

BOROUGH OF BARROW-IN-FURNESS

EXECUTIVE COMMITTEE

Meeting, Wednesday, 20th May, 2015
at 2.00 p.m. (Committee Room No. 4)

NOTE: Group Meetings at 1.15 p.m.

A G E N D A

PART ONE

1. To note any items which the Chairman considers to be of an urgent nature.
2. To receive notice from Members who may wish to move any delegated matter non-delegated and which will be decided by a majority of Members present and voting at the meeting.

3. **Admission of Public and Press**

To consider whether the public and press should be excluded from the meeting during consideration of any of the items on the agenda.

4. **Declarations of Interest**

To receive declarations by Members and/or co-optees of interests in respect of items on this Agenda.

Members are reminded that, in accordance with the revised Code of Conduct, they are required to declare any disclosable pecuniary interests or other registrable interests which have not already been declared in the Council's Register of Interests. (It is a criminal offence not to declare a disclosable pecuniary interest either in the Register or at the meeting).

Members may however, also decide, in the interests of clarity and transparency, to declare at this point in the meeting, any such disclosable pecuniary interests which they have already declared in the Register, as well as any other registrable or other interests.

5. To confirm the Minutes of the meeting held on 11th March, 2015 (Pages 1-24).
6. Apologies for Absence/Attendance of Substitute Members.

FOR DECISION

- (D) 7. Appointments on Outside Bodies, Panels, Working Groups etc. (Pages 25-30).
- (D) 8. P & O Cruise Ship Visits 2015 (Pages 31-32).

- (R) 9. Taxi Driver Test – Driver Vehicle Standards Agency (Pages 33-34).
- (R) 10. Constitution of the Council: Amendments to Officer Delegations (Pages 35-37).
- (R) 11. Establishment Changes (Pages 38-42).
- (R) 12. Cavendish Park Project (Pages 43-44).
- (R) 13. Investment Strategy (Pages 45-47).
- (R) 14. Organisational Change Policy and Procedure (Pages 48-49).
- (R) 15. Regrading Applications Policy and Procedure (Pages 50-52).
- (D) 16. Catering Contract (Pages 53-54).
- (R) 17. Recycling Reward Scheme – Staff appointments (Pages 55-56).
- (D) 18. Borough Council Administration of KOFAC (Pages 57-58).
- (R) 19. Coastal Communities Fund – Supply Chain Strengthening, Transforming Skills In Coastal Furness Accountable Body Status (Pages 59-62).

**NOTE (D) - Delegated
(R) - For Referral to Council**

**Membership of Committee
Councillors**

Membership of the Committee to be appointed at the Annual Council meeting on 18th May, 2015.

For queries regarding this agenda, please contact:

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EXECUTIVE COMMITTEE

Meeting: Wednesday 11th March, 2015
at 2.00 p.m.

PRESENT:- Councillors Pidduck (Chairman), Sweeney (Vice-Chairman), Barlow, Bell, Biggins, Garnett, Graham, Guselli, Hamilton (Items 1 to 14 only), Pemberton and Seward.

Also Present:- Phil Huck (Executive Director), Sue Roberts (Director of Resources), and Jon Huck (Democratic Services Manager and Monitoring Officer).

121 – The Local Government Act, 1972 as amended by the Local Government (Access to Information) Act, 1985 and Access to Information (Variation) Order 2006

Discussion arising hereon it was

RESOLVED:- That under Section 100A(4) of the Local Government Act, 1972 the public and press be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 1 (Minute No. 131) of Part One of Schedule 12A of the said Act.

122 – Declarations of Interest

Councillor Barlow declared a Disclosable Pecuniary Interest in Agenda Item 21 – Increase in Charges for Schedule Two Waste (Minute No. 141). He was Vice-Chairman of the Governors of George Hastwell School.

Councillor Hamilton declared an Other Registrable Interest in Agenda Item 19 – Cumbria County Council Statement of Intent on Prioritisation and Funding of Infrastructure (Minute No. 129). He was a Member of Cumbria County Council.

Councillor Pidduck declared a Disclosable Pecuniary Interest in Agenda Item 21 – Increase in Charges for Schedule Two Waste (Minute No. 141). He was Chairman of the Governors of St. James Junior School.

123 – Minutes

The Minutes of the meeting held on 21st February, 2015 were agreed as a correct record.

124 – Apologies for Absence

Apologies for absence were received from Councillors Irwin and Richardson.

Councillor Pemberton substituted for Councillor Richardson for this meeting only.

125 – Housing Management Forum: Recommendations

The recommendations of the Housing Management Forum held on 26th February, 2015 were submitted for consideration.

N.B. The Minutes are reproduced as **Appendix 1** to the Minutes of this meeting.

RESOLVED:- That the recommendations of the Housing Management Forum be agreed as follows:-

2011 - 2015 Housing Maintenance Contract

- (i) To agree that the Assistant Director – Housing continues to discuss and evaluate Vinci's proposal to extend the existing Housing Maintenance Contract by a further 24 months;
- (ii) To agree and note the arrangement to continue with the procurement of an alternative contractor(s) for the period 5th November, 2015 to midnight on 4th November, 2020 in line with the timetable shown in Table 1 of the report; and
- (iii) To note and agree the procurement process outlined in Options 1-3 and Proposed Contract Arrangements.

Results of 2014 Stock Condition Survey

- (i) To note the information provided by Michael Dyson Associates regarding the condition of the housing stock; and
- (ii) To agree that Officers look to incorporate the findings of the 2014 Stock Condition Survey into the Council's 30 year Business Plan and 5 year Asset Management Strategy.

ASB Action Ltd Service Level Agreement 2015/2016

- (i) To note information on the Service Level Agreement with ASB Action Ltd; and
- (ii) To agree to renew the Service Level Agreement for a further 12 months with ASB Action Ltd. and that the requirement to obtain written quotations be suspended due to the specialised service provided by ASB Action Ltd.

Request for the Purchase of Land – Cote Ley Crescent

That the request be declined as it would have a detrimental impact on the 'street scene' of the area.

126 – Pay Policy Statement

The Director of Resources reminded the Committee that the Council was required under the Code of Recommended Practice for Local Authorities on Data

Transparency 2011 to publish details of salaries paid to senior staff online with effect from 30th March, 2012.

That information was updated on an annual basis and the Pay Policy Statement for 2015-2016 was considered by the Committee. The appendices contained in the Pay Policy Statement would be hyperlinked to the related policies when it was published online.

RESOLVED:- To approve the Pay Policy Statement and agree that it be published on the Council's website.

127 – Lease of Mayoral Car

The Executive Director informed the Committee that the lease on the Mayoral car expired in June 2015. The car was currently used to transport the Mayor to local and more distant functions. The car had been driven by a Town Hall Steward with appropriate training.

The cost of the vehicle was £6,641 per annum. Clearly use of the vehicle was demand driven and pricing any alternative options had to be based upon assumed rather than actual usage. Nonetheless, assuming a combination of taxi and vehicle hire charges across an average month, savings of £3,000 could be achieved on current lease vehicle charges.

Only one other local authority in Cumbria retained a Mayoral car.

It was appropriate to consider the matter now to have a settled policy for the election of a Mayor by the new administration following elections in May, 2015.

RESOLVED:- (i) To agree that the current lease on the Mayoral car was not renewed; and

(ii) To agree that Vehicle Registration Number AEO1 be kept on retention.

128 – Planning Policy – Annual Monitoring (AMR) and Strategic Housing Land Availability Assessment Review and Interim Housing Land Statement 2014

The Executive Director reminded the Committee that the purpose of the report was to advise Members of the publication of the 2013/14 Annual Monitoring Report (AMR) and the Strategic Housing Land Availability Assessment Review and Interim Housing Land Statement 2014 produced by the Planning Policy Section.

The tenth Annual Monitoring Report to be published and a full colour copy was available to view in the Member's Room or on the Council's website.

The AMR was required by legislation and regulations to demonstrate progress in producing the planning policy documents set out in the Council's Local Development Scheme (LDS).

The Council's current Local Development Scheme (February 2014) reflected the requirements of the National Planning Policy Framework (NPPF), and the Council's decision to produce a single Local Plan document. Progress had been on the Local Plan, the Issues and Options Draft Local Plan underwent consultation in September/October 2014 and the Preferred Options Draft would be published shortly, with the expected date for adoption Autumn 2016.

As the production of a single Local Plan required the review of all saved policy that was currently being progressed as new policies were developed in the Preferred Options Draft. The AMR provided a list of saved policies and documents together with an indication of when saved policies were likely to be cancelled or replaced. It also provided an up to date list of background studies which were produced as an evidence base to inform the Local Plan.

The AMR contained a range of data and statistics including housing data which should be read in conjunction with the Strategic Housing Land Availability Assessment Review and Interim Housing Land Statement 2014. That sets out the housing requirement for the Borough in the interim period until the new Local Plan was adopted. That document had identified a five year supply of deliverable housing sites which meant Saved Local Plan Policies relevant to the supply of housing could be considered to be up to date.

RESOLVED:- To note the content of the Annual Monitoring Report and the Strategic Housing Land Availability Assessment Review and Interim Housing Land Statement 2014.

129 – Cumbria County Council Statement of Intent on Prioritisation and Funding of Infrastructure

The Executive Director informed the Committee that given the reductions in finance available at County and District Council levels across Cumbria, Cumbria County Council had prepared a Statement of Intent on the identification, prioritisation and funding of infrastructure projects and requested that all District Councils agree to sign.

The Statement, which was considered by the Committee had three elements. Firstly, a commitment to work with Cumbria County Council to identify the infrastructure required to support planned developments. Secondly, that both Councils would seek to identify sources of funding for its provision and finally that both Councils would work together to prioritise infrastructure projects.

He had discussed the Statement with Planning colleagues and it largely enshrined work already underway particularly with regard to preparing an I.D.P. It was also important that there was no commitment to individual developer contribution schemes or the Council's own funding for that purpose.

RESOLVED:- To agree that the Statement of Intent on Prioritisation and Funding of Infrastructure be signed.

130 – 242/244 Dalton Road

The Executive Director reminded the Committee that Members had agreed to vacate 242/244 Dalton Road by the end of the 2014/15 financial year and offer the property leasehold at a peppercorn rent to a community/third sector organisation.

It was reported that a local Social Enterprise, Inspire Furness would take up occupancy for an initial period of one year from mid-April 2015. Inspire Furness would host a number of projects and staff within the building. These projects included the Love Barrow Families project, the Timebank initiative and the Inspire Barrow project. Inspire Furness had also agreed to make a hot desk available for any Council officer or department to undertake surgery type activity.

RESOLVED:- To note the alternative use of 242/244 Dalton Road which was in line with the previous decision.

131 – Establishment Re-gradings

The Committee considered a report that sets out the requirement to re-grade two posts where the scope of the posts had been reviewed by Management and as a result there were additional responsibilities which constituted a re-grading. These were not re-grading applications, they were structural corrections.

RESOLVED:- (i) To agree that with effect from 13th October, 2014, post DEH224 be graded PO4 (£30,978 per annum); and

(ii) To agree that with effect from 11th December, 2014, post DCC020 be graded Scale 5 (£20,253 to £22,212 per annum) and re-designated, Deputy Cemetery and Crematorium Manager.

REFERRED ITEM

THE FOLLOWING MATTERS ARE REFERRED TO COUNCIL FOR DECISION

132 – Council Finances and Performance

The Committee considered a detailed report from the Director of Resources regarding the Council's finances and performance for 2014-2015 as at the end of December 2014. The report included all revenue, capital and treasury items which included the General Fund, the Housing Revenue Account, the Collection Fund and also the financial reserves.

RESOLVED:-

- (i) To note the quarter 3 financial information;
- (ii) To approve the reserve movements which totals a net use of £6,370 from reserves as set out in Section D; and
- (iii) To note the progress on the Council's Priorities set out in Section J.

RECOMMENDED:-

To recommend the Council:-

- (iv) To approve the revised budget for 2014-2015 of £12,058,730.

133 – Recruitment Policy

The Director of Resources reminded the Committee that the Council's Recruitment Policy sets out the criteria for applications for vacancies advertised internally. It was proposed that the policy be varied to allow the Council's apprentices to be included.

RECOMMENDED:- To recommend the Council to approve the variation to the Recruitment Policy.

134 – Financial Regulations and Contract Standing Orders

The Director of Resources informed the Committee that the under-mentioned documents had been reviewed and updated to ensure that they were relevant, current and reflected best practice:-

The Financial Regulations provided the overall key control framework to enable the Council to exercise effective financial management and control of its resources and assets. The Regulations supported and protected Members and staff in the performance of their duties where financial issues were involved.

The Contract Standing Orders applied to the purchase by or on behalf of the Council of works, supplies (goods) and services with a contract value of £100,000 and above.

RECOMMENDED:- To recommend the Council:-

- (i) To approve the Financial Regulations and Contract Standing Orders; and
- (ii) To authorise the Monitoring Officer to incorporate the updated documents into the Constitution.

135 – Anti-Fraud Policies

The Director of Resources informed the Committee that the under-mentioned documents had been reviewed and updated to ensure that they were relevant, current and reflected best practice.

The Anti-Fraud and Corruption Policy sets out the Council's commitment to the prevention and detection of fraud and corruption. It outlined the responsibilities of staff, Members and management, and sets out the procedures to be followed where suspicion of financial or other irregularity was raised.

The Whistleblowing Policy applied to all staff, Members and those contractors working for the Council. The Policy sets out the Council's expectation where serious concerns were raised.

RECOMMENDED:- To recommend the Council to approve the updated Anti-Fraud Policies.

136 – DWP Delivery Partnership Agreement

The Director of Resources reminded the Committee that the Council currently facilitated Universal Credit related services through contracts with Barrow Citizen's Advice Bureau and Liberata UK Limited.

Barrow Citizen's Advice Bureau provided personal budgeting support and online support from referrals made by the DWP.

Liberata UK Limited provided support to the Universal Credit service centre and manually processed Council Tax support information; that was previously automated and would be automated again from November 2015.

The Council would approach these organisations to request that the services be continued from April 2015 to March 2016, apart from manual Council Tax support processing which ended earlier. Contracts, agreements and funding would all be discussed and proposed.

Should the arrangements with either Barrow Citizen's Advice Bureau or Liberata UK Limited no longer be offered, then Officers would report back to Members and together with relevant information seek a decision.

The current Delivery Partnership Agreement contained no financial risk to the Council. The proposed Delivery Partnership Agreement for 2015-2016 was structured slightly differently and the contract or agreement with the external organisations would reflect that in order to mitigate any risk to the Council. The key point to note was that the funding would be agreed and then capped, with increased volumes being negotiable on a prospective quarterly basis. Officers shall mitigate any risk to the Council and would highlight these provisions to the external organisations involved.

Claim figures of 1,194 had been estimated by the DWP for 2015-2016 and these included the families which were being brought into the scope of Universal Credit.

RECOMMENDED:- To recommend the Council:-

- (i) To approve the delegation of signing DWP Delivery Partnership Agreements to the Executive Director and the Director of Resources provided that the provision of the services did not alter; and
- (ii) To request the DWP to give a presentation to all Members of the Council regarding Universal Credit.

137 – The Council Plan

The joint report of the Executive Director and Director of Resources reminded the Committee that the Council Plan was the overarching plan for the Council and sets out the focus for the priorities and direction for the use of the available resources. The corporate documents that supported, informed and guided the Council Plan were the Council Priorities, the Medium Term Financial Plan and the Workforce Strategy. These documents had all been reviewed to ensure that they remained relevant and reflected the outcome of the 2015-2016 budget setting process.

RECOMMENDED:- To recommend the Council:-

- (i) To approve the Council Plan for 2015-2016;
- (ii) To approve the Council Priorities document for 2015-2016;
- (iii) To approve the Medium Term Financial Plan for 2015-2016 to 2019-2020; and
- (iv) To approve the Workforce Strategy.

138 – Strategy Documents

The Director of Resources report reminded the Committee that Council's Asset Management, Capital and Value For Money strategies had all been reviewed to ensure that they remained relevant and current.

RECOMMENDED:- To recommend the Council to approve the updated Asset Management, Capital and Value For Money Strategies.

139 – Redundancy Payments – Suspension of Enhanced Compensation Arrangements

The Executive Director reminded the Committee that in December 2010, to support a policy of incentivising a voluntary reduction in staff numbers to meet the Budget Strategy, Members had agreed to an enhanced package of voluntary redundancy compensation. The scheme was only ever intended to be temporary in nature. Members had agreed that the Council should continue its discretion to pay compensation on the basis of actual pay and to double the number of weeks entitlement under the statutory formula to a maximum of 52 weeks.

These arrangements had been in place for all voluntary redundancies since 2010. The additional funding required to support that policy was provided through the restructuring fund. The incentive had been a significant contribution to the voluntary reduction in headcount and the fact that no compulsory redundancies had been made to ensure the staff reductions necessary to meet the Budget Strategy.

The purpose of the policy was to incentivise voluntary redundancy and in view of likely future government cuts to the Council's formula grant. The Policy may be revised in the future.

As the scheme had now been in place for over four years the incentivisation aspect of the policy had diminished significantly and it was considered it should be reviewed.

Officers were currently in the early stages of preparing a new budget strategy for the incoming administration in May 2015 and the costs of any new enhanced redundancy compensation was a matter for them.

The current policy was expensive and no longer achieved its original objective and should be suspended on 30th June, 2015. Should Members wish to reintroduce an enhanced compensation package in the future, a further report would be brought to Committee.

Council would continue its long term policy of paying compensation on the basis of actual pay, but would reduce the number of weeks entitlement to the statutory maximum of 26 weeks.

The proposal would be notified to the Trade Unions for their comments prior to consideration by Council.

RECOMMENDED:- To recommend the Council:-

- (i) To agree that as of 30th June, 2015 the period of entitlement for calculation of voluntary redundancy compensation was the statutory maximum of 26 weeks; and
- (ii) To agree that all other provisions of the redundancy policy agreed in Minute No. 20 of Executive Committee, 15th December, 2010 be continued.

140 – Property Information Team Fees Amendments

The Committee considered a detailed report of the Property Information Manager. The report considered the introduction of fees for Ordnance Survey Plans, Property History Information Packs and Assisted Personal Search Service.

RECOMMENDED:- To recommend the Council:-

- (i) To approve the charges for Ordnance Survey Plan in paper or electronic formats;
- (ii) To approve the new charges for Property History Information Packs (electronic format); and
- (ii) To approve a new charge of £10.00 for the provision of an assisted enhanced personal search service.

(COUNCILLOR SWEENEY IN THE CHAIR FOR THE UNDER-MENTIONED ITEM ONLY)

141 – Increase in Charges for Schedule Two Waste

The Committee was reminded that the Environment Protection Act 1990 made a statutory requirement on the Waste Collection Authority to collect household type waste under Schedule 2 of the Act from schools, colleges and charity shops that accept household goods for re-use. These establishments pay for collection only and not disposal charges. The charges for the service were set around 15 years ago and were inconsistent across the establishments. The charges had not been subject to review since they were set. The report proposed a new scale of charges, to be introduced from 1st September, 2015.

The following price per container for Schedule 2 waste was as follows:-

240 litre bin £3.00 per weekly collection
660 litre bin £6.00 per weekly collection
1100 litre bin £8.00 per weekly collection

Although the scale of charges would represent an increase for participating establishments, it was approximately 30% cheaper than the prices charged by commercial providers.

It was proposed to introduce the new fees from 1st September 2015, i.e. the commencement of the new academic year. That would allow schools and colleges who do not wish to continue with the Borough collection to make alternative provision.

RECOMMENDED:- To recommend the Council to agree the increase in charges for the service, and to agree their implementation from 1st September, 2015.

142 – Review of Constitution

The Committee considered a detailed report of the Monitoring Officer. He reminded the Committee that S.37 of Local Government Act 2000 provided that every Council must have a constitution and that it must contain certain prescribed information. It was a statutory requirement that the constitution was kept up to date.

To reflect both the introduction of The Anti-Social Behaviour, Crime and Policing Act 2014 ('the 2014 Act') and to provide clarity to committee and officers responsibilities, the following section of the Constitution needed updating:

- (a) Part 3(1) – Responsibility for Functions (Policy & Other Committees)
- (b) Part 3(2) – Responsibility for Functions (Officer Delegations)

Additionally Parts 4 and 5 of the Constitution were presently under review and it was considered necessary that members had an input prior to submission to the Committee.

RECOMMENDED:- To recommend the Council:-

1. Clarification of the Terms of Reference for Licensing Committee and the Licensing Regulatory Committee in Part 3(1) in relation to matters of policy;
2. That the delegations contained in the Council's Constitutions Part 3(2) be amended to authorise the Assistant Director Community Services, Assistant Director Housing, Assistant Director Regeneration and Built Environment and Environmental Health Manager* to exercise the Council's functions and enforcement powers under the 2014 Act, including:-
 - (i) Securing civil injunctions (when in force);
 - (ii) Issuing closure notices and securing closure orders;
 - (iii) Issuing community protection notices*;
 - (iv) Implementing public space protection orders; and
 - (v) Appointing authorised officers.
3. To establish a Constitution Working Group with a membership of four to consider Parts 4 and 5 of the Constitution.

The meeting ended at 4.00 p.m.

HOUSING MANAGEMENT FORUM

Meeting: Thursday 26th February, 2015
at 2.00 p.m.

PRESENT:- Councillors Hamilton (Chairman), Barlow, Johnston, Murray and Pointer.

Tenant Representatives:- Mr A. McIntosh, Mr W. Ward and Mrs M. Anderson.

Also present (for Minute No. 37 only) David Binns and Andy Robinson of Michael Dyson Associates.

Officers Present:- Colin Garnett (Assistant Director – Housing) and Keely Fisher (Democratic Services Officer).

34 – Minutes

The Minutes of the meeting held on 15th January, 2015 were taken as read and confirmed.

35 – Apologies for Absence

Apologies for absence were submitted from Councillor Irwin and Tenant Representative Mr W. McEwan.

36 – 2011-2015 Housing Maintenance Contract

The Assistant Director – Housing reported that Minute No. 56 of the Executive Committee held on 22nd September 2010 had agreed the appointment of Vinci as the Council's preferred contractor to carry out the 2011 to 2015 Housing Maintenance Contract. This contract was awarded on a four-year term with an option to extend by a further two years subject to the Council's agreement and satisfaction with the level of service provided.

On 5th January 2015, Vinci were asked in writing to clarify their position regarding the option to extend the existing contract by a further 12 or 24 month period. On 26th January, 2015 Vinci confirmed that they would like to continue with the contract for a 24 month period subject to further dialogue about a number of concerns. It was clear from the correspondence received from Vinci that they had found it difficult to manage the service in line with the contract terms and conditions. This had resulted in operational problems, poor performance and exposure to a high degree of commercial risk. Vinci had asked Officers to review the following aspects of the contract:-

- Redefine the contractual and operational mechanisms;
- Additional investment by Barrow Borough Council for mutual benefit;

- Batch up work orders and allow Vinci the opportunity to provide a competitive quotation;
- Review two-hour emergencies to avoid short cutting working practices;
- Review processes that require double handling of information; and
- Review local resource availability as it was presently impacted heavily by BAE and other employers.

Members were advised that some of the items listed above by Vinci were “aspirational” and lacked specific detail. In view of this Members noted that the Assistant Director – Housing would continue to discuss and further evaluate Vinci’s proposal in conjunction with ongoing alternative procurement options offered by Procure Plus.

Procurement Options and Timescale

At the Housing Management Forum on 27th February, 2014, Members had agreed to appoint a suitably qualified advisor to evaluate procurement options and undertake a market testing exercise. Procure Plus had subsequently been selected to assist with the procurement process. The aim was to raise awareness for small to medium size enterprises that may be interested in undertaking repairs and maintenance of the Council’s housing assets.

Since the appointment of Procure Plus, Officers had undertaken a market testing exercise with local and regional maintenance contractors. A total of 25 were invited to attend the event to help them understand the existing delivery arrangements and discuss a range of alternative contract options that may be utilised moving forward.

Due to the uncertainty of any proposed contract extension with Vinci, Procure Plus was in the process of drafting a tender package that offered the Council a flexible approach to selecting a suitable contractor(s).

Following discussions with Procure Plus and having regard to operational experiences gained over a number of contracts, Officers had considered how best to consider appointing an alternative contractor.

The options shown below aimed to provide a range of scenarios that were designed to open up the process to greater competition and improve service delivery for customers:-

- **Option 1** – Appoint a single contractor to carry out all aspects of the work; i.e. responsive repairs, void improvements, gas servicing and out of hours emergency cover;
- **Option 2** – Appoint multiple contractors for individual elements of work; i.e. appointing one contractor to carryout responsive repairs, void improvements and out of hours emergency cover and a separate contractor to carry out gas servicing

- **Option 3** – Appoint individual contractors for each and every element of the work. i.e. one contractor for responsive repairs and out of hour emergencies, one contractor for void improvements and one contractor for gas servicing.

Contract Arrangements

- **Appointment Criteria:** the Assistant Director – Housing proposed that the evaluation of potential contractors were weighed equally on quality (50%) and price (50%);
- **Length of Contract:** the Assistant Director – Housing proposed that Officers looked to appoint on a longer term basis, but retain the option to bring it to an end if performance did not reflect the Council’s expectations. A longer contract would demonstrate and aid collaborative working and provide incentive to improve quality. The Assistant Director – Housing proposed a ten-year contract, the initial period being three years, plus one, with three further extensions of two years: 3 +1 + 2 + 2 + 2; and
- **Price and Quality Assessment:** Officers were currently working with Procure Plus to develop an appropriate assessment matrix.

Officers had advised that the procurement process must be completed by the end of July 2015 (if necessary) to allow the incoming contractor(s) sufficient time to take over operational aspects of the service and mobilise key personnel. The timetable for the procurement process was as follows:-

Table 1 : Timetable for Procurement Process	
Activity	Expected date (week commencing)
Launch Prior Information Notice (PIN)	19.01.15
Issue section 20 notices to leaseholders	30.1.205
Sign off procurement strategy	23.02.15
Production of all documents that comprise the ITT	05.01.15 - 09.03.15
Sign off ITT	09.03.15
Launch CN	16.03.15
Tender close	20.04.15
Pass / fail evaluation	04.05.15 -11.05.15
Sign off results of pass /fail	04.05.15
Issue notification to bidders	11.05.15
Quality and price evaluation	18.05.15 - 25.05.15
Bidder interviews	25.05.15
Sign off award decision	08.06.15
Standstill period	29.06.15 - 06.07.15
Contract signature	13.07.15

Following the completion of the discussion with Vinci and the procurement process outlined in the report, the Assistant Director - Housing suggested that the Council would be in a position to make a decision to continue with Vinci or appoint new contractors early in the next administration.

RECOMMENDED:- (i) To agree that the Assistant Director – Housing continues to discuss and evaluate Vinci’s proposal to extend the existing Housing Maintenance Contract by a further 24 months;

(ii) To agree and note the arrangements to continue with the procurement of an alternative contractor(s) for the period 5th November, 2015 to midnight on 4th November, 2020 in line with the timetable shown in Table 1 of the report; and

(iii) To note and agree the procurement process outlined in Options 1-3 and Proposed Contract Arrangements.

37 – Results of 2014 Stock Condition Survey

The Assistant Director – Housing updated Members with regard to the findings of the 2014 Stock Condition Survey and sought Members approval to incorporate the findings into the Council’s 30 year Business Plan and 5 year Asset Management Strategy.

Representatives from the surveying company Michael Dyson Associates (MDA) were present to give Members a short presentation and highlight key areas of the report.

Michael Dyson Associates (MDA) were a firm of independent building surveyors that were appointed to carry out a detailed survey of the Council’s housing stock and related assets. The surveys took place between March and November 2014. The purpose of the survey was to inspect all housing assets to identify investment priorities over a 30 year period. The survey included:-

- houses, flats, bungalows;
- communal areas and blocks; and
- garages and community centres.

MDA also collected comprehensive data regarding energy efficiency of the stock. Properties with known hazards were excluded from the survey.

At the time of the survey the total stock for Barrow Borough Council was 2,680 properties. MDA were able to inspect 2,362 (88%) properties; the remaining 318 (12%) properties received cloned data.

The stock was categorised by common characteristics such as age and construction type as shown in the following table:-

Property Type	Total	% of Stock
Bungalow End Terrace	25	0.93%
Bungalow Mid Terrace	72	2.69%
Bungalow Semi Detached	60	2.24%
House End Terrace	376	14.03%

House Mid Terrace	636	23.72%
House Semi Detached	257	9.59%
Ground Floor Flat low rise flat	478	17.84%
Ground Floor Flat medium rise flat	106	3.96%
Upper Floor Flat low rise flat	458	17.09%
Upper Floor Flat medium rise flat	212	7.91%
Grand Total	2680	100.00%

MDA also inspected: 479 garages and 4 Community Centres.

MDA concluded that there was clear evidence that investment had been made in the stock over recent years. However, it was noted that there remained a number of properties which had components approaching the end of their useable life which would need replacing over the coming years.

The survey covered the following categories of investment:-

- Catch up repairs;
- Planned works;
- Cyclical maintenance;
- Responsive repairs;
- Void repairs;
- Decent Homes;
- Garage repairs;
- Community Centre repairs

The overall Planned Maintenance costs over the 30 year business planning period were £66,968,114 which equated to an average of £24,988 per property.

This could be further broken down to an average of £832 per property per year. MDA typically expected the average property cost for social housing over a 30 year period to range between £25-30k per property across the UK, and the average 30 year cost, per property, for the Barrow Borough Council stock was lower than this figure.

When summarising all costs for the properties, which included Catch-up repair costs, Planned Maintenance costs, Unaccounted Decent Homes costs, Cyclical, Responsive Repair and Void costs, along with Preliminaries, Fees and Contingencies the figure currently stood at a total of £160,834,025 over the 30 year period, an average of £59,442 per property. This could be further broken down to an average of £1,981 per property, per year.

Repair and replacement costs for garage blocks totalled £1,428,635 over the 30 year period; these costs were over and above the totals listed above.

Medium Term Investments

There was an existing policy to focus investments towards components such as kitchens, bathrooms, heating and electrical wiring. The data from the 2014 survey suggested that investments for kitchens and bathrooms could be significantly reduced over the next 5 years. This was due to the high levels of the stock that had received new kitchens and bathrooms in the past 5 to 10 years.

In view of this Members were requested to agree the following areas of investment:-

Windows - they were the greatest cost liability with £2.7M required over the next 5 years. This increased to £5.1M over the next 10 years to more than £7.8M over the 30 year period, equating to over 11% of the total planned maintenance profile costs.

Wiring – this also represented a significant cost liability over the 30 year period; with over £7.3M required overall, which was an average of £245k every year over the period.

Heating Boilers and Heating Distribution - this represented a note-worthy cost in the Planned Maintenance profile with a combined expenditure of £11.2M required over the 30 year period, equating to nearly 16.8% of the total. Heating boilers alone represented a sustained investment over the 30 year period, with an average cost of £214k per year.

Main Roof Coverings – this also required investment over the first five years with £874k identified as being required, over 9% of the total cost expected over the 30 year period. Over the 30 year period the investment requirement for main roof coverings was £5.7M.

Officers advised that investments with regard to kitchens and bathrooms were expected to continue on an ad-hoc basis to ensure compliance with the decent homes legislation.

Decent Homes

The Decent Homes standard took into consideration key elements of each property and included:-

- Criterion A: Fitness Standard (HHSRS);
- Criterion B: It was in a reasonable state of repair;
- Criterion C: It had reasonably modern facilities and services; and
- Criterion D: It provided a reasonable degree of thermal comfort

During the survey MDA identified failures to 76 properties (2.84% of the total stock).

Decent Homes Criterion	Total Failures
Criterion A	1*
Criterion B	72
Criterion C	4
Criterion D	0

**The property identified as failing Criterion A has been sold.*

HHSRS was used to assess Criterion A and required surveyors to make judgements based on an inspection of the Dwelling, to generate a numerical score. To generate the score the surveyor must make two judgements on each hazard:-

1. Likelihood over the next 12 months of an occurrence which could result in harm to a member of the vulnerable age group; and
2. The range of potential outcomes from such an occurrence.

The surveyors were then required to classify each hazard based on the score allocated. The higher the score the greater the hazard.

As an example: An elderly person at risk from falling from a flight of steps that had no hand rail may be given a score of 90 and hence be classed as a Category 1 hazard with significant risk. The Council was required to rectify all Category 1 hazards within a reasonable timeframe.

The next steps would be for Officers along with Members approval, to look to incorporate the information into the Council's 30 year Business Plan and look to present Members with an updated Asset Management Strategy and five-year investment profile for each of the five housing management areas at the next meeting.

RECOMMENDED:- (i) To note the information provided by Michael Dyson Associates regarding the condition of the housing stock; and

(ii) To agree that Officers look to incorporate the findings of the 2014 Stock Condition Survey into the Council's 30 year Business Plan and 5 year Asset Management Strategy.

38 – ASB Action Ltd Service Level Agreement 2015/2016

The Assistant Director – Housing reported that Barrow Borough Council had an obligation to the residents in the local areas they managed to do all they reasonably could to prevent crime and disorder in those areas. The Anti-Social Behaviour, Crime and Policing Act 2014 powers came into effect on 20th October, 2014. The purpose of the Act was to provide more effective powers to tackle anti-social

behaviour (ASB) and offered greater protection to victims and communities, whilst paying regard to the treatment of the underlying behavior issues of ASB perpetrators.

The Act replaced the 19 previous ASB powers with six broader powers and a New Absolute Ground for Possession, streamlining procedures and focusing on the behaviour of people. The Act also imposed a requirement to implement the 'Community Trigger'. This is a mechanism which allows victims of ASB to request a review of the management of their case if they perceived there has been no action taken or the action taken was not appropriate. The Community Trigger was enacted early in 2014.

It was widely accepted that failing to tackle ASB and nuisance promptly could undermine not just physical regeneration of areas but community cohesion. Residents did not wish to live in an area of crime, graffiti, environmental damage (fly-tipping) or noise nuisance. It was therefore in both parties' interest that complaints were dealt with speedily and that a seamless service was presented to residents who had historically complained about their case being referred to a variety of agencies with no real ownership of the case.

The core service provided by ASB Action Ltd was the provision of ASB and neighbour nuisance services. This assisted the Housing Service to deal effectively with ASB and neighbour nuisance, using tried and tested methods developed by three of the country's leading practitioners in this field.

The services provided by ASB Action Ltd included:-

- Review cases referred and provide action points to Officer's dealing with ASB within specified timescales to ensure prompt service to our customers.
- Where appropriate, collect evidence and construct witness statements to a standard required for Civil Court proceedings.
- Act as professional witness in court where required.
- Carry out audits/case reviews.
- Provide the Estates Team with the range of appropriate legislation which can be used to resolve specific cases and support strategic initiatives.
- Review the Housing Service's existing ASB Policies and Procedures and, where necessary, make recommendations to ensure service improvement.
- Provide Barrow Housing Service with a witness support service, including an out-of-hours telephone service to support the most vulnerable witness.
- Provide a coaching, training and mentoring service with the new 'Powers' for the front line officers and managers of the Housing Service on the best practice for tackling and preventing ASB.
- ASB Action Ltd, in supporting Barrow Housing Service, will seek to provide a service which appears seamless to the complainant/witness.

Service Level Agreement

ASB Action Ltd offered a Service Level Agreement in which Barrow Borough Council Housing Service could undertake to purchase 12 days to be used over a 12-month

period. The 12 days could be used however the organisation felt would best suit the needs of the Service, i.e. training, mentoring, critical friend, case work reviews, etc. Within the 12 days staff were not deducted any time for telephone or e-mail advice. Staff could ring through with problems and they would be advised of the course of action to take. The Housing Service would be invoiced monthly with itemised work/cases giving hours used as an audit trail.

During the last 12 months the Service Level Agreement with ASB Action had assisted the Housing Service to successfully obtain seven Injunctions for ASB.

The cost of a 12-day Service Level Agreement including training was £5,829 plus VAT.

The Assistant Director – Housing recommended that this Forum agreed a further annual Service Level Agreement with ASB Action Ltd, and suspends the requirement to obtain alternative estimates.

RECOMMENDED:- (i) To note information on the Service Level Agreement with ASB Action Ltd; and

(ii) To agree to renew the Service Level Agreement for a further 12 months with ASB Action Ltd. and that the requirement to obtain written quotations be suspended due to the specialised service provided by ASB Action Ltd.

39 – Request for the Purchase of Land – Cote Ley Crescent

The Assistant Director – Housing had recently been approached by a resident on Cote Ley Crescent requesting the Council to sell them a piece of land adjoining their home to enable a further bedroom to be added. The Assistant Director – Housing had declined their request. The applicant had requested the matter be referred to this Forum for further consideration, which was the practice should an applicant wish to appeal.

The Assistant Director – Housing had delegated authority to dispose of ‘ad-hoc’ land on Council estates. There was an agreed procedure which any purchaser must follow for such a request to be agreed. However, it had been the Council’s approach to only agree sales where there would be little detriment to the street scene of the area.

The applicant had suggested the land in question was often used as a dog toilet, often wet for nine months of the year and ‘not presentable’ even when cut.

They only wished to purchase a section of the land to facilitate an extension.

It would not be the Council’s practice to sell land to a non-home owner.

The Assistant Director – Housing’s primary decision to decline the request was that the sale would result in a negative impact on the street scene of the area.

RECOMMENDED:- That the request be declined as it would have a detrimental impact on the 'street scene' of the area.

40 – Housing Management Performance Information Report

The Assistant Director – Housing submitted information relating to the Housing Management Performance 2014/15 and Best Value Performance Indicators. The information is attached at **Appendix A** to these Minutes. He provided a brief commentary to assist Members in their understanding of the key trends.

RESOLVED:- To note the Housing Management Performance Report.

41 – Planned Investments and Planned Maintenance

The Assistant Director – Housing reported information relating to the Planned Investment and Planned Maintenance Programme for 2014/15. The information is attached at **Appendix B** to these Minutes.

RESOLVED:- To note the information.

The meeting closed at 2.38 p.m.

HOUSING MANAGEMENT PERFORMANCE REPORT

APPENDIX A

Performance Indicator	Actual 2011/12	Actual 2012/13	Actual 2013/14	Apr-June 2014	Apr-Sept 2014	Apr-Dec 2014	Target (Median)
£ Rents Collection							
£ Rent & Service Charges due (exc Void)	£9,228,558	9,728,187	10,687,981	2,549,037	5,386,720	7,985,916	£10,726,368
£ Rent collected	£9,134,875	9,604,739	10,482,254	2,451,512	5,272,405	7,797,313	£ 10,511,841
Rent collected as % of rent due (exc ft)	98.98%	98.73%	98.08%	96.17%	97.9%	97.64%	98%
£ Current Arrears (dwellings)	£181,230	£203,623	£370,804	£465,845	£474,254	£546,319	£321,791.04
£ Former Arrears (dwellings)	£92,499	£135,745	£162,969	£184,016	£220,481	£177,619	£160,768
Write Offs (Gross)	£75,538	£38,573	£137,688	£8,969	£13,809	£92,126	£150,000
Tenants evicted for rent arrears	6	5	15	1	4	8	15
Current tenants arrears % of rent owed	2.0%	2.1%	3.5%	4.3%	4.2%	4.9%	3%
Former tenants arrears % of rent owed	1.0%	1.4%	1.6%	1.7%	2.0%	1.6%	2%
£ Rent arrears Garages	£1,824	£1,452	£1,763	£3,635	£8,011	£11,245	£ 3,750
£ Rent Arrears Shops	£16,602	£22,146	£15,464	£12,122	£12,905	£11,906	£ 15,000
Void management	2694	2686	2677	2672	2667	2663	2666
Tenancy Turnover %	8.4%	10.1%	12.9%	3.6%	6.2%	8.5%	8.05%
Total number of re-lets	278	245	340	78	167	248	370
No. of Voids	227	270	344	95	171	227	350
Ends due to Under Occupation			48	0	3	10	10
Average relet time for dwellings (inc days spent in MW)	37	32	35	52		49	30
£ rent loss through vacant dwellings	£ 100,227	£ 111,607	£ 165,336	£ 40,169	£ 90,137	£ 135,742	£ 168,229
£ rent loss due to vacant garages	£5,098	£2,290	£2,157	£339	£970	£1,939	£ 4,500
£ rent loss due to vacant shops	£16,546	£5,000	£1,022	£0	£0	£0	£ 4,000
£ rent loss due to vacant dispersed	NA	NA	NA	£2,166	£12,097	£21,021	£ 13,019
% properties accepted on first offer	86.4%	78.4%	76.5%	80.7%	78.0%	74.2%	70%
Loss per Void (Rents, Repairs, Arrears)	£ 2,846	£ 2,684	£ 1,341	£ 1,269	£ 2,634	£ 1,711	£2,000
Maintenance							
No. Repair Orders issued (Tenant Demand)	11,587	10,109	10,822	2,575	5,101	7,912	9,197
Responsive & Void repairs per property	4.3	3.7	4.0	1.0	1.9	3.0	3.4
P1 & P2 as a % of total repairs	61.7%	63.8%	63.0%	55.0%	54.6%	46.8%	47.5%
% all responsive repairs completed on time	87.3%	77.1%	71.2%	83.5%	82.2%	82.6%	96.3
P1 % emergency repairs completed on time	94.6%	94.6%	89.0%	92.7%	95.1%	99.0%	96.7
P2 % urgent repairs completed on time	78.9%	77.3%	73.0%	79.5%	79.9%	84.0%	94.6
Average end-to-end time for all reactive repairs (days)	12.25	19.78	17.46	10.75	13.14	12.94	8.2
Percentage of repairs completed 'Right First Time'	78.5%	79.79	N/A	N/A	N/A	N/A	88.8
Appointments kept as a % of appointments made	77%	61%	N/A	N/A	N/A	N/A	96.8
Appointments made as a % of repair orders (exc gas & voids)	NA	100%	N/A	N/A	N/A	N/A	94.1
% of dwellings with a valid gas safety cert.	99.89%	100%	100.0%	100.0%	100.0%	100.0%	99.8%
% of homes that fail to meet the Decent Homes Standard	0%	0%	0%	0%	0%	3%	0.2%
*Average energy efficiency rating of dwellings based on RD SAP	69.2	69.2	69.2	69.2	69.2	69.2	68.90%
Homeless							
Homeless ave. days in temporary dispersed accommodation	59	57	56	29	36	43	
Homeless ave. days in temporary B&B accommodation	20	27	35	37	38	32	
Homeless Total Cases Closed	752	903	782	83	293	456	
Homeless Advice	339	408	187	25	92	143	
Homeless Prevention	114	170	492	38	165	256	
Homeless Applications	185	147	103	20	36	57	
Homeless Successful Preventions	85	148	277	24	89	139	
Eligible Homeless (Owed a full duty)	29	30	19	3	6	9	
Water Charge Collection							
Direct Debit payers		260	758				858
Successful applications for Support Tariffs		68	124				423

HOUSING MANAGEMENT PERFORMANCE REPORT

APPENDIX A

Housing Register	Actual 2011/12	Actual 2012/13	Actual 2013/14	Apr-June 2014/15	Apr-Sept 2014/15	Apr-Dec 2014/15	
Applicants on housing register							
Active Direct Applicants		1471	1162	1070	1133	1130	
Active Transfer Applicants		346	286	248	266	265	
Cumbria Choice Register	1745	1817	1448	1318	1399	1395	
Equality & Diversity							
ASB cases reported	82	72	58	11	35	26	143
Percentage of closed ASB cases that were successfully resolved	91%	99%	96%	83%	100%	100%	88%
% Diversity Information : Age	100%	100%	100%	100%	100%	100%	100%
Gender	100%	100%	96.6%	97.9%	98.6%	97.8%	98%
Ethnicity	95%	82%	93.4%	94.3%	95.0%	94.6%	75%
Disability	100%	100%	96.1%	97.3%	97.9%	97.2%	75%
Sexuality	56%	52%	48.1%	48.8%	49.1%	48.7%	55%
Religion or belief	57%	53%	48.5%	49.1%	49.5%	49.1%	55%
Percentage of Stage 1 complaints upheld	22%	40%	14%	0%	50%	50%	NA
Value for Money - Direct Costs per property							
Overhead per property	£ 324	£ 274	£ 319				130
Major & Cyclical works	£ 1,256	1100	1232				1200
Responsive Repairs	£ 480	391	514				375
Void Repairs	£ 167	166	164				150
Housing Mgt	NA	277	259				250
Leasehold	£ 70	134	152				150
Total staff turnover	7.0%	5.9%	3.8%	0.0%	1.9%	1.9%	1.9
Ave. working days lost / sickness absence	14.0	18.9	18.1	5.9	9.2	JC	
Satisfaction							Target
Percentage of tenants satisfied with the landlord's services		88%					83%
Percentage of tenants satisfied with repairs and maintenance		87%					79%
Percentage of tenants satisfied that their views are taken into		78%					64%
Percentage of tenants satisfied with the quality of the home		90					N/A
Percentage of residents satisfied with the neighbourhood as a		84%					82%
Percentage of tenants satisfied that their rent provides value for		90%					N/A
Percentage of tenants satisfied that their service charges provide		81%					N/A
Housing Stock							
Houses	1290	1284	1274	1270	1266	1263	
Flats	1248	1245	1247	1245	1244	1243	
Bungalows	157	157	157	157	157	157	
Total Dwellings	2694	2687	2678	2672	2667	2663	
Total Dispersed /Temporary Dwellings	10	10	8	9	9	9	
Community Centres	5	5	5	5	5	5	
Leaseholds	202	204	205	206	207	208	
Garages	484	486	486	489	489	489	
Shops	20	20	19	19	19	19	
TOTAL PROPERTIES	3415	3412	3401	3400	3396	3393	
Sold Property / Land	2011/12	2012-13	2013/14	Apr-June	Apr-Sept	Apr-Dec	2014/15
Houses	3	252,750	365,040	162,030	355,340	509,170	11
Flats	1	42,160	19,320	14,760	32,820	60,540	3
Land	1	0	0	3,000	3,000	3,000	1
TL	4	294,910	384,360	179,790	391,160	572,710	15

APPENDIX B

PLANNED INVESTMENTS 2014-15

SCHEME	CONTRACTOR OR SUPPLIER	AVAILABLE BUDGET	NO OF PROPERTIES (P) OR BLOCKS (B)	EXPENDITURE TO DATE	ESTIMATED START DATE	ESTIMATED COMPLETION DATE	CONTRACTOR	COMMENTS	Leasholders affected?
RE-ROOFING AND POINTING WORKS ROOSEGATE ESTATE (2-3 YEARS DELIVERY PLAN)	CUMBRIA HOUSING PARTNERS	£390,000	56 (P)	£ 611,577	18/06/2014	31.3.2015	DLP Roofing	100% COMPLETE	No
RE-ROOFING WORKS FLAT ORMSGILL ESTATE	CUMBRIA HOUSING PARTNERS	£192,000	20 (B)	£ 37,525	01/08/2014	31.3.2015	CUMBRIA ROOFING	95% COMPLETE	Yes
RE-POINTING/RENDERING DEVONSHIRE ESTATE	CUMBRIA HOUSING PARTNERS	£590,000	30 (P)	£ 9,606	01/08/2014	31.3.2015	DLP Roofing	DUE TO COMMENCE 5/1/15	No
EXTERNAL DOOR REPLACEMENTS	CUMBRIA HOUSING PARTNERS (MATERIALS)	£60,000	100 (P)	£ 36,577	01/11/2014	Jan-15	BARROW CENTRAL JOINERY	75% COMPLETE	No
WINDOW REPLACEMENTS CENTRAL & WALNEY	CUMBRIA HOUSING PARTNERS	£100,000	137 (P)	£ -	01/09/2014	31.3.2015	TOP NOTCH	ON SITE - DELAY WITH MANUFACTURING OF WINDOWS	No
COMMUNAL ENTRANCE LIGHTING UPGRADES - CENTRAL	CUMBRIA HOUSING PARTNERS	£24,000	14 (B)	£ 9,073	01/10/2014	31.3.2015	K WILSON	100% COMPLETE	Yes
COMMUNAL ENTRANCE PAINTING - CENTRAL	CUMBRIA HOUSING PARTNERS	£30,000	14 (B)	£ 49,072	01/11/2014	31.3.2015	GEORGE JONES	70% COMPLETE	Yes
COMMUNAL ENTRANCE DOOR UPGRADES - ORMSGILL	CUMBRIA HOUSING PARTNERS	£120,000	18 (B)	£ 189,438	01/08/2014	31.3.2015	SS GROUP	100% COMPLETE	Yes
GARAGE IMPROVEMENTS	CUMBRIA ROOFING	£48,600	10 (B)	£ 82,172	01/04/2014	31.3.2015	CUMBRIA ROOFING	100% COMPLETE	No
REWIRES	CUMBRIA HOUSING PARTNERS	£150,000	120	£ 241,515	01/04/2014	31.3.2015	K WILSON	70% COMPLETE	No
BATHROOMS	CUMBRIA HOUSING PARTNERS	£410,000	200	£ 312,594	01/04/2014	31.3.2015	AB MITCHELL	70% COMPLETE	No
KITCHENS	CUMBRIA HOUSING PARTNERS	£200,000	100	£ 212,679	01/04/2014	31.3.2015	AB MITCHELL	70% COMPLETE	No
HEATING	CUMBRIA HOUSING PARTNERS	£525,000	200	£ 378,068	01/04/2014	31.3.2015	AB MITCHELL	70% COMPLETE	No
PAINTING	CUMBRIA HOUSING PARTNERS	£250,000	500	£ 139,746	09/06/2014	31.3.2015	G JONES	100% COMPLETE	Yes

HOUSING MAINTENANCE COMMITMENTS 2014-15

	Funding Available 2014-15	EXPENDITURE TO DATE	Weekly Available	Gross Comm. as a % funds available
Tenant Demand Repairs	£ 1,085,871	£ 673,933	£ 20,878	62%
Voids	£ 238,243	£ 402,779	£ 4,582	169%
Gas Servicing	£ 99,049	£ 112,926	£ 1,905	114%
Decoration Vouchers	£ 45,000	£ 24,170	£ 865	54%
Disrepair Claims	£ 15,000	£ 1,722	£ 288	11%
Environmental Impmts	£ 25,000	£ 29,396	£ 481	118%
Disabled Adaptations	£ 100,000	£ 122,970	£ 1,923	123%
Electrical Testing	£ 80,700	£ 51,598	£ 1,552	64%
Door Entry Maintenance	£ 20,000	£ 20,244	£ 385	101%
Total	£1,783,663.00	£1,439,738.00		

Part One

EXECUTIVE COMMITTEE	(D) Agenda Item 7
Date of Meeting: 20th May, 2015	
Reporting Officer: Executive Director	
Title: Appointments on Outside Bodies, Panels, Working Groups etc.	
Summary and Conclusions:	
The Council has given delegated authority to Committees to make appointments to Outside Bodies, Forums (except Housing Management Forum) Panels, Working Groups etc. in accordance with the number and allocation of seats to political groups agreed at the Annual meeting.	
Details of nominations made by the political groups will be reported in appendices at a later date.	
Recommendation:	
To consider the appointments recommended by the political groups and determine the appointments to be made where nominations exceed the available places.	

Report

At the Annual meeting on 18th May, 2015 the allocation of seats in respect of Forums, Panels, Working Groups etc. and certain Outside Bodies will be considered by Council.

Council will be asked to recommend with the exception of the Housing Management Forum the allocation of seats on Outside Bodies, Forums, Panels, Working Groups etc. be delegated to the appropriate Committees to make the necessary appointments.

Group Leaders will supply details of the recommended appointments for confirmation by the Committee and these will be forwarded to you as soon as they are available.

For information last year's membership is listed below each Outside Body, Panel or Working Group.

(i) Legal Implications

When Councillors are acting as representatives on another authority they must comply with their Code of Conduct.

(ii) Risk Assessment

The recommendation has no implications.

(iii) Financial Implications

The recommendation has no financial implications.

(iv) Health and Safety Implications

The recommendation has no implications.

(v) Equality and Diversity

Not Applicable.

(vi) Health and Well-being Implications

Not Applicable.

Background Papers

Nil

REPRESENTATIVES ON OUTSIDE BODIES, ETC. 2015/2016

- (1) AIR TRAINING CORPS (NO. 128 SQUADRON)
The Mayor
- (2) ASKAM AND IRELETH COMMUNITY CENTRE MANAGEMENT COMMITTEE
Councillors Bell, Doughty, Murray and Thurlow
- (3) BAE SYSTEMS MARINE LTD LOCAL LIAISON COMMITTEE
Councillors Cassidy, Pointer and Sweeney
- (4) BARROW AND DISTRICT COMMUNITY ACTION SAFETY GROUP
Councillors Biggins and Pointer
- (5) BARROW CHILDREN'S CENTRES ADVISORY GROUP
Councillor Preston
- (6) BARROW COMMUNITY SAFETY PARTNERSHIP
Councillors Hamilton and Pidduck
- (7) BARROW-IN-FURNESS SEA CADET CORPS COMMITTEE
The Mayor
- (8) BARROW WASTEWATER TREATMENT WORKS LOCAL FORUM
Councillors Graham, Guselli and Wall
- (9) BILLINCOAT CHARITY TRUST (4 year appointment until May 2019)
Councillors Bell, Doughty, Maddox, Murray, Thurlow and Wilson
- (10) BUCCLEUCH HALL MANAGEMENT COMMITTEE
Councillor Doughty
- (11) CENTRAL AND HINDPOOL NEIGHBOURHOOD MANAGEMENT BOARD
Leader (Councillor Pidduck) plus Councillors Irwin and M. A. Thomson
- (12) CENTRICA LIAISON COMMITTEE
Councillors Irwin, Johnston and Pointer
- (13) CHILDREN'S AND YOUNG PEOPLE'S WORKING GROUP
Councillor McKenna
- (14) CITIZENS' ADVICE BUREAU TRUSTEE BOARD
Councillors Murray and Pointer
- (15) CUMBRIA ALCOHOL AND DRUG ADVISORY SERVICE BOARD
The Mayor

- (16) CUMBRIA HOUSING EXECUTIVE GROUP
Councillor Hamilton
- (17) CUMBRIA PENSIONS FORUM
Councillor Wilson
- (18) CUMBRIA STRATEGIC WASTE PARTNERSHIP
Councillor M. A. Thomson
- (19) DALTON COMMUNITY ASSOCIATION
Councillor Wilson
- (20) DUDDON ESTUARY PARTNERSHIP
Councillor Murphy and Councillor Doughty
- (21) EQUALITY MEMBER CHAMPIONS GROUP
Councillor Sweeney
Substitute: Councillor Doughty
- (22) FRIENDS OF WALNEY
Councillor Callister
- (23) FURNESS ENTERPRISE: SUPERVISORY BOARD
The Leader – Councillor Pidduck
- (24) FURNESS HEALTH AND WELLBEING FORUM
Councillors Graham, Sweeney and Williams
- (25) FURNESS MARITIME TRUST
Council of Trustees: - Councillors Cassidy, Irwin, Murphy and Pointer plus
the Executive Director and Director of Resources
- (26) HEALTH AND WELLBEING SCRUTINY COMMITTEE
Councillor Wall
Substitute: Councillor Cassidy
- (27) INTERNATIONAL NUCLEAR SERVICES LIMITED: RAMSDEN
DOCK TERMINAL STAKEHOLDER GROUP
Councillors Biggins, Irwin, Johnston and Pidduck
- (28) JOINT RURAL COMMITTEE
Councillors Murray and Thurlow
- (29) KEEPING OUR FUTURE AFLOAT
Councillor Pidduck
- (30) LAKES WORLD HERITAGE SITE STEERING GROUP
Councillor Murphy

- (31) LIBERATA PARTNERSHIP BOARD
Councillors Barlow, Guselli and Sweeney
- (32) LOCAL GOVERNMENT ASSOCIATION: GENERAL ASSEMBLY
Councillor Pidduck
- (33) LOCAL GOVERNMENT ASSOCIATION NUCLEAR ISSUES SPECIAL INTEREST GROUP
Councillor Pidduck
Substitute: Councillor Sweeney
- (34) NORTH WEST OF ENGLAND AND THE ISLE OF MAN RESERVE FORCES CADETS ASSOCIATION
Councillor Husband
- (35) NORTH WESTERN LOCAL AUTHORITIES' EMPLOYERS' ORGANISATION
Councillor Sweeney
- (36) THE PATROL (Parking and Traffic Regulations Outside London) Adjudication Joint Committee
Councillor Callister
- (37) UK COUNCILS AGAINST FLUORIDATION
Councillor Thurlow

OUTSIDE BODIES AGREED BY COUNCIL

Allotments Liaison Committee (9 seats – 7:2)

Councillors Barlow, Doughty, Johnston, Husband, Irwin, Thurlow and Wilson plus two Conservative representatives.

Barrow Local Committee – Highways Advisory Group (3 seats – 2:1)

Councillors Barlow, Doughty and W. McClure

Barrow Borough Sports Council (3 seats – 2:1)

Councillors Biggins, Callister and Pemberton

Wildlife and Heritage Advisory Committee (9 seats – 7:2)

Councillors Bell, Johnston, McKenna, Murphy, M. A. Thomson, Thurlow and Wall plus two Conservative representatives.

MEMBERSHIP OF FORUMS, PANELS, WORKING GROUPS ETC. 2015/2016
EXECUTIVE COMMITTEE

Cumbria Local Nature Partnership Board (1:0)

Cumbria Police and Crime Panel (1:0)

Councillor Doughty

Early Retirement/Voluntary Redundancy Panel (3:1)

Councillors Pidduck, Sweeney, M. A. Thomson and Williams

Grading Appeals Panel (3:1)

Selection of four Councillors from the following:-

Councillors Barlow, Guselli, Pidduck, Sweeney, M. A. Thomson and Williams

Health and Safety Management Board (4:1)

Councillors Barlow, Pidduck, Pointer, Richardson and C. Thomson

Medical Assessment/Housing Applications Appeals Panel

3 Members selected by Executive Director in accordance with proportionality rules

Member Training Working Group (3:1)

Councillors Doughty, Pidduck, M. A. Thomson and Williams

Planning Policy Working Group (5:1)

(Two Members Executive Committee and four Members Planning Committee)

Labour – Councillors Murray, Pidduck, Sweeney, C. Thomson and M. A. Thomson

Conservative – Councillor R. McClure

Private Rented Accommodation Group (Accredited Letting Scheme and Proposed Licensing)

3 Members selected by Executive Director in accordance with proportionality rules

Renovation Grants Panel (3:1)

Councillors Doughty, Pidduck, Richardson and M. A. Thomson

Review Board – Housing Register/Homeless Applicants

3 Members selected by Executive Director in accordance with proportionality rules

EXECUTIVE COMMITTEE		Part One (D) Agenda Item 8
Date of Meeting:	20th May, 2015	
Reporting Officer:	Director of Resources	
<p>Title: P&O Cruise Ship Visits 2015</p> <p>Summary and Conclusions:</p> <p>This report requests the use of the Budget Contingency Reserve to support the upcoming P&O cruise ship visits to the Port of Barrow.</p> <p>Recommendations:</p> <ol style="list-style-type: none"> 1. To agree to support the P&O cruise ship visits to the Port of Barrow; and 2. To approve the use of £2,000 of the Budget Contingency Reserve to fund the P&O cruise ship visits to the Port of Barrow in 2015. 		

Report

The P&O cruise ship Deutschland is visiting the Port of Barrow on 20th July, 2015 and the Adonia is visiting on 19th August, 2015.

Members are asked to approve the use of £2,000 from the Budget Contingency Reserve to support the costs of a shuttle bus and the quayside welcome; a band and staffing an information point for the visitors.

Both of the ships have visited before and the visits were successful in terms of passenger spend and managing perceptions of the town and local area.

The expenditure is one-off and feeds into the master plan for the Marina Village cruise ship initiative. Associated British Ports have confirmed they will also support the ship visits by funding a marquee and a shuttle bus.

(i) **Legal Implications**

The recommendation has no implications.

(ii) **Risk Assessment**

The recommendation has no significant implications.

(iii) Financial Implications

The financial implications are set out in the body of the report.

(iv) Health and Safety Implications

The recommendation has no significant implications.

(v) Equality and Diversity

The recommendation has no detrimental impact on service users showing any of the protected characteristics under current Equalities legislation.

(vi) Health and Well-being Implications

The recommendation has no adverse effect on the Health and Wellbeing of users of this service.

Background Papers

Nil

EXECUTIVE COMMITTEE		Part One (R) Agenda Item 9
Date of Meeting:	20th May, 2015	
Reporting Officer:	Executive Director	
<p>Title: Taxi Driver Test - Driver Vehicle Standards Agency</p> <p>Summary and Conclusions:</p> <p>At its meeting on 12th March 2015 the Licensing Regulatory Committee agreed to recommend to the Executive Committee to recommend to Council.</p> <p>Recommendations:</p> <p>To recommend the Council as follows:-</p> <ol style="list-style-type: none"> 1. Hackney Carriage/Private Hire Driver applicants be required to successfully pass the DVSA Taxi Driver Assessment as part of the application process; and 2. The Licensing Regulatory Committee be authorised to require licensed Hackney Carriage/Private Hire Vehicle Drivers to take/retake the DVSA Taxi Driver Assessment when they are brought before the Licensing Regulatory Committee with driving offences. 		

Report

At its meeting on 12th March, 2015 the Licensing Regulatory Committee agreed to recommend this Executive Committee to recommend the Council that :-

- (i) Hackney Carriage/Private Hire Driver applicants be required to successfully pass the DVSA Taxi Driver Assessment as part of the application process; and
- (ii) The Licensing Regulatory Committee be authorised to require licensed Hackney Carriage/Private Hire Vehicle Drivers to take/retake the DVSA Taxi Driver Assessment when they are brought before the Licensing Regulatory Committee with driving offences.

The relevant Licensing Regulatory Committee report providing further information is attached at **Appendix 1** for Members' information

(i) Legal Implications

Section 59(1)(a) of the Local Government (Miscellaneous Provisions) Act 1976 provides that a District Council shall not grant a licence to drive a hackney carriage unless it is satisfied that the applicant is a fit and proper person to hold such a licence.

Section 59(2) of the Local Government (Miscellaneous Provisions) Act 1976 provides that any applicant aggrieved by the refusal of the District Council to grant a driving licence on the ground that the applicant is not a fit and proper person to hold such a licence, may appeal to a magistrates court.

(ii) Risk Assessment

The recommendation has no implications.

(iii) Financial Implications

The recommendation has no financial implications. The increase in charge is paid directly by the applicant.

(iv) Health and Safety Implications

The recommendation has no implications.

(v) Equality and Diversity

The recommendation has no detrimental impact on service users showing any of the protected characteristics under current Equalities legislation.

(vi) Health and Well-being Implications

The purpose of the hackney carriage and private hire licensing system is to protect the safety and the welfare of the taxi travelling public.

Background Papers

Nil

LICENSING REGULATORY COMMITTEE		<u>Part One</u> (R) Agenda Item 7
Date of Meeting:	12th March, 2015	
Reporting Officer:	Senior Environmental Health Officer (Licensing)	
<p>Title: Driver Vehicle Standards Agency Taxi Driver Test</p> <p>Summary and Conclusions:</p> <p>This report deals with provision of the driving test which is required by new applicants for Hackney Carriage and Private Hire Vehicle Drivers licenses.</p> <p>Existing applicants who come before the committee for driving offences may also be required to take the test should it be adopted by Council.</p> <p>Recommendation:</p> <p>To recommend to Council that: -</p> <ol style="list-style-type: none"> 1. Hackney Carriage/Private Hire Vehicle Driver applicants be required to successfully pass the DVSA Taxi Driver Assessment as part of the application process; and 2. The Licensing Regulatory Committee be authorised to require licensed Hackney Carriage/Private Hire Vehicle Driver to take/retake the DVSA Taxi Driver Assessment when they are brought before the Licensing Regulatory Committee with driving offences. 		

Report

The existing driving test for new applicants for Hackney Carriages and Private Hire Vehicles expires on 31/03/2015. Previously this contract has been advertised due to the Driver Vehicle Standards Agency (DVSA) not being able to provide testing centres locally.

I have been in contact with the DVSA who are in the process of improving resources locally to enable the DVSA Taxi driver test to be carried out at the Barrow test centre in the near future. Currently they have test centres at Heysham, Workington and Preston. The Kendal test centre is currently in the process of moving to an alternative location, once this is complete tests can be carried out in Kendal.

The current contract cost is £15 per test.

The DVSA test costs are:

Test type	Weekdays	Evenings (4:30pm onwards), weekends and bank holidays
Hackney saloon vehicles and private hire saloon vehicles	£79.66	£96
Hackney wheelchair accessible vehicles	£92.94	£112.34
Taxi wheelchair exercise	£26.56	£32.68

The proposal for change from the test being offered by a local driving instructor to the national DVSA is to ensure continuity and consistency of service as there was a period in 2014 where applicants were unable to access the service provided by Top Gear School of Motoring which caused delay to applicants.

Currently Barrow Borough Council is the only Cumbrian local authority who does not require the DVSA test at application as such implementing this testing regime would ensure consistency with other local authorities in the County.

(i) Legal Implications

Section 59(1)(a) of the Local Government (Miscellaneous Provisions) Act 1976 provides that a District Council shall not grant a licence to drive a hackney carriage unless it is satisfied that the applicant is a fit and proper person to hold such a licence.

Section 59(2) of the Local Government (Miscellaneous Provisions) Act 1976 provides that any applicant aggrieved by the refusal of the District Council to grant a driving licence on the ground that the applicant is not a fit and proper person to hold such a licence, may appeal to a magistrates court.

(ii) Risk Assessment

Not Applicable.

(iii) Financial Implications

There are no financial applications. The increase in charge is paid directly by the applicant.

(iv) Health and Safety Implications

Not Applicable

(v) Equality and Diversity

The recommendation has no detrimental impact on service users showing any of the protected characteristics under current Equalities legislation

Where appropriate the Executive Director and Director of Resources roles may interchange to facilitate a regrading application from their Directorate.

Meetings of the Management Board Regrading Panel and Management Board Appeals Panel will be minuted by the Democratic Services Manager.

Management Board has delegated authority to approve applications and will decide whether additional duties and responsibilities constitute a 'substantial increase'.

1. If approval is given: the date of the re-grade is normally applicable from the date of original application.
2. If the application is rejected: Panel will confirm reasons with HR who will notify the applicant and issue Grading Appeals Policy. The applicant has the right to be accompanied by a work based colleague or union representative.
3. If the Management Board Regrading Panel require clarification of any part of the application then the applicant will be asked to supply additional information or if they prefer, to attend Management Board Regrading Panel to provide the additional information.
4. If a re-grade is approved but lower than the requested grade: HR will notify the applicant and ask them to decide whether they wish to accept the lower grade or whether they wish to appeal, in which case HR to issue the Grading Appeals Policy.

3.4 Implementation of successful outcome

If the application is approved by Management Board Regrading Panel, a new contract will be issued with the revised job description. The Departmental Manager is responsible for drafting the new job description.

4. Appeals Procedure

Unsuccessful regrading applications have the right of appeal to the Management Board Appeals Panel. Appeals must be submitted in writing to HR within 10 working days of the employee receiving confirmation of the rejection of their regrading application. The applicant has the right to be accompanied by a work based colleague or union representative. If the appeal is successful, the change in grade will be actioned for the subsequent monthly payroll and backdated to the original application date.

Approved at Council 16th October 2013

Updated 3rd March 2015

Redrafted April 2015

Barrow Borough Council Grading Appeals Procedure

1. If an employees' request for regrading has been rejected by Management Board Regrading Panel the employee has a right to have their case heard by the Management Board Appeals Panel.
2. A grading appeal must be made in writing to HR within 10 working days of the employee's receipt of confirmation of the rejection (either wholly or partially) of their re-grading application.
3. The Democratic Services Manager will convene the Management Board Appeals Panel and ensure that statements of case are submitted and distributed according to this procedure.
4. The Appeal shall be heard within 28 days of receipt by HR of the employee's notice of Appeal.
5. The HR Manager will act as a formal procedural advisor to the Management Board Appeals Panel. If the appeal is directly related to the HR Manager or the HR Team, the Democratic Services Manager will act as advisor.
6. Written statements of case will be required from both sides no later than seven days before the Appeal date. The Chair of the Management Board Regrading Panel should submit the statement of case for management confirming the reasons for whole or partial rejection of the regrading application. The appellant should submit their statement of case giving their grounds for appeal. Democratic Services will collate all original evidence submitted to the Management Board Regrading Panel including an agreed job description for the appellant(s) together with organisation charts showing the position of the post within the departmental hierarchy. No additional supporting papers will be accepted.
7. The Management Board Appeals Panel will receive both statements of case plus supporting documentation at least three days before the Appeal date. Both sides receive copies of the others case statements and supporting documentation as soon as possible but no later than three days before the Appeal date.
8. The following procedure will apply to the hearing of the appeal:
The appellant and/or his/her representative will:
 - 8.1 Outline the grounds for the appeal giving specific details of the additional responsibilities taken on by the appellant.
 - 8.2 This will be followed by questions from the Management side and Panel Members.
 - 8.3 The management statement of case will be presented by the Chair of the Management Board Regrading Panel who can then be questioned by the appellant(s) their representative and the Panel Members.
 - 8.4 Both sides will have an opportunity to sum up at the conclusion of the Management side case.
 - 8.5 At the conclusion of the evidence both sides will withdraw. The Panel will deliberate in private, only recalling the parties for points of clarification. Both sides will be recalled should further clarification of this nature be necessary.
9. The decision of the Panel shall be conveyed to both parties in writing by the HR Manager (or Democratic Services Officer if acting as advisor) no later than ten working days after the hearing.

4.4.97

Updated May 2005

Updated April 2012

Updated August 2013

Redrafted April 2015

EXECUTIVE COMMITTEE	(R) Agenda Item 10
Date of Meeting: 20th May, 2015	
Reporting Officer: Monitoring Officer	
<p>Title: Constitution of the Council: Amendments to Officer Delegations</p> <p>Summary and Conclusions:</p> <p>Section 37 of the Local Government Act 2000 provides that every Council must have a Constitution and that it must contain certain prescribed information. It is a statutory requirement that the Constitution is kept up to date.</p> <p>Recommendations:</p> <p>To recommend to Council the following amendments:</p> <ul style="list-style-type: none"> (i) Officer delegations, Section C - Assistant Director of Regeneration and Built Environment to tie in with the restructure of the Environmental Health Department; (ii) Officer delegations, Section G - Development Services Manager (Planning), as a result of legislation changes, Larger Home Extension The Town and Country Planning (General Permitted Development) (England) Order 2015 Schedule 2, part 1 (Class A); and (iii) Minor amendment to Part 5 Codes and Protocols within the Constitution of the Council in relation to the Planning Panel. 	

Report

(i) Section C - Assistant Director of Regeneration and Built Environment

The restructure of the Environmental Health Department requires that the delegations of the Assistant Director (Regeneration and Built Environment) are changed and therefore the Constitution needs to be amended. The amendments will ensure that representations made on Environmental Health and Health and Safety issues in respect of applications, variations and reviews under the Licensing Act 2003 are procedurally fair with no conflict of interest.

The ability to make representations as a 'responsible authority' as outlined in the Licensing Act 2003 for the following considerations:-

- a) Environmental Health; and

b) Health and Safety at Work.

This will ensure that representations made on the above issues in respect of applications, variations and reviews under the Licensing Act 2003 are procedurally fair with no conflict of interest.

(ii) Section G - Development Services Manager (Planning)

As a result of legislation changes, Larger Home Extension The Town and Country Planning (General Permitted Development) (England) Order 2015 Schedule 2, part 1 (Class A), it is proposed to amend the Officers delegations within Part 3 of the Constitution of the Council.

A homeowner wishing to build a larger single-storey rear extension must notify the local planning authority by completing and submitting the Notification of a proposed larger Home Extension (http://www.planningportal.gov.uk/uploads/1app/forms/notification_of_a_proposed_larger_home_extension.pdf) and provide the necessary required information to inform this process. It is not possible to undertake this process retrospectively.

In May 2013, secondary legislation was laid before Parliament which increased the size of single-storey rear extensions which can be built under permitted development. It also introduced a light-touch neighbour notification scheme.

Initially introduced for a period of three years from 30 May 2013 and subsequently extended for a further three years until 30 May 2019, householders will be able to build larger single-storey rear extensions under permitted development. The size limits will double from 4 metres to 8 metres for detached houses, and from 3 metres to 6 metres for all other houses.

Appendix 2 attached highlights the proposed **amendments**:

(iii) Code of Conduct for Elected Members and Officers dealing with Planning Matters

Within Part 5 Codes and Protocols of the Constitution of the Council a small amendment is also required to:-

Planning Panel

14.3 The Panel will be consulted on the following issues:

Delete:-

(iii) The need for screening options in accordance with the provisions of the Town and Country (EIA) Regulations 1998

Screening under the EIA Regulations is a very short (three weeks) process that is essentially a technical procedure based upon the Regulations criteria.

The EIA Directive requires an assessment of the effects of certain public and private projects on the environment before development consent is granted.

Its main aim is to ensure that an authority giving development consent for a project makes its decision in the full knowledge of any likely significant effects on the environment. The Directive's requirements are procedurally based and must be followed for certain types of projects before development consent can be granted. It helps to ensure that the importance of the predicted effects, and the scope for reducing them, are properly understood by the public and the relevant competent authority before it makes its decision.

(EIA stands for Environmental Impact Assessment).

(i) Legal Implications

Section 37 of the Local Government Act 2000 provides that every Council must have a Constitution and that it must contain certain prescribed information. It is a statutory requirement that the Constitution is kept up to date.

(ii) Risk Assessment

The recommendation has no implications.

(iii) Financial Implications

The recommendation has no financial implications.

(iv) Health and Safety Implications

The recommendation has no implications.

(v) Council Priorities and Objectives

This recommendation supports Priority 4 - **Service Delivery** – which states that the Council strives to provide good quality, efficient and effective services while reducing overall expenditure.

(vi) Equality and Diversity

The recommendation has no detrimental impact on service users showing any of the protected characteristics under current Equalities legislation.

(vii) Health and Well-being Implications

The recommendation has no adverse effect on the Health and Wellbeing of users of this service.

Background Papers

Nil

DEVELOPMENT SERVICES MANAGER (PLANNING)

The Development Services Manager (Planning) be authorised to carry out the Assistant Director of Regeneration and Built Environment functions as follows:-

- (A) To determine all planning applications, applications for advertisement consent, listed building consent and to make observations on all statutory and other notifications including consultations on County Matter applications **EXCEPT:-**
- (i) Where the determination or observation would be contrary to current National Guidance, the provisions of an approved development plan or other stated Council policies.
 - (ii) Where the determination or observation would be contrary to a recommendation of a Statutory Consultee.
 - (iii) Where the proposals or applications generate written ***material*** planning comment from neighbours or other interested parties prior to determination or within 21 days of their publication in the press or the despatch of a written consultation which would be contrary to the prospective decision. ***Where non material comments are received the application shall be determined in consultation with the Planning Panel.***
 - (iv) Where any Member notifies the Assistant Director of Regeneration and Built Environment or Case Officer in writing within 21 days of the despatch of the weekly list of planning applications that he or she wishes the application to be referred to the Planning Committee for determination, unless the Member is satisfied by attending the Planning Panel and considering the Officer recommendations. (A pro forma is provided for this purpose with each copy of the weekly list of planning applications).
 - (v) Where the Assistant Director of Regeneration and Built Environment is of the view that the application or matter should be referred to the Planning Committee for determination.

All applications and consultations submitted under the extant Hazardous Substances Regulations

To determine all applications for Screening and Scoping Opinions submitted under the EIA Regulations

All applications pertaining to Prior Approvals and Prior Notifications (but where written material planning representations are received, in consultation with the Planning Panel)

All applications submitted under the Larger Homes Extension legislation (but where written representations are received, in consultation with the Planning Panel)

- (B) To take, after consultation with the Planning Panel any necessary enforcement action including the service of a stop notice or a Temporary Stop Notice under Section 171E of the Planning Act 1990 where such development is in the process of being carried out and is considered to be unacceptable.
- (C) To determine minor issues falling within the Case Priority Assessment List Level 4 of Council's Enforcement Policy Guidance.
- (D) To determine any matters when Reserved or made the subject of conditions, in a Planning Consent, or any material or non-material amendments to that consent.
- (E) To determine applications for Certificates of Lawfulness.
- (F) To exercise the powers and duties of the Council under Sections 211 to 214 of the Town and Country Planning Act, 1990 insofar as they relate to responding to notifications of intention to fell trees in Conservation Areas and to compiling a register under Section 214 of the said Act.
- (G) To determine applications for works to trees including felling, pruning and requirements to replant in respect of trees subject to Tree Preservation Orders and to confirm unopposed Tree Preservation Orders.
- (H) All decisions in line with Code of Conduct.
- (I) To exercise the authority's functions under Section 225 of the Planning Act 1990.
- (J) To deal with all except the most serious cases, which fall into case priority assessment list level 1 of the revised Planning Enforcement Policy.
- (K) To approve within budget provision, work on agreed enhancement schemes.
- (L) To determine, in consultation with the Planning Panel, the issue of remedial notices and to take any necessary action arising therefrom in relation to high hedges under Part 8 of the Anti-Social Behaviour Act 2003.

EXECUTIVE COMMITTEE	(R) Agenda Item 11
Date of Meeting: 20th May, 2015	
Reporting Officer: Director of Resources	
<p>Title: Establishment Changes</p> <p>Summary and Conclusions:</p> <p>This report contains a number of establishment changes and sets out the circumstances that have prompted the change and the funding implications. These are establishment changes that require approval by Council.</p> <p>Recommendations:</p> <p>Members are asked to recommend that Council approve:</p> <ol style="list-style-type: none"> 1. The creation of a permanent full time IT Support Officer on Scale 4/SO2 (£17,714 to £29,558 per annum). This is funded by the Housing Revenue Account; 2. The supplementing of the Housing Revenue Account budget for 2015-2016 by £26,610 to fund the cost of the IT Support Officer; 3. The creation of a permanent full time Corporate Support Assistant on Scale 2/5 (£15,207 to £22,212 per annum), with an agreed grading review following the completion of PRINCE2 and appropriate experience; 4. The use of reserves to fund the Corporate Support Assistant until the recovery of legal costs within cost-recovery services occurs in 2016-2017; 5. The deletion of the vacant post DEH045, Senior Environmental Health Officer (Licensing); 6. The creation of a permanent full time Trainee Environmental Health Officer on Scale 2/5 (£15,207 to £22,212 per annum), with an agreed grading review following the completion of the EHO qualification and appropriate experience. This is funded within the deletion of post DEH045; and 7. The creation of a full time Temporary Administrative Assistant on Scale 2/3 (£15,207 to £17,372 per annum) in Development Services, for twelve months. This is funded by additional unbudgeted income. 	

Report

This report contains a number of establishment changes that require Council approval.

IT Support Officer – New Post

A review of the IT Department resources against the workload and internal customer requirements has identified the need for an additional IT resource to service the Housing Department. The creation of an IT Support Officer within the IT establishment will provide resilience for the service, provide the Housing Department with more corporate IT resource and allow personal development of the new recruit with the colleagues in the IT Department.

The post will be permanent and full time on Scale 4/SO2 which fits into the current IT establishment; £17,714 to £29,558 per annum. The cost of the post will be fully recovered through the allocation of service cost to the Housing Revenue Account. There will be no cost to the General Fund, the Housing Revenue Account budget will need to be supplemented by a maximum of £26,610 for 2015-2016 and the post will be built into that budget thereafter.

Corporate Support Assistant – New Post

The Corporate Support Department has been reviewed as the workload outweighed the resources available. This Department was created in April 2014 and over the first year has better established the role and responsibilities that are contained. The legal element of the work has been separated into the Legal Department together with the Acting Principal Legal Officer. This leaves the Corporate Support Manager in need of assistance with the governance, performance, risk, information and customer management services provided.

The Legal Department was separated because the legal work undertaken has increased substantially. There is involvement in licensing, enforcement and referrals to external solicitors to control. This has meant that a reallocation of officer time and external costs has been required, which has resulted in charges moving to cost-recovery services; this is where the legal time is spent, so it is correct that the costs are incurred on those services.

As a result of these changes, the funding for a full time permanent Corporate Support Assistant on Scale 2/5 (£15,207 to £22,212 per annum) is available once the licensing fees are reviewed. These fees would be implemented in accordance with the statutory requirements and would result in the recovery of service costs in next years' budget.

It is proposed that the Corporate Support Assistant be recruited in 2015-2016 and the budget for this year be funded as a one-off from reserves. As this is a career-graded post, it is proposed that the post holder will work towards PRINCE2 as the professional level of qualification and expertise. Upon the

successful completion of the qualification and appropriate experience, the grading and remit of the post will be reviewed and placed on a professional grade if appropriate.

Trainee Environmental Health Officer – New Post

The Environmental Health Manager proposed a restructure to the Management Board in April 2015. The majority of the changes have been dealt with through the delegated authority of the Executive Director. However, there are two items which require approval by Council.

The post DEH045 of Senior Environmental Health Officer (Licensing) is to be deleted. The responsibilities of this role have been reallocated within the new structure of the Environmental Health Department. The post is vacant.

The creation of a permanent full time Trainee Environmental Health Officer on Scale 2/5 (£15,207 to £22,212 per annum). The post holder would work towards qualifying as an Environmental Health Officer (EHO) as their profession. Upon the successful completion of the qualification and appropriate experience, the grading and remit of the post will be reviewed and placed on a professional grade if appropriate.

The restructure of Environmental Health as a whole proposal results in a small saving (largely cost neutral) and importantly, results in the structure that the Environmental Health Manager has designed to suit the needs and demands on the service going forward.

The recommendation is to delete post DEH045 from the establishment and to create a Trainee EHO post.

Temporary Administrative Assistant – New Post

The workload within Development Services has increased substantially in recent months and looks set to continue at the same level for the next twelve months. The administration team within the services is centralised and includes some part time staff. These part time officers have been identified for additional hours over the next year to two years, but this is not enough resource to meet the incoming demand; the number of applications has increased by around a third in 2014-2015.

It is proposed that a full time Temporary Administrative Assistant on Scale 2/3 (£15,207 to £17,372 per annum) be recruited on a twelve month contract to meet the workload demands on the administration team.

This post would be fully funded from additional income from the increased applications that are being received. This income is also being used to support the increased hours of the part time officers and the Local Plan process.

Members are asked to recommend these establishment changes to Council for approval.

Financial Summary

This paragraph summarises the overall financial implications of these establishment changes. There is no cost to the General Fund, the proposals are cost neutral. There is a cost of £26,610 to the Housing Revenue Account. The new posts are shown below:

- General Fund
 - New IT Support Officer funded by the HRA;
 - New Corporate Support Assistant funded by the recovery of legal time/costs in fee earning services;
 - New Trainee EHO funded by the deletion of post DEH045 and restructuring of the Environmental Health department; and
 - New Temporary Administrative Assistant in Development Services funded by unbudgeted additional income.

- Housing Revenue Account
 - New IT Support Officer £26,610.

(i) Legal Implications

The recommendation has no implications.

(ii) Risk Assessment

The recommendation has no significant implications.

(iii) Financial Implications

The financial implications are set out in the body of the report.

(iv) Health and Safety Implications

The recommendation has no significant implications.

(v) Equality and Diversity

The recommendation has no detrimental impact on service users showing any of the protected characteristics under current Equalities legislation.

(vi) Health and Well-being Implications

The recommendation has no adverse effect on the Health and Wellbeing of users of this service.

Background Papers

Nil

EXECUTIVE COMMITTEE		Part One (R) Agenda Item 12
Date of Meeting:	20th May, 2015	
Reporting Officer:	Executive Director	
<p>Title: Cavendish Park Project</p> <p>Summary and Conclusions:</p> <p>This report sets out the request from the Barrow Island Community Sports Trust for the Council to be the Local Trusted Organisation for the Cavendish Park project; to be funded by Sport England and the Big Lottery.</p> <p>Recommendations:</p> <p>To recommend the Council that the Council be the Local Trusted Organisation for the Cavendish Park project, thereby becoming the named bidder for the Sport England and Big Lottery funding.</p>		

Report

The Council has been approached by the Barrow Island Community Sports Trust regarding a Sport England and Big Lottery funded project for Cavendish Park. The Trust has requested that the Council be the Local Trusted Organisation (LTO) for the project. This is a similar arrangement to the Farm Street playground project.

The Trust is currently preparing a bid to Sport England for £0.1m toward the Cavendish Park Pavilion and Community Rooms project. The total cost of the project is estimated to be between £0.6m and £0.65m, with the Big Lottery as the main funding element. It is proposed that the existing building will be extended with the changing rooms moving into the extended (new) area and the existing floor space becoming a community hub.

Cavendish Park is leased to the Trust for 30 years and remains the Council's property. As it is the Council's property that will be improved by the project, it makes sense for the Council to be the LTO subsequently run the procurement and build stages. The design will be agreed and provided by the Trust.

There will be no cost to the Council as the Trust will be asked to indemnify the Council for any overruns or variations that incur costs during the project. The Council will retain project management services for the procurement and build as these skills are not available in-house. These services will be paid from the 5% administration that is granted on the Big Lottery element of the project funding.

The Council will report the expenditure of this administration element to the Trust as it will only be used fund the required professional direct costs.

(i) Legal Implications

The recommendation has no implications.

(ii) Risk Assessment

The recommendation has no significant implications.

(iii) Financial Implications

The financial risk to the Council should not be significant as the report identifies the mitigation to be put in place.

(iv) Health and Safety Implications

The recommendation has no significant implications.

(v) Equality and Diversity

The recommendation has no detrimental impact on service users showing any of the protected characteristics under current Equalities legislation.

(vi) Health and Well-being Implications

The recommendation has no adverse effect on the Health and Wellbeing of users of this service.

Background Papers

Nil

EXECUTIVE COMMITTEE		Part One (R) Agenda Item 13
Date of Meeting:	20th May, 2015	
Reporting Officer:	Director of Resources	
<p>Title: Investment Strategy</p> <p>Summary and Conclusions:</p> <p>This report sets out the required amendments to the agreed 2015-2016 Investment Strategy. The impact of the removal of implied sovereign support from credit ratings may impact on the available investment counterparties. The necessary changes are proposed for Members to recommend to Council for approval.</p> <p>Recommendations:</p> <p>To recommend the Council to approve the removal of the viability/financial strength and support criteria from the investment counterparty assessment with immediate effect.</p>		

Report

The Council's Investment Strategy for 2015-2016 was approved by Council on 3rd March, 2015, as part of the overall Treasury Management Strategy.

The primary principle governing the Council's investment criteria is the security of investments, although the liquidity and yield or return on the investment is also a key consideration.

The Council has agreed the criteria to be used in assessing investment counterparties which includes the rating of viability/financial strength and support. With the recent removal of implied sovereign support for banks, these assessment criteria will be adversely affected in the short term and may take these rating elements below the agreed minimum.

It is important to stress that this change is not indicative of deteriorating credit quality in any institution; it is a reflection of underlying methodology changes by rating agencies in light of regulatory changes.

It is proposed that the viability/financial strength and support criteria are removed from the investment counterparty assessment with immediate effect.

The criteria remaining are still strong and will produce a pool of high quality investment counterparties:

- Banks 1 - good credit quality – the Council will only use banks which:
 - are UK banks; and/or
 - are non-UK and domiciled in a country which has a minimum sovereign long term rating of AAA and have, as a minimum, the following Fitch, Moody’s and Standard and Poor credit ratings (where rated):
 - Short term – F1, P-1,A-1
 - Long term – AA-, Aa3, AA-
 - ~~Viability / financial strength – B (Fitch / Moody’s only)~~
 - ~~Support – 2 (Fitch only)~~
- Banks 2 – Part nationalised UK banks – Lloyds Banking Group and Royal Bank of Scotland. These banks can be included if they continue to be part nationalised or they meet the ratings in Banks 1 above.
- Banks 3 – The Council’s own banker for transactional purposes if the bank falls below the above criteria, although in this case balances will be minimised in both monetary size and time.
- Building societies - The Council will use all societies which:
 - meet the ratings for banks outlined above;
 - have assets in excess of £500m;
 - or meet both criteria.
- Money market funds.
- UK Government (including gilts and the Debt Management Account Deposit Facility).
- Local authorities and parish councils.

The Strategy also identified the additional criteria of time and monies which can be invested in these counterparties. The amended table (the rating column has been updated) to reflect the sovereign support alteration is presented here:

	Fitch long term rating or equivalent	Time limit	Money limit
Limit 1 – long term	AA-	5 years	£2m
Limit 2 – short term Council’s banker	F1	1 year	£10m
Limit 3 – short term banks and building societies	F1 or institution with £500m+ of assets	1 year	£3m
Other institutions limit	-	1 year	£5m
DMADF	AAA	1 year	Unlimited
Local authorities	-	1 year	£5m

(i) Legal Implications

The recommendation has no implications.

(ii) Risk Assessment

The recommendation has no significant implications.

(iii) Financial Implications

If the Investment Strategy is not updated there is the possibility that counterparties will fall outside the agreed assessment criteria and the Council would be unable to invest temporarily surplus cash; cash management would be adversely affected.

(iv) Health and Safety Implications

The recommendation has no significant implications.

(v) Equality and Diversity

The recommendation has no detrimental impact on service users showing any of the protected characteristics under current Equalities legislation.

(vi) Health and Well-being Implications

The recommendation has no adverse effect on the Health and Wellbeing of users of this service.

Background Papers

Nil

EXECUTIVE COMMITTEE		<u>Part One</u> (R) Agenda Item 14
Date of Meeting:	20th May, 2015	
Reporting Officer:	Director of Resources	
<p>Title: Organisational Change Policy and Procedure</p> <p>Summary and Conclusions:</p> <p>The Council's Organisational Change Policy and Procedure sets out the Council's approach to ensure, that where there is a review of the organisational structure, all employees affected will be treated fairly and consistently.</p> <p>Recommendations:</p> <p>To recommend the Council to approve the Organisational Change Policy and Procedure.</p>		

Report

The Council's Organisational Change Policy and Procedure is attached as **Appendix 3**. The document sets out the sets the purpose of the policy, the principles that underpin the policy and procedure, and then sets out the procedure that will be followed in the event of a restructure.

The Council's policy is to avoid redundancy whenever possible but from time to time the need to review the organisation structure may result in staffing alterations. This policy and procedure clearly sets out the Council's approach to ensuring that on such occasions, all employees affected are treated fairly and consistently at a time of uncertainty and change.

The document has been through consultation with the union.

(i) Legal Implications

The recommendation has no implications.

(ii) Risk Assessment

The recommendation has no significant implications.

(iii) Financial Implications

The recommendation has no implications.

(iv) Health and Safety Implications

The recommendation has no significant implications.

(v) Equality and Diversity

The recommendation has no detrimental impact on service users showing any of the protected characteristics under current Equalities legislation.

(vi) Health and Well-being Implications

The recommendation has no adverse effect on the Health and Wellbeing of users of this service.

Background Papers

Nil



ORGANISATIONAL CHANGE POLICY AND PROCEDURE – DRAFT

1 Introduction

Although the Council's policy is to avoid redundancies whenever possible, it may, from time to time, need to review its organisational structure to continue to offer value for money through effective and efficient service delivery. The aim of this policy and procedure is to ensure that on such occasions all employees affected will be treated fairly and consistently at a time of uncertainty and change.

1.1 Where redundancies are necessary, the Council will ensure that:

- The total number of redundancies made is kept to a minimum
- Employees and, where appropriate, union representatives are fully consulted on any proposals and their implementation
- Every effort is made to redeploy or find alternative work for employees selected for redundancy
- Support and advice is provided to employees selected for redundancy to help them find suitable work when their employment has come to an end

1.2 This policy is compliant with relevant legislation and utilises as far as is practicable Advisory Conciliation and Arbitration Service (ACAS) best practice. It has been developed in consultation with UNISON.

1.3 This policy applies to all current employees, except those employed under JNC conditions for Chief Officers and Chief Executives for whom separate procedures, as detailed in the JNC handbooks applies. Whilst it is expected that it will be followed in all cases, it does not form part of the contract of employment.

1.4 Managers using this policy will maintain fairness and consistency of treatment in order to avoid discrimination in accordance with the Equal Opportunities Policy. In this procedure, 'manager' refers to Directors, Assistant Directors and Service Heads.

2 Principles

2.1 There are a number of key principles that underpin this Policy and Procedure in ensuring that employees are treated consistently, effectively and fairly:

- The Council will fully comply with its statutory obligations

- The proposed change will be outlined clearly setting out the reasons for it as well as the benefits to be gained
- Consultations will take place with union representatives at the earliest opportunity
- Wherever possible the Council will seek to mitigate against compulsory redundancy
- The Council will ensure affected employees are provided with information to enable them to understand the reasons for the proposed changes and the likely timescale
- Employees will be supported through the change
- Employees will have the right to be accompanied throughout the process by an accredited trade union representative or fellow employee.
- As far as possible objective criteria will be applied where a redundancy selection process is necessary
- Employees will have the right of appeal against selection for redundancy

3 Definition

3.1 Redundancy is defined as:

- The fact that the employer has ceased, or intends to cease, to carry on the business for the purposes for which the employee was employed, or has ceased, or intends to cease, to carry on that business in the place where the employee was employed: or
- The fact that the requirements of that business for employees to carry out work of a particular kind, or for employees to carry out work of a particular kind in the place where they were so employed, has ceased or diminished, or are expected to cease or diminish.

4 Communication and Consultation

4.1 Where a change becomes necessary, consultation will take place both with UNISON and the affected employees at the earliest opportunity.

4.2 UNISON will be advised in writing of:

- the reasons for the proposed redundancies
- the number and description of employees who are at risk of redundancy
- the total number of employees of that description employed by the Council
- the proposed selection criteria to be used
- the proposed timescale
- the compensation that will be applied

4.3 The consultations with UNISON will include discussions about:

- alternatives to redundancy
- mitigating against compulsory redundancies
- reducing the number of redundancies

4.4 Following this, all employees who will be directly affected will be invited to a meeting with their manager to discuss the re-organisation, and how this will affect them directly. The employee will be advised in writing what the meeting will be about and that they may bring an accredited trade union representative or fellow employee with them. At the meeting the employee will be advised if they are 'at risk' of redundancy. This will then be confirmed in writing.

5 Selection for Redundancy

5.1 The selection for redundancy will be straightforward if a specific post is being deleted and where there is only one post holder.

5.2 If there is more than one post holder in the defined role then all those postholders would be in a 'pool' at risk of redundancy. In these circumstances selection for redundancy will be undertaken as follows:

5.3 Stage One

Wherever reasonably practical and suitable the Council will invite expressions of interest in voluntary redundancy from within the pool, all of which will be considered. However the Council do reserve the right to retain employees where it is deemed to be in the best interests of the organisation.

5.4 Stage Two

A consultation exercise will commence and a selection matrix will be drawn up. The selection matrix will assess individuals at risk against clear criteria which will be fairly applied. The criteria will be discussed with UNISON. They will then be discussed with those directly affected. The criteria may be different in different circumstances but could include:

- Proficiency through skills, training and work performance.
- Relevant qualifications and training
- Operational and job requirements to meet the Council's current and future needs.
- Disciplinary record
- Attendance record

The relevant manager will objectively assess employees against the selection matrix and will discuss it with the individual employees during the consultation process.

6.0 Outcome

- 6.1 Following the outcome of the selection exercise, all affected employees will be invited to attend a meeting with their manager, to inform them of their individual position. The employee will be advised that they may bring an accredited trade union representative or fellow employee with them.
- 6.2 At the meeting, those volunteering for redundancy who it is agreed can be released, will be notified and a last date of service will be agreed, subject to acceptance of a formal offer by the individual.
- 6.3 Employees who are provisionally selected for redundancy following the application of the criteria will be informed of the fact. They will be given the opportunity to make representations if they feel that there has been a mistake in the application of the criteria.
- 6.4 In the case of the possible redundancy a further meeting will be arranged with the employee to discuss possible redeployment opportunities.

7.0 Redeployment

- 7.1 In all cases where an employee is at risk of redundancy and has not expressed an interest in voluntary redundancy, the Council will undertake to make its best efforts to support the employee in securing alternative employment within the Council.
- 7.2 A member of the Human Resources (HR) team will meet with the employee on a regular basis to support them in securing alternative employment and will alert them to possible vacancies for which they may be interested in applying.
- 7.3 A judgement as to whether the post is 'suitable alternative employment' or 'alternative employment' will be made considering relevant factor including the following, in relation to the employee's substantive post which is at risk of redundancy:

- Job content
- Pay
- Grade
- Status
- Location of job
- Hours
- Working environment

8.0 Suitable alternative employment

- 8.1 Where a post is considered to be suitable alternative employment, an employee who is at risk will be 'slotted' into the post. If there is more than one employee for which the

post is considered to be suitable alternative employment, then a limited competition will take place by a suitable and appropriate assessment process and the selection will be made by reference to objective job related criteria.

- 8.2 An offer of suitable alternative employment will be made taking into account the factors set out in para 7.3. If an employee unreasonably refuses the offer the Council will not be liable to make a redundancy payment.

9.0 Alternative employment

- 9.1 The employee who is at risk of redundancy will be offered an interview for any vacancy for which they choose to apply and where they meet the minimum criteria.
- 9.2 All offers of alternative employment are subject to a minimum statutory four week trial period for both the employee and the Council. This period may be extended as appropriate with the agreement with the employee.
- 9.3 If during the trial period a decision is made by the manager that an employee will not meet the required standard, and that the role is not suitable for redeployment, the employee will be made redundant and will receive their rights to redundancy pay.
- 9.4 If during the trial period the employee gives notice to terminate the contract and the Council accepts that the alternative employment is not suitable, then the employee will be treated as having been dismissed on the grounds of redundancy. If the Council deems the alternative employment to be suitable then para 8.2 will apply.

10.0 Protection Arrangements

- 10.1 During the trial period the employee's salary and benefits, including notice period, will remain unchanged. Thereafter, the terms and conditions will be those related to the new employment and a new contract will be issued to reflect this. The employee's continuous service rights will be preserved.
- 10.2 However the Council may agree to protect the remuneration of the employee for a limited period which will not exceed one year.

11.0 Notice Entitlement

- 11.1 The amount of notice to which the employee is entitled on being made redundant is either the statutory or contractual notice period, whichever is the greater.

12.0 Time Off Work

- 12.1 An employee under notice of redundancy will be entitled to a reasonable amount of time off to look for alternative work, attend interviews etc. Employees wishing to take advantage of this right should make the appropriate arrangements with their manager.

13.0 Support

- 13.1 Staff under formal notice of redundancy will receive assistance to seek alternative employment or retraining. This will be co-ordinated by the HR Department.

14.0 Appeals

- 13.1 Employees have the right to appeal against a decision made regarding selection for redundancy under this policy and procedure to the Appeals Committee of the Council. The process to be followed procedure is outlined in the Council's Appeals Procedure.

15.0 Revision

- 15.1 This procedure will be reviewed regularly in consultation with UNISON, taking into account changes to any legislation, ACAS guidelines and best practice.

EXECUTIVE COMMITTEE		Part One (R) Agenda Item 15
Date of Meeting:	20th May, 2015	
Reporting Officer:	Director of Resources	
<p>Title: Regrading Applications Policy and Procedure</p> <p>Summary and Conclusions:</p> <p>The Council's Regrading Application Policy and Procedure has been reviewed and this report sets out the proposed procedure for any subsequent regrading applications. The changes made to this policy impact on the Grading Appeals Procedure and the required changes have been made.</p> <p>Recommendations:</p> <p>To recommend the Council to approve the Regrading Application Policy and Procedure, and the Grading Appeals Procedure.</p>		

Report

The Council's Regrading Application Policy and Procedure is attached as **Appendix 4** and the Grading Appeals Procedure is attached as **Appendix 5**.

The Regrading Application Policy and Procedure sets out the purpose of the policy, the principles that underpin the policy and procedure, and then sets out the procedure that will be followed in the event of a regrading application.

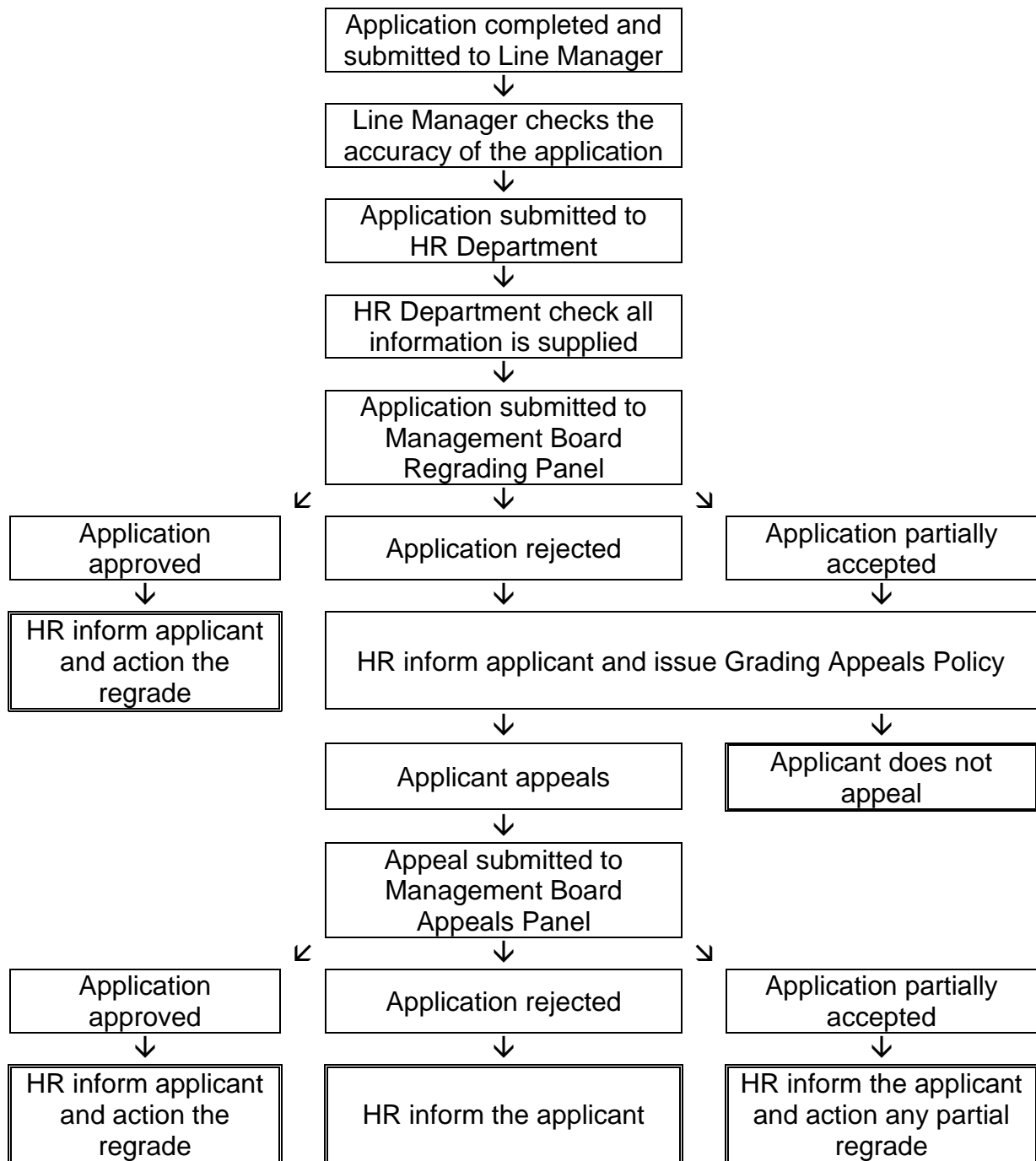
The proposal creates a Management Board Regrading Panel and a Management Board Appeals Panel.

The Regrading Panel will receive regrading applications and these will be considered by the Director of Resources and at least one other member of Management Board; the Management Board member for the regrading applicant should be present.

The Appeals Panel will receive regrading appeals that have been rejected or partially approved (lower grading) and these will be considered by the Executive Director and at least one other member of Management Board who was not on the Regrading Panel for that application.

The Executive Director and the Director of Resources are interchangeable to facilitate a regrading application from their directorate.

The procedure can be shown in overview:



The Regrading Application Policy and Procedure and the Grading Appeals Procedure have been issued for consultation to the union. Any comments will be reported prior to the Council decision.

Members Appeals Panel

The Members Appeals Panel will continue to receive appeals in relation to a grievance, disciplinary action or termination of employment.

(i) Legal Implications

The recommendation has no implications.

(ii) Risk Assessment

The recommendation has no significant implications.

(iii) Financial Implications

The recommendation has no implications.

(iv) Health and Safety Implications

The recommendation has no significant implications.

(v) Equality and Diversity

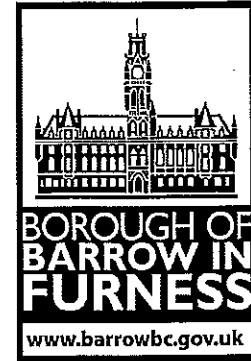
The recommendation has no detrimental impact on service users showing any of the protected characteristics under current Equalities legislation.

(vi) Health and Well-being Implications

The recommendation has no adverse effect on the Health and Wellbeing of users of this service.

Background Papers

Nil



Regrading Applications Policy & Procedure

1. Introduction

1.1 Change in the external environment, such as the introduction of new legislation, or the adoption of new policy initiatives by the Council will inevitably lead to change in the roles that employees perform.

1.2 Changes are often within the scope and grade of existing posts and minor amendments to job descriptions will be necessary. In other cases the job content may change qualitatively, for example by introducing greater decision-making responsibility or duties which require the application of a higher level of knowledge or skill. In these cases regrading of the post may be necessary to ensure the grade is appropriate to the scope of the job.

1.3 Normally, regrading occurs as part of a restructuring of a team to meet changing service needs. Where change is incremental, however, individuals may make an application for regrading on the grounds that additional duties have changed the level and scope of the job resulting in a significant increase to duties and/or responsibilities.

2. General principles

2.1 The procedure applies to all employees of the Council except those employed under JNC conditions for Chief Officers and Chief Executives for whom separate procedures, as detailed in the relevant JNC handbooks, apply.

2.2 If an employee feels that he/she has reasonable grounds for an upgrading as a result of substantial changes to the duties and responsibilities of the job, then they can complete a regrading application form from the HR Department.

2.3 Assessment of the grade will be made solely on the basis of changes in the level and scope of responsibility of the job which result in a substantial increase in duties and/or responsibilities. These factors, rather than volume of work or its budgetary implications, will be the basis for judging a claim for regrading.

2.4 All regrading applications will be considered promptly and a decision reached and notified to the employee normally within three months.

2.5 Applications for regrading within 12 months of a previous application will not normally be considered.

2.6 A regrading application may be deferred if it is determined as part of a wider-ranging organisation review. The review should be completed or a decision on the regrading claim made within six months of the date of the application. If the process is subject to delay, reasons for the delay and a revised deadline will be given.

2. 7 Any complaint by the employee that an application has not been processed within 3 months with no reason for a delay given may be raised through the grievance procedure.

3. Procedure

3.1 Applicant completes regrading application form

It is the responsibility of the applicant to complete Section 1 of the regrading application, detailing the perceived changes in duties and the level of responsibility and demonstrate a significant increase. The applicant should illustrate the changes by giving comprehensive examples of work undertaken on a permanent, regular basis. It should be made clear where the nature of the duties has changed and/or where additional duties have been undertaken. Reference should be made to the reasons for the changes to responsibilities e.g. deletion of established posts, voluntary redundancies, early retirements etc. Attached to the application should be a current job description and any other supporting documentation. The applicant should keep a copy of the regrading application and any documents submitted. All relevant evidence must be included by the applicant at this stage as no further supporting papers/evidence will be accepted at any future stage including appeals, except when further clarification is requested by Management Board Regrading Panel. The completed form should be submitted to the Departmental Manager who will complete Section 2 of the form.

3.2 Line Manager

The Line Manager completes Section 2 of the form and ensures the following factors are considered:

- Accuracy and permanent nature of additional duties and/or responsibilities.
- The additional duties and/or responsibilities claimed demonstrate sufficient detail to assess the following:
 - A significant increase in duties
 - A significant increase in responsibilities
- That grades above SO2 are set at a single grade salary point.

The completed form should be submitted to the HR Manager who will complete Section 3 of the form, log the application and acknowledge receipt. They will assess the application ensuring there is sufficient information for the application to be considered by Management Board.

3.3 Management Board – Regrading and Appeals Panels

Management Board Regrading Panel will be convened to hear initial regrading applications. This panel will be chaired by the Director of Resources plus at least one member of Management Board. The relevant Management Board member/s for the regrading application/s should be present.

Management Board Appeals Panel will be chaired by the Executive Director plus at least one Management Board member who was not on the Management Board Regrading Panel and will convene as an Appeals Panel should the initial regrading application be rejected either wholly or partially and the applicant requests an appeal hearing.

EXECUTIVE COMMITTEE	(D) Agenda Item 16
Date of Meeting: 20th May, 2015	
Reporting Officer: Assistant Director - Community Services	
<p>Title: Catering Contract</p> <p>Summary and Conclusions:</p> <p>The contract for Catering and Event Management and Associated Cleaning Services at the forum, the Dock Museum and the Park Leisure Centre was awarded to Elior UK plc following a competitive tendering process. This contract was awarded as a two year contract from 1st July 2013 with an option to extend for a further two years from 1st July 2015 to 30th June 2017. The contract has been performing well and quality and performance is an improvement on that of the previous contractor. The purpose of this report is to ask members to approve two year extension to the contract.</p> <p>Recommendation</p> <p>To approve the contract extension for Elior UK plc for Catering and Event Management and Associated Cleaning Services at the forum, the Dock Museum and the Park Leisure Centre. The extension to take place as specified in the contract and to take effect from 1st July 2015 until 30th June 2017.</p>	

Report

Members will be aware that the contract for Catering and Events Management and Associated Cleaning Services at the forum, the Dock Museum and the Park Leisure Centre was awarded to Elior UK plc from 1st July 2013. This followed a competitive tendering process and was awarded as a two year contract with an option to extend for a further two years until 30th June 2017.

The contractor has been performing well, sales are consistently ahead of target at the forum in particular, and quality and performance is consistently higher than that of the previous contractor. The purpose of this report is to ask members to approve the application of the two year extension clause and this would take effect from 1st July 2015 until 30th June 2017.

(i) Legal Implications

There are no legal implications.

(ii) Risk Assessment

Not Applicable.

(iii) Financial Implications

Not Applicable.

(iv) Health and Safety Implications

The recommendation has no implications.

(v) Equality and Diversity

The recommendation has no detrimental impact on service users showing any of the protected characteristics under current Equalities legislation.

(vi) Health and Well-being Implications

The recommendation has no adverse effect on the Health and Wellbeing of users of this service.

Background Papers

Nil.

EXECUTIVE COMMITTEE	(R) Agenda Item 17
Date of Meeting: 20th May, 2015	
Reporting Officer: Assistant Director - Community Services	

Title: Recycling Reward Scheme – Staff appointments

Summary and Conclusions:

The Council has been successful in bidding against the Department of Communities and Local Government's Recycling Reward Scheme. This has resulted in the receipt of a grant for £171, 488 which will allow the Borough to incentivise households to improve the quantity and quality of kerbside recycling. This will be achieved through the introduction of a reward scheme which involves households registering for a scheme which will provide education and promotion, underpinned by the chance to win monthly prizes which will only be awarded provided they are recycling effectively. This report asks Members to approve the establishment of a full time temporary post of Recycling Reward Scheme Promotions Officer and the establishment of a part-time temporary administrative support post.

Recommendation

To recommend the Council:-

1. To approve the establishment of a Recycling Reward Scheme Promotions Officer post at Scale 5 on a two year fixed term contract; and
2. To approve the establishment of 20 hours of Administrative Support for the scheme at Scale 3 for two years.

Report

Members will be aware that the Council was recently successful in bidding against the Department of Communities and Local Government's Recycling Reward Scheme. This has resulted in a grant of £171, 488 being awarded to the Borough to run a recycling reward scheme over the next two years.

In brief, the Council's submission involves incentivising Borough Residents to increase the quality and quantity of kerbside recycling. Households will be encouraged to register to be part of the reward scheme, they will receive an education pack on recycling and will be placed in a monthly draw, to which there will be a number of prizes, in the form of shopping vouchers. Before the

prizes are awarded however, those households who have been identified as winners will have their presented household waste and kerbside recycling examined to ensure that they are recycling effectively. If this is confirmed, the prize will be awarded.

The grant will fully cover the whole cost of the scheme, including prizes, publicity and materials. The scheme also requires some staffing resource. The bid identified the need to appoint a full time Recycling Reward Scheme Promotion Officer at Scale 5 and 20 hours per week of administrative support at Scale 3. (It is likely that the latter post can be satisfied by offering additional hours to part time administrative staff within the Community Services Department.)

(i) Legal Implications

There are no legal implications.

(ii) Risk Assessment

Not Applicable.

(iii) Financial Implications

The Council has been in receipt of the whole grant of £171,488 from DCLG

(iv) Health and Safety Implications

The recommendation has no implications.

(v) Equality and Diversity

The recommendation has no detrimental impact on service users showing any of the protected characteristics under current Equalities legislation.

(vi) Health and Well-being Implications

The recommendation has no adverse effect on the Health and Wellbeing of users of this service.

Background Papers

Nil.

EXECUTIVE COMMITTEE		Part One (D) Agenda Item 18
Date of Meeting:	20th May, 2015	
Reporting Officer:	Executive Director	
<p>Title: Borough Council Administration of KOFAC</p> <p>Summary and Conclusions:</p> <p>Furness Enterprise have administered KOFAC since its inception, but when they ceased trading KOFAC requested the Borough Council take on this role.</p> <p>Recommendations:</p> <p>To agree that the Council administers KOFAC finances and procurement.</p>		

Report

As Members will be aware, the Borough Council has financially supported Keep Our Future Afloat Campaign (KOFAC) since its inception in March 2004.

The specific aims are to:

1. Sustain and grow jobs in naval shipbuilding in North West England.
2. Secure full utilisation of the unique assets found in the North West regions' naval shipbuilding industrial base and their supply chains.
3. Sustain naval ship/submarine design capability.

KOFAC is currently supporting the case for 4 'Successor' boats to be built and for the delivery of 7 Astute class attack submarines.

The campaign has a wide ranging membership of the public and private sectors and trades unions.

To date Furness Enterprise have offered support to the campaign, taking responsibility for finances and procurement. KOFAC does not employ any staff directly. In 2014/15 total expenditure was £19,628.76 against an income of £24,677.57 leaving a surplus of £5,048.81. Furness Enterprise ceased trading on 24th April and KOFAC have asked if the Borough Council is prepared to 'host' the campaign providing financial and procurement support.

The Borough Council have a seat on the KOFAC Executive. I have made it clear that the Borough Council does not have the resources to offer similar administration support to that offered by Furness Enterprise.

(i) Legal Implications

The recommendation has no legal implications.

(ii) Risk Assessment

The recommendation has no implications.

(iii) Financial Implications

The Borough Council will become responsible for administering and reporting KOFAC's financial position to the Steering Group. KOFAC will also operate within the Council's procurement roles.

(iv) Health and Safety Implications

The recommendation has no implications.

(v) Equality and Diversity

The recommendation has no detrimental impact on service users showing any of the protected characteristics under current Equalities legislation.

(vi) Health and Well-being Implications

The recommendation has no adverse effect on the Health and Wellbeing of users of this service.

Background Papers

Nil

EXECUTIVE COMMITTEE	(R) Agenda Item 19
Date of Meeting: 20th May, 2015	
Reporting Officer: Executive Director	
<p>Title: Coastal Communities Fund – Supply Chain Strengthening, Transforming Skills In Coastal Furness Accountable Body Status</p> <p>Summary and Conclusions:</p> <p>Furness Enterprise have been successful in attracting a large Big Lottery Grant but do not wish to accept it. The Borough Council could secure funds for the area by acting as Accountable Body with Furness Economic Development Forum overseeing delivery. There are risks to the Council, but these can be mitigated.</p> <p>Recommendations:</p> <p>To recommend the Council:-</p> <ol style="list-style-type: none"> 1. To agree that the Council acts as Accountable Body for the Coastal Communities Fund Supply Chain Strengthening Project; and 2. To agree that subject to their availability that former Furness Enterprise staff are commissioned to carry out the project managers and senior administrator roles. 	

Report

On 25th February 2015 the Big Lottery made a grant offer from the Coastal Communities Fund (CCF) of £864,892 to Furness Enterprise Ltd. The offer requires a co-financing sum, provided by other public or private sector sources of £313,025 giving a project total of £1,177,917 over a two year period.

The purpose of the grant is to work with local small and medium sized companies to maximise their opportunities to access supply chains for the Successor Programme and other major contracts.

The requirement for co-financing was not envisaged when the bid was submitted, and the FE Board did not have confidence that the level of co-financing required in the offer letter could be achieved, therefore their Board resolved on 7th April that ‘..... The Furness Enterprise Board cannot accept

the CCF grant offer for the reason of lack of commitments to co-financing. It states that the Board will urge DCLG/Big Lottery to actively consider any proposals by Furness Economic Development Forum to take responsibility for and implement the supply chain programme’.

FE have also secured an extension to the deadline for acceptance of the offer letter to the end of May 2015.

Furness Economic Development Forum (FEDF) is not an incorporated body and could not therefore sign the offer letter, and I have suggested to the Big Lottery that the Borough Council becomes the Accountable body for the CCF project with FEDF overseeing delivery of the project and co-ordination with other Business Support initiatives.

As an Accountable Body the Borough Council would become responsible for expenditure of the grant and ensuring the outputs agreed in the offer letter are achieved. As with all CCF projects there remains a risk that grant money could be clawed back in the event of poor performance or use of the funds for purposes other than those for which the grant was agreed.

I have been involved in negotiations with both BL/DCLG and FEDF, and I wrote to BL on 23rd April setting out the following formal proposal:

1. Barrow Borough Council will act as the Accountable Body for the Project.
2. The project has the same outputs as your offer letter of 25th February.
3. The project budget remains as per the original submission, i.e. a total value of £1,177,917 comprising a Coastal Communities Fund Grant of £864,892 with co-financing of £313,025.
4. Co-financing will comprise Furness Economic Development Forum - £125,000, private sector - £187,025. The latter figure is an estimate at this stage. In kind co-financing will also be provided by Barrow Borough Council.
5. Project costs have been revised. The principal changes arise from:-
 - (a) Travel and a proportion of insurance costs have been distributed to the 4.5 fte posts, as staff would be commissioned rather than employed by the Accountable Body.
 - (b) Savings of £70,140 have been achieved by reducing freelance consultancy costs by 50% and removal of an administrator – both these functions, which comprise 1.2 staff, will be provided by the Accountable Body and provide in kind co-financing. This saving has been redistributed to provide additional business advice and training.

6. The staffing of the project comprises 4.5 fte's:-

- (a) Project Director (0.5 fte)
- (b) Project Managers (2 fte)
- (c) Senior Administrator (1 fte)
- (d) Administrator (1 fte)

To ensure continuity from the former project and rapid establishment, posts (b) and (c) above would be former Furness Enterprise staff.

7. Furness Economic Development Forum will be responsible for delivery of the project through its Supply Chain and Business Support Working Group. This will allow co-ordination of "Growth Hub" support to small businesses with the supply chain project and integrate the project with LEP business support activity.
8. To ensure the initiative is sustainable beyond the 2 years of the project, Furness Economic Development Forum has committed to resource the initiative for a minimum of 12 months beyond the end date of the CCF project.
9. The project will be based in Emlyn Hughes House, a commercial office premises in Barrow-in-Furness.

The project outputs are 5.72 direct jobs safeguarded and the creation of 250 indirect jobs though it is recognised that many of these will not come to fruition until the end of 2017. In addition the project would create 50 employer led apprenticeships through subsidies and advice to SME's and 300 local businesses would be supported capturing some £30-60m of additional supply chain spend.

Big Lottery are anxious to ensure continuity from the previous FE supply chain project and rapid project establishment. They therefore have given an indication that they would strongly prefer FE staff to deliver the project as far as possible. This will apply to 3 of the 4.5 fte posts. I have also made it clear to BL/DCLG that we will commission staff to work on the project rather than employ them directly.

Clearly, there are risks associated with becoming an Accountable Body for the CCF grant, particularly that clawback could apply in the event of underperformance against the scheme outputs. However, I feel the following measure mitigate the risk to an acceptable level.

1. Although FEDF will oversee implementation, the Project Director will also report directly to the Borough Council allowing us to monitor spend and outputs and take any corrective action to ensure their achievement.

2. The outputs seem achievable given the experience of the former project.
3. Engagement of staff with experience of running the previous project will allow the project to operate effectively early in its lifetime.
4. Co-financing can be provided by the Borough Council from funding already agreed to support supply chain and lobbying activity.

There is no doubt that the project will be of significant value to the economy of Furness and the Borough Council acting as Accountable Body is the only means of ensuring the grant can be utilised. Clearly, there is a risk to the Authority in acting as Accountable Body, but this can be mitigated by the actions above and is significantly outweighed by the benefits that the project would provide.

I am currently awaiting final confirmation from BL/DCLG that they are content with the proposal I have submitted. I will update Members on the current position at your meeting.

(i) Legal Implications

The Borough Council will be required to sign an offer letter accepting responsibility for the project spend and outputs.

(ii) Risk Assessment

Risk Assessment and mitigating actions are set out in the report.

(iii) Financial Implications

The Borough Council has set aside £150,000 to support supply chain and lobbying initiatives which will be used as co-financing. Funding would be forwarded to the Borough Council via a Section 31 grant.

(iv) Health and Safety Implications

The Borough Council will be commissioning staff rather than employing them directly.

(v) Equality and Diversity

The recommendation has no detrimental impact on service users showing any of the protected characteristics under current Equalities legislation.

(vi) Health and Well-being Implications

The recommendation has no adverse effect on the Health and Wellbeing of users of this service.

Background Papers

Correspondence held by the Executive Director.

