



AGENDA

For the Council meeting to be held on
Wednesday 29 February 2012.

Timothy Wheadon, Chief Executive

NOTICE OF MEETING

Council

Wednesday 29 February 2012, 7.30 pm

Council Chamber, Fourth Floor, Easthampstead House, Bracknell

To: The Council

Councillor Turrell (Mayor), Councillor Mrs McCracken (Deputy Mayor),
Councillors Allen, Angell, Mrs Angell, Baily, Mrs Ballin, Mrs Barnard, Dr Barnard, Bettison, Birch,
Mrs Birch, Blatchford, Brossard, Ms Brown, Brunel-Walker, Davison, Dudley, Finch, Finnie,
Gbadebo, Harrison, Mrs Hayes, Ms Hayes, Heydon, Kendall, Kensall, Leake, McCracken,
McLean, Ms Miller, Mrs Pile, Porter, Sargeant, Mrs Temperton, Thompson, Virgo, Wade, Ward,
Ms Whitbread, Ms Wilson and Worrall



TIMOTHY WHEADON
Chief Executive

EMERGENCY EVACUATION INSTRUCTIONS

- 5 If you hear the alarm, leave the building immediately.
- 6 Follow the green signs.
- 7 Use the stairs not the lifts.
- 8 Do not re-enter the building until told to do so.

If you require further information, please contact: Kirsty Hunt
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Published: 21 February 2012



Council
Wednesday 29 February 2012, 7.30 pm
Council Chamber, Fourth Floor, Easthampstead House,
Bracknell

AGENDA

Page No

The meeting will be opened with prayers by the Mayor's Chaplain

1. **Apologies for Absence**

2. **Minutes of Previous Meeting**

To approve as a correct record the minutes of the meeting of the Council held on 25 January 2012.

1 - 6

3. **Declarations of Interest**

To receive any declarations of personal or prejudicial interests, and the nature of that interest, in respect of any matter to be considered at this meeting.

4. **Mayor's Announcements**

5. **Executive Report**

To receive the Leader's report on the work of the Executive since the Council meeting held on 29 January 2012.

7 - 14

6. **Financial Plans and Revenue Budgets 2012-13**

Council is asked to resolve recommendations in respect of:

15 - 24

- Capital Programme 2012/13 - 2014/15
- Revenue Budget 2012/13
- Council Tax 2012/13
- Proposed Fees and Charges for 2012/13.

The Supporting Information has been circulated separately.

7. **Independent Remuneration Panel Report**

To determine what action the Council wishes to take in response to the recommendations of the Independent Remuneration Panel.

25 - 52

8. **Pay Policy Statement**

To approve a Pay Policy Statement as required by the Localism Act 2011.

53 - 84

9. **Establishment of Appointment Committee**

To establish an Appointment Committee for the post of Chief Officer:
Customer Services.

85 - 88

10. **Street Trading: Designated Consent Streets**

To consider an amendment to the list of designated Consent Streets for
the purposes of Street Trading in the Borough.

89 - 92

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**COUNCIL
25 JANUARY 2012
7.30 - 8.30 PM**

Present:

The Mayor (Councillor Chris Turrell), Councillors Mrs McCracken (Deputy Mayor), Allen, Angell, Mrs Angell, Baily, Mrs Barnard, Dr Barnard, Bettison, Birch, Mrs Birch, Blatchford, Brossard, Ms Brown, Brunel-Walker, Davison, Dudley, Finch, Gbadebo, Harrison, Mrs Hayes, Ms Hayes, Heydon, Kendall, Kensall, Leake, McCracken, McLean, Ms Miller, Mrs Pile, Porter, Sargeant, Mrs Temperton, Virgo, Wade, Ward, Ms Whitbread and Worrall

Apologies for absence were received from:

Councillors Mrs Ballin, Finnie, Thompson and Ms Wilson

38. Minutes of Previous Meeting

RESOLVED that the minutes of the Council meeting held on 30 November 2011 be approved and signed by the Mayor as a correct record.

39. Declarations of Interest

There were no declarations of interest.

40. Mayor's Announcements

CAB presentation

Rhiannon Stocking-Williams, Chief Executive and Brian Fries, Chair of Trustees from Bracknell & District Citizens Advice Bureau (CAB) gave a presentation on the work of the CAB, their 50 successful years in operation and the future challenges facing the organisation.

In response to questions from the Council it was clarified that welfare and benefit queries were the highest number of interventions within Bracknell; Bracknell CAB was working to bid for Comic Relief funding to help support the over 65s and that the CAB worked closely with the Council and its officers and received referrals as appropriate.

The Mayor thanked them for their presentation and for answering Members questions.

Mayor's Charity Events

The Mayor reminded Members that he was hosting a Masquerades Ball in aid of his charity, Age Concern Bracknell Forest on Saturday 11 February. Tickets are £30 for a single and £50 for a double and could be purchased through the Mayor's PA, Sue Brunt.

Executive Member for Children and Young People

Councillor Dr Barnard congratulated and thanked staff working at the Larchwood Short Break Unit which was graded 'outstanding' in all six areas through the unannounced Ofsted inspection under the new more stringent framework.

Executive Member for Culture, Corporate Services and Public Protection

Councillor McCracken advised that the Council and Bracknell Forest CID officers had received commendations awards by Thames Valley Police for their tireless efforts to successfully conclude the abductions in Bracknell Forest.

He was pleased to report that Ascot Heath library enhancement works had been completed and the facility was now open.

Councillor McCracken announced that Anne Eckersley was the successful winner in the photography competition which was themed 'Routes and Trees'. Photographs from 11 photographers would be displayed at South Hill Park between 11 February to 8 April 2012.

He was pleased to report that the improvement works undertaken at Savernake Park had been completed and included planting, resurfacing of footpaths and the installation of three timber sculptures.

Councillor McCracken advised the meeting that the extensive works to maintain the Council's first class facility at the Easthampstead Park Cemetery and Crematorium by the provision of new cremators and a new mercury abatement system was nearing completion. He went on to say that the lack of disruption to services was due in large part to good planning and the excellent work of all of the staff involved not least those at the facility itself.

41. **Executive Report**

The Leader of the Council, Councillor Bettison, presented his report on the work of the Executive since that reported at the Council meeting on 30 November 2011. The Executive had met twice on 13 December 2011 and 10 January 2012.

The Leader highlighted the following matters that had been considered:

- Children and Young People:
 - Youth Justice Strategic Plan
 - Ofsted Children's Assessment 2011
 - Safeguarding & Looked After Children Inspection
- Corporate Services/Public Protection:
 - Community Safety Partnership Plan 2011/14
 - Neighbourhood Engagement Review
 - Corporate Performance Overview Report
- Adult Services, Health & Housing
 - Advocacy Commissioning Strategy
 - Adult Social Care & Health Local Account 2010/11
 - Drug & Alcohol Recovery Services

- Other Service issues
 - Intelligent Transport Systems Strategy Implementation plan agreed
 - Community Infrastructure Levy
 - Binfield Nursery
 - Carbon management Plan

The report contained recommendations that the Council was asked to resolve in respect of the following matters:

- Youth Justice Strategic Plan 2011/12
- Community Safety Partnership Plan 2011-2014

Youth Justice Strategic Plan 2011/12

On the proposition of Councillor Dr Barnard, Executive Member for Children and Young People seconded by Councillor Kendall it was

RESOLVED that the Youth Justice Strategic Plan 2011/12 be approved for submission to the England and Wales Youth Justice Board (YJB).

Community Safety Partnership Plan 2011-2014

On the proposition of Councillor McCracken, Executive Member for Culture, Corporate Services and Public Protection seconded by Councillor Brossard it was

RESOLVED that the Community Safety Partnership Plan 2011-2014 be approved.

42. **Revised Proportionality Calculations and Committee Membership**

The Council considered the report which set out the position regarding the overall allocation of seats on committees following the reduction in the number of councillors in the Conservative Group by three.

On the proposition of Councillor Bettison, Leader of the Council seconded by Councillor Leake it was

RESOLVED that

- i) the revised proportionality calculations be agreed;
- ii) there were no changes to the allocation of seats agreed at the Annual Council Meeting on 25 May 2011; and
- iii) excepting the restrictions on acting as substitutes there were no changes to the membership of committees and/or external organisations tabled at the meeting, in accordance with the wishes of the Conservative Group.

43. **Appointment of Parent Governor**

The Council considered the report recommending the appointment of Mrs Carol Murray to the current secondary Parent Governor vacancies on the Overview and Scrutiny Commission and the Children, Young People & Learning Overview and Scrutiny Panel as both these meetings functions relate wholly or partly to any education functions.

On the proposition of Councillor Leake, Chairman of Overview and Scrutiny Commission seconded by Councillor Mrs Birch it was

RESOLVED that Mrs Carol Murray be appointed as a parent governor representative to the Overview & Scrutiny Commission for a term of office of four years and the Commission Chairman's recommendation to appoint Mrs Carol Murray to the Children, Young People & Learning Overview and Scrutiny Panel be endorsed.

44. Adoption of Byelaws for Special Treatment

The Council considered the report recommending that the Council adopt new byelaws for Special Treatments addressing all matters relating to the regulation of cosmetic piercing and semi permanent skin colouring, acupuncture, tattooing, electrolysis and ear piercing under one set of consolidated model byelaws.

On the proposition of Councillor McCracken, Executive Member for Culture, Corporate Services and Public Protection seconded by Councillor Brunel-Walker it was

RESOLVED that the Byelaws for Special Treatments as set out in Appendix A to the report be adopted.

45. Question Submitted Under Council Procedure Rule 10

(i) By Councillor Mrs Temperton to Councillor Kendall, Executive Member for Education the following published question:

The Joint Strategic Needs Assessment has identified Sexual Health and Mental Ill Health as priority needs for Bracknell Forest. How will early intervention be achieved if support for each of these areas is withdrawn from schools, as proposed in the budget?

It was noted that the question related to the portfolios of two Executive members and both would respond to the relevant part.

In response Councillor Kendall stated that the Targeted Mental Health project grant had been available for a limited time only and the proposed deletion of budget directly related to the £125K associated with that work. The project had been in place for two years and had helped to develop the capacity of staff in schools to identify and work with children who may be, or were at risk of developing mental health problems. Councillor Kendall advised the meeting that the Council was working with schools to see how the capacity that had been built and developed in schools was utilised. The Educational Psychology Service and Behaviour Support Service would continue to ensure that further training, commissioned by an individual or a group of schools, would be provided. A training day was being held on Friday 27 January to disseminate information to schools and Councillor Mrs Temperton was welcome to attend.

In response Councillor Dr Barnard stated that the previous Government's prescriptive approach to dealing with sexual health did not meet the needs of Bracknell Forest. The local approach was to target resources where they were needed. The budget proposals indicated a proposed £5K reduction in the support for the Youth Service and schools for sexual health services which equated to a 6% reduction in the budget. Teenage conception rates had dropped and the borough was the third lowest in England and Wales. Two examples of successful projects were the drop-in clinics at Ranelagh School and Garth Hill College. Councillor Dr Barnard concluded that the

Council's continuing objective that all schools should be good schools was positively contributing to young people's self worth and this was reflected in the statistics.

MAYOR

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TO: COUNCIL
29 FEBRUARY 2012

EXECUTIVE REPORT TO COUNCIL The Leader

1 PURPOSE OF REPORT

- 1.1 To consider a summary of the decisions made by the Executive since the last meeting of the Council summarised by reference to the relevant portfolio within which they fall.
- 1.2 Since the Council meeting on 23 January 2012, the Executive has met once, on 21 February 2012.
- 1.3 Agenda item 6 deals in detail with the Executive's recommendations regarding the Council's budget. Agenda item 9 deals with the recommendation arising from this report relating to the establishment of an Appointments Committee. The details are set out in section 1.3 of the annex to this report.

2 SUPPORTING INFORMATION

- 2.1 The Leader will include reference in his presentation to Council in support of this item.
- 2.2 The next Forward Plan will be published on 1 March 2012 and will be available for public inspection at Easthampstead House in the usual way and will also be available online at www.bracknell-forest.gov.uk, where you can also find full details on decisions taken by individual portfolio holders.

3 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

Borough Solicitor

- 3.1 The Borough Solicitor's comments on each item referred to in the annex can be found in the reports presented to the Executive.

Borough Treasurer

- 3.2 The Borough Treasurer's comments on each item referred to in the annex can be found in the reports presented to the Executive.

Equalities Impact Assessment

- 3.3 Equalities issues, where appropriate, have been addressed in the reports to the Executive.

Strategic Risk Management Issues

- 3.4 Any strategic risks have been identified in the reports to the Executive.

Unrestricted

Background Papers

Executive Agenda – 21 February 2012

Contact for further information

Katharine Simpson, Corporate Services - 01344 352308

katharine.simpson@bracknell-forest.gov.uk

**EXECUTIVE REPORT TO COUNCIL
29 FEBRUARY 2012**

1 FINANCE, RESOURCES AND ASSETS

1.1 General Fund Revenue Budget 2012/13/Capital Programme 2012/13 – 2014/15

1.1.1 The Executive approved a set of final recommendations on the Council's budget and capital programme proposals for the coming year, having regard to the consultation responses on the draft proposals published in December 2011 and other decisions taken in relation to Ladybank Older Persons Home, the "In-house" Home Support Service for People with Long Term Conditions and the South Hill Park Annual Revenue Grant, referred to below. The recommendations and background to them are detailed separately in item 6 on this agenda.

1.2 Time Square Refurbishment – Award of Contract

1.2.1 The Executive has agreed that the decision to award the contract for refurbishment works at Time Square should be delegated to the Director of Corporate Services in consultation with the Executive Member for Finance, Resources & Assets.

1.2.2 As the contract value is over £1m, contract standing orders would normally require the decision to be taken by the Executive. However, in this case, a substantial part of the funding for the works is linked to the signing of the variation of the development agreement with BRLP for the regeneration of Bracknell town centre. The timetable for submission of tenders was such that it would not have been possible to complete the evaluation of the tenders and recommend a contractor to the Executive on 21 February 2012. To delay the decision until the next meeting on 20 March 2012 would delay the start of the works and potentially add delay to the delivery of the regeneration of Bracknell town centre given that the timetable for the works is already likely to be very tight. Unless there is a delay in signing the development agreement variation, staff from Seymour House will need to be relocated to Time Square by the end of March 2013 in order for the town centre regeneration to progress in accordance with the currently agreed timetable.

1.3 Senior Management Structure

1.3.1 The Executive has approved a number of minor changes to the Council's senior management structure. These follow the resignation of two chief officers and national changes in Public Health provision which will see responsibility for most of this service transfer to local authorities from 1 April 2013.

1.3.2 The transfer of Public Health functions should be relatively straightforward where there is co-terminosity between PCT and local authority. However, in Berkshire there are currently 2 PCT's (East and West Berkshire), each with its own Director of Public Health and 6 local authorities. There is no prospect of each local authority creating its own Director of Public Health post as the cost would be prohibitive. Consequently, some form of joint arrangement based around one or two strategic cores (possibly an east/west or "urban/rural" split or possibly a single pan-Berkshire core) with local delivery of key public health functions in each of the six Councils will need to be developed. Discussions on this have started between the six authorities, but have been hampered to date by a lack of information from the Department of

Health on the amount of money to be transferred to each authority as ring-fenced grant to provide the Public Health function.

- 1.3.3 Notwithstanding the need to work with the other five Berkshire councils to assess the format and function of the strategic core, in Bracknell Forest the obvious location for the new Public Health function to be provided locally will be within the Adult Social Care & Health Directorate. Although its activity underpins much of the Council's work and objectives, the Director of Adult Social Care and Health, reporting to the Chief Executive, will need to have overall responsibility for co-ordinating local activity and liaising with whatever strategic core is eventually formed.
- 1.3.4 The links between Housing and Public Health are well established. It is therefore proposed to transfer the Council's Housing function to the Adult Social Care & Health Directorate. This will also build on the existing synergies between the Housing and Social Care functions, fit logically into the Director of Adult Social Care & Health's portfolio and create additional capacity for the Director of Environment, Culture & Communities to co-ordinate the major retendering exercise in relation to environmental contracts in 2014 which it is hoped will lead to significant cost reductions. He will also undertake more income generation work. The addition of a chief officer to the Adult Social Care & Health Directorate will also create extra capacity to deal with the transfer of Public Health functions, when the detailed position becomes clearer during 2012. To reflect this change, the directorate will become known as Adult Social Care, Health & Housing from 1 April 2012.
- 1.3.5 The departure of the Chief Officer, Performance & Resources in Environment, Culture & Communities Directorate has provided the opportunity to reduce the total number of chief officers across the Council and to standardise the devolved support model. The plan is to replace the Chief Officer post in Environment, Culture & Communities with a Head of Service (at a lower grade) covering the essential devolved support functions of finance, human resources, performance and IT. It is intended to apply the same structure in Adult Social Care, Health & Housing from 1 April 2013, when the contract of the equivalent Chief Officer post, who is on a fixed term contract, ends. No changes are proposed in Children, Young People & Learning as its devolved support services are managed differently with the Chief Officer: Strategy, Resources and Early Intervention having responsibility for them and a range of other functions which justify the higher grade for the post. Overall, these changes will generate net savings of around £35K which will be factored in to the Commitment Budget for 2013/14.
- 1.3.6 The post of Chief Officer: Customer Services remains a critical post for further developing plans to reduce the cost of customer contact significantly whilst still maintaining the current high levels of customer satisfaction. The Customer Contact Strategy agreed in July 2011 aims to deliver savings in excess of £100k per annum. However, to be successful, the work will need to be lead and driven by an officer with sufficient seniority and wide experience of customer interfaces and change management. The Executive is therefore recommending that the Council advertises the post on its existing Chief Officer grade. It will be subject to Member appointment and, therefore, Council is recommended to establish an Appointments Committee with delegated power to interview and appoint to the post of Chief Officer: Customer Services. The recommendations and background to them are detailed separately in item 9 on this agenda.

2 CULTURE, CORPORATE SERVICES AND PUBLIC PROTECTION

2.1 South Hill Park Revenue Grant

- 2.1.1 The budget proposals for 2012/13 include a recommendation to make a grant of £419,140 to South Hill Park Trust. The Executive considered a report detailing the South Hill Park centre activities and proposals for the coming year. A draft Partnership Agreement for 2012/13 between the Council and South Hill Park Trust has also been approved as the basis on which the grant is awarded. Payment of the grant is conditional on the Partnership Agreement being signed. The Director of Environment, Culture and Communities has been authorised in consultation with the Executive Member for Culture, Corporate Services to agree any necessary changes to the Partnership Agreement including future plans and performance indicators for 2012/13.

3 ADULT SOCIAL CARE, HEALTH & HOUSING

3.1 Modernisation of Older People's Services – Consultation on the future of Landbank older person's home with a view to re-providing long term care

- 3.1.1 The Executive has agreed to re-provide the residential care service currently provided at Ladybank through the independent sector. As a result, detailed work has commenced on securing alternative residential or nursing care provision with the few remaining residents and their families.
- 3.1.2 Ladybank is a 1970s building and was built at a time when the standards required of residential care were different. There is now a need for major capital expenditure on the building estimated at over £0.6million and even this would not result in improved accommodation in line with the latest standards. Work to bring the accommodation up to modern standards would also require relocation of the residents and staff for the duration of the works.
- 3.1.3 Increasingly older people are choosing to be cared for at home rather than go into residential care and initiatives such as Home First and Enhanced Intermediate Care have resulted in a drop in the number of people being admitted into long term residential care throughout the borough. During the period September to December 2011 only 3 people were supported into the type of residential care that Ladybank provides. Since mid 2010, Ladybank had been operating with a number of vacant beds and as at 1 February 2012, only five of the facility's 23 spaces were occupied.
- 3.1.4 Implementation of Personalisation and Individualised Budgets is further supporting people to have more choice and control in their lives. Consequently, and in line with emerging national guidance and policy direction as contained in the Vision for Adult Social care, investment and service developments for the future need to be focussed on community based services
- 3.1.5 The feedback from a consultation on the proposed closure of Ladybank resulted in the majority of respondents opposing it. However, taking into account the minimum level of financial investment required (£0.6m) and the savings (£275k pa) of commissioning from the private sector compared to the in house service, plus the decline in demand for residential care, has led the Executive to conclude that Ladybank should close.

3.2 Modernisation of Older People's Services – In house home support service for people with long term conditions

- 3.2.1 The Executive has agreed that home support for people with a long term condition should no longer be provided by an in-house service and should be commissioned from the independent sector.
- 3.2.2 In line with the overarching modernisation strategy for Older People's Services in Bracknell Forest a range of services are currently being remodelled to take a more focused approach to respond to a period of intense change in social care. In addition the Council is facing a challenging period with an increasing demand for social care services with associated budgetary and funding pressures.
- 3.2.3 Through externalisation of home support for people with long term conditions, the Council can significantly reduce costs whilst at the same time stimulate the development of a stronger and more sustainable diverse social care market. This is of significance as Personalisation will bring about changes in the profile of services, with less reliance on council provided services.
- 3.2.4 The independent sector currently provides 90% of the domiciliary care commissioned by the Council. This care is generally well received by the people in Bracknell Forest who receive it and all agencies providing it are regulated and inspected by the Care Quality Commission.
- 3.2.5 Discussions with providers have found that the market has sufficient capacity to deliver services to meet additional demand. Five new providers were recently accepted onto the Bracknell Forest Contracted Provider Approval List and a further six are currently going through the approval process. Furthermore, providers have expressed interest in supporting service developments for new types of provision alongside mainstream homecare.
- 3.2.6 As well as supporting the market developments towards Personalisation and innovating service developments, the re-provision of the service into the independent sector will lead to reduced costs and better value for money. The Executive accepted that a unit cost of £38.16 per hour providing care in house could not be justified when care purchased from the external market would cost just £14.40 per hour.

4 PLANNING, TRANSPORT & ECONOMIC DEVELOPMENT

4.1 Warfield Supplementary Planning Document - Adoption

- 4.1.1 The Executive has adopted the Warfield Supplementary Planning Document and the Sustainability Appraisal and Appropriate Assessment accompanying it. It sets out 16 development principles based on a range of sustainable development issues. A concept plan is included to indicate a potential layout based on the development principles. A Statement of Consultation has also been approved which details all responses made to both consultations undertaken in the preparation of the SPD and includes any actions proposed.
- 4.1.2 The Supplementary Planning Document has been produced to provide guidance to secure a comprehensive, sustainable, mixed use urban extension of 2,200 dwellings to the north of the neighbourhoods of Whitegrove and Quelm Park. The development will be informed by its semi-rural location with every effort made to retain this character across the site. This will be achieved by a number of measures,

including the development of a green link called the East to West Greenway. This link will retain and add to hedgerows, trees, ponds and bridleways across the site. The seven character areas detailed in the SPD are intended to ensure that the existing site assets are retained and acknowledged in future development proposals and that only appropriate levels of development are provided in these areas. Additionally, it is envisaged that public access will be improved across the site with the establishment of a Country Park at Cabbage Hill on previously intensively farmed land and the creation of two river parks in the vicinity of The Cut and Bull Brook, improving public access to these areas.

- 4.1.3 The SPD now forms part of the Council's Local Development Framework and will be a material consideration in the determination of planning applications affecting this area which will be an important part of the Council's five year land supply.

5 EDUCATION

5.1 School Meals Award of Contract

- 5.1.1 The Executive has agreed to delegate approval of the award of a contract for the new school meals service to the Director of Children, Young People and Learning in consultation with the Executive Member for Education.
- 5.1.2 The value of the contract exceeds £1m and, under the Council's Contract Standing Orders, The Executive's approval would normally be required.
- 5.1.3 The existing contract for school meals expires in July 2012 and approval to delegate the decision was sought to provide sufficient time to consult schools on whether they wished to participate in the new contract. This is a decision that would need to be taken by the Governing Body of each school on an individual basis at meetings spread throughout the 2012 spring and summer terms.
- 5.1.4 To ensure that schools have sufficient time to consult, a recommendation on the preferred bidder needs to be issued to schools once the tender process is complete in order to allow sufficient time for contract mobilisation and a contract start date of 24 July 2012 to be successfully met. Any delay following the evaluation of tenders would reduce the time to complete the process.

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TO: COUNCIL
DATE: 29 February 2012

FINANCIAL PLANS AND REVENUE BUDGETS 2012/13 (Borough Treasurer)

1 PURPOSE OF REPORT

- 1.1 At its meeting on 21 February 2012, the Executive considered the 2012/13 proposals for the revenue and capital budgets. The recommendations on these proposals are submitted to the Council by the Executive and are included in section 2 covering all planned spending, service developments and expenditure reductions for next year.
- 1.2 A separate document presents an overview of the Council's spending plans for 2012/13 and detailed budgets for the General Fund and capital programme. The document reflects the Executive's recommendations and includes summaries of the reports considered by it.
- 1.3 In order to set a legal budget the full Council must make a formal Council Tax resolution. The Localism Act 2011 has made a number of changes to the Local Government Finance Act 1992, and now requires the Council to calculate a council tax requirement for the year rather than a budget requirement. The appropriate resolution to give effect to the proposals contained in the separate budget report is included in section 3.
- 1.4 The Council Tax resolution also refers to the Council's capital programme. The revenue budget proposals allow for a council funded capital programme of £9.760m recommended by the Executive.
- 1.5 The resolution in Section 3 also includes reference to the Council Tax for the Thames Valley Police Authority, the Royal Berkshire Fire Authority and all Parish Councils as the precepts of these bodies must be included in this Council's formal Council Tax resolution.

2 RECOMMENDATIONS SUBMITTED BY THE EXECUTIVE

2.1 Capital Programme 2012/13 - 2014/15

RECOMMENDED that:

- i) General fund capital funding of £9.760m for 2012/13 in respect of new schemes listed on pages 283 to 287 be recommended to the Council;
- ii) The inclusion of an additional budget of £1m for 'Invest to Save' schemes be recommended to the Council;
- iii) Those schemes that attract external grant funding be recommended to the Council for inclusion within the 2012/13 capital programme, at the level of funding received;
- iv) The release of £2.054m from S106 monies be recommended to the Council to fund capital projects outlined in paragraph 5.23 of the 21 February 2012 Executive report and included on pages 283 to 287;
- v) Those schemes which require external funding can only proceed once the Council is certain of receiving the grant.

Unrestricted

- vi) That the indicative programme for 2013/14 and 2014/15 be reviewed in the light of resources available and spending priorities in December 2012.

2.2 Revenue Budget 2012/13

RECOMMENDED that:

- i) No changes to the budget proposals were required as a result of the budget consultation;
- ii) Fees and charges as set out in Annexe G be approved (pages 75 to 162);
- iii) A provision for inflation of £1.521m be approved;
- iv) The commitment budget as set out in Annexe A be approved (page 19);
- v) The changes to the budget proposals identified in sections 3.5 (pages 6 to 8) and 5.2 (page 15) of the summary report for Council be agreed;
- vi) The Schools Budget be set at the level set out in section 4.1 (page 8) of the summary report for Council, subject to any amendments agreed by the Executive Member for Education;
- vii) A contingency of £1.000m be included, use of which is authorised by the Chief Executive in consultation with the Borough Treasurer in accordance with the delegations included in the Council's constitution;
- viii) Subject to the above recommendations the revised draft budget proposals be agreed;
- ix) A contribution of £0.394m be made from revenue balances to support revenue expenditure;
- x) Total net expenditure of £71.936m, be approved;
- xi) The Council's Council Tax requirement, excluding Parish Council precepts, be set at £48.812m;
- xii) The Council Tax for the Council's services for each Valuation Band be set as follows:

Band	Tax Level Relative to Band D	£
A	6/9	729.30
B	7/9	850.85
C	8/9	972.40
D	9/9	1093.95
E	11/9	1337.05
F	13/9	1580.15
G	15/9	1823.25
H	18/9	2187.90

At the meeting on 21 February 2012 the Executive recommended the 2012/13 Treasury Management Strategy Statement and noted that strategy together with the Prudential Indicators and the Minimum Revenue Provision Policy Statement were matters which the Council needed to approve.

Unrestricted

- xiii) The Council approves the following indicators, limits, strategies and policies included in Annexe E (pages 50 to 68):
- The Prudential Indicators and Limits for 2012/13 to 2014/15 contained within Annexe E(i);
 - The Minimum Revenue Provision (MRP) Policy contained within Annexe E(ii);
 - The Treasury Management Strategy Statement, and the Treasury Prudential Indicators contained in Annexe E(iii);
 - The Authorised Limit Prudential Indicator in Annexe E(iii);
 - The Investment Strategy 2012/13 to 2014/15 and Treasury Management Limits on Activity contained in Annexe E(iv);
- xiv) The virement requests relating to the 2011/12 budget set out in Annexe A to this report be approved.
- xv) The formal council tax resolution contained in section 3 be approved.

3 COUNCIL TAX RESOLUTION

- 3.1 That the recommendations of the Executive outlined in section 2 be agreed.
- 3.2 That it be noted that the amounts calculated for the year 2012/13 in accordance with Section 67 of the Local Government Finance Act 1992 are :-

(a) **44,620 TAX BASE FOR THE WHOLE COUNCIL AREA**

being the amount calculated by the Council, in accordance with regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992, as amended, as its council tax base for the year

(b) **TAX BASE FOR PART OF THE COUNCIL'S AREA**

EACH PARISH AREA

Binfield	3,555
Bracknell	19,350
Crowthorne	2,615
Sandhurst	7,990
Warfield	4,510
Winkfield	6,600

being the amounts calculated by the Council, in accordance with regulation 6 of the Regulations, as amended, as the amounts of its council tax base for the year for dwellings in those parts of its area to which one or more special items relate

Unrestricted

3.3 That the following amounts be now calculated by the Council for the year 2012/13 in accordance with Sections 31 to 36 of the Local Government and Finance Act 1992 as amended (the Act):-

- (a) £257,842,769 **TOTAL EXPENDITURE INCLUDING GENERAL FUND, PARISH PRECEPTS AND THE COUNCIL'S SHARE OF ANY DEFICIT ON THE COLLECTION FUND**

being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act

- (b) £206,188,461 **TOTAL INCOME INCLUDING GOVERNMENT SUPPORT AND THE COUNCIL'S SHARE OF ANY SURPLUS ON THE COLLECTION FUND**

being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act

- (c) £51,654,308 **BOROUGH AND PARISH PRECEPTS NET EXPENDITURE TO BE FINANCED FROM COUNCIL TAX**

being the amount by which the aggregate at 3.3(a) above exceeds the aggregate at 3.3(b) above, calculated by the Council, in accordance with Section 31A(4) of the Act, as its council tax requirement for the year

- (d) £ 1,157.65 **AVERAGE BAND "D" COUNCIL TAX FOR WHOLE BOROUGH**

being the amount at 3.3(c) above, divided by the amount at 3.2(a) above, calculated by the Council, in accordance with Section 31B(1) of the Act, as the basic amount of its council tax for the year (including Parish precepts)

- (e) £2,842,259 **PARISH PRECEPTS**

being the aggregate amount of all special items referred to in Section 34(1) of the Act

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(f) £1,093.95 **BOROUGH COUNCIL TAX FOR BAND "D" PROPERTIES**

being the amount at 3.3(d) above less the result given by dividing the amount at 3.3(e) above by the amount at 3.2(a) above, calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its council tax for the year if there were an area of the Borough to which no special item relates

(g) Part of the Council's area **BOROUGH AND PARISH COUNCIL TAX FOR EACH PARISH FOR BAND "D"**

Binfield	£1,131.36
Bracknell	£1,168.10
Crowthorne	£1,163.95
Sandhurst	£1,164.42
Warfield	£1,123.35
Winkfield	£1,153.90

being the amounts given by adding to the amount at 3.3(f) above the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned above divided in each case by the amount at 3.2(b) above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its council tax for the year for dwellings in those parts of its area to which one or more special items relate

(h) Part of the Council's area **BOROUGH AND PARISH COUNCIL TAX IN EACH PARISH FOR EACH VALUATION BAND**

Parish	A	B	C	D	E	F	G	H
	£	£	£	£	£	£	£	£
Binfield	754.24	879.95	1,005.65	1,131.36	1,382.77	1,634.19	1,885.60	2,262.72
Bracknell	778.73	908.52	1,038.31	1,168.10	1,427.68	1,687.26	1,946.83	2,336.20
Crowthorne	775.97	905.29	1,034.62	1,163.95	1,422.61	1,681.26	1,939.92	2,327.90
Sandhurst	776.28	905.66	1,035.04	1,164.42	1,423.18	1,681.94	1,940.70	2,328.84
Warfield	748.90	873.72	998.53	1,123.35	1,372.98	1,622.62	1,872.25	2,246.70
Winkfield	769.27	897.48	1,025.69	1,153.90	1,410.32	1,666.74	1,923.17	2,307.80

being the amounts given by multiplying the amounts at 3.3(g) above by the number which, in the proportion set out in Section 5(1) of the

Unrestricted

Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands

- 3.4 That it be noted that for the year 2012/13 the Thames Valley Police Authority have stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Act, for each of the categories of dwellings shown below:-

	A	B	C	D	E	F	G	H
	£	£	£	£	£	£	£	£
Thames Valley Police Authority	102.87	120.01	137.16	154.30	188.59	222.88	257.17	308.60

- 3.5 That it be noted that for the year 2012/13 the Royal Berkshire Fire Authority have stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Act, for each of the categories of dwellings shown below:-

	A	B	C	D	E	F	G	H
	£	£	£	£	£	£	£	£
Royal Berkshire Fire Authority	37.11	43.29	49.48	55.66	68.03	80.40	92.77	111.32

- 3.6 That, having calculated the aggregate in each case of the amounts at 3.3(h), 3.4 and 3.5 above, the Council, in accordance with Section 30(2) of the Act, hereby sets the following amounts as the amounts of council tax for the year 2012/13 for each of the categories of dwellings shown below:-

Parish	TOTAL COUNCIL TAX FOR EACH VALUATION BAND							
	A	B	C	D	E	F	G	H
	£	£	£	£	£	£	£	£
Binfield	894.22	1,043.25	1,192.29	1,341.32	1,639.39	1,937.47	2,235.54	2,682.64
Bracknell	918.71	1,071.82	1,224.95	1,378.06	1,684.30	1,990.54	2,296.77	2,756.12
Crowthorne	915.95	1,068.59	1,221.26	1,373.91	1,679.23	1,984.54	2,289.86	2,747.82
Sandhurst	916.26	1,068.96	1,221.68	1,374.38	1,679.80	1,985.22	2,290.64	2,748.76
Warfield	888.88	1,037.02	1,185.17	1,333.31	1,629.60	1,925.90	2,222.19	2,666.62
Winkfield	909.25	1,060.78	1,212.33	1,363.86	1,666.94	1,970.02	2,273.11	2,727.72

4 REASONS FOR RECOMMENDATIONS

- 4.1 To enable the Council to make a formal Council Tax resolution by setting a revenue budget, Council Tax level and capital budget for 2012/13.

5 ALTERNATIVE OPTIONS CONSIDERED

- 5.1 Background information relating to the options considered is included in the supporting information.

6 SUPPORTING INFORMATION

- 6.1 The attached 'Financial Plans and Budget Supporting Information 2012/13' presents an overview of the Council's spending plans for 2012/13 and detailed budgets for the General Fund and capital programme. The document reflects the Executive's recommendations and includes summaries of the reports considered by it.

7 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

Borough Solicitor

- 7.1 In carrying out all of its functions, including the setting of the Council Tax, the Council must comply with the Public Sector Equality Duty set out in the Equality Act 2010. That duty requires the Council to have due regard to the need to:-
- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by the Act;
 - b) advance equality of opportunity between persons who share a "relevant protected characteristic" and persons who do not share it;
 - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

"Relevant protected characteristics" are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation. As to (b) above due regard has to be had in particular to the need to:-

- remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
- encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

The Equality Impact Assessments included in the separate document have been prepared in order to assist the Council to meet the Equality Duty in considering the budget.

Borough Treasurer

- 7.2 The financial implications of this report are included in the supporting information.

Equalities Impact Assessment

- 7.3 The Council's budget proposals impact on a wide range of services. A detailed consultation was undertaken on the draft budget proposals published in December to provide individuals and groups the opportunity to provide comments.
- 7.4 Equality impact assessments are included in the supporting information.

Strategic Risk Management Issues

- 7.5 The supporting information sets out the key risks facing the Council's budget and the arrangements in place to manage these risks, including maintaining an appropriate level of reserves and contingency.

8 CONSULTATION

- 8.1 Details of the consultation process and responses received are included in the supporting information.

Background Papers

Executive 21 February 2012

Contact for further information

Alan Nash (Ext 2180)

Alan.Nash@bracknell-forest.gov.uk

Arthur Parker (Ext 2158)

Arthur.parker@bracknell-forest.gov.uk

Virements between Departments over £100,000

Total	Explanation
£'000	
	Children, Young People and Learning
276	A virement is required as a result of a restructure of the Performance and Resources sections within Children, Young People and Learning and Adult Social Care and Health.
	Adult Social Care and Health
-276	A virement is required as a result of a restructure of the Performance and Resources sections within Children, Young People and Learning and Adult Social Care and Health.
381	The supporting people programme contributes towards the cost of certain areas of social care support and a virement from the Housing Budget within Environment, Communities and Culture is required to reflect this contribution.
	Environment, Culture & Communities
-381	The supporting people programme contributes towards the cost of certain areas of social care support and a virement from the Housing Budget within Environment, Communities and Culture is required to reflect this contribution.
0	Total Virements

Departmental Virements over £100,000

Debit	Credit	Explanation
£'000	£'000	
		Corporate Services / CX Office
241	-241	The responsibility for the Web Services budget of £0.241M has transferred from ICT to Customer Services. Customer Services ICT
		Children, Young People and Learning
125	-125	The Family Information Service has been brought in-house for reasons of cost reductions with a corresponding increase in the devolved staffing budget. The full year effect of the change is included in the 2012-13 savings proposals.
		Adult Social Care and Health
110	-110	A departmental review of budgets identified amounts which could be transferred temporarily into the departmental Devolved Staffing Budget. Community Response and Reablement
476	-476	Grand Total

TO: COUNCIL
29 FEBRUARY 2012

**MEMBERS' ALLOWANCES SCHEME
REPORT OF THE INDEPENDENT REMUNERATION PANEL
Director of Corporate Services – Democratic & Registration Services**

1 PURPOSE OF REPORT

- 1.1 The Local Authorities (Members Allowances) (England) Regulations 2003 require councils to establish and maintain an Independent Remuneration Panel (IRP) which will broadly have the functions of providing the local authority with advice on its scheme, the amounts to be paid and the pensionability of allowances where relevant. Local authorities must have regard to this advice.
- 1.2 The Independent Remuneration Panel appointed by the Council met in November 2011 and January 2012 at the Council's invitation, to review the Council's Members' Allowances Scheme. The Panel's report and recommendations are appended to this report at Annex A. The Council is asked to consider the Panel's recommendations and to decide whether to make any changes to the current Scheme.

2 RECOMMENDATIONS

- 2.1 **That Council determine what action it wishes to take in response to the recommendations of the Independent Remuneration Panel, as set out in bold in the Panel's report and summarised in paragraph 5.6 of this report; and that the Members' Allowances Scheme is amended accordingly.**
- 2.2 **That the list of approved conferences, set out in Annex B, is approved for insertion in the Scheme.**

3 REASONS FOR RECOMMENDATION(S)

- 3.1 The Council must have regard to the recommendations of an Independent Remuneration Panel in respect of the Members' Allowances Scheme. The Panel's reasons for their recommendations are set out in their report.

4 ALTERNATIVE OPTIONS CONSIDERED

- 4.1 Not applicable.

5 SUPPORTING INFORMATION

Statutory Guidance

- 5.1 In all its deliberations the Independent Remuneration Panel has had regard to the Guidance on Consolidated Regulations for Local Authority Allowances published by the Office of the Deputy Prime Minister in July 2003.

Background

- 5.2 This review arose out of the need for a fresh authority to extend the right to join the pension scheme for another four years and to advise whether the Council should

continue with the indexation of allowances. (The previous authorities expire in February 2012).

- 5.3 As the Panel had undertaken a full review of the Members' Allowances Scheme in 2009, it was asked to adopt a 'light touch' approach for this review. The terms of reference for the review were:
- i. To consider a fresh authority to continue utilising the current indices for up rating the various allowances on an annual basis for another four years; and if the Panel supports the continuation of indexation, then to recommend what index should apply to which allowance.
 - ii. To consider a fresh authority to extend the right of Members to join the Local Government Pension Scheme for another four years.
 - iii. To review the special responsibility allowance for the Chairman of Planning, that was frozen because of the previous review, subject to the Panel's reconsideration.
 - iv. To make recommendations on the appropriate form and level of remuneration for independent members appointed to Education Appeal Panels.
 - v. To provide guidance to the Council on the Members' remuneration package as a whole, including IT peripherals and consumables.
 - vi. To amend wording regarding mileage payments to track staff rates.
 - vii. To amend wording regarding the Broadband allowance to track staff rates
 - viii. To consider the list of Approved Conferences (subject to confirmation from Member Development Charter Steering Group)
 - ix. To consider any other issues brought to the Panel's attention during the review.
- 5.4 The Panel met twice, in November 2011 and January 2012 to formulate their recommendations.

The Panel's Report and Recommendations

- 5.5 The Panel's report, including its findings and recommendations is appended to this report as Annex A. The recommendations are set out in bold in that report. The information reviewed by the Panel, listed in Appendix 2 to the Panel's report, is available from Democratic Services.
- 5.6 The main findings and recommendations of the Panel are:
- (i) Indexation (para 17)
 - (a) That no indexation is applied to the Basic Allowance, Special Responsibility Allowances and Co-optees' Allowance until the Panel undertakes its next review in 2014.
 - (b) That the indexation for the Dependants' Carers' Allowance and the Travel and Subsistence Allowances should remain in place as they relate to reimbursements of costs incurred by Members.

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(ii) Basic Allowance (para 21 & 22)

That the Basic Allowance remains at £8,687 and is inclusive of incidental expenses not otherwise specified in the Scheme.

(iii) Chairman of Planning (para 31)

That the SRA for the Chairman of the Planning Committee be set at £7,239, which is 25% of the Leader's SRA.

(iv) Vice-Chairman of Planning (para 49)

That the SRA for the Vice-Chairman of the Planning Committee be set at £723 which is 10% of the Chairman's recommended SRA.

(v) Education Appeals Panels (para 38 & 40)

(a) That the Education Appeals Panel Members can be paid for actual loss of earnings up to the following limits:

- £30.14 for a period not exceeding 4 hours
- £59.10 for a period between 4 and 24 hours

(b) That the Education Appeal Panel Members may also be compensated for costs for caring for dependants while undertaking appeals and associated training, considered against the same criteria for Members as set out in the Members' Allowance scheme.

(vi) Travel and subsistence (para 42)

No change

(vii) IT peripherals and consumables (para 43)

No change other than to the wording of the scheme to reflect that Members can choose to use their own kit and broadband.

(viii) Mileage payments (para 44 & 45)

That the wording in the Scheme is amended as set out in the IRP report to reflect that payment should track that paid to officers under the casual user rate

(ix) Broadband allowance (para 46)

That Members' broadband allowance should track the same rate paid to relevant officers which would mean a reduction from £15 to the current rate of £9 per month.

(x) Vice-Chairman of the Licensing & Safety Committee (para 52)

That the SRA for the Vice-Chairman of the Licensing & Safety Committee be set at £553 which is 10% of the Chairman's SRA of £5,526.

(xi) Leader of the Opposition Group(s) (para 55 & 56)

- (a) That the SRA for a single Leader of the Opposition be set at £9,651, which is one third of the Leader of the Council's SRA.
- (b) That when there are two minority groups, each Leader's SRA to be proportionate to the SRA of a single Leader of the Opposition.
- (c) That an Opposition Leader's SRA be payable to no more than two minority groups.

(xii) Deputy Leader of the Opposition

That the SRA for the Deputy Leader of the Opposition be discontinued until a group reaches seven in number and that the current SRA be reduced to 10% of the single Leader of the Opposition SRA, which is £965.

(xiii) Amendments to the scheme to reflect title changes (para 58)

That where there are changes in the title of a post that receives an SRA, officers can amend the Members' Allowances scheme to reflect that change.

(xiv) Membership of the Local Government Pension Scheme (para 59)

That Members continue to be able to join the Local Government Pension Scheme if they so wish, with this authority extended for another four years.

(xv) Future review (para 60)

That another review of the Members' Allowances Scheme is held by April 2014 or at an earlier date if the Council so requests, to respond to any changes in governance arrangements that would impact on the Scheme.

(xvi) Implementation of recommendations (para 64)

That the recommendations within the IRP report be implemented from 1 April 2012.

Approved Conferences

- 5.7 The Panel has not made any recommendations in respect of the current list of approved conferences which Members are able to attend. Members are therefore asked to confirm the current list for inclusion in the Scheme as set out in Annex B.

Publicity Arrangements

- 5.8 In accordance with the Regulations a notice has been published in a local newspaper which stated that the Council has received recommendations from an Independent Remuneration Panel about its scheme of allowances and described the main features of the Panel's recommendations. Copies of the report were made available at the Council's offices and via the Council's website.

6 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

Borough Solicitor

- 6.1 Nothing to add to the report.

Borough Treasurer

- 6.2 If the Council accepts the recommendations of the IRP, this will result in a budget saving of £12,185. Because the Leader of the Opposition takes less than the recommended amount and the Deputy Leader of the Opposition does not take any allowance, the actual saving will be £4,634. The difference of £7,551 has, in the past, contributed towards the overall Council underspend.
- 6.3 There are currently no claims from Education Appeal Panel members for loss of earnings and dependants' carers allowances amounts in the current financial year therefore it is anticipated that the proposed changes can be met from within existing budgets.
- 6.4 The current saving on the broadband allowance is relatively small given the low numbers who claim an allowance (£288) however the number of claims is expected to rise as more Members move to using their own broadband.
- 6.5 The 2012/13 draft revenue budget has been prepared on the basis that no inflation will be applied to Members' allowances. It also makes no allowance for the reduction in Members' allowances identified in 6.2 above. If the Council accepts the recommendations of the IRP, the saving will be identified through the budget monitoring process and responded through the first quarter's Quarterly Service Reports in 2012/13.

Equalities Impact Assessment

- 6.6 One of the purposes of reviewing the Members' Allowances Scheme is to ensure that financial considerations are not a barrier to any person entering public office or assuming a particular role on the Council. By the same token the levels of allowances should be such that financial gain is not seen as an incentive for taking up public office.

Strategic Risk Management Issues

- 6.7 There are no strategic risk management issues relevant to this report.

Other Officers

- 6.8 None

7 CONSULTATION

Principal Groups Consulted

- 7.1 Not applicable

Method of Consultation

7.2 Not applicable

Representations Received

7.3 Not applicable

Background Papers

None

Contact for further information

Ann Moore, Democratic & Registration Services - 01344 352260

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**A Review
Of
Members' Allowances
For
Bracknell Forest
Council**

**The Seventh Report by the
Independent Remuneration
Panel**

**Eric Gabriel
Dr Declan Hall (Chair)
Hilda Johnston
Neil MacGregor**

January 2012

Foreword

This is the seventh review by the Independent Remuneration Panel (or Panel) for Bracknell Forest Council. The first review, completed in January 2001, was undertaken as part of the wider implementation of the modernisation agenda arising out of the Local Government Act 2000, which in turn brought in new roles and responsibilities for Members. The first report made recommendations, which the Council broadly accepted. The 2001 review largely set the framework for the present allowances scheme; it has not altered dramatically since then.

The second review was required (as were all local authorities) under the *Local Authorities (Members' Allowances) (England) Regulations 2003*¹ and subsequent amendments. These Regulations mandated all local authorities to establish and convene an advisory Independent Members' Allowances Remuneration Panel to make recommendations on certain associated allowances such as travel and subsistence, Co-optees' allowances, and pensions for Councillors before 31 December 2003. The 2003 review also tasked a new Panel to review the range and levels of the Basic Allowance and Special Responsibility Allowances (SRAs) in light of experience of the new system of local government.

The third review was of a minor nature, prompted by an invitation by the Council to conduct a post-implementation review of the scheme to consider certain changes in roles of some Members and give further guidance on an issue surrounding the claiming of Members expenses. The fourth review arose out of issues the Panel was not in a position to address in its previous review due to lack of experience of two posts, namely Executive Support Members' and Chairs of the Licensing Panels, with a further consideration on conditions surrounding the mileage allowance. The fifth review arose out of the need to review the indices applied to the various allowances and further minor issues emerging as part of the annual review programme.

The sixth review arose out of the recommendation of the previous review to take the opportunity by the end of 2009 to undertake a fundamental review of the whole scheme, as it has not been reviewed in a deliberative fashion for a number of years and in light of emerging legislation that might have affected Members' roles and responsibilities. Again, it did not result in any significant changes in the Members' Allowances scheme.

This review arises out of the need for a fresh authority for another four years to extend the right to join the Pension Scheme to review a number of specific posts and associated allowances and provide advice to the Council on whether the Council should continue with indexation provision. Once again, it is relatively minor in scope, seeking to address anomalies arising rather than undertaking a fundamental review as the broad framework of allowances in Bracknell Forest Council is still fit for purpose.

¹ See Statutory Instruments 2003 Nos. 1021, 1022 and 1692 for further details.

Moreover, the Panel has been mindful of its guiding principle that it has sought to reduce financial barriers to being an elected Member while ensuring that the remuneration received by Members represents value for money.

Dr Declan Hall

Independent Remuneration Panel Chair
January 2012

Independent Remuneration Panel

The Seventh Review of Members' Allowances

for

Bracknell Forest Council

The Regulatory Context

1. This report is a synopsis of the proceedings and recommendations made by the Independent Remuneration Panel (the Panel) appointed by Bracknell Forest Council to consider its current Members' allowances scheme and advise the Council on a new scheme.
2. The Panel was convened under *The Local Authorities (Members' Allowances) (England) Regulations 2003 (SI 1021)* to make recommendations to the Council on a new scheme of Members' Allowances. These regulations, which arise out of the relevant provisions in the *Local Government Act 2000*, require all local authorities to set up and maintain an advisory Independent Members' Remuneration Panel to review and provide advice on Members' allowances. All Councils are required to convene their Remuneration Panel and seek its advice before they make any changes or amendments to their allowances scheme and they must 'pay regard' to the Panel's recommendations before setting a new or amended Members' Allowances Scheme.

Terms of Reference

3. The Independent Remuneration Panel undertook a full review of the Councils' Members' Allowances Scheme in 2009 by considering in a deliberative fashion, a wide range of evidence, views of Members, and the operation of the current scheme within the new legislative context.
4. In view of this the Panel is asked to adopt a 'light touch' approach for this review; only reviewing the overall level of allowances, issues previously identified for monitoring; and specific issues that are brought to their attention including:
 - i. To consider a fresh authority to continue utilising the current indices for up rating the various allowances on an annual basis for another four years; and if the Panel supports the continuation of indexation, then to recommend what index should apply to which allowance.
 - ii. To consider a fresh authority to extend the right of Members to join the Local Government Pension Scheme for another four years.

- iii. To review the SRA for the Chairman of Planning, that was frozen because of the previous review, subject to the Panel's reconsideration.
- iv. To make recommendations on the appropriate form and level of remuneration for independent members appointed to Education Appeal Panels.
- v. To provide guidance to the Council on the Members' remuneration package as a whole, including IT peripherals and consumables.
- vi. To amend wording regarding mileage payments to track staff rates.
- vii. To amend wording regarding the Broadband allowance to track staff rates
- viii. To consider the list of Approved Conferences (subject to confirmation from Member Development Charter Steering Group)
- ix. To consider any other issues brought to the Panel's attention during the review.

The Panel

5. Bracknell Forest Council reconvened its standing Independent Remuneration Panel, namely:
 - Mr Eric Gabriel, a retired Chartered Engineer was appointed in July 2009 for a 4-year term. Eric has experience in senior management and as a project manager working on major building projects in both the private and public sectors. He is an accredited Office of Government Commerce Gateway Reviewer. Eric has lived in the area for over 30 years.
 - Dr. Declan Hall, former academic at the Institute of Local Government, The University of Birmingham who lives in Coventry. Declan is the independent Chairman and been involved with Bracknell Forest since 2000, and re-appointed in June 2008 for a five-year term. He also provides national training on Members' Allowances and specialises in Members' Allowances, and support and development.
 - Hilda Johnston, a retired teacher re-appointed in August 2011 for a two-year term. Hilda has taught both young people and adults in England, Scotland, and Singapore, working in both the private and state sector. Hilda has lived in the area for over 25 years.
 - Neil MacGregor, former Magistrate in East Berkshire and has been involved in reviews since 2003. Neil was re-appointed in June 2008 for a five-year term and is a long term resident of the Borough.
6. The Panel had the support of Ann Moore, Head of Democratic & Registration Services, who acted as the 'Panellists' Friend'. Kirsty Hunt, Principal Democratic Services Officer (Governance) took the organisational lead in facilitating the work of the Panel.

7. The Panel would like to record its gratitude to the Members and Officers of Bracknell Forest Council for making themselves available to talk to the Panel and supporting its work.

Process and Methodology

8. The Panel met twice at Easthampstead House, Bracknell, on 15th November 2011 and 13th January 2012. The Panel meeting was in closed session to enable the Panel to consult with Members and Officers in confidence and hold its deliberations in private.
9. The Panel's activity fell into four areas:
 - **One:** Review of the background and contextual information on Bracknell Forest Council and relating to the issues of concern, i.e., recent changes in political structures, allowances schemes from comparator authorities and previous allowances reports for the Council – see Appendix 2 for full list of information considered by the Panel.
 - **Two:** Interviews with Members and Officers of the Council (see Appendix 1)
 - **Three:** Review of oral and written submissions and analysis of allowances schemes from other CIPFA (Chartered Institute of Public Finance Accountancy) 'Near Neighbours' and Berkshire Unitary Authorities and summary of all allowances schemes (2010/11) from unitary authorities in South East England produced by the South East Employers Organisation. It also had the recent reports from CIPFA Democratic Services 'benchmarking club' for unitary authorities, who provides analyses of some of the main allowances paid. The Panel took into account practice elsewhere for benchmarking purposes insofar it was able to obtain relevant information. (see Appendix 2)
 - **Four:** Arriving at recommendations; and the drafting and redrafting of report to the agreement of the Panel.
10. The Panel took a tiered approach in considering the evidence. It is required to operate within the broad statutory framework laid down by the 2003 Regulations and 2006 Statutory Guidance. The 2003 Members' Allowances (England) Regulations establishes the limits for the Panel, i.e., attendance allowances cannot be paid, all Members must receive a Basic Allowance that is equal in value and express authority is granted to vary the terms and conditions for claiming the travel and subsistence allowances, or whether to retain them at all. Within the legislative context the Panel has an obligation to pay regard to the 2006 Statutory Guidance which for instance mandates certain considerations for Panels in reaching their recommended Basic Allowance but provides suggestions in reaching an appropriate level for the Leader's SRA.
11. The Panel then considered the implications of the recent legislative changes upon Members' roles and responsibilities and recent changes in the work of the Council. The Panel also took into account oral representations made by a relevant group of Members. The interviews were utilised to act as a 'sounding board' to suggestions and ideas from members of the Panel as well as give the Panel a qualitative feel of the issues facing elected Members.

12. Finally, all the evidence and representations have been reviewed and evaluated within the comparative context. The principal approach adopted by the Panel in its review and assessment of the evidence has been to benchmark the scope and levels of allowances paid in Bracknell Forest Council against that paid in other comparable authorities at the national, regional, and sub-regional level. More specifically, the Panel has compared allowances paid in Bracknell Forest Council against the three peer groups: other Berkshire Unitary Authorities and 'Near Neighbours'; all Unitary Authorities in the South East of England; and the 44 unitary authorities in the CIPFA democratic services "benchmarking" club. The Panel was not driven by allowances paid in the comparator groups but has been at the very least concerned to ensure that Bracknell Forest Council was not out of line with the scope and levels of allowances currently paid in the comparator groups, or if it was that the Panel was content for that situation to continue.

The Evidence Reviewed and Key Messages/Observations

Taking into account the current economic climate

13. The Panel discussed at great length the current economic climate and its affect on what the Panel should recommend. In particular, the Panel was aware that the Council has been required, as all local authorities have been, to find savings and will be required to seek further savings in the short term. The question was to which extent elected Members should be asked to "share the pain".

Savings already made by Members

14. In line with previous recommendations of the Panel, there have been effective cuts in the cost of the Members' Allowances scheme through the removal of the right to claim in-authority travel allowances, which in turn is on top of Council's acceptance of previous recommendation that Members should no longer be able to claim subsistence for within authority meetings.² Moreover, the indexation applied to the main allowances (Basic Allowances, SRAs and Co-optees' Allowances) has been zero percent for the past two years. Furthermore, the Council voluntarily imposed a further minor cut on Members costs by removing their right to have a daytime parking pass.

² The CIPFA Democratic Services benchmarking club report on 44 English unitary authorities shows that in 2010/11, the average amount claimed per Bracknell Forest Council Member for Travel and Subsistence was £124, while the average per Member for 44 English unitary authorities was £298. Whereas the corresponding cost for the Democratic Services benchmarking club in comparator authorities was an average of £304 per Member.

Members' Allowances to be frozen until 2014

15. The Panel took the view that it should continue to seek to find means by which Members could be seen to “share the pain”, while keeping in mind its guiding principle, namely that financial considerations should as far as practical not be a barrier to being a Member.
16. The Panel reviewed a number of different approaches in an attempt to find further savings but decided that the most equitable approach was not to recommend the indexation of principle allowances until April 2014. Thus, if Officers receive an increase in their salaries Members will not. The Panel also identified some further savings through recommending reductions in a number of specific SRAs currently payable – see below for further details.
17. **Consequently, regarding the first item in the Panel’s terms of reference, the Panel recommends that no indexation be applied to the Basic Allowance, SRAs and Co-optees’ Allowances until the Panel undertakes its next review in April 2014.** However, the indexation for the Dependants’ Carers’ Allowance and Travel and Subsistence Allowances should remain in place as they related to reimbursements of costs incurred by Members.
18. Furthermore, the Panel points out that its recommendations regarding a number of specific posts will also result in some further minor savings in the cost of the Bracknell Forest Council Members’ Allowances scheme.

The Recommendations of the Panel

The Basic Allowance

19. To verify the veracity of its recommendation not to alter the Basic Allowance, SRAs and Co-optees’ Allowances the Panel did undertake a benchmarking and ‘health check’ on the main allowances payable – which the Panel found were either on a par with peers or in the upper quartile, which the Panel has always accepted due to demands on specific post holders. The Panel has highlighted its review of the Basic Allowance and the Leader’s SRA (to which all other SRAs are related) to show the deliberative process the Panel undertook in reaching this view and in line with the terms of reference that the Panel review the overall level of allowances.
20. The evidence reviewed indicated that the Basic Allowance did not need revisiting. The Panel undertook a benchmarking exercise and it shows the current Basic Allowance in Bracknell Forest Council is on par with that paid in a range of comparator authorities – see table 1 below.
21. **The Panel recommends that the Basic Allowance remains at £8,687 until the next review in 2014.**
22. **The Panel reaffirms that the Basic Allowance is inclusive of *incidental* expenses not otherwise specified in the Members’ Allowances scheme.**

Table 1: Basic Allowances paid in comparator authorities groups

Comparator Group of Authorities	Average Basic Allowance
Bracknell Forest 2011/12	£8,687
Berkshire Unitary Councils & Comparator Councils 2011/12 (median)	£7,852
South East Employers Survey – All Unitary Councils 2010/11	£8,841
CIPFA Democratic Services Benchmarking Club – Comparator Group of Councils 2011/12	£8,700
CIPFA Democratic Services Benchmarking Club – 44 English Unitary Councils 2011/12	£9,462

Special Responsibility Allowances – Impact of Strong Leader Model

23. The Panel previously identified that the piecemeal implementation of the Local Government and Public Involvement in Health Act (2007), commencing from 1st April 2008, would result in a strong leader model which may affect the roles of executive Members. This has now happened and Bracknell Forest Council like all councils with a Leader and Cabinet has implemented a strong leader model with all executive powers now vested in the person of Leader, who is appointed for 4 years subject to electoral cycles and retaining full support of the Council.
24. Historically, the Leaders' SRA in Bracknell Forest Council has been at the higher end of the comparative spectrum, nationally, regionally and sub-regionally. However, this pattern is not so distinctive any more – particularly at the national level. For instance, see Table 2 below.
25. Table 2 needs to be viewed with a degree of caution, as it does not highlight those councils where for instance the Leader may be receiving more than one SRA. Moreover the regional and sub-regional averages are decreased dramatically by the very low SRA paid to the Leader in Reading (£7,100). The Panel has always been content for the Leader of Bracknell Forest Council to be remunerated at a level that supports a full time role for leading a unitary council.

Table 2: Leaders SRAs paid in comparator authorities groups

Comparator Group of Authorities	Average Leader's SRA
Bracknell Forest 2011/12	£28,954
Berkshire Unitary Councils & Comparator Councils 2011/12 (median)	£22,409
South East Employers Survey – All Unitary Councils 2010/11	£21,762
CIPFA Democratic Services Benchmarking Club – Comparator Group of Councils 2011/12	£22,400
CIPFA Democratic Services Benchmarking Club – 44 English Unitary Councils 2011/12	£32,556

26. However, the implementation of the strong leader model in Bracknell Forest Council has not had a significant impact in how the Leader and other Executive Members operate; and the responsibilities of the posts. In effect, Bracknell Forest Council has always been a relatively strong leader model. Consequently, the Panel does not recommend a change to the Leader's or other Executive Members' SRAs.

The Chairman of Planning

27. The Panel notes that the SRA for the Chairman of the Planning Committee is particularly high in the comparative context – see table 3 below. In its previous review the Panel recommended that the differential between the SRA for the Chairman of Planning and other non-executive SRAs was no longer justified and recommended that it be frozen, i.e., no annual index applied. In the event, all SRAs were effectively frozen as the applicable index resulted in zero percent for the past two years.
28. The SRA for the Chairman of Planning was set at such a high level (in the November 2003 Review) as the planning service was undertaking a review that resulted in a high workload for the Chairman of Planning – a review that is now bedded in. For instance, at the time the SRA was originally set 17% of planning applications were referred to the Planning Committee, now only 10% of applications are referred to the Planning Committee, partly due to the implementation of the 2008 Town and Country Planning Regulations; a proportion that may decrease further now that the Localism Act has been enacted (November 2011). This is in a context whereby the number of planning applications has also decreased, partly arising out of the economic turndown. Moreover, the Highways responsibility has now been removed from this committee, with some functions going to the executive and some functions being delegated to Officers.

Table 3: Planning SRAs paid in comparator authorities groups

Comparator Group of Authorities	SRA for Chairmen of Planning
Bracknell Forest 2011/12	£11,235
Berkshire Unitary Councils & Comparator Councils 2011/12 (median)	£6,333
South East Employers Survey – All Unitary Councils 2010/11	£6,515
CIPFA Democratic Services Benchmarking Club – Comparator Group of Councils 2011/12	NA
CIPFA Democratic Services Benchmarking Club – 44 English Unitary Councils 2011/12	NA

29. On the other hand, the Planning Committee is the largest committee of the Council with 19 members. Furthermore, while the requirement to develop the Local Development Framework (LDF) through Spatial Review and Area Assessment is an executive function the Planning Chairman is involved through the consultative LDF Steering Group.
30. Nonetheless, while the Panel recognises that the Chairman of Planning is the most high profile non-executive post in the Council the rationale for setting the SRA for the Chairman of Planning at a relatively high level no longer exists.
31. **The Panel recommends that the SRA for the Chairman of the Planning Committee be set at £7,239, which is 25% of the Leader’s SRA.**

Independent Members appointed to the Education Appeals Panels

32. The Council is required to maintain two types of Education Appeals Panels:
- **Admission Appeals Panel:** which determines appeals lodged by parents where their child is not offered a place at their preferred school; and
 - **Exclusion Appeals Panel:** which determines appeals lodged by parents against the permanent exclusion of their child from school.
33. Each appeal panel is made up of two categories of appointees:
- Those who have not worked in a school except as a governor or volunteer; and
 - Those who are experienced in education, such as teachers, teaching assistants or parents of registered pupils
34. Service on such panels is voluntary. Appeals are scheduled throughout the year and held during office hours. The admissions panels met on 21 occasions during

2010/11. The number of appeals fluctuates from year to year and can require a considerable commitment on the part of panellists.

35. The work of the Education Appeals Panels is regulated by the School Admission Appeals Code and Guidance on exclusion from schools and Pupil Referral Units. Education Appeals Panels Members can be compensated for loss of earnings or any individual expenses, including child-minding costs that are necessarily incurred because of attending an appeal panel or associated training. The payment is set by the local authority, which *must* have regard to the recommendations of its independent remuneration panel, as provided for in the Local Authorities (Members' Allowances) Regulations 2003. They are also eligible to receive travel and subsistence payments under regulation 7 of the Appeals Regulations in line with sections 173 and 174 of the Local Government Act 1972.
36. The current membership of the Education Appeals Panels have not sought to claim for financial loss in the past, largely due to the fact that most are retired or work part time/self employed, nor for costs of care of dependants. However, work is undergoing to widen and refresh the pool of Education Appeals Panel membership (in conjunction with other Berkshire Councils) so that they can better reflect the community as a whole. Consequently, the Panel views the ability to claim payments for financial loss as an important recruitment and retention tool in obtaining a wider pool of education appeals members.
37. In the past the payment of the Financial Loss Allowance to Education Appeals Panel Members was based on a historical cap as set by the Local Authorities (Member Allowances) Regulations 1999, which have since been revoked and replaced by 2003 Members' Allowances Regulations, which contain no provision for financial loss. However, the Panel feels that this original cap, with an indexation of 2% applied to reflect inflation, is an appropriate reference point in recommending the payments for financial loss that may be incurred by Members of the Education Appeals Panel.
38. **Consequently, applying a 2% uplift to the last allowance under the Regulations until 2009 (since when salary increases for elected Members have been frozen) the Panel recommends the following maximum payments to Education Appeals Panel Members:**
 - **£30.14 for a period not exceeding 4 hours**
 - **£59.10 for a period between 4 and 24 hours**
39. The Panel notes that these maximum payments would need to be supported by evidence to show actual loss of earnings.

Care for Dependants

40. **The Panel also recommends that Education Appeals Panel Members may also be compensated for costs for caring for dependants while undertaking appeals and associated training. Any claims for reimbursement of these costs should be considered against the same criteria set out in the Bracknell Forest Council Members' Allowance scheme.**

Travel and Subsistence

41. Currently Education Appeals Panel Members are eligible to claim Travel and Subsistence allowances. For travel by car, they are reimbursed at the Officer/Member rate of 45p per mile for first 8,500 miles and 25p thereafter or the actual cost of public transport. Their claims are not restricted to journeys outside the Council area on the basis that they are different to elected Members in that they do not receive remuneration to perform their function. Refreshments are always provided at appeals meetings, which mean the need to claim subsistence allowances is minimal but it would be reimbursed at Member/Officer rates if required.
42. **The Panel recommends that the current provisions for Members of Education Appeals Panels to claim Travel and Subsistence allowances (where appropriate) remains in place.**

Provision of IT peripherals and consumables for Members

43. **The Panel recommends no change to the current provision of IT peripherals and consumables and recommends that the wording in the Scheme is amended to reflect the fact that Members can choose to use their own kit and broadband.**

The wording regarding Mileage payments to track staff rates

44. **The Panel recommends that the Members' Allowances scheme should be amended so that the mileage payments should track those paid to Offices under the casual user rate, which in turn are based on Her Majesty's Revenue and Customs (HMRC) rates, as follows:**

Approved mileage rates

Mode of Transport	First 10,000 business miles in the tax year	Each business mile over 10,000 in the tax year
Cars	45p	25p
Motor cycles	24p	24p
Bicycles	20p	20p
Passenger Supplement Rate	5p per passenger	5p per passenger

45. In particular it is recommended that the following wording is inserted into the Members' Allowances scheme:

Councillors using a private vehicle for Council business, including travelling to and from home for meetings or other duties, must ensure that their vehicle insurance provides cover for such journeys. The Council will not be liable for any claims made against a Councillor in respect of motoring incidents or parking offences.

Mileage allowances payable to Councillors are the same as those payable to officer casual users, with the maximum rate for car journeys outside the borough subject to a maximum of 45p per mile to avoid the need to submit tax returns. The rates are set out at a level to cover fuel consumption, vehicle wear and tear, and to contribute towards maintenance and insurance costs. If a Councillor is claiming such allowances, s/he will be asked to provide details of their vehicle to the Head of Democratic and Registration Services and may be required to produce evidence to confirm insurance cover.

The wording regarding the Broadband Allowance to track staff rates

46. The Panel received no evidence to indicate that the Broadband Allowance received by Members should not be paid at the same rates that are applicable to relevant Officers. **Therefore the Panel recommends that the Members' Allowances scheme be amended to reflect that the Members' Broadband Allowance should track the same rate paid to relevant Officers which is currently £9 per month.**

Consideration of the current list of Approved Conferences

47. The Panel received no representation that the current list of approved conferences for Members needed revising. Moreover, the Panel notes that this issue was considered during the previous review
48. **The Panel makes no recommendation regarding the current list of approved conferences for which Members are able to attend.**

Other Issues brought to the Panels Attention during the Review

Vice Chairman of Planning

49. By virtue of the fact that the Panel has recommended that the SRA for the Chairman of Planning should be reduced, it has applied the same logic to the SRA for the Vice Chairman of Planning. The role is primarily to stand in for when the Chairman of Planning is unavailable. The Panel has decided that the SRA for the Vice Chairman of Planning should be set at 10% of the Chairman's recommended SRA (£7,239), which is £723.

50. **The recommended SRA for the Vice Chairman of the Planning Committee is £723.**

Vice Chairman of the Licensing & Safety Committee

51. The Panel had some general concerns on the principle of remunerating the Vice Chairman of Committees. It will revisit the issue at the next review but in the interim, the Panel feels that the role of the only other remunerated Vice Chairman (which is Licensing), should also be at the same differential as that as the Vice Chairman of Planning, and that the SRA should be reset at 10% of the Chairman's SRA.
52. **Consequently, the Panel recommends that the SRA for the Vice Chairman of the Licensing & Safety Committee should be £553, or 10% of the Licensing Chairman's SRA of £5,526.**

The Leader of the Opposition Group

53. In the past two reviews, the Panel has recommended that the SRA for the Leader of the Opposition be reduced. It was originally set when the Opposition was much larger than it is now. It remains on a par with the SRA for Executive Members with a Portfolio (£15,926) and experience has shown that the responsibility of Executive Members is greater than that of Opposition Leaders. The Council has not accepted the Panel's recommendations on the Opposition Leader's SRA.
54. The Panel reiterates its view that the evidence no longer supports the case for the current SRA for the Leader of the Opposition. Moreover, as table 4 shows the comparative picture reinforces the Panel's perception of the current level of SRA that the Leader of the Opposition receives. Consequently, the Panel has decided that the SRA for the Leader of the Opposition should reflect the national and regional averages and be set at one third of the Leader's SRA (£28,954).

Table 4: Leader of the Opposition SRAs paid in comparator authorities groups

Comparator Group of Authorities	SRA for Leader of Main Opposition Group
Bracknell Forest 2011/12	£15,926
Berkshire Unitary Councils & Comparator Councils 2011/12 (median)	£7,999
South East Employers Survey – All Unitary Councils 2010/11	£9,426
CIPFA Democratic Services Benchmarking Club – Comparator Group of Councils 2011/12	£9,361

CIPFA Democratic Services Benchmarking Club – 44 English Unitary Councils 2011/12	£9,536
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55. **The Panel strongly recommends that the SRA for a single Leader of the Opposition should be set at one third of the Leader’s SRA, which equates to £9,651.**

Where there is more than one Minority (Opposition) Group

56. In the event that there is more than one Opposition Group then the SRAs for the Leaders of those groups, of which no more than two will be paid, should be a proportion of the SRA payable to the Leader of a single Opposition Group. The proportion would be based on the size of the group and recalculated in response to any changes. Consequently, regardless of the number of seats that two Opposition Groups may hold the total sum payable for Opposition Group Leaders’ SRAs will not exceed one third of the Leader’s SRA (£9,651), subject to any index applicable.

For example if there were two minority groups with 3 and 2 members respectively then:

- *Leader of the Minority Group with three members would receive an SRA equivalent to 3/5 of £9,651 which would be £5,791*
- *Leader of the Minority Group with two members would receive an SRA equivalent to 2/5 of £9,651 which would be £3,860*

The Panel recommends that a Leader’s SRA be payable to no more than two minority groups. When there are two minority groups, each Leader’s SRA to be proportionate to the SRA of the single Leader of the Opposition.

Deputy Leader of the Opposition

57. The logic behind the provision for an SRA for the Deputy Leader of the Opposition no longer applies. It was a recommendation that was applicable when the Opposition was much larger than it is now. **Therefore, the Panel recommends that the SRA for the Deputy Leader of the Opposition be discontinued until a Group reaches seven in number and that the current SRA be reduced to 10% of the single Leader of the Opposition SRA, e.g., £965.**

Amendments to Allowances scheme to reflect title changes

58. From time to time, the title of posts receiving an SRA change, usually reflecting a subtle difference in the role, such as in the portfolio held by an Executive Member, which has no substantive effect on the level of responsibility and therefore the SRA paid. It does not represent value for money to reconvene the Panel to consider the effect of such changes as no substantial change has been made. Consequently, **the Panel recommends that where there are changes in the title of a post that receives an SRA, that Officers can amend the Members’ Allowances scheme to reflect that change.**

Membership of the Local Government Pension Scheme

59. In line with previous recommendations **the Panel recommends that the Members continue to be able to join the Local Government Pension Scheme if they so wish, with this authority extended for another four years**

A Future Review and Issues to Consider

60. The Panel notes that the Localism Bill has now received royal assent. It is too early to assess the impact of the Localism Act, as it will be implemented in stages in the next couple of years. **Consequently, the Panel recommends that another review of the Members' Allowances scheme is held by April 2014 or at an earlier date if the Council so requests to respond to any changes in governance arrangements that would impact on the Members' Allowances Scheme.**
61. Furthermore, the Panel received representation that the effect of the abolition of the right to claim the travel allowance had affected disproportionately Member Champions as much of their work is in-authority. The Panel did not receive enough evidence to support this argument – it applies equally to all Members in receipt of an SRA and the Council is relatively compact in area: under 43 square miles. However, the Panel flags up that in the next review it will take a closer look at the role of Champion Members and the travel they are required to undertake within the Council area.
62. The Panel is also concerned about the growth over the years in the number of SRAs in Bracknell Forest Council, which currently stand at 60% of the Council. The Panel notes that only 50% of the Council are paid SRAs at the moment but the Panel feels this requires further consideration. At the next meeting the Panel will be looking to bring the total number of SRAs closer to 50%.
63. Finally, while the Panel has not recommended any changes in the IT consumables, peripherals, and communication support provided to Members, partly as there is an on-going review being led by Members in this field, the Panel will revisit this issue in 2014, as technological advances means this is a fast moving area.

Implementation of Recommendations

64. **The Panel recommends that the recommendations contained in this report be implemented from 1st April 2012.**

Appendix 1 – Members and Officers Consulted by the Panel

Members:

Cllr Bettison	Leader of the Council – Conservative Group
Cllr Mrs Temperton	Opposition Leader – Labour Group
Cllr Dudley	Chairman of Planning Committee (via telephone with Chair of Panel on 2 nd December 2011)

Written Submissions Received:

Mr Davies	Resident
Cllr Ms Brown	Labour Group
Cllr Harrison	Commuters Champion – Conservative Group
Cllr Thompson	Older Peoples Champion – Conservative Group

Officers:

Ann Moore	Head of Democratic & Registration Services
Vincent Haines	Head of Development Management
Arthur Parker	Chief Accountant

Appendix 2 – Information Reviewed by the Panel

1	Contact Details
2	IRP Terms of reference
3	Guidance on regulation for Local Authority Allowances
4	Itinerary for 20 October 2011
5	Part 6 – Members Allowances Scheme
6	IRP report – November 2009
7	Political structure chart
8	Meetings schedule 2010 - 2011
9	Cost of scheme including positions held and allowances received
10	Current Mileage Rates - August 2011
11	Current Subsistence Rates - April 2010
12	Mileage Claims 2010 – 11
13	LGA daily rate notice
14	Berkshire Unitaries and Family Authority Summary of Allowances
15	South East Employers survey of allowances – March 2011
16	Extract from CIPFA comparator councils report
17	Extract from CIPFA report comparing 44 Unitary Councils
18	Berkshire Unitaries and CIPFA Authority Comparison chart of support
19	Support provided to Members at Bracknell Forest
20	Payments for Education Appeal Panels
21	Member Role Descriptions
22	Correspondence from Mr Davies
23	Correspondence from Councillor Harrison
24	Correspondence from Councillor Ms Brown
25	Correspondence from Councillor Thompson
26	Proposed wording for Scheme re. Mileage
27	Actual cost of pension scheme
28	Paragraph 1.39 of School Admissions Appeals Code

29	Feedback from Head of Development Management
30	Cost of consumables and stationary
31	Response from Borough Treasurer re. budget position
32	Draft Independent Remuneration Panel report
33	Chairman's notes from telephone interview with Chairman of Planning
34	Articles from Bracknell Forest Standard dated 8 December 2011 regarding the budget proposals and the Councillor computer project.
35	Article from Bracknell News dated 8 December 2011 regarding the budget proposals
36	Letter from a resident, Mr A Davies re. attendance of Councillors
37	Email from exchange re. Political Groups – response from Ann Moore
38	Email from exchange re. Political Groups – response from Chairman
39	Notes from IRP session 15 November 2011

SCHEDULE 4
APPROVED CONFERENCES

<u>Conference</u>	<u>Delegate</u>
Centre for Public Scrutiny Annual Conference	Chair of the Overview & Scrutiny Commission
Chartered Institute of Housing South East Region Conference	Relevant Executive Member
CIPFA	Leader or relevant Executive Member
Institute of Licensing Conference	Licensing & Safety Committee Chair
LACORS Environmental Health and Trading Standards Year Ahead Conference	Relevant Executive Member
LGA Annual Conference	Leader, Leader of the Opposition and one other majority group Member
LGA / ADASS – the National Children’s and Adult Services Conference	Executive Members for Adult and Children’s Services and Education and Chairmen of Adult Social Care and Children, Young People and Learning Overview and Scrutiny Panels
LGA Annual Culture, Tourism and Sport Conference	Relevant Executive Member
LGA Group Improvement and Innovation Conference and Exhibition	Relevant Executive Member
Regional Health & Safety Partnership Conference	Relevant Executive Member
SOCITM annual IT conference	Relevant Executive Member

Guidelines for Attendance at Non-Approved Conferences

1. Applications to attend a conference not on the approved list should be made to the Head of Democratic and Registration Services.
2. Members should complete a standard proforma which will require the following information:
 - Conference details (i.e. topic, venue, date(s), cost)
 - Reasons for wishing to attend
 - Likely benefits to the authority
 - Whether an officer would be attending
3. Democratic and Registration Services staff will check whether there is sufficient budget provision available before passing the proforma to be countersigned by the Leader of the Council and the Director of Corporate Services. In the case of a request from the Leader of the Council, the proforma will be passed to the Chief Executive to be counter-signed.
4. Where there is no identifiable source of funding the application may still be approved in exceptional circumstances, in particular if the Council would be disadvantaged if a Councillor did not attend.

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TO: COUNCIL
29 FEBRUARY 2012

PAY POLICY STATEMENT (Chief Executive)

1 PURPOSE OF REPORT

- 1.1 The Localism Act 2011 requires the Council to create and publish a Pay Policy Statement, with particular emphasis on senior pay. Most of what appears in the attached Pay Policy Statement is specifically required by the Localism Bill whilst other aspects are derived from suggestions in the Joint National Council for Chief Executives of Local Authorities' guidance on pay policies in order to give a fuller picture of the work of the Council.
- 1.2 The statement, which is essentially, a statement of existing policies must be formally approved by the Council by the end of March starting this year but can be amended in-year.

2 RECOMMENDATION

- 2.1 **That in accordance with the Localism Act 2011 the Council endorses the attached as the basis for this year's and future Pay Policy Statements.**

3 REASONS FOR RECOMMENDATION(S)

- 3.1 This is required under the Localism Act 2011.

4 ALTERNATIVE OPTIONS CONSIDERED

- 4.1 None, this is a legislative requirement.

5 SUPPORTING INFORMATION

- 5.1 The details which must be provided in the statutory statement are:
 - a) Policy on the level and elements of remuneration for each director and chief officer – specifically including remuneration on recruitment, increases and additions to remuneration including any bonuses, if paid, termination payments, allowances, benefits in kind, pension entitlements.
 - b) Policy on the FTE equivalent remuneration of the lowest paid employee.
 - c) Policy on the relationship between the remuneration of the Chief Executive and other employees.

- 5.2 Whilst the policy on publishing senior pay information does not apply to schools, the information which makes up the median and mean salaries for the Council has to include all schools based staff.
- 5.3 The Coalition Government programme for government Freedom, Fairness, Responsibility published in May 2010 contained a commitment to undertake a fair pay review in the public sector to implement their proposed “20 times” pay multiplier. This related to the multiplier between the lowest paid employee and the Chief Executive.

However the subsequent Hutton Review into public sector pay concluded that a public sector pay multiple based on the lowest paid would not work as the core of a fair system so instead recommended the median as the basic calculator and this is now the requirement of the Localism Act and this pay policy statement. Therefore whilst the Council is obliged to publish information on the salary multiple between the Chief Executive and the median for the Council (6.9), and also the Full Time Equivalent salary of the lowest paid employee it is not obliged to calculate or publish the multiple of the lowest paid employee in relation to the Chief Executive. For information, however, this is multiple 12.3, very significantly below the Prime Minister’s “20 times” guideline. The salary multiple between the Chief Executive and the mean for the Council is 6.2.

- 5.4 The Department for Communities and Local Government’s guidance states “Pay policy statements offer an opportunity to put data firmly within the context of the Council’s agreed policies, and to provide the public with a clear justification of how their money is being used appropriately in the pay and reward of senior staff.” For that reason, a limited amount of discretionary information has been included, to give context to and identify the significant scope and responsibilities for some jobs.

6 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

Borough Solicitor

- 6.1 Nothing to add to the report.

Borough Treasurer

- 6.2 The pay policy statement sets out the Council’s current arrangements with regard to senior pay in particular. As such there are no financial implications arising from this report.

Equalities Impact Assessment

- 6.3 This statement is a confirmation of existing Council Policies, and the composition of the group of employees covered by it is already subject to the Council’s annual monitoring exercise.

Strategic Risk Management Issues

- 6.4 None identified.

7 CONSULTATION

Principal Groups Consulted

- 7.1 It is a descriptive report rather than a change of policy so no consultation required.

Method of Consultation

- 7.2 Not applicable.

Representations Received

- 7.3 Not applicable.

Background Papers

Localism Act 2011

Contact for further information

Timothy Wheadon, Chief Executive – 01344 355601

timothy.wheadon@bracknell-forest.gov.uk

Tony Madden, Corporate Services : HR – 01344 352049

tony.madden@bracknell-forest.gov.uk

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Bracknell Forest Council

PAY POLICY STATEMENT FOR THE FINANCIAL YEAR 2012/13

INTRODUCTION

Source and scope of policy statement

This policy statement has been produced in accordance with Sections 38 to 43 of the Localism Act 2011 (the Act), which, from 2012 onwards, require local authorities to publish an annual statement of their policy for the relevant financial year in relation to:

- The remuneration of their most senior employees (which the Act defines as the head of paid service (Chief Executive), the Monitoring Officer, the Chief Officers (or Directors), and the Deputy Chief Officers (i.e. managers who report directly to a Director));
- The remuneration of their lowest-paid employees; and
- The relationship between the remuneration of the most senior employees and that of other employees.

The Secretary of State has produced guidance on the Act's provisions relating to openness and accountability in local pay, which local authorities must have regard to in preparing and approving their annual pay policy statements, and the Council's statement takes full account of this guidance to date as well as the provisions of the Act.

It also takes account of:

- The Code of Recommended Practice for Local Authorities on Data Transparency, issued by the Department for Communities and Local Government in September 2011;
- Guidance issued by the Joint National Council (JNC) for Local Authority Chief Executives on pay policy statements, published in November 2011;
- Employment and equalities legislation affecting local authority employers, where relevant.

To aid transparency, this policy also contains or refers to information which the Council is already required to publish under other legislation, i.e.

- Information on the actual level of remuneration paid to senior managers, as required by The Accounts and Audit (Amendment No. 2) (England) Regulations 2009;
- Policies on the exercise of its discretions over payments upon termination of employment under the Local Government Pension Scheme, as required by Regulation 66 of the Local Government Pension Scheme (Administration) Regulations 2008;
- Policies on the exercise of its discretions over payments upon termination of employment under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006, as required by Regulation 7 of those regulations.

The Government's guidance on the Localism Act's pay provisions states that it is open to Councils to include in this statement their policies on the remuneration of employees who are neither the most senior officers nor the lowest paid. Accordingly, this policy statement also gives details of:

- The policies applied to employees earning in excess of £58,200 as required by Code of Recommended Practice on Data Transparency 2011;
- Elements of remuneration which apply to all employees, regardless of their pay level, status or grading within the Council.

As such, this statement draws together all the relevant existing policies and can therefore be seen as a comprehensive document covering all relevant aspects of pay and remuneration within the Council.

Status of policy statement

In line with the requirements of the Localism Act, the pay policy statement will need to be reviewed on an annual basis, with a new version approved before the start of each subsequent financial year, which will need to be complied with during that year.

The pay policy statement can also be amended during the course of any financial year, but only by a resolution of the full Council. If it is amended during the year to which it relates, the revised version of the statement will be published as soon as reasonably possible after the amendment is approved by the Council.

Transparency and autonomy

It is important to recognise that, whilst producing national legislation relating to their pay policies, the Government also explicitly recognises that each local authority remains an individual employer in its own right, and, as such, has the autonomy to make decisions on pay that are appropriate to local circumstances and deliver value for money for local taxpayers.

SECTION 1: REMUNERATION OF STATUTORY AND NON-STATUTORY DIRECTORS, CHIEF OFFICERS, MONITORING OFFICER AND OTHER SENIOR POSTS

1.1 REMUNERATION COVERED IN THIS SECTION OF THE POLICY

This section covers the Council's policies in relation to the remuneration of its senior employees, including:

- Its Chief Executive;
- Its Directors who report to and are directly accountable to the Chief Executive – this includes both statutory and non-statutory Directors;
- Its Chief Officers, who report to and are directly accountable to Directors;
- Its Section 151 Officer (the Borough Treasurer), who is also a Chief Officer and remunerated as such;
- Its Monitoring Officer (the Borough Solicitor, who is the officer responsible for ensuring the Council's compliance with the law in all its activities) is also a Chief Officer and is remunerated as such.
- Other senior employees earning in excess of £58,200 pa.

1.2 CONTEXT

These senior employees are responsible for working with elected politicians to determine the overall strategic direction of the Council, to develop the scale, nature, efficiency and effectiveness of all the services provided by the Council, and to provide day-to-day leadership and management of those services.

In relation to other organisations in all sectors across the UK, the Council is a large, complex organisation providing a very diverse range of services. Many of those services are vital to the wellbeing of individuals and groups of residents in the local community and are delivered in very challenging circumstances, taking account of levels of need and the availability of resources to meet them.

The Council's senior employees are responsible for:

- 4172 employees (equivalent to 2878.1 full-time equivalent (FTE) employees). These numbers are as at 1 April 2011.
- Services to 116,500 residents within the local community.
- Total Gross Expenditure of £247million, which was the Council's Total Gross Outturn Expenditure in 2010/11.
- The following services to the local community:
 - Adult social services
 - Children and families social services
 - Countryside and open space management and maintenance
 - Education and schools
 - Elections and local democracy
 - Environmental and public health, including pest control
 - Environmental Services, including refuse collection, recycling, street cleaning and waste disposal
 - Housing
 - Housing and Council tax benefits
 - Leisure and Arts provision
 - Libraries
 - Planning

- Economic development
 - Roads, transport, street lighting and car parking
 - Trading Standards and Licensing
 - Youth and Community Services
 - Regeneration
 - Community Safety
- The following facilities:
 - 38 schools (including a Pupil Referral Unit)
 - 2 residential care homes and one respite centre
 - 2 day centres (one for older people, one for those with learning disabilities)
 - 4 Children's Centres
 - 12 Community Centres
 - 9 libraries
 - 5 leisure centres
 - 83 park sites and 50 miles of public rights of way
 - 18 play areas, plus skate parks, tennis courts, soccer pitches, a baseball diamond and a sports pavilion
 - The Council:
 - Is responsible for the education of around 15,700 children
 - Deals with around 1,140 planning applications per year
 - Maintains around 285 miles of roads
 - Manages and maintains 244 hectares of open space
 - Is responsible for 97 looked-after children
 - Licences 260 local pubs and clubs and 682 taxis

The Council has to compete with other employers in the area (and, in many cases, in the country) to recruit and retain managers who are capable of meeting the challenges of delivering this diverse range of services to the required standards. This has an important bearing on the levels of remuneration it offers which has been kept under review on a regular basis by the Employment Committee. At the same time, the Council is under an obligation to secure the best value for money for its residents and tax-payers in taking decisions on pay levels. In recent years the Employment Committee has sought to strike a fair balance between these competing pressures.

In a report on senior pay in the public sector commissioned by the government in 2011, Will Hutton concluded that "Chief Executive Officers of [private sector] companies with a turnover of between £101million and £300 million earn more than twice their public sector counterparts." He also observed that "The sharp increase in executive pay over the last decade, and the wider trend of growing income inequality, has been largely a private sector phenomenon".

1.3 RESPONSIBILITIES OF SENIOR ROLES

To give further contextual information for remuneration levels, the main accountabilities of the Chief Executive and Directors are set out below.

- ***Chief Executive***

The Chief Executive is the Council's most senior employee who leads and takes responsibility for the work of the Council. It is a full time appointment and post holders are selected on merit, against objective criteria, following public advertisement.

The role of Chief Executive is complex with ultimate responsibility for managing expenditure of £274m of public funds, serving around 48,100 households and 116,500 people in the Council's area.

As head of the paid service of the Council's employed staff, the Chief Executive is a non-political post. Whilst the elected councillors provide the policies, Council paid employees put them into practice. The Chief Executive is responsible to and accountable to, the Leader of the Council, the Executive and the whole Council in delivering their political and policy objectives.

The Chief Executive works closely with elected councillors to deliver:

Leadership: to ensure strong and visible leadership and direction, encouraging and enabling managers to motivate and inspire their teams;

Strategic direction: ensuring all staff understand and adhere to the strategic aims of the organisation and follow the direction set by elected councillors;

Policy advice: acting as the principal policy adviser to the elected councillors to lead the development of workable strategies which will deliver the political objectives set;

Partnerships: leading and developing strong partnerships across the local community to achieve improved outcomes and better public services for local people;

Operational Management: overseeing financial and performance management, risk management, people management and change management within the Council.

Staff under indirect management responsibility: 4172

- **Director – Adult Social Care and Health**

This post has a statutory role and is responsible and accountable for assessing local needs and ensuring the availability and delivery of a full range of adult social services, often interfacing with Health bodies.

The department provides advice and information about the range of services that may be available to support individuals or families. In carrying out assessments for people they will determine any support that can be provided. If people are not eligible, the department can give them information about other ways of accessing services and organisations where they could go to get help. There is joint work with Children's Services on making the transition to adult life.

The focus of support is to enable people to maximise their ability and retain their independence, which will mean people can stay in their own homes for as long as possible. Support may be needed for a crisis or a longer period, and the department will generally provide this. Depending on assessed needs, a range of services could be provided in partnership with other organisations to meet the social care needs of adults and older people. Services include home support, day care opportunities, meals services, the provision of equipment for daily living and residential and nursing care.

Its duties include specific support for the following areas for individuals and/or their families:

- Older people
- People with a learning disability
- People with mental health needs
- People who misuse substances
- People with long term conditions
- Carers
- People affected by HIV/Aids

Budget responsibility: £21.8 million per annum

Staff under direct or indirect line management responsibility: 324

- **Director – Children, Young People and Learning**

This post has a statutory role and is responsible and accountable for education services and the full range of children's services in the Council's area, and aims to ensure that children and young people achieve the best possible outcomes for their lives through education, advice and guidance, access to support and where necessary specialist placements.

Children's Social Care

Working with partner agencies, it provides the help, support and advice needed by the most vulnerable children and their families, including children in need of protection, looked after children and young offenders.

- Assessment service for new referrals
- Continuing Social Work support for particular children and their families
- The Family Placement Service, to support fostering and adoption
- The Youth Offending Service, to prevent and manage youth offending
- A short break unit, for children with disabilities
- Education Support for Looked After Children

Learning & Achievement

- School Advisory Team, offering advice, support and INSET training to schools
- Lifelong Learning Team, managing family and adult learning provision
- School Governor Services

Performance and Resources

- Finance
- Human Resources
- Schools Admissions
- Schools Property
- Schools Administrative Support and ICT
- Performance Management and Governance
- Youth Service.

Budget responsibility: £13 million per annum (not including schools)

Staff under direct or indirect line management responsibility: 2952 (including schools)

- **Director – Environment, Culture and Communities**

This post is responsible and accountable for the strategic planning and delivery of services to ensure Bracknell Forest is a clean, safe, healthy and attractive place to live. The department targets its services to meet the high standards residents, local businesses and visitors expect. Some of these services are delivered directly, others in partnership with the voluntary and charitable sectors and some through contracts with private companies. The department operates with 4 service divisions and one support division, and includes:

- Town and country planning
- Parks and countryside management,
- Leisure
- Libraries
- Environmental health and licensing,
- Emergency planning,
- Engineering,
- Trading standards,
- Refuse collection and street cleansing
- Recycling,

- Public parking,
- Public and social housing

Budget responsibility: £27.4 million per annum

Staff under direct or indirect line management responsibility: 648.

- **Director - Corporate Resources**

This post is responsible and accountable for eight separate sections - Finance, Information and Communication Technology, Legal Services, Human Resources, Democratic and Registration Services, Corporate Property, Customer Services and Community Engagement and Equalities. A wide range of functions and activities are carried out within each of these sections, but falling into three main categories:

- Direct public services (e.g. customer services, revenue collection, electoral registration)
- Core management responsibilities (setting standards and ensuring that the organisation functions legally within a robust financial framework, acts as a good employer and promotes equality and community cohesion)
- Support to service departments (providing advice and support to front line departments on a wide range of issues and projects, such as HR, Legal, IT and Property)

Responsible for the strategic planning and operational delivery of services including:

- Finance,
- Revenues and payments,
- Council Tax,
- Customer services
- Legal services
- Democratic management
- Corporate ICT
- Corporate HR
- Community engagement

The Director of Corporate Services also acts as Statutory Overview & Scrutiny Officer and Deputy Chief Executive, and leads on key projects such as Civic Accommodation and Job Evaluation.

Budget responsibility: £15.6 million per annum

Staff under direct or indirect line management responsibility: 230

1.4 OVERALL POLICY ON REMUNERATION FOR SENIOR ROLES

The Council's overall approach to remuneration for its senior employees is based on:

Compliance with equal pay, discrimination and other relevant employment legislation, plus recognition of the demanding nature of the challenges which the Council faces, and the requirement to offer competitive remuneration in relation to the rest of the local government and public sectors, in order to secure the most

talented managers. This means that, on the advice of the Employment Committee, the Council has always taken account of

- pay levels in the local area, including neighbouring public sector employers;
- the relative cost of living in the local area, particularly housing costs;
- the responsibilities and accountabilities of particular posts which may be exceptionally demanding.

The Council seeks to maintain this overall approach by carefully monitoring pay data provided by the Joint National Councils (JNCs) for Chief Officers and Chief Executives, the Local Government Association/Employers, and other relevant pay surveys. In recognition of the economic situation, the Council has not increased the salary of the Chief Executive, the Directors and Chief Officers since 2008.

In terms of pay differentials, the Council recognises that the role of Chief Executive leads the organisation's workforce and has the greatest level of accountability, and so warrants the highest pay level in the organisation.

At Director level:

- The Council recognises that all its Directors have a collective and corporate responsibility for contributing to and delivering the overall strategy of the organisation, and therefore offers the same level of remuneration (the same incremental grade) to all Directors. The Director of Corporate Services receives an additional 2.5% as the Deputy Chief Executive, rising to 10% during any longer period of at least four weeks where, in his absence, she is acting as Chief Executive.

At Chief Officer level:

- The Council recognises that certain roles are more demanding than others, and has identified those with a greater level of accountability through job evaluation, (which provides a careful analysis of job demands) and offers them higher remuneration than other Chief Officer posts. Evaluation is based upon the Hay system and evaluations are carried out independently by the Hay Group.

Below Chief Officer level, the Council recognises that the demands on and accountabilities of different management roles vary considerably, and seeks to align pay levels with the relative importance and responsibilities of jobs, using a process of job evaluation.

1.5 SPECIFIC REMUNERATION OFFERED TO SENIOR EMPLOYEES

At Chief Executive, Director and Chief Officer level, the Council offers only an annual salary and access to the Local Government Pension Scheme. No other cash benefits or benefits in kind are offered (except any benefits purchased by the employee under the Council's Flexible Benefits scheme under which employees may purchase benefits from a range offered to all staff or those available to all other staff, as set out in section 4). The Council does not offer performance related payments or bonuses to its senior employees.

Geographical/location allowance (local weighting) is not payable to the Chief Executive, Directors or Chief Officers.

The Chief Executive, Directors and Chief Officers are not eligible to participate in the Council's flexible leave scheme whereby employees are able to "buy and sell" annual leave within certain parameters (See section 4, below).

Mobile phones/devices are provided to the Chief Executive/Chief Officers/other senior managers on the basis that they are necessary to undertake their duties effectively, and it is a condition of their contracts

that they are on an emergency rota requiring them to be issued with a mobile phone/device. The Council funds the provision of the phone and business calls. Employees are required to pay for personal calls.

Annual salaries:

Annual salary levels for senior employees are fixed in accordance with the overall principles set out in section 1.4. At Chief Executive, Director and Chief Officer level and for other senior managers, they consist of:

- a grade range which is determined locally by the Council. This grade range consists of a number of incremental salary points, through which employees may progress until the top of the grade is reached.
- Pay progression is normally by annual increment, payable from 1 April annually, subject to satisfactory performance.

Remuneration of senior employees on recruitment

- The Council's policy is that any newly appointed senior employee will normally commence employment at the lowest pay point in the pay range for their job, other than when taking account of the successful applicant's current salary and the market requirements. Any decision to appoint a senior employee on a higher pay point within the relevant pay range would be made by the Appointments Committee.

Pay progression

Pay progression within a specific grade is normally by annual increment, payable from 1 April, until the employee reaches the top pay point of their grade.

- Pay progression is based on the period of time the employee has served in that grade, subject to satisfactory performance.
- Senior employees who are considered to have demonstrated exceptional performance may receive accelerated incremental progression within the grade at the discretion of the Chief Executive or relevant Director or, in the case of the Chief Executive, at the discretion of the Leader of the Council.

Pay awards

- The salaries of senior employees are reviewed annually in line with any pay award agreed in the Joint National Councils (JNCs) for Chief Executives/Chief Officers, the National Joint Council (NJC) for Local Government Services, or Soulbury, as appropriate for the category of senior manager.

Bonuses

- The Council does not pay bonuses to any of its employees.

Local Government Pension Scheme (LGPS)

The Council offers all its senior employees access to the Local Government Pension Scheme, in accordance with the statutory provisions of the scheme, on exactly the same basis as all of its employees. Any pension payments made to its senior employees on termination of employment either on grounds of redundancy, in the interests of the efficiency of the service or on grounds of ill health are made within the statutory terms of the LGPS.

- The employer's contribution rate for senior employees who join the scheme is the same as for all other employees, as set out in Section 4 "**POLICIES COMMON TO ALL EMPLOYEES**"

- The discretions which the Council is able to apply under the scheme upon termination of employment are the same for senior employees as for all other employees who are LGPS members and are set out in Section 4 “**POLICIES COMMON TO ALL EMPLOYEES**”.

Payments on Termination of Employment

Other than payments made under the LGPS, the Council's payments to managers whose employment is terminated on grounds of redundancy or in the interests of the efficiency of the service will be in accordance with the policy the Council has adopted for all its employees in relation to the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006, as set out in Section 4 “**POLICIES COMMON TO ALL EMPLOYEES**”.

Other than payments pursuant to the LGPS (including the exercise of the Council's discretions) or payments in accordance with the Council's policies under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006, the Council's policy is not to make any other termination payments to its senior employees. The only exception to this, which is very rarely used, is where it has received specific legal advice to the effect that a payment is appropriate to settle proceedings in an Employment Tribunal or court of law, or may be required to eliminate risk of claims against the Council.

Election fees

Election fees are paid separately. Returning Officer fees for national elections are set by central government. Local election fees are paid in accordance with a scale of fees which is based on national election rates and agreed locally. The Chief Executive voluntarily shares election fees equally with the Deputy Returning Officer. In 2011/12 the fee paid to the Chief Executive was £4180. No elections are planned in 2012/13, therefore no fees will be payable.

1.6 RE-ENGAGEMENT OF CHIEF OFFICERS

Re-engagement of Chief Executives, Directors and Chief Officers who have left Bracknell Forest Council with a severance or termination payment

Re-engagement as employees

(1) Subject to any relevant provisions in employment and equalities legislation, the Council's policy is not to re-employ in any capacity any former Chief Executive, Director or Chief Officer who left the Council for any reason other than compulsory redundancy, and was in receipt of a severance or termination payment, for a period of three years from the date of termination of employment.

(2) Where a Chief Executive, Director or Chief Officer's employment has been terminated compulsorily on grounds of redundancy, they will not be re-employed in the same or a similar post for a period of three years following the date of termination of employment. If they are re-employed in another post within four weeks after the effective date of redundancy, they will lose their right to a redundancy payment, including any enhancements under the provisions of the LGPS or the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006. Any re-employment will be subject to the Council following the strict application of the normal process of competitive selection for employment.

(3) Any former Chief Executive, Director or Chief Officer who is employed by the Council who has previously received a severance, termination or redundancy payment from this or any other Council or related body will not have previous service counted when determining any further entitlements to notice periods, sickness payments, annual leave or other benefits/entitlements based on continuous service.

Re-engagement under a contract for services

The Council's policy is not to re-engage under a contract for services any former Chief Executive, Director or Chief Officer who left the Council for any reason and was in receipt of a redundancy, severance or termination payment, for a period of three years from the cessation of employment.

Policy variation

This re-engagement policy may be varied only in exceptional circumstances and then subject to the agreement of the Employment Committee.

Employment of those in receipt of an LGPS pension

General:

Policy is set out in Section 4 **POLICIES COMMON TO ALL EMPLOYEES.**

Flexible retirement:

The LGPS regulations permit the Council to offer flexible retirement to employees (including Chief Executive, Directors and Chief Officers) aged 55 or over, so that they can reduce their hours of work, and receive a pension in respect of the proportion of full-time hours they are no longer required to work. This policy is set out in Section 4 **POLICIES COMMON TO ALL EMPLOYEES.**

1.7 PUBLICATION OF DETAILS OF EMPLOYEE REMUNERATION

In accordance with 39 (5) of the Localism Act, this policy will be published on the Council's website.

The Council is also required to publish information about the remuneration of senior officers under The Accounts and Audit (Amendment No. 2) (England) Regulations 2009, and the Code of Recommended Practice for Local Authorities on Data Transparency, issued under Section 2 of the Local Government Planning and Land Act 1980.

For ease of reference, remuneration data for posts identified under these Regulations is set out below, individual salaries can be found on the Council's website.

CHIEF EXECUTIVE	144,764 – 156,638
DIRECTOR OF CORPORATE SERVICES	104,348 – 112,890 plus 2,822 as Deputy CE
DIRECTOR - CHILD, YOUNG PEOPLE & LEARNING	104,348 – 112,890
DIRECTOR - ADULT SOCIAL CARE & HEALTH	104,348 – 112,890
DIRECTOR - ENVIRONMENT, CULTURE & COMMUNITIES	104,348 – 112,890
BOROUGH TREASURER AND SECTION 151 OFFICER	89,149 – 94,565
BOROUGH SOLICITOR	84,037 -89,149
CHIEF OFFICER: CHILDREN'S SOCIAL CARE	84,037 – 89,149
CHIEF OFFICER: ENVIRONMENT & PUBLIC PROTECTION	84,037 – 89,149
ASSISTANT CHIEF EXECUTIVE	79,225 - 84,037
CHIEF OFFICER: INFORMATION SERVICES	79,225 - 84,037
CHIEF OFFICER: HUMAN RESOURCES	79,225 - 84,037
CHIEF OFFICER: PROPERTY	79,225 - 84,037

CHIEF OFFICER: PERFORMANCE & RESOURCES (CHILDREN, YOUNG PEOPLE AND LEARNING)	79,225 - 84,037
CHIEF OFFICER: LEISURE & CULTURE	79,225 - 84,037
CHIEF OFFICER: PLANNING & TRANSPORT	79,225 - 84,037
CHIEF OFFICER: OLDER PEOPLE & LONG TERM CONDITIONS	73,224 – 79,225
CHIEF OFFICER: ADULTS & JOINT COMMISSIONING	73,224 – 79,225
CHIEF OFFICER: HOUSING	73,224 – 79,225
CHIEF OFFICER: CUSTOMER SERVICES	66,231 – 71,813
CHIEF OFFICER: PERFORMANCE & RESOURCES (ADULT SOCIAL CARE AND HEALTH)	66,231 – 71,813
CHIEF ADVISER: LEARNING & ACHIEVEMENT	74,702 – 85,632
HEAD OF SERVICE: PERFORMANCE & RESOURCES (ENVIRONMENT, CULTURE AND COMMUNITIES)	58,078 – 63,441
SENIOR ADVISER	54,649 – 63,924*
SEGFL PROJECT MANAGER	54,649 – 63,924
SENIOR ADVISER	54,649 – 63,924

*FTE salary given – postholder is part time

SECTION 2: REMUNERATION OF LOWEST PAID EMPLOYEES

This section sets out the Council's policies in relation to the remuneration of its lowest-paid employees, as defined in this pay policy statement.

2.1 ORGANISATIONAL CONTEXT

The Council considers it is important that its policy with regard to the remuneration of its lowest paid employees is seen within the broader organisational context, in particular the range and diversity of services for which it is responsible, either directly or indirectly, the number of residents within the local community, the level of its financial responsibilities and the numbers of staff directly employed.

2.2 OVERALL REMUNERATION POLICY: LOWEST PAID EMPLOYEES

Aims, Objectives and Key Principles

The Council aims to develop, implement and maintain fair and equitable remuneration arrangements which enable it to recruit, retain, motivate and develop staff with the skills and capabilities necessary to ensure the continued provision of high quality services and which are cost effective and provide value for money.

The Council's remuneration policy complies with all equal pay, discrimination and other relevant employment legislation.

When setting pay levels for specific posts the Council takes account of both internal differentials, as measured by job evaluation, and external relativities, as measured against the relevant employment market. The Council aims to ensure its pay rates for specific posts are set at a level which enable it to recruit and retain staff with the knowledge, skills and capabilities necessary for the particular role.

2.3 DEFINITION OF LOWEST PAID EMPLOYEES

The definition of the "lowest-paid employees" adopted by the Council for the purposes of this statement is as follows:

The lowest paid employees within the Council paid on the Council's lowest hourly pay rate.

The current annual full-time equivalent value of this pay level, based on a 37 hour standard working week and including local weighting, for the financial year 2011/12 was £12,700.

This is the most appropriate definition as this is the lowest pay point on the Council's substantive pay structure, and having regard to guidance issued by the Local Government Association and JNC for Local Authority Chief Executives.

2.4 REMUNERATION OF LOWEST PAID EMPLOYEES

Pay structure

The Council's lowest paid employees are on a grade range derived from the national pay spine, as set out in the National Joint Council for Local Government Services National Agreement on Pay and Conditions of Service. This grade range consists of a number of incremental salary points through which employees may progress until the top of the grade is reached.

Pay Progression

Pay progression is normally by annual increment, payable from 1 April.

Pay progression is based on the period of time the employee has served in that grade, subject to satisfactory performance. Directors may accelerate incremental progression within the grade for employees who are considered to have demonstrated exceptional performance.

Annual Pay Review

The basic pay of the Council's lowest paid employees is reviewed annually at a national level, with any cost-of-living, or other, increase normally applied on 1 April in each year.

Any increase will normally be applied in accordance with that agreed by the National Joint Council for Local Government Services.

Pension provision

The Council's lowest paid employees may participate in the Local Government Pension Scheme in accordance with the statutory terms of that scheme.

Contributions are made to this scheme in respect of each participating employee as set out in Section 4, **Policies Common to all Employees**.

Any increases in or enhancements to the pension entitlement of the Council's lowest paid employees would be made in accordance with the discretions available to it under the statutory provisions of the Local Government Pension Scheme, as exercised by the Council and set out in the relevant policy statement (see Section 4 of this pay policy statement, **Policies Common to all Employees**).

Termination or Severance Payments

Any termination or severance payments made by the Council to its lowest paid employees, either on grounds of redundancy, in the interests of the efficiency of the service or on grounds of permanent ill-health, will be made in accordance with the statutory terms of the Local Government Pension Scheme, as applicable, and/or in accordance with the discretions available to it under that Scheme or under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006, as set out in the relevant policy statement (see Section 4 of this pay policy statement, **Policies Common to all Employees**).

Other than payments pursuant to the LGPS (including the exercise of the Council's discretions) or payments in accordance with the Council's policies under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006, the Council's policy is not to make any other termination or severance payments to its lowest paid employees, other than where it has received specific legal advice to the effect that a payment may be necessary to eliminate risk of claims against the Council.

Other elements of remuneration

The other elements of remuneration which it is the Council's policy to offer to its lowest paid employees (where applicable) are listed below and are as set out in section 4, "Policies common to all employees":

Recruitment/retention payments

Reimbursement of removal/relocation costs/mortgage subsidy on appointment

Geographical/location allowance (local weighting)

Car allowances/mileage rates

Payment of professional subscriptions or membership fees

Subsistence or other expenses allowance

Provision of mobile telephones

Telephone/Broadband Allowance

Honorarium/acting up/additional responsibility payments

Payment for reduced leave entitlement

Discounted loans

In addition, the Council's lowest paid employees may have access to the following payments where their patterns of work make them appropriate:

Working arrangements

Employees on national conditions who are required to work beyond the Council's normal full-time equivalent working week of 37 hours and/or work other non-standard working patterns, as listed below, will receive payment in accordance with the provisions of the National Joint Council for Local Government Services National Agreement on Pay and Conditions of Service for:

- Additional hours;
- Saturday and Sunday working;
- Night work;
- Public and Extra Statutory holidays;
- Sleeping-in duty.

Employees on local conditions who are required to work beyond their normal full-time equivalent working week of 39 hours and/or work other non-standard working patterns, as listed below, will receive payment as below.

- Additional hours (Leisure plain time, or in Grounds Maintenance as NJC)
- Saturday and Sunday working (Leisure plain time, or in Grounds Maintenance as NJC)
- Public and Extra Statutory holidays

Standby and/or call-out payments

Employees who are required to be on standby at times which are outside their normal working week and/or who may be called-out to attend to an issue at the Council's premises or other location may receive an additional payment in accordance with the provisions of the relevant Council policy.

2.5 OTHER TERMS AND CONDITIONS

The other terms and conditions which apply to the Council's lowest paid employees are as set out in the National Joint Council for Local Government Services National Agreement on Pay and Conditions of Service, as amended and/or supplemented by any local agreements which may apply.

2.6 REMUNERATION OF EMPLOYEES WHO ARE PAID MORE THAN THE LOWEST PAID EMPLOYEES BUT WHO ARE NOT CHIEF OFFICERS

The Council's policy and practice with regard to the remuneration of employees who are paid more than its lowest paid employees but who are not Chief Officers is the same as that which applies to its lowest paid employees, other than where any differences are indicated in this policy statement. Some specific groups of employees are paid on nationally determined Soulbury Conditions or Youth and Community Conditions.

2.7 EMPLOYEES WHO ARE PAID LESS THAN THE COUNCIL'S LOWEST PAID EMPLOYEES, AS DEFINED IN THIS PAY POLICY STATEMENT

The following categories of employees *may* be paid less than the Council's lowest paid employees, as defined in this pay policy statement:

Trainees/apprentices;
Temporary workers
Casual workers.

The Council may apply a lower pay rate and/or different remuneration arrangements to these categories of employees, which reflects the particular nature and/or duration/frequency of their employment.

SECTION 3: PAY RELATIONSHIPS

This section sets out the Council's overall approach to ensuring pay levels are fairly and appropriately dispersed across the organisation, including the current pay multiples which apply, and its policy toward maintaining acceptable pay multiples in the future.

The Council believes that the principle of fair pay is important to the provision of high quality and well-managed services and is committed to ensuring fairness and equity in its remuneration practices. The Council's pay policies, processes and procedures are designed to ensure that pay levels are appropriately aligned with and properly reflect the relative demands and responsibilities of each post and the knowledge, skills and capabilities necessary to ensure they are undertaken to the required standard, as well as taking account of relevant market considerations. This includes ensuring that there is an appropriate relationship between the pay levels of its senior officers, as defined in this pay policy statement, and of all other employees.

The Council has adopted a number of policies and practices to ensure fairness in the overall pay relationships within the Authority. These include:

- Using an analytical job evaluation scheme to determine the grading of all posts below Chief Officer level.
- Jobs at Chief Officer level and above are also subject to measurement using a job evaluation scheme.
- Applying a clear and objective methodology for evaluating all new and changed jobs to ensure they are properly graded and that pay levels properly reflect their level of responsibility;
- Establishing a defined procedure for employees who wish to request a review of their job grade or who wish to appeal against their grading outcome;
- Providing for additional payments and allowances, with clearly defined eligibility criteria, to recognise and reward any working arrangements or requirements not reflected in basic pay levels;
- Undertaking corporate monitoring of the application of pay progression arrangements to ensure these are applied and operated on a fair and consistent basis across the organisation;
- Reviewing the roles and responsibilities of individual posts on a regular basis, for example, as part of the annual appraisal process, when a vacancy arises, as part of any organisational restructuring;
- Undertaking an equal pay audit at intervals, investigating and addressing the outcomes, as appropriate

Under the provisions of the Code of Recommended Practice for Local Authorities on Data Transparency, issued by the Department for Communities and Local Government under Section 2 of the Local Government Planning and Land Act 1980, the Council is required to publish its "pay multiple", i.e. the ratio between the highest paid salary and median full time equivalent salary of the whole of the local authority's workforce. The current pay multiple, based on full time equivalent earnings in the financial year ending 31 March 2011 including base salary, overtime pay and any lump sum car allowances is 6.9.

The median salary is the salary value at which 50% of the full time equivalent salaries which apply to the whole of the Council's workforce are below that salary value and 50% are above it. The lowest pay point in the overall salary range which has been used by the Council in calculating the median salary is that which applies to its lowest paid employees, as defined in section 2 of this pay policy statement.

If the mean salary is used in the above calculations instead of the median, the pay multiple is 6.2.

The Council considers that the current pay multiple, as identified above, represents an appropriate, fair and equitable internal pay relationship between the highest salary and that which applies to the rest of the workforce and has adopted the following actions to ensure an acceptable level is maintained:

Periodic benchmarking against the market rate for the Chief Executive will continue to take place and changes such as job evaluation outcomes may impact on the median payment levels; both of these may affect the pay multiple. However the multiple will be reviewed annually by means of this document to ensure it remains acceptable.

SECTION 4: POLICIES COMMON TO ALL EMPLOYEES

The following elements of remuneration are determined by corporate policies or arrangements which apply to all permanent employees of the Council (including its Chief Executive, Chief Officers and Deputy Chief Officers), regardless of their pay level, status or grading within the Council:

Contracts of Employment

It is the Council's policy to engage all of its permanent employees on standard contracts of employment and to apply Pay As You Earn taxation arrangements to all remuneration under those contracts in accordance with Her Majesty's Revenue and Customs rules.

Access to Local Government Pension Scheme

The Council offers all its employees access to the Local Government Pension Scheme in accordance with the statutory provisions of the scheme (except where the Teachers Pension Scheme applies). The employers' contribution rate for employees who join the scheme is currently 13% of salary for all employees.

Local Government Pension Scheme (LGPS) - discretions on termination of employment

Any termination or severance payments made by the Council to all its employees, either on grounds of redundancy, in the interests of the efficiency of the service or on grounds of permanent ill-health, will be made in accordance with the statutory terms of the Local Government Pension Scheme, as applicable, and/or in accordance with the discretions available to it under that Scheme.

The Council's policies on the exercise of these discretions under the LGPS are set out in the policies it has published under the requirements of Regulation 66 of the Local Government Pension Scheme (Administration) Regulations 2008. These are shown in Appendix A.

Payments on Termination of Employment

Other than payments made under the LGPS, the Council's payments to any employee whose employment is terminated on grounds of redundancy or in the interests of the efficiency of the service will be in accordance with the policy the Council has adopted for all its employees in relation to the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006. This policy has been published in accordance with the requirements of Regulation 7 of these regulations and, in summary, is:

- Actual weekly pay is used in all redundancy calculations
- Those with immediate access to pension are paid in accordance with the statutory number of weeks' pay
- Those with no immediate access to pension are paid 1.75 times the statutory number of weeks' pay.

Employment of those in receipt of an LGPS pension

Where the Council employs any person who is in receipt of a pension under the LGPS, the rules on abatement of pensions adopted by the Council's Administering Authority for the LGPS, pursuant to Regulations 70 and 71 of the Local Government Pension Scheme (Administration) Regulations 2008 will apply. These currently provide that no abatement will be applied to those in receipt of a Pension upon returning to Local Government Employment with Bracknell Forest Council. However, in the unusual event that an employee had received compensatory added years, those added years could be affected and taken back on a day for day basis.

Flexible retirement

The LGPS regulations permit the Council to offer flexible retirement to employees aged 55 or over, so that they can reduce their hours of work, and draw a pension in respect of the proportion of full-time hours they are no longer required to work. The Council uses this discretion in the same way for all employees. The Council will consider requests for flexible retirement on a case by case basis. Approval will be sought through the Employment Committee where all costs and business benefits will be made explicit before any decision is taken on whether to grant flexible retirement.

Market Premia

The job evaluation scheme does not recognise market pay rates when determining the grade for a job. If Directors identify market scarcity through difficulty with recruitment and/or a lack of success with advertising, they may discuss the need for a market premium with the CO: HR, who will, using pay surveys and research of the prevailing job market, suggest a level of supplement. The Employment Committee decide whether to authorise a market premia payment which is then periodically reviewed.

Recruitment/retention payments

Recruitment payments are a recruitment incentive which can be used for positions where there is a nation/regional/local shortage of qualified persons. They are used to induce an individual to take up employment within the Council and are in the form of a one-off lump sum. These are very infrequently used and are repayable on a sliding scale if the individual leaves within 3 years of appointment.

Key staff retention payments are again infrequently used but may be given where it is important to retain the services of an employee to the end of a specific project. The period of tie in will not exceed three years and any lump sum payment will not be made if the employee leaves before the relevant date.

Geographical/location allowance (local weighting)

The Council applies London and Fringe Area Allowances in accordance with the provisions of and rates agreed by the National Joint Council for Local Government Services National Agreement on Pay and Conditions of Service, or Soulbury or Youth and Community Conditions as appropriate. There are certain employees whose pay is determined locally who do not receive this type of allowance, and it is therefore not payable to the Chief Executive, Directors or Chief Officers

Reimbursement of removal/relocation costs on appointment

The Relocation Scheme provides assistance to people moving house in order to take up an appointment with the Council. The scheme will not necessarily cover the full expenses of moving and is not intended to do so. The maximum amount payable under the relocation scheme is £8,000, plus mortgage subsidy where appropriate. The scheme does not apply to all advertised roles only to those where there is less likelihood of recruiting suitable staff locally.

Honorarium or ex gratia payments/acting up/additional responsibility allowances

The Council pays honoraria or *ex gratia* payments to employees only in accordance with its corporate scheme for such payments, and all such payments are made only with the express approval of the relevant Director. Where employees are required to "act-up" into a higher-graded post or take on additional responsibilities beyond those of their substantive post for a temporary/time-limited period, they may receive an additional payment. Merit payments are similar to honoraria payments but are generally paid as a "one off" sum. They can be for a variety of reasons including examination success or for a particularly demanding or meritorious piece of work.

Car provision – employees using their own cars on Council business

The Council compensates:

- Employees who are required to use their own car on Council business paying an Essential Car User payment of £963pa plus mileage at below the HMRC rate; and
- Employees who are otherwise authorised to use their own car on Council business by paying a casual user mileage rate based on the HMRC rate.

Payment of professional subscriptions or membership fees

The Council will pay one professional subscription or membership fee on behalf of any employee where the subscription or membership is appropriate to the duties of the post.

Subsistence or other expenses allowance

The Council reimburses expenditure on meals and overnight accommodation and any other expenses necessarily incurred by employees on Council business, in line with the Council's Expenses policy.

Discounted loans

All employees have access to discounted loans for the purchase of cars/bicycles or the purchase of season tickets for travel. There is no subsidy for these loans.

Payment for reduced leave entitlement

The Council offers a flexible leave scheme whereby employees are able to "buy and sell" annual leave within certain parameters. Under this scheme, employees may be able to receive a day's additional pay for each day of leave they "sell" to the Council and agree to work. Chief Officers and above may not participate in this scheme. The maximum number of days that can be sold is 5 (pro rata for those working less than 5 days per week.)

Provision of mobile telephones

Mobile phones are provided on the basis that they are necessary to undertake their duties effectively. The Council funds the provision of the phone and the cost of business calls. Employees are expected to pay for personal calls.

Telephone/broadband allowance

£108 pa can be paid towards the costs of a telephone line/broadband connection at the employees home if there is a business reason for needing to contact them on a home phone line, or if they have substantial need to work online from home.

SECTION 5: CONTRACTORS AND OTHER ORGANISATIONS WORKING FOR THE COUNCIL

There may be occasions where the Council procures, commissions or contracts-out one or more of the services for which it is responsible. This section sets out the Council's approach to and policies on the pay policies of contractors, partners and other organisations who may undertake work for, or on behalf of, the Council.

The terms and conditions of employment by contractors of their workers are non-commercial matters, so we are required to procure without reference to them (S17 (1) and (5) LGA 1988).

Where any of the Council's services are contracted-out or re-tendered or where a previously outsourced service returns to the Council, any matters relating to the remuneration of the transferred employees will be managed, as appropriate, in accordance with the relevant provisions of the Transfer of Undertakings (Protection of Employment) Regulations 2006.

Any payments to agency workers who may undertake work for the Council will be made in accordance with the terms and conditions of the contract between the Council and the relevant agency provider, having due regard to the relevant provisions of the Agency Workers Regulations 2010 and any other relevant employment legislation.

SECTION 6: DECISION MAKING ON PAY

The Council recognises the importance of ensuring openness and transparency and high standards of corporate governance, with clear lines of accountability, in its pay decision-making processes and procedures. Any pay-related decisions must be capable of public scrutiny, be able to demonstrate proper and appropriate use of public funds and ensure value for money. The arrangements adopted by the Council are designed to reflect these requirements, as well as ensuring compliance with all relevant legislation and other statutory regulation.

The Council has agreed that the following roles and responsibilities with regard to decision-making in remuneration matters will apply within the Authority as follows:

Full Council: consideration and approval of the annual pay policy statement, as required under the Localism Act 2011.

Employment Committee: responsible for decisions relating to changes to terms and conditions of employment other than those dictated by employment law/statute.

The provisions of this pay policy statement will apply to any determination made by the Council in the relevant financial year in relation to the remuneration or other terms and conditions of senior officers of the Authority and of its lowest paid employees, as defined in this statement, and other employees who are paid more than the lowest paid employees but who are not senior officers.

The Council will ensure that the provisions of this pay policy statement are properly applied and fully complied with in making any such determination.

This pay policy statement has been approved by full Council.

The full Council will approve the appointment or dismissal of the Chief Executive (Head of Paid Service) following the recommendation of such an appointment by a Committee or Sub-Committee of the Council, which will include at least one Member of the Executive.

For Director posts, unless otherwise directed by the Council, a Committee or Sub-Committee of the Council, the Council will appoint. The Committee or Sub-Committee will include at least one Member of the Executive.

For Chief Officer posts, the Chief Executive or his nominated representative, with the relevant Executive Member or members and the Leader of the Council, may determine whether any appointment to a Chief Officer post is to be made exclusively from the Council's existing officers. Where the Chief Executive or his or her nominated representative, determines that it is to be made from existing Officers, the appointment may be made by the Chief Executive or his/her representative. Where a recruitment process is undertaken involving external candidates, a Committee or Sub-Committee will be appointed to interview the shortlisted candidates and make the final appointment. That Committee or Sub Committee will include at least one member of the Executive.

The above arrangements ensure that the Council meets the requirement of the Localism Act that any proposal to offer a new appointment on terms and conditions which include a total remuneration package of £100,000 or more, including salary, bonuses, fees or allowances which would routinely be payable to the appointee and any benefits in kind to which the officer would be entitled as a result of their employment (but excluding employer's pension contributions), will be referred to the full Council for approval before any confirmed offer is made to a particular candidate.

SECTION 7: AMENDMENTS TO THIS PAY POLICY STATEMENT

This pay policy statement relates to the financial year 2012/13.

The Council may agree any amendments to this policy statement during the financial year to which it relates in accordance with the decision-making arrangements set out in the introduction to this policy statement

SECTION 8: PUBLICATION OF AND ACCESS TO INFORMATION

The Council will publish this pay policy statement on its website as soon as is reasonably practicable after it has been approved by the Council. Any subsequent amendments to this pay policy statement made during the financial year to which it relates will also be similarly published.

The information advised to be published by the Council in accordance with the requirements of the Code of Recommended Practice for Local Authorities on Data Transparency, issued by the Department for Communities and Local Government under Section 2 of the Local Government Planning and Land Act 1980, and in accordance with the requirements of the Accounts and Audit (Amendment No. 2) (England) Regulations 2009, as referred to in this pay policy statement, is also available on its website.

The Council's policies in relation to the exercise of discretions under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006 and under the Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations 2007, are set out in this policy statement.

For further information about this pay policy statement, please contact the Council as follows:
Chief Officer: HR, tony.madden@bracknell-forest.gov.uk telephone 01344 352049.

Employer's Policy Statement (0609)

EMPLOYER DISCRETIONS – STATEMENT OF POLICY**LOCAL GOVERNMENT PENSION SCHEME REGULATIONS 2007 (as amended)**

The employer known as Bracknell Forest Borough Council has prepared this written statement of policy in relation to its exercise of certain discretionary functions available under the above regulations.

PART A – Formulation of policy in accordance with Regulation 66 of the Local Government Pension Scheme (Administration) Regulations 2007 (as amended)

Regulations in this part refer to the Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations 2007 (as amended)

1. Regulation 12 - Power of an employing authority to increase total membership of active members.

An employer may resolve to increase the total membership of an employee at any time whilst he is an active member of the Scheme with them. The maximum additional membership period that can be awarded is 10 years.

The employer must pay to the Pension Fund, within one month from the date that any additional membership is awarded (or such longer period as agreed between the employer and the administering authority), a sum as calculated in accordance with guidance issued by the Government Actuary.

Employer's policy

The Employing Authority resolves to use the scheme for augmentation to award up to 5 added years in cases of redundancy, efficiency of the service severance or early retirement, only in exceptional cases.

2. Regulation 13 – Power of employing authority to award additional pension

An employer may resolve to award an employee, at any time whilst he is an active member of the Scheme with them, additional pension of not more than £5,000 a year payable from the same date as his pension is payable under any provisions of the Local Government Pension Scheme Regulations.

Additional pension may be paid in addition to any increase of membership under regulation 12 of the LGPS (Benefits, Membership and Contributions) Regulations 2007 (as amended). The employer must pay to the Pension Fund, within one month from the date that any additional membership is awarded (or such longer period as agreed between the employer and the administering authority), a sum as calculated in accordance with guidance issued by the Government Actuary.

Employer's policy

The Employing Authority resolves to use the scheme for awarding additional pension in cases of redundancy, efficiency of the service severance or early retirement, only in exceptional cases.

3. Regulation 18 – Flexible retirement

A member who has attained the age of 55 and who, with his employer's consent, reduces the hours he works, or the grade in which he is employed, may make a request in writing to the appropriate administering authority to receive all or part of his benefits under the Regulations, and such benefits may, with the employer's consent, be paid to him notwithstanding that he has not retired from that employment.

If the payment of benefits takes effect before the member's 65th birthday they will be reduced in accordance with guidance issued by the Government Actuary unless the employer agrees to waive, in full or in part, any such reduction at their cost.

In the case of a person who was an active member on 31st March 2008, and who makes a request before 31st March 2010, substitute the age of 55 above with the age of 50.

Employer's policy

The Employing Authority will consider requests for flexible retirement on a case by case basis. Approval will be sought through the Employment Committee where all costs and benefits will be explicit.

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4. Regulation 30 – Choice of early payment of pension

If a member leaves a local government employment before he is entitled to the immediate payment of retirement benefits, once he has attained the age of 55 he may choose to receive payment of them immediately. A choice by a member aged less than 60 is ineffective without the consent of his employer or former employer and the employer must pay to the Pension Fund a sum representing the capital cost of releasing those benefits early.

His pension must be reduced by the amounts shown as appropriate in guidance issued by the Government Actuary although the employer may determine on compassionate grounds to waive the actuarial reduction.

In the case of a person who was an active member on 31st March 2008, and who makes a request before 31st March 2010, substitute the age of 55 above with the age of 50.

Employer's policy

The Employing Authority has resolved that no such elections will be considered.

PART B – Formulation of policy in accordance with further discretions under the Local Government Pension Scheme (Administration) Regulations 2007 (as amended)

Regulations in this part refer to the Local Government Pension Scheme (Administration) Regulations 2007 (as amended)

5. Regulation 16 - Re-employed and re-joining deferred members

Where a deferred member becomes an active member again before becoming entitled to the payment of those deferred retirement benefits, he may elect to have his former deferred membership aggregated with his current active membership on or after the date that he again becomes an active member. An election must be made within 12 months from the date that the member re-joins the Local Government Pension Scheme or such longer period as his employer may allow.

It is worth noting that if the member has more than one former period of deferred membership, it is only the most recent deferred membership period that can be aggregated with his current active membership unless earlier periods of deferred membership have already been aggregated with the most recent period of deferred membership.

Employer's policy

The Employing Authority has resolved to examine such issues on a case by case basis.

6. Regulation 22 – Applications to make absence contributions

This provides for a scheme member to pay optional contributions, for a period of unpaid absence from work, within 30 days of returning to, or of ceasing, employment. The employer can agree to extend this time limit.

Employer's policy

The Employing Authority has resolved not to adopt this discretion.

7. Regulation 25 – Additional Voluntary Contributions (AVCs) and Shared Cost Additional Voluntary Contributions (SCAVCs)

An active member may elect to pay AVCs into a scheme established under contract between his appropriate administering authority and a body approved for the purposes of the Finance Act 2004.

Under paragraph 3 of this regulation an employer can, at its discretion contribute to the AVC scheme and where they do the AVC scheme is known as a shared cost additional voluntary contributions arrangement and contributions to it as SCAVCs.

Employer's policy

The Employing Authority has resolved not to adopt this discretion.

8. Regulation 83 – Inward transfers of pension rights

This provides that an active scheme member may elect to transfer into the Local Government Pension Scheme relevant pension rights held elsewhere. The member must request the transfer of such rights in writing within 12 months of becoming a member of the Local Government Pension Scheme or such longer period as the employer may allow.

Employer's policy

The Employing Authority has resolved to examine such issues on a case by case basis.

9. Regulation 57(5)(c) – Notification of decisions under regulation 58

Responsibility for determinations under the first stage of the Internal Disputes Resolution Procedure rests with a “specified person” appointed by the (former) employer of a scheme member.

Employer’s policy

The specified person for this employer is:

Name: Tony Madden

Job Title: Chief Officer: Human Resources

Address: Easthampstead House, Town Square, Bracknell, Berkshire RG12 1AQ

Tel No: 01344 352062

Email: tony.madden@bracknell-forest.gov.uk

Or alternatively:

Name: Alan Nash

Job Title: Borough Treasurer

Address: Easthampstead House, Town Square, Bracknell, Berkshire, RG12 1AQ

Tel No: 01344 355605

Email: alan.nash@bracknell-forest.gov.uk

PART C – Formulation of policy with regard to Regulation 5 of the Local Government Pension Scheme Regulations (Benefits, Membership and Contributions) Regulations 2007 (as amended)

10. Regulation 5 - Contributions payable by active members

An active member shall make contributions to the Scheme at the contribution rate from his pensionable pay in each employment in which he is an active member. The contribution rate to be applied to his pensionable pay in any financial year (starting with 1st April 2008) is the rate determined by the employer to represent the assumed pensionable pay for the forthcoming year.

Where there is a material change to a member’s pensionable pay in the course of a financial year, the employer may re-determine the contribution rate to be applied in his case.

Employer’s policy

The Employing Authority have resolved that where changes in pay have occurred as a result of a transfer to a new post, or where there has been a forced reduction in salary that the contribution rate will be reviewed.

In other cases the Employing Authority have resolved not to adopt this discretion

It is understood that the above discretions are applicable to all eligible members of the Scheme. The Scheme rules allow for a revised statement to be issued at least one month in advance of the date that the new policy takes effect. The revised statement must be sent to the administering authority and publish its statement as revised.

The policies made above:

- i) Must have regard to the extent to which the exercise of the discretions could lead to a serious loss of confidence in the public service;*
- ii) Will not be used for any ulterior motive;*
- iii) Will be exercised reasonably;*
- iv) Will only be used when there is a real and substantial future benefit to the employer for incurring the extra costs that may arise;*
- v) Will be duly recorded when applied.*

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TO: COUNCIL
29 FEBRUARY 2012

ESTABLISHMENT OF APPOINTMENT COMMITTEE (Chief Executive)

1 PURPOSE OF DECISION

- 1.1 Following the retirement of the Chief Officer: Customer Services from April 2012, it is necessary to agree a recruitment process to fill the vacancy. The Officer Employment Procedure Rules (Part 4, Section 11 of the Council's Constitution) are relevant to such appointments and this report invites the Council to establish an Appointment Committee for the post.

2 RECOMMENDATION(S)

The Council is asked to agree:

- 2.1 That a Committee of the Council of five members (4:1), including at least one Member of the Executive (plus up to two substitute members per group) be appointed, with the following terms of reference:

"To interview and appoint on behalf of the Council to the post of Chief Officer: Customer Services.

- 2.2 That the nominated members are to be confirmed.

- 2.3 Substitute Members are to be confirmed.

3 REASONS FOR RECOMMENDATIONS

- 3.1 To ensure that the appointment process is in accordance with the Council's Constitution.

4 ALTERNATIVE OPTIONS CONSIDERED

- 4.1 Not applicable.

5 SUPPORTING INFORMATION

Appointment Committee

- 5.1 The Council's Officer Employment Procedure Rules, which form Part 4, Section 11 of the Constitution, deal with the particular arrangements for the appointment of officers at chief officer and deputy chief officer level. If it is proposed that as an appointment to this post is not made exclusively from within the Council's existing staff, it must be advertised externally.

- 5.2 The Officer Employment Procedure Rules require that where a committee is to be established for the purposes of making an appointment it should include at least one Member of the Executive. Whilst it is a matter for the political groups to make their own nominations, in this instance it would be appropriate for the Executive Member responsible for Corporate Services to serve on the Committee. It is also suggested that the Chairman of the Employment Committee be included.
- 5.3 In accordance with standard practice for a chief officer post, the Committee will be responsible for approving the shortlist of candidates prepared by officers, for interviewing those candidates and for making the final appointment. It is suggested that the Committee should comprise five Members and in order to reflect the political balance on the Council, four of these members would be from the Conservative Group, with the remaining Member from the Labour Group. Accordingly, nominations have been sought from the Group Leaders, the nominations will be announced at the Council meeting.
- 5.4 The exact timetable for this appointment is yet to be finalised and nominees will be consulted on interview dates in due course. However, the interviews for the post will be scheduled during March.

6 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

Borough Treasurer

- 6.1 There are no financial implications arising from the establishment of the Appointment Committee.

Borough Solicitor

- 6.2 The Appointment Committee process accords with the Council's constitution particularly section 11 part 4 and S151 Local Government Act 1972.

Equalities Impact Assessment

- 6.3 The recruitment process will be conducted in accordance with the Council's employment policies.

Strategic Risk Management

- 6.4 Not to have a Chief Officer: Customer Services would be detrimental to the Council's objectives to:
- Develop appropriate and cost effective ways of accessing council services by implementing the Customer Contact Strategy Action Plan.
 - Engage with local communities in shaping services by using customer and partner feedback to improve customer contact with the Council.
 - Implement an Accommodation Strategy to rationalise the number of buildings used by the Council (Customer Services).

7 CONSULTATION

Principal Groups Consulted

7.1 Not applicable

Method of Consultation

7.2 Not applicable

Representations Received

7.3 Not applicable

Background Papers

None

Contact for further information

Timothy Wheadon, Chief Executive - 01344 355601

timothy.wheadon@bracknell-forest.gov.uk

Alison Sanders, Director of Corporate Services – 01344 355621

alison.sanders@bracknell-forest.gov.uk

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TO: COUNCIL
29 FEBRUARY 2012

STREET TRADING: DESIGNATED CONSENT STREETS
Director of Environment, Culture and Communities

1 PURPOSE OF REPORT

- 1.1 The Council is asked to consider an amendment to the list of designated Consent Streets for the purposes of Street Trading in the Borough. This matter was considered at the Licensing and Safety Committee on 12 January who recommended that the Council make a resolution as detailed below.

2 RECOMMENDATION

- 2.1 **That the Council makes a resolution under section 2(1)(c) of Schedule 4 of the Local Government (Miscellaneous) Provisions 1982 to designate all Streets within the Borough as Consent Streets, to include any land within 150 metres of the highway, with effect from 9 April 2012.**

3 REASONS FOR RECOMMENDATION(S)

- 3.1 This proposal seeks to ensure that all persons operating as traders on streets within the Borough are appropriately authorised so that street trading is only carried out in appropriate locations. At present, there are a large number of residential streets within the Borough which are not designated as Consent Streets. This can make enforcement difficult, especially in respect of mobile traders. If all streets were Consent Streets this would address this issue and all street traders would be required to apply for street trading consents.
- 3.2 If a street is designated a Consent Street, it does not necessarily mean that a Consent would be given. Officers would continue to follow the same procedure of consultation to ensure the suitability of the location, and all consents granted for a new site have a maximum duration of one month to allow opportunity for review.

4 ALTERNATIVE OPTIONS CONSIDERED

- 4.1 The Council may instead choose to prohibit street trading in the Borough by designating some or all streets as 'Prohibited Streets' upon which no street trading may take place. To date, the Council has chosen not to take this approach as the Consent Streets procedure is deemed to be more proportionate.
- 4.2 The Council may also choose to retain the current position and keep the list of Consent Streets as it is.

5 SUPPORTING INFORMATION

- 5.1 Under 2(1)(c) of Schedule 4 of the Local Government (Miscellaneous) Provisions 1982, the Council may by resolution designate any street as a Consent Street. The effect is that street trading is only permitted provided a consent is granted and

various conditions are met. 'Street' is defined in the Act as 'any road, footway, beach or other area to which the public have access without payment'.

- 5.2 Currently, we already have the majority of the main roads so designated but the arrangements need to be changed to 'protect' the smaller roads and new ones as they are built. The approach taken seeks to allow trading to take place where it is appropriate relative to the potential impact to highway safety and any nearby residential premises particularly if the hours of trading are in the evening. Authority to grant consent subject to conditions is delegated and there is a right of appeal to a Licensing Panel.
- 5.3 If a resolution is passed, the designation of the streets shall take effect on the stated date. This date must not be less than one month beginning with the day on which the resolution is passed. A notice must also be published that a resolution has been passed for two consecutive weeks in a local newspaper. The first publication shall not be later than 28 days before the day specified in the resolution for the coming into force of the designation.

6 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

Borough Solicitor

- 6.1 The legal implications are identified within the report.

Borough Treasurer

- 6.2 There are no significant financial implications arising from the recommendation in this report. Any new street trading sites may generate additional income which will offset expenditure required in the administration of the street trading consents.

Equalities Impact Assessment

- 6.3 There are no implications arising from the recommendation in this report.

Strategic Risk Management Issues

- 6.4 There are no strategic risk management implications arising from the recommendation in this report.

7 CONSULTATION

Principal Groups Consulted

- 7.1 Consultation was carried out by way of public notice.

Method of Consultation

- 7.2 As required by the legislation, a public notice was published on 24 November 2011, and the notice was also served on the chief officer of police and the highway authority on 23 November 2011.

Representations Received

- 7.3 The chief officer of police and highway authority have both confirmed they have no objection to this proposal. No objections were received to the public notice.

Background Papers

Local Government (Miscellaneous Provisions) Act 1982

Contact for further information

Steve Loudoun

Chief Officer: Environment & Public Protection

01344 352501

Steve.loudoun@bracknell-forest.gov.uk

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