

# **BOROUGH OF BARROW-IN-FURNESS**

## **EXECUTIVE COMMITTEE**

Meeting, Wednesday, 29th June, 2016  
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 May, 2016 (Pages 1-13).
6. Apologies for Absence/Attendance of Substitute Members.

### **FOR DECISION**

- (D/R)** 7. Recommendations of the Housing Management Forum, 9th June, 2016 (Pages 14-29).

- (D/R) 8. Piel View House (Pages 30-32).
- (R) 9. Internal Audit (Pages 33-36).
- (R) 10. Minimum Revenue Provision Profile (Pages 37-40).
- (R) 11. Flexi Time and Time Off in Lieu Policy/Overtime Payments and Time off in Lieu for Senior Officers (Pages 41-42).
- (R) 12. Licensing Regulatory Committee - Unmet Demand Survey. Hackney Carriage Vehicle Licences – Quantity Control Policy (Pages 43-44).
- (R) 13. Housing Service: Additional Support for Housing Maintenance Team (Pages 45-46).
- (R) 14. Housing Related Report: County Council Grant (Pages 47-48).
- (D) 15. Lease of 242/244 Dalton Road to The Well CIC (Pages 49-50).
- (D) 16. Additional Meeting of Executive Committee (Pages 51-52).

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

**Membership of Committee**  
**Councillors**

Councillors Pidduck (Chairman)  
Sweeney (Vice-Chairman)  
Barlow  
Biggins  
Brook  
Cassells  
Hamilton  
R. McClure  
Maddox  
Pemberton  
Roberts  
Williams

**For queries regarding this agenda, please contact:**

Jon Huck  
Democratic Services Manager  
Tel: 01229 876312  
Email: [jwhuck@barrowbc.gov.uk](mailto:jwhuck@barrowbc.gov.uk)

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## **EXECUTIVE COMMITTEE**

Meeting: Wednesday 11th May, 2016  
at 2.00 p.m.

PRESENT:- Councillors Pidduck (Chairman), Barlow (Items 1-15 only), Biggins, Brook, Hamilton, Maddox, Pemberton, Roberts, Wall and Williams.

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

### **1 – Declarations of Interest**

Councillor Barlow declared an Other Registrable Interest in Agenda Item 9 – Use of Resources (replacement waste bins for schools and charities) as he was Treasurer of the Barrow and District Disability Association and a Governor at Barrow Island Primary School.

Councillor Pidduck declared an Other Registrable Interest in Agenda Item 9 – Use of Resources (replacement waste bins for schools and charities) as he was Chair of Governors at St James Primary School.

Councillor Wall declared an Other Registrable Interest in Agenda Item 9 – Use of Resources (replacement waste bins for schools and charities) as she was a Governor at Roose School.

### **2 – Minutes**

The Minutes of the meeting held on 9th March, 2016 were agreed as a correct record.

### **3 – Apologies for Absence/Attendance of Substitute Members**

Apologies for absence were received from Councillors R. McClure and Sweeney.

Councillor Wall had replaced Councillor Sweeney for this meeting only.

### **4 – Appointments on Outside Bodies, Panels, Working Groups etc.**

The Executive Director reminded the Committee that at the Annual meeting on 10th May, 2016 the allocation of seats in respect of Forums, Panels, Working Groups etc. and certain Outside Bodies had been considered by Council.

Council was 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.

RESOLVED:- (i) To approve the under-mentioned Outside Bodies in accordance with Notional Seat Allocations; and

(ii) To agree the under-mentioned appointments to Outside Bodies, Forums, Panels and Working Groups:-

**REPRESENTATIVES ON OUTSIDE BODIES, ETC. 2016/2017**

- (1) AIR TRAINING CORPS (NO. 128 SQUADRON)  
The Mayor
- (2) ASKAM AND IRELETH COMMUNITY CENTRE MANAGEMENT COMMITTEE  
Councillors Harkin, Heath, Murray and Thurlow
- (3) BAE SYSTEMS MARINE LTD LOCAL LIAISON COMMITTEE  
Councillors Cassidy, Johnston and Sweeney
- (4) BARROW AND DISTRICT COMMUNITY ACTION SAFETY GROUP  
Councillors Biggins and Proffitt
- (5) BARROW CHILDREN'S CENTRES ADVISORY GROUP  
Councillor Brook
- (6) BARROW COMMUNITY SAFETY PARTNERSHIP  
Councillors Hamilton and Pidduck
- (7) BARROW-IN-FURNESS SEA CADET CORPS COMMITTEE  
The Mayor  
Substitute:- Deputy Mayor
- (8) BARROW WASTEWATER TREATMENT WORKS LOCAL FORUM  
Councillors Cassells, R. McClure and Wall
- (9) BILLINCOAT CHARITY TRUST (4 year appointment until May 2019)  
Councillors Blezard, Harkin, Heath, Maddox, Murray and Thurlow
- (10) BUCCLEUCH HALL MANAGEMENT COMMITTEE  
Councillor Heath
- (11) CENTRICA LIAISON COMMITTEE  
Councillors Johnston, Murphy and Proffitt
- (12) CHILDREN'S AND YOUNG PEOPLE'S WORKING GROUP  
Councillors Brook and Proffitt
- (13) CITIZENS' ADVICE BUREAU TRUSTEE BOARD  
Councillor Barlow and Murray
- (14) CUMBRIA ALCOHOL AND DRUG ADVISORY SERVICE BOARD  
The Mayor

- (15) CUMBRIA HOUSING EXECUTIVE GROUP  
Councillor Hamilton
- (16) CUMBRIA PENSIONS FORUM  
Councillor Proffitt
- (17) CUMBRIA STRATEGIC WASTE PARTNERSHIP  
Councillor M. A. Thomson
- (18) DALTON COMMUNITY ASSOCIATION  
Councillor Thurlow
- (19) DUDDON ESTUARY PARTNERSHIP  
Councillor Biggins and Murphy
- (20) FRIENDS OF WALNEY  
Councillor Callister
- (21) FURNESS ABBEY FELLOWSHIP  
Councillor Wall
- (22) FURNESS LINE COMMUNITY RAIL PARTNERSHIP  
Councillor Sweeney
- (23) FURNESS HEALTH AND WELLBEING FORUM  
Councillors Brook, W. McClure and Sweeney
- (24) FURNESS MARITIME TRUST  
Council of Trustees: - Councillors Cassidy, Murphy, C. Thomson and Wall  
plus the Executive Director and Director of Resources
- (25) HEALTH AND WELLBEING SCRUTINY COMMITTEE  
Councillor Cassells  
Substitute: Councillor Cassidy
- (26) INTERNATIONAL NUCLEAR SERVICES LIMITED: RAMSDEN  
DOCK TERMINAL STAKEHOLDER GROUP  
Councillors Biggins, Johnston, Pidduck and Proffitt
- (27) JOINT RURAL COMMITTEE  
Councillors Murray and Thurlow
- (28) KEEPING OUR FUTURE AFLOAT  
Councillor Pidduck
- (29) LAKES WORLD HERITAGE SITE STEERING GROUP  
Councillor Murphy
- (30) LIBERATA PARTNERSHIP BOARD  
Councillors Barlow, Roberts and Sweeney

- (31) LOCAL GOVERNMENT ASSOCIATION: GENERAL ASSEMBLY  
Councillor Pidduck
- (32) LOCAL GOVERNMENT ASSOCIATION NUCLEAR ISSUES SPECIAL INTEREST GROUP  
Councillor Sweeney  
Substitute: Councillor Pidduck
- (33) NORTH WEST OF ENGLAND AND THE ISLE OF MAN RESERVE FORCES CADETS ASSOCIATION  
Councillor McEwan
- (34) NORTH WESTERN LOCAL AUTHORITIES' EMPLOYERS' ORGANISATION  
Councillor Brook

**OUTSIDE BODIES AGREED BY COUNCIL**

Allotments Liaison Committee (9 seats – 7:2)

Councillors Barlow, Gawne, Heath, Husband, Johnston, Murphy, C. Thomson and Thurlow.

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

Councillors Barlow, Brook and Gawne

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

Councillors Callister, Murray and Pemberton

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

Councillors Barlow, Gawne, Gill, Harkin, Johnston, Murphy, M. A. Thomson, Thurlow and Wall.

**MEMBERSHIP OF FORUMS, PANELS, WORKING GROUPS ETC. 2016/2017**  
**EXECUTIVE COMMITTEE**

Barrow Market Liaison Committee (3:1)

Councillors Barlow, Burns, Gawne and Pidduck

Constitution Working Group (3:1)

Councillors Brook, Pidduck, Roberts and Sweeney

Cumbria Local Nature Partnership Board (1:0)

Councillor Wall

Cumbria Police and Crime Panel (1:0)

Councillor Hamilton

Early Retirement/Voluntary Redundancy Panel (3:1)

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

Grading Appeals Panel (3:1)

Selection of four Councillors from the following:-

Councillors Barlow, R. McClure, Pemberton, Pidduck, Sweeney and M. A. Thomson

Health and Safety Management Board (4:1)

Councillors Barlow, Pidduck, Proffitt, Roberts 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 Brook, Derbyshire, Gill and Pidduck

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 Gawne

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)

To be appointed for 2016/17 in accordance with proportionality rules

Review Board – Housing Register/Homeless Applicants

3 Members selected by Executive Director in accordance with proportionality rules

## **5 – Budget Strategy Consultation**

The Executive Director informed the Committee that the Budget Strategy for 2016-2020 was currently being developed and aimed to eliminate the projected accumulated 2019-2020 General Fund revenue budget deficit of £2.37m.

In order to maximise the time available for public consultation it was proposed that once the Administration had agreed the proposals and staff and unions had been briefed, then a public consultation exercise be carried out. It was hoped that would last for four weeks and the responses would then be reported to the Full Council meeting considering the adoption of the Budget Strategy 2016-2020.

RESOLVED:- To agree that the Executive Director carried out a public consultation exercise of the Budget Strategy 2016-2020, once the proposals had been agreed by the Administration and following briefings with staff and unions.

## **6 – Use of Reserves**

The Director of Resources informed the Committee that the Council had collected the waste from schools and charities and made a charge for that service. The containers that had been used varied in age, with many being over 25 years old. The containers were becoming unserviceable and replacements had been requested:

55 x 1100 litre containers costing £296.05 each  
15 x 660 litre containers costing £282.66 each

The current prices per unit and included delivery. The proposed total use of reserves was £21,000; if the prices fluctuated beyond that, the use of reserves would be increased.

Some of the containers that were to be replaced would be able to be refurbished and kept as spare should the need arise.

She also reported that at a meeting of the Cumbria Leaders Board on 18th March, 2016, the need to undertake a Governance Review had been discussed. It was noted that the Government had advised that the Cumbria Deal would require the establishment of a Mayoral Combined Authority and therefore a Governance Review would need to be conducted for Cumbria.

The Government's expectation was that the Governance Review would cover the scope of functions covered in the current draft Cumbria Deal.

The Review would assess the status quo and Mayoral Combined Authority; the purpose being to: consider that the establishment of a Combined Authority was likely to improve the exercise of statutory functions in the area or areas to which the order relates; have regards to the need to reflect the identities and interests of local communities; and have regards to the need to secure effective and convenient local government.

Participation in the Governance Review did not imply any agreement to proceed with the Cumbria Deal.

It was also reported that Management Board had considered a report from the Assistant Director for Regeneration and the Built Environment setting out the



requirements for the Corporate Asset Management Plan; that excluded the Housing Revenue Account assets which were part of the 30-year business plan.

The Council owned a variety of land and property and asset management sought to establish a coordinated approach to realise the maximum value from assets. That included the condition of the asset, the best use of the asset and the policy around acquiring and disposing of assets.

The Assistant Director considered that a consultant could be retained to oversee the Asset Management Plan process and assist in the procurement of surveyors to carry out condition surveys of relevant assets in order to prioritise a long term planned maintenance plan across the portfolio.

RESOLVED:- (i) To agree that the Budget Contingency reserve be used to fund an estimated £21,000 for replacement waste containers for the collection of schools and charities waste;

(ii) To note that up to £10,000 had been identified from the Budget Contingency reserve to fund a Governance Review across the Cumbrian local authorities; and

(iii) To agree that in order to prepare the Corporate Asset Management Plan, consultancy time and surveyor fees were funded from reserves, which was an in principle decision as amounts were not yet available.

## **7 – Sale of Land – Beach Street/Sharp Street, Askam-in-Furness**

The Executive Director informed the Committee that the Council currently owned approximately 1 ha of land between Beach Street and Sharp Street, Askam-in-Furness. That was undeveloped land that in practice was open to general public access. Over a number of years, neighbouring residents had in various places erected buildings or storage compounds on parts of that land, or extended their back gardens onto the land. Although the title of the land had been registered to the Council, due to the long standing nature of many of these constructions, it would be difficult or impossible for the Council to forcibly remove them.

The Council had been approached by the owner of the land adjacent to the Council's, who wished to purchase the Council's land and develop the area for housing. Before any detailed feasibility work was commenced, agreement in principle was sought from Members to sell the site.

RESOLVED:- To agree in principle to sell the land at Beach Street/Sharp Street, Askam-in-Furness owned by the Council to the adjacent land owner, subject to the agreement of terms.

## **8 – Cumbria Housing Statement**

The Executive Director informed the Committee that the Council had for many years participated in the Cumbria Housing Group, which had consisted of the other local authorities in Cumbria, together with the National Park Authorities. That Group had over the years produced a number of shared strategic documents to express the

shared objectives of its members. The most recent of these documents had been agreed in 2011, and a refresh was considered overdue. It was also considered that the production of a lengthy and detailed document was of little value. Accordingly a relatively short statement of principles had been agreed which was considered by the Committee.

RESOLVED:- To endorse the draft Cumbria Housing Statement.

## **9 – Statement of Community Involvement (SCI)**

The Executive Director informed the Committee that the Statement of Community Involvement (SCI) sets out how the Council would involve people in the planning processes. The purpose of the report was to advise members that the revised SCI had been subject to a four week period of public consultation. In that time 34 comments had been received. The SCI had been revised, as appropriate, having taken into account the representations received.

RESOLVED:- To agree that the Statement of Community Involvement be formally adopted and once adopted, the Authority was required to adhere to it when preparing plans and dealing with planning applications.

## **10 – Planning Policy – Annual Monitoring Report (AMR)**

The Executive Director informed the Committee that the purpose of the report was to advise on the publication of the 2014/15 Annual Monitoring Report (AMR) produced by the Planning Policy Section.

That was the eleventh Annual Monitoring Report to be published and a full colour copy was available to be viewed 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) which had also recently been updated.

Barrow Borough's Local Development Scheme (May 2016), which was the subject of a further report of the Committee, reflected the requirements of the National Planning Policy Framework (NPPF), and the Council's decision to produce a single Local Plan document. Progress on the Local Plan continued, the Preferred Options Draft Local Plan underwent consultation in July /August 2015 and the Publication Draft would be published in Summer 2016. The Plan was expected to be adopted in 2017.

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 Draft Local Plan. 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 for the Borough including housing employment, health and demographic data.

RESOLVED:- To note the content of the Annual Monitoring Report 2014/2015.

**REFERRED ITEM**

**THE FOLLOWING MATTERS ARE REFERRED TO COUNCIL FOR DECISION**

**11 – Revised Local Development Scheme (LDS)**

The Executive Director reminded the Committee that the 2004 Planning Act required Local Planning Authorities to prepare an LDS. The LDS was intended to set out the targets for the stages of production of each of the relevant planning policy documents, identify the resources that would be required to ensure that the work was completed in accordance with the timetable and identify any risks that could result in delay.

The previous LDS had been published in February 2014, there had been some slippage against the timetable it set out.

The purpose of the report was to present a revised LDS for approval, illustrating the timetable for the production of the Council's Local Plan document.

RECOMMENDED:- To recommend the Council to approve the Local Development Scheme.

**12 – Financial Regulations**

The Director of Resources reminded the Committee that the Financial Regulation – Procuring and Paying for Works, Supplies and Services sets out the Council's arrangements for purchasing and contracting. The Regulation was associated with the Contract Standing Orders and supported by the Purchasing Procedure and Contract Management Checklist.

It was necessary to update the Financial Regulation for the Public Services (Social Value) Act 2012; that Act applied to all major procurement and sets out the requirement of public services to recognise the impact of the social and economic well-being of the Borough and in particular ensure that, wherever possible, procurement supports the local economy.

The Council's adopted principle was that "the Council aims to deliver value for money when procuring goods and services. This is balanced with consideration to sustainability, the local economy and fair competition to all providers."

That principle did not need to be altered as it was already balanced between the Best Value duty placed on the Council and the interest of the Borough. However, in order to update the Regulation to reflect the Act, the following additional paragraph was proposed:

In compliance with the Public Services (Social Value) Act 2012, all major procurement shall recognise the impact of the social and economic well-being of the Borough and in particular ensure that, wherever possible, procurement supports the local economy. Whilst looking at Social Value the Best Value duty remains throughout.

**RECOMMENDED:-** To recommend the Council to approve the update to the Financial Regulation - Procuring and Paying for Works, Supplies and Services.

### **13 – Establishment Change**

The Director of Resources informed the Committee that a Planning Policy Assistant has been identified to support the Local Plan process and to support the ongoing work of the Planning Policy Officers. The Planning Policy team had to balance work on the Local Plan with other planning functions.

The workload and requirements of the Team had been assessed as 20 hours a week and Scale 6 was judged to be the commensurate grading.

The post would be funded from additional unbudgeted expenditure from Development Control (planning applications). The cost for a full year had been estimated to be £15,670 and that income level was attainable in recurrent years.

The addition of the role would support the Team by assisting them with the delivery of their work and by producing the supporting documents which do not require qualified Planning Officers, thus freeing up time for those Officers to concentrate on writing the Plan and more specialised areas of work.

A large amount of evidence gathering, monitoring and document production had and would continue to take place in-house, that role could assist with much of that area of work.

The adoption of the new Local Plan was anticipated in late 2017, following its successful adoption the key tasks of the Policy Team would be to continue to review and update policy documents in line with government guidance, monitor the delivery of new planning policies and site allocations, produce updated evidence base documents and supplementary planning guidance and lead or support development of bids for funding to realise the strategic objectives of the Local Plan.

**RECOMMENDED:-** To recommend the Council to approve the creation of a part time, 20 hours a week, Planning Policy Assistant on Scale 6, funded from additional unbudgeted income.

### **14 – Charging for Environmental Information**

The Director of Resources informed the Committee that the Environmental Information Regulations 2004 had allowed the Council to make a charge for the provision of information provided, other than an in situ visit. There had been an increase in the number of requests and there were occasions where the work involved had taken a significant amount of officer time.

The report proposed a charge for the provision of environmental information, should the estimated time involved exceed two hours. Also, that the fee may be waived where the Council believed that the information was not going to be used commercially and the provision of the information could be of economic or social benefit to the residents of the Borough.

In October 2015, the Court of Justice of the European Union had clarified the charging position and ruled that local authorities could charge for:

- Staff salary costs – the time spent answering requests for environmental information.
- Staff overhead costs – attributable to time spent by answering requests for information, such as heating, lighting and staff training.
- Disbursements – incurred by the Council in transmitting the information to the applicant, such as photocopying and postage.

The Council would publish an Environmental Information Requests Charging Policy to ensure transparency around the process. Within that the details of charging and the time limitations would be set out.

Within the principles set out in the report, the Council would continue to waive any charge for the first two hours of officer time for any Environmental Information Request.

The following charges had been based on a survey of commercial charges advertised on the Internet:

#### **Small format documents**

<b>Paper size</b>	<b>Style</b>	<b>Copies</b>	<b>Cost</b>
A4	Mono	1	£0.10
A3	Mono	1	£0.20
A4	Colour	1	£0.50
A3	Colour	1	£1.00

#### **Large format documents**

<b>Paper size</b>	<b>Style</b>	<b>Copies</b>	<b>Cost</b>
A2	Mono	1	£2.00
A1	Mono	1	£3.00
A0	Mono	1	£4.00
A2	Colour Plans	1	£4.75
A1	Colour Plans	1	£7.25
A0	Colour Plans	1	£12.50
A2	Full Page (Mono or Colour)	1	£7.60
A1	Full Page (Mono or Colour)	1	£10.60
A0	Full Page (Mono or Colour)	1	£15.50

**RECOMMENDED:-** To recommend the Council:-

- (i) To agree the principle of charging for providing environmental information where the estimated officer time involved exceeded two hours;
- (ii) To agree that the fee may be waived where the Council believed that the information was not going to be used commercially and the provision of the information could be of economic and social benefit to the residents of the Borough;
- (iii) To agree that the Assistant Director of Regeneration and Built Environment be delegated to set and review the fees for the service on an annual basis;
- (iv) To agree that the updated copying charges be approved;
- (v) To agree that the Assistant Director of Regeneration and Built Environment be delegated to set and review the copying charges on an annual basis; and
- (vi) To agree that the Corporate Support Department be delegated to create and publish an Environmental Information Request Charging Policy based on the principles agreed within the report.

#### **15 – Flexi Time and Time Off in Lieu Policy/Overtime Payments and Time off in Lieu for Senior Officers**

The Director of Resources informed the Committee that the Council's Flexi Time policy had been reviewed with the main change proposed allowing employees to carry over up to 16 hours credit balance at the end of an accounting period (currently 8 hours) and able to take up to two days flexi leave in each accounting period (currently 1 day). That would enable employees to work more flexibly but managers still had discretion under the policy to limit its use.

The process for accruing lieu time, for officers working or training outside normal office hours, had been clarified and added to the Flexi Time policy. That should ensure consistency across departments.

Under the Council's current policy on Overtime for Senior Officers, officers were unable to claim overtime payments for the first three hours worked in excess of their standard week, and could only claim a maximum of 15 hours overtime per week. That policy had been revised to reflect that time off in lieu be treated in the same manner.

The policies would be provided to the Union for comment.

**RECOMMENDED:-** To recommend the Council to agree the amended policies.

#### **16 – Selective Licensing of Private Landlords - Egerton Court**

The Committee considered a detailed report regarding the introduction of selective licensing of privately rented accommodation in Egerton Court, Barrow. That would be pursuant to Part 3 of the Housing Act 2004, and would be brought in with the aim of improving housing and social conditions in that neighbourhood.

RECOMMENDED:- To recommend the Council:-

- (i) To agree in principle to the designation of Egerton Court as an area where selective licensing was in force;
- (ii) To authorise the Assistant Director of Regeneration and the Built Environment to take all necessary steps to implement that designation; and
- (iii) To appoint a temporary member of staff on a salary scale of SO1/2 for a period of up to 18 months to bring in selective licensing in that area.

## **17 – Risk Management**

The Executive Director informed the Committee that Management Board had reviewed and identified key corporate and operational risks for the Council at their meeting of 21st April, 2016. The updated Risk Registers had reflected Management Board's assessment of significant risks to the Council.

The Corporate Risk Management Register had been reviewed and the following changes had been made:-

- Corporate Risk 2 – 2016/1 (Future finance stability and sustainability of the Council). The mitigating actions had been re-written to reflect changes to the MTFP. That may require further changes once a budget strategy was agreed. The mitigated risk score had been increased from 16 to 20;
- Corporate Risk 4 – 2016/1 (Level of sickness worsens). Minor changes had been made to the impact to include additional costs if the Council had to employ temporary staff. Mitigating actions had been updated to reflect changes to the absence management policy;
- Corporate Risk 6 – 2016/1 (Impact of welfare changes). Responsibility for the risk had moved from Assistant Director - Housing to Management Board as it impacted on the whole Council;
- Corporate Risk 7 – 2016/7 (Delivery of the water front regeneration programme). The potential impact had been updated to reflect current opportunities; and
- Corporate Risk 10 – 2016/1 (Effective workforce planning). A new risk which recognised the need to recruit and develop staff to meet the future needs of the Council.

The Operational Risk Register had been reviewed, one risk (Inadequate cash flow for operational purposes) had been removed because it was no longer considered a significant risk.

RECOMMENDED:- To recommend the Council to approve the Risk Registers for 2016/17.

The meeting closed at 3.40 p.m.

**BOROUGH OF BARROW-IN-FURNESS**

**EXECUTIVE COMMITTEE**

**29th June, 2016**

**(D)/(R) AGENDA ITEM NO. 7**

**RECOMMENDATIONS**

**OF THE**

**HOUSING MANAGEMENT FORUM**

**9th June, 2016**

**\*Subject to the protocol agreed by Council**



The recommendations of the meeting of the Housing Management Forum held on 9th June, 2016 are attached.

**COPIES OF THE DETAILED REPORTS ON THESE ITEMS HAVE BEEN CIRCULATED PREVIOUSLY TO ALL MEMBERS OF THE COUNCIL.**

The Council has agreed that the following protocol should operate:-

- The Executive Committee shall automatically agree any such recommendation or refer it back for further consideration.
  
- If on re-submission the Executive Committee is still unwilling to approve the recommendation, it is automatically referred to full Council for decision.

<b>HOUSING MANAGEMENT FORUM</b>	<b>(D)</b>
<b>Date of Meeting: 9th June, 2016</b>	<b>(i)</b>
<b>Reporting Officer: Executive Director</b>	
<p><b>Title: Appointment of Representatives to Working Groups etc.</b></p> <p><b>Summary and Conclusion:</b></p> <p>The report requested that Members make appointments to the following Outside bodies, Working Groups etc:-</p> <p>Tenant Scrutiny Working Party:- Three Members (2:1) and three Tenant Representatives.</p> <p>Tenants Complaints Panel:- One Member (1:0) and two Tenant Representatives.</p> <p><b>Recommendation:</b></p> <p>That the Members for 2016/2017 be as follows:-</p> <p><u>Tenant Scrutiny Working Party</u></p> <p>Council Representatives (2:1) Councillors Barlow, Heath and McEwan.  Tenant Representatives – Mr A. McIntosh, Mrs P. Charnley and Ms L. Webb.</p> <p><u>Tenants Complaints Panel</u></p> <p>Council Representatives (1:0) Councillor Hamilton.  Tenant Representatives – Mr A. McIntosh and Mrs M. Anderson.</p>	

<b>HOUSING MANAGEMENT FORUM</b>	<b>(D)</b>
<b>Date of Meeting: 9th June, 2016</b>	<b>(ii)</b>
<b>Reporting Officer: Colin Garnett, Assistant Director - Housing</b>	
<p><b>Title: Change of Use: Grange and Cartmel Crescent Community Room and Guest Bedroom</b></p> <p><b>Summary and Conclusions:</b></p> <p>The purpose of the Assistant Director – Housing’s report was to consider the future use of the Grange and Cartmel Crescent Community Room and Guest Bedroom.</p> <p><b>Recommendations:</b></p> <ol style="list-style-type: none"> <li>1. To agree the traditional use of the guest bedroom be suspended until a decision is made on the future of the building;</li> <li>2. To consider whether there were any local groups who may consider taking on the responsibility of managing the facility subject to the use being reflective of the area in which it is situated including a dialogue with local residents; and</li> <li>3. To investigate the option and costs to convert the building into two separate units of living accommodation.</li> </ol>	

<b>HOUSING MANAGEMENT FORUM</b>	<b>(D)</b>
<b>Date of Meeting: 9th June, 2016</b>	<b>(iii)</b>
<b>Reporting Officer: Colin Garnett, Assistant Director - Housing</b>	
<p><b>Title: Housing Related Support: County Council Grant</b></p> <p><b>Summary and Conclusions:</b></p> <p>Following changes to the Support People arrangements the County Council had offered the Borough Council the opportunity of funding to assist in the provision of Housing related support. The purpose of the report was to note the Assistant Director – Housing’s actions so far and agree the approach to delivering services by use of the Grant.</p> <p><b>Recommendations:</b></p> <ol style="list-style-type: none"> <li>1. To agree the actions of the Assistant Director – Housing in acceptance of this grant following discussion with the Chairman of the Housing Management Forum;</li> <li>2. To agree the principle to deliver the support targeted at Domestic Violence through Women’s Community Matters subject to satisfactory terms and making a figure of up to £11,648.00 available to deliver that aspect of the Grant; and</li> <li>3. To agree the principles of using the Grant to increase the support available to residents in the Councils temporary accommodation and work with the Housing Options Team to assist potentially homeless residents avoid homelessness.</li> </ol>	

<b>HOUSING MANAGEMENT FORUM</b>	<b>(D)</b>
<b>Date of Meeting: 9th June, 2016</b>	<b>(iv)</b>
<b>Reporting Officer: Colin Garnett, Assistant Director - Housing</b>	
<p><b>Title: Housing Management Performance Report 2015/16</b></p> <p><b>Summary and Conclusions:</b></p> <p>The end of year performance information was attached as an appendix to the report and the Assistant Director – Housing’s report provided a brief commentary to assist Members in their understanding of the key trends and the actions which followed.</p> <p><b>Recommendations:</b></p> <ol style="list-style-type: none"> <li>1. To note the information contained in the report and the appendix; and</li> <li>2. To agree Actions 1-4 for 2016/17 as follows:- <ul style="list-style-type: none"> <li>Action 1: Continue to concentrate efforts in identifying and supporting vulnerable tenants through the transition to Universal Credit;</li> <li>Action 2: Reduce risk to HRA income by continuing to improve rent collection;</li> <li>Action 3: Bed in the new responsive repairs contract to improve the % of repairs completed first time and on time and improve the turnaround of voids; and</li> <li>Action 4: Prepare for the replacement of the Housing Management system which will improve functionality, help officers work more effectively whilst mobile and enable a self-serve facility for those tenants wishing to access the service outside of normal office hours.</li> </ul> </li> </ol>	

<b>HOUSING MANAGEMENT FORUM</b>	<b>(D)</b>
<b>Date of Meeting: 9th June, 2016</b>	<b>(v)</b>
<b>Reporting Officer: Colin Garnett, Assistant Director - Housing</b>	
<p><b>Title: Void Property Investments: Cumbria Housing Partners Contractor Selection Procedure</b></p> <p><b>Summary and Conclusions:</b></p> <p>The purpose of the Assistant Director – Housing’s report was to note the appointment of suitably qualified and experienced contractors from the 2014 Cumbria Housing Partner’s (CHP) framework to undertake void property improvements to the Council’s Social Housing Stock.</p> <p><b>Recommendations:</b></p> <p>To note the selection criteria adopted by Procure Plus (PP) and the subsequent appointment of AB Mitchell Development Ltd as the Council’s preferred contractor to undertake void property improvements via the 2014 CHP Framework.</p>	

<b>HOUSING MANAGEMENT FORUM</b>	<b>(D)</b>
<b>Date of Meeting: 9th June, 2016</b>	<b>(vi)</b>
<b>Reporting Officer: Colin Garnett, Assistant Director - Housing</b>	
<p><b>Title: Management of Void Properties</b></p> <p><b>Summary and Conclusions:</b></p> <p>The purpose of the Assistant Director – Housing’s report was to inform the Forum on the costs incurred to bring void properties up to standard before re-letting during 2015/16. Final accounts were to be completed but it was clear the costs for voids exceeded the budget identified for the purpose and the report sought to provide an explanation for the level of spending that was incurred and the ongoing approach to balancing expenditure whilst delivering an appropriate service.</p> <p><b>Recommendations:</b></p> <ol style="list-style-type: none"> <li>1. To note the information provided in the report;</li> <li>2. To note the action to be taken to ensure the HRA was balanced at year end; and</li> <li>3. To note and agree the ongoing development of the Council’s void management processes.</li> </ol>	

<b>HOUSING MANAGEMENT FORUM</b>	<b>(R)</b>
<b>Date of Meeting: 9th June, 2016</b>	<b>(vii)</b>
<b>Reporting Officer: Colin Garnett, Assistant Director - Housing</b>	
<p><b>Title: Policy and Procedures with Regard to Vehicle Crossings to Properties on Council Estates</b></p> <p><b>Summary and Conclusions:</b></p> <p>The purpose of the Assistant Director – Housing’s report was to direct the Housing Service on how it should respond when it received requests from residents to create off street parking. It goes on to clarify the position regarding properties that had been sold through the Right to Buy and which had restrictive covenants regarding curtilage parking. The report sought to confirm the Councils previous approach to “protect green space” and the procedure to be adopted by Officers to deliver this Policy.</p> <p><b>Recommendations:</b></p> <p>That the Executive Committee:-</p> <ol style="list-style-type: none"> <li>1. Note the information contained in the report;</li> <li>2. Confirm that in considering requests for crossing of land the Council’s Policy was to “protect green space”; and</li> <li>3. Agree the Procedure note attached as an appendix to the report on how this Policy should be implemented.</li> </ol>	



<b>HOUSING MANAGEMENT FORUM</b>	<b>(D)</b>
<b>Date of Meeting: 9th June, 2016</b>	<b>(viii)</b>
<b>Reporting Officer: Colin Garnett, Assistant Director - Housing</b>	
<p><b>Title: Request to Purchase ad-hoc Land Adjacent to 16 Duddon Drive</b></p> <p><b>Summary and Conclusions:</b></p> <p>The purpose of the Assistant Director – Housing’s report was to consider a request to purchase Council-owned land adjoining the property owned by the applicants.</p> <p><b>Recommendations:</b></p> <p>To decline the request to purchase Council owned land adjoining the property because the whole portion should not be sold due to the impact on the rear garden of 1 Severn Road and to sell half would have no benefit to the Housing Service and would alter the street scene.</p>	

<b>HOUSING MANAGEMENT FORUM</b>	<b>(D)</b>
<b>Date of Meeting: 9th June, 2016</b>	<b>(ix)</b>
<b>Reporting Officer: Colin Garnett, Assistant Director - Housing</b>	
<p><b>Title: STAR Survey Key Findings</b></p> <p><b>Summary and Conclusions:</b></p> <p>The purpose of the Assistant Director – Housing’s report was to inform Members of the key findings following a recent tenant satisfaction survey.</p> <p><b>Recommendations:</b></p> <p>To note the key findings of the STAR Survey and accept the formal report.</p>	

<b>HOUSING MANAGEMENT FORUM</b>	<b>(D)</b>
<b>Date of Meeting: 9th June, 2016</b>	<b>(x)</b>
<b>Reporting Officer: Colin Garnett, Assistant Director - Housing</b>	
<p><b>Title: Adelphi Court</b></p> <p><b>Summary and Conclusions:</b></p> <p>The purpose of the Assistant Director – Housing’s report was to agree the assignment of the lease for Adelphi Court from Croftlands Housing Trust to the Richmond Fellowship.</p> <p><b>Recommendations:</b></p> <p>To agree the assignment from Croftlands Housing Trust to the Richmond Fellowship.</p>	

<b>HOUSING MANAGEMENT FORUM</b>	<b>(D)</b>
<b>Date of Meeting: 9th June, 2016</b>	<b>(xi)</b>
<b>Reporting Officer: Colin Garnett, Assistant Director - Housing</b>	
<p><b>Title: Retrospective Request for Vehicle Crossing</b></p> <p><b>Summary and Conclusions:</b></p> <p>The purpose of the Assistant Director – Housing’s report was to consider whether action should be taken to re-instate a green verge outside a property.</p> <p><b>Recommendations:</b></p> <p>To agree to not take any action in this instance to reinstate a green verge outside a property.</p>	

<b>HOUSING MANAGEMENT FORUM</b>	<b>(D)</b>
<b>Date of Meeting: 9th June, 2016</b>	<b>(xii)</b>
<b>Reporting Officer: Colin Garnett, Assistant Director - Housing</b>	
<p><b>Title: Request for Adaptations to a Council Property</b></p> <p><b>Summary and Conclusions:</b></p> <p>The purpose of the Assistant Director – Housing’s report was to consider a request for adaptations to be carried out to a Council property at an approximate cost of £12,000.</p> <p><b>Recommendations:</b></p> <ol style="list-style-type: none"> <li>1. To agree the request for adaptations to be carried out at an approximate cost of £12,000; and</li> <li>2. To request Officers review the Disabilities Facilities Grants policy regarding funding for adaptations.</li> </ol>	

<b>HOUSING MANAGEMENT FORUM</b>	<b>(D)</b>
<b>Date of Meeting: 9th June, 2016</b>	<b>(xiii)</b>
<b>Reporting Officer: Colin Garnett, Assistant Director - Housing</b>	
<p><b>Title: Request for Adaptations to a Council Property</b></p> <p><b>Summary and Conclusions:</b></p> <p>The purpose of the Assistant Director – Housing’s report was to consider a request for adaptations to be carried out to a Council property with the cost expected to be in the region of £30,000 - £35,000.</p> <p><b>Recommendations:</b></p> <ol style="list-style-type: none"> <li>1. To agree the request for adaptations to be carried out with the cost expected to be in the region of £30,000 - £35,000; and</li> <li>2. To request Officers review the Disabilities Facilities Grants policy regarding funding for adaptations.</li> </ol>	

<b>HOUSING MANAGEMENT FORUM</b>	<b>(D)</b>
<b>Date of Meeting: 9th June, 2016</b>	<b>(xiv)</b>
<b>Reporting Officer: Colin Garnett, Assistant Director - Housing</b>	
<p><b>Title: Request for Adaptations to a Council Property</b></p> <p><b>Summary and Conclusions:</b></p> <p>The purpose of the Assistant Director – Housing’s report was to consider a request for a single storey extension to be carried out to a Council property with the cost expected to be in the region of £40,000.</p> <p><b>Recommendations:</b></p> <ol style="list-style-type: none"> <li>1. To agree the request for adaptations to be carried out with the cost expected to be in the region of £40,000; and</li> <li>2. To request Officers review the Disabilities Facilities Grants policy regarding funding for adaptations.</li> </ol>	

<b>EXECUTIVE COMMITTEE</b>		<b>Part One (D/R) Agenda Item 8</b>
<b>Date of Meeting:</b>	<b>29th June, 2016</b>	
<b>Reporting Officer:</b>	<b>Executive Director</b>	
<p><b>Title: Piel View House</b></p> <p><b>Summary and Conclusions:</b></p> <p>This report requests a two year rent free period for Piel View House to allow a feasibility study for developing the building to be undertaken in order to submit an Arts Council England small capital grant application.</p> <p><b>Recommendations:</b></p> <ol style="list-style-type: none"> <li>1. To agree a two year rent free period for the Octopus Collective in Piel View House to allow a feasibility study to be undertaken for developing the building in order to submit an Arts Council England small capital grant application; and</li> </ol> <p>To recommend the Council:-</p> <ol style="list-style-type: none"> <li>2. To delegate the consideration and approval of rent free periods, rent deferrals and rent reductions to the Executive Director, where there is a social or economic benefit to the Borough in doing so.</li> </ol>		

### **Report**

Piel View House is a Council owned property located in Barrow Park. The property has been occupied by the Octopus Collective since May 2010.

The Octopus Collective is a sound art and new music organisation dedicated to developing and exporting new work and acting as an incubator for emerging artists.

The Octopus Collective offer an ongoing programme of activities including performance, education and research projects, artistic commissions and the biennial Full of Noises Festival.

As a National Portfolio Organisation, the Arts Council England (Arts Council) encouraged the Octopus Collective to access their small capital grants fund. The purpose of the fund is to make organisations more resilient by having the right buildings and equipment to deliver their work. As a result of funding the organisations would become more sustainable and innovative, including increasing their environmental performance and reducing their carbon emissions.



The Octopus Collective has approached the Council to support their bid to develop Piel View House. In order to submit a bid it is necessary to have completed a feasibility study for the building, this would be based on the needs and requirements of the Octopus Collective but within any constraints placed upon it by the Council.

The cost of the feasibility study is around £15k. The Arts Council small capital grants range from £100k to £500k. It is proposed that the Council agree a two year rent free period to allow the Octopus Collective to be able to immediately fund the building's feasibility study in time to submit into the bidding round (September 2016). The rent foregone would be £12k – a contribution to the feasibility study of Piel View House and potential access to capital improvements of a Council property.

The Council would retain ownership of Piel View House and a long term lease to the Octopus Collective would need to be agreed, should the Arts Council funding be offered.

As the landlord of the property, the Council would need to review and agree any structural proposals for Piel View House. The Octopus Collective will be required to share the feasibility study and Arts Council bid with the Borough Council for agreement. The Council would not expect the property to be altered in such a way that prevents future letting, should the need arise.

As the regulatory authority, the Council would require the Octopus Collective to submit to any planning, building control or other applications necessary. The decision to agree a rent free period does not prejudice any regulatory decision process that is required.

The one-off rent foregone would be funded from reserves. It is proposed that the consideration of rent free periods, rent deferrals and rent reductions is delegated to the Executive Director where there is a social or economic benefit to the Borough in doing so. Any one-off financial impact would be agreed with the Director of Resources and funded from reserves and reported back to the Committee at the first available meeting.

(i) Legal Implications

The recommendation has no legal 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

<b>EXECUTIVE COMMITTEE</b>		<b>Part One (R) Agenda Item 9</b>
<b>Date of Meeting:</b>	<b>29th June, 2016</b>	
<b>Reporting Officer:</b>	<b>Director of Resources</b>	
<p><b>Title: Internal Audit</b></p> <p><b>Summary and Conclusions:</b></p> <p>This report sets out the proposal to insource the Internal Audit service. The proposal is low risk in terms of service delivery and benefits realisation whilst producing a recurring saving of £54k per annum.</p> <p><b>Recommendations:</b></p> <p>To recommend the Council:-</p> <ol style="list-style-type: none"> <li>1. To agree to insource the Internal Audit Service; and</li> <li>2. To approve the creation of the following 3.5 full time equivalent permanent posts on the establishment of the Council and delegate their final full time equivalence to the Director of Resources, following TUPE negotiations, if necessary: <ul style="list-style-type: none"> <li>• Head of Internal Audit PO15</li> <li>• Principal Auditor PO9</li> <li>• Senior Auditor PO3</li> <li>• Audit Assistant Scale 4/6</li> </ul> </li> <li>3. To approve a £5k professional fees budget for IT audit work.</li> </ol>		

### **Report**

Under the provisions of the Local Government Act 1972 and subsequent legislation, the Section 151 Officer (Director of Resources) is charged with ensuring that the Council has an effective Internal Audit service and an effective system of internal control.

The Council's Internal Audit service is contracted out to a private company until 31<sup>st</sup> March, 2017.

The Council contracts 530 days of audit and has a recurring variation to add days for testing the DWP Housing Benefit subsidy claim; the testing can take longer where additional samples are required. In previous years other specific

additional work has also been requested and additional days purchased by the Section 151 Officer.

For 2015-2016, the cost of the service was £221k and 695 days were required, 530 plan days and 165 days testing the Benefit claim.

The 2016-2017 budget is £194k; 530 plan days and 86 days testing the Benefit claim (616 days in total).

As the requirement for more audit days continues and given the opportunity to review the contracted provision, rather than go back to the market immediately, I have reviewed the service delivery arrangements and am able to provide a low risk proposal to Members.

### **Service Delivery Considerations**

Whether outsourcing or insourcing, the key drivers are essentially the same:

- Service efficiency;
- Reduced cost;
- Fit with the organisation; and
- Control of service delivery.

#### **Service efficiency**

The service performs to the specification set out and meets the required standards and regulations.

The service undertakes additional work as requested by the Section 151 Officer but could do more if on the establishment.

There would be no impact on service users, internally or externally.

#### **Reduced cost**

Insourcing the service would reduce the cost to the Council by 28%, £54k per annum, and provide an additional 161 days at no extra cost.

The creation of posts on the establishment of the Council would cost an estimated £135k and provide 777 working days:

- Head of Internal Audit PO15
- Principal Auditor PO9
- Senior Auditor PO3
- Audit Assistant Scale 4/6

The working days are based on 222 days per person and I require 3.5 full time equivalents, so 222 days x 3.5 = 777 days.

IT audit is a specialist area and professional fees of £5k would be added to cover this requirement.

This total cost of £140k is £54k less than the current cost and provides 777 days compared to the 616 days currently budgeted for.

### Organisational fit

The Section 151 Officer is responsible for the Internal Audit service in terms of line management and also for it being effective and compliant with required standards and regulations.

The Section 151 Officer has oversight of Internal Audit work and that responsibility has always been retained in-house. Sufficient skills and knowledge exist within the Council to continue the service with new staff if necessary. The service requires staffing to be established and TUPE would be offered.

The Internal Audit room is within the Town Hall. Council owned office equipment and IT kit is already in use.

### Control

Work is controlled through an annual plan agreed by Management Board and the Audit Committee with additional work added by the Section 151 Officer. The Section 151 Officer can vary the annual plan and tasks assigned as required; risk assessed against the core annual plan.

The audit history is the property of the Council.

Internal Audit is independent and that separation will continue to operate and to be evidenced along with the review of effectiveness of the service.

Having Internal Audit on the establishment provides the additional days currently required at no extra cost, plus the opportunity for further days to allow other relevant work to be assigned by the Section 151 Officer; at no extra cost.

There are tasks that can be assigned to an in-house Internal Audit service that cannot be assigned to a contractor.

### Proposal

It is proposed that the Internal Audit service is insourced and that four posts, plus professional fees of £5k, are included in the 2017-2018 budget:

- Head of Internal Audit PO15
- Principal Auditor PO9
- Senior Auditor PO3
- Audit Assistant Scale 4/6

The requirement is for 3.5 full time equivalents, so these posts may be part time or job share when filled.

The current contractor will be offered TUPE and if that is not accepted, the posts will be recruited.

The benefits to this proposal are the guaranteed reduction in cost, permanent jobs created and the increase in service potential. The savings are tangible and within the Council's control to realise.

The options of going out to the market or sharing the service have been considered against this proposal and do not provide the same level or certainty of saving and would not provide any additional service potential.

(i) Legal Implications

The recommendation has no legal 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

<b>EXECUTIVE COMMITTEE</b>	<b>(R) Agenda Item 10</b>
<b>Date of Meeting: 29th June, 2016</b>	
<b>Reporting Officer: Director of Resources</b>	
<p><b>Title: Minimum Revenue Provision Profile</b></p> <p><b>Summary and Conclusions:</b></p> <p>This report outlines work undertaken to review and amend the current profile for reducing the Council's underlying need to borrow (Capital Financing Requirement) through the annual Minimum Revenue Provision charge to revenue (MRP) in respect of capital expenditure incurred prior to 1st April 2008 which was funded from borrowing. This has identified short to medium term revenue benefits and seeks approval.</p> <p><b>Recommendations:</b></p> <p>To recommend the Council:-</p> <ol style="list-style-type: none"> <li>1. To approve the re-profiling of the Council's MRP charge for reducing the underlying need to borrow for capital expenditure incurred prior to 1st April 2008; and</li> <li>2. To amend the Council's MRP Policy Statement for 2016-2017 and future financial years to be: <p style="margin-left: 40px;">"The MRP charge in relation to capital expenditure incurred prior to 1st April 2008 where the expenditure was funded by either supported or unsupported borrowing will be 1/50th of the balance remaining at 31st March 2016."</p> </li> </ol>	

### **Report**

The MRP arises because there is a statutory requirement for local authorities to set aside some of their revenue resources as provision for reducing the underlying need to borrow (Capital Financing Requirement: CFR) – the borrowing used to finance capital expenditure.

Prior to 1st April 1997, the set aside was specified as a percentage of the Council's CFR (with different percentages for General Fund and Housing Revenue Account: HRA). The CFR was a complex calculation based on the balance sheet and the credit ceiling system from pre 1st April 2004. In the past, MRP and CFR have had significant implications for HRA subsidy and Government funding. Consequently, specific provisions were enacted to ensure

that once these calculations had been made and audited, they could not be subsequently amended.

Since 1st April 2007, MRP requirements have been relaxed significantly and the set aside is no longer a prescribed amount. The DCLG now permits a variety of methods to be used to calculate possible methods a council might wish to follow, although even these are not exhaustive. MRP calculations no longer require formal approval by full Council and no longer impact on government funding, since:

- HRA self-financing in 2011-2012 abolished both the housing subsidy regime and the requirement to charge MRP to the HRA; and
- the link between Government Revenue Support Grant and levels of supported borrowing has been eroded.

The core requirement now is simply that:

- The Council has an approved policy for calculating MRP; and
- the Council sets aside an amount which it deems to be prudent, having regard to the DCLG's statutory guidance.

Like many authorities the Council has continued to apply the previous regulatory approach, calculating MRP at 4% of the reducing balance on General Fund capital expenditure incurred prior to 1st April 2008 which was funded from borrowing.

It is accepted that MRP should more properly be linked to the average useful life of the assets involved and the current regulatory approach (a percentage basis) does not reflect this view. Currently, each year 4% of the outstanding (reducing) balance is provided for out of the revenue budget as MRP which means the debt will finally be repaid into the future (in the Council's case could be over 200 years if allowed to run, but would most likely be curtailed before that).

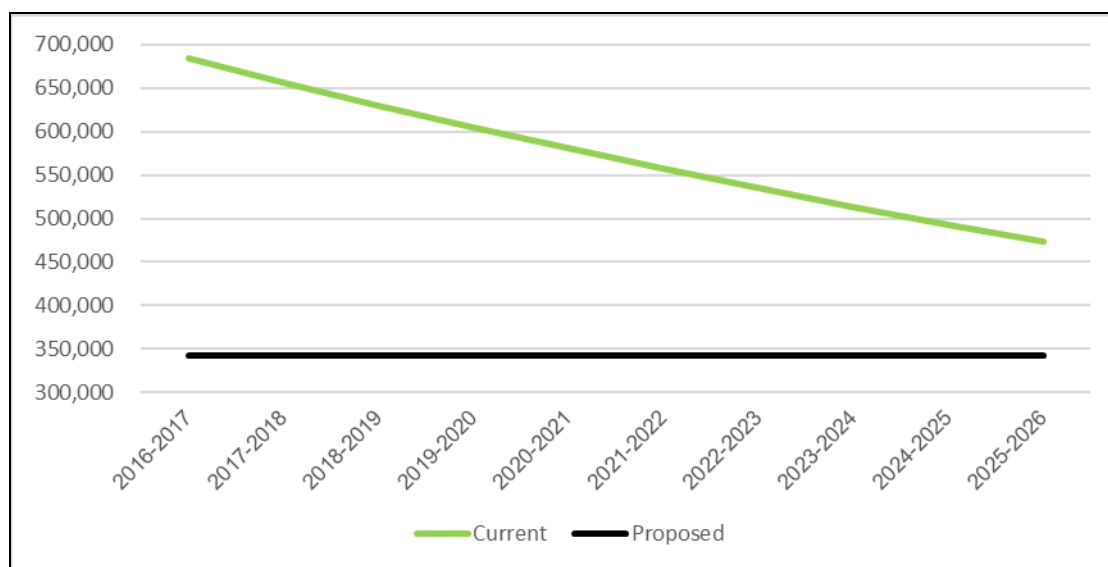
A key consideration in determining a revised approach is whether the outcome is prudent. The methodology was set so as to match the implied support Government gave local authorities through the formula used to calculate Revenue Support Grant and over time that link has been broken. This methodology ensures the debt will be repaid in 200 years' time, long after the assets are no longer in use. It also results in higher repayments in the early years which has potentially a disproportionate impact on current Council Tax payers.

A fairer and more prudent way of matching the MRP charge to Council Tax payers with the use of the assets is to limit the repayment period to 50 years, this being an approximation of the average life for the Council's assets. In addition, it would seem fairer that future Council Tax payers pay an amount for the use of assets comparable in real terms to that being paid by current Council Tax payers.



It is not proposed to review the period between 1st April 2008 and 31st March 2016, this is a prospective change. The pre 1st April 2008 CFR is £17.1m at 31st March 2016.

The current and proposed repayment profiles for the first ten years is presented in the following chart:



The figures for the first four years are:

Year	Current	Proposed	Reduction
2016-2017	£0.684m	£0.342m	£0.342m
2017-2018	£0.656m	£0.342m	£0.314m
2018-2019	£0.630m	£0.342m	£0.288m
2019-2020	£0.605m	£0.342m	£0.263m
<b>Total</b>	<b>£2.575m</b>	<b>£1.368m</b>	<b>£1.207m</b>

The reduction in revenue has a positive impact on the Medium Term Financial Plan.

The Council is recommended to approve the re-profiling of the Council’s MRP charge for reducing the underlying need to borrow for capital expenditure incurred prior to 1st April 2008, and to amend the Council’s MRP Policy Statement for 2016-2017 and future financial years to be:

“The MRP charge in relation to capital expenditure incurred prior to 1st April 2008 where the expenditure was funded by either supported or unsupported borrowing will be 1/50th of the balance remaining at 31st March 2016.”

This report will also be submitted to the Council’s external auditor.

(i) Legal Implications

The Council is required to approve the MRP Policy Statement.

(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 Wellbeing Implications

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

Background Papers

Nil

<b>EXECUTIVE COMMITTEE</b>	<b>(R) Agenda Item 11</b>
<b>Date of Meeting: 29th June, 2016</b>	
<b>Reporting Officer: Director of Resources</b>	
<p><b>Title: Flexi Time and Time Off in Lieu Policy/Overtime Payments and Time off in Lieu for Senior Officers</b></p> <p><b>Summary and Conclusions:</b></p> <p>The Council has reviewed the current Flexi Time policy and clarified the process for accruing lieu time for officers working or training outside normal office hours. The Overtime Payments for Senior Officers policy has also been updated to clarify time off in lieu for senior officers.</p> <p>The original revisions were submitted to Executive Committee on 11<sup>th</sup> May however further to feedback from managers, some cosmetic changes and clarifications have been made.</p> <p><b>Recommendations:</b></p> <p>To recommend the Council to agree the amended policies.</p>	

### **Report**

The Council's Flexi Time policy has been reviewed with the main change proposed allowing employees to carry over up to 16 hours credit balance at the end of an accounting period (currently 8 hours) and able to take up to two days flexi leave in each accounting period (currently 1 day). This will enable employees to work more flexibly but managers still have discretion under the policy to limit its use.

The process for accruing lieu time, for officers working or training outside normal office hours, has been clarified and added to the Flexi Time policy. This should ensure consistency across departments. A copy of the revised policy is attached at **Appendix 1**.

Under the Council's current policy on Overtime for Senior Officers, officers are unable to claim overtime payments for the first three hours worked in excess of their standard week, and can only claim a maximum of 15 hours overtime per week. This policy has been revised to reflect that time off in lieu be treated in the same manner. A copy of the revised policy is attached at **Appendix 2**.

The updated policies will be provided to the union for comment.

(i) Legal Implications

The recommendation has no legal implications.

(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.

The recommendation has no detrimental impact the built environment or public realm.

(v) Equality and Diversity

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

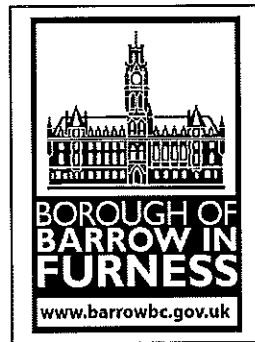
(vi) Health and Well-being Implications

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

Background Papers

Nil.





# **Flexi-Time and Time Off in Lieu Policy**

## Contents

	Page
1 Introduction	3
2 Scope	3
3 Roles and Responsibilities	3
3.1 Managers	3
3.2 Employees	4
4 Principles and Application of the Flexi-Time Scheme	4
4.1 Abuse of the Scheme	4
4.2 Withdrawal of the Scheme	4
5 Terms of the Scheme	5
5.1 The Working Week and Working Day	5
5.2 Bandwidth	5
5.3 Core Times	5
5.4 Rest Breaks	5
5.5 Settlement Period	6
6 Recording of Hours	6
7 Flexi Balance	6
7.1 Credit and Debit Balances	7
7.2 Excess of Credit	7
7.3 Excess of Debit	7
8 Flexi Leave	7
9 Attending Events and Evening Meetings	8
9.1 Attending a Meeting or Conference	8
9.2 Attending Training Events	8
9.3 Attending Evening Meetings	9
9.4 Working / Travelling more than 10 hours	9
10 Absences from Work	10
10.1 Annual Leave, Public Holiday and Sickness	10
10.2 Medical and Dental Treatment	10
10.3 Jury Service	10
11 Overtime and Time Off in Lieu	10
11.1 Overtime	10
11.2 Time Off in Lieu	11
12 Employees Leaving or Transferring	12
Appendix 1	13

## **1. Introduction**

The Council is committed, wherever possible, to providing employees with a degree of flexibility in their working hours to enable them to balance their working life with their domestic circumstances.

The aim of the flexi-time scheme is to encourage a greater work life balance, helping all employees to achieve and maintain an effective balance between work and home life, whilst also ensuring that the Council is able to retain the high quality employees and manage fluctuations in workload.

It is essential that adequate cover is maintained in departments and that work is completed as required, therefore managers may specify reasonable restrictions as appropriate.

The Council's standard working week of 37 hours is Monday to Thursday 8:30am to 5:00pm; less an hour for lunch (making 7.5 hours x 4), and Friday 8:30am to 4:30pm; less an hour for lunch (making 7 hours). The standard working week shall be altered by the Council for local agreements (venue or service specific), or reduced by employee's flexible working applications agreed by Management Board.

## **2. Scope**

The flexi-time scheme applies to all employees of the Council on an individual basis, including employees in their probationary period. The scheme does not apply to Chief Officers or the Executive Director.

The needs of the Council, in providing services to the public, will always take priority over the flexi-time scheme. In any situation where it is found that the needs of the Council conflict with the operation of the flexi-time scheme, in any service, the Council reserves the right to suspend the scheme for those affected employees.

It is vital that services to the public should not be affected by the Scheme and therefore the official opening hours to the public must be maintained as 8.30am to 5pm (4.30pm on Friday). Restrictions to the scheme may be necessary to maintain cover to deal with enquiries from the public.

If an employee requires a permanent or temporary arrangement in relation to their working hours (e.g. start / finish times) s/he should apply for formal approval for any arrangement through the Council's Flexible Working Procedure.

## **3. Roles and Responsibilities**

### **3.1. Managers**

The aim of this scheme is to provide managers with the flexibility and tools to manage the service they provide and the working hours of their employees.



Managers are expected to balance service delivery needs with the needs of employees to work flexibly and to be able to balance their work and home commitments.

Where managers wish to depart from aspects of this scheme they must seek prior agreement from their member of Management Board and the HR Manager.

### **3.2. Employees**

The flexi-time scheme is based on trust. Council employees are expected to record their hours honestly and accurately on a flexi-time record at the end of each day and submit the completed form to their managers upon request or at least every 4 weeks.

Employees are expected to understand that there may be times due to operational requirements, workloads and office cover when it may not be possible to take flexi leave.

Employees are expected to keep within the flexi-time scheme credit / debit balances.

Employees are expected to be present at work during core times unless they have an authorised absence.

In accordance with the Working Time Regulations an average working week must not exceed 48 hours averaged over a 17-week reference period. This limit **includes** all secondary employment a person may be undertaking inside or outside of the Council's employment.

## **4. Principles and Application of the Flexi-Time Scheme**

The flexi-time scheme is dependent on mutual trust and co-operation for all concerned. The Scheme is designed to allow employees to **work** flexibly and not simply attend work at times solely to suit themselves and/or in order to create a credit balance of flexi-time.

### **4.1. Abuse of the Scheme**

Abuse of the flexi-time scheme including falsifying record sheets will be treated very seriously as it is potentially gross misconduct and may result in serious disciplinary action and to the withdrawal of the flexi-time scheme from individual employees. In addition, some incidents of misuse of the Scheme may constitute fraud.

### **4.2. Withdrawal of the Scheme**

It is important to note that the flexi-time scheme is a benefit but it is not a contractual right, as such the scheme may be withdrawn at management discretion.

Examples of circumstances where it may be appropriate to withdraw the flexi-time scheme include:

- Where an employee is finding it difficult to manage their time under the Scheme;
- Where an employee is found to be misusing the Scheme;
- Where the workload in their department demands that fixed hours are introduced for a temporary period, as a result of either an increase or decrease in workload.

In the interests of fairness and consistency, managers considering this course of action are required to consult with the HR Manager.

For further advice on the application of the flexi-time scheme please contact the HR team.

## **5. Terms of the Scheme**

### **5.1. The Working Week and Working Day**

Except for authorised absence, including leave and sickness, all employees should attend work to achieve the weekly working hours specified in their contracts of employment. The standard working week for full-time employees is 37 hours over 5 days (Monday to Friday); for part-time employees is it as detailed in their contract of employment.

The Council's standard working day is as follows:

Full-time employees	7.5 hours (Monday to Thursday) 7 hours (Friday)
Part-time employees	As detailed in the contract of employment

### **5.2. Bandwidth**

This is the time period during which employees may work each day.

Subject to local arrangements the bandwidth for a working day can be set between 8am and 6pm. This is subject to there being access to buildings at these times and complying with Health and Safety Regulations, Working Time Regulations and Council policies on lone working.

Managers may set office hours where there is a clear and demonstrable need for office cover at certain times due to service delivery needs and operational requirements.

### **5.3. Core Times**

Core hours are times when, except for authorised absence, including leave and sickness, all employees must be present at work.

The core times for the Scheme are 10am to 12 noon and 2pm to 4pm, Monday to Friday.

### **5.4. Rest Breaks**

In accordance with the Working Time Regulations the Council expects that employees under the age of 19, working for a period of more than 6 hours must take a break of at least 30 minutes, within this period.

Employees over the age of 19 and working 5.5 hours or more should take a break of at least 30 minutes within this period.

### 5.5. Settlement Period

Whilst the normal working week remains 37 hours this may be averaged over a 4-week settlement or accounting period.

## 6. Recording of Hours

All employees should record their hours on a designated record sheet and record their start and finish times **daily**. This must be done on arrival and departure and not left to a later date. Employees starting or finishing away from their normal place of work must make a note of the time and enter this on their record sheet upon return to the workplace.

Where possible electronic flexi-time records should be used and the record sheet should be forwarded to the relevant manager for approval at the end of the four week accounting period.

### Manual Record Keeping

Alternatively those that use paper flexi-time records should ensure that their form is available for their manager to see upon request.

When completing the manual record sheet any absence away from the workplace should be recorded using the following codes:

Annual Leave	H
Flexi Leave	F
Public Holiday	P
Trade Union Duties	D
Sickness	S
Training	T
Time of in Lieu	L
Other Authorised Reason	R

## 7. Flexi Balance

Time worked is based on an 'average' 37 hours per week (pro rata for part-time staff). This can be varied, as long as staff are within the range of 16 hours' credit (or twice their longest working day, plus one hour, subject to a maximum of 16 hours), or 8 hours debit at the end of each four-week accounting period. Each employee's current time within this range is referred to as their 'flexi-balance'.

Hours worked in excess of the normal working week will be counted as credit and less than this amount, as debit. This credit / debit may be carried forward week to week within the range outlined above.

### **7.1 Credit and Debit Balances**

The cumulative credit carried forward at the end of each settlement period must not exceed 16 hours for full-time employees. For part-time employees, twice their longest working day, plus one hour, subject to a maximum of 16 hours

The cumulative debit carried forward at the end of each settlement period must not exceed 8 hours (for part-time employees, the limit is 30 minutes above the employee's longest working day, subject to a maximum of 8 hours debit ).

### **7.2 Excess of Credit**

Where at the end of a settlement period an employee has a credit balance in excess of the flexi-time scheme allowance this time will be lost and must not be transferred to TOIL or any other type of leave.

In exceptional circumstances managers may agree the excess credit balance to be carried over with a view to this being reduced, with written permission from the HR Manager.

Excess credit balance may not be converted to Time Off in Lieu (TOIL).

### **7.3 Excess of Debit**

Whilst the flexi-time scheme allows for flexibility, several consistent periods of debit should not become the "norm".

If an employee has a debit balance over the flexi-time scheme allowance and the excess has not been agreed with their manager, the manager should raise ways to reduce the debit balance with the employee.

Options may include using:

- Annual leave;
- Reduction in pay;
- Allowing the debit balance to carry forward providing the deficit is cleared within a reasonable period. This will require written authorisation from the Departmental Manager, following consultation with the HR Manager.

It may also be appropriate to suspend an individual's entitlement to use the scheme until an excessive debit balance has been reduced.

## **8 Flexi Leave**

A full time employee will be entitled to take a maximum of 26 flexi days per year.

The entitlement for part-time employees will be calculated on a pro-rata basis, to the nearest 15 minutes. As an example, an employee who works 30 hours per week will be entitled to 158 hours of flexi-leave. (26 days' flexi @ 7.5 hours per day = 195 hours. This figure is divided by 37 (relating to the full time weekly hours) and multiplied by 30 (the weekly hours of the part-time employee).

During each four week period employees will be able to take up to 2 full days or 4 half days flexi leave.

**Flexi leave is subject to the prior approval of the person who normally authorises annual leave for the employee and is subject to operational or service requirements and appropriate staffing levels being available.**

Individuals requesting a full day or half a day flexi leave must have sufficient credit balance (see examples at Appendix 1).

Flexi leave should be recorded as zero hours.

Examples of how the flexi-time scheme works for full and part-time employees can be found in Appendix 1.

## **9.0 Attending Events and Evening Meetings**

### **9.1 Attending a Meeting or Conference**

All time involved in attending meetings or conferences between the flexi-time bandwidth of 8am and 6pm including travelling, can be calculated as working time and should be recorded on the flexi-time record accordingly.

Any time worked between 6am and 8am or 6pm and 10pm should be recorded as TOIL (Time Off In Lieu).

Travelling time to a meeting or conference will only be credited where the venue is located away from the employee's normal base or place of work. In these circumstances, and where the employee travels directly to/from the meeting or conference from home, they should deduct the time usually taken to commute to their normal workplace from any hours recorded. For example, Sarah attends a meeting that involves travelling 2 hours. Her usual home to work commute takes 30 minutes, and so Sarah can record 1 hour and 30 minutes of the journey to the meeting on her flexi record.

Where an employee is required to travel over a weekend or outside of the flexible bands to attend a meeting or conference this time should be taken as Time Off in Lieu and not as flexi leave.

Where an employee attends a meeting or conference which extends beyond a single day, it would be usual to record time attending the event and travel only i.e. it would not be appropriate to record the hours spent staying overnight at a hotel, as these do not constitute working hours.

## **9.2 Attending Training Events**

Where an employee is required to attend a training event during normal working hours, it would be usual for the maximum of a standard working day to be credited, regardless of the actual time spent at the event. Where the length of the training event is shorter than the employee's usual working day, there would be an expectation that they attend work before and/or after the training event.

Travelling time to a training event will only be credited where the venue is located away from the employee's normal base or place of work. In these circumstances, and where the employee travels directly to/from the meeting or conference from home, they should deduct the time usually taken to commute to their normal workplace from any hours recorded. For example, Paul attends a training course that involves travelling 30 minutes' travelling. His usual home to work commute takes 40 minutes, and so Paul would not be able to record any of the time taken to travel to the training course on his flexi record.

## **9.3 Attending Evening Meetings**

All time involved in attending evening meetings between the flexi-time bandwidth of 8am and 6pm including travelling, can be calculated as working time and should be recorded on the flexi-time record accordingly.

Any time worked between 6am and 8am or 6pm and 10pm should be recorded as TOIL (Time Off In Lieu).

Travelling time to an event will only be credited where the venue is located away from the employee's normal base or place of work.

In order to avoid the excessive build-up of lieu time or TOIL, wherever possible, consideration should be given to varying start and finish times on days where evening meetings are scheduled.

## **9.4 Working / Travelling more than 10 hours**

It is accepted that there may be occasions where attendance at an event may necessitate travel / attendance of greater than 10 hours. Where this situation arises careful review should be taken of the arrangements and where appropriate alternative options to reduce the amount of time spent working / travelling such as providing overnight accommodation, should be considered. Each situation should be considered in its own circumstances e.g. an employee may be travelling for 3 hours by train each way and attending an event for 6 hours which equates to 12 hours. In this circumstance it may be preferable for the employee to undertake this in one day and accrue flexi-time accordingly. If an employee is driving for 3 hours each way then for safety reasons it would be appropriate to consider providing overnight accommodation within the arrangements to reduce the time spent working / travelling.

Where an employee in the normal course of their duties is to attend an evening meeting, either at Council premises or away from premises, and where it is reasonable to anticipate that this may make the working day longer than 10 hours consideration should be given to adjusting the working hours on that day in order to reduce the number of hours worked to less than 10 where it is reasonable to do so.

## **10 Absences from Work**

### **10.1 Annual Leave, Public Holiday, Special Leave and Sickness**

Absence for annual leave, public holiday or sickness will be credited as follows:

Hours should be credited according to the normal working pattern and based on the hours that would normally be worked on that day if the employee were not absent due to annual leave, public holiday or sickness.

Should an employee become ill during the working day the employee's hours will be credited with sickness absence for the hours they would have normally worked that day less the hours they may have attended work.

### **10.2 Medical and Dental Treatment**

The Council understands that at times employees may need to be absent during normal working hours for routine medical and dental appointments. These appointments will be allowed and time credited, however, wherever possible such appointments should be arranged at a time that most suits the business needs of the employee's department.

Employees attending antenatal or hospital appointments must inform their manager of the appointment and will be credited for the time they are away from the office.

These appointments must be supported by relevant documentation for antenatal appointments and for hospital appointments a medical certificate or letter confirming that the treatment is a medical need and is required.

### **10.3 Jury Service**

Absences for jury service will be on the same basis as annual leave except where the time necessarily spent is less.

## **11 Overtime and Time Off in Lieu**

### **11.1 Overtime**

Overtime is completely separate from the flexi-time scheme. Overtime should be recorded on a separate claim form and not included on the flexi-time record.

Only certain employees are eligible to claim payment for hours worked outside normal working hours.

Overtime arrangements for Senior Officers will be in accordance with the *Overtime Payments and Time Off in Lieu for Senior Officers* policy, which is subject to minimum and maximum weekly overtime thresholds.

Those employees entitled to claim additional hours must have been specifically requested by their manager to work outside normal working hours and the hours to be worked must be agreed in advance.

For overtime purposes, the working week runs from Monday to Sunday.

## 11.2 Time Off in Lieu

**As with overtime, as detailed above in 11.1, Time Off in Lieu must be in accordance with the 'Overtime Payments and Time Off in Lieu for Senior Officers' policy, which is subject to minimum and maximum overtime thresholds.**

Any time worked between 6am and 8am or 6pm and 10pm should be recorded as TOIL (Time Off In Lieu).

Time worked outside of the flexi-time scheme should generally be the exception (except where the duties of your post require regular work outside of those hours such as attendance at evening meetings etc.).

TOIL is usually accrued at the following rates (enhanced TOIL is applicable after 37 hours have been worked) :

- Monday to Friday, 6am to 8pm – 100% of time worked
- Monday to Friday, 8pm to 6 am – 133% of time worked
- Saturday – 150% of time worked
- Sunday – 200% of time worked

Generally Council buildings are closed at 6pm. All hours worked after this time must be agreed in advance with your line manager.

Employees may not accrue more than 15 hours of TOIL except by prior agreement.

TOIL can be taken at any time and in agreement with your line manager. It should be taken in the same way as flexi leave and annual leave i.e. full or half days according to the employee's normal working hours for that particular day. TOIL should be taken as soon as possible after it is accrued and within the same accounting period if possible. If less than half a day is accrued, the leave should be taken as a single block, within the same accounting period if possible. The balance should be made up to a half or full day with flexi leave (if a full or part timer) or with annual leave (if a part timer).

Where individual departments identify a clear service need for time off in lieu, a local agreement should be drafted which details the specific arrangements. The approval for the specific local agreement must be gained from the relevant member of Management Board with a copy of the approved arrangements submitted to HR. Approval for any arrangements should generally be agreed with the relevant member



of Management Board in advance except in exceptional circumstances and where the service requires it, a manager may approve a one off accrual of TOIL in excess of 15 hours.

Where a part-time employee is requested, or requests, to work a different pattern, it is expected that such a change will be accommodated by swapping working days, rather than accruing lieu time. Where swapping of work days is not possible, prior authorisation must be sought from the employee's line manager before TOIL is accrued.

## **12 Employees Leaving or Transferring**

Employees leaving the Council or transferring to another department should complete the appropriate number of contracted hours to leave a nil balance at the time of leaving / transfer.

REF  
R

## **Appendix 1**

### **EXAMPLES OF THE FLEXI-TIME SCHEME**

#### **Employees who work full-time**

##### ***Example One***

Graham has asked his manager for all day Friday as flexi leave. Graham must have 7 hours in credit before Friday. Graham must then record a zero balance for Friday on his flexi-time record, which will then adjust his flexi balance accordingly by deducting 7 hours.

##### ***Example Two***

Joe has asked his manager for all day Tuesday as flexi leave. Joe must have 7.5 hours in credit before Tuesday. Joe must then record a zero balance for Tuesday on his flexi-time record, which will then adjust his flexi balance accordingly by deducting 7.5 hours.

#### **Employees who work part time or job share**

The majority of employees who work part time or to a job share arrangement can work within the flexi-time scheme. Below are some examples of how flexi-time can be accommodated for part time and job share employees.

##### ***Example One***

Sarah is contracted to work 18.5 hours a week. Her working days are Monday, Tuesday and Wednesday. Sarah works 6 hours on a Monday and Tuesday and 6 hours and 30 minutes on a Wednesday. If Sarah requested to take Monday as flexi leave it would require a credit flexi balance of 6 hours prior to Monday. If she requested to take Wednesday as flexi leave it would require 6 hours and 30 minutes flexi credit. The maximum credit balance that Sarah can have at the end of the 4-week accounting period is 14 hours (twice her longest working day of 6 hours 30 minutes plus one hour)

##### ***Example Two***

George is contracted to work 15 hours a week. George works Monday, Wednesday and Friday mornings only. George works 5 hours each day. If George requested to take flexi leave it would require 5 hours flexi credit for a day. The maximum credit balance that George can have at the end of the 4-week accounting period is 11 hours (twice his longest day of 5 hours plus one hour)

##### ***Example Three***

Susan is contracted to work 16 hours a week. Susan works 6 hours on a Monday and Tuesday and 4 hours on a Thursday. If Susan requested to take flexi leave on a Monday it would require 6 hours flexi credit prior to the day. If Susan requested to take flexi leave on a Thursday it would require 4 hours flexi credit prior to the day. The maximum credit balance that Susan can have at the end of the 4-week accounting period is 13 hours (twice her longest day of 6 hours plus one hour)

### **EXAMPLES OF ANNUAL LEAVE**

## **Employees who work full-time**

### ***Example One***

Graham has asked his manager for Friday afternoon as annual leave. Graham must then record 3.5 hours for Friday afternoon on his flexi-time record. He must work the morning core time til 12 noon but can then leave any time from 12 noon to 2.00pm.

E.g. Graham starts at 9.00am and works til 1.30pm. He would therefore be credited with 4.5 hours for the morning and 3.5 hours for the afternoon, a total of 8 hours.

## **Employees who work part time or job share**

The majority of employees who work part time or to a job share arrangement can work within the flexi-time scheme. Below are some examples of how annual leave can be accommodated for part time and job share employees.

### ***Example One***

Sarah is contracted to work 18.5 hours a week. Her working days are Monday, Tuesday and Wednesday. Sarah works 6 hours on a Monday and Tuesday and 6 hours and 30 minutes on a Wednesday. If Sarah requested to take Monday as annual leave she would be credited with 6 hours on her flexi record and need to deduct 6 hours from her annual leave entitlement.

### ***Example Two***

George is contracted to work 15 hours a week. George works Monday, Wednesday and Friday mornings only. George works 5 hours each day. If George requested to take annual leave it would require 5 hours for a day.



## Overtime Payments and Time Off in Lieu for Senior Officers

### *Minimum Threshold;*

Officers will be required to work a minimum of three hours in excess of their standard weekly hours before they become entitled to receive overtime payments or time off in lieu (TOIL). No payment or TOIL will be made for these three hours, even after the minimum threshold has been reached.

### *Maximum Threshold;*

Officers whose excess working exceeds the minimum threshold will be entitled to claim overtime payments for a maximum of 15 hours per week, or as TOIL.

Subject to the above minimum and maximum thresholds, Senior Officers who work late at night or at the weekend will be entitled to:

- Up to 37 hours flat rate
- Over 37 hours Monday to Saturday time and a half; and
- Sunday double time

### *Unqualifying Overtime;*

Neither overtime payments nor TOIL will be made for any overtime hours worked in excess of 15 per week.

**Flexi-time Arrangements;** No alteration to the existing flexi-time arrangements are intended and, therefore, officers will continue to be entitled to claim those hours worked in excess of standard weekly hours which fall within the flexi time boundaries (i.e. 8.00 a.m. - 6.00 p.m.) as flexi-leave, provided that the maximum of 16 credit hours at the end of each four-week flexi-time accounting period is not exceeded without prior approval.

In this way, officers who have worked less than the minimum threshold requirement for overtime payments may be able to benefit in terms of leave rather than payment.

## **Implementation Schedule**

### *Immediate Introduction:*

Payments in accordance with the revised scheme will be made for all future overtime worked on projects which can be identified as self-financing including:

- Overtime worked as cover for vacant posts
- Overtime worked by Council staff in preference to the work being given to external consultants
- Overtime worked on income-earning jobs, where the cost would be re-charged outside the Authority.
- Overtime which meets these criteria must be approved by a Director, PRIOR to the work being undertaken.

*Amended by Management Board 5th June 2015  
Draft amendment to Management Board 21<sup>st</sup> April 2016*

<b>EXECUTIVE COMMITTEE</b>	<b>(R) Agenda Item 12</b>
<b>Date of Meeting: 29th June, 2016</b>	
<b>Reporting Officer: Democratic Services Manager</b>	
<p><b>Title: Licensing Regulatory Committee - Unmet Demand Survey. Hackney Carriage Vehicle Licences – Quantity Control Policy</b></p> <p><b>Summary and Conclusions:</b></p> <p>It has been brought to my attention that a spelling mistake has been made during the typing of Minute Nos. 101 of the Executive Committee (20th January, 2016) and 88.3 of Council (22nd March, 2016). Clarification is required as the Minutes should read <u>Quantity</u> Control Policy rather than Quality Control Policy.</p> <p><b>Recommendations:</b></p> <p>That Minute No. 101 (2015/16) of the Executive Committee and Minute No. 88.3 (2015/16) of Council should read:</p> <ul style="list-style-type: none"> <li>(i) To accept the conclusion of the report, that there was no significant unmet demand; and</li> <li>(ii) To approve a Quantity Control Policy that imposed a maximum limit of 120 Hackney Carriage Vehicle Licences.</li> </ul>	

### **Report**

On 20th January, 2016 the Executive Committee considered a recommendation referred from the Licensing Regulatory Committee on the survey carried out to assess if there was any unmet demand in relation to Hackney Carriage Vehicles.

Minute No. 101 of the Executive Committee recommended to the Council:

1. To accept the conclusion of the report, that there was no significant unmet demand; and
2. To approve a Quality Control Policy that imposed a maximum limit of 120 Hackney Carriage Vehicle Licences.

Unfortunately, during typing, there was an error, and the recommendation should read:

- “2. To approve a **Quantity** Control Policy that imposed a maximum limit of 120 Hackney Carriage Vehicle Licences”.

Furthermore, the above recommendation was transposed incorrectly to full Council on 22nd March, 2016 (Minute No. 88.3 Refers).

I therefore recommend that Minute No. 101 (2015/16) of the Executive Committee and Minute No. 88.3 (2015/16) of Council should read:

- (i) To accept the conclusion of the report, that there was no significant unmet demand; and
- (ii) To approve a Quantity Control Policy that imposed a maximum limit of 120 Hackney Carriage Vehicle Licences.

(i) Legal Implications

*The recommendation has no legal implications.*

(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.*

*The recommendation has no detrimental impact the built environment or public realm.*

(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.

<b>EXECUTIVE COMMITTEE</b>		<b>Part One (R) Agenda Item 13</b>
<b>Date of Meeting:</b>	<b>29th June, 2016</b>	
<b>Reporting Officer:</b>	<b>Assistant Director - Housing</b>	
<p><b>Title: Housing Service: Additional Support for Housing Maintenance Team</b></p> <p><b>Summary and Conclusions:</b></p> <p>The purpose of this report is to seek agreement for the continued retention of external support to deliver the Housing Maintenance Team's responsibilities.</p> <p><b>Recommendations:</b></p> <p>To recommend the Council:-</p> <ol style="list-style-type: none"> <li>1. To agree the continued retention of an existing building surveyor in the Maintenance Team for a further period of up to 12 months; and</li> <li>2. To agree the classification of the appointment as an 'exception' under Item 16 of the Council's Standing Orders.</li> </ol>		

### **Report**

The Council has previously agreed the appointment of a Building Surveyor to assist the Housing Maintenance Team (Minute No. 18 - Executive Committee 24<sup>th</sup> June 2015). In practice the building surveyor has been retained to assist in the delivery of the Housing Maintenance Team's planned investments and, secondly, to assist in the management of void properties and inspections of Council property prior to orders being issued for repairs.

It was envisaged that the appointment would be short term but practice suggests there is need for his continued retention for the remainder of this financial year.

You will see elsewhere on the agenda the Housing Service has experienced an increasing amount of work to void properties, and, in addition, we have identified the need for further on-site inspection of properties. It is also envisaged that this will, although longer than expected, be short term and it is inappropriate to look to appoint an officer on a longer-term basis.

It is envisaged that he will work hours to reflect the work load on a week-by-week basis but will not exceed 21 hours in any one week.

At the time it is envisaged the additional support required would not become a permanent requirement and could therefore be dealt with by the appointment of a suitable building surveying company to provide the additional capacity.

The surveyor concerned has knowledge and familiarity with the Cumbria Housing Partners e-procurement systems and has been engaged on a competitive hourly rate.

(i) Legal Implications

The recommendation has no legal implications.

(ii) Risk Assessment

The recommendation has no implications.

(iii) Financial Implications

The cost of this will be met from agreed budgets to which his work is focused.

(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



<b>EXECUTIVE COMMITTEE</b>		<b>Part One (R) Agenda Item 14</b>
<b>Date of Meeting:</b>	<b>29th June, 2016</b>	
<b>Reporting Officer:</b>	<b>Assistant Director - Housing</b>	
<p><b>Title: Housing Related Report: County Council Grant</b></p> <p><b>Summary and Conclusions:</b></p> <p>The purpose of this report is to seek agreement for the creation of a new post in the Homeless Team. The opportunity to strengthen our service has become possible following an offer of grant from the County Council to provide housing-related support for four generic and two domestic violence units of accommodation. The use of this grant funding was considered by the HMF on 9<sup>th</sup> June and recommendations from that meeting are elsewhere on the agenda.</p> <p><b>Recommendations:</b></p> <p>To recommend the Council:</p> <ol style="list-style-type: none"> <li>1. To agree the creation of a new post titled 'Temporary Accommodation Officer'; and</li> <li>2. To agree the Post will be on scale 4 and be for a period of twelve months with possible extension should grant funding continue to be provided.</li> </ol>		

### **Report**

The purpose of this report is to seek agreement for the creation of a new post in the Homelessness Advice Team. The opportunity to strengthen the service has become possible following an offer of grant from the County Council to provide housing related support for four generic units of accommodation and two for domestic violence. The use of this grant funding was considered by the HMF on 9<sup>th</sup> June and recommendations from that meeting are elsewhere on the agenda.

Following the recent award of new contracts the County Council have approached the Council to provide additional short term housing-related support. A report was considered by the Housing Management Forum on making best use of this new funding as referred to above.

The basis of the report was to strengthen the support provided to residents in the Council's temporary accommodation by the creation of a new post with the title Temporary Accommodation Officer.

On the assumption the Executive Committee agrees the recommendations of the Housing Management Forum of 9th June, 2016; this report seeks agreement for the creation of the new post.

The post will focus on the management of temporary accommodation and support for the residents. At present the ability to regularly visit such properties and provide support is limited by the capacity of the team and conflicting priorities.

The funding available will provide for the appointment of an officer for 30 hours per week for 12 months, but I would be hopeful the funding will continue longer.

(i) Legal Implications

The agreement will be for a period of four years from 1<sup>st</sup> April, 2017. Either party can give one month's notice to terminate at the next anniversary of the contract.

(ii) Risk Assessment

The recommendation has no implications.

(iii) Financial Implications

The funding is for a period of four years with no certainty of the amount other than for the first year. In considering the matter, I would suggest by the nature of the services in question, short-term funding is often a feature of such grants or it may be the County Council do not want to commit for longer in the current financial climate.

The new post would be for 'one year' to minimise risk to the Council with option to extend.

(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

<b>EXECUTIVE COMMITTEE</b>	<b>(D) Agenda Item 15</b>
<b>Date of Meeting: 29th June, 2016</b>	
<b>Reporting Officer: Executive Director</b>	
<b>Title: Lease of 242/244 Dalton Road to The Well CIC</b>	
<b>Summary and Conclusions:</b>	
The Well Community Interest Company (CIC) have asked to lease 242/244 Dalton Road on the current terms and conditions when the current tenants vacate at 30th June.	
<b>Recommendations:</b>	
To agree to lease 242/244 Dalton Road to The Well CIC for a two year period on the same terms as the current lease.	

**Report**

Council agreed to let 242/244 Dalton Road to community and third sector organisations at a peppercorn rent in December 2014 (Minute No. 99 Executive Committee 3rd December, 2014).

The current leaseholder Inspire Furness CIC have indicated they wish to vacate the premises on 30<sup>th</sup> June 2016 and are currently holding over on their lease. Inspire Furness have sub-let part of the property to Love Barrow Families who are the only current users of the building. I have been contacted by The Well CIC who have asked to take on the lease of the property when Inspire Furness CIC vacate.

Members will be familiar with The Well CIC who assist people – usually ex-offenders – with recovery from drug and alcohol addiction. The Council has agreed to act as Accountable Body for their successful Public Health England grant application for a ‘hub’ based in 1-5 Lawson Street and acquisition of residential accommodation for their clients. The Well operated their recovery programme from the premises occupied by CADAS, but this has been withdrawn as the building needs substantial refurbishment. The Well CIC, therefore, plan to operate their recovery services from 242/244 Dalton Road until their premises at 1-5 Lawson Street become available.

Love Barrow Families would continue to occupy 242/244 Dalton Road and have no objections to The Well taking over the lease.

(i) Legal Implications

The recommendation has no legal implications.

(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

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.

<b>EXECUTIVE COMMITTEE</b>	<b>(D) Agenda Item 16</b>
<b>Date of Meeting: 29th June, 2016</b>	
<b>Reporting Officer: Executive Director</b>	
<b>Title: Additional Meeting of Executive Committee</b>	
<b>Summary and Conclusions:</b>	
Officers are in the final stages of preparing the publication stage of the Borough Local Plan. To give the Plan full consideration an additional meeting of the Executive Committee is recommended.	
<b>Recommendations:</b>	
To agree an additional meeting of the Executive Committee be held at 2.00 pm on 3rd August, 2016 to consider the Borough Local Plan Publication Document.	

**Report**

Approval of the Borough Local Plan Publication Document is delegated to Executive Committee and is approaching completion in accordance with the timescale members have agreed. The Plan is a lengthy document setting out development policies and land allocations for the Borough for a 15 year period.

In order to fully consider the document, it is appropriate to call an additional meeting of the Executive Committee solely for this purpose. To maintain the timescale towards adoption this would have to be held in early August.

(i) Legal Implications

The recommendation has no legal implications.

(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

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.

