



Please ask for Rachel Appleyard
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The Chair and Members of Cabinet

28 January 2019

Dear Councillor,

Please attend a meeting of the CABINET to be held on TUESDAY, 5 FEBRUARY 2019 at 10.30 am in Committee Room 1, Town Hall, Rose Hill, Chesterfield, the agenda for which is set out below.

AGENDA

Part 1(Public Information)

1. Declarations of Members' and Officers' Interests relating to items on the Agenda
2. Apologies for Absence
3. Minutes (Pages 3 - 8)

To approve as a correct record the Minutes of the Cabinet meeting held on 15 January, 2019.

4. Forward Plan

Please follow the link below to view the latest Forward Plan.

[Forward Plan](#)

5. Minutes of the Sheffield City Region Mayoral Combined Authority (Pages 9 - 18)

To note the Minutes of the meeting of the Sheffield City Region Mayoral Combined Authority held on 17 December, 2018.

Items Recommended to Cabinet via Cabinet Members

Cabinet Member for Business Transformation

6. Senior Pay Policy (Pages 19 - 42)

Cabinet Member for Governance

7. Civic Arrangements 2019/20 (Pages 43 - 46)

Yours sincerely,

A handwritten signature in black ink, appearing to be 'S. Smith', written in a cursive style.

Local Government and Regulatory Law Manager and Monitoring Officer

CABINET

Tuesday, 15th January, 2019

Present:-

Councillor P Gilby (Chair)

Councillors	Bagley Blank Brunt A Diouf	Councillors	T Gilby Huckle Ludlow Serjeant
Non-voting Members	Catt		J Innes

*Matters dealt with under the Delegation Scheme

82 **DECLARATIONS OF MEMBERS' AND OFFICERS' INTERESTS
RELATING TO ITEMS ON THE AGENDA**

No declarations of interest were received.

83 **APOLOGIES FOR ABSENCE**

An apology for absence was received from Councillor Dickinson.

84 **MINUTES**

RESOLVED –

That the minutes of the meeting of Cabinet held on 18 December, 2018 be approved as a correct record and signed by the Chair.

85 **FORWARD PLAN**

The Forward Plan for the four month period 1 February to 31 May, 2019 was reported for information.

***RESOLVED –**

That the Forward Plan be noted.

86 **DELEGATION REPORT**

Decisions taken by Cabinet Members during December, 2018 were reported.

***RESOLVED –**

That the Delegation Report be noted.

87 **MINUTES OF THE SHEFFIELD CITY REGION MAYORAL COMBINED AUTHORITY**

Minutes of the meeting of the Sheffield City Region Combined Authority held on 29 October, 2018 were reported for information.

***RESOLVED –**

That the Minutes be noted.

88 **REVISED CORPORATE AND HOUSING ASB POLICIES FOLLOWING STAKEHOLDER CONSULTATION**

The Neighbourhoods Manager presented a report seeking approval for the adoption of a revised Corporate Anti-social Behaviour Policy and Housing Services Anti-social Behaviour Policy.

Approval was given by Cabinet on 13 November, 2018 to begin a consultation on the draft policies. Copies of the consultation documents were provided to a group of council tenants, the Tenant Challenge Panel, Derbyshire Constabulary, Derbyshire County Council Community Safety Unit and Derbyshire Law Centre.

Following the consultation, amendments were made to the policies to include assurances that serious anti-social behaviour from a previous tenant would be taken into account when re-letting the property, to avoid neighbouring tenants suffering a similar experience again, and revisions to procedures for the storage, retention and deletion of data.

The summary of consultation responses along with the revised policies were attached as appendices to the officer's report.

***RESOLVED –**

1. That the Corporate Anti-social Behaviour Policy and Housing Services Anti-social Behaviour Policy be approved and implemented from 5 February, 2019.
2. That the Cabinet Member for Health and Wellbeing and the Cabinet Member for Homes and Customers be granted delegated authority to approve minor policy amendments between formal review periods.
3. That a full review of the policies takes place after 3 years.

REASON FOR DECISIONS

To take account of developments in anti-social behaviour characteristics, legislation and national and local priorities.

89

ANNUAL HRA RENT AND SERVICE CHARGE SETTING

The Assistant Director – Housing and the Director of Finance and Resources submitted a report recommending for approval Council house rent and service charge levels for 2019/20.

Pursuant to Minute No. 126 (Cabinet, 2016/17), from 1 April 2019 onwards all Chesterfield Borough Council housing rents (social and affordable) will be reduced by 1%, which will result in an average actual decrease of £0.77 per week on a 52 week basis for tenants in 2019/20.

A detailed summary of the proposed service charge levels for 2019/20 was attached at Appendix 1 to the officer's report. It was noted that the proposed charges had been devised to ensure that all services break even on costs.

***RESOLVED –**

1. That for 2019/20, approval be given to set individual social rents based on the current National Social Rent Policy, giving a cash rent decrease of 1% with effect from 1 April, 2019.

2. That for 2019/20 onwards, approval be given to increase the rent level for a social rent property to the target rent, where the property is re-let to a new or transferring tenant.
3. That for 2019/20 onwards, approval be given to set individual affordable rents based on the current National Social Rent Policy, giving a cash rent decrease of 1% with effect from 1 April, 2019.
4. That for 2019/20 onwards, approval be given to set the rent level of an affordable rent property that is re-let to a new or transferring tenant, by reference to 80% of the market rent for a similar property prevailing at the time of re-letting.
5. That the revised levels of service charges, as set out in paragraph of the officer's report, be approved.
6. That the Director of Finance and Resources, in consultation with the Assistant Director – Housing, be granted delegated authority to implement any variation of rent during the 2019/20 financial year as necessary to take account of the adjustments referred to in paragraph 3.15 of the officer's report.

REASONS FOR DECISIONS

1. To enable the council to set the level of council house rents in accordance with Government guidelines.
2. To enable the council to set service charges for 2019/20 and to ensure that the cost of delivering services continues to break even.
3. To contribute to the council's corporate priority 'To improve the quality of life for local people'.

90

COLLECTION FUND REVISED ESTIMATES 2018/19

The Director of Finance and Resources presented the Collection Fund revised estimates for 2018/19. An estimated deficit of £27,135 on the Council Tax elements of the Collection Fund was expected.

The report noted that the major precepting authorities would be able to take this deficit into account when setting their Council Tax precepts for the 2019/20 financial year.

***RESOLVED –**

That the estimated deficit on the Council Tax Collection Fund of £27,135 be agreed and allocated to the major precepting authorities as outlined in Appendix A to the officer's report.

REASON FOR DECISION

To fulfil a statutory requirement and to feed into the budget setting process for 2019/20.

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SHEFFIELD CITY REGION COMBINED AUTHORITY

AMRC KNOWLEDGE TRANSFER CENTRE - ADVANCED MANUFACTURING PARK, WAVERLEY, ROTHERHAM, S60 5WG

MINUTES OF THE MEETING HELD ON 17 DECEMBER 2018

PRESENT:

Mayor Dan Jarvis MBE, Sheffield City Region (Chair)

Councillor Graham Baxter MBE, North East Derbyshire DC

Councillor Julie Dore, Sheffield CC

Councillor Tricia Gilby, Chesterfield BC

Councillor Sir Steve Houghton CBE, Barnsley MBC

Mayor Ros Jones CBE, Doncaster MBC

Sir Nigel Knowles, SCR LEP Chair

Councillor Lewis Rose OBE, Derbyshire Dales DC

Councillor Ann Syrett, Bolsover DC

Councillor Jo White, Bassetlaw District Council

Councillor Chris Furness, Peak Park NPA (Observer)

Councillor Glyn Jones, Doncaster MBC

Ruth Adams, SCR Exec Team

Fiona Boden, SCR Exec Team

Huw Bowen, Chesterfield BC

Steve Davenport, SYPTE

Steve Edwards, SYPTE

Andrew Frosdick, Monitoring Officer

Jeni Harvey, SCR Exec Team

Claire James, SCR Executive Team

Mark Lynam, SCR Exec Team

Mel Dei Rossi, SCR Exec Team

Dave Smith, SCR Exec Team

Daniel Swaine, Bolsover DC / NE Derbyshire DC

Neil Taylor, Bassetlaw DC

Mike Thomas, SCC / SCR Exec Team

Craig Tyler, Joint Authorities Governance Unit

Eugene Walker, S.73 Officer

Lyndsey Whitaker, SCR Exec Team

Paul Wilson, Derbyshire Dales

Apologies for absence were received from Councillor C Read, Councillor S Greaves, S Kemp, J Mothersole, J Miller and D Terris

1 CHAIR'S ANNOUNCEMENTS

The Mayor informed Members of his recent attendance at the opening of the new McLaren facility at the AMP, Rotherham. It was suggested this represents a significant milestone in the region's resurgence, and showcases to the world that the SCR is a globally significant player in advanced manufacturing.

It was noted that since the last meeting South Yorkshire has again been placed firmly on the Tour de Yorkshire map. The Mayor congratulated Barnsley and Doncaster noting they will be at the heart of next year's race.

The Mayor informed Members that during November, he joined a number of colleagues at Chesterfield Special Cylinders for the official announcement of the naming of the new HMS Sheffield.

The Mayor commented on the latest position with Brexit, noting that whilst there is still no certainty on how we are going to exit the European Union on the 29th of March next year, or what our future trading relationships will be, it is becoming more important than ever that we as a region are on the front foot in understanding the potential impact on our economy. It was suggested this means helping our businesses prepare in the short term to face the immediate challenges and it means helping the economy to address the medium and long-term issues. The Mayor informed Members he had therefore commissioned work on this matter which will support businesses' plans and preparations.

2 SCRMCA 18/077 APOLOGIES

Apologies were noted as above.

3 SCRMCA 18/078 ANNOUNCEMENTS

The Mayor provided an update on the SCR LEP Chair recruitment process.

It was noted that following Sir Nigel Knowles' decision to step down at the end of his three-year term, the process to seek a successor has been ongoing and we are close to being able to announce the new Chair. This will be made public in due course.

4 SCRMCA 18/079 URGENT ITEMS

None.

5 SCRMCA 18/080 ITEMS TO BE CONSIDERED IN THE ABSENCE OF THE PUBLIC AND PRESS

None.

6 SCRMCA 18/081 VOTING RIGHTS FOR NON-CONSTITUENT MEMBERS

It was agreed there were no agenda items for which the non-Constituent Members should not have full voting rights.

7 SCRMCA 18/082 DECLARATIONS OF INTEREST BY INDIVIDUAL MEMBERS IN RELATION TO ANY ITEM OF BUSINESS ON THE AGENDA

The Mayor and Cllr Houghton declared interests in matters to be addressed at item 13 (Barnsley Glassworks) by virtue of being respectively the Member of Parliament and the Leader of the Council for the scheme's geography.

Cllr White declared interests in the Bassetlaw schemes to be considered at item 13 and item 14 by virtue of being Deputy Leader of the sponsoring Authority.

Cllr Dore declared an interest in the matters to be considered at item 13 (Parkwood Ski Village) by virtue of being Leader of the sponsoring Authority.

8 SCRMCA 18/083 REPORTS FROM AND QUESTIONS BY MEMBERS

Cllr Gilby congratulated the Mayor in respect of the recent SCR Homelessness Summit and asked what next steps would now be taken.

The Mayor was pleased to report that 140 delegates came together at the recent summit, representing expertise from across the City Region. It was suggested that whilst homelessness is a situation most people will never experience, it is unacceptable that there may be more than 1200 people homeless in the City Region.

The Mayor confirmed the conference report would be published shortly. This will set out the conference findings in respect of what is currently being undertaken to address homelessness, and comment on what may be done further to address this situation and the opportunities to lobby for further remedial resources.

9 SCRMCA 18/084 RECEIPT OF PETITIONS

None received.

10 SCRMCA 18/085 PUBLIC QUESTIONS

Members were advised of the receipt of 3 questions from Mr Nigel Slack, which were received and responded to as follows:

Questions 1: Will the proposed transparency arrangements for the Sub-Boards also apply to the LEP itself?

In response, the Mayor noted the transparency arrangements for the Sub-Boards are an extension of those already in place for the LEP.

The SCR is fully compliant with the transparency requirements of the Ney Review, Government's Best Practice Guide for LEPs and the recent LEP Review. These arrangements include publishing meeting papers at least 5 clear working days before the meeting takes place, publishing minutes within 10 clear working days of the meeting and requiring Board members to complete and maintain a Declaration of Interests form.

Question 2: Will changes be made to the restrictions around public questions that will enable members of the public to have access to meeting papers before having to have their questions in the hands of the Secretariat?

In response, the Mayor confirmed the Combined Authority welcomes questions from the public. It was noted the Constitution currently specifies that questions will be accepted 7 clear days of the meeting and papers are published between 7 and 9 days before the meeting. It is therefore acknowledged there is a finite and limited time available for questions to be submitted.

The Mayor confirmed the Combined Authority would commit to reviewing the time limit for public questions as part of the wider updates to the Constitution required (subject to the approval of the governance model to be presented at item 15).

Question 3: This is a welcome start to improving transparency. Can the Mayor confirm whether plans for the webcasting of all CA meetings will be part of future changes?

In response, the Mayor confirmed Combined Authority meetings will be webcast once they move to the SCR office at Broad Street West in Sheffield. This is expected to take place in the Spring.

11 SCRMCA 18/086 MINUTES OF THE MEETING HELD ON 29TH OCTOBER 2018

It was noted that in relation to the attendance at the previous meeting. The reference to 'Cllr Chris Read' (NPA) should read 'Cllr Chris Furness (NPA).

RESOLVED, that the minutes of the previous meeting of the SCR Mayoral Combined Authority are agreed to be an accurate record of the meeting.

12 SCRMCA 18/087 MAYORAL TRANSPORT VISION

A report was received to present the Mayor's Vision for Transport, noting this is the pre-cursor to the full SCR Transport Strategy which is due to be presented in January 2019.

The report advised Members the Mayor's Vision for Transport is aimed at the residents of SCR, providing a clear and concise summary of the transport improvements the Mayor would like to achieve.

It was suggested that as the Vision articulates the Mayor's aspirations to improve SCR's transport system, it is proposed that the Vision is released prior to the SCR Transport Strategy.

It was noted the Vision document is 'public facing' and will help to address the need for a simplified summary of the SCR's transport issues.

It was confirmed the draft Transport Vision had been circulated to Leaders and senior officers for review and had incorporated a range of comments ahead of its presentation to the MCA.

Further consideration was given to the Mayor's stated commitments.

In respect of Commitment 10, it was agreed by the Mayor that this may be reworded as follows: *"I will undertake a commitment to consider all the options for the future operating models of the bus network"*.

Cllr Rose welcomed the reference to the importance of recognising the SCR's rural geography at Commitment 2.

RESOLVED, that with the above wording amendment to Commitment 10, the SCR Mayoral Combined Authority endorses the Mayor's Vision for Transport ahead of the full SCR Transport Strategy being brought to the Combined Authority in January 2019.

13 SCRMCA 18/088 TRANSFORMING CITIES FUND : TRANCHE 1 BID SUBMISSION

A report was received to outline the opportunity to bid for Tranche 1 funding (for 2018/19) through the Transforming Cities Fund for shortlisted City Regions and to outline the proposed package of measures that need to demonstrate early momentum and support the long-term investments to be made as part of the Fund.

Mayor Jones challenged the government's occupation with 'quick win' approaches to competitive funding, proposing this isn't the right way to fund or deliver the sustainable transport system the SCR needs. Mayor Jarvis assured Members this point has appropriately made to Ministers.

RESOLVED, that the SCR Mayoral Combined Authority:

1. Approves the intention for the SCR to submit a bid for Tranche 1 in January 2019 and to delegate the approval of that bid to the SCR Managing Director and Chief Finance Officer, in consultation with the Mayor.
2. Notes the Mayor's intention to begin the process to recruit an Active Travel Commissioner.

14 SCRMCA 18/089 LGF CAPITAL PROGRAMME

A report was received seeking approval for a number of project changes, and to provide an update on the LGF Capital Programme.

RESOLVED, that the SCR Mayoral Combined Authority:

1. Approves the changes set out in the report in respect of the additional claim of £18,117 for the Worksop phase 2a project from the 2018/19 budget, withdrawal of the Harworth and Bircotes Phase 2 scheme, revised scheme spend profile for M1 J37 phase 2 and the revised scheme spend profile for Doncaster Sheffield Airport (DSA).
2. Notes the LGF Programme update.

3. Delegates authority to the Head of Paid of Service, in conjunction with the Director of Finance and the Monitoring Officer, to enter into the contractual arrangements required as a result of the above approvals.

15 SCRMCA 18/090 LGF CAPITAL PROGRAMME APPROVALS

A paper was received requesting approval for 5 schemes with a total value over all years of £23.05m, and seeking delegated authority be given to the Head of Paid Service in consultation with the S73 and Monitoring Officer to enter into legal agreements for the schemes.

In respect of the request to increase the allocation held within the Housing Fund, Cllr Rose questioned the proposal to focus investment on urban centres and whether this is unfairly detrimental to rural locations. Members were ensured no scheme submissions would be excluded and all would be assessed on their relative merits. However, it was also acknowledged the *raison d'être* of this particular Fund is to deliver economic regeneration and therefore best achieved through investment in urban locations which are likely to present a higher propensity for GVA uplift. Members noted there are other government-led programmes which are supposed to support the delivery of affordable housing in rural locations and requested that separate representations be made to government urging that further, continued support be given to these programmes.

RESOLVED, that the SCR Mayoral Combined Authority:

1. Approves the progression of Gulliver's Valley to full approval and award of £1.5m (£0.4m grant and £1.1m loan) to Gulliver's Valley (Weavers Close Ltd) from the Local Growth Fund subject to the conditions set out in the Appraisal Panel Summary Table
2. Approves the progression of Etna Heritage Hanger to full approval and award of £0.4m grant to Vulcan to the Sky Trust from the Local Growth Fund subject to the conditions set out in the Appraisal Panel Summary Table
3. Approves the increase in the Housing Fund allocation held in the SCR Property Intervention Holding Company by up to £15m subject to the conditions set out in the Appraisal Panel Summary Table
4. Approves the progression of Yorkshire Wildlife Park to full approval and award of £5m loan to Wild Life Group Ltd. from the Local Growth Fund subject to the conditions set out in the Appraisal Panel Summary Table
5. Approves the progression of Worksop 2b to full approval and award of £1.151m grant to Bassetlaw District Council from the Local Growth Fund subject to the conditions set out in the Appraisal Panel Summary Table.
6. Delegates authority to the Head of Paid of Service, in conjunction with the Section 73 and the Monitoring Officer, to enter into the contractual arrangements required as a result of the above approvals.

16 SCRMCA 18/091 STRENGTHENING GOVERNANCE

The Mayor advised members that following consultation with partners and a review of the models in other mayoral combined authorities, a proposal has been developed to strengthen governance in the SCR. This seeks to build upon the best of current arrangements to create more efficient, effective and transparent decision-making processes.

It was noted this includes the establishment of a Transport Board that brings together the existing Transport Executive Board and the SYPTE Executive Board, and four additional boards for Business Growth, Skills and Employment; Housing; and Infrastructure, which would have appropriate delegations to complement their role in implementing policy and programmes more transparently.

It was noted that should the proposed model be adopted, there would be further work undertaken to embed the new approach within the Constitution and Assurance Framework. However, the latter document will need to be reviewed in the New Year following the publication of Government's updated National Assurance Framework.

RESOLVED, that the SCR Mayoral Combined Authority agrees the proposed approach to strengthening governance in the SCR, as set out within the accompanying report.

17 SCRMCA 18/092 MAYORAL CAPACITY FUND GRANT ACCEPTANCE

A report was received to remind Members that the Mayoral Capacity Fund (MCF) has been established by Government to provide newly elected metro mayors with additional resource and capacity. Available in 2018/19 and 2019/20 this provides up to £1m in funding per annum to metro mayors. Having elected its first metro Mayor earlier this year the Sheffield City Region (SCR) has submitted a successful proposal to this fund. This paper seeks agreement to accept the proposed grant from government.

Members were advised of a slight amendment to the funding award for the SCR, noting this would be received as £966k for 2018/19 and £1.034m for 2019/20.

It was noted the government have given no indication this particular award process will be repeated in future years.

RESOLVED, that the SCR Mayoral Combined Authority:

1. Agrees that the Section 73 Officer can accept the proposed grants of £966k in 2018/19 and £1.034m in 2019/20, from Government's Mayoral Capacity Fund.
2. Agrees to delegate responsibility for the management of the funding to the Head of Paid service, in consultation with the Mayor.

18 SCRMCA 18/093 DELEGATED AUTHORITY REPORT

Cllr Dore asked whether the government might be asked to reconsider its position in respect of the stalled Early Intervention Pilot grant, noting a reversal of decision has been made in respect of the mayoral capacity fund and therefore introducing the suggestion the government is willing to recognise the SCR as a fully-fledged MCA.

It was noted the Mayor has written to the Secretary of State in respect of this particular matter.

RESOLVED, that the contents of the delegated authority report are noted.

19 SCRMCA 18/094A BUSINESS GROWTH EXECUTIVE BOARD RESOLUTION RECORD (18 OCTOBER 2018)

RESOLVED, that the decisions and recommendations contained within the report are duly endorsed.

20 SCRMCA 18/094B HOUSING & INFRASTRUCTURE EXECUTIVE BOARD RESOLUTION RECORD (15 NOVEMBER 2018)

RESOLVED, that the decisions and recommendations contained within the report are duly endorsed.

CHAIR'S CLOSING COMMENTS

The Mayor recognised this would be Sir Nigel Knowles' last SCR MCA meeting ahead of him standing down as the Chair of the SCR LEP Partnership Board.

The Mayor thanked Sir Nigel for the tremendous contribution he has made over the last three years, noting he had personally brought investment into our region, represented us on a national and international scale, and led the LEP during a period of successful growth.

The Mayor noted this wouldn't be the end of Sir Nigel's involvement with the region and confirmed he was looking forward to working with him in his crucial new role as the Mayor's advisor on International Trade and Investment.

CHAIR

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For publication

Approval of Senior Pay Policy Statement 2019-20

Meeting:	1. Cabinet 2. Full Council
Date:	1. 5 February 2019 2. 27 February 2019
Cabinet portfolio:	Business Transformation
Report by:	HR Manager

For publication

1.0 Purpose of report

- 1.1 To seek approval to a revision of the current Senior Pay Policy Statement in accordance with the Localism Act 2011 and the Local Government (Transparency Requirements) (England) Regulations 2014.

2.0 Recommendations

- 2.1 That Cabinet consider the revised Senior Pay Policy Statement and refer it for approval by Full Council.

3.0 Background

- 3.1 A first version of this Policy was developed in March 2012 following the implementation of the Localism Act 2011.

Section 38 (1) of the Act requires that English and Welsh local authorities produce a Senior Pay Policy Statement for 2012/13 and each financial year after that. In 2014, the Department for Communities and Local Government published a revised Local Government Transparency Code on 3 October 2014 which sets out the requirement to publish data relating to Senior Pay.

- 3.2 The objective for publishing this information is to increase public transparency and local democratic accountability in how senior pay is set in local authorities. The intention is for Councils to be able to demonstrate value for money in the remuneration package of the senior managers and also show the role that local councillors play in determining senior reward.
- 3.3 The Policy has to be approved by Full Council each year and published on the Council's website. A copy of the Senior Pay Policy Statement 2019-20 is attached at Appendix 1.

4.1 Key Issues

- 4.2 The Senior Pay Policy statement contains the following key changes:
- Revision to pay scales for senior officers from April 2019
 - Revision to pension banding from April 2019 and update on employer pension contribution rate
 - Information on the lowest paid employees pay
 - Ratio of senior pay to lowest pay
- 4.3 There has been no additional guidance been issued for this years Pay Policy Statement.
- 4.4 Should there be any significant changes in pay and conditions during the financial year, then the Policy will be updated accordingly.

5.0 Consultation

5.1 As this Senior Pay Policy Statement is a legislative requirement and a revision to the original Policy agreed in 2012, no consultation has taken place with Trade Unions. They have, however, been provided with a copy of the draft Policy and advised that this will be published on approval by full Council.

6.0 Financial implications

6.1 There are no financial implications directly relating to the publication of this Policy Statement.

7.0 Equalities

7.1 A preliminary Equalities Impact Assessment is attached at Appendix 2.

8.0 Risk management

Risk	Likelihood (H/M/L)	Impact (H/M/L)	Mitigating action
Failure to publish Senior Pay Policy Statement	L	H	The current policy is available on the intranet. Approval at Full Council in February will ensure we meet the statutory deadlines for publication. Any further guidance provided will be incorporated into the policy to ensure it meets the legislative requirements
Failure to update and	L	H	The policy is to be added to the Forward Plan to

publish Statement on an annual basis			ensure that it is reviewed annually. HR Manager to keep up to date with guidance and advice on these issues to ensure changes are incorporated as appropriate
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9.0 Recommendations

9.1 That Cabinet consider the revised Senior Pay Policy Statement and refer it for approval by Full Council.

10.0 Reason for recommendations

10.1 To meet the requirements of the Localism Act 2011 by publishing this policy by 31 March 2019.

Decision information

Key decision number	859
Wards affected	All
Links to Council Plan priorities	To deliver value for money services.

Document information

Report author	Contact number/email
Kate Harley	01246 345366 Kate.harley@chesterfield.gov.uk
Appendices to the report	
Appendix A	Senior Pay Policy Statement
Appendix B	Structure chart
Appendix C	EIA

Senior Pay Policy Statement

Policy Guiding Principles 2019/20

Prepared by: Human Resources

Date: February 2019

For Review: February 2020

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Senior Pay Policy Statement

1. Introduction

1.1 Legislation

Section 38 (1) of the Localism Act 2011, requires all local authorities in England and Wales to produce a Senior Pay Policy Statement which is updated on an annual basis.

The Act and supporting statutory guidance provide details of matters that should be included in this statutory pay policy, which must be complied with when setting the terms and conditions of Chief Officers. The policy must be formally approved by full Council each year and published on the Council's website.

In addition, the Department for Communities and Local Government published a revised Local Government Transparency Code on 3 October 2014. The Local Government (Transparency Requirements) (England) Regulations 2014 regulates the Code which sets out the information local authorities are required to publish.

1.2 Scope

This Senior Pay Policy Statement will cover the following areas:

- The principles underpinning the Council's pay policy for the whole of the workforce
- The Council's policy on the level and elements of remuneration for each Chief Officer
- The Council's policy on the remuneration of its lowest-paid employees, along with a definition of 'lowest-paid employees'
- The Council's policy on the relationship between the remuneration of its Chief Officers and other officers
- The Council's policy on other specific aspects of Chief Officers' remuneration
- Information about terms and conditions of service for Chief Officers, particularly those that represent a cost to the Council
- The Council's policy on making discretionary payments on early termination of employment
- The Council's approach to remuneration at all levels to balance the need to secure and retain high-quality employees and avoiding excessive cost to the taxpayer
- The factors that are taken into account in deciding on what point of a scale a recruit is appointed, and by whom any decision is made
- An indication of the percentage rate at which the employer's pension contributions is set
- Information about re-employment of employees in receipt of a local government pension

1.3 Context

Chesterfield Borough Council recognises that, in the context of managing scarce public resources, remuneration at all levels needs to be adequate to secure and retain high quality employees dedicated to delivering public services, whilst at the same time not being unnecessarily generous and excessive.

It is essential that local authorities are able to determine their own pay structures in order to address local priorities and to compete in the local labour market. It is recognised that senior management roles in local government are complex and diverse with managers working in a highly politicised environment where often national and local pressures conflict.

If the council is to maintain its high performance, then it must be able to retain and attract high calibre leaders to deliver the complex agenda.

1.4 Definitions

The term Chief Officer covers the following Senior Leadership roles at Chesterfield Borough Council

- **Chief Executive**
- **Executive Director x 2**
- **Director of Finance and Resources**

At a meeting of the Joint Employment & General and Cabinet Committee on 15 December 2015, a new Corporate Management structure was approved creating the following new roles:

- Director of Finance and Resources
- Assistant Director Commercial Services
- Assistant Director Customers, Commissioning and Change
- Assistant Director Economic Growth Manager
- Assistant Director Health & Wellbeing
- Assistant Director Housing
- Assistant Director Policy & Communications

With the exception of the new Director of Finance and Resources, these new posts were employed at the third tier level and were employed on Chief Officer terms and conditions. Implementation of the new structure took place during 2016 and the final appointment, the Director of Finance and Resources was implemented November 2016.

The statutory duties of Head of Paid Service and Section 151 Officer are incorporated into the post of Chief Executive and the new Director of Finance and Resources carries out the responsibilities of the Section 151 officer. The

duties of the Monitoring Officer are incorporated into the post of Regulatory and Local Government Law Manager.

2. Background to Pay and Grading

2.1 Whole Workforce

In order to secure equal pay within the organisation, the NJC job evaluation scheme was applied to all posts covered by the NJC for Local Government Employees (excluding Chief Officers).

A new grading structure was implemented in 2003 for the whole workforce (excluding Chief Officers and Craft Workers) with negotiations then continuing with the relevant Trade Unions to complete the Single Status exercise.

An equal pay audit was undertaken on all evaluated posts to:

- Analyse the pay arrangements for all the Council employees
- Identify any differences in levels of pay between men and women
- Review the reasons for, and possible causes of, difference in pay, in particular whether these can be attributed to direct or indirect sex discrimination, and
- Identify how to close gaps in pay that cannot be attributed to reasons/causes other than sex discrimination.

The final Pay and Conditions were later agreed in the form of a Local Collective Agreement in November 2007. The actual salary at each point is determined by the National Joint Council (NJC) Pay Award, the last one being awarded as at 1 April 2018 for two years following a national review of the pay spine.

The national review resulted in a two year pay award for 2018-2020 which saw the bottom 14 scale points increased by up to 9% to make significant progress on the government aim of paying the National Living Wage of £9.00 per hour by 2020. Additionally the review proposed increased spine points at the lower end of the pay scales to ensure that consistent pay progression could be achieved.

The council is currently in negotiation with Trade Unions locally on implementation of year 2 of the pay award following the addition of extra scale points to the NJC scale.

2.2 Living Wage

The new legislative requirement to pay the National Living Wage of £7.20 came into force from 1 April 2016. However the council was committed to paying the Living Wage determined by the Living Wage Foundation and this was implemented from 1 April 2016 at the rate of £8.25 per hour for staff at spine points 12 and below and increased in line with the rate set by the Living Wage foundation each April since. In discussing the implementation of the pay award for 2019 the living wage element is likely to be removed as the NJC award raises the bottom pay to the level of the National Living Wage.

2.3 Corporate Management Team

In 2014, a review of the Corporate Management Team (CMT) was carried out and a revised structure agreed in June 2014. See Appendix 1.

This restructure resulted in the deletion of the Deputy Chief Executive and Head of Service posts and the creation of two new Executive Directors and Director of Finance and Resources.

With the challenges facing the council it was essential for the new Senior Leadership Team to have the skills and capabilities to deliver the changes required.

Following the implementation of the above new structure, a review commenced of the roles at the next tier of management. In December 2015, agreement was reached for seven new roles to be created to ensure that the Corporate Management and Senior Leadership Teams, could effectively deliver the objectives in the Council Plan in the context of the challenges facing the council. The revised structure was fully implemented in November 2016.

3. Senior Management Salaries

3.1 Senior Leadership Team - Benchmarking

In deciding on appropriate salaries for the new senior leadership positions in 2014, a benchmarking exercise was carried out into emerging management structures across district/borough councils in England. The research found that there was a move away from annual incremental progression through an agreed salary scale, to senior officers now being appointed on spot salaries.

The salaries for the current Senior Leadership posts effective from 1 April 2019 are shown in the table below (subject to 2% pay rise being implemented).

Incremental points	Chief Executive	Executive Director	Director of Finance and Resources
1	£102,033.00	£92,016.00	£84,064.00
2	£104,807.00		
3	£107,580.00		
4	£108,188.00		
5	£110,905.00		

A revised pay agreement was agreed with Chief executives in 2018 covering the two year period 1 April 2016 31 March 2020. This agreement awarded a 2% cost of living rise and was implemented from 1 April 2018.

3.2 Package over £100,000

Where the salary package of any post exceeds £100,000, full council will be given the opportunity to approve the level of remuneration. The salary package is defined as base salary, any routinely paid allowances, bonus fees and other benefits in kind which are due under the contract.

3.3 New Corporate Management Team

The new Corporate Management Team was implemented from March 2016, and comprised of 6 manager posts with new job roles. These all include an identical set of corporate responsibilities, together with a set of service specific responsibilities.

There was also a change to the Senior Leadership Team which saw the Chief Finance Officer role being deleted and the new Director of Finance and Resources post established.

The new CMT roles and the new Director of Finance and Resources role were evaluated by a senior adviser to the Local Government Association, using the LGA Chief Officer method of job evaluation. The recommended salary bands took account of comparable roles in other local authority organisations.

To provide consistency with the approach taken to other roles within the Senior Leadership Team, the Director of Finance and Resources was appointed on a spot salary.

Salaries at April 1st 2019.

Post	Incremental Range			
	1	2	3	4
Director of Resources	£84,064			
Assistant Director Commercial Services	£61,025	£63,678	£66,331.62	£68,985
Assistant Director Customers,	£61,025	£63,678	£66,331.62	£68,985

Commissioning and Change				
Assistant Director Economic Growth	£61,025	£63,678	£66, 331.62	£68,985
Assistant Director – Health And Wellbeing	£61,025	£63,678	£66,331.62	£68,985
Assistant Director Housing	£61, 025	£63,678	£66, 331.62	£68,985
Assistant Director Policy & Communications	£53,066	£55,719	£58,373	£61,025

These pay scales will be uplifted in line with the national pay award on an annual basis.

4. Terms and Conditions of Service

The Chief Executive is employed under the terms and conditions of service of the Joint Negotiating Committee for Chief Executives of Local Authorities, and the Executive Directors, Director of Finance and Resources and Corporate Management team under the terms and conditions of service of the Joint Negotiating Committee for Chief Officers of Local Authorities.

There are currently no additional local agreements relating to the employment of chief officers that represent a charge on the public purse, with the exception of election duties (see following paragraph).

5. Additional Payments

5.1 Election Duties

The Chief Executive receives fee payments pursuant to his appointment as Returning Officer at elections. The fees paid in respect of parish, district and county council elections vary according to the size of the electorate and number of postal voters and are calculated in accordance with a fee structure determined by Derbyshire County Council. Fee payments for national and European elections are set by central government and are, in effect, not paid by the council, as the fees are reclaimed.

5.2 Acting Up Payments

Acting up payments are made where an employee may undertake the full duties and responsibilities of a higher graded post. For employees at Scale 8 and above (which includes Chief Officers) a continuous qualifying period of four weeks will apply before payment can be made. Further details are set out in paragraph 8 of the Local Collective Agreement.

5.3 Honoraria

An honorarium is payable in circumstances where an employee carries out additional duties which are at a higher level than those in their substantive post, but there is no entitlement to a higher salary. Further details are set out in Paragraph 9 of the Local Pay Agreement.

5.4 Telephone Rental

A line rental may be paid to any Chief Officer who is expected to be contactable at home. The same payment is made to all eligible employees, regardless of grade.

A mobile telephone is provided to employees at the discretion of the Service Manager where it is considered appropriate for the delivery of the service. The cost of the monthly rental is paid as well as business related calls.

5.5 Car Mileage and Expenses

All employees, including Chief Officers, are able to claim for mileage and expenses occurred for business reasons only. A review of car mileage payments was carried out in 2012/13 and a decision made by Cabinet in July 2013 to implement the HMRC rates for mileage claims. These revised payments have been applied to all employees claiming mileage since March 2014. Essential user allowance is no longer paid. Expenses are paid in accordance with the Council's Subsistence Policy.

5.6 Other financial benefits

Post holders employed under the terms and conditions relating to Chief Executives and Chief Officers are not in receipt of any financial benefits that are not also available to other employees.

They are exempt from receiving the following benefits which other employees receive:

- Unsocial hours payments
- Overtime Payments

The Chief Executive and Chief Officers do not receive any additional payments relating to performance related pay, bonuses or ex-gratia benefits.

6. Incremental Progression

The policy of the council in respect of incremental progression is the same regardless of the level of the post and is set out at paragraph 1 of the Local Collective Agreement. On taking up employment, individuals will normally start at the bottom spinal column point of the appropriate grade; however, there is discretion to appoint at a higher point depending on skills, experience

and any market factors which could impact on the ability to otherwise recruit to the post.

In the case of a Chief Officer appointment, this decision would be made by the Chief Executive. The Appointments Panel would make this decision for any Chief Executive appointment (in accordance with the council's constitution).

7. Lowest Paid Employees

Following the implementation of Single Status and the NJC Job Evaluation Scheme, local grades were implemented. The lowest paid employees are determined by those whose job evaluation score was between 250-279, which placed them on Scale 1 at SCP 4-6. From 1 October 2015, the NJC for Local government Employees agreed that the bottom Spinal Column Point would be removed as this would be lower than the National Minimum Wage. The lowest grade currently starts at SCP 6 however pending negotiations with Trade Unions on the pay award from April 2019 it is likely that this will map across to the new scale point 1 which will be £9.00 an hour.

8. Relationship between salaries

The ratio of the Council's top earner to that of its median paid employee is 6.00. This ratio has been based on year to date taxable earnings for the financial year 1 January 2018 to 31 December 2018.

9. Pensions

9.1 Contributions

Employees of the Council (including Chief Officers) pay a contribution to the Local Government Pension Scheme relative to their annual full-time equivalent pensionable pay (including pensionable allowances) (rates below as of April 2018):

Band	Range (£)	Contribution Rate
1	£0 to £14,100	5.5%
2	£14,101 to £22,000	5.8%
3	£22,001 to £35,700	6.5%
4	£35,701 to £45,200	6.8%
5	£45,201 to £63,100	8.5%
6	£63,101 to £89,400	9.9%
7	£89,401 to £105,200	10.5%
8	£105,201 to £157,800	11.4%
9	More than £157,801	12.5%

An assessment is undertaken on an annual basis to determine the contribution rate.

Following changes under the LGPS regulations in 2014, all employees now have an option to pay half contributions and build up half of the normal pension. This is known as the 50/50 section of the scheme and is designed to be a short-term option for when times are financially difficult.

The Employer's contribution at Chesterfield is currently 14.2% of pensionable pay.

9.2 Discretions

There are a number of discretions available under the Local Government Pension Scheme applicable to all employees. The aim of the Chesterfield Borough Council Policy on discretions is to ensure:

- fairness and equity in funding and contribution levels are adequate to meet future demands
- elected members are made aware of the financial consequences of decisions
- the age, skills and experience profile of the organisation is balanced

The discretions agreed for all employees are set out in the council's discretions policy.

9.3 Re-employment of employees in receipt of a pension

The council has a statutory duty to appoint on merit and will always seek to appoint the best candidate for a position based on skills, knowledge, experience and abilities.

Under the terms of the Local Government Pension scheme, an employee who has retired from local government service and is in receipt of a pension may reapply for local government employment. However, where this happens, the pension maybe subject to abatement, i.e. if the pension added to the new salary is higher than the original salary then the amount of pension will be reduced accordingly.

There are currently no re-employed pensioners in senior management positions and no previously employed Chief Officer has returned under a contract for services.

Where a former employee has left on the grounds of redundancy, the Council will apply the provisions of the Redundancy Modifications Order regarding recovery of the redundancy payment, if relevant.

10. Payments on Termination of Employment

Payments on termination of employment will be made under the LGPS or in accordance with the discretions set out above. Other payments may be made where the council has specific legal advice to the effect that a payment may be necessary to eliminate risk of claims against the Council.

Any severance payment currently over £100,000 must be agreed by full council.

A decision is still expected following the consultation relating to Public Sector Exit Payments. If agreed, this legislation will place a cap of £95,000 on the total package for employees leaving public sector employment.

11. Publication of Information

Information relating to the salaries of senior management is already published on the council's website. This policy statement, which has been approved by Full Council, will also be made available and placed on the website from March 2019.

Corporate Management Structure - 2019

Senior Leadership Team

Chief Executive

Executive Director	Executive Director	Director of Finance and Resources
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Corporate Management Team

Assistant Director Economic Growth	Assistant Director Housing
Assistant Director Commercial Services	Assistant Director Health and Wellbeing
Assistant Director Customers, commissioning and Change	Assistant Director Policy and Communications

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Equality Impact Assessment - Preliminary Assessment Form

The preliminary impact assessment is a quick and easy screening process. It should identify those policies, projects, services, functions or strategies which require a full EIA by looking at negative, positive or no impact on any of the equality groups.

Service Area: HR
Section: HR
Lead Officer: Kate Harley

Title of the policy, project, service, function or strategy the preliminary EIA is being produced for: **Senior Pay Policy Statement**

Is the policy, project, service, function or strategy:

Existing
Changed

Q1 - What is the aim of your policy or new service?

To set out the Council's policy in relation to the pay and remuneration for Chief Officers in accordance with Section 38 (1) of the Localism Act 2011 and the Local Government Transparency Code. The aim of developing and publishing this policy is to provide transparency to the remuneration packages for Chief Officers and explain the rationale for the pay and grading of Chief Officers. The term Chief Officers refers to the Chief Executive, Executive Directors and Director of Finance and Resources.

Q2 - Who is the policy or service going to benefit?

The policy is not going to benefit any specific group, however, ensuring transparency to the remuneration packages for Chief Officers should benefit employees and the wider public.

Q3 - Thinking about each group below, does, or could the policy, project, service, function or strategy have an impact on protected characteristics below? You may also need to think about sub groups within each characteristic e.g. older women, younger men, disabled women etc.

Please tick the appropriate columns for each group.

Group or Protected Characteristics	Potentially positive impact	Potentially negative impact	No impact
Age – including older people and younger people.			X
Disabled people – physical, mental and sensory including learning disabled people and people living with HIV/Aids and cancer.			X
Gender – men, women and transgender.			X
Marital status including civil partnership.			X
Pregnant women and people on maternity/paternity. Also consider breastfeeding mothers.			X
Sexual Orientation – Heterosexual, Lesbian, gay men and bi-sexual people.			X
Ethnic Groups			X
Religions and Beliefs including those with no religion and/or beliefs.			X
Other groups e.g. those experiencing deprivation and/or health inequalities.			X

If you have answered that the policy, project, service, function or strategy could potentially have a negative impact on any of the above characteristics then a full EIA will be required.

Q4 - Should a full EIA be completed for this policy, project, service, function or strategy?

Yes

No

Q5 - Reasons for this decision:

Whilst this policy sets out the principles which underpin the council's pay policy for the whole of the workforce, the key purpose is to publicise how the council reaches its decision on the pay of Chief Officers and any other benefits. It is a requirement of the Localism Act 2011 that the pay policy statement is approved by full council and published by 31 March 2019

Please e-mail this form to the Policy Service before moving this work forward so that we can confirm that either a full EIA is not needed or offer you further advice and support should a full EIA be necessary.

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For publication

Civic Arrangements 2019/2020 (GV000)

Meeting: Cabinet

Date: 5 February, 2019

Cabinet portfolio: Governance

Report by: Senior Democratic and Scrutiny Officer

1.0 Purpose of report

1.1 To confirm arrangements for the civic year 2019/20 in respect of the following:

- (a) Election of Deputy Mayor 2019/20.
- (b) Annual Council Meeting and Civic Dinner 2019.
- (c) Civic Service 2019.

2.0 Recommendations

2.1 That it be recommended to Council that Councillor Avis Murphy be invited to become Deputy Mayor of the Borough for 2019/20.

2.2 That it be noted that the Annual Council meeting will be held on Wednesday 15 May 2019, followed by a civic reception at the Winding Wheel.

2.3 That it be noted that the Annual Civic Service and Procession will be held on Saturday 18 May 2019.

3.0 Background

3.1 Each year the Council is asked to confirm its civic arrangements for the forthcoming municipal year, namely the appointment of Deputy Mayor, the date of the Annual Council meeting to elect the Mayor and Deputy Mayor and the associated civic events.

4.0 Election of Deputy Mayor

4.1 The appointment of Deputy Mayor as Vice Chairman of the Council is a statutory appointment under Part 1 of the Local Government Act 1972. In the case of a Borough Council the Vice Chairman is entitled to use the title of Deputy Mayor.

4.2 Cabinet adopted the following protocol for electing the Deputy Mayor in November 2006 (minute no. 124), continuing the practice adopted in 1995, namely:-

- (a) That the Deputy Mayor will be elected as Mayor after his or her year as Deputy Mayor, and
- (b) That the Mayor will be the councillor with the longest service, and that priority between councillors with equal length of service will be governed by ascending alphabetical order of surname, without regard to membership of political group.

4.3 In accordance with this protocol, Councillor Avis Murphy has indicated her willingness to accept the appointment of Deputy Mayor for 2019/20. This will need to be confirmed by Full Council.

5.0 Civic Arrangements 2019/20

- 5.1 The date of the Annual Council Meeting to elect the Mayor and Deputy Mayor for 2019/20 will be Wednesday 15 May 2019.
- 5.2 In accordance with council policy, confirmed by Cabinet at minute no. 126, (2008/09), the Annual Council Meeting shall be immediately followed by a civic reception at the Winding Wheel with a Civic Service on the following Saturday. The Civic Service will, therefore, be held on 18 May 2019.
- 5.3 The Mayor Elect, Councillor Gordon Simmons, is meeting with the Chief Executive and the Member and Civic Support Officers to confirm details for the civic reception and make preparations for the Mayoral year.

6.0 **Recommendations**

- 6.1 That it be recommended to Council that Councillor Avis Murphy be invited to become Deputy Mayor of the Borough for 2019/20.
- 6.2 That it be noted that the Annual Council meeting will be held on Wednesday 15 May 2019, followed by a civic reception at the Winding Wheel.
- 6.3 That it be noted that the Annual Civic Service and Procession will be held on Saturday 18 May 2019.

7.0 **Reasons for Recommendations**

- 7.1 To enable the Council to confirm civic arrangements for 2019/20.

Decision information

Key decision number	NA
Wards affected	ALL
Links to Council Plan priorities	To provide value for money services.

Document information

Report author	Contact number/email
Rachel Appleyard	Tel: 01246 345277 email: rachel.appleyard@chesterfield.gov.uk
Background documents These are unpublished works which have been relied on to a material extent when the report was prepared.	
None	