

## CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **GENERAL PURPOSES COMMITTEE** held at Room 15, Priory House, Monks Walk, Shefford on Thursday, 6 December 2012

### PRESENT

Cllr P Hollick (Chairman)

Cllrs P N Aldis  
Mrs G Clarke  
J G Jamieson  
M R Jones  
Mrs J G Lawrence

Cllrs D J Lawrence  
K C Matthews  
J Murray  
B Saunders

Apologies for Absence: Cllrs R C Stay  
N Warren

Substitutes: Cllrs D Bowater (In place of R C Stay)  
J N Young (In place of N Warren)

Members in Attendance: Cllr R D Berry

Officers in Attendance: Mr J Atkinson – Head of Legal and Democratic Services  
Ms S Chapman – Development Plans Process Team Leader  
Ms D Clarke – Assistant Chief Executive (People & Organisation)  
Mrs C Jones – Head of HR Policy & Development  
Mr L Manning – Committee Services Officer

GPC/12/24 **Minutes**

### RESOLVED

**that the minutes of the meeting of the General Purposes Committee held on 13 November 2012 be confirmed and signed by the Chairman as a correct record.**

GPC/12/25 **Members' Interests**

Councillor Bowater declared an interest with regard to item 9 (Transfer of Public Health Functions to the Council). The reason given for the declaration was that Councillor Bowater served as a Partnership Governor (Local Authority) on the Council of Governors for the South Essex Partnership University NHS Foundation Trust (SEPT).

GPC/12/26 **Chairman's Announcements and Communications**

None.

GPC/12/27 **Petitions**

No petitions were received from members of the public in accordance with the Public Participation Procedure as set out in Annex 2 of Part A4 of the Constitution.

GPC/12/28 **Questions, Statements or Deputations**

No questions, statements or deputations were received from members of the public in accordance with the Public Participation Procedure as set out in Annex 1 of Part A4 of the Constitution.

GPC/12/29 **Pay Policy Statement 2013/14**

The Committee considered a report by the Assistant Chief Executive (People & Organisation) which set out the draft Pay Policy Statement for 2013/14. Members noted that sections 38-43 of the Localism Act 2011 required all local authorities to publish a comprehensive Pay Policy Statement before 31 March every year.

It was further noted that the Localism Act had further extended the existing requirements under the Code of Transparency to publish Chief Officer remuneration on council websites and that Central Bedfordshire already complied with this requirement.

The Head of HR Policy and Development advised the meeting that the draft Pay Policy Statement reflected existing policies and terms and conditions previously agreed and represented an updated version of the Pay Policy Statement adopted for 2012/13.

Members were reminded that the Localism Act required that the Policy be approved by full Council.

Discussion followed during which Members sought clarification on various aspects of officer pay. The Head of HR Policy and Development answered some queries whilst reminding the Committee that information on the issues raised was available on the Council's website. She undertook to circulate links to the relevant web pages to all members of the Council.

**NOTED**

**the draft Pay Policy Statement for 2013/14.**

## **RECOMMENDED TO COUNCIL**

- 1 that the draft Pay Policy Statement 2013/14, as set out at Appendix A to these minutes, be approved and adopted;**
- 2 that, following approval and adoption, the Pay Policy Statement 2013/14 be published on the Council's website.**

### **GPC/12/30 Changes to Council's Constitution to Reflect Planning Reform**

The Committee considered a report by the Director of Sustainable Communities which proposed amendments to Parts B2, D1 and H3 of the Council's Constitution. Members noted that the changes were necessary in order to comply with recent legislative changes in relation to development planning as contained in the Localism Act 2011, the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Neighbourhood Planning (General) Regulations 2012.

#### **NOTED**

**the proposed changes to the Council's Constitution required to comply with legislative changes in relation to development planning.**

## **RECOMMENDED TO COUNCIL**

**that the proposed changes to Part B2, Part D1 and Part H3 of the Council's Constitution, required to comply with changes under the Localism Act 2011, the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Neighbourhood Planning (General) Regulations 2012 in relation to development planning, as set out at Appendix B to these minutes, be approved and adopted.**

### **GPC/12/31 Transfer of Public Health Functions to the Council**

The Committee considered a report by the Head of Legal and Democratic Services setting out proposed changes to the Council's Constitution to accommodate the transfer of public health functions to the Council under the Health and Social Care Act 2012.

The meeting noted that the changes would take effect on 1 April 2013. The Council would then have a general duty to take appropriate steps to improve the health of people resident in Central Bedfordshire. This would include the preparation of an assessment of relevant needs and a joint health and wellbeing strategy. Members were advised that, in addition to the strategic functions, the Act transferred a number of specific functions from the NHS to local authorities including public health services relating to dental and mental health, the medical inspection and treatment of pupils in schools and joint working with the Prison Service. The Secretary of State had power to make regulations to transfer additional functions to local authorities.

Members noted that the Council, acting with the Secretary of State, was required to appoint a Director of Public Health. As a result it would be necessary to amend Parts H1, H3 and H4 of the Council's Constitution to reflect the new Director's appointment as a statutory chief officer with prescribed responsibilities, any proper officer functions allocated and the arrangements for the officer's appointment within the Officer Employment Procedure Rules. Following a Member's query the Assistant Chief Executive (People & Organisation) explained that the post's salary would be paid from a ring fenced budget supplied by the NHS. The budget would fund all staff transferring to the Council from the Health Service. Following further discussion the Assistant Chief Executive (People & Organisation) undertook to provide an update on this matter in the Members' Information Bulletin once further details emerged.

The Committee was advised that the Act required the Council to establish a Health and Wellbeing Board. Although it was anticipated that the statutory requirement to establish a Board would come into effect from 1 April 2013 Members were aware that Central Bedfordshire had already established a Shadow Board in May 2012 and that it had met on several occasions. It was noted that from April 2013 the Board would be responsible for undertaking the needs assessment and the preparation of the health and wellbeing strategy for the Council.

Members noted that under the Act the Health and Wellbeing Boards would be ordinary council committees appointed under the Local Government Act 1972. The meeting also noted, however, that the provisions covering the Boards within the Health and Social Care Act 2012 were incompatible with the law regulating local authority committees set out in the Local Government Act and later local government legislation. As a result the Government was due to make regulations which would allow Boards to function as envisaged in the Health and Social Care Act 2012. The Department of Health had indicated that the regulations would be made in January 2013 and would come into force on 1 April 2013.

The Head of Legal and Democratic Services had drawn up draft Terms of Reference for Central Bedfordshire's Board and a copy was attached as an appendix to the officer's report. The Terms of Reference, once approved, would be inserted in Part E2 of the Constitution. However, the Committee was aware that these could require amendment as a result of the Department of Health's regulations. The Committee was further aware that the Committee Procedure Rules contained in Part E3 of the Constitution might need to be amended to ensure the Board's business was conducted in accordance with the regulations. Amendments were therefore likely with regard to the appointment of sub-committees, voting arrangements and the rules regarding political balance. As a result the Head of Legal and Democratic Services was seeking, in his role as Monitoring Officer, for authority to make changes to the Constitution as required by the regulations and, in addition, to make further changes arising from developments that occurred before the transfer of the public health functions took effect on 1 April 2013. The latter would be subject to consultation with the Chairman of the General Purposes Committee.

Comment was passed on the existing heavy work load experienced by the Social Care, Health and Housing Overview and Scrutiny Committee and the possibility of a new overview and scrutiny committee to undertake the scrutiny role for the Board was suggested. In response the Head of Legal and Democratic Services advised that there were no proposed changes to the health scrutiny function. However, this was an issue under national consideration and he might need to report further to a future meeting of the General Purposes Committee.

**NOTED**

**the proposed changes to the Council's Constitution that will be required as a consequence of the transfer of public health functions to the Council under the Health and Social Care Act 2012.**

**RECOMMENDED TO COUNCIL**

**that the Monitoring Officer be authorised to:**

- a) **make the required changes to Part H of the Constitution with regard to the appointment of a Director of Public Health, as outlined in the preamble above, and having regard to any regulations made by the Secretary of State under the Health and Social Care Act 2012;**
- b) **make the required changes to Part E of the Constitution with regard to the formation of a Health and Wellbeing Board, as outlined in the preamble above, and having regard to any regulations made by the Secretary of State under the Health and Social Care Act 2012;**
- c) **make any further changes to the Constitution that may become necessary in the light of developments that arise before the transfer of public health functions takes effect on 1 April 2013, following consultation with the Chairman of the General Purposes Committee.**

(Note: The meeting commenced at 9.30 a.m. and concluded at 10.08 a.m.)

Chairman .....

Dated .....

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**CENTRAL BEDFORDSHIRE COUNCIL****PAY POLICY STATEMENT 2013/14****1. INTRODUCTION**

This Pay Policy Statement is produced in accordance with Chapter 8 of the Localism Act 2011 and with regard to the guidance issued by the Secretary of State under Section 40 of the Act.

It is made available on the Council's website. The Council's website also includes separately published [salary information](#) relating to Chief Officers as part of the Transparency Code.

**2. SCOPE**

The Localism Act sets out the posts that are considered to be Chief Officers. In terms of Central Bedfordshire this will cover the Chief Executive as Head of Paid Service, Directors and Assistant Chief Executive, the Monitoring Officer, Section 151 Officer and a number of Assistant Directors/Chief Officers and Heads of Service who are regarded as Deputy Chief Officers.

In accordance with the Act, the Pay Policy Statement provides information about the remuneration paid to the Council's Chief Officers and other prescribed categories of employee. It covers all employees of Central Bedfordshire Council irrespective of legacy terms and conditions where they remain.

This policy does not apply to staff employed by local authority schools as the Localism Act does not include them.

**3. REMUNERATION OF CHIEF OFFICERS**

The Chief Executive and Directors Terms and Conditions are in line with the National Conditions of Service for Chief Executives and Chief Officers.

**Chief Executive**

The Chief Executive is the Council's Head of Paid Service. As at 31 March 2013, the annual FTE range for the grade of this post is £161,700 - £186,200. There are 5 incremental points in the grade.

Incremental progression for Chief Officers is not automatic but is awarded following the achievement of set performance objectives. The decision to award an incremental increase to the Chief Executive is made by the Leader.

The starting salary paid to the Chief Executive will be that determined by the Appointments Committee, taking in to consideration guidance from the NJC National Framework and market forces.

The Head of Paid Service is additionally the Council's Returning Officer. The responsibility of this role is one of a personal nature distinct from duties as an employee of the council. The fee paid to the Returning Officer is determined by legislation and the recovery of the costs of the Returning Officers' services and expenses at a UK or European Parliamentary election is met from Central Government funds and so does not constitute a cost to the Council. Where local elections occur a scale of fees and charges, approved by the Council, determines the total overall amount the Returning Officer may expend in connection with an election. The fees paid to staff who undertake election duties are broadly in line with central government rates.

### **Directors**

The salary scale for the Council's Directors is £115,461 - £140,561. There are 6 incremental points within this grade. The starting salary will be that determined by the Appointments Committee, taking in to consideration guidance from the NJC National Framework and market forces.

Incremental progression for Chief Officers is not automatic but is awarded following the achievement of set performance objectives and the authorisation of the Chief Executive.

The Director of Children's Services is entitled to an additional duties allowance of £13,051.56 per year as the Council's Deputy Chief Executive and to a business mileage related lump sum allowance of £375. This amount is as determined under the Council wide scheme.

The Council's Assistant Chief Executive People & Organisation is employed as an interim via Carlisle Managed Solutions and is not directly employed by the Council.

### **Assistant Directors/Chief Officers and Heads of Service**

Terms and Conditions for Assistant Directors and Heads of Service are in accordance with the National Joint Council (NJC) conditions of service for Local Government Services.

The Council's pay scales for these posts are as follows:

Assistant Directors/Chief Officers - the salary scale is determined by job evaluated grade for the post but will be within the range £60,728 - £89,082. These are across 4 separate pay bands each with 3 incremental points.

Heads of Service - the salary scale is determined by job evaluated grade for the post but will be within the range of £46,733 - £50,982, or £56,646 - £60,896, Each grade has 3 incremental points.



### **Section 151 Officer and Monitoring Officer**

The Council's Chief Finance (Section 151) Officer and Monitoring Officer are graded at £83,154 - £89,082 and £56,646 - £60,898 respectively. The Monitoring Officer also receives an annual allowance £5,000 for additional responsibilities as the Council's Monitoring Officer.

Currently the Council does not have any performance related pay systems or bonus schemes in place for any Chief Officers

### **4. REMUNERATION OF OTHER EMPLOYEES**

Terms and Conditions for Assistant Directors/Chief Officers, Heads of Service and remaining officers are in accordance with the National Joint Council (NJC) conditions of service for Local Government Services.

The pay spine used by the Council is aligned but not directly comparable to the national pay spine, following a 2% reduction to pay implemented in October 2011. In order to protect lowest earners, salaries at or below £21,519 were exempted from this reduction.

Pay rates are negotiated at a national level through the NJC, therefore the Council will apply any cost of living pay awards to the revised pay scales.

All posts up to spinal column point (scp) 37 are evaluated under the NJC job evaluation scheme. Posts on and above scp 37 are evaluated under the Hay job evaluation scheme. The pay scale ranges from £12,145 - £45,325.

The Council does not have any performance related pay systems or bonus schemes in place for any employees.

Any Market Supplement that is paid for specifically identified posts will be in accordance with the Council's Market Rate Supplement policy.

Employees may be eligible for a business mileage related lump sum car allowance in accordance with the published scheme.

### **5. PAY COMPARISONS**

For the purposes of the Pay Policy Statement, the Council's pay scales define the lowest paid employees as those whose salary falls within the lowest grade which at 31 March 2013 has a salary range of £12,145 - £12,489pa.

The current pay relationship between the highest paid employee who is the Chief Executive (Head of Paid Service) and the Council's median earner and the mean average salary has been measured.

For the period 2013/14, the ratio of pay of the Chief Executive to that of the median earner is 1:8

For the period 2013/14, the ratio of pay of the Chief Executive to that of the mean average salary is 1:6.75

Both these ratios are below the expected multiples of 8.1-12.1 for the public sector as identified in the Hutton Review of Fair Pay in the Public Sector (March 2011) Report.

It is the Council's policy that the salary of the Chief Executive will be no greater than 8x the median earner of the Council's workforce.

## **6. PENSIONS PROVISIONS**

The Local Government Pension Scheme (LGPS) is open to all employees up to 75 years of age and with a contract of more than 3 months' duration. Details are set out on the [LGPS website](#)

No additional pension payment to the Local Government Pension Scheme is made to Chief Officers

## **7. SEVERANCE PROVISIONS FOR ALL EMPLOYEES INCLUDING CHIEF OFFICERS**

The Council will normally pay severance in redundancy situations based upon the Statutory Redundancy Payment Scheme using actual weekly salary where this is greater than statutory redundancy pay. Any council employee with 2 years' continuous service, including Chief Officers, irrespective of hours worked, is eligible for a redundancy payment should he or she be dismissed by reason of redundancy.

Any request for early retirement on the grounds of efficiency of the service must receive member approval.

## **8. REVIEW**

The Localism Act 2011 requires relevant authorities to prepare a Pay Policy Statement for each subsequent financial year. Our next Statement is scheduled to be for 2014/15 and will be submitted to Full Council for approval by 31 March 2014.

If it should be necessary to amend this 2013/14 Statement during the year that it applies, an appropriate resolution will be made by Full Council.

## Extract from Constitution

### Part B2/Page 1

#### 1 Policy Framework: Definition

- 1.1 The policy framework means the following plans, policies and strategies and such others as may be added by the Council. (Note: all other plans policies and strategies shall be the responsibility of the Executive)
- 1.1.1 Crime and Disorder Reduction Strategy
  - 1.1.2 Local Transport Plan
  - 1.1.3 Plans with ~~Development Plan Document~~ Local Plan status which ~~together comprise the Local Development Framework~~ includes the Development Strategy and the Waste and Minerals Local Plans ~~Development Framework~~
  - 1.1.4 Sustainable Community Strategy
  - 1.1.5 Statement of Licensing Policy under Section 5 of the Licensing Act 2003
  - 1.1.6 Statement of Licensing Authority Policy under Section 349 of the Gambling Act 2005
  - 1.1.7 Corporate Strategic Plan / Medium Term Plan
  - 1.1.8 Older People's Strategy
  - 1.1.9 Housing Strategy
  - 1.1.10 Climate Change Strategy
  - 1.1.11 Equality and Diversity Strategy
  - 1.1.12 Joint Economic Development Strategy for Bedfordshire
- 1.2 The title of the plans, policies and strategies described above may, from time to time, be varied. Notwithstanding any change in title, these plans, policies and strategies will be deemed to remain part of the policy framework until expressly removed by the Council.

### Part D1 Page2

Sustainable Communities Overview and Scrutiny Committee	Policy development and review and scrutiny of sustainable communities issues including strategic planning, <u>neighbourhood planning</u> , housing strategy, transportation and infrastructure; economic growth, regeneration and tourism; development control and building control; highways and parking; waste and recycling; community safety including public protection, trading standards, emergency planning and licensing; leisure, culture and libraries; and adult and community learning; and any other matters that fall within the remit of the Directorate. To
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## Appendix B

	exercise the functions of the crime and disorder committee in pursuance of Section 19 of the Police and Justice Act 2006, as amended by Section 126 of the Local Government and Public Involvement in Health Act 2007.
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**Part H3 - Scheme of delegation by the Council****Page 38-39 Planning and Development Strategy**

Paragraph Number			Notes
4.4.62	To conduct surveys under Section 13 of the Planning and Compulsory Purchase Act 2004.	In consultation with the relevant Executive Member	
4.4.63	To prepare and approve <del>Local Development Framework</del> <u>development planning</u> documents (including <del>Development Plan Documents</del> <u>local plans</u> , technical documents, background papers and the Sustainability Appraisal/Strategic Environmental Assessment) for the purposes of public consultation and to vary such documents in the light of the outcome of public consultation.	In consultation with the relevant Executive Member	<i>Changes to reflect Town and Country Planning (Local Planning)(England) Regulations 2012</i>
4.4.64	To vary <del>Local Development Framework</del> <u>development planning</u> documents in the light of technical advice.	In consultation with the relevant Executive Member	<i>Changes to reflect Town and Country Planning (Local Planning)(England) Regulations 2012</i>
4.4.65	To make minor inconsequential changes to all <u>development planning</u> <del>Local Development Framework</del> documents which do not affect the substance or meaning of those documents.	In consultation with the relevant Executive Member	<i>Changes to reflect Town and Country Planning (Local Planning)(England) Regulations 2012</i>

## Appendix B

4.4.66	To carry out the strategic functions of the Council as Planning Authority, <del>including such functions as are from time to time delegated to it by the Regional Planning Body.</del>	None	<i>Regional planning authorities are no longer in existence</i>
4.4.67	To respond to the development plans local development <u>documents</u> of regional and local planning authorities outside the authority.	None	<i>Regional planning authorities are no longer in existence</i>
4.4.68	To agree the text of draft supplementary planning <u>documents and technical</u> guidance, including planning and development briefs <u>and frameworks</u> , for the purpose of public consultation.	Following consultation with the relevant Executive Member and relevant ward members (where site specific briefs produced).	<i>Changes for clarity</i>
4.4.68.1	To prepare the Authority's Monitoring Report for the purposes of <del>consultation</del> ; <u>publication</u>	In consultation with the relevant Executive Member	<i>Changes to reflect Town and Country Planning (Local Planning)(England) Regulations 2012 Part 8</i>
4.4.68.2	<del>To amend the draft Report as appropriate following the consultation; and</del>	In consultation with the relevant Executive Member	
4.4.68.3	To approve the final Report for formal submission to the Secretary of State	In consultation with the relevant Executive Member	
<u>4.4.68.2</u>	<u>To designate Neighbourhood Planning Areas for the preparation of Neighbourhood Plans and Orders.</u>	<u>In consultation with the relevant Executive Member</u>	<i>Changes to reflect Neighbourhood Planning (General) Regulations 2012</i>

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