



Council

Mon 25 Feb
2019

7.10 pm (or as soon as the
Executive Committee meeting
immediately prior to this meeting
has finished).

Council Chamber
Town Hall
Redditch

REDDITCH BOROUGH COUNCIL

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a
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**If you have any queries on this Agenda please contact
Jess Bayley**

**Town Hall, Walter Stranz Square, Redditch, B98 8AH
Tel: (01527) 64252 (Extn.3268)**

e.mail: jess.bayley@bromsgroveandredditch.gov.uk



Council

Monday, 25th February, 2019

7.10 pm

Council Chamber - Town Hall
Redditch

Agenda

Membership:

Cllrs:	Juliet Brunner (Mayor)	Julian Grubb
	Roger Bennett (Deputy Mayor)	Bill Hartnett
	Salman Akbar	Pattie Hill
	Joe Baker	Wanda King
	Tom Baker-Price	Anthony Lovell
	Joanne Beecham	Gemma Monaco
	David Bush	Gareth Prosser
	Michael Chalk	Antonia Pulsford
	Debbie Chance	Mike Rouse
	Greg Chance	Mark Shurmer
	Anita Clayton	Yvonne Smith
	Brandon Clayton	Craig Warhurst
	Matthew Dormer	Jennifer Wheeler
	John Fisher	Pat Witherspoon
	Andrew Fry	

- 1. Welcome**
- 2. Apologies for Absence**
- 3. Declarations of Interest**

To invite Councillors to declare any Disclosable Pecuniary Interests or Other Disclosable Interests they may have in items on the agenda, and to confirm the nature of those interests.

- 4. Minutes (Pages 1 - 6)**
- 5. Announcements**

To consider Announcements under Procedure Rule 10:

- Mayor's Announcements
- The Leader's Announcements
- Chief Executive's Announcements.

6. Executive Committee (Pages 7 - 20)

Executive Committee 5th February 2019

- 6.1** Redditch Borough Council's Community Lottery (Pages 21 - 44)
- 6.2** Independent Remuneration Panel Report and Recommendations for 2019/20 (Pages 45 - 60)
- 6.3** Arrow Valley Countryside Centre - Change of Operator (Pages 61 - 66)
- 6.4** Council Tax Support Scheme and Wider Support Framework (Pages 67 - 76)

Appendix 2 to this report has been published in a separate additional papers pack.

- 6.5** Business Case - Domestic Waste Collection Resources (Pages 77 - 106)

Executive Committee 25th February 2019

- 6.6** Medium Term Financial Plan 2019/20 to 2022/23, Including the Pay Policy Statement and Council Tax Setting (Pages 107 - 132)

The Overview and Scrutiny Committee is considering the Medium Term Financial Plan at its meeting on 20th February and may make recommendations to the Executive Committee.

The Executive Committee will consider and make recommendations in respect of the Medium Term Financial Plan and Council Tax Resolutions at its meeting immediately preceding this Council meeting.

The Council Tax Resolutions will follow in an additional papers pack.

Note that under the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, the Council is required to take a named vote when a decision is made on the budget calculation or Council tax at a budget decision meeting of the Council.

Under Section 106 of the Local Government Finance Act 1992, any Councillor who is 2 or more months in arrears with their Council tax payments cannot participate in any item at the Council meeting concerning the budget.

7. Constitution Review (Pages 133 - 166)

8. Political Balance Report (Pages 167 - 170)

9. Urgent Business - Record of Decisions

To note any decisions taken in accordance with the Council's Urgency Procedure Rules (Part 6, Paragraph 5 and/or Part 7, Paragraph 15 of the Constitution), as specified.

(None to date).

10. Urgent Business - general (if any)

To consider any additional items exceptionally agreed by the Mayor as Urgent Business in accordance with the powers vested in him by virtue of Section 100(B)(4)(b) of the Local Government Act 1972.

(This power should be exercised only in cases where there are genuinely special circumstances which require consideration of an item which has not previously been published on the Order of Business for the meeting.)

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Council

Monday, 28 January 2019

MINUTES

Present:

Councillor Juliet Brunner (Mayor), Councillor Roger Bennett (Deputy Mayor) and Councillors Salman Akbar, Joe Baker, Tom Baker-Price, David Bush, Michael Chalk, Debbie Chance, Greg Chance, Anita Clayton, Brandon Clayton, Matthew Dormer, John Fisher, Andrew Fry, Julian Grubb, Bill Hartnett, Pattie Hill, Anthony Lovell, Gemma Monaco, Antonia Pulsford, Mike Rouse, Mark Shurmer, Craig Warhurst, Jennifer Wheeler and Pat Witherspoon

Also Present:

Mr. Brian Parkinson

Officers:

Kevin Dicks, Clare Flanagan, Chris Forrester and Sue Hanley

Committee Services Officer:

Jess Bayley

69. WELCOME

The Mayor welcomed those present to the meeting.

70. APOLOGIES FOR ABSENCE

Apologies were received on behalf of Councillors Joanne Beecham, Wanda King and Gareth Prosser.

71. DECLARATIONS OF INTEREST

There were no declarations of interest.

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Chair

Council

Monday, 28 January 2019

72. MINUTES

RESOLVED that

the minutes of the meeting of Council held on Monday 19th November 2018 be held as a correct record and signed by the Mayor.

73. ANNOUNCEMENTS

a) Mayor's Announcements

The Mayor paid tribute to Mr Brian Parkinson, who had worked for many years in support of the Royal British Legion. Mr Parkinson had undertaken fund raising work on behalf of the Royal British Legion over a period of many years and had previously served in the Royal Engineers. During this time with the Royal British Legion Mr Parkinson had helped to raise £234,000. The Mayor presented Mr Parkinson with a certificate in honour of his achievements.

Mr Parkinson thanked Members and commented that he viewed this as an award for all of the people who volunteered with the Royal British Legion. Members were asked to note that Mrs Parkinson had helped Mr Parkinson throughout that time and he thanked her for her support. Mr Parkinson also thanked the public for providing donations, particularly for the Poppy Appeals.

The Mayor also outlined the civic events that she had attended since the previous meeting of Council and included the following activities in her update:

- The Mayor had attended a range of carol concerts and Christmas events during the festive period.
- The Mayor had switched on the lights in Redditch town centre and at the Alexandra Hospital. She had also switched on some pink lights in Matchborough.
- The Redditch Association for the Blind's Christmas Party had taken place. The Mayor had attended alongside other Councillors who had enjoyed the evening.

The Holocaust Memorial commemorations had taken place on Saturday 26th January. The theme of the event had been 'Torn from Home' and there had been a number of touching speeches, including from Mr Sokphal Din, a survivor of the Cambodian genocide. The Mayor had written to the young people who had taken part in the commemorations to thank them for their help. Thanks were also extended to the other Members who had served on the Holocaust Memorial Steering

Committee; Councillors Anita Clayton, Bill Hartnett, Antonia Pulsford and Pat Witherspoon.

b) The Leader's Announcements

Members were informed that the national review of Local Enterprise Partnerships (LEPs) remained ongoing. Worcestershire and Staffordshire LEPs had both agreed that the borders of the LEPs should not overlap and they had each been awarded £100,000 by the Government. The Greater Birmingham and Solihull LEP (GBSLEP) had not agreed with this proposal and had not received any extra funding.

The Leader had recently attended a meeting with representatives of Worcestershire Acute Hospitals NHS Trust (WAHT). During the meeting the Leader had been advised that a business case for the Alexandra Hospital would be submitted in June 2019, though it was acknowledged that this document had originally been scheduled for publication in June 2018.

The West Midlands Combined Authority's (WMCA) various committees were currently focusing on the budget. The Leader continued to attend these meetings on a regular basis.

c) Chief Executive's Announcements

The Chief Executive confirmed that he had no announcements to make on this occasion.

74. QUESTIONS ON NOTICE (PROCEDURE RULE 9)

There were no Questions on Notice for consideration at this meeting.

75. MOTIONS ON NOTICE (PROCEDURE RULE 11)

There were no Motions on Notice for consideration at this meeting.

76. EXECUTIVE COMMITTEE

Finance Monitoring Report Quarter 2 2018/19

Members were asked to note that the financial details within the report were accurate as of December 2018 and the figures would be superseded by those that would be included in the final Medium Term Financial Plan 2019/20 to 2022/23. The financial position for the Council would alter by £16,000 to take into account additional Section 106 monies that had been received.

Joint Discussion – A Joint Payscale

The proposals detailed within the report would ensure that there was parity in terms of the pay received by Officers employed by Redditch Borough and Bromsgrove District Councils. The Council had needed to amend the pay scales for Officers to comply with changes at a national level. There would be a slightly detrimental impact as a result of the changes in respect of the gender pay gap but Officers were identifying actions to address this.

It was noted that the unanimous support of all Members was contingent on proper consultation being conducted, in line with the Council's moral and legal obligations. The potential to dismiss staff and then re-employ them under the new pay scales would only be undertaken as a last resort.

Fees and Charges 2019/20

Members noted that the fees and charges for some of the sheltered accommodation and housing complexes managed by the Housing Department had been reissued in an additional papers pack. It had been identified by Officers that some incorrect charges had been loaded onto the Housing software and the figures detailed in the reissued papers were correct.

8th January Executive Committee Minutes

Councillor Baker, in his capacity as Chair of the Overview and Scrutiny Committee, commented that the minutes should have highlighted that the recommendations from the Overview and Scrutiny Committee in respect of Minute Item No. 73, for the redevelopment of Matchborough and Winyates District Centres, had received unanimous support. The Mayor confirmed that this amendment would be approved.

RESOLVED that

- 1) **the minutes of the meeting of the Executive Committee held on Tuesday 11th December 2018 be received and all recommendations adopted subject to, in respect of Minute 77 – Fees and Charges 2019/20, it being **RESOLVED that****

 - a) **the fees and charges for the sheltered housing schemes, St David's House, Mendip House, Bredon House and Malvern House and the Home Support Service, as detailed in Additional Papers 1, being approved; and**

- 2) **subject to the amendment detailed in the preamble above, the minutes of the meeting of the Executive Committee**

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held on Tuesday 8th January 2019 be received and all recommendations adopted.

77. URGENT BUSINESS - RECORD OF DECISIONS

There were no urgent decisions to note.

78. URGENT BUSINESS - GENERAL (IF ANY)

There was no general urgent business for Members' consideration.

The Meeting commenced at 7.00 pm
and closed at 7.29 pm

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Executive Committee

Tuesday, 5 February 2019

MINUTES

Present:

Councillor Matthew Dormer (Chair), Councillor David Bush (Vice-Chair) and Councillors Tom Baker-Price, Greg Chance, Brandon Clayton, Bill Hartnett, Gareth Prosser, Mike Rouse and Craig Warhurst

Also Present:

Ali Brill (Worcestershire County Council)

Officers:

Matthew Austin, Ann Dallison, Clare Flanagan, Sue Hanley, Jayne Pickering, Guy Revans and Judith Willis

Committee Services Officer:

Jess Bayley

82. APOLOGIES

There were no apologies for absence.

83. DECLARATIONS OF INTEREST

There were no declarations of interest.

84. LEADER'S ANNOUNCEMENTS

The Chair circulated a written update on the Leader's Announcements.

85. MINUTES

RESOLVED that

the minutes of the meeting of the Executive Committee held on 8th January 2019 be approved as a correct record and signed by the Chair.

.....
Chair

86. REDDITCH BOROUGH COUNCIL'S COMMUNITY LOTTERY

The Voluntary Community Sector Grants Co-ordinator presented a report in respect of Redditch Borough Council's Community Lottery. The programme had been agreed in September 2018 but before the lottery was launched the Council had to approve a number of policies in order to ensure compliance with the requirements of the Gambling Commission. The policies had been circulated for the consideration of relevant staff in advance of the Committee meeting to ensure that they did not conflict with other Council policies. Delegated powers had also been requested to enable officers to update the policies quickly in response to any changing requirements set by the Gambling Commission.

Following the presentation of the report Members discussed a number of points in detail:

- The basis for the projected figures that would be generated by the lottery, which were detailed in the report.
- The potential impact that the introduction of a community lottery would have on participation in lotteries for local charities, such as that held by the Primrose Hospice.
- The impact that the introduction of the lottery might have on the Council's grants programme.
- The lottery schemes that had been introduced by other local authorities in the country which had been relatively successful.
- The advice that Aylesbury Vale District Council had provided to the Council prior to the decision to introduce a lottery.

During consideration of this item Members referred to the recommendations that had been made by the Overview and Scrutiny Committee in respect of the community lottery. Members of the Overview and Scrutiny Committee had raised a number of concerns with respect to the lottery scheme and these had been detailed in a written summary of the discussions, which was tabled at the meeting.

RESOLVED that

the recommendations made by the Overview and Scrutiny Committee at a meeting on 4th February in respect of the community lottery be noted; and

RECOMMENDED that

- 1) **the Business Plan and suite of Policies be approved, and implemented for the Redditch Community Lottery Scheme; and**

- 2) **the Head of Community Services in consultation with the relevant Portfolio Holder be granted delegated authority to adapt the policies as and when required to ensure ongoing compliance with the rules and regulations set by the Gambling Commission as per our lottery licence.**

87. INDEPENDENT REMUNERATION PANEL REPORT AND RECOMMENDATIONS FOR 2019/20

The Principle Solicitor presented a report outlining the findings of the Independent Remuneration Panel (IRP) in respect of Members' allowances. The IRP had made a number of recommendations which would lead to an increase in the allowances paid to Redditch Members.

The Committee was asked to note that at the request of the Chair the financial implications of an increase to Members' allowances had been reviewed. Officers had found that the proposed changes, should they be approved, would result in an increase of £60,000 to the budget, rather than the £51,000 that had been detailed in the report. This would be incorporated in the Medium Term Financial Plan (MTFP) should Members agree the rise.

Included within the report was reference to the position of members of the Executive Committee without portfolio. The IRP had not made any recommendations in respect of their Special Responsibility Allowance (SRA). This was because no other Council covered by the Worcestershire IRP had an arrangement whereby members without portfolio served on the Executive Committee so there was no comparable information available. The Chair suggested that it would be fair to provide Members in this position with an SRA and he proposed that this should be increased by a multiplier of 1, in line with the proposed rise to the basic allowance for all Councillors.

Members subsequently discussed the following matters:

- The fact that Redditch Borough Council had not agreed an increase to Members' allowances for ten years.
- The need to attract new candidates to stand as Councillors and the fact that the financial remuneration might impact on their ability to commit to the role.
- The potential for the Council to attract candidates from deprived backgrounds to serve as Councillors and the impact that enhanced remuneration might have on their ability to take up the role.
- The recent decision taken by the Council in respect of the pay model for staff and the fact that this would lead to an increase in wages for many staff.

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- The allowances paid to Members serving on Bromsgrove District Council and the value of achieving parity in terms of allowances paid, given the shared services arrangements between the two Councils.
- The allowances paid to Councillors in other parts of Worcestershire and the significant differences in remuneration between Redditch and the other districts that had arisen over the ten years that Redditch Members had not increased their allowances.
- The increasing responsibilities of a local Councillor and the time that Members needed to dedicate to the role in order to fulfil their responsibilities effectively.
- The impact that an increase in Members' allowances would have on the Council's ability to meet the authority's equality duties.
- The reasons why Members decided to serve on the Council. There was general consensus that this was not for financial reasons.

RECOMMENDED that

- 1) **the Basic Allowance for 2019-20 is £4,437, representing 2% increase;**
 - 2) **the Special Responsibility Allowances are as set out in Appendix 1 to the Independent Remuneration Panel's report;**
 - 3) **travel allowances for 2019-20 continue to be paid in accordance with the HMRC mileage allowance;**
 - 4) **subsistence allowances for 2019-20 remain unchanged;**
 - 5) **the Dependent Carer's Allowance remains unchanged;**
 - 6) **for Parish Council in the Borough, if travel and subsistence is paid, the Panel recommends that it is paid in accordance with the rates paid by Redditch Borough Council and in accordance with the relevant Regulations; and**
 - 7) **the Special Responsibility Allowance for members of the Executive Committee without Portfolio be increased by a multiplier of 1.**
88. **ARROW VALLEY COUNTRYSIDE CENTRE - CHANGE OF OPERATOR**

The Executive Director of Finance and Corporate Resources presented a report outlining proposals for the change of operator at the Arrow Valley Countryside Centre. Members were advised that

the operation of the service at the countryside centre had been outsourced to an external company in 2011 with a ten year lease. During the course of their tenure concerns had been raised by Members, Officers and customers about a range of matters relating to the building and the consistency of the service. There had also been limited performance data provided to the Council over the past few years, despite this being a requirement in the contractual agreement. The current leaseholders had indicated to the Council that they would be withdrawing from the contract by March 2019, which was before the end of the lease. This provided the council with an opportunity to review future arrangements. The initial business case for Rubicon Leisure had noted that the local authority might seek to manage additional Council owned facilities once their leases expired and it was considered expedient to ask Rubicon Leisure to take over management of the Arrow Valley Countryside Centre. The Council was not required to undertake a tendering process in order to finalise this arrangement.

The Council was aiming to ensure that the Arrow Valley Countryside Centre in future operated in a manner that would meet the Council's strategic purpose 'provide good things to do, see and visit'. Rubicon Leisure had provided projected income figures for the Arrow Valley Countryside Centre. As a precaution these figures were low as it had been difficult to estimate potential income generation due to the lack of available data from the existing leaseholder. Should Members agree to transfer management of the Arrow Valley Countryside Centre the staff would be TUPE transferred over the Rubicon Leisure.

Members discussed the report and proposals for the future use of the Arrow Valley Countryside Centre and noted the following points during consideration of the matter:

- The need to improve the services available to customers at the Arrow Valley Countryside Centre.
- The alterations made by the current contractor to the countryside centre and the extent to which this had been made at a cost to the Council.
- The potential to recoup any costs from the current leaseholder. Members were advised that it was important to review the terms of the contract as well as to consider the potential court costs that might arise should the Council seek to recoup costs from the current leaseholders.
- The financial costs to the Council involved in making sure the building was in a good condition should it not prove possible to recoup the funding from the current leaseholder.
- The need to ensure that the office space, including the mezzanine level in the countryside centre remained available for community use. Members commented that they were not

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willing to permit Rubicon Leisure to use the centre as office space.

- The need to ensure that the Council was clear about the terms of use of the Arrow Valley countryside Centre with Rubicon Leisure.

RECOMMENDED that

- 1) **the Council accepts the surrender of the current service provider's lease of the Arrow Valley Countryside Centre on 31 March 2019;**
- 2) **operation of the Arrow Valley Countryside Centre be transferred to Rubicon Leisure Ltd from 1st April 2019; and**
- 3) **the Medium Term Financial Plan (MTFP) is revised to reflect the reduction in the overall Rubicon Leisure management fee expected to result from the transfer.**

89. COUNCIL TAX SUPPORT SCHEME AND WIDER SUPPORT FRAMEWORK

The Executive Director of Finance and Corporate Resources presented the Council Tax Support Scheme and Wider Support Framework. The Committee was advised that the Council had had a scheme since 2013. The current system enabled working age applicants to receive up to 80 per cent relief on their Council Tax. In September Members had agreed that the Council should launch a consultation about the potential to introduce a banded discount scheme. This consultation exercise had subsequently been held and the majority of respondents had reported that they were not in favour of this proposal.

Officers had concluded that the current arrangements should remain in place for 2019/20. This would provide time to observe how changes to Council tax support schemes that were being introduced by other local authorities impacted in their communities and on this basis the most appropriate arrangements for Redditch could be selected. Changes were proposed however in respect of the Council Tax Support available to care leavers and proposals detailed in the report were designed to help them. These proposals corresponded with recommendations that had been made by the Care Leavers Short Sharp Scrutiny Review in 2018.

Following the presentation of the report Members discussed a number of matters in detail:

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- The needs of care leavers, including the benefits arising from further information being provided to care leavers about Council Tax and the support they were entitled to.
- The reasons why the Council decided not to introduce a banded support scheme.
- The number of residents who responded as part of the consultation exercise. Officers advised that they would provide this information outside the meeting.
- The problems that had been experienced by other local authorities that had already introduced a banding system. Some Councils had incorrectly inputted details about residents which had caused problems with the system.

During consideration of this item a care leaver was invited by the Chair to speak about his experiences and the extent to which additional support through the Council Tax Support Scheme would be appreciated by care leavers. Members were informed that many care leavers struggled financially and emotionally when they left care and moved into alternative accommodation. The proposals in the report would help care leavers at a time when they were particularly vulnerable to regain some stability. Many care leavers would repay the community in the long-term as they were all keen to succeed in life.

RECOMMENDED that

the Local Council Tax Support scheme is revised to provide:

- 1) Care Leavers under 21 years of age are treated as a protected group and provided 100% Local Council Tax Reduction (LCTR);**
- 2) Care leavers aged 21 years or over and under 25 years of age are treated as a protected group and provided up to 100% LCT;**
- 3) the scheme is updated in line with national welfare benefits; and**
- 4) Council Tax Hardship Scheme is amended to enable transitional support to be provided to care leavers under 25 whose income results in significant withdrawal of support.**

90. BUSINESS CASE - DOMESTIC WASTE COLLECTION RESOURCES

The Environmental Services Manager presented a report in respect of the resources for domestic waste collection services. The Committee was advised that the report had been prepared following significant disruption to waste collection services in the summer of 2018. This had impacted on 20,000 households, with 10,000 not receiving a waste collection service until the following week. The problems had occurred for a variety of reasons, including staff leave and sick leave. The Place team had provided support but this had distracted them from their work. Agency staff had also been employed to help, though this had occurred at a cost to the Council. Officers were proposing the introduction of three new posts in order to enhance resilience within the team.

So far in 2018/19 the Council had spent £91,000 on agency staff, whilst the previous year the cost had been over £100,000. There was no budget for agency staff so this represented an overspend. Officers were suggesting that the extra staff proposed in the report would help to address the problems that had caused the Council to employ agency staff temporarily, leading to a reduction in costs for the service. However, Officers noted that the Council might continue to need to use agency staff from time to time.

Members were asked to note that the Government would be consulting on proposed changes to waste collection services in 2019. There were a number of proposals detailed in the report which would have implications for Council services should they be approved. The proposals included the suggestions that:

- There should be compulsory weekly refuse collections.
- Garden waste collection services should be free.
- The range of plastics in use in the country should be reduced.
- Approaches to recycling should be standardised across the country.

Redditch Borough Council was working with the other local authorities in Worcestershire, as well as the County Council, to respond to these proposals from the Government. Members would be notified of the outcomes of the Government's consultation and the implications of any changes to the Council in due course.

Members subsequently discussed a number of issues relating to domestic waste collection services:

- The reciprocal arrangement with Bromsgrove District Council whereby the refuse collection teams collected waste in

locations close to their boarders. Officers confirmed that this would be continuing.

- The need for a budget for replacing bins.
- The positive impact that the chargeable garden waste service had had on the Council's budget. Members were advised that the number of customers for garden waste collection services had exceeded expectations.
- The need to ensure that expenditure on waste collection services was derived from relevant budgets.

RECOMMENDED that

Members agree the recommendation from the Business Case, and that £83,674 additional funding is included in the medium term financial plan to fund 3 members of staff to support the waste collection service.

91. HOUSING / HOUSING REVENUE IMPROVEMENT PLAN - PROGRESS REPORT

The Deputy Chief Executive presented a report in respect of the progress that had been achieved with the implementation of the Housing and Housing Revenue Improvement Plan.

During the presentation of the report the following matters were highlighted for Members' consideration:

- This was the first progress report in respect of the Housing Implementation Plan that had been presented to Members. Further updates would follow at six month intervals.
- The report had been pre-scrutinised by the Overview and Scrutiny Committee and a similar report was due to be considered by the Audit, Governance and Standards Committee in April.
- The Council had a balanced Housing Revenue Account (HRA), though the financial position for the Council remained challenging.
- Service reviews were being undertaken and would be taken forward during the year.
- Consideration of the gas business case by the Executive Committee until June 2019. This would provide time to seek external expert advice.
- The Council was complaint with requirements in terms of gas services but Officers needed to review the boiler replacement programme.
- The number of voids had been reduced from approximately 120 to 51. Further reductions in the number of void properties would only follow once the Council had procured a new Housing IT system.

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- In total 20 per cent of the stock condition survey had been completed.
- Service development continued to be treated as an area of high risk.
- Since the previous report to Committee on this subject a risk had been added in respect of seeking housing advice.
- Health and safety risks had been upgraded from medium to high. Whilst the Council was compliant with health and safety requirements some issues had been identified, including with the Council's high rise buildings, that merited the upgrade.

Members discussed the report in detail and noted that Officers had worked hard to address the problems that had been identified with Housing Services in 2017/18. The Overview and Scrutiny Committee had also concurred that the staff had worked hard and Members had agreed that they should be thanked for this hard work. There had been a number of difficulties that had had to be overcome and both Officers and Members had found this stressful.

RESOLVED that

- 1) **thanks be extended to all housing staff, including the Deputy Chief Executive, the Head of Environmental Services and the Head of Community Services for their hard work to address the issues in respect of Housing Services that were identified in 2017/18; and**
- 2) **the Executive Committee consider the content of the report and endorse the progress reports for each of the items detailed.**

92. PERFORMANCE REPORT

The Deputy Chief Executive presented the performance report and explained that the focus was on the performance of services in relation to the strategic purpose 'help me to find somewhere to live in my locality'. Key strategic measures had been included within the report, including one focusing on mental health issues which was being led by the Redditch Partnership Executive Board.

Changes were due to be made to housing services, in line with plans detailed in the housing implementation plan. As part of the process Officers were planning to involve tenants in the development of relevant new policies. Information had also been provided about the Council's compliance in relation to gas safety, electrics and asbestos.

There were pressures at the Council in respect of homelessness reduction. Nationally there were staff shortages and this was

having an impact in Redditch. The Council was working to address this and £250,000 would be invested in homelessness prevention.

RESOLVED that

the report be noted.

93. MEDIUM TERM FINANCIAL PLAN - UPDATE REPORT

The Executive Director of Finance and Corporate Resources presented an update on the MTFP 2019/20 to 2022/23. Members were advised that the budget would not be finalised until the Executive Committee meeting that was due to take place immediately before Council on 25th February 2019. On the date of the meeting there remained a budget gap of £195,000 which would need to be addressed by 25th February. As the budget remained to be finalised Members were advised that details such as the budget bids would change and therefore Members were advised that it would be sensible not to make any decisions at this stage.

The gap over the four year period was projected to increase to £1.6 million. However, there remained a lot of uncertainty with respect to government funding for local government. Clarity still needed to be provided about how much revenue support grant, if any, would be received by the Council in future years, whether the Council would continue to receive any additional funding from the New Homes Bonus and how much funding would be received by local authorities from business rates. For these reasons the figures were estimates.

Officers were working on the basis that Council Tax would increase by 2.99 per cent and this had been incorporated into the MTFP. There was the potential that the Council would need to make a £150,000 contribution to the Greater Birmingham and Solihull Local Enterprise Partnership (GBSLEP). As the Worcestershire Business Rates Pool had been approved by the Government it was likely that this would be funded from that budget. The £150,000 was an estimate based on the figure that had been noted by both Bromsgrove and Wyre Forest District Councils.

During discussions about the GBSLEP questions were raised about the payments that had been made to the Worcestershire LEP and the Staffordshire LEP and the reasons why this payment had not also been made to the GBSLEP. The Chair explained that it had recently been clarified that the GBSLEP should also have received this funding from the Government and this would happen in due course.

To address the budget gaps Officers would be reviewing the Council's reserves to assess whether these were all required.

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There was also the possibility there would be funding opportunities for the Council in terms of social care and early help intervention services.

Members noted that reference was made in the report to funding for the Christmas lights. This had been included as a budget bid in the MTFP in 2018 but at the time Members had been assured that this would only happen the once. Officers were therefore asked to double check why a budget bid for Christmas lights was being requested for a second year.

RESOLVED that

the report be noted.

94. OVERVIEW AND SCRUTINY COMMITTEE

The Committee was informed that there were no outstanding recommendations arising from the meeting of the Overview and Scrutiny Committee held on 3rd January 2019 that remained to be considered.

RESOLVED that

the minutes of the meeting of the Overview and Scrutiny Committee held on 3rd January 2019 be noted.

95. MINUTES / REFERRALS - OVERVIEW AND SCRUTINY COMMITTEE, EXECUTIVE PANELS ETC.

The Chair confirmed that there were no outstanding recommendations from either the Overview and Scrutiny Committee or any other Committees for consideration at the meeting.

96. ADVISORY PANELS - UPDATE REPORTS

Constitutional Review Working Party – Chair, Councillor Matthew Dormer

Councillor Dormer advised that the next meeting of the Constitutional Review Working Party would take place on Tuesday 12th February 2019. Any recommendations arising from this meeting would be reported to Council at a meeting on 25th February 2019.

Corporate Parenting Board – Council Representative, Councillor Gareth Prosser

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Councillor Prosser advised that the next meeting of the Corporate Parenting Board was due to take place on 7th March. As this clashed with the next meeting of the West Mercia Police and Crime Panel, which Councillor Prosser was also due to attend, Councillor Baker-Price would be attending the meeting as his substitute.

Grants Panel – Chair, Councillor Greg Chance

Councillor Chance informed Members that the Grants Panel had recently considered metal recycling issues and had made a recommendation about the organisation that would receive the associated funding.

Member Support Steering Group – Chair, Councillor Matthew Dormer

Councillor Dormer advised that a meeting of the group that had been due to take place on 29th January had been postponed due to inclement weather and the limited availability of Members to attend the meeting. The meeting of the group had been rescheduled to take place on 26th February 2019.

Planning Advisory Panel – Chair, Councillor Matthew Dormer

There had been no meetings of the Planning Advisory Panel since the previous meeting of the Executive Committee.

The Meeting commenced at 7.00 pm
and closed at 8.28 pm

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REDDITCH BOROUGH COUNCIL**EXECUTIVE
COMMITTEE**5th February 2019**POLICIES FOR REDITCH COMMUNITY LOTTERY SCHEME**

Relevant Portfolio Holder	Councillor Tom Baker-Price, Portfolio Holder for Corporate Management
Portfolio Holder Consulted	Yes
Relevant Head of Service	Judith Willis, Head of Community Services
Wards Affected	All
Ward Councillor Consulted	N/A
Key Decision	

1. SUMMARY OF PROPOSALS

- 1.1 Members are requested to approve the Business Plan and suite of policies to enable the implementation of the recently approved Redditch Community Lottery Scheme.

2. RECOMMENDATIONS

The Executive Committee is requested to **RESOLVE** that

- 1) **The attached Business Plan and suite of Policies found in Appendix 1 - 6 of this report be approved, and implemented for the Redditch Community Lottery Scheme.**
- 2) **The Head of Community Services in consultation with the relevant Portfolio Holder be granted delegated authority to adapt the policies as and when required to ensure ongoing compliance with the rules and regulations set by the Gambling Commission as per our lottery licence.**

3. KEY ISSUES**Background**

- 3.1 On 5th September 2018, the Executive Committee approved the establishment of a local lottery. As part of its commercialism programme, Redditch Borough Council continues to explore how it can deliver better services and outcomes for residents whilst addressing the continued reductions and pressure on budgets.
- 3.2 The original business case illustrated how developing a Community Lottery for Redditch, could contribute to meeting pressures on discretionary funding to local good causes.
- 3.3 To establish and implement the Redditch Community Lottery, it is necessary to produce an overarching Business Plan and a suite of

**EXECUTIVE
COMMITTEE**5th February 2019

supporting policy documents to ensure the effective running of the lottery, support and safeguarding for lottery players and to meet the requirements of the Gambling Commission to acquire the necessary lottery licence.

- 3.4 A new Business Plan and suite of policy documents have therefore been produced to set out the overarching parameters that the scheme will work within and can be found Appendix 1 - 6.

Financial Implications

- 3.5 As listed in the original Business Case (approved by the Executive Committee on 5th September 2018), the initial set up cost was £10k. The ongoing costs for the licence renewal, marketing and staff costs are estimated at £2,500 per annum and is expected to be largely met through the 10% share of ticket sales set aside for the Council.
- 3.6 Redditch Borough Council currently makes an annual allocation for grant funding for voluntary community sector, not for profit organisations. Applying this successful lottery model has the potential to keep the benefits enjoyed from this system of discretionary funding and could reduce the Council's costs to provide them.

Legal Implications

- 3.7 The Council will be required to apply to the Gambling Commission for an Operator Licence which will govern the operation of the lottery.
- 3.8 Appropriate delegated authority will need to be in place to allow changes to be made to the lottery policies (as and when required) to ensure compliance with the rules and regulations of the Gambling Commission as licence holders for the Redditch Community Lottery.
- 3.9 An external lottery manager, ("ELM") will be appointed through a procurement exercise.
- 3.10 The relationship between the Council and the ELM will be formalised through a contract, the main obligation being on the ELM to deliver the lottery online.

Customer / Equalities Implications

- 3.11 As part of the original Business Case, an Equality Impact Assessment for the Redditch Community Lottery was carried out and submitted as part of the report.

REDDITCH BOROUGH COUNCIL**EXECUTIVE
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4. RISK MANAGEMENT

- 4.1 The suite of policies submitted for approval with this report are there to support the Council as licence holders, deliver the Redditch Community Lottery as effectively as possible and in accordance to the rules and regulations set by the Gambling Commission.
- 4.2 The policies will also allow the Council to ensure that there are sufficient safeguarding measures in place for all players of the lottery, particularly the most vulnerable residents with the borough and more widely.
- 4.3 All funds are managed on behalf of the Council by the ELM and the jackpot prize is always an insured sum. There is no rollover and if there is more than one winner they all win the £25k.
- 4.4 For the ongoing costs of the Annual Licence Fee and Annual Lotteries Council Membership (approximately £1,000) to be met through the 10% share of ticket sales set aside for the Council, a total of 10,000 tickets must be sold each year otherwise there will be a small annual cost to the Council.
- 4.5 The operational risk essentially lies in people not choosing to buy tickets. Should the Redditch Community Lottery fail to achieve the volume of tickets sales predicted, the project will not be able to achieve its aim to bring in additional funding to support the wider VCS Grants Programme.
- 4.6 Should the Redditch Community Lottery fail to become established and achieve its aims and objectives, the Council would be able to consider its option not to renew its licence, and close the scheme down. This may be a risk to the reputation of Redditch Borough Council and may result in the Council losing its initial set up costs for the project.

5. APPENDICES

Appendix 1: The Redditch Community Lottery Business Plan.

Appendix 2: Implementation of Procedures Policy.

Appendix 3: Social Responsibility in Gambling Policy.

Appendix 4: Children and Vulnerable Persons Protection Policy.

Appendix 5: Protection from Source of Crime and Disorder Policy.

Appendix 6: Fair and Open Gambling Policy.

6. BACKGROUND PAPERS

- Executive Report and Business Case, 05.09.18, Redditch Local Lottery.

**EXECUTIVE
COMMITTEE**

5th February 2019

AUTHOR OF REPORT

Name: Ann Dallison
E Mail: ann.dallison@bromsgroveandredditch.gov.uk
Tel: 01527 64252 Ext. 2667



www.redditchbc.gov.uk

**Redditch Borough Council
Community Lottery
Business Plan**

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Introduction & Background

Strategic Context

Redditch Borough Council is located within the County of Worcestershire and borders Warwickshire County to the east and southeast, Bromsgrove District to the west and north, Stratford-upon-Avon District to the east and southeast and Wychavon District to the southwest. The Borough lies 15 miles south of the Birmingham conurbation and consists of the main town of Redditch, the villages of Astwood Bank and Feckenham and several other hamlets. It covers an area of 5,435 hectares (13,430 acres) with a population of 84,214 (2011 Census).

The Redditch Borough Council, Council Plan 2017- 2020, focusses on the following six strategic purposes:

- Keep my place safe & looking good
- Help me run a successful business
- Help me to be financially independent (including education & skills)
- Help me to live my life independently (including health & activity)
- Provide good things for me to see, do & visit
- Help me find somewhere to live in my locality
- Help me run a successful business

In this respect, the development of a local authority lottery aligns with several of our strategic purposes through our ongoing support and commitment to the Voluntary and Community Sector and our wider local communities and has recently been proven in a number of other councils and would be suited to the Redditch area.

This business plan formulates how the lottery will operate including financial forecasts.

Purpose & Rationale of the Redditch Community Lottery

The concept of a Community Lottery has been identified as a proven business model delivered in many other councils to raise funds for local good causes whilst addressing some of the Council's financial challenges.

Redditch Borough Council currently makes an annual allocation of its revenue budgets to allow for grants to be awarded to local good causes and not for profit organisations. This includes an amount to be awarded by way of cash grants, in kind support and discretionary rent relief.

Applying the already successful lottery model has the potential to keep the benefits enjoyed from this system of discretionary funding and will reduce the council's costs to provide them. With continued reductions and budget pressures, a Community Lottery for Redditch Borough Council will contribute to meeting pressures on discretionary funding to local good causes. For example: by providing this opportunity to local good causes it will enable them to bring in additional funding and at the same time, the additional funds raised by the lottery itself will be used by the council to support the wider Grants Programme and its support for the voluntary and community sector.

A Redditch Borough Community Lottery could help move the organisation from providers to facilitators.

Any group or organisations matching the agreed criteria including existing Council funding beneficiaries and local groups will be able to apply to be part of the Redditch Community

Lottery. The proposed eligibility criteria for good causes to join the lottery are set out in Appendix 1.

Customer Insight

In developing the Redditch Community Lottery we have explored the delivery of other schemes including the 'Vale Lottery' run by Aylesbury Vale District Council. Their experience has demonstrated considerable support with over 180 good causes signed up to the scheme including schemes which are operated by the local authority itself.

In turn this has informed the USP (unique selling point) for the lottery as being:

- **Delivering the proceeds locally** – Redditch Community Lottery would deliver benefits only to local causes, unlike any other providers (the National Lottery).
- **Delivering winners locally** – whilst anyone could play, it is likely that players will be locally based and hence it will be easier to maximise PR value from winners' stories and encourage more participation.
- **Facilitating a wider benefit** – the lottery will support the ambitions and the targeted actions for Redditch in circumstances where the Council is not able to do so.
- **Helping to improve residents' perceptions** – that Redditch Borough Council holds an enabling role in support of good causes.

This business plan recognises that players will fall into one of two camps - those who are attracted by the possible prizes and those who are more altruistically motivated. This lottery proposal focuses on the latter of these groups, but has elements that still should appeal to the more prize focused player.

Form of the Redditch Community Lottery

In supporting the outcomes of the lottery, the focus is on providing a lottery scheme that delivers a high level of funds to the good causes as they are key to ensuring ongoing ticket sales in the long term. An External Lottery Management (ELM) operator will be appointed through a procurement exercise. The intention is that the ELM's platform will deliver the following benefits:

- Reduced overhead costs by utilising a well-established lottery platform thereby maximising benefits to the good causes
- Is simple and easy to understand for the player
- Is simple and easy to adopt for the good causes
- Promotes repeated but controlled repurchasing - hence providing a steady funding stream for good causes
- Emphasises the good cause element of the lottery overall.

The form of the Redditch Community Lottery therefore is:

- £1 ticket per week with a weekly draw
- Only playable online
- Funded only via Direct Debit, rolling monthly card payment, or block ticket purchase with single payment for 3, 6 or 12 months
- 6 number self selected ticket

- Delivered via an ELM.

The prize structure and odds for the draws are set out in the table below:

Prize Structure		
	Winning Odds	£ Prize
6 numbers	1,000,000:1	£25,000
5 numbers	55,556:1	£2,000
4 numbers	5,556:1	£250
3 numbers	556:1	£25
2 numbers	56:1	3 free tickets

Distribution of proceeds from each ticket sold is shown below:

Proceeds Apportionment		
	% Allocation	£ Allocation per ticket
Good Causes	50	£0.50
Prizes	20	£0.20
The Council	10	£0.10
ELM	17	£0.17
VAT	3	£0.03
Totals	100	£1.00

Method of Delivery

Whilst Redditch Borough Council is a licensing authority in its own right this does not include the licensing for lotteries, and it does not have experience of running lotteries directly. As such this scheme will be delivered through the use of an External Lottery Manager (ELM).

The relationship between the Redditch Borough Council and the ELM is summarised as:

Redditch Borough Council:

- responsible for all license related, overall structure, form and control of the Redditch Community Lottery (note the Gambling Commission are the licensing authority for lotteries)
- including explicit agreement to any good cause membership, judged against the Corporate Plan ambitions & targeted actions, as well as the good causes' plans to publicise the lottery
- delivered via two personally licensed members of staff at Head of Service level.

External Lottery Manager (ELM)

- responsible for all development and day to day running of the Redditch Community Lottery on behalf of Redditch Borough Council. This includes player

management, financial management (including player funds & prizes and good cause funds), website management and ticket sales.

The External Lottery Manager (ELM) will be licensed by the gambling commission as an external lottery manager running numerous society lotteries in the UK.

In summary Redditch Borough Council set the strategic approach, and exercises control of the license and the ELM fulfils the day to day delivery of this.

The relationship between Redditch Borough Council and the ELM will be formalised by a contract for the delivery of these services. The one off payment for the ELM platform to be bespoke to Redditch Community Lottery is £3k, and all costs then going forward are recovered via the players.

Player Population & Financial Management & Modelling

There are 68,185 possible players in the district/borough (i.e. over 16 and resident).

Technically the player population is much wider than this as there is no restriction on player location; however for simplicity this population is assumed to represent the vast majority of players.

Whilst it is difficult to assess the actual take up rates of players for the lottery, this will in part reflect the desire to play, the types and spread of the good causes involved, and the marketing and support given to promote the lottery. The table below sets out a breakdown of possible player levels and the resulting financial split that these would produce:

Year	Ticket Price £	% of RBC Player Pop.	Number of Players	Tickets bought per week	Number of weeks	Gross Return	RBC share (10%)	Good Causes (50%)	Prizes (20%)	ELM (17%)	VAT (3%)
1	1	1.00%	682	1	52	35456	3546	17728	7091	6028	1064
2	1	1.50%	1023	1	52	53184	5318	26592	10637	9041	1596
3	1	2.00%	1364	1	52	70912	7091	35456	14182	12055	2127
4	1	2.50%	1705	1	52	88641	8864	44320	17728	15069	2659
5	1	3.00%	2046	1	52	106369	10637	53184	21274	18083	3191

Financial management

The External Lottery Manager (ELM) will deliver all financial management elements of the Redditch Community Lottery.

All funds are held by the ELM in a separate client deposit account.

Payments are collected monthly for direct debit and rolling card payments, or upfront in the case of block purchase of tickets (3, 6 or 12 months) only. All funds will be in a financially cleared form prior to any prize draw.

Prize winners are notified by the ELM via email immediately after a draw if they have won. If prizes are not claimed, weekly reminders are sent to players.

The jackpot prize of £25,000 is an insured prize (arranged as part of the ELM contract). This avoids the need to accumulate this level of funding in advance. For initial draws prior to the prize pot being built, insurance will also be in place to ensure that any prize payment can be made.

Good Cause funds are held in a separate client deposit account. The good cause donations are distributed to the causes on a monthly basis direct to their bank accounts.

Any disputes will be managed through the Independent Betting Adjudication Service (IBAS). Membership of the Lotteries Council will automatically give access to this service.

Financial Forecast

The table below illustrates the following 5 year forecast illustrates the allocation of income and expenditure for the Lottery. All costs and income are contained with the project:

	Year 1	Year 2	Year 3	Year 4	Year 5
INCOME					
Potential ticket sales	35,456	53,184	70,912	88,641	106,369
INCOME TOTAL	35,456	53,184	70,912	88,641	106,369
EXPENDITURE					
* Annual Licence Fee (approx. £650)					
* Annual Lotteries Council Membership (Approx. £350)					
External Lottery Manager	6,028	9,041	12,055	15,069	18,083
Prize Fund	7,091	10,637	14,182	17,728	21,274
Good Causes (50%)	17,728	26,592	35,456	44,320	53,184
Council (10%) (* will cover Licence Fee and Lotteries Membership. Remaining funds will contribute to wider VCS grants programme.	3,546	5,318	7,091	8,864	10,637
VAT	1,064	1,596	2,127	2,659	3,191
EXPENDITURE TOTAL	35,457	53,184	70,911	88,640	106,369
INCOME LESS EXPENDITURE	-1	0	1	1	0

Future developments & marketing

The lottery has been developed to be flexible in form in order to offer 'bolt on' activities to the main lottery to raise player and good cause interest.

An example of this may be the run up period to the first draw, when players signing up to the lottery may be also entered into an additional prize draw to win an item prize such e.g. an iPad. This is to assist with the overall launch and marketing of the lottery.

Other marketing activity may include:

- Periodic email sign off attachments to all council emails.
- Advertising on the side of council vehicles.
- Social Media channels and potential social media advertising.
- General promotion of prize winners and good cause benefactors.

In all of the above, the regulations around age related marketing and advertising will be adhered to.

Problem Gambling

As part of the Councils approach to the lottery, it is of course aware of the issues around problem gambling. As set out in the policies submitted to the Gambling Commission, Redditch Borough Council takes this issue seriously, and will be making a donation to support organisations. We do not believe that the form of the Redditch Community Lottery is particularly attractive to those with a gambling addiction as:

- It is being marketed with the promotion of good causes as its focus.
- It is delivered remotely, non-cash based, and takes effort to subscribe to.
- There is no instant gratification element.
- We provide the ability for players to self-exclude, and have the ability to place blocks or caps on players.

Delivery Timeline

The Redditch Community Lottery is focused on delivery from July 2019. The table below illustrates each phase necessary to develop and implement the lottery and estimated timeframe:

February 2019	Phase 1	RBC - Project final approval
February – May 2019	Phase 2	Legal Requirements including Gambling Commission License Application; setting terms and conditions for 'Good Causes'; Terms and Conditions / Game Rules / Data policy etc for Lottery Players; Lotteries Council Application Design of product including full build of lottery platform/framework/website; social media; accounting system including direct debit accounts and payment processing accounts etc (ELM).
May 2019	Phase 3	Marketing
May – June 2019	Phase 4	'Good Causes' on board including launch event
June – July 2019	Phase 5	'Players' on board
July 2019	Phase 6	GO LIVE

All of the above is subject to Gambling Commission licensing process and a successful licensing application.

Appendix 1 - Criteria for joining the Redditch Community Lottery – Good Causes Lottery:

We want to enable appropriate organisations to join the Redditch Community Lottery as good causes. As you will be joining under our overall gambling license (Gambling Act 2005) we have to ensure that member organisations meet certain criteria. There is no application fee.

Your organisation must:

- Be a non-statutory organisation operating in the not-for-profit sector and have a formal constitution or set of rules in place.
- Have a bank account requiring at least 2 unrelated signatories.
- Provide community activities or services within Redditch, which support the ambitions and targeted actions of the Council Plan and its strategic purposes.
- Operate with no undue restrictions on membership.
- Have a detailed plan as to how the lottery will be promoted.

And be either:

- A constituted group with a volunteer management committee, with a minimum of three unrelated members, that meets on a regular basis (at least 3 times per year).
- A registered charity, with a board of trustees.

Or :

- A registered Community Interest Company, providing copies of your Community Interest Statement, and a copy of your latest annual community interest report.


We will not permit applications to join the Lottery from:

- Groups promoting or lobbying for particular religious or political beliefs or campaigns.
- Organisations that do not do work within the boundaries of Redditch.
- Individuals.
- Organisations which aim to distribute a profit.
- Organisations with no established management committee/board of trustees (unless a CIC).

- We will also not permit applications from groups which are incomplete.
- The Council reserves the right to reject any application for any reason.
- The Council reserves the right to cease to license any organisation with a minimum of 7 days notice for any reason.
- If fraudulent or illegal activity is suspected cessation will be immediate.

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Implementation of Procedures Policy

Policy Name	Implementation of Procedures Policy	
Policy Purpose	The Process for Implementing Redditch Borough Council policies and procedures.	
Policy Created By	Ann Dallison	
Policy Created date	December 2018	
Policy Validated and Checked By	Helen Broughton	
Policy Validated and Checked Date		
Policy Renewal Date	December 2019	

1. Policy Detail

Redditch Borough Council takes its legal responsibilities very seriously and requires that officers and staff are aware of their legal obligations in running a successful and legally compliant Lottery.

2. New Starters

All new starters involved with the lottery will be given training as part of the induction process. The level and depth is dependent on role but covers:

- The Gambling Act 2005
- Licence Conditions and Code of Practice (LCCP)
- Committees of Advertising Practice (CAP) and the Code of Broadcast Advertising (BCAP)
- Data Protection
- Plus the process for highlighting any evidence of non compliance

3. Existing Staff

All officers connected to the lottery are aware of their legal responsibilities and compliance is a regular agenda item at review meetings.

Annual refresher courses for staff will be run to maintain knowledge and compliance.

Ad hoc on the job training forms part of the development of staff and focus areas for developments are identified during the annual appraisal process and regular review process.

4. Umbrella Good Causes

As part of our lottery scheme we will be enabling good causes to join under the Redditch Borough Lottery itself.

All organisations will be provided with a fact sheet summarising their responsibilities covering the same items as set out in 2 above.

Annual training events will be run for the good causes addressing the same issues as set out in item 3 above.

5. Training

Records will be kept as part of the personnel record of individuals and a register of key training delivered and renewal dates kept.

Training will be delivered in conjunction with our External Lottery Manager ELM.

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Social Responsibility in Gambling Policy

Policy Name	Social Responsibility in Gambling Policy	
Policy Purpose	Ensuring the promotion of social responsibility in gambling.	
Policy Created By	Ann Dallison	
Policy Created date	December 2018	
Policy Validated and Checked By	Helen Broughton	
Policy Validated and Checked Date		
Policy Renewal Date	December 2018	

Policy Detail

1. Redditch Borough Council is aware of their social responsibility to protect individuals from excessive and addictive gambling.
2. Limits are in place to ensure individuals cannot buy excessive numbers of tickets.
 - This therefore restricts the capability for individuals to gamble beyond their means or gamble what they cannot afford.
 - These limits will be monitored to see how many players reach them and may be reduced correspondingly if required.
 - These limits are clearly highlighted at the point of purchase online.
3. Accounts require validation and set up.
 - In the instances of direct debit the Direct Debit Guarantee ensures a time lag between ticket purchase and the first draw.
 - As draws take place once per week, ticket purchases are therefore not capable of being purchased for immediate play and
 - For internal process reasons even credit & debit card payments cannot facilitate instant play into a draw for that week and a minimum of one days lag will be effective.
 - The combination of these factors does ensure it limits the capability to facilitate instant gambling and therefore significantly reduces the risk of gambling whilst under the influence of drink or other substances.
4. It is not possible to borrow money or be entered for lottery draws unless cleared funds have been accepted. No exceptions will be made to this position.
5. The system data provides facilities to track major changes in the lottery participation. Any significant outliers in the numbers of tickets will be investigated as part of ongoing assessments on the correct levels for ticket participation.
6. A process for self-exclusion from lottery participation exists to allow anyone to self-exclude themselves from all Redditch Borough Council propositions (existing or future).
7. Links to the support websites (www.gamcare.org.uk & www.Gambleaware.co.uk) plus the National Gambling Helpline are made available on the website to direct anyone to help and support should they need help from gambling additions. Redditch Borough Council will be a contributing member to their research and support through membership of the lotteries council.

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Children and Vulnerable Persons Protection Policy

Policy Name	Children and Vulnerable Persons Protection Policy	
Policy Purpose	Ensuring that children and other vulnerable persons will be protected from being harmed or exploited by gambling.	
Policy Created By	Ann Dallison	
Policy Created date	December 2018	
Policy Validated and Checked By	Helen Broughton	
Policy Validated and Checked Date		
Policy Renewal Date	December 2019	

Policy Detail

1. Redditch Borough Council understands its requirements as part of the Licence Conditions and Code of Practice (LCCP) and takes its responsibilities to the protection of Children and Vulnerable persons very seriously. In our wider involvement as a key agency in all aspects of child protection we are well aware of our responsibilities.
2. Redditch Borough Council understands that there is a legal requirement to prevent the sale of lottery tickets to under 16's.

To ensure compliance with this requirement our External Lottery Manager (ELM) will spot check new players of the lottery subjecting them to Age Verification checks via an industry recognised third party agency to ensure they are of a legal age to play. Age verification service providers can deliver positive results to ensure players are over 18 and therefore our ELM will only accept these positive checks as a validation of age.


As a final check before any jackpot prizes are issued, secondary age validation is also sought (passport, driving licence etc.)

3. To ensure players are aware of the age limitations:
 - clear statements will be displayed on the various websites relating to the required age to play, the age requirement is also highlighted in the terms and conditions that the player signs up to at registration
4. Should it transpire that the age verification checks proved inaccurate and someone underage had gambled, then the user account would be suspended and monies returned.
5. Marketing falls into two areas:-
 - Firstly in encouraging good cause participation (where there is a low risk of exposure to children and vulnerable people);
 - Secondly in the development of materials that support participation of the individual lotteries.

In this area generic marketing materials are used which can be tailored to deliver a marketing package to each individual good causes to help them market their lotteries

- To ensure compliance with the Advertising Codes of Practice advertising materials will regularly be submitted to the Committee of Advertising Practice (CAP) for approval
6. As recruitment is undertaken to fill vacancies, if exposed to the direct selling of tickets then:
- Applicants will need to be of a legal age to do so and educated on the legal requirement to not sell tickets to children under the age of 16.
 - Training is also undertaken for staff and our umbrella good causes – see our Implementation of Procedures Policy.
7. Player Accounts require validation and set up:
- In the instances of direct debit the Direct Debit Guarantee ensures a time lag between ticket purchase and the first draw.
 - As draws take place once per week, ticket purchases are therefore not capable of being purchased for immediate play and for internal process reasons even credit & debit card payments cannot facilitate instant play into a draw for that week and a minimum of one days lag will be effective.
 - The combination of these factors does ensure it limits the capability to facilitate instant gambling and therefore significantly reduces the risk of gambling whilst under the influence of drink or other substances.

Protection from Source of Crime and Disorder Policy

Policy Name	Protection From Source of Crime & Disorder Policy	
Policy Purpose	Ensuring that Redditch Borough Council will be protected from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.	
Policy Created By	Ann Dallison	
Policy Created date	December 2018	
Policy Validated and Checked By	Helen Broughton	
Policy Validated and Checked Date		
Policy Renewal Date	December 2019	

Policy Detail

- This Policy is beholden to the Proceeds of Crime Act 2002 (see <http://www.legislation.gov.uk/ukpga/2002/29/contents>) & The Anti Money Laundering (AML) Regulations
 - Proceeds of Crime Act 2002 : - *“An Act to establish the Assets Recovery Agency and make provision about the appointment of its Director and his functions (including Revenue functions), to provide for confiscation orders in relation to persons who benefit from criminal conduct and for restraint orders to prohibit dealing with property, to allow the recovery of property which is or represents property obtained through unlawful conduct or which is intended to be used in unlawful conduct, to make provision about money laundering, to make provision about investigations relating to benefit from criminal conduct or to property which is or represents property obtained through unlawful conduct or to money laundering, to make provision to give effect to overseas requests and orders made where property is found or believed to be obtained through criminal conduct, and for connected purposes.”*
 - The AML Regulations require relevant businesses to:
 - put in place procedures to verify the identity of customers on entering into a business relationship or transaction and to carry out ongoing monitoring during the business relationship*
 - keep records obtained in establishing customers’ identities and of business relationships for five years*
 - train employees in the relevant procedures and law*
 - appoint a nominated officer whose role includes reporting to SOCA, or its successor, suspicions of money laundering activity*
 - put in place and maintain policies and procedures to cover the requirements listed above*
- Redditch Borough Council is a professional organisation and takes seriously its responsibilities to ensure all players of their society lottery are operating within the law. As a local authority we are a

statutory partner in the local Community Safety Partnership and also have specific crime prevention duties under s17. Crime & Disorder Act 1998 (as amended), working with all local and national enforcement agencies.

3. Redditch Borough Council employ the services of our ELM, a Remote External Lottery Management company and take transactions through either Direct Debit, credit card & debit card. No cash payments can be used for payment, mitigating the chance for the passing of counterfeit money.
4. A number of safeguards are in place to validate players' identities as part of the account verification process. Additionally safeguards are in place to ensure that ticket purchases are not excessive, therefore mitigating the risk of money laundering. If players tried to purchase excessive tickets then the system controls built into the software algorithms will advise the player that they have exceeded the number of tickets possible and stop the transaction.
5. The software resides on secure servers. These reside behind encrypted firewalls and offer bank level security protocols in the transfer of electronic data. Additionally they are situated in a secure data centre managed by Disclosure and Baring checked staff.
6. All transactions for the software will have full audit trails of every transaction made including timestamps. These audit trails will ensure that should any suspicious activity be identified a full investigation by our ELM staff or law enforcement bodies can be undertaken.
7. In an effort to minimise the risk of fraudulent behaviour and demonstrate impartiality throughout, the main Lottery draw each week takes the results from an independently drawn lottery (currently identified as the Australian Super 66). This ensures no fraudulent activity can be taken in the generation of the winning set of numbers for the draw. To ensure compliance at an entry level into the system, these numbers will need to be entered separately by two of the directors of the business each week. The smaller local level prizes are generated based on a random ticket selection from existing purchased tickets by an algorithm within the software.
8. Whilst by its definition a lottery is a random game of chance and therefore offers little opportunity for collusion or cheating, any suspicion of malpractice will result in the immediate blocking of the users account.
9. Redditch Borough Council operates a strict corporate anti-bribery policy and code of conduct in line with the Bribery Act 2010. Any evidence of illegal behaviour by staff will initiate a full investigation, during which time the member of staff will be suspended from duties to ensure the full protection of the players, staff and reputation of the business.
10. All companies who provide fundamental services in the provision of the service (e.g. Direct Debit Bureaus, Age Verification service providers, Prize fund insurance etc.) undergo rigorous validation in terms of their suitability, credibility and reputation. This includes full financial health checks and references where required.

Fair and Open Gambling Policy

Policy Name	Fair and Open Gambling Policy	
Policy Purpose	Ensuring that gambling will be conducted in a fair and open way.	
Policy Created By	Ann Dallison	
Policy Created date	December 2018	
Policy Validated and Checked By	Helen Broughton	
Policy Validated and Checked Date		
Policy Renewal Date	December 2018	

Policy Detail

1. Redditch Borough Council is committed to complying with the Gambling Act 2005, The Gambling Commissions Licence Conditions and Code of Practice (LCCP), the Lotteries Council Code of Conduct and the Committees of Advertising Practice (CAP) and the Code of Broadcast Advertising (BCAP).
2. Redditch Borough Council utilises the services of an External Lottery Management company (an "ELM"), ensuring that ensuring that the lottery is delivered on a financially sound basis as:
 - The financial structure of the lottery ensures that revenues are received prior to the running of any draw.
 - Each draw is self-funded in terms of the liabilities that then arise (prizes, good cause donations etc.).
 - No players' tickets will be included in the draw unless cleared funds have been secured.
 - The prize fund and good cause donations are calculated on a % basis of the revenue pot therefore ensuring sufficient funds will always be in place.
 - Jackpot prizes are funded through an underwritten insurance policy provided by a reputable underwriter established in the UK, again paid for as a % of each entry
3. All terms and conditions are available for participants on the various websites of the Redditch lottery, including the main www.redditchlottery.co.uk website.
 - As part of the sign up process for new participants new participants are asked to agree acceptance of the terms and conditions at the time of signing up. New accounts cannot be created unless the terms and conditions are accepted.
 - Participants will be advised of changes to the terms and conditions via pop ups on the website. In exceptional circumstances, all participants can be emailed a link to advise them of the new terms and conditions.
4. Our terms and conditions detail the complaints procedure should participants need to raise any issues or concern, both internally at Redditch Borough Council and externally though the use of an independent arbiter should resolution not be found.

5. No loyalty or reward schemes are being offered.
6. Section 257 of the Gambling act 2005 highlights that “A person acts as an external lottery manager for the purposes of this Act if he makes arrangements for a lottery on behalf of a society or authority of which he is not:
 - (a) A member,
 - (b) An officer, or
 - (c) An employee under a contract of employment.

As such our ELM ask its board and staff to declare any conflict of interest in any potential target clients, in addition to the specific requirement to comply with the law as stated above for existing clients.

7. Our ELM holds responsibility for ensuring that all technical solutions remain within scope of the law. These include:
 - Testing procedures for existing, upgraded and new software propositions.
 - Ensuring that all servers are located in the UK.
 - Software protocols and administrator access is limited to core personnel
 - All Contractors and Third Party suppliers are advised of our standards before they are allowed to deliver technical support. Access is limited to the scope of their work and monitored and logged accordingly.

REDDITCH BOROUGH COUNCIL**EXECUTIVE COMMITTEE**5th February 2019**REPORT OF THE INDEPENDENT REMUNERATION PANEL –
RECOMMENDATIONS FOR MEMBERS' ALLOWANCES FOR 2019-20 AND THE
MEMBERS ALLOWANCES SCHEME**

Relevant Portfolio Holder	Councillor , M Dormer Leader and Portfolio Holder for Corporate Management
Portfolio Holder Consulted	Yes
Relevant Head of Service	Claire Felton
Ward(s) Affected	All
Ward Councillor(s) Consulted	N/A
Non-Key Decision	

1. SUMMARY OF PROPOSALS

Each Council is required by law to have an Independent Remuneration Panel (IRP) which recommends the level of allowances for Councillors. The Panel is made up of suitably skilled members of the public who are completely independent of the Borough Council. It also makes recommendations to four other District Councils in Worcestershire. The Panel's report is enclosed for consideration by the Executive Committee and ultimately by the Council.

2. RECOMMENDATIONS

The Committee is asked to consider the report and recommendations and RECOMMEND to Council

2.1 whether or not to accept all, some or none of the recommendations of the Independent Remuneration Panel for 2019-20;

2.2 having considered the Panel's report and recommendations, whether or not changes are required to the Council's scheme of allowances for Members arising from this.

3. KEY ISSUES**Financial Implications**

- 3.1 If the Council was to accept the Panel's recommendations in full, the budget for Members' basic and special responsibility allowances for 2019-20 would be approx. £200,000. This would be an increase of £51,000 on the budgets in the current year. A financial pressure would have to be included within the budget projections to support this additional funding.

REDDITCH BOROUGH COUNCIL**EXECUTIVE COMMITTEE**5th February 2019**Legal Implications**

- 3.2 The Council is required to “have regard” to the recommendations of the Panel. However, it is not obliged to agree to them. It can choose to implement them in full or in part, or not to accept them.
- 3.3 If the Council decides to review its scheme of allowances for Councillors, it is also required to take into account recommendations from the Panel before doing so.

Service/Operational Implications

- 3.4 There are no direct service or operational implications arising from this report. Once the Council has agreed the allowances for 2019-20 Officers will update and publish the Members’ Allowances Scheme as appropriate.

Customer/Equalities and Diversity Implications

- 3.5 None arising from this report.

4. RISK MANAGEMENT

Payments to Councillors can be a high profile issue. The main risks are reputational. However, the Council is transparent about the decisions made on allowances. The Allowances scheme and sums paid to Councillors each year are published on the Council’s website.

5. APPENDICES

Report and recommendations from the Independent Remuneration Panel for 2019-20.

6. BACKGROUND PAPERS

Members Allowances Scheme – in the Council Constitution at part 18:

<http://moderngovwebpublic.redditchbc.gov.uk/ieListDocuments.aspx?CId=379&MId=2511&Ver=4>

AUTHOR OF REPORT

Name: Darren Whitney

Tel.: 01527 881650

email: darren.whitney@bromsgroveandredditch.gov.uk

**Independent Remuneration Panel
for Worcestershire District Councils**

Annual Report and Recommendations for 2019-20

Redditch Borough Council

December 2018

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Recommendations

The Independent Remuneration Panel recommends to Redditch Borough Council the following:

- 1. That the Basic Allowance for 2019-20 is £4,437, representing 2% increase.**
- 2. That the Special Responsibility Allowances are as set out in Appendix 1.**
- 3. That travel allowances for 2019-20 continue to be paid in accordance with the HMRC mileage allowance.**
- 4. That subsistence allowances for 2019-20 remain unchanged.**
- 5. That the Dependent Carer's Allowance remains unchanged.**
- 6. That for Parish Council in the Borough, if travel and subsistence is paid, the Panel recommends that it is paid in accordance with the rates paid by Redditch Borough Council and in accordance with the relevant Regulations.**

Introduction

The Independent Remuneration Panel (IRP) has been appointed by the Council to carry out reviews of the allowances paid to Councillors, as required by the Local Government Act 2000 and subsequent legislation. The Panel has carried out its work in accordance with the legislation and statutory guidance.

The law requires each Council to “have regard” to the recommendations of the Independent Panel. We noted that for 2018/19 the recommended increase in the Allowances were not accepted. We further noted items regarding travel, subsistence and dependent carers allowances would continue to be paid in accordance with the HMRC mileage allowance.

Currently, Redditch Borough Council, instead of giving a Special Responsibility Allowance (SRA) to the Chair of an Overview and Scrutiny Task Group all members of the Overview and Scrutiny Committee receive an SRA.

This year there was a change in political leadership and the Panel offered to meet with the Leader of the Council to discuss any other particular issues. This is due to take place in January and so this report may be amended.

Our recommendations are based on thorough research and benchmarking and we have presented the Council with what we consider to be an appropriate set of allowances to reflect the roles carried out by the Councillors. The purpose of allowances is to enable people from all walks of life to become involved in local politics if they choose. The Panel does acknowledge that in the current challenging financial climate there are difficult choices for the Council to make. It is for the Council to decide how or whether to adopt the recommendations that we make.

Background Evidence and Research Undertaken

There is a rich and varied choice of market indicators on pay which can be used for comparison purposes. These include:

- Survey data on a national, regional or local level;
- Focussed surveys on a particular public sector;
- Regular or specific surveys
- Use of specific indices to indicate movement in rewards or cost of living.

As background for the decisions taken by the Panel this year we have:

- Analysed and considered the Annual Survey of Hours and Earnings (ASHE) statistics for 2018 which gives the mean hourly wage rate for Worcestershire at £14.09
- Benchmarked the Basic Allowance against allowances for comparable roles paid by the Chartered Institute of Public Finance and Accountancy (CIPFA) “Nearest Neighbour” Councils for each authority.
- Information from local analysis of time spent by Councillors on Council business (carried out by Worcester City Council in 2015)
- Considered local government pay awards

We give more details about these areas of research in Appendix 2.

Arising from our research, in **Table 1** we have included information showing the Members' allowances budget for Basic and Special Responsibility Allowances paid for 2017-18 as a cost per head of population for each Council. To give context, we have included details of the proportion of net revenue budget spent by each Council on basic and Special Responsibility allowances.

In **Table 2** we show the average payment per member of each authority of the Basic and Special Responsibility Allowances, which illustrates the balance between the level of Special Responsibility Allowances paid and the Basic Allowance.

Table 1 - Total spend on Basic and Special Responsibility Allowances (SRA) as a cost per head of population 2017-18 figures

Authority, population¹ and number of Councillors	Total spend Basic Allowances	Total spend on SRA	SRA as a percentage of total Basic Allowance	Cost of total basic and SRA per head of population	Total of basic and SRA as a percentage of Net General Revenue Fund expenditure
	£	£	%	£	%
Bromsgrove DC (31) 97,594	134,885	61,892	45.89	2.02	1.8
Malvern Hills DC (38) 75,339	159,204.84	63,497.12	39.88	2.89	2.8
Redditch Borough (29) 85,204	95,019	38,876	40.91	1.57	1.36
Worcester City (35) 100,405	149,675	67,188	44.88	2.16	1.78
Wychavon (45) 118,738	192,949	71,984	37.31	2.23	1.69

¹ ONS population figures mid 2018. Totals for Basic and Special Responsibility allowances paid are as published by each authority for the 2017-18 financial year.

Table 2 - Average allowance per Member of each authority (Basic and Special Responsibility Allowances, 2017 – 18 figures)

Authority Councillors)	(number of	Amount £
Bromsgrove District (31)		6,348
Malvern Hills District (38)		5,860.58
Redditch Borough (29)		4,617
Worcester City (35)		6,196
Wychavon District (45)		5,887

Basic Allowance 2019 - 20

Calculation of Basic Allowance

The Basic Allowance is based on:

- The roles and responsibilities of Members; and
- Their time commitments – including the total average number of hours worked per week on Council business.
- A public service discount of 40% to reflect that Councillors volunteer some of their time to the role.

The Basic Allowance is paid to all Members of the Council.

Whilst each Council may set out role descriptions for Councillors, the Panel accepts that each councillor will carry out that role differently, reflecting personal circumstances and local requirements. However, we consider the Basic Allowance to include Councillors' roles in Overview and Scrutiny, as any non-Executive member of the Council is able to contribute to this aspect of the Council's work. It is for this reason that we do not recommend any Special Responsibility Allowance for members of the Overview and Scrutiny Committee. We also consider that ICT could be included in the Basic Allowance as it is generally more readily available to individuals than in previous years. We are comfortable that specific local decisions may be made about how ICT support is provided, however it is felt that where iPads or other equipment is provided for use by Councillors, an ICT allowance should not be paid.

As mentioned earlier, in 2015 Worcester City Councillors recorded the time spent per week on Council business for a number of weeks during the early autumn. This was considered to reflect an appropriate "average" period of time for meetings and other commitments. The results from this survey showed that the average input was 10 hours and 50 minutes per week. This figure matches the one used for a number of years by the Panel, based on previous research with constituent councils, to calculate the basic allowance.

As outlined above we reviewed the levels of wage rates for Worcestershire as set out in the ASHE data (details in appendix 2) and the benchmark information available to us from the Chartered Institute of Public Finance and Accountancy (CIPFA) "nearest neighbours" authorities as part of our research into the level of basic allowance recommended. We are also aware that the majority of local government employees received an average of 2% increase in pay in April 2018 (dependent on scale).

The figure being recommended by the Panel of £4,437 for the Basic Allowance appears reasonable and appropriate when compared to other Local Authorities. It represents an increase of 2%. The calculation used to arrive at the Basic allowance is set out at appendix 2.

Special Responsibility Allowances (SRA) 2019-20

General Calculation of SRAs

The basis for the calculation of SRAs is a multiplier of the Basic Allowance as advocated in the published Guidance.

The Panel has reviewed the responsibilities of each post, the multipliers and allowances paid by similar authorities. As in previous years, the Panel has benchmarked the allowances against those paid by authorities listed as "nearest neighbours" by CIPFA.

The Panel has been asked on occasions to consider recommending SRA's for Vice-Chairs of Committees. Having considered evidence presented to us and the nature of the roles, as a principle the Panel does not recommend SRA's for Vice-Chair roles.

Appendix 1 to this report sets out the allowances recommended for 2019-20.

Mileage and Expenses 2019-20

The Panel notes that the Council has used the HMRC flat rate for payment of mileage for Councillors and recommends that this continues.

The Panel is satisfied that the current levels of subsistence allowances are set at an appropriate level and recommends that these continue.

The Panel notes that the Council's Scheme of Members' Allowances provides that Dependant Carer Allowances are payable to cover reasonable and legitimate costs incurred in attending approved duties and recommends that this provision continues.

Allowances to Parish Councils 2019-20

The Independent Remuneration Panel for Worcestershire District Councils acts as the Remuneration Panel for the Parish Councils in each District. This year the Panel has not been asked to make recommendations on any matters by any Parish in Redditch.

The Independent Remuneration Panel

The Members' Allowances Regulations require Local Authorities to establish and maintain an Independent Remuneration Panel. The purpose of the Panel is to make recommendations to the authority about allowances to be paid to Elected Members and Local Authorities must have regard to this advice. This Council's Independent Remuneration Panel is set up on a joint basis with 4 of the other 5 District Councils in Worcestershire. Separate Annual Reports have been prepared for each Council.

Recruitment of new IRP Panel

Following the retirement of three of the five existing panel members at the end of the 2017 reporting cycle, including panel Chair Bill Simpson, the authorities embarked on a recruitment process for new panel members during the early summer of 2018. The job description and person specification were reviewed and updated and adverts for new panel members were placed in WM Jobs and the authorities' websites in July 2018. A very good response was received and the shortlisting panel met on 24th July. Seven candidates were shortlisted for interview on 9th and 21st August and five candidates were subsequently offered and accepted appointments.

The two remaining members of the 2017 panel will continue to serve in 2018, when their terms of office will expire, though one of the two (Terry Cotton) has agreed to serve for one further year to provide some continuity and support to the new panel.

The shortlisting and interview panel members were:

- Cllr Linda Robinson, Leader Wychavon
- Cllr Geoffrey Denaro, Leader Bromsgrove
- Terry Cotton, Vice Chair IRP
- Claire Chaplin, Democratic and Civic Services Manager/Deputy Monitoring Officer
- Mel Harris, Member Support Officer
- Matthew Box, Member Support Officer
- Darren Whitney, Electoral Services Manager

The new members of the Independent Remuneration Panel are:

Polly Reed, Chair of the Panel - Polly has 15 years' experience working in local government and public sector organisations, within the West Midlands. Between 2009 and 2015 she was a Programme Manager for a regional West Midlands Children's Services programme, delivering efficiency and improvement projects and supporting Lead Members to deliver their safeguarding responsibilities. She is currently the Head of Business Services for the West Midlands Police and Crime Commissioner, and manages a portfolio including governance and the Strategic Police and Crime Board, engaging with members of the public and delivering against workforce and HR priorities. The Police and Crime Commissioner is supporting her to undertake the ICSA Qualifying Scheme to become a Company Secretary, which is a professional qualification at Master's Level. She is also a school governor in Bromsgrove.

Terry Cotton - Terry spent 34 years working in central and local Government, mostly managing regeneration programmes across the West Midlands. Until May 2011 he worked at The Government Office for The West Midlands where he was a Relationship Manager between central and local Government and a lead negotiator for local performance targets. Following voluntary early retirement in May 2011, he worked part-time in Birmingham's Jewellery Quarter, setting up a new business led community development trust and currently works part-time for Worcestershire County Council on sustainable transport initiatives. He is also a trustee of a small charitable trust providing grants to grass roots community initiatives in deprived communities.

Don Barber - After several Human Resources and Productivity Improvement Management roles in Industry, Don became Chief Executive of a change management facilitating consultancy. Over the last 20 years he has been an independent consultant and advisor on a number of United Nations, European Commission, and World Bank

transition projects, in particular in Europe, Africa, Asia, and Australasia. He also operates in an advisory role to other consultancy groups seeking EU contracts. This experience has included the development of national civil service/public sector reform programmes including aspects of the effect of legislative change for central and local government and, in the U.K., working for the Office of Manpower Economics (advisors to the Prime Minister) on Public Sector Pay, in particular relating to: Civil Service Pay Reform, UK Armed Forces and the Medical Professions.

Caroline Murphy – Caroline has 20 years' experience of working in public and voluntary sector organisations, including three West Midlands Local Authorities and the Civil Service. She was a senior Education Manager at Wolverhampton City Council until 2011 developing and delivering a large part of the 14-19 Pathfinder, during which time her department was recognised as achieving Beacon Council Status. She has a wealth of experience at building partnerships. Caroline now works as freelance Education, Skills and Development Adviser supporting individuals and organisations with strategic management, quality assurance and improvement, safeguarding, regulation compliance, research and evaluation, data protection and developing policies and procedures. She has worked in a consultancy capacity for a number of organisations, specialising in those who support vulnerable young people. She also spent 14 years as the Vice Chair of Governors of a primary school in Birmingham.

Jonathan Glover – Jonathan has over 30 years experience working in central and local government. He has worked mostly in central government, in a range of departments and disciplines. These include: regional finance and accounts; building management; personnel management; contract management. At a local level he specialised in employment support for people with disabilities. Returning to a regional role, he ensured projects throughout the West Midlands region, which were receiving European Commission grants, complied with EC financial and regulatory compliance. Since leaving the civil service he has worked in both the public and private sector. Jonathan was a governor at his local junior school for eight years. He was vice chair of the full governing body, representing the school at Ofsted inspection and appeal panels; chair of its curriculum sub committee; and a member of personal and finance sub committees. He was a member of several recruitment and interview panels, including for a new headteacher.

Reuben Bergman – Reuben is a Fellow of the CIPD with significant senior HR leadership experience across a range of public sector organisations in both England and Wales. He currently runs a HR Consultancy Business in Worcestershire providing advice and support on managing change, employment law, HR policy development, mediation, management coaching and employee relations. Reuben has led successful equal pay reviews in three separate local authorities and is known for his successful work in managing change and developing effective employee relations. He is a qualified coach, mediator and a Shared Service architect. He has won national awards for his work on employee engagement and the development of an innovative Café style leadership development programme.

Matthew Davies – Matthew qualified as a Social Worker in 2008, and subsequently worked in Worcestershire and Jersey in the Channel Islands with children, their families and carers. On returning to Worcestershire in 2013 he worked with children in the care of the local authority before he was appointed as a Safeguarding Manager in Worcestershire in 2014, a role he continued in Manchester City until 2017. Currently he's employed as an Independent Reviewing Officer in Worcestershire. Independent

Reviewing Officers are Social Workers, who are also experienced social work managers whose duty is to ensure the care plans for children in care are legally compliant and in the child's best interest. Passionate about learning and development Matthew is a guest speaker who contributes toward the West Midlands Step Up To Social Work Programme for the West Midlands, contributing toward the learning of social workers in training. He is also an Independent Panel Member of an Independent Fostering Agency, contributing toward the approval of prospective and established foster parents for children in care.

The Panel has been advised and assisted by:

- Claire Chaplin and Margaret Johnson from Worcester City Council;
- Darren Whitney from Bromsgrove and Redditch Councils;
- Mel Harris from Wychavon District Council;
- Matthew Box and Lisa Perks from Malvern Hills District Council.

The Panel wishes to acknowledge its gratitude to these officers who have provided advice and guidance in a professional and dedicated manner. The Panel also thanks the previous panel for their commitment to this agenda.

Polly Reed, Chair of Independent Remuneration Panel

Appendix 1**Independent Remuneration Panel for District Councils in Worcestershire
Recommendations for 2019-20****Redditch Borough Council**

Role	Recommended Multiplier	Current Multiplier	Recommended Allowance £	Current Allowance (paid) £
Basic Allowance – all Councillors	1	1	4,437	3,350
Special Responsibility Allowances:				
Leader	3	2	13,311	6,697 plus 1,560 portfolio holder
Deputy Leader	1.75	1.4	7,765	4,697 plus 1,560 portfolio holder
Portfolio Holders	1.5	0.46	6,656	1,560
Executive Members without portfolio	****	0.32	****	1,072
Chair of Overview and Scrutiny Committee	1.5	0.6	6,656	2,009
Chair of Overview and Scrutiny Task Groups	0.25	0	1,109	0
Members of Overview and Scrutiny Task Groups	0	0.32	0	1,072
Chair of Audit, (Standards and Governance) Committee	0.25	0	1,109	0
Chair of Planning Committee	1	0.466	4,437	1,560

Role	Recommended Multiplier	Current Multiplier	Recommended Allowance £	Current Allowance (paid) £
Chair of Licensing Committee	0.75	0.4	3,328	1,340
Political Group Leaders	0.25	0.31	1,109	1,040

Appendix 2

Summary of Research and Influencing Factors

"Nearest Neighbour" Authorities

No two Councils or sets of Councillors are the same. Developed to aid local authorities in comparative and benchmarking exercises, the CIPFA Nearest Neighbours Model adopts a scientific approach to measuring the similarity between authorities. Using the data, Bromsgrove District Council's "nearest neighbours" are:

- Tamworth Borough Council
- Gloucester City Council
- Stevenage Borough Council
- Kettering Borough Council
- Worcester City Council
- Cannock Chase District Council

The average basic allowance for all nearest neighbour councils* is £5250. (*This figure is the average of all named nearest neighbours for all 5 Worcestershire Districts.).

Annual Survey of Hours and Earnings (ASHE) Data on Pay

Published by the Office for National Statistics, the Annual Survey of Hours and Earnings (ASHE) shows detailed information at County and District level about rates of pay. For benchmarking purposes the Panel uses the levels for hourly rates of pay excluding overtime (£14.09 for 2018) This is multiplied by 11(hours per week) to give a weekly rate, which is then multiplied by 44.4 weeks to allow for holidays. Eleven hours per week was the number of hours spent on Council business by frontline Councillors which had been reported in previous surveys and substantiated most recently by a survey with Worcester City Councillors in the autumn of 2015. The rate is then discounted by 40% to reflect the element of volunteering that each Councillor undertakes in the role. Applying this formula produces a figure of £4,129 per annum.

CPI (Consumer Price Inflation)

In arriving at its recommendations the Panel has taken into account the latest reported CPI figure available to it, published by the Office for National Statistics. This was 2.2% for November 2017 – November 2018.

Local Government Pay Award

The Panel was also mindful of the latest Local Government pay award implemented from 1 April 2018. For the majority of Local Government employees (i.e. those on salaries of £19,430 per annum and above) this resulted in a pay increase of 2% on 1 April 2018 with a further 2% increase payable on 1 April 2019.

From this analysis we have determined that a 2% increase in the figure from last year is an appropriate recommendation, in line with the increases in our benchmark figures.

REDDITCH BOROUGH COUNCIL**EXECUTIVE COMMITTEE****5th February 2019****ARROW VALLEY COUNTRYSIDE CENTRE – CHANGE OF OPERATOR TO RUBICON LEISURE LTD**

Relevant Portfolio Holder	Councillor Mike Rouse
Portfolio Holder Consulted	Yes
Relevant Head of Service	Jayne Pickering, Director of Finance and Resources
Wards Affected	All
Ward Councillor Consulted	No
Non-Key Decision	

1. SUMMARY OF PROPOSALS

- 1.1 To advise Members of the position with regard to service concession at Arrow Valley Countryside Centre (AVCC), the opportunity that has arisen to transfer this site into the Rubicon Leisure Ltd portfolio and the overall benefit this will bring to the Council.

2. RECOMMENDATIONS

- 2.1 **It is recommended that Executive consider this report and RECOMMEND to Council that:**

2.1.1 **The Council accepts the surrender of the current service provider's lease of AVCC on 31 March 2019**

2.1.2 **Operation of the AVCC be transferred to Rubicon Leisure Ltd from 1st April 2019.**

2.1.3 **That the Medium Term Financial Plan (MTFP) is revised to reflect the reduction in the overall Rubicon Leisure management fee expected to result from the transfer.**

3. KEY ISSUES**Background**

- 3.1 As Members will be aware the services at AVCC were externalised to an outside provider in 2011 following a procurement exercise with the agreed term due to expire in May 2021.
- 3.2 The building was leased to the service provider on full repair, maintain and insure basis. The Council and the service provider entered into a management agreement which sets out and monitors the agreed services and the expected performance standards.
- 3.3 Under the 2011 arrangement there was an initial capital investment in the facilities which has enhanced the quality of the facility and increased the usable space on site. However there have also been problematic areas with the current delivery model which have resulted in a number of concerns being raised with regard to the way in which the building has generally been

REDDITCH BOROUGH COUNCIL**EXECUTIVE COMMITTEE****5th February 2019**

maintained and in particular the external aspects that do not offer a welcoming and enticing appearance to park users.

- 3.4 There have also been ongoing issues with the consistency of services provided as well as an ongoing issue with the number of services that were proposed in the accepted submission that have been either partially delivered to a lower than expected standard or in some cases have not be delivered at all for extended periods. The services provided have been falling short of what was expected and the service provider has not been maximising the opportunities that the site presents.
- 3.5 These matters have also been compounded by a failure by the service provider to provide regular performance information as agreed within the management agreement.
- 3.6 As part of the ongoing contract management these matters have been raised on a number of occasions and officers have conducted a detailed review of the current position, including an assessment of associate costs to rectify defects and upcoming fees for the site.
- 3.7 The service provider has indicated that he wishes to surrender his lease, terminate the management agreement and thus end his involvement with the AVCC on 31 March 2019. Officers are of the opinion that continued and improved services at the AVCC will only be secured if the Council accepts the surrender of the lease.
- 3.8 The departure of the service provider from AVCC provides an opportunity to transfer the operation of the site to Rubicon Leisure Ltd. Because Rubicon Leisure is wholly owned by the Council this would afford the Council more control over operation of the site than it would have if another external operator was procured. Operation by Rubicon Leisure would also allow the Council to benefit more directly from the commercial opportunities that the site affords.
- 3.9 Officers have drafted an outline service requirement document setting out how the site could be best managed and operated by Rubicon Leisure. The service requirement document is currently being reviewed and commented on by Rubicon Leisure. This collaborative approach is being taken to ensure that the most is made of the commercial and leisure opportunities that the site offers. The service requirement document and Rubicon Leisure's response to it would be used to finalise the specification for operation of the site which would be incorporated into the existing Leisure Operator Contract between RBC and Rubicon Leisure through that contract's change control procedure.
- 3.10 It is proposed that the AVCC be leased to Rubicon Leisure on the same terms as the other sites that Rubicon Leisure operates on behalf of the Council. Under the current arrangement the service provider has full maintenance responsibility for the site. Under the proposed Rubicon arrangement the asset management responsibilities for the site would be shared to make the most effective use of resources and the figures shown in Section 4 are net of the extra expenditure incurred by RBC.

REDDITCH BOROUGH COUNCIL**EXECUTIVE COMMITTEE****5th February 2019**

- 3.11 Key aspects within the services requirement document include the following expectations/desirers:

In order to sustain this improvement the Authority is looking for Rubicon Leisure to develop the opportunities for synergies between the services offered from the Centre and the wider park and community environment.

The Authority has six key aims which underpin the Councils Strategic Purposes and have driven the need to change of operator as follows:

1. *To support the creation of a destination park that raises the profile of Redditch at a regional level to act as a catalyst for inward investment and growth.*
2. *To increase footfall & dwell times to maximise the commercial potential of the site and to minimise the cost of all services provided by Rubicon Leisure Ltd.*
3. *To ensure that the facilities on site are maintained to the highest standards and reflect positively on the contribution the council makes to local infrastructure and services.*
4. *To enhance the water sports offer and implement an environmental based education and activities programme into the sites delivery model.*
5. *To develop opportunities to link the services within the park to install a more cohesive offer and to increase awareness of the wider opportunity the park can offer to local residents and visitors alike.*
6. *To widen the current offering to develop an evening economy and events based offer*

And

Rubicon Leisure has been asked in particular to consider the following areas of service delivery in its response:

1. Access
2. Reception and Help Desk
3. Catering
4. Water Sports
5. Angling
6. Physical Activity
7. Wildlife & Biodiversity
8. Marketing & Events

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9. Parks Involvement & Quality Assurance

Full detail of the requirements in each of the above sections can be found with the service requirement document.

- 3.11 The Rubicon Leisure response would be used by officers to ensure that the final specification for operation of the site delivers best value to the Council.

4. Financial Implications

- 4.1 The Leisure Operator Contract provides that changes to the services provided by Rubicon Leisure to the Council should be financially neutral. As it is anticipated that Rubicon Leisure would generate a surplus through operation of the AVCC the impact of the transfer would be a reduction in the management fee that Rubicon Leisure receives from the Council.

- 4.2 Based upon the Council's service requirements and the response provided by Rubicon Leisure Ltd, it is anticipated that transfer of the site to Rubicon Leisure will result in an overall reduction in the Rubicon Leisure management fee as follows:

MTFP Year	Calendar Year	Saving £
1	2019/20	3870
2	2020/21	6054
3	2021/22	11295
4	2022/23	16308

- Please note the figures are net of the additional building cost that would be incurred by RBC of 10k per annum.

- 4.3 These savings have not been included within the MTFP 2019/23, as such they could be included as in years savings in 2019/20 to support any in year pressures that are identified.

- 4.4 It is also anticipated that if the service was expanded and grown in future years the overall Rubicon Leisure account structure would be improved by the addition of this opportunity due to the improved position it would offer in respect of irrecoverable VAT. Should subsequent savings been made these would form part of the overall funding package associated with the company which should further reduce RBC's management fee.

5. Legal Implications

- 5.1 The Council is able to transfer operation of the AVCC to Rubicon Leisure Ltd without undertaking a procurement exercise because Rubicon Leisure Ltd is wholly owned by the Council and the Council as shareholder exerts sufficient

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control over it to benefit from the Teckal exemption to the EU procurement regime.

- 5.2 To approve the transfer the Council needs to be satisfied that it affords best value. Value may be measured both financially and non-financially.
- 5.3 The transfer would require the granting of a new lease to Rubicon Leisure Ltd. This would be on the same terms as the other sites that Rubicon Leisure operates on behalf of RBC. A new management contract would not be required. The existing Leisure Operator Contract between RBC and Rubicon Leisure Ltd allows for the addition of new services and/or changes to existing services.
- 5.4 The Leisure Operator Contract provides that any changes to services should be financially neutral. Thus the addition of the AVCC services would impact on the management fee that the Council pays to Rubicon Leisure.

6. Customer, Equalities and Diversity Implications

- 6.1 There are no direct customer implications contained within this report. However based on the feedback received on the current operation, views expressed on online portals such as trip advisor and the ongoing difficulties that have been experienced with regard to managing the site it is felt that this recommendation will enhance the services provided to residents, reduce management time and ensure that the facilities onsite support the Council's wider objectives of creating destination parks and increased visitor numbers.
- 6.2 There are no direct implications with regard to equalities or diversity contained within this report. However as members would expect Rubicon Leisure Ltd are required under its contracts with RBC to meet the highest standards in such areas.

7. Staffing Matters

- 7.1 There are no direct staffing implications contained within the report for RBC. If services at AVCC are transferred to Rubicon Leisure Ltd there may be a TUPE transfer of employees from the current service provider to Rubicon Leisure Ltd.
- 7.2 Members should also note that due to the currently restricted operating hours the proposed decision to transfer the service delivery to Rubicon Leisure Ltd would create additional local employment opportunities.

8. Risk Management

- 8.1 As part of the mobilisation plan if the proposal is endorsed there would be detailed risk register created that shows the key risks associated with the transfer of the services risk mitigation methodology.
- 8.2 Should this proposal not be supported, services would either have to be brought back in house or a procurement exercise undertaken to secure an

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external provider. These options present a risk to continuity of services at the site.

- 8.3 Finally there is a risk that the Rubicon Leisure may not meet the Council's financial and service delivery expectations for the AVCC. Should this situation occur any income or service short fall for the site would be managed as part of the wider Leisure Operator Contract and through the annual business planning cycle. .

9. APPENDICES

None

10. BACKGROUND PAPERS

Service Requirement Document

11. KEY

None

AUTHOR OF REPORT

Name: Claire Felton - Head of Legal & Democratic Services
E Mail: c.felton@bromsgroveandredditch.gov.uk
Tel: 01527 883408

REDDITCH BOROUGH COUNCIL**EXECUTIVE
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LOCAL COUNCIL TAX SUPPORT SCHEME 2019/20

Relevant Portfolio Holder	Cllr Tom Baker-Price
Portfolio Holder Consulted	Yes
Relevant Head of Service	Jayne Pickering
Ward(s) Affected	All
Ward Councillor(s) Consulted	None Specific
Key Decision / Non-Key Decision	Key Decision

1. SUMMARY OF PROPOSALS

- 1.1 The Local Council Tax Reduction Scheme (LCTRS) must be reviewed annually and any revisions or replacement of the scheme must be agreed by 11th March 2019
- 1.2 The report proposes minor changes to the scheme to provide for increased levels of support for care leavers under the age of 25 and to update figures within the scheme in line with national welfare benefits

2. RECOMMENDATIONS

The Executive Committee is asked to RECOMMEND that:

The Local Council Tax Support scheme is revised to provide:

- 1) Care Leavers under 21 years of age are treated as a protected group and provided 100% Local Council Tax Reduction (LCTR)**
- 2) Care leavers aged 21 years or over and under 25 years of age are treated as a protected group and provided up to 100% LCT**
- 3) The scheme is updated in line with national welfare benefits**
- 4) Council Tax Hardship Scheme is amended to enable transitional support to be provided to care leavers under 25 whose income results in significant withdrawal of support**

3. KEY ISSUES

- 3.1 The LCTR replaced Council Tax Benefit with effect from 1 April 2013.
- 3.2 Under the Government's Council Tax Reduction provisions, the scheme for Pension Age applicants is determined by Central Government and the scheme for working age applicants is determined by the Council. Pensioners broadly receive the same level of support that was previously available under the Council Tax Benefit scheme.

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- 3.3 The current scheme for working age applicants is a means tested one, but has been amended since 2013 both to require a minimum payment from working age applicants of 20% and to update the scheme in line with changes to Housing Benefit that have occurred since its introduction.
- 3.4 The scheme has also been amended each year for general changes in applicable amounts and for non-dependant deductions.
- 3.5 Council has previously agreed a minimum council tax contribution from working age claimants as 20%.
- 3.6 At 11th September Executive Committed resolved to undertake consultation on replacing the current scheme with a banded discount scheme. This would provide for a reduction in the administration of the scheme and limit the number of changes to assessments for customers migrating to universal credit.
- 3.7 Consultation also sought views on the introduction of additional support for young people leaving local authority care. The changes for care leavers were proposed in order to recognise the role Local Authorities have for the wellbeing of Children in Care and Care Leavers, and to provide a mechanism where by support for Care Leavers with a liability for Council Tax can be reduced in order to provide support to people who do not have the same family support networks as other young people.
- 3.8 Following the consultation it is not considered to be an appropriate time to move to an income banded scheme for LCTR.
- 3.9 The change to an income banded scheme was proposed so that the local scheme provided a better fit with Universal Credit and reduced administration. Local Authorities have considered a range of options to meet this challenge. The options applied by other authorities include income banded schemes determined in line with existing regulations but allowing a stepped reduction in support, banded discount schemes with multiple household categories and income bands, and simplified discount determined as part of the decision in relation to ordinary Council Tax discounts.
- 3.10 Whichever solution is adopted requires investment in the Council's Council Tax and Benefit software. At this time it is appropriate to review the impact of the adoption of schemes by other Local Authorities so that all option can be considered and undertake a review of LCTR as a whole before committing resources to an option that may not provide an appropriate solution for Redditch.
- 3.11 The adoption of support for care leavers is to be implemented in accordance with the recommendation of the Short Sharp Review Task Group.

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COMMITTEE**

4.0 Financial Implications

- 4.1 The majority of claimants will have no change to the level of support that they receive the costs of LCTR will remain in line with the existing scheme. There will be a small loss to the collection fund from the adoption of an increase in support for care leavers and this is projected to be approximately £15,000 per annum, increasing in-line with the annual change in the level of Council Tax.

5.0 Legal Implications

- 5.1 On 1 April 2013 Council Tax Benefit was abolished and replaced by a new discount scheme. Under s13A and Schedule 1A of the Local Government Finance Act 1992 (inserted by s10 Local Government Act 2012), each local authority was required to make and adopt a Council Tax Support Scheme specifying the reductions which are to apply to the amounts of council tax payable within their districts
- 5.2 Statutory Instrument 2012/2885, "The Council Tax Reduction Schemes (Prescribed Requirements)(England) Regulations 2012" ensured that certain requirements prescribed by the Government were included in each Scheme (subsequently amended by S.I. 2012/3085)
- 5.3 As the billing authority the Council is required by the Local Government Finance Act 2012 to consider whether to revise its scheme or to replace it with another scheme, for each financial year.
- 5.4 The Authority must adopt its scheme, and make any revisions, no later than 11th March in the financial year preceding the one when it will take effect.
- 5.5 Paragraph 3 to Schedule 1A into The Local Government Finance Act 1992 set out the preparation that must be undertaken prior to the adoption or revision of a scheme, including prescribed consultation requirements.
- 5.6 In addition, where there are changes to the scheme, the authority is obliged under paragraph 5(4) of Schedule 1A if any revision to a scheme, or any replacement scheme, has the effect of reducing or removing a reduction to which any class of persons is entitled, the revision or replacement must include such transitional provision relating to that reduction or removal as the authority thinks fit.

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6.0 Customer/Equalities and Diversity Implications

- 6.1 The current CTSS scheme contains provision for taxpayers to make an application for additional discount where they experience exceptional hardship. The hardship policy will continue to apply. Where any group of person is likely to experience hardship, this will be addressed as part of the overall scheme design. The Hardship Policy will continue to be an integral part of the scheme for the foreseeable future.
- 6.2 Care leavers attaining the age of 21 may, subject to their income, see a rapid withdrawal of Council Tax support. To mitigate the potential for a steep cliff edge at 21 years of age the Council Tax Hardship policy will be amended to enable transitional support to be provided to the small number of care leavers who may face steep withdrawal rates.

7.0. RISK MANAGEMENT

- 7.1 Any changes to council tax support can have financial implications for the Council and the major preceptors as well as for our residents and therefore financial modelling has been carried out to understand the implications of the proposals. These are projected to be minimal.
- 7.2 Officers ensure that support on managing finances and advice on other potential benefits is made available to anyone experiencing financial hardship.
- 7.3 Council Tax collection rates may reduce as the impact of Universal Credit and the administration grows, measures will be adopted to monitor the collection of Council Tax for UC claimants and these will be used to inform any future replacement for the LCTR scheme

8. APPENDICES

Appendix 1 – Equality Impact Assessment
Appendix 2 – LCTR Regulations

9. BACKGROUND PAPERS

Held in Customer Access and Financial support

AUTHOR OF REPORT

Name: David Riley, Financial Support Manager
email: david.riley@bromsgroveandredditch.gov.uk
Tel.: 01527 548 418

Equality Assessment Record

1. What is the name of the service, policy, procedure or project being assessed?

Council Tax Support Scheme (CTSS)

2. Briefly describe the aim of the service, policy, procedure or project. What needs or duties are it designed to meet?

The CTSS provides assistance to people on low incomes to help them pay their council tax.

When council tax benefit was abolished and replaced by localised council tax schemes in 2013, central government protected pensioners with a view that they are unable to take advantage of employment and unable to alter their financial situation.

The proposed alterations to the scheme will continue to protect pensioners who will get the same level of council tax support as they do now.

The proposals to change the CTRS from 2019/20 are as follows:

Provide Council Tax Support of 100% for care leavers under the age of 21 and additional support for care leavers up to their 25th birthday

3. Indicate which of the following applies:-

This is a current service or policy and should be equally accessible to all sections of the Community or all employees

No

A decision is likely to be made to change, reduce or stop providing this service.

No

A new initiative or service is being considered or proposed.

Yes

4. List your known customers and stakeholders (e.g. partner organisations, community groups)

People of working age on low incomes.

5. Describe simply how you know who they are?

The Local Government Finance Act prescribes details of the scheme to be used for pension age applicants under the Council Tax Reduction Scheme (Prescribed Requirements) Regulations 2012.

Certain aspects of the scheme for working age applicants are also included within those regulations.

6. How relevant is the General Equality Duty to this service, policy or procedure?

Rate as H, M, L (high, medium or low) or No relevance. If all answers are “low” or “no” relevance go straight to question 10. When considering relevance for each protected group, use professional judgment and experience, previous Equality Impact Assessments, or any other information that you have to hand which demonstrates how relevant a service is to a particular protected group.

Protected Group	Indicate H/M/L or No Relevance	Evidence used	Further evidence needed Yes/No
Age	L	An automatic entitlement to discount with no income test for care leavers will mean that they are treated more favourably than other young people.	N
Disability	N	The proposed changes to the scheme continues to disregard disability benefits	N
Transgender (Gender Dysphoria)	N	No impact	N
Marriage and Civil Partnership	N	No impact	N
Pregnancy and Maternity	N	No impact	N
Race	N	No impact	N
Religion or Belief	N	No impact	N
Sex (Male/ Female)	N	No impact	N
Sexual Orientation	N	No impact	N

7. Is there evidence of actual or potential unfairness for the following equality groups?

Protected Group	Indicate Yes or No	Evidence of unfairness	Further Evidence Needed Yes/No
Age	N	<p>When creating the local scheme, the Council have given due regard to central government's stipulation that people of pension age must be protected.</p> <p>In previous public consultation the principle of 'Every household with working age claimants should pay something' was agreed.</p> <p>This principle ensures a degree of fairness as it applies across all groups who are of working age.</p> <p>The scheme is devised to incentivise working age people to seek employment.</p> <p>The changes to treatment of care leavers are supported by organisations such as the Children's society.</p> <p>For those young people and working age people who are in severe hardship or unable to increase their income, the Council manages a discretionary hardship fund to support them following a detailed review of the individual's and household's circumstances.</p>	N
Disability	N	The proposed changes to the scheme continues to disregard disability benefits	N
Transgender (Gender Dysphoria)	N	n/a	N
Marriage and Civil Partnership	N	n/a	N
Pregnancy and Maternity	N	n/a	N
Race	N	n/a	N

Religion or Belief	N	n/a	N
Sex (Male/ Female)	N	n/a	N
Sexual Orientation	N	n/a	N

If all answers are “No”, go straight to Question 10.

8. What is the justification for any actual or potential unfairness identified in question 7, for example, disproportionate cost? Describe briefly your reasons.

Protected Group	Justification for actual or potential unfairness
Age	N/A
Disability	N/A
Transgender (Gender Dysphoria)	N/A
Marriage and Civil Partnership	N/A
Pregnancy and Maternity	N/A
Race	N/A
Religion or Belief	N/A
Sex (Male/ Female)	N/A
Sexual Orientation	N/A

9. If you have identified any area of actual or potential unfairness that cannot be justified, can you eliminate or minimise this?

Hardship Fund is available to people of any age to apply for additional support and their need would be assessed on a case by case basis.

10. Describe simply or list the additional information used to complete this assessment including professional judgment and how that was used in your decisions.

Research and financial modelling by Policy in Practice, along with professional judgement, data and evidence of Council Tax support claimants, and feedback from FIT Officers has been used to consider whether this proposal is fair and equitable.

11. What plans do you have to monitor any changes identified?

The following will be will be monitored each year.
 Claim numbers
 Cost of the scheme
 Applications for hardship and/or transitional relief

12. The actions required to address these findings are set out below.

Action Required	By Whom	By When	Signed when completed	Priority	Expected outcomes
Agree consultation on scheme	Council	October 2018			
Agree final scheme	Council	February 2019			

13. Equality assessment undertaken by Amanda Singleton, Head of Customer Access and Financial Support

7th August 2018

When you have completed this assessment, retain a copy and send an electronic copy to the Policy Team (Equalities) attaching any supporting evidence used to carry out the assessment.

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REDDITCH BOROUGH COUNCIL**Executive Domestic Waste Collection Services****COMMITTEE**5th February 2019**REPORT TITLE**

Relevant Portfolio Holder	Cllr Brandon Clayton
Portfolio Holder Consulted	Yes
Relevant Head of Service	Guy Revans
Ward(s) Affected	Borough Wide
Ward Councillor(s) Consulted	
Key Decision / Non-Key Decision	Key Decision
This report contains exempt information as defined in Paragraph(s) of Part I of Schedule 12A to the Local Government Act 1972, as amended	

1. SUMMARY OF PROPOSALS

- 1.1 Business Case details the current pressures on the Domestic Waste Collection Service in the Redditch Borough area, generated by increased housing growth and limited capacity in the current service cover sickness and annual leave when they overlap.
- 1.2 The Business Case considers a number of options on how to meet this shortfall, and sets out a recommendation that provides a short – medium term response to secure the service whilst a full Service Review is carried out over the next 2 years.
- 1.3 The Service Review will consider the best way to provide the service in the future, taking into account current changes in national policy, local housing growth, and the sustainability of our operations both financially and from a welfare perspective for our staff.

2. RECOMMENDATIONS

- 2.1 Members agree the recommendation from the Business Case, and that £83,674 additional funding is included in the medium term financial plan to fund 3 members of staff to support the waste collection service.

3. KEY ISSUES**Financial Implications**

- 3.1 Although the Business Case will require use of an additional vehicle to support operations, the service has identified existing funds that can be used more efficiently to support this without incurring additional costs.
- 3.2 The Recommended option does not incur any Capital or borrowing costs, but will require additional revenue investment of £83,674 per year in the Environmental Services Budget from 2019/20 onwards.

REDDITCH BOROUGH COUNCIL**Executive Domestic Waste Collection Services****COMMITTEE****5th February 2019**

- 3.3 By investing in these additional staff, it will significantly reduce the risk of additional expenditure being needed to cover short – medium term sickness through Agency Staff, and the risk of future overspends.
- 3.4 The budget currently includes £15,000 to cover a small proportion of Agency cover if needed, but in the 2018/19 Financial Year, the Agency Spend incurred to support the waste collection service was £91,000, and in 2017/18 cost £123,000.
- 3.5 To illustrate the impact of the additional staffing detailed in the Business Case, and the expectation that this will significantly reduce the risk of expenditure on Agency Staff in 2019/20 to support services, the table below summarises the total costs (including un-planned overspends) for staffing in context with previous years:

	Agency Cost	Staff Cost	Year End Cost
2017/18	£123,000	£390,000	£513,000
2018/19	£91,000	£391,000	£482,000
2019/20	£0	£466,674	£466,674

Legal Implications

- 3.6 The Domestic Waste Service is a statutory responsibility, under the Environmental Protection Act 1990, although the legislation gives Council's control over how they supply this service.
- 3.7 The Current Business Case does not make any significant changes to how the service is provided, but the Service Review planned to start in the 2019/20 financial year will review the wider service and may have legal implications if there are any changes to staffing, or proposed changes to working patterns that would require contract amendments.

Service / Operational Implications

- 3.8 It has been determined that there is a high risk of further service failure, or budgetary overspend if measures are not taken to increase the resilience of the Domestic Waste Service.
- 3.9 This Business Case is intended as a first response to the service disruption experienced in 2018, in which approximately 20,000 households experienced disruption in the collection of their waste, and a quarter of our households did not have their recycling collected on the normal 2 week cycle in order to ensure that everyone received their full grey bin service across the Borough.

REDDITCH BOROUGH COUNCIL**Executive Domestic Waste Collection Services****COMMITTEE****5th February 2019**

- 3.10 The Business Case outlines a number of options to support future delivery of the service, and these are detailed below, along with a brief summary of why they have been discounted:
- 3.10.1 Continue with current resources only.
- This leaves a high risk of future service disruption, as current staffing is insufficient to cover both annual leave and sickness at the same time.
- 3.10.2 Increase the budget for Agency usage to supplement core staff
- Agency Staff take time to source and train to a usable standard, and are effectively on zero hours contracts. This leaves a high risk of short term disruption throughout the year as a result of short-medium term sickness, and is better suited to support the service during planned or long term absences.
- 3.10.3 Increase the budget to support 2 additional staff to increase resilience of the service.
- 2 Staff will stabilise the service and reduce the risk of disruption due to sickness to a medium level. It will not support wider improvements to the service in the short term, and requires the Place Teams to continue supporting the Waste Service operationally.
- 3.10.4 Recommended Option: Increase the budget to support 3 additional staff to increase resilience of the service and take back responsibility for bin deliveries across the district.
- This provides stability to the core collection service, and also provides an additional resource that can be used more flexibly to take ownership over the delivery, collection, and repair of Wheeled Bins across the Borough. Increasing customer care standards for Assisted Collection Applications, Waste Management advice, and an additional person to support collection of wheeled bins during periods of disruption.
- 3.11 The recommended option will support the service over the next two years and considerably reduce the risk of disruption to the service for residents.
- 3.12 It will also support the Place Teams to improve their standard of work across the Borough by freeing up their resources, which are currently hampered by responsibility for work relating to another service area.
- 3.13 In addition to the direct benefits of this business case, the increase in staff will also support the wider wellbeing of our existing work force, which will support overall improvement in the quality of service received by residents.

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Customer / Equalities and Diversity Implications

- 3.13 As there are no significant changes to the service, there are no negative implications arising from the recommended option.
- 3.14 The creation of a dedicated role to manage bin deliveries and retrievals is expected to improve the efficiency of delivering this part of the service, and increase the standard and consistency of customer service.

4. RISK MANAGEMENT

- 4.1 As part of the business case, long list options were identified, and the risks and benefits associated with each possible option considered.
- 4.2 Do nothing has been classed as non-viable due to being high risk and does not meet any of the desired evaluation criteria.
- 4.3 The preferred option was classed as the most viable as it meets all of the evaluation criteria identified and is deemed to best support delivery of the Waste Collection service, and the wider service across the Borough of Redditch.
- 4.4 As some of the risk to the service is linked to sickness, which is not constant, it was determined that in-house staff were a more viable means to protect service delivery, as Agency Staff take time to find and get up to the necessary skill level to support the service.
- 4.5 Although intended specifically to support the waste collection service, the additional capacity will also be available to support the Place Teams if not required on the Waste service, which supports the aims of the Transformation Process applied to Environmental Services in 2015.

5. APPENDICES

Appendix 1 - Business Case

6. BACKGROUND PAPERS

None

7. KEY

None

AUTHOR OF REPORT

Name: Matthew Austin

email: matthew.austin@bromsgroveandredditch.gov.uk

Five Case Model - Business Case Template

Full Business Case**Domestic Waste Collection Services****Options to support sustainable delivery for the future.**

Author:	Matthew Austin
Date:	17/01/2019
Release Version:	Vs 3

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1. Executive Summary

- 1.1. The Council has a legal duty as the waste collection authority to provide a service for our residents, but has authority to determine how it will provide that service to residents, as well as certain limitations based on the available infrastructure available through Worcestershire County Council as the Waste Disposal Authority.
- 1.2. In addition to this, there are currently discretionary services that can be offered for which a charge can be made – Garden Waste.
- 1.3. In 2015, Environmental Services carried out a transformational review of how it delivers services across the Borough, although the Waste Service element did not follow a full review process at that time.
- 1.4. This business case outlines the resources currently in use to deliver the service, along with a range of options to support the service in the short-medium term and carry out a full review of the service for consideration at a later date to secure the future sustainability of the service, and factor in the expected changes that the Government have set out in the “Resources and Waste Strategy” which is out to consultation during 2019 and has the potential to make significant changes to how local authorities provide waste collection services to support the environment, with headline aims set out relating to:
 - 1.4.1. Compulsory dedicated food waste collections
 - 1.4.2. Plastic bottle deposit schemes
 - 1.4.3. Removal of discretion to charge for Garden Waste Collections
 - 1.4.4. Compulsory Garden Waste Collection Service for all households
 - 1.4.5. Increased Enforcement of Duty of Care and Waste Crime regarding waste disposal arrangements.
- 1.5. This Business Case looks to support the Waste Collection service to be sustainable and cope with the increasing work load and challenges being faced by Local Authority Services as a result of new housing and changing behaviour by the public.

- 1.6. Having outlined and assessed options ranging from maintaining the status quo, suspension of services, and further investment at a range of levels, the recommendation put forward as the preferred option is to invest in the service in the short term to increase staffing levels to give the service security whilst a full review of the service is carried out, and return in two years with a range of options for future service delivery that reflects changes within our Borough and the National scene to ensure that the Council has a sustainable and flexible service that can meet the changing demands of our residents.

1.7. Recommendation:

- 1.7.1. Allocate £83,674 additional funding for Environmental Services to fund 3 members of staff to support the service and give security against service failure and unplanned Agency Costs for the next two years whilst a full service review is carried out to plan for the long term future of the service.

2. Introduction

- 2.1. As the Waste Collection Authority, Redditch Borough Council is responsible for the collection of household waste, and operates a statutory service across Redditch Borough.
- 2.2. This is administered by the Environmental Services Team and operated in house as Alternate Weekly Collections (AWC) for both residual waste and dry recycling from all its households.
- 2.3. The Council also introduced an optional "Paid for" Garden Waste service in 2018 that provides a fortnightly collection service over 40 weeks of the year, under a contract arrangement with Bromsgrove District Council to make use of spare capacity in their existing service and minimise the costs of setting up a new dedicated service.
- 2.4. Redditch Borough Council has adopted the Joint Municipal Waste Management Strategy for Herefordshire & Worcestershire, which is a joint strategy across the six Worcestershire District and Borough councils, Worcestershire County Council and Herefordshire Council, and reflects the partnership across Worcestershire and Herefordshire in relation to a shared waste disposal service.
- 2.5. All of our collection services are based on the use of a single 240 ltr grey bin for household waste¹, a green 240 ltr green bin for dry recycling², and Brown 240 ltr bins for garden waste customers³. Larger families are able to apply for an increased capacity for their residual waste (grey bin)⁴.
- 2.6. Over the past 10 years a significant number of physical and behavioural changes have occurred both nationally and locally that have changed the services we provide to our residents, and also how we deliver them.

¹ Based on a household of 6 people, or 5 with two children in nappies

² Additional bins available on request in order to support household recycling

³ Currently £45 for 20 collections (February – November)

⁴ 360 Ltr bins are currently in use, but create issues with weight and safety, so alternative mechanisms may be considered in future.

- 2.7. This has resulted in progressive changes to accommodate them and continue to provide an effective collection service to our residents.
- 2.8. In 2015, Environmental Services went through a Transformational process that made significant changes to the provision of its Street Cleansing and Grounds Maintenance functions, with the creation of the Place Teams.
- 2.9. This included the creation of a dedicated Pool of staff to support the Waste Collection Services, and Place Teams by providing additional staff to cover annual leave and sickness throughout the year to ensure that services had a greater resilience, and would not require additional expenditure on Agency Staff.
- 2.10. This was calculated based on the staffing and work levels in place at that time, with estimates on how services would develop, and where staff would be needed.
- 2.11. Since 2015, the Pool staff have been used primarily to support front line service on the Domestic waste collection service rather than cover sickness and leave as had been intended, and have not supported the Place Teams in any significant way, but due to underspend on other areas of the Environmental Services Budget the financial impact had been absorbed in the operating budgets.
- 2.12. During 2018 it was identified that new housing development across the Borough had outgrown our current resources, and the previous estimation of what would be needed to support the wider Environmental Services model had been overly conservative, resulting in higher costs on staffing outside of the planned staffing levels set out in the budget, and the savings expected from the previous changes in 2015 had not been realised.
- 2.13. In late August/early September 2018, whilst reviewing how to evidence this and trial small scale changes to review current productivity, the service experienced significant failure that affected the collection arrangements for approximately 20,000 households.

- 2.14. This was caused by a combination of sickness and annual leave across Environmental Services, and resulted in a lack of capacity within the wider service area.
- 2.15. This Business Case is presented in response to this unprecedented failure in service, to identify short term actions to secure the service over the next two years, during which a full Service Review can be carried out to explore all available options for the future delivery of the service and present a wider business case to Members that will give security to the service beyond 2021.
- 2.16. This wider Business Case will look to set out a secure business model to give future sustainability of the service and ensure that residents are receiving the highest value service possible, in a sustainable way that makes allowance for future growth of the Borough and sets out a clear process for ongoing review and evolution of the Service in a controlled way.
- 2.17. The full terms of this Service Review will be set out over the coming months, along with the creation of a review group that will bring together the necessary knowledge and experience from across the combined authority, and pull in best practice from local and national models of service to reflect the local challenges on our service and priorities for the future.

3. The Strategic Case

- 3.1. Our Domestic Waste Collection services are the most visible service the Council provides across the Borough, and benefits all our residents.
- 3.2. For many, it is the only service they “see” for their Council Tax, and so it is a very visible representation of the Council, making any disruption a significant reputational issue.
- 3.3. Our current Domestic Waste Service supports two of the Council’s key priorities identified in the Council Plan:
 - 3.3.1. Financial stability for the Council
 - 3.3.2. Quality services for residents, with affordable charges where appropriate
- 3.4. In addition to supporting these priorities, The Waste service supports the following strategic purpose:
 - 3.4.1. “Keep my place safe and looking good”
- 3.5. The Case for Change
- 3.6. Since 2015 we have experienced increasing pressure on our services through increasing housing stock across the Borough and changes in behaviour that have increased the workload on domestic waste collection services as well as our cleansing and grounds operations through increased litter, and changes in how residents buy goods via online markets that have significantly increased packaging waste from households.
- 3.7. This pressure, in concert with standard leave requirements and both short and long term sickness across Environmental Services, has resulted in our “Pool Staff” being fully committed supporting day to day waste operations, and not realised the wider support that was originally envisaged would be available to support operations.
- 3.8. The Council started the 2018 financial year with funding for the following resources in our structure (Unchanged from 2017/18 Financial Year):
 - 21 Staff.
 - 6 full crews 6 Domestic (18 staff)

- Leaving 3 Spare Staff every day to cover A/L & Sickness
- 3.9. With this model, we need 2.5 staff to cover holiday over the course of the year, which doesn't leave a margin for sickness, and so has resulted in increased use of Agency to cover both short and long term sickness alongside annual leave, as well as a significant pressure on other services to loan staff that has then impacted on their ability to deliver their work effectively.
- 3.10. Until 2015 there was a larger budget for Agency cover, but the restructure in 2015 reduced this with an expectation that there would be wider capacity within the service to offset the need for short term cover. Unfortunately this has not been possible to deliver as expected due to the increasing demands on all of our services.
- 3.11. As part of an ongoing review of the Environmental Services Budgets to support Council Wide savings, budgets have been refined to more accurately reflect our expenditure, which means that previous surpluses that offset this ongoing Agency usage are no longer available and this now requires further investment to support the service.
- 3.12. Service failure in August/September 2018 had a significant impact on residents and the Authority, with a review of service needs in the short term to determine how the disruption could be addressed and normal service resumed.
- 3.13. This has in the short term involved temporary movement of funds to support increased staffing within the service, but this is not sustainable beyond the end of the 2018/19 financial year, and this business case is to support a more formal action to safeguard services.
- 3.14. Business Need
- 3.15. Although services resumed fairly quickly as short term sickness ran its course, the service has recognised that the collection operations need to be prioritised to re-build trust in the service, as the nature of waste collection and proximity of Birmingham (which has experienced significant large scale failures in the last two years), means that there is significant public pressure to maintain the service, and if we are to make any future changes to the service, we will need

residents to support our efforts – especially if we are to encourage greater take up of our recycling service and reduce waste to landfill.

- 3.16. Staff morale has also suffered as a result of the public backlash over the failure of service, and any future changes to the service need to include the staff in the process to ensure it delivers the required security and efficiencies.
- 3.17. Changes to the service are needed in the short term to reflect increasing workload, and greater expectations of what the crews will achieve as part of their work, but this needs to be a sustainable model for the future, and requires considerable work to consider all of the options for delivering the service into the future.
- 3.18. To support the short term need for secure service delivery, there is a need to stabilise existing services in the following ways:
 - 3.18.1. To increase staffing levels to support the Operational requirements of the existing Waste Service over the next two years, based on current Planning predictions for House building across the Borough and current workload using the existing service model.
 - 3.18.2. To carry out housekeeping to reset existing budgets to ensure that Staff Costs are fully linked to the area of work they carry out and ensure that all salary costs are accounted for in preparation for a full Service Review.
 - 3.18.3. To create a wider Pool of staff as originally envisaged to support the Domestic Waste Service, and wider Environmental Services across Redditch around Annual Leave and Sickness requirements.
- 3.19. The Long Term Business need is to ensure that the service is fully sustainable for the future and makes best use of the resources available to support our residents to increase recycling, and provide secure disposal of their residual waste as part of a wider drive to reduce waste being sent to landfill/incineration.
- 3.20. Benefits & Risks

- 3.21. Disruption to service in 2018 affected approximately half of the Borough directly, and although relatively short lived, generated considerable concern for residents.
- 3.22. Approval of this Business Case will support the service in the short term at relatively low cost, and will provide security over the next two years to carry out a thorough review of the service and outline practical options for the provision of the service over the next decade, and explore sustainable options to balance or even reduce the costs whilst continuing to provide the full range of services to our residents.
- 3.23. It will also provide a capacity to support other services within Environmental Services such as our Place Teams that are responsible for the wider appearance of our Borough for the benefit of our residents, visitors and local businesses.
- 3.24. The Risk of not strengthening the service for 2019 and 2020 is that the service will continue with existing resources and be unable to sustain service delivery should it experience sickness, extreme weather, or vehicle breakdowns, and that the Service will either then incur on-going significant over-spends that will affect the Council's financial security, or that residents will experience further disruption and question the ability of the Council to provide one of its most visible services.
- 3.25. As outlined in the Strategic case, current resources are insufficient to support waste collection services when annual leave and sickness levels are taken into account, and other service areas within the Council are not trained to support the

service and have limits on their capacity to be able to support the service without creating cumulative failure in other areas of the Council's service.

3.26. Staffing Calculation to cover Annual Leave & Sickness:

			Days of Annual Leave	Pool to cover A/L
Daily Staff Needed:	19		513	2.5
Annual Leave Cover	2.5	Based on 1215 Days Annual Leave to be covered each year.	66.59	0.3
Sickness Cover	1.82	Based on current Sickness Rate of Waste Service 7%		
Have	21	Current Staffing		
Need	2.2	Additional Staff Required		

3.27. Staffing & Resources Requirements

	Vehicle	ESO 3	ESO 1	Combined	Staffing Cost	Vehicle Cost
Domestic Round 1	1	1	2	3	£75,674	£180,000
Domestic Round 2	1	1	2	3	£75,674	£180,000
Domestic Round 3	1	1	2	3	£75,674	£180,000
Domestic Round 4	1	1	2	3	£75,674	£180,000
Domestic Round 5	1	1	2	3	£75,674	£180,000
Domestic Round 6	1	1	2	3	£75,674	£180,000
Total Required	6	6	12	18	£454,044	£1,080,000
Current Total	6	6	12	18	£454,044	£1,080,000
Current Shortfall	0	0	0	0	£0	£0
Additional Resources (Leave/Breakdown/Bin Deliveries)						
Total Required	1	3	3	5	£157,152	£35,000
Current Total	1	2	1	3	£81,478	£35,000
Current Shortfall	0	1	2	3	£75,674	£0
Total Variance in current model	0	1	2	3	£75,674	£0

3.28. The ESO 3 role is a combined HGV Driver/Loader role, so is qualified to do both. As such, although they are on a higher pay scale, they provide greater flexibility to cover services and ensure vehicles are able to be used at all

times, as a surplus of ESO 1's could still result in service failure if no one is available to drive a collection vehicle.

- 3.29. Bin Deliveries and recovery are currently carried out by the Place Teams, which has an impact on their efficiency to work across the Borough, and is shared across all staff as required.
- 3.30. This splits responsibility for managing the waste service between two teams, and does make ownership of this difficult, especially when there are competing priorities to deliver bins and also ensure all of the cleansing and grounds maintenance work is carried out across the Borough.
- 3.31. Creation of a dedicated role to carry out this work frees up capacity on the Place Teams, and also gives another flexible resource for the waste team to take full ownership over the delivery, collection, and repair of Wheeled Bins across the Borough in a consistent manner.
- 3.32. Increasing customer care standards for Assisted Collection Applications, Waste Management advice, and an additional body to support collection of wheeled bins during periods of disruption.

4. The Economic Case

4.1. Long List Options

Option One	Do Nothing
Option Two	Increase Agency Budget to support higher staffing levels.
Option Three	Increase Staffing Expenditure to provide 2 additional staff to cover sickness and annual leave, and cover additional services beyond current resource levels where possible.
Option Four	Increase Staffing Expenditure to provide 2 additional staff to cover sickness and annual leave, and cover additional services beyond current resource levels where possible. Also create a dedicated bin delivery/collection role to free up Place Operatives currently carrying out this work

4.2. These Options are considered the most practical options to secure the resilience of the service in response to the service disruption experienced during 2018 that highlighted the weaknesses in the current structure.

4.3. In order to support the decision making process and identify a preferred option for the Council, these options are subject to a review process to scrutinise their potential efficacy in safeguarding Redditch Borough Council and our residents against further service disruption.

4.4. This process is detailed below through a series of tables that summarise the impact each option is expected to have on the service, and how well they meet our requirements.

4.5. Evaluation Criteria for Appraisal and Analysis for Long List Options

This Table quantifies the benefits of each proposed option, in line with the key requirements that have been identified for the Service.

This gives a scoring system to support an assessment of which options are most viable and will be developed to determine which is the best solution required by the Business Case.

Evaluation Criteria	Weighting for Scoring	Do Nothing		Increase Agency Budget to support higher staffing levels.		Increase Staffing Expenditure		Increase Staffing & consolidate bin deliveries	
		Option One	Option Two	Option Three	Option Four				
Spending Objective	10	Yes	10	No	0	No	0	No	0
Strategic Fit	20	No	0	Yes	20	Yes	20	Yes	20
Meets Business Needs	20	No	0	Part	10	Part	10	Yes	20
Maintain standards	30	No	0	Yes	30	Yes	30	Yes	30
Support improved standards	5	No	0	Part	2.5	Yes	5	Yes	5
Affordability	15	Yes	15	Part	7.5	Part	7.5	Part	7.5
	95		25		70		72.5		82.5

- **Spending Objective** – This relates to the Council’s financial pressures, and whether the proposed option is factored in to the financial planning of the Local Authority.
- **Strategic Fit** – This quantifies how well the proposed option supports the Council Plan and our Strategic Purpose
- **Meets Business Needs** – This score reflects if the proposed option will support the Council in delivering the service required by residents with the lowest risk of failure.
- **Maintain Standards** – This score reflects whether the proposed option meets the minimum requirement to maintain provision of the service at a viable level, with a low risk of significant failure.
- **Support Improved Standards** – This scores the potential of each option to improve the overall standard of service.
- **Affordability** – This gives each option a score based on its variance from current funding.

4.6. Overview of how Long List Options support service delivery

Option One	Do Nothing	This leaves a high risk of future service disruption, as current staffing is insufficient to cover both annual leave and sickness at the same time.
Option Two	Increase Agency Budget to support higher staffing levels.	Agency Staff take time to source and train to a usable standard, and are effectively on zero hours contracts. This leaves a high risk of short term disruption throughout the year as a result of short-medium term sickness, and is better suited to support the service during planned or long term absences.
Option Three	Increase Staffing Expenditure	2 Staff will stabilise the service and reduce the risk of disruption due to sickness to a medium level. It will not support wider improvements to the service in the short term, and requires the Place Teams to continue supporting the Waste Service operationally.
Option Four	Increase Staffing & Vehicle Expenditure	This provides stability to the core collection service, and also provides an additional resource that can be used more flexibly to take ownership over the delivery, collection, and repair of Wheeled Bins across the Borough. Increasing customer care standards for Assisted Collection Applications, Waste Management advice, and providing an additional asset to support collection of wheeled bins during larger periods of disruption.

4.7. Short List Options

4.8. Following the initial Evaluation and Appraisal process to determine which options best meet the criteria set out by the Business Case, Options 3 and 4 present as the highest scoring options, and are summarised below for further consideration.

4.9.

Option Three	Increase Staffing Expenditure
Option Four	Increase Staffing & consolidate bin deliveries

4.10. A cost benefit analysis identifying relevant benefits and costs for each of the short listed options is shown below:

	Increase Staffing Expenditure	Increase Staffing & consolidate bin deliveries
Option No.	3	4
Change to staff levels	+2	+3
On-Going Costs		
Staffing Costs (yearly)	£52,384	£75,674
Vehicle Cost (Yearly - Running Costs)	£0	£8,000
Capital Cost	£0	£0
Total Revenue Cost	£52,384	£83,674
Total Capital Cost	£0	£0

4.11. Additional Capital Costs to support option 4 have been avoided by reviewing existing Capital Funds and varying the specifications on other Capital Purchases to reflect changes in business need and avoid incurring additional borrowing costs.

4.12. Risk Assessment

4.13. Scored on a scale of 1 – 3, the chart below identifies the level of risk to the authority arising from each option:

Individual Scores: 1 - Low. 2 - Med. 3 - High	Option Three	Option Four
Fails to deliver security of service	1	1
Financial Risk of failing to achieve aims	1	1
Resources	1	1
Decrease in Public Satisfaction	1	1
Reputational Harm	1	1
Wider Service Pressure	2	1
Total Score:	6	5
	Low	Low

(1-6 Low Risk, 7 - 12 Medium Risk, 13 - 18 High Risk)

4.14. After assessing the quantitative and qualitative costs and benefits of the two options, Option four is considered the preferred option, and is put forward as the proposal to secure the domestic waste collection service over the next two years to support our Strategic Purpose of "Keep our Place Safe and Looking Good".

4.15. Recommendation:

<p>Option Four</p>	<p>Increase Staffing Expenditure to provide 2 additional staff to cover sickness and annual leave, and cover additional services beyond current resource levels where possible. Also create a dedicated bin delivery/collection role to free up Place Operatives currently carrying out this work</p>
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5. The Commercial Case

5.1. In the Redditch Community Panel Survey (2017), the questions relating to waste management show that public involvement and understanding of our services is high, and that they are supportive of our in-house services, with Waste and Recycling identified as the joint highest priority for 90% of respondents.

Q no.	Question	Responses	#	%
Q11	To what extent do you agree or disagree with these statements about waste, recycling and the environment?			
Q11a -219	I understand what I can place in my green recycling bin	I agree strongly	74	33.80%
		I agree	116	53.00%
		I neither agree nor disagree	14	6.40%
		I disagree	13	5.90%
		I disagree strongly	2	0.90%
Q11b -219	I can recycle waste easily	I agree strongly	77	35.20%
		I agree	113	51.60%
		I neither agree nor disagree	11	5.00%
		I disagree	15	6.80%
		I disagree strongly	3	1.40%

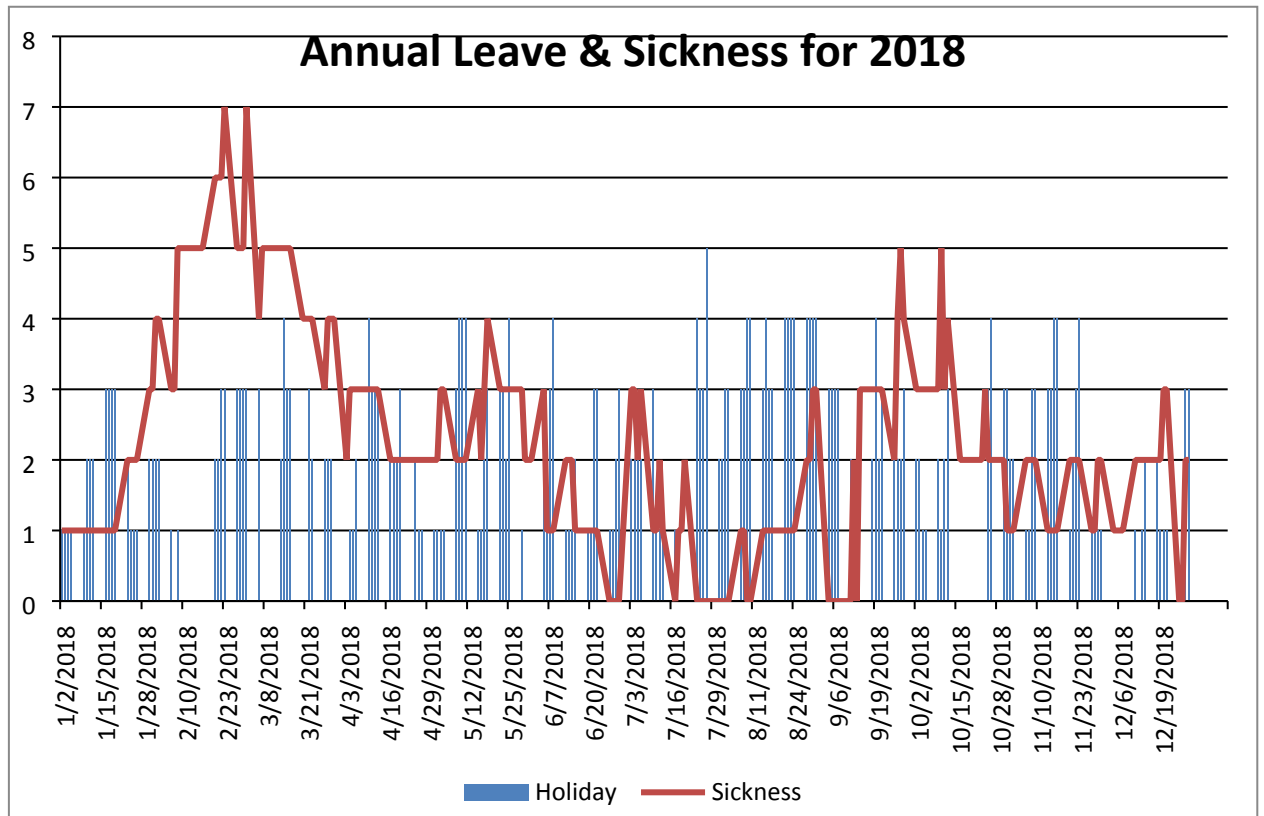
To what extent do you agree or disagree the following should be given priority by Redditch Borough Council?

Top Priorities (agree/strongly agree)

1	Waste and recycling	90%
	Community safety	90%
2	Maintenance of the landscape and environment	87%
3	Provide well maintained community parks and open spaces	84%
	Education and skills	84%
4	Local economic development and employment	82%
	Ensure housing in the Borough is of good quality and accessible	82%

5.2. This is the only qualitative data we have available aside from specific customer queries regarding individual issues, and so this provides our only view on how well we are meeting our strategic purpose to Keep our Place Safe and Looking Good.

- 5.3. The chart below illustrates the sickness and annual leave levels for the service in 2018 to illustrate how the two combined can have a significant impact on service delivery.



- 5.4. The preferred option will increase the staffing levels to an extent that will ensure the service has a consistent level of staff available to carry out their duties throughout the year.
- 5.5. Aside from the practical considerations of having an increased presence across the Borough, this will also support morale within the team as there will be less individual pressure on the team members throughout the year, and will support greater ownership of the service.
- 5.6. The Bin Delivery element is currently carried out by the Place Teams, and puts an additional pressure on their services both in direct time, as well as logistical issues around transporting waste and wheeled bins at the same time, and then separating out those that still have a value for re-use.

- 5.7. This reduces their capacity for managing their core work as well as increasing our costs in supplying wheeled bins as there is a lack of ownership when potentially 30 different staff can be responsible for collecting or delivering bins to residents.
- 5.8. By returning responsibility for this work to the Waste Team with the creation of a dedicated operative, it increases the capacity of the Place Teams to carry out their core work, and also allows greater control of wheeled bin provision across the Borough and improved customer service and coordination with our collection service where medical needs may impact on how residents use our services.
- 5.9. This will also be an additional resource to support the service when required due to sickness or other unforeseeable events that impact on the service.
- 5.10. To implement the preferred option identified in the Economic Case, the Council has a standard recruitment process for advertising the roles, and interviews will be carried out using the same model used on previous recruitment processes in the last 12 months, with a combination of Practical Exercises and a formal interview to ensure we are taking on the right staff to support the business moving forwards.
- 5.11. New staff will be subject to a 6 month probation period, and will be given training to carry out all elements of the role in stages that allow us to develop their skills to support the team, and support operations to the standard required.
- 5.12. Existing staff will also receive refresher training and mentoring alongside the new staff in order to help integrate the teams and support consistent standards.

6. The Financial Case

- 6.1. The preferred option addresses a shortfall in current capacity to carry out all of our work across the Borough, and supports improved standards by making services more robust to accommodate sickness and other pressures on Environmental Services.
- 6.2. As detailed in the Introduction, our Waste Collection Service is a Statutory Service, and so has limited capacity to generate additional income to offset their costs, although the joint arrangement with Bromsgrove District Council to provide a Garden Waste service has exceeded expectations for its first year, and is hoped to continue growing during 2019/20 which will help offset some of this additional investment.
- 6.3. When compared with the increase in properties across the Borough and the associated Council Tax income, the costs highlighted for growth of the Waste Team are proportionate to how the Borough has evolved over the last ten years, and the future housing projections for the Borough also highlight the increased volume of work likely to be generated over the next 10 years.⁵
- 6.4. Revenue & Capital Summary

Revenue Requirements

	No of Staff	Total Cost
Additional Staff	3	£75,674
Vehicle Maintenance & Operating Costs		£8,000
Total Additional Cost		£83,674

- 6.5. Current staffing levels detailed in sections 3.26, 3.27, and 5.3 show how unplanned absences can have a significant impact on achieving the work

⁵ Housing Land Supply in Redditch Borough 2011 to 2017: "Outstanding Strategic Housing Target at 1.4.2017: 6400 minus 3909 = 2491 dwelling target dwellings accounted for in this document to meet the strategic target" Page 12 (<https://www.redditchbc.gov.uk/media/2990310/Housing-Land-Supply-2017.pdf>)

required across the Borough, and currently requires Agency cover to support the teams, which in the 2018/19 financial year is expected to cost £95,000; £70,000 more than was budgeted for, even with support from the Redditch Place Teams who have provided 70 days of staff time to support collection arrangements in 2018, which impacted on their services and has an approximate value of £8,000.

- 6.6. The increased staffing detailed by the preferred option will give a greater margin to accommodate these absences within existing resources, and reduce the risk of unexpected expenditure on Agency or significant fall in standards across the Borough.

7. The Management Case

- 7.1. Should this business case be agreed for funding, a recruitment process will be followed to attract people with the balance of skills and ability to support the Council in delivering its strategic purpose to keep my place safe and looking good.
- 7.2. As these staff will be a key part to the future delivery of the service, they will receive both practical training in the use of equipment and more specific support to develop the right approach to apply the Place thinking approach to everything they do. The precise format of this training would depend on the individuals, and would be tailored by our Coordinators in a mentoring approach to develop them and continue to support this approach with our existing staff with an emphasis on proactive maintenance using the additional resources.
- 7.3. New starters will be subject to a 6 month probation period, and clear targets will be set regarding performance as part of the Place Team, alongside the mentoring approach by Coordinators that will be used to support their integration into Environmental Services.
- 7.4. This will be managed informally on a daily basis, and formally through monthly 1:1's in line with existing policies and practices – albeit on a greater frequency to ensure that the staff are able to support our work going forwards and start developing people with the right skills and mind-set to develop through the organisation as succession planning.
- 7.5. The additional resources will be used to strengthen the existing team, but is intended primarily to strengthen the existing structure over the next two years, and allow for a full service review to be carried out supporting the service moving forwards.
- 7.6. Greater stability within the service will remove the existing reliance on regular Agency staff, and will ensure that service delivery is delivered consistently across the Borough so that accurate data can be used to support consideration of different models of service.

7.7. This will be measured through both qualitative and quantitative data including the following measures and any others that may be identified once the review has started:

1	Missed Residual Collections
2	Missed Recycling Collections
3	Number of Collections
4	Missed Assisted Collections
5	Number of Wheeled Bins in use
6	Residual Waste Tonnage
7	Recycling Tonnages
8	Missed Garden Waste Collections
9	Non-Renewals on Garden Waste
10	New Renewals on Garden Waste
11	Lost Grey Wheelie Bins
12	Lost Green Wheelie Bins
13	Mileage
14	Working Time
15	Travelling Time
16	Sickness Rates
17	Staff Welfare - Physical Health
18	Staff Welfare - Mental Health
19	Succession Planning

7.8. A project brief will need to be drawn up to set the parameters of the service review, and a detailed project plan will be created to support this project using staff from across Environmental Services, unions and councillors as appropriate to ensure that the practical knowledge and experience of the crews are a key part of the process, and conclusions put forward are based on solid information in a transparent way.

7.9. This approach supports the results from the latest staff survey and will ensure that all interested parties in the future shape of the service can buy into the process and influence the final business case setting out options for a sustainable service.

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EXECUTIVE25th February 2019**MEDIUM TERM FINANCIAL PLAN 2019/20 - 2022/23**

Relevant Portfolio Holder	Councillor Tom Baker-Price, Portfolio Holder for Finance and Enabling Services
Relevant Head of Service	Jayne Pickering, Executive Director Finance and Corporate Resources
Non-Key Decision	

1. SUMMARY OF PROPOSALS

1.1 To enable members to consider the 2019/20 budget and council tax and to make a recommendation to Council. In addition members asked to note the position for future years 2020/21 to 2022/23.

2. RECOMMENDATIONS

2.1 Executive is asked to recommend to Full Council

2.1.1 Approve the Unavoidable costs as attached at Appendix 1:

2019/20 £373k
 2020/21 £287k
 2021/22 £227k
 2022/23 £255k

2.1.2 Approve the Revenue Bids as attached at Appendix 2:

2019/20 £193k
 2020/21 £173k
 2021/22 £165k
 2022/23 £165k

2.1.3 Approve the Identified Savings as attached at Appendix 3:

2019/20 £1,127k
 2020/21 £841k
 2021/22 £846k
 2022/23 £816k

2.1.4 Approve the Capital Programme bids as attached at Appendix 4:

2019/20 £1.875m
 2020/21 nil
 2021/22 nil
 2022/23 £1.352m

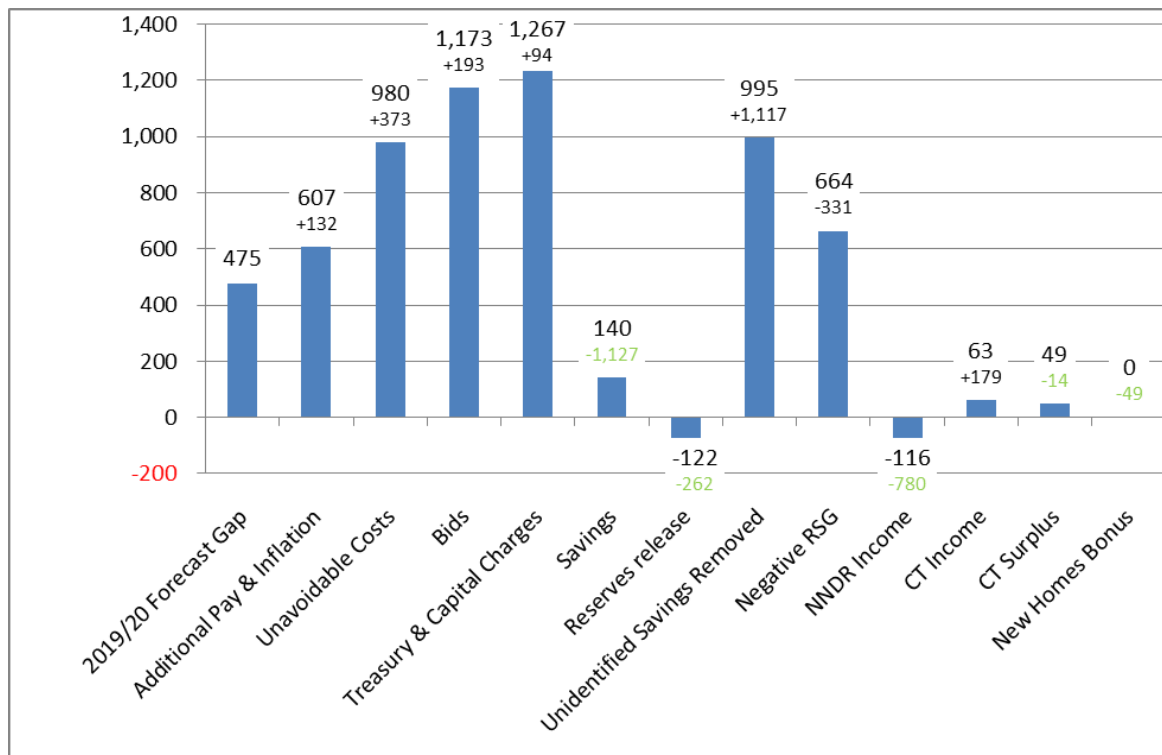
2.1.5 The approval of the Pay Policy Statement as attached in Appendix 6.

2.1.6 The approval of the Council Tax Resolutions as attached at Appendix 7 to include the increase of the Council Tax per Band D @ 2.2%

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3. KEY ISSUES**Financial Implications**

- 3.1 The Council's Medium Term Financial Plan (MTFP) provides the framework within which the revenue and capital spending decisions can be made. For 2019/20 a 4 year plan is proposed to 2022/23. The plan addresses how the Council will provide financial funding to the Strategic Purposes and ensure residents receive quality services to meet their needs in the future. The Purposes that drive the financial considerations are :
- Help me find somewhere to live in my locality
 - Provide good things for me to see, do and visit
 - Help me live my life independently
 - Help me run a successful business
 - Help me be financially independent
 - Keep my place safe and looking good
- 3.2 When reviewing the budget projections officers consider the impact of demand on service and the costs associated with this demand. This may result in additional costs (associated with maintaining current service delivery) or reductions in anticipated income revenue over the next 4 years.
- 3.3 Over the last 12 months the Budget Scrutiny working group as established by the Overview and Scrutiny Committee has met on a regular basis to review costs, fees and charges and the capital programme and have made a number of recommendations to Executive.
- 3.4 Officers have factored in a number of assumptions into the Medium Term Financial Plan to update it in line with revised calculations and information from officers and Government.
- 3.5 The table below demonstrates the changes in the financial projections and budget gap for 2019/20 based on the original estimation of a £475k gap as presented in February 2018. Following the table there are explanations of the reasons for the changes resulting in an achieved balanced budget for 2019/20.

REDDITCH BOROUGH COUNCIL**EXECUTIVE**25th February 2019**3.6 Additional pay and inflation**

One of the pressures to the budget is the financial impact of implementing the National pay agreement in relation to increasing the spinal points attached to the current pay model as approved by Council and currently under consultation with the unions. The financials implications of this have been included in the budget.

3.7 Unavoidable Costs

When proposing the budget officers have also identified a number of budget pressures that have been deemed “unavoidable”. Unavoidable includes the ongoing effects of pressures identified during 2018/19 together with any issues that have been raised as fundamental to maintaining service provision as part of the budget process. In addition, income shortfalls that cannot be managed by improved marketing or price increases have been addressed during the budget planning. The pressures and income shortfalls of £373k are identified at Appendix 1

3.8 Bids

In addition to the unavoidable pressures revenue bids have been identified and included at Appendix 2. Bids relate to new funding requests made by officers to improve service delivery or to realise future efficiencies. The total bids for 2019/20 of £193k include funding for automation of transactional processing and funding for an apprentice

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3.9 Treasury

The increase of £94k is a result of the additional borrowing costs associated with the capital programme offset by the savings from making an upfront payment to the pension fund. No assumptions have been made for future capital receipts on surplus sites.

3.10 Identified Savings/additional income

Identified savings and additional income of £1,127k are detailed at Appendix 2. These are proposed to ensure that budget pressures can be met and demonstrate the additional income that the Council is generating. This includes the income of £90k that has been generated from the service agreement to provide Lifeline services to Cannock Council.

3.11 Unidentified savings

In previous years an assessment has been made of savings and additional income that could potentially be realised by the Council. It is proposed that there are no longer any savings or income allocations that are not specifically identified and therefore there is a pressure to the budget of £1,117k to reflect the removal of the unidentified savings

3.12 Negative RSG

Whilst the final settlement has not been received the projections include the removal of the £331k negative grant payment to Government in line with the provisional settlement.

3.13 NNDR Income

For 2019/20 the Government assessed baseline for business rates is £2.171m. This is paid by the Government to Redditch as a grant following the creation of the Worcestershire Business Rate Pilot. Under the Pilot the County Council receive 75% of the business rate income and the Government receive 25%. The County Council also receive all the Section 31 grant previously received by the County and Districts. The Pilot agreement includes a commitment of nil detriment and the County Council will top up payments to Districts in addition to the baseline grant to provide an equivalent income they would have received had the previous system remained in place. For Redditch the top up payment is £0.684m. In relation to the no detriment clause it is assumed that any payment to the Birmingham LEP (estimated at £150k) will be met from the additional business rates received. Compared with the base budget assumption there has been an increase of £0.780m which reflects a mixture of

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business rate growth and additional section 31 support from the Government to compensate for national decisions that have reduced business rate income.

3.14 Council Tax

The Council is allowed to increase Council Tax by up to 2.99% without the need for a referendum. The Council will decide the level of the council tax for 2019/20 on 25th February 2019. The current projections include a 2.2% increase and therefore the demand on the collection fund to meet the Council's own needs will be £6.241m. The Council Tax relating to the Councils services will rise from £234.00 to £239.15.

Compared with the base budget assumed for 2019/20 in the medium term financial plan there has been a reduction in Council Tax and reflects fewer new dwellings

3.15 Council Tax Surplus

This is the estimated surplus based on the latest 2018/19 collection fund information.

3.16 New Homes Bonus (NHB)

3.16.1 The amount of NHB for 2019/20 has been confirmed as £754k, which is £49k more than anticipated in the MTFP. The 2019/20 income would be generated from 268 band D properties. However the 0.4% levy on growth equates to 128 properties which results in an annual reduction of £213k in New Homes Bonus received.

3.16.2 The MTFP will continue to be refreshed annually to take account of future changes in funding.

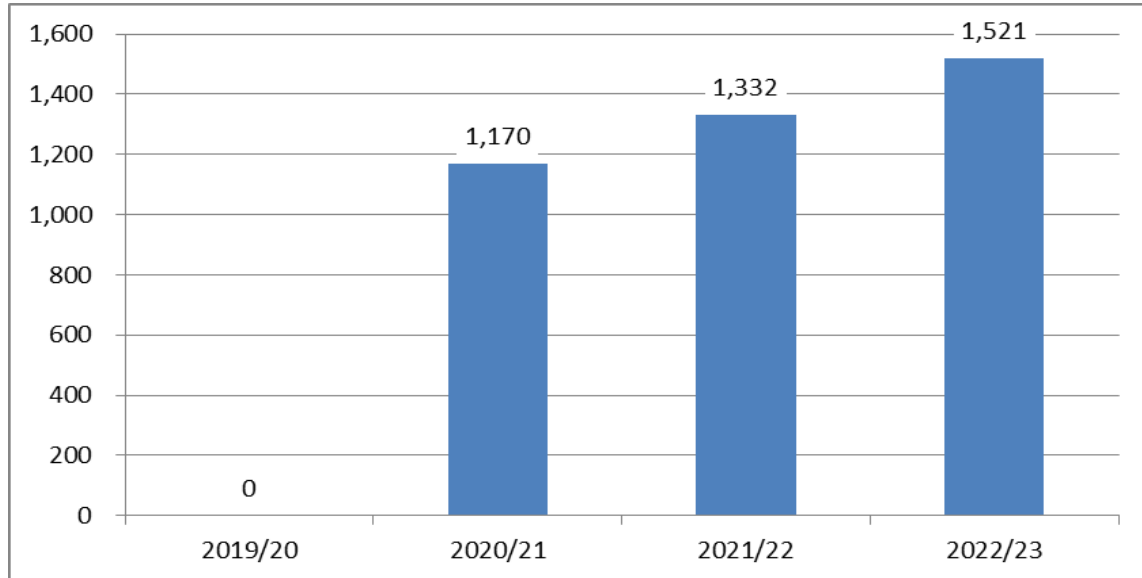
3.17 Future Years

3.17.1 Assumptions have been made in the financial plan for the following years including:

- The final year of the New Homes Bonus Scheme in 2019/20. Therefore an estimate of £208k is included in 2019/20 to continue for 4 years. There is no further funding included in the MTFP for "new" monies from 2020/21 which will result in a considerable funding gap for the Council.
- Additional costs of borrowing for the capital programme
- Financial impact of the revised pay model

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This results in a medium term financial gap as follows:



Members should be advised that there is a great level of uncertainty around the funding available from Central Government from 2020/21. The budget presented above shows the position should all new Homes Bonus be removed with no reallocation of central funding to offset this shortfall. Therefore this position is potentially the worst financially for the Council over the 4 years and this will be better informed by the outcome of the fair funding and localisation of business rates legislation

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A more detailed table is shown below:

REDDITCH PROPOSED REVENUE BUDGET 2019/20 - 2022/23				
	2019-20	2020-21	2021-22	2022-23
	£000	£000	£000	£000
Departmental base budget	9,116	9,173	9,387	9,388
Incremental Progression/Inflation on Utilities	132	206	281	483
Unavoidable Pressures	373	287	227	255
Revenue Bids/Revenue impact of capital bids	193	173	165	165
Savings and Additional income	-1,127	-841	-846	-816
Reserve release	-262	0	0	0
Efficiency savings rolled forwards	1,117	1,271	1,282	1,282
Net Revenue Budget Requirement	9,543	10,269	10,496	10,757
FINANCING				
Pool	-2,855	-2,899	-2,941	-2,986
Council Tax	-6,241	-6,524	-6,857	-7,178
New Homes Bonus	-754	-430	-231	-209
Collection Fund Surplus (Council Tax)	-14	0	0	0
Parish Precept	8	8	8	8
Parish Precept income	-8	-8	-8	-8
Bad Debt Provision	50	50	50	50
Investment Income	-661	-952	-1,349	-1,673
MRP (Principal)	1,004	1,159	1,249	1,610
Interest payable	158	584	1,002	1,237
Recharge to Capital Programme	-38	-38	-38	-38
Discount on advanced pension payment	-193	-50	-50	-50
Funding Total	-9,543	-9,099	-9,164	-9,237
General Balances				
Opening Balances	1,401	1,400	230	-1,102
Contribution (from) / to General Balances	-0	-1,170	-1,332	-1,521
Agreed in year release of balances				
Closing Balances	1,400	230	-1,102	-2,623

3.18 General Fund

3.10.1 The level of the general fund balance is currently £1.4m. The minimum level of balances recommended is £750k. It is clear that further savings are required over the period to maintain balances at the recommended level.

3.19 Collection Fund

3.19.1 The anticipated collection fund surplus is £106k, which will be distributed amongst the major preceptors using the prescribed formulae. This Councils share of the surplus payable as a one off sum is £14k.

3.20 Precepts

3.20.1 The precepts from Worcestershire County Council, the Hereford and Worcester Fire and Rescue Service and the West Mercia Police and Crime Commissioner are due to set their precepts in the week commencing 11th

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February. This will enable to Council to set the Council Tax on 25th February 2019 which is in advance of the 28th February deadline on precepts being received. These are included in the resolutions.

3.21 Capital Programme

3.21.1 The Capital Programme has been considered to propose any new bids required to deliver services to the community. These are included at Appendix 4 with the proposed complete Capital Programme at Appendix 5. The borrowing costs have been factored into the revenue budget for the financial plan. There are detailed business cases available for all capital projects should members wish to consider them further

3.22 Pay Policy

3.22.1 The Localism Act requires English and Welsh local authorities to produce a Pay Policy statement ('the statement'). The Act requires the statement to be approved by Full Council and to be adopted by 31st March each year for the subsequent financial year. The Pay Policy Statement for the Council is included at Appendix 6.

The Statement must set out policies relating to-

- (a) The remuneration of its chief officers,
- (b) The remuneration of its lowest-paid employees, and
- (c) The relationship between-
 - (i) The remuneration of its chief officers, and
 - (ii) The remuneration of its employees who are not chief officers.

The provisions within the Localism Act bring together the strands of increasing accountability, transparency and fairness in the setting of local pay.

All financial implications have already been included as part of the budget setting process and posts are fully budgeted for.

The information provided is based on the approved pay model that is currently under consultation with the unions.

4 Legal Implications

4.1 As part of the budget and the Council Tax approval process, the Council is required by the Local Government Finance Act 1992 to make specific calculations and decisions in approving a balanced budget for the following financial year and setting the Council Tax Level. These will be included in the report to Executive and Council in February.

5 Service / Operational Implications

5.1 The MTFP will enable services to be maintained and, where achievable, improvements to the community.

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6 Customer / Equalities and Diversity Implications

- 6.1 The impact on the customer has been reduced due to the savings being realised by reduction of waste in the services and ensuring that all service that create value to the customer are resourced.

7 RISK MANAGEMENT

- 7.1 To mitigate the risks associated with the financial pressures facing the Authority regular monitoring reports are presented to both officers and Members to enable proactive action being undertaken to address any areas of concern. Risks include:
- Reductions in government funding leading to a reduction in the level of services delivered to the public
 - Reductions in business rates income as a result of appeals or reduction in the rateable value leading to a lower level of income for the Council.
 - Identification of sufficient and ongoing revenue savings to deliver a balanced budget.
 - Allocation of sufficient resources to meet the needs of service delivery and the Councils priorities.
 - Maintain adequate revenue and capital balances as identified in the MTFP to ensure financial stability.

The regular financial monitoring by Officers and Executive will provide a framework to mitigate the above risks.

8. APPENDICES

- Appendix 1 – Unavoidable costs
- Appendix 2 – Revenue Bids
- Appendix 3 – Identified savings
- Appendix 4 – Capital bids
- Appendix 5 – Proposed Capital programme
- Appendix 6 – Pay Policy
- Appendix 7 - Council Tax Resolutions (to follow)

AUTHOR OF REPORT

Name: Jayne Pickering – Exec Director Finance and Resources
e-mail: j.pickering@bromsgroveandredditch.gov.uk
Tel: 01527-881400

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UNAVOIDABLES - RBC

Appendix 1

Department	Description of Pressure	2019-20 £'000	2020-21 £'000	2021-22 £'000	2022-23 £'000	Comments
Business Transformation	Occupational Health Budget	15	15	15	15	To increase the level of occupational health support to previous budget level to ensure staff are supported in their health and well being.
Legal & Democratic Services	Increase of Election costs for RBC	28	0	0	28	To provide the additional funding required to undertake a standalone Borough election . A budget increase would not be required in 2020 as there are PCC elections to share the cost. A budget is not required in 2021 as there are only County Elections. A budget increase may not be required in 2022 as this is the next scheduled Parliamentary Election, however this will need to be reviewed if a Parliamentary Election is held in the intervening period.
Environmental Services	Reline of second cremator	40	0	0	0	Reline of second cremator required to maintain service.
Housing General Fund	Increase in out of hours standby allowance	6	6	6	6	Increase in out of hours standby allowance.
Housing General Fund	Increase in furniture equipment costs related to additional units	1	1	1	1	Increase in furniture equipment costs related to additional units above.
Housing General Fund	Two fixed term posts funded from Flexible Homeless Support Grant	60	60	0	0	Two fixed term posts funded from Flexible Homeless Support Grant.
Housing General Fund	Additional rent deposits budget based on current trends and increased contribution to Redditch Nightstop - funded from FHSG	62	44	44	44	Additional rent deposits budget based on current trends and increased contribution to Redditch Nightstop - funded from FHSG.
Housing General Fund	Additional B&B budget due to increased levels of homelessness cases - mostly offset by increase in rents charged	5	5	5	5	Additional B&B budget due to increased levels of homelessness cases - mostly offset by increase in rents charged.
Housing General Fund	Additional removals/storage	6	6	6	6	Additional removals/storage budget related to line above.
Corporate Services	Contribution to the Birmingham Local Enterprise Partnership	150	150	150	150	Potential Contribution to the Birmingham Local Enterprise Partnership - covered by additional business rates received through the Worcestershire Business Rates pilot scheme as it was agreed there would be no detriment to Redditch in joining the worcestershire pool.
TOTAL		373	287	227	255	

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NEW REVENUE BIDS - RBC

Appendix 2

Department	Description of revenue bid	2019-20 £'000	2020-21 £'000	2021-22 £'000	2022-23 £'000	Comments
Business Transformation	Legal advice specific to employment Law	10	10	10	10	To ensure the Council can draw on specific employment law advice for complex cases when required.
Business Transformation	Automation Resource	15	15	15	15	To support the automation of processing and system functionality to enhance efficiency.
Legal & Democratic Services	Members remuneration increase	60	60	60	60	Cost reflects additional funding required should members approve the remuneration.
Leisure and Cultural services	Parks and green spaces - 1 x post for Modern Apprenticeships within the parks and green space team to provide additional support in maintained the premier parks and gardens across Redditch (Arrow Valley Country Park and Morton Stanley Park).	8	8	0	0	Apprenticeships for Leisure's Parks and Green Space team were approved by management within the restructure in September 2017. However, budget is required as a revenue bid to support this important apprenticeship post. The additional support will help provide a quality green space and inspection team for AVCP and MS parks and play areas.
Leisure and Cultural services	Christmas lights	20	0	0	0	To help fund the Redditch Christmas Lights.
Environmental Services	Staffing increases	80	80	80	80	Net impact of additional staff and resources required for the Business Case re waste collection.
TOTAL		193	173	165	165	

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Agenda Item 6.6

SAVINGS & ADDITIONAL INCOME - RBC

Department	Description of saving	2019-20 £'000	2020-21 £'000	2021-22 £'000	2022-23 £'000	Comments
Community Services	Lifeline - Additional Income from Cannock Chase contract	-90	-90	-90	-90	Lifeline - Additional Income from Cannock Chase contract
Community Services	Lifeline - Additional Income from Cannock Chase contract - SLA	-30	-30	-30	-30	Lifeline - Additional Income from Cannock Chase contract - SLA
Community Services	Reduction in budget following changes to the Grants to Voluntary Bodies scheme	-20	-20	-20	-20	Reduction in budget following changes to the Grants to Voluntary Bodies scheme
Corporate Services	Print contract	-54	-54	-54	-54	Print contract savings realised
Corporate Services	Savings realised on supplies and services	-2	-2	-2	-2	Savings realised on supplies and services
Corporate Services	Savings realised on supplies and services	-1	-1	-1	-1	Savings realised on supplies and services
Corporate Services	Savings realised on supplies and services	-1	-1	-1	-1	Savings realised on supplies and services
Corporate Services	10 year pension liability from 2008 restructure	-84	-84	-84	-84	10 year pension liability from 2008 restructure
Corporate Services	Vacancy management	-206	-205	-209	-179	2% vacancy management saving to capture savings from vacant posts that are not requiring cover from agency.
Corporate Services	Transformational service redesign	-181	-181	-181	-181	Transformational service redesign
Customer Access & Financial Support	NNDR budget	-13	-13	-13	-13	Review of Business Rate budgets
Customer Access & Financial Support	Benefits - HRA Recharge for service	-40	0	0	0	Benefits - recharge for locality officer
Customer Access & Financial Support	Property - Additional rental income	-58	-58	-58	-58	Property - Additional rental income from all commercial units
Customer Access & Financial Support	Audit budgets	-4	-4	-4	-4	Review of Audit budgets
Customer Access & Financial Support	Audit budgets	-3	-3	-3	-3	Review of Audit budgets
Customer Access & Financial Support	Audit budgets	-14	-14	-14	-14	Review of Audit budgets
Environmental Services	Additional Income from increased cremation fees	-32	-32	-32	-32	Income from increased cremation fees
Environmental Services	Budgets not required	-10	-10	-10	-10	Review of general budgets
Legal and Democratic	Land charges	-1	-1	-1	-1	Land charges
Legal and Democratic	Additional Income	-5	-5	-5	-5	Income for work from Rubicon Leisure
Leisure and Cultural Services	Reduction in forecast for ongoing systems implementation	-38	0	0	0	Reduction in forecast for ongoing systems implementation
TOTAL		-1,127	-841	-846	-816	

CAPITAL BIDS - RBC

Appendix 4

Department	Funding Source i.e. Grant, Borrowing, Reserve, S105	CAPITAL IMPLICATIONS				Commentary (link to priorities etc)
		2019-20 £	2020-21 £	2021-22 £	2022-23 £	
Environmental Services	capital receipts/Borrowing	0	0	0	1,351,700	Fleet Replacement Programme
Leisure & Cultural Services	S106 Funding	79,686	0	0	0	Proposal to replace existing toddler/junior play area, using S106 Play contribution, with a destination play facility to provide a greater attraction for people to see do and visit in Morton Stanley Park
Leisure & Cultural Services	S106 Funding	25,633	0	0	0	Proposal to improve hard and soft landscaping areas within Morton Stanley Park using S106 open space contribution to improve the existing infrastructure within this premier park
Leisure & Cultural Services	S106 Funding	98,535	0	0	0	Proposal for Sports Pitch improvement works using S106 contribution for Sports Facility improvement at Morton Stanley Park to provide quality pitches for use by the junior club
Leisure & Cultural Services	S106 Funding	17,470	0	0	0	Proposals to support Redditch Cricket Club improvement works using S106 funding for Sport within the local area to enhance the clubs facilities.
Leisure & Cultural Services	S106 Funding	333,403	0	0	0	Proposal to use S106 Contribution for improvements to Morton Stanley Park. This contribution will support other enhancement projects within Morton Stanley on Junior / toddler Play Areas, Open Space Infrastructure and access routes and Sports Provision.
Leisure & Cultural Services	S106 Funding	60,606	0	0	0	proposal for S106 funding specifically for Pumtrack in AVCP. This funding will be used to re-create the former pumtrack at AV South tp provide a free of charge facility for use by the community

CAPITAL BIDS - RBC

Appendix 4

Department	Funding Source i.e. Grant, Borrowing, Reserve, S105	CAPITAL IMPLICATIONS				Commentary (link to priorities etc)
		2019-20 £	2020-21 £	2021-22 £	2022-23 £	
Leisure & Cultural Services	S106 Funding	17,271	0	0	0	Proposal for S106 funding specifically for 'green car parking' improvements at AV South to enhance and improve existing provision to support the sports provision in this location.
Leisure & Cultural Services	S106 Funding	21,500	0	0	0	Proposal to use S106 funding specifically for Hedgerow restoration and hedgelaying with associated fencing and gates at Arrow Valley Park SHM and Arrow Valley Park North
Leisure & Cultural Services	S106 Funding	146,590	0	0	0	Proposal to use S106 funding specifically for Grassland habitat restoration, recreation and monitoring at Arrow Valley Park and/or Morton Stanley Park
Leisure & Cultural Services	S106 Funding	17,419	0	0	0	Propposal to use S106 funding specifically for Abbey Stadium sports facilities enhancements. This contribution to be allocated to Rubicon Leisure to use as per S106 agreement terms
Leisure & Cultural Services	S106 Funding	51,248	0	0	0	Propposal to use S106 funding specifically for Forge Mill and Bordesley Abbey play and open space enhancements. This contribution to be allocated to Rubicon Leisure to use as per S106 agreement terms
Leisure & Cultural Services	capital receipts/Borrowing	26,000	0	0	0	Officers request funding for pathway maintenance works following risk inspections and records. Pathway maintenance to ensure health and safety of users is maintained
North Worcestershire Water Management	capital receipts/Borrowing	180,000	0	0	0	Total project cost £375k Funding Secured £80k Match Funding Applied for £110k Capital Cost to RBC £180k Capital can be spread across 19/20 and 20/21 FY but depends on delivery of works.
Community Services	DFG Grant	800,000	0	0	0	Disabled Facilities Grants
TOTAL		1,875,361	0	0	1,351,700	

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Description	Service		2019/20 Total	2020/21 Total	2021/22 Total	2022/23 Total
			£	£	£	£
Public Building	CAFS	borrowing/capital receipts	250,000	250,000	250,000	250,000
GF Asbestos	CAFS	borrowing/capital receipts	40,000	40,000	40,000	40,000
Home Repairs Assistance	Community Services	borrowing/capital receipts	60,000	60,000	60,000	60,000
Disabled Facilities Grant	Community Services	DFG grant	800,000	0	0	0
Vehicle replacment	Environmental Services	borrowing/capital receipts	717,700	412,000	1,927,000	1,587,000
Wheelie Bin purchase	Environmental Services	borrowing/capital receipts	115,000	85,000	85,000	85,000
Vehicle replacment dial a ride	Environmental Services	borrowing/capital receipts	40,000	0	0	0
Improved Parking Scheme (includes locality funding)	Environmental Services	borrowing/capital receipts	400,000	400,000	400,000	400,000
Car Park Maintenance	Environmental Services	borrowing/capital receipts	25,000	25,000	25,000	25,000
Arrow Valley Country Park - Play, Open Space and Sports Improvements.	Leisure & Cultural Services	S106 Funding	172,000	0	0	0
Arrow Valley Country Park - Play, Open Space and Sports Improvements.	Leisure & Cultural Services	S106 Funding	184,000	0	0	0
Improvement to Morton Stanley -Play Area for toddler and junior play	Leisure & Cultural Services	S106 Funding	79,686	0	0	0
Improvement to Morton Stanley Open Space	Leisure & Cultural Services	S106 Funding	25,633	0	0	0
Improvement to Sports Pitches infrastructure in Morton Stanley Park	Leisure & Cultural Services	S106 Funding	98,535	0	0	0
Improvement to Redditch Cricket Club Facilities	Leisure & Cultural Services	S106 Funding	17,470	0	0	0
Improvement to original Pump Track at AVCP	Leisure & Cultural Services	S106 Funding	60,606	0	0	0
Improvement of 'Green Parking' at Arrow Valley South	Leisure & Cultural Services	S106 Funding	17,271	0	0	0
Hedgerow Mitigation measurres by restoration and hedge laying with associated fencing and gates at AVP SHM and AVP North	Leisure & Cultural Services	S106 Funding	21,500	0	0	0
Grassland Mitigation measures- recreating and monitoring grassland habitats in MS and AVCP	Leisure & Cultural Services	S106 Funding	146,590	0	0	0
Pitch or sports facilities improvements at the Abbey Stadium	Leisure & Cultural Services	S106 Funding	17,419	0	0	0
POS/Play Improvements to Forge Mill (24,528 POS and 26,700 Play) and Bordesley Abbey Visitor Centre. PI	Leisure & Cultural Services	S106 Funding	51,248	0	0	0
Maintenance works to existing tarmac pathways in Morton Stanley Park	Leisure & Cultural Services	borrowing/capital receipts	26,000	0	0	0
Removal of 5 weirs through Arrow Valley Park	Leisure & Cultural Services	borrowing/capital receipts	180,000	0	0	0
Morton Stanley Play, Sport and Open Space Improvements (General)	Leisure & Cultural Services	S106 Funding	333,403	0	0	0
Total General Fund			3,879,061	1,272,000	2,787,000	2,447,000

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REDDITCH BOROUGH COUNCIL PAY POLICY STATEMENT

Introduction and Purpose

1. Under section 112 of the Local Government Act 1972, the Council has the “power to appoint officers on such reasonable terms and conditions as authority thinks fit”. This pay policy statement sets out the Council’s approach to pay policy in accordance with the requirements of Section 38 of the Localism Act 2011. It shall apply for the financial year 2019/20 and each subsequent financial year, until amended. The information provided is based on a proposed model that is still subject to approval and consultation.
2. The purpose of the statement is to provide transparency with regard to the Council’s approach to setting the pay of its employees by identifying;
 - a. the methods by which salaries of all employees are determined;
 - b. the detail and level of remuneration of its most senior staff i.e. ‘chief officers’, as defined by the relevant legislation;
 - c. the Committee(s) responsible for ensuring the provisions set out in this statement are applied consistently throughout the Council and for recommending any amendments to the full Council
3. Once approved by the full Council, this policy statement will come into immediate effect and will be subject to review on a minimum of an annual basis, in accordance with the relevant legislation prevailing at that time.

Legislative Framework

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

Pay Structure

5. The Council’s pay and grading structure comprises grades 1 – 11. These are followed by grades for Managers 1 - 2, Head of Service 1, Head of Service 2, Head of Service 3, Executive Director, Deputy Chief Executive and then Chief Executive; all of which arose following the introduction of shared services with Bromsgrove District Council.

6. Within each grade there are a number of salary / pay points. Up to and including grade 11 scale, at spinal column point 43, the Council uses the nationally negotiated pay spine. Salary points above this are locally determined. The Council's Pay structure is set out below. This includes the increases for grade 1-11 as agreed by the National Joint Council for 2019.

Grade	Spinal Column Points		Nationally determined rates	
			Minimum £	Maximum £
1	1	2	17,364	17,711
2	2	5	17,711	18,795
3	5	9	18,795	20,344
4	9	14	20,344	22,462
5	14	19	22,462	24,799
6	19	24	24,799	27,905
7	25	30	28,785	32,878
8	30	34	32,878	36,876
9	34	37	36,876	39,782
10	37	40	39,782	42,683
11	40	43	42,683	45,591
Manager 1	Hay evaluated	43%	54,658	56,885
Manager 2	Hay evaluated	45%	56,885	59,221
Head of Service 1	Hay evaluated	51%	65,005	67,659
Head of Service 2	Hay evaluated	61%	78,006	81,190
Head Of Service 3	Hay evaluated	68%	87,027	90,212
Executive Director	Hay evaluated	74%	94,456	98,171
Deputy Chief Executive	Hay evaluated	80%	101,968	106,131
Chief Executive	Hay evaluated	100%	127,461	132,664

7. All Council posts are allocated to a grade within this pay structure, based on the application of a Job Evaluation process. Posts at Managers and above are evaluated by an external assessor using the Hay Job Evaluation scheme. Where posts are introduced as part of a shared service, and where these posts are identified as being potentially too 'large' and 'complex' for this majority scheme, they will be double tested under the Hay scheme, and where appropriate, will be taken into the Hay scheme to identify levels of pay. This scheme identifies the salary for these posts based on a percentage of Chief Executive Salary (for ease of presentation these are shown to the nearest whole % in the table above). Posts below this level (which are the majority of employees) are evaluated under the "Gauge" Job Evaluation process..
8. In common with the majority of authorities the Council is committed to the Local Government Employers national pay bargaining framework in respect of the national pay spine and annual cost of living increases negotiated with the trade unions.
9. All other pay related allowances are the subject of either nationally or locally negotiated rates, having been determined from time to time in accordance with collective bargaining machinery and/or as determined by Council policy. In determining its grading structure and setting remuneration levels for all posts, the Council takes account of the need to ensure value for money in respect of the use of public expenditure, balanced against the need to recruit and retain employees who are able to meet the requirements of providing high quality services to the community; delivered effectively and efficiently and at all times those services are required.
10. New appointments will normally be made at the minimum of the relevant grade, although this can be varied where necessary to secure the best candidate. From time to time it may be necessary to take account of the external pay market in order to attract and retain employees with particular experience, skills and capacity. Where necessary, the Council will ensure the requirement for such is objectively justified by reference to clear and transparent evidence of relevant market comparators, using appropriate data sources available from within and outside the local government sector.
11. For staff not on the highest point within the salary scale there is a system of annual progression to the next point on the band.

Senior Management Remuneration

12. For the purposes of this statement, senior management means 'chief officers' as defined within S43 of the Localism Act. The posts falling within the statutory definition are set out below, with details of their basic salary as at 1st April 2019 (assuming no inflationary increase for these posts).
13. Redditch Borough council is managed by a senior management team who manage shared services across both Redditch Borough and Bromsgrove District Councils. All of the posts listed below have been job evaluated on this basis, with the salary costs for these posts split equally between both Councils.

Title	% of Chief executive salary	Pay range (minimum) £	Pay range (maximum) £	Incremental points	Cost to Redditch Borough Council £
Chief Executive	100%	127,461	132,664	3	65,035
Deputy Chief Executive	80%	101,968	106,131	3	52,024
Executive Director of Finance and Resources. (Also S151 Officer)	74%	94,456	98,171	3	48,156
Head of Worcestershire Regulatory Services	68%	87,027	90,212	3	<i>This is a shared post across 6 district Authorities at a cost of £14,769each</i>
Head of Customer Access and Financial Support	61%	78,006	81,190	3	39,799
Head of Planning and Regeneration	61%	78,006	81,190	3	39,799
Head of Transformation and Organisational Development	61%	78,006	81,190	3	39,799
Head of Legal, Equalities and Democratic Services	61%	78,006	81,190	3	39,799

Head of Environmental Services	61%	78,006	81,190	3	39,799
Head of Leisure and Cultural Services	61%	78,006	81,190	3	39,799
Head of Community Services	61%	78,006	81,190	3	39,799
Head of Housing Services	51%	65,005	67,658	3	33,165

Recruitment of Chief Officers

14. The Council's policy and procedures with regard to recruitment of chief officers is set out within the Officer Employment Procedure Rules as set out in the Council's Constitution. When recruiting to all posts the Council will take full and proper account of its own equal opportunities, recruitment and redeployment Policies. The determination of the remuneration to be offered to any newly appointed chief officer will be in accordance with the pay structure and relevant policies in place at the time of recruitment. Where the Council is unable to recruit to a post at the designated grade, it will consider the use of temporary market forces supplements in accordance with its relevant policies.
15. Where the Council remains unable to recruit chief officers under a contract of service, or there is a need for interim support to provide cover for a vacant substantive chief officer post, the Council will, where necessary, consider and utilise engaging individuals under 'contracts for service'. These will be sourced through a relevant procurement process ensuring the council is able to demonstrate the maximum value for money benefits from competition in securing the relevant service. The Council does not currently have any Chief Officers under such arrangements.

Performance-Related Pay and Bonuses – Chief Officers

16. The Council does not apply any bonuses or performance related pay to its chief officers. Any progression through the incremental scale of the relevant grade is subject to satisfactory performance which is assessed on an annual basis.

Additions to Salary of Chief Officers (applicable to all staff)

17. In addition to the basic salary for the post, all staff may be eligible for other payments under the Council's existing policies. Some of these payments are

chargeable to UK Income Tax and do not solely constitute reimbursement of expenses incurred in the fulfilment of duties. The list below shows some of the kinds of payments made.

- a. reimbursement of mileage. At the time of preparation of this statement, the Council pays an allowance of 45p per mile for all staff, with additional or alternative payments for carrying passengers or using a bicycle;
- b. professional fees. The Council pays for or reimburses the cost of one practicing certificate fee or membership of a professional organisation provided it is relevant to the post that an employee occupies within the Council.
- c. long service awards. The Council pays staff an additional amount if they have completed 25 years of service.
- d. honoraria, in accordance with the Council's policy on salary and grading. Generally, these may be paid only where a member of staff has performed a role at a higher grade;
- e. fees for returning officer and other electoral duties, such as acting as a presiding officer of a polling station. These are fees which are identified and paid separately for local government elections, elections to the UK Parliament and EU Parliament and other electoral processes such as referenda;
- f. pay protection – where a member of staff is placed in a new post and the grade is below that of their previous post, for example as a result of a restructuring, pay protection at the level of their previous post is paid for the first 12 months. In exceptional circumstance pay protection can be applied for greater than 12 months with the prior approval of the Chief Executive.
- g. market forces supplements in addition to basic salary where identified and paid separately;
- h. salary supplements or additional payments for undertaking additional responsibilities such as shared service provision with another local authority or in respect of joint bodies, where identified and paid separately;
- i. attendance allowances.

Payments on Termination

18. The Council's approach to discretionary payments on termination of employment of chief officers prior to reaching normal retirement age is set out within its policy statement in accordance with Regulations 5 and 6 of the Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations 2006 and Regulations 12 and 13 of the Local Government Pension Scheme (Benefits, Membership and Contribution) Regulations 2007.
19. Any other payments falling outside the provisions or the relevant periods of contractual notice shall be subject to a formal decision made by the full Council or relevant elected members, committee or panel of elected members with delegated authority to approve such payments.
20. Redundancy payments are based upon an employee's actual weekly salary and, in accordance with the Employee Relations Act 1996, will be up to 30 weeks, depending upon length of service and age.

Publication

21. Upon approval by the full Council, this statement will be published on the Council's website. In addition, for posts where the full time equivalent salary is at least £50,000, the Council's Annual Statement of Accounts will include a note on Officers Remuneration setting out the total amount of:
- a. Salary, fees or allowances paid to or receivable by the person in the current and previous year;
 - b. Any bonuses so paid or receivable by the person in the current and previous year;
 - c. Any sums payable by way of expenses allowance that are chargeable to UK income tax;
 - d. Any compensation for loss of employment and any other payments connected with termination;
 - e. Any benefits received that do not fall within the above.

Lowest Paid Employees

22. The Council's definition of lowest paid employees is persons employed under a contract of employment with the Council on full time (37 hours) equivalent salaries in accordance with the minimum spinal column point currently in use within the Council's grading structure. As at 1st April 2019 this is £17,364 per annum.
23. The Council also employs apprentices (or other such categories of workers) who are not included within the definition of 'lowest paid employees' (as they are employed under a special form of employment contract; which is a contract for training rather than actual employment).
24. The relationship between the rate of pay for the lowest paid and chief officers is determined by the processes used for determining pay and grading structures as set out earlier in this policy statement.
25. The statutory guidance under the Localism Act recommends the use of pay multiples as a means of measuring the relationship between pay rates across the workforce and that of senior managers, as included within the Hutton 'Review of Fair Pay in the Public Sector' (2010). The Hutton report was asked by Government to explore the case for a fixed limit on dispersion of pay through a requirement that no public sector manager can earn more than 20 times the lowest paid person in the organisation. The report concluded that "it would not be fair or wise for the Government to impose a single maximum pay multiple across the public sector". The Council accepts the view that the relationship to median earnings is a more relevant measure and the Government's Code of Recommended Practice on Data Transparency recommends the publication of the ratio between highest paid salary and the median average salary of the whole of the authority's workforce.
26. As part of its overall and ongoing monitoring of alignment with external pay markets, both within and outside the sector, the Council will use available

benchmark information as appropriate.

Accountability and Decision Making

28. In accordance with the Constitution of the Council, the Council is responsible for setting the policy relating to the recruitment, pay, terms and conditions and severance arrangements for employees of the Council. Decisions about individual employees are delegated to the Chief Executive.
29. The Appointments Committee is responsible for recommending to Council matters relating to the appointment of the Head of Paid Service (Chief Executive), Monitoring Officer, Section 151 Officer and Chief Officers as defined in the Local Authorities (Standing Orders) Regulations 2001 (as amended);
30. For the Head of Paid Service, Monitoring Officer and the Chief Finance Officer, the Statutory Officers Disciplinary Action Panel considers and decides on matters relating to disciplinary action.

REDDITCH BOROUGH COUNCIL

COUNCIL

25th February 2019CONSTITUTION UPDATES

Relevant Portfolio Holder	Councillor Matthew Dormer, Leader of the Council and Portfolio Holder for Planning, Governance and Partnerships
Portfolio Holder Consulted	Yes
Relevant Head of Service	Claire Felton, Head of Legal, Equalities and Democratic Services
Ward(s) Affected	All
Ward Councillor(s) Consulted	N/A
Key Decision / Non-Key Decision	Non-key

1. SUMMARY OF PROPOSALS

- 1.1 The report details changes to the constitution that were proposed by the Constitutional Review Working Party at a meeting held on 12th February 2019.

2. RECOMMENDATIONS

Council is asked to RESOLVE that

- 1) an Electoral Matters Committee be established and the proposed terms of reference for this Committee, as detailed at Appendix 1, be approved;**
- 2) the Officer Scheme of Delegations should be amended so as to delegate Directors with the power to consider appeals by employees in respect of discipline and dismissal for staff below the level of Head of Service;**
- 3) the current employment policies remain in place (including the relevant appeal processes) until such time as replacement policies have been formally approved;**
- 4) the Parental Leave Guidance for Councillors attached at Appendix 3 to the report be adopted;**
- 5) public speaking should be permitted to take place at all Committee meetings held in public where there are currently no opportunities for the public to register to speak; and**
- 6) the updated Code of Practice in Relation to Licensing matters under the Licensing Act 2003 and the Gambling Act 2005, provided at Appendix 4 to this report, be adopted.**

3. KEY ISSUESElectoral Matters Committee

- 3.1 Currently all electoral matters are reported directly to Council. These issues could however be delegated to a Committee of elected Members to consider and debate. Should an Electoral Matters Committee be introduced the Committee could undertake the following (though not exclusively):
- *Community Governance Reviews* (dealing with reviews of Parishes and potential Parish areas).
 - *Statutory Polling District, Places and Stations Review* (held every five years). Although a Council decision would be needed some steer from Members is required and an Electoral Matters Committee could provide a conduit for this. Through considering these issues a permanent Electoral Matters Committee would save the need to set up a special working group (this review is due this year and needs to be completed by Jan 2020).
 - *Alteration of Polling Places*. To alter polling places outside of the statutory review period. This would allow Redditch Borough Council to be more reactive to wishes of the electorate/premises holders to consider requests for polling station changes and act on them in a timely manner.
- 3.2 Proposed terms of reference for an Electoral Matters Committee can be viewed at Appendix 1 to this report.
- 3.3 Meetings of the Electoral Matters Committee, should it be established, would be held in public. Therefore Councillors not appointed to the Committee would have an opportunity to address Members about any issues impacting on their ward.
- 3.4 Members should note that the final findings regarding the Statutory Polling District, Places and Stations Review would still need to be reported to Council if an Electoral Matters Committee was established.

Appeals

- 3.5 The Constitutional Review Working Party also discussed arrangements at the Council in respect of considering appeals against any decisions resulting in the dismissal of staff. These are currently determined by a Panel of Members serving on the Employment Appeals Committee. However a number of issues with this approach were raised for Members' consideration (please view Appendix 2 for further information). The trade unions were asked for their views prior to the discussion at the meeting and these are detailed in the appendix.
- 3.6 The Constitutional Review Working Party concluded that the Council's arrangement should be changed to enable Directors not previously involved in a particular case to consider any appeals from staff. This change would require amendments to the Officers' Scheme of Delegations.

REDDITCH BOROUGH COUNCIL

COUNCIL

25th February 2019

- 3.7 Members are asked to note that, should this change to the process for employment appeals be agreed, this will not come into effect until the Council's relevant employment policies have been updated.

Parental Leave Guidance for Councillors

- 3.8 The Constitutional Review Working Party discussed a proposal that had been received by the Chair to consider the potential to adopt a policy for Councillors in respect of parental leave. The Council does not currently have any such policy.
- 3.9 Members noted during the meeting that should a policy be introduced any Councillor on maternity, paternity or adoption leave would retain their legal duty under the Local Government Act 1972 to attend a meeting of the Council, including Committee meetings, within a six month period unless the Council Meeting agrees to an extended leave of absence prior to the expiration of that six month period.
- 3.10 There were some concerns expressed by Members at the Constitutional Review Working Party meeting that the introduction of a policy in respect of this matter could create some confusion as the legal requirements under the Local Government Act 1972 retained precedence in respect of Members' attendance at meetings. For this reason Members proposed that this should be adopted as Parental Leave Guidance. The proposed guidance can be viewed at Appendix 3.

Committee Meetings and Public Speaking

- 3.11 During the course of the Constitutional Review Working Party Members considered a complaint with regard to the potential for the public to speak at public Committee meetings. Some Committees, including Council, the Executive Committee and Planning Committee, already have arrangements in place which permit Members of the public to speak at Committee meetings, subject to providing appropriate notice in accordance with the Council's constitutional requirements. However, public speaking arrangements are not formalised for some other Committees which meet in the public arena, including the Overview and Scrutiny Committee, Licensing Committee and Audit, Governance and Standards Committee. At these meetings the public can only speak at the discretion of the Chair. The complaint called for residents to be provided with an opportunity to speak at all public Committee meetings.
- 3.12 Members noted that at other local authorities the public are sometimes provided with an opportunity to speak at Committee meetings held in the public. Often a public speaking item will be included early on the agenda and residents can speak at Committee meetings during this item, subject to providing sufficient notice to the Council. Members agreed that a similar arrangement should be introduced at Redditch Borough Council for all Committees which held meetings that were open to the public and which did not already have arrangements in place that would enable the public to speak at those meetings.

REDDITCH BOROUGH COUNCIL**COUNCIL****25th February 2019**

- 3.13 To ensure consistency with arrangements already in place for the Planning Committee Members agreed that each resident should register to speak and should be provided with a maximum of three minutes to speak at the Committee meeting.
- 3.14 Members are asked to note that the Constitutional Review Working Party is not proposing to amend the public speaking arrangements already in place for full Council, the Executive Committee and the Planning Committee.

Licensing Code of Practice

- 3.15 The Constitutional Review Working Group was also called upon to consider proposed changes to the Licensing Code of Good Practice. Officers proposed a number of amendments to ensure that Members of the Licensing Committee could comply with best practice, the requirements in respect of declaring interests and the provisions regarding bias and predetermination set out in the Localism Act 2011. The proposed updated copy of the Licensing Code of Good Practice can be viewed at Appendix 4 to the report.
- 3.16 There are a significant number of changes proposed to the Licensing Code of Good Practice. The changes are highlighted in Appendix 5 to this report.

Financial Implications

- 3.17 No specific financial implications have been identified.

Legal Implications

- 3.18 Review and revision of the Constitution is governed by Article 15 of the Constitution.
- 3.19 Section 101 of the Local Government Act 1972 (as amended) gives a general power to local authorities to discharge functions through Officers. Local Authorities are required by the same Act to maintain a list of these, which is referred to as the Scheme of Delegation. This sets out those powers of the Council which can be carried out by Officers of the Council.
- 3.20 Councillors on maternity, paternity or adoption leave should be mindful of their legal duty under the Local Government Act 1972 to attend a meeting of the Council, including Committee meetings, within a six month period unless the Council Meeting agrees to an extended leave of absence prior to the expiration of that six month period.
- 3.21 The changes proposed to the Licensing Code of Good Practice are designed to ensure that the Council is compliant with requirements set out in the Licensing Act 2003, the Gambling Act 2005 and Localism Act 2011.

Service / Operational Implications

- 3.22 The Council's Constitution currently requires that the Officer Scheme of Delegations be approved by Members at the Annual Meeting of the Council. However, additional updates can be made throughout the year to the constitution to ensure that the content remains relevant.

Customer / Equalities and Diversity Implications

- 3.23 The proposal to introduce public speaking arrangements at a number of Committee meetings will enable the public to engage more effectively with the local democratic process.

4. RISK MANAGEMENT

- 4.1 The main risks associated with the details included in this report are failure to comply with governance requirements which may expose the Council to the risk of challenge by way of judicial review or appeal which may result in awards of damages and costs against the Council and loss of reputation.

5. APPENDICES

Appendix 1 - Proposed Electoral Matters Committee – Terms of Reference

Appendix 2 – Employment Appeals Information

Appendix 3 – Proposed Maternity / Paternity / Adoption Leave Guidance for Councillors

Appendix 4 – Proposed Code of Practice in Relation to Licensing Matters under the Licensing Act 2003 and Gambling Act 2005

Appendix 5 – Code of Practice in Relation to licensing Matters - Detailing Amendments

6. BACKGROUND PAPERS

None

AUTHOR OF REPORT

Name: Claire Felton

email: c.felton@bromsgroveandredditch.gov.uk

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**APPENDIX 1
PROPOSED COMMITTEE TERMS OF REFERENCE FOR AN ELECTORAL
MATTERS COMMITTEE**

Number of members	5
Politically Balanced Y/N	Y
Quorum	3
Procedure Rules applicable	Council Procedure Rules (with the exception of Council Procedure rules 1-3, 9 -11, 14, 18.2, and 22.2 – 22.7).
Terms of Reference	To exercise powers and undertake functions relating to electoral matters and elections.
Special provisions as to the Chair	None.
Special provisions as to membership	None

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Appendix 2 - Appeals

CONSIDERATION OF CHANGE IN RESPECT TO DELEGATED AUTHORITY

Background

The Scheme of Delegation for Appeals is currently through approval at Council and a panel of members.

Following the recent amendment to the scheme of delegation in respect of approval for Employment Policies, the need for a separate delegation in respect of appeals would appear unnecessary on the basis that each employment policy will identify the appeal process to be followed and the appropriate hearing officer.

All Employment policies go through a rigorous process before being amended. This process includes the involvement of working groups at the beginning of any change process, informal consultation with Trade Unions, discussion and approval by the Corporate Management Team, and discussion and approval by the Portfolio Holder and Leader. In addition, all H&S specific policies are presented to the joint Health and Safety Committee. All contractual employment policies are also subject to formal consultation with the Trade Unions.

The Disciplinary, Grievance and Sickness Absence Policies are all currently under review. It is proposed that within these policies the right of appeal would lie with a director, rather than any other level of management or Members. Such a change is in line with ACAS guidance and members are further advised that in agreement with the Trade Unions it is intended that investigations be carried out by third, independent, parties.

If the constitution is amended as suggested, Members can be reassured that the current employment policies will remain in place (including the relevant appeal processes) until such time as replacement policies have been formally approved. All policies that currently have a right of appeal to members are contractual in nature and cannot therefore be changed without first having been subject to formal consultation with the trade unions with a view to reaching a collective agreement.

Current Position

ACAS guidance states that "*The appeal should be heard without delay and, where possible, by a manager preferably more senior and not previously involved in the case*"

The current situation with member appeals is unsatisfactory and unlikely to comply with ACAS guidance. Indeed recent examples have highlighted significant problems with the appeal process and these are likely to be impacting adversely on both the appellant and the Council. It can take a considerable amount of time to arrange the hearing due to the number of members involved, particularly as appeals take place during the working day which adds a level of complexity when arranging diaries, all of which can result in the appeal taking place some months after a dismissal. This has been identified as a significant issue in respect of procedural unfairness exposing the Council to unnecessary risk.

In addition, there are very strict time limits for making a claim to an employment tribunal. In most cases, the employee has three months less one day from the date of dismissal. The current difficulties with arranging member appeals can mean that this deadline has already passed, or is uncomfortably close, at the point at which the appeal is heard. In some circumstances, the existence of a member appeal may lead to dismissed employees either missing the relevant time limit or, alternatively, issuing tribunal proceedings before an appeal is heard, thereby potentially incurring significant costs which they may not otherwise have needed to incur (either because their appeal is successful or because they have reconsidered their prospects of being successful when the original decision is confirmed).

Again these risks are to the appellant and the Council and members are advised that these points have been raised specifically by appellants.

Additional Detail

Having taken advice and having examined the best practice models that exist nationally officers advise that it would be more appropriate for the final decision in respect of individual employment matters to rest with our Chief Executive as the Head of Paid Service. The Head of Paid Service is the most senior officer within the Council and it is he/she that has the responsibility for the establishment. The post has appropriate authority to make all necessary decisions regarding such matters and the post has the appropriate training and experience in relation to these issues. It is fair to say that the fact that this process is currently being undertaken by inexperienced persons is creating a difficulty in the administration and the delivery of the process itself. Again appellants have criticised the apparent lack of training as a problem and this can lead to inconsistent decision making and decision making that sits outside of policy. Administratively the current arrangements for member appeals are unnecessarily cumbersome and, because of the way appeal panels are constituted, and the delays that are likely to occur, the Council is potentially compromising its own position by continuing to deal with appeals in this way.

These proposals also go some way towards supporting the recommendations from the Peer Review Challenge, which recommended that the Councils establish a single workforce and reduce duplication and time spent navigating two structures and systems of governance. We are already working towards this in respect of issues such as the recent review of pay spines, and the current review of employment policies is merely a continuation of this journey.

In light of the advice received regarding the appropriateness of members involvement in employment matters, together with the messages we hear from our employees and Trade Unions in terms of fairness and consistency, reviewing the constitution and employment policies presents an opportunity to ensure that whilst policies remain individual to Redditch, the content is mirrored across the two authorities and, therefore, consistent for our joint workforce and the single culture that we seek to achieve.

Trade Union View

We have approached the trade unions for a view in respect of the appeals process.

GMB are supportive of changing the current approach so that appeals are dealt with by directors.

Unison take the view that appeals should remain with members on the basis that they are independent.

Unite have a divided opinion, for clarity, the reps were previously separate for Redditch and Bromsgrove but now cover both Councils. One rep's view is that Director Level is appropriate and works well; the other rep's view is that members should hear appeals to enable employees to go as high as they can within the organisation.

Proposal

It is recommended that:

- Directors should be delegated with the power to consider appeals by employees in respect of discipline and dismissal for staff below the level of Head of Service; and
- the current employment policies remain in place (including the relevant appeal processes) until such time as replacement policies have been formally approved.

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Appendix 3 Parental Leave Guidance for Councillors

Members are asked to note that any Member who takes maternity, shared parental or adoption leave retains their legal duty under the Local Government Act 1972 to attend a meeting of the Council within a six month period unless the Council Meeting agrees to an extended leave of absence prior to the expiration of that six month period.

Introduction

This guidance provided useful information about maternity, paternity, shared parental and adoption leave for elected Councillors and relevant allowances.

The objective of the guidance is to ensure that insofar as possible Members are able to take appropriate leave at the time of birth or adoption, that both parents are able to take leave, and that reasonable and adequate arrangements are in place to provide cover for portfolio-holders and others in receipt of Special Responsibility Allowances (SRA) during any period of leave taken.

Improved provision for new parents will contribute towards increasing the diversity of experience, age and background of local authority councillors. It will also assist with retaining experienced councillors – particularly women – and making public office more accessible to individuals who might otherwise feel excluded from it.

There is at present no legal right to parental leave of any kind for people in elected public office. This applies to MPs as well as councillors, and has been the subject of lengthy debate. These policies can therefore only currently be implemented on a voluntary basis. Discussions are ongoing about changing the law to enable compulsory provision, but until then these policies constitute best practice.

Legal advice has been taken on this guidance and it conforms with current requirements.

1. Leave Periods

1.1 Members giving birth are entitled to up to 6 months maternity leave from the due date, with the option to extend up to 52 weeks by agreement if required.

1.2 In addition, where the birth is premature, the Member is entitled to take leave during the period between the date of the birth and the due date in addition to the 6 months' period. In such cases any leave taken to cover prematurity of 28 days or less shall be deducted from any extension beyond the initial 6 months.

1.3 In exceptional circumstances, and only in cases of prematurity of 29 days or more, additional leave may be taken by agreement, and such exceptional leave shall not be deducted from the total 52 week entitlement.

1.4 Members shall be entitled to take a minimum of 2 weeks paternity leave if they are the biological father or nominated carer of their partner/spouse following the birth of their child(ren).

1.5 A Member who has made Shared Parental Leave arrangements through their employment is requested to advise the Council of these at the earliest possible opportunity. Every effort will be made to replicate such arrangements in terms of leave from Council.

1.6 Where both parents are Members leave may be shared up to a maximum of 24 weeks for the first six months and 26 weeks for any leave agreed thereafter, up to a maximum of 50 weeks. Special and exceptional arrangements may be made in cases of prematurity.

1.7 A Member who adopts a child through an approved adoption agency shall be entitled to take up to six months adoption leave from the date of placement, with the option to extend up to 52 weeks by agreement if required.

1.8 Any Member who takes maternity, shared parental or adoption leave retains their legal duty under the Local Government Act 1972 to attend a meeting of the Council within a six month period unless the Council Meeting agrees to an extended leave of absence prior to the expiration of that six month period.

1.9 Any Member intending to take maternity, paternity, shared parental or adoption leave will be responsible for ensuring that they comply with the relevant notice requirements of the Council, both in terms of the point at which the leave starts and the point at which they return.

1.10 Any member taking leave should ensure that they respond to reasonable requests for information as promptly as possible, and that they keep officers and colleagues informed and updated in relation to intended dates of return and requests for extension of leave.

2. Basic Allowance

2.1 All Members shall continue to receive their Basic Allowance in full whilst on maternity, paternity or adoption leave.

3. Special Responsibility Allowances

3.1 Members entitled to a Special Responsibility Allowance shall continue to receive their allowance in full in the case of maternity, paternity, shared parental or adoption leave.

3.2 Where a replacement is appointed to cover the period of absence that person shall receive an SRA on a pro rata basis for the period of the temporary appointment.

3.3 The payment of Special Responsibility Allowances, whether to the primary SRA holder or a replacement, during a period of maternity, paternity, shared parental or adoption leave shall continue for a period of six months, or until the date of the next Annual Meeting of the Council, or until the date when the member taking leave is up for election (whichever is soonest). At such a point, the position will be reviewed, and will be subject to a possible extension for a further six month period.

3.4 Should a Member appointed to replace the member on maternity, paternity, shared parental or adoption leave already hold a remunerated position, the ordinary rules relating to payment of more than one Special Responsibility Allowances shall apply.

3.5 Unless the Member taking leave is removed from their post at an Annual General Meeting of the Council whilst on leave, or unless the Party to which they belong loses control of the Council during their leave period, they shall return at the end of their leave period to the same post, or to an alternative post with equivalent status and remuneration which they held before the leave began.

4. Resigning from Office and Elections

4.1 If a Member decides not to return at the end of their maternity, paternity, shared parental or adoption leave they must notify the Council at the earliest possible opportunity. All allowances will cease from the effective resignation date.

4.2 If an election is held during the Member's maternity, paternity, shared parental or adoption leave and they are not re-elected, or decide not to stand for re-election, their basic allowance and SRA if appropriate will cease from the Monday after the election date when they would technically leave office.

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APPENDIX 4
CODE OF PRACTICE IN RELATION TO LICENSING MATTERS
UNDER THE LICENSING ACT 2003 AND THE GAMBLING ACT
2005

1. Introduction

- 1.1 The Licensing Act 2003 and the Gambling Act 2005 gave local authorities responsibility for deciding on licences for regulated entertainment, and the use of premises for gambling activities.
- 1.2 Elected Members fulfil different roles: being a Ward councillor, representing their communities is one of them.
- 1.3 Members of the Licensing Committee constitute the Local Licensing Authority and are charged with discharging the licensing functions of the Council. This is a broad and strategic role, discharged within the statutory licensing framework.
- 1.4 When sitting on a Licensing Sub-Committee the role of the elected member is to balance the multiple needs and interests of the community, while prioritising the licensing objectives if the relevant Act as a member of the Local Licensing Authority.
- 1.5 Good decision making relies on ensuring that councillors act in a way that is lawful and is clearly seen to be fair, open and impartial.
- 1.6 This guidance should be read in conjunction with other parts of the Constitution, including the Member Code of Conduct and the procedure rules for meetings. It is intended to assist councillors to participate in any of these roles at Licensing Committee, without:
 - (a) opening up the local authority to accusations of pre-determination, bias or maladministration; or
 - (b) leaving themselves open to allegations under the Members' Code of Conduct.

2. Declaration of Interests

- 2.1 Members must always declare their interests in accordance with the Council's Code of Conduct. Whether they can participate and to what extent will depend on the nature of any interest, which will ideally need to be considered prior to a meeting or raised at the time with the Legal Advisor.

- 2.2 Each councillor is personally responsible for deciding whether s/he has an interest that should be declared and the extent to which they can or cannot participate in a meeting and should seek advice from the Monitoring Officer as soon as they can.

3. Improper Influence

- 3.1 Members are also reminded of their obligation under the Code of Conduct not to use their positions as members to confer on or secure for themselves any advantage or disadvantage. This means that Members should not use anything which is available to them as Members (but which is not available to members of the public), e.g. access to officers or other Council members, or access to papers, to influence the outcome of a licensing application. Should a Councillor have an interest in respect of an item before the Committee, they must observe the provisions of the Code of Conduct regarding their declaration of any such interest/s.
- 3.2 Each Councillor is personally responsible for deciding whether s/he has an interest that should be declared, although advice should be sought in advance from the Monitoring Officer, rather than having to have a discussion in the open forum at the meeting

4. Bias

- 4.1 Bias has been defined as an attitude of mind which prevents the [decision-maker] from making an objective determination of the issues that he has to resolve". The test for bias is 'whether a fair-minded and informed observer, having considered the facts would conclude that there was a real possibility of bias'. The appearance of bias is sufficient to result in 'procedural impropriety'

- 4.2 Predisposition and Predetermination: Localism Act 2011

The law on bias and predetermination (which is a particular form of bias) is part of the general legal obligation to act fairly. The Localism Act 2011 codified the case law on predisposition and predetermination that had developed in the preceding years. Decision makers are entitled to be **predisposed** to particular views as it is acknowledged that it is almost inevitable that councillors may form some kind of prior view about the merits of a particular proposal. However, **predetermination** occurs where someone closes their mind to any other possibility beyond that predisposition, with the effect that they are unable to apply their judgment fully and properly to the issue requiring a decision.

- 4.3 Even where a councillor may have expressed a view about a matter, provided they demonstrate that they have come to the Committee "with an open mind" and will listen to all the material presented at the

Committee before deciding on how to exercise their vote, this is acceptable. 'Predetermination' however, is not acceptable and would leave the decision open to challenge by Judicial Review.

- 4.4 It is each individual councillor's responsibility to consider whether their involvement with a particular matter / people / group, or their past comments or conduct before the decision-making stage, is such that it could give rise to a public perception that the councillor might not have an open mind. A councillor in this position will be judged on the objective test set out above – whether the reasonable onlooker with knowledge of the facts, would consider that s/he was biased. If in any doubt, early advice should be sought as to whether or not the councillor should be part of the decision-making process.
- 4.5 There will also be occasions when a Licensing Sub-Committee considers an application made by the Council itself, in respect of one of its buildings or a piece of its land. In such a situation, Members would not normally be excluded from the Sub-Committee in these circumstances as it would make the decision-making process unworkable, but any Member who has been a leading advocate for or against the application, or who is the Portfolio Holder responsible for the building or land concerned, should not sit on the Sub-Committee when such an application is considered. Applications made by the Council itself will always be referred to the Sub-Committee even where there are no representations, to minimise any potential appearance of bias on the part of the Council.

5. Lobbying of or by Councillors

- 5.1 The Licensing Act 2003 and the Gambling Act 2005 set out the grounds for making representations on licence applications and limits the parties which may make such representations. It should be borne in mind that one of the key aims of both pieces of legislation is to localise decision-making or 'democratise' the process and Members are therefore legitimately concerned with their locality and the needs/wishes of its constituents, including both the needs for entertainment facilities and employment, as well as the undesirability of crime and public nuisance.
- 5.2 Once a proposal is in the public domain, interested parties may seek to persuade Committee members, to either approve or refuse an application. Lobbying is a normal and perfectly part of the political process, but unless care and common sense is exercised by all parties, lobbying can lead to the impartiality and integrity of a Committee member being called into question.

5.3 GUIDANCE

To avoid an appearance of bias the following rules should be adhered to:

- No Member sitting on the Licensing Sub-Committee can represent an applicant or another party. If s/he wishes to do so s/he must excuse him/herself from membership of the Sub-Committee which is considering the application and address the Sub-Committee as an Interested Party.
- If a Member who sits on the Licensing Sub-Committee is approached by persons wishing to lobby him/her as regards the licence application then that Member must politely explain that they cannot discuss the matter and refer the lobbyist to his/her Ward Member or the Licensing Officer who can explain the process of decision making. If the Member who sits on the Licensing Sub-Committee wishes to represent them then s/he will need to excuse him/herself from the Licensing Sub-Committee.
- Members who are part of the Licensing Sub-Committee must avoid expressing personal opinions prior to Licensing Sub-Committee decision. To do so will indicate that the Member has made up his/her mind before hearing all the evidence and that their decision may not be based upon the licensing objectives relating to each piece of legislation nor the Licensing Authority's policy statements.
- Political group meetings should never be used to decide how any Members on the Licensing Sub-Committee should vote. The view of the Ombudsman is that using political whips in this manner may well amount to findings of maladministration.
- Councillors must not be members of the Licensing Sub-Committee if they are involved in campaigning on the particular application.
- Other Members (i.e. those which do not sit on the Licensing Sub-Committee) need to be careful when discussing issues relating to matters which may come before the Licensing Sub-Committee Members as this can easily be viewed as bias or pressure and may well open that Sub-Committee Member to accusations of such. There is no prohibition on discussing such issues with Committee Members but members should avoid taking measures which might be viewed as excessive e.g. attempting to obtain a commitment as to how the Member might vote.

6. Pre-application / pre-decision discussions

- 6.1 Although all applicants will be advised that all pre-decision discussions should be addressed to the officers in the Council's Licensing Section, Members of the Licensing Committee or Sub-Committee may also be approached by applicants before the meeting at which the application is to be decided. In such circumstances, a member should inform the person making the approach that they are unable to discuss the matter with him/her prior to the meeting at which the application will be decided and that he/she should address any enquiries to the relevant officer.

7. Role of the Licensing Officer

- 7.1 Licensing Officers have no ability under the Licensing Act 2003 to make representations or to be a party to the hearing of an application by the Sub-Committee. In presenting applications to the Licensing Committee or Sub-Committee, the Licensing Officer will provide a summary report of the application, the representations, and his/her comments as to how these relate to the Licensing Act 2003, the Guidance and the local Licensing Policy Statement.
- 7.2 Decisions taken by officers, e.g. as to whether an application is vexatious or frivolous, will be fully recorded, together with the reasons for them.

8. Decision making

- 8.1 Reasons for decisions made by a Licensing Sub-Committee must be clearly documented in the Decision Notice, setting out clearly the rationale for the decision and also to ensure that any subsequent accusations of bias or predetermination. can be defended.

9. Site visits

- 9.1 A site visit will not normally be undertaken by members of a Licensing Sub-Committee in respect of premises licence applications unless for some particular reason members consider that it would be helpful to their consideration of the application
- 9.2 The site visit does not constitute a meeting of the Licensing Sub-Committee and members of a Sub-Committee must not discuss the merits of the application during the site visit, before or after the site visit or at any time until the Sub-Committee meets to consider the application. Members should leave each site with no collective view.

- 9.3 Since Members are attending a site merely to “see what is to be seen”; it is inappropriate to hear either the applicant or his representative. Similarly, it is inappropriate to hear anybody else who wishes to make representations such as the Ward Member or a Parish Councillor.
- 9.4 The Democratic Services Officer will report the site visit to the meeting of the Licensing Sub-Committee which considers the application.

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**CODE OF PRACTICE IN RELATION TO LICENSING MATTERS
UNDER THE LICENSING ACT 2003 AND THE GAMBLING
 ACT 2005**

1. Introduction

- 1.1 ~~The Licensing Act 2003 and the Gambling Act 2005 have put gave local authorities responsibility for deciding firmly in the centre of decision making upon on licences for regulated entertainment, the provision of alcohol, as well as late night refreshment and more recently the use of premises for gambling activities. Concerns regarding this shift in responsibility have centred around doubts surrounding the impartiality of Councillors – especially as regards those who will make up the Licensing Committee or Licensing Sub-Committee that will decide upon applications. This concern arises from a view that Councillors are subject to local political pressures and a belief that they will regard the views of local residents as taking precedence over the other interests of their communities.~~
- 1.2 Elected Members fulfil different roles: being a Ward councillor, representing their communities is one of them.
- 1.3 Members of the Licensing Committee constitute the Local Licensing Authority and are charged with discharging the licensing functions of the Council. This is a broad and strategic role, discharged within the statutory licensing framework.
- 1.4 When sitting on a Licensing Sub-Committee the role of the elected member is to balance the multiple needs and interests of the community, while prioritising the licensing objectives if the relevant Act as a member of the Local Licensing Authority.
- ~~1.2 As regards the Licensing Committee or Sub-Committee, the role of the Elected Member as part of that Committee will involve balancing the multiple needs and interests of the local community, whilst prioritising the Licensing Objectives associated with either the Licensing Act 2003 or the Gambling Act 2005.~~
- 1.5 Good decision making relies on ensuring that councillors act in a way that is lawful and is clearly seen to be fair, open and impartial.
- ~~In doing so the Elected Member must maintain his/her impartiality and, as public perception of probity is critical, his/her appearance of impartiality too, during the decision making process.~~
- ~~1.3 This guidance therefore aims at enabling local Councillors to represent their constituents, whether they be residents, local businesses etc.~~

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~~should they wish to, by acting as an 'other interested party parties' at hearings, without~~

~~1.6 This guidance should be read in conjunction with other parts of the Constitution, including the Member Code of Conduct and the procedure rules for meetings. It is intended to assist councillors to participate in any of these roles at Licensing Committee, without:~~

- (a) opening up the local authority to accusations of pre-determination, bias or maladministration; or
- (b) leaving themselves open to allegations under the Members' Code of Conduct.

~~1.4 The guidance applies to all the Council's Elected Members, whether they sit on a Licensing Committee/Sub-Committee or not.~~

2. Declaration of Interests Personal and Prejudicial Interests in relation to Licensing Applications

~~2.1 Members must always declare their interests in accordance with are reminded of their responsibilities under the Council's Code of Conduct. Whether they can participate and to what extent will depend on the nature of any interest, which will ideally need to be considered prior to a meeting or raised at the time with the Legal Advisor.~~

~~2.2 Each councillor is personally responsible for deciding whether s/he has an interest that should be declared and the extent to which they can or can not participate in a meeting and should seek advice from the Monitoring Officer as soon as they can.~~

~~to declare a personal interest, and possibly also a prejudicial interest.~~

~~2.2 Personal interests might arise in relation to matters which:~~

- ~~affect their well being or financial position;~~
- ~~the well being or financial position of a relevant person (as defined in paragraph 8 of the Code of Conduct);~~

~~to a greater extent than other council tax payers, ratepayers or residents of the electoral division or ward, as the case may be, affected by the decision.~~

~~2.3 Personal interests also arise where the application relates to or is likely to affect any of the organisations you have listed in your Register of Interests form or which fall within the category of organisations listed in paragraph 8 (1) (a) of the Code of Conduct.~~

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2.4 ~~Where you have a personal interest, you will also have a prejudicial interest in a licensing application if:~~

- ~~• it affects your financial position or the financial position of a person or body described in paragraph 8 (1) (a) of the Code of Conduct; or~~
- ~~• The licensing application is made by a person or body described in paragraph 8 (1) (a) of the Code of Conduct and~~

~~your personal interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgment of the public interest.~~

2.5 ~~Personal and possibly prejudicial interests are therefore likely to arise in relation to a licence application where the Member (or their relatives, friends, close associates or employer):~~

- ~~• makes the application;~~
- ~~• lives or has premises very near to the premises in question;~~
- ~~• is a frequent visitor to the premises in a personal capacity;~~
- ~~• belongs to or has been appointed by the Council to an organisation of which the Member is in a position of general control or management to which the application relates or is likely to affect~~

~~or where the Member is a relative or close friend or close associate of the applicant for a licence or of an objector to a licence.~~

2.6 ~~An interest also may arise where the Member carries out a function for another organisation, public authority or another local authority which is making an application for a licence, or which is making a representation, for example, if the local hospital or school is applying for a premises licence either under the Licensing Act 2003 or the Gambling Act 2005 and the Member is on the Board of Governors of the school or involved in the management of the hospital. An interest may also arise where the Member is a 'dual-hatted' Member and is part of the District Council's Licensing Committee but also a Member of the County Council which is applying for a licence for its land. Members of the Licensing Committee or Sub-Committee should regard themselves as having a prejudicial interest in any application made by another local authority or public authority with which they are connected.~~

2.7 ~~**The Code of Conduct applies not only to members of the Licensing Committee or Sub-Committee but also to Members who wish to attend a hearing perhaps as a Ward Councillor, as an Other Interested Party or member of the public. If that Member has a prejudicial interest, the general rule is that he or she is not allowed to even sit in the room to observe the hearing. However, the Code of Conduct allows that Member similar rights to those given to other members of the public and so a Member who is, for**~~

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~~example, an Other Interested Party may attend the meeting at which the application is considered to make representations. However, once the Member has made those representations, he or she must then leave the room until the matter has been decided.~~

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2.8 ~~When a Member with a prejudicial interest is considering whether to exercise this right to make representations he or she should consider whether their involvement may put the Council at risk of being accused of bias and of leading a member of the public to think the Licensing Sub Committee's judgement is likely to be prejudiced by the involvement of the Member.~~

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3. Improper Influence

Members are also reminded of their obligation under the Code of Conduct not to use their positions as members to confer on or secure for themselves any advantage or disadvantage. This means that Members should not use anything which is available to them as Members (but which is not available to members of the public), e.g. access to officers or other Council members, or access to papers, to influence the outcome of a licensing application. Should a Councillor have an interest in respect of an item before the Committee, they must observe the provisions of the Code of Conduct regarding their declaration of any such interest/s.

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3.1 Each Councillor is personally responsible for deciding whether s/he has an interest that should be declared, although advice should be sought in advance from the Monitoring Officer, rather than having to have a discussion in the open forum at the meeting

4. Bias and Predetermination

4.1 Bias has been defined as "an attitude of mind which prevents the [decision-maker] from making an objective determination of the issues that he has to resolve". ~~In a quasi-judicial situation, such as a hearing by the Licensing Committee or Sub-Committee, there is no need for proof of actual or potential bias for there to be 'procedural impropriety' shown. It is sufficient that there is an appearance of bias. Accordingly, the test for bias is 'whether a fair-minded and informed observer, having considered the facts would conclude that there was a real possibility of bias'. The appearance of bias is sufficient to result in 'procedural impropriety'~~

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4.2 Predisposition and Predetermination: Localism Act 2011

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The law on bias and predetermination (which is a particular form of bias) is part of the general legal obligation to act fairly. The Localism Act 2011 codified the case law on predisposition and predetermination that had developed in the preceding years. Decision makers are

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~~entitled to be **predisposed** to particular views as it is acknowledged that it is almost inevitable that councillors may form some kind of prior view about the merits of a particular proposal. However, **predetermination** occurs where someone closes their mind to any other possibility beyond that predisposition, with the effect that they are unable to apply their judgment fully and properly to the issue requiring a~~

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~~Bias at common law and personal and prejudicial interests under the Code of Conduct are related but do differ as concepts and in their effect. Although the wording and apparent objectives are similar, the test for common law bias has a lower threshold. Bias at common law includes those areas where the potential Licensing Sub-Committee Member has created a real danger of a perception that he/she has prevented him or herself from being able to make an impartial determination of the issues. This is also known as fettering one's discretion.~~

- 4.3 ~~Even where a councillor may have expressed a view about a matter, provided they demonstrate that they have come to the Committee "with an open mind" and will listen to all the material presented at the Committee before deciding on how to exercise their vote, this is acceptable. 'Predetermination' however, is not acceptable and would leave the decision open to challenge by Judicial Review.~~

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- 4.4 ~~It is each individual councillor's responsibility to consider whether their involvement with a particular matter / people / group, or their past comments or conduct before the decision-making stage, is such that it could give rise to a public perception that the councillor might not have an open mind. A councillor in this position will be judged on the objective test set out above – whether the reasonable onlooker with knowledge of the facts, would consider that s/he was biased. If in any doubt, early advice should be sought as to whether or not the councillor should be part of the decision-making process.~~

~~Members should therefore avoid participating as a member of a Licensing Sub-Committee where previous voting or statements of belief may give rise to a public perception that they have pre-determined the application based upon their own prejudices. Members should also be careful to ensure that they only come to a final conclusion on an application when they have given fair consideration to all the evidence and arguments which are presented and it is time to make the decision.~~

- 4.4 ~~However, a Member who has avoided participating as a member of the Committee because there might be a perception that he/she is biased, may still attend the meeting and make representations either in favour or against the application, provided that he/she leaves the room once those representations have been made as referred to above, and provided that he/she plays no part in the decision-making process.~~

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~~4.5 To help to avoid accusations of pre-determination and ensure that Ward Members are free to represent their constituents as Other Interested Parties, Ward Members should not sit on Licensing Sub-Committees where the Sub-Committee is considering an application in that Member's Ward.~~

~~4.6 A further potential issue concerning bias or pre-determination is where a Member sitting on the Licensing Sub-Committee is a Member for another authority function such as economic development/regeneration, where that authority's policy/decisions either impliedly or explicitly support (or oppose) the application. This might, for example, include the scenario where an 'Open Spaces' plan has been agreed and indicates that some areas of the local authority land will be licensed for entertainment purposes under the Licensing Act 2003 (explicit support); or where an economic regeneration plan includes the provision to encourage more theatres, restaurants or premises offering gambling facilities to an area (implicit support).~~

~~4.7 In such a situation, the Member concerned should make a disclosure of his/her position, in advance, to the Monitoring Officer who will advise the Member on the relevant law to enable the Member to decide whether he/she can take part in the decision-making.~~

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4.85 There will also be occasions ~~whenon which the a~~ Licensing ~~Sub-Committee or Sub-Committee~~ considers an application made by the Council itself, in respect of one of its buildings or a piece of its land. In such a situation, Members would not normally be excluded from the ~~Licensing Committee or~~ Sub-Committee in these circumstances as it would make the decision-making process unworkable, but any Member who has been a leading advocate for or against the application, or who is the ~~Cabinet Portfolio Holder Member~~ responsible for the building or land concerned, should not sit on the Sub-Committee when such an application is considered. Applications made by the Council itself will always be referred to the Sub-Committee even where there are no representations, to minimise any potential appearance of bias on the part of the Council.

5. Lobbying of or by Councillors

5.1 The Licensing Act 2003 and the Gambling Act 2005 set out the grounds for making representations on licence applications and limits the parties which may make such representations. It should be borne in mind that one of the key aims of both pieces of legislation is to localise decision-making or 'democratise' the process and Members are therefore legitimately concerned with their locality and the needs/wishes of its constituents, including both the needs for entertainment facilities and employment, as well as the undesirability of crime and public nuisance.

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- 5.2 ~~Once a proposal is in the public domain, interested parties may seek to persuade Committee members, to either approve or refuse an application. Lobbying is a normal and perfectly part of the political process, but unless care and common sense is exercised by all parties, lobbying can lead to the impartiality and integrity of a Committee member being called into question.~~

~~Whilst lobbying of Members is legitimate and certain Members may make representations to the Licensing Committee on behalf of Other Interested Parties, it is crucial for the Licensing Authority and its Committee to ensure that there is neither actual nor an appearance of bias in its decision-making. It should also be remembered that concerns about political lobbying were the basis of the concerns which lead to the first Nolan Committee on Standards in Public Life.~~

5.3 GUIDANCE

To avoid an appearance of bias the following rules should be adhered to:

- No Member sitting on the Licensing Sub-Committee can represent ~~an applicant or another party one of the Other Interested Parties or the applicant.~~ If s/he wishes to do so s/he must excuse him/herself from membership of the Sub-Committee which is considering the application and address the Sub-Committee as an Interested Party.
- If a Member who sits on the Licensing Sub-Committee is approached by persons wishing to lobby him/her as regards the licence application then that Member must politely explain that they cannot discuss the matter and refer the lobbyist to his/her Ward Member or the Licensing Officer who can explain the process of decision making. If the Member who sits on the Licensing Sub-Committee wishes to represent them then s/he will need to excuse him/herself from the Licensing Sub-Committee.
- Members who are part of the Licensing Sub-Committee must avoid expressing personal opinions prior to Licensing Sub-Committee decision. To do so will indicate that the Member has made up his/her mind before hearing all the evidence and that their decision may not be based upon the licensing objectives relating to each piece of legislation nor the Licensing Authority's policy statements.
- Political group meetings should never be used to decide how any Members on the Licensing Sub-Committee should vote. The view of the Ombudsman is that using political whips in this manner may well amount to findings of maladministration.

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- Councillors must not be members of the Licensing Sub-Committee if they are involved in campaigning on the particular application.
- Other Members (i.e. those which do not sit on the Licensing Sub-Committee) need to be careful when discussing issues relating to matters which may come before the Licensing Sub-Committee Members as this can easily be viewed as bias or pressure and may well open that Sub-Committee Member to accusations of such. There is no prohibition on discussing such issues with Committee Members but members should avoid taking measures which might be viewed as excessive e.g. attempting to obtain a commitment as to how the Member might vote.

~~•Members must not pressurise Licensing Officers to make any particular decisions or recommendations as regards applications (such as a decision on whether an application is frivolous or vexatious as per Section 18(7)(c)) of the Licensing Act 2003 and Section 161 and 162 of the Gambling Act 2005.~~

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6. Pre-application / pre-decision discussions

- 6.1 ~~Discussions between the licence applicant and Council officers prior to the submission of an application (or prior to a decision being made) are often helpful to both parties. For example, a premises licence applicant may ask for advice on how to complete an 'operating schedule'. However, these discussions can often be viewed by objectors as a form of 'lobbying' and the Council's officers must ensure that they are not open to accusations or appearance of bias, and must therefore ensure that such advice and assistance is clearly identified as being such and is not any type of 'predetermination'.~~
- 6.2 Although all applicants will be advised that all pre-decision discussions should be addressed to the officers in the Council's Licensing Section, Members of the Licensing Committee or Sub-Committee may also be approached by applicants before the meeting at which the application is to be decided. In such circumstances, a member should inform the person making the approach that they are unable to discuss the matter with him/her prior to the meeting at which the application will be decided and that he/she should address any enquiries to the relevant officer.
- 6.3 ~~Where the officers in the Licensing Section do enter into verbal pre-decision discussions with applicants, a record of any advice will be taken and the applicant will be asked to confirm details of that advice in accordance with the form attached as Appendix "A". Details of discussions which take place by telephone will be retained in the form of file notes and copies of correspondence and emails (which will also~~

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~~make it clear that their contents do not bind the Council to a final decision) will be retained on the appropriate file(s).~~

7. Role of the Licensing Officer

- 7.1 Licensing Officers have no ability under the Licensing Act 2003 to make representations or to be a party to the hearing of an application by the ~~Licensing Committee~~ or Sub-Committee. ~~There is no legal provision for Licensing Officers to make recommendations to the Sub-Committee in terms of the outcome of the application hearing as is seen in planning cases. However,~~ In presenting applications to the Licensing Committee or Sub-Committee, the Licensing Officer will provide a summary report of the application, the representations, and his/her comments as to how these relate to the Licensing Act 2003, the Guidance and the local Licensing Policy Statement.
- 7.2 Decisions taken by officers, e.g. as to whether an application is vexatious or frivolous, will be fully recorded, together with the reasons for them.
- 7.3 ~~Unlike the Licensing Act 2003, the Licensing Authority, in accordance with Section 157 of the Gambling Act 2005, has been identified as a public body who is entitled to make representations on an application and is therefore permitted to recommend to the Sub-Committee that conditions are imposed where necessary in light of local circumstances.~~

8. Decision making

Reasons for decisions made by ~~a the Licensing Committee or Licensing Licensing~~ Licensing Sub-Committee ~~must will~~ be clearly documented ~~in the Decision Notice, setting out clearly the rationale for the decision and also to ensure so~~ that any subsequent accusations of bias ~~or predetermination etc.~~ can be defended.

~~It is critical that it is clear that decisions are made according to the Licensing Objectives as set out in each appropriate piece of legislation as well as the Licensing Authority's Policy Statements. Whilst the Government's Guidance accompanying each Act indicates some other factors may influence decisions (e.g. live music/cultural considerations) these will always be subservient to the Licensing Objectives and the Policy Statements.~~

9. Site visits

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- 9.1 A site visit will not normally be undertaken by members of a Licensing Sub-Committee in respect of premises licence ~~each~~ applications unless for some particular reason members consider that it would be helpful to their consideration of the application ~~for a new Premises Licence or Club Premises Certificate or upon applications for a variation or review of an existing Premises Licence or Club Premises Certificate. The visit will be carried out either as an announced visit to the interior of the premises, or as an unannounced visit to the exterior of the premises.~~
- 9.2 The site visit does not constitute a meeting of the Licensing Sub-Committee and members of a Sub-Committee must not discuss the merits of the application during the site visit, before or after the site visit or at any time until the Sub-Committee meets to consider the application. Members should leave each site with no collective view.
- 9.3 Since Members are attending a site merely to “see what is to be seen”; it is inappropriate to hear either the applicant or his representative. Similarly, it is inappropriate to hear anybody else who wishes to make representations such as the Ward Member or a Parish Councillor.
- 9.4 The Democratic Services Officer Licensing Officer ~~Licensing Officer~~ will report the site visit to the meeting of the Licensing Sub-Committee which considers the application.

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bromsgrove council
www.bromsgrove.gov.uk

Record of Advice

In order to provide a clear record of what has been discussed, it is necessary for the District Council to request that members of the public and/or agents sign the following disclaimer when speaking to Officers of the Council with regard to general licensing enquires.

D. Hammond
Head of Planning and Environment Services

Proposal	
Address	
Agreed conclusion	
Signed	
Printed Name	
Date	
Officer seen	

I accept that the advice that I have received regarding my licensing enquiry was given by the Officer in the spirit of helpfulness and without prejudice to the Council's eventual decision, which can only be taken following statutory consultations and completion of formal processes.

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Council25th February 2019**POLITICAL BALANCE REPORT.**

Relevant Portfolio Holder	N/A
Portfolio Holder Consulted	Yes
Relevant Head of Service	Claire Felton, Head of Legal, Equalities and Democratic Services
Ward(s) Affected	All
Ward Councillor(s) Consulted	N/A
Key Decision / Non-Key Decision	Non key

1. SUMMARY OF PROPOSALS

- 1.1 This report sets out the proposed political balance of the Council's Committees. Members should note that a decision in respect of this matter is required if the Council agree to introduce an Electoral Matters Committee.
- 1.2 Once the Council has agreed the political balance, the Leaders of each of the Political Groups on the Council can nominate to the places on the Electoral Matters Committee. It is not proposed in this report that the membership of the Council's other Committees should be changed.

2. RECOMMENDATIONS

The Council is requested to **RESOLVE** that

- 1) **the political balance of the Committees of the Council be agreed as set out in paragraph 3.5;**
- 2) **the arrangement where the seats on the Overview and Scrutiny Committee are not allocated in accordance with the political balance requirements be continued;**
- 2) **the arrangement where the seats on the Crime and Disorder Scrutiny Panel are not allocated in accordance with the political balance requirements be continued;**
- 4) **appointments by political group leaders to the places on the Electoral Matters Committee be approved;**
- 5) **the Council appoints a Chair and a Vice-Chair of the Electoral Matters Committee.**

Council25th February 2019

3. KEY ISSUES**Financial Implications**

3.1 There are no financial implications arising from this report.

Legal Implications

3.2 With the exception of the Executive Committee, the Council is required by law and / or its own constitution to allocate places on its main Committees in accordance with its political make-up and to approve the Committee terms of reference. The main requirements are that:

- the number of seats on each Committee allocated to each Political Group reflects the proportion it holds of the total number of seats on the Council;
- the Group with the majority of seats on the Council should hold the majority of seats on each Committee.

3.3 The definition of a Political Group for these purposes is that it has a minimum of 2 members. The composition of the Council is 17 Conservative and 12 Labour.

3.4 The Council is able to decide not to allocate places in accordance with political balance and has done this for the Overview and Scrutiny Committee for a number of years. The convention is that the Members who take the majority of seats on the Committee are not from the controlling political group. However, this decision can only take effect if no Councillor votes against it. A similar arrangement has been made for the Crime and Disorder Scrutiny Panel, which is a sub-committee of Overview and Scrutiny Committee.

3.5 The table overleaf shows the political balance based on current sizes of Committees together with the proposed number of members to be appointed to the Electoral Matters Committee in accordance with political balance requirements:

REDDITCH BOROUGH COUNCIL**Council**25th February 2019

Committee	Total places	Conservative Group Places – entitled to 31	Labour Group Places – entitled to 22
Audit, Governance & Standards	9	5 (5.28)	4 (3.72)
Licensing	11	6 (6.45)	5 (4.55)
Planning	9	5 (5.28)	4 (3.72)
Overview and Scrutiny	9	5 (5.28) Take 4*	4 (3.72) Take 5*
Crime and Disorder Panel	5	3 (2.93) Take 2*	2 (2.07) Take 3*
Employment Appeals Committee	5	3 (2.93)	2 (2.07)
Statutory Officers Disciplinary Panel	5	3 (2.93)	2 (2.07)
Appointments Committee	5	3 (2.93)	2 (2.07)
Shareholders' Committee	5	3 (2.93)	2 (2.07)
Electoral Matters Committee	5	3 (2.93)	2 (2.07)
Total	68	Mathematical calculation results in 40 places (Take 37 where political balance rules are suspended for the Overview and Scrutiny Committee and Crime and Disorder Scrutiny Panel and the Leader has decided not to take up the one extra remaining seat)	Mathematical calculation results in 28 places. (Take 31 where political balance rules are suspended for the Overview and Scrutiny Committee and Crime and Disorder Scrutiny Panel and the Leader has decided not to take up the one extra remaining seat)

* Members are asked to note that if, as in May 2018, Members choose to suspend the political balance arrangements for the Overview and Scrutiny Committee and Crime and Disorder Scrutiny Panel these will be the allocated places.

Council25th February 2019

Service / Operational Implications

- 3.6 Once the Council has agreed the allocation of seats to the main Committees, the leaders of each political group will nominate members to be appointed to the Shareholders' Committee. It is planned to have a list of the nominations available for noting at the Council meeting.

Customer / Equalities and Diversity Implications

- 3.7 There are no specific implications arising from this report.

4. RISK MANAGEMENT

There are no specific high level risks arising from this report.

5. APPENDICES

None

6. BACKGROUND PAPERS

Committee Appointments Report, 21st May 2018.
Political Balance Report, 17th September 2018.
Political Balance Report , 19th November 2018.

AUTHOR OF REPORT

Name: Jess Bayley
Email: jess.bayley@bromsgroveandredditch.gov.uk
Tel.: 01527 64252 Ext: 3268