

NOTICE OF MEETING

Meeting: GENERAL PURPOSES AND LICENSING COMMITTEE

Date and Time: FRIDAY, 12 JANUARY 2018, AT 9.30 AM*

Place: COUNCIL CHAMBER, APPLETREE COURT,
LYNDHURST

Telephone enquiries to: Lyndhurst (023) 8028 5000
023 8028 5588 - ask for Melanie Stephens
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PUBLIC PARTICIPATION:

*Members of the public may speak in accordance with the Council's public participation scheme:

- (a) immediately before the meeting starts, on items within the Committee's terms of reference which are not on the public agenda; and/or
 - (b) on individual items on the public agenda, when the Chairman calls that item.
- Speeches may not exceed three minutes. Anyone wishing to speak should contact the name and number shown above.

Bob Jackson
Chief Executive

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This Agenda is also available on audio tape, in Braille, large print and digital format

AGENDA

Apologies

1. MINUTES

To confirm the minutes of the meeting held on 8 September 2017 as a correct record.

2. DECLARATIONS OF INTEREST

To note any declarations of interest made by members in connection with an agenda item. The nature of the interest must also be specified.

Members are asked to discuss any possible interests with Democratic Services prior to the meeting.

3. PUBLIC PARTICIPATION

To note any issues raised during the public participation period.

4. PAY POLICY STATEMENT 2018-19 (Pages 1 - 10)

To recommend to the Council that the Pay Policy Statement 2018-19 be approved.

**5. REVIEW OF PRIVATE HIRE & HACKNEY CARRIAGE LICENSING POLICY
(Pages 11 - 12)**

To advise members on the timeline for the review of the Council's Taxi Licensing Policy.

6. ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT

To: **Councillors**

S J Clarke (Chairman)
L R Puttock (Vice-Chairman)
G C Beck
G R Blunden
S P Davies
Ms L C Ford
R L Frampton
A T Glass

Councillors

L E Harris
Mrs P Jackman
J M Olliff-Cooper
D N Tungate
A S Wade
J G Ward
Mrs P A Wyeth

EXECUTIVE MANAGEMENT TEAM: 19 DECEMBER 2017

GENERAL PURPOSES AND LICENSING COMMITTEE: 12 JANUARY 2018

EMPLOYEE ENGAGEMENT PANEL: 15 FEBRUARY 2018

PAY POLICY STATEMENT

1. INTRODUCTION

- 1.1 The Localism Act 2011 requires the Council to prepare a pay policy statement for each financial year. The statement must be prepared and approved by the end of March each year. A recommended statement for 2018-19 is included at Appendix 1. The statement details the policies in place from 1 April 2018.
- 1.2 National Pay Award for 2018-19 is being negotiated nationally, once this has been agreed the attached Appendix 1 will be updated.
- 1.3 The Pay Policy Statement previously referred to the 'Pay Panel' negotiating and discussing Pay, Terms and Conditions matters, it is proposed going forward these matters are formally discussed and consulted upon at the Employee Engagement Panel before recommendations are taken forward to General Purposes and Licensing Committee.

2. BACKGROUND

- 2.1 A pay policy statement must set out the authority's policies for the financial year relating to:
 - (a) The remuneration of its chief officers,
 - (b) The remuneration of its lowest-paid employees, and
 - (c) The relationship between –
 - (i) the remuneration of its chief officers, and
 - (ii) the remuneration of its employees who are not chief officers.
- 2.2 The statement must state –
 - (a) The definition of "lowest paid employees" adopted by the authority for the purposes of the statement, and
 - (b) The authority's reasons for adopting that definition

3. EMPLOYEE ENGAGEMENT PANEL COMMENTS

- 3.1 The Employee Engagement Panel will consider the matter on 15 February 2018. The Panel's comments will be reported orally to the Council on 26 February 2018.

4. RECOMMENDATION

- 4.1 That it be recommended to the Council that the Pay Policy Statement 2018-19 as set out in Appendix 1 be approved.

For further information please contact:

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Background Papers
Pay Policy Statement
Council Feb 2017

New Forest District Council

Pay Policy Statement Financial year 2018-19

Background

1. The purpose of this Pay Policy Statement ("Pay Statement") is to set out New Forest District Council's pay policies relating to its workforce for the financial year 2018-19, including the remuneration of its Chief Officers and that of its lowest paid employees. Once the Pay Award for 2018-19 has been agreed the Pay levels in this document will be amended accordingly.
2. The functions of appointment, dismissal and related matters for all employees below Chief Officer Level shall be dealt with by the Chief Executive and Executive Heads, or such other employees as may be authorised. Standing Orders for General Procedures deal with procedures for appointing and dismissing employees at Chief Officer Level.
3. With the exception of apprentices on the National Minimum Wage, pay for all staff, including Chief Officers, is formally discussed and consulted upon at the Employee Engagement Panel before recommendations are taken forward to General Purposes and Licensing Committee who will make recommendations to Council.
4. For the purposes of this Pay Statement and in accordance with the Localism Act 2011 ("Localism Act"), staff employed by the Council have been separated into two groups:-
 - (a) Chief Officers as defined by the Localism Act
 - (b) Employees who are not Chief Officers as defined by the Localism Act
5. An "employee who is not a Chief Officer" refers to all staff that are not covered within the "Chief Officer" group as outlined below. This includes the "lowest paid employees". In the context of the Council, the "lowest paid employees" are those employed at Band 1 on the District Council's pay structure (this is appended as item 1).
6. Section 43(2) of the Localism Act defines Chief Officers for the purposes of the Localism Act. The following roles within the Council fall within the definition of "Chief Officers": -
 - (a) Head of Paid Service (Chief Executive)
 - (b) Monitoring Officer
 - (c) Section 151(Chief Finance Officer)
 - (d) Non-Statutory Chief Officers (Executive Heads)
 - (e) Officers reporting directly to those officers falling within (a), (b), (c) and (d) above (Deputy Monitoring Officer and Deputy S151 Chief Finance Officer)

Chief Officers as defined by the Localism Act 2011

7. The Chief Executive's pay is set in comparison with other district councils. The Chief Officers below the Chief Executive are paid on Band 11 of the Council's pay structure (the Band for each role is determined by a consistent job evaluation process), Chief Officer current salaries are outlined below:

8. The Head of Paid Service salary range is detailed below, CX4 (£117,047) and CX5 (£120,668) are available for exceptional performance:

Spinal points	Salary
CX1	£106,826
CX2	£110,130
CX3	£113,536

9. The Council has a duty to appoint a Returning Officer responsible for local government elections, and has decided that this role be carried out by the Chief Executive. The Returning Officer fees are regarded as a special responsibility payment in relation to independent duties carried out.
10. The fees and charges for European, UK Parliamentary and Police Commissioner elections and National Referendums are set by external bodies. The scale of fees and expenses for County, District, Parish and Town Council elections will be set in partnership with the County Council and other Hampshire local authorities to ensure uniformity and will be submitted to General Purposes and Licensing Committee.
11. The Monitoring Officer and 2 Executive Heads salary range (Band 11) is detailed below, spinal point 73 (£79,882) and spinal point 74 (£82,224) are available for exceptional performance:

Spinal points	Salary
70	£73,260
71	£75,391
72	£77,605

12. The Executive Head of Operations also takes on the additional role of Deputy Chief Executive and receives an additional payment of £6,000 per annum.
13. The Section 151 (Chief Financial Officer) and Deputy Monitoring Officer will be paid on Band 10. The Deputy S151 (Chief Financial Officer) will be paid on Band 9.
14. The Service Managers salary range (Band 10) is detailed below:

Spinal points	Salary
58	£53,808
59	£54,937
60	£56,070
61	£57,284
62	£58,819
63	£60,374

15. The Council reviews its terms and conditions and pay levels regularly. The Chief Executive, Executive Heads and Service Managers pay was reviewed in 2015/16.
16. Pay awards are considered annually for all staff including Chief Officers. The outcome of the national consultations by the Local Government Employers in negotiation with the Trade Unions is applied.
17. The Chief Executive, Chief Officers' and Service Managers' performance and pay progression is reviewed annually on the achievement of clear organisational objectives. Incremental progression does not apply to these roles. The Chief Executives' annual review is undertaken by a member panel (comprising of the Leader of the Council, plus three other Portfolio Holders to be determined by the Leader).
18. The Council recognises that Chief Officers sometimes incur necessary expenditure in carrying out their responsibilities e.g. travel costs. Chief Officers will be reimbursed for reasonable expenses incurred on council business in accordance with local Terms and Conditions.
19. Chief Officers as a result of their employment are eligible to join the Local Government Pension Scheme in the same way as other employees. The pension's policy statement is appended as item 2 to this statement applies to all employees including chief officers.
20. All employees including Chief Officers with more than 2 years continuous service will be entitled to a redundancy payment. If employees are aged at least 55 they are also automatically entitled to the immediate payment of pension benefits if they are retired on the grounds of redundancy. The redundancy payments are based on actual weekly pay. The number of weeks individuals are entitled to is based on the statutory redundancy grid which provides for a maximum of 30 weeks. A multiplier of 1.5 is used to support efficient organisational change. The Council scheme therefore provides for an entitlement of up to a maximum of 45 weeks based on length of service and age. The Council operates one redundancy scheme for both voluntary and compulsory redundancies. All redundancies are subject to a full Business case which requires a maximum financial payback of 3 years.
21. The Council practice is not to re-employ Chief Officers who have received a redundancy or severance package on leaving the council.
22. In accordance with the Code of Recommended Practice for Local Authorities on Data Transparency, pay and benefits information for staff paid over £58,200 are published. This information is contained on 'Transparency and Open Government' pages on the Council's external website.

Employees who are not Chief Officers as defined by the Localism Act

23. These employees are all paid on the Council's pay structure on Bands 1-9. Each employee will be on one of the 9 Bands based on the job evaluation of their role. Each Band consists of 3, 5 or 6 spinal points. Pay progression within the Band is subject always to good performance.
24. Each "lowest paid employee" is paid within the salary range for Band 1. All other employees are paid within the salary range for the Band of their role i.e. (2-9). In very exceptional cases individuals are paid a pay supplement.
25. Employees new to the Council will normally be appointed to the first spinal point of the salary range for their Band. Where the candidate's current employment package would make the first spinal point of the salary range unattractive (and this can be demonstrated by the applicant in relation to current earnings) or where the employee already operates at a level commensurate with a higher salary, a different spinal point in starting salary may be considered by the recruiting manager. This will be within the salary range for the Band. The candidate's level of skill and experience should be consistent with that of other employees in a similar position on the salary range.
26. Employees' performance during the course of the year is reviewed within the Council's performance management arrangements, and pay progression within the Band is subject always to good performance.
27. Pay awards are considered annually for staff. For all staff up to and including the Chief Executive the outcome of the national consultations by the Local Government Employers in negotiation with the Trades Unions is applied.
28. The Council believes in rewarding outstanding performance. It operates this through a system of bonus payments which are designed to reward outstanding performance at the time it occurs. The size of the award paid to an employee will be commensurate with the work being rewarded. All bonuses are subject to Executive Management Team approval.
29. The Council recognises that employees sometimes incur necessary expenditure in carrying out their responsibilities, for example travel costs. Employees will be reimbursed for reasonable expenses incurred on Council business in accordance with the Council's local Terms and Conditions.
30. Band 9 staff are entitled to the lease car cash alternative. The Essential User allowance only applies to jobs that are visiting officers or jobs that manage across more than one site (average of 2500 miles per annum) and agreed by the Service Manager.
31. All employees as a result of their employment are eligible to join the Local Government Pension Scheme. Details of the Council's pension policy are appended as item 2 of this Pay Statement.
32. The Council's redundancy scheme is detailed in paragraph 20 and this applies to all employees.

33. The Council practice is not to re-employ staff who have received a redundancy or severance package on leaving the Council; any request to do so would require specific approval from the appropriate Executive Head.
34. In accordance with The Local Government Association guidance on the Government's requirement for reporting remuneration relationships (the ratio between the highest paid employee and the median average earnings across the organisation as a multiple). Based on current salaries for 1st April 2018 this has been calculated as follows:

Chief Executive Remuneration	£113,536
Employees Median average remuneration	£21,399
Ratio	5.3

Leave Days	Salary	Hourly Rate	SCP	BAND 1	BAND 2	BAND 3	BAND 4	BAND 5	BAND 6	BAND 7	BAND 8	BAND 9	BAND 10	BAND 11	Chief Exec (CX)
27	£113,536	£58.8486	CX3												£113,536
27	£110,130	£57.0831	CX2												£110,130
27	£106,826	£55.3706	CX1												£106,826
27	£101,065	£52.3845	81												
27	£98,125	£50.8607	80												
27	£95,267	£49.3793	79												
27	£92,492	£47.9409	78												
27	£89,800	£46.5456	77												
27	£87,171	£45.1829	76												
27	£84,643	£43.8726	75												
27	£82,224	£42.6188	74												
27	£79,882	£41.4048	73												
27	£77,605	£40.2246	72												£77,605
27	£75,391	£39.0770	71												£75,391
27	£73,260	£37.9725	70												£73,260
27	£71,201	£36.9053	69												
27	£69,216	£35.8764	68												
27	£67,298	£34.8822	67												
27	£65,464	£33.9316	66												
27	£63,693	£33.0137	65												
27	£61,996	£32.1341	64												
27	£60,374	£31.2934	63										£60,374		
27	£58,819	£30.4874	62										£58,819		
27	£57,284	£29.6917	61										£57,284		
27	£56,070	£29.0625	60										£56,070		
27	£54,937	£28.4752	59										£54,937		
27	£53,808	£27.8900	58										£53,808		
27	£52,687	£27.3090	57												
27	£51,769	£26.8332	56												
27	£50,830	£26.3465	55												
27	£49,900	£25.8644	54												
27	£48,978	£25.3865	53												
27	£48,036	£24.8983	52												
27	£47,110	£24.4183	51												
27	£46,009	£23.8476	50												
27	£45,254	£23.4563	49										£45,254		
27	£44,336	£22.9805	48										£44,336		
27	£43,412	£22.5015	47										£43,412		
27	£42,467	£22.0117	46										£42,467		
27	£41,510	£21.5157	45	Politically Restricted Above Point 43									£41,510		
27	£40,521	£21.0031	44										£40,521		
27	£39,232	£20.3349	43												
26	£38,683	£20.0504	42										£38,683		
26	£37,718	£19.5502	41										£37,718		
26	£36,778	£19.0630	40										£36,778		
26	£35,818	£18.5654	39										£35,818		
26	£34,892	£18.0854	38										£34,892		
26	£33,791	£17.5147	37										£33,791		
26	£32,816	£17.0094	36										£32,816		
26	£31,897	£16.5330	35										£31,897		
26	£31,063	£16.1007	34										£31,063		
26	£30,435	£15.7752	33										£30,435	£30,435	
26	£29,581	£15.3326	32										£29,581		
26	£28,723	£14.8879	31										£28,723		
25	£27,900	£14.4613	30										£27,900		
25	£27,030	£14.0103	29										£27,030		
25	£26,146	£13.5521	28										£26,146		
24	£25,141	£13.0312	27										£25,141		
24	£24,325	£12.6083	26										£24,325		
24	£23,551	£12.2071	25										£23,551		
23	£22,801	£11.8183	24										£22,801		
23	£22,104	£11.4571	23										£22,104		
23	£21,399	£11.0916	22										£21,399		
23	£20,773	£10.7670	21										£20,773		
22	£20,165	£10.4519	20										£20,165		
22	£19,575	£10.1460	19										£19,575		
22	£19,002	£9.8490	18										£19,002		
22	£18,446	£9.5608	17										£18,446		
22	£17,906	£9.2809	16										£17,906		
22	£17,382	£9.0093	15										£17,382		
22	£16,873	£8.7456	14										£16,873		
22	£16,379	£8.4897	13										£16,379		
22	£15,900	£8.2412	12										£15,900		
22	£15,434	£8.0000	11										£15,434		
Employee Notice Period				One Month						Two Months			Three Months		

Pension Policy Statement

Under the Local Government Pension Scheme, the Council is required to publish a written statement of policy in relation to pensions.

Any decision that has a financial impact will be subject to a Business Case, where a payback period of no more than three years, is achievable.

1. Regulation 16 (2e)(4d) Shared cost additional pension contributions

Discretion not exercised. (Decision at Council July 2014)

2. Regulation 30(6) Power to allow flexible retirement

Discretion exercised in line with Policy agreed from 1 May 2015 (Decision at Council April 2015)

3. Regulation 30 (8) Waiving of actuarial reductions on compassionate grounds

Discretion exercised provided there is no cost to the Council (Decision at Council July 2014)

4. Regulation 31 Power to award additional pension

Discretion not exercised. (Decision at Council July 2014)

5. (LGPS Regulations 2014 (Transitional provisions, savings and amendments – paragraph 2 (2) of schedule 2)) – Switching on the 85 year rule

Discretion not exercised (Decision at Council July 2014)

6. Regulation B30(2)(5)B30A(3)(5) Post – 31 March 2008 /pre – 1 April 2014 leavers early payment of pension

Discretion not exercised (Decision at Council July 2014)

7. Membership aggregation Regulation 22 (7)(b), (8)(b)

Discretion not exercised (Decision at Council July 2014)

8. Transfers of Pension Rights (Administration Regulation 100 (6))

Discretion not exercised (Decision at Council July 2014)

9. Pension Contribution Bands (Regulations 9 and 10 of LGPS Regulations 2013)

Discretion is exercised (Decision at Council July 2014) - The Council's policy is to review an employee's contributions band when there is a contractual change to the member's salary or hours at some point during the year, when the change is permanent. Any changes in variable pay (i.e. overtime) will only be reviewed once on 1st April each year.

10. Assumed Pensionable Pay and 'regular lump sum' (regulations 21(4)(a), 21(4)(b) and 21(5) of the LGPS Regulations 2013)

Discretion not exercised (Decision at Council July 2014)

11. Election of Early Payment of Benefits

The Council's Early Retirement Policy came into effect from 1 July 2009, and applies to all employees at least 55 and over. Early Retirement can only occur in the following circumstances:

REDUNDANCY – for employees where employment is terminated for reasons of redundancy.

EFFICIENCY - for employees where early retirement is in the interests of the efficiency of the service.

GENERAL PURPOSES AND LICENSING COMMITTEE – 12 JANUARY 2018

REVIEW OF PRIVATE HIRE AND HACKNEY CARRIAGE LICENSING POLICY

1. INTRODUCTION

- 1.1 The purpose of this report is to consider the undertaking of a review of the Private Hire and Hackney Carriage Licensing Policy (Taxi Policy) for New Forest District Council.

2. BACKGROUND

- 2.1 Policies are an integral part of a Local Authority's decision making process; informing and guiding decision makers and providing a valuable aid to consistency.
- 2.2 The purpose of this policy is to provide a guide for Officers of the Council, Members of the Council's General Purposes & Licensing Committee, the licensed trade and new applicants. The policy will clearly set out standards and boundaries that the Licensing Authority considers acceptable. The policy may also be a valuable reference document for Magistrates Courts who may hear appeals following decisions made by the Council.
- 2.3 A Taxi Licensing Policy should provide a clear statement of how a Licensing Authority intends to carry out the licensing of drivers, vehicles and operators, providing transport to members of the public in hackney carriages or private hire vehicles.
- 2.4 The Taxi Policy was last reviewed in 2012 and this revision will include major changes to bring the policy up to date. Transformations have taken place within the trade in recent years and it is important that policies are current and fit for purpose.

It is intended that the policy will be reviewed periodically to ensure it relates to current best practice and recent case law. The policy is intended to protect public safety and ensure that the requirements of the District in respect of the taxi and private hire trade are met.

- 2.5 The draft policy will be made available to a wide audience, to support an in depth consultation, as there are new areas of policy such as on safeguarding.

3. PROPOSED TIMETABLE

- 3.1 The following timetable has been prepared for Members to consider and approve. The timescales take into account the meeting dates for General Purposes & Licensing Committee and the full Council. Allowing for a suitable period of time for consultation in accordance with best practice recommendations and taking into account the principles established through case law which set out that in order for consultation to be fair, a public body must ensure:

- that the consultation must be at a time when proposals are still at a formative stage;
- that the proposer must give sufficient reasons for any proposal to permit of intelligent consideration and response;
- that adequate time is given for consideration and response; and
- that the product of consultation is conscientiously taken into account when finalising the decision

The proposed timescale: -

- 12 January 2018 – General Purposes & Licensing Committee consideration of the review of the taxi policy
- 9 March 2018 – – General Purposes & Licensing Committee consideration of the draft policy prior to consultation
- 1 April 2018 to 31 June 2018- consultation process
- 7 September 2018- – General Purposes & Licensing Committee consideration of the consultation responses
- 16 November 2018- Final Policy submitted to General Purposes & Licensing Committee for approval
- 10 December 2018 - Final Policy adopted by Full Council

4. CONCLUSION

- 4.1 The policy will state the principles the Council will apply to taxi licensing as authorised under statutory legislation. It will reference relevant guidance and case law and act as a basis for decision making. The policy however may be departed from on a few occasions, as each case will continue to be judged on its own merits.

5. FINANCIAL IMPLICATIONS

- 5.1 Any costs associated with this review will be met by taxi licensing income.

6. CRIME AND DISORDER IMPLICATIONS

- 6.1 The policy will address the approach taken by the Council to address crime and disorder implications.

7. ENVIRONMENTAL/ EQUALITY AND DIVERSITY IMPLICATIONS

- 7.1 The policy will address the approach taken by the Council to address environment and equality and diversity implications.

8. RECOMMENDATION

- 8.1 That the Committee approve the timetable as set out in paragraph 3.1 for the review of New Forest District Council's Taxi Licensing Policy.

For further information contact:

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Background Papers:

None