

TONBRIDGE & MALLING BOROUGH COUNCIL



EXECUTIVE SERVICES

Chief Executive

Julie Beilby BSc (Hons) MBA

Gibson Building
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Kent ME19 4LZ
West Malling (01732) 844522

To: MEMBERS OF THE COUNCIL

Dear Sir/Madam

I hereby summon you to attend a meeting of the Tonbridge and Malling Borough Council which will be held in the Civic Suite, Gibson Building, Kings Hill, West Malling on Tuesday, 18th February, 2020 at 7.30 pm, when the following business is proposed to be transacted:-

NB Background reports to items referred from Cabinet and Committees have been omitted from printed agenda packs.

PART 1 - PUBLIC

1. Apologies for absence 5 - 6
2. Declarations of interest
To declare any interests in respect of recommended items
3. Minutes 7 - 16
To confirm as a correct record the Minutes of the meeting of Council held on 29 October 2019
4. Mayor's Announcements 17 - 18
5. Questions from the public pursuant to Council Procedure Rule No 5.6 19 - 20
6. Questions from Members pursuant to Council Procedure Rule No 5.5 21 - 22

7. Notices of Motion submitted pursuant to Council Procedure 23 - 24
Rule No 5.27

To receives a Notice of Motion in respect of a tree planting strategy submitted by Councillor F Hoskins on behalf of Tonbridge and Malling Liberal Democrats.

Notice of Motion attached

8. Leader's Announcements 25 - 26
9. Reports, Minutes and Recommendations 27 - 28

To receive and consider reports, minutes and recommendations from the meetings of the Cabinet and Committees set out in the Minute Book and officers' reports on any matters arising from them, and to receive questions and answers on any of those reports.

Matters for recommendation to the Council are indicated below at items 10 to 20.

10. Localism Act - Pay Policy 29 - 38

Item GP 20/3 referred from General Purposes Committee minutes of 27 January 2020

11. Risk Management 39 - 40

Item referred from Cabinet minutes of 13 February 2020

12. Treasury Management Update and Annual Investment Strategy 41 - 42
2020/21

Item referred from Cabinet minutes of 13 February 2020

13. Setting the Budget for 2020/21 43 - 44

Item referred from Cabinet minutes of 13 February 2020

14. Setting the Council Tax 2020/21 45 - 46

Item referred from Cabinet minutes of 13 February 2020

15. Review of Public Health Function 47 - 48

Item referred from Cabinet minutes of 13 February 2020

16. Review of Disabled Facilities Grants 49 - 50

Item referred from Cabinet minutes of 13 February 2020

17. Corporate Strategy 2020-2023 51 - 52
Item referred from Cabinet minutes of 13 February 2020
18. Class C Empty Property Council Tax Discount and Long Term Empty Homes Premium 53 - 54
Item referred from Cabinet minutes of 13 February 2020
19. Local Council Tax Reduction Scheme 2020/21 55 - 56
Item referred from Cabinet minutes of 13 February 2020
20. Asset Management Plan 57 - 58
Item referred from Cabinet minutes of 13 February 2020
21. Sealing of Documents

To authorise the Common Seal of the Council to be affixed to any Contract, Minute, Notice or other document requiring the same.

JULIE BEILBY
Chief Executive
Monday, 10 February 2020

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Apologies for absence

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TONBRIDGE AND MALLING BOROUGH COUNCIL

COUNCIL MEETING

Tuesday, 29th October, 2019

At the meeting of the Tonbridge and Malling Borough Council held at Civic Suite, Gibson Building, Kings Hill, West Malling on Tuesday, 29th October, 2019

Present: Her Worship the Mayor (Councillor Mrs J A Anderson), the Deputy Mayor (Councillor R V Roud), Cllr Mrs P A Bates, Cllr Mrs S Bell, Cllr R P Betts, Cllr T Bishop, Cllr J L Botten, Cllr V M C Branson, Cllr G C Bridge, Cllr C Brown, Cllr R I B Cannon, Cllr A E Clark, Cllr M A Coffin, Cllr D J Cooper, Cllr R W Dalton, Cllr D A S Davis, Cllr M O Davis, Cllr S M Hammond, Cllr N J Heslop, Cllr P M Hickmott, Cllr M A J Hood, Cllr F A Hoskins, Cllr S A Hudson, Cllr A P J Keeley, Cllr D Keers, Cllr Mrs F A Kemp, Cllr D W King, Cllr K King, Cllr J R S Lark, Cllr D Lettington, Cllr Mrs R F Lettington, Cllr B J Luker, Cllr Mrs A S Oakley, Cllr L J O'Toole, Cllr W E Palmer, Cllr M R Rhodes, Cllr H S Rogers, Cllr J L Sergison, Cllr N G Stapleton, Cllr K B Tanner, Cllr Mrs M Tatton, Cllr M Taylor, Cllr Miss G E Thomas, Cllr D Thornewell, Cllr F G Tombolis and Cllr C J Williams

Apologies for absence were received from Councillors M C Base, M D Boughton, Mrs T Dean, N Foyle, A Kennedy, Mrs C B Langridge, P J Montague and T B Shaw

PART 1 - PUBLIC

C 19/67 HONORARY FREEMAN PETER BOLT

The Council observed a minute's silence in memory of Honorary Freeman Peter Bolt who had died on 13 September 2019.

C 19/68 DECLARATIONS OF INTEREST

Councillors T Bishop and M Davis declared an Other Significant Interest in the item relating to Larkfield Leisure Centre Mechanical, Electrical and Roofing Works Capital Scheme Virement on the grounds that they were the Council's appointees to the Tonbridge and Malling Leisure Trust. They withdrew from the meeting during its consideration.

C 19/69 MINUTES

RESOLVED: That the Minutes of the proceedings of the meeting of the Council held on 9 July 2019 be approved as a correct record and signed by the Mayor.

C 19/70 MAYOR'S ANNOUNCEMENTS

The Mayor expressed thanks to the Council team who had taken part in the Tonbridge Half Marathon and all sponsors in aid of her charity, Cardiac Risk in the Young (CRY). She highlighted a number of memorable occasions since the last meeting including the Oast Theatre Art Exhibition, the Vintage Motor Cycle Club's international rally at the Friars, Aylesford, various Tonbridge Lions Club events and the 15th Anniversary celebration of the Community at Pilsdon at West Malling. Particular reference was made to the Young Cricket Leaders' presentation at Lords Cricket Ground and the opportunity to see The Ashes urn. The Mayor had also attended the Lord Lieutenant of Kent's Farewell Garden Party and the High Sheriff's Justice Service.

The Mayor reported on the successful charity cricket match at Kings Hill Cricket Club and the local primary schools debate in the Council Chamber on 11 October. So many schools wished to take part that a further debate had been arranged for 8 November. Future events included the Charity Evening at the Oast Theatre on 21 January, a Charity Quiz and a possible Golf Day. Further details would follow and the Mayor encouraged support for her fund raising events to enable CRY to undertake screenings in the Borough.

C 19/71 PLANNING APPLICATION TM/18/01240/FL - WOODFORD, OLD LANE, IGHTHAM

Consideration was given to the report of the Director of Planning, Housing and Environmental Health in relation to the section 73 application TM/18/01240/FL for variation of conditions 1 (time limited and personal condition), 2 (restore site when temporary consent expires) and 4 (number of caravans) pursuant to planning permission TM/11/01444/FL (variation of conditions 1 and 2 on TM/07/01238/FL: change of use for stationing of two caravans for residential use, fencing and sheds for occupation by a single gypsy family) at Woodford, Old Lane, Ightham. The application had been adjourned for determination by the full Council in accordance with Council Procedure Rule No 15.25 following consideration by the Area 2 Planning Committee on 14 August 2019.

In order to facilitate the proper consideration of the application, the Council agreed to suspend its own procedure rules and resolved itself into a committee to which rules relating to a planning committee were applied. Considerable discussion ensued.

In reaching its decision, the Council had regard to the reports considered by the Area 2 Planning Committee on 3 July and 14 August 2019 including the report of the Director of Central Services and Monitoring Officer which contained exempt information (LGA 1972 Sch 12A Paragraph 5 – Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings).

Members of the public addressed the meeting where the required notice had been given and their comments were taken into account by the Council when determining the application (speakers listed below).

RESOLVED: That planning permission be GRANTED subject to the conditions and informative set out in the report of the Director of Planning, Housing and Environmental Health.

[In accordance with Council and Committee Procedure Rule 8.6, Councillors R Betts and M Coffin requested that their vote against the motion be recorded.]

[Speakers: Ms P Cracknell – Ightham Parish Council; Mr L Sinclair, Mr J Miles, Mr S Russell and Mrs R Simpson – members of the public; Mr J Moore – on behalf of the applicant.]

C 19/72 QUESTIONS FROM THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO 5.6

No questions were received from members of the public pursuant to Council Procedure Rule No 5.6.

C 19/73 QUESTIONS FROM MEMBERS PURSUANT TO COUNCIL PROCEDURE RULE NO 5.5

No questions were received from Members pursuant to Council Procedure Rule No 5.5.

C 19/74 LEADER'S ANNOUNCEMENTS

Remembrance Sunday

The Leader advised that this year marked the RBLI's 100th anniversary year at Aylesford and its transformational work with veterans and people with disabilities. It was therefore a huge privilege for the RBLI and the Borough that Her Majesty the Queen would be officially opening the New Extra Care Facility in the village and cutting the Turf for the Centenary Village on 6 November.

There would be a number of Remembrance Day parades throughout the Borough with the Mayor, Chief Executive and Leader attending the service at Tonbridge and the Mayor and Director of Finance and Transformation at West Malling. The Deputy Mayor would be at Snodland while the Chief Executive and Leader would attend the service at the Aylesford RBL village.

Peter Bolt

The Leader commented that it was fitting that the Council should hold a minute's silence in memory of Peter Bolt. Many tributes had been paid

to him on hearing the news that he had passed away. Peter was the most hard-working and dedicated councillor and always fought extremely hard to get the very best for the communities he served. He was the champion for the Judd ward over many years, having a true passion for meeting residents, hearing their views and thoughts, as well as taking time to explain particular issues that might affect them. He also had an enormous appetite for attending meetings, reading agendas with great care and preparing himself in equal measure. The Leader reflected that if he were here today, he would be sitting in the row just behind and giving a running commentary on the meeting as it progressed.

The Leader was very pleased that the Mayor was able to present Peter with his Honorary Freeman scroll just a few weeks before he passed away. This accolade meant an enormous amount to him and Margaret, his wife. Along with a number of colleagues, the Leader had attended Peter's funeral and wished to place on record his appreciation to the Chief Executive for her wonderful tribute to Peter and the support provided to Margaret and the family.

Finances

Members would be aware from the most recent report to Cabinet that, despite the savings and efficiencies made since 2013, fresh challenges were continually directed at the Council. Tonbridge and Malling had not received government revenue support grant since April 2017, accepting that New Homes Bonus and Business Rates Retention would be important elements of its funding.

There remained uncertainty about the full introduction of the Business Rates Retention. If the intentions set out in the finance settlement technical consultation were carried through, New Homes Bonus would be withdrawn and there was no certainty about a replacement. Both added to other pressures being faced making the reality of the Council's funding gap in the region of £800k. The Leader emphasised that such a challenge required understanding of the reality of making tough choices and he was in no doubt that expenditure must be prioritised towards mandatory services.

Household recycling collection service

Members were advised that the roll out of the new household recycling collection service had been a significant task for the Council and the contractor, involving nearly 55,000 properties, and had been successful for the majority of residents. However, the Leader recognised that this had not been the experience for a number of residents across the Borough, particularly with late/missed collections and non-completion of rounds.

Whilst the first four weeks had so far been challenging, which was always anticipated, to date the roll-out had generally been successful,

whilst recognising those areas where service delivery had not been good enough. Reference was made to residents fully engaging with the new opportunities to recycle. Whilst this was clearly very positive, it also brought its own challenges and waste streams in the early weeks could be higher causing increased trips to unload and longer times to empty. There had also been unforeseen challenges, not least the temporary closure of the nearby household recycling site at Pepperhill.

It was disappointing that there had been issues with the introduction of the new service and the Council officers were in constant dialogue with Urbaser to address them. The Leader had met the UK Operations Director of Urbaser on Friday to make clear his frustration about the introduction of the new service and it was agreed that the company would immediately introduce additional rounds to the service. Urbaser representatives would attend the forthcoming meeting of the Street Scene and Environment Services Advisory Board to enable Members to make direct comment about the new service to the contractors.

Temporary Accommodation

The Leader referred to an item later in the proceedings when he hoped that the Council would agree the recommendation to purchase additional property for temporary accommodation. This was an important addition as its purpose was to both manage and reduce the costs to the Council in comparison with nightly paid accommodation. The purchase of the property in High Street, Tonbridge was working well operationally and financially with a cost saving of circa £50,000 when compared to nightly paid accommodation.

Officers were continuing to look at a number of options for a suitable property across the Borough. The purchase cost would be from a balance of around £500,000 of the original budget of £1.6m of developer contributions towards providing affordable housing. This would be supplemented by income from the business rates retention scheme reserve, property fund investment reserve, general revenue reserve and new homes bonus.

Larkfield Leisure Centre

Reference was made to the vital improvement works taking place at Larkfield Leisure Centre, resulting in the leisure pool and teaching pools being closed until late May 2020. The Fitness Pool and all other areas of the building remained open and the Centre's full activity programme continued as normal. The works included the removal and replacement of the Pool Hall roof with a multiwall structured polycarbonate which would deliver improved heat retention. Further improvements to the building included replacing the boilers, improving the air handling and upgrading the Leisure Pool with new features.

Haysden Country Park

The Leader advised that Haysden had been awarded a Country Park Accredited Status following an assessment by Natural England, a status which would remain valid for the next three years. This supplemented the host of other accolades awarded to the park, including designation as a Local Nature Reserve, in part a Site of Nature Conservation Interest, and a Green Flag Award since 2006. It was a credit to the team of officers, rangers and volunteers who managed the park so well that Haysden Country Park had achieved the Country Park Accredited Status.

Town Centres

The Leader gave an update on the Borough Council's engagement with high street retailers including the Town and District Shopfront Grant Scheme, funded from the Business Rates Retention pilot. Through this scheme 19 business owners had been offered grant support, four of which were given hands-on support by an advisor from Action with Communities in Rural Kent.

At its last meeting, the Economic Regeneration Advisory Board agreed to extend the scheme to Local Centres and Parades. It was planned to launch the initiative before the end of December but due to growing interest and awareness of the initiative, the Leader had asked that contact be made with independent retailers and food outlets at the end of September 2019. Out of the 62 businesses contacted, so far 20 had sought more information about the scheme with a good geographical spread of interest.

Fairtrade Tonbridge

Finally, members of the Economic Regeneration Advisory Board would be aware that an application to renew the Fairtrade status for Tonbridge was to be made. A steering group of retailers, faith groups and schools was chaired by Councillor Frixos Tombolis and the Leader was pleased to report that the application had been approved on Friday, in itself an excellent testimony to those involved. He indicated a wish to see other retail centres within the Borough consider making similar applications in the future.

C 19/75 TREASURY MANAGEMENT UPDATE AND ANNUAL REPORT FOR 2018/19

Item AU 19/29 referred from Audit Committee minutes of 29 July 2019.

RESOLVED: That the recommendations at Minute AU 19/29 be approved.

C 19/76 PROPOSED SCHEME OF CO-OPTION

Item OS 19/21 referred from Overview and Scrutiny Committee minutes of 29 August 2019.

RESOLVED: That the recommendations at Minute OS 19/21 be approved.

C 19/77 DISCLOSURE AND BARRING SERVICE POLICY AND PROCEDURE

Item GP 19/18 referred from General Purposes Committee minutes of 8 October 2019.

RESOLVED: That the recommendations at Minute GP 19/18 be approved.

C 19/78 TREASURY MANAGEMENT UPDATE AND MID-YEAR REVIEW 2019/20

Item CB 19/56 referred from Cabinet minutes of 16 October 2019.

RESOLVED: That the recommendations at Minute CB 19/56 be approved.

C 19/79 LARKFIELD LEISURE CENTRE MECHANICAL, ELECTRICAL AND ROOFING WORKS CAPITAL SCHEME - VIREMENT

Item CB 19/57 referred from Cabinet minutes of 16 October 2019.

RESOLVED: That the recommendations at Minute CB 19/57 be approved.

C 19/80 REVIEW OF COMMUNITY SAFETY

Item CB 19/58 referred from Cabinet minutes of 16 October 2019.

RESOLVED: That the recommendations at Minute CB 19/58 be approved.

C 19/81 IT STRATEGY AND DIGITAL STRATEGY UPDATE

Item CB 19/59 referred from Cabinet minutes of 16 October 2019.

RESOLVED: That the recommendations at Minute CB 19/59 be approved.

C 19/82 DISABLED FACILITIES GRANT BUDGET 2019-20

Item CB 19/60 referred from Cabinet minutes of 16 October 2019.

RESOLVED: That the recommendations at Minute CB 19/60 be approved.

C 19/83 REVIEW AND REPLACEMENT OF COUNCIL WEBSITE

Item CB 19/61 referred from Cabinet minutes of 16 October 2019.

RESOLVED: That the recommendations at Minute CB 19/61 be approved.

C 19/84 PURCHASE OF TEMPORARY ACCOMMODATION

Item CB 19/62 referred from Cabinet minutes of 16 October 2019.

RESOLVED: That the recommendations at Minute CB 19/62 be approved.

C 19/85 APPOINTMENTS TO OUTSIDE BODIES

The report of the Director of Central Services advised that the Allington energy from waste generating station's long standing Community Liaison Group, established to ensure effective engagement with local stakeholders, was currently attended by Councillor S Hammond in addition to officers. Consideration was given to the formal appointment of Councillor Hammond as the Council's representative on the group.

RESOLVED: That Councillor S Hammond be formally appointed to the Allington Community Liaison Group.

C 19/86 SEALING OF DOCUMENTS

RESOLVED: That authority be given for the Common Seal of the Council to be affixed to any instrument to give effect to a decision of the Council incorporated into these Minutes and proceedings.

PART 2 - PRIVATE**C 19/87 TM/18/01240/FL - WOODFORD, OLD LANE, IGHTHAM**

(LGA 1972 Sch 12A Paragraph 5 – Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings)

Members received the private report of the Director of Central Services and Monitoring Officer (Minute C 19/71 refers).

The meeting ended at 9.01 pm

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Mayor's Announcements

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Agenda Item 5

Questions from the public pursuant to Council Procedure Rule No 5.6

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Agenda Item 6

Questions from Members pursuant to Council Procedure Rule No 5.5

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Notices of Motion submitted pursuant to Council Procedure Rule No 5.27

To consider the following Notice of Motion submitted by Councillor F Hoskins on behalf of Tonbridge and Malling Liberal Democrats:

This council notes:

- the motion declaring a climate emergency which was passed on 9th July 2019;
- that the biggest single contributor to climate change is the emission of carbon from fossil fuels;
- that trees have the ability to soak up carbon emissions and therefore tree planting can offset some of the carbon dioxide which is contributing to climate change.

This council therefore calls on the Chief Executive to prepare a tree planting strategy which:

- aims to increase considerably the tree cover within the borough by identifying council owned land that could be used for tree planting;
- sets out to create community orchards to help improve the supply of fresh, local produce and boost the health of residents;
- works with the voluntary sector and local parish councils to deliver tree planting plans;
- involves schools, colleges and Kent university and their pupils and students in carrying out tree planting and woodland maintenance;
- identifies sources of funding available to the council, parishes and voluntary organisations to pay for tree planting.

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Leader's Announcements

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Agenda Item 9

Meeting	Page Nos in Minute Book	Recommendations to Council
29 October: Licensing and Appeals Panel - Minute Numbers: LAP 19/10 – 12	3 – 6	
29 October: Council - Minute Numbers: C 19/67 – 87	7 – 14	
6 November: Area 2 Planning Committee - Minute Numbers: AP2 19/43 – 48 -	15 – 18	
21 November: Area 3 Planning Committee - Minute Numbers: AP3 19/32 – 38	19 – 32	
26 November: Licensing and Appeals Committee - Minute Numbers: LA 19/38 – 42	33 – 34	
6 January: Extraordinary Cabinet - Minute Numbers: CB 20/1 – 3	35 – 36	
Cabinet Decision Notice - D200001CAB	37 – 40	
15 January: Overview and Scrutiny Committee - Minute Numbers: OS 20/1 – 9	41 – 48	
20 January: Audit Committee - Minute Numbers: AU 20/1 – 10	49 – 52	
22 January: Area 2 Planning Committee - Minute Numbers: AP2 20/1 – 6 -	53 – 56	
27 January: General Purposes Committee - Minute Numbers: GP 20/1 – 8	57 – 60	GP 20/3
30 January: Area 3 Planning Committee - Minute Numbers: AP3 20/1 – -	To follow	
13 February: Cabinet - Minute Numbers: CB 20/4 –	To follow	CB 20/7 – 16
Cabinet Decision Notices - D190077MEM - D190078MEM – D190079MEM - D190080MEM – D190084MEM - D190085MEM – D190086MEM - D200002MEM – D200006MEM	To follow	

<ul style="list-style-type: none">- D200007MEM – D20000 MEM- D20000 CAB – D20000 CAB		
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NOTE: These minutes include the following proposals from the Cabinet in relation to the Council’s budget and policy framework:

Risk Management

Treasury Management and Annual Investment Strategy

Setting the Budget for 2020/21

Setting the Council Tax 2020/21

Local Council Tax Reduction Scheme 2020/21

Item GP 20/3 referred from General Purposes Committee minutes of 27 January 2020

GP 20/3 LOCALISM ACT - PAY POLICY

The report of the Director of Central Services summarised the requirements of the Localism Act 2011 and presented an updated Pay Policy Statement for 2020/21. Members noted that as there had not been any changes in the Borough Council's remuneration policy, the substantive content of the updated Pay Policy Statement, attached as Annex 1 to the report, was identical to the authority's first Pay Policy Statement adopted by Council on 16 February 2012.

RECOMMENDED: That the Pay Policy Statement, attached as Annex 1 to the report, be commended to Council for adoption.

***Referred to Council**

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TONBRIDGE & MALLING BOROUGH COUNCIL

GENERAL PURPOSES COMMITTEE

27 January 2020

Report of the Director of Central Services

Part 1- Public

Matters for Recommendation to Council

1 LOCALISM ACT – PAY POLICY

Section 38(1) of the Localism Act 2011 requires English and Welsh local authorities to review their pay policy statement for each financial year. This report summarises the requirements of the Act and presents an updated Pay Policy Statement for 2020/21 in Annex 1. Members will note that as there have not been any changes in the Council’s remuneration policy, the substantive content of the updated Pay Policy Statement in Annex 1 is identical to the Council’s first Pay Policy Statement (adopted by the Council on 16 February 2012).

1.1 Contents of the Pay Policy

- 1.1.1 As members may recall, the Act requires the pay policy statement to include the level and elements of remuneration for each chief officer, a definition of the “lowest paid employees” and their remuneration, the policy on the relationship between the remuneration of its chief officers and other officers, the policy on pay on recruitment, and, the policy on re-employing someone who has been made redundant.
- 1.1.2 The title “chief officer” includes both statutory and non-statutory chief officers and their deputies. Therefore, within the Pay Policy Statement set out in Annex 1, the information about the remuneration of chief officers pertains to the current Establishment and therefore includes the posts of the Chief Executive, the Central Services Director and Deputy Chief Executive, the Council’s three Service Directors, the Head of Planning, the Chief Financial Services Officer, the Head of Street Scene and Leisure, the Head of IT, as well as the senior officers that are directly accountable to these “chief officers”.
- 1.1.3 The Act’s definition of remuneration includes pay, charges, fees, allowances, benefits in kind, enhancement of pension entitlements and termination payments. All of these elements have been covered in the pay policy statement attached in Annex 1.

- 1.1.4 In order to provide a holistic and transparent context for the remuneration of chief officers and their deputies, the pay policy in Annex 1 provides an overview of the pay elements for all Council employees.

1.2 Legal Implications

- 1.2.1 The policy set out in Annex 1 contains all of the elements of a statutory pay policy as stipulated in section 38 (1) of the Localism Act 2011.
- 1.2.2 The attached pay policy is also compliant with Regulation 7 of the Local Government (Early Termination of Employment) (Discretionary Compensation) (England & Wales) Regulations 2006 and the Local Government Pension Scheme (Administration) Regulations 2008 & 2014.
- 1.2.3 The definition of the terms “chief officer” and “deputy chief officer” is in accordance with section 2 of the Local Government and Housing Act 1989.

1.3 Financial and Value for Money Considerations

- 1.3.1 As set out in Section A of the attached Pay Policy, the Council’s approach to setting a pay multiple is broadly calculated on a base salary multiple of 7.5 to 8 being the gap between the remuneration of the lowest and the most highly paid employees and is enshrined within the Council’s locally determined job benchmarking evaluation scheme. Such an approach places an emphasis on cash reward as the corner stone of the Council’s pay policy, and ensures that pay is based on job requirements.

1.4 Risk Assessment

- 1.4.1 The Council is legally obliged to comply with the Localism Act’s requirement to have reviewed the Pay Policy Statement by 31 March 2020.

1.5 Equality Impact assessment

- 1.5.1 The recommendation to adopt the Pay Policy Statement in Annex 1 ensures parity in the evaluation of the grade attaching to posts, and therefore mitigates against discrimination against those in protected characteristic groups.

1.6 Recommendation

- 1.6.1 It is recommended that this committee commends the pay policy in Annex 1 to this report for adoption at the Council meeting on 18 February 2020.

Background papers:

contact: Delia Gordon

Nil

Adrian Stanfield and Deputy Chief Executive

Annex 1

Pay Policy Statement 2020/21 Introduction

When determining remuneration levels the Council is mindful of the requirement to balance the needs of managing scarce public resources with the need to secure and retain high-quality employees. The Council aligns its reward strategy with organisational needs by an emphasis on cash rewards, and ensuring that pay is determined by job requirements. The Council aims to operate a consistent and equitable organisation-wide reward system by placing the responsibility for remuneration decisions with a committee of elected councillors, the General Purposes Committee, and the responsibility for administering the pay policy within the Council's Human Resources team.

Section 38 (1) of the Localism Act 2011 requires the council to prepare an annual pay policy statement for 2020/21. The Act specifies that the following must be included in the pay policy statement:

- the level and elements of remuneration for each chief officer
- the policy on the remuneration of chief officers on recruitment
- increases and additions to their remuneration including performance related pay, bonuses, charges, fees, allowances, benefits in kind and termination payments
- a definition of the "lowest paid employees" and the policy on the remuneration of this group
- the policy on the relationship between the remuneration of its chief officers and other officers
- the policy on re-employing someone who has been made redundant.

This statement will be published on the Council's website.

Section 1 – Remuneration of statutory and non-statutory Chief Officers and Deputy Chief Officers

The term "chief officer" within The Localism Act includes both statutory and non-statutory chief officers, and their deputies. The actual remuneration for these roles is available on the Council's website

<https://www.tmbc.gov.uk/media/tmbc/pdf/transparency/00201000.csv>

The salary scales for the statutory and non-statutory Chief Officers and Deputy Chief Officers roles on the Council's Establishment in January 2019 is set out below.

No of chief officers	Grade	% of M2 benchmark	Pay Point Range
11 (4 of whom work	M6	56.0%	141- 144

part time hours)			
8 (1 of whom works part time hours)	M5	61.0%	147 - 150
4	M4	70.0%	151- 154
3	M2a	97.5%	181- 184
1	M2	100%	186 -189
1	M1	125.0%	191- 194

Fee for acting as the Returning Officer

Tonbridge & Malling Borough Council is required to appoint a Returning Officer by virtue of section 35 of the Representation of the People Act 1983. In Tonbridge & Malling, the Chief Executive has been appointed as the Returning Officer. This is a personal appointment, separate from their other duties. In this capacity they are the Returning Officer for UK Parliamentary elections and elections to the Borough Council and to Parish Councils within this Borough. The Returning Officer fee is payable for the substantial additional duties undertaken, and leadership required of the Returning Officer in planning, delivering and undertaking the elections, and recognises the personal nature and personal responsibility of the role of the Returning Officer.

For Borough and Parish Council elections, the Returning Officer fee is calculated in accordance with an agreed Kent Scale of Fees. For National, European and Police & Crime Commissioner elections the fee rate is set by central government.

Section 2 – Remuneration of the lowest paid employees

In compliance with Section 38 of the Localism Act, for the purposes of this statement the “lowest paid employee” has been defined as those who are engaged as cleaners. In 2020/21 it is anticipated that such posts will receive a full time annual salary equivalent of approximately £16,250.

Section 3 – Decision on pay

The pay of all council employees (including chief officers) is determined by the evaluated grade of the post. The pay band for most jobs within the council (including chief officers) is very narrow, based on 3 or 4 incremental points. Progression through the pay band is based on length of service, subject to the achievement of expected performance standards, and thus recognises development in a role over time based on the accumulation of experience and knowledge. It is anticipated that during 2020/21 the total number of

permanent and fixed term contract staff on the Council's payroll will be approximately 270 in any one month.

The Council has not adopted the national local government job evaluation or grading schemes but has developed a locally negotiated framework that more closely reflects its own particular requirements. Within this framework there are two remuneration "families". The first has been developed for the Council's professional and senior managerial cohorts, and includes chief officers. The second is for supervisory, technical and clerical staff.

All staff (including chief officers) are appointed to the organisation at the bottom of the grade, unless there are exceptional circumstances based on business need.

Annual Pay Award

The salary of all council employees (including chief officers) may increase annually by an annual pay award which is locally determined taking into consideration:

- "caps" on public sector pay rates set by the Government
- the council's ability to pay
- inflation levels
- the "going rate" of pay awards in neighbouring authorities and nationally
- recruitment and retention levels.

Section 4 – Pay structure and pay relationships.

The Code of Recommended Practice for Local Authorities on Data Transparency September 2011 requires that there is a process established to monitor the rate of growth of senior earnings compared to all other employees in the organisation. During 2020/21 there will be a multiple of approximately 7.64 between the base level salary of the Chief Executive and a cleaner, reflecting the differences in skill sets, complexity and span of control from the lowest to the highest paid employees of the Council.

The total salary for the post of Chief Executive is £124,263. The median full time equivalent salary for all other employees in Tonbridge & Malling Borough Council is in the region of £26,919, the mean full time equivalent salary is in the region of £31,365. The pay multiple is therefore approximately 4.61 against the median and 3.96 against the mean.

The Council's bespoke grading structure for employees with professional and specialised high level skill sets is entitled the "M" grade framework. All those referred to as chief officers within this pay policy statement fall within the "M grade" framework.

A feature of the M grade framework is that the remuneration levels for all M grade posts (including those of chief officers), are fixed as a percentage of the

benchmark grade M2. Therefore, the grading structure specifies the pay multiples attached to each grade as a percentage of the lowest incremental point of grade M2. Posts are positioned within the M grade framework on the basis of the required specialist knowledge, professional skills, depth of professional and managerial judgement, and managerial span of control. Broadly speaking the range of capabilities required for junior M grade posts (M9 – M7 inclusive) equate to professional and/or managerial capability equivalent to qualification Level 6. Those occupying senior managerial posts graded M6 to M4 are required to possess **both** professional and managerial skill sets equivalent to Level 7. All three director level chief officer posts are graded as M2a. The professional and managerial capabilities **and** span of control required at director level broadly equate to Level 8. A Level 8 degree of professional and managerial expertise is also required for the post of the Chief Executive and the Deputy Chief Executive. This, alongside the extensive span of control intrinsic to the role of paid head of service for the entire Council workforce, merits the grade of M1 for the Chief Executive and M2 for their deputy.

Supervisory, technical and clerical grades

The council has developed a bespoke grading structure for its supervisory, technical and clerical staff that ranges from the grade of senior officer to clerical scale 1. Broadly speaking the managerial, professional and skill set required for posts graded Senior Officer equate to qualification Level 5, posts graded scale 5-6 equate to Level 4, posts graded scale 3-4 to Level 3, posts graded scale 1-2 require a Level 1-2 skill set.

The Council considers that the relationship between the base salaries of its highest and lowest paid employees, as well as the relationship between the highest paid and the mean and medial salaries of the entire workforce, represents an appropriate, fair and equitable internal pay relationship.

Section 5 – 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 officers and deputy chief officers), regardless of their pay level, status or grading. Full details on any of the policies listed below can be provided on request.

The Council aims to have a streamlined and transparent pay structure and therefore it does not pay performance related or total contribution bonuses, market premiums, location allowances, or subsidy towards child care costs. Pension contributions for all employees opting to join the Local Government Pension Scheme are nationally determined.

Payments on termination of employment

According to the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006 the Council has the power to make discretionary payments on early termination of employment. The Council has determined that it will calculate payments made to any eligible employee (including chief officers) who are made redundant or who depart on the grounds of the efficiency of the service by using the Government's statutory redundancy payment calculator formula and the employee's actual weekly pay. For those who depart on the grounds of redundancy or efficiency of the service, or who chose to retire "early", the Council does not increase the employee's total pension scheme membership or award additional pension. This response to the Local Government Pension Scheme (Administration) Regulations 2008 applies to all employees, including chief and deputy chief officers.

The Council's policy is that it does not re-employ anyone (including chief or deputy chief officers) who has left with a severance or redundancy payment, nor does it re-engage them on a self-employed basis with a contract for services.

Car allowances

For those posts where it is deemed that there is an essential requirement for the post holder to use a car to perform their job, and they are normally expected to travel in excess of 2,500 miles per annum in the course of their duties, the post holder either receives a lump sum allowance to contribute towards the associated running costs of the car in accordance with the rates previously set by the National Joint Council or they are allocated a lease car, or they receive a cash equivalent payment as an alternative to a lease car. Those who drive leased cars are required to make their leased car available for the use of all Council employees possessing a suitable driving licence, if so required, (the Council has the appropriate insurance cover).

Telephone allowances

Those employees who are deemed to be essential users of mobile telephones receive a mobile telephone allowance.

Professional fees

Annual professional subscription fees to one relevant professional body are reimbursed to those employees where it is deemed an essential requirement for the post holder to belong to a professional institute.

Reimbursement of removal/relocation costs on appointment and mortgage subsidy scheme

The Council's relocation and mortgage subsidy schemes provide financial assistance (within pre-defined limits) to employees who re-locate from outside

a reasonable travel area to the Borough to take up an appointment with the Council.

Subsistence Allowance

The Council reimburses expenditure on meals, accommodation, and any other expenses necessarily (within pre-defined limits) incurred by employees who have to be away from home on Council business.

Standby and call out allowances

Any employee who is required to undertake standby and call-out duties will be recompensed at the appropriate rate in accordance with the negotiated policy and payment rate for the role.

Item referred from Cabinet minutes – to follow

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Agenda Item 12

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Agenda Item 14

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Agenda Item 15

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Agenda Item 16

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