

**MINUTES OF THE EXTRAORDINARY MEETING OF THE
NORTH WARWICKSHIRE BOROUGH COUNCIL HELD AT THE
COUNCIL HOUSE, ATHERSTONE ON
TUESDAY 17 JANUARY 2012**

Present: Councillor Butcher in the Chair.

Councillors Barber, L Dirveiks, N Dirveiks, Ferro, Forwood, Fowler, Fox, Hayfield, Humphreys, Johnston, Lewis, May, Moore, Morson, B Moss, M Moss, Phillips, Pickard, Sherratt, Smith, A Stanley, M Stanley, Y Stanley, Sweet, Turley, Watkins, Winter and Wykes.

Mr Stan Orton (Chairman of the Standards Committee) was also in attendance.

Apologies for absence were received from Councillors Davis, Freer, Lea and Simpson.

Before the commencement of business the Mayor led the Council in Prayer.

34 Declarations of Interest

Declarations of Personal or Prejudicial Interest other than those declared in the minutes of the meetings of Boards/Committees and any personal interests arising from the membership of Warwickshire County Council of Councillors Fowler, Fox, Hayfield, May, Lea, B Moss and Sweet and membership of the various Town or Parish Councils of Councillors Barber (Ansley), Butcher (Polesworth), Fox (Shustoke), Lewis (Kingsbury), Moore (Baddesley Ensor), Morson (Dordon), B Moss (Kingsbury), M Moss (Kingsbury), Phillips (Kingsbury), Pickard (Atherstone), M Stanley (Polesworth), Y Stanley (Polesworth) and Winter (Dordon) all of which interests were deemed to be declared at this meeting.

35 To receive and consider an extract from the minutes of the meeting of the Executive Board held on Wednesday 4 January 2012 relating to the proposals for Staff Travel (Minute No 72)

The Council was invited to consider an extract from the minutes of the meeting of the Executive Board held on Wednesday 4 January 2012 relating to the proposals for Staff Travel (Minute No 72).

It was proposed by Councillor M Stanley, seconded by Councillor Sweet and

Resolved:

That Minute No 72 be approved and adopted as amended by

the substitution of the original recommendation with the following

- 1 That the Secretary of State be notified and a 90 day formal consultation be carried out with the Trade Unions on the basis that it is proposed to change contractual terms and conditions of 100 or more employees relating to staff travel arrangements, as follows:-**
 - (i) that no more staff car leases are authorised;**
 - (ii) that existing leases continue and can be extended by up to one year save that all remaining leases shall be terminated on 30 April 2015;**
 - (iii) that where leases expire before 30 April 2015 those staff currently entitled to a car lease shall be given a travel allowance of their current car lease entitlement, less 10%, plus the current car lease mileage rate until 30 April 2015;**
 - (iv) that staff be responsible for car insurance from 1 June 2012 or as soon as is practicable thereafter, either by paying for their car to be insured through the Council's insurance policy or by arranging their own insurance.**
 - (v) that the criteria for essential user allowance be reviewed and a report be brought to Members;**
 - (vi) that from the date of implementation of any change in essential car user allowance, only staff meeting the new essential user criteria will be entitled to an essential car user allowance save that any staff in receipt of the travel allowance at (iii) above be given the opportunity to switch to essential user, provided that they comply with the new criteria;**
 - (vii) That, during 2014/15 a review of the market place for staff within the current entitlement range for car leases be carried out, with a view to determining whether there are any cases where market supplements should be paid;**
 - (viii) that staff car loans be available to staff whose leases have expired;**

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

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

The purpose of the consultation period is to listen to and consider the trade unions' suggestions and then to obtain the employees' written consent to the changes. Employees will be given the opportunity to agree to their terms and conditions being amended accordingly at the end of the 90 day consultation period on 23 April 2012 and for a further period of two weeks up to and including 8 May 2012.

In the event that any employees do not agree to their terms and conditions being amended on or before 8 May 2012, their contract be terminated with the appropriate contractual notice and re-engagement offered on new terms which:-

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

No contracts will be terminated and no employee will be given notice of termination prior to the

expiry of the 90 day consultation period on 23 April 2012.

- 2 That the timetable above applies also to the consultation on staff travel for staff whose terms and conditions are delegated to Special Sub-Group.**
- 3 That the Special Sub-Group be authorised to make any determinations arising from the consultation with trade unions, including any changes to the proposals, in respect of the terms and conditions of all affected staff.**

Chairman of the next ensuing meeting of the Council