

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE EXECUTIVE BOARD

4 January 2012

Present: Councillor M Stanley in the Chair

Councillors May, Moore, Morson, Phillips, Simpson, Smith and Sweet.

An apology for absence was received from Councillor Hayfield.

Councillors Fox, Lea, B Moss and Pickard were also in attendance. With the consent of the Chairman, Councillor B Moss spoke on the business recorded at Minute No 70 (Kingsbury Link).

65 **Declarations of Personal or Prejudicial Interest.**

Any personal interests arising from the membership of Warwickshire County Council of Councillors May and Sweet and membership of the various Town/Parish Councils of Councillors Moore (Baddesley Ensor), Morson (Dordon), Phillips (Kingsbury) and M Stanley (Polesworth) were deemed to be declared at this meeting.

Councillor May declared a personal interest in Minute No 70 (Kingsbury Link) by reason of her connections with the Merevale Estate.

66 **Minutes of the meeting of the Board held on 28 November 2011.**

The minutes of the meeting of the Board held on 28 November 2011, copies having been circulated, were approved as a correct record and signed by the Chairman.

67 **2010/11 Annual Audit Letter**

The Deputy Chief Executive informed Members of the Annual Audit Letter for 2010/11 and highlighted the key recommendations for the Council. Alison Breedon from PricewaterhouseCoopers was in attendance.

Resolved:

That the contents of the Annual Audit Letter for 2010/11 be noted.

68 **Nominated Governor – George Eliot Hospital**

The Chief Executive reported that the Council had been invited to nominate a representative to sit on the Board of Governors for the George Eliot Hospital.

Recommended:

That consideration of the Council's nomination to serve on the Board of Governors for the George Eliot Hospital be made at the meeting of the Full Council on 22 February 2012.

69 **Recent Issues Affecting the Budget**

The Deputy Chief Executive informed Members of a number of recent announcements impacting on the Council's budget.

Resolved:

That the report be noted.

70 **Kingsbury Link**

The Assistant Director (Streetscape) reported on action taken by the Chief Executive using his urgent business powers to resolve serious flooding issues at Kingsbury Link.

Resolved:

That the action taken by the Chief Executive using his urgent business powers be noted.

71 **Exclusion of the Public and Press**

Resolved:

That under Section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business, on the grounds that it involves the likely disclosure of exempt information as defined by Schedule 12A to the Act.

72 **Staff Travel**

The Board was asked to consider a number of options relating to staff travel arrangements for those members of staff whose conditions of service were delegated to the Board.

Resolved:

That the Secretary of State be notified and a 90 day formal consultation be carried out with the Trade Unions on the basis that it is proposed to change contractual terms and conditions of 100 or more employees relating to staff travel arrangements, as follows:-

- (i) that no more staff car leases are authorised;**
- (ii) that existing leases continue and can be extended by up to one year save that all remaining leases shall be terminated on 30 April 2015;**
- (iii) that where leases expire before 30 April 2015 those staff currently entitled to a car lease shall be given a travel allowance of their current car lease entitlement, less 10%, plus the current car lease mileage rate until 30 April 2015;**
- (iv) that staff be responsible for car insurance from 1 June 2012 or as soon as is practicable thereafter, either by paying for their car to be insured through the Council's insurance policy or by arranging their own insurance.**
- (v) that the criteria for essential user allowance be reviewed and a report be brought to Members;**
- (vi) that from the date of implementation of any change in essential car user allowance, only staff meeting the new essential user criteria will be entitled to an essential car user allowance save that any staff in receipt of the travel allowance at (iii) above be given the opportunity to switch to essential user, provided that they comply with the new criteria;**
- (vii) That, during 2014/15 a review of the market place for staff within the current entitlement range for car leases be carried out, with a view to determining whether there are any cases where market supplements should be paid;**
- (viii) that staff car loans be available to staff whose leases have expired;**

- (ix) that from 1 June 2012, or as soon as is practicable thereafter, the mileage rates for casual and essential users be changed to the HMRC mileage rate of 45 pence per mile. Dependant on the cc of the car, for essential users the current rate is from 36.9-50.5 pence per mile and for casual users from 46.9 – 60.0 pence per mile.

The reason for the proposed changes is to reduce costs, due to pressure on the Council's budget.

The purpose of the consultation period is to listen to and consider the trade unions' suggestions and then to obtain the employees' written consent to the changes. Employees will be given the opportunity to agree to their terms and conditions being amended accordingly at the end of the 90 day consultation period on 9 April 2012 and for a further period of two weeks up to and including 23 April 2012.

In the event that any employees do not agree to their terms and conditions being amended on or before 23 April 2012, their contract be terminated with the appropriate contractual notice and re-engagement offered on new terms which:-

- a In the case of essential and casual users change their current mileage allowance to the HMRC rate of 45 pence per mile;
- b In the case of employees currently receiving essential user allowance, this will continue only until such time as the Council has reviewed essential user criteria, at which point they would move to the appropriate allowance under the new criteria; and
- c In the case of those employees currently entitled to car leases give them entitlement to the essential user allowance and mileage rate only until such time as the Council has reviewed essential user criteria, at which point they would move to the appropriate allowance under the new criteria.

No contracts will be terminated and no employee will be given notice of termination prior to the expiry of the 90 day consultation period on 9 April 2012.

[The Chief Executive has subsequently received a notice signed by Councillors May, Smith and Simpson under Standing Order No 30(1)(b)(Minority Report) with regard to the decision of the Board on this matter and it is therefore referred to Full Council for determination.]

[Minute No 72 – Staff Travel was subsequently determined by the Council at its Extraordinary meeting on 17 January 2012]

M Stanley
Chairman