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10 April 2024

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Dear Councillor,

You are summoned to attend a meeting of the **Full Council** to be held in the Council Chamber, Council Offices, on **Thursday, 18 April 2024 at 6.00 pm.**

If the business is not completed the meeting will reconvene on Wednesday 24 April 2024 at 6.00pm.

Yours faithfully,

Chief Executive Officer

To: Councillors James Bevan, Adrian Birch, Matt Bishop, Alison Bruce, Philip Burford, Richard Burton, Jackie Dale, Clive Elsmore, Jamie Elsmore, Nick Evans, John Francis, Jackie Fraser, Julia Gooch, Tim Gwilliam, Julie Hudson, Harry Ives, Gillian Kilmurray, Patrick Kyne, Johnathan Lane, Beth Llewellyn, Di Martin (Chairman), Andrew McDermid, Chris McFarling, Andy Moore, Gill Moseley, Bernie O'Neill, Sid Phelps, Simon Phelps (Vice chairman), Alan Preest, Trevor Roach, Jacob Sanders, Shaun Stammers, Mark Topping, Dave Tradgett, Mark Turner, David Wheeler, Ian Whitburn and Clayton Williams

AGENDA

1. APOLOGIES

To receive apologies for absence.

2. MINUTES (Pages 1 - 24)

To confirm the minutes of the meeting held on Thursday 22 February 2024.

3. URGENT BUSINESS

The Chair to identify any items of urgent business.

4. DECLARATIONS OF INTEREST

To receive any declarations of interest in any matter to be discussed at the meeting. Members and officers are requested to identify the nature of the interest.

5. CHAIR'S ANNOUNCEMENTS

6. CHIEF EXECUTIVE OFFICER'S UPDATE

7. LEADER OF THE COUNCIL

To elect the Leader of the Council.

Note: this appointment is for the remaining term of the Council until 2027.

The Leader will represent the Council on the following bodies or equivalent :

Gloucestershire Economic Joint Committee
Leadership Gloucestershire
Local Government Association General Assembly
South West Councils
South West Councils Employers' Panel

8. PUBLIC QUESTION TIME

8.1 Linda Borne

Though over 70% of all land in England is classified as " Agricultural Land" not all agricultural land is created equal.

The very small proportion of our land classified by Natural England as "Best and Most Versatile" is a critical resource for fighting climate change and building a sustainable future.

Government guidelines for LPA's on the management of this resource can be found here:

<https://www.gov.uk/government/publications/agricultural-land-assess-proposals-for-development/guide-to-assessing-development-proposals-on-agricultural-land>

This land is important because it is constantly able to produce the highest yield of crops, the widest variety of crops and has the greatest potential to continue to be productive through climate change.

BMV land is generally level or gently sloping land on rich but well drained soils. Often found close to historic market towns, it is as much a part of their heritage as the market square.

The likely and actual locations of this land are recorded by Natural England/Defra here:

<https://publications.naturalengland.org.uk/category/5208993007403008>

FoDDC is custodian to only a small area of this vital natural resource: mainly surrounding the town of Newent. Its existence seems to have been largely overlooked by previous administrations.

How will the council recognise the significance and value of this land in emerging strategic and development plans?

8.2 Jeff Steers

During a period of heavy rains earlier this month raw sewage bubbled up through manhole covers in Newent and ran through the street for several days. Severn Trent have now been trying to remedy this for the last 10 days with traffic lights a large tanker and diggers. The infrastructure was simply unable to cope with the combined flow and weight of rainwater and effluent.

In a response to a recent planning application Severn Trent have stated that their facilities in Newent will be unable to cope with the impacts of more new houses being built until planned upgrades at their facilities have been completed which will likely be 2030 or later.

How will this knowledge impact on policies relating to Newent in the emerging local plan?

8.3 Mark James

The current Forest of Dean Local Plan (2012 - 2026) sets out the following

strategy for Newent:

"The strategy is to support the town and to increase its range of employment, to widen its service base. At the same time limited new housing will be promoted, in order to provide for local needs without encouraging increased commuting"

What happened? Despite the policy set out, Newent has gained over 1000 new homes during the current plan period - a faster rate of development, relative to the town's size than any of the other Forest towns. At the same time the planned investment in employment and facilities has failed to materialise.

Newent residents could be forgiven for feeling neglected and betrayed by previous F.O.D.D.C. administrations.

Does the new Green administration have plans to get things back on track for Newent, and ensure our future as a sustainable working agricultural market town?

9. HR POLICIES (Pages 25 - 50)

Leader of the Council to present report LD.731.

10. INDEPENDENT PERSON APPOINTMENT (Pages 51 - 56)

The Monitoring Officer to present report LD.732.

11. NOTICE OF MOTIONS

11.1 Councillor Matt Bishop

Since 2010, local government workers have lost an average of 25% from the value of their pay. Our staff, other local government staff and school support staff are experiencing an ongoing cost of living crisis. Since 2010, the cost of living has risen by 60%; more and more local government workers have been pushed into debt, and their basic spending has overtaken their income, with 1 in 5 households having less than £100 to spare each month. This is a terrible situation for anyone to find themselves in.

At the same time, workers have experienced ever-increasing workloads and persistent job insecurity. Across the UK, the local government workforce has fallen by 30% because of job cuts, not uniquely but in many cases due to cuts from central government. This has had a disproportionate impact on women, with women making up more than three-quarters of the local government workforce.

Local government continues to show how indispensable it is. But staff are

increasingly leaving the sector for better paid jobs elsewhere, for example in retail, which leaves local authorities with a massive skills gap, and vacancies in a range of key services, including in social care, education and youth services.

Local government finance is in an enormously difficult state, facing an estimated funding gap of more than £3.5 billion for 2024/25. Recent research shows that if the Government were to fully fund the unions' 2024 pay claim, around half of the money would be recouped thanks to increased tax revenue, reduced expenditure on benefits and tax credits, and increased consumer spending in the local economy.

This council believes:

Our public workers keep our communities clean and safe, look after those in need and keep our neighbourhoods, towns and cities running. Without the professionalism and dedication of our staff, the council services our residents rely on would not be deliverable.

Local government workers deserve a proper real-terms pay increase. The Government needs to take responsibility and fully fund this increase; it should not put the burden on local authorities whose funding has been cut to the bone.

This council resolves to:

Support the pay claim submitted by UNISON, GMB and Unite on behalf of council and school workers, for an increase of £3,000 or 10%, whichever is the greater. We call on the Local Government Association to make urgent representations to central government to fund the NJC pay claim, working with the unions to present a united front in defence of the local government workforce.

We will write to the Chancellor and Secretary of State to call for a pay increase for local government workers to be fully funded with new money from central government.

We will meet with local NJC union representatives to convey support for the pay claim (fully funded by central government) and consider practical ways in which the council can support the campaign.

We encourage all local government workers to consider joining a trade union.

11.2 Councillor Andrew McDermid

Rivers and Ocean Recovery for Forest of Dean District

Despite this council having declared climate and biodiversity emergencies in 2019 & 2020, the state of the ocean & of our own rivers Wye & Severn flowing into the sea on our coast which are at the heart of our heritage & economy, continues to degenerate. Populations of salmon worldwide have fallen 75%

with eels/elvers virtually extinct in Wye & Severn. Plastic pollutes the ocean such that by 2050 it is expected it will exceed the mass of fish by weight. We witness the decline of rivers from farm & sewage runoff. The sea is both carbon sink & heat reservoir i.e. it absorbs 20% of carbon emissions & 90% excess heat, but its capacity to do so is being compromised. The Severn is identified as the worst river in England for sewage pollution, jeopardising ecological, economic & recreational activity & human health. Whilst it is impossible to fix things acting alone local government can play its part. We need a “source to sea” (2) approach. Monmouth County Council approved its own motion in March '22 as have some 20 other councils all tiers. The Environment Act 2021 requires local government to act & report back on biodiversity gain but that is perverse & a nugatory exercise unless acknowledging rivers are the fount of all life.

This Council resolves to:

- (a) Report to Full Council by December setting out what Council/Cabinet can do within its finite resources & identify possible sources of funds to fulfil ocean & river improvement going forward. The report will include items along the following lines:

Estuary Management & nature recovery:

- as an active member of the Severn Estuary Partnership (SEP) (1), we embed ocean recovery in our decisions (procurement, budgets etc), recognising land & river activity impact the ocean – “source to sea”
- Sign up to “planning for planet” guide (3), supporting nature friendly farming, tackle river pollution through planning policy
- Recognise the council’s already existing obligation to protect waterways, including cumulative effects of polluting activity, per the Local Plan being developed & the NPPF & with this council’s own resolution on nutrient neutrality (Oct '22)
- Coastal protection officer to identify coastal landfill sites.

River Catchment Management:

- Investigate possibility within the report of use of Grampian conditions in pursuit of the Local Plan being drafted, delaying new developments until specified infrastructure such as upgrades to sewage management are complete.

Education & Awareness:

The burden of climate & ecological devastation will be felt overwhelmingly by future generations – our grandchildren – we need to grow their “ocean literacy”

- Give all primary pupils the opportunity to experience the ocean & rivers first hand
- Embed understanding of the “source to sea” approach – how all are impacted by ocean health by promoting equitable access to the ocean physically & digitally for all residents
- Devise a “toolkit” for Town & Parish Council Neighbourhood Plans on “source to sea”

- Our officers ensuring all work they do to this end is logged centrally on a simple database for transparency on progress of fulfilment of the Motion & silo working is avoided.

And

- (b) Our CEO to write to the government of the day urging govt to appoint a Minister for the Ocean to improve water quality by such means as inter alia stopping plastic pollution by regulating single use plastic & working with communities to co – develop marine policy for sustainable outcomes in local placemaking.
- (c) Our CEO to write to Severn Trent & Welsh Water asking for clarification on their measures to eliminate non – emergency sewage discharges & what work where is done & planned on treatment plants in FoD catchment area & enquire about possibly a phosphate stripping facility, suggesting regular meetings on these topics.

Key:

- 1 Severn Estuary Partnership (SEP) works with estuary stakeholders since 1995, promoting a sustainable approach to planning management of the estuary & coastal communities to deliver ocean recovery & local prosperity
- 2 “source to sea” approach – recognising how activities (individual & collective) on land & rivers connect to & impact on the ocean & how the ocean impacts on our economy & health
- 3 (<https://www.foodfortheplanet.org.uk/planning>) A company run by Sustain Food matters & the Soil Association offering access to online resources to help implement policy to reduce river pollution
- 4 ASERA (1998) represents majority of relevant authorities on the Severn estuary to help them discharge their statutory duties in respect of the Habitats Directive

11.3 Councillor Clayton Williams

On behalf of the people of the Forest of Dean.

I motion that this Council, Forest of Dean District Council, write to the Lord Lieutenant of Gloucestershire, Edward Gillespie OBE, to convey our thoughts, best wishes and hopes for speedy recoveries to both His Majesty King Charles III and Her Royal Highness Catherine, Princess of Wales.

Long live the King.

12. CABINET AND SCRUTINY COMMITTEE REPORTS (Pages 57 - 68)

The Leader of the Council and the chairman of the scrutiny committee to report on recent activities, followed by questions from members. Depending on time the Chairman will rule and only take one question per member relating to reports.

- a) Cabinet
- b) Strategic Overview and Scrutiny Committee

13. FUTURE MEETINGS

All meetings commence at 6.00pm.

Thursday 25 May 2024 (Annual Meeting)

Thursday 25 July 2024

Thursday 24 October 2024

Thursday 12 December 2024

Thursday, 22 February 2024

FOREST OF DEAN DISTRICT COUNCIL

FULL COUNCIL

Minutes of a meeting of the Full Council held in the Council Offices, Coleford on Thursday, 22 February 2024 at 6.00 pm.

Present

Chairman Councillor Di Martin

Vice Chairman Councillor Simon Phelps

Councillors James Bevan, Adrian Birch, Matt Bishop, Alison Bruce, Philip Burford, Richard Burton, Jackie Dale, Clive Elsmore, Jamie Elsmore, Nick Evans, John Francis, Jackie Fraser, Julia Gooch, Tim Gwilliam, Julie Hudson, Harry Ives, Gillian Kilmurray, Patrick Kyne, Johnathan Lane, Beth Llewellyn, Andrew McDermid, Chris McFarling, Andy Moore, Gill Moseley, Bernie O'Neill, Sid Phelps, Alan Preest, Trevor Roach, Jacob Sanders, Shaun Stammers, Mark Topping, Dave Tradgett, Mark Turner, David Wheeler, Ian Whitburn and Clayton Williams

Officers

Nigel Brinn	Chief Executive Officer
Andrew Brown	Business Manager - Democratic Services
Sarah James	Accountancy Manager
Julie Jones	Democratic Services Manager
Andrew Knott	Chief Finance (s151) Officer
Sue Robus	Democratic Services Officer
Sian Roxborough	Monitoring Officer

1. APOLOGIES

There were no apologies.

2. MINUTES

The non-exempt minutes of the meeting held on Thursday 14 December 2023 were signed as an accurate record.

Councillor Sid Phelps proposed.
Councillor Matt Bishop seconded.

Agreed by assent.

3. URGENT BUSINESS

There was no urgent business.

4. DECLARATIONS OF INTEREST

Councillor Harry Ives declared an interested in item 9 due to being employees of Gloucester County Council who would be financially effected.

Councillor Alan Preest declared an interested in item 9 due to being a member of Gloucester County Council.

Councillor Nick Evans declared an interest in item 10 – annex C as the Chair of Safer Gloucester.

5. CHAIRMAN'S ANNOUNCEMENTS

The Chair expressed condolences to former Councillor Bill Hobman's family, at the sad news of his passing and invited Councillors, Officers and members of the public to join her in a one-minute silence.

The Chairs Annual Civic Dinner will be held at the Speech House Hotel, Coleford on Friday 5 April 2024 at 7.00pm. Tickets are available from Democratic Services. Invitations had been handed out.

6. CHIEF EXECUTIVE OFFICER'S UPDATES

The Chief Executive Officer provided a brief update to the following:

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These minutes are subject to approval at the next meeting

Notification of Cabinet changes - confirmed by the CEO on 8 January 2024, and the Leader of the Council on 2 February 2024.

- Councillor Jackie Dale's appointment as Cabinet Member for Thriving Communities.
- Councillor Jackie Fraser remaining as the Cabinet Member for Environment but stepping down as Co-Deputy Leader.
- Councillor Adrian Birch being appointed the new Co-Deputy Leader.

Service Update – Publica Transition

- The Local Partnership paper has been shared with all staff and elected members.
- The report and ongoing work will be considered at future Cabinet and the recently established Scrutiny Panel.
- The first meeting of the Scrutiny Panel (Chaired by Councillor John Francis) is to be held on Monday 26 February 2024 to agree the Terms of Reference.

Local Authority Decarbonisation Challenge (DfT) £20,000

- Support for energy saving De-stratification fans for leisure centres.

We continue to seek funding where available.

Employee Recognition Awards - February

- Marsha Llewelyn – Waste and Climate change – Inspiration Award.
- Steve Colegate – Principal Planning Officer – Amazing Mentor Award.

Great to note the hard work and dedication of these locally based Publica team members.

7. PUBLIC QUESTION TIME

There were no public questions.

8. MEMBER QUESTIONS

8.1 Councillor Harry Ives

The budget consultation showed intense opposition to increasing car parking charges. Strong opposition from residents and businesses across the Forest was expressed. Why does this budget still contain increases to car parking charges?

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These minutes are subject to approval at the next meeting

Response from Councillor Andy Moore, Joint Deputy Leader and Cabinet Member for Finance

Thank you for your question

We listened to what residents had to say about the budget. It's true that they expressed opposition to increasing car parking charges. To be financially responsible however we need to look beyond that.

Car parking is a non-statutory provision. We're not obliged to provide car parking. Not having charged more for parking over the last 4 years has meant an estimated budget loss for FoDDC of £179K.

Forestry England, Herefordshire, Monmouthshire, Cotswold and Stroud all charge comparable or greater fees for parking than we are setting for FoDDC. North Somerset and South Gloucestershire are expanding their fees. We are in line with all reasonable comparators.

Looking at the MTFs, we note that this council is looking at a £2.830m shortfall that will need to be covered over the next five years

It is the most responsible of approaches to square up to this matter now and devise a system which will at least stop losing council money. That is what we believe we've done.

Supplementary

Aside from the 370 emails, 2 letters and a petition of objection, what more could the public have done for the Cabinet to have said they were wrong, and car parking charges shouldn't be increased?

Response from Councillor Andy Moore, Joint Deputy Leader and Cabinet Member for Finance

Car parking is not a statutory provision which means the Council is not obliged to provide car parking. The Council have not increased car parking charges for four years, which has meant the Council has sustained a budget loss of £179,000. If at some future point the Council cannot run its car parks whilst at least covering its costs, it may well have to think about selling its car parking assets, which would be tragic. Any private sector car parking operator purchasing our car parks would be seeking to maximise its income and therefore very unlikely to have any consultation with residents regarding any car parking charges.

8.2 Councillor Harry Ives

What evidence is there that local businesses will not be damaged by increasing car parking charges?

Response from Councillor Andy Moore, Joint Deputy Leader and Cabinet Member for Finance

Thank you for your question

Retailers and residents were keen to tell us that such damage was likely in their opinion. We've not seen any researched evidence for this however and we think it unlikely to be the case.

Retailers can be comfortably reached by customers enjoying a free first parking hour. Longer than an hour is unlikely to add much extra benefit. There are also permits available, variously valid for the day to a year. There are still car parks where no charge is made. We believe we've offered a sufficient choice of approach for the motorist and struck a good balance.

Supplementary

What is the Cabinet's message to the businesses within the Forest of Dean who feel that the Cabinet do not have the interest of small businesses or high streets at its heart?

Response from Councillor Andy Moore, Joint Deputy Leader and Cabinet Member for Finance

The answer is the same as the previous supplementary question.

8.3 Councillor Harry Ives

Why did the Cabinet's original budget propose spending £195,000 on a drama group to "educate" the public about money? Does the Leader consider this a sensible use of taxpayers' money?

Response from the Leader of the Council, Councillor Mark Topping

Thank you for your question.

The original draft budget included an annual growth item of £65,000 for Public Engagement, part of which (£45,000) was a one-off commission of a professional theatre company to produce a drama, focussing on council finances, priorities and spending, to be taken round community centres throughout the district as an effective way to open-up engagement with residents about these issues. Further

consideration led us to remove that element from the growth item, and to investigate more cost-effective ways of achieving that specific goal.

Supplementary

Does the Leader still believe that the community needs to be educated on financial matters?

Response from the Leader of the Council, Councillor Mark Topping

There is a lot that people that need to learn about how Councils work, where the money comes from and how its spent. For instance, a lot of people would not know that the Forest of Dean only receives nine per cent of the Council Tax that is collected.

8.4 Councillor Harry Ives

Please can I be reassured that all Cabinet decisions regarding money will be 'sense-checked' by the Chief Finance Officer before being implemented?

Response from Councillor Andy Moore, Joint Deputy Leader and Cabinet Member for Finance

Thank you for your question

This is provided in the budget at Annex L, p133, titled:

*STATEMENT OF THE SECTION 151 OFFICER UNDER THE
REQUIREMENTS OF
SECTION 25 OF THE LOCAL GOVERNMENT ACT 2003
ROBUSTNESS OF BUDGET ESTIMATES AND ADEQUACY OF RESERVES
2024/25*

This is obviously his statutory requirements however I meet and talk to our CFO on a daily basis to discuss everything that the Cabinet plans to ensure that I get his wise opinion and thoughts. I believe this is the same as was the case with my predecessor in this role. All Cabinet decisions are discussed with the Chief Financial Officer and financial implications are added to each Cabinet and Council report that he signs off.

I, as the finance portfolio holder, take this opportunity to thank the CFO in published writing for his guidance and wisdom in preparation of this budget and assistance since I came into post. At a time of ever narrower financial straits for local authorities and section 114 notices, our council is a model of solvency and financial good practice thanks to our CFO and his finance team.

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These minutes are subject to approval at the next meeting

Supplementary

Could there be reassurance that Cabinet would not do anything financially that the Chief Finance Officer disagreed with?

Response from Councillor Andy Moore, Joint Deputy Leader and Cabinet Member for Finance

The Chief Finance Officer does not make political decisions so that reassurance cannot be given.

8.5 **Councillor John Francis**

On the 12th May 2022 the cabinet approved item 13 which was the **Statement of Common Ground** (report PH.489) which included the clause:-

'Agreements 7. The Parties agree that making provision to meet the full range of housing needs in the right places at the right time is a vital role for the Gloucestershire authorities. The parties acknowledge this may result in one local authority accommodating the identified needs of another local authority, particularly where a local authority is unable to accommodate all of the identified need and where accommodating need in a neighbouring authority represents the most sustainable form of development.'

In view of this clause accepting the principle of accommodating housing needs from another district, Tewkesbury Borough Council as part of their Gloucester and Tewkesbury Strategic Plan consultation are planning for a minimum of 4000 houses 'straddling the boundary between Tewkesbury and the Forest of Dean'.

Scenario 4

New Strategic Settlement

6.25 'minimum of around 4000 houses'

"A further potential option is presented straddling the boundary of Tewkesbury Borough and the Forest of Dean between Churcham and Highnam in the south west of the SLP area."

Can the leader explain the Council's position on this proposed option?

How is this Council progressing on the installation of Electric Vehicle Charging Points in its chargeable and free car parks?

Response from the Leader of the Council, Councillor Mark Topping

Thank you for your question

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These minutes are subject to approval at the next meeting

Yes, this is a very important issue for the Council and a response to the consultation will be considered at Cabinet in March but in the meantime, I provide the following reply:

National Planning Policy Framework (NPPF) guidance (updated Dec 2023) states at paragraph 24 under the heading 'Maintaining effective cooperation' that Local planning authorities and county councils are under a duty to cooperate with each other on strategic matters that cross administrative boundaries. At paragraph 25, it further states that strategic policy-making authorities should collaborate to identify the relevant strategic matters which they need to address in their plans, and at paragraph 27 the NPPF continues by stating that in order to demonstrate effective and on-going joint working, strategic policy-making authorities should prepare and maintain statements of common ground to document the cross-boundary matters being addressed.

If we look specifically at the below extract from the Statement of Common Ground agreed on 12th May 2022:

'Agreements 7. The Parties agree that making provision to meet the full range of housing needs in the right places at the right time is a vital role for the Gloucestershire authorities. The parties acknowledge this may result in one local authority accommodating the identified needs of another local authority, particularly where a local authority is unable to accommodate all of the identified need and where accommodating need in a neighbouring authority represents the most sustainable form of development.'

The above complies with the requirements of the NPPF and is therefore correct in what it is seeking to achieve; an agreement of cross-boundary collaboration in order to produce a positively prepared and justified strategy. However, it does not commit any decision. It also applies across the County where there is a current and future requirement for the needs of Glos City and Cheltenham to be met in part in Tewkesbury BC.

In general terms, we should remain committed to bringing forward a sustainable form of development in the Local Plan, and although the approved strategy does not include a new settlement, the principle remains when accommodating our own development needs.

Scenario 4 of the Cheltenham, Gloucester & Tewkesbury Strategic Local Plan (SLP) is only one of the possible strategy options being presented by the SLP authorities and is yet to be decided upon. It uses, as an example, three new settlement proposals which do not form part of the strategy but will need to be considered along with any others. One new settlement option is the Highnam/Churcham proposal by a developer, but it is neither supported nor opposed by the SLP at this stage and is simply referred to because of the representations received. The possible Forest of

Dean District component of this draft scheme is however not supported in the forthcoming Forest of Dean District Council draft Local Plan.

Our formal consultation response to the SLP will no doubt emphasise the current direction of travel to accommodate only our own requirements within our own boundaries, and to do so without a new settlement. However, both the SLP and our own Local Plan examination will see discussions of third-party proposals possibly including a new settlement in the Highnam/Churcham area.”

Supplementary

Can there be assurance that there has been no instruction from cabinet to Officers to develop plans for a cross-border single settlement in this location?

Response from Councillor Sid Phelps, Cabinet Member for Local Plan

There are no plans for development at this location.

8.6 Councillor Alan Preest

"Following numerous and growing safety concerns, the Local Government Association has commissioned a study into rolling out powers to ban parking on pavements, which currently in England is only prohibited in London. Would the Leader support this initiative in the communities of the Forest of Dean?"

Response from the Leader of the Council, Councillor Mark Topping

Thank you for your question

Pavement parking can be a real hazard and nuisance for pedestrians, residents and other motorists. I will be interested to read the Local Government Association's study when it is completed, and consider what the implications would be for the district.

Supplementary

Does the Leader think it would be appropriate to write to the LGA, asking for a definitive timeline for when this report will be ready.

Response from the Leader of the Council, Councillor Mark Topping

Yes, it would be good to get a indicative timeframe.

9. COUNCIL TAX REDUCTION FOR CARE LEAVERS

Councillor Andy Moore, Joint Deputy Leader and Cabinet Member for Finance presented report F.671 to consider recommendations made by Cabinet to extend the age that Care Leavers can receive a reduction in Council Tax from 21 years to 25 years.

Councillor Andy Moore proposed.
Councillor Chris McFarling seconded.

Questions

Does the eligibility criteria, which defines a care leaver as a young person who has been in care in England, mean a young care leaver from Wales who resides in the Forest of Dean would not be eligible?

The Chief Finance Officer said it would be for care leavers that reside in the Forest of Dean from England and Wales so that would be amended.

The Chair confirmed that it would be included in the substantive motion.

Debate

Councillor Julia Gooch said she was very supportive of this proposal.

Resolved, that Council:

- 1) extend the age that a care leaver can receive a reduction in their council tax from 21 years to 25 years;
- 2) include those care leavers from outside of Gloucestershire County within the offer;
- 3) approve the amended Eligibility Criteria as set out in Annex A

Voting was as follows:

For (35) Councillors Di Martin, Richard Burton, Alison Bruce, Jackie Dale, Johnathan Lane, Jackie Fraser, Beth Llewellyn, Andrew McDermid, Dave Tradgett, Trevor Roach, David Wheeler, Patrick Kyne, Jacob Sanders, Mark Turner, James Bevan, Ian Whitburn, Harry Ives, Clayton Williams, Nick Evans, Julia Gooch, Jamie Elsmore, Tim Gwilliam, Gillian Kilmurray, Gill Moseley, Julie Hudson, Philip Burford, John Francis, Shaun Stammers, Matt Bishop, Sid Phelps, Adrian Birch, Mark Topping, Andy Moore, Chris McFarling and Simon Phelps.

Abstain (1) Councillor Alan Preet.

Against (0)

Councillors Bernie O'Neill and Clive Elsmore's vote were not registered. Both votes are noted as being 'For'.

10. REVENUE AND CAPITAL BUDGET AND COUNCIL TAX PROPOSALS FOR 2024-2025 (INCLUDING PAY POLICY STATEMENT)

Councillor Andy Moore, Joint Deputy Leader and Cabinet Member for Finance presented report F.672. The report summarised the Cabinet’s final budget proposals and Pay Policy Statement for 2024-2025. The budget projections had been prepared taking in to account the provisional local government finance settlement figures released on 18 December 2023 and additional support given on 24 January 2024.

Councillor Moore stated that after reviewing the consultation responses, and listening to comments received since the consultation period ended, the following figures will replace the figures shown in the agenda pack, as the car parking charges that were now being proposed:

	2023/2024 current	2024/2025 proposed
Charges from 1st April 2024		
Up to 1 hour	0.50	Free
Up to 2 hours	0.50	1.00
Up to 3 hours	1.00	2.00
Up to 4 hours	1.50	3.00
More than four hours	2.00	4.00
Permits		
Weekly Permit	£10.00	
Monthly Permit	£30.00	
Three Month Permit	£65.00	
Six Month Permit	£100.00	
Annual Permit	£190.00	
Overnight Permit	£50.00	

This should mean the car parks should more than break even, and any surplus would be reinvested into our car parks.

There was one further change regarding the final settlement which was received on 5 February 2024. This Council would receive an additional £9960.00, which would be added to the budget deficit reserves.

Councillor Andy Moore proposed.
Councillor Shaun Stammers seconded.

- **Councillor Bernie O’Neill proposed the following amendment:**

Car Parking charges.

The amendment which we are proposing is to replace the Cabinets' proposed tariffs laid out on page 55 by the following:-

The first 2 hours will be free of any charge in all Forest of Dean owned Car Parks, and the current fees will remain for 2-3 hours at £1.00, 3-4 hours at £1.50 and all day at £2.00 and a weekly ticket at £6.00. The previous administration had commenced a review into Car Parks and the Public toilets associated with them, and we urge the current Cabinet to review the situation throughout the coming year. During this time, we ask that the Cabinet investigates and reports on whether some spaces could be provided for the overnight stays for motor homes, as some authorities do. This is an area which the previous administration would have looked at. During the year it will be an opportunity to see just what effect these charges would have, particularly the first 2 hours free.

To remove growth items.

We propose the removal of the following Growth items, and extra Cabinet members:-

1. Policy and Strategy, Cross Border Issues, Future Generations & Health& Wellbeing Public Engagement £25,000
6. Environment, Wildlife, Heritage & Culture (inc waste & recycling & AONB designation Consultancy £22,000
9. Planning Policy, Performance, Shared Working & Climate Emergency Biodiversity Net Gain £43,980

Therefore, Remove Growth, £90,980

Remove Member allowances (3 Cabinet) £23,268

(When Council was 48 members Cabinet consisted of 6 members (12.5%) and when the Council membership was reduced to 38 the first Cabinet was 7 members and ended with 5. (13%). It currently is 8 out of 38 (21%). Whilst recognising that the Leader can set the size of Cabinet up to 10, some thought should be given to an optimum number.) Total saved £114,248.

Best Estimate for loss of income for free 2 hours - £65,063 Therefore, Move to reserves £49,185

We believe that there are opportunities to use some of the money saved above, in other ways.

One area we have looked at is the provision of cycle racks at the Council Offices. A rack of 12 places, plus 4 Electric bike charging stations can be set up for around £11,000.

Councillor Jamie Elsmore seconded.

Questions

There were no questions

Debate

Councillor Harry Ives said that the Conservative Group would be supportive of this amendment as it reflected the feedback received from the public consultation. The amendment covered all estimated losses, completely avoided the need to increase parking charges, would satisfy businesses, support the high street and strengthen the Councils reserves.

Voting was as follows:

For (9) Councillors Mark Turner, James Bevan, Harry Ives, Clayton Williams, Nick Evans, Julia Gooch, Jamie Elsmore, Tim Gwilliam, Bernie O' Neill,

Abstain (0)

Against (29) Councillors Di Martin, Richard Burton, Alison Bruce, Jackie Dale, Johnathan Lane, Jackie Fraser, Beth Llewellyn, Andrew McDermid, Dave Tradgett, Trevor Roach, David Wheeler, Patrick Kyne, Jacob Sanders, Ian Whitburn, Alan Preest, Gillian Kilmurray, Gill Moseley, Julie Hudson, Clive Elsmore, Philip Burford, John Francis, Shaun Stammers, Matt Bishop, Sid Phelps, Adrian Birch, Mark Topping, Andy Moore, Chris McFarling and Simon Phelps.

Total (38)

The amendment fell.

- **Councillor Gill Moseley proposed the following amendment:**

We propose a trial period of two hours free parking. To be reviewed in time for the next budget-setting process.

Attracting more people into our town and village centre's and to stay for longer, is key to increasing the vitality of our High Streets. A campaign to promote this as a TRIAL is essential to achieve user (resident and visitor) awareness and engagement. In summary, we propose:

- Free parking for two hours in all bays
- Incremental rises of £1 for further stays
- No change to the proposed permit charges
- Continuation of free parking for blue badge holders
- On arrival, all drivers (except blue badge holders) must collect and display a ticket, unless a permit is held or the relevant parking app is used
- The free parking period to be widely promoted as a TRIAL.
- Permits to be valid in all public FoDDC car parks.

Duration	Current	Cabinet proposal	Lib Dem proposal
Up to an hour	0.50	Free	Free
Up to two hours	0.50	1.00	Free
Up to 3 hours	1.00	2.00	1.00
Up to four hours	1.50	3.00	2.00
More than four hours	2.00	4.00	3.00
Permits			
Weekly Ticket	6.00	10.00	10.00
Monthly		30.00	30.00
3 months		65.00	65.00
6 months		100.00	100.00
12 months		190.00	190.00
Overnight (5pm to 9am)		50.00	50.00

Predicting the revenue for an increase in charges is an imperfect art. As proposers, we anticipate that by encouraging drivers to stay longer, (three or four hours), the revenue for parking charges will increase. The modelling undertaken by our CFO indicates a net cost to the council of £26,918 based on current usage. However, with the right promotion, we would expect that deficit to turn into revenue. The benefit to local businesses would also need to be considered in the equation. Fewer business means a drop in income for FoDDC through business rates and we already have too many empty shops in our high streets.

It is known that consumer behaviour changes according to cost, amongst other factors. For instance in Newent, when the charge was last raised from 20p to 50p, it caused a more than 40% decrease in driver numbers although revenue increased. This proposal seeks to offer outstanding value for money, and in doing so, to cover costs and equally importantly, support local businesses.

Councillor Gillian Kilmurray seconded.

Questions

There were no questions

Debate

There was no debate.

Voting was as follows:

For (7) Councillors Mark Turner, James Bevan, Ian Whitburn, Tim Gwilliam, Gillian Kilmurray, Gill Moseley and Julie Hudson,

Abstain (1) Councillor Bernie O'Neill.

Against (30) Councillors Di Martin, Richard Burton, Alison Bruce, Jackie Dale, Johnathan Lane, Jackie Fraser, Beth Llewellyn, Andrew McDermid, Dave Tradgett, Trevor Roach, David Wheeler, Patrick Kyne, Jacob Sanders, Harry Ives, Clayton Williams, Alan Preest, Nick Evans, Julia Gooch, Jamie Elsmore, Clive Elsmore, Philip Burford, John Francis, Shaun Stammers, Matt Bishop, Sid Phelps, Adrian Birch, Mark Topping, Andy Moore, Chris McFarling and Simon Phelps.

Total (38)

The amendment fell.

- **Councillor Philip Burford proposed the following amendment:**

That at recommendation (f) the proposed capital programme at annex D be noted but that its approval be deferred until the April meeting of Council to enable a cross-party member led review of the proposals to take place. The review to be completed by a working group of Full Council and to focus on the capital strategy and in particular the proposed borrowing elements of the strategy in relation to the overall financial position of the council.

Councillor Clive Elsmore seconded.

The Chief Executive clarified that the Budget must be considered as a whole, it cannot be separated into its component parts.

The Monitoring Officer stated that if this amendment was carried the capital budget could not be approved at this meeting and therefore would not be approved in time or the statutory deadline of 11 March 2024. The costs and risks of not setting a budget by this date were set out in the report. If the budget was approved at this meeting it cannot be revisited within six months, except through provisions and strict guidelines within the constitution regarding how and when a decision can be revisited within the six months.

The amendment was withdrawn.

- **Councillor Philip Burford proposed the following amendment:**

The Growth Proposals at annex C be modified as follows;

Items 1, 6, 7 and 9 be removed from the proposals and that items 5 and 8 be accepted but for just one year and reviewed thereafter.

And, that any surplus generated as a result be used first to support budget deficits and then transferred to the future deficits reserve.

Councillor Clive Elsmore seconded.

Questions

There were no questions.

Debate

Councillor Nick Evans said regarding growth item 5, the majority of the funding would go to the continuation of SOLACE Antisocial-Behaviour Team, which is a joint team between the district Council and the Constabulary which deals with very high risk anti-social behaviour, which has been running for a long time. These are situations that can drive a community to a distraction making it very difficult to live where they do and can ultimately lead to fatal consequences. Councillor Evans asked Councillor Burford, with this in mind to remove item 5 from having to be reviewed in a years-time.

Although Councillor Burford said that the SOLACE team had done a wonderful job and understood the value of the team, he believed that alternative funding methods could be sought in the second and third year, so would not remove item 5 from the amendment.

Voting was as follows:

For (7) Councillors Mark Turner, James Bevan, Ian Whitburn, Clive Elsmore, Philip Burford, John Francis and Simon Phelps.

Abstain (0)

Against (31) Councillors Di Martin, Richard Burton, Alison Bruce, Jackie Dale, Johnathan Lane, Jackie Fraser, Beth Llewellyn, Andrew McDermid, Dave Tradgett, Trevor Roach, David Wheeler, Patrick Kyne, Jacob Sanders, Harry Ives, Clayton Williams, Alan Preest, Nick Evans, Julia Gooch, Jamie Elsmore, Tim Gwilliam, Bernie O'Neill, Gillian Kilmurray, Gill Moseley, Julie Hudson, Shaun Stammers, Matt Bishop, Sid Phelps, Adrian Birch, Mark Topping, Andy Moore and Chris McFarling.

Total (38)

The amendment fell.

- **Councillor Philip Burford proposed the following amendment:**

The Car Park charging regime be changed amended as follows;

First 2 hours £1
Up to 3 hours £2
Up to 4 hours £3
Over 4 hours £4

Additionally, we introduce a permit system which offers all council tax registered households the option to buy one car park permit at a cost of £12 per annum which entitles them to 2 hours car parking, free at the point of use in any of the councils car parks.

The Chief Finance Officer advised allowing for one off and administration costs this option would make our car parks cost neutral or show a modest surplus.

Councillor John Francis seconded.

The Chair asked Councillor Andy Moore if he would accept the friendly amendment. Councillor Moore said he would not accept the friendly amendment.

Questions

It was queried why residents would be limited to one annual £12 permit per household?

It was thought unfair for Council taxpayers who do not use a car and who will never use the car park to have to pay for the maintenance and upkeep of car parks. Councillor Burford stated this permit scheme would cover all bases if residents who do have a car pay £1 per month to use car parks free for the first two hours. Providing each household with more than one permit could change this permit model from a break even or slightly profit-making model, to a loss-making model.

How would this be monitored?

The Chief Finance Officer said the process would need to be looked at in more detail if the amendment was carried but thought it would still involve a permit holder to get a ticket of some sort when entering the car park.

How is the proposal cost effective when Cabinet are proposing a weekly permit at the cost of £10, and an annual permit at £190, do we know how many residents pay for the weekly and annual permits at the moment and would they not opt for the £12 annual permit instead?

The Chief Finance Officer clarified that this proposal was for one permit per household, for Council Taxpayers of the Forest of Dean, to park for two hours for free in any car park.

Debate

Councillor Gill Moseley said she would be supportive of the amendment.

Voting was as follows:

For (10) Councillors Mark Turner, James Bevan, Ian Whitburn, Gillian Kilmurray, Gill Moseley, Julie Hudson, Clive Elsmore, Philip Burford, John Francis, and Simon Phelps.

Abstain (1) Councillor Julia Gooch

Against (27) Councillors Di Martin, Richard Burton, Alison Bruce, Jackie Dale, Johnathan Lane, Jackie Fraser, Beth Llewellyn, Andrew McDermid, Dave Tradgett, Trevor Roach, David Wheeler, Patrick Kyne, Jacob Sanders, Alan Preest, Harry Ives, Clayton Williams, Nick Evans, Jamie Elsmore, Tim Gwilliam, Bernie O' Neill, Shaun Stammers, Matt Bishop, Sid Phelps, Adrian Birch, Mark Topping, Andy Moore and Chris McFarling.

Total (38)

The amendment fell.

Questions (substantive proposal)

On page 55, 5.12 it says budgeted members allowance is five per cent for 2024/2025, but on page 16, 4.14 states an increase of two per cent. Is that atwo per cent increase over the rest of the NTFP that isn't covered in 2024/25?

Yes.

What provisions are there in the budget should the Council need to reverse TUPE for former employees, and has this been adequately factored into the Publica Review Transformation reserve?

In the budget there is a movement of £217,000 from what was the transformation reserve to the Publica review reserve which now stands at £417,000. That is for the reverse TUPE and any external advice the Council needs to move the Publica review forward.

Why has the homeless prevention reserve been reduced from £250,000 to £8,000?

The funds received from government is being spent as allocated per the Cabinet papers that have gone through. Any new funding allocation would be anticipated in March, when central government sets the budget.

Councillor Preest asked if members were aware that the Clinical Commission Group ceased to exist in June 2022 and was replaced by Integrated Care Board (ICB) and how much dialogue had taken place?

The Chief Finance Officer said it was a clerical error as he was aware the Clinical Commission Group had been replaced by the ICB. We do engage with the ICB, they are funding roles that we have within the Council. A more detailed response regarding what they provide can be forwarded to all members.

What is the strategy to deal with the predicted deficit in the medium-term financial plan when we continue to make things worse by adding growth items every year?
It is being addressed through various initiatives and it is believed that the items identified are reasonable.

Will the first hour free car parking be for all spaces in all car parks?

Yes, but there will need to be a change in the parking order, which will be done in due course if the budget is approved.

Debate (substantive proposal)

There was a lot of debate regarding car parking charges with conflicting views on the reaction Councillors had received from their local residents during and following the consultation as to whether car parking charges should be increased or not.

The Conservative Party commented on the negative feedback received regarding the car parking charges Residents had made their feelings extremely clear and the point of us, as elected members being in this chamber is to give a voice to our residents. There is no shame or stigma in a Councillor refusing to support something because their residents object to it, and therefore would not be supporting this budget proposal.

The Green Party stated this Council leads on addressing the climate emergency in the district and was glad to see that this budget helps to mitigate a suite of complex issues. This budget goes some way to providing the resources needed, investing to save wherever possible without bankrupting the Council to achieve our goal. This is a balanced budget laying out how to make the most of shrinking resources while meeting the growing needs of the district.

The Labour Group thanked the administration for the consultation, inclusion and the adoption of a compromised position around the car parking, urging members to support a mature and aspirational budget. Financial procedures and policies are complex and it takes time to understand these documents and the arguments behind them, and urged members to support this budget.

The Progressive Independent Group said that it was sad that members made political statements for the good of their party rather than for the good of the Forest of Dean. his Council is here to serve the people of the Forest of Dean and thought the administration had not listened to the towns and business people. This is a Green Party budget, not a Forest of Dean one and the Progressive Independent Group would not be supporting this budget. (suggest all groups have a single paragraph)

The Independents stated a budget is about more than car parking charges or climate change. This is a green budget and the problem with it is that it leaves the Council at risk. It is balanced for this year, but how is it going to be balanced next year and the those after. Concerns was expressed regarding the growth items as these things should fund themselves. The Independents would not be supporting this budget.

Voting was as follows:

For (24) Councillors Di Martin, Richard Burton, Alison Bruce, Jackie Dale, Johnathan Lane, Jackie Fraser, Beth Llewellyn, Andrew McDermid, Dave Tradgett, Trevor Roach, David Wheeler, Patrick Kyne, Jacob Sanders, Mark Turner, Gillian Kilmurray, Gill Moseley, Julie Hudson, Shaun Stammers, Matt Bishop, Sid Phelps, Adrian Birch, Mark Topping, Andy Moore and Chris McFarling.

Abstain (4) Councillors Clive Elsmore, Philip Burford, John Francis and Simon Phelps.

Against (10) Councillors James Bevan, Ian Whitburn, Harry Ives, Alan Preest, Clayton Williams, Nick Evans, Julia Gooch, Jamie Elsmore, Tim Gwilliam and Bernie O'Neill.

Total (38)

The meeting adjourned at 20.40pm.

The meeting commenced at 20.52pm.

Councillors Clayton Williams and James Bevan left the meeting at 20.51pm.

11. COUNCIL TAX RESOLUTION 2024-2025

Councillor Andy Moore, Joint Deputy Leader and Cabinet Member for Finance presented report F.673. Following the decision by Council on its budget for 2024-2025, report F.672, this report sets out the required formal resolutions to allow Council to set it's council tax rates for 2024-2025.

The District council tax rate used in this report is that recommended to Council by the Cabinet in the Revenue Budget Report F672. This is £205.80 at Band D.

Councillor Andy Moore proposed.

Councillor David Wheeler seconded.

Questions

There were no questions.

Debate

Councillor Tim Gwilliam said that as he did not support the budget he would abstain.

Resolved, that Council;

- a) *approves the formal council tax resolution at Annex A.*

Voting was as follows:

For (28) Councillors Di Martin, Richard Burton, Alison Bruce, Jackie Dale, Johnathan Lane, Jackie Fraser, Beth Llewellyn, Andrew McDermid, Dave Tradgett, Trevor Roach, David Wheeler, Patrick Kyne, Jacob Sanders, Mark Turner, Gillian Kilmurray, Gill Moseley, Julie Hudson, Clive Elsmore, Philip Burford, John Francis, Shaun Stammers, Matt Bishop, Sid Phelps, Adrian Birch, Mark Topping, Andy Moore, Chris McFarling and Simon Phelps.

Abstain (8) Councillor Ian Whitburn, Alan Preest, Harry Ives, Nick Evans, Julia Gooch, Jamie Elsmore, Tim Gwilliam, Bernie O'Neill.

Against (0)

Total (36)

Councillor Bernie O'Neill left the meeting at 20.56pm.

12. FINANCIAL STRATEGIES AND STATEMENTS 2024/2025

Councillor Andy Moore, Joint Deputy Leader and Cabinet Member for Finance presented report F.674 The Chartered Institute of Public Finance and Accountancy (CIPFA) Prudential Code requires the Council to consider and approve a Capital Strategy annually in advance of the forthcoming year. Department for Levelling Up, Housing & Communities (DLUHC) statutory guidance on treasury management requires separate annual Investment and Treasury Management Strategies to be considered. The Council has adopted and complies with the CIPFA Code of Practice on Treasury Management and the Prudential Code ensuring best practice is maintained.

Councillor Andy Moore proposed.
Councillor Chris McFarling seconded.

Questions

Could members have an update on the Ethical Investment Policies and EV charging points?

- 21 -

These minutes are subject to approval at the next meeting

An update on the Ethical Investments Policy will be provided at April's Full Council meeting. Information regarding EV chargers will need to be checked however Councillor Chris McFarling added that there had been a delay and was working through the procurement process which the County Council had initiated.

Was there any information about the EV charging points at the new waste depot regarding them being supplied with 100% green energy and what is the progress of the new vehicles?

The new vehicles are predicted to be delivered in July and the energy to charge them will be 100% green supply.

Motion to Suspend Standing Orders

Councillor Shaun Stammers proposed.

Councillor Matt Bishop seconded.

Agreed by majority.

Debate

There was no debate.

Resolved, that Council;

- 1. Approves all of the strategies in Annex A to E.*

Voting was as follows:

For (31) Councillors Di Martin, Richard Burton, Alison Bruce, Jackie Dale, Johnathan Lane, Jackie Fraser, Beth Llewellyn, Andrew McDermid, Dave Tradgett, Trevor Roach, David Wheeler, Patrick Kyne, Jacob Sanders, Mark Turner, Harry Ives, Ian Whitburn, Nick Evans, Gillian Kilmurray, Gill Moseley, Julie Hudson, Clive Elsmore, Philip Burford, John Francis, Shaun Stammers, Matt Bishop, Sid Phelps, Adrian Birch, Mark Topping, Andy Moore, Chris McFarling and Simon Phelps.

Abstain (4) Councillor Alan Preest, Julia Gooch, Jamie Elsmore and Tim Gwilliam.

Against (0)

Total (35)

13. INDEPENDENT PERSON

The Monitoring Officer presented report LD.729 to seek the approval of full Council to extend the appointment of Christopher Wood as Independent Person (IP) for Forest of Dean District Council (FODDC) for a period of 6 months.

Questions

What steps are being taken to ensure that we advertise more widely considering the apparent difficulty we have had in recruiting an independent person?

Further advice will be sought from our Human Resource team to see how we could reach a wider audience.

Debate

There was no debate.

Resolved, that Council;

- a) *approved an extension to the appointment of Christopher Wood until the 1 September 2024 as one of the Independent Persons for Forest of Dean District Council.*

Voting was as follows:

For (35) Councillors Di Martin, Richard Burton, Alison Bruce, Jackie Dale, Johnathan Lane, Jackie Fraser, Beth Llewellyn, Andrew McDermid, Dave Tradgett, Trevor Roach, David Wheeler, Patrick Kyne, Jacob Sanders, Mark Turner, Alan Preest, Harry Ives, Ian Whitburn, Nick Evans, Julia Gooch, Jamie Elsmore, Tim Gwilliam, Gillian Kilmurray, Gill Moseley, Julie Hudson, Clive Elsmore, Philip Burford, John Francis, Shaun Stammers, Matt Bishop, Sid Phelps, Adrian Birch, Mark Topping, Andy Moore, Chris McFarling and Simon Phelps.

Abstain (0)

Against (0)

Total (35)

14. CABINET AND SCRUTINY COMMITTEE REPORTS

Councillor Mark Topping, Leader of the Council, referred to the Cabinet report in the document pack and opened the floor to questions.

There were no questions.

- 23 -

These minutes are subject to approval at the next meeting

Councillor Philip Burford, Chair of the Overview and Scrutiny Committee, referred to the Scrutiny report in the document pack and opened the floor to questions, drawing members attention to the Scrutiny plan included in the pack.

There were no questions.

15. FUTURE MEETINGS

Thursday 18 April 2024
Thursday 25 May 2024 (Annual Meeting)
Thursday 25 July 2024

16. EXEMPT BUSINESS

TO CONSIDER, AND IF SO AGREE, TO RESOLVE that under section 100A of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in schedule 12A of the said act.

Agreed by assent.

17. EXEMPT MINUTES


The exempt minutes of the meeting held on Thursday 14 December 2023 were signed as an accurate record.

Councillor Shaun Stammers proposed.
Councillor Philip Burford seconded.

Agreed by assent.

The meeting ended at 9.14 pm

Minutes prepared by Sue Robus
Phone: 01594 812624 Email: democratic.services@fdean.gov.uk

 <p>Forest of Dean — DISTRICT COUNCIL —</p>	
<p>Name and date of Committee</p>	<p>FULL COUNCIL – 18th April 2024</p>
<p>Report number</p>	<p>LD.731</p>
<p>Subject</p>	<p>Human Resources (Employment) Policies</p>
<p>Wards affected</p>	<p>None</p>
<p>Accountable member</p>	<p>Leader of the Council, Councillor Mark Topping Email: mark.topping@fdean.gov.uk</p>
<p>Accountable officer</p>	<p>Nigel Brinn, Chief Executive Email: democratic.services@fdean.gov.uk</p>
<p>Report author</p>	<p>Kathryn Dowell, HR Business Partner Email: democratic.services@fdean.gov.uk</p>
<p>Summary/Purpose</p>	<p>To update the Council relating to the refresh (phase 2) of the employment policies for Forest of Dean District Council. No changes have been made to the employee terms and conditions, only to clarify and enable policies to be used concurrently with employee relations matters, giving clarity and usability to both employees and managers alike.</p>
<p>Annexes</p>	<p>Annex A – Updated Employment Policies</p>
<p>Recommendation(s)</p>	<p>That Full Council are recommended to:</p> <ol style="list-style-type: none"> 1. approve the three Employment policies included in annex A namely the: Recruitment Policy and Procedure Retirement Policy and Procedure Time Off Guidance 2. delegate authority to make reasonable amendments to the said policies to the Chief Executive of Forest of Dean District Council in consultation with the Assistant Director, Organisational Effectiveness and Head of Legal Services that may be necessary in line with legal changes, best practice and minor administrative changes such as change in job titles, to ensure the Council’s policies remain compliant. Such

	administrative changes could also deal with changes in organisational structure.
Corporate priorities	All the employment policies within the Forest of Dean support the core council values of Engagement, Inclusion and Kindness. The well-being of council staff being a key priority
Key Decision	NO
Exempt	NO
Consultees/ Consultation	Publica worked with XpertHR and the Trade Unions and in accordance with current employment law and in line with the Advisory, Conciliation and Arbitration Code (ACAS) in order to update the policies. This approach ensured that all the policies could be used simultaneously and there was cohesions to mitigate future risk.

1. EXECUTIVE SUMMARY

- 1.1** Following a review of policies, it was recommended that there should a refresh, and updating of the key employment policies on behalf of the Council to clarify and enable policies to be used concurrently with employee relations matters.
- 1.2** No changes have been made to Council employee Terms and Conditions.

2. BACKGROUND

- 2.1** These are the policies which apply to those employees directly employed by Forest of Dean District Council including the statutory officers. These policies do not apply to Publica employees for which a separate suite of policies exist and have been created to ensure consistency in approach.
- 2.2** Publica HR team to ensure ACAS compliant, up to date, clear policies are developed which will ensure transparency and consistency.
- 2.3** This review builds on the previous review of policies undertake in 2023 ensuring no employment terms and conditions were altered which conflicted with the Councils existing terms.

3. MAIN POINTS

- 3.1** The review of the Human Resources (HR) Policies was to ensure that the Council's policies reflected and complied with existing / new regulation and case law, reflected best practice and importantly were clear and concise to allow managers to implement them as and where necessary. Updating all policies together, ensures flow and for policies to be used in conjunction when complex cases arise, ensuring matters are dealt with in a timely fashion and thereby mitigating risk for the Council.
- 3.2** HR Policies provide legal protection for the Council. HR policies and procedures give guidance on a range of employment issues and are written guidance on how a wide range of issues should be handled.
- 3.3** HR Policies provide clear guidance that reflects employment law and regulations and can help avoid involvement from employment tribunal claims.
- 3.4** Even when a policy or procedure is not specifically required by law, employers often find it helpful to have a policy in place to provide clear guidance that reflects the legal framework for handling the issue in question and it also helps employees be clear about the Council's stance on a particular subject, setting clear expectations.
- 3.5** HR Policies play a key role in supporting fairness and consistency across the Council, as well as potentially helping to protect the Council against legal claims and costly exit payments.
- 3.6** HR Policies provide general and practical advice and guidance for managers and staff on a range of employment issues and the procedures give a step-by-step account of specific arrangements that apply in particular circumstances.

4. DELEGATED AUTHORITY

- 4.1** Employment legislation and case law can change on a yearly or bi-annual basis. Therefore, in order to maintain a current, up to date, and working set of HR policies, expediting changes to the suite of policies is key to ensure the Council is within the legal framework.

- 4.2 Regular policy review and revision is an important part of procedure management which needs to be carried out on a regular basis and in line with employment law updates in April and October. The HR team now has Employment Legislation update training on this basis to ensure policies can be amended accordingly.
- 4.3 To ensure expedience, it was previously proposed that delegated authority to make reasonable amendments be given to the Chief Executive of Forest of Dean District Council in consultation with the Assistant Director, Organisational Effectiveness and Head of Legal Services that may be necessary in line with legal changes, best practice, and minor administrative changes such as change in job titles to ensure the Councils policies remain compliant. Such administrative changes could deal with changes in organisational structure.
- 4.4 It is noted that not all the terminology used in the policies is directly applicable at present but as the insourcing of staff progresses this will then become the case and the policies will be adapted accordingly

5. ALTERNATIVE OPTIONS

- 5.1 Retaining existing, outdated policies places the Council at risk of challenge.

6. CONCLUSIONS

- 6.1 Publica's HR team was supported by XpertHR and ACAS to develop a clean and clear set of policies that mitigate risk for the Council. This suite of policies are up to date and legally compliant.

7. FINANCIAL IMPLICATIONS

- 7.1 Whilst there are no financial implications arising directly from this report, it is important that the Council's HR policies are reviewed regularly to ensure they comply with relevant legislation and best practice guidance.

8. LEGAL IMPLICATIONS

- 8.1 Adopting up to date policies will help the Council manage employees more effectively. In addition, if subject to any legal action, will help to demonstrate that the Council has complied with the law.

9. RISK ASSESSMENT

- 9.1 By not updating and implementing the new suite of policies, the Council may fail to comply with new laws and regulations and leave itself exposed to costly employment law cases.

10. EQUALITIES IMPACT

- 10.1 Each policy has been considered to ensure compliance with the Equality Act 2010 and the Public Sector Equality Duty. These policies apply equally across the Forest of Dean District Council workforce.

11. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS

- 11.1 There are none arising.

12. BACKGROUND PAPERS

Annex A



FOREST OF DEAN DISTRICT COUNCIL
FULL COUNCIL – 18TH OCTOBER 2024
Human Resources (Employment) Policies

Human Resources Policies

Annex A

HR Policies

1. Recruitment Policy and Procedure
2. Retirement Policy and Procedure
3. Time Off Guidance

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Recruitment Policy and Procedure

Introduction

This Forest of Dean District Council (FODDC) policy sets out our approach and the framework for consistent and fair practice covering all recruitment activities by ensuring that the most suitable individuals are appointed to any vacant positions in whatever capacity. In addition, it aims to facilitate professional, consistent and effective recruitment practice, ensuring equality of opportunity and aims to balance the need to attract candidates from outside of the organisation as well as providing opportunities for existing employees to develop their potential within the organisation.

We always aim to recruit the person who is most suited to each particular job. Qualifications, experience and skills are assessed at the level that is relevant to the job. We recruit solely on the basis of the applicant's abilities and individual merit as measured against the predetermined criteria for the job.

Scope

This Policy applies to all employees who are involved in the recruitment and selection process (recruitment to roles based on the district/general elections are however not within this scope) and sets the standards required for both internal and external recruitment. Although not employees of FODDC, this policy will also apply where relevant to Independent Persons (incl. co-optive members) appointed under the Localism Act and Independent members appointed to Audit & Governance Committee.

Equality, Diversity and Inclusion

We are committed to applying our Equality, Diversity and Inclusion policy at all stages of recruitment and selection. We always carry out shortlisting, interviewing and selection without regard to an applicant's sex, gender identity, sexual orientation, marital or civil partnership status, skin colour, race, nationality, ethnic or national origins, religion or belief, age, pregnancy or maternity leave or trade union membership.

We will never exclude any candidate with a disability unless it is clear that having taken into account reasonable adjustments the candidate is unable to perform a duty that is intrinsic to the role. Line managers must only ask a candidate questions about their health where this is directly necessary for a particular role and, in any event, only once they have been shortlisted.

To prevent any candidate from being disadvantaged because of a disability, the individual responsible for communicating with applicants should ask each candidate whether they require reasonable adjustments to be made. These may include ensuring easy access to the premises for an interview/adapting psychometric tests/replacing psychometric tests with an alternative option/providing an alternative to a telephone interview for a deaf candidate/providing a suitable chair for an interview with a candidate suffering from back problems/list other relevant examples.

The Recruitment Team or your HRBP are always available to provide guidance on reasonable adjustments.

Disability Confident

FODDC is a Disability Confident Employer and you will see this demonstrated on all of our adverts by way of the Disability Symbol.



The Disability Confident scheme supports us to make the most of the talents disabled people can bring to our workplace. Being Disability Confident is an opportunity for us to lead the way in our community and to discover skills and talents we cannot do without. It can help all our people fulfil their potential and contribute fully to our organisation's success.

If an applicant declares a disability on their Application Form and they meet the minimum essential criteria specified in the Job Specification, they will be guaranteed an interview.

Line Manager Responsibilities

Line managers are responsible for recruitment in conjunction with the Recruitment Team and their HR Business Partner. A line manager who wishes to recruit must first obtain finance approval from their Accountancy Business Partner then place a request on the Applicant Tracking System (ATS) with a justification, identifying the Recruitment Team as the only approver as they will then cascade to the relevant approval panel.

As part of the approval process, you will need to attach a Job Description/Person Specification to the ATS, however the Recruitment Team will assist in writing the job advert.

Your HRBP can help you with the production of the Job Description specifically in relation to Job Groups and using the correct template.

Review of the Post

It is important when an individual leaves a post, that the Line Manager questions whether it is essential to replace the vacancy. Consideration should be given as to whether or not the work can be redistributed elsewhere and think about any potential long term restructuring plans.

In addition, for short term recruitment requirements, where applicable, a suitably qualified employee may Act-up on a temporary basis. Alternatively, where a suitably qualified employee assumes specific additional responsibilities, an honorarium payment may be applicable in the circumstances. This will be calculated based on the difference in salary between their substantive and acting up role and how much time these duties will be based on. This Acting up payment will be on a monthly basis or paid in a lump sum (pro rata).

Job Descriptions and Employee Specifications

Before initiating the recruitment process, the responsible Line Manager must ensure that there is an up-to-date Job Description for the role and a clear Employee Specification which has been approved by their HR Business Partner.

The Job Description will describe the duties, responsibilities, level of seniority associated with the role and pay and benefit, while the Employee Specification will describe the type of qualifications, training, knowledge, experience, skills, aptitudes, competencies and personal qualities required for effective performance of the job.

Job Evaluation

Job Evaluation is a systematic process of assessing the value of jobs in an organisation in order to determine the worth of individual jobs and the compensation to be paid to employees who hold those jobs. The purpose of job evaluation is to ensure that employees are paid fairly for the work they do.

All our roles (below the level of Chief Executive and Statutory Officers for which a different scheme is applied), new and revised will be put through a job evaluation process using the Evaluate scheme.

Pay Scales

All vacancies will be evaluated by your HRBP and given a job group and peer group based on the responsibilities and specialism of the role. Every vacancy will be advertised within the peer group minimum to average range. Where possible hiring managers should appoint at the minimum point of the peer group.

If an offer is above minimum point, this must be agreed in writing by the Chief Executive and a copy sent to the Recruitment Team.

Advertisement of vacancies

To ensure a fair process is carried out we ask that all internal only vacancies are advertised for a minimum of 7 days.

It is our policy that all vacancies will be placed internally and within Partner Councils and Publica Group (Support) Ltd. For clarity this will run in conjunction with the external advert (if applicable).

Line Managers should encourage existing employees to apply for vacant posts if they have the appropriate qualifications, experience and skills.

Line managers should consider and discuss with the Recruitment Team whether it is appropriate to advertise the vacancy with the Government's [Find a job service](#)/through an approved employment agency/on LinkedIn/on Twitter.

The use of social media in decision making

Avoid using information that's on someone's personal social media profile, for example Facebook, Twitter or Instagram, to decide whether you interview or hire them.

You might be breaking the law, particularly if either of the following points apply:

- they did not agree to you using the information in this way
- you looked at some applicants' social media profiles, but not others

Using information on jobs and business networking sites

When recruiting, you can usually use information that someone puts on a jobs website, or a business and employment social networking site such as LinkedIn.

When posting information on these sites, users will be aware that the purpose is to show their work experience and professionalism. You must still make sure that you use this information in a way that does not discriminate. This means ensuring that all applicants are treated in the same way.

Internal Recruitment

To encourage an 'open' recruitment process all vacancies will normally be advertised internally and externally. However, there may be certain circumstances where it is felt that advertising internally only would be more appropriate. This may be where it is felt that there are appropriate skill levels already within the organisation, for succession planning reasons or for general career development opportunities.

All permanent and temporary employees who have passed a probation period will be eligible to apply for internally advertised vacancies and secondments (see below). This requirement may be waived in the event that the organisation experiences extreme skill shortages in specific areas and will be at the discretion of the Chief Executive in consultation with an HR Business Partner.

We ask that internal candidates inform their Line Managers as a matter of courtesy that they are applying for an internal role.

Secondments

Where the business area can support this, the organisation actively encourages temporary short and long term staffing needs to be advertised internally by way of an internal secondment. An internal secondment is the temporary deployment of an employee to another role for a specific purpose and period of time. Upon completion of the secondment the employee will return back to their substantive role.

A secondment allows employees to temporarily work with a different department, usually to complete a project while gaining experience. The employee benefits because they learn new skills, become familiar with a new area and expand their career options.

Ring Fencing within a Specific Service

It may be appropriate in some circumstances to ring fence a vacant post within a specific service. The decision and reasoning to ring fence will be agreed by the HRBP. In these circumstances the Job Description will be emailed by the Line Manager to the ring-fenced team with an expression of interest closing date.

Please note that although this is a ring-fenced role and therefore would not be advertised in the normal way, the full approval process including ATS must be sought.

Talent Pool

It may be that whilst shortlisting you come across an application that would be a good fit for a different position within either your team or for any other area? Shortlisting decisions must be based on the information contained in the application form. The criteria for initial selection must be consistently applied to all candidates.

Talent pooling is now being undertaken with certain candidates so we can reach out to them when a more suitable job becomes available.

For example; one or more candidates that applied to your position may be suitable for an administration role or customer service rather than the previous role they had applied for.

As long as a recent campaign has been undertaken within the last 3 months you can reach previous candidates that had applied without the need to re-advertise the role. Please speak to the Recruitment Team in this instance.

Fixed Term Contract

A Fixed Term Contract is a Contract which specifies the commencement and end of the employee's work with the organisation. In line with the Fixed-Term Employees (Prevention of Less Favourable Treatment) Regulations 2002 an employee who has completed four years' continuous service under one or more successive Fixed Term Contracts will automatically acquire permanent employee status, unless the fixed term status can be objectively justified e.g. it is reliant on external funding. Your HRBP will give guidance to Line Managers on usage of Fixed Term Contracts and their conclusion.

Casual Letter of Engagement (as and when Contracts)

Casual workers are distinguished from temporary employees by the fact that they have a much looser relationship with the employer where there is often no fixed working pattern and hours are considered ad hoc.

Where work is of a truly casual nature there is no mutuality of obligation meaning that the workers are free to turn work down if they choose to do so and equally the organisation is under no obligation to offer work. This absence of mutual obligation means that the Casual Letter of Engagement offered to a casual worker will be a Contract for Services rather than a Contract of Employment.

Senior Appointments

Statutory roles i.e. Chief Executive, Section 151, Monitoring Officer, will continue to be managed by the Recruitment Team and Line Manager however, approval will need to be sought by Full Council.

Appointment of Relatives/Partners

In order to avoid any possible accusation of bias, employees should not be involved in an appointment nor have access to any candidate information where they are related to an applicant or have a close personal relationship outside work. If an employee is likely to become involved in appointing a relative or partner, even on a temporary Contract, the Recruitment Team should be notified immediately. In addition, applicants cannot be appointed in a post where they will be directly reporting to a relative or partner.

Candidates must declare on their application if they have any friends or relatives employed by the organisation.

Approaching any councillor or employee of the organisation directly or indirectly, in connection with a selection decision will lead to your disqualification. Discovery after the appointment may lead to dismissal.

Applications from Councillors

Under Section 116 of the Local Government Act 1972, a Councillor for this District who is currently elected cannot take up an offer of employment with the Council or Publica Group (Support) Ltd (via an Agency or directly) until one year after he/she has ceased to be a Councillor. In the event that a Councillor applies for a post, the HR Business Partner/Recruitment will contact the Councillor and explain the regulations.

Rehabilitation of Offenders Act (1974)

The Rehabilitation of Offenders Act 1974 gives people with spent convictions and cautions the right not to disclose them when applying for most jobs.

There are specific convictions that will never become spent. These can include murder, terrorism or sexual offences, and will always remain unspent convictions.

Interviews

Line Managers conducting recruitment interviews will ensure that the questions they ask job applicants are not in any way discriminatory or unnecessarily intrusive. The interview will focus on the role and the skills needed to perform it effectively.

Line Managers must make a record of every recruitment interview and send a copy to the Recruitment Team via the ATS to be retained for a suitable period of time (9 months). To ensure fairness the Line Manager should ensure that the interview panel consists of both male and female (where possible) and that the questions asked are consistent in all interviews for a particular job. On no account should any job offer be made during or at the end of an interview.

All selection assessment techniques must relate to the job requirements and be free from any bias. Assessments may include In-tray exercises, presentations, Psychometric tests, group exercises, written exercises etc. Testing is not appropriate for all vacancies regardless of grade as it may be deemed sufficient, by the panel, to establish and substantiate the candidates' suitability for a post by interview alone.

In some cases, we will hold interviews remotely. Video interviews are carried out using Zoom/Skype for Business/Microsoft Teams/other video conferencing platform. The responsible Line Manager or Recruitment should in advance provide the interviewee with details of how the interview will be conducted. They should also give the interviewee the opportunity to provide details of any reasonable adjustments that should be made or technological difficulties that they may encounter.

Offer of Employment

Once a verbal offer has been made and accepted, the Line Manager should complete an External/Internal Job Offer form which can be found on the Support pages of the Portal. This document needs to be uploaded with the ID documents and the interview notes onto the ATS before any pre-employment checks can commence.

The Line Manager is responsible for completing an ICT New User Account/User Account Amendment Form under ICT Support on the portal to arrange all necessary ICT requirements for their new starter/internal new job, such as ICT equipment and line manager self-service approval permissions.

Pre-employment Health Questions

It is potentially discriminatory, on the grounds of disability, for the selection panel to ask a job applicant health or disability-related questions before a job offer has been made with the exception of the following:

- To establish whether any reasonable adjustment needs to be made for applicants during the selection process;
- Decide whether an applicant can carry out a function essential to the job e.g. if the job entails heavy manual handling, the organisation can ask applicants whether they could manage this. Questions regarding how an impairment would affect the applicant getting into the workplace are prohibited.
- Establish whether the candidate would be able to comply with a requirement to undergo an assessment such as a selection test i.e. dyslexia or establish whether a duty to make reasonable adjustments would arise in respect of the recruitment process
- Take positive action to assist disabled people.
- Enable the organisation to take positive action
- Monitor diversity

Medicals, References, Baseline Personnel Security Standard (BPSS) and Disclosure Baring Service (DBS)

All external appointments will be subject to the organisation receiving two satisfactory references, medical clearance and where appropriate a BPSS and/or DBS clearance. Please note that references must be from current or past employers unless agreement has been given from Human Resources to the contrary.

In exceptional circumstances it may be possible to obtain only one satisfactory reference due to the difficulty of securing a second reference. The acceptance of this must be agreed by Recruitment/HRBP and will only be acceptable when all attempts have been exhausted to secure two satisfactory ones.

Medical clearance for internal appointments will normally be required where the duties of the new post are substantially different to the Applicant's previous job. The Equality Act 2010 prohibits the use of pre-employment health questionnaires prior to a job offer being made.

Right to Work

We only recruit individuals with a legal right to work in the UK. All offers of employment will be subject to the candidate providing the required original documents or our organisation being able to carry out a check on the Home Office online [right to work checking service](#) confirming their right to do the work in question. To enable us to conduct an online check, the candidate must have shared their right to work details using the Home Office [prove your right to work to an employer](#) online service.

The requirement to provide evidence of the right to work in the UK applies to all new recruits, regardless of their race, nationality or ethnic or national origins.

At interview the Line Manager is responsible for ensuring that any original documents are checked, verified (true likeness), copied, signed and dated and all copies be sent to the Recruitment Team. [Guidance for recruiting managers](#)

Continuous Service

Employees joining FODDC having been employed by a partner Council, Publica or have previously worked for, another local authority or other government body are entitled to retain their previous service for the purpose of continuity of relevant contractual entitlements.

This will apply where the previous organisation is included within The Redundancy Payments (Continuity of Employment in Local Government etc) (Modification) Order 1999, generally referred to as the [Modification Order](#).

Resignations

The Employment Rights Act (1996) (ERA) states that a week, Sunday to Saturday, in which a person has been under a contract of employment, counts as a week of work. To break continuous service there must be a gap of one complete week, Sunday to Saturday, in which the person was not employed.

Redundancy

The Modification Order also sets out how redundancy payments and continuous service should be treated when someone is made redundant. Where a person who is being made redundant and is offered a job with another Modification Order body before their last day of service AND they start that new job within four weeks (Sunday to Saturday), the redundancy effectively disappears.

This means that the person is no longer entitled to the redundancy payment (it has to be repaid) but their continuous service is retained. However, if they start the new job AFTER the four weeks (Sunday to

Saturday) OR the job offer is received AFTER the last day of service, the redundancy dismissal stands, and they can keep their redundancy payment, but they lose their continuous service.

Transfer of Undertaking (Protection of Employment) TUPE

The Green Book provides that where a person is transferred out of Local Government under TUPE (and is subsequently TUPE'd following a retender exercise) and voluntarily returns to Local Government i.e. resigns to take up a job at a council, continuous service is broken.

However, if they voluntarily return to local government from the transferee (or subsequent transferees) within 5 years of the original transfer date, their service with the intervening employer(s) does count towards the calculation of holiday, occupational maternity/paternity/shared parental leave and pay and occupational sick leave and pay. For this provision there must be less than one clear week (Sunday to Saturday) between employment with the private company ending and starting at the council.

Breaks for Caring Responsibility

If they have taken a break from work to care for someone, while continuous service is broken, previous Local Government service will be aggregated if you are returning to work within eight years.

Casual Letters of Engagement

Should an employee work for FODDC on a Casual Letter of Engagement and subsequently take up a permanent role, continuous service will have deemed to commence from the start date of the permanent Contract of Employment.

If you need help determining the relevant continuous service dates for a new employee, please contact HR.

Continuous service will be subject to written confirmation from previous employer/s.

Probationary Period

A probationary period of six months will apply to all new members of staff irrespective of whether they have continuous service with another Authority.

Please see the Probationary Policy and Procedure for more information.

Politically Restricted Posts

Certain posts are 'politically restricted' which means that the post holder is effectively prevented from having an active political role either inside or outside the workplace. This not only debars post holders from holding political office but also restricts them from canvassing or from speaking in public or publishing work which might give the impression that they are advocating support from a political party. The Local Government and Housing Act 1989 introduced the principle of politically restricted posts and restricting the political activities of Local Authority employees. Politically restricted posts will include Chief Executive Officers, Statutory Officers and other Chief Officers employed by the Council.

Please contact Human Resources for further information and a comprehensive list of all politically restricted roles.

Scheme of Delegation (Joint Contract)

A Scheme of Delegation creates the authority to carry out a statutory duty, task or to make a decision on behalf of another organisation.

Please speak to Human Resources if you are unsure whether this applies.

Redeployment

Re-deployment Register

The Recruitment Team will ensure that any new vacancies are brought to the attention of members of staff who are registered on the Re-deployment Register. This will include vacancies of a temporary nature including internal secondments. Any individuals who are nearing the end of a Fixed Term Contract will also be advised. In the event that employees on the re-deployment register meet the minimum essential criteria for a particular post, the applicant will be guaranteed an interview.

Alternative Work

If you are selected for redundancy, we will continue to explore suitable alternative employment and other internal vacancies that may arise within the organisation up to your termination date. The selection of candidates for alternative work will be conducted in a fair way. If a suitable alternative role arises during your notice period, you will be informed and provided with details relating to the application process.

If you unreasonably refuse an offer of suitable alternative employment, you will lose your right to statutory redundancy pay.

If you have been given notice of redundancy during maternity leave, adoption leave or shared parental leave, we are under a statutory obligation to offer you suitable alternative work, where it exists, in preference to your colleagues who have also been selected for redundancy.

Trial Period

If an employee who is under notice of redundancy, is redeployed into another post, they will be given a trial period of four weeks. This trial period determines the employee's suitability for the job without necessarily losing the right to a redundancy payment. This period can be extended by up to 12 weeks by mutual written agreement to provide for any necessary training.

Please see the policy on Redeployment for further information.

Data Protection

We process all personal data collected during the recruitment process in accordance with our Data Protection Policy / Processing Special Category Personal Data and Criminal Records Data Policy.

We do not collect unnecessary personal data from applicants during the recruitment process. For example, we will only request bank account details and next-of-kin contact details from successful applicants. Data collected as part of the recruitment process is held securely and accessed by, and disclosed to, individuals only for the purposes of managing the recruitment exercise effectively to decide to whom to offer the job.

For more information please see the Privacy Notice <https://www.fdean.gov.uk/support/privacy-and-data/>

Hiring Agency Workers

We will use temporary agency workers only to provide additional resources and allow for flexibility on a short-term basis from time to time. This may for example be to assist with occasional work such as one-off projects or the absence of employees due to sickness.

Where additional resources are required, the manager should submit a request to recruit via the Applicant Tracking System (ATS) for approval following input from Finance and HR. No agency worker will be hired without the appropriate written approval.

Once approval has been given to proceed, the manager must liaise and negotiate with the relevant agency to secure the best commercial rate.

We are working towards a preferred agency supplier list. Agencies on the PSL have agreed terms with us. Non-compliance by hiring managers may result in the agencies requesting penalty clauses be enacted against us if they were not made aware of roles. The agencies on the PSL are the only ones to be utilised.

Agency workers must complete and submit for approval a weekly timesheet as a record of the working hours they have undertaken. The manager has responsibility for ensuring the timesheets are accurate and completed.

Consideration needs to be given to the Agency Workers Regulations, legislation providing protection to agency workers. Please see the Agency Workers Policy and Procedure for more information.

Self-employed Contractors

Sometimes there is a business need to recruit self-employed individuals who are specialists in their field to lead or conduct one-off projects within the business. To initiate recruitment of a consultant the line manager must complete a business case to be approved by the Executive Leadership Team. Where an individual's services are provided via a personal services company (PSC), certain tax-related obligations will be triggered under IR35.

HMRC has a Check Employment Status Tool (CEST) at www.gov.uk/guidance/check-employment-status-for-tax to help businesses make the IR35 determination. This must be completed after the business case has been approved and the outcome emailed to HR for their records.

It is imperative that we have a sound business case for appointing consultants or using agencies as this will enable us to better manage our costs and ensuring value for money is achieved. We must be mindful that using contractors and agencies can be time consuming, expensive and put us at risk of legal challenge from non-compliance of employment law and HMRC regulations, so it is important that the above process is followed.

Employment with an associated employer

It is important to note that if an employee accepts a redundancy payment and leaves the Council, he or she will have to wait for at least four weeks and one day before returning to another job within local government or an associated employer as defined by The Redundancy Payments (Continuity of Employment in Local Government) (Modification) Order 1999. An earlier return to a local government employer will mean that he or she will have to pay back any redundancy compensation received or lose their continuous service.

Vacancy Management / Vacancy Freeze

The Executive Leadership Team has the authority to put in place an immediate recruitment freeze on “non-critical” roles and agency staff.

Complaints and Disputes

Please email the Business Manager (People) for any complaints or disputes relating to any areas mentioned within this policy.

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Retirement Policy and Procedure

Introduction

Forest of Dean District Council (FoDDC) prides itself on being an employer of choice. With an incredibly varied role in delivering the very best for our residents, communities and businesses, our employees are committed and really make a difference. In return we seek to support and empower our employees, to give their best.

We value our employees and are committed to providing long-term job security and managing the business in the best way possible to safeguard your employment.

This policy sets out the procedure that we will follow when an employee chooses to retire. Where an employee chooses to retire, this will amount to a resignation and the normal requirement for the employee to give notice to the employer will apply. This policy applies to all employees who are a member of the Local Government Pension Scheme (LGPS). An employee who has chosen not to contribute to the LGPS will not receive any pension benefits from the Fund under this scheme upon retirement.

We do not operate a compulsory retirement age for our employees. We recognise the contribution of a diverse workforce, including the skills and experience of older employees. We believe that employees should, wherever possible, be permitted to continue working for as long as they wish to do so.

The policy does not form part of your contract of employment, and we reserve the right to amend it at any time.

Retirement age

Employees will not be expected or required to retire at any age.

Workplace discussions

Your line manager may discuss your plans and expectations in the short, medium and long term either as part of the formal appraisal system or in separate meetings with you.

If you express an intention to retire at a particular age, your line manager may discuss with you how the transition to retirement may best be achieved. However, unless you give notice to retire, such discussions will not be binding, and you will be entitled to change your mind about the timing of your resignation.

Notice to retire voluntarily

If you wish to retire voluntarily, you must resign in writing giving at least the period of notice set out in your contract of employment.

However, we do encourage you to have early conversations with your line manager about your retirement plans as far in advance as possible to help us with our workforce planning and to ensure that you are provided with the support that you need to help you transition into your retirement.

Once you have given notice to retire, your line manager will arrange a meeting with you to discuss the arrangements for your retirement.

Succession planning

We may require your assistance and cooperation to allow for succession planning. This may include asking you to take on a mentoring role or handing over some responsibilities before your retirement takes effect.

Pension benefits

When you can start drawing from your pension will depend on the pension scheme rules. Details of your pension options and entitlements are available from Gloucestershire County Council Pensions Section. Go to www.gloucestershire.gov.uk

Under the LGPS Regulations, final salary benefits accrued to 31st March 2014 are calculated based on the WHOLE TIME equivalent final pay received in the twelve months prior to leaving on which pension contributions have been paid. This also relates to the final 12 months, or either of the two years preceding the final year, if either of these years yield a higher figure than the final year, as calculated under the 2008 Regulations. Where a member has a decrease in contractual pay/or contractual additions to their pay, then under the Regulations, outside of the final three years, a member can elect, no later than 30 days prior to the date on which they leave, for their benefits to be based on the average of any three consecutive years in the final 13 years, ending with a 31st March, if this average yields a higher figure than the final year.

You are strongly advised to consider your pension arrangements and take independent financial advice before making any decision in relation to your retirement.

Early retirement in relation to the LGPS

The LGPS allows scheme members to take early retirement in a number of ways including redundancy (where work of a particular kind has ceased or diminished and the employee is aged 55 years or over), efficiency of the service and ill health (where an employee is permanently unfit and unable to continue. The rule of 85 (where the pensionable service and age added together equals 85) is considered if a member leaves and chooses to take payment of their benefits before their normal retiring age or is granted flexible retirement by their employer before their normal retiring age in the pension scheme to see what reductions are to be applied to the benefits.

If an employee chooses to retire early, their pension is likely to be actuarially reduced. The Local Government Pension Scheme Regulations require an Employer to prepare and keep under review, a written statement of its policy in relation to the exercise of its discretion under a number of provisions of the Regulations. The Statement of Policy on Discretions will detail which discretions will or will not be applied. Those employees who have a sufficient period of membership in the pension scheme may choose to receive immediate payment of pension, in accordance with the pension regulations. Any member aged 55 years plus can leave employment and claim payment of their benefits, with the relevant reductions applied, they do not need Employers consent to do this.

Flexible retirement

We recognise that some employees may wish to phase their retirement by requesting a change to their working pattern.

A phased retirement could include working reduced hours or move to a lower grade of role. The benefit of phased retirement is that it provides employees with more flexibility so that they can plan, prepare, and make a gradual adjustment from work to retirement. Flexible retirement can be considered before or after the employee attains normal retirement age. Employees can retire flexibly more than once provided the criteria are met on each occasion.

The eligibility criteria are that employees must:

- Be aged 55 or over but not have reached age 75 which is the latest age an employee can be in the LGPS
- Have three or more months' membership of the LGPS
- Have employer's consent
- Where relevant, have identified a suitable opportunity for their request

The date of the change in hours or grade is to be the same date that the employee elects for pension benefits to be paid.

The LGPS allows employees aged 55 or over to draw their pension whilst working in a reduced capacity. Additional pension benefits will accrue on the remaining hours worked. Flexible retirement is a discretionary provision, and the Council will consider requests taking into consideration the impact on service delivery and the financial strain on the pension fund. If the employee chooses the flexible retirement option before they reach age 65 the benefits may be subject to an actuarial reduction as per the LGPS Regulations. Forest of Dean District Council will not waive all or part of the reduction and the reduction must be borne by the employee.

Restrictions

- It is expected that a flexible retirement request would be for a reduction of at least 20 % of working hours and or a reasonable reduction in grade
- An employee can request both a change of job and a reduction in hours if a suitable opportunity exists
- An agreed request to flexible retirement will be treated as a permanent change/variation to the employment contract.
- Once in receipt of a flexible retirement package employees will not be able to apply for future positions if that would result in:
- The employee receiving a subsequent increase in their contractual hours above those agreed under their flexible retirement package

OR

- The employee would actually be gaining a promotion and thus the grade of the post would be above that agreed under their flexible retirement package.

Exercising discretion according to cost

Each flexible retirement application will be considered on its individual merits and will only be agreed if it is in the Council's interests to do so. An application will only be approved where there are no pension costs to the Council arising from the employee's flexible retirement and /or the flexible retirement will provide benefits to the Council such as financial savings or retention of key skills and will not result in any detriment to the level of service or sustainability of the service for the future.

Submitting a flexible retirement application

The employee will need to put in their request in writing to their line manager and include details of the grade and hours of the post they will be working in, requesting for HR to approach Gloucestershire County Council for a pension estimate and the date they wish the flexible retirement to start (a minimum of three months' is required).

The line manager will arrange a meeting with them to discuss their request. The meeting will be arranged within 28 days of receipt of their letter and the outcome will be confirmed in writing.

Right of Appeal re a flexible retirement application

The employee has the right to one appeal which must be heard at the manager level above the decision maker and the officer must have had no previous involvement in the matter. An HR Business Partner will be present to advise the manager on the process at the appeal hearing.

If an employee chooses to appeal, they must do so in writing to the line manager who conducted the original meeting. This must be done within fourteen days of the letter informing them of the original decision. The appeal letter should set out the grounds of your appeal and be dated.

The manager conducting the appeal will write to them within fourteen days to confirm whether their request for flexible retirement has been accepted or refused.

Each employee's situation is specific to them so any possible implications for their pension should be brought to the attention of Gloucestershire County Council Pensions Department. Independent financial advice should be sought before they reach a decision.

If an employee wishes to discuss the option of flexible retirement, they should contact their HR Business Partner. Any request to change their working pattern must be made under our [policy on requesting flexible working](#). Although there is no automatic right for an employee to change their work pattern, any request for flexible working will be taken seriously and considered in a reasonable manner.

Preparation for retirement

To assist employees approaching retirement, the Council will grant paid leave of absence for employees to attend pre-retirement courses and will meet the course fees involved.

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Time Off Guidance

Introduction

Forest of Dean District Council (FoDDC) prides itself on being an employer of choice. With an incredibly varied role in delivering the very best for our residents, communities and businesses, our employees are committed and really make a difference. In return we seek to support and empower our employees to give their best.

We recognise the importance of helping our employees balance their work and home life. The Council offers flexible working arrangements that enable staff to balance their working life with other priorities, including parental and other caring responsibilities, life-long learning, charity work, leisure activities and other interests. In turn it recognises that staffing levels must at all times remain in line with the demands of our customers and operational requirements.

This guidance outlines the different types of leave available and the scope of each type of leave that are not covered by a relevant policy. Please read this policy in conjunction with other policies available on the portal covering time off.

Overview

Type of Leave	What is the leave for?	Page
Emergency Leave	Leave to deal with domestic emergencies	2
Study Leave	Paid Time off for study leave / exams.	2
Time Off for Religious Observance	Principles of recognising time off for religious activity	2
Time off For Elections	Paid time off to assist Partner Councils	3
Volunteering	Paid time off to volunteer	3
Jury Service	Paid time off to attend Jury Service	3
Career Break/Sabbatical	Unpaid leave to undertake a career break/sabbatical	3
Trade Union Duties & Activities	Reasonable amount of paid time off to undertake trade union duties and activities	3
Extended Personal Leave	Up to 6 weeks unpaid leave for personal reasons	3 to 4
Fertility Treatment	Special leave to support fertility treatment	4
Voluntary Surgery	Unpaid time to undergo elected surgeries	4

Emergency Leave

The Council recognises that employees will from time to time experience emergencies at home, such as a flood, fire or burglary. Emergency leave is intended to allow those who experience genuine domestic emergencies to take a reasonable amount of time off work to deal with the emergency. The does not apply to planned events such as domestic repairs, refurbishment, building or trades work, installation of appliances, home deliveries, etc.

In the event of a domestic emergency arising, the employee should notify their manager as soon as it is reasonably practicable (either face-to-face if the employee is at work or otherwise by telephone), explaining the nature of the emergency and how much time off work the employee thinks they will need.

Unpaid time off under emergency leave is intended to be for the employee to deal with domestic emergencies. Once the immediate emergency has been taken care of, the employee is expected to return to work or, if further time off is necessary, to arrange to take it as paid or unpaid leave, subject to the agreement of their line manager.

Study Leave

Where training is work related, each Line Manager is authorised to allow three days paid leave of absence in a leave year for the purpose of revision for examinations.

In addition, staff will be allowed paid leave of absence for the day(s) of the examination(s).

Time Off for Religious Observance

Employees whose religious duties are not covered by weekends and current statutory bank holidays may need time away from work. The Council where possible, will allow annual leave to be taken when an important religious occasion is to be celebrated provided that reasonable notice is given.

Where possible time off for prayer will be accommodated under the flexi-time scheme, this should be discussed and agreed as soon as reasonably practical.

Time Off for Elections

Subject to business need the Council employees will be given paid time off on the day of an election to assist partner councils to undertake election duties. Any other time outside of the day of the election (e.g. count postal votes, canvassing) must be taken as annual leave or flexi.

This must be agreed with your line manager in advance. Time taken will need to be recorded on Business World.

Volunteering

The Council will allow employees to take two days per annum additional paid leave for volunteering. This must be agreed with your line manager in advance. Time taken will need to be recorded on Business World.

Jury Service

Employees who are summoned for Jury Service will continue to receive their normal salary whilst they are sitting on a Jury Panel and away from the business.

Career Break/Sabbatical

It may be possible, subject to business needs and personal circumstances, for employees to be permitted to take a period of unpaid leave from the business. For more information please speak to your HR Business Partner and Line Manager.

Trade Union Duties & Activities

Employees who are representatives of GMB or Unison are entitled to time off for the purposes of carrying out certain functions including duties concerned with collective bargaining. They are also entitled to time off for duties relating to consultation on collective redundancies or a TUPE transfer.

The entitlement is to a reasonable amount of paid time off.

Extended Personal Leave

In special circumstances, the Council may grant up to six weeks' **unpaid** leave in addition to an employee's normal holiday entitlement to enable the employee to attend to pressing personal needs.

The policy is operated at the entire discretion of the Council and may be modified or withdrawn at any time.

The policy applies only to staff with at least 12 months' continuous service. The Council reserves the right to refuse an application for extended personal leave.

All employees taking extended leave for personal reasons will be given a letter and asked to sign it confirming their agreement to return no later than a specified date. An employee may return at an earlier date than that specified in the letter by giving the Council a minimum of 1 weeks' notice.

The Council reserves the right to discipline (including dismiss) anyone who fails to return by the agreed date without an acceptable reason.

Anyone who abuses this scheme will be subject to disciplinary action up to and including dismissal.

Fertility Treatment

Unpaid special leave for up to a maximum of three days per leave year, in any twelve-month period, will be permitted depending on the individual circumstances. This may be for NHS or private treatment and an appointment card must be produced.

Voluntary Surgery

The Council would encourage employees to be open about voluntary surgery and would treat the information in the strictest confidence. Time off for any voluntary surgery, e.g. cosmetic, should be taken from the employee's leave entitlement, made up with the agreement of the line manager or via the flexi time scheme. However paid time off may be granted in certain circumstances e.g. reconstructive surgery. This should be agreed in advance of any treatment that will require time off.

The Recording of Time Off

Any time off must be correctly recorded and approved within Business World. Any queries relating to this, please speak to your manager or HR Support who will be pleased to help.

Version Control:	
Document Name:	Time Off Guidance
Version:	1.0
Responsible Officer:	HR Business Partner
Approved by:	
Date First Approved:	
Next Review Date	
Retention Period:	

 <p>Forest of Dean — DISTRICT COUNCIL —</p>	
Council name	Forest of Dean District Council
Name and date of Committee	FULL COUNCIL – 18 April 2024
Report Number	LD.732
Subject	APPOINTMENT OF INDEPENDENT PERSON
Wards affected	ALL
Accountable member	N/A
Accountable officer	Sian Roxborough – Monitoring Officer Tel: 01594 812537 email sian.roxborough@fdean.gov.uk
Summary/Purpose	To seek the approval of full Council to appoint Sharon Copsey as an Independent Person for Forest of Dean District Council (FODDC).
Annex	None
Recommendation	<p>Full Council is recommended to:</p> <ul style="list-style-type: none"> a) <i>Note the report.</i> b) <i>Approve the appointment of Sharon Copsey until the 18 April 2028 for a period of 4 years as an Independent Person for Forest of Dean District Council.</i> c) <i>Thank Christopher Wood for his years of dedicated service as Independent Person for Forest of Dean District Council.</i>
Corporate priorities	Maintenance and promotion of high ethical standards is essential to support the delivery of the Council Plan.
Key Decision	NO
Exempt	NO
Consultees/ Consultation	Human Resources

1. REASONS FOR RECOMMENDATION

- 1.1** Under the provisions of the Localism Act 2011, the way that the Council maintains high standards of conduct and deals with complaints about its elected members requires the appointment of an Independent Person.
- 1.2** The Localism Act provides that the Independent Person (IP) is to be consulted by the Council before a decision is made on an allegation that it has decided to investigate in relation to a complaint that an elected or co-opted member of the District Council (or Parish/Town Council) has or may have failed to comply with their members code of conduct. Their views may also be sought on other matters such as by Members (elected or co-opted) who are the subject of an allegation. A further part of the role is to be part of the Committee to advise Full Council in relation to the dismissal of the Head of Paid Service, the Monitoring Officer (MO) or the Chief Finance Officer ('relevant officers') as required by the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015.
- 1.3** Independent Persons, as part of the standards regime, are responsible for embedding compliance with The Code of Conduct which is included in our Constitution. The Constitution sets out the governance framework for local authorities, which provides the foundations for any local authority that aspires to be effective, progressive and successful.
- 1.4** It is considered important to have more than one Independent Person that can be called upon to assist the Council with Standards matters and to increase resilience and the Committee on Standards in Public Life recommended in its January 2019 report on local government ethical standards that 'Local authorities should have access to at least two Independent Persons.'
- 1.5** Following a previous shortlisting and interview process, on the 21 July 2022 Full Council approved the appointment of Christopher Wood until the 1 March 2024 and Simon Carey for a period of 4 years until the 21 July 2026 as Independent Persons for Forest of Dean District Council. Christopher Wood was already IP for the FODDC and this appointment was an extension of the length of his role. He has demonstrated outstanding commitment to this position.
- 1.6** As Christopher Wood was approaching retirement and it was considered expedient to start to make arrangements to fill his position and have a hand over period, ensuring resilience, a report was presented to Full Council on 19 October 2023. On this date Full Council approved that the Monitoring Officer should recruit and select a preferred candidate for the role of Independent Person for Forest of Dean District Council for a 4 year period and report back to Full Council for approval to appoint the said candidate.
- 1.7** The role was advertised twice in October and November of 2023 with no suitable applicants. The MO then approached Christopher Wood who agreed to extend his position as IP for 6 months, subject to the approval of Full Council, whilst the council continued to seek to recruit to the role. Following a further report to full council on 22 February 2024 Full Council resolved to approve an extension to the appointment of Christopher Wood until the 1 September 2024.

- I.8** The Council is legally required to advertise any vacancy for an Independent Person in such a manner as it considers is likely to bring it to the attention of the public, invite the submission of applications to fill the vacancy and have any proposed appointment approved by a majority of the Council's members
- I.9** The role of Independent Person was readvertised for a third time. An interview process was conducted by a panel consisting of the FODDC Deputy Monitoring Officer and the Business Manager for Democratic Services.
- I.10** The MO received very positive feedback regarding the quality of the candidates and performance at interview. The panel is pleased to recommend Sharon Copsey for appointment as an Independent Person for FODDC. This candidate lives in the Forest of Dean.
- I.11** The candidate holds a number of professional qualifications. A summary of their skills and wealth of experience is set out as follows:

-Legal Executive in private practice, Assistant to Rector and Joint Parish Church Council, Corporate Services Officer in local government. For the last 19 years of their career (up until retirement in 2021), worked for the NSPCC in a variety of roles including a policy adviser and ultimate promotion to Regional Head of Service.

-completed a range of Leadership and Management Courses during employment their with NSPCC and also qualified with a Diploma in Law and Practice from the Institute of Legal Executives (ILEX).

A further summary of Ms Copsey's work experience and skills includes:

- ◆ Strategic and operational leader, experienced in working at Director, Trustee and senior management level.
- ◆ Extensive experience in private business, local authority and voluntary sectors.
- ◆ Experienced national and regional manager within a UK-wide charity, including:
 - Development and implementation of regional strategies and structures;
 - Regional budget management;
 - Staff recruitment, development, training and management, redundancy processes;
 - Services development in a children's social care setting;
 - Strong business management experience: Performance monitoring and quality improvement;
 - External stakeholder management, including working in multi-disciplinary strategic settings and contract negotiation;
 - Media activity including regional spokesperson and press releases;
 - Regional lead for cross-functional teams, including service operations, fundraising, HR, communications, development and evaluation, functions.
 - Knowledge and experience of child protection work, including Regional Management of five area-based child protection teams and circa 1,500 staff.

- Member of national senior leadership team, undertaking discreet strategic projects and activities, including deputising for the Director of Children’s Services.
 - Leading discreet organisational projects, including Disciplinary Investigations and Hearings, Investigation of Complaints, Membership of Panels and Committees.
- ◆ Highly developed interpersonal skills, an accomplished communicator at all levels and from a wide variety of cultural and social backgrounds.
 - ◆ Well-developed analytical, project management and problem-solving skills.
 - ◆ Self-reliant, computer literate. A quick learner used to working on own initiative.
 - ◆ Excellent organisational, administrative and time management skills, able to work to tight schedules, pays close attention to detail. Conscientious and dependable.
 - ◆ Strong values base.

2. FINANCIAL IMPLICATIONS

- 2.1** An annual allowance of £1,000 is paid to each Independent Person.

3. LEGAL IMPLICATIONS

- 3.1** Under the provisions of the Localism Act 2011 the Council has a duty to maintain high standards of conduct. In discharging this duty the Council must adopt a code of conduct, appoint an Independent Person and have in place a regime for the handling of complaints of a breach of the code of conduct by members of both the district council and members of all parish and town councils in the district. The aforementioned legislation prohibits any person who within the last five years has been a Member, voting co-opted Member or Officer of either FODDC or a Parish or Town Council in the Forest of Dean District, from being appointed as the IP. The Localism Act also prohibits the appointment of any person who is a relative or close friend of a Member, voting co-opted Member or Officer of FODDC, or a Parish or Town Council in the Forest of Dean District, as an IP. These criteria were set out in the advert and role profile.

4. RISK ASSESSMENT

- 4.1** Should the Council fail to appoint an Independent Person it would be in breach of its statutory duties under the provisions of the Localism Act 2011. Candidates were subject to a robust interview process to ensure that they have the relevant skills and experience to successfully carry out their roles.

5. EQUALITIES IMPACT

- 5.1** The recruitment process was subject to the Council’s equal opportunities, recruitment and selection policies.

6. CLIMATE CHANGE IMPLICATIONS

- 6.1** None identified.

7. BACKGROUND PAPERS

Council Constitution as published.

The Localism Act 2011

Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015.

Advert and role specification

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**Cabinet Committee Report to Full Council
Thursday 18 April 2024**

On Thursday 8 February 2024 the committee considered the following items

1. FORWARD PLAN

Cabinet noted the Forward Plan.

2. PUBLIC QUESTIONS

1) Question received from Jeffrey Steers.

The proposed 24/25 capital budget earmarks £8 million for provision of leisure, education and business facilities and a further £1.95 million for regeneration. What capital investment projects in Newent will be funded from these amounts?

Response

Thank you for your question, Annex D of the Revenue and Capital Budget 2024-25 report at item nine on tonight's agenda gives details of the proposed capital programme. The scheme description for the £8 million earmarked for provision of leisure, education and business facilities refers to the Five Acres project and is funded from the Government grant achieved specifically for this project.

The scheme narrative for the £1.95 million reads Property Purchase, Cinderford and this refers to the acquisition and build of our waste depot, in preparation for the new waste and recycling contract with Ubico, from August 2024.

No capital projects in Newent will therefore be funded from these specific amounts in the capital programme.

2) Question received from Karen Cockfield.

County Cllr McFarling has recently declared in an email that unless the increased car park charges are enforced to generate a 200k annual profit then the car parks may well need to be sold off by the council to avoid bankruptcy -and a number of essential services would have to be curbed or withdrawn. As the council's finances are that precarious that a reported 15k annual deficit on car parks running costs will bankrupt the council, the public are owed a statutory right to examine the financial detail to substantiate these claims and respond accordingly. CMF has also stated that the public would be given another 3-4 weeks to comment on the amended budget proposal. I believe as it stands the council are in breach of Sect 8 and 12 of their undertakings over consultation and equality. Please confirm that you have checked with the head of legal svcs of the GCC and will extend the consultation period accordingly whilst the public are given this latest amended budget and calculations to comment on.

Response

Thank you for your question, the Consultation will not be reopened and reran. This Council is required by statute to set a legal budget by the 11th of March 2024 and full Council is set

for the 22nd of February 2024. An Equalities Impact Assessment will be included in this final report. These legal requirements and costs of delay are included in the Budget paper. There were record number of responses to the budget consultation compared to 2023/2024 when the same process was followed. This was a 5700% increase on the previous year. Details of the consultation process have clearly been set in the December cabinet report when the draft budget was presented. These were widely publicised in the local media (including a free hard copy of a newspaper) as well as a local communication campaign. There was a varied method of responses received including emails, letters and a petition.

- 1) There have been public meetings where the draft budget proposals were discussed and where public questions could have been asked. These are as follows:

9th of November 2023 –Cabinet when budget timetable and plan was published and discussed.

7th of December 2023 –Cabinet when the draft budget proposals were approved for consultation.

11th of January 2024 –Overview and Scrutiny committee where the draft budget proposals were discussed.

The current budget proposals have also changed significantly around the car parking since the consultation closed which demonstrates that the Council has duly considered responses and options.

The current MTFs which is published in today's agenda show as that this Council has a £2.8m funding gap to find in the next 5 years if the local government settlement reduces funding as expected. Therefore, as stated in the MTFs, tough decisions are needed now and into the future if this Council is not to follow other local councils in declaring a Section 114 Notice. We are currently not in this territory however careful financial management is needed going forward.

The legal service for Forest of Dean District Council are aware of the concerns that you have raised.

3. Member Questions

There were no member questions.

4. COUNCIL TAX REDUCTION FOR CARE LEAVERS

Councillor Andy Moore, Cabinet member for Finance presented report F.667 to consider proposals to extend the age that Care Leavers can receive a reduction in Council Tax from 21 years to 25 years.

Resolved, that Cabinet recommends to Full Council:

1. To extend the age that a care leaver can receive a reduction in their council tax from 21 years to 25 years;
2. To include those care leavers from outside of Gloucestershire County within the offer;

3. To approve the amended Eligibility Criteria as set out in Annex A

Agreed by assent.

5. REVENUE AND CAPITAL BUDGET 2024-2025 AND PAY POLICY

Councillor Andy Moore, Cabinet Member for Finance presented report F.668. The report summarised the Cabinet's final budget proposals and Pay Policy Statement for 2024-2025. The budget projections had been prepared taking in to account the provisional local government finance settlement figures released on 18 December 2023 and additional support given on 24 January 2024. The final figures were not expected before publication of the report but were not expected to change significantly from the provisional figures and additional support update.

Resolved, That Cabinet recommends that Full Council considers and approves:

- a) the final budget proposals including a proposed council tax for the services provided by Forest of Dean District Council of £205.80 (a £5.96 increase which equates to 2.99% based on a Band D property) for 2024-2025, summarised at Annex A
- b) the proposed savings, outlined in Section 5.11 and Annex B;
- c) the growth proposals, including one off initiatives in Section 5.12 and Annex C;
- d) the Medium-Term Financial Strategy (MTFS) outlined in Section 5 and Annex J;
- e) the use of reserves and general balances and note the projected level of reserves as detailed at Annex E;
- f) the proposed capital programme at Annex D;
- g) the S106 Balances and proposed projected uses in 2024-2025 at Annex F;
- h) the proposed fees and charges for 2024-2025 at Annex I;
- i) the proposed usage of the planned maintenance reserve and ICT maintenance reserve (note the current 5 year plan) at Annexes G and H;
- j) the Pay Policy Statement for 2024-2025 at Annex K;
- k) note that the Council will remain in the Gloucestershire Business Rates Pool for the financial year 2023-2024 as per Section 4.10 to 4.13

Agreed by assent.

6. FINANCIAL STRATEGIES 2024 - 2025

Councillor Andy Moore, Cabinet Member for Finance presented report F.669. The Chartered Institute of Public Finance and Accountancy (CIPFA) Prudential Code requires the Council to consider and approve a Capital Strategy annually in advance of the forthcoming year. Department for Levelling Up, Housing & Communities (DLUHC) statutory guidance on treasury management requires separate annual Investment and Treasury Management Strategies to be considered. The Council has adopted and complies with the CIPFA Code of Practice on Treasury Management and the Prudential Code ensuring best practice is maintained.

Resolved, that Cabinet recommends that Full Council approves:

a) *all of the financial strategies in Annex A to E*

Agreed by assent.

**Cabinet Committee Report to Full Council
Thursday 18 April 2024**

On Thursday 14 March 2024 the committee considered the following items

1. FORWARD PLAN

Cabinet noted the Forward Plan.

2. PUBLIC QUESTIONS

There were no public questions.

3. Member Questions

There were no member questions.

4. BUSINESS RATES RELIEF 2024/2025 RETAIL, HOSPITALITY, AND LEISURE SCHEME

Councillor Andy Moore, Cabinet Member for Finance, presented report F.675 to consider a scheme of rate relief for retail premises as outlined by Government in the Autumn Statement 2023.

Resolved, that Cabinet:

- 1) *Approved the Retail, Hospitality and Leisure scheme as set out in Annex A for 2024/2025*
- 2) *Delegated to the Assistant Director for Resident Services the award of such reliefs*

Agreed by assent.

5. SERVICE PERFORMANCE REPORT 2023-24 QUARTER THREE

Councillor Adrian Birch, Joint Deputy Leader, presented report HPS.104 to provide members with an update on progress on the Council's priorities and service performance.

Resolved, that Cabinet

1. *Noted overall progress on the Council priorities and service performance for 2023-24 Q3.*

Agreed by assent.

6. FINANCIAL PERFORMANCE REPORT - PERIOD THREE

Councillor Andy Moore, Cabinet Member for Finance, presented report F.676. This report provides details of the Council's financial performance for 2023-24 Quarter three.

The report enables Councillors to assess financial performance and to be assured that progress is being made in achieving the Council's Medium Term Finance Strategy.

Resolved, that Cabinet noted;

- (a) *The 2022-23 Quarter Three Financial Performance report; and*
- (b) *The budget virement in Annex B approved by the Chief Finance (S151) Officer*

Agreed by assent.

7. FODDC'S FORMAL RESPONSE TO THE CHELTENHAM BOROUGH, GLOUCESTER CITY, TEWKESBURY BOROUGH STRATEGIC AND LOCAL PLAN (SLP) 'ISSUES AND OPTIONS' CONSULTATION

Councillor Sid Phelps, Cabinet Member for Local Plan, presented report PH.529 to recommend that Cabinet recommend Council to support the suggested formal consultation response to the 'Issues and Options' consultation currently being undertaken by Cheltenham Borough Council, Gloucester City Council and Tewkesbury Borough Council.

Resolved, that Cabinet:

- a) *Noted and endorsed the suggested responses to the 'Issues and Options' consultation.*

Agreed by assent.

8. PRICING STRATEGY FOR COMMUNITY ALARM DIGITAL HARDWARE (LINKLINE AND CARELINE) 2024-2025

Councillor Jackie Dale, Cabinet Member for Thriving Communities, presented report F.677, to approve the pricing strategy, for the new Digital Community Alarm equipment to enable customers to switch from an analogue programme to digital and new clients to be recruited, within existing approved budget parameters.

Resolved, that Cabinet:

Approved the proposed pricing strategy for the new Digital Community Alarm equipment as set out in Annex I for implementation from 1st April 2024 and delegate future budget pricing decisions to the Chief Finance (Section 151) Officer in consultation with the Assistant Director for Resident Services and the Cabinet member for Thriving Communities.

Agreed by assent.

9. PUBLICA REVIEW - LOCAL PARTNERSHIPS TRANSITION PLAN

The Chief Executive Officer presented report HPS.105, to consider the Local Partnerships report and to approve the recommendations therein.

Resolved, that Cabinet;

- 1. Approved the recommendations set out in the Local Partnerships report.*
- 2. The Interim Programme Director prepares a detailed transition plan, building on the recommendations set out in the Local Partnerships report, for subsequent agreement by Cabinet and Council.*

Agreed by assent.

10. GLOUCESTERSHIRE CITY REGION BOARD (GCRB)

Councillor Johnathan Lane, Cabinet Member for Economy presented report HPS.103 to consider the emerging form and function of the Gloucestershire City Region Board (GCRB), the nature of its authority, terms of reference, membership, and joint scrutiny arrangements.

To enable the Council to play an active part in the formalisation of a new Gloucestershire Region Board to support the delivery of developing a vision for the future growth of the economic success for the whole of the Gloucestershire economic area.

Note - reports with similar recommendations are being taken to the Cabinet/ Executive of each principal Local Authority in Gloucestershire, in parallel.

Resolved, that Cabinet;

- 1. Agreed to the establishment of the Gloucestershire City Region Board (GCRB)*
- 2. Delegated authority to the Chief Executive, in consultation with the Leader of the Council and the Head of Legal Services, to finalise and complete the Inter-Authority Agreement and any other documentation required to create the GCRB, including finalising the terms of reference for the GCRB.*
- 3. Agreed that the above recommendations will not be effective until all Gloucestershire Councils pass equivalent resolutions.*
- 4. That upon the establishment of the GCRB, Cabinet:*
 - 4.1 delegated this Council's functions to the GCRB as are necessary for the delivery of the functions identified in the Terms of Reference at Annex A to this report.*
 - 4.2 confirmed the appointment of the Gloucestershire County Council as the Administering Authority.*
 - 4.3 agreed to nominate the Gloucestershire County Council Cabinet member for Economy & Transformation to the GCRB as the Chair of the Board.*

- 4.4 agreed to appoint the Forest of Dean District Council (FODDC) Leader of the Council to the GCRB as the nominated member of the Board and to nominate the FODDC Cabinet Member for Sustainable Economy as the substitute.*
- 4.5 Tasks its representative at the GCRB to ensure that the climate and biodiversity emergency implications for economic growth are considered by the GCRB.*

Agreed by assent.

**Strategic Overview & Scrutiny Committee Report to Full Council
Thursday 18 April 2024**

On Thursday 7 March 2024 the committee considered the following items:

1. PUBLIC QUESTIONS

There were no public questions.

2. THE SCRUTINY PLAN

The Chair asked members if they had any questions, they would like to raise about the Scrutiny Forward Plan. There were no questions raised.

3. SCRUTINY PANEL - DEVELOPMENT MANAGEMENT IMPROVEMENT PLAN

The Chair advised the members they need to confirm a date to hold the Development Management Improvement Plan meeting. Friday 10 May 2024 was agreed.

4. SCRUTINY PANEL - REPATRIATION OF PUBLICA SERVICES

Councillor John Francis spoke to the Committee regarding the Scrutiny Panel for repatriation of services from Publica to the Council. He advised that the panel met on the 26 February and viewed the draft terms of reference. He was recommending them to the Scrutiny Committee to agree.

5. FOREST ECONOMIC PARTNERSHIP

Wendy Jackson, Regeneration Manager gave a presentation about the Forest Economic Partnership.

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FOREST OF DEAN DISTRICT COUNCIL SCRUTINY WORK PLAN – 7 March 2024

Strategic Overview and Scrutiny Committee	Chairman	Vice Chairman
	Philip Burford	Nick Evans

The Local Government Act 2000 established four main roles for overview and scrutiny committees to perform: -

- Holding the executive to account, including performance management
- Policy development and review
- External scrutiny
- Best value

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The Centre for Public Scrutiny and the Local Government Association outlined four principles for effective scrutiny:

- Constructive ‘critical friend’ challenge
- Amplifies the voices and concerns of the public
- Led by independent people who take responsibility for their role
- Drives improvement in public services.

Item	Inquiry		7 March 24	18 July 24	5 Sep 24	9 Jan 25
1.	Leader and Deputy Leader Question Time	Mark Topping Jackie Fraser Andy Moore		X		X
2.	Budget	Andrew Knott Andy Moore				X
3.	Forestry Commission Board Strategy Update	Kevin Stannard				
4.	Publica Business Plan /Annual Report	Frank Wilson Nigel Brinn		X		
5.	Service Delivery/ District Partnerships	Ubico Forest Economic Partnership Community Engagement/ Community Safety Partnership Freedom Leisure	X	X	X X	
6.	Decarbonisation / Climate	Nick Murray			X	
7.	Housing	Caroline Clissold Jon Dearing Adrian Birch			X	
8.	Performance and Finance	Andrew Knott Nigel Brinn Andy Moore Mark Topping			X	
9.	Development Management Improvement Panel (set date for inquiry day)	Sid Phelps Charlie Jackson	X			
10.	Publica Services Repatriation Panel	Nigel Brinn Mark Topping	X			
11.	Severn Trent Water Sewerage & Drainage				X	