

**SUMMONS TO COUNCIL**

date Thursday, 28 March 2019  
**commencing at 10:30**

venue County Hall, West Bridgford,  
Nottingham

You are hereby requested to attend the above Meeting to be held at the time/place and on the date mentioned above for the purpose of transacting the business on the Agenda as under.



Chief Executive

- |    |  |          |
|----|--|----------|
| 1  | Minutes of the last meeting held on 28 February 2019                   | 5 - 10   |
| 2  | Apologies for Absence  |          |
| 3  | Declarations of Interests by Members and Officers:- (see note below)   |          |
|    | (a) Disclosable Pecuniary Interests                                    |          |
|    | (b) Private Interests (pecuniary and non-pecuniary)                    |          |
| 4  | Chairman's Business  |          |
|    | a) Presentation of Awards/Certificates (if any)                        |          |
| 5  | Constituency Issues (see note 4)                                       |          |
| 6a | Presentation of Petitions (if any) (see note 5 below)                  |          |
| 6b | Responses to Petitions Presented to the Chairman of the County Council | 11 - 32  |
| 7  | Nottinghamshire County Council's Pay Policy Statement 2018-19          | 33 - 112 |

<b>8</b>	Terms of Reference for the City of Nottingham and Nottinghamshire Economic Prosperity Committee	113 - 126
<b>9</b>	Questions	
	a) Questions to Nottinghamshire and City of Nottingham Fire Authority	
	b) Questions to Committee Chairmen	
<b>10</b>	NOTICE OF MOTIONS	

#### MOTION ONE

This council notes that the hunting of wild animals with dogs is illegal under the terms of the Hunting Act 2004, except where an exemption applies.

This council therefore calls for the immediate cessation of trail hunting, exempt hunting and exercising of packs of hounds on Nottinghamshire County Council land.

**Councillor Kevin Greaves      Councillor Nicki Brooks**

#### MOTION TWO

Children in Nottinghamshire schools with a special educational need or a disability are not getting the education they deserve.

This Council notes that, despite representations from both Officers and Senior Members, the government are refusing to provide enough funds to enable these children to reach their full potential in a safe environment that promotes their wellbeing and ability to learn and progress.

This council:

- Calls for cross party representation to request more funding from government for this vulnerable group of Nottinghamshire children
- Agrees that a letter to that effect, signed by all NCC Group Leaders should be sent to the Secretary of State immediately.

**Councillor Kate Foale      Councillor John Peck JP**

#### **11** ADJOURNMENT DEBATE

(if any)

Notes:-

#### **(A) For Councillors**

(1) Members will be informed of the date of their Group meeting for Council by their Group Researcher.

(2) The Chairman has agreed that the Council will adjourn for lunch at their discretion.

(3) (a) Persons making a declaration of interest should have regard to the Code of Conduct and the Procedure Rules for Meetings of the Full

Council. Those declaring must indicate whether their interest is a disclosable pecuniary interest or a private interest and the reasons for the declaration.

(b) Any member or officer who declares a disclosable pecuniary interest in an item must withdraw from the meeting during discussion and voting upon it, unless a dispensation has been granted. Members or officers requiring clarification on whether to make a declaration of interest are invited to contact the Monitoring Officer or Democratic Services prior to the meeting.

(c) Declarations of interest will be recorded and included in the minutes of this meeting and it is therefore important that clear details are given by members and others in turn, to enable Democratic Services to record accurate information.

(4) At any Full Council meeting except the annual meeting, a special meeting and the budget meeting, Members are given an opportunity to speak for up to three minutes on any issues which specifically relates to their division and is relevant to the services provided by the County Council. These speeches must relate specifically to the area the Member represents and should not be of a general nature. They are constituency speeches and therefore must relate to constituency issues only. This is an opportunity simply to air these issues in a Council meeting. It will not give rise to a debate on the issues or a question or answer session. There is a maximum time limit of 30 minutes for this item.

(5) Members are reminded that petitions can be presented from their seat with a 1 minute time limit set on introducing the petition.

(6) Members are reminded that these papers may be recycled. Appropriate containers are located in the respective secretariats.

(7) Commonly used points of order

- 36 - Supplementary Questions must be on the same matter
- 50 - The Member has spoken for more than 10 minutes
- 52 - The Member is not speaking to the subject under discussion
- 55 - The Member has already spoken on the motion
- 60 - Points of Order and Personal Explanations
- 79 - Disorderly conduct

(8) Time limit of speeches

Motions

50 - no longer than 10 minutes (subject to any exceptions set out in the Constitution)

Constituency Issues

24 - up to 30 minutes allowed

Petitions

27 - up to one minute allowed

Questions to Committee Chairmen

32 - up to 60 minutes allowed

Adjournment Debates

74 - Mover has up to 5 minutes

75 - any other Councillor has up to 3 minutes

76 - relevant Committee Chairman has up to 5 minutes to reply

**(B) For Members of the Public**

(1) Members of the public wishing to inspect "Background Papers" referred to in the reports on the agenda or Schedule 12A of the Local Government Act should contact:

Customer Services Centre 0300 500 80 80

(2) The papers enclosed with this agenda are available in large print if required. Copies can be requested by contacting the Customer Services Centre on 0300 500 80 80. Certain documents (for example appendices and plans to reports) may not be available electronically. Hard copies can be requested from the above contact.

(3) This agenda and its associated reports are available to view online via an online calendar -

<http://www.nottinghamshire.gov.uk/dms/Meetings.aspx>

Meeting COUNTY COUNCIL

Date Thursday, 28 February 2019 (10.30 am – 6.02 pm)

**Membership**

Persons absent are marked with 'A'

**COUNCILLORS**

Mrs Sue Saddington (Chairman)

Kevin Rostance (Vice-Chairman)

Reg Adair  
Pauline Allan  
Chris Barnfather  
Joyce Bosnjak  
Ben Bradley  
Nicki Brooks  
Andrew Brown  
Richard Butler  
Steve Carr  
John Clarke  
Neil Clarke MBE  
John Cottee  
Jim Creamer  
Mrs Kay Cutts MBE  
Samantha Deakin  
Maureen Dobson  
Dr John Doddy  
Boyd Elliott  
Sybil Fielding  
Kate Foale  
Stephen Garner  
Glynn Gilfoyle  
Keith Girling  
Kevin Greaves  
John Handley  
Tony Harper  
Errol Henry JP  
Paul Henshaw  
Tom Hollis  
Vaughan Hopewell  
Richard Jackson  
A Roger Jackson

Eric Kerry  
John Knight  
Bruce Laughton  
John Longdon  
Rachel Madden  
David Martin  
Diana Meale  
John Ogle  
Philip Owen  
Michael Payne  
John Peck JP  
Sheila Place  
Liz Plant  
Mike Pringle  
Francis Purdue-Horan  
Mike Quigley MBE  
Alan Rhodes  
Phil Rostance  
Andy Sissons  
Helen-Ann Smith  
Tracey Taylor  
Parry Tsimbiridis  
Steve Vickers  
Keith Walker  
Stuart Wallace  
Muriel Weisz  
Andy Wetton  
Gordon Wheeler  
Jonathan Wheeler  
Yvonne Woodhead  
Martin Wright  
Jason Zadrozny

## **HONORARY ALDERMEN**

Terence Butler  
John Carter

## **OFFICERS IN ATTENDANCE**

Anthony May	(Chief Executive)
Melanie Brooks	(Adult Social Care and Health)
Jonathan Gribbin	(Adult Social Care and Health)
Sara Allmond	(Chief Executives)
Carl Bilbey	(Chief Executives)
Angie Dilley	(Chief Executives)
Martin Gately	(Chief Executives)
David Hennigan	(Chief Executives)
Anna O'Daly-Kardasinska	(Chief Executives)
Keith Palframan	(Chief Executives)
Marjorie Toward	(Chief Executives)
Rob Shirley	(Chief Executives)
Nigel Stevenson	(Chief Executives)
James Ward	(Chief Executives)
Colin Pettigrew	(Children, Families and Cultural Service)
Adrian Smith	(Place)

## **OPENING PRAYER**

Upon the Council convening, prayers were led by the Venerable Robin Turner CB DL.

## **1. MINUTES**

### **RESOLVED: 2019/001**

That the minutes of the last meeting of the County Council held on 13 December 2018 be agreed as a true record and signed by the Chairman, with an amendment to page 8 as Councillor David Martin seconded the motion, not Councillor Tom Hollis and an amendment to page 10 as the adjournment debated related to question five not question six.

## **2. APOLOGIES FOR ABSENCE**

Councillors Ben Bradley, Roger Jackson and Parry Tsimbiridis submitted apologies that they would be arriving late to the meeting.

## **3. DECLARATIONS OF INTEREST**

None

#### **4. CHAIRMAN'S BUSINESS**

None

#### **5. ANNUAL BUDGET 2019/20**

**ADULT SOCIAL CARE PRECEPT 2019/20**

**COUNCIL TAX PRECEPT 2019/20**

**MEDIUM TERM FINANCIAL STRATEGY 2019/20 TO 2022/23**

**CAPITAL PROGRAMME 2019/20 TO 2022/23**

**CAPITAL STRATEGY 2019/20**

Councillor Richard Jackson introduced the report and moved a motion in terms of resolution 2019/002 below, which was duly seconded by Councillors Mrs Kay Cutts MBE and Reg Adair.

Councillor Parry Tsimbiridis arrived at the meeting at 12.07pm.

The meeting adjourned from 12.28 pm to 1.33pm for lunch and from 2.58 pm to 3.30 pm.

Councillor Ben Bradley arrived at the meeting after lunch at 1.33pm.

Following the debate, the motion was put to the meeting and after a show of hands the Chairman declared that it was won.

In line with legal requirements, a recorded vote was taken and it was ascertained that the following 34 Members voted '**For**' the motion:-

Reg Adair	Bruce Laughton
Chris Barnfather	John Longdon
Ben Bradley	John Ogle
Andrew Brown	Philip Owen
Richard Butler	Francis Purdue-Horan
Neil Clarke MBE	Mike Quigley MBE
John Cottee	Kevin Rostance
Mrs Kay Cutts MBE	Phil Rostance
Dr John Doddy	Mrs Sue Saddington
Boyd Elliott	Andy Sissons
Stephen Garner	Tracey Taylor
Keith Girling	Steve Vickers
John Handley	Keith Walker
Tony Harper	Stuart Wallace
Vaughan Hopewell	Gordon Wheeler
Richard Jackson	Jonathan Wheeler
Eric Kerry	Martin Wright

The following 30 Members voted '**Against**' the motion:-

Pauline Allan	Rachel Madden
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Joyce Bosnjak  
Nicki Brooks  
Steve Carr  
John Clarke  
Jim Creamer  
Samantha Deakin  
Sybil Fielding  
Kate Foale  
Glynn Gilfoyle  
Kevin Greaves  
Errol Henry  
Paul Henshaw  
Tom Hollis  
John Knight

David Martin  
Diana Meale  
Michael Payne  
John Peck  
Sheila Place  
Liz Plant  
Mike Pringle  
Alan Rhodes  
Helen-Ann Smith  
Parry Tsimbiridis  
Muriel Weisz  
Andy Wetton  
Yvonne Woodhead  
Jason Zadrozny

The following Member **abstained** from the vote:-

Maureen Dobson

The Chairman declared the motion was carried and it was:-

**RESOLVED: 2019/002**

- 1) That the Annual Revenue Budget for Nottinghamshire County Council be set at £487.428 million for 2019/20 as set out in paragraph 9 of the report.
- 2) That the principles underlying the Medium Term Financial Strategy be approved as set out in table 9 in the report.
- 3) That the Finance and Major Contracts Management Committee be authorised to make allocations from the General Contingency for 2019/20 as set out in paragraph 11 of the report.
- 4) That the 1.00% Adult Social Care Precept be levied in 2019/20 to part fund increasing adult social care costs as set out in paragraph 19 of the report.
- 5) That the County Council element of the Council Tax be increased by 2.99% in 2019/20. That the overall Band D tax rate be set at £1,476.06 with the various other bands of property as set out in paragraphs 20 and 21 of the report.
- 6) That the County Precept for the year ending 31 March 2020 shall be £369,294,877 and shall be applicable to the whole of the District Council areas as General Expenses as set out in paragraph 23 of the report.
- 7) That the County Precept for 2019/20 shall be collected from the District and Borough councils in the proportions set out in table 7 of the report with the payment of equal instalments on the dates set out in table 8 of the report.



- 8) That the Capital Programme for 2019/20 to 2022/23 be approved at the total amounts below and be financed as set out in the report:

<b>Year</b>	<b>Capital Programme</b>
<b>2018/19</b>	£116.375m
<b>2019/20</b>	£86.380m
<b>2020/21</b>	£41.190m
<b>2021/22</b>	£33.322m

- 9) That the variations to the Capital Programme set out in paragraphs 35 – 49 of the report be approved.
- 10) That the Minimum Revenue Position policy for 2019/20 be approved as set out in appendix C of the report.
- 11) That the Capital Strategy including the 2019/20 Prudential Indicators and Treasury Management Strategy be approved as set out in appendix D of the report.
- 12) That the Service Director – Finance, Procurement and Improvement be authorised to raise loans in 2019/20 within the limits of total external borrowings as set out in paragraph 55 of the report.
- 13) That the Treasury Management Policy for 2019/20 be approved as set out in appendix E.
- 14) That the report be approved and adopted.

The Chairman declared the meeting closed at 6.02 pm.

**CHAIRMAN**



**REPORT OF THE CHAIRMAN OF COMMUNITIES AND PLACE COMMITTEE AND  
POLICY COMMITTEE****RESPONSES TO PETITIONS PRESENTED TO THE CHAIRMAN OF THE  
COUNTY COUNCIL****Purpose of the Report**

1. The purpose of this report is to inform Council of the decisions made by the Communities and Place Committee and Policy Committee concerning issues raised in petitions presented to the Chairman of the County Council on 12<sup>th</sup> July, 20<sup>th</sup> September and 13<sup>th</sup> December 2018.

**PETITIONS CONSIDERED BY COMMUNITIES AND PLACE COMMITTEE**

- A. Petition regarding parking issues outside Kirklington Primary School, Kirklington (Ref: 2018/0299)**
  2. An 18 signature petition was presented to the 12 July 2018 meeting of the County Council by Councillor Bruce Laughton on behalf of residents of Kirklington. The concerns of local residents were noted. They had raised a number of suggestions in relation to the provision of parking at the school and the control of traffic entering and leaving it which would be investigated and reported back on in due course.
  3. In the meantime it was highlighted that the road safety of children travelling to and from school was a key concern across the county and consequently on 19 March 2018 Children and Young People's Committee approved the establishment of a cross-party working group. Key objectives of this working group include reviewing all of the reported injury road traffic accidents between 2012 and 2018 in Nottinghamshire and exploring ways of working with schools, parents and the wider community to improve road safety for all children on Nottinghamshire's roads, particularly in and around schools. The working group will present the outcomes and recommendations from its work to Children's and Young People's Committee in March 2019 – at the time of writing the outcome of that meeting was not yet known.
  4. It was agreed that the lead petitioner be informed accordingly.
- B. Petition requesting that action is taken to stop the operation of a recycling facility located on Cockett Lane, Farnsfield from adversely impacting on the lives of residents (Ref: 2018/0300)**
  5. A 49 signature petition was presented to the 12 July 2018 meeting of the County Council by Councillor Bruce Laughton on behalf of residents of Farnsfield requesting that action was taken to stop the adverse effects on residents arising from the operation of a recycling facility on land off Cockett Lane, Farnsfield.

6. The recycling operation lay to the east of Cockett Lane immediately to the rear of Dalestorth Nursery and was located approximately 120m north of the nearest residential properties to the south on Station Road. The Southwell Trail was also located around 100m to the south and the site was bounded to the east by a bridleway. The waste recycling operation was located on land defined as countryside in the Development Plan.
  7. The operation of the waste recycling site had been the subject of individual complaints. These had been investigated and meetings had taken place with the operator of the facility. The operator submitted two Lawful Development Certificates for the land to Newark and Sherwood District Council, the first an existing use as a haulage of plant and machinery, sorting of aggregates, storage of plant and haulage vehicles and the second for the sorting and storage of aggregates. The first application was refused on 8 June 2018 and a decision was expected in September 2018 on the second application.
  8. It was not considered that the waste recycling facility had planning permission or that such development would be acceptable in planning terms at this location. An enforcement notice was issued by the Council on 28 June 2018 requiring the unauthorised waste transfer operations to stop and for the waste materials to be removed from the land. The notice was served on relevant landowners and interested parties. The notice was due to take effect on 3 August 2018, but an appeal was lodged.
  9. The Council will defend its decision to serve the notice at the appeal with a view to bringing about the cessation of the waste transfer operations at the earliest opportunity. The requirements of the enforcement notice were suspended until the appeal was determined.
  10. It was agreed that the lead petitioner be informed accordingly.
- C. Petition requesting that Nottinghamshire County Council re-consider the application made by Leahurst Road Pre-School for funding under the Local Improvement Scheme (LIS) (Ref: 2018/0301)**
11. A 110 signature petition was presented to the 12 July 2018 meeting of the County Council by Councillor Gordon Wheeler requesting that the County Council reconsidered the applications for funding made by Leahurst Road Pre-school.
  12. Prior to the presentation of the petition officers from the Communities Team at the County Council met three representatives of the Pre-school on 27 June 2018.
  13. The meeting had two main purposes, firstly to provide feedback on their unsuccessful applications and secondly to explore how the County Council could offer assistance with funding applications in the future.
  14. Officers provided some context to the LIS programme – that there had been over £7million applied for with a final budget allocation of £2.2million. The fact that their application was unsuccessful did not mean that the funding they sought, and the purpose it was for, was seen as unimportant; it was in competition with incredible demand and the quality of their application fell short of the standard required to be recommended.

15. Positive feedback was received about the meeting, with the representatives from Leahurst Road stating that they found the meeting hugely beneficial.
16. Following the meeting on 27 June 2018, Leahurst was also provided with links to specialist resources for Early Years Providers and access to the Nottinghamshire 4 Community funding search website.
17. Officers also booked a half-day session to visit Leahurst Road in September to help the Pre-school identify potential sources of funding and improve the quality of future applications. It was agreed that the lead petitioner was reassured that the County Council was committed to offering practical assistance with future funding applications.
18. It was agreed that the lead petitioner be informed accordingly.

**D. Petition requesting residents parking scheme for Balderton Gate, Newark (Ref: 2016/0302)**

19. A 10 signature petition was presented to the 12 July 2018 meeting of the County Council by Councillor Stuart Wallace on behalf of Balderton Gate residents requesting a residents parking scheme.
20. Balderton Gate ran south-east from the town centre. The north-western section of the road already had parking restrictions (double yellow lines and a residents' parking scheme). There were no restrictions on the majority of the south-eastern section of the road; and it was residents of the properties on this section that were seeking a residents parking scheme.
21. Requests for residents' parking schemes were prioritised in locations where residents did not have off-street parking and where a scheme didn't negatively affect nearby streets and town centres, or increase rat running or vehicle speeds. Schemes were prioritised based on the level of non-resident parking throughout the day.
22. A parking survey would be undertaken to determine whether a residents' parking scheme should be considered a priority for possible inclusion in a future year's integrated transport programme.
23. It was agreed that the lead practitioner be informed accordingly.

**E. Petition requesting footway repairs on Carwood Road, Nicholas Road, Windrush Close and Wimple Road (Ref: 2018/0303)**

24. A 36 signature petition was presented to the 12 July 2018 meeting of the County Council by Councillor Steve Carr, requesting footway repairs on Carwood Road, Nicholas Road, Windrush Close and Wimpole Road in Beeston.
25. **Carwood Road:** This footway was inspected on an annual basis with the last programmed inspection being undertaken on 13 April 2018. No actionable defects were identified at this stage and there had been no specific complaints/claims in the last 12 months concerning the footway. The footway itself was aesthetically poor, particularly on the side with even numbers from Sandy Lane to David Grove, where there was evidence of fretting and loss

of surface course in general. It was likely that within the next year some works would need to be undertaken on the road, be that programmed or reactive.

26. **Nicholas Road:** The footway was aesthetically poor and deteriorating, with much fretting and loss of surface course. The location was inspected on an annual basis, with the last being undertaken on 13 April 2018. No actionable defects were noted at that time and there had been no specific complaints/claims within the last 12 months. Again, it was likely that some repairs would be issued during the next year.
27. **Wimpole Road:** The footway was inspected on an annual basis with the last taking place on 13 April 2018. No actionable defects were noted at that time and there had been no claims or complaints in respect of the footway within the last year. The side with odd numbered houses was showing particular signs of deterioration, with an obvious loss of surface course material. A degree of intervention was likely within the next year and the scale of this would determine whether this was reactive maintenance or a pre-programmed scheme.
28. **Windrush Close:** The footway was inspected on an annual basis, with the last being carried out on 13 April 2018, with no actionable defects being noted at that time. The footway was very minor and consists primarily of a parking area and vehicle accesses. There had been no complaints or claims in the last year. Overall what footway was present was acceptable and it was likely to remain in its current condition for the foreseeable future.
29. It was agreed that the lead petitioner be informed accordingly.

**F. Petition requesting completion of footway works on Clifton Road, Ruddington (Ref: 2018/0304)**

30. An online petition was submitted to the 12 July 2018 meeting of the County Council by Councillor Reg Adair requesting that the County Council and a land owner completed the necessary legal procedures to enable the swift construction of a path adjacent to Clifton Road in Ruddington. The petition had received 572 signatures.
31. Several years previously, the County Council was made aware of public concerns over the safety of pedestrians using the narrow footway alongside Clifton Road on the bridge over the former railway line. It was considered that widening the existing footway was prohibitively expensive as it required widening the bridge but an alternative route was identified at ground level parallel to Clifton Road.
32. The route required the acquisition of land in the ownership of three developers (including one section of land whose ownership was disputed by two potential land owners) as well as passing through a local wildlife site. As a result, purchasing the land and securing the necessary legal permissions proved extremely protracted, and the path was yet to be built. These issues have, however, now been overcome and detailed design work had commenced with a view to constructing the path during the current financial year (2018/19). It was intended that the path would be built to a standard suitable for use by pedestrians and cyclists, and would be signed and lit.
33. It was also noted that a small number of residents, particularly those living immediately adjacent to the proposed route, had objected to the scheme due to concerns about its

impacts on their privacy; and had raised concerns about the siting of the path's lighting, the type of fencing to be used and motorised vehicles using the path. Officers had been in discussion with these residents about their concerns and met with some of the residents in July 2018 to discuss their concerns so that mitigation could be incorporated into the scheme design if possible.

34. It was agreed that the lead petitioner be informed accordingly.

**G. Petition requesting traffic calming measures along Garth Road and Waverley Road, Mapperley (Ref: 2018/0305)**

35. A 50 signature petition was presented to the 12 July 2018 meeting of the County Council by Councillor Stephen Garner requesting traffic calming measures or speed cameras to address speeding issues on Garth Road and Waverley Road, Mapperley, and specifically an accident problem at the sharp bend on this route. The petition stated that the police had records of four accidents on the bend which had damaged a wall, that the route was part of a school run and that it was also used for cycle training.
36. Traffic calming and speed cameras were only introduced at locations with a history of road traffic accidents resulting in serious injuries; and only where there were no alternative measures that would address the causes of these accidents. This was due to their controversial nature, the disturbance that could be caused to nearby residents, central government guidelines and the high cost of such schemes. Before any consideration could be given to using these measures, there needed to be evidence that their installation was justified and that all other measures had been tried and failed. Our most recently available accident records show there had not been a recorded accident resulting in injury since 2011 so this location would not currently be prioritised for either speed cameras we did still consider reports of non-injury accidents and property damage for other safety measures.
37. This route was to be added to the list for a temporary interactive speed sign to be used on this road for roughly a 6-8 week period in the next available rotation. These signs were moved around the county periodically to remind drivers of 30mph speed limits and would hopefully complement the police's own speed reduction efforts. Regarding the bend highlighted, these roads already featured illuminated bend warning signs with 'SLOW' markings on red surfacing on both approaches to the bend. Further investigations would take place to determine if the bend warnings here could be further enhanced with possibly black and white chevron type boards, although these would be difficult to position given the footway width and driveway accesses present. Any viable works would be considered for inclusion in the 2019/20 highways programmes, subject to further approval.

38. It was agreed that the lead petitioner be informed accordingly.

**H. Petition requesting the re-instatement of bus service 42/43 to Hemmingfield Road, Worksop (Ref: 2018/0306)**

39. A 98 signature petition was presented at 12 July 2018 meeting of the County Council by Councillor Alan Rhodes requesting that the 42/43 bus service reverts to its former route following changes made in November 2017.



40. Bus services in Worksop were primarily operated on a commercial basis with some financial support from the County Council who worked in partnership with Stagecoach East Midlands to provide the widest possible coverage of the town.
41. In recent years the funding for supported services had been reduced by nearly 50% with significant changes to supported services in 2014. The Hemmingfields Road area was reviewed by Stagecoach at that time, and subsequently in a review of the town services in 2017. Unfortunately it had not been possible to reintroduce a service to this area with the current resources available and the level of patronage would not be sustainable on a purely commercial basis.
42. The Transport and Travel Services Team were continuing to work with all operators in the area to find alternative solutions to this problem, these could be the wider use of the County Council's own fleet or the introduction of more flexible transport initiatives. The Transport and Travel Services Team would continue to liaise with Stagecoach and if any improvements could be identified these would be reported back to Communities and Place Committee.
43. It was agreed that the lead petitioner be informed accordingly.

**I. Petition requesting a residents parking scheme on Hazel Grove, Digby Avenue and Kent Road, Mapperley (Ref: 2018/0307)**

44. A 21 signature petition was submitted to the 12 July 2018 meeting of the County Council by Councillor Muriel Weisz on behalf of residents requesting that a residents' parking scheme be introduced on Hazel Grove, Digby Avenue and Kent Road due to the presence of intrusive non-resident parking on these roads and a proposal to open a nursery nearby.
45. The roads in question were residential, located to the east of the Mapperley Plains district centre. Requests for residents' parking schemes were prioritised in locations where residents did not have off-street parking and where a scheme would not negatively affect nearby streets and town centres, or increase rat running or traffic speeds.
46. All bar a couple of properties on Kent Road had off-street parking. Given the location and layout of Hazel Grove, it is also likely that the removal of on-street parking would encourage rat running, especially given that residents themselves did not need to park on-street. This was borne out by the presence of traffic calming features which suggested that this had been or remained a problem.
47. As a result, this request would not be considered a priority for inclusion in a future year's integrated transport programme and so no further assessment would be undertaken.
48. It was agreed that the lead petitioner be informed accordingly.

**J. Petition concerning Edwinstowe residents opposition to all stages leading to and including the extraction of oil or gas using the method known as 'fracking' within the boundary of Edwinstowe Parish and the wider Sherwood Forest area (Ref: 2018/308)**



49. A 457 signature petition was presented to the 18 July 2018 County Council meeting by Councillor John Peck. The petition stated that the residents of Edwinstowe opposed the exploration and extraction of oil or gas using the method known as 'fracking' within the boundary of Edwinstowe Parish and the wider Sherwood Forest area.
50. Although the County Council was in the process of developing a new Nottinghamshire Minerals Local Plan this petition was submitted outside of any public consultation being undertaken on the Plan.
51. Government planning guidance in the form of the NPPF (National Planning Policy Framework) stated that Minerals Planning Authorities (the County Council) should recognise the benefits of onshore oil and gas development and put in place planning policies to facilitate their exploration and extraction. Minerals Local Plans should also plan positively for the three phases of development (exploration, appraisal and production) whilst ensuring appropriate monitoring and site restoration was provided for.
52. To ensure the Draft Nottinghamshire Minerals Local Plan conformed to the NPPF, the minerals plan contained policy MP12: 'Hydrocarbon Minerals' which set out how planning applications would be assessed at the key stages – exploration, appraisal, extraction and restoration. The draft Plan also contained Development Management planning policies against which planning applications for minerals development would be assessed. These policies covered issues such as protecting local amenity, protection and enhancement of biodiversity and geodiversity and the historic environment.
53. It was agreed that the lead petitioner be informed accordingly.
- I. Petition requesting the removal of a tree on Nottingham Road, Eastwood (Ref: 2016/0309)**
54. A 41 signature petition was presented to the 20 September 2018 meeting of the County Council by Councillor Tony Harper on behalf of residents of Eastwood requesting the removal of a tree on Nottingham Road, Eastwood.
55. The concerns of local residents were noted. It was not the County Council's policy to remove a healthy tree without a specific reason to do so but a Forestry Officer would inspect the tree to establish whether there was any maintenance required.
56. It is recommended that the lead petitioner be informed accordingly.
- J. Petition requesting street lighting improvements on Leeks Close, Southwell (Ref: 2016/0310)**
57. A 105 signature petition was presented to the 20 September 2018 meeting of the County Council by Councillor Roger Jackson on behalf of residents of Southwell requesting that improvements be made to the existing lighting on Leeks Close, Southwell.
58. Following a site assessment, an order had been raised to change the lantern on the existing column to a 360 degree output.
59. It was agreed that the lead petitioner be informed accordingly.

**K. Petition requesting footway resurfacing of Riverside Road, Fairway, Peebles and Hawton Road, Newark (Ref: 2016/0311)**

60. A 158 signature petition was presented to the 20 September 2018 meeting of the County Council by Councillor Keith Girling on behalf of residents of Newark requesting that the footways on Riverside Road, Fairway, Peebles and Hawton Road in Newark be resurfaced.
61. The main priority at all times was for the safety and serviceability of the highway network, including footways, cycle ways and all other associated assets. For this reason, highway safety inspections were carried out at varying frequencies (monthly, quarterly, six-monthly, and annually) dependent upon the hierarchy of the footway in question. There were a series of 'investigatory levels' for defects on footways and these were assessed, and where necessary considered for improvements, either as part of this inspection regime or as a result of individual enquiries from members of the public, local members, etc.
62. As part of the highway inspection regime, the inspectors also highlighted those sites which they believed were in a condition which required further consideration for resurfacing. These sites were collated and subsequently assessed at a more detailed level to determine the scale and cost estimate of carrying out appropriate works. These recommendations were used, along with a review of the level of reactive maintenance which had been carried out on these footways in order to identify those which needed to be targeted to help save money in the longer term.
63. Numerous footway sites in the Newark and Sherwood district were included on the Council's 'candidate list' which contained the footways across the whole county that were potentially suitable for consideration in the annual capital maintenance programme, or any additional maintenance programmes where extra funding was made available, either from the Department for Transport or local sources, such as the County Council itself. All sites were assessed against one another based upon a pro-rata funding allocation connected to both network length and condition / hierarchy to ensure an objective and fair allocation for each area.
64. As a result of a broad assessment of the sites in question, these would now be placed on the 'candidate list' for inclusion in future footway maintenance programmes. There was no date for delivery as yet, but this enabled monitoring them more closely and they would also be included in detailed inspections, due to take place during October 2018.
65. It was agreed that the lead petitioner be informed accordingly.

**L. Petition regarding concerns about HGV traffic on Boundary Road, Newark (Ref: 2016/0312)**

66. An 88 signature petition was submitted to the 20 September 2018 meeting of the County Council by Councillor Keith Girling on behalf of residents requesting that a lorry ban (environmental weight limit) be introduced on Boundary Road, Newark.

67. The road in question was residential but also acted as a through route linking Bowbridge Road and Farndon Road. Two churches and Newark Hospital were located on the road and a school was situated nearby.
68. Several issues had to be taken into account when assessing this request, particularly:
- The presence of an existing weight limit on the nearby C3 Grange Lane and C100 Newark Road meant that, if a restriction were to be put in place, lorry traffic would simply be diverted to other residential roads
  - The ongoing significant roadworks and diversions associated with the Severn Trent works in Newark were likely to have worsened conditions in the short term, but the completion of this work would lead to a reduction in traffic, including HGVs, on Boundary Road
  - It was anticipated that the Newark Southern Link Road would reduce lorry traffic on Boundary Road, thus negating the need for a lorry ban.
69. Given the above it was considered appropriate to await until completion of both the Severn Trent works and the Newark Southern Link Road before it could be determined whether an environmental weight limit should be prioritised for delivery.
70. The level of HGVs travelling on Boundary Road would, however, be monitored during this time.
71. It was agreed that the lead petitioner be informed accordingly.

**M. Petition requesting footway repairs in Hucknall (Ref: 2016/0313)**

72. A 130 signature petition was presented to the 20 September 2018 meeting of the County Council by Councillor Phil Rostance on behalf of residents of Hucknall requesting footway repairs on a number of roads in Hucknall.
73. The following streets listed in the petition were not currently on the 'candidate list' for resurfacing, which contained the footways across the whole county that were potentially suitable for consideration in the annual capital maintenance programme:
- Cherry Avenue
  - Farleys Lane
  - Papplewick Lane (Ashfield section – the section in Gedling Borough from the boundary to Moor Road was on the list)
  - Shortwood Avenue
  - Windmill Grove
  - Woodstock Street.
74. This did not necessarily mean that works were not required on these streets but that there were currently other streets ahead of them in terms of priority/condition, and the annual budgets available unfortunately did not allow for all to be included in the annual programme of footway maintenance schemes.

75. The condition of these sites would, however, continue to be monitored as part of the appropriate footway maintenance inspection routine and considered for inclusion in a future year's maintenance programme should the highway inspector recommend any of the sites for maintenance.
76. The following streets listed in the petition were currently included on the 'candidate list' for resurfacing or significant patching, although their delivery dates were yet to be determined:
- Beardall Street
  - Watnall Road
  - Whyburn Lane (potentially to be delivered during 2020/21)
  - Wood Lane (section from Windermere Road to Sandy Lane was considered for 2019/20 but now more likely to be delivered in 2020/21)
77. It was agreed that the lead petitioner be informed accordingly.

**N. Petition requesting a residents parking scheme on Larkspur Avenue, Arnold (Ref: 2016/0314)**

78. A 37 signature petition was submitted to the 20 September 2018 meeting of the County Council by Councillor Pauline Allan on behalf of residents. The petition requested that a residents' parking scheme be introduced on Larkspur Avenue, Arnold due to the presence of intrusive non-resident parking on the road and concerns about emergency service vehicle access.
79. The road in question was residential, located to the west of the A60 Mansfield Road.
80. Requests for residents' parking schemes were prioritised in locations where residents did not have off-street parking. Although all properties on Larkspur Road had off-street parking available, it was noted that most of these took the form of garages located in blocks away from the properties; these garages were too small to accommodate most modern vehicles and so it is considered that residents were likely to rely on on-street parking spaces being available.
81. As a result, a parking survey would be undertaken to determine whether a residents' parking scheme should be considered a priority for possible inclusion in a future year's integrated transport programme.
82. It was agreed that the lead petitioner be informed accordingly.

**O. Petition requesting tarmac on the highway verge outside Weaverthorpe Primary School Centre, Arnold (Ref: 2016/0315)**

83. A 40 signature petition was presented to the 20 September 2018 meeting of the County Council by Councillor Muriel Weisz on behalf of the Weaverthorpe pre-school on Derwent Crescent, Arnold. It requested the grassed verges adjacent to the pre-school be tarmacked to widen the footway. Parents and children queued outside the entrance before the pre-school opens, resulting in pedestrians walking over and/or standing on the verges on either side of the tarmac access which in their view was a slip and trip hazard.

84. Highway verges served the purpose of providing natural drainage so that surface water run-off did not cause flooding issues and also for utilities to install and maintain apparatus without having to disrupt footways or carriageways. Subsequently, requests were generally refused to replace verges with hard standing on these grounds, but also the construction costs would be significant and difficult to justify.
85. In this case, the pre-school appeared to be lower than the highway, so surface water run-off from the highway into their land would likely be increased by any removal of the verge. The verge area was also apparent, so parents are choosing to walk over this area with their children as opposed to waiting on the adjacent footway which was roughly 1.7 metres wide along most of its length, although it featured a pedestrian guardrail along the kerb line at the entrance as a safety feature. There was also a footway on the opposite side of the road with an uncontrolled dropped kerb crossing point linking to it.
86. With regard to safety, Derwent Crescent was a group of cul-de-sacs which carry limited traffic at low speed within an advisory 20mph speed limit. An inspection was carried out on 17 May 2018 to look specifically at the condition of the verges and no defects meeting intervention levels were found. There was a slight upstand between the rear of the verge and the access path to the entrance which was likely to be due to the gradient of the land, but this was not deemed a hazard. The directly adjacent Ernehale Junior School had two accesses of a near identical design and no similar problems had been reported there.
87. It was proposed that the condition of the verges be monitored as part of the standard inspection and maintenance regimes and if actionable defects were found in the future, then these would be rectified as necessary.
88. It was agreed that the lead petitioner be informed accordingly.

**P. Petition regarding parking problems Broad Lane, Brinsley (Ref: 2018/0316)**

89. A 48 signature petition was submitted to the 13 December 2018 meeting of the County Council by Councillor John Handley. The petition requests a feasibility study to consider the redesign of the road to help address traffic management concerns.
90. The County Council has limited funding for such feasibility studies and therefore prioritises the available funding on the roads that will deliver Nottinghamshire's strategic aims and provide the benefit to the greatest number of people (and therefore deliver the best for money). Schemes to deliver the redesign of roads are also very costly and therefore such schemes are prioritised on roads that are likely to attract the necessary external funding required to deliver them. Consequently, feasibility studies for such schemes (and the funding to deliver schemes identified in such studies) are prioritised on Nottinghamshire's strategic road network and specifically on roads that deliver national, regional and Nottinghamshire strategic priorities.
91. The funding available to the County Council for such feasibility studies is currently allocated to undertaking studies to identify journey time improvements on the strategic growth transport corridors identified in the Place Departmental Strategy. Broad Lane is not on the strategic road network or identified as a priority growth corridor in the Place Departmental Strategy and therefore would not currently be considered a priority for such a study.

92. Local traffic management issues that residents have should, however, be discussed with the area highway manager so that the highway manager can consider if there are any practical, affordable, solutions to the local residents' concerns.

93. It was agreed that the lead petitioner be informed accordingly and provided with the contact details of the Broxtowe area highway manager so that they are able to discuss their concerns in more detail with the area highway manager.

**Q. Petition requesting part time traffic signals on Main Street, Gunthorpe (Ref: 2018/0317)**

94. A 120 signature petition was submitted to the 13 December 2018 meeting of the County Council by Councillor Roger Jackson on behalf of residents requesting that the County Council installs part-time traffic signals at the junction of the A6097 and Main Street to help drivers exit Gunthorpe at busy times.

95. The junction is illuminated and the A6097 is subject to a 40 mph speed limit. The Council acknowledges that, at busy times, it might be difficult for vehicles to enter the A6097. However, a traffic survey on Main Street confirms that only around 70-110 vehicles enter the A6097 from this road on average during the peak periods. With the extremely high cost of installing traffic signals, it was considered that this would offer very poor value for money given the low number of motorists that would benefit.

96. There were also concerns about the safety of any new signals at this location. There had been no reported injury accidents at this junction between 1 January 2015 and 30 September 2018 and it was considered that the introduction of traffic signals could result in an increase in accidents, as signals often cause heavy braking and nose-tail shunt collisions. Additionally, the Council did not support the installation of part-time signals due to concerns that drivers find them confusing causing them not to follow the normal rules of the road when the signals are not operating, and this could result in a mixture of accident types. There are not any signals operating part-time in the county.

97. The County Council would not, therefore, consider the installation of part-time signals at this junction at this time.

98. It was agreed that the lead petitioner be informed accordingly.

**Q. Petition requesting measures to improve parking conditions on Peveril Road, Beeston (Ref: 2018/0318)**

99. A 62 signature petition was submitted to the 13 December 2018 meeting of the County Council by Councillor Steve Carr on behalf of residents requesting the introduction of limited parking restrictions on Peveril Road in Beeston due to the presence of non-resident parking on the road. Residents complained of extensive long-term parking exacerbating traffic congestion and pollution and causing safety concerns.

100. The road in question is residential, located to the east of Beeston town centre. On the southern section of the road (where the restriction is requested) there is a mix of properties with and without off-street parking. Broadly speaking, properties on the western side do not have off-street parking whereas those on the eastern side have off-street parking.



101. Residents stated the road is used by drivers in order to avoid traffic queues on nearby main roads. A speed survey carried out in July 2018 confirmed that average speeds are restricted to 23 mph. It was clear that the presence of parked vehicles acts as a deterrent to travelling at higher speeds. Given that the road is straight, there was a clear risk that removing parking would result in significantly increased vehicle speeds which in turn would encourage more drivers to use the road, and these two factors could also potentially worsen road safety on the road.
102. Additionally, the lack of off-street long-stay parking in Beeston meant that on-street long-stay parking is critical to the economic well-being of the town centre. Removal of a significant amount of long-stay parking was likely to simply displace it elsewhere, or have an adverse impact on the vitality of the town centre.
103. The County Council will consider whether appropriate parking restrictions could be introduced but this will only be considered appropriate if restrictions do not encourage additional vehicles to use the road, do not increase vehicle speeds, and do not adversely impact on the town centre or other nearby streets.
104. It was agreed that the lead petitioner be informed accordingly.

**R. Petition regarding concerns about road safety around Stanford Hall (Ref: 2018/0319)**

105. A petition requesting the redesign of the A6006 junction with Stanford Hall due to road safety concerns was submitted to the 13 December 2018 meeting of the County Council by Councillor Reg Adair.
106. The County Council recognises the importance of the new Defence and National Clinical Rehabilitation Facility, the significant benefit it offers both locally and nationally as a world class clinical rehabilitation centre, as well as the substantial investment it has brought to the local area. Nonetheless we are aware of the residents' and Parish Council's concerns regarding the access arrangements associated with the National Facility portion of the development.
107. Permission for this part of the site was granted in 2013 at which time the principle of access was established in planning terms. Whilst we are aware additional development has been granted permission in the East Leake area, this does not alter the position that there is an existing planning permission in place for the site which defines the access arrangements for the development.
108. Once planning permission has been granted the County Council does not have the power to force a developer to retrospectively alter their proposals, any changes to the proposed access arrangements for the site will require the developer's agreement, co-operation and goodwill.
109. Initial discussions between the County Council and the developer's agents regarding the access arrangements have already taken place. The agents have stated their client is willing to undertake further discussions on the matter and the Council is currently in the process of arranging further meetings in this regard. Through this process the County Council will continue to explore options with the developer.

110. It was agreed that the lead petitioner be informed accordingly.

**S. Petition request for Residents' Parking Scheme on Distillery Street, Ruddington (Ref: 2016/0320)**

111. A 16 signature petition was submitted to the 13 December 2018 meeting of the County Council by Councillor Reg Adair on behalf of residents requesting that the County Council introduce a residents' parking scheme on Distillery Street in Ruddington.

112. The road in question is residential, located to the southwest of the village centre.

113. Requests for residents' parking schemes are prioritised in locations where residents do not have off-street parking. Most of the properties on Distillery Street (77%) have off-street parking so this request is not considered to be a priority. Indeed, the covering letter submitted with the petition refers to concerns about inconsiderate parking and emergency service vehicle access when large deliveries are made rather than difficulty finding parking spaces.

114. Residents' permit schemes are intended to address situations where the presence of non-resident parking throughout the day makes it difficult or impossible for residents to park near their properties and are not intended to address issues such as inconsiderate parking or obstruction. Instances of obstruction of the highway should be reported to the Police. In any case, the emergency services have developed methods of dealing with the issue when attending incidents. Also, a residents' permit scheme would need to be designed so that it did not adversely affect local businesses and so would not address concerns about obstruction caused by delivery vehicles.

115. As a result, it is not considered that a residents' permit scheme is appropriate for Distillery Street and the request would not be taken forward.

116. It was agreed that the lead petitioner be informed accordingly.

**T. Petition regarding the future of the Newark number 67 bus service (Ref: 2018/0321)**

117. A petition was presented to the 13 December 2018 meeting of the County Council by Councillor Maureen Dobson concerning the number 67 bus service.

118. The County Council has received a registration for a reduced service 67 from the current operator which will commence in April 2019. The County Council will shortly be procuring additional service to compliment this registration and to re-instate the majority of the current service. There are no planned route changes and villages currently served by the 67 route will continue to be covered. The combined timetable will commence in April, until then the County Council will continue to support the existing route.

119. It was agreed that the lead petitioner be informed accordingly.



**U. Petition requesting to make Main Street, Calverton safer to cross (Ref: 2018/0322)**

- 120. A 327 signature petition was presented to the 13 December 2018 meeting of the County Council by Councillor Boyd Elliott on behalf of residents requesting a pedestrian crossing.
- 121. The County Council receives far more requests for pedestrian crossings (such as puffin or zebra crossings) than is able to fund and therefore requests for crossings are prioritised based on the number of people crossing, the volume of traffic and other relevant factors such as accident history at a proposed location so that the available funding helps the greatest number of people.
- 122. Surveys have been undertaken to determine whether a crossing at this location should be prioritised for future funding. The results of the survey showed the number of pedestrian crossing the road in the vicinity of the requested crossing is of a sufficient level for the County Council to investigate the feasibility of a pedestrian crossing at this location.
- 123. It was agreed that the lead petitioner be informed accordingly.

**V. Petition requesting for new light controlled pedestrian crossing between Mill Field Close and Maris Drive, Burton Joyce (Ref: 2018/0323)**

- 124. A 323 signature petition was presented to the 13 December 2018 meeting of the County Council by Councillor Nicki Brooks on behalf of residents requesting a pedestrian crossing between Field Close and Maris Drive in Burton Joyce.
- 125. As a result of a planning application for 14 dwellings on Mill Field Close, the County Council has considered the feasibility of widening the existing pedestrian refuge located north-east of Crow Park Drive, however, this identified that the carriageway width is too narrow to do so.
- 126. The County Council receives far more requests for pedestrian crossings (such as puffin or zebra crossings) than it is able to fund and therefore requests for crossings are prioritised based on the number of people crossing, the volume of traffic and other relevant factors such as accident history at a proposed location so that the available funding helps the greatest number of people.
- 127. Surveys have been undertaken to determine whether a crossing should be prioritised for future funding in two locations: at the existing pedestrian refuge located north-east of Maris Drive; and at the existing pedestrian refuge located north-east of Crow Park Drive.
- 128. The surveys undertaken identified that the number of pedestrians crossing the road at both sites is very low when compared to other locations that have requested a formal crossing (during the 9-hour surveys only 26 pedestrians crossed north-east of Maris Drive and only 17 pedestrians crossed north-east of Crow Park Drive). Therefore, for this location to be prioritised for a formal crossing the number of pedestrians crossing the road in the vicinity of the proposed crossing would need to increase significantly throughout the day.
- 129. Formal crossings are also provided where they are identified as the most effective means of addressing a history of reported road collisions resulting in injuries. Our records show that fortunately there have been no reported injury accidents involving pedestrians at this

location in the three years up to 30 September 2018. Therefore, a crossing would not be prioritised at this location to address a pattern of pedestrian casualties.

130. The request for a formal crossing at this location will be kept on file and should the number of pedestrians crossing at this location throughout the day significantly increase (or a pattern of pedestrian injury accidents is reported) we will reconsider the scheme request.
131. It was agreed that the lead petitioner be informed accordingly.

#### **W. Petition opposing Fracking in Edwinstowe (Ref: 2018/0324)**

132. A 3,032 signature petition was presented to Full Council on the 13 December 2018 by Councillor John Peck. The petition stated that 'we the undersigned agree that Sherwood and Edwinstowe should be kept a frack free zone'.
133. Although the County Council is in the process of developing a new Nottinghamshire Minerals Local Plan this petition was submitted outside of any public consultation being undertaken on the Plan.
134. Government planning guidance in the form of the NPPF (National Planning Policy Framework) states that Minerals Planning Authorities (the County Council) should recognise the benefits of onshore oil and gas development and put in place planning policies to facilitate their exploration and extraction. Minerals Local Plans should also plan positively for the three phases of development (exploration, appraisal and production) whilst ensuring appropriate monitoring and site restoration is provided for.
135. To ensure the Draft Nottinghamshire Minerals Local Plan conforms to the NPPF, the minerals plan contains policy MP12: 'Hydrocarbon Minerals' which sets out how planning applications would be assessed at the key stages – exploration, appraisal, extraction and restoration. The draft Plan also contains Development Management policies against which planning applications for all types of minerals development would be assessed. These policies cover issues such as protecting local amenity, protection and enhancement of biodiversity and geodiversity and the historic environment.
136. It was agreed that the lead petitioner be informed accordingly.

#### **X. Petition request for a 30mph speed reduction on Forest Road, Warsop (Ref: 2016/0327)**

137. A petition was submitted to the 13 December 2018 meeting of the County Council by Councillor Andy Wetton on behalf of residents requesting that the County Council reduce the speed limit on the B6035 Forest Road to the south of Market Warsop from the current 60 mph to 30 mph.
138. An assessment of the road has been carried out using the national guidance for setting speed limits, and it has been determined that it would be appropriate to reduce the limit to 40mph on that section of road which features residential properties.
139. To this end, a proposal to introduce a 40mph speed limit on the built-up section of this road (with a new 50mph limit on the section between the houses and the A6075 to make it

consistent with that latter road) has been included in the 2019/20 integrated transport programme.

140. Enforcement of this new limit would be undertaken by the Police as part of their normal speed limit enforcement duties. Traffic calming and speed cameras will only be considered as a last resort in response to the very worst accident problems after all other measures have been considered. Fortunately, this is not considered necessary in this instance. However, the County Council can assess the need for interactive speed signs at this location to improve compliance if appropriate once the new limit is in force.
141. It was agreed that the lead petitioner be informed accordingly.

**Y. Petition request for 'siding up' works to be undertaken on the part of the footpath on Forest Road (Ref: 2018/0328)**

142. A petition was presented to the 13 December 2018 meeting of the County Council by Councillor Andy Wetton on behalf of residents of Forest Road, Warsop. The residents raise highway safety concerns due to the footway width being restricted due to the verge encroaching over the footway. The petition stated that pedestrians using this footway, especially those with push chairs or mobility scooters, are restricted and forced closer or even into the carriageway. The petition therefore requested the footway along Forest Road, from its junction with A6075 Peafield Lane through to the rail bridge (approximately 1200 metres), receive siding up works to improve the width of the existing footway.
143. Via East Midlands are aware of this issue through routine highway inspections and previous customer requests and feel Forest Road would benefit from receiving siding up works. This location has already been included in the potential 2019/20 siding up programme to be prioritised alongside other similar requests and determined later this year.
144. It was agreed that the lead petitioner be informed accordingly.

**Z. Petition request for a Zebra crossing outside Sherwood Street Junior School, Warsop (Ref: 2018/0329)**

145. A 323 signature petition was presented to the County Council by Councillor Andy Wetton on behalf of the school community. The petition requested a zebra crossing to help pupils cross the roads because the school crossing patrol site outside the school is currently vacant.
146. A school crossing patrol operated outside the school on Sherwood Street, Warsop until approximately a year ago but the site has been vacant since that time. Via EM Ltd has worked with the local school and advertised locally around the site but have so far been unsuccessful in finding a replacement patrol.
147. The County Council receives far more requests for formal crossings (such as puffin or zebra crossings) than it is able to fund. Requests for crossings are therefore prioritised based on the numbers of people crossing and the volume of traffic at a proposed location so that the available funding helps the greatest number of people. Zebra crossings are also currently only installed where they are used by pedestrians throughout the day, if there is not pedestrian demand throughout the day, such a crossing will not be considered. A survey

would therefore be undertaken to determine whether a crossing at this location should be prioritised for future funding.

148. As this location currently meets the criteria for the provision of a school crossing patrol, Via EM Ltd will continue to work with the school in order to try and recruit a patrol to the vacant site. Via EM Ltd officers will therefore contact the school to discuss further options for advertising campaigns for the vacant school crossing patrol post.
149. It was agreed that the lead petitioner be informed accordingly.

**AA. Petition regarding junction improvements and signage at Town Street crossroads, Lound (Ref: 2018/0330)**

150. A 180 signature petition was presented to the County Council by Councillor Tracey Taylor on behalf of Lound Parish Council. The petition requested significant safety improvements at this junction; their preferred option was for an interactive 'Give Way' sign to be installed on Daneshill Road to highlight the junction ahead.
151. This junction is within the 30mph limit, with traffic on Daneshill Road required to 'Give Way' and Chainbridge Lane drivers instructed to 'Stop'. There are advance 'crossroads' signs on Town Street for both north and southbound traffic, an existing advance 'Give Way in 100 yards' sign on the north side of Daneshill Road and two large 1.2 by 1.2 linear metre illuminated 'Give Way' signs at the junction with the appropriate road markings which were refreshed in April 2018.
152. On Chainbridge Lane there is an advance 'SLOW' road marking and an illuminated 'STOP' sign with the associated road marking. The junction is street lit and all but Chainbridge Lane has a footway. Additionally, there is an 18tonne environmental weight limit on Town Street with associated illuminated signage.
153. The current data held indicates that two road injury collisions occurred at this junction in the 3.75 years up to 30 September 2018. The collisions occurred in June and July 2017 and both involved vehicles overshooting the Daneshill Road, travelling east bound.
154. It is currently considered that the junction is adequately and clearly signed and, in comparison to other sites, this junction has a low level of accidents and therefore this location would not currently be prioritised for any casualty reduction measures. Via EM Ltd monitors reported road traffic collisions throughout the county and develops appropriate engineering, enforcement and education measures to address patterns of road traffic collisions. Reported road traffic collisions will therefore continue to be monitored as part of this process and an accident remedial scheme will be considered should a pattern of treatable collisions occur.
155. It was agreed that the lead petitioner be informed accordingly.

**BB. Petition regarding parking on The Close, Rainworth, Mansfield (Ref: 2018/0331)**

156. A petition was presented to the 13 December 2018 meeting of the County Council by Councillor Martin Wright on behalf of residents of The Close, Rainworth. The petition requested parking restrictions at the junction of The Close and Southwell Road East,

Rainworth in response to parking concerns which the residents feel is causing highway safety and visibility issues.

- 157. Via East Midlands do not consider parking restrictions to be an appropriate measure to address the parking issues raised by residents as no evidence of inconsiderate or obstructive parking on the junction of The Close with Southwell Road East has been proven following site investigations by Via officers.
- 158. The grass verge which runs adjacent to the car dealership is being used to park vehicles, however, the verge is not adopted highway and vehicles parked on this private land are not causing a highway safety issue. If there is evidence that the situation has worsened in future Via will reconsider the request but any future request would need to be considered a higher priority than the many other requests for parking restrictions we receive every year.
- 159. It was agreed that the lead petitioner be informed accordingly.

**CC. Petition request to permanently close footpath between The Mount and Clipstone Drive, Forest Town (Ref: 2018/0333)**

- 160. A 12 signature petition was presented to the 13 December 2018 meeting of the County Council by Councillor Martin Wright on behalf of residents of Forest Town requesting the permanent closure of a public footpath between The Mount and Clipstone Drive, Forest Town.
- 161. The landowner closed the path to pedestrians in 2011 following the granting of planning consent in 2010 for the construction of five houses. The land was previously in the ownership of Mansfield District Council and had been the site of a local community centre. Residents established a public footpath through the site having used it as a cut-through to access the nearby playing field and woodlands.
- 162. Although the planning application included provisions for the retention of a public footpath, the path was deleted from the approved planning decision due to concerns about anti-social behaviour. No steps were taken at that time to lawfully stop-up or divert the footpath under provisions of the Town and Country Planning Act 1990. Work commenced on the site in late 2013 and was noted to be substantially complete in late 2015. An electricity sub-station was also constructed alongside the path.
- 163. Mansfield District Council attempted to stop-up the public footpath in 1980 and again in 2018 by means of Highways Act Extinguishment Orders. On each occasion objections were received and the Order was duly referred to the Secretary of State. The Secretary of State has declined to confirm the Order on each occasion. The Inspector appointed to decide the 2018 Extinguishment Order considered that the path would be well used if reinstated and that local people had been disadvantaged by its closure.
- 164. It is recognised that residents living next to the public footpath have experienced anti-social behaviour issues in the past, but it is clear that any further attempt to formally close it would not succeed.

165. Following an application made to Nottinghamshire County Council, a Definitive Map Modification Order was made which seeks to record the public footpath on the Definitive Map and Statement. Objections have been received in respect of this Order and consequently the Council is obliged to refer the matter again to the Secretary of State for a decision as to whether the Order should be confirmed.
166. It is expected that the Order will be confirmed. The Council will then be obliged to seek the removal on any obstructions blocking the legal line of the footpath, i.e. the recently constructed house, gate and fencing along the former access track. In order to avoid this scenario, it is suggested that the landowner makes an application under the Highways Act 1980 section 119 to Mansfield District Council to divert the public footpath around the site boundary.
167. It was agreed that the lead petitioner be informed accordingly.

## **PETITIONS CONSIDERED BY POLICY COMMITTEE**

### **DD. 'Hands off Gedling petition (Ref: 2018/0325)**

168. A petition of 1,315 signatures, collected between July and November 2018, was presented to the 13 December 2018 meeting of the County Council by Councillor Michael Payne. The petition stated "Keep your hands off Gedling. We are opposed to the scrapping of Gedling Borough or any takeover of its boundaries".
169. The petition was developed in response to Nottinghamshire County Council's work to explore the structure of local Government in Nottinghamshire and the development of an outline case for change, which included an examination of potential options for unitary councils.
170. A discussion of the outline case for change was scheduled to take place at December County Council. On the 11 December 2018, the Leader of Nottinghamshire County Council, Councillor Kay Cutts MBE, made the decision to withdraw the Outline Business Case from consideration at the County Council meeting on the 13 December 2018.
171. In a statement released on 11 December, the Leader explained that she had decided to pause and reflect. Specifically, the Leader referenced a meeting with Leaders and Chief Executives of District and Borough Councils, which had taken place a few days prior to the withdrawal of the Outline Business Case. The Leader described this meeting as productive, saying that the Leaders and Chief Executives "are willing to work with us on the delivery of local services but we all need more time to consider and discuss the potential options".
172. Since 11 December, the Leader has been in correspondence with some of the District and Borough Council Leaders and the Chief Executive of the County Council has met with District and Borough Council Chief Executives to examine opportunities for joint-working.
173. On 4 February, the Economic Prosperity Committee met and there was an agenda item on Local Government Reorganisation, which included a discussion on the potential for joint working.



174. It is anticipated that the Government will issue guidance on Local Government Reorganisation later this year, as the so called “sunset clause” comes to an end. Specifically, this guidance is expected to explain the criteria for invitations that the Secretary of State for Housing, Communities and Local Government will apply to any further invitations to submit proposals for Local Government Reorganisation.
175. As the petition was submitted to County Council during this period of pause and reflection, the contents of the petition have been noted. Gedling Borough Council, as one of the seven district and borough councils in Nottinghamshire, is involved in any discussions about the future of local government in Nottinghamshire as part of our efforts to consider viable options for solving the significant financial challenges that local authorities face.
176. The Committee agreed that the updated on the Local Government Reorganisation contained within the report to Committee be noted and the Lead petitioner be informed accordingly.
- EE. Petition requesting to reverse the new charges for adult social care in Nottinghamshire (Ref: 2018/0332)**
177. A petition with 1,600 signatures was presented to Full Council on 13<sup>th</sup> December 2018. The petition stated that it was ‘to protest against the changes to the way the Council calculates individual contributions to their costs for care and support’. The petition, which was compiled in November and December 2018, was received after the decision of the Adult Social Care and Public Health Committee to postpone the implementation date of the changes. The petition asked that the Council reverse the revised way of calculating contributions to the costs for care and support in Nottinghamshire.
178. Whilst acknowledging the strength of feeling, the reasons underpinning the decision to agree the changes remain. Nottinghamshire County Council, like other councils with social care responsibilities, faces significant challenges in meeting increased demand for its care services, whilst absorbing significant reductions in the amount of funding it receives.
179. The Council has reflected on the comments provided by people in response to the public consultation in summer 2018, subsequent feedback and letters received from service users, their carers and people in their support networks, including the petition presented at Full Council in December 2018. At the request of the Chairman and Vice Chairman of Policy Committee further consideration was given to the policy and its implementation.
180. The Equality Impact Assessment looking at specific impact on individuals and groups was reviewed. It was recognised that the policy as agreed in October, if implemented in full, would have had a disproportionate impact on adults aged 18 to under 25 yrs. Therefore it is agreed to amend the agreed Policy to apply two Minimum Income Guarantee levels – one for people aged pension credit age and over and one for people aged 18 years to under pension credit age. The revised policy would take effect from 8<sup>th</sup> April 2019 with a phased implementation of the new rate for people under pension credit age between April and November 2019.

## **Statutory and Policy Implications**

181. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

## **RECOMMENDATION**

It is recommended that the contents of the report be noted.

**Councillor John Cottee – Chairman of Communities and Place Committee**  
**Councillor Mrs Kay Cutts MBE – Chairman of Policy Committee**

### **For any enquiries about this report please contact:**

Adrian Smith, Corporate Director, Place  
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## **Background Papers and Published Documents**

- None

## **Electoral Division(s) and Member(s) Affected**

- All



**REPORT OF THE LEADER OF THE COUNCIL****NOTTINGHAMSHIRE COUNTY COUNCIL'S PAY POLICY STATEMENT  
2018-2019****Purpose of the Report**

1. To seek the approval of the County Council to the updating and publishing of the authority's Pay Policy Statement for the financial year 2019-2020, which reflects the known situation as at 1<sup>st</sup> February 2019.

**Information****Background**

2. Nottinghamshire County Council is committed to good governance and openness to public scrutiny and accountability. As part of this commitment the Council wishes to demonstrate that decisions on the pay and reward packages for its Chief Executive and senior officers have been made in an open, transparent and accountable manner.
3. Under the terms of the Accounts and Audit Regulations 2015 the Council publishes on its website, and regularly updates, information about its most senior officer's pay, including information relating to the Chief Executive and Corporate Directors.
4. Legislation and supporting Government guidance, identifies the statutory contents of a Pay Policy Statement and how it should be presented.
5. Section 38 of the Localism Act 2011 Act sets out the requirement for all Local Authorities in England and Wales to publish annual Pay Policy Statements with effect from the financial year 2012-13 onward.
6. Additional requirements contained in the Localism Act (Section 40), were set out in further national guidance issued in February 2013. This included a requirement relating to the approval of severance packages for senior officers of, or above, £100,000 to be approved by Full Council.
7. The core requirements of the provisions of the Localism Act are that a Pay Policy Statement (PPS) must set out the Authority's policies relating to senior salaries, remuneration and pay multiples, including the:
  - Remuneration of its lowest paid employees

- Definition used for this group and the reason for adopting this definition
  - Relationship between Chief Officer remuneration and that of other staff
  - Pay multiple relationship between the highest earnings and the lowest earnings and between the median earnings figure for the whole authority workforce.
8. The Act defines Chief Officer remuneration as the level and elements of remuneration for each Chief Officer, including salary, any bonuses/performance related pay, and charges/fees/allowances, benefits in kind, enhancement to pension at termination.
  9. The definition of a Chief Officer adopted by the Act, as defined by the Local Government and Housing Act 1989, is any post that reports directly to the statutory Chief Officer or the Chief Executive. In the case of this Authority this currently applies to Corporate Directors and those who report to these posts - that is Service Directors and some other senior posts (see top level structure chart **appendix 1**).
  10. The Transparency Code, published by the Department for Communities and Local Government (DCLG), contains legal requirements to publish specific legal, organisational and salary information as follows:
    - The Pay Multiple and median earnings information must reflect a particular date in the year (in this case the Council's annual Pay Policy Statement update as at 1<sup>st</sup> February each year), and include all elements of remuneration, not just taxable earnings. This includes base salary, variable pay allowances and any bonuses or payments in kind but excluding pension
    - A list of the number of employees with remuneration above £50,000, presented within brackets of £5,000, with job title and the functions and the services for which they are responsible. This information is contained in the appendices to the Pay Policy Statement and updated annually
    - Any employees earning in excess of £150,000 must be named. In this Council this currently applies only to the post of Chief Executive as reflected in the Council's updated Pay Policy Statement for 2019-20
    - An organisation chart for the top 3 organisational tiers must be published. A chart reflecting the Council's current senior structure, indicating where posts are filled on a temporary rather than permanent basis and where these are vacant, is available on the public website and will be updated to reflect the recent structural changes.
  11. The Pay Policy Statement must by law be approved by Full Council in advance of the financial year to which it relates and must be published in the public domain on the Council's website by 1<sup>st</sup> April each year. This updated annual Statement reflects the situation as at 1<sup>st</sup> February 2019.

### **Pay Policy Statement**

12. All mandatory requirements of the relevant legislation as set out in both the Act and the Code have been reflected in the Council's updated Pay Policy Statement for 2019/20. The statement does not cover employees directly engaged in schools. The information provided is in line with the guidance published by the Department for Communities and Local Government (now the Ministry of Housing, Communities and Local Government) and the Local Government Association.

13. The focus of the legislation relates to the overall pay policy and not individual post holders. The guidance does however allow Local Authorities discretion over some additional areas of supporting content. As part of the County Council's commitment to transparency and public accountability, the Council's Pay Policy Statement extends beyond the basic statutory requirements and pulls together a wide and comprehensive range of information on pay and remuneration in one place and presents it in a simple, consistent format in order that the public can understand:
- How the Council determines pay and terms and conditions for all staff
  - What the Council pays its employees
  - The context and rationale behind decisions
  - How senior officer remuneration relates to that of other employees.
14. The key principles underpinning the Pay Policy Statement are that the Council currently:
- Has the right to determine senior officer pay locally
  - Has ensured that senior officer pay and terms and conditions are in line with those applicable to other employees
  - Needs sufficient flexibility to cope with a variety of changing circumstances such as market factor supplements
  - Is committed to openness, transparency and public accountability
  - Needs to reflect local circumstances such as shortage of particular key skills
  - Is committed to equity and fairness of treatment across the whole workforce.
15. A copy of Nottinghamshire County Council's updated annual Pay Policy Statement 2019-2020, which sets out the position as at 1<sup>st</sup> February 2019, is attached as the **Appendix** to this report.

### **Other Options Considered**

16. The focus of the Pay Policy Statement is to ensure the Council complies with the requirement under the Localism Act to have a Pay Policy Statement; the content of which complies with all mandatory legal requirements and to publish this annually. In addition, the Council has sought to pull together all of the information on its policies relating to pay and remuneration and to publish this for public scrutiny.
17. This Statement can be amended during the financial year as necessary to reflect the prevailing legislation at the time or as emerging practice or clarification of guidance necessitate.

### **Reason for Recommendation**

18. To ensure that Nottinghamshire County Council is legally compliant in terms of the publication of a Pay Policy Statement and accountable to the public of Nottinghamshire.

### **Statutory and Policy Implications**

19. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human

rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

### **Data Protection and Information Governance**

20. There is a Statutory requirement for the information contained in this annual Pay Policy Statement for 2019 to be published on the Council's website prior to 1st April which overrides any individual's rights to confidentiality.

### **Financial Implications**

21. There are none arising directly as a result of the requirement to publish an annual Pay Policy Statement.

### **Human Resources Implications**

22. The HR implications are contained within the body of the report. The Pay Policy Statement pulls together existing policies in relation to pay and terms and conditions, which have previously been agreed by the recognised Trades Unions and Elected Members and publishes these for wider public scrutiny.

### **Public Sector Equality Duty implications**

23. The Council's pay and grading structure is based on a "points to pay" relationship determined through Job Evaluation as a mechanism to ensure the consistent evaluation of the relative value of job roles across the Council. This in turn ensures a fair, open and transparent pay and reward structure that is affordable and supports the equal treatment of all employees in respect of their pay, terms and conditions; is compliant with Equal Pay legislation and Single Status requirements. The Council's policies on pay and terms and conditions apply equally to employees at all levels of seniority across the authority.

## **RECOMMENDATION**

It is recommended that Full Council:

- 1) Approve the Pay Policy Statement, **as appended**, for publication on the Council's website by 1<sup>st</sup> April 2019.

**Councillor Kay Cutts**  
**Leader of Nottinghamshire County Council**

**For any enquiries about this report please contact:**

Gill Elder, Group Manager HR on 0115 9773867 or [gill.elder@nottscc.gov.uk](mailto:gill.elder@nottscc.gov.uk)

### **Human Resources Comments (GME 04/03/2019)**

24. The Council is fulfilling its legal responsibilities in publishing a Pay Policy Statement and associated policy documents. The recognised trades unions have been informed and have noted the information contained in the Pay Policy Statement. Further changes arising from the full implementation of Year 2 of the NJC National pay award applicable from 1 April 2019 to Grade 1 to Hay Band J will be reported in next year's statement.

### **Constitutional Comments (KK 14/03/19)**

25. The proposal in this report is within the remit of Full Council.

### **Financial Comments (RWK 14/03/19)**

26. The financial implications are set out in paragraph 21 of the report.

### **Background Papers and Published Documents**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972:

- Openness and Accountability in Local Pay: Guidance under Section 40 of the Localism Act – DCLG 17<sup>th</sup> February 2012
- Localism Act 2011- Chapter 8 “Pay Accountability” – 15<sup>th</sup> November 2011
- Code of Recommended Practice for Local Authorities on Data Transparency (DCLG) – September 2011
- The Hutton Report on Fair Pay in the Public Sector – 2011
- Equality Impact Assessment
- Transparency Code 2014 – DCLG 1<sup>st</sup> May 2014
- Local Government Transparency Code and Guidance 2015 – DCLG February 2015. 27 February 2015

### **Electoral Division(s) and Member(s) Affected**

- All





**Nottinghamshire  
County Council**

# **Pay Policy Statement**

**2019-20**

**1<sup>st</sup> February 2019**

## **CONTENTS:**

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- 2. Purpose and Scope**
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- 4. Determination of pay and terms and conditions**
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- 7. Employees with a Total Remuneration of £50,000 or more**
- 8. Appendices:**

### **Appendix A- Nottinghamshire County Council's Organisational and Salary Information**

- (1) Nottinghamshire County Council Top Level Structure Chart February 2019
- (2) Chief Officer Pay at Nottinghamshire County Council February 2019
- (3) List of NCC Employees with Total Remuneration of £50,000 or more.

### **Appendix B - Nottinghamshire County Council's Pay Related Employment Policies as at February 2019**

(Please note some of the following are currently under review)

- (4) Local Government Salary Scales 2018/19
- (5) Grading Policy
- (6) Process for Assessment and Approval of Market Factor Supplements
- (7) Honoraria Payments
- (8) Redundancy and Early Retirement
- (9) Redundancy Payment Calculator
- (10) Flexible Retirement
- (11) Re-employment or Re-engagement of Former Employees
- (12) Travelling Allowances
- (13) Subsistence Allowances
- (14) Pay Protection
- (15) Car Leasing
- (16) Nottinghamshire County Council's Constitution - Employment Procedure Rules



## **1. BACKGROUND:**

1.1 Section 38 (1) of the Localism Act 2011 continues to require all local authorities in England and Wales to produce and publish a Pay Policy Statement for each financial year before 1 April each year.

1.2 The Department for Communities and Local Government (DCLG) Transparency Code 2015 replaced all previous Codes, adding to, but not replacing the requirements of the Localism Act.

1.3 The requirements of the Act and the Code do not extend to schools and the scope of the Council's Pay Policy Statement does not therefore extend to school based employees.

1.4 This updated Pay Policy Statement will be published on the Council's website as soon as possible following consideration by Full Council.

1.5 This Statement will be reviewed annually and amended as necessary to reflect the prevailing legislation at the time; with Full Council approval as required.

1.6 The information and data in this Statement is current as at **1<sup>st</sup> February 2019**.

## **2. PURPOSE AND SCOPE:**

2.1 The purpose of a Pay Policy Statement is to improve accountability in relation to payments made to senior employees in the public sector, in particular those in local authorities, by enabling public scrutiny.

2.2 The requirements of the Localism Act in respect of transparency about senior pay, build on the Accounts and Audit (England) Regulations 2011 with which the County Council is also compliant. Published details of the remuneration of its Chief Executive and Corporate Directors can be found on the Council's public website.

2.3 The Localism Act requires that a Pay Policy Statement (PPS) must articulate the Council's own policies towards a range of issues relating to the pay of its workforce, in particular its Chief Officers, as defined by the Local Government and Housing Act 1989 and to its lowest paid employees.

2.4 The core requirements of the provisions of the Localism Act are that a Pay Policy Statement must set out the Authority's policies relating to senior salaries, remuneration and pay multiples, specifically:

- The remuneration of its lowest paid employees
- The definition used for this group and the reason for adopting this definition
- The relationship between Chief Officer Remuneration and that of other staff

- The Pay Multiple relationship between the highest and lowest earnings and between the highest earnings and the median earnings figure for the whole authority workforce.

2.5 The Act defines Chief Officer remuneration as the level and elements of remuneration for each Chief Officer (including salary, any bonuses/performance related pay, charges/fees/allowances, benefits in kind, enhancement to pension at termination).

2.6 The Transparency Code carries specific legal requirements to publish some organisation and salary information which include the following:

- The Pay Multiple to reflect a particular date in the year (in this case the Council's annual Pay Policy Statement update is at 1<sup>st</sup> February each year), and include all elements of remuneration including earnings, that is, base salary, variable pay allowances and any bonuses or payments in kind, but excluding pension
- Clarification that median remuneration should be used in Pay Multiple information
- A list of the number of employees with remuneration above £50,000 grouped within brackets of £5,000, with job title and the functions and services for which they are responsible
- Any employees earning in excess of £150,000 must be named. In this Council this applies only to the post of Chief Executive
- An up to date mandated organisation chart for the top 3 organisational tiers which is published on the Council's Public website.

2.7 Nottinghamshire County Council's current Pay Policy Statement meets the mandatory requirements of both the Act and the Code and provides information on Nottinghamshire County Council's Pay and Conditions of Service for its Chief Officers in comparison to the majority of the workforce employed on Local Government terms and conditions. Specifically it covers the Council's policy on the following points:

- The level and elements of remuneration for each Chief Officer
- The remuneration of the Council's "lowest paid employees"
- The relationship between the remuneration of Chief Officers and other officers
- Other aspects of Chief Officers' remuneration including remuneration on recruitment, increases and additions to remuneration, use of performance related pay and bonuses, termination payments.

2.8 This Pay Policy Statement includes all direct employees covered by the National Joint Council (NJC) for Local Government Services national agreement on pay and conditions of service and those covered by the Joint Negotiating Committee (JNC) conditions of service for Chief Executives and Chief Officers.

2.9 **Appendix A(1)** contains a structure chart of all Senior Employees (as defined by the Act), of the Council employed by the Council as at **1<sup>st</sup> February 2019**, that is:

- Chief Executive

- Corporate Directors
- Service Directors
- Any Group Managers and other senior posts reporting direct to a Corporate Director
- Director of Public Health.

All of these senior employees are directly employed by the Council.

2.10 Nottinghamshire County Council's Pay Policy Statement reflects the wide definition of "remuneration" within the relevant legislation. This includes not just pay but also pay awards, increments, additional contractual payments and allowances and enhancements but excludes pensions. The Council does not pay bonuses or benefits in kind to any of its employees.

### **3 ORGANISATIONAL CONTEXT:**

3.1 As a major employer in Nottinghamshire, the County Council's ambition is to contribute to building a more prosperous local community by modelling good employment practice, including ensuring fairness in the way that it pays and rewards its existing and future employees.

3.2 The Council also wishes to be an attractive source of potential employment to job seekers across its community and is committed to using its resources to create meaningful and fairly remunerated employment opportunities for local people.

3.3 In light of the budget challenges facing the Council a vacancy management process, the 'Vacancy Control Process' has been effective from 3rd June 2013. Consideration is given to holding posts vacant for deletion as savings. Those posts released to be filled will initially be offered to existing employees at risk of redundancy to support efforts to protect their employment and avoid the costs associated with redundancy by retraining or redeploying them into appropriate vacancies.

3.4 The following information outlines the Council's operating basis and general position in respect of employment, pay and conditions of service and is pertinent to the current statutory requirements of the Localism Act and the Transparency Code.

3.5 Nottinghamshire is the 10<sup>th</sup> largest local authority in England, with an estimated population of around 810,710 (source: ONS mid 2016 population estimates).

3.6 The Council remains amongst the largest employers in the county with a headcount of **7,478** directly employed permanent and temporary staff, as at 1<sup>st</sup> February 2019 (excluding those in schools), a significant proportion of whom directly provide more than 400 statutory and discretionary services to the people of Nottinghamshire.

3.7 The Council's Chief Executive works within the national conditions of service covered by the JNC for Chief Executives. The three posts of Corporate Director

are covered by the JNC for Chief Officers. Together with the Director of Public Health, Service Director, Customers, Governance and Employees and Service Director, Finance, Infrastructure and Improvement, these posts constitute the Council's Corporate Leadership Team

3.8 Employees defined by the Localism Act as Chief Officers, including Service Directors, work within the national conditions of service covered by the JNC for Chief Officers. All other employees, other than a small number covered by national terms and conditions for Southbury staff or the JNC for Youth and Community Workers (whose pay is also determined through national bargaining), work within the national conditions of service covered by the NJC for Local Government Employees.

#### **4 DETERMINATION OF PAY AND TERMS AND CONDITIONS:**

4.1 Nottinghamshire County Council subscribes to the national pay bargaining framework through the National Joint Council (NJC) on which the local government employers are represented by the Local Government Association (LGA). From April 2018 a two year pay award was agreed which has required the renumbering of the Council's existing pay spine. The Council is applying the national pay award in full and employees from Grade 1 to Band J will be assimilated onto the new pay spine from 1 April 2019.

4.2 The Council fully implemented "Single Status" in 2008. This term was designed by the national employers and trade unions to describe the equal treatment of all employees in respect of their pay, terms and conditions. Arising from this the Council has an established pay and grading structure which is based on a "points to pay" relationship determined through a Job Evaluation process.

##### **4.3 Job Evaluation:**

4.3.1 The consistent evaluation of the relative value of job roles across the Council ensures a fair, open and transparent pay and reward structure that is affordable and compliant with Equal Pay legislation and Single Status requirements.

4.3.2 The County Council continues to use two job evaluation schemes to evaluate the work of its employees using trained in-house Job Analysts for all posts other than posts at Service Director level which are subject to an independent analysis by an external provider, the Hay Group. The work of the internal analysts has been validated by Korn Ferry Hay who have confirmed that the Hay scheme is being correctly applied.

- The "Hay" scheme:

4.3.3 This method of job evaluation was selected by the Council for more senior posts as it has been used extensively across the public sector and particularly in local government. It provides a coherent model to compare dissimilar jobs and the characteristics of different levels of work. There are specific criteria for determining if the post should be evaluated using this scheme as outlined in **Appendix B (2)**.

- National Job Evaluation (NJE) scheme:

4.3.4 The evaluated job score equates to a pay band on the Council's Salary Scale which is attached as **Appendix B (1)**. This will be updated to reflect the pay award and new pay spine from April 2019 onwards. It is correct as at 1 February 2019.

4.3.5 The Hay Group and NJE Job Evaluation Schemes will continue to be used to establish pay grades for all jobs covered by the NJC, including Service Directors.

4.3.6 A copy of the Council's Grading Policy is attached as **Appendix B (2)**. The principles outlined in the policy and the schemes used have not changed.

4.3.7 The Council has a Competency Framework which provides a standard set of behaviours applicable to all employees against key role descriptors at a range of levels, including Chief Officers. This assessment informs individuals' learning plans and supports effective service delivery but is not related to pay.

#### 4.4 Pay awards and increases:

4.4.1 Nottinghamshire County Council adheres to national pay bargaining in respect of the national pay spine and any annual cost of living increase negotiated on the pay spine.

4.4.2 As part of the implementation of Job Evaluation NCC 's current pay grades were attached to the nationally determined pay scale from 1<sup>st</sup> April 2008. Employees progress through the pay bands within their evaluated grade by incremental annual progression.

4.4.3 The Local Government national pay award for 2016 up to 31st March 2018 of 1% for each financial year, was applied to all employees below Service Director level in the structure.

4.4.4 The national pay award for Chief Executives agreed for the period 2016-18, equates to a 1% increase in each financial year concerned. An equivalent 1% national pay award for 2016-18 was also agreed for Chief Officers and has been applied to Corporate Directors and Service Directors.

4.4.5 As part of its overall ambition to model good employment practice, Nottinghamshire County Council formally adopted the "Living Wage" rate determined by the Living Wage Foundation for the U.K (outside London) from 1st April 2014. The current nationally set Living Wage Foundation Living Wage rate is £9.00 per hour. This applies to all of the Council's direct employees on spinal column point 14 or below on its current pay scale. The Living Wage rate is paid as an allowance on top of existing pay rates, as the minimum basic rate of pay paid on the Council's pay spine, applied to all hours worked, including enhancements and overtime payments.

4.4.6 In addition, as part of its commitment to fair pay and stimulating local economic

growth from 1<sup>st</sup> April 2014, the Council ensures that all Apprentices in supernumerary placements within the authority, and therefore outside of the scope of the Living Wage Foundation rate, are paid the current age related national Minimum Wage rate for their age.

#### 4.5 Incremental Salary Progression:

4.4.7 The Chief Executive and Corporate Directors are on fixed salaries, that is, no incremental progression applies.

4.4.8 The LGA recommend that local authorities continue to pay contractual annual increments within their agreed pay bands. Nottinghamshire County Council has complied with this and all other employees continue to receive contractual annual increments up to the maximum spinal column point of the evaluated salary band for their post.

#### 4.5 Pensions:

4.5.1 The directly employed staff who are the subject of this Pay Policy Statement, including Chief Officers, are covered by the Local Government Pension Scheme. Employees who are members of the Local Government Pension Scheme (LGPS) pay contributions from their salary dependent on their actual earnings on a 9 band basis as set out in the LGPS Regulations in the table below:

#### **Local Government Pension Scheme Member Contributions - Standard pay band table 2018/2019 (applies as at 1.2.19):**

Band	Actual pensionable pay for an employment	Contribution rate for that employment	
		Main section	50/50 section
1	Up to £14,100	5.5%	2.75%
2	£14,401 to £22,000	5.8%	2.9%
3	£22,001 to £35,700	6.5%	3.25%
4	£35,701, to £45,200	6.8%	3.4%
5	£45,201 to £63,100	8.5%	4.25%
6	£63,101 to £89,400	9.9%	4.95%
7	£89,401 to £105,200	10.5%	5.25%
8	£105,201 to £157, 800	11.4%	5.7%
9	£157,801 or more	12.5%	6.25%

4.5.2 The pay band ranges are periodically reviewed.

4.5.3 Under current LGPS Regulations, from 1<sup>st</sup> April 2014, the standard employee contribution rate is assessed on actual pensionable pay, including non-contractual overtime. Those employees who have taken the 50/50 option allowable under the revised LGPS regulations will pay half of the contribution rate shown in return for a proportionate reduction on benefits. These provisions apply equally to Chief Officers whose salaries place them in the top 4 of the band ranges.

4.5.4 By law, workplace pension provisions are required to include an employer contribution. The Council's employer's contribution rate is determined locally by the Actuary for the Nottinghamshire Pension Fund following a 3 yearly valuation. Taking deficit into account, the Council's employer contribution to the pension of all employees at all levels is increased to 22.2% with effect from 1<sup>st</sup> April 2017.

4.5.5 Currently NJC terms and conditions apply to the Public Health employees who transferred into the County Council on 1<sup>st</sup> April 2013. However, under the provisions of a national Directions Order, certain categories of employees working in Public Health have been able to remain in the NHS pension scheme. This is currently a 7 tier contributory pension scheme under which employees currently contribute between 5 % and 14.5 % of their salary dependent on seniority as set out in the table below:

**NHS Pension Scheme Member Contributions April 2016 – March 2019:**

<b>Contribution Rates before tax relief (gross) Tier</b>	<b>Full-time pensionable pay/earnings used to determine contribution rate</b>	<b>Contribution rate (before tax relief) (gross) 1 April 2015 to 31 March 2019</b>
1	Up to £15,431.99	5%
2	£15,432.00 to £21,477.99	5.6%
3	£21, 478.00 to £26,823.99	7.1%
4	£26,824.00 to £47,845.99	9.3%
5	£47,846.00 to £70,630.99	12.5%
6	£70,631.00 to £111,376.99	13.5%
7	£111,377.00 and over	14.5%

**4.7 Professional fees:**

4.7.1 The professional fees of qualified Solicitors and Legal Executives employed by the Council are paid annually by the Council to enable them to continue to practice.

4.7.2 Payment of fees to cover the cost of registration with their professional body (HCPC) for Social Workers and Occupational Therapists are a matter of personal responsibility.

4.7.3 No professional fees are paid for any other employee groups, including Chief Officers.



#### 4.8 Acting-up Allowances and Honoraria:

4.8.1 Nottinghamshire County Council's current policy on the payment of Acting-up Allowances and Honoraria is set out in **Appendix B (4)**. Such payments are only made on an exception basis on the submission of a full business case, at the discretion of the appropriate Chief Officer.

#### 4.9 Overtime and other additional payments:

4.9.1 In line with the NJC national agreement on pay and conditions of service, employees on spinal column point 28 (£25,463) and below are entitled to additional payments when required to work:

- on Saturday or Sunday
- on public holidays
- at night
- sleeping in duty
- split shifts
- beyond the full time equivalent hours for the week in question.

4.9.2 Members of the Corporate Leadership team are expected to be on call at all times as part of their duties and responsibilities and receive none of the additional payments available to other employees.

#### 4.10 Car Leasing Scheme:

4.10.1 The Council's scheme (**Appendix B (12)**) applies to all employees including Chief Officers. At present no Chief Officers are using vehicles leased under the provisions of the scheme as indicated in **Appendix A (2)**

#### 4.11 Payment of expenses:

4.11.1 Where claimed, expenses incurred by staff, including Chief Officers, in the course of carrying out their duties are paid in line with the Council's Travel and Accommodation Policy. This is part of the nationally agreed terms and conditions of service supplemented by the Council's local conditions as laid down in its policies on Travelling Allowances (**Appendix B(9)**), and Subsistence Allowance (**Appendix B (12)**). All expenses claimed by the Chief Executive and Corporate Directors are published on the County Council's website.

#### 4.12 Pay Protection:

4.12.1 The Council's current Pay Protection Policy as at February 2019 is attached as **Appendix B (11)**.

4.12.2 This policy is used in circumstances where the duties of a post change and following re-evaluation the grade for the post goes down and may also be applied in some circumstances where, to protect their ongoing employment, individuals are redeployed to a lower graded post.

4.12.3 All employees currently receive salary protection for a period of two years, with salary being frozen at the point at which pay protection starts, i.e., employees will not receive any subsequent incremental increases or any annual cost of living pay awards. At the end of the protection period the employee reverts to the maximum spinal column point or spot point of the substantive grade of their post.

4.12.4 Potential changes to this policy are currently being negotiated with the recognised trade unions. Any collective agreement will be reflected in next year's Pay Policy Statement.

#### 4.13 Redundancy compensation payments:

4.13.1 Contractual notice and redundancy pay in relation to a redundancy is as set out in the Council's policy on Redundancy and Early Retirement which currently applies to all employees of the Council, including Chief Officers (**Appendix B (5)**).

4.13.2 Local Authorities are able to grant, at their discretion, benefits in excess of the statutory provisions for payments to employees who cease their employment prematurely on the grounds of redundancy. Under the Equality Act 2010, Local Authorities are required to develop and publish their own policy on the award of any discretionary redundancy payments for loss of employment.

4.13.3 Nottinghamshire County Council has exercised this discretion to apply to all employees a multiplier of 1.65 on the statutory redundancy formula based on age and local government service, capped at 30 years reckonable service. A copy of Nottinghamshire County Council's current redundancy payment calculator is contained in **Appendix B (6)**.

4.13.4 Contractual redundancy payments are therefore calculated using the discretionary formula which already includes the statutory element. This allows up to 50 weeks actual salary (dependent on age and length of service) regardless of whether the individual is under or over 55 years of age or whether the individual concerned is in the LGPS pension scheme.

4.13.5 No other additional payments or enhancements are payable.

4.13.6 This policy currently applies to all direct employees, including Chief Officers. It is also the subject of negotiations with the recognised trades unions. Any changes agreed will be reflected in the Pay Policy Statement for 2020/21.

#### 4.14 Payment on retirement:

4.14.1 Employees may also leave the employment of the Council under the following types of termination:

Efficiency of the Service - As set out in the Council's policy on Redundancy and Early Retirement this provision would only be used in very exceptional circumstances.

Flexible Retirement - As set out in the Council's policy on Flexible Retirement (**Appendix B (7)**) employees may apply for employer permission to access their pension from age 55 but remain working at the Council either on reduced pay or reduced hours. Due to the

associated Pension Strain costs this provision has not been applied to Chief Officers.

4.14.2 Under the terms of the LGPS Regulations employees may also retire on the basis of age:

Age Retirement - Under Pension Regulations employees, including Chief Officers, may automatically access their pension benefits, currently from age 60, when they leave employment. As permitted under the Employment Equality (Age) Regulations 2006, the Council does not operate a default retirement age whereby employees are dismissed at age 65.

Early Retirement - As set out in the Council's policy on Redundancy and Early Retirement, under LGPS regulations, employees can request access to their pension from age 55 with the Council's consent. An actuarial reduction will normally apply unless the Council chooses to waive this.

4.15 Re-engagement of former employees:

4.15.1 Nottinghamshire County Council's policy on the Re-employment and Re-engagement of Former Employees is set out in full in **Appendix B (8)** and currently applies to all employees, including Chief Officers. Where the former employee has previously received a voluntary or compulsory redundancy payment, part or all of the compensatory element of the redundancy payment may be recovered and abatement of pension could apply.

## **5 RELATIONSHIP BETWEEN HIGHEST AND LOWEST PAID EMPLOYEES:**

5.1. Highest and lowest paid employees:

5.1.1 The Council's highest paid employee is its Chief Executive, Anthony May, who, following the application of the national pay award for Chief Officers from April 2018 earns a fixed annual salary of **£ 176,886**.

5.1.2 For the purpose of this Pay Policy Statement, the definition of "Lowest Paid Employee" at Nottinghamshire County Council are employees on Grade 1 spinal column point 6. On the national pay spine this equates to £16,394, annual basic pay (£8.50 per hour) which exceeds the age related statutory National Living Wage, currently set at a maximum of £7.83 per hour for employees aged 25 years or over. The Council's current Living Wage allowance reflects the Living Wage Foundation Living Wage Rate and brings its minimum pay rate up to £9.00 an hour for all employees.

5.1.3 The Council introduced the Payment of the Living Wage Allowance from 1<sup>st</sup> April 2014, based on the Living Wage Foundation rate. This benefitted just over 2,200 of its lowest paid direct employees living in some of the most deprived parts of the County. The subsequent implementation of nationally determined annual increases in this rate have brought the current lowest rate of pay offered for a substantive post at the Council to **£9.00 per hour**. This is paid to all substantive employees on point 14 and below on the current pay spine, bringing their annual pay to **£17,363**.

## 5.2 Relationship between the Pay of the Highest and Lowest Earner:

5.2.1 When expressed as a multiplier of pay, the Chief Executive's salary as at 1<sup>st</sup> February 2019 is **10 times** greater than that of the Council's lowest earner when the Living Wage Allowance is included.

## 5.3 Median Pay of Workforce:

5.3.1 For the purpose of this Pay Policy Statement, Nottinghamshire County Council has updated this calculation to ensure it is compliant with the definition set out in the Local Government Transparency Code 2014 which includes all elements of taxable earnings inclusive of variable pay and allowances.

5.3.2 The Council does not pay bonuses or offer any benefits in kind.

5.3.3 As at 1<sup>st</sup> February 2019 the Council's Full Time Equivalent **Median Pay**, that is the mid-point on the range of pay points, was: **£18,871** per annum (equating to spinal column point 18 on the Council's pay scale).

## 5.4 Pay Multiple:

5.4.1 As at 1<sup>st</sup> February 2019, the relationship between the Chief Executive's pay and that of the Council's median (mid-point), earner (£18,871), was a ratio of **9.4:1**.

5.4.2 Nottinghamshire County Council does not currently have a policy of maintaining or reaching a specific pay multiple target but this figure is in line with Government recommendations.

## **6 LEVEL AND ELEMENTS OF REMUNERATION OF CHIEF OFFICERS:**

6.1 The definition of a Chief Officer adopted by the Act is, as defined by the Local Government and Housing Act 1989, any post that reports directly to the statutory Chief Officer, the Chief Executive. In the case of this Authority this currently applies to Corporate Directors, and those who report to them (Service Directors).

6.2 The pay of Chief Officers at Nottinghamshire County Council is determined by its democratically elected representatives through its Personnel Committee which, under current constitutional arrangements, has delegated authority from the County Council to make decisions on behalf of the Council relating to pay, terms and conditions (**see Appendix B (13)**)

6.3 Under current Constitutional arrangements, Chief Officer appointments are made by elected members on the Senior Staffing Sub Committee which is a sub-committee of Personnel Committee. These Committees refer appointments in respect of the Chief Executive, Monitoring Officer and Section 151 Officer to Full Council as such appointments are subject to this ratification.

6.4 The comparative level of remuneration of each Corporate Director is decided on the basis of their particular accountabilities and responsibilities (including any statutory responsibilities) and the size of the job taking into account the range of services

provided the number of employees and the size of the population within their remit. This is supported by information from the Hay Group on median pay rates for comparative roles of a similar size in a range of public sector organisations across the country.

6.5 The table at **Appendix A (2)** sets out a comprehensive breakdown of all pay related terms and conditions offered to the County Council's senior employees, including Chief Officers, which are in line with those which apply to other members of staff.

6.6 In compliance with the Accounts and Audit (England) Regulations 2011 the detail of the remuneration of all members of the Chief Officers Leadership Team is also set out in the individual profiles on the Council's public website under "Council and Democratic - Council Structure - About Senior Officers and Pay Policy Statement".

6.7 In compliance with the Transparency Code 2015 the appendix to this Statement also now contains an up to date, as at 1<sup>st</sup> February 2019, senior structure chart with an associated pay table in bands of £5,000.

6.8 Statutory guidance to the Localism Act (section 40), requires that any severance packages for senior officers of, or above, £100,000 are approved by Full Council. For the period February 2018 to January 2019 one such payment has been made, in line with the individual's contractual entitlement, and approved by Full Council.

#### 6.9 Remuneration of Chief Officers on recruitment:

6.9.1 The starting salary of the Council's Service Directors falls within the pay band for their job, as set out in **Appendix A (2) and Appendix B(1)**, and is subject to annual incremental progression to the top point of the pay band.

6.9.2 The starting salary offered will not be more than the maximum of the pay band for the evaluated grade of the job unless another policy, such as Market Factor Supplements (**Appendix B (3)**), is applicable.

6.9.3 On appointment, a Chief Executive or Corporate Director will be appointed to the agreed fixed spot salary for their post.

#### 6.10 Returning / Counting Officer's Fee:

6.10.1 In Nottinghamshire, the County Council's Chief Executive is the Chief Officer nominated as Returning Officer in charge of the running of Local, European, Parliamentary Elections and National Referenda. The Council does not govern the fee payable for these elections as it is funded by central government and is therefore not related to Nottinghamshire County Council's terms and conditions. The Chief Executive receives no additional remuneration for Returning Officer duties.

#### 6.11 Deputy Chief Executive:

6.11.1 The Council makes an additional payment of £416.67 per month that is £5,000 per annum (gross), to the Corporate Director appointed to undertake the additional duties involved in formally deputising for the Chief Executive. Currently this is the Corporate Director for Place

## 6.12 Monitoring Officer's Fee:

6.12.1 The Council's Service Director – Customers, Governance and Employees currently fulfils the statutory obligations of the Monitoring Officer to ensure Nottinghamshire County Council, its officers, and its elected Councillors maintain the highest standards in all they do. The Monitoring Officer's legal basis is found in Section 5 of the Local Government and Housing Act 1989; as amended by the Local Government Act 2000. This duty was taken into consideration in the evaluation of the salary of this Service Director post under the Hay Group Job Evaluation scheme. The post holder also undertakes the Monitoring Officer role to the Police and Crime Panel but receives no additional remuneration for this work. The Deputy Monitoring Officer is currently the Group Manager – Legal, Complaints and Democratic Services.

## 6.13 Section 151 Officer:

6.13.1 In Nottinghamshire County Council this responsibility under the local Government Act 1972 is undertaken by the Service Director Finance, Infrastructure and Improvement. This duty was taken into consideration in the evaluation of the salary of the Service Director Finance, Infrastructure and Improvement under the Hay Group Job Evaluation scheme. No separate payment is made for undertaking this function.

## 6.14 Public Health transfer:

6.14.1 The Director of Public Health and their direct reports were initially paid on NHS pay and terms and conditions for Consultants on a transitional basis under Statutory Instrument for a period of two years from the date of transfer, which was 1<sup>st</sup> April 2013. Following a structural review all public health posts were established in the Adult Social Care and Health structure on the Council's terms and conditions.

## 6.15 Payments to Chief Officers on ceasing to hold office or be employed by Nottinghamshire County Council:

6.15.1 To ensure accountability is maintained Under Part 6c of the Council's current Constitution (**Appendix B (13)**), under delegated powers from Full Council, the Senior Staffing Committee is responsible for the appointment and dismissal of and the taking of disciplinary action against senior employees. That is the Chief Executive, Corporate Directors and Service Directors.

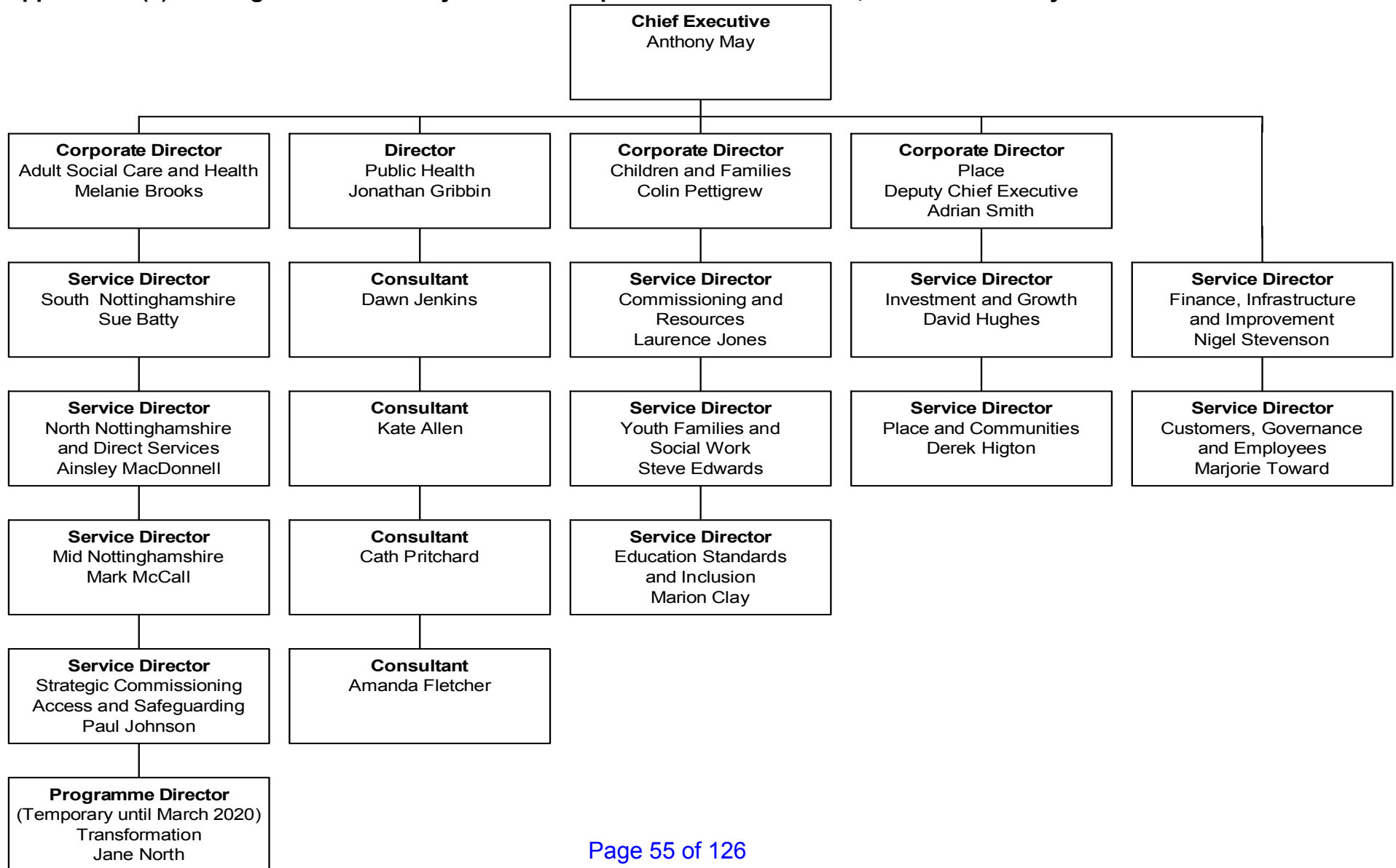
6.15.2 The Council's payment to Chief Officers leaving the Council is made under the same types of termination and same rules as for other employees as set out in **section 4 above** and the relevant policies apply. Any such terminations are reported to Personnel Committee and published in the annual Statement of Accounts.

6.15.3 In compliance with the supplementary statutory guidance to the Localism Act (section 40), any severance packages for senior officers of £100,000 or more will be subject to approval by Full Council.

## **7 EMPLOYEES WHOSE REMUNERATION IS £50,000 OR ABOVE:**

7.1 In compliance with the requirements of the Transparency Code 2014, a list of the number of employees with a total remuneration, including salary and allowances above £50,000, along with the job title and area of responsibility, is set out in **Appendix A (3) b**. At 1st February 2019 the total number of employees in scope was **115**. Remuneration is expressed in brackets of £5,000, with job title and the functions and services for which they are responsible.

## Appendix A (1): Nottinghamshire County Council's Top Level Structure Chart, as at 1<sup>st</sup> February 2019





<b>Appendix A (2): Chief Officer pay at Nottinghamshire County Council 1<sup>st</sup> February 2019</b>								
<b>Chief Officer post (See structure chart at appendix 1)</b>	<b>Current annual basic pay</b>	<b>Salary scale (see appendix 3)</b>	<b>Increase and additions including any Honoraria or MFS</b>	<b>Bonuses</b>	<b>Benefits in kind</b>	<b>Increase / enhancements to pension</b>	<b>Amount payable of cessation of employment</b>	<b>Car lease (Y/N)</b>
Chief Executive – Head of Paid Service	£176,886	CE	Nil	Not applicable under single status agreement	Not applicable – not paid	Not applicable – LGPS provision apply to all NCC staff (see section 4 of PPS)	As agreed redundancy compensation provisions applicable to all NCC staff (see appendix 8)	N
Corporate Director Children and Families	£140,373	CO	Nil					N
Corporate Director Place	£126,288	CO	£5000 additional allowance per year for Deputy Chief Executive duties					N
Corporate Director Adult Social Care and Health	£126,288	CO	Nil					N
Service Director – Finance Infrastructure & Improvement	£94,335	Band J	Nil					N
Service Director – Customers Governance & Employees	£94,335	Band J	Nil					N
Service Director ASCH, - South Nottinghamshire	£90,417	Band I						N

Service Director – North Nottinghamshire ASCH	£88,585	Band I	Nil					N
Service Director – Strategic Commissioning, Access and Safeguarding ASCH	£84,932	Band I	Nil					N
Service Director – Mid Nottinghamshire ASCH	£83,103	Band I	Nil					
Programme Director Transformation ASCH (Temp to end March 2020)	£73,658	Band H	Nil					N
Director – Public Health	£90,417	Band J	Nil			NHS pensions provisions under TUPE transfer	As per agreed redundancy compensation provisions	N
Service Director – Place and Communities	£92,376	Band I	Nil					N
Service Director – Investment and Growth	£90,417	Band I	Nil					N
Service Director – Youth, Families and Social Work	£92,376	Band I	Nil					N
Service Director – Education, Learning and Skills	£88,585	Band I	Nil					N
Service Director – Commissioning and Resources	£84,932	Band I	Nil					N
Consultant in Public Health Children and Families	£77,094 - £69,095	Band H	Nil			NHS pensions provisions under TUPE transfer	As per agreed redundancy compensation provisions	N

## Appendix A (3)

**NCC Employees with a total remuneration of £50,000 p.a. or greater as at 01/02/2019 (named as indicated where this exceeds £150,000 p.a)**

<b>Job title and area of responsibility</b>	<b>FTE Salary in bands of £5000</b>	<b>Number of employees</b>
Chief Executive - Anthony May	£175,000 - £179,999	1
Corporate Director - Children & Families	£140,000 - £144,999	1
Corporate Director - Adult Social Care & Health	£125,000 - £129,999	1
Corporate Director - Place	£125,000 - £129,999	1
Service Director Finance Infrastructure & Improvement - Chief Executive's	£90,000 - £94,999	1
Service Director Governance & Employees - Chief Executive's	£90,000 - £94,999	1
Service Director Children's Social Care - Children & Families	£90,000 - £94,999	1
Service Director Place & Communities - Place	£90,000 - £94,999	1
Service Director South Notts - Adult Social Care & Health	£90,000 - £94,999	1
Director of Public Health - Adult Social Care & Health	£90,000 - £94,999	1
Service Director Investment & Growth - Place	£90,000 - £94,999	1
Service Director North Notts & Direct Services - Adult Social Care & Health	£85,000 - £89,999	1
Director Education, Learning & Skills - Children & Families	£85,000 - £89,999	1
Service Director Strategic Commissioning Access & Safeguarding - Adult Social Care & Health	£80,000 - £84,999	1
Service Director Commissioning, Resources & Culture - Children & Families	£80,000 - £84,999	1
Service Director Mid Nottinghamshire - Adult Social Care & Health	£80,000 - £84,999	1
Consultant in Public Health - Adult Social Care & Health	£65,000 - £69,999	3
Group Manager Legal & Democratic Services - Chief Executive's	£70,000 - £79,999	1
Program Director - Adult Social Care & Health	£70,000 - £79,999	1
Consultant in Public Health - Adult Social Care & Health	£70,000 - £79,999	1
Senior Public Health & Commissioning Manager - Adult Social Care & Health	£70,000 - £79,999	1
Group Manager Support to Schools Service - Children & Families	£65,000 - £69,999	1
Group Manager Architecture & Technical Design - Chief Executive's	£65,000 - £69,999	1

Group Manager Operational Delivery - Chief Executive's	£65,000 - £69,999	1
Group Manager Performance & Improvement - Chief Executive's	£65,000 - £69,999	1
Group Manager Financial Management - Chief Executive's	£65,000 - £69,999	1
Group Manager Build Change & Engagement - Chief Executive's	£65,000 - £69,999	1
Group Manager District Child Protection - Children & Families	£65,000 - £69,999	1
Group Manager Place Commissioning - Place	£65,000 - £69,999	1
Group Manager Highways & Transport - Place	£65,000 - £69,999	1
Group Manager Planning - Place	£65,000 - £69,999	1
Team Manager Psychology Services - Children & Families	£65,000 - £69,999	1
Group Manager Procurement & Contract Management - Chief Executive's	£65,000 - £69,999	1
Group Manager Assessment - Children & Families	£65,000 - £69,999	1
Group Manager Finance Strategy & Compliance - Chief Executive's	£60,000 - £64,999	1
Group Manager Early Childhood Services - Children & Families	£60,000 - £64,999	1
Group Manager Adoption Services - Children & Families	£60,000 - £64,999	1
Grp Manager Fieldwork Social Work Team South - Children & Families	£60,000 - £64,999	1
Group Manager Catering & Facilities Management - Place	£60,000 - £64,999	1
Education Adviser - Children & Families	£60,000 - £64,999	1
Group Manager Youth & Families - Children & Families	£60,000 - £64,999	1
Education Improvements Advisor - Children & Families	£60,000 - £64,999	4
Group Manager Looked after Children & Regulated Services - Children & Families	£55,000 - £59,999	1
Group Manager Support to Schools Service - Children & Families	£55,000 - £59,999	1
Better Care Fund Manager - Adult Social Care & Health	£55,000 - £59,999	1
Education Improvements Advisor - Children & Families	£55,000 - £59,999	2
Group Manager Historic Abuse - Children & Families	£55,000 - £59,999	1
Regional Joint Improvement Programme Manager - Adult Social Care & Health	£55,000 - £59,999	1
Group Manager Residential - Adult Social Care & Health	£55,000 - £59,999	1

Group Manager Day Services - Adult Social Care & Health	£55,000 - £59,999	1
Group Manager Safeguarding Adults - Adult Social Care & Health	£55,000 - £59,999	1
Group Manager Older Adults Ashfield/Mansfield - Adult Social Care & Health	£55,000 - £59,999	1
Group Manager Older Adults Broxtowe, Gedling & Rushcliffe - Adult Social Care & Health	£55,000 - £59,999	1
Programme Manager - Chief Executive's	£55,000 - £59,999	3
Group Manager Business Support Centre - Chief Executive's	£55,000 - £59,999	1
Team Manager Principal Solicitor Litigation - Chief Executive's	£55,000 - £59,999	1
Team Manager Principal Solicitor Corporate & Environmental Law - Chief Executive's	£55,000 - £59,999	1
Group Manager Business Support - Chief Executive's	£55,000 - £59,999	1
Group Manager HR, Workforce Planning and Organisational Developments - Chief Executive's	£55,000 - £59,999	1
Group Manager Customers - Chief Executive's	£55,000 - £59,999	1
Group Manager Commissioning & Placements - Children & Families	£55,000 - £59,999	1
Group Manager Integrated Disability Service - Children & Families	£55,000 - £59,999	1
YPS Service Manager - Children & Families	£55,000 - £59,999	1
Group Manager Emergency Planning & Registration - Place	£55,000 - £59,999	1
Group Manager Trading Standards – Place	£55,000 - £59,999	1
Team Manager Schools & Family Specialist Services - Children & Families	£55,000 - £59,999	1
Senior Public Health & Commissioning Manager - Adult Social Care & Health	£55,000 - £59,999	2
Group Manager Older Adults Newark/Bassetlaw - Adult Social Care & Health	£55,000 - £59,999	1
Group Manager Safeguarding, Assurance and Improvement. - Children & Families	£55,000 - £59,999	1
Senior Educational Psychologist - Children & Families	£55,000 - £59,999	4
Team Manager - Children & Families	£55,000 - £59,999	1
Senior Educational Psychologist - Children & Families	£50,000 - £54,999	1
Group Manager Quality & Market Management - Adult Social Care & Health	£50,000 - £54,999	1
Group Manager Assurance - Chief Executive's	£50,000 - £54,999	1
Educational Psychologist - Children & Families	£50,000 - £54,999	17

Group Manager Younger Adults Broxtowe, Gedling & Rushcliffe - Adult Social Care & Health	£50,000 - £54,999	1
Senior Accountant - Chief Executive's	£50,000 - £54,999	1
Transport & Travel Services Manager - Place	£50,000 - £54,999	1
Manager Development & Partnerships - Place	£50,000 - £54,999	1
Senior Public Health & Commissioning Manager - Adult Social Care & Health	£50,000 - £54,999	7
Group Manager Strategic Commissioning - Adult Social Care & Health	£50,000 - £54,999	1
Group Manager Young Adults Newark & Bassetlaw - Adult Social Care & Health	£50,000 - £54,999	1
RR Teacher Leader - Children & Families	£50,000 - £54,999	2
Group Manager Older Adults Broxtowe, Gedling & Rushcliffe - Adult Social Care & Health	£50,000 - £54,999	1
Group Manager Young Adults Ashfield & Mansfield - Adult Social Care & Health	£50,000 - £54,999	1
Reablement Group Manager - Adult Social Care & Health	£50,000 - £54,999	1
Programme Manager - Chief Executive's	£50,000 - £54,999	1
Team Manager Learning & Skills - Place	£50,000 - £54,999	1
Group Manager Service Improvement - Children & Families	£50,000 - £54,999	1
Consultant EAL/A&E - Children & Families	£50,000 - £54,999	1
Group Manager Access & Safeguarding - Adult Social Care & Health	£50,000 - £54,999	1
<b>Total</b>		<b>126</b>
<b>Notes</b>		
Employees whose remuneration exceeds £150,000 are named		
NCC Senior managers do not receive any bonuses or 'benefits in kind'		
Pension contributions are as per the LGPS standard pay band (as set out in the Pay Policy Statement 2019/2020)		
NCC policies relating to expense, allowances and loss of office are set out in the Pay Policy Statement 2019/2020		

## Local Government Salary Scales 2018/19:

	SCP	April 2018		
		Annual	Monthly	Hourly 37
NJE Grade 1	6	£16,394	1,366.17	£8.50
	7	£16,495	1,374.59	£8.55
	8	£16,626	1,385.50	£8.62
NJE Grade 2	9	£16,755	1,396.25	£8.68
	10	£16,863	1,405.25	£8.74
	11	£17,007	1,417.25	£8.82
	12	£17,173	1,431.09	£8.90
	13	£17,391	1,449.25	£9.01
NJE Grade 3	14	£17,681	1,473.42	£9.16
	15	£17,972	1,497.67	£9.32
	16	£18,319	1,526.59	£9.50
	17	£18,672	1,556.00	£9.68
	18	£18,870	1,572.50	£9.78
NJE Grade 4	19	£19,446	1,620.50	£10.08
	20	£19,819	1,651.59	£10.27
	21	£20,541	1,711.75	£10.65
	22	£21,074	1,756.17	£10.92
	23	£21,693	1,807.75	£11.24
NJE Grade 5	24	£22,401	1,866.75	£11.61
	25	£23,111	1,925.92	£11.98
	26	£23,866	1,988.84	£12.37
	27	£24,657	2,054.75	£12.78
	28	£25,463	2,121.92	£13.20
Hay Band A	29	£26,470	2,205.84	£13.72
	30	£27,358	2,279.84	£14.18
	31	£28,221	2,351.75	£14.63
	32	£29,055	2,421.25	£15.06
	33	£29,909	2,492.42	£15.50
	34	£30,756	2,563.00	£15.94
Hay Band B	34	£30,756	2,563.00	£15.94
	35	£31,401	2,616.75	£16.28
	36	£32,233	2,686.09	£16.71
	37	£33,136	2,761.34	£17.18
	38	£34,106	2,842.17	£17.68
	39	£35,229	2,935.75	£18.26

	SCP	April 2018		
		Annual	Monthly	Hourly 37
Hay Band C	39	£35,229	2,935.75	£18.26
	40	£36,153	3,012.75	£18.74
	41	£37,107	3,092.25	£19.23
	42	£38,052	3,171.00	£19.72
	43	£39,002	3,250.17	£20.22
	44	£39,961	3,330.09	£20.71
Hay Band D	42	£38,052	3,171.00	£19.72
	43	£39,002	3,250.17	£20.22
	44	£39,961	3,330.09	£20.71
	45	£40,858	3,404.84	£21.18
	46	£41,846	3,487.17	£21.69
	47	£42,806	3,567.17	£22.19
Hay Band E	47	£42,806	3,567.17	£22.19
	48	£43,757	3,646.42	£22.68
	49	£44,697	3,724.75	£23.17
	50	£45,615	3,801.25	£23.64
	51	£46,568	3,880.67	£24.14
	52	£47,555	3,962.92	£24.65
Hay Band F	56	£51,506	4,292.17	£26.70
	57	£52,523	4,376.92	£27.22
	58	£53,168	4,430.67	£27.56
	59	£54,492	4,541.00	£28.24
	60	£55,816	4,651.34	£28.93
	61	£57,138	4,761.50	£29.62
Hay Band G	63	£59,909	4,992.42	£31.05
	64	£61,367	5,113.92	£31.81
	65	£62,818	5,234.84	£32.56
	66	£64,273	5,356.09	£33.31
	67	£65,731	5,477.59	£34.07
	68	£67,311	5,609.25	£34.89



## **Appendix B (2):**

### **Nottinghamshire County Council's Grading Policy**

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#### **1. Introduction**

This policy explains how posts within the County Council are graded. It covers all staff employed on the National Joint Council for Local Government Services (Green Book) conditions, excluding Corporate Directors.

#### **2. Principles**

**2.1** The County Council is committed to ensuring that the grading of posts is undertaken to ensure consistency, fairness, openness and equality of treatment. In pursuit of this the following principles will be upheld:

**2.1.1** All posts will be evaluated and graded using either the National Joint Council Job Evaluation Scheme or the Hay Job Evaluation Scheme according to the criteria set out in 3.1, and no other method.

**2.1.2** Performance related pay will not be a feature.

**2.1.3** The grade will relate to the post and not the employee.

**2.1.4** There will be equal pay for work of equal value.

**2.1.5** All considerations which may discriminate unfairly will be eliminated.

**2.1.6** Grades need to accurately reflect the duties and responsibilities of the post, so where these have changed sufficient to be reflected in their evaluation then either managers or employees can request a re-evaluation.

#### **3. Determining the Correct Evaluation Scheme**

**3.1** The following criteria will be applied to determine the most appropriate job evaluation scheme under which to evaluate a job. Jobs will be evaluated first under the Hay job evaluation scheme if:

**3.1.1** The job requires a full professional qualification or an equivalent level of organisational policy and procedural knowledge (i.e. would score level 6 or higher for Knowledge in the NJC scheme or level E for Technical Know-how in the Hay scheme),  
OR

**3.1.2** The post holder manages a discrete function or activity, OR

**3.1.3.** The post holder is the Authority's corporate expert on a specialised technical subject.

**3.2** If the job scores less than 175 points (Band A) under the Hay scheme, the job will then be evaluated under the NJC scheme and that score will determine the grade.

**3.3** All other jobs will be evaluated first under the NJC scheme. If the job scores in excess of 600 points, it will be evaluated under the Hay scheme and that score will determine the grade.

**3.4** Disputes regarding the correct scheme to use will be resolved by the Moderating Panel.

#### **4. Process**

**4.1** The evaluation process will be the same regardless of the job evaluation scheme used.

**4.2** Posts will need to be evaluated:

- When they are established
- Where there have been changes in the duties and responsibilities
- At the request of the manager or employee (where they can demonstrate that there has been a significant change to the role)
- Following a restructuring where changes will impact on the post.

**4.3** Where employees wish to have their posts re-evaluated they must first discuss their concerns with their line manager. If the job holder and the line manager disagree about the need for a re-evaluation this should be resolved using normal Council procedures.

**4.4** Where managers wish to put the post through a new evaluation they must first inform the affected employees of their intention.

**4.5** Having established the posts to be evaluated the manager will then contact the Job Evaluation Team to request the evaluation. However it is important to note that where duties have been reallocated all affected posts must be re-evaluated.

**4.6** The JE Team will issue a Job Description Questionnaire; the questionnaire will be the same regardless of the evaluation scheme to be applied.

**4.7** Where the post is vacant then the manager must fill in the Job Description Questionnaire.

**4.8** Where there is a single job-holder the job-holder should fill in the Job Description Questionnaire with the manager. Where the job-holder is a member of a trade union they can have the support of a steward.

**4.9** Where the evaluation is for a small group of staff the manager should convene the whole group and complete the form together. Where there is a large group or where it is not possible for all staff to fill in the Job Description Questionnaire then the group must elect a representative to fill in the Job Description Questionnaire on their behalf. The completed Job Description Questionnaire should be shared with the whole group before being submitted for evaluation.

**4.10** Completed job description questionnaires will be subject to an initial assessment by a Job Analyst. If any of the information in the form is unclear, incomplete or not

relevant the analyst will contact the line manager and/or the job holder to seek clarification. Any additional information gained will be shared with the job holder.

**4.11** The Job Analyst will then evaluate the job using the appropriate job evaluation scheme.

**4.12** The evaluation will then be moderated by a joint panel comprising an equal number of management and trade union representatives. The managers and employees will be notified of the evaluation of the post within 10 days of the moderating panel meeting.

**4.13** The effective date of the evaluation shall be:

**4.13.1** The date of the change / restructuring that triggered the evaluation, although this date cannot be more than 6 months before the request to be evaluated.

**4.13.2** Where there are no identifiable points of change the effective date shall be the day the evaluation was requested.

## **5. Appeals**

### **5.1 Introduction**

**5.1.1** Where employees are dissatisfied with the evaluation of their post they have the right to appeal. Employees should normally appeal within 10 working days of written receipt of the outcome of the evaluation, although this may be extended if circumstances warrant it. Where employees appeal the evaluated grade will not be implemented until the outcome of the appeal is known.

**5.1.2** The appeals process is the same regardless of the evaluation scheme used.

**5.1.3** Appeals can result in job scores going up, staying the same or going down. Any change of grade that arises from the appeals process will be implemented with effect from the date of the changes that triggered the re-evaluation or 6 months, whichever is the less. Whenever the grade of a post is reduced as a result of an appeal, the Council's agreed pay protection scheme will apply.

**5.1.4** The outcome of the appeal process will be final. There will be no further right of appeal, either within or outside the County Council.

### **5.2 Appeals Process**

**5.2.1** The grounds for appeal are that:

- The wrong job evaluation scheme has been applied; or
- The applicable scheme has been wrongly applied; or
- There is new or better information available to support the evaluation.

**5.2.2** Appeals must be registered by the job holder using the published form. Appeals in respect of vacant posts may be registered by the line manager.

**5.2.3** Following receipt of the completed registration form, the job evaluation team will request the completion of a job description questionnaire in respect of the relevant factors. The job description questionnaire must be completed by the job holder and counter-signed by their line manager. If in exceptional circumstances the job holder and the line manager disagree about the accuracy of any of the information the job holder has provided, this should be resolved prior to submission of the form. The job holder may be assisted by their trade union representative, at their own discretion, and may seek advice from the job evaluation team.

**5.2.4** Where there is more than one job holder in a particular job, a workplace meeting of the whole group of job holders will be convened. That meeting will decide whether or not an appeal should be pursued in respect of the job, on the basis of a simple majority of those present. If the meeting decides to pursue an appeal, members of the group will nominate a representative to complete the job description questionnaire on their behalf, but all members of the group will be given the opportunity to comment on the completed form.

**5.2.5** Individuals or sub-groups who are able to demonstrate that their job is different from the rest of the group may be considered for a separate evaluation.

**5.2.6** Completed job description questionnaires will be subject to an initial assessment by a Job Analyst. If any of the information in the form is unclear, incomplete or not relevant the analyst will contact the line manager and/or the job holder to seek clarification. Any additional information gained will be shared with the job holder.

**5.2.7** Appeals will then be considered by a joint review panel. The joint review panel will comprise three members, two of whom have had no previous involvement in the job evaluation process for the post, with one member being from the joint moderating panel, to support consistent application of the scheme.

**5.2.8** The panel will consider the evidence that has been submitted against all relevant factors. Where the panel considers that the evidence submitted impacts on factors other than those identified in the appeal, these will be taken into account by the panel and the appellant will be notified accordingly.

**5.2.9** Where the evidence submitted clearly supports the appellant's case, the panel will uphold the appeal. The job evaluation team will notify the job holder and their line manager of the outcome of the panel's deliberations within 10 working days of the panel's meeting.

**5.2.10** Where the evidence submitted is less clear cut, the meeting shall be adjourned and the job evaluation team will write to the job holder setting out the panel's concerns.

**5.2.11** The panel will subsequently be reconvened and the line manager, job holder and their representative, where requested, will be invited to attend. Where the appeal is on behalf of a group of job holders, the group's nominated representative(s) will be invited to attend.

**5.2.12** This will provide the opportunity to highlight the areas of concern and for the panel to ask questions of the job holder and line manager to clarify areas of difference, following which all parties will be asked to withdraw.

**5.2.13** The panel will then determine the outcome of the appeal taking account of any representations made. The outcome of the panel's decision will be notified within 10 working days.

**5.2.14** Following completion of the above procedure there will be no further right of appeal.

Note - Where managers are concerned about their ability to recruit or retain staff on the evaluated grade then they may be able to make a case for a Market Factor Supplement (**see Appendix B3**).

## **Appendix B (3):**

### **Nottinghamshire County Council's Process for Assessment and Approval of Market Factor Supplements (MFS)**

#### **1. Evidence required.**

- 1.1 Where a Chief Officer believes that there may be a case for the payment of a market factor supplement in relation to a particular job, they will submit evidence to the Pay Board for consideration.
- 1.2 The Service Director responsible for the job in question or their delegated Group Manager will produce a report setting out the business case for the Board's consideration, and may be required to attend a meeting of the Board to present the detail.
- 1.3 Evidence provided in the report should show that pay is a key factor in relation to the Authority's ability to recruit/retain employees in the job role concerned.
- 1.4 The evidence submitted will be based on the following criteria and should be shown in a number of these areas in order to give a rounded picture.
  - Information from external salary surveys showing that NCC pay is below the market rate for the job;
  - Press articles about particular national skills shortages in the related occupational area;
  - Information about similar jobs elsewhere that offer greater remuneration packages. These should not be taken simply at face value but should consider:
    - The comparability of the job description and person specification requirements
    - The geographical location of the job(s) and the relative cost of living
    - How typical the job(s) and package is – a review of other external recently advertised, similar jobs should take place to get a balanced view.
  - Evidence that employees/potential employees within a particular employment group or geographical area are being attracted to alternative jobs within that employment group, area or other organisation and that pay is the main driving factor in this.
  - Evidence of recruitment difficulties. The reasons for such difficulties need to be examined to establish whether or not pay is the key issue. Closer examination should involve:
    - Advertising response rates and the media used.

- Surveys of individuals who have shown an interest (requested job details) but not returned an application to establish their reasons.
- Other supporting evidence may include:
  - Evidence of job offers to individuals
  - Turnover rates within the team/section – there would need to be evidence from exit interviews that pay is the cause of high turnover and not some other factor.

## **2. Process for approval.**

2.1 If Pay Board is not satisfied that sufficient evidence exists to show the need to pay a market factor supplement it may either reject the request, giving reasons to the Chief Officer concerned, or ask that more evidence is provided in order that further consideration may be given before it makes its final recommendation. In the case of partnership posts the Chief Officer of the partners concerned will make the final decision. The grounds for such decisions will be recorded, to help ensure a consistent approach to such cases.

2.2 If the Pay Board is satisfied that sufficient evidence exists (in accordance with the criteria set out above) details of the post and the evidence provided may be forwarded for independent validation. Pay Board may also ask Senior HR Business Partners, or where appropriate external agencies to:

- Advise the Pay Board where, in their experience, this type of job requiring the appropriate skills, experience etc would attract higher pay than the original evaluation supports, and
- Advise the Pay Board of the appropriate pay band to be awarded as a market factor supplement that they would recommend in relation to this job.

2.3 The Pay Board will consider the advice received from the independent agency, plus any other data (e.g. from the Local Government Information Unit) that may be relevant to that particular job, when drawing up its final recommendation.

2.4 Pay Board will make a recommendation on an appropriate indicative level of payment for the Market Factor Supplement, normally prior to the selection process for the post. Where this results in recruitment difficulties Pay Board may be asked to reconsider the recommended level of payment in the light of additional information arising from the recruitment process.

- 2.5 The recognised trade unions will be informed of all decisions to pay Market Factor Supplements.
- 2.6 The payment of any Market Factor Supplement will be time limited for up to a maximum of three years and subject to annual review. The outcome of the review will normally be applied according to the circumstances of the case. (In the case of a fixed term contract, the Market Factor Supplement will be set for the duration of the contract, subject to a maximum of three years.) Re-assessment of market factor supplement payments will take place through the collection of evidence and process set out in this document.
- 2.7 Where a base grade changes after appeal, any market factor supplements will be assimilated into the pay adjustment for the substantive grade.



## Appendix B (4):

### Nottinghamshire County Council's Policy on Acting Up and Honoraria Payments

#### Criteria for Awarding Acting-up and Honoraria Payments

##### 1. Principles

**1.1** The policy and payment criteria for both acting up and honoraria payments will apply to all posts, regardless of the amount of payment involved.

**1.2** Payment of any acting up or honorarium will only apply to situations of more than four weeks in duration.

**1.3** Payment of any acting up or honorarium will usually be for a maximum of 12 months.

**1.4** If an honorarium or acting up arrangement is to continue beyond six months, it should be reviewed at six months and in any event, in normal circumstances, should not exceed 12 months.

**1.5** Where the change to the job role is permanent, it should be re-evaluated under current job evaluation arrangements to take the new duties into account.

**1.6** Senior officers are expected to work flexibly and honoraria provisions will not normally apply to officers on Hay Band F and above, other than in very exceptional circumstances agreed by the Chief Executive.

**1.7** Project work, including cross cutting corporate project work and project work involving external partners is a requirement of all senior officers on Hay Band F and above and will not, normally, merit an honorarium payment.

**1.8** Departments will ensure that this requirement is reflected in job descriptions for all posts at third tier level in the new departmental structures, subject to collective agreement.

**1.9** Opportunities for discrete and time limited project work, which may be promotional, should **normally** be advertised in accordance with agreed recruitment and selection guidelines and will be appointed to at the evaluated rate for the project duties and responsibilities concerned.

**1.10** Honoraria will not usually be paid where additional work is undertaken which is of a like nature to the individual's existing job description i.e. of the same type at the same level.

**1.11** A fully documented business case should be made by the department to support all proposals for acting up and honoraria payments.

**1.12** The business case will include evidence to illustrate the following:

**1.12.1** The reason for the proposed payment, for example to cover a long term absence or undertake a specific piece of work

**1.12.2** Posts affected and grades of the substantive and higher level / alternative duties involved

**1.12.3** The extent of different and /or additional duties involved i.e. - full or partial, if partial quote percentage

**1.12.4** The duration, specifying dates from and to

**1.12.5** Alternatives considered. In many situations the need for extra work of the same type to be undertaken on a temporary basis can be accommodated without the need for additional payment

**1.12.6** Cost. The calculation of the amount of payment should be made in accordance with the guidance set out under the criteria for calculating payments.

**1.13** These rules should normally be applied in each case, however, where this can be demonstrated by the business case; in very exceptional cases it may be more appropriate to adopt a token payment approach.

## **2. Process**

**2.1** The circumstances potentially justifying an honorarium, and where possible the likely period involved, shall be identified at the outset and agreed with the employee.

**2.2** The manager should submit their written business case, listing all the elements set out in 1 above, to their departmental management team.

**2.3** The advice of the HR team should be sought as necessary and the proposal copied to the Service Head (HR).

**2.4** Corporate Directors will apply the criteria at 1 above and decide whether honoraria or acting up proposals should be implemented, seeking the advice of the Service Director Corporate Services (HR) as necessary.

**2.5** The Corporate Director's decision on honoraria will be subject to scrutiny through Delegated Decision.

**2.6** Decision reports on honoraria should be constructed in such a way as to avoid the need for exemption.

### 3. Definition

#### 3.1 Acting up

**3.11** An “acting up” situation is defined as one where an employee(s), for any reason other than annual leave, is called upon to undertake the full duties and responsibilities of a higher graded post for a continuous period of at least four weeks.

**3.12** Acting up may be shared between two parties on a pro- rata basis. To qualify as “acting up”, the employee(s) concerned must undertake **the full duties and responsibilities** of the higher level post, as set out in the agreed job description, for the duration of the period concerned i.e. 100 percent of the duties for a specified percentage of the time.

**3.13** Consideration should be given to advertising more widely in longer term situations such as maternity cover.

**3.14** After four weeks, an approved acting up payment commensurate with the evaluated grading of the post temporarily occupied will be made, backdated to the first day of acting up, period, as set out in the delegated decision report.

#### 3.2 Honoraria

**3.21** An honorarium payment may be granted in circumstances where employees temporarily undertake a proportion of a higher level of duties and responsibilities outside the scope of their normal post, where these are significant and over an extended period, but short of undertaking the full duties and responsibilities of the higher graded post.

**3.22** Such circumstances may include:

**3.2.2.1** Shared responsibility with more than one employee undertaking a specific and or separate part of a wider role which has been evaluated as having higher level duties.

**3.2.2.2** A substantial addition of some higher level duties to the employee's job for a specific period and where a permanent re-evaluation as a changed job is deemed inappropriate.

**3.2.3** The proposed payment shall be paid in the normal pay cycle and shall have regard to:

**3.2.3.1** The evaluated level of the higher graded job. This may necessitate a reference to the Job Evaluation team if the higher level work has changed significantly.

**3.2.3.2** Any additional hours over and above the employees existing contractual hours worked over the applicable period. These will be remunerated at plain time rates, subject to the discounting of four hours each

week or any extra working associated with the employee's substantive job, whichever is greater.

**3.2.3.3** Pro rata principles where applicable e.g. two or more employees sharing a higher graded post by undertaking separate and distinct duties within it.

## Criteria for the Calculation of Acting Up and Honoraria Payments

### 1. Acting up payments

**1.1** Where an individual undertakes the full duties and responsibilities of a more highly graded job, subject to satisfying the criteria for awarding payments, they should receive the salary appropriate to the bottom point of the evaluated grade of the higher graded job.

**1.2** Where there is an overlap between the individual's current spinal column point on their substantive grade and the bottom point of the pay band of the higher graded job they should be awarded one additional increment.

**1.3** Where individuals are in receipt of an agreed salary protection and there is a difference between their protected grade and that of the substantively higher graded job, the acting up payment should be calculated based on the difference between their protected salary and the grade of the higher job for the duration of their ongoing protection period.

**1.4** If the protected grade is higher than the grade of the "acting up" in relation to the individuals' substantive post, the higher level protection will continue to apply for the duration of the remaining protection period, reverting to an acting up situation as and when the protection ends.

**1.5** All payments will be back-dated to the start of the arrangement, subject to any annual incremental progression but excluding accelerated incremental pay.

### 2. Honoraria Payments - Higher Graded Posts

**2.1** Where an individual undertakes a proportion, but not all, of the duties of a more highly graded job (i.e., partial acting up), an honorarium payment may be made, subject to satisfying the criteria for awarding payments.

**2.2** The total amount payable will be calculated by assessing the proportion, expressed as a percentage, of the higher graded role that is being undertaken, and multiplying this by the difference in pay between the current and higher graded role for the period of partial acting up.

**2.3** The honorarium should be paid in monthly instalments (back-dated to the start of the arrangement), particularly where there is uncertainty about the likely duration of the partial acting up.

**2.4** The rate used should be the spinal column point that the individual would receive if they were appointed to the higher graded job. This would normally be the minimum of the grade, but may be higher (i.e. the next available increment above the individual's own current pay) in the case of overlapping pay bands.

**2.5** Where individuals are in receipt of an agreed salary protection, the honoraria payment should be calculated based on the difference between their protected salary and the grade of the higher job for the duration of the ongoing protection period.

### **3. Undertaking Additional Duties**

**3.1** An honorarium may also be appropriate where an individual at band E or below undertakes work from a different job type in addition to their own role, with no additional staffing resource, and that work is evaluated on the same pay band.

**3.2** Such honorarium payments will normally be based on five percent of the individual's substantive pay (including any ongoing salary protection) for the period of undertaking additional duties.

## **Appendix B (5):**

### **Nottinghamshire County Council's Policy on Redundancy and Early Retirement**

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#### **1. Definition**

**1.1** A “redundancy” occurs where the County Council needs to reduce its workforce, for example where an establishment is closing down, or because fewer employees are needed for work of a particular kind. Normally the job will have disappeared.

**1.2** Non-school based employees affected by redundancy, will be considered under the provisions of the Redeployment Policy.

**1.3** Agreed process for selection for redundancy of employees on teacher's terms and conditions and support staff based in schools is separate and any changes will be discussed through the School and Soulbury JCNP. Consultation with trade unions on any proposed redundancies will be in accordance with the specific procedure and guidance covering these employees which is in place at the time.

#### **2. Redundancy Situations**

**2.1.** Compulsory redundancy will only be instigated when all other reasonable available means of managing business needs have been considered and exhausted.

**2.2** Details of proposed large scale redundancies including the full financial implications will be subject to departmental or corporate Delegated Decision Reports as appropriate to the service(s) concerned.

**2.3** Corporate Directors should identify and quantify possible redundancies and make every effort to identify posts and therefore individuals who are at risk of redundancy.

**2.4** The County Council will endeavour to ensure that all reasonable means are utilised to effectively manage employee redundancies arising out of redundancy situations.

**2.5** To reduce the possibility of compulsory redundancy, the following measures may be considered where appropriate:

- the possibility of releasing a “not at risk” employee to avoid an “at risk” employee being made compulsorily redundant (this is known as “substitution” or “bumping”), dependent upon available posts, transferability of skills experience, timescale and budget

- voluntary reduction in hours or “job sharing”: may be appropriate where a redundancy situation could be avoided by a number of employees reducing their hours
- voluntary redeployment: dependent upon available posts, transferability of skills experience, timescale and budget
- voluntary redundancy/early retirement: seeking expressions of interest from employees who are willing to volunteer for redundancy (see 2.6 below).

**2.6** Corporate Directors have delegated authority to agree individual cases of voluntary redundancy, with or without early retirement, taking account of the financial implications.

**2.7** There is no guarantee that every request for voluntary redundancy will be agreed and employees expressing an interest are not bound to accept the severance package offered, neither will they be able to appeal a refusal of their application.

**2.8** The basic principles as regards voluntary redundancy are:

- there is a need to reduce staff numbers in the volunteers’ service area
- releasing the volunteer will allow another employee at risk to secure continued employment
- the remaining staff have the skills, qualifications and experience to fill the remaining posts and ensure continued excellent service delivery

**2.9** In the event that there are more volunteers than reductions required, selection will be made using a skills audit to ensure service delivery can be maintained and account will be taken of the cost to the Council of agreeing the redundancy in each case.

**2.10** Individuals taking early retirement should be encouraged to attend a pre-retirement course, organised through the County Council, details are available on the Learning and Development System (LDS).

### 3. Consultation

**3.1** There are statutory requirements in relation to consultation which the Council are required by law to comply with where it is proposed to dismiss 20 or more employees (Section 188 of the Trade Union and Labour Relations (Consolidation) Act 1992 (TULR (C) A) 19), however, it is normal County Council policy to also apply the 30 day consultation period in circumstances involving less than 20 people wherever possible.

**3.2** The purpose of consultation is to provide as early an opportunity as practicable for all concerned to share the problems and explore options. The County Council will keep the trade unions informed as fully as possible.

### **3.3 Consultation will begin:**

- at least 30 days prior to the first notice of dismissal being issued when the County Council proposes to dismiss as redundant up to 100 employees at any one establishment in a 30 day period
- at least 45 days prior to the first notice of dismissal being issued when the County Council proposes to dismiss as redundant 100 or more employees at any one establishment in a 45 day period.

**3.4** In general, consultation should begin as soon as the possibility of redundancy arises to agree a protocol in relation to the information on which employees and trade union representatives will be consulted and a commitment to consider alternative proposals.

**3.5** The consultation process should precede any public announcement of specific redundancies.

**3.6** The statutory rules require the authority to consult on the following:

- the reason for the redundancies
- the number of and type of employees affected as against the overall number of employees of that type
- the method of selecting for redundancy
- the method of carrying out the dismissals and the time period after which the dismissals will happen
- the method of calculating the redundancy payment.

**3.7** No notices of dismissal will be issued until consultation is completed. Consultation will be through the trade unions or other employee representatives and will be undertaken at the earliest opportunity to also seek ways to mitigate and avoid redundancies wherever possible.

**3.8** The only possible exception to this may be where applications for voluntary redundancy have been approved, the employee has accepted the severance package on offer and the authority can issue formal notice of dismissal and the employees trade union or if a non-union member their representatives agrees to their early release prior to completion of the consultation.

## **4. Selection for redundancy**

**4.1** Posts at risk will be identified before any selection of individuals for redundancy has been carried out.

**4.2** Individual employees at risk will be identified following an enabling or redundancy selection process designed to determine which of the employees



working in a prospective redundancy situation are at risk of redundancy and from what date.

**4.3** There are occasions when the employees at risk are identified automatically by the very nature of the duties undertaken and the area of redundancy.

**4.4** Once the employee has been informed that they have been identified, they should be invited to a formal, individual meeting with the manager who is responsible for making the final decision in relation to redundancy (or other designated officer). The employee is entitled to be represented by their trade union representative, colleague or other identified support person at these meetings. Formal notice of dismissal may be issued following this meeting. See Managing the Consultation Process for checklists and further guidance.

## 5. Appeals

**5.1** Statutory dismissal and redundancy procedures are revoked under the Employment Act 2008, including redundancy situations.

**5.2** Employees selected for redundancy will have a right of appeal against dismissal to a Corporate Director not previously involved in the case.

**5.3** The process for the appeal will be in accordance with the Appeal Hearing Procedure except that management reserve the right to present cases collectively where the business case is the same.

**5.4** An appeal should be lodged with the Corporate Director within 10 working days of receipt of such confirmation of dismissal by reason of redundancy. The full process and supporting pro-forma are available from [HR Teams](#).

**5.5** Any appeal in relation to compulsory redundancy is limited to the application of the redundancy process on the grounds that the selection for redundancy was unfair. The appeal process cannot be used to complain about the fact of the business decision to reduce or cease work in a particular area.

**5.6** There will be no right of appeal in respect of non- selection for voluntary redundancy or refusal to agree an application for voluntary redundancy.

## 6. Training and Retraining

**6.1** The Employment Rights Act 1996 gives employees with 1 year or more continuous employment who are to be made redundant a right to reasonable time off work with pay to arrange training or to look for new employment.

**6.2** The granting of leave to enable redundant employees to seek alternative employment is a matter for Corporate Director's discretion (or other designated officer). As a general guide, it may be considered appropriate to allow up to 3 days for this purpose but it should be borne in mind that the entitlement is an individual one and each case should be considered on its own merits.

## 7. The Statutory Redundancy Payment

**7.1** The Government has exempted the determination of statutory redundancy payments from the provisions of the Equality Act 2010 which apply to the calculation of any additional, discretionary payments.

**7.2** Any employee with over 2 years' service who is made redundant will be entitled, in accordance with the statutory formula, to a minimum statutory redundancy payment in accordance with the Equality Act 2010, which is based upon their actual pay.

**7.3** The amount of statutory redundancy payment depends on an employee's age, length of service and the amount of their normal contractual week's pay:

- 0.5 week's pay for each full year of service where age during the year is less than 22
- 1 week's pay for each full year of service where age during the year is 22 or above but less than 41
- 1.5 week's pay for each full year of service where age during the year is over 41.

**7.4** Only continuous service with organisations covered by the Redundancy Payments (Continuity of Employment in Local Government etc) (Modification) Order 1999 should be treated as reckonable when calculating an individuals' entitlement to a redundancy payment. Contracts must be successive and any break in continuous service, as defined above, will not count as reckonable.

**7.5** See the list of organisations covered by the Modification Order.

**7.6** The maximum service which can be taken into account under statutory provisions is 20 years, the maximum payment allowable 30 weeks pay and the maximum amount which may be used to calculate a week's pay is £450 (as at 1<sup>st</sup> February 2013).

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## 8. Additional Discretionary Redundancy Pay

**8.1** Local authorities are able to grant, at their discretion, benefits in excess of the statutory provisions to employees who cease their employment prematurely on the grounds of redundancy.

**8.2** In order to comply with the Equality Act 2010, local authorities are required to develop and publish their own policy on the award of any discretionary payments for loss of employment.

**8.3** Nottinghamshire County Council has exercised this discretion to apply a multiplier of 1.65 on the statutory redundancy formula based on age and local government service, capped at 30 years reckonable service.

**8.4** Redundancy payments are therefore calculated using the discretionary formula which already includes the statutory element.

**8.5** This allows up to 50 weeks actual salary in all cases, regardless of whether the individual is under or over 55 years of age or whether the individual concerned is in a pension scheme.

**8.6** A copy of Nottinghamshire County Council's redundancy payment calculator is available at **Appendix B (6)**.

**8.7** Under LGPS regulations, any redundancy payment is subject to the employee not being in receipt of any offer of alternative employment, outside of the county council's redeployment processes, prior to the last day of service and within 4 weeks of termination, regardless of the start date of the new employment.

## **9. Efficiency Termination**

**9.1** The provisions for the Council to effect a termination 'in the interests of the efficiency of the service' will be used in exceptional cases only and will be subject to the agreement of the relevant Corporate Director.

**9.2** The distinction between efficiency and redundancy is that in the latter the resultant vacancy is not filled.

**9.3** The circumstances in which employment may be terminated on efficiency grounds are not simply reorganisation/restructuring (such cases are more often on redundancy grounds) but are more generally related to health/ability/age considerations.

**9.4** Appropriate cases are those involving an employee over 55 years of age and demanding an element of compassion e.g. the application of the provisions may be justified in a case of intermittent ill-health where a person does not qualify for immediate payment of pension benefits on grounds of permanent incapacity; or where an employee with long service becomes unable to adapt to modern methods or to a change of post and the County Council cannot accommodate them elsewhere.

**9.5** There will be no award of added years in any circumstances.

**9.6** It is important to stress that a decision on each case must be reached 'on the grounds of the efficient discharge of the County Council's functions' and

not merely on the basis of financial savings for the County Council, this being necessary in order to comply with the appropriate pension regulations.

#### 10. Retirement on Health Grounds (Permanent Incapacity)

See Retirement on Ill Health Grounds, Personnel Handbook.

#### 11. Pension/Gratuity Payments

When dealing with cases of redundancy, it is necessary to bear in mind the following considerations relating to pension/gratuity payments:

##### 11.1 Pension Position of Employees Under 55 Years of Age at Termination

With less than three months membership in the scheme - contributions may be refunded or accrued rights transferred to the Pension Scheme of a new employer.

With three months or more membership in the scheme - accrued rights may be either transferred to a new scheme or left in the Pension Fund as deferred benefits payable at pension age. Alternatively, an election to receive early payment may be made at or after age 55 (with employer's consent if under 60).

##### 11.2 Non-Pensionable Employees Aged Over 55 Years at Termination

Gratuity payments are payable to employees over 55 years of age, who are made redundant provided that 15 years' service has been completed (See Gratuity Scheme, Personnel Handbook).

## Appendix B (6): Redundancy Payment Calculator

CALCULATE YOUR ENHANCED REDUNDANCY PAYMENT																																
**Total reckonable service in Local Government (years)																																
Age	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30			
18	2																															
19	2	2																														
20	2	2	3																													
21	2	2	3	4																												
22	2	2	3	4	5																											
23	2	3	4	5	6	7																										
24	3	4	5	6	7	7	8																									
25	3	5	6	7	7	8	9	10																								
26	3	5	7	7	8	9	10	11	12																							
27	3	5	7	8	9	10	11	12	12	13																						
28	3	5	7	8	10	11	12	12	13	14	15																					
29	3	5	7	8	10	12	12	13	14	15	16	17																				
30	3	5	7	8	10	12	13	14	15	16	17	17	18																			
31	3	5	7	8	10	12	13	15	16	17	17	18	19	20																		
32	3	5	7	8	10	12	13	15	17	17	18	19	20	21	21																	
33	3	5	7	8	10	12	13	15	17	18	19	20	21	21	22	23																
34	3	5	7	8	10	12	13	15	17	18	20	21	21	22	23	24	25															
35	3	5	7	8	10	12	13	15	17	18	20	21	22	23	24	25	26	26														
36	3	5	7	8	10	12	13	15	17	18	20	21	23	24	25	26	26	27	28													
37	3	5	7	8	10	12	13	15	17	18	20	21	23	25	26	26	27	28	29	30												
38	3	5	7	8	10	12	13	15	17	18	20	21	23	25	26	27	28	29	30	31	31											
39	3	5	7	8	10	12	13	15	17	18	20	21	23	25	26	28	29	30	31	31	32	33										
40	3	5	7	8	10	12	13	15	17	18	20	21	23	25	26	28	30	31	31	32	33	34	35									
41	3	5	7	8	10	12	13	15	17	18	20	21	23	25	26	28	30	31	32	33	34	35	35	36								
42	4	6	7	9	11	12	14	16	17	19	21	22	24	26	27	29	31	32	34	35	35	36	37	38	39							
43	5	7	8	10	12	13	15	17	18	20	21	23	25	26	28	30	31	33	35	36	37	38	39	40	40	41						
44	5	7	9	11	12	14	16	17	19	21	22	24	26	27	29	31	32	34	35	37	39	40	40	41	42	43	44					
45	5	7	10	12	13	15	17	18	20	21	23	25	26	28	30	31	33	35	36	38	40	41	42	43	44	45	46	46				
46	5	7	10	12	14	16	17	19	21	22	24	26	27	29	31	32	34	35	37	39	40	42	44	45	45	46	47	48	49			
47	5	7	10	12	15	17	18	20	21	23	25	26	28	30	31	33	35	36	38	40	41	43	45	46	47	48	49	50	50			
48	5	7	10	12	15	17	19	21	22	24	26	27	29	31	32	34	35	37	39	40	42	44	45	47	49	50						
49	5	7	10	12	15	17	20	21	23	25	26	28	30	31	33	35	36	38	40	41	43	45	46	48	50							
50	5	7	10	12	15	17	20	22	24	26	27	29	31	32	34	35	37	39	40	42	44	45	47	49	50							
51	5	7	10	12	15	17	20	22	25	26	28	30	31	33	35	36	38	40	41	43	45	46	48	50								
52	5	7	10	12	15	17	20	22	25	27	29	31	32	34	35	37	39	40	42	44	45	47	49	50								
53	5	7	10	12	15	17	20	22	25	27	30	31	33	35	36	38	40	41	43	45	46	48	50									
54	5	7	10	12	15	17	20	22	25	27	30	32	34	35	37	39	40	42	44	45	47	49	50									
55	5	7	10	12	15	17	20	22	25	27	30	32	35	36	38	40	41	43	45	46	48	50										
56	5	7	10	12	15	17	20	22	25	27	30	32	35	37	39	40	42	44	45	47	49	50										
57	5	7	10	12	15	17	20	22	25	27	30	32	35	37	40	41	43	45	46	48	50											
58	5	7	10	12	15	17	20	22	25	27	30	32	35	37	40	42	44	45	47	49	50											
59	5	7	10	12	15	17	20	22	25	27	30	32	35	37	40	42	45	46	48	50												
60	5	7	10	12	15	17	20	22	25	27	30	32	35	37	40	42	45	47	49	50												
61	5	7	10	12	15	17	20	22	25	27	30	32	35	37	40	42	45	47	50													
62	5	7	10	12	15	17	20	22	25	27	30	32	35	37	40	42	45	47	50													
63	5	7	10	12	15	17	20	22	25	27	30	32	35	37	40	42	45	47	50													
64 plus	5	7	10	12	15	17	20	22	25	27	30	32	35	37	40	42	45	47	50													

## Appendix B (7):

### **Nottinghamshire County Council's Policy on Flexible Retirement**

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#### Part 1: Flexible Retirement – Employee Information

##### 1. Who does the policy apply to?

Under the Local Government Pension Scheme Regulations 2006, employees who are members of the scheme and aged 55 or over can apply for flexible retirement in circumstances where, with the employers consent, the employee reduces either their contracted hours of work and/or grade of post.

Nottinghamshire County Council is committed to offering older employees flexible options for the transition from working life to retirement, that balance both the needs of employees and those of the Council where this is affordable to the council.

##### 2. Who is excluded from the provisions?

Employees who are members of other occupational schemes (e.g. the Teachers' Pension Scheme) or who have made alternative pension arrangements outside of the LGPS will not be able to benefit from the flexible retirement pension options set out below. Similar arrangements will be negotiated through the CFCS department JCNP.

##### 3. Benefits of Flexible Retirement

Flexible retirement can offer benefits to both employers and employees, by:

- Helping with the management of organisational change by providing an option to older workers, whose employment may be at risk, thus helping to avoid redundancies and associated costs.
- Helping to develop a balanced age profile within the workforce by retaining older workers and keeping their skills, knowledge and expertise within the workplace.
- Offering opportunity for better succession planning and developing the capacity for older workers to act as mentors.
- Giving employees greater flexibility to balance their home and work commitments and interests.

These flexible retirement provisions apply to those employees of the Council who are members of the Local Government Pension Scheme (LGPS).

##### 4. Pension benefits - Employees age 55 and over

Under changes made by HM Revenue and Customs in 2006, employees can receive pension benefit whilst still holding the job through which this was accrued. As a

result, an employee aged 55 or over whom, with their employers consent, reduces their contracted hours or grade, can apply to receive their accrued pension benefits.

Those employees aged 55 or over, whose application to receive their pension through this route is approved by the Council, will receive their reduced pay (either through a reduction in hours of their existing post or working in a lower graded post) as well as the pension benefit accrued to the point at which the change took effect. This may or may not be actuarially reduced; this will depend on your age and length of service.

## 5. Key Points to Note

**5.1** There may, dependant on individual circumstances, be a cost to the employee (in the form of an actuarial reduction in pensions benefits) through taking the flexible retirement option. They will, however, receive the pension that they would have been entitled to had they fully retired at that point in their working life.

**5.2** From the point at which flexible retirement benefits are taken, pension contributions into the LGPS may continue, but this will be treated as a new membership of the scheme. As a result, when the employee finally retires, they will be entitled to a second pension based on this second period of service.

**5.3** If the employee finally retires (from this further employment) before age 65, it is likely that pension benefits accrued during this second period of pension scheme membership will be actuarially reduced, although the employee may opt to have payment of pension benefits deferred until they reach age 65.

**5.4** An important factor to be considered is that once a pension has been agreed and put into place, it cannot be recalculated and an actuarial reduction, once in place, cannot be rescinded.

There may be circumstances where an employee takes the flexible retirement route and starts contributing to a new pension, but subsequently faces ill health retirement or redundancy. In these scenarios, it is important to seek advice from the pension team on individual circumstances. All employees who are considering the flexible benefits option should look into the possible impact of future events on pension payments over the longer term.

**Where flexible retirement cannot be supported on cost grounds** employees should consider what other alternatives might be available to them, such as a straightforward reduction in contracted hours – this should be discussed with the line manager or HR team. Advice on the personal pension implications of any such change is available by contacting the pension helpline (see paragraph 12).

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## 6. Planning Ahead

**6. 1** Retirement is a key life event and employees may be apprehensive about such a major change. Employees will need to be aware of the guidance that is available to them in good time so that they can make informed choices about their retirement;



managers should support employees seeking such guidance. The best time to seek advice will depend on the employee's personal circumstances and when they plan to retire although in normal circumstances it may be helpful to employees to seek initial advice around five years prior to the anticipated retirement date.

**6.2** Employees will need to ensure that any decisions that they may make when considering flexible retirement options fully take into account their financial liabilities/commitments. Sources of advice include:

- An independent financial adviser
- Your bank or building society – but who, in most cases, will advise only in respect of their own financial products and services
- Voluntary organisations such as Age Concern (**website:** [www.ageconcern.org.uk](http://www.ageconcern.org.uk)) and Citizens Advice Bureaux (**website:** [www.citizensadvice.org.uk](http://www.citizensadvice.org.uk)) – particularly in respect of state pensions, benefits and debt management
- NCC Welfare rights (**website:** [www.nottinghamshire.gov.uk/benefitsadvice](http://www.nottinghamshire.gov.uk/benefitsadvice)) – benefits entitlements

**6.3** Whilst the pensions team will be able to provide you with pension figures should you be interested in taking advantage of the flexible retirement provisions, they will not be able to advise on which particular course of action to take.

## 7. Pension Implications

Employees may be concerned about the effect of flexible retirement choices on their pension. Further details in terms of the options for early retirement and flexible retirement are contained within the Guide to the Local Government Pension Scheme, copies of which are available by contacting the pension team.

The LGPS is currently the subject of a government review, and the terms and benefits available under the scheme may be subject to change as a result. It is vital that before taking any final decisions employees contact the pensions helpline on **tel:** 0115 846 3333 for more detailed information on their own pension position.

## 8. Pay

Employees taking up flexible retirement options resulting in their working reduced hours will be paid on a pro rata basis, according to the number of hours worked. Those moving to a lower graded post will receive payment at the maximum spinal point of the lower graded post; pay protection provisions will not apply in these circumstances.

Employees considering such options should satisfy themselves that their financial commitments can be covered.



## 9. Leave

Where flexible working options are adopted resulting in reduced hours, leave entitlement will be calculated on a pro-rata basis as set out in the Personnel Handbook. Where a new post has been taken up the new leave entitlement (relating to grade and number of years continuous service) will apply.

## 10. Continuous Service

Continuous service will be preserved when taking up a flexible retirement option if the employee remains in NCC employment without any break in service.

## 11. Changes to Contracts of Employment

Where an employee takes up one of the flexible retirement options set out above, all matters relating to changes to contracts of employment and the payment of pensions will be dealt with at the Business Services Centre.

## 12. LGPS Pensions Helpline

Pension scheme members can obtain further information by contacting the Council's pension help line on **tel:** 0115 846 3333.

More information about the local government pension scheme is available on the Nottinghamshire Pension Fund **website:** [www.nottspf.org.uk](http://www.nottspf.org.uk).

## 13. Pre-retirement Courses

There is a one-day pre-retirement course available for employees approaching retirement age arranged by the Corporate Learning and Development team in the Resources department. Details of the course programme, dates and availability of places are available through the Learning and Development System (LDS).

## Part 2: Flexible Retirement – Policy and Procedure

1. The granting of flexible retirement linked to a reduction in hours or grade requires employer consent, which will be at the Council's discretion.
2. Employees interested in applying for flexible retirement should, in the first instance, apply in writing to their team manager. Where a request is received, the manager will consider the request and discuss it with the employee and seek figures/costs information from the Pensions team. When figures have been received, the manager should meet with the employee to discuss these and the options available. The manager should then inform the employee, within 14 days of this meeting, whether the flexible retirement request will be supported. If this timescale cannot be achieved (e.g. where undergoing job redesign and evaluation) the employee should be kept fully informed.
3. Team managers will need to examine each request, by considering the service needs and workload management implications alongside the needs of the

employee. In cases where a team manager recommends approval of a flexible retirement request, a flexible retirement business case will need to be prepared to support a formal decision by the relevant service director.

**4.** Any planned changes to the establishment arising from a flexible retirement request should be subject to trade union consultation.

**5.** The Council will normally require a minimum reduction in contracted hours of at least one full working day (i.e. 20 percent of contracted hours) for full time employees.

**6.** A similar minimum reduction of 20 per cent (on a pro rata basis) will normally be required for part time employees.

**7.** For cases where the granting of a flexible retirement request will result in a pension strain cost to the Council, a reduction of up to 50 percent of contracted hours will normally be required, dependent upon the circumstances of the case.).

**8.** In cases of disciplinary, attendance management or capability procedures being underway, the Council may decline to consider requests for flexible retirement until any such cases have been fully dealt with (including appeals stages).

**9.** The Council will not normally consider redesigning jobs with a view to reducing the grade solely to facilitate flexible retirement; exceptions to this may include where this would facilitate the retention of particular skills in areas with recruitment difficulties or where it might meet a temporary service need pending restructure. In such cases the change in grade will be determined through the application of the appropriate job evaluation scheme (which will be done prior to final consideration of the request). Any reduction in grade must be at least one grade band in the Council's pay structure to qualify.

**10.** Requests to reduce hours/grade may be made where pension is not claimed or where the employee is not a member of the LGPS. Any such requests will be considered on their merit and will be dealt with as variations of contract by mutual agreement.

**11.** All cases resulting in a cost to the department will be subject to a formal delegated decision by the relevant Service Director. In these cases:

**11.1** details of the proposed retirement and any related establishment matters

**11.2** cost implications

**11.3** service/ongoing workload management implications.

**12.** All other cases that are supported by managers, for which there is no cost to the employing department, will be subject to a formal decision by the relevant Service Director under delegated powers and recorded on the delegated decision log.

**13.** If the employee's pension is subject to a reduction for early retirement, then the Council will only consider waiving that reduction (at additional cost to the Council) in exceptional circumstances.

**14.** Where a flexible retirement request is declined, the employee will be informed by their manager in writing, with the reason for the rejection stated.

**15.** Any changes to employment under this policy will be permanent in nature and will be subject to acceptance of a new or amended contract of employment, as appropriate. In cases of reduction of hours, terms and conditions will be applied, where applicable, on a pro rata basis.

**16.** Any employee complaint about the application or outcome of the flexible retirement procedure will be dealt with through the Council's grievance procedure.

**17.** Where a flexible retirement package based on a reduction in grade is agreed, this will be on the basis of a mutually agreed variation of contractual terms and the Council's pay protection policy will not apply.

**18.** Where flexible retirement is agreed for an employee already on a protected salary, pay protection will cease when the flexible retirement arrangements commence, as this is a voluntary agreement and the employee will be in receipt of their pension.

## **Appendix B (8):**

### **Nottinghamshire County Council's Policy on the Re-employment or Re-engagement of Former Employees**

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#### **1. Introduction**

This section covers the re-employment or engagement of former employees who have received a redundancy payment from the Authority and/or who are already in receipt of their Local Government Pension Scheme (LGPS) pension benefits.

The re-engagement of former employees can, in some circumstances, provide practical solutions to specific workload/project staffing needs. Former employees will also have a wealth of knowledge about and experience of the organisation.

However, there is a danger that such appointments, if not considered and made through a structured approach, can be seen as nepotism (favouritism; denying developmental opportunities to current staff; circumventing equalities provisions and potentially denying redeployment opportunities to staff at risk of compulsory redundancy).

For those staff leaving on voluntary redundancy, where it is clear there will be an ongoing need for the skills, knowledge and experience of a particular individual, careful consideration should be given to whether the person can be allowed to leave the service on voluntary redundancy. Alternatively, it may be possible to revise the last day of service, to enable suitable contingency plans to be developed. If an employee leaves the service and it is subsequently identified that there was an intention to re-employ and the individual returns after a short space of time then there are potential implications in terms of continuity of employment and the validity of any redundancy payment made.

A balanced judgement is therefore needed, taking all of these issues into account. HR advice must be sought by managers in all cases prior to entering discussions with individuals regarding any opportunity for re-employment. Any such arrangements must also be cost effective and provide best value in the use of Council resources.

#### **2. Inland Revenue - Employment Status**

The Inland Revenue requires the authority to determine whether an arrangement with a consultant or contractor constitutes a contract of employment or can be deemed to be on a self-employed basis.

This includes a pro-forma the employing department will need to use to make a judgement, based on the responses to set questions. This determination will need to be made for each and every contract or agreement that is proposed as the decision on status is related to the contract, not to the individual. This process to determine status must be undertaken before the engagement is agreed and any contract is signed.

Where this process determines that an engagement constitutes a contract of employment, then normal County Council terms and conditions will apply and the work must be paid for at the rate for the job assessed where appropriate through job evaluation. Remuneration arrangements must comply with corporate pay policy.

### 3. Protocol – short term or consultancy

**3.1** It must be clear from the outset as to whether the arrangement is to re-employ through a contract of employment or to engage as a consultant with a contract for service following the relevant procurement process. This relates to employment on a short term or consultancy basis.

**3.2** Areas where the re-engagement of former employees may be appropriate include:

- Discrete pieces of work where the ex-employee has the appropriate levels of skill and experience that are not available elsewhere within the Council.
- Where it is more cost effective to re-engage a former employee given their specific experience, skills and knowledge.
- Where there are problems in maintaining authorised staffing levels in a difficult recruitment market.
- Where work of an urgent nature arises at short notice and cannot reasonably be accommodated within existing resources.
- Where it is not possible for the work to be undertaken by retraining, redeployment, acting up arrangements or secondment of staff from elsewhere within the organisation.
- Where there are ad hoc pieces of work where the frequency with which the need arises is difficult to predict, for example, employment or complaint investigations.

Such skills gaps should be addressed in the longer term under the HR strategy through structured workforce planning.

**3.3** Such arrangements should be time limited and be subject to appropriate written agreements covering the nature, duration, quality standards for the work to be undertaken and the basis on which the agreement will be terminated.

**3.4** The initial consideration for providing cover for urgent work, where there are vacancies/staff absences/unexpected peaks in workload, should be through the use of temporary employment contracts advertised in the normal manner or through acting up or secondment arrangements made available to existing staff, as appropriate in the circumstances. This should particularly be the case where the work relates to the normal business of the service area concerned, as opposed to defined projects or 'one-off' tasks.

**3.5** The final decision on the course of action to be taken should rest with the Corporate Director for the relevant department, having consulted with the Service Director Human Resources and Customer Service. This will be subject to consideration of the particular business case.

**3.6** For the purpose of these rules, former employees will be defined as anyone who has previously held a permanent employment contract with Nottinghamshire County Council.

**3.7** Re-engagement on a short term or consultancy basis should not be offered to:

- Former employees who were retired prematurely on grounds of ill-health where the conditions for ill health retirement benefits being released still exist as defined by the regulations and rules of the Local Government Pension Scheme (LGPS). Further information on the 3 tiers of ill health retirement can be found in of the Personnel Handbook.
- Former employees who were dismissed for reasons of conduct. Managers should seek the advice of the relevant HR Group Manager when considering the re-employment of a former employee dismissed on the grounds of capability particularly where health has been a factor.
- Former employees whose employment with the Council ended by mutual consent on terms set out in a compromise agreement.
- Former employees who retired on efficiency grounds, where these grounds still affect the ability of the individual to carry out the work in question.
- Former employees where there have been substantiated allegations or findings of harassment and bullying, or where there are known safeguarding concerns.

**3.8** Re-engagement on a short term or consultancy basis may be offered to:

- Former employees who resigned and who may have subsequently undertaken paid employment or consultancy elsewhere.
- Employees who were made redundant (either on a compulsory or voluntary basis), subject to an appropriate period of time having elapsed. Normally a minimum of 6 months is proposed as the usual provision, however for urgent work on a time limited basis, a reduced period may be considered provided this period is not less than one month

**3.9** Where re-engagement is being considered, Corporate Directors should ensure that:

- The pro forma on employment status has been completed, and that the engagement complies with the Inland Revenue provisions on employment status. Advice should be sought at the earliest opportunity from Financial Services and the relevant HR Group Manager.
- Any proposed re-engagement is in response to a genuine service need and not a response to canvassing.

- Full consideration is given to equality of opportunity and where more than one potential candidate may be available the appointment should follow established recruitment and selection principles.
- The proposed arrangements comply with Financial Regulations requirements on the procurement and use of consultants, (as set out in Section E of the Financial Regulations).
- The individual has been made aware of the need to seek advice on the potential impact of their re-engagement on LGPS benefits (please see [section 4 below](#)).
- The decision to offer re-engagement is robust, able to withstand scrutiny, and that the terms of engagement (including specification of work to be undertaken, duration and payment arrangements) are clearly stated in writing.
- Appropriate records relating to the engagement and work being undertaken are retained.
- The trade unions are informed of any such appointments through the relevant JCNP.

#### 4. Protocol – permanent or longer term re-employment

**4.1** Where a former employee who has previously received a voluntary or compulsory redundancy payment, is offered re-employment with the County Council, on a permanent basis or for a period of more than 12 months, consideration will be given to whether part or all of the compensation payment should be recovered. The decision will be at the discretion of the relevant Chief Officer and be based on the following criteria:

- Part or all of the compensatory element of the redundancy payment will be recovered where a former employee is re-employed to do the same or a very similar role to the one they previously undertook.
- Whether the role is at the same or a lower grade than the post previously held.
- Where the individual left on the grounds of voluntary redundancy; the pension will be abated. If the individual was compulsorily redundant consideration will be given on a case by case basis to determine whether in the particular circumstances the pension should be abated.
- A break of at least 4 weeks must elapse before a former employee is re-employed and recovery of part or all of the redundancy payment will be considered for a period of up to 6 months after the last day of service.
- No recovery action will be taken where a former employee is re-employed after 4 weeks have elapsed, in a role of a lower grade than the one previously held, where the vacancy protocol has been applied and no internal candidate(s) has been identified as suitable to fill the role.

**4.2** The Local Government Pension Scheme (Administration) Regulations 2008 requires each administering authority to formulate and review its policy concerning abatement (that is, the extent if any, to which the amount of retirement pension payable to a member from any pension fund maintained by it under the Scheme

should be reduced or extinguished, where the member has entered a new employment with a Scheme employer, other than one in which he or she is eligible to belong to a teachers' scheme).

**4.3** Pension abatement will be considered where a former employee is re-employed on a permanent basis. The decision to abate will rest with the Chief Officer for the employing department in consultation with the Service Director, Human Resources and Customer Service.

**4.4** Where a former employee is re-employed on a time limited basis, not exceeding 12 months, and upon the production of a business case explaining the rationale for the re-employment, there will be discretion for Chief Officers not to apply pension abatement.

**4.5** Any former employee engaged through a consultancy framework, on a preferred supplier list or on a separately procured consultancy basis, where payment is for a contract for service and not made through an employment contract, will not be the subject of pension abatement.



## **Appendix B (9):**

### **Nottinghamshire County Council's Policy on the Payment of Travelling Allowances**

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#### **1. Mileage Allowances and Authorised Car Users**

##### **1.1. Introduction**

Mileage allowances for travelling on authorised County Council business are determined by the authority using HM Revenue & Customs (HMRC) approved rates. There are locally determined rates for motor cycles, and bicycles.

##### **1.2. Determining Authorised Car Users**

Authorised car users will ideally have access to transport for the efficient undertaking of duties but are not required to have a vehicle available at all times. Authorised car users will only need to provide transport with advance notice. This designation does give the post holders access to a County Council car loan.

**1.3.** Disabled employees who are unable to drive because of their disability but who occupy posts designated as authorised car users are allowed to use taxis to carry out their duties. The scheme of taxi hire in lieu of authorised car user allowances applies to both existing disabled employees and those who become disabled.

##### **1.4. General Conditions**

Official mileage undertaken from and to the approved base, should normally be undertaken, and claimed, by the shortest available route, unless a standard mileage has been determined for that journey. All car users must be satisfied that travel by car is the most economical, taking into account travelling costs and time away from the office.

**1.5.** On those occasions where official mileage is claimable from and to the employee's home address, this should normally be undertaken by the shortest available route and must be claimed on the basis of:

- Home address to first call - whichever is the shorter distance between either mileage between home and first call or mileage between approved base and first call.
- Last call to home address - whichever is the shorter distance between last call and home address and last call and approved base.

**1.6.** Any journey between home and permanent work-base is considered by HMRC to be commuting and is subject to tax and National Insurance Contributions on the full payment.

**1.7.** Prior permission of the Corporate Director, or a designated officer, must be sought if an employee intends to use their car for a journey beyond 60 miles (120 miles round trip) by the most appropriate route, from the administrative base.

Employees should always investigate the use of public transport as their first option for such journeys.

**1.8.** Where any such approval has not been given, but nevertheless the employee chooses to travel by car, then any travel claim is limited to the cost of public transport. Authorised car users should claim reimbursement via their logbook under 'railway or bus fares'; non-authorised users should claim reimbursement using the appropriate departmental form.

**1.9.** The reimbursement of parking fees is allowable where the use of public car parks is unavoidable, for example, when no parking facilities are available at the premises being visited and where there is no alternative to a car being used for the journey. Journeys into Nottingham city centre from County Hall or other bases in the immediate area of the City or other urban centres should normally be undertaken by public transport. There may be occasions when, for good and valid reasons, a car has to be used for such a journey and in this event, car parking charges, necessarily incurred, will be reimbursed. Where appropriate, toll-bridge charges may be claimed.

**1.10** Mileage claims must only be completed by the employee incurring expenditure and should detail start and finishing mileometer readings (except where standard mileages exist), reasons for all journeys, and places of call. For visits to County Council establishments, the name will normally suffice. However, for non-County Council establishments, it is not sufficient to state simply 'London', more specific details need to be given. Authorised car users must submit their claims on a regular monthly basis. The County Council shall have the right to require an employee to carry official passengers without any additional payment and employees should not use their own cars on journeys where there is room on one of the County Council's vehicles or in the car of another employee making the same journey. As far as possible, employees should travel together to reduce the number of journeys made.

#### **1.11. Tax Position on Car Allowances**

Certain travelling expenses claims are regarded by the HMRC as not being wholly exclusively and necessarily in the performance of duties on behalf of Nottinghamshire County Council and tax therefore is deducted at source, i.e. payments are made via the payroll system. If an employee has a temporary work-base for less than 24 months, HMRC sees travel between home and this temporary work-base as business mileage. It is only when the travel is between home and permanent work-base that HMRC sees this as commuting and no tax relief is applicable. The rules regarding these are fairly complex and further information can be obtained from the Financial Services Section.

#### **1.12. Claims and Certification**

All claims for payment of mileage, subsistence allowances, travelling and incidental expenses shall be made up to a specified day each month and submitted to the Corporate Director within seven days and certified as 'Head of Department' by an officer designated for that purpose by the Corporate Director. With certain exceptions (see below) a certifying officer must be at a higher level than the claimant, e.g. equal deputies should not certify each other's claims. A Corporate Director's claim should

be certified by a senior designated officer for that purpose, on the understanding that the employee so designated shall refer any queries which cannot be resolved with the Corporate Director to the Head of Service for Finance for a ruling; any such unresolved queries on the Head of Service for Finance's claims shall be referred to the Chief Executive. If a Corporate Director has any doubt as to the correctness of any claim they may wish to make, they will refer it to the Chief Executive; the latter will refer to the Leader of the County Council. Otherwise, employees generally will pursue their queries in accordance with arrangements made within the particular department.

**1.13.** Officers' claims submitted after six months will be paid only with the express approval of the Head of Service for Finance. Late claims will be reduced as follows:

- Between 6 and 12 months' delay - 10 per cent reduction
- More than 12 months' delay - 20 per cent reduction
- More than 2 years' delay. Corporate Director's approval is required.

#### 1.14. Insurance

**1.14.1.** All employees who use their cars for County Council business should have included and maintained their policy of insurance a clause indemnifying the County Council against all third party claims (including those concerning passengers), arising out of the use of the vehicle on such business. Therefore all employees who use their vehicles or someone else's vehicle, including that of their partner, on County Council business (which would include visiting clients at home or attending day release or other training courses or seminars) must ensure that the relevant motor insurance policy covers the use of this vehicle on County Council business. The certificate of insurance should state the use permitted. Use limited to 'social, domestic and pleasure purposes' will not cover any journey in connection with work. Use 'by the policyholder in person on connection with their business', means that only the person named as policyholder on the certificate of insurance can use the vehicle for County Council business.

**1.14.2.** Thus, if employees are using a vehicle which is not their own, then this must be specifically stated on the certificate of insurance and it is recommended that the insurance company concerned is contacted to confirm that such use is permitted before the trip commences.

**1.14.3.** The possible results of using a vehicle without adequate insurance cover could be:

- A breach of the requirements of the Road Traffic Act and a subsequent police prosecution.
- Refusal by the insurance company concerned to deal with the cost of repairing the vehicle being used.
- Refusal by the insurance company concerned to deal with a claim made against the driver arising out of the use of such vehicle.

**1.14.4.** A No Claims Bonus Protection insurance is available to employees and application forms may be obtained from the Insurance Section, Financial Services.

## 2. Travelling Allowances for Training Activities

### 2.1. Travelling Expenses - Day or Evening Classes

Reclaimable expenses are limited to the excess over normal daily home to base expenses. Employees can claim additional mileage at the appropriate rate.

### 2.2. Block Release, Sandwich or Full Time (Residential) Courses

Reclaimable expenses are limited to the distance from home to the course at the commencement and completion of each period or term and one return journey every fourth weekend during college periods. The allowance will be equivalent to second class rail fare or bus fare. Where employees choose to travel daily to a course which normally would require residence in the locality of the course, they will be paid travelling allowance as if it were a day course, subject to the maximum weekly payment of the sum prescribed for lodging allowances. Payment on this basis will also be made for essential daily journeys between lodgings and the course centre. For details of the latest rates, contact the HR Team for your department.

### 2.3. Special Provisions for Placement Expenses

Where employees are required to use their cars for placements (e.g. ASCH employees on full time secondment training) which are an integral part of the course, they shall be paid in accordance with the following provisions:

- **NCC mileage rate** for visits to clients.
- **NCC mileage rate** for travel to placement centre from college or lodgings, whichever is the nearer.
- **NCC mileage rate** for travel to college which is in excess of previous home/work mileage.
- **NCC mileage rate** for visits of observation arranged by Course Organisers (in any case where the secondee has no car, the actual cost of public transport to be claimed).

### 2.4. Externally Organised Training Courses

In attending externally organised training courses employees may reclaim expenses in respect of:

- Daily travel, where the course does not require residence.
- Travel between course venue and overnight accommodation.
- Journey at commencement and completion of the course.
- A return journey home each weekend when attendance at the course is not required.

The allowances will be at the NCC mileage rate.

## 2.5. Internally Organised Training Courses

Reclaimable travelling expenses are limited to the expenditure in excess of that which would have normally been incurred to attend the employee's normal place of work. Employees can claim additional mileage at the appropriate rate.

## 2.6. Employees Attending Selection Interviews for Further Professional Training/Membership of Professional Bodies

Employees required to attend for interviews as part of the examination procedure of the various bodies issuing formal approval qualifications, will be paid travelling allowances.

## 3. Rail Travel

**3.1.** Any travel by train within mainland UK will usually be standard class fare unless travel by other classes of ticket is cheaper overall. Any councillor or officer requesting first class rail travel must give reasons which shall be recorded in the register referred to in the travel and accommodation policy.

**3.2.** All journeys by first class travel should be authorised beforehand except on the occasions where a second class compartment is found to be full and an employee transfers their ticket to first class status. In all cases, reimbursement will relate to any available cheap rate or the ordinary return fare, whichever is the less. In cases where it is necessary or advantageous for an employee to travel by air or to hire a taxi or car, the actual expenditure (including gratuities) shall be reimbursed.

**3.3.** Train tickets should be booked through Members Services.

## 4. Travel Abroad

**4.1.** Travel abroad is subject to the approval of the Administration Committee.

**4.2.** The Insurance Officer in the Financial Services Section must be notified at least four weeks before the proposed visit to make the necessary insurance arrangements. The Insurance Section will always arrange personal accident, loss of baggage etc. insurance for employees and Members travelling abroad. As a matter of course they also advise travellers to obtain an E111 form where relevant. These are obtained from local post offices.

**4.3** Accommodation will be booked and paid for by Member Support on behalf of the County Council.

**4.4** Subsistence allowance may be claimed for actual reasonable expenses incurred on meals, beverages, transport within the foreign country, laundry, 'phone calls etc.

**4.5** The current maximum amount for subsistence per 24 hours for countries within the European Union is £75.00 (plus £10 per day for unreceipted out of pocket expenses).

**4.6** For travel to other destinations, Members' Support will calculate a maximum amount for subsistence per 24 hours. That amount will be notified to Administration Committee when approval is sought for the travel to be undertaken.

**4.7** The above rates assume that all meals (excluding breakfast) will have to be paid for from the subsistence allowance. If meals are provided as part of the visit and at no personal cost to the Council's representative(s) the daily allowance will be reduced by 20 per cent for each meal provided.

**4.8** Receipts must be obtained wherever practicable for all claimable expenditure. Where this is not possible, a written statement will be required from the person making the claim

**4.9.** Air travel should be arranged prior to departure.

**4.10.** Where an employee intends to be accompanied (e.g. by their spouse, partner, member of family etc.) on a visit abroad, no cost will fall on the County Council for any expenses other than those to which the employee is entitled under the relevant Conditions of Service.

## 5. Attending Official Events

**5.1.** When attending an official event e.g. Chair's reception, travelling allowances will not be paid unless an employee is wholly on duty.

**5.2.** When attending a funeral, travelling allowances will not be paid unless an employee is attending as an official representative on behalf of the County Council and in which case paid leave of absence is also applicable.

## 6. Multiple Visits

Where any employee combines a private visit with a duty visit the travelling allowances shall relate only to the expenses which would have been incurred on duty. In such cases, employees should show:

- The mileage which would have been incurred on the duty visit travelling by the shortest possible route and
- Both the actual and what would have been normal times of leaving/return with an appropriate explanatory note

## **Appendix B (10): Nottinghamshire County Council's Policy on the Payment of Subsistence Allowances**

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### **1. Eligibility**

**1.1.** As a general principle, employees will be responsible for meeting the cost of their own food and drinks whilst at work. In exceptional circumstances, set out below, employees may submit claims for the reimbursement of expenditure actually incurred beyond the norm.

Reimbursement of expenditure will be on the basis of receipts for costs actually incurred (up to the maximum level agreed by the National Joint Council for Local Government Services), which will need to be obtained by the employees and submitted with claim forms. Details of the maximum levels of reimbursement are available on the County Council's intranet site or from the HR Teams for employees without internet access.

### **2. Allowances Available**

**2.1** Reimbursement in respect of any meals may be claimable where an employee has had an overnight stay or other exceptional circumstance. and where approved by the manager, the employee should seek advanced confirmation from their line manager that expenses can be claimed.

### **3. Details of the Scheme**

**3.1** The maximum amount for each category of reimbursement will be those as defined by the National Joint Council for Local Government Services. These do not represent fixed allowances, and in all cases reimbursement will be limited to the amount supported by the receipts submitted. The receipt must relate to the day and time of the meal claimed.

**3.2** The County Council will not reimburse expenditure on alcoholic drinks or tobacco products in any circumstances.

#### **3.3 Overnight Allowances**

Employees are allowed to claim actual costs for absence overnight (bed and breakfast), up to an agreed maximum on the production of receipts. Details of the current rates are available from the County Council's intranet site or from the HR Teams for employees without internet access.

#### **3.4 Submitting a Claim**

Subsistence allowances should be claimed in the Travelling Expenses Log Book, in respect of authorised car users, and on the appropriate Travelling and Sundry Expenses Claim Form in respect of non-authorised car users. Times of leaving and

returning to base should always be shown when subsistence allowances are claimed.

### 3.5 Candidates for Interview

Paragraphs 3.1-3.4 shall be applied to candidates interviewed for appointments with the County Council.

### 3.6 Travel Abroad

**3.6.1** Bed and breakfast - actual expenditure incurred.

**3.6.2** Other meals and expenses - reimbursement will be based on expenditure incurred subject to a maximum figure determined by the Head of Service for Finance. Receipts must be submitted when claims are made.

**3.6.3** The rates apply to journeys to Europe only.

**3.6.4** The Head of Service for Finance can vary the rate in respect of journeys outside Europe.

### 3.7 Out of Pocket Expenses

Out of pocket expenses incurred at residential training courses will be reimbursed in accordance with the relevant Conditions of Service. Claims for courses lasting more than 6 weeks will be the subject of review and will be considered by Corporate Directors. Where the employee has to arrive at the training establishment on the preceding Sunday night and thus will be in attendance for five or more nights they should receive the daily allowance in respect of that night outside of the weekly limit.

### 3.8 Visits when Accompanied by Spouse/Partner

Where an employee is accompanied by their spouse/partner, no charge will fall on the County Council for any expenses other than those to which the employee is entitled under the Conditions of Service.



## Appendix B (11)

### Nottinghamshire County Council's Pay Protection Policy:

In situations where pay protection arrangements are required employees will be offered protection arrangements as follows:

The employee will receive salary protection for a period of two years, but with salary being frozen at the point at which pay protection starts, i.e., employees will not receive any subsequent incremental increases or annual cost of living pay awards. At the end of the protection period the employee will revert to the maximum spinal column point of the substantive grade of their post.

Please see the [Management Guidance on the Application of the Pay Protection Policy \[WORD 44KB\]](#)

#### Notes

(i) Where employees current (pre-protection) salary includes allowances or other payments for non-standard working arrangements, consideration will be given on a case by case basis as to how these might be reflected in the Scheme of Protection.

(ii) Where other allowances are paid e.g. telephone allowances etc protection will be limited to six months.

(iii) Where an employee is redeployed to a post which has a lower level of annual leave (by reference to the grade and service related annual leave matrix) the higher level of leave will be protected for the duration of the pay protection period. At the end of the protection period, annual leave will revert to the level appropriate for the grade of the post then occupied.

(iv) In all cases, individuals will be encouraged to seek re-deployment at the level of their original post, and will receive support through the redeployment process, should they so wish.

(v) The only exception to these proposals would be in circumstances where, as in LGR, nationally negotiated protection arrangements are proposed. The operation of any such specific protection measures would be the subject of separate consultation with the trade unions at that time.

## **Appendix B (12):**

### **Nottinghamshire County Council's Policy Car Leasing Scheme:**

#### ***1. Introduction***

The County Council operates a car leasing scheme which is optional for all authorised car users. The scheme is not available to occasional casual car users. Employees wishing to apply should study the detailed Employee Guide to the Car Leasing Scheme, which is available from the HR Team for your department.

#### ***2. The County Council Car Leasing Scheme***

**2.1** The scheme provides for the following elements:

**2.1.1** Provision of the vehicle.

**2.1.2** Number plates.

**2.1.3** Servicing of the vehicle at times recommended by the manufacturer.

**2.1.4** All necessary repairs and replacement parts except those:

- Needed as a result of accidental, deliberate or negligent damage to the vehicle.
- In respect of accessories fitted after the date of delivery for any reason other than to replace accessories fitted to the vehicle at the date of delivery which are or become defective.

**2.1.5** Unlimited tyre replacement and puncture repairs. Cases of obvious tyre abuse will result in the employee bearing the replacement cost.

**2.1.6** Replacement batteries and exhausts required as a result of fair wear and tear or faulty manufacture.

**2.1.7** Breakdown, recovery and Homestart service. The breakdown and recovery service does not apply to any towed unit. These costs will be the responsibility of the employee.

**2.1.8** Road Fund Licence. The employee will not be liable for any increase in the cost of the Road Fund License during the period of hire unless the cost is increased by more than 10% from the commencement of the hire.

**2.1.9** The supply during servicing of oil or lubricants recommended by the manufacturer.

**2.1.10** The supply of antifreeze either during servicing or each autumn.

**2.1.11** A replacement vehicle after 48 hours in the event of a mechanical breakdown, theft or accident damage, where, in the opinion of the Transport Manager, the vehicle is unroadworthy. No undertaking is given to provide a replacement vehicle of the same size, age or standard of the leased vehicle.

## **2.2 Vehicles Available**

All makes of European built cars will be available through the scheme. High performance vehicles will not be provided under the scheme - in this connection final discretion will rest with the Transport Manager who will take into account job requirements. Normally the vehicle supplied will be capable of using unleaded fuel. Diesel cars are also available.

## **2.3 Insurance**

The employee will be responsible for the provision of fully comprehensive insurance with an insurer approved by the County Council which shall include cover for normal social, domestic, pleasure and business use together with glass replacement. The insurance for the vehicle must be taken out and maintained in the name of the employee.

## **2.4 Business Mileage Claims**

Authorised users will claim the mileage rate for business mileage undertaken.

## **2.5 Taxation of Motor Mileage Allowances**

NCC lease cars are seen as company cars by HM Revenue & Customs and depending on the CO2 emissions of the car and the contributions towards private use there may be a taxable benefit that will be deducted against the employees' code and will be arrived at using the HMRC company car taxation rules.

## **2.6 Mileage Bands**

Vehicles are available on a wide range of mileage bands to suit individual requirements and the hire agreement will specify the maximum total mileage which the vehicle may cover during the period of the agreement.

## **2.7 Application Procedure**

Eligible employees who, after reading the detailed Employee Guide, decide that they wish to apply for a leased car should determine the make and model of the car required and obtain a quotation from the Transport Manager, Nottinghamshire Contracting, Transport Services, 2 Riverside Way, The Meadows, Nottingham NG2 1DS. **tel:** 0115 9340705, or 0115 9340745 or 0115 9340716

## **Appendix B (13):**

### **Nottinghamshire County Council's Constitution**

#### ***Part 6c - Employment Procedure Rules***

##### **INTRODUCTION**

1. The Council has developed these regulations in order to outline the process to be followed when appointing or dismissing employees or taking disciplinary action against employees.
2. These regulations also deal with who has responsibility for changes to staffing structures. Staffing structures specify the number and types of posts that exist in each department.

##### **APPOINTMENT AND DISMISSAL - SENIOR EMPLOYEES**

3. The Senior Staffing Sub-Committee is responsible for the appointment and dismissal of, and the taking of disciplinary action against, the following employees (who will be known as "Senior Employees" for the purposes of these regulations):
  - a. Chief Executive;
  - b. Corporate Directors;
  - c. Service Directors;
  - d. where the statutory role of the Head of Paid Service, Chief Finance Officer or Monitoring Officer is held by another post holder, that post holder.
4. The Senior Staffing Sub-Committee will meet as and when required.
5. The appropriate committee Chairman for the post being considered will always be present as a member of the Senior Staffing Sub-Committee. Where the issue being considered relates to the Chief Executive or a Corporate Director, the Senior Staffing Sub-Committee will have a membership of nine; otherwise the Senior Staffing Sub-Committee will have a membership of five.
6. The Senior Staffing Sub-Committee will be required to follow the Council's Recruitment and Selection Policy.

##### **APPOINTMENTS**

7. The Council may choose to appoint any of the Senior Employees from an internal pool of candidates or by externally advertising.
8. The Council will draw up a job description and person specification which will be sent to any person on request.

9. The Senior Staffing Sub-Committee will draw up a shortlist of candidates for interview and assessment and will interview all short-listed candidates in accordance with:

a. the Recruitment and Selection Policy; and

b. the advice of an appropriate HR advisor.

10. The preferred candidate will be offered the post subject to satisfactory references and pre-employment checks.

11. final decision in respect of the appointment of the Head of Paid Service, Chief Finance Officer and Monitoring Officer rests with Full Council.

12. Where a reorganisation affects the structure/numbers of Senior Employee posts, posts in the new structure will be filled in line with the enabling process agreed at the time. Any competitive interviews will be carried out by the Senior Staffing Sub-Committee in accordance with the enabling process.

## **DISMISSALS AND DISCIPLINARY ACTION**

13. In the case of dismissals, the Senior Staffing Sub-Committee will hear the case against the Senior Employee concerned and the hearing will be conducted in accordance with the Council's Disciplinary Procedure.

14. The final decision in respect of the dismissal of the Head of Paid Service, the Chief Finance Officer and the Monitoring Officer rests with full Council. Full Council will approve such dismissal before the notice of dismissal is issued.

15. The Senior Employee (unless the employee is the Head of Paid Service, the Chief Finance Officer or the Monitoring Officer) will have a right of appeal to the Appeals Sub-Committee in accordance with the appeals process set out in the Personnel Handbook. The Appeals Sub-Committee will be advised by an appropriate HR adviser who has had no previous dealings with the matter.

16. In the case of the Head of Paid Service, the Chief Finance Officer and the Monitoring Officer, no disciplinary action may be taken until the advice, views or recommendations of an independent panel are considered. The neutral act of suspension for the purpose of investigating the alleged misconduct can be made by:

a. the Monitoring Officer in relation to the Head of Paid Service; or

b. the Head of Paid Service in relation to the Chief Finance Officer or the Monitoring Officer,

in consultation with the Council Leader and Chairman of the Personnel Committee. Any suspension will be on full pay and for a period of no longer than two months.

## **APPOINTMENT OF ASSISTANTS TO POLITICAL GROUPS**

17. The appointment of any person as a political assistant must be done in accordance with legislative requirements.

## **APPOINTMENT, DISMISSAL AND MANAGEMENT OF ALL OTHER EMPLOYEES**

18. The appointment, dismissal and management of employees (except Senior Employees) including disciplinary action will be carried out by properly authorised officers of the Council in line with the Recruitment and Selection Policy, other employment policy and procedures agreed by the Council and in compliance with statutory obligations.

## **EMPLOYMENT POLICIES AND PROCEDURES**

19. The Council recognises national collective bargaining and acknowledges the role of national negotiating bodies in agreeing a framework of terms and conditions for local government employees.

20. Regular information will be provided to committees as and when required and requested regarding staffing.

21. The Council will develop and amend employment policies as required.

22. Proposals for new initiatives, for changes to existing employment policies and the development of management guidance will be developed by Personnel Committee.

23. Proposals for new employment policies or changes to existing policies will be subject to consultation and negotiation with the recognised trade unions through the agreed mechanisms as set out in the Employment Relations Agreement as amended from time to time. Following consultation changes to existing employment policies and new policy matters will be considered by Personnel Committee and recommended to Policy Committee for approval.

24. Details of approved employment policies and procedures and any changes will be set out in the Personnel Handbook, policy documents or guidelines as appropriate.

25. The Council will recommend that community schools adopt the Council's approved employment policies and procedures; however the adoption or otherwise of such policies will be a matter for the school governing body, if such responsibility rests with them.

## **CHANGES TO STAFFING STRUCTURES**

26. Changes to staffing structures must be made by the relevant committees unless the post is temporary for less than 3 months. In such cases, the relevant Corporate Director can authorise the appointment (provided that, if the requirement for the

temporary appointment continues after this time, the relevant committee's approval will be required).

27. formal report will need to be presented to the relevant committee and will include the required advice and HR comments.

28. The recognised trade unions will be consulted on all proposed changes to staffing structures and any views given should be fully considered prior to a decision being made.

## **CHANGES TO STAFFING AND STRUCTURE RECORDS**

29. The Business Services Centre (BSC) will maintain staffing and structure records. The Chief Executive and his/her nominees must ensure that any changes to the staffing structures within their departments are notified to the BSC immediately after authorisation via the established procedures.

## **PAY AND GRADINGS**

30. Full Council will approve the Council's annual Pay Policy Statement.

31. For posts occupied by staff employed under the NJC for Local Government Services Agreement, the initial grading and any subsequent re-grading will be determined by the application of either the NJC or Hay Job Evaluation Schemes.

32. The re-grading of existing posts following evaluation using the Hay or National Job Evaluation Schemes will be automatically incorporated into contracts of employment.

33. The grading of new posts needs to be detailed in the reports to the relevant Committee regarding establishing those posts.

34. The re-grading of posts for those employee groups where job evaluation is not applied will require authorisation by the relevant Corporate Director (or their nominee) and will be reported back periodically to the relevant Committee for information.

35. With the exception of honoraria and market factor supplement payments that have been considered through the approved process set out in the Personnel Handbook, there is no discretion to apply extensions of pay above or outside of authorised pay bands. All honoraria and market supplement payments will be reported back to the relevant Committee periodically.

36. As a result of national collective bargaining, the Council will implement national pay awards as agreed by the various national joint negotiating bodies from time to time. The Council will determine a local pay structure comprising a number of salary bands, based on the National Pay Spine, extended as appropriate.

## **RESOLUTION OF DISPUTES UNDER THE EMPLOYMENT RELATIONS AGREEMENT**

37. Arrangements for the conduct of relationships with the recognised trade unions will be set out in the Employment Relations Agreement which is agreed between the parties.

38. The Employment Relations Agreement will incorporate the structure and mechanisms for dialogue, consultation and negotiation with recognised trade unions at both corporate and departmental level and will include joint arrangements for the resolution of disputes including the establishment of a Local Joint Resolutions Committee.

39. separate process for trade union consultation and negotiation with schools may be agreed directly with the relevant trade unions.





**REPORT OF THE CHIEF EXECUTIVE****TERMS OF REFERENCE FOR THE CITY OF NOTTINGHAM AND  
NOTTINGHAMSHIRE ECONOMIC PROSPERITY COMMITTEE****Purpose of the Report**

1. This report seeks approval of the new Terms of Reference for the City of Nottingham and Nottinghamshire Economic Prosperity Committee (EPC).

**Information**

2. Senior officers from Nottinghamshire County, Nottingham City, Ashfield District and Rushcliffe Borough Councils met in August 2018 to discuss the future of the EPC, which had last met in March 2018. The officers recognised that the terms of reference (TOR) needed to be updated to adapt to changes in the economic and political environment over the past four years and suggested the following changes to the Terms of Reference:

**Purpose**

3. The purpose of the EPC is currently:

‘To bring together local authority partners in Nottingham and Nottinghamshire in a robust, formally constituted arrangement which will drive future investment in growth and jobs in the City and County’.

4. It is proposed that this should be revised to:

‘To bring together local authorities in Nottingham and Nottinghamshire to agree and promote the key aspects of economic prosperity across the area, with a specific focus on shared priorities and securing investment’.

**Remit**

5. The remit of the EPC is currently:
  - a. to act as a local public sector decision making body for strategic economic development, and to make recommendations to the D2N2 LEP on its investment and other priorities;
  - b. to prioritise, commission and monitor both investment plans and all European Structural Investment Funds (SIF), and Single Local Growth Fund money that is available to

Nottingham and Nottinghamshire via the D2N2 LEP and the EPC;

- c. to oversee the alignment of relevant local authority plans and ensure that they contribute to economic growth;
  - d. to actively engage with a range of businesses in Nottingham and Nottinghamshire in relation to the EPC's decision making, and to engage with other stakeholders where appropriate;
  - e. to consider and advise on the appropriateness and viability of alternative, successor economic governance arrangements;
  - f. to ensure that potential benefits stemming from any overlaps with other LEPs are fully maximised.
6. It is proposed that this should be charged to:
- a. to act as the local public sector decision making body for strategic economic growth;
  - b. to act as a conduit to other sub-regional and regional bodies such as the D2N2 Local Enterprise Partnership and the Midlands Engine;
  - c. to oversee the alignment of relevant local authority plans for economic prosperity;
  - d. to agree shared priorities and bids for funding to existing and new funding sources such as Local Growth Funds, European Funds (until the end of the Brexit transition period) and the Shared Prosperity Fund (at the end of the Brexit transition period);
  - e. to monitor and evaluate projects and programmes of activity commissioned directly by the EPC;
  - f. to agree, monitor and evaluate spending priorities for the Nottinghamshire Business Rates Pool. (Only those constituent authorities that are members of the Pool would participate in this);
  - g. to communicate and, where unanimously agreed, to align activity across Nottingham and Nottinghamshire on a range of other key public priorities that affect citizens.
7. The changes are largely designed to reflect changes in the operating environment (such as the Midlands Engine and the EU Referendum) since the EPC was established in 2014. The main substantive addition is 2.5(g) (above) which will enable discussion at future EPC meetings of issues that cut across local authority boundaries and to agree to align activity where this would benefit the local authorities and local citizens.

### **Quorum**

8. To reduce the quorum from six to five.

### **Secretariat**

9. The Secretary shall be from the same authority as the Chair, rather than held by Nottingham City Council.

### **Review**

10. The TOR should be reviewed every two years to ensure they remain fit for purpose.
11. A full copy of the revised TOR is attached at Appendix A.

### **Other Options Considered**

12. To make no amendments to the TOR. This was rejected as the TOR would not be fit for current purpose, and this would limit the EPC's ability to discuss and take mutually action beneficial to address issues that concern the local authorities and local citizens.
13. The proposed change to the Terms of Reference would enable the EPC to discuss wider issues that cut across local authority boundaries and, where appropriate, align activity. The EPC Terms of Reference state that the Terms of Reference 'can only be amended by resolution of each of the constituent authorities'. This Council therefore needs to formally agree to the proposed amendment to take effect.

### **Reasons for Recommendation**

14. Any changes to the terms of reference for the Committee must be approved by each constituent authority.

### **Statutory and Policy Implications**

15. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

### **Financial Implications**

16. There are no known financial implications resulting from this report.

### **Public Sector Equality Duty Implications**

17. An Equality Impact Assessment is not required because the report does not contain any changes to policy.

## **RECOMMENDATION**

- 1) To agree the proposed changes to the Terms of Reference, as outlined in this report.

**Anthony May**  
**Chief Executive**

**For any enquiries about this report please contact:**

Sara Allmond – [sara.allmond@nottsgov.uk](mailto:sara.allmond@nottsgov.uk)

**Constitutional Comments (CEH 14/03/19)**

18. The recommendation is within the remit of Full Council under the Council's Constitution  
The recommendation is within the remit of Full Council under the Council's Constitution

**Financial Comments (SES 13/03/19)**

19. There are no specific financial implications arising directly from this report.

**Background Papers and Published Documents**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- None

**Electoral Divisions and Members Affected**

- All

# **The City of Nottingham and Nottinghamshire Economic Prosperity Committee**

## **CONSTITUTION 2018- 2020**

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### **1. Purpose**

- 1.1 To bring together local authorities in Nottingham and Nottinghamshire to agree and promote the key aspects of economic prosperity across the area, with a specific focus on shared priorities and securing investment.

### **2. Governance**

- 2.1 The Economic Prosperity Committee (“EPC”) will act as a Joint Committee under Section 9EB of the Local Government Act 2000 and pursuant to Regulation 11 of the Local Authorities (Arrangement for the Discharge of Functions) (England) Regulations 2012.
- 2.2 The EPC will comprise the local authorities within the Nottinghamshire area: Ashfield District Council, Bassetlaw District Council, Broxtowe Borough Council, Gedling Borough Council, Mansfield District Council, Newark and Sherwood District Council, Nottingham City Council, Nottinghamshire County Council and Rushcliffe Borough Council (“constituent authorities”).
- 2.3 Political Proportionality rules will not apply to the EPC as so constituted.

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2.4 The EPC will be a legally constituted body with powers delegated to it by the constituent authorities in the following areas:

- a) to prioritise and make decisions on the use of the funding that the EPC may influence or control;
- b) to review future governance requirements and delivery arrangements and how these can be best achieved in Nottingham and Nottinghamshire;
- c) to have direct oversight of key economic growth focused projects and initiatives that the EPC has influence over the funding of or contributes to;
- d) to have strategic oversight of other key growth focused projects and initiatives in Nottingham and Nottinghamshire.

The EPC will not hold funds or monies on behalf of the constituent authorities.

2.5 The EPC's work plan and the outcome of any wider review into alternative governance may require a change in the delegated powers and terms of reference of the EPC and any such change would require the approval of all the constituent authorities.

2.6 These terms of reference should be reviewed two years after their adoption or after any amendments.

### **3. Remit**

3.1 The remit of the EPC will be:

- a) to act as a local public sector decision making body for strategic economic growth;
- b) to act as a conduit to other sub-regional and regional bodies such as the D2N2 Local Enterprise Partnership and the Midlands Engine;
- c) to oversee the alignment of relevant local authority plans for economic prosperity;
- d) where appropriate, to agree shared priorities and bids for funding to existing and new funding sources such as Local Growth Funds, European Funds (until the end of the Brexit transition period) and the Shared Prosperity Fund (at the end of the Brexit transition period);
- e) to monitor and evaluate projects and programmes of activity commissioned directly by the EPC;
- f) to agree, monitor and evaluate spending priorities for the Nottinghamshire Business Rates Pool. (Only those constituent authorities that are members of the Pool would participate in this);
- g) to communicate and, where unanimously agreed, to align activity across Nottingham and Nottinghamshire on a range of other key public priorities that affect citizens.

### **4. Membership**

4.1 One member from each constituent authority (such member to be the Leader/Elected Mayor or other executive member or committee chair from each constituent authority) and for the purposes of these terms of reference this member will be known as the principal member.

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- 4.2 Each constituent authority to have a named substitute member who must be an executive member where the authority operates executive governance arrangements. In those constituent authorities where governance is by committee, that alternate member shall be as per that authority's rules of substitution. All constituent authorities must provide no less than twenty four hours' notice to either the Chair or the Secretary where a substitute member will be attending in place of the principal member. Regardless of any such notification, where both the principal member and the substitute member attends a meeting of the EPC the principal member shall be deemed as representing their authority by the Chair or Vice Chair.
- 4.3 In the event of any voting member of the EPC ceasing to be a member of the constituent authority which appointed him/her, the relevant constituent authority shall as soon as reasonably practicable appoint another voting member in their place.
- 4.4 Where a member of the EPC ceases to be a Leader / Elected Mayor of the constituent authority which appointed him/her or ceases to be a member of the Executive or Committee Chair of the constituent authority which appointed him/her, he/she shall also cease to be a member of the EPC and the relevant constituent authority shall as soon as reasonably practicable appoint another voting member in their place.
- 4.5 Each constituent authority may remove its principal member or substitute member and appoint a different member or substitute as per that authority's rules of substitution, and by providing twenty-four hours' notice to the Chair or the Secretary. Co-options onto the Committee are not permitted.
- 4.6 Each constituent authority may individually terminate its membership of the EPC by providing twelve months written notice of its intent to leave the EPC to the Chair or the Secretary. At the end of these twelve months, but not before, the authority will be deemed to no longer be a member of the EPC.
- 4.7 Where an authority has previously terminated its membership of the EPC it may rejoin the EPC with immediate effect on the same terms as existed prior to its departure, where the EPC agrees to that authority rejoining via a majority vote.

## 5. Quorum

- 5.1 The quorum shall be 5 members. No business will be transacted at a meeting unless a quorum exists at the beginning of a meeting. If at the beginning of any meeting, the Chair or Secretary after counting the members present declares that a quorum is not present, the meeting shall stand adjourned.

## 6. Chair and Vice Chair

- 6.1 The Chair of the EPC will rotate annually between the principal member of the City of Nottingham and the principal member of Nottinghamshire County Council. The position of Vice Chair shall be filled by the principal member of one of the district/borough council members of the EPC and this role will rotate annually between district/borough councils. The Chair or in their absence the Vice Chair or in their absence the member of the EPC elected for this purpose, shall preside at any meeting of the EPC.



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6.2 Appointments will be made in May of each year.

6.3 Where, at any meeting or part of a meeting of the EPC both the Chair and Vice Chair are either absent or unable to act as Chair or Vice Chair, the EPC shall elect one of the members of the EPC present at the meeting to preside for the balance of that meeting or part of the meeting, as appropriate. For the avoidance of doubt, the role of Chair and Vice Chair vests in the principal member concerned and in their absence the role of Chair or Vice Chair will not automatically fall to the relevant constituent authority's substitute member.

## **7. Voting**

7.1 One member, one vote for each constituent authority.

7.2 All questions shall be decided by a majority of the votes of the members present, the Chair having the casting vote in addition to their vote as a member of the Committee. Voting at meetings shall be by show of hands.

7.3 On the requisition of any two Members, made before the vote is taken, the voting on any matter shall be recorded by the Secretary so as to show how each Member voted and there shall also be recorded the name of any Member present who abstained from voting.

## **8. Sub-Committees and Advisory Groups**

8.1 The EPC may appoint sub-committees from its membership as required to enable it to execute its responsibilities effectively and may delegate tasks and powers to the sub-committee as it sees fit.

8.2 The EPC may set up advisory groups as required to enable it to execute its responsibilities effectively and may delegate tasks as it sees fit to these bodies, which may be formed of officers or members of the constituent authorities or such third parties as the EPC considers appropriate.

## **9. Hosting and Administration**

9.1 The EPC will be hosted by the same authority as the Chair. The Director of Legal and Democratic Services from that authority shall be Secretary to the Committee ("the Secretary"). The Host Authority will also provide s151 and Monitoring Officer roles and legal advice to the EPC. The administrative costs of supporting the committee will be met equally by the constituent authorities, with each authority being responsible for receiving and paying any travel or subsistence claims from its own members.

9.2 The functions of the Secretary shall be:

- a) to maintain a record of membership of the EPC and any sub-committees or advisory groups appointed;

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- b) to publish and notify the proper officers of each constituent authority of any anticipated “key decisions” to be taken by the EPC to enable the requirements as to formal notice of key decisions as given under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 to be met;
- c) to carry out such notification to and consultation with members of any appointing constituent authority as may be necessary to enable the EPC to take urgent “key decisions” in accordance with the requirements of the Local Authorities (Executive Arrangements) (Meetings and Access to Information ) (England) Regulations 2012;
- d) to summon meetings of the EPC or any sub-committees or advisory groups;
- e) to prepare and send out the agenda for meetings of the EPC or any sub-committees or advisory groups; in consultation with the Chair and the Vice Chair of the Committee (or sub-committee/ advisory group);
- f) to keep a record of the proceedings of the EPC or any sub-committees or advisory groups, including those in attendance, declarations of interests, and to publish the minutes;
- g) to take such administrative action as may be necessary to give effect to decisions of the EPC or any sub-committees or advisory groups;
- h) to perform such other functions as may be determined by the EPC from time to time.

### 10. Meetings

10.1 The EPC will meet no less than quarterly and meetings will be aligned where necessary with deadlines for decisions on resources and investment plans.

10.2 Meetings will be held at such times, dates and places as may be notified to the members of the EPC by the Secretary, being such time, place and location as the EPC shall from time to time resolve. Meeting papers will be circulated five clear working days in advance of any meeting. The Chair may choose to accept or reject urgent items that are tabled at any meeting.

10.3 Additional ad hoc meetings may be called by the Secretary, in consultation, where practicable, with the Chair and Vice Chair of the Committee, in response to receipt of a request in writing, which request sets out an urgent item of business within the functions of the EPC, addressed to the Secretary:

- (a) from and signed by two members of the EPC, or
- (b) from the Chief Executive of any of the constituent authorities.

10.4 Urgent, virtual meetings facilitated via teleconference, video conferencing or other remote working methodologies may be called by the Secretary, in consultation, where practicable, with the Chair and Vice Chair of the EPC, in response to receipt of a request in writing, which request sets out an urgent item of business within the functions of the EPC, addressed to the Secretary:

- (a) from and signed by two members of the EPC; or
- (b) from the Chief Executive of any of the constituent authorities.

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Any such virtual meeting must comply with the access to information provisions and enable public access to proceedings.

10.5 The Secretary shall settle the agenda for any meeting of the EPC after consulting, where practicable, the Chair or in their absence the Vice Chair; and shall incorporate in the agenda any items of business and any reports submitted by:

- (a) the Chief Executive of any of the constituent authorities;
- (b) the Chief Finance Officer to any of the constituent authorities;
- (c) the Monitoring Officer to any of the constituent authorities;
- (d) the officer responsible for economic development at any of the constituent authorities; or
- (e) any two Members of the EPC.

10.6 The EPC shall, unless the person presiding at the meeting or the EPC determines otherwise in respect of that meeting, conduct its business in accordance with the procedure rules set out in paragraph 13 below.

### 11. Access to Information

11.1 Meetings of the EPC will be held in public except where confidential or exempt information, as defined in the Local Government Act 1972, is being discussed.

11.2 These rules do not affect any more specific rights to information contained elsewhere under the law.

11.3 The Secretary will ensure that the relevant legislation relating to access to information is complied with. Each constituent authority is to co-operate with the Secretary in fulfilling any requirements.

11.4 Any Freedom of Information or Subject Access Requests received by the EPC should be directed to the relevant constituent authority(s) for that authority to deal with in the usual way, taking account of the relevant legislation. Where the request relates to information held by two or more constituent authorities, they will liaise with each other before replying to the request.

### 12. Attendance at meetings

12.1 The Chair may invite any person, whether a member or officer of one of the constituent authorities or a third party, to attend the meeting and speak on any matter before the EPC.

12.2 Third parties may be invited to attend the EPC on a standing basis following a unanimous vote of those present and voting.

12.3 Where agenda items require independent experts or speakers, the Officer or authority proposing the agenda item should indicate this to the Secretary and provide the Secretary with details of who is required to attend and in what capacity. The participation of independent experts or speakers in EPC meetings will be subject to the discretion of the Chair.

### **13. Procedure Rules**

#### **13.1 Attendance**

13.1.1 At every meeting, it shall be the responsibility of each member to enter their name on an attendance record provided by the Secretary from which attendance at the meeting will be recorded.

#### **13.2 Order of Business**

13.2.1 Subject to paragraph 13.2.2, the order of business at each meeting of the EPC will be:

- i. Apologies for absence
- ii. Declarations of interests
- iii. Approve as a correct record and sign the minutes of the last meeting
- iv. Matters set out in the agenda for the meeting which will clearly indicate which are key decisions and which are not
- v. Matters on the agenda for the meeting which, in the opinion of the Secretary are likely to be considered in the absence of the press and public

13.2.2 The person presiding at the meeting may vary the order of business at the meeting.

#### **13.3 Disclosable Pecuniary Interests**

13.3.1 If a Member is aware that he/she has a disclosable pecuniary interest in any matter to be considered at the meeting, the Member must withdraw from the room where the meeting considering the business is being held:

- (a) in the case where paragraph 13.3.2 below applies, immediately after making representations, answering questions or giving evidence;
- (b) in any other case, wherever it becomes apparent that the business is being considered at that meeting;
- (c) unless the Member has obtained a dispensation from their own authority's Standards Committee or Monitoring Officer. Such dispensation to be notified to the Secretary prior to the commencement of the meeting.

13.3.2 Where a member has a disclosable pecuniary interest in any business of the EPC, the Member may attend the meeting (or a sub –committee or advisory group of the committee) but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

#### **13.4 Minutes**

13.4.1 There will be no discussion or motion made in respect of the minutes other than except as to their accuracy. If no such question is raised or if it is raised then as

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soon as it has been disposed of, the Chair shall sign the minutes.

### **13.5 Rules of Debate**

#### **13.5.1 Respect for the Chair**

A Member wishing to speak shall address the Chair and direct their comments to the question being discussed. The Chair shall decide the order in which to take representations from members wishing to speak and shall decide all questions of order. Their ruling upon all such questions or upon matters arising in debate shall be final and shall not be open to discussion.

#### **13.5.2 Motions / Amendments**

A motion or amendment shall not be discussed unless it has been proposed and seconded. When a motion is under debate no other motion shall be moved except the following:

- i. To amend the motion
- ii. To adjourn the meeting
- iii. To adjourn the debate or consideration of the item
- iv. To proceed to the next business
- v. That the question now be put
- vi. That a member be not further heard or do leave the meeting
- vii. To exclude the press and public under Section 100A of the Local Government Act 1972

### **13.6 Conduct of Members**

13.6.1 Members of the EPC will be subject to their own authority's Code of Conduct.

## **14. Application to Sub-Committees**

14.1 The procedure rules and also the Access to Information provisions set out at paragraph 11 shall apply to meetings of any sub-committees of the EPC.

## **15. Scrutiny of decisions**

15.1 Each constituent authority which operates executive arrangements will be able to scrutinise the decisions of the EPC in accordance with that constituent authority's overview and scrutiny arrangements.

## **16. Winding up of the EPC**

16.1 The EPC may be wound up immediately by a unanimous vote of all constituent authorities.

## **17. Amendment of this Constitution**

17.1 This Constitution can only be amended by resolution of each of the constituent authorities.



