

Open

Council

Agenda

6pm
Wednesday, 25th September 2019
Council Chamber
Wyre Forest House
Finepoint Way
Kidderminster



Council

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COUNCIL MEETING

17th September 2019

TO ALL MEMBERS OF THE COUNCIL AND HONORARY ALDERMEN

PRESS AND PUBLIC

Dear Member

YOU ARE INVITED to attend a meeting of the Wyre Forest District Council to be held **at 6.00p.m. on Wednesday 25th September 2019**, in the Council Chamber, Wyre Forest House, Finepoint Way, Kidderminster.

The Agenda for the meeting is enclosed.

Yours sincerely

Ian Miller
Chief Executive

Declaration of Interests by Members – interests of members in contracts and other matters

Declarations of Interest are a standard item on every Council and Committee agenda and each Member must provide a full record of their interests in the Public Register.

In addition, alongside the Register of Interest, the Members Code of Conduct (“the Code”) requires the Declaration of Interests at meetings. Members have to decide first whether or not they have a disclosable interest in the matter under discussion.

Please see the Members’ Code of Conduct as set out in Section 14 of the Council’s constitution for full details.

Disclosable Pecuniary Interest (DPI) / Other Disclosable Interest (ODI)

DPI’s and ODI’s are interests defined in the Code of Conduct that has been adopted by the District.

If you have a DPI (as defined in the Code) in a matter being considered at a meeting of the Council (as defined in the Code), the Council’s Standing Orders require you to leave the room where the meeting is held, for the duration of any discussion or voting on that matter.

If you have an ODI (as defined in the Code) you will need to consider whether you need to leave the room during the consideration of the matter.

(A) TERMS OF REFERENCE OF THE COUNCIL

The Council

1. Is the ultimate decision making Body.
2. Determines the Budget (but reserves powers to itself in relation to requirements).
3. Is responsible for appointing (and dismissing) the Leader of the Council.
4. Appoints at its Annual Meeting, the Regulatory Committees, the Overview and Scrutiny Committee and any other Committees/Forums necessary to conduct the Council’s business.
5. Decides on matters where the Cabinet is not minded to determine a matter in accordance with Council policy.

(B) MATTERS RESERVED TO THE COUNCIL

1. Those reserved by Law e.g. levying a rate, borrowing money, promotion of or opposition to a Bill in Parliament.
2. Matters reserved to the Council by financial regulations.
3. The adoption and amendment of Standing Orders, including the powers and duties of Committees and other forums.
4. Power to make, amend, revoke or enact or enforce any byelaws.
5. The determination of the objectives of the Council.
6. Matters of new policy or variation of existing policy as contained within the budget and policy framework.
7. Local Development Framework adoption.
8. Any function where a decision would be contrary to a plan, policy, budget or strategy previously adopted by the Council, which would be contrary to the Council’s Standing Orders, Financial Regulations or Executive arrangements.
9. The Scheme of Delegations to Officers.

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If members of the public do not wish to have their image captured they should sit in the Stourport and Bewdley Room where they can still view the meeting.

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* Unless there are no reports in the open session.

Wyre Forest District Council

Council

Wednesday, 25th September 2019

Council Chamber, Wyre Forest House, Finepoint Way, Kidderminster

Part 1

Open to the press and public

Agenda item	Subject	Page Number
1.	Prayers To be read by Rev Carey Saleh, St Michael and All Angels and All Saints Wilden.	
2.	Apologies for Absence	
3.	Declarations of Interests by Members In accordance with the Code of Conduct, to invite Members to declare the existence and nature of any Disclosable Pecuniary Interests (DPI's) and / or Other Disclosable Interests (ODI's) in the following agenda items and indicate the action that they will be taking when the item is considered. Please see the Members' Code of Conduct as set out in Section 14 of the Council's Constitution for full details.	
4.	Minutes To confirm as a correct record the Minutes of the meeting held on 24 th July 2019.	10
5.	Public Participation In accordance with the Council's scheme for public speaking at meetings of Council, to allow members of the public to present petitions, ask questions, or make statements, details of which have been received by 12 noon on Monday 16 th September 2019. <i>If you wish to speak on an urgent matter that has arisen since the deadline and you could not reasonably have known about it at the time, you should register your interest in speaking no later than 9am on the day of the meeting of Council. In the case of a request to speak on an urgent matter, the Solicitor to the Council will rule on whether or not the matter is urgent and that ruling will be final.</i>	
6.	Questions Seven questions have been submitted in accordance with Standing Order Section 7, 1.8 by Members of the Council. <i>In the case of an urgent matter that has arisen since the deadline</i>	30

	<i>above, and could not have been reasonably known at that time, it must be delivered in writing to the Solicitor to the Council no later than 9am on the day of Council.</i>	
7.	<p>Chairman's Communications</p> <p>To note the engagements of the Chairman of the Council since the Council's last meeting.</p>	32
8.	<p>Leader of the Council Announcements</p> <p>To receive announcements from the Leader of the Council.</p>	
9.	<p>Motions Submitted under Standing Orders</p> <p>Two motions have been received in accordance with Standing Orders (Section 7, 4.1).</p> <p>1. Notice of Motion from Councillor F M Oborski MBE</p> <p>Council recognises that not all disabilities are visible.</p> <p>Council therefore resolves to support the Hidden Disabilities Awareness Scheme which encourages those with such disabilities to wear the discrete sunflower badges and lanyards.</p> <p>Council will ensure that all frontline staff are aware of the scheme and recognise that those wearing the badge or lanyard may need extra help.</p> <p>Council further resolves to display the Hidden Disabilities Scheme Information Poster In all its public buildings and encourage other providers to do</p> <p>Likewise and to promote the scheme via the Annual No Barriers Mike Oborski Awards.</p> <p>2. Notice of Motion by the Conservative Group</p> <p>This Council needs to examine new ways of investing to create revenue income to fund our important local services.</p> <p>Under Government finance rules, councils are not allowed to use capital to plug annual funding gaps but they can invest in projects which generate an income.</p> <p>Other councils such as West Suffolk Council are reaping the benefit of such a project, investing to deliver an income for the benefit of local communities and for the environment.</p> <p>Such a scheme would have both an environmental and economic benefit.</p> <p>This Council resolves to request the Cabinet to investigate establishing a solar farm on land in this District which it owns and bring a report back to Full Council in this municipal year.</p>	

10.	Urgent Motions submitted under Standing Orders To consider motions in the order they have been received which, by reason of special circumstances, should be considered as a matter of urgency, in accordance with Standing Orders (Section 7, 4.1 (vii)).	
11.	Pay Arrangements 2021 onwards To receive a report from the Head of Paid Service which seeks Council's agreement to arrangements for determining pay increases from April 2021 and for a pay and grading review.	33
12.	Apprenticeship Charter To receive a report from the Solicitor to the Council which seeks endorsement of the Apprenticeship Charter.	48
13.	Corporate Plan and Financial and Policy Context for the Medium Term Financial Strategy To receive a report from the Chief Executive which, in line with the Cabinet's recommendations of 18 th September 2019, asks Council to adopt the Corporate Plan for 2019-2023 and notes the suggested approach to the Medium Term Financial Strategy, which will be the subject of consultation. (This report is to follow)	-
14.	Policy and Budget Framework Matters which require a Decision by Council. a) Recommendations from Overview & Scrutiny Committee 5th September 2019 <ul style="list-style-type: none"> • Annual Report on Treasury Management Service and Actual Prudential Indicators 2018-19 b) Recommendations from Cabinet – 18th September 2019 <ul style="list-style-type: none"> • Worcestershire Regulatory Services (WRS) Enforcement Policy (to follow) Please note that the reports and associated documents, referred to above, have been circulated electronically to Members. Public inspection copies are available on request. Please refer to the front cover for contact details.	51 -
15.	Management Structure Review To receive a report from the Head of Paid Service which seeks Council's endorsement of two proposed changes to the management structure. (There is a confidential financial appendix to this report.)	52

16.	To consider any other business, details of which have been communicated to the Solicitor to the Council before the commencement of the meeting, which the Chairman by reason of special circumstances considers to be of so urgent a nature that it cannot wait until the next meeting.	
17.	<p>Exclusion of the Press and Public</p> <p>To consider passing the following resolution:</p> <p>“That under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting during the consideration of the following item of business on the grounds that it involves the likely disclosure of “exempt information” as defined in the paragraph 1 of Part 1 of Schedule 12A to the Act”.</p>	

Part 2

Not open to the Press and Public

18.	<p>Agenda Item 15 - Management Structure Review</p> <p>Appendix 1 – Financial Information</p>	
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WYRE FOREST DISTRICT COUNCIL

COUNCIL

COUNCIL CHAMBER, WYRE FOREST HOUSE, FINEPOINT WAY,
KIDDERMINSTER

24TH JULY 2019 (6PM)

Present:

Councillors: S Miah (Chairman), P W M Young (Vice-Chairman), J Aston, G W Ballinger, J F Byng, V Caulfield, S J Chambers, A Coleman, R H Coleman, B S Dawes, N J Desmond, H E Dyke, P Dyke, C E E Edginton-White, N Gale, S Griffiths, I Hardiman, P Harrison, M J Hart, L J Jones, A L L'Huillier, N Martin, F M Oborski MBE, T L Onslow, M Rayner, C Rogers, S E N Rook, D R Sheppard, J W R Thomas, A Totty and L Whitehouse.

C.23 Prayers

Prayers were said by Rev. Mark Turner, St. Bartholomew's, Areley Kings.

C.24 Apologies for Absence

Apologies for absence were received from Councillors: C J Barnett and K Henderson.

The Chairman announced that nominations for the annual No Barriers, Mike Oborski Awards opened on Friday 26th July 2019. He said that the award scheme recognises those that go the extra mile for people with disabilities.

The Chairman congratulated the England cricket team for their success in becoming world champions.

C.25 Declarations of Interests by Members

There were no declarations of interest.

C.26 Minutes

Decision: The minutes of the meeting held on 22nd May 2019 be confirmed as a correct record and signed by the Chairman.

C.27 Public Participation

There was no public participation.

C.28 The Leader of the Council moved the following motion:

Agenda Item No. 4

“Mr Chairman, for the convenience of the Council, under standing order 8.4, I would like to move the suspension of the limit of thirty minutes limit on questions and answers. The standing order that would be suspended is standing order 1.8, sub-paragraph (i). I ask for members’ support in agreeing the suspension of the standing order on this occasion.”

The proposal was seconded by Councillor F M Oborski MBE.

Agreed: Standing Order 1.8(i) be suspended for the duration of the meeting.

C.29

Questions

Twelve questions had been submitted in accordance with Standing Order A5 by Members of the Council.

1. Question from Councillor Marcus Hart to the Leader of the Council

Would the Leader of the Council advise this Council when he proposes to appoint member champions?

Answer from the Leader of the Council

Thank you for the question. I have appointed armed forces champions, Councillor Nicky Gale and Councillor Susie Griffiths, both of whom have close family members who are or have been serving members of the regular armed forces. This decision was taken on 30 May and published on 31 May, and shared with all members at that time.

What about other member champions? The Peer Review in February, which was before our Administration was elected to the Council, had the following recommendation. “Although the Council has reviewed the roles, the Peer Team found that the Member Champion role is still not clearly and widely understood and varies from seeking information from officers to leading the town centre work. If WFDC wishes to retain these roles the Council may wish to consider having a specific project or aspect to focus the work of a Champion, in order to maximise the expertise of councillors.” I have considered this recommendation and I have no plans at present to appoint other member champions.

Supplementary question

Clearly I was not referring to armed forces champions; I was specifically referring to Member Champions. Will the Leader further agree with me that prior to May we had excellent Member Champions in Councillor Fran Oborski and Councillor Helen Dyke who then were members of the opposition, and would he agree with me that it is most regrettable that he has no plans to appoint Member Champions from the opposition. This is a clear example where he is not prepared to work with Members of the opposition without any Members of the Progressive Alliance.

Supplementary answer

I note your comments, thank you.

2. Question from Councillor Marcus Hart to the Leader of the Council

Given that the Leader of the Council said at the annual meeting of Full Council this year, that this is going to be a 'Can Do Council', Can he explain his rationale for the Chairman and Vice-Chairman of the Strategic Review Panel being the Leader and Deputy Leader of the Council as opposed to back benchers?

Answer from the Leader of the Council

It was interesting watching Boris Johnson's speech yesterday when he was selected and constantly referred to wanting his period as Prime Minister to be that of a can-do administration. He is clearly copying the Progressive Alliance of Wyre Forest District Council; we are two months ahead of him. These appointments were unanimously supported by all members at the annual general meeting on 22 May. If you had any concerns about these appointments you should have raised them on that occasion. Previous reports to the Council's annual general meeting about appointments of members to chair committees have not set out a rationale about why someone should be appointed. Members know that these are political matters where, if necessary, the majority party or group can ensure its will prevails, although I was very pleased on this occasion that all the appointments had the unanimous support of the Conservative group. Indeed the minutes of the meeting on 22 May record that Councillor Hart "thanked the Leader of the Council for the proposed Chairman and Vice-Chairman Committee positions for Conservative Group Members" so I am surprised that the Council's decisions are now being questioned in this way. We also gave the Chairmanship of the Local Plans Review Panel to the Conservative Group.

Supplementary question

I have not asserted that the decision of Council is being challenged in any way. I asked this question to the Leader of the Council in May which wasn't answered, and then I asked the Chief Executive and it wasn't answered again. Would he first agree with me that this is an example where the leadership are not prepared to work with non-executive members of this Council and secondly is the answer to this question his answer or was it written by the Chief Executive?

Supplementary answer

The answer was written by myself and you know the Council's procedure for answering questions. At the end of the day it is important that he allows the administration to administer. We were the choice of the public of Wyre Forest and we should be allowed to get on with the job. Thank you.

3. Question from Councillor Marcus Hart to the Cabinet Member for Economic Regeneration, Planning and Capital Investments

Would the Cabinet Member for Economic Regeneration and Planning congratulate the previous Conservative administration for their commitment and indeed delivery of the demolition of Crown House at no cost to the tax payer?

Answer from the Cabinet Member for Economic Regeneration, Planning and Capital Investments

Thank you for the question. I would like to congratulate officers including Mike Parker for the hard work that has achieved this outcome. Crown House was built under the Conservative Administration of Kidderminster Borough Council in 1971.

In May 2017 when I had the honour of being appointed as Chairman of Council in 2013, I had been told that I could look forward to demolishing Crown House during my year of office. While I am pleased to welcome that the demolition is happening and is being funded by the tenant, I have to add "at last".

I am also exceptionally pleased that Crown House and the wider Bull Ring gateway into the town are one of the three elements in the Council's Future High Streets Fund bid. Wyre Forest's bid is one of only 50 across England that has been successful. We have done very well to reach this stage and I would like to pay tribute to Ostap Paparega, the Head of North Worcestershire Economic Development and Regeneration and his team. We will now access funding from the Ministry for Housing, Communities and Local Government to prepare the full business case, which has to be submitted by January 2020. This is an intensely competitive process with potentially a large funding prize at the end of the process, and I am sure that we can rely on support from across the chamber for this important bid.

Supplementary question

I did not get a direct answer to the question and hopefully I might get it in the answer to my supplementary. Of course we would all absolutely agree and thank Mike Parker for his gritty determination and resolve as an officer. Would the Cabinet Member not agree with me that it was the previous administration which gave that commitment to deliver Crown House being demolished; would she now agree that she was entirely wrong in wanting to spend £500,000 worth of taxpayers' money by diverting it from the public realm scheme in Worcester Street to demolish Crown House, letting off the private property company from their moral and social obligations to this district?

Supplementary answer

It was the failure of the previous administration to deliver on the promise made to me in 2013 that led to us being frustrated that we felt it was necessary to be willing to commit public funds to the demolition of Crown

Agenda Item No. 4

House if it became necessary. We did that because of the overwhelming support that we received from members of the public who thought that demolishing Crown House was more important to them than opening up Worcester Street. I am extremely glad that money has not had to be spent on Crown House and that it is being demolished by the tenant.

4. Question from Councillor Ian Hardiman to the Leader of the Council

Given the comments made at Full Council on 22nd May by members of the Leader's cabinet will he give me and this Council an assurance that all future agendas, reports and minutes of Cabinet/CLT meetings are made available to all 33 members of the Council?

Answer from the Leader of the Council

It is surprising that Councillor Hardiman is a sudden convert to openness and transparency. He was deputy leader for several years. I don't recall a proposal from him to make available the private discussions and papers of the Cabinet of which he was a member, when he had the chance to do so.

I am sure Councillor Hardiman will be familiar with the Freedom of Information Act 2000 and the various exemptions set out in it, under which cabinets in all councils have the space to discuss issues in private before formal proposals are brought forward for decision. For example, section 40 provides an exemption for personal information. Section 41 provides an exemption for information provided in confidence. But most important is section 36 of the 2000 Act which provides an exemption for information whose disclosure "would, or would be likely to, inhibit the free and frank provision of advice, or the free and frank exchange of views for the purposes of deliberation, or would otherwise prejudice, or would be likely otherwise to prejudice, the effective conduct of public affairs".

I am sure it would suit the opposition to have access to the private deliberations of the Progressive Alliance's Cabinet but we do not need to make that change - as he will have seen in the papers for the Strategic Review Panel, this administration is already sharing information about its developing priorities and views with the Panel and all members in a far more open and transparent way than in the past.

Supplementary question

Given that you said at the May Council that for some time your political party had expressed concern about the whole concept of having a powerful Cabinet which can leave certain members in the dark, I thought you were the new party for change and were going to be more open to transparency. Did you write the answer to my first question yourself or was it from the Chief Executive?

Supplementary answer

A slightly condescending comment from the Councillor but it wasn't really a

question so I note his comments, thank you.

5. Question from Councillor Marcus Hart to the Leader of the Council

Given the Leader of the Council's commitment at Full Council on 22nd May in wanting to work with and include all political parties, would he now explain to this Council and the public why the Conservatives who are by far the largest group on this Council were not invited to be members of the Progressive Alliance?

Answer from the Leader of the Council

Thank you Chairman, I know you had to go out earlier to get a few bottles of wine for the event you host at the end of the meeting for Councillors and members of the public. Perhaps you could have asked the people on the opposite side of the Chamber because 2019 is clearly going to be the year for sour grapes. I hear the comment you make about being the largest group, you did not say political. You are the largest group and have 14 members; the Progressive Alliance has 19 members. That is a difference of 5, and I don't quite see the point you are making. We are the group that decided we would go for openness and transparency and the meetings we have are open to the public to attend. We have the responsibility to the people of Wyre Forest to provide an administration that is open and transparent, they are the people who pay for this Council; it is the electorate of Wyre Forest for whom we are accountable. As far as inviting members of the Conservative Group to become members of the Progressive Alliance, that does not stack up really. We had a lot of debates over the few days following the election in May with colleagues from the Labour Party, the Green Party, Independents, Liberal Democrats and Health Concern and we decided we would try and form an administration. I did speak to a few members of the Conservative party during that time and they may not have said this to you because they wanted to see how things settled down with your Group and your leadership. Let's say invites were open to other people but they did not take it, so they had not been excluded. If anybody wanted to come forward in those few days it was very public that we were attempting to form an administration which we succeeded to do with the Progressive Alliance.

Supplementary question

Would the Leader agree with me that it is wholly inaccurate and misleading to say that this Conservative Group was invited to take part in a progressive alliance and when he says to the public in the Kidderminster Shuttle "your new Wyre Forest District Council would be an example of co-operation along party lines to the benefit of all residents" that simply isn't true and what we have is not a progressive alliance, but the ABC Alliance, Anyone But Conservatives.

Supplementary answer

No, I wouldn't agree. He has got his figures wrong on how many different groups make up the progressive alliance; he said 3 when in fact it is 5.

Agenda Item No. 4

In response to a point of order made by Councillor Hart, the Solicitor to the Council confirmed that there were 3 political groups within the Progressive Alliance.

6. Question from Councillor Marcus Hart to the Cabinet Member for Operational Services

Would the Cabinet Member for Operational Services agree with me that the investment in the Green Street Depot in the form of the 2020 depot project is an excellent example of this Council bringing two locally listed buildings back into prominence and good use and that this was a wise and sound decision taken by the previous Conservative administration?

Answer from the Cabinet Member for Operational Services

I am sure that all members welcome investment at the Green Street site which was long overdue. Successive Councils had not prioritised improvements at that location, and the contrast with the investment here at Wyre Forest House was stark. It is right that the Council provides modernised, fit for purpose accommodation and facilities for all its staff.

It is also a good thing that historic buildings have been renovated for new uses. They are an interesting part of the heritage of the town and have been brought into public view.

However Councillor Hart will know that we don't agree with the relocation of the hub from the centre of the town to its periphery, to a site that is not on a bus route. While we recognise that we can't turn the clock back on the Council's decision, we can't therefore support that consequence of the investment.

Supplementary question

Would the Cabinet Member agree with me that whilst you can't reverse the clock in terms of the capital decision, if the Progressive Alliance wanted to they could have reversed the decision to relocate the Hub staff and other staff to Green Street if they wanted to and what plans does the Cabinet Member have to do that?

Supplementary answer

Thank you for your comments and questions, it is too late to go back on the decision which has been made.

7. Question from Councillor Ian Hardiman to the Leader of the Council

Given the Leader of the Council's commitment to be a 'Can Do Council', and one that is going to be 'more transparent', whilst I am cognisant of the costs and viewing figures, 'Can' he explain to this Council how he thinks that is consistent with no longer web casting Cabinet meetings?

Answer from the Leader of the Council

This is another surprising question. Councillor Hardiman's group leader was present at a meeting of group leaders on 8 May which had all the information about costs of webcasting and data on the number of views.

The report explained the proposal to focus webcasting on meetings of full Council and the Planning Committee and was supported by the group leaders. Does the group leader of the Conservatives not keep his group informed of what is being discussed?

But what about Cabinet meetings? Again, if his group leader had kept him informed, Councillor Hardiman will know that the option is retained of webcasting any meeting whose content will be of wide public interest.

I am surprised he keeps pressing on this issue. While I haven't seen the paper, because as he knows papers of Cabinet/Corporate Leadership Team meetings are not available to all members of Council, I understand that the then Cabinet had in fact received the information and data about webcasting in a meeting on 27 November 2018. So it's rather late in the day for Councillor Hardiman to be protesting about the change when he's been in the know for eight months.

Supplementary question

I would just like to correct Councillor Ballinger, when he said Group Leaders was not a decision making body. Therefore my question is are you being inconsistent and hypo-critical, and are you embarrassed in fact because really you are committed to greater transparency?

Supplementary answer

This is the cost issue, which Councillor Hardiman himself knew about for replacing the somewhat outdated equipment. It is not about the point that I made that your Leader was aware of what was going on. If he hadn't communicated with your group then it really isn't our problem.

8. Question from Councillor Ian Hardiman to the Cabinet Member for Operational Services

Would the Cabinet Member for Operational Services confirm to this Council that neither he nor this Progressive Alliance will make any reductions in service to parks and open spaces and public toilets during the lifetime of their administration?

Answer from the Cabinet Member for Operational Services

Thank you for the question. All members know that the Council faces a funding gap of over £2m. It is the job of this Council to address that as the most significant issue facing the organisation.

Agenda Item No. 4

In that context, I am very surprised by Councillor Hardiman's question. He must know that it would be rash to give the sort of commitment that he seeks for any service, given the funding gap of £2m.

While all members would expect every sinew to be strained to protect services that local communities value, it would be naive to think that there will be no change to them if we are to close the financial gap. That is why this administration is prioritising discussions with town and parish councils about localism, under which more assets and services are transferred to local councils or the cost shared between them and the District Council. The Cabinet had a very useful discussion with representatives of the town councils yesterday and several members of this Council were present in their role as Cabinet members or as members of the town councils. We will organise a similar discussion with the parish councils later in the year.

Supplementary question

Can you give any examples that you yourself could see will be part of reduction measures?

Supplementary answer

We are looking at various options at the moment Councillor Hardiman, and some are in an advanced state of progress. It would be wrong of me to enlighten anybody further because there are several sensitive questions that need to be answered.

9. Question from Councillor Chris Rogers to the Cabinet Member for Housing, Health, Well-being and Democratic Services

Would the Cabinet Member for Health, Well-being and Democratic Services confirm to this Council what investment and financial support they will be giving to public transport in this District over the lifetime of this administration?

Answer from the Cabinet Member for Housing, Health, Well-being and Democratic Services

Thank you for the question. The Council plays a number of roles in facilitating or supporting public transport. In taking decisions on planning applications, the Council seeks appropriate section 106 contributions to transport infrastructure, including such things as road and junction improvements, cycle ways, provision of bus stops and, where appropriate, financial contributions to provision of bus services.

The Churchfields development is an excellent example of how this Council uses its powers to secure not only much-needed housing but very significant investment in the road infrastructure for Kidderminster, which will open up the site but also alleviate congestion in the Horsefair area by providing a new route towards Stourbridge for traffic leaving the town. This will also help to alleviate air pollution in the Horsefair area.

Agenda Item No. 4

The district council has helped secure funding for the road improvement, successfully bidding for a significant grant from Homes England, and dedicating part of the St Mary's car park to allow the new access from the ring road to be constructed.

As Councillor Rogers will recall, the Council is making a modest direct contribution to the cost of building the new train station in Kidderminster, a much needed boost for the second busiest train station in Worcestershire. We have worked with other partners to help secure the funding package including grants from both local enterprise partnerships.

Supplementary question

Would the Cabinet Member agree with me that it is important that members of the Alliance meet their election promises; I have a leaflet put out by the Labour Group which states that it would make better public transport and improved local economy a priority?

Supplementary answer

Other than the trains, the improved public service would come with bus services and I do believe that Councillor Rogers is probably in the best position to help with that, given that it is the County Council which commissions public transport.

10. Question from Councillor Tracey Onslow to the Leader of The Council

Following the elections, the Leader of the Progressive Alliance was quoted in the local press as saying that the Progressive Alliance would be '...for the good of Wyre Forest residents'.

In view of the Deputy Leader of the Progressive Alliance's startling decision to write a letter of support for a convicted domestic abuser, could the Leader explain how her decision - and the resultant damage to the reputation of WFDC - was 'for the good of Wyre Forest residents'?

Further in his quote he stated that the Alliance would '...put an end to social media spats'.

Given that this issue was played out widely across social media, would he also agree with me that that part of his vision for the Alliance has, only one month in, already failed?

A point of order was raised by Councillor F M Oborski MBE, immediately after the question had been asked.

Mr Chairman, under standing order 4.4, sub-paragraph (xv), I wish to raise a point of order and to make a personal explanation on this matter as I have been named in the question which Councillor Onslow has just put.

I am sorry if what I have done has offended or upset anyone.

Agenda Item No. 4

I am opposed to domestic violence in all its forms – whatever its nature, and whatever the gender or sexuality of the perpetrator and of the victim.

I have known Dave Hollyoak for 10 years through a local political party and I was asked to provide a statement for his defence solicitor, which I did. This was not done in my role as Deputy Leader of the district council, and did not use any resources of the district council.

I regret that I had not reflected fully on the potential implications of providing such a statement. I would want to consider very carefully whether I would provide a statement in similar circumstances in future if they ever arose. My resolve to oppose all forms of domestic abuse and violence remains unshaken.

Answer from the Leader of the Council

Thank you for the question. This issue is also the subject of a wider motion later on the agenda so I will focus only on the specific points raised in this question.

The question is inaccurate. The individual was not “a convicted domestic abuser” at the time the statement was provided. The statement was certainly not provided by Councillor Oborski in her current role as deputy leader. This was a personal matter where one individual provided a statement in respect of another individual in a judicial process that had nothing to do with the council.

Any comments on this matter on social media were not provided by or on behalf of the Progressive Alliance.

I would like to ask colleagues around the room to put their hands up if any of you have never made a mistake in your lives then subsequently regretted it; there’s not a lot of hands going up. Also perhaps hands up for any Member of the Council who has an award of the MBE for services to the Community; and it’s Fran Oborski.

Supplementary question

I would like to thank Councillor Oborski for her apology. It is six weeks late and she said “no comment” in the paper. Perhaps there would have been no need for the question had she come out with that before being prompted by my question. Given openness and transparency can he therefore provide a copy of the statement that Councillor Oborski provided so that we can be reassured that she did not refer to herself as a Councillor; she was not Deputy Leader at the time that she wrote it and she made no reference to her career as a Councillor.

Supplementary answer

I have seen it and there is no reference to any of those things that you have referred to.

11. Question from Councillor Nathan Desmond to the Cabinet Member for Economic Regeneration, Planning and Capital Investments

Please would the Cabinet Member for Economic Regeneration, Planning and Capital Investments confirm what the Progressive Alliance's strategy is for WFDC property acquisitions from the £25 million capital portfolio fund?

Answer from the Cabinet Member for Economic Regeneration, Planning and Capital Investments

Thank you. The Progressive Alliance is following the adopted strategies and policies of this council. They are set out in the Capital Strategy 2019-22 that was agreed by Council in February 2019 and also appended the Capital Portfolio Fund Strategy, which sets out how the Council intends to go about making property acquisitions. At tonight's meeting, Council is considering a recommendation from Cabinet to adopt the Asset Management Strategy as part of the comprehensive suite of strategies and policies this Council has developed.

As the member knows, the council is actively pursuing a number of investments in the area of Wyre Forest. Scrutiny and Cabinet will be considering another proposed investment in the area next week. We continue to use the geography in the adopted strategy so that the Council can continue to have access to the best range of opportunities and can spread its risk.

Supplementary question

I am very grateful to the Cabinet Member for her very full and frank answer to my question. In relation to the geography underpinning the strategy going forward I do feel reassured that the Cabinet Member has said that they will adopt the current strategy which is obviously the geography of the 2 LEPs. My question is in the context of that. Why the u-turn of the Cabinet Member? On 4th April Fran Oborski posted on Kidderminster Matters that she was against the 2 LEP geography and in particular was against investments by this authority outside of Wyre Forest District Council and actually used 2 examples; Solihull and Bromsgrove. So my question is why the u-turn?

Supplementary answer

No u-turn. In fact when the papers are considered the Member will see that we are prioritising investments within the Wyre Forest District.

12. Question from Councillor Alan Totty to the Cabinet Member for Economic Regeneration, Planning and Capital Investments

Could the Cabinet Member tell me when, and under what circumstances, she first became aware that it would be necessary to re-open the

Consultation on the Revised Local Plan?

**Answer from the Cabinet Member for Economic Regeneration,
Planning and Capital Investments**

In February I was invited to a private meeting when I was briefed in confidence about issues relating to the local plan by the then leader and deputy leader. It was shared in confidence that a further period of consultation would have to happen and I was told that nothing would happen until after the May elections. Naturally, the Council could not take formal decisions until further information was provided, which include the revised and new reports provided by the county council.

Supplementary question

Given you were told that in confidence, did you at any time try to make it public before the local elections?

Supplementary answer

Yes. Members who were Councillors before the local elections may recall that at the February meeting of this Council I asked a question to Councillor Hardiman who was then the Cabinet Member, I asked him if, in view of issues that had arisen including the fact that many people felt they had not had an opportunity to take part in the consultation, he would consider re-opening the consultation. I expected him to respond in a more positive light but what he actually said was that he felt there was no need to because people had had adequate opportunities to make their comments.

C.30 Chairman's Communications

The Council received a list of functions attended by the Chairman or Vice-Chairman since the Council's last meeting.

C.31 Leader of the Council Announcements

The Leader of the Council referred Members to his tabled report.

C.32 Motions Submitted Under Standing Orders

Three motions had been received in accordance with Standing Orders (Section 7, 4.1).

1. Notice of Motion by the Conservative Group

"This Council deplores domestic violence and abuse in any form.

This Council resolves to request that the Cabinet Member for Culture Leisure and Community Protection confirm that this Council does not condone domestic violence and abuse in any way.

This Council further resolves to request that the Cabinet Member for

Agenda Item No. 4

Culture Leisure and Community Protection bring a report back to Full Council in this municipal year setting out what steps she has taken and will take to ensure that all elected members and staff are aware that violence of any type, especially domestic violence and abuse will not be tolerated.

This Council regrets that any elected member especially in their capacity as a councillor would seek to condone domestic violence in any way.

This Council resolves that the Leader of the Council publicly comment and confirm to this Council that his current Deputy Leader enjoys his full support.”

Councillor S Chambers presented the motion. She said that domestic violence and domestic abuse are horrific crimes blighting our society; ruining lives and destroying childhoods. This Council should be united in the commitment that it is never acceptable and should never seek to have its impact minimised or the actions of those perpetrating mitigated. The motion was seconded by Councillor N Gale.

The Leader of the Council moved an amendment to the motion and briefly outlined the proposed changes. The amendment was seconded by Councillor H Dyke.

The Leader of the Conservative Group, Councillor M Hart, spoke against the amendment to the substantive motion. He said that he could support the first two paragraphs. He added that he could not support the request for the Cabinet Member for Culture, Leisure and Community Protection to provide a briefing note to all Members as opposed to a full report to Council, as he felt that it was watering down this very serious matter.

A full and robust debate ensued. A vote on the substantive motion was taken and defeated.

Councillor S Chambers said that whilst it was disappointing that the original motion had been defeated, it was important that we support Councillor Oborski and welcome her apology. She urged Members to support the amended motion to give reassurance to the general public that domestic violence and abuse will not be tolerated.

Upon a show of hands for the motion as amended, the vote was carried unanimously.

Decision: The following motion by the Conservative Group, as amended by the Leader of the Council be agreed:

This Council deplores domestic violence and abuse in any form.

This Council welcomes the introduction of the Domestic Abuse Bill by Her Majesty’s Government and looks forward to consultation on any guidance to be issued by the Secretary of State under Clause 79 of the Bill.

Agenda Item No. 4

This Council resolves to request that the Cabinet Member for Culture, Leisure and Community Protection provides a briefing note to all Members in this municipal year setting out what steps have been taken and will be taken to ensure that all elected members and staff are aware that violence of any type, especially domestic violence and abuse, will not be tolerated.

This Council notes that the Deputy Leader enjoys the full support of the Leader of the Council.

2. Motion from Councillor F M Oborski MBE

“The Council values all sections of the community and welcomes the contribution of LGBT+ groups to the diversity of Wyre Forest. Council therefore resolves that, from 2020, the Rainbow Flag will be flown during Pride Month.”

Councillor F M Oborski MBE presented the motion. She said that she was thrilled by how much the Kidderminster & District Youth Trust were doing to support LGBT+ young people to come out and have the courage to celebrate who they are, celebrate their sexuality and to be proud of their achievements. She spoke about the frightening amount of LGBT+ bullying which goes on across the county. She asked all Members to support the motion and hoped that next year we would be proudly flying the rainbow flag from the Council’s headquarters.

Councillor S Griffiths said that many Councils across the country were flying the flag for the first time to mark the 50th anniversary, which included a number of Councils hosting a whole programme of arts and events to celebrate the LGBT+ heritage and community. She hoped that Wyre Forest District Council would follow that lead and was proud to second the motion.

The Leader of the Conservative Group, Councillor M Hart moved a slight amendment to the motion, which made it clear that the flag would be flown over Wyre Forest House. He said that it was absolutely right that we should embrace equality and diversity. He added that it was sad that people are still bullied and vilified for being different. He said that as a Council it was essential that we had the right policies in place to be leaders within our communities to stamp out such hatred. He said that the Conservative Group supported the sentiments of the motion.

Councillor Oborski said that she was happy to accept the amendment to the motion.

The Cabinet Member for Culture, Leisure and Community Protection advised Members that she had been approached by Councillor Griffiths to look at whether we could hold an event or events next year to celebrate Pride Month. She said that they had discussed the proposal and even if it was a one off small event, supported by the Council, it would be a start that could be progressed from.

Agenda Item No. 4

A vote on the motion as amended by the Conservative Group was taken and was agreed.

Decision: The following motion from Councillor F M Oborski MBE, as amended by the Conservative Group be agreed:

The Council values all sections of the community and welcomes the contribution of LGBT+ groups to the diversity of Wyre Forest. Council therefore resolves that, from 2020, the Rainbow Flag will be flown over Wyre Forest House during Pride Month.

3. Motion from Councillor V Caulfield

“Council recognises that as a nation we must reduce our use of single use plastics. Council therefore resolves to follow the example of Worcestershire County Council to reduce plastic waste by:

- 1. Undertaking an audit of single-use plastics across the council and all council commissioned services, replacing them with sustainable or re-usable alternatives where practicable;*
- 2. Investigating the possibility of requiring caterers at Council events to avoid disposable plastic items as a condition of their contract;*
- 3. Ceasing the provision of plastic water cups at Wyre Forest House and replacing them with washable reusable alternatives;*
- 4. Encouraging cafes within council-owned buildings and land to continue to support the Refill scheme and provide free water refills;*
- 5. Informing members of the public in its online and written communications about reducing plastic waste;*
- 6. Encouraging our towns and local communities to go plastic free.”*

Councillor V Caulfield presented the motion. She said that the amount of plastic waste generated annually in the UK is estimated to be £5m tonnes, which has a catastrophic effect on our environment and wildlife. She added that programmes such as the War on Plastic and the Blue Planet have really highlighted the effect of plastic pollution which has become a much debated topic with very high levels of public interest. She said that this issue does affect us locally and spoke about the plastic pollution in the rivers within Wyre Forest. She urged all Members to support the motion.

Councillor L Whitehouse was delighted to second the forward thinking motion. He said that he hoped that in the not too distant future the Council would develop a robust strategy to make Wyre Forest District Council a plastic free authority.

The Leader of the Conservative Group, Councillor M Hart, proposed a slight amendment to bullet point 6 of the motion, which was accepted by Councillor Caulfield. Councillor Hart said that it was important that we are as sustainable as possible and reduce our waste. He added that it was important that we encourage the citizens of Wyre Forest to recycle more and to consider changing their lifestyles so that our planet will be fit for purpose.

Agenda Item No. 4

A lengthy discussion ensued. A vote on the motion, as amended, took place and was carried unanimously.

Decision: The following motion from Councillor V Caulfield, as amended by the Conservative Group be agreed:

Council recognises that as a nation we must reduce our use of single use plastics. Council therefore resolves to follow the example of Worcestershire County Council to reduce plastic waste by:

- 1. Undertaking an audit of single-use plastics across the council and all council commissioned services, replacing them with sustainable or re-usable alternatives where practicable;**
- 2. Investigating the possibility of requiring caterers at Council events to avoid disposable plastic items as a condition of their contract;**
- 3. Ceasing the provision of plastic water cups at Wyre Forest House and replacing them with washable reusable alternatives;**
- 4. Encouraging cafes within council-owned buildings and land to continue to support the Refill scheme and provide free water refills;**
- 5. Informing members of the public in its online and written communications about reducing plastic waste;**
- 6. Encouraging our towns and local communities to go single-use plastic free.**

C.33

Urgent Motions Submitted Under Standing Orders

One urgent motion had been received in accordance with Standing Orders (Section 7, 4.1 (vii)).

Local Enterprise Partnerships: Membership

Proposed by Councillor Graham Ballinger, seconded by Councillor Fran Oborski

“Council NOTES the urgent motion passed by Redditch Borough Council on 22 July 2019 declaring that, if overlaps have to be removed, the Greater Birmingham and Solihull LEP (GBSLEP) is its preferred LEP and giving notice of the Borough Council’s intention to leave the Worcestershire LEP.

Council RESOLVES

- a) To reaffirm its commitment to membership of the Worcestershire LEP and the Greater Birmingham and Solihull LEP;*
- b) To record its belief that membership of both LEPs has undoubtedly been beneficial for the district of Wyre Forest and has not created difficulties in respect of accountability for or delivery of significant projects in Wyre Forest that have been funded by one or both LEPs;*
- c) To call urgently on the newly formed Government to heed the wishes of Wyre Forest District Council and other district councils that are members of the GBS LEP, by retaining the ability for those councils to choose which LEP or LEPs to join.”*

Agenda Item No. 4

The Leader of the Council presented the motion. He said that 48 hours ago Redditch Borough Council had taken the decision to leave the Worcestershire LEP. He added that they had wanted Wyre Forest to take the same approach. The Leader explained that the motion was to reaffirm the Council's commitment to both LEPs.

Councillor F M Oborski MBE seconded the motion. She said that the motion actually reiterates what has been the policy of Council and has in fact been extremely successful in getting funding from both the Worcestershire LEP and the Greater Birmingham and Solihull LEP.

The Leader of the Conservative Group moved a very slight amendment to the motion which was accepted by the Leader of the Council. Councillor Hart said that he firmly believed that, given the geography, the authority should remain in both LEPs.

A vote on the motion, as amended, took place and was carried unanimously.

Decision: The following urgent motion from the Leader of the Council, as amended by the Conservative Group be agreed:

Local Enterprise Partnerships: Membership

Council NOTES the urgent motion passed by Redditch Borough Council on 22 July 2019 declaring that, if overlaps have to be removed, the Greater Birmingham and Solihull LEP (GBSLEP) is its preferred LEP and giving notice of the Borough Council's intention to leave the Worcestershire LEP.

Council RESOLVED

- a) To reaffirm its commitment to membership of the Worcestershire LEP and the Greater Birmingham and Solihull LEP;**
- b) To record its belief that membership of both LEPs has undoubtedly been beneficial for the district of Wyre Forest and has not created difficulties in respect of accountability for or delivery of significant projects in Wyre Forest that have been funded by one or both LEPs;**
- c) To call urgently on the newly formed Government to heed the wishes of Wyre Forest District Council and other district councils that are members of the GBS LEP and/or the Worcestershire LEP, by retaining the ability for those councils to choose which LEP or LEPs to join.**

C.34 Electoral Issues including Review of the May 2019 Elections

Council considered a report from the Chief Executive which detailed a number of matters relating to elections as well as providing a report on the local elections held on 2 May 2019 and the European Parliamentary election held on 23 May 2019.

The Cabinet Member for Housing, Health, Well-being & Democratic

Agenda Item No. 4

Services presented the report and formally moved the recommendations for approval.

The Leader of the Council seconded the proposal.

A discussion ensued and in relation to the feedback from the debriefing meeting relating to the lack of tellers at the polling stations at the European Parliamentary elections and how much more pleasant it was when visiting, the Chief Executive advised that there was not any qualitative and quantitative data on the number of comments from electors, but the very fact that we had some feedback from Presiding Officers and Polling Station Inspectors indicated that there were issues at the local government elections.

The Chief Executive thanked Members for their kind comments during the debate and in the feedback sessions. He said that the Elections Team had done an exceptionally good job under exceptionally difficult circumstances, in having to run two major elections so closely together. He said that it was something the Council could be proud of.

Upon a vote the recommendations were carried unanimously.

Decision:

- 1.1 The report on the local elections and European Parliamentary election in May 2019 be noted;**
- 1.2 DELEGATED authority be given to the Chief Executive, in consultation with the Cabinet Member for Housing, Health, Well-being & Democratic Services, to conduct the statutory Polling Districts and Polling Places Review by 31 January 2020 as set out in paragraph 10.1 of the report, with a report to be brought to Council later in 2019 for decision on the outcome of the Review.**

C.35 Policy and Budget Framework

Matters which required a Decision by Council.

a) Recommendations from Cabinet – 16th July 2019

- Asset Management Strategy**

The Deputy Leader and Cabinet Member for Economic Regeneration, Planning and Capital Investments presented the recommendations for approval. The Leader of the Council seconded the proposal.

Councillor N Desmond said he wholeheartedly supported the strategy. He said it was the right thing to do especially as the authority was purchasing more assets. He added that it was essential that the authority manages its diverse portfolio of assets in the most appropriate way.

Agenda Item No. 4

Decision: The Asset Management Strategy be adopted as part of the Capital Strategy 2019-22.

There being no further business, the meeting ended at 8.40pm

WYRE FOREST DISTRICT COUNCIL

COUNCIL
25th September 2019

QUESTIONS TO COUNCIL

1. Question from Councillor Nathan Desmond to the Cabinet Member for Housing, Health, Well-being and Democratic Services

Can the Cabinet Member please explain to me and to the wider public of the district, why at the last full councils meeting in July, the Vice-Chairman of this authority abstained from supporting a very important motion, proposed by his own administration, on WFDC supporting LGBT + communities by flying the flag on Wyre Forest House, during Pride week, which was supported by all political parties.

2. Question from Councillor Marcus Hart to the Cabinet Member for Economic Regeneration, Planning and Capital Investments

Would the Cabinet Member for Economic Regeneration and Planning confirm the following:-

1. How many tenancy agreements are currently in place at Wyre Forest House?
2. If she is aware of any tenancy agreements that are coming to an end and if so which ones?
3. What was the gross income on all tenancy agreements in 17/18 and 18/19 and what is the projected income for 19/20?
4. What was the gross income on room hire in 17/18 and 18/19 and what is the projected income for 19/20?
5. What plans are in place to fill the additional space made available as a result of some staff moving to the Green Street Depot and Hub?
6. What percentage share of the building will either be externally let or have the potential to be externally let after all those staff due to relocate have relocated?

3. Question from Councillor John Byng to the Leader of the Council

At the Localism Forum meeting held on 23rd July between Wyre Forest District Council and the three Town Councils the Leader of the Council stated that localism is a way of 'sharing' the load.

Does this mean that in offering services and buildings to the Town Councils there will continue to be ongoing contributions to the running costs as opposed to transitional arrangements that sees contributions ceased after 4 or 5 years and would he like to categorically confirm that services will not cease under his leadership of the Progressive Alliance?

4. Question from Councillor Ian Hardiman to the Cabinet Member for Culture, Leisure and Community Protection

Does the Cabinet Member for Culture, Leisure and Community Protection value the work of this District's Parish Council's?

5. Question from Councillor Tracey Onslow to the Leader of the Council

In the proposal to make 3 posts in the Community, Well-Being & Environment Directorate redundant, the proposal is for the current Chief Executive post to take on the responsibilities of the CWE Corporate Director and the CWE Corporate Director post to then be made redundant.

Can the Leader advise if the reverse of this was also investigated and costed i.e. one of the Corporate Directors becoming Chief Executive and Head of Paid Service and the post of the Chief Executive being deleted?

Could the Leader further advise as to why this restructure is being taken in isolation and not part of a wider restructure where the senior management of the Council could be looked at collectively?

6. Question from Councillor Marcus Hart to the Cabinet Member for Operational Services

Would the Cabinet Member for Operational Services agree with me that the investment in the Green Street Depot and new customer service centre was both long overdue and necessary and would he further confirm that he is proud of all of the staff who work for us at the Depot?

7. Question from Councillor Chris Rogers to the Cabinet Member for Operational Services

Given his party's vehement opposition to make the Vale Road car park chargeable, could the Cabinet Member for Operational Services advise me and this Council on when the Progressive Alliance will make Vale Road a free car park again?

Chairman's List of Functions – 2019/20

JULY 2019

- 18th St George's - Year 6 Leavers Assembly
- 19th Offmore Residential Care Home Summer Fate
- 27th Brinton's Park Outdoor Cinema

AUGUST 2019

- 3rd Armed Forces Veteran Breakfast Club
- 10th Lunch with Mayor - Stourport-on-Severn Regatta
- 25th Mayor of Worcester's Eid Celebration
- 28th League of Friends AGM
- 29th Mayor of Ludlow's Charity Market
- 31st Chairman's Fund Day - Offmore and Comberton

SEPTEMBER 2019

- 1st Chairman's Charity Football Tournament
- 3rd Merchant Navy Flag Flying
- 7th Stourport-on-Severn Carnival
- 14th Pershore Charity Brass Band Concert *

* Denotes attendance by Vice Chairman

WYRE FOREST DISTRICT COUNCIL**COUNCIL**
25th SEPTEMBER 2019**Pay Arrangements 2021 onwards**

OPEN	
CABINET MEMBER:	Councillor Graham Ballinger Leader of the Council and Cabinet Member for Strategy and Finance Councillor Nicky Martin Cabinet Member for Housing, Health, Well-being and Democratic Services
DIRECTOR:	Chief Executive
CONTACT OFFICER:	Ian Miller x 2700 ian.miller@wyreforestdc.gov.uk
APPENDICES:	Appendix 1: options for pay and grading review Appendix 2: current WFDC and NJC pay scales Appendix 3: illustration of potential pay bands under option 1 in Appendix 1

1. PURPOSE OF REPORT

- 1.1 To consider pay arrangements for the period after March 2021 when the current collective agreement with UNISON and GMB comes to an end.

2. RECOMMENDATION

The Council is asked to:

- 2.1 **CONFIRM** that percentage pay increases for all staff with effect from 1 April 2021 onwards will be in accordance with the relevant national agreements;
- 2.2 **ENDORSE** the need for a pay and grading review as set out in paragraphs 4.4 to 4.6 below;
- 2.3 **DELEGATE** to the Head of Paid Service, in consultation with the Cabinet, Corporate Director: Resources and Solicitor to the Council, finalisation of the pay and grading review with the objective of being cost neutral but subject to the financial envelope set out in paragraph 4.6.

3. BACKGROUND

- 3.1 At its meeting on 13 December 2017, the Council ratified the collective agreement on pay increases for the period 2018 to 2021 that had been reached with UNISON and GMB. Paragraph 7 of that agreement stated: "It is the Council's intention to return to the national

pay agreements with effect from April 2021 but the Council reserves the right to propose a further period of local pay arrangements beyond 31 March 2021. If the Council wished to propose such a further period of local pay arrangements, it would give notice of its intention no later than 30 September 2019 in order to allow an adequate period for discussion and negotiation prior to April 2021.” Thus the Council needs to decide at this meeting whether or not it will seek a further period where pay increases would be decided by local arrangements.

- 3.2 The Council has operated local pay arrangements since 2014. Table 1 contrasts the pay increases in the Council compared to those available to most (but not all) staff covered by the national pay agreements. The consumer price index was 2.0% in April 2019 and remains at 2.0% in the most recent published figures for July.

Table 1: Comparison of local pay arrangements with national pay agreement

2014-18	Wyre Forest District Council	National Pay Agreement
2014	1.25% wef 1/4/14	2.2% wef 1/1/15 (plus one off cash sum of about £150 for most staff)
2015	0.75%	0
2016	0.50%	1%
2017	0.50%	1%
Cumulative total impact on base pay, 2014-2018	+3.03%	+4.25%
2018-2021		
2018	1.50%	2.0%
2019	1.25%	2.0%
2020	1.25% plus a non consolidated element of 0.25%	Assumptions (actual increase unknown): (i) 1.0% (ii) 1.5% (iii) 2.0%
Cumulative total impact on base pay, 2018-2021	+4.05% plus a non consolidated element of 0.25%	(i) 5.08% (ii) 5.60% (iii) 6.12%

- 3.3 The local pay arrangements 2014-18 avoided pay increase costs worth about £120k a year for the Council as at 2017, compared to what would have been payable under the national agreement. While it was not known when it was agreed with the unions, the current local agreement will avoid cumulative pay increase costs by 2020 of between about £228k and £333k a year. This projection is based on the above range of assumptions – the actual figure will not be known until the national increase for 2020 is announced (the main unions have submitted pay claims worth 10%).

- 3.4 The evidence suggests that WFDC has benefitted from two periods of local pay: our financial gap would be even greater if national pay increases had applied since 2014. However the impact is felt by the Council's staff and, indirectly, by the local economy given that the majority of staff live locally and will spend most of their money locally. However there is no doubt that local pay arrangements provide certainty to the Council in its financial strategy and to staff in knowing that they will receive a pay increase in every year of the local pay arrangement. The most valuable aspect of this from the Council's perspective is certainty in its financial planning. Put simply, the Council has no control over what will emerge from the national pay negotiations from year to year, or on whether there will be any longer term certainty from multi-year pay deals (in the recent past, the national negotiations have produced two year settlements at most). From staff's perspective, the national pay deal involves uncertainty – both as to what it will be and when it will be implemented: there is no guarantee that increases will be paid in April each year even if they take effect from 1 April.
- 3.5 It is timely to consider the impact of the National Living Wage for Wyre Forest District Council, which is set by the Government.

Table 2: National Living Wage (NLW) / National Minimum Wage (NMW)

The current rates as of 1st April 2019 are as follows:

25 and over	21-24	18-20	Under 18	Apprentice (Yr 1)
£8.21	£7.70	£6.15	£4.35	£3.90

This report concentrates on the NLW rate for age bracket 25 and over.

- 3.6 Table 3 shows that the National Living Wage has been increasing rapidly since it was introduced, significantly ahead of the rate of inflation:

Table 3: recent real percentage increases in National Living Wage

Financial Year	National Living Wage Rate (£)	Percentage Increase
16/17	7.20	NLW introduced
17/18	7.50	4.2%
18/19	7.83	4.4%
19/20	8.21	4.9%

- 3.7 While the actual figures are not known, we can make assumptions about how the NLW will move in future. Table 4 shows what would happen if the National Living Wage was increased by 4.9% or 5.4% in each of the next two years.

Table 4: projections of future level of National Living Wage

Financial Year	National Living Wage Rate (£)	Percentage Increase
20/21	8.61-8.65	4.9% - 5.4%
21/22	9.03 - 9.12	4.9% - 5.4%

The Low Pay Commission recommends that by April 2020 the NLW should be 60% of median earnings: the current forecast is £8.62.

- 3.8 The Foundation Living Wage is calculated by the Living Wage Foundation but has no formal status under employment law. However many employers commit to paying at this level and are accredited as “Living Wage Employers”. The current rate is £9.00. The Council applied the Foundation Living Wage (FLW) as its minimum rate of pay in 2014 onwards. However as part of the current pay arrangements it was agreed to freeze this at £8.45 (the 2016/17 rate) until it is exceeded by the NLW and then the NLW rate would be applied. The FLW rate increased by 6.5% in April 2018 to £9.00 but has not changed since then.
- 3.9 It is highly likely that, at some point in the next two or three years at most, the National Living Wage will reach and exceed the bottom point on WFDC’s lowest pay grade, which is Grade D (SCP14). The current collective agreement on pay has the provision that, if the NLW exceeds £8.45 before April 2021, the Council reserves the right to make appropriate upwards adjustments to pay for staff affected: this could include staff on Band D SCP14 & 15 and apprentices. The Council currently employs 73 staff at Band D in the following posts: depot operatives, business support assistants, civil enforcement officers, business centre receptionists, facilities assistants, communication assistants and Museum/TIC assistants. Table 5 shows the following hourly pay rates for 2019-20 and 2020-21 as they are already known as part of the local pay agreement.

Table 5: hourly pay rates for Band D, Band E and the first spinal column point for Band F, 2019-20 and 2020-21

Band	Spinal Column Point (SCP)	1 April 2019	1 April 2020
D	14	8.7167	8.8255
D	15	8.8997	9.0111
D	16	9.1132	9.2272
D	17	9.3288	9.4455
E	18	9.5134	9.6321
E	19	9.8684	9.9918
E	20	10.2297	10.3577
E	21	10.6024	10.7351
F	22	10.8760	11.0118

- 3.10 Growth in the National Living Wage as projected in Table 4 is likely to overtake the lower points of Band D (SCP 14 & 15) in 2021-22 (there is a slight risk that it might affect SCP14 as soon as 2020-21). This would have an impact where the Council is unable to place new starters at the bottom of the salary band pay spine. As there are currently four spinal column points within Band D, the deletion of possibly one/two SCPs would produce an inconsistency with the rest of the salary bands.

4. KEY ISSUES

- 4.1 While local pay arrangements have served the Council well in helping to address its financial position since 2014, the Progressive Alliance’s view is that it is now appropriate to demonstrate to staff that the Council values its employees in the same way as most other councils and should be appropriately rewarded, by returning to national pay agreements to determine the percentage increases that would apply with effect from 1 April 2021 onwards. The unions are strongly supportive of this approach.
- 4.2 As explained in the financial implications section, it is impossible to predict what increases will emerge from national negotiations for 2021 and later years. The national increase for

2020 is not known yet, although WFDC staff have certainty about the increase that they will receive under the current local agreement. The Office for National Statistics' Labour Market Overview for September 2019 reports that average weekly earnings for employees in Great Britain were estimated to have increased by 3.8% in the period May to July 2019 compared to a year earlier (excluding bonuses; 4.0% including bonuses). The pay increase for local government staff in Scotland in 2020 has been agreed and will be 3%. While the national negotiators will no doubt seek to achieve an affordable package for employers including WFDC, it seems unlikely that – if wage growth continues at this level in the wider economy – agreement will be reached at 2% a year, the level of recent increases.

- 4.3 The Progressive Alliance has also considered whether to seek any changes to terms and conditions in the period for 2021 onwards. There are no proposals to do so. This is also welcomed by the unions. It is important that Council is aware that no steps will be taken to harmonise leave allowances, and therefore to remove anomalies arising from protections given at the time of the single status agreement in 2003. Staff who were employed by WFDC before 2003 have more generous leave arrangements than other staff: they receive an extra three days over and above what equivalent staff receive. The consultations in 2017 demonstrated that this rankles with some staff whose total local government service is the same or greater than colleagues but they receive lower holiday entitlement simply because of when they started employment with WFDC.
- 4.4 In order to avoid the National Living Wage overtaking the bottom points or grades on the WFDC pay scale, a pay and grading review is now unavoidable. It is also inevitable that, if the pay of those on Band D is increased as a result of such a review, there will be a knock on impact throughout the pay bands. There is a difference in responsibility and scope of roles at Band E compared to Band D and therefore it would be unfair for the two groups of staff to be paid the same or similar amounts. A “differential” has to be maintained although, if the current pay bands are retained, that does not necessarily mean that the differential would have the same value in cash or percentage terms. Whatever mechanism is used for the review will require a new pay structure. Its impact cannot yet be predicted but it is likely to involve an increase in pay for at least some staff, either at the outset or over time.
- 4.5 A range of options has been considered, from reverting to national pay scales or revaluing existing pay scales to adopting a “job families” approach. These options are explored in greater depth in Appendix 1. The recommended approach is to take the opportunity to move to a more modern pay structure of job families. The pay and grading review will be undertaken in the context of a Council that is likely to become smaller, employing fewer staff, with changes in its focus linked to the new corporate plan. The “job families” approach will support the process of change in reshaping the Council by introducing more flexible job roles.
- 4.6 This report therefore seeks Council's endorsement of the need for a pay and grading review and a delegation to the Head of Paid Service, in consultation with the Cabinet, Corporate Director: Resources and Solicitor to the Council, to finalise the pay and grading review. The objective is that this should be cost neutral but, in order to allow flexibility, within a financial envelope of no more than 1-2% of the current pay bill. In other words, if the cost implications would be greater than 2%, a further report to Council would be necessary to obtain Council's agreement to implement.
- 4.7 As mentioned in the section on financial implications, the expectation is that the pay bill for the Council will not increase in absolute terms as indicated in this report – in effect there will be fewer, better paid staff in future and it is expected that more of the costs of the pay bill will be met by other sources of income.

Timetable

4.8 For information, the timetable is as follows:

Full Council	25 th September 2019	Approval of need for pay and grading review and financial envelope
Modelling of new approach, discussions with unions	Late 2019/early 2020	
Formal agreement	Autumn 2020 or earlier	
Further report to Council	December 2020 or earlier	Only if required
Changes take effect	1 st April 2021	

5. FINANCIAL IMPLICATIONS

5.1 It is impossible to predict what increases will emerge from national negotiations for 2021 and later years and therefore to model what the financial impact for the Council will be. The medium term financial strategy currently assumes pay increases running at 2% a year. Given the wider market position on pay, it will be necessary to revise that assumption to 3%. If nothing else changes, a higher assumption on pay widens the financial gap, each 1% being worth about £100kpa compounded going forwards, so this equates to about £110k in 2021-22, £220k in 2022-23 and £340k in 2023-24.

5.2 To this must be added the impact of the pay and grading review, which it is not possible to estimate accurately at this stage. The objective for the pay and grading review is for it to be cost neutral, but it is recognised that flexibility is required by proposing a financial envelope in paragraph 4.6, which would represent a potential annual cost of up to about £200k. There is no provision for a pay and grading review in the medium term financial strategy. An additional one off resource may be required to assist the Principal HR Advisor with the development and implementation e.g. a West Midlands Employers Associate who has significant experience with pay modelling in Local Government (estimated cost of up to £10k).

5.3 These implications are based on the current staffing structure and pay bill of the Council. While the details of changes to be made over the period to 2021 are emerging, it is expected that there will be significant reshaping of the Council which will see staffing levels reduced and/or additional income, whether from commercial activity or through cost sharing arrangements under the localism agenda. Thus the expectation is that, overall, the total pay bill will not rise by the amounts illustrated in this report – indeed the net effect of the paybill on the Council’s budget cannot increase as that would add to the financial gap.

6. LEGAL AND POLICY IMPLICATIONS

6.1 All negotiations with the unions in respect of the pay and grading review will be dealt with in accordance with relevant employment legislation and notification requirements of the national agreements, as well as relevant Council policies on employment matters.

7. EQUALITY IMPACT ASSESSMENT

7.1 Reverting to pay increases set by the national agreements does not require an impact assessment as the national agreements already form part of staff’s contractual position (the Council had, in effect, moved outside the normal contractual position for the period from 2014

to 2021). An equality impact assessment will need to be prepared on the detailed proposals for the pay and grading review in due course, in order to test whether there are any adverse impact for group(s) with protected characteristics. Since the pay rates including any incremental points now and in the future will be the same for all staff on a grade in the main grade structure, it is not expected at this stage that any significant adverse impacts will arise although this will have to be confirmed in due course.

8. RISK MANAGEMENT

- 8.1 There are no risks in respect of returning to increases under the national pay agreements as this is the default contractual position for staff.
- 8.2 It is intended that the pay and grading review will be developed in a way which the unions support although that does not necessarily mean that each individual member of staff will be happy with the outcome. As with any change that affects staff, there is a range of theoretical risks, from potential impact on morale or commitment of affected staff to the potential for industrial action by union members and possible individual or collective challenges in an employment tribunal. These risks will be mitigated by allowing ample time to develop a new pay and grading model in the period between now and April 2021; by applying the Council's current policy to protect pay for 12 months in the event that any member of staff faces a decrease as a result of the review; and by keeping staff regularly informed of progress throughout the process.

9. CONCLUSION

- 9.1 The Council is invited formally to confirm that percentage pay increases for all staff with effect from 1 April 2021 onwards will be in accordance with the relevant national agreements and to endorse the need for a pay and grading review as set out in this report.

10. CONSULTEES

- 10.1 Leader of the Council
- 10.2 Corporate Leadership Team

11. BACKGROUND PAPERS

- 11.1 Local pay arrangements 2018-21, report to Council, 13 December 2017
- 11.2 Living Wage Foundation <https://www.livingwage.org.uk/>

Appendix 1 : Pay and grading review options

The national picture – National Joint Council (NJC) pay arrangements

The national employers reached agreement on rates of pay for 1 April 2018 for 1 April 2019 in April 2018. 1st April 2019 also saw the implementation of the new SCPs.

The following table illustrates the differences between WFDC and NJC rates for 19/20: again Band E and the first point of Band F are shown for comparative purposes:

WFDC			NJC			
Band	SCP	Rate	SCP (new)	SCP (old)	Rate	Differential
D	14	8.7167	5	14/15	9.74	11.0%
D	15	8.8997				9.4%
D	16	9.1132				6
D	17	9.3288	6.5%			
E	18	9.5134	7	18	10.14	6.6%
E	19	9.8684	8	19	10.34	4.8%
E	20	10.2297	9	20	10.54	3.0%
			10		10.76	
E	21	10.6024	11	21	10.97	3.5%
F	22	10.8760	12	22	11.19	2.9%

The new SCP range on the national scale includes additional SCPs between the old 20 & 21, 22 & 23, 24 & 25, 25 & 26 and 27 & 28.

Appendix 2 illustrates the full WFDC pay scale compared to the NJC scale.

Options

Below are a number of options:

- Option 1: Replace existing WFDC Banding/ SCPs with NJC SCPs
- Option 2: Remodel the existing pay scale and reduce salary bands
- Option 3: Return to NJC pay spine and rates
- Option 4: Simple uplift to existing salary bands and SCPs to meet impact of NLW
- Option 5: Introduce job families

Further explanation is detailed below with a SWOT analysis for each option:

Option 1: Replace current WFDC Banding/SCPs with NJC SCPs

This would be consistent with the national pay spine and would enable comparison going forward. However, this approach would incur costs with the additional SCP points and does not address the impact of the National Living Wage and the lowest spinal column points. It should be noted this option does not include the uplift to the current NJC rates.

This approach is illustrated in **Appendix 3**.

SWOT Analysis

<p>Strengths</p> <ul style="list-style-type: none"> • Approx 0.2% increase to pay bill • Minimal additional financial strain to existing funding gap 	<p>Weaknesses</p> <ul style="list-style-type: none"> • Inconsistent approach to number of SCPs in lowest salary band • Doesn't address immediate impact of NLW • Likely to impact on the differentials between the two bottom bands • Incur costs with additional SCPs
<p>Opportunities</p> <ul style="list-style-type: none"> • Relatively quick to implement with minimal resource 	<p>Threats</p> <ul style="list-style-type: none"> • Perception of poor treatment of staff on lowest salary band compared to other councils • Low staff morale • Potential disengagement • Potential industrial action? • Reputation of Council

Option 2: Remodel the existing pay scale and reduce salary bands

Current Salary Band	D	E	F	G	H	I	J	K	L	M	N
SCP Range	14-17	18-21	22-25	26-28	29-31	32-36	37-40	41-43	44-46	47-49	50-52
No.of SCP in Band	4	4	4	3	3	6	4	3	3	3	3

The current system was introduced as a part of Single Status in 2003. The reasoning behind the variances of SCP in each band is unknown.

Illustrative approach

This would include the deletion of current spinal column points 14-17.

Salary Band	1	2	3	4	5	6	7	8
SCP Range	18-22	23-27	28-32	33-36	37-40	41-44	45-48	49-52
No of SCP in Band	5	5	5	4	4	4	4	4

SWOT Analysis

<p>Strengths</p> <ul style="list-style-type: none"> • A consistent approach across bands • Approx. 0.87% increase to pay bill • Addresses issues caused by NLW. 	<p>Weaknesses</p> <ul style="list-style-type: none"> • A consistent percentage increase across all SCPs and Spot grades or a tiered approach?
<p>Opportunities</p> <ul style="list-style-type: none"> • Quick to implement with minimal resource 	<p>Threats</p> <ul style="list-style-type: none"> • Increase to pay bill • Impact on morale, if tiered percentage is adopted

Option 3: Return to NJC

This approach would see both the return to national pay bargaining (i.e. assumed 3% increases from 2021 onwards) and implementation of the new national pay spine (i.e. catch up on the gap that has emerged between local and national pay increases). This option would require a significant uplift to existing salaries and an increase to the pay bill of circa 3.07% (c£300k). **With the financial challenges facing the council this option is considered unaffordable but is included for completeness.**

Option 4: Simple uplift to existing salary bands and SCPs to meet impact of NLW

This approach would involve applying an uplift to address the impact of future NLW increases and ensuring a differential between salary bands.

SWOT Analysis

<p>Strengths</p> <ul style="list-style-type: none"> • A more consistent approach across bands 	<p>Weaknesses</p> <ul style="list-style-type: none"> • Approx 2.52% increase to pay bill • Staff would be mapped across and may incur additional costs i.e. uplift of staff on lowest band which would have a knock on effect
<p>Opportunities</p> <ul style="list-style-type: none"> • Relatively quick to implement with minimal resource 	<p>Threats</p> <ul style="list-style-type: none"> • Potential challenge from staff in respect of mapping across • Low morale? • Disengagement?

Option 5: Introduce job families

This would be a complete overhaul of the Council’s current grading system and approach to job roles. To meet the challenges facing the Council in the future with reducing resources and changing needs we need to respond quickly and adapt to external influences, the introduction of job families would provide an equitable and modern pay structure and would reflect the skills of a “21st Century public servant”.

Currently we have circa 200 different posts, which include casual roles (there can be many people holding the same post, so it is not the same as the number of staff).

The job family categories for all NJC staff may include:

- Business Support/Administrative
- Operational Operatives
- Technical
- Management
- Professional

The illustration below is based on Worcester City Council's structure:

		TM3
		TM2
		TM1
	OPS5	P/T3
	OPS4	P/T2
	OPS3	P/T1
BS2	OPS2	
BS1	OPS1	

SWOT Analysis

<p>Strengths</p> <ul style="list-style-type: none"> • Clear structure on both pay and progression • Reduce number of Requests for Review of grade under Job Evaluation system • Reduce number of job descriptions across the Council 	<p>Weaknesses</p> <ul style="list-style-type: none"> • Approx 3.4% increase to pay bill (based on neighbouring authority's costs) • Each role would be mapped to the appropriate job family and level
<p>Opportunities</p> <ul style="list-style-type: none"> • Enable a more responsive workforce to adapt to external influences 	<p>Threats</p> <ul style="list-style-type: none"> • Considerable resource would be required to assist with implementation • Cost of additional resource • Potential for challenge when mapping roles across

The table below provides estimated costs for each option:

	3 year Cost					
	Current	Option 1	Option 2	Option 3	Option 4	Option 5
	£	£	£	£	£	
Basic On-Costs (indicative)	17,321,891 5,196,567	17,325,200 5,197,560	17,758,112 5,327,434	17,971,438 5,391,431	17,471,910 5,241,573	The cost of option 5 is based on potential costs incurred by a neighbouring authority who implemented this approach, approx. 3.4% increase to their pay bill by 22/23.
Total	22,518,459	22,522,760	23,085,546	23,210,130	22,713,484	
Variance		4,301	567,087	691,671	195,025	
% variance to current policy		0.02%	2.52%	3.07%	0.87%	
Additional cost Year 3	0	2,455	146,811	229,064	75,792 <i>Not total cost - figure based on 3.05% uplift</i>	

Appendix 2 Current WFDC and national pay scales

Based on 1 April 2019 rates:

WFDC			NJC			Differential
Band	SCP	Rate	SCP (new)	SCP (old)	Rate	
D	14	8.7167	5	14/15	9.74	11.0%
D	15	8.8997				9.4%
D	16	9.1132	6	16/17	9.94	9.0%
D	17	9.3288				6.5%
E	18	9.5134	7	18	10.14	6.6%
E	19	9.8684	8	19	10.34	4.8%
E	20	10.2297	9	20	10.54	3.0%
			10		10.76	
E	21	10.6024	11	21	10.97	3.5%
F	22	10.8760	12	22	11.19	2.9%
			13		11.41	
F	23	11.1964	14	23	11.64	4.0%
F	24	11.5618	15	24	11.88	2.8%
			16		12.11	
F	25	11.9282	17	25	12.35	3.5%
			18		12.600	
G	26	12.3170	19	26	12.85	4.3%
G	27	12.7260	20	27	13.11	3.0%
			21		13.37	
G	28	13.1417	22	28	13.64	3.7%
H	29	13.6615	23	29	13.99	2.4%
H	30	14.1197	24	30	14.46	2.4%
H	31	14.5655	25	31	14.92	2.4%
I	32	14.9952	26	32	15.36	2.4%
I	33	15.4373	27	33	15.81	2.4%
I	34	15.8738	28	34	16.26	2.4%
I	35	16.2055	29	35	16.60	2.4%
I	36	16.6352	30	36	17.04	2.4%
J	37	17.1022	31	37	17.52	2.4%
J	38	17.6024	32	38	18.03	2.4%
J	39	18.1819	33	39	18.63	2.4%
J	40	18.6582	34	40	19.11	2.4%
K	41	19.1506	35	41	19.62	2.4%
K	42	19.6394	36	42	20.12	2.4%
K	43	20.1287	37	43	20.62	2.4%
L	44	20.6242	38	44	21.13	2.4%
L	45	21.0871	39	45	21.60	2.4%
L	46	21.5971	40	46	22.12	2.4%
M	47	22.0921	41	47	22.63	2.4%
M	48	22.5830	42	48	23.13	2.4%
M	49	23.0676	43	49	23.63	2.4%
N	50	23.5818	44	50	24.14	2.4%
N	51	24.0830	45	51	24.65	2.4%
N	52	24.6143	46	52	25.20	2.4%

Our current salary band has 11 salary bands and 39 spinal column points.

Looking at the differentials, the NJC pay rates are:

- Mean average of 10.20% higher than our bottom two SCP, 14 & 15 (Band D)
- Mean average of 7.75% higher than SCP 16 & 17 (Band D)
- Mean average of 4.48% higher than Band E
- Mean average of 3.30% higher than Band F
- Mean average of 3.70% higher than Band G
- SCP 29 onwards 2.40% higher

All staff except Chief and Deputy Chief Officers are on the above pay spine.

For JNC Chief Officers, Deputy Chief Officers and Chief Executive, the Council uses spot pay rates; these rates are subject to the agreed local annual pay award, which would revert to the relevant national pay increase from April 2021.

Grade	Range	Spot pay rate as at 1 April 2019
Deputy Chief Officer	£50,000 - £60,000	Varies depending in responsibilities of post (5 posts within this range as at 1 st April 2019)
JNC Chief Officer	£70,000 - £80,000	£76,153
Chief Executive	£100,000 - £115,000	£112,767

Appendix 3: illustration of potential pay bands under option 1

WFDC		NJC	
Band	SCP	SCP (new)	SCP (old)
D	14	5	14/15
D	15		
D	16	6	16/17
D	17		
E	18	7	18
E	19	8	19
E	20	9	20
		10	
E	21	11	21
F	22	12	22
		13	
F	23	14	23
F	24	15	24
		16	
F	25	17	25
		18	
G	26	19	26
G	27	20	27
		21	
G	28	22	28
H	29	23	29
H	30	24	30
H	31	25	31
I	32	26	32
I	33	27	33
I	34	28	34
I	35	29	35
I	36	30	36
J	37	31	37
J	38	32	38
J	39	33	39
J	40	34	40
K	41	35	41
K	42	36	42
K	43	37	43
L	44	38	44
L	45	39	45
L	46	40	46
M	47	41	47
M	48	42	48
M	49	43	49
N	50		
N	51		
N	52		

WYRE FOREST DISTRICT COUNCIL

COUNCIL
25TH SEPTEMBER 2019

Apprenticeship Charter

OPEN	
CABINET MEMBER:	Councillor Nicky Martin
RESPONSIBLE OFFICER:	Caroline Newlands, Solicitor to the Council
CONTACT OFFICER:	Rachael Simpson, Principal HR Advisor
APPENDICES:	Apprenticeship Charter

1. PURPOSE OF REPORT

1.1 For Council to endorse the Apprenticeship Charter.

2. RECOMMENDATION

2.1 Council is asked to ENDORSE the Apprenticeship Charter.

3. BACKGROUND

3.1 As an employer we recognise the value apprenticeships bring in addressing the gaps and developing staff to meet the future requirements of the workplace.

3.2 We actively work in partnership with local Apprenticeship providers to offer high quality apprenticeships which provide quality on and off the job training.

3.3 We offer apprenticeships to new and existing employees.

3.4 During 2018-19 we had 13 apprenticeships and currently have 11. Two employees have recently completed apprenticeships and during the last year 3 Apprentices have gained permanent jobs.

3.5 The Charter has been developed in partnership with GMB and Unison Trade Unions and demonstrates the Council's commitment to Apprenticeships.

4. KEY ISSUES

4.1 Formal endorsement of the Charter by full Council demonstrates its commitment as the employer to the valuable role that apprenticeships can play in workforce development, including in equipping the workforce with additional formal qualifications.

5. FINANCIAL IMPLICATIONS

5.1 No additional financial implications arise from the Charter. The cost of the apprenticeship programme is met within existing budgets with some of the training costs met from the Council's apprenticeship levy account.

6. LEGAL AND POLICY IMPLICATIONS

6.1 None.

7. EQUALITY IMPACT NEEDS ASSESSMENT

7.1 This report relates to the implementation of a Charter and an equality impact assessment is not required.

8. RISK MANAGEMENT

8.1 No risks identified.

9. CONCLUSION

9.1 The Council is asked to endorse the Apprenticeship Charter.

10. CONSULTEES

10.1 Joint Negotiating and Consultative Committee, GMB and Unison Regional Officers.

11. BACKGROUND PAPERS

11.1 None.

APPRENTICESHIP CHARTER

This charter has been developed in partnership between Wyre Forest District Council, GMB and Unison Unions.

Wyre Forest District Council recognises the value apprenticeships bring in addressing skills gaps and developing staff to meet the future requirements of the workplace. As a Council we also proactively encourage other local employers to employ apprentices within the local community, boosting skills and employment prospects.

We actively work in partnership with local apprenticeship providers to offer high quality apprenticeships which provide quality on and off the job training. Apprenticeships are available to new and existing employees and can be used for achieving a variety of qualifications.

Apprentices have the right to:	We have a responsibility to:
<ul style="list-style-type: none"> • An employment contract 	<ul style="list-style-type: none"> • Select and monitor a high quality training provider
<ul style="list-style-type: none"> • An attractive rate of pay, above the National Apprenticeship rates 	<ul style="list-style-type: none"> • Recognise apprenticeships as an investment in the future workforce
<ul style="list-style-type: none"> • Access to the same terms and conditions as other staff, including annual leave and sickness absence provisions 	<ul style="list-style-type: none"> • Meet regularly with apprentices
<ul style="list-style-type: none"> • Access to high quality training, both on and off the job 	<ul style="list-style-type: none"> • Encourage and celebrate apprentices
<ul style="list-style-type: none"> • Appropriate job supervision, support and clarity about roles and responsibilities. 	<ul style="list-style-type: none"> • Offer an interview to apprentices who meet the essential criteria for any job opportunities
<ul style="list-style-type: none"> • A real job, with opportunities to develop and meet the requirements of the apprenticeship standard or framework they are working towards 	
<ul style="list-style-type: none"> • A safe and healthy workplace, free from discrimination and bullying 	
<ul style="list-style-type: none"> • The right to join and participate in a trade union 	

Whilst we are not able to guarantee a job offer on completion of an apprenticeship, it is hoped that apprentices will continue to work for the Council and gain a permanent or temporary contract of employment.

Types of Apprenticeships we currently offer include Business Administration, Customer Service, ICT and HR. We will also consider apprenticeships in all other service areas if appropriate. All of our apprenticeships will be advertised on our website, the national apprenticeship website and WMJobs.



WYRE FOREST DISTRICT COUNCIL

COUNCIL
25TH SEPTEMBER 2019

POLICY AND BUDGET FRAMEWORK
MATTERS WHICH REQUIRE A DECISION BY COUNCIL

RECOMMENDATIONS FROM THE OVERVIEW & SCRUTINY COMMITTEE –
5TH SEPTEMBER 2019

Purpose of Report

To consider recommendations from the Overview & Scrutiny Committee on matters outside the policy framework or approved budget of the Council.

SUPPORTING INFORMATION

Would Councillors please note that the related reports and documents have not been included in the Council book, as they have already been sent to Members via the Overview & Scrutiny agenda. A public inspection copy is available on request. The policy documents, referred to below, have been posted on the Council's website. See the report on page 29 of the pdf at this link:

http://www.wyreforest.gov.uk/council/docs/doc54177_20190207_o_and_s_agenda.pdf

RECOMMENDATION TO COUNCIL	CHAIRMAN OF COMMITTEE
<p>Annual Report on Treasury Management Service and Actual Prudential Indicators 2018-19</p> <p>1.1 Approve the actual 2018-19 prudential and treasury indicators in the report;</p> <p>1.2 Approve the actual 2018-19 non-treasury prudential indicators for Capital Portfolio Fund property acquisitions;</p> <p>1.3 Note the annual treasury management report for 2018-19, including information on the non-treasury prudential indicators for Capital Portfolio Fund acquisitions.</p>	<p>Councillor M Hart</p>

WYRE FOREST DISTRICT COUNCIL

COUNCIL
25 SEPTEMBER 2019

MANAGEMENT STRUCTURE REVIEW

OPEN with an EXEMPT APPENDIX	
CABINET MEMBER:	Councillor Graham Ballinger, Leader of the Council and
RESPONSIBLE OFFICER:	Ian Miller, Chief Executive
APPENDICES:	Appendix 1 (exempt): Financial information
The Appendix to this report is exempt from disclosure because it contains information relating to the financial or business affairs of any particular person (including the authority holding that information).	

1. PURPOSE OF REPORT

To seek Council's endorsement of two proposed changes to the management structure.

2. RECOMMENDATION

2.1 COUNCIL is invited to APPROVE:

- a) The removal of the post of Corporate Director: Community Well-being and Environment; and
- b) The one off termination costs that arise from the removal of that post and the post of Cultural Services and Marketing Manager.

2.2 COUNCIL is invited to CONFIRM that, if the Restriction of Public Sector Exit Payments Regulations were to be made and come into force before the dates of termination, it would grant or apply for any necessary exemption from the effect of those Regulations, so far as permitted by the Regulations and subject to any procedural requirements imposed by the Regulations;

2.3 COUNCIL is invited to authorise the Head of Paid Service to implement the above decisions.

3. BACKGROUND

3.1 The Council faces a funding gap of over £2m and one of the levers that it will continue to use to address the gap is by seeking internal efficiencies, which will include measures that reduce the number of staff that the Council employs. The Council cannot maintain its current management structure against this backdrop. Reductions in management costs also have to play a part in bringing the Council into financial balance and in order to protect front-line services.

- 3.2 In early August, the Head of Paid Service issued proposals for consultation to remove three management posts in the Community Well-being and Environment Directorate, which took account of the fact that there has been a significant reduction already in activity for some parts of the Directorate and predictable future reductions, some of which are linked to the localism work with town councils. Various services have already been transferred within the management structure and significant projects completed. The pace of change has escalated since May with the renewed focus on localism with no “red lines”. Implementing changes now could make a significant contribution towards the funding gap, with management savings making a contribution to protect frontline services.
- 3.3 Consultation was undertaken over a four week period from 7 August to 5 September. Eleven responses were received. None of them objected to the proposals that are the subject of this report. Indeed, a number of the responses recognised the rationale for the proposals.
- 3.4 The Head of Paid Service has considered carefully all the responses received and confirmed the principal changes to the management structure including the removal of the three management posts, in line with the proposals – however this decision is subject, in the case of two of the three posts, to Council approval as explained in the next paragraph.
- 3.5 The proposals to remove two posts require Council’s approval. In the case of a Corporate Director post, creation of such a post and appointment to it would require member involvement under the Council’s constitution - it would thus be odd if the Head of Paid Service could decide to remove such a post even though the constitution does not explicitly address the scenario. Past practice has been for reorganisations affecting this tier of management to be approved by Council. In respect of the two posts, the Council is required by statutory guidance to approve the exit payments, which are one off costs relating to redundancy payments and the local government pension scheme
- 3.6 Earlier in 2019, the Government consulted on draft regulations that would limit exit payments in the public sector. However it has not confirmed whether it intends to proceed with the regulations, what the final content of them will be (for example, in terms of what items count towards the definition of exit payments) or the timetable for implementation. The regulations will require affirmative resolution of both Houses of Parliament and, given the current Parliamentary situation, it is unclear whether or when any regulations might be brought forward for debate.
- 3.7 The proposals in this report relate to one directorate. Other changes may well be proposed to the management structure in due course. All services are being reviewed by Cabinet under a transformation framework that was put in place prior to the May elections. The outcome of the review process is not yet known and cannot be predicted at this stage. However initial results should be available by the time of the publication of the medium term financial strategy in December and may therefore result in further proposals to reshape and reduce the cost of the Council’s management structure.

4. KEY ISSUES

- 4.1 This report seeks the Council's approval to remove the post of Corporate Director: Community Well-being and Environment and approval of the one-off termination costs that arise from the removal of that post and the post of Cultural Services and Marketing Manager. The proposals have been the subject of consultation and have not resulted in any objections. Between them, the post holders in the three management posts have over 60 years' service with Wyre Forest District Council and even longer local government service in total. They have demonstrated their commitment and dedication to the Council throughout their service, with significant achievements such as the highly successful Wyre Forest Leisure Centre and the recent and ongoing projects at Green Street and Brinton Park to name only some. The proposals in this report are not a reflection in any way on the contribution that they have made or their skills and performance, but simply reflect the known and predictable reduction in need for management capacity at these levels. The proposals therefore take advantage of the opportunity to make significant changes and to reduce management costs, against the backdrop of the Council's funding gap.
- 4.2 In accordance with statutory guidance, the report seeks approval of the one-off termination costs which would arise and which are set out in the confidential appendix. In order to achieve significant revenue savings such as these, it is often necessary to incur transitional costs. The costs that arise are only those which are connected with the Council's redundancy policy and the statutory rules of the local government pension scheme, over which the Council has no control.
- 4.3 It is understood that, if the Government proceeds with regulations to restrict exit payments in the public sector, they might come into effect on 1 April 2020 and therefore they would not affect the terminations for which Council approval is sought. However there is uncertainty about the Government's plans. It would be invidious and unfair if staff, who have not objected to proposals to delete their posts, were to find that the financial settlement they expect reasonably and in good faith to receive was subsequently put in jeopardy by secondary legislation over which they and the Council have no control. The precise content and parameters of the regulations are uncertain and it is not possible accurately to predict how they might operate. Nevertheless Council is invited to confirm now that, if the Restriction of Public Sector Exit Payments Regulations were to be made and come into force before the dates of termination, it would grant or apply for any necessary exemption from the effect of those Regulations, so far as permitted by the Regulations and subject to any procedural requirements imposed by the Regulations. The report also seeks authorisation for the Head of Paid Service to implement this and the other decisions sought by this report.

5. FINANCIAL IMPLICATIONS

- 5.1 The financial implications of the proposals are set out in the confidential appendix . The totality of the proposals would produce annual revenue savings of £200k when fully implemented: the two posts that are the subject of this report provide the majority of this figure. It will be noted that this is just under 10% of the funding gap that the Council must close, demonstrating the scale of other changes that will be required in order to close the gap.

- 5.2 The confidential appendix sets out the financial implications for the two posts in full for Council's scrutiny. Prior to confirmation of the recommended approach, it is not appropriate to put in the public domain figures relating to identifiable individuals. However if the recommendations in this report are agreed, the termination payments would feature in and be audited as part of the Council's accounts for 2019-20. The one-off costs across the three posts represent a sum that is just over twice the annual revenue savings, which is within the normal parameters operated by the Council (of payback within three years).
- 5.3 In fact, the funding arrangements for the termination costs mean that the Council would enjoy some modest revenue savings in the current year rising to the full £200k by 2021-2022. The funding arrangements involve a blend of one off reserves and a contribution of £100k from the savings in 2020-21.
- 5.4 The proposals and the costs associated with them have been the subject of an independent peer review by West Midlands Employers. This has confirmed that the approach complies with the provisions of the Council's Redundancy Policy and Procedures; that the Council has no discretion over the cost of actuarial strain in respect of pensions; that the Council's policy on redundancy payments could be regarded as being less generous than the majority of councils; and that the 'payback period' falls within the lower end of the range seen in other councils.

6. LEGAL AND POLICY IMPLICATIONS

- 6.1 The Council is bound by employment law in all matters that affect staff, and there has been full compliance with relevant provisions in consulting staff and unions about the proposals. Where redundancies are confirmed, the Council's policies on redundancy and redeployment apply including potential eligibility for a redundancy payment under the Council's scheme – this follows the statutory scheme in providing eligibility for a payment of up to 30 weeks' salary, dependent on age and length of service, but based on actual pay rather than the prescribed figure. Under the local government pension scheme, staff who are aged 55 and over when made redundant are entitled to payment of their accrued pension immediately, without an actuarial reduction. This is a statutory requirement and thus the Council will comply with it in relevant cases.
- 6.2 "Openness and accountability in local pay: Guidance under section 40 of the Localism Act 2011" (February 2013) is statutory guidance to which the Council is required to have regard, although it is not an inflexible set of statutory rules. Paragraph 13 states: "Authorities should, therefore, offer full council... the opportunity to vote before large severance packages beyond a particular threshold are approved for staff leaving the organisation. As with salaries on appointment, the Secretary of State considers that £100,000 is the right level for that threshold to be set." This report complies fully with the guidance by seeking Council's endorsement prior to implementation of the proposals.

7. EQUALITY IMPACT NEEDS ASSESSMENT

- 7.1 An Equality Impact Assessment (EIA) has been undertaken. The management posts proposed for removal are filled by women. However the rationale for removing the posts is unconnected with this protected characteristic. All other things being equal, the changes would be likely to reduce somewhat the gender pay gap which, in Wyre Forest District Council, is in favour of women. The conclusion is that there is no

adverse impact on the protected characteristics and a full equality impact assessment is not required.

8. RISK MANAGEMENT

- 8.1 Any process involving impacts on staff has a degree of risk for the Council as an employer including - at the extreme - the risk of challenge by means of an employment tribunal. The risk has been mitigated by the consultation on the proposals in this report, which produced no objections from the postholders directly affected, and by compliance with relevant provisions of employment law and relevant Council policies.

9. CONCLUSION

- 9.1 Council is invited to consider the recommendations set out in paragraphs 2.1 to 2.3 above.

10. CONSULTEES

- 10.1 Corporate Director: Resources and Solicitor to the Council
10.2 Cabinet

11. BACKGROUND PAPERS

- 11.1 Consultation paper on "Proposed changes to management structure: Community Well-Being and Environment Directorate", 7 August 2019 and management decisions in light of the consultation responses, xx September 2019
- 11.2 Openness and accountability in local pay: Guidance under section 40 of the Localism Act 2011

<https://www.gov.uk/government/publications/openness-and-accountability-in-local-pay-supplementary-guidance>