

## REPORT OF GENERAL PURPOSES AND LICENSING COMMITTEE

(Meeting held 25 October 2004)

### 1. PAY AWARD 2004 (REPORT A) (MINUTE NO. 22)

The Committee reports having considered the employees' pay award. It is the Council's position on pay negotiations to participate in national negotiations, but to reserve the right to determine its own award should the national award be detrimental to the Council's pay structure.

The national pay negotiations were finalised in July 2004. The national award had been settled at:

|              |  |
|--------------|--|
| 1 April 2004 | 2.75%                                    |
| 1 April 2005 | 2.95%                                    |
| 1 April 2006 | 2.95% (or RPI at October 2005 if higher) |

The Council's Pay Panel has met on two occasions to consider the award. The employer side favoured the national agreement and the stability a three year award would bring, while the employee side initially claimed a two year deal of 2.95% for 2004 and 2005. The employee side made a final offer of:

|              |       |
|--------------|-------|
| 1 April 2004 | 2.75% |
| 1 April 2005 | 2.95% |

Informal soundings on this offer showed that Union members were not prepared to agree to the two year offer. It was accepted by both the employer and employee sides that the fallback position for local negotiations was that where there was a failure to agree, the national pay award would be implemented. The employee side were offered a further opportunity to consult with their members, but no agreement was reached.

The Employee Side comments submitted to the Committee were:

- “7.1 The consultation processes over many weeks, involving Employees Briefings and walkabouts at all sites involved the majority of Employees with no discrimination of whether they were a union member or not. (ref: 4.5 & 4.6)
- 7.2 It was noted that 3% previously allowed in the budget this year for Pay Award was not used fully due to financial capping, future borrowing and monies from the Government. Benefit to the Council from monies collected from Council Tax payers for the budgeted 3% should not go unnoticed.
- 7.3 The National Pay Award includes factors other than pay of which consideration by the Employer of elements that may not be already achieved would be recommended. (Appendix)
- 7.4 A pay settlement equal to the nationally agreed pay settlement of a three year deal comprising of 2.75%, 2.95% and 2.95% or RPI (October 2005) whichever is highest is awarded, as the Pay Panel has been unable to agree an award.

7.5 Employee Side recognise this is in line with the Councils established policy of implementing the nationally agreed pay award where agreement cannot be reached locally.”

The Leader of the Council reported to the meeting that the comments raised by the Employee Side were the same as had been made during the Pay Panel discussions. As the members of the Pay Panel had explained, the cost of implementing the national pay award, together with the changes to the employer’s contributions to pensions, plus the cost of annual increments, would exceed the 3% budgeted.

Having considered the matter, the Committee recommends that the national pay award be implemented.

The costs of implementing the national pay award over the next three years are estimated at:

|                         | <b>2004/05</b>  | <b>2005/06</b>  | <b>2006/07</b>  |
|-------------------------|-----------------|-----------------|-----------------|
| General Fund            | £512,000        | £568,000        | £590,000        |
| Housing Revenue Account | £128,000        | £142,000        | £148,000        |
| <b>Total</b>            | <b>£640,000</b> | <b>£710,000</b> | <b>£738,000</b> |

The Committee also supports the recommendation of the Pay Panel that the standby allowance be paid at double the normal rate on a bank holiday. The estimated cost of this adjustment is £1,500 per annum.

**RECOMMENDED:**

**(a) That the national pay award be implemented i.e.**

**1/4/04 2.75%**

**1/4/05 2.95%**

**1/4/06 2.95% (or RPI at October 2005 if higher)**

**(b) That, with effect from 1 April 2004, the standby allowance be paid at double the normal rate when employees are on standby on a bank holiday.**

**2. STREET TRADING – WEDNESDAY MARKET IN STATION ROAD, NEW MILTON (REPORT B) (MINUTE NO. 23)**

The Council will recall that in February 2004 it resolved to designate Station Road south as a “consent street” under the street trading provisions of the Local Government (Miscellaneous Provisions) Act 1982 to enable a weekly street market to be established. The Council also agreed to delegate its functions in respect of the weekly market to New Milton Town Council, subject to certain conditions, until 26 October 2004. The Committee has now reviewed these arrangements.

The Committee was informed noted that anecdotal evidence was that the market has been successful. The Town Council is keen for it to continue. Some early issues concerning unloading arrangements, signing and barriers appear to have been overcome. The District Council’s officers have had discussions with the Town Clerk about the way ahead when the temporary delegation arrangements come to an end.

The conclusion reached was that it was too soon to come to a long term decision, especially as the effects of winter weather on trading have not been tested. The Committee agrees that there is not yet enough information available to enable a full and constructive review to be undertaken, and a long term decision made. Therefore, the Committee recommends that the Council agrees to a further temporary delegation for a period of six months (up to late April 2005), on the same terms as currently apply. This will enable a full review of the market's operation, in all seasons and weathers, to be undertaken during the late winter/early spring, with a view to the Council making a longer term decision on the future of the market in April 2005.

The agreement reached with the Town Council regarding the one-way experimental traffic regulation order have been noted. The order is to continue in force until 20 October 2005. In due course the terms of the District Council's delegation to the Town Council will need to be re-examined with a view to formalising any operational requirements if the order is made permanent. If the Wilts and Dorset Bus Company (a statutory consultee) object to the Order being made permanent there would need to be a public inquiry. In the light of some of the early issues that arose regarding signing, offloading, etc., the Committee suggests that the Town Council be formally reminded of its obligations under the terms of the agreement.

It is understood that the Town Council might at some stage propose that the market be extended to encompass a larger area of Station Road. Extension of the market area is a separate issue that would be subject to a formal period of public advertisement and consultation. Any proposals to close both carriageways of Station Road would also require the promotion of a new Traffic Regulation Order.

**RECOMMENDED:**

- (a) ***That all the Council's functions under paragraphs 7 and 9 of Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982 (street trading consents) be delegated to New Milton Town Council until 30 April 2005, on the same terms as those which currently apply;***
- (b) ***That New Milton Town Council be formally reminded of the provisions in this Council's agreement with them regarding the Temporary Traffic Regulation Order, and informed (with a copy to the market operator) that steps will be taken to invoke the notice provisions if there are any further occasions on which the terms of the agreement relating to traffic management including loading, signing and barriers are not complied with; and***
- (c) ***That a report be brought to a meeting of the Committee in the spring of 2005, the report to include the information set out in paragraph 5 of Report B to the Committee, so that a longer term decision can be made on the future of the market.***

**Cllr W H Dow  
CHAIRMAN**