

Council Agenda



Reigate & Banstead
BOROUGH COUNCIL
Banstead | Horley | Redhill | Reigate

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Email: Democratic@reigate-banstead.gov.uk

5 February 2020

Councillor,

A meeting of the Council of the Borough of Reigate and Banstead will be held in the New Council Chamber at the Town Hall, Reigate on **THURSDAY, 13 FEBRUARY 2020 at 7.30 pm** to which you are summoned to attend.

The Agenda for the meeting is attached.

A handwritten signature in blue ink, appearing to read 'John Jory'.

John Jory
Chief Executive

(Prior to commencement of the meeting, prayers will be said by the Mayor's Chaplain).

If you need this agenda in an alternative format, please refer to the information on the final page.

To: All Members of the Reigate and Banstead Borough Council

1. MINUTES (Pages 5 - 10)

To confirm as a correct record the Minutes of the meeting of the Council held on 16 January 2020.

2. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

3. DECLARATIONS OF INTEREST

To receive any declarations of interest.

4. URGENT BUSINESS

To consider any urgent business.

5. PUBLIC QUESTIONS

To consider any questions received from members of the public under Council Procedure Rule 2.14.

6. QUESTIONS BY MEMBERS

To consider any questions received from Members under Council Procedure Rule 2.15.

7. RECOMMENDATIONS (Pages 11 - 18)

To receive and consider the recommendations from the meeting of the Executive held on 30 January 2020.

8. PAY POLICY STATEMENT 2020/21 (Pages 19 - 30)

To receive a report on the adoption of the Council's Pay Policy Statement.

9. REPORT OF THE GOVERNANCE TASK GROUP ON A REVISED OFFICER SCHEME OF DELEGATION (Pages 31 - 42)

To receive a report from the Governance Task Group.

10. STATEMENTS

To receive any statement from the Leader of the Council, Members of the Executive, Chairmen of Committees or the Head of Paid Service.

11. LEADER'S ANNOUNCEMENTS

To receive any announcements by the Leader of the Council.

12. MAYOR'S ANNOUNCEMENTS

To receive any announcements from the Mayor.

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Council
16 January 2020

Minutes

BOROUGH OF REIGATE AND BANSTEAD

COUNCIL

Minutes of a meeting of the Council held at the New Council Chamber - Town Hall, Reigate on 16 January 2020 at 7.30 pm.

Present: Councillors K. Foreman (Mayor), R. Absalom (Deputy Mayor), M. A. Brunt (Leader), T. Schofield (Deputy Leader), G. Adamson, T. Archer, R. H. Ashford, R. Biggs, M. S. Blacker, N. J. Bramhall, J. S. Bray, H. Brown, G. Buttironi, J. C. S. Essex, S. L. Fenton, P. Harp, R. Harper, J. Hudson, E. Humphreys, G. J. Knight, S. A. Kulka, J. P. King, V. H. Lewanski, A. M. Lynch, S. McKenna, R. Michalowski, N. C. Moses, C. M. Neame, S. Parnall, J. Paul, J. E. Philpott, S. J. G. Rickman, R. Ritter, D. A. Ross, K. Sachdeva, S. Sinden, C. Stevens, R. S. Turner and S. T. Walsh.

63. MINUTES

RESOLVED that the Minutes of the meeting of Council held on 31 October 2019 be approved as a correct record and signed.

64. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Allcard, Horwood, Kelly and Whinney.

65. DECLARATIONS OF INTEREST

There were none.

66. URGENT BUSINESS

There was no urgent business.

67. PUBLIC QUESTIONS

There were no public questions.

68. QUESTIONS BY MEMBERS

Five questions on Notice were asked, and responses were given in accordance with Council Procedure Rule 2.15.

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Question by	Answered by	Subject
Councillor S. Kulka	Councillor N. Bramhall, Executive Member for Neighbourhood Services	Parking Income
Councillor H. Brown	Councillor N. Bramhall, Executive Member for Neighbourhood Services	Water Fountains
Councillor R. Ritter	Councillor R. Biggs, Executive Member for Planning Policy	Permitted Development
Councillor J. Essex	Councillor R. Biggs, Executive Member for Planning Policy	Doctor and School Provision
Councillor S. Fenton	Councillor E. Humphreys Executive Member for Place and Economic Prosperity	Gatwick Airport

Note: For more information on responses to Council questions please see this page on the Council's website:

<https://reigate-banstead.moderngov.co.uk/ecCatDisplay.aspx?sch=doc&cat=13453>

69. RECOMMENDATIONS

69.1 Executive - 7 November 2019

The Council received three recommendations from the meeting of the Executive on 7 November 2019.

RESOLVED that:

- (i) A new Council Tax Policy, outlined in the Executive's report, to apply a 100% discount to care leavers up to the age of 25 be adopted. (Executive Minute 61)
- (ii) The updated thresholds to the Local Council Tax Reduction Scheme, outlined in the Executive's report to reflect changes in allowances and premiums in line with Government benefits, be adopted. (Executive Minute 61)

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- (iii) The Treasury Management Performance for the year to date (2019/20) and the updated prudential indicators be noted. (Executive Minute 62)

69.2 Executive - 5 December 2019

The Council received two recommendations from the meeting of the Executive on 5 December 2019.

RESOLVED that:

- (i) 'Reigate & Banstead 2025', the Council's Corporate Plan for the period 2020-2025 be adopted. (Executive Minute 70)
- (ii) The Council Tax Base for 2020/21 be approved (Executive Minute 76)

70. STATEMENTS

The Leader of the Council: Councillor M. Brunt

The Leader of the Council complimented the Council's elections team for having successfully delivered three elections during 2019. The former Electoral Services Manager, Sally Crawford, had retired and the Leader commended the contribution that Sally had made to the Council, and wished her well for the future.

The Leader:

- Praised the staff involved in tackling the flooding that occurred in Horley before Christmas, along with Councillor Biggs for his response.
- Thanked the Reigate Fairtrade Action Group for providing samples for Members to try before the meeting, and felt that a similar event would be suitable for staff.
- Felt that the agreement of the Housing Strategy, by the Executive, demonstrated a substantial change in emphasis for the Council, which was positive and proactive.

The Leader thanked Councillor Knight, and the Head of Corporate Policy, Catherine Rose, for their work in producing the Corporate Plan '*Reigate and Banstead 2020 – 2025*', which had been shaped by the contributions of Councillors and feedback from residents. Adopting the five-year plan was a significant milestone for the Council. The Plan outlined that the Council would do more, at a time when many other Councils would have to do less.

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Executive Member for Housing and Benefits: Councillor Knight

Councillor Knight spoke of his pride in the Council's emergency accommodation facility on Massetts Road, Horley, which had opened in September 2018. The decision to provide the Council's own emergency accommodation for homeless households was a response to the rising costs of private nightly paid accommodation, often located out of the Borough. Moreover, the Council's decision was based on the need to support homeless families locally, and to keep children in their schools.

The Massetts Road facility:

- Could accommodate up to 10 small families, with a typical occupancy rate of over 95%
- Had been home to 55 households in need, since it opened in 2018
- Was an indistinguishable part of the community
- Provided for every family their own private kitchen facility, and was cleaned each weekday
- Had saved the Council around £15,600 per month in out-of-Borough nightly private accommodation support, instead providing the support directly by the Council and in the Borough.

Councillor Knight commended the previous Portfolio Holder, Councillor Renton for her vision to establish the project, and praised the Council's Head of Housing, Richard Robinson and his team for their dedication in delivering the scheme.

The Council's Accommodation Officer provided an intensive management and maintenance service for the property, along with the seven other temporary homes that the Council owned, and to households placed in nightly paid accommodation. Households had come to the Council's accommodation at a difficult time in their lives and had reported being pleased by the standard of accommodation provided, which had been reflected in high levels of engagement with the Council and other agencies. The facility had enabled families, and some single people, to remain local and children could continue to attend their schools. It had also provided a point of stability for households, enabling them to be supported to move to social or private rented housing.

Councillor Knight illustrated the success of the scheme with examples, and went on to announce his plan to bring forward for consultation a project targeted at homeless single men and women with complex needs.

71. REVIEW OF POLLING DISTRICTS AND PLACES

The report was introduced by the Acting Chief Executive, Mari Roberts-Wood. The Leader of the Council, Councillor Brunt, moved the recommendation as set out. This was seconded by Councillor Schofield whereupon it was:

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RESOLVED: that the premises and recommendations set out in Appendix 1 be designated the polling places for the polling districts stated with effect from 31 January 2020.

72. LEADER'S ANNOUNCEMENTS

There were no announcements.

73. MAYOR'S ANNOUNCEMENTS

Mayor's Volunteer Awards

The Mayor announced that nominations for this year's awards would open on Monday 3 February and urged Councillors to start thinking about individuals in their wards who would be deserving of a Volunteer Award. Nominations would close on 1 May and winners would be invited to attend the awards service at the Town Hall on 17 July. The Mayor invited Members to contact the Mayor's office for more details.

Mayor's Announcements

The Mayor announced the following events, for Members' diaries.

- A Service of Remembrance for Holocaust Memorial Day, on Wednesday 29 January, 19:00, in the Old Council Chamber,
- An anticipated screening of the forthcoming James Bond film, 'No Time to Die', at the Harlequin Theatre, 3 April 2020,
- A Reigate Caves walk, would be held on 24 April 2020, at 19:00.

Lastly, the Mayor congratulated Councillor Essex on the birth of his child, and duly closed the meeting of Council.

The Meeting closed at 20:15

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Recommendations from the Executive – 30 January 2020

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Budget 2020/21 and Capital Programme 2020 - 2025

The Executive Member for Finance, Councillor Schofield, introduced the final revenue and capital proposals for 2020/21, which included a Council Tax increase of £5 for an average Band D Property, for recommendation to Council. The proposals had been carried out by Executive Members, supported by the Management Team and the Budget Advisory Group. The proposals had been subject to comprehensive review by Members of the Budget Scrutiny Panel and the Overview and Scrutiny Committee.

The Executive Member for Finance highlighted:

- That the Council had not received any revenue support grant for several years, which continued to present a short-term shortfall in income until regeneration and income regeneration projects became operational. Ring-fenced reserves had been established in recent years, as a mitigation, in recognition that commercial activities would be established.
- The budget proposals allowed for the continuation and growth of the high-quality services delivered by the Council, along with providing the capacity to deliver the ambitions set out in the new Corporate Plan.
- The Government's Provisional Settlement announcement in December 2019 had mitigated the previously anticipated impact of reduced business rates receipts in the short term, but the Council would still need to draw on £1.256m from reserves to present a balanced budget for 2020/21. The specific sum would be adjusted according to the outturn position for the forthcoming financial year. There had been a budget underspend in recent years which had made funds available in reserves for use next year, if required.
- The Council held a healthy level of reserves that would be available to mitigate future budget risks. This year, funds had been re-allocated between Earmarked Reserves and the General Fund Balance to ensure better alignment with forecast risks and opportunities. The healthy reserves position had enabled the Council to take advantage of the opportunity to make savings in the employer pension contribution by making advance payment for the next three years at a significant discount.

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- Capital Investment Plans included a significant investment in property assets, and the establishment of investment funds to support the delivery of the Corporate Plan, Commercial Strategy and the Housing Delivery Strategy.

In response to observations made by Visiting Members, it was noted that:

- There had been consultation on the new five-year plan promoting the delivery of more affordable housing and that the Executive was satisfied with the approach that it had taken to funding that initiative.
- The Executive was clear that it wanted to deliver homes for local people, and forthcoming developments would be a significant step toward that.
- The targets for housing completions were for the period of the Local Plan and were robustly monitored by Government.

RECOMMENDED that:

- (i) **A Revenue budget requirement of £24.460 million for 2020/21 as set out in the report to Executive and supported by the Updated Medium-Term Financial Plan at Annex 1, which includes:**
 - **Revenue Budget Growth Proposals of £0.074 million (at Annex 1.1) in addition to the £2.12 million (net) that was previously reported in the November 2019 Budget report; and**
 - **An advance payment of £6.204 million for the secondary element of the employer's Local Government Pension Scheme contribution for 2020/21 to 2023/24;**
- (ii) **An increase in Reigate & Banstead's Band D Council Tax of £5.00 (2.20%);**
- (iii) **The planned use of £5.671 million (net) from the General Fund Balance; comprising:**
 - **Drawing £1.256 million from the General Fund Balance to support the 2020/21 Revenue Budget; and**
 - **Drawing £6.204 million from Reserves to fund the cost of the advance payment of the**

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- employer's secondary pension contribution for the three-year period to 2022/23**
 - **Transferring the £1.789 million allocation of New Homes Bonus funding for 2020/21 into Reserves.**
- (iv) The recommended re-allocation of funds between Earmarked Reserves in 2020/21 as detailed in the report and at Annex 2;**
- (v) The latest Medium-Term Financial Plan at Annex 2**
- (vi) A Capital Programme of £176.328 million for 2020/21 to 2024/25 as set out in the report and at Annex 3, including additional Capital Programme Growth Proposals of £82.655 million, supported by the Capital Strategy for 2020/21 at Annex 3;**
- (vii) The Chief Finance Officer's report on the robustness of the Budget estimates and adequacy of Reserves.**

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Council Tax Setting 2020/21

The Executive Member for Finance, Councillor Schofield introduced the report and informed the Executive that the proposed Council Tax for 2020/21 would be the subject of a recommendation to the February Council meeting. That meeting would receive confirmation of the final precept levels from the County Council and the Police together with any necessary adjustments required.

RECOMMENDED that:

1. It be noted that on 16 January 2020 the Council calculated:

(a) the Council Tax base 2020/21 for the whole Council as 61,128.8

[Item T in the formula in Section 31B(3) of the Local Government Finance Act 1992, as amended (the "Act")] and,

(b) for dwellings in those parts of its area to which a Parish precept relates:

Horley Town Council	10,191.7
Salfords & Sidlow Parish Council	1,416.5

The 'tax base' is the number of Band D equivalent dwellings in a local authority area. Detailed calculations of the Council Tax are set out in Annex 1, 2 & 3 of the report to Executive.

2. Calculate that the Council Tax requirements for the Council's own purposes for 2020/21 (excluding Parish precepts) is £14,210,001

3. That the following amounts be calculated for the year 2020/21 in accordance with Sections 31 to 36 of the Act:

a. £85,196,176 – being the amounts which the Council estimates for the items set out in Section 32(2) of the Act taking into account all precepts issued to it by Parish Councils

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b. £70,543,000 – being the aggregate of the amounts which the Council estimates for the items set out in Section 32(3) of the Act.

c. £14,653,176 – being the amount which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council in accordance with Section 32(4) of the Act as its Council Tax requirement for the year (item R in the formula in Section 32(4) of the Act).

d. £239.71 – being the amount at 3(c) above (Item R), all divided by Item T (1(a) above), calculated by the Council, in accordance with Section 33(1) of the Act, as the basic amount of its Council Tax for the year (including Parish

e. £443,176 - being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act (as per the attached Appendix).

f. £232.46 - being the amount at 3(d) above less the result given by dividing the amount at 3(e) above by item T (1(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 for dwellings in those parts of its area to which no Parish precept relates.

g. Horley Town Council £272.17
 Salfords & Sidlow Parish Council £259.64

Being the amounts given by adding to the amount at 3(f) above the amounts of the special items relating to dwellings in those parts of the Council's area mentioned above divided in each case by the amount at 1(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.

4. It be noted that the figures in the attached Appendix being the amounts given by multiplying the amounts at 3(f) and 3(g) above by the number which, in the proportions set out in Section 5(1) of the 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

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account for the year in respect of dwellings listed in different valuation bands.

- 5. It be noted that for the year 2020/21 Surrey County Council and Surrey Police have stated amounts in precepts issued to the Council, in accordance with Section 40 of the Act, for each of the categories of dwellings shown in Appendix 2.**
- 6. Having calculated the aggregate in each case of the amounts 1 to 5, above, the Council, in accordance with Section 30(2) of the Act, hereby sets the amounts of Council Tax for the year 2020/21 for each of the categories of dwellings shown in Appendix 3.**
- 7. Authorise the Chief Finance Officer to make any amendments to the Council Tax demands as might prove necessary as the result of changes to the estimated demands issued by preceptors on the Council's Collection Fund.**

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Calendar of Meetings 2020/21

Councillor Brunt, the Leader of the Council presented a report with a proposed Calendar of meetings for the 2020/21 Municipal Year. The draft calendar had been developed in consultation with Members and Officers, to ensure that business would be accomplished efficiently. Accordingly, a new August meeting of the Executive had been introduced.

In response to a question, the Leader of the Council advised that the August meeting of the Executive would be subject to the statutory duty to give notice of any key decisions to be taken, in the same way that all Executive meetings were.

RECOMMENDED: That the Calendar of Meetings for the 2020/21 Municipal Year be approved.

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DIRECTOR	Director of People
AUTHOR	Christine Smith, HR Manager
TELEPHONE	01737 276152
EMAIL	Christine.Smith@reigate-banstead.gov.uk
TO	Full Council
DATE	13 February 2020
EXECUTIVE MEMBER	Leader of the Council

KEY DECISION REQUIRED	No
WARDS AFFECTED	N/A

SUBJECT	Pay Policy Statement 2020/21
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RECOMMENDATIONS
To approve the Pay Policy Statement, for the year 2020/21.
REASONS FOR RECOMMENDATIONS
To ensure that the Council complies with the requirement in the Localism Act 2011, to approve and publish an annual Pay Policy Statement, in advance of the financial year to which it relates.
EXECUTIVE SUMMARY
<ol style="list-style-type: none"> 1. The Pay Policy Statement sets out how the Council determines appropriate employee remuneration, in terms of salary and performance related pay. 2. Statistical information provided within the statement demonstrates the relationship of remuneration between different levels of employees, such as Chief Officers and the lowest paid employees. 3. The Pay Policy Statement reaffirms the Council's ongoing commitment to paying a fair and real living wage to all employees and workers, above national minimum wage levels.

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STATUTORY POWERS

4. The Localism Act 2011 ('the Act') provisions in relation to 'Pay Accountability' set out the requirements for Councils to determine and publish annual pay policy statements.
5. Relevant authorities are required by section 38(1) of the Act to prepare pay policy statements. These statements must articulate an authority's own policies towards a range of issues relating to the pay of its workforce, particularly its senior staff (or 'chief officers') and its lowest paid employees.
6. The Act defines remuneration widely, to include not just pay but also charges, fees, allowances, increases, enhancements of pension entitlements etc, and termination payments.
7. The guidance, "Openness and accountability in local pay: Guidance under section 40 of the Localism Act" (plus any supplementary guidance issued from time to time) sets out the key policy principles that underpin the pay accountability provisions in the Act.
8. Pay policy statements must be prepared for each financial year and must be approved by full council.

BACKGROUND

9. The pay policy statement must be approved by the Council in advance of the financial year to which it relates.
10. The Council must publish the statement on its website and may choose to expand the publication in other ways as part of its approach towards transparency.

KEY INFORMATION

11. The pay policy statement must set out the Council's policies relating to:
 - Chief Officer remuneration,
 - Remuneration of its lowest paid employees plus the definition used for this group and the reason for adopting that definition,
 - The relationship between Chief Officer remuneration and that of other staff
12. For the purposes of the statement, 'Chief Officer' includes a total of six positions; the Head of Paid Service, Statutory Chief Officers and Non-Statutory Chief Officers (Directors - who report directly to the Head of Paid Service).

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13. The pay policy statement sets out the Council's commitment to paying a fair wage for all, regardless of employment status.

14. Statistical and salary data is correct as at 1 January 2020.

LEGAL IMPLICATIONS

15. There are no adverse legal implications arising from this policy statement other than those set out in the body of this report or the statement itself.

FINANCIAL IMPLICATIONS

16. There are no financial implications arising from this policy statement other than those set out in the body of this report or the statement itself.

EQUALITIES IMPLICATIONS

17. There are no adverse equalities implications arising from this policy statement, which confirms that the Council's approach to pay helps to mitigate equal pay issues.

18. Equality Impact Assessments are considered at every stage of reviewing the Council's approach to pay, or impact on remuneration.

CONSULTATION

19. Representatives from the two Unions the Council recognises; Unison and GMB, have been consulted on the Pay Policy Statement.

20. Employment Committee members have been consulted on the Pay Policy Statement, and recommend its approval at Full Council.

POLICY FRAMEWORK

21. The Pay Policy Statement helps to ensure that talented high performing employees are attracted and retained.

22. This directly and indirectly supports the Council's three 5 year plan themes of; People: supporting residents to enjoy healthy and happy lifestyles; Place: a great place to live and work; and Organisation: a great Council.

BACKGROUND PAPERS

23. None

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Pay Policy Statement 2020

This Pay Policy Statement (the 'statement') sets out the Council's approach to pay policy in accordance with the requirements of Section 38 of the Localism Act 2011. The purpose of the statement is to provide transparency with regard to the Council's approach to setting the pay of its employees.

Reigate and Banstead Borough Council provides a wide range of services to over 150,000 residents, as well as visitors and businesses in the Borough. To be able to provide these services, we depend on our employees. As at 1 January 2020 we engaged:

- 484 directly employed permanent or fixed term employees,
- 75 casual workers, and
- 2 individuals on the worker scheme

Of these 561 individuals, 55% were male and 45% female.

Background

- The Council opted out of the terms and conditions of employment operated by the National Joint Council (NJC) for Local Government Services in 2003, and since then has adopted local terms and conditions of employment.
- The local pay scales cover all employees of the Council (including Chief Officers as defined below) and was approved by the Council following negotiation with relevant bodies in 2002/3.
- As required by law, the Council auto enrolls all eligible employees into a pension scheme - the Local Government Pension Scheme.
- Relative to most other parts of the country, the borough is expensive to move to and live in. The Council also operates in a competitive local recruitment market made more challenging by the proximity to London and Gatwick Airport.
- Competition for some specialist roles remains high nationally and with our neighbouring Local Authorities, competing for the same skills and experience.

Aims

The Council is mindful of the following five aims in its approach to pay and reward. We want to:

1. Recruit and retain appropriately experienced and qualified people.
2. Be an employer of choice.
3. Provide reward and recognition of high organisational performance at individual and team levels.
4. Maintain cost effectiveness and provide value for money.
5. Comply with equal pay legislation.

Salary budget

The Council's base revenue salary budget continues to be well managed, and is built each year to reflect the resource required to deliver our ambitious corporate plan priorities.

Year	Salary Budget
2020/21	£20.0m
2019/20	£18.3m
2018/19	£16.0m
2017/18	£15.5m
2016/17	£15.2m
2015/16	£14.8m

The salary budget is set taking into account various factors, including the two elements considered when reviewing employee pay:

- An annually reviewed **organisational award** paid to employees which recognises (but is not directly linked to) cost of living and overall organisational performance. This can be a consolidated award (percentage or fixed value increase), a non-consolidated award (based on a percentage or fixed value) or a mixture of both.
- A **performance reward** based on consistently high or outstanding individual performance. This award comprises of incremental progression (consolidated) and/or a performance related pay bonus (non-consolidated) in accordance with the performance appraisal scheme

Organisational pay award

The organisational award is usually reviewed annually, and where applicable, pay negotiations are held between the Council's management, any staff association representatives, and recognised trade unions. Longer term awards may be negotiated by agreement.

These negotiations take into consideration a range of factors; including (but not limited to) the following:

- Results of external pay benchmarking to ensure the Council is able to recruit and retain appropriately experienced and qualified employees; that it remains competitive and an employer of choice within Surrey and the immediate surrounding area.
- Recruitment and retention trends. e.g. turnover and identification of skill types or service areas where recruitment is difficult.
- The nature and level of other benefits (i.e. non-salary) provided to employees.
- The level of the national 'Real Living Wage', and statutory National Minimum Wage rates.
- The wider economic environment and affordability.

Real Living Wage

The Council has long committed to ensuring the pay rates of apprentices, casual workers and pay scales of employees mirror the national 'Real living wage' as determined by the Living Wage Foundation, as a minimum level of pay. From April 2020 the minimum pay rate will be £9.30 per hour.

This commitment will also apply to workers of any companies the Council owns and operates.

The Council will be seeking official accreditation from the Living Wage Foundation to be recognised as a Real Living Wage employer.

Definition and remuneration of Chief Officers'

The Council's senior management team consists of twenty officer roles; 6 of whom are considered to be Chief Officers for the purposes of this policy statement, under the definition in the Localism Act 2011 and Local Government and Housing Act 1989:

- Head of Paid Service (Chief Executive Officer),
- Statutory Officer, Monitoring Officer (Head of Legal and Governance),
- Statutory Officer, Section 151 Officer (Head of Finance),
- Non Statutory Officer, reporting to Head of Paid Service (Director of People),
- Non Statutory Officer, reporting to Head of Paid Service (Director of Place)
- Non Statutory Officer, reporting to Head of Paid Service (Director of Organisation – vacant as at 1/1/2020).

As at 1 January 2020, the average salary of the Chief Officers is £110,535.

Including the salaries of the fourteen other officer roles which make up the senior management team of the Council, the average salary then becomes £82,951.

Definition and remuneration of lowest paid employees

To enable meaningful comparison, the Council looks at full time equivalent salaries for this definition. The lowest paid employees include those employed on our Administrative 3 and Operative 3 grades. These employees include: Support Assistants, Box Office Assistants, Streetsweeper-Drivers and Grounds Maintenance Operatives.

As at 1 April 2019 the bottom point on the payscale for full time work was £17,154 (£9.14 per hour); part-time employees are paid on a pro-rata basis. As at 1 April 2020 the bottom spine point will be £17,922 (£9.54 per hour) which is above the national Real Living Wage (£9.30 per hour), and is in excess of the statutory National Minimum Wage rates, the highest of which is £8.21 per hour as at 1 January 2020, increasing to £8.42 per hour from 1 April 2020.

The relationship between Chief Officers' pay and the pay of all other employees

The Council pays all employees including Chief Officers, from the same incremental payscale structure, with the exception of the Chief Executive.

Using the full time equivalent, the average pay for employees other than Chief Officers is £30,817; therefore currently the ratio of average Chief Officers' pay to the average pay of other employees is just over 2.6:1.

The ratio of the pay of the highest paid earner, the Chief Executive, to the pay of the lowest paid employee is just over 10:1.

Components of employee total reward

The total reward package for all employees (including Chief Officers) comprises of salary, Local Government Pension Scheme employer contribution, enhanced holiday entitlement (in excess of statutory requirements), enhanced sick pay (in excess of statutory requirements), subsidised parking, agile working benefits and other standard elements of contractual remuneration required in law.

All eligible employees have the opportunity to take advantage of a number of salary sacrifice schemes including Childcare Vouchers and the Cycle to Work scheme, and benefit from discounts on shopping, entertainment, and holidays through the employee benefits schemes.

All employees (including Chief Officers) are subject to an annual assessment of their performance, and where performance meets the appropriate standard, contractual increments will be given (Individual performance award), until the maximum of the applicable grade for the role is reached (individual performance award). For the top grades, a non-consolidated bonus may also be payable.

For Chief Officers and members of the senior management team, the performance appraisal scheme results in one of five levels of rating with the potential to earn a non-consolidated bonus of 2.5%, 5% or 10% of annual salary. A rating in one of the top three categories can also result in an incremental increase within the pay scale, up to the maximum point for the role. (N.B. The middle rating results in either an increment or bonus – not both.)

For all other employees, the performance appraisal scheme results in one of four levels of rating; Outstanding Performer, Consistently High Performer, Good or Not at required standard. A rating of Outstanding Performer or Consistently High Performer can result in an incremental increase within the pay scale, up to the maximum point for the role. Employees who receive an Outstanding Performer rating receive a non-consolidated bonus of 2.5%, or 3% if at the maximum point for the role

Remuneration of employees on appointment

As is the case in the appointment of new employees across the Council, Chief Officers are generally appointed towards the bottom of the grade for the role or at a market level of pay negotiated on appointment.

In line with the constitution, approval of pay on appointment is made by the Head of Paid Service or officer(s) nominated by him/her. The appointment of the Head of Paid Service, Section 151 Officer, and Monitoring Officer is through recommendation from the Employment Committee to Full Council for ratification. The appointment of Directors (Non-Statutory Officers reporting directly to the Head of Paid Service), is made by the Employment Committee

Assessing the gender pay gap

The gender pay gap is the difference in the average hourly wage of all men and women across a workforce. If women do more of the less well paid jobs within an organisation than men, the gender pay gap is usually bigger.

The gender pay gap is not the same as unequal pay, which is paying men and women differently for performing the same (or similar) work. Unequal pay has been unlawful since 1970.

A gender pay gap does not necessarily indicate the existence of an equal pay problem, albeit a gender pay gap may be a trigger for further investigation about the reasons why the gap exists.

The Council's ability to use a formal job evaluation process, use of structured pay scales, and defined processes and procedures to award performance pay increases, limits inequality in pay for roles of similar value, between the genders. As the Council has over 250 employees, by law we must publish and report specific figures around our gender pay gap as at 31 March of each year.

Our gender pay gap figures show that we do have a gap in terms of 'average hourly pay', but it is a gap in the favour of women - we are among a small percentage of organisations who, on average, pay women more.

The first gender pay gap data snapshot on 31 March 2017, showed that at RBBC, women's mean 'average hourly rate' was 4.5% higher than men's, and women's median 'average hourly rate' is 15.6% higher than men's. By comparison, on 31 March 2018 these figures were 6.9% and 18.9% respectively, both in favour of women.

Each year, the Council's gender pay gap figures are compared against preceding year, and examined to identify if there is an inequitable cause of a significant gap between genders, which may need addressing.

Exceptional increases and additions to remuneration for Chief Officers

The Chief Executive receives additional payments for election duties when acting as Returning Officer or Acting Returning Officer. Some of these payments made will be refunded by the Government or Surrey County Council, depending on the type of election. For local elections, the Returning Officers fees are paid by the Council. The Returning Officer or Acting Returning Officer is able to make payments to any Deputy he appoints.

The Section 151 Officer and Monitoring Officer positions attract an additional 10% salary payment to compensate for the additional duties and responsibilities that these roles hold.

The use of market supplements, honorariums and one-off payments

In a few cases the Council also pays market supplements to specific groups of employees where there is evidence that the pay scale determined for the role is significantly out of alignment with the pay market, and / or where there is difficulty recruiting and retaining employees. These payments are non-contractual, and currently apply to a total of 16 positions in two services (Development Management and Parking Services).

The Chief Financial Officer and Chairman of the employment committee are consulted on the application of market supplements, as per the constitution. Other payments as described below are approved by Officers through delegated authority outlined in the constitution.

On occasion, temporary honorarium payments are paid to employees, when they carry out other duties at a higher level e.g. cover for a higher graded colleague whilst they are on maternity leave.

There are also specific conditions for one-off bonus payments, which provide incentive and rewards for specific and exceptional achievements, such as the following:

- For achieving one-off projects clearly outside the range of the job
- For successfully carrying out something which was exceptionally difficult, or working to a much higher level for a temporary period of time
- For working unusually long or inconvenient hours because of a particular problem

Chief Officers' payments on ceasing to hold Office

Chief Officers who leave the Council's employment, will receive compensation if appropriate, in line with the Council's redundancy policy or through a negotiated settlement. These are subject to the approval of the Employment Committee and Head of Paid Service.

Publication and access to information relating to remuneration of Chief Officers

Chief Officers' pay is published as part of the Council's annual accounts and is available via the Council's website:

http://www.reigate-banstead.gov.uk/info/20210/finance/268/annual_financial_reports

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SIGNED OFF BY	Head of Legal and Governance
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TO	Council
DATE	Thursday, 13 February 2020
EXECUTIVE MEMBER	Leader of the Council

KEY DECISION REQUIRED	N
WARDS AFFECTED	(All Wards);

SUBJECT	Report of the Governance Task Group on a Revised Officer Scheme of Delegation
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RECOMMENDATIONS

- (i) That the 54 changes to the Officer Scheme of Delegation, set out in Annex 1 be approved.
- (ii) The ‘Successor Clause’ set out at 10 below, be introduced at Part 3b,14 of the Constitution to mitigate short term changes to roles between reviews of the Scheme of Delegation.

REASONS FOR RECOMMENDATIONS

An updated Officer Scheme of Delegation provides certainty of officer decision making roles and responsibilities.

EXECUTIVE SUMMARY

Part 3b of the Constitution of the Council sets out the Officer Scheme of Delegation. This report enables the administrative updating of the scheme consequential to the Organisational Review of 2018/19 and other recent legislative and regulatory requirements. The report also provides a “Successor Clause” to mitigate short term changes to Officer roles between formal reviews of the Scheme of Delegation.

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The above recommendations may be approved by Full Council.

STATUTORY POWERS

1. Express powers of delegation are found in sections 101-102 of the Local Government Act 1972 and, in relation to executive functions, in sections 9E-9EB of the Local Government Act 2000. Local authority schemes of delegation are published pursuant to section 100G of the 1972 Act.
2. A local authority is under a duty to prepare and keep up to date its Constitution under s.9P Local Government Act 2000 as amended.

BACKGROUND

3. Organisational and regulatory change impacts on the Council's constitution, requiring frequent review and adjustment to ensure that it is maintained, and offers certainty to Members, Officers and the Public.
4. Officers undertook a comprehensive review, under the direction of the Monitoring Officer and Democratic Services during 2019. The Monitoring Officer presented the review to the Governance Task Group in December 2019.
5. The Governance Task Group were satisfied with the review and recommended the revisions, tabled in Annex 1, to Council.

KEY INFORMATION

Review and Revision of the Constitution

6. Article 15 of the Constitution sets out that changes to the Constitution will only be approved by the Full Council (by way of recommendation or direct report), subject to the Monitoring Officer agreeing with the proposed changes.
7. The Monitoring Officer led and facilitated the review and agrees with the proposed changes.

Incorporating Changes in the Constitution

8. Provision 13.3.1 of the Constitution states that the Monitoring Officer will maintain an up-to-date version of the Constitution. Consequently, the agreement of the proposed changes to the Officer Scheme of Delegation, will require the Monitoring Officer to up date the Constitution.

Introduction of a 'Successor Clause'

9. All local authority Constitutions were constructed from a modular constitution and guidance pack circulated by the then DETR in 2000, in preparation for the introduction of Executive Arrangements. Over time, Councils, including Reigate and Banstead BC have amended, grown and adjusted their constitutions, in response to legislative change or local circumstances. Such changes may have had unforeseen or undesirable effects due to being made in isolation without consideration for the impact on the whole document. The drafters of the Modular Constitution in 2000 foresaw the need for a 'successor clause' which would be deployed to allow for

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changes in the officer management structure, without having to resort to urgent changes to the officer scheme of delegation. The typical clause is set out at 10, below:

10. *“In the event that a post ceases to exist or where responsibilities are transferred to another post holder, temporarily or permanently, then the powers given by this Scheme of Delegation will be exercisable by the Officer in whose area of responsibility the power falls to be exercised; or to the Head of Paid Service.”*
11. Whilst this clause can be found in Constitutions at Waverley, Horsham, Adur, Eastbourne and Lewes, it has been omitted or overlooked for Reigate and Banstead. The insertion of the clause into the Constitution would offer the efficiency and certainty that was expected when the guidance was produced.

LEGAL IMPLICATIONS

12. This report enables the discharge of the statutory duty to maintain the Constitution of the Council. Certainty of decision-making roles is fundamental to good governance.

FINANCIAL IMPLICATIONS

13. Certainty of Financial Decision making will be enhanced by the changes recommended at changes 9 to 28 of Annex 1 to this report.

EQUALITIES IMPLICATIONS

14. Equality Objective 4 2020-2025 sets out that *“equality considerations are clearly presented as part of the Council’s formal decision-making process”* – the updated Officer Scheme of Delegation enables the Head of Corporate Policy to oversee the manifestation of the Equality Objectives throughout the decision-making process.

COMMUNICATION IMPLICATIONS

15. The changes, if adopted will be formatted as necessary into the existing Officer Scheme of Delegation and published on the Council’s website.

RISK MANAGEMENT CONSIDERATIONS

16. Strategic Risk 4, *Organisational Capacity and Culture*, will, in part, be mitigated by an updated Officer Scheme of Delegation.

CONSULTATION

17. Management Team and Heads of Service were consulted during the review; the Governance Task Group, established by Council, was consulted on the proposed changes at its meeting on 17 December 2019, and recommended the changes to Council.

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POLICY FRAMEWORK

18. The *Organisation Priority* of the Corporate Plan '*Reigate and Banstead 2020 -2025*' sets out that the Council will operate in an efficient and rigorous way, make the best use of its assets, and consider commercial opportunities. The updated Scheme of Delegation provides efficiency and certainty of decision making roles and responsibilities in the delivery of the Corporate Plan Objectives.

BACKGROUND PAPERS

1. The Constitution of the Council <https://reigate-banstead.moderngov.co.uk/documents/s4728/Constitution.pdf>

Summary of Changes to the Scheme of Delegation, as recommended by the Governance Task Group

Change	Paragraph of the existing Scheme	Subject	Change Proposed	Reason for change
General				
1.	1.12	Appoint Enforcement Officers	Add Directors	Organisation restructure consequential changes
2.	1.14 – 1.16	Outside Bodies Appointments	Change responsibility to Democratic	Organisation restructure consequential changes
3.	1.18	Audit Appointments	Add consult CFO	Organisation restructure consequential changes
4.	1.20	Authority to represent the Council on Partnership Boards	Add Directors (in addition to Chief Executive)	Strengthen the resilience of the Council to manage the business
5.	1.21	Consultation on responses to consultations	Remove <i>requirement</i> to consult EM on all responses	Allow escalation to EM according to Officer professional judgment – allows speed of response where necessary
6.	1.26	Access to Information requests	Add Head of Service responsible for Access to Information	To ensure Data Protection compliance
7.	1.30	Corporate Business Plans	Delete	Document no longer in use, therefore delegation is redundant
8.	1.38	Safeguarding	Change responsibility to Wellbeing and Intervention	Organisation restructure consequential changes
Finance				
9.	2.1	Council tax administration	Change responsibility to Revenues and Benefits	Organisation restructure consequential changes.
10.	2.2	Employ Bailiffs	Change responsibility to Revenues and Benefits	Organisation restructure consequential changes.
11.	2.3	NNDR	Change responsibility to Revenues and Benefits	Organisation restructure consequential changes.

Change	Paragraph of the existing Scheme	Subject	Change Proposed	Reason for change
12.	2.4	Rate relief	Change responsibility to Revenues and Benefits	Organisation restructure consequential changes.
13.	2.8	Determine Grants	Wording changes	As approved by the Executive in June and Council in July 2019, this will be replaced with a new delegation for administering small grants and medium grants.
14.	2.9	Councillor Community Awards	Wording changes	As approved by the Executive in June and Council in July 2019, a new commissioning fund has been will be established and a new delegation will be introduced to replace this to administer the new arrangements.
15.	2.12	Authority to spend allocated budget	Wording changes	Provide HOS with clarification that they have authority to spend the approved budget allocation Noting the relationship with Procedure Rule 6 re: virements
16.	2.14	Debts in liquidation	Change responsibility to Revenues and Benefits	Organisation restructure consequential changes.
17.	2.16	Mortgage Interest Rates	Delete	Delegation is redundant
18.	2.18 – 2.21	Capital receipts; Assets and Credit liabilities	Add consultation with relevant Director	Organisation restructure consequential changes. Officers have confirmed that the correct language is used in this delegation.

Change	Paragraph of the existing Scheme	Subject	Change Proposed	Reason for change
19.	2.26	S106	Remove reference to affordable housing Split the level of decision making between HOS and Directors	Organisation restructure consequential changes. Provides consistency with other delegations in the Scheme.
20.	2.28	Credit Card charges	Add 'commercial'	Wording needs to be amended to make clear that we only charge commercial customers since the law changed in 2018.
21.	2.29	Partnership fund administration	Change to HOS (from CFO)	Organisation restructure consequential changes
22.	2.31	Family Support Reserve	Recommend delete	This reserve fund is no longer in use
23.	2.32	High Street Innovation Fund Reserve	Change to HOS for Economic Prosperity	Organisation restructure consequential changes. Note: fund in place.
24.	2.33	Business Support Reserve	Change to HOS for Economic Prosperity	Organisation restructure consequential changes
25.	2.34	Benefits Administration	Change responsibility to Revenues and Benefits (from CFO)	Organisation restructure consequential changes
26.	2.35	Hardship relief	Add note to indicate that currently there is no hardship relief in the Council Tax Support Scheme.	Hardship relief is not provided in the Council Tax Support Scheme but the note clarifies the current position.
27.	2.36	Fraud	Change responsibility to Revenues and Benefits (from CFO)	Organisation restructure consequential changes

Change	Paragraph of the existing Scheme	Subject	Change Proposed	Reason for change
28.	2.37	Fraud	Change responsibility to Revenues and Benefits (from CFO)	Organisation restructure consequential changes
Land and Property				
29.	3.2	Encroachment on Land	Add HOS for Legal as a dual decision maker	Currently just to the HoS for Property; HOS for Legal and Governance needs authority to act as well.
30.	3.3	Licenses	Add Legal as a dual decision maker and therefore remove as consultees Add Relevant Director an EM for Investments as consultees	Property have flagged that there is a significant volume of licences decisions taken through this delegation. Therefore, have questioned whether it is the best approach to provide the dual authority.
31.	3.4	Development under Town and Country Planning General Regulations 1976	Delete	There is no awareness of this having ever been used.

Change	Paragraph of the existing Scheme	Subject	Change Proposed	Reason for change
32.	3.7	Actions under Landlord and Tenant Acts	<p>Add a note regarding the definition of 'financially significant'</p> <p>Add HOS (Legal) Dual authority to act</p> <p>Add EM for Investments Relevant Director and HOS (Legal) as consultees in relation to politically sensitive cases.</p>	
33.	3.8	Appointment of Third-Party Wall surveyors	Delete	Consultants are appointed via Contract Procedure Rules. This delegation is therefore unnecessary.
34.	3.9	Disposal of Property up to a value of £500,000	Remove wording. May only be discharged upon an express delegation of a Key Decision maker.	This delegation now relates to the work of the Commercial Ventures Sub Committee.
35.	3.10	Acquiring sites	<p>Amended wording re:clarifying land/buildings and source of funding</p> <p>Add EM for Property as consultee</p>	This delegation now relates to the work of the Commercial Ventures Sub Committee. If amended wording is applied as suggested to reflect operational practices, then paragraph 3.12 below, can be dissolved
36.	3.11	Prudential Borrowing	Delete	Duplicates delegations already included under the finance section
37.	3.12	Property acquisitions up to £5m	Delete	Can be removed from scheme
38.	3.17	Submit planning applications	Additional HOS (Place Delivery) added	The current authorization is limiting, this change will provide more flexibility to act.

Change	Paragraph of the existing Scheme	Subject	Change Proposed	Reason for change
Environmental Health				
39.	4.35 4.36	Food regulation, hygiene and safety	Insert reference to Schedule 8 paragraph 37 of EU Withdrawal Act 2018 - general transitional, transitory or saving provision, continuation of existing acts	European Union (Withdrawal) Act 2018 Schedule 8 Consequential, transitional, transitory and saving provision
	4.57 4.58 4.59 4.60	Anti-Social Behaviour <ul style="list-style-type: none"> • Civil injunctions • Public Spaces Protection Orders • Closure Notices 	Change responsibility to HOS (Community Partnership) from Environmental Health Additional HOS (Neighbourhood Operations) added	Organisation restructure consequential changes Provide delegations for both HOS as the Anti-Social Behaviour Framework transcends both areas
Housing and other Residential Accommodation				
40.	5.24	S106 Affordable Housing expenditure	Change wording on HOS and include Directors Separate out the decision levels between HOS and Directors	Organisation restructure consequential changes Add consistency with other delegations in the Scheme
41.	5.25	Housing Revenue Account	Remove HOS (Housing)	Organisation restructure consequential changes
42.	5.50	Housing overcrowding (Houses of multiple occupation)	Delete reference to HOS Housing	Organisation restructure consequential changes

Change	Paragraph of the existing Scheme	Subject	Change Proposed	Reason for change
Human Resources				
43.	New 6.0	Pay Negotiation	Insert delegation for relevant Director and or HOS	Consequential change flowing from change in Employment Committee terms of reference
44.	6.4	Grading reviews	Change of wording to remove consultation with Chair of Employment Committee (except for Management Team and Statutory roles)	Consequential change flowing from change in Employment Committee terms of reference
45.	6.14	Equality Policy	Change wording	Update to reflect current legislative position
Planning and Development				
46.	7.4	Determine applications	Add "(iv) Prior Approval Notifications" as a new category	A new category to reflect application type not currently provided for. At present, the Constitution does not seem to allow for the approval of details required by planning conditions
47.	7.5	Determine an application for renewal of permission	Update wording of 7.5 to read "Determine applications for proposals which are identical or not significantly different from previous permissions"	A change resulting from the removal in legislation of the ability to renew permissions.
48.	7.14	Building Control transfer to Tandridge	Delete	Completed, and consequential deletion

Change	Paragraph of the existing Scheme	Subject	Change Proposed	Reason for change
49.	7.21	Community Infrastructure Levy	Change wording on HOS to include Directors Separate out the decision levels between HOS and Directors	Organisation restructure consequential changes Add consistency with other delegations in the Scheme
Street Scene				
50.	8.3	Christmas Bus Service	Delete	Consequential deletion
Leisure, Parks and Open Spaces				
51.	9.3	Close Parks	Add HOS (Legal and Governance) as consultees	To strengthen the governance around these decisions
52.	9.11	Service Level Agreements for countryside areas	Broaden the delegation for other areas in the Borough	Increase the functionality of the delegation to be more effective
53.	9.12	Neighbourhood Improvement Fund (NIF) allocation of resources	Delete once the NIF has finished	Consequential deletion
54.	New 9.13	Management Agreements for Community Groups established	Introduce a new delegation to manage entering into agreements	To provide flexibility within the organisation to respond to requests for supporting the establishment of Community Groups where RBBC is requested to participate.