full kerbside sort with weekly collection (case study two) and weekly black sacks and weekly collection of glass, paper and plastic bottles (case study one) were also evaluated. Members noted that the evaluation utilised similar numbers of properties or collections for comparative purposes from both the existing service and case studies. It was further noted that the existing service was approximately 40% cheaper than case study two, the next best alternative in the evaluation.

RESOLVED:

- i) That the evaluation process undertaken by the officer working party be endorsed.
- ii) That the conclusion of the evaluation that no immediate changes to the recycling collection system would be required be noted, on the basis that the existing collection meets the criteria that it would not be technically, environmentally or economically practicable to make a change.
- iii) That a further review be undertaken of the current collection system as part of the procurement of the next waste contract.

336. PRIVATE SECTOR HOUSING REDRESS SCHEME

The Environmental Protection Manager submitted a report detailing the new legislation which came into force on 1 October 2014 requiring letting agents and property management companies to become members of one of three Government approved redress schemes.

The aim of the redress schemes is to provide a free, independent service for resolving disputes between letting or property management agents and their customers. The new legislation provides for tenants to be able to complain to the redress scheme about the service they have received from their letting or property management agent, which can be investigated. If a complaint is upheld the schemes have a number of options:

- Require an apology
- Issue a reprimand
- Order compensation up to £25,000
- Fine a member
- Expel a member

It was noted that there was currently no register of letting or property management agents based within East Northamptonshire. However, due to such individuals or companies not being confined to local authority boundaries, the Countywide Housing

Group proposed to create one consistent process for investigating and dealing with complaints. As well as undertaking publicity highlighting this change, all companies that are known to the council will be advised of the requirement and the implications of not being a member of an appropriate scheme.

It was reported that recent government guidance had stated an expectation that a fine level of £5,000 should be considered the norm and a lower fine should only be charged if the enforcement authority was satisfied that there were extenuating circumstances. The authority has the discretion to determine what those circumstances might be, taking account of any representations received, and may also decide that a £5,000 would be disproportionate for the turnover or scale of a business and could levy a lower level fine.

RESOLVED:

That, having regard to the Equality Impact Assessment, a monetary fine of £5,000 be imposed, unless otherwise determined by the Head of Environmental Services, in consultation with the Chairman of the Policy and Resources Committee.

(Reason – to comply with government guidance and the Equality Act 2010.)

R.15 RESOLVED TO RECOMMEND:

- i) That Part 6 of the Enterprise and Regulatory Reform Act 2014 and the Redress Schemes for Letting Agency Work and Property Management Work (Requirement to Belong to a Scheme etc) (England) Order 2014 be adopted.
- ii) That authority for this new function be delegated to the Head of Environmental Services, Environmental Protection Manager and Housing Technical Officers.

(Reason – to ensure that the new function is embedded within the Council's constitution.)

337. COMMUNITY RIGHT TO BID POLICY – ORAL HEARINGS PROCEDURE

The Executive Director submitted a report which sought consideration of a oral hearing procedure to be included within the Community Right to Bid policy.

It was reported that regulations under the Localism Act 2011 provide for an oral hearing to be requested by the owner of an Asset of Community Value property. The council's policy currently provided for a review of written representations, however a request had been received for an oral hearing and there was a need to update the policy with a hearing procedure. The Act provided little detail on how such hearings should be conducted, although it was noted that the outcome of a hearing could be challenged in the First Tribunal.

The proposed hearing procedure had been designed to be an inquisitorial process allowing the applicant to present information and answer questions as necessary. It was also proposed that the owner would be invited to submit any written representations in advance of a hearing, with such representations being published on the council's website. In the interests of transparency, and in light of the legislation

being silent on the matter, it was also proposed that up to three members of the nominating group would be able to attend a hearing as observers. Members noted that the procedure would be communicated to all parties involved when the date and time of the hearing had been arranged, with minutes from the hearing and a decision notice being published on the council's website in a timely manner following the hearing.

RESOLVED:

That, subject to the replacement of the words “the Panel Members and other officers” with “those” at paragraph 12, the Oral Hearings Procedure be inserted as an Appendix to the approved Community Right to Bid policy.

(Reason – to guide the council in the discharge of its responsibilities under the Localism Act's Community Right to Bid provisions.)

Chairman



Personnel Sub-Committee

Minutes of a meeting held on 8 December 2014 at East Northamptonshire House, Thrapston

Present: Councillors Roger Glithero JP (Chairman)
 Jeremy Taylor (Vice-Chairman)
 Glenn Harwood MBE
 Steven North

David Oliver Chief Executive
 David Reed Head of Planning Services
 Aime Armstrong Human Resources Manager
 Paul Smith Senior Democratic Services Officer

1.0 MINUTES

1.1 The minutes of the meeting held on 29 September 2014 were approved and signed by the Chairman.

2.0 APOLOGIES

2.1 An apology for absence was received from Councillor Wendy Brackenbury.

3.0 DECLARATIONS OF INTEREST

3.1	Officer	Item	Nature of Interest	DPI	Other Interest
	David Oliver, David Reed, Aime Armstrong and Paul Smith	Cost of Living Pay Rise	Members of Staff affected	Yes	

After presenting the report, the Chief Executive left the meeting for consideration of that part of this item relating to consideration of a local pay award to the Chief Executive and Executive Director. The HR Manager and Senior Democratic Services Officer remained in the meeting to support the Sub-Committee in making and recording its decision.

4.0 QUESTIONS UNDER PROCEDURE RULE 10.3

4.1 There were no questions submitted under Procedure Rule 10.3

5.0 2014/16 NATIONAL PAY AWARD

- 5.1 The Chief Executive presented a report providing an update on national pay agreements and negotiations. The Sub-Committee was requested to make recommendations to Council on the recently agreed NJC pay award and on the approach to be taken in respect of those staff who were not covered by the award.
- 5.2 In March 2014 and whilst national pay negotiations were ongoing, the Sub-Committee had agreed a 1% pay award for all staff with effect from 1 April 2014, subject to the Council abiding by the terms of the national pay award once it had been agreed. The terms of the agreed national pay award did not backdate the award to 1 April 2014, but instead provided lump sum payments to be made in two stages. By paying both lump sums in January 2015, any overpayments made arising from the 1% increase awarded in April 2014 would be avoided.
- 5.3 The national pay award only applied to pay points up to 49 on the pay scale. The ENC pay scale included pay points 50 – 56 and the Sub-Committee was requested to determine whether the pay award should be applied to these pay points.
- 5.4 A full and final pay offer had been made to those staff employed on JNC terms and conditions, and was being consulted upon. Two posts at ENC were subject to JNC terms and conditions, those being the Chief Executive and the Executive Director. The pay offer would apply to the Executive Director, however, the Chief Executive fell outside of the threshold and the Sub-Committee was requested to recommend whether a local pay award should be made. Both posts had received a 1% increase from 1 April 2014 as part of the decision made by the Sub-Committee in March 2014.

RESOLVED TO RECOMMEND TO FULL COUNCIL: That

- i) the national NJC pay award be approved.
- ii) the NJC pay award be also applied to scale points 50 – 56 on the ENC pay scale
- iii) the two lump sum payments due for each scale point under the pay award be both paid in January 2015.
- iv) the position on the JNC pay negotiations be noted and a local pay award be made to the Chief Executive and Executive Director for 2014 – 16 on the following basis:
 - a) the 1% pay award made to the Chief Executive and Executive Director from 1 April 2014 be applied until 31 March 2015 and
 - b) a 2% pay award be made from 1 April 2015 to cover the period from 1 April 2014 to 31 March 2016.

(Reason: to ensure the Council can successfully recruit and retain knowledgeable and skilled employees)

6.0 ADMINISTRATION ASSISTANT – PLANNING SERVICES

6.1 The Head of Planning Services presented a report proposing the deletion of two permanent part-time posts and to create one permanent full-time post shared between Planning administration and Building Control administration.

6.2 It was noted that the two permanent part-time posts were currently filled by a temporary full-time post which would terminate on 31 December 2014.

RESOLVED:

That the current two permanent part-time posts be deleted and one permanent full-time post be created, to be shared between Planning administration and building control administration.

(Reason: To make permanent the temporary arrangements in place until 31 December 2014)

7.0 HEAD OF FINANCE APPOINTMENT

7.1 Following the decision made by Council on 6 October 2014 (following a recommendation made by the Sub-Committee at its meeting held on 29 September 2014) the Chief Executive provided the Sub-Committee with an update on the recruitment process for the Head of Finance post which had not resulted in an appointment being made.

RESOLVED:

That the outcome of the recruitment process for the Head of Finance be noted, and to note that the Chief Executive will be submitting a further report to the Sub-Committee in February 2015.

(Reason – to ensure the Council has the right calibre of employee in its key S151 Officer role and is balancing those requirements with the need to continue delivering cost savings)

Chairman



East
Northamptonshire
Council

Personnel Sub-Committee

Minutes of a meeting held on 22 December 2014 at East Northamptonshire House, Thrapston

Present: Councillors Roger Glithero JP (Chairman)
Wendy Brackenbury
Glenn Harwood MBE
Steven North

David Oliver	Chief Executive
Phil Grimley	Head of ICT Services
Mike Deacon	Head of Environmental Services
Aime Armstrong	Human Resources Manager
Paul Smith	Senior Democratic Services Officer

1.0 MINUTES

1.1 The minutes of the meeting held on 8 December 2014 were approved and signed by the Chairman.

2.0 APOLOGIES FOR ABSENCE

2.1 An apology for absence was received from Councillor Jeremy Taylor (Vice-Chairman)

3.0 DECLARATIONS OF INTEREST

3.1	Officer	Item	Nature of Interest	DPI	Other Interest
	David Oliver, Phil Grimley, Mike Deacon, Aime Armstrong and Paul Smith	Staff Benefits Policy – Approval to Consult	Members of Staff affected	Yes	

4.0 QUESTIONS UNDER PROCEDURE RULE 10.3

4.1 There were no questions submitted under Procedure Rule 10.3

5.0 STAFF BENEFITS POLICY – APPROVAL TO CONSULT

- 5.1 The Human Resources Manager presented a report providing an outline of the review of the staff benefits policy. As a recruitment and retention measure and following comparisons with other Authorities, the review proposed to increase base annual leave from 20 to 25 days, rising by one day for each year of service until reaching a maximum of 30 days. However, the ENC base annual leave of 20 days given in the report did not include the 4 statutory days which were used to cover the Christmas closure of the Council Offices, with any days unused for the Christmas closure period being transferred to annual leave entitlement. The base leave entitlement was therefore actually greater than 20 days.
- 5.2 The Sub-Committee considered that the comparative data presented needed clarification regarding the annual leave and statutory days entitlement to enable meaningful comparisons to be evaluated.

RESOLVED:

That consideration of the proposal be deferred and a further report be submitted to the next meeting of the Sub-Committee

6.0 EXCLUSION OF PUBLIC AND PRESS

RESOLVED:

That the public and press be excluded from the meeting during consideration of the following item of business because exempt information, as defined under paragraphs 1 and 4 of Part 1 of Schedule 12A of the Local Government Act 1972, may be disclosed.

7.0 ICT SERVICES RESOURCING

- 7.1 The Head of ICT Services presented a report which proposed a number of changes to the ICT Staffing structure to increase the overall resilience of the service to support the Council's activities.
- 7.2 There was particular focus on improving the level of support for the critical Revenues & Benefits service, as well as ensuring continuity of operation of the overall ICT Service Desk. The proposals would also make a significant financial saving in the first and future years.

RESOLVED:

- (i) That the establishment of an ICT Technical Officer be authorised.
- (ii) That recruitment to the Information Security and Governance Manager post be authorised.
- (iii) That the establishment of a permanent Service Desk Analyst role to replace one of the student placement positions.
- (iv) That the recruitment to the remaining Trainee Service Desk Analyst (student placement) post for 2015/16 be authorised..

(Reason: To provide an improved level of support for the Revenues & Benefits service, along with a significant financial saving in ICT costs).

8.0 PROPOSED PERMANENT CHANGE TO POST

- 8.1 The Head of Environmental Services submitted a report proposing to make permanent a change to the Housing Technical Officer role which had been operating on a temporary basis for some time.

RESOLVED:

That the permanent change of the post 02/032 Housing Technical Officer into a job share role, which has been operating on a temporary basis, be approved.

(Reason – To ensure council policies have been adhered to)

Chairman