

AGENDA



CABINET

MONDAY, 6 JULY 2009

11.00 AM

**COUNCIL CHAMBER, COUNCIL OFFICES, ST PETERS HILL,
GRANTHAM**

Beverly Agass, Interim Chief Executive

MEMBERS: Councillor Mrs. Linda Neal (Leader/ Portfolio: Strategic Partnerships), Councillor Ray Auger (Portfolio: Access & Engagement), Councillor Paul Carpenter (Deputy Leader & Portfolio: Corporate Governance & Housing), Councillor Mrs Frances Cartwright (Portfolio: Economic Development), Councillor John Smith (Portfolio: Healthy Environment) and Councillor Mike Taylor (Portfolio: Resources and Assets)

Committee Support Officer: Jenni Gibson 01476 406152 e-mail: j.gibson@southkesteven.gov.uk

Members of the public are entitled to attend the meeting of the Cabinet at which key decisions will be taken on the issues listed on the following pages. Key decisions are marked *.

1. APOLOGIES

2. MINUTES

Minutes of the meeting held on 1 June 2009. **(Enclosure)**

- 3. DECLARATIONS OF INTEREST (IF ANY)**
- 4. RENT INCREASE AMENDMENT**
Report number TSE037 by the Director of Tenancy Services. **(Enclosure)**
- 5. UPDATED HR POLICY - REDUNDANCY**
Report number HR&OD103 by the Housing and Organisational Development Portfolio Holder. **(Enclosure)**
- 6. *DEEPINGS INCUBATION CENTRE**
Report number EDTC0085 by the Economic Development Portfolio Holder. **(Enclosure)**
- 7. *FLEET MANAGEMENT STRATEGY**
Report number SS09 by the Access and Engagement Portfolio Holder. **(Enclosure)**
- 8. *REVIEW OF RECYCLING BRING SITES**
Report number SS08 by the Healthy Environment Portfolio Holder. **(Enclosure)**
- 9. *CORPORATE HEALTH & SAFETY POLICY**
Report number ENV433 by the Healthy Environment Portfolio Holder. **(Enclosure)**
- 10. *SUSTAINABLE COMMUNITIES ACT 2007 - FIRST INVITATION TO LOCAL AUTHORITIES TO SUBMIT PROPOSALS**
Report number POI039 by the Access and Engagement Portfolio Holder. **(Enclosure)**
- 11. *MATERIALS CONTRACT**
Report number TSE036 by the Assets & Resources Portfolio Holder. **(Enclosure)**
- 12. MATTERS REFERRED TO CABINET BY THE COUNCIL, SCRUTINY COMMITTEE OR THE POLICY DEVELOPMENT GROUPS**
- 13. ITEMS RAISED BY CABINET MEMBERS INCLUDING REPORTS ON KEY AND NON KEY DECISIONS TAKEN UNDER DELEGATED POWERS.**
- 14. REPRESENTATIONS RECEIVED FROM MEMBERS OF THE PUBLIC ON MATTERS WITHIN THE FORWARD PLAN (IF ANY)**
- 15. REPRESENTATIONS RECEIVED FROM NON CABINET MEMBERS**
- 16. ANY OTHER BUSINESS WHICH THE CHAIRMAN, BY REASON OF SPECIAL CIRCUMSTANCES, DECIDES IS URGENT**

Agenda Item 2



MEETING OF THE CABINET **1 JUNE 2009 - 11.03AM – 11.56AM**

PRESENT:

Councillor Ray Auger
Councillor Paul Carpenter
Councillor Mrs Frances Cartwright
Councillor John Smith
Councillor Mike Taylor

Councillor Mrs. Linda Neal - Chairman

Interim Chief Executive
Corporate Head, Sustainable Communities
Corporate Head, Healthy Environment
Corporate Head, Finance and Customer Services
Monitoring Officer
Director of Tenancy Services
Service Manager, Housing Solutions
Service Manager, Tenancy Services
Service Manager, Healthy Communities
Service Manager, Planning Policy
Conservation Officer
Cabinet Support Officer

CO5. APOLOGIES

No apologies for absence were received.

CO6. MINUTES OF THE MEETING HELD ON 11 MAY 2009.

The minutes of the meeting held 11 May 2009 were confirmed as a correct record of the meeting.

"Listening Learning Delivering"

CO7. DECLARATIONS OF INTEREST (IF ANY)

Councillor Smith declared a personal and prejudicial interest in item 6 – Revision to Bourne Town Centre Redevelopment Supplementary Planning Guidance, due to him being a member of a club which meets within that area.

CO8. *FOOD LAW ENFORCEMENT PLAN

Decision:

- 1.) That the contents of the Food Law Enforcement Plan document for 2009/10 be approved and adopted by the Cabinet on behalf of the Council.**

Considerations / Reasons for decision:

- 1.) Report ENV 436 by the Portfolio Holder for Healthy Environment.
- 2.) The plan has been produced in the format recommended by the FSA, which facilitates comparison and future audit by the FSA.
- 3.) Endorsement by the Communities Policy Development Group.

Other options considered:

- 1.) The Council has a legal duty to approve a food law enforcement plan.

CO9. *CHOICE BASED LETTINGS AND ALLOCATIONS POLICY: APPROVAL OF APPROACH

Decision:

- 2.) To note Report CHSC 018 by the Portfolio Holder for Corporate Governance and Housing.**
- 3.) That more detailed financial information be collated and brought back before Cabinet at the next meeting.**

Considerations / Reasons for decision:

- 4.) Report CHSC 018 by the Portfolio Holder for Corporate Governance and Housing.
- 5.) Comments made by the Director of Tenancy Services regarding the options proposed.
- 6.) Comments made by the Section 151 Officer with regard to possible financial burdens each options might create.
- 7.) Comments made by the Service Manager of Housing Solutions with regard to the potential to join the Peterborough Homes scheme together with South Holland District Council, and the possible benefits.

(11.26am – Councillor Smith left the room having declared a personal and

prejudicial interest.)

CO10. *REVISION TO BOURNE TOWN CENTRE REDEVELOPMENT SUPPLEMENTARY PLANNING GUIDANCE

Decision:

1.) That the revised Bourne Town Centre Redevelopment Supplementary Planning Guidance be adopted.

Considerations / Reasons for decision:

- 8.) Report PLA 758 by the Portfolio Holder for Economic Development.
- 9.) Representations received as a result of a public consultation period.
- 10.) Comments made by the Service Manager, Planning Policy regarding the response to the representations made.

Other options considered:

- 1.) Do not adopt the revised SPG – the reasons for proposing revisions to the SPG were explored in the previous report to Cabinet (report PLA 748). It is considered that this remains an appropriate course of action.
- 2.) The concerns raised by the representations have been assessed (as set out in the appendix to the report), however, it is considered that these are either already adequately covered by the SPG or raise matters that can be dealt with as part of the process of bringing forward a development scheme.

(11.30am – Councillor Smith re-entered the meeting.)

CO11. *GRANTHAM CONSERVATION AREA BOUNDARY CHANGES

Decision:

- 4.) That the Grantham Conservation Area Appraisal be formally adopted.**
- 5.) That the recommended boundary changes be approved.**
- 6.) To delegate authority to the Corporate Head of Sustainable Communities in conjunction with the economic Development Portfolio Holder to approve minor amendments to the appraisal and appraisal maps if required.**

Considerations / Reasons for decision:

- 11.) Report PLA 759 by the Portfolio Holder for Economic Development.
- 12.) The appraisal contributes to the priority themes of Quality Living and Good for Business.
- 13.) Representations received as a part of a six week public consultation.

Other options considered:

- 1.) The council is required by Section 72 of the 1990 Act to produce character appraisals and to publish proposals for their management. This is the first Conservation Area appraisal document produced for Grantham which contains a comprehensive analysis of its special architectural and historic character since it was designated in 1970. Previous documents produced in 1970 and 1985, following a boundary revision, do not contain sufficient information to provide a basis for sustainable planning decisions which will preserve and enhance the character of the Conservation Area.
- 2.) Not to amend the boundary. However, this would constitute a missed opportunity to include areas which are of sufficient architectural quality to merit protection and would positively contribute to the overall character of the Conservation Area and to exclude detrimental areas as set out in Section 3 of the report. These alterations will ensure that the boundary is robust and justifies its status as an area of special historic and architectural importance.

CO12. *SUPPLEMENTARY ESTIMATES (CAPITAL AND REVENUE) 2009/10

Decision:

7.) To recommend to Council the approval of the following Supplementary Estimates in respect of the following:

- 1. General Fund – Capital Programme of £4.589M 2009/10**
- 2. General Fund Revenue estimate increase of £180k**
- 3. Supplementary estimate for LABGI Income be approved for £193,849.62 and this be used to support economic development related initiatives, in line with Council priorities. The details of this be delegated to the Corporate Head of Sustainable Communities and the Economic Development Portfolio Holder**
- 4. Housing Revenue Account – Capital Programme of £4.631M for 2009/10 and £5.425m for 2010/11 (appendix B)**
- 5. Housing Revenue Account – Revenue increase of £654K**

Considerations / Reasons for decision:

- 14.) Report CHFCS 45 by the Portfolio Holder for Resources and Assets.
- 15.) The Council approved the Capital and Revenue budgets, in respect of the financial year 2009/10, at its meeting on 2 March 2009. Since that time there have been a number of proposals that will have an impact of the budget framework.
- 16.) Comments made by Cabinet Members and the Corporate Head of Finance and Customer Service regarding a number of new bids and

slippages from the 2008/09 capital programme that were proposed for inclusion into the 2009/10 programme.

- 17.) Comments made by Cabinet Members and the Corporate Head of Finance and Customer Service regarding the Local Authority Business Growth Incentive (LABGI), and how any initiatives undertaken as a result should be in line with Council priorities.

South Kesteven District Council, Council Offices, St. Peter's Hill, Grantham, Lincolnshire NG31 6PZ

Contact: Cabinet Support Officer - Tel: 01476 40 61 52
e-mail: j.gibson@southkesteven.gov.uk

REPORT TO CABINET

REPORT OF: Director of Tenancy Services

REPORT NO: TSE37

DATE: 6 July 2009

TITLE:	RENT INCREASE AMENDMENT	
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	N/A	
PORTFOLIO HOLDER: NAME AND DESIGNATION:	Councillor Paul Carpenter, Portfolio Holder for Corporate Governance and Housing.	
CONTACT OFFICER:	Tony Campbell, Director of Tenancy Services 01476 406501 t.campbell@southkesteven.gov.uk	
INITIAL IMPACT ASSESSMENT:	Carried out and Referred to in paragraph (7) below:	Full impact assessment Required:
Equality and Diversity	N/A	
FREEDOM OF INFORMATION ACT:	This report is publicly available via the Local Democracy link on the Council's website: www.southkesteven.gov.uk	
BACKGROUND PAPERS	Report CHFCS37 to Council, 23 April 2009 Revision of guideline rent 2009/10	

1. RECOMMENDATIONS

It is recommended that:

Cabinet agree to implement the revised rent increase in respect of Housing Revenue Account properties, to a guideline rent increase of 3.1%, in line with the revised HRA subsidy determination approved by Council at its meeting on 23 April 2009, with effect from 7 September 2009.

2. PURPOSE OF THE REPORT/DECISION REQUIRED

As part of the budget report on 2 March 2009 (CHFCS 25), the Council agreed to increase dwelling rents in accordance with the increase in guideline rents of 6.2%, as recommended in the Housing Revenue Subsidy Determination 2009-10. A cap on individual rent increases of 7% was agreed and the average actual rent increase was 6.04%.

On 6 March 2009 the Minister for Housing announced a new proposal for a lower average rent increase of 3.1%, subject to consultation with local authorities. The Council meeting on 23 April supported this proposal.

On 20 May 2009 the government confirmed that it would be proceeding with amended rent increase and following this a revised Housing Revenue Subsidy Determination was issued.

This Determination confirms that our subsidy payment will be amended to reflect the amended rent increase and that we will not suffer financially. However, the administrative costs of processing the amended rents will fall on the Housing Revenue Account and we will not be compensated for these costs.

The Determination does not state when the amended rent increase should take effect, however officers' views are that it should take place as soon as practicable.

3. DETAILS OF REPORT

The original average increase in guideline rents published on 18 December was 6.2%. This was because rent increases are based on the September RPI figure, which was 5%. Our average rents under this calculation would have been £62.61, with a range from £44.35 to £91.16.

In response to the economic climate the government proposed a reduction of the average guideline rent increase to 3.1%. However, this proposal came too late to stop the original rent increase being implemented at the start of the financial year.

The revised Subsidy Determination confirms the amended rent increase at 3.1% and under this calculation the average rent is £59.45, with a range from £42.09 to £86.53 (based on a 52 week rent year).

To achieve the amended average rent increase for the year we will have to amend rents with effect from 7 September 2009. We will have to give to all tenants four weeks notice of their new rents.

A number of actions will be necessary to implement the amended rents including:

- sending new rent notification letters to all tenants including a rent statement to show the impact of the lower increase on their accounts
- recalculating new Direct Debit payments and writing to all tenants who pay rent by this method
- recalculating rents in the rent accounting system to update tenants' accounts, including testing and checking for accuracy
- dealing with increased phone calls resulting from customer enquiries.

It is estimated that these additional costs, including officer time, will be in the region of £10,000 - £15,000. The government will not meet these additional costs.

These additional administrative costs will also impact on the arrears collection process as recovery action will need to be suspended pending the crediting of the reduced rental figure for each customer.

There will also be additional costs to the general fund for actions such as:

- sending out revised benefit notification letters to tenants who receive housing benefit
- updating the housing benefit system with new benefit entitlements

- dealing with increased telephone calls resulting from customer enquiries.

It is estimated that these additional costs will be in the region of £8,000. The government has not yet confirmed whether it will compensate the Council for these additional costs.

4. OTHER OPTIONS CONSIDERED

The option of keeping to the original guideline rent increase was not supported by the Council meeting on 23 April 2009.

5. RESOURCE IMPLICATIONS

These have been identified in section 3 of the report.

6. RISK AND MITIGATION (INCLUDING HEALTH AND SAFETY AND DATA QUALITY)

Not applicable.

7. ISSUES ARISING FROM EQUALITY IMPACT ASSESSMENT

Not applicable.

8. CRIME AND DISORDER IMPLICATIONS

Not applicable.

9. COMMENTS OF SECTION 151 OFFICER

At its meeting on 23 April 2009, Council agreed to give a positive response to Government to implement a reduced rent increase in 2009/10 on the understanding that the subsidy determination would be amended accordingly in order to ensure the Council is not financially penalised by the proposal. This has been confirmed, however the implementation costs of introducing the reduction will need to be met from both the Housing Revenue Account and the General Fund. The Cabinet should also be aware that there may be a detrimental impact on the recovery of rents due, whilst the implementation is underway, which could have consequences from both a cash flow and a performance outturn perspective.

10. COMMENTS OF MONITORING OFFICER

The Minister for Housing's proposal of 6 March 2009, to reduce the guideline rent increase from the previous Government guidance of 6.04% to 3.1% is discretionary. As the proposal is a departure from the budgetary framework set by this Council on 2 March 2009 (report CHFCS 25), where it was agreed to set dwelling rent increases in accordance with the Government guideline rent at that time (i.e. 6.04%), the exercise of that discretion is for Council. Council resolved "to endorse the Cabinet's recommendation that a positive response is given to the consultation to support a reduction in the rental increase (in respect of the Housing Revenue Account) for

2009/10 to a guideline rent increase of 3.1% in line with the proposal by the Minister for Housing announced on 6 March 2009." The Government consultation on the proposed increase has now been completed and a 3.1% rent increase has been confirmed. Cabinet is now being asked to implement that increase.

11. COMMENTS OF OTHER RELEVANT SERVICE MANAGER

Jane Booth, Service Manager Tenancy & Neighbourhood Services - I support the recommendation for Cabinet to consider implementing the revised rent increase to a guideline increase of 3.1% with effect from the 7 September 2009.

12. APPENDICES: None

REPORT TO CABINET

REPORT OF: Cllr Paul Carpenter Corporate Governance and Housing Portfolio

REPORT NO: HR & OD 103

DATE: 6th July 2009

TITLE:	Updated HR Policy : Redundancy	
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	Local Choice function as approved by Council on 18 th June 2009	
PORTFOLIO HOLDER: NAME AND DESIGNATION:	Cllr Paul Carpenter Corporate Governance and Housing Portfolio	
CONTACT OFFICER:	Joyce Slater, Human Resources and Organisational Development Manager	
INITIAL IMPACT ASSESSMENT:	Carried out and Referred to in paragraph (7) below:	Full impact assessment Required:
Equality and Diversity		
FREEDOM OF INFORMATION ACT:	This report is publicly available via the Local Democracy link on the Council's website: www.southkesteven.gov.uk	
BACKGROUND PAPERS	CEX 253 Changes to council policies on pensions and compensation payments Council meeting 26 th October 2006	

1. RECOMMENDATIONS

1. That the cabinet approve the adoption of the updated Redundancy policy statement detailed in appendix 1

2. PURPOSE OF THE REPORT/DECISION REQUIRED

The Council has a large number of policies in place relating to the employment of staff. These need to be reviewed and updated on a regular basis to ensure legislative compliance and best practice. A programme is in place to do this, in line with the People Strategy.

This report seeks Cabinet approval for an updated redundancy policy. It has been a priority to address for reasons such as the length of time since the last review, legislative changes, and good practice advice. It has also been drafted to help managers understand what they need to do

operationally and when HR involvement is required. In the case of the redundancy policy, the Council made a decision relating to redundancy payments at its meeting on 26th October 2006 to ensure compliance with the age discrimination regulations. The redundancy policy detailed in appendix 1 does not change that decision. The policy has been updated in line with that decision and to refresh the practical arrangements that apply.

3. DETAILS OF REPORT (SUMMARY – USE APPENDICES FOR DETAILED INFORMATION)

3.1 Redundancy Policy – Appendix 1

The report to the Council on 26th October 2006 focused on changes being made to the calculation of redundancy payments and Council made the following

DECISION:

That Council approve the following changes to the Council's pension and compensation policies to take effect subject to the relevant statutory instruments being approved and subject to the statutory notice period of thirty days having expired:

1) That compensation payments for redundancy are calculated using the statutory scheme with a multiplier of 2.2 to actual salary, thereby limiting the maximum eligibility to 66 weeks.

Consideration of any enhancement beyond the current 66 weeks up to the maximum discretionary allowable of 104 weeks would be considered on the grounds of compassion which is defined as "Situations of severe personal distress resulting from non-financial circumstances affecting the individual or close relative leading to unavoidable financial hardship".

2) That the compensation payments for redundancy continue at the statutory level, as at present, for those employees aged 50 and above whose redundancy effects a release of their pension.

The original redundancy policy was in need of review. It made no reference to the processes to be followed and the policy statement in Appendix 1 addresses this need.

The proposed policy statement in appendix 1 makes it clear that whilst the Council will take all reasonable steps to avoid redundancy, it may happen. It sets out how the Council will work to ensure that employees are treated reasonably. It highlights the need for consultation and the basis upon which selection for redundancy might be considered.

In reviewing the old policy statement it became evident that it did not explicitly cover situations where individuals were made redundant and were not members of the pension scheme. The new policy statement

addresses such an eventuality.

3. 2 Consultation

These policies have been subject to consultation with the trade unions who represent staff and those with whom a collective agreement applies. The consultation on the Redundancy policy commenced on 11 July 2008. We have also introduced a policy consultation group for local representatives and those who attended have made a valuable contribution to the development of the policy statement. I would like to place on record how much the views they expressed have informed the practical arrangements. In addition service managers have been consulted and their feedback has been incorporated.

Following the approval of this policy a series of toolkits for service managers will be introduced and used as the basis for training service managers in the policies' practical application and to assist managers with their skills development relating to people management.

4. OTHER OPTIONS CONSIDERED

Not updating the policy is not an option.

5. RESOURCE IMPLICATIONS

The financial implications of any proposed redundancy will be considered according to the circumstances that apply to the relevant circumstances. The procedural arrangements will impact on workloads in exceptional circumstances as the consultation applies to each individual affected.

6. RISK AND MITIGATION (INCLUDING HEALTH AND SAFETY AND DATA QUALITY)

The risk to the Council of not having a clear policy in place could be that of litigation arising from unfair processes and this policy mitigates that risk.

7. ISSUES ARISING FROM EQUALITY IMPACT ASSESSMENT

This policy statement deals with exceptional circumstances and the application of this policy can be monitored for equality purposes when it has been applied. The scope to make adjustments is incorporated into the policy.

8. CRIME AND DISORDER IMPLICATIONS

N/A

9. COMMENTS OF SECTION 151 OFFICER

The redundancy policy has been updated to reflect the current legislation. The termination benefits are detailed in the appendices. The Council will take all reasonable steps to avoid redundancies. The financial implications will be appraised and considered as part of any redundancy proposal.

10. COMMENTS OF MONITORING OFFICER

This report updates the current policy on redundancy. It is essential all policies are updated in line with current legislation as soon as legislative changes are made. Such changes were approved by Council at its meeting on the 26th October 2006. At its meeting on the 18th June 2009, Council approved changes to the Constitution to confirm such policies should be considered by Cabinet for approval as matters of local choice. Consultation took place with staff representatives in 2008 and all Members were informed of the proposed changes in 2006.

11. APPENDICES: attached

DRAFT REDUNDANCY POLICY

Introduction

South Kesteven District Council strives to be an employer of choice and as such believes in taking all reasonable steps to avoid redundancies.

However, it has to be accepted, that from time to time modernisation, service improvements, reorganisations and financial considerations affect staffing levels or the need for particular types of employees, and redundancies may become necessary.

Where this occurs, the Council is committed to minimising the effect and to giving reasonable support to those employees who are affected.

Definition

An employee who is dismissed shall be taken to be dismissed for redundancy if the dismissal is attributable wholly or mainly to the fact that:-

the employer has ceased, or intends to cease, to carry on the business for the purposes of which the employee was employed, or has ceased, or intends to cease, to carry on that business in the place where the employee was so employed; or

the requirements of that business for employees to carry out work of a particular kind, or for employees to carry out work of a particular kind in the place where he was so employed, have ceased or diminished, or are expected to cease or diminish.

Application

This policy applies to all employees in circumstances where the above definition applies and who would otherwise have a statutory entitlement to redundancy (e.g. minimum two years continuous local government service including service recognized under the Redundancy Payments (Continuity of Employment in Local Government, etc.) (Modification) Order 1999 where relevant).

Consultation

The Council believes in working positively with the recognised trade unions to resolve problems and to minimise the impact on employees. Therefore, consultations with Trades Unions will be managed in good time as will those with individual employees, and all positive suggestions will be given serious consideration.

Where the relevant provisions of the Employment Rights Act 1996 apply, the Council will issue a Section.188 (S.188) notice to the relevant trade unions which will contain the following information:-

- the reasons for the proposals;
- the numbers and descriptions of employees whom it is proposed to dismiss as redundant;
- the total number employed of that description at the establishment concerned;
- the proposed method of selecting
- the proposed method of carrying out the dismissals, including the period over which the dismissals are to take effect.

In addition, the following consultation requirements will be met in the case of large scale redundancies:

- a. Where 20 – 99 employees are made redundant at one establishment, consultation will begin at least 30 days before the first dismissal takes effect
- b. Where 100 or more employees are to be made redundant at one establishment consultation will begin at least 90 days before the first dismissal takes effect

Avoiding or Minimising Redundancy

The Council will take all reasonable steps to avoid or minimise redundancies. The strategy adopted may vary with each redundancy situation, but typically will include one or more of the following depending on its appropriateness in the circumstances:

- redeployment and retraining procedures;
- achieving the necessary reductions through natural wastage;
- freezing recruitment, or only appointing temporary employees, or filling vacancies from existing employees;
- reviewing overtime working;
- reviewing contracted-out work;
- reducing hours of work of employees on variable hours contracts; or
- seeking voluntary reductions in working hours, or volunteers for job-sharing.

Any such measures should not adversely affect service delivery and development. Early planning and consultation is important in order to minimise the effects of redundancies. The input and involvement of Human Resources staff at an early stage is important in order that managers manage the process well and avoid unnecessary risks to the Council.

Selection Criteria

Where active selection is required, the Council is committed to the method of selection being fair, non-discriminatory, and objectively justifiable.

On occasions however no active selection may be required (e.g. in some restructuring situations). Thus, the required staffing reductions may be achieved by a combination of the strategies outlined above, or alternatively redundancies may be required which 'select themselves' i.e. a particular post or group of posts is clearly identifiable and represents a fair and objective method of selection which is supported by a business case.

On each occasion it is important to ensure that a proper analysis of future staffing needs is carried out, and that staffing reductions do not cause future imbalances. Maintaining a balanced and effective workforce is a legitimate consideration for management.

The Council reserves the right to choose a method of selection which is appropriate to the particular redundancy situation and is committed to early consultation with the recognised trade unions and individual employees over the particular method of selection in any redundancy situation.

Typical methods of selection will vary from situation to situation and could include selection on the basis of one or more of the following:

- "self selection", i.e. certain posts are clearly identifiable as that particular work will cease;
- Volunteers;
- relevant skills, qualifications, or contribution;
- punctuality and/or attendance;
- costs;

In line with the Council's stated commitment to active selection, full consideration will be given to the Council's equal opportunities policy and legal obligations in the application of the methods of selection in respective redundancy situations.

The Human Resources & Organisational Development Manager (or his/her representative) can advise the manager on the proposed selection criteria before consultations commence.

Notice Period

The Council will normally consider it appropriate that the employee should work out their notice.

The length of notice that an employee is entitled to receive is laid out in their principal statement of particulars. If the Council considers that there are exceptional circumstances where it would be appropriate for an employee to be paid in lieu of notice, any such notice will be paid net. The Service Manager Human Resources & Organisational Development (or his/her representative) can advise managers on whether it may be appropriate for an employee to be paid in lieu of notice.

An employee who is offered and commences employment within one month and one day of their date of redundancy with a body specified in Part II of Schedule 2 of the Redundancy Payments (Continuity of Employment in Local Government, etc.) (Modification) Order 1999 will be required to repay any redundancy payment that has been made.

Hearings and Appeals

Any employee selected for redundancy will be notified in writing of the reason for their redundancy and invited to discuss the matter with the appropriate manager before the selection is confirmed in writing. The employee has a right to be accompanied at the meeting by a Trades Union representative or work colleague.

An employee also has the right to appeal against selection for redundancy.

Assistance to Employees

The Council will give all reasonable help to employees made redundant and this may include:

- reasonable paid time off to look for other work;
- reasonable retraining facilities to retrain for alternative work, if appropriate;
- positive one to one support in dealing with the problems of redundancy;
- information on current vacancies within the Council;
- redeployment as set out below
- approaching other local employers re possible job opportunities
- advice on redundancy and pension payments;

Redeployment and alternative employment

The Council will seek to redeploy those employees whose posts are at risk of redundancy. Available vacancies will be advertised to employees at risk through the Council's intranet or notice boards and details communicated directly by the Council's HR service.

Prior consideration status will be given to staff for jobs at the same grade of the employees current job. In such situations, employees will be offered the new job subject to their meeting the essential requirements of the job. Additionally, where a redundant employee believes that there is an available post within the Council that could be suitable, he/she should raise this with the human resources section at the earliest opportunity.

Otherwise where the Council believes that an available alternative position may be suitable for a particular employee or where an employee has expressed an interest in an advertised position, the employee will be interviewed in accordance with its normal recruitment & selection procedures in competition with other applicants.

Maternity

Under regulation 10 of the Maternity and Parental Leave etc Regulations 1999, Employees who are on maternity leave when their post becomes at risk of redundancy will receive prior consideration for suitable alternative jobs in preference to other employees whose posts are at risk of redundancy.

If an employee is offered suitable alternative employment, but unreasonably refuses the offer, he or she loses the right to a redundancy payment.

However, if the alternative employment offered is unsuitable and/or the employee's refusal of the offer is reasonable, he or she will be treated as having been dismissed by reason of redundancy and will retain the right to a redundancy payment under the terms of this policy.

Where an employee is offered and accepts an alternative post, he or she is entitled to a statutory trial period of four weeks beginning on the day the employee starts the new position. The purpose of the trial period is for both the employer and the employee to establish whether or not the job is in fact suitable for the employee. The employer and the employee may agree in writing to extend the trial period for any length of time beyond the statutory four weeks if the new job requires the employee to be retrained. The case for an extension should normally be considered at the start of the trial period.

Termination Benefits

Employees' redundancy payments will be based on actual weekly pay (rather than the statutory maximum) and paid in line with the statutory guidelines as follows;

For each complete year of service up to a maximum of 20, employees are entitled to:

- for each year of service under age of 22 – half a week's pay
- for each year of service at age 22 but under 41 – one week's pay
- for each year of service at age 41 or over – one and a half weeks' pay.

In addition the Council will apply a multiplier of 2.2 to the above rates for employees who are redundant and not eligible to access their Local Government Pension Scheme (LGPS) benefits.

Where employees are redundant and as a result are entitled to early payment of LGPS pension benefits, they will receive redundancy entitlements in accordance with the statutory scheme based on actual weeks pay but without the multiplier. Such employees will also receive entitlements in accordance with the council's pension's policy in line with relevant statutory provisions in place at the time. These will take account of the transitional arrangements in place for the LGPS and the Council's agreed policy in place at the time.

Employees who are not members of the LGPS and are not able to access early payment of pension benefits will receive the benefits of the multiplier.

The Chief executive can consider and determine whether to enhance redundancy payments up to 104 weeks on the grounds of compassion which is defined as "Situations of severe personal distress resulting from non-financial circumstances affecting the individual or close relative leading to unavoidable financial hardship"

Review

This policy will be reviewed annually in the light of changing employment legislation and the application of this policy in practice.

Equality Impact Assessments Template

Section: Human Resources & Organisational Development		Officers undertaking assessment: Joyce Slater Simon Collingwood
Name of policy, procedure etc: Redundancy Policy	Date of Assessment: 6 March 2009	Is this a new or existing policy? Update on existing policy
Policy Aims Briefly outline the policy/procedure/service by putting it into context and describe its aims, objectives and purpose The original redundancy policy requires updating to take account of changes to legislation and to be more explicit about the council's obligations to employees who are redundant and to clarify issues in relation to pension entitlement.		
Who is intended to benefit from the policy? Employees who are made redundant.		
Who implements the policy, and who is responsible for the policy? Service Managers – Human Resources & Organisational Development		
Who are the main stakeholders in relation to the policy? Employees Managers Management Team (Strategic and Operational) Trade Unions		
Are there any other organisations or partners involved in the delivery of the service? Who is the lead or accountable body? South Kesteven District Council		

Does the policy contribute to the achievement of the Council's Equality and Diversity Policy? Can any aspects of the policy contribute to inequality? Please explain your answer.

Yes. The council is required to have a redundancy policy that is explicit about how it treats employees who are at risk and how it deals with redundancy.

Evidence

What are the existing sources of evidence and mechanisms for gathering data?

HR employee database.

What monitoring data is available on the number of people who use the service or are affected by the policy? Who holds this information?

HR employee database provides reports on posts that have been made redundant.

If no monitoring has been undertaken, will this be done in the future? If so, specify what arrangements you intend to make. If you do not intend to do any monitoring, please provide your reason for this decision.

Equalities monitoring will be undertaken on the new policy.

What are the key performance indicators and targets attributed to the policy?

N/A

What consultation has been carried out with stakeholders and service users previously about the policy?

The council has provided the opportunity for feedback through consultation with managers and trade unions and their feedback has been incorporated.

Is there any evidence that different groups have different needs, experiences, issues and priorities in relation to the particular policy or function? Please explain your answer.

No evidence.

Is there any informal feedback from managers, staff or voluntary organisations?

Feedback has been received from managers and trade unions.

<p>Is there a complaints system? If yes, are complaints monitored by race, gender , and disability as a minimum?</p> <p>The council has a grievance procedure for its employees.</p>
<p>What further evidence is needed to understand the impact upon equality?</p> <p>Regular monitoring by Human Resources & Organisational Development.</p>
<p>Impact</p> <p>Does the data show different impact upon different groups? What existing evidence is there for this?</p> <p>Race None</p> <p>Gender None</p> <p>Age None</p> <p>Religion None</p> <p>Disability None</p> <p>Sexual Orientation None</p>
<p>Do these differences amount to an adverse impact?</p> <p>N/A</p>
<p>Are there concerns that the policy <u>could</u> have a differential impact on any other groups of people e.g. those with dependants/caring responsibilities, those with an offending past, those with learning difficulties, transgender or transsexual people. What existing evidence (either presumed or otherwise) do you have for this? Please explain your answer.</p> <p>No evidence.</p>

Are there any factors that might account for differential impacts or non-achievement of the policies outcomes, such as barriers that prevent people from fully accessing the service? For example, communication difficulties, physical access, information not being accessible, use of language, childcare responsibilities?

No – Adjustments can be made

Future Actions

Should the policy or function proceed to a Full Impact Assessment? (Please explain your reasoning)

Not at this stage. Need to undertake monitoring to provide information.

Date Full Impact Assessment should commence N/A

Review Date

Review Date

Review Date

Signed:

J. Slater

Date: 6.3.2009

REPORT TO CABINET

REPORT OF: Portfolio Holder for Economic Development

REPORT NO: EDTC0082

DATE: 6th July 2009

TITLE:	Deepings Incubation Centre	
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	<i>Key Decision</i>	
PORTFOLIO HOLDER: NAME AND DESIGNATION:	<i>Councillor Frances Cartwright Portfolio Holder for Economic Development</i>	
CONTACT OFFICER:	<i>Mr Neil David Cuttell; Service Manager, Economic Development and Town Centre Management</i>	
INITIAL IMPACT ASSESSMENT:	<i>Not required</i>	<i>Full impact assessment Required: No</i>
Equality and Diversity		
FREEDOM OF INFORMATION ACT:	<i>This report is publicly available via the Local Democracy link on the Council's website: www.southkesteven.gov.uk</i>	
BACKGROUND PAPERS	<i>Deepings Incubation Centre Study 2008</i>	

1. RECOMMENDATIONS

It is recommended that Cabinet note the continued progress of this project and agree to grant funding of £300,000 from the capital budget as the South Kesteven District Council contribution towards the overall costs of the project.

2. PURPOSE OF THE REPORT/DECISION REQUIRED

The report sets out to request a financial contribution to the delivery of an incubation centre in the Deepings that will achieve the actions highlighted within the 'Good for Business' Priority Plan 2009 of –

- 1) *Address low and slow economic growth by attracting and creating new business sectors that will provide high value jobs to increase wage.*
- 2) *Enable development of new high value office accommodation for up to 50 businesses*

3. DETAILS OF REPORT (SUMMARY – USE APPENDICES FOR DETAILED INFORMATION)

This report aims to inform and update on recent key developments concerning the Deepings Incubation Centre Project.

The Deepings Incubation Centre will provide a focal point to drive the growth of enterprise in the town and across the south of the District, providing a real alternative to Peterborough, and also complementing its offer.

Greenborough Consultants were awarded the feasibility study and business plan tender. They had previously undertaken work for similar projects in Market Harborough and Hinckley. This study was funded jointly by South Kesteven and Lincolnshire County Council to evaluate the demand and prepare a business plan for the sustainable development of an incubation centre in Market Deeping with consideration to its optimum focus and style of operation.

Their report, delivered in winter 2008, affirmed that there is sufficient and sustainable demand for the provision of additional workspace to meet the needs of the current and future business population within the Deepings' catchment area. An appropriate site, already under the ownership of Lincolnshire County Council was identified at the Northfields Estate.

The funding will be used to support the development of a mixed use centre will combine enterprise, innovation and incubation facilities. Key features include:

- *8,500 square feet of flexibly configured smaller office (and/or clean workshop/studio) space aimed at smaller/start-up businesses*
- *Larger offices for growing businesses, and for local business people wishing to relocate from existing property commitments elsewhere (Peterborough, for example)*
- *“social” business space for home workers to be able to mix with other businesses and for sole traders to be able to access*
- *Meeting rooms & open space, hot desking and virtual tenancies*
- *Wifi enabled café/ bistro area*
- *Fast broad band access enabled, audio visual and ICT systems*
- *On-site business & innovation support*
- *Mentoring support via links to Business Champions*
- *Business Advisory Support from Business Link with weekly drop-in surgeries*
- *Enterprise Showcase exhibition and trading area*
- *Links to academia, training and education to create access to specialised support, technology, and advice*
- *A link to the wider network of innovation, enterprise and business centres*

The Centre is likely support up to 143 jobs when full and lead to the creation of 40 jobs. To mitigate any early year risks on occupancy rates, a significant pre-let to an “anchor tenant” for a fixed term will be sought. This will produce rental incomes from the outset, create a “busy” atmosphere, encouraging other potential tenants to locate and provide early critical mass for the cafe to operate within.

Chief anticipated outcomes are:

- Driving up the Gross Value Added Income through higher value jobs
- Fostering enterprise and innovation within the South Kesteven District
- Establishment and growth of a diverse, organic and local employment base
- Creation of new jobs and safeguarding of existing ones – addressing leakage to Peterborough and “dormitory” effect.
- Strengthen the local economy, in terms of new and safeguarded employment opportunities within an appropriate environment.

The outcomes above are complimentary to South Kesteven District Council Economic Development Strategy for 2009-2014 and Priority Plan for ‘Good for Business’. This project will directly show South Kesteven District Council assisting local business growth and development.

This is part of a 5 year “hub and spoke” approach to incubation centres in Lincolnshire. The hub is based at Brayford, Lincoln and “spoke” centres are already operational in Gainsborough, Louth, Boston, Mablethorpe and Skegness. A further centre is planned for Grantham in due course, likely to involve the Grantham Growth Point team and Station Point has already been suggested as an appropriate site.

Project Cost, Funding & Partners

At this time, exact cost implications are yet to be finalised. Research shows that the build cost is likely to be in the region of £3,900,000-£4,500,000 based on consultant research and the previous construction costs of comparable buildings.

EMDA

An expression of interest has been made to EMDA and Lincolnshire Enterprise. To date £1.1m single programme funding contribution from Lincolnshire Enterprise has been secured for Lincolnshire County Council as accountable body, this is matched against £2.4m allocated within the County Council Capital Programme. A further £500,000 is been awarded in principle to Lincolnshire County Council from the East Midlands Development Agency.

LCC

Lincolnshire County Council has set aside funding within their budgets of £2.4m, on the basis that South Kesteven District Council will support fund with £300,000 towards the construction costs. This will evidence good partnership working to deliver outcomes within the Lincolnshire Economic Strategy and South Kesteven District Council Economic Development Strategy 2009-2014. Lincolnshire County Council will act as the Accountable Body and will continue to provide dedicated Officer support. LCC has recruited a Principal Infrastructure Officer to lead on this project and has secured the services of Mouchel to prepare designs and secure planning permission.

SKDC

Cabinet is asked to note that at the recent CAMG meeting, the Deepings Incubation Centre project scored highest of the major projects put forward, and that funding of £500,000 has been allocated within the capital budget for Incubation Centres in 2009-2010, towards this expenditure should it be endorsed by them.

Other partners are:

*Deepings Management Partnership - overseeing body for local stakeholders
Deepings Business Club - Provider of various information and access to businesses at*

local level

The Building, Planning Application & Construction Timescales

Mouchel Business Services were appointed by Lincolnshire County Council to undertake the architectural design and planning submission work. Floor layout plans, concept and elevated drawing have also been prepared and sounded out at a pre-planning meeting. No serious issues were highlighted at the meeting.

Key building features are:

- *3 storeys high.*
- *Ground floor - Anchor tenant / café / plant*
- *Floors 1 – reception level – incubation offices & flexible meeting/conference rooms*
- *Floor 2 – incubation offices & flexible meeting/conference rooms*
- *Flexible subdivisible space – could be used for R&D should circumstances permit.*
- *Aiming for BREAM excellent rating and low carbon footprint.*
- *Natural light through the building and from above.*
- *Central ventilation system.*
- *Modelled on Gainsborough centre*
- *Permanent full time site management*

There is outline B1/2/8 permission on the site which adjoins the new Ampy site. Formal planning submission is expected early in the New Year. Detailed timescales are not available at this time. It is anticipated that the build of the centre will commence in late 2009/early 2010, subject to securing necessary funding, appropriate permissions etc.

Lincolnshire County Council highways team has also been consulted on this project from the outset. A full environmental assessment was carried out 2005 with a transport analysis.

Lincolnshire County Council would be the accountable body for the project and responsible for the maintenance and sustainability upon end use.

4. OTHER OPTIONS CONSIDERED

South Kesteven District Council could undertake not to support the project, however this may mean that the project will not go ahead when clear demand has been shown. South Kesteven District Council could offer less funding, this may mean that certain aspects of the build may be reduced or cut lessening the likelihood of achieving the proposed objectives. South Kesteven District Council could contribute further funding in aiming to support the development of this incubation centre with further facilities than those outlined.

5. RESOURCE IMPLICATIONS

South Kesteven District Council is not the lead partner in this project. Lincolnshire County Council will be responsible for the build, however the Economic Development Team would also market the site and liaise with existing businesses in the area and

regions to fill the office space provided, thus creating more jobs and businesses and a more prosperous local economy.

6. RISK AND MITIGATION (INCLUDING HEALTH AND SAFETY AND DATA QUALITY)

The risk for this project is small, as Lincolnshire County Council are the project lead and accountable body. The risks for construction and usage are the responsibility of the County Council and not South Kesteven District Council. However South Kesteven District Council will assist in promoting the facilities through the Economic Development Team.

7. ISSUES ARISING FROM EQUALITY IMPACT ASSESSMENT

There are no equality impact assessment recommendations, other than insuring that Lincolnshire County Council as accountable body will promote positive equality through allowing access for all to use the facilities.

8. CRIME AND DISORDER IMPLICATIONS

There are no crime and disorder implications with this project

9. COMMENTS OF SECTION 151 OFFICER

The Council approved the capital programme at its meeting on 2 March 2009 which included an amount of £500k under the heading of 'innovation and enterprise centre projects'. If the recommendation in the report is approved then an amount of £200k will be available to support any other innovation projects schemes that may come forward for consideration

10. COMMENTS OF MONITORING OFFICER

The report proposes a contribution of £300,000 from this Council to Lincolnshire County Council (LCC) towards the provision of accommodation on LCC land for start up businesses in the Deepings.

Any proposed contribution must be made with a clear understanding of how that contribution will be used, when the contribution will be required and the benefit which can be derived for the district. Any conditions which the Council may wish to impose on the proposed grant should also be considered.

11. COMMENTS OF OTHER RELEVANT SERVICE MANAGER

None

12. APPENDICES: None

REPORT TO CABINET

REPORT OF: ACTING STRATEGIC DIRECTOR

REPORT NO: SS09

DATE: 6th July 2009

TITLE:	FLEET MANAGEMENT STRATEGY	
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	Key Decision	
PORTFOLIO HOLDER: NAME AND DESIGNATION:	Cllr John Smith - Healthy Environment Portfolio Holder	
CONTACT OFFICER:	Pat Swinton - Operations and Transport Manager p.swinton@southkesteven.gov.uk 01476 406570	
INITIAL IMPACT ASSESSMENT: Equality and Diversity	Carried out and Referred to in paragraph (7) below: Yes	Full impact assessment Required: No
FREEDOM OF INFORMATION ACT:	This report is publicly available via the Local Democracy link on the Council's website: www.southkesteven.gov.uk	
BACKGROUND PAPERS	Nil	

1. RECOMMENDATIONS

1.1. It is recommended that:

Cabinet adopt the Fleet Management Strategy appended to this report.

2. PURPOSE OF THE REPORT/DECISION REQUIRED

2.1. This report summarises the main features of the draft Fleet Management Strategy which provides a framework for the procurement and management of the Council's vehicles. The implementation of this strategy will contribute directly to the Council objectives set out in the Quality Organisation priority theme in terms of improved efficiency and reduced carbon emissions.

3. DETAILS OF REPORT

3.1 The Council as a whole currently operates with 143 vehicles of various types. Of these, 55 are operated by Street Scene Services, 54 by Tenancy Services and the remaining vehicles are used by various services.

3.2 The Council spends over £1.3M per annum (2007/8) on vehicles, including fuel. The Council's fleet is currently funded in different ways. The majority (113) were purchased outright, and the remaining 26 acquired by operational lease for a specific period.

3.3 Following a review of the Council's arrangements for the procurement and management of transport of resources a strategy has been prepared which establishes clear parameters for :

- Vehicle Procurement
- Vehicle Livery
- Economic Life by Type
- Fuel Type and Provision
- Vehicle Maintenance and driver competence
- Record Keeping
- Vehicle Disposal
- Driver Training
- Accident Monitoring
- Service user involvement and satisfaction

Key features of the strategy

3.4 A proportion of the vehicles operated by the Street Scene service are leased and this is due to expire in April 2010. A thorough review of the condition of this part of the fleet has been carried out and it is intended to take up the contractual opportunity to buy these vehicles at a fraction of the original purchase value. This will enable the renewal of the vehicle fleet to be staggered over 3 years. Lincolnshire Procurement have been asked to look into the purchase of refuse collection and street cleansing vehicles by a number of partners across the county to ensure that councils' secure the best possible value for money option in the future.

3.5 The Council's expenditure pattern for replacement of the fleet is detailed in Appendix 2 of the strategy document and summarised in the following table:

2008/9	2009/10	2010/11	2011/12	2012/13
£428,700	£408,500	£953,500	£863,500	£765,000

3.6 This expenditure model is based on the economic lifespan of the existing vehicles taking into account known service demands. A summary of the economic lifespan of various types of vehicles are set out in section 4 of the strategy.

3.7 The options for procurement will be reviewed on a regular basis in conjunction with the S151 Officer to ensure that the most appropriate and cost effective means are used to finance future acquisitions. It may be possible to lever in external funding from national and regional sources for purchase of vehicles utilising emerging, low carbon technologies. These opportunities will be fully explored when they arise.

3.8 The colour of the fleet will be :

- Brunswick Green (recycling and waste)
- White (tenancy services and miscellaneous vehicles)
- Black, silver, (pool cars)

3.9 Maximum use will also be made of the opportunity to communicate key messages to the community via vehicles as they travel around the district through the use of flexible signage systems where possible.

3.10 The current make-up of the fleet by vehicle type is show at Appendix 3 of the strategy. In the past pool cars have been replaced every 3 years and vans generally at 5 years. Large refuse vehicles are planned to be replaced at about 7 years. The cost effectiveness of this approach has been reviewed and revised to deliver lower running costs and offer improved value for money. The current lean systems review of the Responsive Repairs service may lead to a need to alter the type of vehicle required to support the cost effective delivery of the service. This change in specification may impact on the overall cost of each van and hence the HRA capital programme for vehicles replacement.

3.11 During 2008/9 expenditure on the pool car fleet was suspended pending the preparation of the Council's Carbon Management Plan and a review of the options available.

3.12 Council vehicles currently run on petrol or diesel although the petrol cars are being replaced as part of an upgrade program. The vehicle fleet has been assessed as emitting 2,046 tonnes of carbon on average each year. The Council has set itself a carbon reduction target of 20% by 2013 based on a baseline collated throughout 2008/09, which forms part of the Authorities Carbon Action Plan. At this point in time it is estimated that 24% of the Council's total emissions are from transport and 79% of those are from lorries and heavy vehicles. Pool car and business mileage account for only 2% of the total estimated emissions.

3.13 Whilst hybrid and other low carbon technologies are being developed it is intended to standardised the fleet as far as possible on diesel over the short term whilst keeping hybrid development under review particularly for heavier vehicles which currently operate at very low levels of fuel efficiency. If opportunities arise to pilot such technology at reasonable comparable cost these will be explored and decisions made on a case by case basis.

3.14 Pool cars will be selected based on whole of life costs taking into account fuel efficiency and carbon dioxide emission levels. Sufficient choice now exists to enable a CO2 upper limit (120g/km) to be imposed for cars and small, general

purpose, vans. Use of this type of vehicle together with advice on environmentally friendly driving techniques should reduce carbon emissions from the pool car fleet by at least the 20% target by 2013.

- 3.15 The purchase of new pool cars has resumed taking into account the CO2 emission limit. This change has resulted in much improved fuel efficiency and lower road tax payments. This reduction in running costs taken together with the extension of lifespan from 3 to 5 years is estimated to deliver a saving of approximately £186,000 over 5 years and will offset expenditure on carbon management initiatives.
- 3.16 The approach to vehicle provision and management set out in the strategy will be monitored to ensure that it remains cost effective and meets the operational needs of service users.
- 3.17 A range of measures will be monitored annually by the Operations and Transport Manager and the overall strategy will be reviewed in 2012.

4. OTHER OPTIONS CONSIDERED

- 4.1 Consideration has been given to leasing vehicles as an alternative to purchase but at this course in time outright purchase is the best option for the organisation.

5. RESOURCE IMPLICATIONS

- 5.1 Resource implications are detailed in the body of the report.

6. RISK AND MITIGATION (INCLUDING HEALTH AND SAFETY AND DATA QUALITY)

- 6.1 The principles set out in the strategy will deliver a cost effective solution for a major part of the Council's transport needs based on current service delivery design. In the event that operational demands change it may be necessary to review this strategy to ensure that it remains aligned with service and financial requirements.

7. ISSUES ARISING FROM EQUALITY IMPACT ASSESSMENT

- 7.1 There are no direct issues arising from this report.

8. CRIME AND DISORDER IMPLICATIONS

- 8.1 There are no crime and disorder implications arising from this report.

9. COMMENTS OF SECTION 151 OFFICER

9.1 The strategy sets out the framework for the Council's fleet procurement and management. Work has been undertaken in respect of the most appropriate financing options in respect of fleet procurement and the capital programme includes the purchasing of fleet over the next three years. This reflects the fleet management strategy. A financial appraisal including purchasing, capital financing, whole life costs and residual values concludes that vehicle procurement by way of outright purchase, at this time, is the most financially advantageous. This procurement options will be kept under review. The savings identified in respect of the Council's pool car fleet will be incorporated into the revenue budgets for future years.

10. COMMENTS OF MONITORING OFFICER

10.1 Cabinet is asked to adopt the strategy for fleet management as a matter of local choice. As such the draft strategy should be put forward for consultation in accordance with the constitution at page 175, clause 2.4. An explanation of the consultation carried out and the outcome of any consultation should be report to Cabinet confirming any amendments to the strategy to incorporate comments arising from consultation.

12. APPENDICES:

Fleet Management Strategy
Equality Impact Assessment

Fleet Management Strategy

1. Introduction

1.1. This strategy provides a framework for the procurement and management of vehicles (and similar equipment) required by the Council to deliver services on a daily basis. Operation and maintenance of the fleet costs approximately £1.3 million pounds and it is a critical corporate asset. Vehicles must be fit for purpose, offer good value for money and need to be managed effectively to protect the health and safety of both staff and the wider community. The Council is committed to reducing carbon emissions from its operations and the impact from the vehicle fleet is an important factor in future procurement choices. Each year the fleet travels approximately 1.4 million miles on business.

1.2. The following sections are covered in detail:

- Vehicle Procurement
- Vehicle Livery
- Economic Life by Type
- Fuel Type and Provision
- Vehicle Maintenance and driver competence
- Record Keeping
- Vehicle Disposal
- Driver Training
- Accident Monitoring
- Service user involvement and satisfaction

2. Vehicle procurement

2.1. The Council has published a Corporate Procurement Strategy (2007-2009) which provides a framework for the Council to obtain best value in all its procurement activities. The Strategy incorporates Contract Procedure Rules and a Code of Practice which provides more detailed guidance and support for all officers of the Council who procure goods, services and works.

2.2. The number of vehicles in the Council's current fleet, including ownership is shown in Appendix 1.

2.3. Of the total fleet, 117 vehicles are owned by the Council, and 26 vehicles are leased from the private sector under various lease arrangements. In addition a number of vehicles are spot hired on a regular basis to cover operational necessities.

- 2.4. It is not generally permissible under procurement legislation to specify a particular make of vehicle and whilst standardisation offers potential advantages in relation to training of fitters and simplification of stores, it is not always practical to do if the Council wishes to acquire the best value vehicles at any one time.
- 2.5. Outright purchase is normally the most economic way of procuring vehicles, and unless there are overwhelming reasons to vary this, outright purchase will be the normal method of acquisition. Financial provision is made available for vehicle purchase through the Capital Programme and the HRA Capital Programme.
- 2.6. The Council's expenditure pattern for replacement of the fleet is detailed in Appendix 2. This expenditure model is based on the economic lifespan of the existing vehicles taking into account known service demands. A summary of the economic lifespan of various types of vehicles are set out in section 4.
- 2.7. The options for procurement will be reviewed on a regular basis in conjunction with the S151 Officer to ensure that the most appropriate and cost effective means are used to finance future acquisitions. It may be possible to lever in external funding from national and regional sources for purchase of vehicles utilising emerging, low carbon technologies. These opportunities will be fully explored when they arise.

3. Vehicle Livery

- 3.1. Many organisations recognise the importance of corporate image and reflect this throughout their daily business, including vehicle livery.
- 3.2. The Council currently operates vehicles in a range of vehicle colours however, in the interests brand recognition, the colour of future vehicles will be more limited. The Council crest is a key feature on most vehicles however pool cars have previously remained anonymous. It is accepted that a number of pool cars should remain this way due to operational requirements however the remainder of the fleet will, when they are replaced, display appropriate signage. Indeed it is essential, from an emergency planning perspective, that as many vehicles as possible are clearly identified as being owned and operated by South Kesteven District Council.
- 3.3. The colour of the fleet will be :
 - Brunswick Green (recycling and waste)
 - White (tenancy services and miscellaneous vehicles)
 - Black, silver, (pool cars)
- 3.4. Maximum use will also be made of the opportunity to communicate key messages to the community via vehicles as they travel around the district through the use of flexible signage systems where possible. The size, style and content of signage will be developed in conjunction with the Communications team.

4. Economic Life and Fuel type

4.1. The current make-up of the fleet by vehicle type is show at Appendix 3. In the past pool cars have been replaced every 3 years and vans generally at 5 years. Large refuse vehicles are planned to be replaced at about 7 years. The cost effectiveness of this approach has been reviewed and revised as detailed below:

Type of Vehicle	Allocated Life (Years)
Cars	5
Car-Derived Vans	5
Panel Vans	5
Vehicles 3.5 -7.5 tonne	5
Vehicles over 7.5 tonne	7 to 10
Refuse Collection Compaction Vehicles	7 to 10
Mechanical Sweepers	7 to 8
Mechanical Loading Shovels	10
Tractors	15
Misc. Plant	15

4.2. Council vehicles currently run on petrol or diesel although the petrol cars are being replaced as part of an upgrade program. The vehicle fleet has been assessed as emitting 2,046 tonnes of carbon on average each year. The Council has set itself a carbon reduction target of 20% by 2013 based on a baseline collated throughout 2008/09, which forms part of the Authorities Carbon Action Plan. At this point in time it is estimated that 24% of the Council's total emissions are from transport and 79% of those are from lorries and heavy vehicles.

- 4.3. Over the longer term it is likely that hydrogen based fuels will become available and there are increasing numbers of small hybrid (electric/petrol vehicles) available now, albeit at a higher comparative cost. This relative cost position is likely to change over the medium term as the Government have recently announced significant levels of investment in "green" technologies to encourage the mass production of low-carbon vans and cars.
- 4.4. Major manufacturers are now showcasing a wide range of commercial hybrid vehicles which are likely to be available from 2009, although it is too early in their development to consider their use in the short term for wholesale replacement of the fleet. Hybrid technology is becoming more firmly embedded in the car market and it is likely that more cost effective options will become available from 2009.
- 4.5. Modern diesel-engine vehicles are very efficient, generally clean (with lower emissions than petrol engines¹) and are capable of running on more eco-friendly bio-fuels, which will become increasingly available over time and may in the future offer tax advantages with reduced fuel duties. They are generally more economical than their equivalent petrol-engine alternative, particularly over long distances.
- 4.6. It is intended to standardise the fleet as far as possible on diesel over the short term whilst keeping hybrid development under review particularly for heavier vehicles which currently operate at very low levels of fuel efficiency. If opportunities arise to pilot such technology at reasonable comparable cost these will be explored and decisions made on a case by case basis.
- 4.7. Pool cars will be selected based on whole of life costs taking into account fuel efficiency and carbon dioxide emission levels. Sufficient choice now exists to enable a CO₂ upper limit to be imposed for cars (120 g/km) and small vans (120g/km). Use of this type of vehicle together with advice on environmentally friendly driving techniques should reduce carbon emissions from the fleet by at least the 20% target by 2013.
- 4.8. At present fuel is obtained via an Agency card arrangement with 3 local garages (one in Grantham, one in Stamford and one in Colsterworth) from domestic car pumps. Access to the pumps in Grantham is difficult for larger vehicles, and presents a risk of collision, and obtaining fuel can be a lengthy process.
- 4.9. There is a diesel tank at the Alexandra Rd depot and significant savings could be achieved through bulk buying if this were re-commissioned. Modern self-serve systems eliminate the need for providing labour to fuel vehicles and offer a high level of security, and the implications of bringing fuel issues back in-house. Recently there have been dramatic fluctuations in fuel prices which have made analysis of the business case on fuel purchase options more complex. The advantages for bringing fuel provision back in-house will be kept under review.

5. Vehicle Disposal

- 5.1. Vehicles will be disposed of via part-exchange or auction whichever offers the likelihood of best return when taking into account trade pricing guides.

6. Driver training

- 6.1. There is currently a formal driver training system in that new starters have to go through an induction process. As part of this, new drivers are shown all different types of vehicle and how they are operated and a record is made of the information passed on. A programme of driver training is in place which covers key areas of training and re-training needs such as manual handling, general safety practices, and specific vehicle and operational training.

7. Accident Monitoring

- 7.1. A system of accident/incident reporting exists for all vehicles. On reporting an accident the supervisors/line manager log the details and start the paperwork. Once the paper is complete all documentation is scanned and emailed to the Council's Insurance Officer and from January 2009 the Council's Health and Safety Advisor. A copy is also placed on the server in the Transport folder where it is kept for 10 years. All HGV drivers involved in a accident will, from 1 February 2009, be taken out by one of the Council's driving assessor and corrective training instructors.
- 7.2. Such monitoring is used to enable the identification of "problem" drivers to assist in assessing training or re-training needs and to identify specific types of accident to assist in their elimination via vehicle or method changes.

8. Service Standards

- 8.1. When work is carried out by the private sector, there is normally some form of contract in place, sometimes an informal contract or contract conditions that the service user inadvertently accepts in using the service, which defines the parameters of the work being carried out, together with a number of other "conditions".
- 8.2. There is no such arrangement when work is carried out in-house, although potential problems and conflicts can be minimised if there is a clearly defined set of rules between the service user and service provider. A set of service delivery standards will be developed to enable service users to understand:
 - The nature of the service to be provided
 - The actual tasks/responsibilities of each party

- Frequencies, quantities and standards of performance
- The agreed charges or unit rates
- Information that will be provided to each client service
- Procedures for reviewing charges (inflation, etc.)

9. Vehicles maintenance and driver competence

- 9.1. The Vehicle & Operator Standards Authority (VOSA) issues general guidance about fleet maintenance, in respect of both individual driver's responsibilities, and operator's responsibilities. All service users must be aware of and discharge their responsibilities when using the Council's vehicle fleet.
- 9.2. The maintenance and servicing of refuse collection vehicles is currently carried out in-house by suitably qualified vehicle fitters. Vehicle maintenance for pool cars and vans will be carried out in-house for all vehicles once their warranty has expired
- 9.3. Staff competence will be measured by systematic checks on driving licences to check continuing qualification for driving and staff will be asked to report changes in their driving circumstances (such as convictions for criminal driving offences and loss of licence) immediately.
- 9.4. Servicing schedules are prepared in advance and scheduled Safety Inspections/Servicing is currently carried out on a 6-weekly cycle for refuse collection vehicles. Service records are placed on the Roadbase system.
- 9.5. There is an annual service/MOT test programmed into the schedules and records are kept for a minimum of 15 months. All records relating to vehicles are kept on the Council's Roadbase management system

10. Service user involvement and satisfaction

- 10.1. The fleet is provided to enable staff to deliver operational services on a day to day basis and make essential journeys. It is important that the vehicles selected are fit for purpose and that an effective maintenance service is provided. Vehicle users will be required to identify their operational needs prior to vehicles being procured on their behalf. Satisfaction levels with the service and support offered by the vehicle workshop will be assessed on a regular basis to ensure that user needs are being met as effectively as possible.

11. Monitoring and Review

- 11.1. The approach to vehicle provision and management set out in this strategy will be monitored to ensure that it remains cost effective and meets the operational needs of service users.

11.2. A range of measures will be monitored annually by the Operations and Transport Manager and the overall strategy will be reviewed in 2012.

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APPENDIX 1**Fleet by Service User**

Service	Total	Petrol	Diesel	Dual fuel
Healthy Environment				
Street Scene	55		54	1
Cultural Services	2	1	1	
Environmental Protection	1	1		
Sub - total	57			
Tenancy Services				
Repairs & Improvements	44		43	
Tenancy & Neighbourhood Services	3	2	2	
Supported Housing	13		11	
Sub - total	54			
Resources and Organizational Development	21	10	11	
Sub - total	21			
Sustainable Communities				
Economic Development & TCM	2		2	
Sub - total	2			
Partnerships & Organisational Improvement				
Partnerships & Safety	2	1	1	
Sub - total	1			
Total for Council	143			

PROPOSED VEHICLE REPLACEMENT SCHEDULE

	Pool Vehicles	Street Scene	Tenancy Services
08/09	9 (Citroen C1) x £6,500 = £58,500	2 (32 Ton RCV) x £150,000 = £300,000 1 (Van) x £6,300 = £6,300 1 (Land Rover 90) x £17,400 = £17,400	7 (C2 Enterprises) x £6,500 = £46,500
09/10	7 (Citroen C1) x £6,500 = £31,600 1 (Pick Up Tipper) x £15,000 = £15,000	None	7 (Pick Up Tipper) x £15,000 = £106,000 14 (Vans) x £12,500 = £190,000 3 (C2 Enterprises) x £6,500 = £19,500 8 (Citroen C1) x £6,500 = £46,400
10/11	5 (Citroen C1) x £6,500 = £32,500	Purchase Leased Fleet (161,000) See note(1) below 2 (7.5 Tonne Tipper) x £30,000 = £60,000 2 (3500 Pick Ups) x £20,000 = £40,000 1 (Replace RCV Body) X £80,000 = £80,000 3 (26 Ton TCV) x £140,000 = £420,000 1 (Compact Sweeper) x £80,000 = £80,000 2 (C2 Enterprises) x £7,000 = £14,000 2 (Land Rover 110) x £20,000 = £40,000	4 (Citroen C1) x £6,500 = £26,000
11/12	None	2 (7.5 Tonne Tipper) x £30,000 = £60,000 3 (26 Ton TCV) x £140,000 = £420,000 1 (Compact Sweeper) x £80,000 = £80,000 1 (Large Sweeper) x £100,000 = £100,000 2 (C2 Enterprises) x £7,000 = £14,000 3 (Nemo Vans) x £8,000 = £24,000	11 (Vans) x £12,500 = £137,500 1 (Pick Up Tipper) x £15,000 = £15,000 2 (Citroen C1) x £6,500 = £13,000
12/13	None	1 (7.5 Tonne Tipper) x £30,000 = £30,000 2 (small RCV) x £140,000 = £280,000 2 (26 Ton TCV) x £140,000 = £280,000 1 (Large Sweeper) x £100,000 = £100,000	6 (Vans) x £12,500 = £75,000

(1) The purchase of the leased fleet in 10/11 at a cost of £161,000 will allow the Council to maintain an operational fleet level of (18) RCV's, (5) 7.5 Tonne cage tippers, (2) Large Road Sweepers, (5) Small Sweepers, (7) Vans, (2) Land Rovers, (2) Toyota Hi-Lux's, (1) Crane Grabber a total of 42 vehicles at a greatly reduced purchase cost. We will purchase the fleet that consists of (11) Refuse Collection Freighters, (7) 7.5 Tonne Cage Tippers, (2) Large Road Sweepers, (2) Small Road Sweepers, (3) Vans and (2) Land Rovers a total of 27 vehicles. These vehicles are then scheduled to be replaced over the remaining time frame.

Appendix 3

Breakdown of mileage by vehicle type 2007/8

Type of Vehicle	No. in Use	Average Annual Mileage	Approx. Annual Mileage Travelled
Refuse Collection Vehicles	22	15,414	339,111
Large Mechanical Sweepers	2	14,104	28,208
Compact Sweepers	2	2,113	4,226
Small Sweepers	4	Measured in Hours	Measured in Hours
Panel Vans	40	10,831	433,240
Pickups	9	8,926	80,334
7.5 tonne tippers	4	20,025	80,100
4 x 4	4	16,103	64,410
Utility Tipper	1	7,764	7,764
Car	35	9,590	335,650
Car-derived Vans	3	10,836	32,507
JCB	1	0	0
Leaf Collector	1	0	0
Tractor	1	0	0
Mobile Unit	1	0	0

Fleet Management Strategy Action Plan

Improvement Target	Action Required	Resources & Source	Timescale	Lead Officer
Driving competency	Review service procedures for checking drivers licences and update where required	Staff time	May 2009	Transport Manager/HR Manager/ All service managers
Improve data quality and use as management control & performance information.	Vehicle availability statistics (Downtime) Labour, material and transport costs Costs of Hired Vehicles Overall Workshop costs (inc. overheads) Workshop Hourly rates Material/Stores costs Cost of Utilities Tool and Equipment costs Workshop sickness rates Data on MOT failures. User satisfaction	Finance and Roadbase	Data input from April 2009	Business Support Team Leader
Train Supervisors	Waste Management Law	External assistance from Training Budget	By September 2009	Transport & Operations Manager
Review Service costs to ensure VFM and compare	Development of Roadbase and workshop performance management systems. Benchmark with LA and private sector Monitor efficiency savings arising from vehicle fleet	Staff time	By September 2009 and every 2 years Annually	Transport & Operations Manager
Improve customer consultation	Design customer consultation process	In-house	By June 2009	Transport & Operations Manager/Foreman
Carbon management	Review carbon emissions for vehicle fleet and identify changes.	Roadbase staff time	Annually /quarterly	Transport & Operations Manager / Climate Change Co-ordinator

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INITIAL EQUALITY IMPACT ASSESSMENT PRO FORMA

Service: Street Scene		Names of those undertaking assessment: Pat Swinton, Tracey Blackwell	
Name of Policy to be assessed: Fleet Management Strategy		Date of Assessment: 19 June 2009	Is this a new or existing policy?: New
1. Briefly describe the aims, objectives and purpose of the policy: <ul style="list-style-type: none"> • Sets the Council approach to acquiring, managing and disposing of the vehicle fleet • Provides a clear framework for expenditure. • Sets a carbon dioxide emission limit for pool cars and small vans to help deliver overall carbon reduction targets 			
2. What are the key performance indicators? <ul style="list-style-type: none"> • Fuel efficiency data will be monitored on pool cars to assess impact on expenditure and carbon emissions 			
3. Who will be affected by this policy? <ul style="list-style-type: none"> • All employees who use pool cars, vans or other vehicles and motorized equipment 			
4. Who is intended to benefit from this policy and in what way? <ul style="list-style-type: none"> • The organization will benefit by having a clear framework for the purchase and management of vehicles and similar equipment 			
5. Are there any other organisations involved in the delivery of the service? <ul style="list-style-type: none"> • Currently refuse collection vehicles are leased from an external provider 			
6. What outcomes are required from this policy and for whom? <ul style="list-style-type: none"> • That vehicles are purchased, maintained and managed in accordance with the standards set out • A more environmentally friendly fleet of vehicles 			
7. What factors/forces could contribute/detract from the outcomes? <ul style="list-style-type: none"> • Financial factors could impact on the future options available to the Council in respect of fleet management. 			
8. Who are the main stakeholders in relation to the policy? <ul style="list-style-type: none"> • Employees, Members and all Council tax payers 			
9. Who implements the policy, and who is responsible for the policy? <ul style="list-style-type: none"> • Trans[ort and Operations Manager 			
9. Are there concerns that the policy <u>could</u> have a differential impact on different racial groups? If yes, please explain. What existing evidence (either presumed or otherwise) do you have for this? <ul style="list-style-type: none"> • No 			
11. Are there concerns that the policy <u>could</u> have a differential impact on men and women? If yes, please explain. What existing evidence (either presumed or otherwise) do you have for this? <ul style="list-style-type: none"> • No 			
12. Are there concerns that the policy <u>could</u> have a differential impact on disabled people? If yes, please explain. What existing evidence (either presumed or otherwise) do you have for this? <ul style="list-style-type: none"> • No – where individual employees have a specific need for reasonable adjustment this will be dealt with on a case by case basis to ensure that the most appropriate solution is identified. 			

<p>13. Are there concerns that the policy could have a differential impact on the grounds of sexual orientation? If yes, please explain. What existing evidence (either presumed or otherwise) do you have for this?</p> <ul style="list-style-type: none"> • No
<p>14. Are there concerns that the policy <u>could</u> have a differential impact on the grounds of age? If yes, please explain. What existing evidence (either presumed or otherwise) do you have for this?</p> <ul style="list-style-type: none"> • No
<p>15. Are there concerns that the policy <u>could</u> have a differential impact on the grounds of religious belief? If yes, please explain. What existing evidence (either presumed or otherwise) do you have for this?</p> <ul style="list-style-type: none"> • No
<p>16. Are there concerns that the policy <u>could</u> have a differential impact on any other groups of people eg those with dependants/caring responsibilities, those with an offending past, those with learning difficulties, transgendered or transsexual people. If yes, please explain. What existing evidence (either presumed or otherwise) do you have for this?</p> <ul style="list-style-type: none"> • No
<p>17. Are there any obvious barriers to accessing the service eg language, physical access?</p> <ul style="list-style-type: none"> • No
<p>18. Where do you think improvements could be made?</p> <ul style="list-style-type: none"> • The strategy will be monitored and reviewed by 2012
<p>19. Are there any unmet needs or requirements that can be identified that affect specific groups. If yes, please give details.</p> <ul style="list-style-type: none"> • No
<p>20. Is there a complaints system?</p> <ul style="list-style-type: none"> • The transport and Operations Manager will monitor any complaints regarding vehicle suitability, safety and performance matters.
<p>21. Do we monitor complaints by race, gender, disability, age, sexual orientation, religious belief?</p> <ul style="list-style-type: none"> • No
<p>22. Do we have feedback from managers or frontline staff?</p> <ul style="list-style-type: none"> • Yes- service managers were consulted prior to development of the strategy
<p>23. Is there any feedback from voluntary/community organisations?</p> <ul style="list-style-type: none"> • N/A
<p>24. Is there any research or models of practice that may inform our view?</p> <ul style="list-style-type: none"> • N/A
<p>25. Could the differential impact identified in 8 – 16 amount to there being unlawful discrimination in respect of this policy?</p> <ul style="list-style-type: none"> • N/A
<p>26. Could the differential impact identified in 8-16 amount to there being the potential for adverse impact in this policy?</p> <ul style="list-style-type: none"> • N/A • Can this adverse impact be justified on the grounds of promoting equality of opportunity for one group? Or any other reason? • N/A

28. Should the policy proceed to a full impact assessment? No
29. Date on which Full assessment to be completed by N/A
Signed (Lead Officer): ... Pat Swinton Date: 19 June 2009.....

REPORT TO CABINET

REPORT OF: CABINET PORTFOLIO HOLDER HEALTHY ENVIRONMENT

REPORT NO: SS08

DATE: 1 June 2009

TITLE:	Review of Recycling Bring Sites	
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	Key decision	
PORTFOLIO HOLDER: NAME AND DESIGNATION:	Cllr John Smith - Healthy Environment Portfolio Holder	
CONTACT OFFICER:	Pat Swinton - Operations and Transport Manager p.swinton@southkesteven.gov.uk 01476 406570	
INITIAL IMPACT ASSESSMENT:	Carried out and Referred to in paragraph (7) below:	Full impact assessment Required:
Equality and Diversity	N/A	
FREEDOM OF INFORMATION ACT:	This report is publicly available via the Local Democracy link on the Council's website: www.southkesteven.gov.uk	
BACKGROUND PAPERS		

1. RECOMMENDATIONS

1.1 It is recommended that Cabinet advise on their preferred option regarding the continuation or cessation of the bring site service:

- a) Re-tender the service on a reduced number of sites providing appropriate facilities across the district.
- b) Reduce the number of sites as in a) and bring the service in- house.
- c) Withdraw the service by the termination date of the existing contract.

2. PURPOSE OF THE REPORT

2.1 This report sets out the options available for the bring site element of the Council's recycling service taking into account the objectives within the Quality Living priority, usage of the sites, the cost of the service and customer feedback on a recent consultation exercise.

3. DETAILS OF REPORT

Introduction

3.1 The future of the bring sites has been considered by the Communities PDG in light of the fact that the extension on the existing contract expires at the end of August 2009. A non-key decision was approved by the portfolio holder to allow the contract to be extended for a limited period of time.

3.2 The bring site service has been a long-term service provided by the Council. that a comprehensive kerbside service was in place. However, sensitive to the message being conveyed by any potential withdrawal of the service, it was felt that it may be better to offer an in-house service option, purchasing the banks from the current Records exist from as early as 1992; however it is believed that some glass banks were in place before this time. We now have a total of 69 sites across the district, of which 26 are school sites.

Detail

3.3 Appendix A to this report shows that there has been a significant decrease in the usage of the sites following the introduction of the kerbside recycling scheme which now operates across the district. Bring sites are not subject to any form of control and are thought to be used to some extent by businesses to recycle a small proportion of trade waste.

3.4 The Communities Policy Development Group (PDG) discussed the operational, financial and environmental issues involved with this service and considered a number of options, from withdrawing the service to letting a contract on a like-for-like basis.

3.5 The PDG questioned the value of maintaining the current bring site service now provider, with a view to a managed withdrawal of the service.

3.6 This option has been explored in more detail and would place an additional burden of £60,000 on the revenue budget and require approximately £52,000 of capital expenditure. There is no provision within the 2009/10 revenue or capital budgets to meet this additional expenditure.

3.7 An alternative option to re-tender a cut-down version of the existing service has also been considered but this again would place additional pressure (estimated to be at least £41,000) on the revenue budget. The actual cost of this option cannot be determined prior to completion of a formal tender process.

Consultation

3.8 The Performance and Engagement team have carried out a consultation exercise with residents, Parish/town councils and supermarket chains to obtain their views on the bring sites and gain some understanding on the perceived value for money of this aspect of our recycling service.

3.9 Questionnaires were sent to local councils and supermarket outlets (with recycling banks). Consultation with residents was carried out through a set of similar questions on the website. Members of the public were encouraged to become involved in this review through a press release issued to local media and advertising on the home page of the Council's website. Unfortunately only 26 replies were received which may indicate a low level of interest in the bring site service amongst the overall community.

3.10 The detailed report is attached at appendix B to this report however the key results are as follows:

Local councils (61% response rate):

- 51% wished to retain their bring site, approximately 25% did not answer (as they did not have a recycling bank in their district) and 20% did not want to retain it
- 70% thought they provided a valuable service
- 42% thought they provided value for money, 30% said they did not and 28% didn't know
- 43% said they would support a scaled down service as long as there was district wide coverage
- Just under 50% said they would not support the withdrawal of the banks but would understand why we were considering it and 28% said they would support the withdrawal of the service

Supermarkets:

- 6 supermarket outlets (where the highest amounts of waste are collected) were contacted. But only two responded both of whom thought that the sites present their stores with operational problems however there was some interest in supporting recycling.

Website respondents (26 responses in total):

- 61.5% wished to retain the banks, 38.4 % did not
- 58% thought they were a valuable service, although 42% thought they did not
- 38.4% thought they provided value for money, 50% thought they did not

- 30.7% said they would support the withdrawal of the sites , 19.2% said they would not support withdrawal but understood why the Council might consider it

3.11 These consultation results indicate that recycling services are considered to be valuable however there are mixed views about the value for money aspect of the bring sites. The results from both parish/town councils and the small number of residents who responded via the website demonstrate a clear understanding within the community of why the Council may be considering withdrawal of the service.

Performance of the Bring Sites

3.12 The most recent data suggests that the bring sites are likely to yield a little under 1000 tonnes of recycling during 2009/10. In total the Council collected 28,000 tonnes of recycling/green waste which resulted in a recycling/composting performance of 54.2%. The bring sites contribute approximately 2 percentage points to the overall recycling/composting target. Lincolnshire County Council pay a recycling credit to South Kesteven for every tone of household waste that is recycled. Twenty percent of the amount of recycling collected through the bring sites is discounted from the totals to allow for use by businesses.

3.13 The Council has set itself an ambitious target of achieving 58% this year and 60% by 2011. If the bring site service were to be withdrawn some of the recycling may be diverted into the kerbside system however this is not guaranteed.

3.14 The Council signed up to the Lincolnshire Joint Municipal Waste Strategy in 2008 which established a 55% target for the diversion of waste. South Kesteven's contribution is an important element of this collective performance target.

4. OTHER OPTIONS CONSIDERED

4.1 The Communities PDG considered a full range of options prior to making its recommendations referred to in the report. The options included in this report were found to be the most appropriate for Cabinet to consider regarding the future of the service.

5. RESOURCE IMPLICATIONS

5.1 The Street Scene service budget for 2009/10 was based on a zero-base budgeting approach and does have any capacity to absorb this additional expenditure. If a decision is taken to continue to provide a district wide bring site service then either an element or elements of waste collection or street cleansing activities will need to stop so that resources can be re-directed. Alternatively a supplementary estimate for additional budget provision would need to be submitted to Council for approval.

5.2 The Council has a statutory duty to collect household waste and this requirement is discharged through the kerbside system. However it does not have the same duty in respect of trade waste for which collections can be arranged on payment of an appropriate charge. At this moment in time the Council does not operate a comprehensive trade waste collection service although ad hoc enquiries are received from time to time and responded to individually. The Lincolnshire Waste Management Partnership has identified trade waste recycling as an area of

development for the future and it is intended to work with our partners to evaluate the feasibility of introducing such a scheme.

6. RISK AND MITIGATION

6.1 If either option a) or b) are preferred there will be little change to the way in which the service is delivered to the public and a relatively minor impact on recycling performance. If the service is withdrawn there could be an adverse impact on recycling performance if bring site recycling is not diverted through the kerbside system.

6.2 If the service is brought in-house detailed risk assessments will be made to fully understand the associated health and safety issues and identify the steps required to remove or effectively control those risks.

7. ISSUES ARISING FROM EQUALITY IMPACT ASSESSMENT

7.1 An equalities impact assessment has not been carried out in relation to the recommendations in this report since the service to the public will either remain the same or be withdrawn. Withdrawal of the service will not have a differential impact on any of our residents. People who require help with the recycling/waste collection bins are encouraged to ask for an assisted collection which may be made available following assessment by Street Scene staff.

8. CRIME AND DISORDER IMPLICATIONS

8.1 There are no crime and disorder implications arising directly from this report.

9. COMMENTS OF SECTION 151 OFFICER

9.1 The report states that should an in-house provision or a re-tender exercise be undertaken then additional costs will be incurred. As this is not included in the budget framework the recommendation would be referred to Council. Cabinet are respectfully reminded that the Council tax level has been agreed by Council for 2009/10 so any additional revenue costs will need to be met from the Council's revenue reserves. This is not a sustainable solution to financing additional costs and this will need to be considered in future budget setting proposals.

10. COMMENTS OF MONITORING OFFICER

10.1 Following the extension of the existing contract in line with the provisions of that contract, it is essential a decision is made as soon as possible to allow sufficient time for the implementation of any proposal agreed by Cabinet. A retendering process may extend beyond the end of the current contract extension. Any retendering process will need to be started immediately. Any withdrawal of service will require reasonable notice to users to enable them to find alternative means of disposal.

12. APPENDICES:

Appendix A : table showing the amount of waste collected from each bring site

Appendix B : Results of consultation

List of existing sites and their annual tonnage summary (in kilograms per annum)

Site	06-07	07-08	08-09	Jan 09	Feb 09	Mar 09
Morrisons, Stamford	572600	449050	181080	18270	12210	16360
Sainsburys, Grantham	521420	335490	166930	14420	11250	13460
Asda, Grantham	381200	244210	103990	8780	7230	7820
Rainbow, Bourne	203980	129970	74170	4640	2480	3200
Somerfield, Stamford	191800	158890	66550	6500	4410	5440
Sainsburys, Bourne	206850	114780	56880	3970	2390	1020
Station Road	0	87260	41510	3800	2660	1080
George Hotel, Stamford	59180	58320	39580	2600	3040	2820
Billingborough	75230	30780	26840	1014	720	1120
Halfleet	38380	32070	24100	4310	2810	3210
Ancaster	74720	66140	17470	4410	20	410
Stanton Street	47080	15780	16890	2500	1920	2620
Essex Road	51790	33530	13100	1800	1350	1260
Olde Barn Hotel, Marston	12120	20630	12740	1100	900	800
Barkston and Syston	83350	29600	12210	2010	840	1070
Trent Road	53980	32180	9830	1755	25	1060
Fulbeck	41400	26730	8630	600	200	
Caythorpe	37900	32250	8420	1200	200	700
Dry Doddington	35710	12580	7110	360	300	720
Stamford Leisure Centre	29180	19820	6960	900	720	320
Marston	29880	9130	6050	850	200	900
London Road Retail Park	5900	5500	5730	1290	800	1000
West Deeping	9400	12200	5700	800	500	900
Rippingale	17960	9000	5680	870		1300
Barholme	8920	5100	5560	500	500	500
Stoke Rochford	8000	13000	5500			
Woolsthorpe by Belvoir	13940	12880	5210	700	400	1100
North Witham	3200	6000	4400	500		400
Gonerby Road Retail Park	6960	7340	4320	530	400	600
Edenham	17230	8990	4080	320	300	790
Great Gonerby	6980	7830	3900	300	300	300
Carlton Scroop	23360	8530	3800	400		570
Ingoldsby	9380	6960	3780			
Haconby	9100	7000	3600		900	420
Greyfriars, Union Street	10600	7300	3500	200	500	
Great Ponton	8360	6560	3420	570	500	220
TA Barracks	26480	11650	3310			
Boothby Pagnell	22320	6340	3010	430		700
Harlaxton	30430	15550	2680			
Whistle Stop PH, Tallington	6230	2980	2540		300	500
Greatford	600	2200	2500			250
Kirkby Underwood	8500	3820	2480	500	60	200
Wake House	6520	6800	2120			
Kings Hotel, Grantham	0	4360	1260			

Recycling Banks Consultation Results

Introduction

1. The purpose of this report is to update the Corporate Head - Healthy Environment- with the results of the 2009 surveys carried out on recycling banks.
2. Three surveys were prepared during April 2009. One was sent to 77 parish councils, one to 6 supermarkets (as these have the highest tonnages), and one was placed on the website for the public to give us their views.
3. The consultation was undertaken primarily to inform a decision that has to be taken with respect to the future of the recycling banks. The content of the survey was amended slightly according to the group being contacted and included questions on:
 - Retention of the recycling banks
 - Whether the recycling banks provide a valuable service and provide value for money
 - Reducing the number of recycling banks whilst still ensuring district-wide coverage
 - Completely withdrawing from the provision of recycling banks
 - Whether day to day management issues cause a problem for the supermarkets
 - Whether supermarkets would be interested in taking over the running of the banks located in their car parks
4. 47 responses were received from parish councils, a response rate of 61%. 2 responses were returned from the supermarkets, a response rate of 33.3%, and to date 26 responses have been received from the consultation placed on the website.
5. Copies of the respective surveys have been attached for your information.

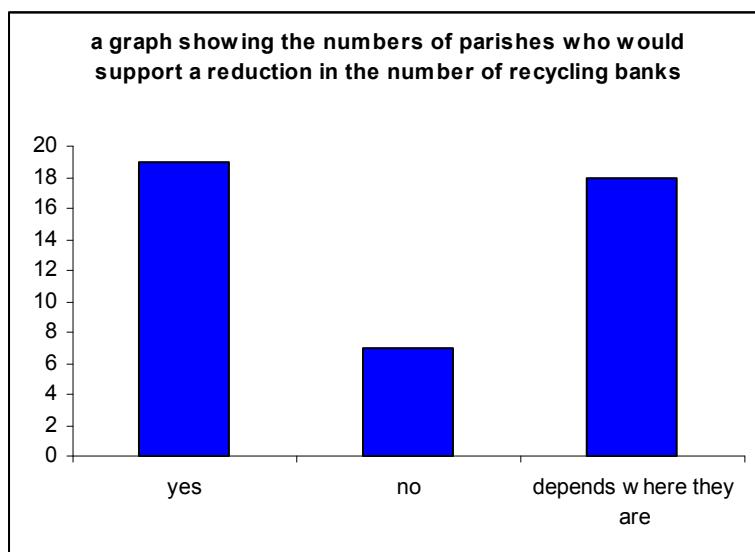
Details of report

Consultation with parish councils

6. Parish councils were asked if recycling banks were something their parish would like to retain. 51% of the respondents stated that they were, 20% said they wouldn't and around a quarter didn't answer as they did not have a recycling bank in their parish.

7. They were then asked if they thought that recycling banks provided a valuable service and value for money. 70% thought that they provided a valuable service, with 20% disagreeing. Interestingly, when asked if they thought the banks provided value for money, 42% said yes (a significantly lower percentage), 30% said no, and 28% didn't know.

8. When asked for their opinion if the council were to scale down the number of recycling banks provided, restricting them to those that have the highest tonnages whilst still ensuring district-wide coverage, 43% said that they would support this. 40% said that it would depend on where the banks were located and 16% stated that they wouldn't support this course of action. The number of parishes choosing each option is shown in graphical format below.



9. Parishes were then asked if the council were to withdraw completely from providing recycling banks, what their opinion would be. Half answered "No, I do not support it, but I do understand why the council is considering it". 28% said that they would support the withdrawal of recycling banks and 23% did not support it and didn't understand why the council is considering it.

10. Responses were received from across the district, with all postcode areas represented. This is shown the table below.

postcode area

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	NG31	2	4.3	4.4	4.4
	NG32	10	21.7	22.2	26.7
	NG33	9	19.6	20.0	46.7
	NG34	6	13.0	13.3	60.0
	PE06	1	2.2	2.2	62.2
	PE09	4	8.7	8.9	71.1
	PE10	9	19.6	20.0	91.1
	NG23	4	8.7	8.9	100.0
	Total	45	97.8	100.0	
	Missing	System	1	2.2	
Total		46	100.0		

Consultation with supermarkets

11. As part of this consultation exercise, the 6 supermarkets which collected the highest tonnages from the recycling banks situated in their car parks were contacted and two responded.
12. When asked if the recycling banks were something they would like to retain, 1 organisation said yes, one said no. When asked if they thought that the recycling banks encouraged people to visit their supermarket, 1 said yes, 1 said no.
13. Both respondents thought that the location of the recycling banks and the day to day management of them caused their organisation problems.
14. When asked if they would be interested in taking over the operation of the recycling banks located at their supermarket, both responses given were favourable. One stated that they would consider it, but would require further information and the other that they would be prepared to work in partnership and share the costs.

Consultation with the public via the website

15. To date 26 responses from members of the public have been received from the survey placed on the website.
16. People were asked the same set of questions that parishes were asked. When asked if recycling banks were something they would like to retain, 61.5% said yes and 38.4% said no.
17. 57.6% thought that recycling banks were a valuable service, 42.3% thought that they weren't. Interestingly, a similar percentage to the parishes (38.4%) thought the recycling banks provided value for money, 50% thought that they didn't. 11.5% did not know.

18. When asked if they would support the council if it limited the number of recycling banks it provided to those that collect the highest tonnages, whilst still ensuring district –wide coverage, 61.5% said that they would support this course of action. 34.6% said that they wouldn't and 3.84% didn't know.
19. Respondents were then asked what their opinion would be if they were to stop providing recycling banks altogether. 30.7% would support the withdrawal of the service, 19.2% said that they wouldn't. 38.4% did not support it and don't understand why the council is considering it.

Conclusion

20. The results from these surveys will help to inform the decision that has to be taken with respect of the future of the recycling banks. A more complete picture will be made available when the website consultation has run its course.

Prepared by Deborah Wyles and Fiona Truman
Performance Management and Engagement
8th June 2009

REPORT TO CABINET

REPORT OF: Healthy Environment Portfolio Holder

REPORT NO: ENV433

DATE: 6 July 2009

TITLE:	Corporate Health and Safety Policy	
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	N/A	
PORTFOLIO HOLDER: NAME AND DESIGNATION:	Cllr John Smith	
CONTACT OFFICER:	D F Price	
INITIAL IMPACT ASSESSMENT:	Carried out and Referred to in paragraph (7) below:	Full impact assessment Required: No
Equality and Diversity		
FREEDOM OF INFORMATION ACT:	This report is publicly available via the Local Democracy link on the Council's website: www.southkesteven.gov.uk	
BACKGROUND PAPERS	none	

1. RECOMMENDATIONS

That the Cabinet consider the draft corporate health and safety policy and resolve to adopt it.

2. PURPOSE OF THE REPORT

The new and improved policy has been revised to incorporate changes to the staffing structure; it reflects the improved management arrangements and various initiatives to enhance the council's health and safety performance. The policy will require approval by the Cabinet. The achievement of good health and safety within the Council will contribute to the Quality Organisation priority theme, providing a safe and healthy working environment for both staff and all others affected by service activities.

3. DETAILS OF REPORT

The Council's corporate health and safety policy is due for review as part of a regular process. This policy is required by law and sets out the Council's commitment to ensuring its compliance with health and safety requirements. The policy is organised in three sections, ie a statement confirming its commitment, the organisational structure and the arrangements for putting the policy in place. The revised policy confirms the intention of the Council to:

- act as an exemplar
- set out the responsibilities of various levels of officers
- include the self audit of services by managers
- develop a council safety group
- make arrangements for training and development
- incorporate new legislation
- review the policy at regular intervals

The policy has been consulted on by the Communities PDG, staff, managers and the Joint Consultative Negotiating Group. Where revisions have been made subsequent to the draft considered by the Communities PDG these are set out in red italics in the policy attached.

4. OTHER OPTIONS CONSIDERED

The requirement to have an up to date safety policy in place is statutory. There are no viable alternative options.

5. RESOURCE IMPLICATIONS

The policy will have an impact on the council's activity in line with existing resource demands for this activity.

6. RISK AND MITIGATION

Adoption of an updated corporate health and safety policy will, provide a clear lead for its staff and others, assist in protecting staff, customers and others affected by the council's activities from risks to their health and safety and mitigate the risk of the Council being exposed to enforcement action.

7. ISSUES ARISING FROM EQUALITY IMPACT ASSESSMENT

An equalities impact assessment has been carried out and no adverse impact was identified.

8. CRIME AND DISORDER IMPLICATIONS

Not applicable.

9. COMMENTS OF SECTION 151 OFFICER

From a risk management perspective it is important to have an up to date Health and Safety policy that reflects the operational aspects of the Organisation. The awareness and training for staff in respect of this policy will need to be an integral part of the Corporate training programme. Any cost implications arising from this policy will be met from existing resources

10. COMMENTS OF MONITORING OFFICER

The health and safety policy is an important policy relating to health and safety at work. It relates to all employees, Councillors and others who use and come on to council premises, equipment, plant and machinery and other facilities. Whilst it is a legal requirement to have a policy, it exists as an essential document to inform everybody of this Council's position in relation to health and safety issues. Without a robust policy which is well communicated and adhered to, the Council faces, not only the risk of enforcement for non-compliance but also claims from those adversely affected by the lack of policy.

The draft policy must be considered thorough a process of consultation as detailed in the Constitution at page 175 clause 2.4. I understand a form of consultation has taken place and the results of that consultation have been taken into account in the draft policy

11. COMMENTS OF OTHER RELEVANT SERVICE MANAGER

None

12. APPENDICES: see attached draft policy

Contact Officer: David Price, Healthy Communities Services Manager
Tel: 01476 406328 e-mail: d.price@southkesteven.gov.uk

CONTENTS

	Page
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General Policy Statement

Organisation

Structure
General Duties and Responsibilities
Lead for Health & Safety

Arrangements

General
Consultation
Training, Instruction & Supervision
Risk assessment
First Aid
Accident & Incident Reporting
Fire & Evacuation Procedure
Housekeeping
Slips & Trips
Smoking Policy
Work Equipment
Display Screen Equipment (DSE)
Driving & Workplace Transport
Contractors & Subcontractors
Hazardous Substances
Asbestos
Personal Protective Equipment (PPE)
Manual Handling
Unacceptable Behaviour
Lone Working
Work-Related Stress
Working Time
Health, Work & Wellbeing

HEALTH AND SAFETY AT WORK etc. ACT 1974

GENERAL POLICY STATEMENT

The Council recognises and accepts its responsibility to provide a safe and healthy working environment for all its employees and others who may be affected by the Council's work activities.

The Council will meet its responsibility under the Act and associated legislation and provide, as far as is reasonably practicable, the resources necessary to meet this commitment. The Council will pay particular attention to the provision and maintenance of:

- Safe plant and equipment in conjunction with safe systems of work.
- Safe arrangements for the use, handling, storage and transport of monies, articles and substances.
- Sufficient information, instruction, training and supervision to enable all employees to avoid hazards and contribute positively to their own health and safety at work.
- A safe place of work including access and egress.
- A healthy working environment.
- Adequate welfare facilities.
- Risk assessments to identify work hazards present and ensure satisfactory implementation of control measures.
- Adequate procedures to ensure all contractors, and others where we have a duty of care are fully compliant with this policy and health and safety legislation.
- Competent technical advice on health and safety matters.

The Council will co-operate fully in the appointment of safety representatives by recognised trade unions and will comply with the requirements of the Safety Representatives and Safety Committees Regulations, Approved Code of Practice & Guidance. Staff with a specific responsibility for health and safety will be provided with sufficient facilities and training to carry out their tasks. The Council will seek to consult with employees and safety representatives directly and via safety committees.

This safety policy will be reviewed every 2 years, and added to or modified as necessary within that period.

Signed.....

*Beverly Agass
Interim Chief Executive*

Signed

*Councillor Linda Neal
Leader of the Council*

Dated: *June* 2009

ORGANISATION

Structure:

General Health & Safety

The Council
↓
Chief Executive
↓
Management Team
(Strategic Directors and Corporate Heads)
↓
Service Managers
↓
Employees

Lead for Health & Safety

Healthy Environment
Cabinet Portfolio Holder
↓
Strategic Director
↓
Corporate Head of
Healthy Environment
↓
Healthy Communities
Service Manager
↓
Corporate Health & Safety Adviser

General Duties & Responsibilities

It is the duty of elected members, the Chief Executive, the Management Team and Service Managers to ensure, so far as is reasonably practicable, that health and safety policy and legislation is adhered to by employees of the Council and by those carrying out work for the Council.

The specific responsibilities of the Council, its members and employees under this policy are as follows:

The Council

The Council will via the Cabinet ensure, so far as is reasonably practicable, that sufficient resources are provided to comply with the duties imposed by health and safety legislation and encourage the achievement of exemplar status in health and safety matters.

Chief Executive

The Chief Executive has overall responsibility for health and safety in the Council and is accountable to the elected members for the overall operation of this policy. Responsibilities include:

1. To advise the Council on arrangements, policies and resources necessary to fulfil the Council's responsibilities under this policy.
2. Make suitable arrangements to ensure the implementation and administration of the Council's instructions.
3. To ensure that health and safety matters are an integral part of Management Team meetings.
4. To ensure that the Management Team understand and implement their duties and responsibilities under this policy.

Management Team (MT)

The MT collectively and individually are accountable to the Council and the Chief Executive for the health and safety in areas for which they have line management responsibility.

Responsibilities include:

1. *The implementation of this policy and compliance with the statutory requirements in their area(s) of responsibility.*
2. Ensure that this policy is implemented and administered within their areas of responsibility.
3. To make appropriate arrangements for advising the Council through the Chief Executive of the resources necessary to meet the health, safety and welfare requirements of their areas of responsibility.
4. To ensure that Service Managers understand and implement their duties and responsibilities under this policy, *and provide any necessary support and leadership.*
5. To utilise, consult and co-operate with the Council's Safety Adviser.
6. To support and provide leadership to the Council's Safety Group.
7. To comply with the matters listed under Service Managers responsibility where employees report directly to the Management Team.
8. To attend Health & Safety training as advised

Service Managers (SM)

SM are accountable to the Council, the Chief Executive and the relevant members of the MT for health and safety within their services.

Responsibilities include:

1. The implementation of this policy and compliance with the statutory requirements in their area of responsibility.
2. The implementation of the control measures detailed within the Council's generic risk assessments.
3. The preparation and revision, as directed within the Health & Safety risk assessment procedure, of service specific risk assessments and any necessary safety arrangements.
4. To ensure that persons under SM control are adequately instructed, trained and supervised in Health & Safety matters.
5. To take such measures as are appropriate to ensure that contractors employed or others acting on behalf of the Council within their service are aware of their responsibilities under this policy and relevant legislation.
6. To ensure that safety equipment is provided and used and any safety instructions are observed.
7. To ensure that the workplace, machinery, plant and equipment are maintained in a safe condition and that all defects are rectified promptly.
8. To ensure the satisfactory completion of the Council's accident book including

an investigation of the incident and, where necessary, notification under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR).

9. To ensure that the Unacceptable Behaviour Policy and procedure is complied with and employees are protected from such persons so far as is reasonably practicable.
10. To take effective steps to ensure that persons under their *responsibility* are familiar with procedures to be followed in case of fire or other emergency.
11. *To ensure* a suitable number of trained fire check staff are provided to satisfy the Fire Safety Policy and arrangements.
12. To ensure that all new employees complete health and safety induction and attend *the Council's "Health and Safety For Employees" training or equivalent*.
13. To ensure all statutory and advisory *health and safety related* notices are displayed within the service
14. To ensure health and safety related documentation is available and current.
15. To ensure protective clothing or safety equipment is provided and the necessary arrangements are in place to store, issue and maintain it.
16. To maintain good standards of housekeeping, paying particular attention to storage arrangements and access to means of emergency escape.
17. To liaise and co-operate with the Council's Safety Adviser in matters affecting the health and safety of persons in relation to work.
18. To ensure that adequate arrangements are in place to protect members of the public and others who may be affected by the activities of the Council.
19. *To carry out and complete the Health and Safety – Service Manager Self Audit and Self Assessment as and when directed by the Council's Safety Adviser. This will form part of the process of measuring the performance of the Council on health and safety.*
20. To attend Health & Safety training as advised

Employees

All employees, whatever designation are responsible for taking reasonable care for their health and safety and should do nothing which is likely to endanger themselves or other persons, whether employed by the Council or not.

All employees will:

1. Make themselves familiar with and comply with this policy, relevant guidance and observe safety rules and procedures.
2. Comply with all instructions and training given by persons responsible for health and safety.
3. Wear and maintain in good order appropriate safety protective equipment and clothing supplied by the Council.
4. Record all accidents/incidents, dangerous occurrences and near misses within the service accident book and ensure the Service Manager is informed.
5. Report all dangerous property, practices, equipment and plant to their Service Manager. If no satisfactory action is taken seek further advice from the Council's Safety Adviser and/or refer the matter in accordance with the Council's Grievance and Whistle Blower procedures.
6. Report all incidents of unacceptable behaviour in accordance with the Unacceptable Behaviour Policy and procedure.
7. Remain aware of the correct action to be taken in case of accident, fire or other similar emergency.

8. Provide assistance to visitors in the event of an emergency.
9. Attend all health and safety training sessions arranged on their behalf.

Failure to comply with instructions or interference with / misuse of anything provided in the interests of health, safety or welfare may lead to disciplinary action including dismissal.

LEAD FOR HEALTH & SAFETY

Cabinet Portfolio Holder

The Cabinet Member holds within their portfolio a responsibility for corporate health and safety arrangements on behalf of the Council.

Responsibilities include:

1. The receipt of reports concerning the performance of the Council in relation to health and safety matters
2. The approval on behalf of the Council of any other health and safety related policies.

Healthy Communities

The council's designated competent person for health and safety matters is the Healthy Communities Service Manager. The health and safety advisory function is within the Healthy Communities Service, and is provided through the Council's Safety Adviser and deputies.

Responsibilities include:

1. To assist in ensuring the Cabinet, MT, SM and relevant team leaders are adequately trained in the management of health and safety.
2. To promote the development and maintenance of health, safety and welfare practices and be available for advice as necessary.
3. To assist the Council and the Chief Executive in ensuring that the Council fulfils its responsibilities through this policy to employees and others who may be affected by the business of the council.
4. To produce the Council's Safety Policy, and modify as necessary with a formal review every 2 years.
5. To produce, and review the Council's generic health and safety risk assessments.
6. To advise on the application of and changes to statutory requirements affecting the Council.
7. To advise and assist in health and safety training requirements.
8. To prepare regular reports to the MT detailing the performance of the Council in health and safety matters.
9. To receive, maintain and analyse accident reports.
10. To carry out health and safety audits of services and work activities on a frequency determined by hazard and risk assessment.
11. To assist in the production of, and where necessary, produce guidance, policies and procedures for health and safety matters.
12. To guide, instruct and, where necessary, participate in the training of, display screen equipment (DSE) assessors and fire check staff.
13. To participate in, lead and where necessary, co-ordinate formal or informal safety meetings.
14. To coordinate the Council's Safety Group, *led by the Corporate Head of Healthy Environment*.
15. To maintain a dialogue with all services, other local authorities and outside

bodies (eg Fire Authority, Health and Safety Executive etc) on health and safety matters.

In fulfilling these responsibilities, the Council's Safety Adviser will have access to any Council work place. In extreme circumstances, where it is felt there is imminent danger, shall have the right to insist that particular work *or use of that equipment* should cease or be changed until steps can be taken to rectify the defects. *In addition such equipment may be removed if deemed so unsafe*

Safety Representatives

The Council recognises the appointment of safety representatives by recognised trade unions. The Council will provide safety representatives with the necessary time off with pay to attend training courses approved by the TUC or their union and to carry out their functions. The Council will also provide such reasonable facilities as may be required to assist in the performance of these functions. Functions include:

1. The investigation of potential hazards and dangerous occurrences at the workplace (whether or not they are drawn to their attention by the employees they represent).
2. The examination of the causes of accidents at the workplace.
3. The investigation of complaints by any employee represented, related to that employee's health, safety or welfare at work.
4. To make representations to the Council on matters arising out of the above functions.
5. To make representations to the Council on general matters affecting the health, safety or welfare at work of the employees at the workplace.
6. To carry out workplace inspections.
7. To represent the member employees in consultations at the workplace with inspectors of the Health & Safety Executive and of any other enforcing authority.
8. To receive information from inspectors in accordance with the Health & Safety at Work etc Act.
9. To attend meetings of safety committees in connection with any of the above functions.

ARRANGEMENTS

General

The following arrangements supplement the policy but are not intended to be exhaustive. Constant observance of the policy, adherence to rules and maintenance of good practices and procedures will prevent personal suffering and injury and in some cases, property and equipment damage.

Consultation

Employees will be consulted on health and safety matters either directly through line management at team /service meetings or 121s, through all staff briefings or by safety representatives.

Employees can make suggestions to improve health and safety *at any level of the organisation and by whatever means and in addition through* the staff suggestion scheme or directly to the Council's Safety Adviser by telephone, visit, e. mail or the

intranet.

Employees can raise concerns directly to the Council's Safety Adviser or by making use of the Council's *Whistle Blower* scheme, *details of which can be found on the Council's intranet*.

The Council will establish a Safety Group led by *the Corporate Head of Healthy Environment*. Terms of reference will be developed. This group will assist in developing the Council's policy and procedure.

Training, Instruction & Supervision

The Council recognises its responsibility for training, instruction and supervision in health and safety for all employees. All employees must co-operate in undergoing training and instruction. Training, instruction and supervision should be provided particularly where employees are new, transferred from other workplaces or jobs, or before using new equipment or materials. This may include within areas such as manual handling, use of work equipment, use of chemicals and personal protective equipment where appropriate.

The health and safety training session "A Guide to Health & Safety For Employees" is available to all employees but is mandatory for new employees as part of the induction process. New employees will also complete an induction checklist with their line management upon employment. A copy of which will be retained on the employees personal records. Refresher training is available for existing staff. Additional and specific job related health and safety training will be arranged as necessary through the Service Manager or member of Management Team.

All Service Managers and ,*where a need is identified, selected* team leaders will train to at least IOSH Managing Safely level and will achieve the relevant accreditation.

The Chief Executive, Management Team and relevant Cabinet members will attend health and safety training as advised by the Corporate Safety Adviser.

Risk Assessment

The Council are required under the Management of Health & Safety At Work Regulations to carry out health and safety risk assessments. In order to continue to fulfill the Council's commitment to providing a safe and healthy work environment and comply with the regulations the Council have provided a risk assessment manual. The manual is set out in 3 sections as follows:

1. Section 1 Generic Risk Assessments which generally apply to a group of workers as a whole over several locations. It is the responsibility of the Council's Safety Adviser to review, alter, amend and add to these generic risk assessments as necessary.
2. Section 2 Management Risk Assessment Procedure which is a practical step by step guide to carrying out risk assessments including blank forms for use by Service Managers or member of Management Team.
3. Section 3 Service/Site Specific Risk Assessments completed by the Service Manager or member of Management Team.

All employees will be made aware of the significant findings of the risk assessments and their responsibilities for ensuring that the control measures are suitably implemented. Awareness will be through induction, training, appraisals, meetings or any other such measures as deemed appropriate by the Service Manager or member of Management Team member.

A copy of sections 1 & 2 of the risk assessment manual is maintained on the health & safety page of the Council's intranet .Hard copies of the manual including section 3 the service / site specific risk assessments are held within each service.

Risk assessments will be reviewed in accordance with step 9 of the management risk assessment procedure detailed within the manual.

First aid

Qualified first aiders and/or appointed persons are provided to cover the offices and areas of work activity of the Council. Names of first aiders and the location of suitably stocked first aid boxes are displayed on notices in prominent areas within each service area. Portable first aid kits will be provided within Council vehicles as determined by the Service Manager or member of Management Team.

In the case of an injury requiring first aid and the absence of qualified first aiders, ***first aid should not be administered although*** the contents of the first aid box may be offered to the injured person, ***pending appropriate treatment. Do not offer first aid treatment unless trained to do so and only offer treatment to the appropriate level of training.***

Accident & Incident Reports

All accidents, incidents and near misses which have any implications with respect to health, safety and welfare must be recorded and reported in accordance with the Council's accident/incident procedure contained within the Council's accident book.

Every Service has access to an accident book within their service area. All employees should make themselves familiar with the accident book and its location within their area of work.

A guidance procedure for investigating and reporting accidents/incidents is available for Service Managers and members of Management Team on the intranet. ***Where necessary an accident investigation team may need to be set up this will be co-ordinated by the Service Manager or member of Management Team in conjunction with the Council's Safety Adviser.***

It is a legal requirement under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations to report certain specified accidents and work-related ill health. Guidance is available within the Council's accident book and also through the Council's Safety Adviser.

Fire & Evacuation Procedure

All employees are responsible for ensuring that they are fully aware of the fire and emergency procedures for their place of work. Trained Fire Check Staff are available within all services/sites and tasked with duties which include carrying out fire safety audits and dissemination of information to employees. Detailed information is set out

in the Council's Fire Safety Policy and Procedure.

Bomb Threats and Suspicious Package/Letter Guidance is available and issued to all staff at induction. Employees should ensure that they are aware of this guidance and the action to be taken in the event of an emergency. *In addition the guidance is available on the Council's intranet.*

Housekeeping

Everyone has a vital part to play in ensuring good standards of housekeeping. It is essential to conform to the arrangements for:

1. Proper storage of clothing, tools, materials and equipment.
2. Articles not in immediate use to be placed in proper storage, to keep floor/ground area clear.
3. Storage and disposal of waste.
4. Correct positioning of furniture, equipment and storage facilities.
5. Maintaining corridors, access, egress and emergency escape routes free from obstruction at all times.
6. *Fire doors marked as such should be kept closed at all times as directed by the sign.*

Slips and Trips

Slip and trip accidents are the most common cause of major accidents at work and can happen for a number of reasons. In order to prevent slips and trips the Council and where appropriate employees will ensure that:

1. Flooring is suitable for the type of work activity and is also cleaned and fitted correctly and maintained in good order
2. Stairs have high visibility, non slip square nosed edgings to step, suitable hand rails and steps of equal height and width.
3. Contamination caused by anything that ends up on the floor for example, water, oil, dust is cleaned effectively and quickly
4. There are effective levels of housekeeping in order to avoid obstacles, to include, suitable walkways through the workplace, no trailing cables nor obstructions, and suitable storage space.
5. There is an effective cleaning regime which incorporates good communication, training and supervision, with the correct cleaning products and equipment.
6. There is a positive 'See it, sort it!' attitude and consideration is given to how movement is carried out throughout the work areas
7. Consideration is given to environmental issues such as lighting (natural or otherwise), the weather, humidity, condensation etc.
8. Suitable footwear for the work activity is worn and where appropriate provided by the Council as determined by a risk assessment.

Smoking Policy

The council is committed to fully complying with the Smoke free legislation. The Council operates a Smoking Policy which establishes a set of standards for ensuring a smoke free working environment. In addition Service Managers Guidance is provided in order to ensure employees and visitors to the Council adhere to the legislation and

Council policy.

Work Equipment

Any work equipment which is used by an employee at work is covered by the Provision and Use of Work Equipment Regulations (PUWER). Service Managers or member of Management Team will ensure that equipment provided for use at work is:

1. Suitable for the intended use
2. Suitably controlled through a risk assessment which clearly identifies control measures to be implemented
3. Safe for use, maintained in safe condition and where appropriate inspected to ensure this remains the case. Records will be kept to this effect.
4. Used only by people who have received adequate information, instruction and training, which is recorded for the individual.
5. Accompanied by suitable safety measures eg. Protective devices, markings, warnings.

Display Screen Equipment (DSE)

In order to comply with the Health and Safety (Display Screen Equipment) Regulations Service Managers or member of Management Team will ensure:

1. There is an appointed and trained DSE assessor for their areas of responsibility. All assessors are trained by the Corporate Safety Adviser to carry out their role and are provided with written duties in order to ensure their areas of responsibilities comply with the provisions of the legislation.
2. DSE assessors assess all DSE workstations and complete the Council's assessment sheet with the DSE user. Findings of such assessments are addressed through the relevant Service Manager or member of Management Team.
3. Training specifically on the safe use of DSE is available to all staff. This training is mandatory to users identified during assessments and as part of the induction of new employees and is carried out by the Corporate Safety Adviser.
4. Eye and eyesight tests are made available to DSE users. Employees will be advised of this arrangement through the DSE assessment process. Eye examinations fees and any contribution towards the provision of spectacles or their adaptations where this is necessary for work purposes is coordinated through Human Resources and Operational Development.

Driving and Workplace Transport

- **Drivers.** All employees where driving is part of their work should be competent, trained and fit and healthy so as not to put themselves or others at risk. A copy of a full driving licence (card and paper), will be checked as part of the employee's induction and annually thereafter by the relevant Service Manager or member of Management Team. Employees should satisfy the eyesight requirements set out in the Highway Code.

No employee should drive or operate vehicles if they have taken alcohol or illicit drugs or have reason to believe that they may be under the effect of alcohol or illicit drugs. Employees should inform their line manager where they are taking any medication, whether prescribed or bought over-the-counter, which may effect their ability to drive safely.

It is illegal to use a mobile phone whilst driving and as such drivers could face legal action through the Police Authority and additional disciplinary action by the Council. Hands free facilities may be available within vehicles or to drivers, however the use of hands free sets should be monitored as there is still the risk that drivers may be distracted by calls taken whilst driving. In the absence of a hands free facility, mobile phones should be set to answer phone and calls should only be taken when this is both safe and legal to do so.

Young drivers and those with limited experience will be offered support and coaching and their progress will be monitored through the relevant Service Manager or member of Management Team.

Safe driver training is available through Human Resources & Organisational Development. Any additional training/testing necessary for the vehicle is the responsibility of the relevant Service Manager or member of Management Team.

- **Vehicles.** Where vehicles are provided by the Council these will be fit for purpose and maintained in road worthy order. Planned and preventative maintenance of Council vehicles will be carried out in accordance with manufacturers' recommendations. Any additional basic safety checks will be carried out by drivers as directed by the Council.

The Council will maintain appropriate levels of vehicle insurance. Where employees use their own vehicle for work they should maintain the vehicle in satisfactory road worthy condition and ensure that they have an appropriate level of vehicle insurance to include business use at all times. *In addition a copy of the insurance policy detailing that business use is included should be provided annually to the relevant Service Manager or member of Management Team. This should be provided as part of the aforementioned driving licence checks.*

- **Workplace.** The Council will ensure that traffic routes and surfaces under its control are suitable for purpose and not uneven, potholed, sloped or slippery. Suitable and sufficient lighting will be maintained and where necessary signs, signals and markings will be provided. Those employees responsible for the receipt of deliveries should ensure that arrangements are in place so these are carried out in a safe manner with minimal risk to pedestrians, in particular where the reversing of vehicles cannot be avoided.

Contractors & Sub-Contractors

Service Managers or member of Management Team will ensure that contractors and sub-contractors employed by or on behalf of the Council or any other individuals or organisations acting on behalf of the council have the ability and resources for effectively managing health and safety, thus protecting all who may be affected.

The responsible client officer must ensure that every contract awarded contains a provision that safe methods of work will be employed and full compliance with the health and safety legislation is expected. Obtaining a copy of the organisation's signed safety policy and example risk assessments will assist in demonstrating this.

The responsible client officer should ensure safety matters are monitored in order to

ensure compliance with safe working methods and health and safety legislation. Where the contractor fails to meet the health and safety standards suitable penalties may be instigated.

Hazardous Substances

Service Managers or member of Management Team will identify all substances which require an assessment under the Control of Substances Hazardous to Health Regulations (COSHH). An assessment using the COSHH assessment form contained within Section 2 of the Risk Assessment Manual will be completed. All control measures detailed within the assessment will be implemented and brought to the attention of those employees who may be affected. The completed COSHH assessment form will be retained within Section 3 of the Service/Site Risk Assessment Manual.

Asbestos

Asbestos was extensively used as a building material in the UK from the 1950s through to the mid 1980s. It was used for a variety of purposes and was ideal for fireproofing and insulation. Asbestos materials in good condition are safe unless fibres become airborne. The three main diseases caused by asbestos are mesothelioma, lung cancer and asbestosis. These diseases do not cause an illness immediately but become evident in years to come.

The Control of Asbestos Regulations cover the prohibition of asbestos, the control of asbestos at work and asbestos licensing. In order to comply with this legislation the Council operates an Asbestos Policy and associated risk assessment procedure. In addition Asset & Facilities and Repairs & Improvements carry out surveys of council owned domestic and non-domestic premises in order to demonstrate the “duty to manage” section of the legislation.

Personal Protective Equipment (PPE)

PPE will be issued to employees where a risk or COSHH assessment details this requirement. The Service Manager or member of Management Team in conjunction with the employee will ensure that PPE is:

- Appropriate for the risk(s) involved
- Capable of fitting the wearer correctly
- Not affecting the state of health of the wearer.

All employees should wear safety equipment for their work where provided and notify their line manager if this becomes damaged, defective or lost. The Service Manager or member of Management Team should retain records in relation to the provision of PPE to include the date of issue, nature of equipment, training given in use and any date for replacement.

Manual Handling

The Manual Handling Operations Regulations apply to a wide range of manual handling activities, including lifting, lowering, pushing, pulling or carrying. The load may be either inanimate - such as a box or a trolley, or animate - a person or an animal. Work related musculoskeletal disorders (MSDs) include problems such as low back pain, joint injuries and repetitive strain injuries of various sorts and are often associated with manual handling operations.

The Manual Handling Operations Regulations set no specific requirements such as weight limits although they do establish the following:

- Avoid hazardous manual handling operations so far as is reasonably practicable, for example by redesigning the task to avoid moving the load or by automating or mechanizing the process.
- Make a suitable and sufficient assessment of any hazardous manual handling operations that cannot be avoided.
- Reduce the risk of injury from those operations so far as is reasonably practicable, for example the provision of mechanical assistance such as a sack trolley or hoist.

All manual handling tasks with a significant risk of injury will be suitably risk assessed and control measures implemented, where required and reasonably practicable and in accordance with the Manual Handling Operations Regulations and the Council's generic risk assessment.

Where the need for an assessment is identified this will be carried out by the Service Manager or member of Management Team and where necessary advice will be sought through the Corporate Safety Adviser. The assessment will cover the task, individual capability, the load, the working environment, and other factors such as PPE. Consideration will be given during any such assessment to the Health & Safety Executive's (HSE) manual handling assessment chart (MAC). The MAC tool will assist in identifying high-risk manual handling operations and the completion of the risk assessment.

The assessment will identify where specific information and training on manual handling operations, injury risks and prevention is needed for employees. Completed assessments will be recorded within section 3 of the Service/Site Risk Assessment manual.

Unacceptable Behaviour

The Council will take all practical measures available to reduce the incidence of unacceptable behaviour directed towards employees and those acting on its behalf during or as a result of the work activity. People may act out of character in times of trouble or distress particularly following upsetting or distressing circumstances. The Council does not view behaviour as unacceptable just because a person is forceful or determined. However, the actions of a person who is angry, demanding and/or persistent may result in unreasonable demands on the Council or unacceptable behaviour towards employees.

Unacceptable behaviours include:

- Aggressive or abusive behaviour which is not restricted to acts of aggression that may result in physical harm
- Unreasonable demands which will depend on the circumstances surrounding the behaviour and the seriousness of the issues raised
- Unreasonable persistence where for example these are taking up an unreasonable amount of time and resources.

The Council operates an Unacceptable Behaviour Policy and procedure. The procedure clearly states the way in which a report made by an employee will be

addressed by all those with responsibility. Staff guidance notes and training is available. Training available includes customer care and quality, dealing with difficult customers and coping with aggression and violence within the workplace and is available to employees and elected members upon request or when the need is identified through a risk assessment.

Service Managers or member of Management Team is responsible for ensuring that employees are aware of the policy and procedure and provide appropriate support and investigation following a report of unacceptable behaviour.

The Unacceptable Behaviour Policy and procedure is available on the health & safety page of the intranet. The Council operates an “exercise with caution list” which contains details of persons who have carried out acts of unacceptable behaviour towards Council employees and others acting on its behalf. The list also details persons provided through agreed third parties such as the police, probation service, social services, health authority. Service Managers and members of Management Team are provided with a copy of the “exercise with caution” list for them to raise to relevant front line employees others acting on behalf of the Council.

Lone Working

Lone workers face particular risks when carrying out work activities outside the security of council premises. Service Managers or member or Management Team will, at minimum, ensure the implementation of the control measures detailed within the generic risk assessments of the Council’s risk assessment manual. Further training, instruction and guidance notes may need to be developed by the Service Manager or member of Management Team, particularly where employees are involved in cash handling or contentious matters. *Arrangements should also be put in place by Service Managers and members of Management Team in order to ensure the protection of employees working within Council owned premises out of normal hours of opening.*

Work-Related Stress

Well designed, organised and managed work helps to maintain and promote individual health and well-being. Where there has been insufficient attention to job design, work organisation and management the benefits associated with “good work” could be lost. One common result is work-related stress. Work-related stress means the process which arises where work demands of various types and combinations exceed an employee’s capacity and capability to cope.

The Health & Safety Executive’s (HSE) definition of work-related stress is :
“The adverse reaction people have to excessive pressures or other types of demand placed on them at work.”

Stress is not an illness it is a state and a natural reaction to too much pressure. If stress becomes too excessive and prolonged, mental and physical illness may develop. Signs of stress in individuals include emotional symptoms, mental symptoms and changes in behaviour. Everyone has a part to play, at every level of the Council in recognising changes in behaviour, being aware that something is wrong with an individual or group and taking prompt action in dealing with work-related stress. *When considering stress the issue of bullying should also form part of any assessment.*

Why should action be taken?

- Benefits to individuals, teams and the organisation
- Legal requirements
- Corporate social responsibility (CSR)

Policy and arrangements for dealing with stress are co-ordinated by Human Resources and Organisational Development. The Employee Assistance Programme (EAP) is available to all employees in order to provide confidential guidance or advice on either personal or work related issues as requested. In addition the Council operate a Sickness and Absence Policy with full management and employee participation. Procedures are in place to cover home visits, absentee contact, monitoring arrangements and where necessary support and return to work arrangements.

Working Time

The Working Time Regulations cover such areas as pattern of work, daily and weekly rest periods, rest break entitlements, paid annual leave entitlements and night work limits including health assessments. The Council have processes in place to comply with these legal requirements but where there are issues further advice can be sought through the Council's Safety Adviser.

Health, Work & Wellbeing

The Council through this Health & Safety Policy will contribute towards the Government's Health, Work and Wellbeing Programme which aims to prevent people becoming injured or ill, keep them healthy in work and provide accessible support to enable them to remain or return to work more quickly.

Wellbeing for an organisation needs:

- Effective leadership
- Positive environment
- Focus on health
- Optimum work/home balance

The challenge for the Council is keeping employees healthy, at work and where they are absent from work supporting them in their return.

HEALTH & SAFETY AT WORK

Health & Safety Policy Booklet

Employee Acknowledgement

I acknowledge that I have **received** the Council's Health & Safety Booklet. I **have been made** aware of my responsibilities and the arrangements in place to ensure my health & safety whilst at work. I have raised the following health & safety matters with my line manager which they will address as appropriate:

Induction Check List completed

Date.....

Health & Safety for Employees or equivalent attended

Date.....

Employee Name.....Signature.....

Line Manager Name.....Signature.....

Service.....

Service Manager/Management Team Name.....

Date.....

REPORT TO CABINET

REPORT OF: PORTFOLIO HOLDER OF ACCESS AND ENGAGEMENT

REPORT NO: POI39

DATE: 6 JULY 2009

TITLE:	SUSTAINABLE COMMUNITIES ACT 2007: FIRST INVITATION TO LOCAL AUTHORITIES TO SUBMIT PROPOSALS	
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	KEY DECISION	
PORTFOLIO HOLDER: NAME AND DESIGNATION:	Councillor Ray Auger, Access and Engagement	
CONTACT OFFICER:	Robert Moreland, Corporate Head Partnerships and Improvement Tel 01476 406069, r.moreland@southkesteven.gov.uk	
INITIAL IMPACT ASSESSMENT: Equality and Diversity	Carried out and Referred to in paragraph (7) below: NA	Full impact assessment Required:
FREEDOM OF INFORMATION ACT:	This report is publicly available via the Local Democracy link on the Council's website: www.southkesteven.gov.uk	
BACKGROUND PAPERS	Reports to Cabinet 9 May 2009, Communities PDG November 2008 and Engagement PDG 26 February 2009	

1. RECOMMENDATIONS

It is recommended that the Cabinet:

- a) Consider the feedback from the Tenants Panel and Housing Consultative Group.
- b) Consider whether to submit the proposal on retaining 100% of council housing rent collected to the government by 31 July 2009.

2. PURPOSE OF THE REPORT/DECISION REQUIRED

The Cabinet agreed at a previous meeting (11 May) to use the Sustainable Communities Act 2007 and to consult housing tenants on a proposal to use the Act to request that the government allows the council to keep all of the rent collected locally and for it to be spent on improving council housing, reducing those houses environmental impact and investing in new affordable housing.

3. DETAILS OF REPORT

The Sustainable Communities Act allows councils to make proposals to the government which they consider would "contribute to promoting the sustainability of local communities". The definition of sustainability is deliberately wide and can include largely anything that would encourage the improvement of the economic, social or environmental well being of a local area.

The Secretary of State for Communities and Local Government has consulted on the procedure councils need to follow if they wish to submit proposals and has formally invited councils to submit proposals by 31 July 2009.

Proposals to be submitted need to require some kind of national action by the government to be implemented; they shouldn't be something councils have the power to do already. Proposals can involve the transfer of functions from government and central government agencies to local councils along with the relevant budgets.

Proposals are required to be first submitted to the Local Government Association (LGA) who will put together a 'short -list' for consideration by the Secretary of State. The Secretary of State will then decide which proposals from the short list should be implemented. The LGA have put together a question and answer sheet which is attached.

The Council's Policy Development Groups considered the potential of using this Act at a number of meetings and the Cabinet agreed to take forward the idea of using the Act to consult on the proposal to retain 100% of the council house rent collected.

Consulting with tenants -since the last meeting the council has consulted with the District Wide Tenants' Panel on this proposal. The panel discussion included a number of individual tenants from across the district (independents) as well as a number of tenant representatives for the supported housing forum, the district association and the estate management group. The Panel discussed the proposal at its meeting on 1st June and unanimously agreed to support it going forward. One of the panel members reported that the East Midland Tenant Forum were also

supportive of the campaign for councils to retain 100% of the rent they collect.

The Housing Consultative Group met on 8th June and also gave their support to this proposal.

This issue of the negative impact experienced by the Housing Revenue Account (HRA) is one that the council has been campaigning on for some time. In the last year some £5.8m rental income was returned to central government and this is forecast to rise significantly in future years.

While the government have carried out a review of the housing subsidy system no proposals for changing the current arrangement have been proposed to date. This situation has contributed to the council's housing revenue account being in deficit with HRA reserves having to be used to keep it in balance. If the council were able to keep all of the rent paid by its tenants the HRA could be balanced more speedily and the surplus could be used to invest in improving the stock, increasing their energy efficiency and investing in new affordable housing. If this power were extended to other local authorities it would also enhance the potential of the proposed project to develop new social housing with the other Lincolnshire councils with their own social housing.

The council is currently completing a comprehensive housing condition stock survey which will help shape the housing improvement programme for future years. A key determinant for the council being able to afford to make the level of investment required to support any improvement programme will be the viability of the housing revenue account.

4. RESOURCE IMPLICATIONS

Clearly if the council were successful in retaining all of its council home rents then further work would need to be done to develop how this funding would be used and to revise the Housing Revenue Account in future years.

5. RISK AND MITIGATION (INCLUDING HEALTH AND SAFETY AND DATA QUALITY)

If the council is unable to make the necessary investment required to maintain its housing stock it may mean that it is unable to improve the energy efficiency of the properties thereby impacting on climate change.

6. ISSUES ARISING FROM EQUALITY IMPACT ASSESSMENT

None at this stage

7. CRIME AND DISORDER IMPLICATIONS

Poor housing stock can also lead to wider environmental impacts affecting crime and disorder.

8. COMMENTS OF SECTION 151 OFFICER

The Council approved budget does not include any financial consequences of proposals arising from the Sustainable Communities Act. Clearly if this proposal was adopted then the financial implications of these would need to be accurately modelled and incorporated into future budget presentations to Council.

9. COMMENTS OF MONITORING OFFICER

The recommendation to Cabinet is for it to consider use of new powers under the Act as detailed. Any proposal should be submitted under the Act on the basis of public consultation. Cabinet should consider the results of consultation before any submissions are made

10. APPENDICES:

Questions and answers about the Sustainable Communities Act 2007

What does the Sustainable Communities Act aim to do?

It encourages local communities to come forward with ideas and proposals to promote the sustainability of their local area. 'Sustainability' is defined in the Act in very broad terms, and can cover anything which could improve the economic, social, or environmental well-being of the area, or promote participation in civic or political activity.

Who can put forward proposals?

Ultimately anyone can suggest a proposal, via their council. The expectation is that most proposals will come from community organisations, local branches of national organisations, parish and town councils, neighbourhood forums, residents and tenants associations, local strategic partnerships and other partnership bodies. Proposals can be developed by councils themselves, who will need to discuss these ideas with local panels (explained later) and try to reach agreement. Ideas could be generated through the development of sustainable community strategies and local area agreements.

Does the Act bring any more Government funds to local areas?

No, there is no specific budget to distribute under the Act. Although proposals could be made to government which would require new funding, generally proposals under the Act will need to be resourced from existing public funds.

How do I make a proposal under the Act?

Contact your council. All proposals under the Act will need to be submitted via local councils, who have discussed them with local panels. Councils will then decide which to send on to a national 'Selector' body, whose role is to consider proposals made under the Act and in co-operation with the Secretary of State, to draw up a short-list. The Local Government Association is taking on the appointed role as 'Selector' as required under section 3(1) of the Act. A final shortlist of proposals will go to the Secretary of State for Communities and Local Government who will consult with the Selector and try to reach agreement on which of the proposals on the shortlist should be implemented.

Are district councils as well as county councils involved?

Yes. All councils in England, other than town and parish councils, can submit proposals to the Selector. Parish and town councils will need to submit proposals via one of the principal councils in their area. They could also be represented on community panels.

Why has the Local Government Association been chosen as Selector?

The Act requires the Secretary of State to appoint a Selector 'who represents the interests of local authorities'. The Local Government Association, formed in 1997, is a membership body representing county and district councils, unitary authorities and London Boroughs, along with fire, police, national

park, and transport authorities. It is therefore well placed to carry out the Selector role. The intention to appoint the LGA as Selector was made clear when Parliament was considering the Bill.

Who has the final say on which proposals are put into effect?

The Secretary of State decides, but in doing this the Act requires her/him to co-operate with the Selector (the Local Government Association) 'and try to reach agreement' on proposals. The Secretary of State also has to publish reasons for decisions, to publish an action plan on how proposals will be implemented, and report to Parliament each year on progress being made under the Act.

When can I submit a proposal?

The first invitation to make proposals must be issued by the Secretary of State (currently Hazel Blears) by 23 October 2008. There will then be at least a six month period for the development of proposals locally and submission to the Selector, allowing for the requirement for community engagement. Further information on the process to be followed will be published alongside the invitation.

Are there any specific criteria for proposals under the Act?

A basic criterion is that proposals must be ones that need some form of action from central government (such as a change in legislation, a transfer of responsibilities from one public body to another, a new national policy or a change or strengthening of policy). In considering proposals, local councils will need to distinguish between those which could happen anyway, if agreed at local level, and those which need central government action or intervention of some sort. The latter category covers those appropriate to be submitted onwards, firstly to the LGA as Selector and potentially to the Secretary of State. The LGA will be developing some further criteria, to give some guidance on what sort of proposals have greatest chance of success. These criteria are likely to remain broad-brush, to avoid excluding good ideas, large or small.

Is there any Government guidance on how the Act will work?

Yes, there has been recent consultation on draft statutory guidance. The final version has been published as an annex to wider guidance, titled *Creating Strong and Prosperous Communities*, and is available from the [CLG website](#).

Does the Act require each local authority to get involved?

No. Local authorities are not under a legal duty to participate, and could choose not to promote the Act locally and to ignore any proposals coming forward from residents or businesses. But councilors could then face pressure and lobbying from groups and organisations interested in making proposals, and would need to explain to the public why they were unwilling to make use of the Act. It is expected that the majority of councils will choose to take part. Councils can engage with its provisions in the first round of proposals or in subsequent rounds – although the timing of these has not yet been fixed.

Is there a formal process for councils to 'opt in' to the Act?

No, there is no such requirement or process. Councils can choose whether or not to engage locally in discussions about proposals, and then later whether or not to submit any to the Selector.

Where did the Act come from?

It started life as a Private Members Bill, promoted by a coalition of organisations interested in local sustainability. The Bill was sponsored in Parliament by Nick Hurd MP and gained wide cross-party support. The Communities and Local Government Department (CLG) is supporting implementation of the Act, as part of the wider agenda on 'place-shaping' and community empowerment and issued a [Guide to the Act](#) in February this year.

How will a local council go about considering proposals under the Act?

Before submitting any proposals to the LGA as the national Selector, each council will need to go through several steps: establish or identify a panel (or panels) of local people and work with them to develop proposals which would promote sustainability. This might be a newly established panel, or an existing local consultative panel or forum which meets the requirements of the Act. Try and reach agreement with the panel, about the merits of a proposal and priorities between different proposals. Consult with those parties affected if the proposal involves the transfer of a responsibility from one public body to another. 'have regard' to a list of matters set out in a Schedule to the Act, and which reflect issues of concern to organisations which supported the Act during its passage through Parliament (such as preserving local jobs, services and facilities, energy conservation, sustainable transport and food production). make a formal decision (via the full council or council cabinet) on whether to forward the proposal onwards to the Selector.

How will such panels be made up? Who sits on them?

The arrangements for local panels are set out in the Act, and in CLG Guidance and Regulations. However, the legislation and guidance are not prescriptive about panels, only requiring that they must be made up of 'representatives of local persons'. This is defined as 'a balanced selection of the individuals, groups or organisations the authority considers likely to be affected by, or have an interest in the proposal'. The guidance also suggests that local authorities may want to involve parish councils in their panels. In this context, the term 'representative' does not refer to formally elected or nominated members of the community such as councillors or officeholders in community organisations (although such individuals are not excluded from taking part in panels).

Who decides whether a panel meets the Act's requirements?

It is left to local councils to use their judgement as to whether an existing panel or a new panel would be required to meet the legal requirements of the Act. Councils need to ensure adequate representation from often under-represented groups (defined in Guidance as 'those groups of local persons who in the opinion of the local authority are under-represented in civic and political activity in the authority's area'). Councils can decide whether to have one panel, or to establish several panels on a geographic or thematic basis. They may use existing consultative panels or forums set up for another reason (such as development of the area's sustainable community strategy, or established neighbourhood/area forums, youth councils, and so on) so as to avoid extra costs and duplication. In such circumstances, councils will need to ensure that existing panels properly meet all the requirements of the Sustainable Communities Act.

What is the significance of the Schedule to the Act, listing matters 'to which local authorities must have regard'?

This schedule contains a list of matters, as decided by Parliament, which local councils will need to think about when considering and deciding on proposals. The list is intended to help councils decide whether proposals will contribute to the sustainability and wellbeing of the area. The list illustrates the type of issues with which proposals might be concerned, but the Schedule should not dictate or constrain the scope of proposals, if local people and the councils have other ideas which will contribute to a more sustainable community.

Is there a limit on the number of proposals that a council can put forward to the national Selector?

No, the Act sets no limits on the number of proposals that can be made. Depending on the level of interest and number of proposals received, the LGA will need to take a view on how many to short-list for discussion with the Secretary of State.

Are there any limitations on proposals for 'transfer of functions'?

No. The Act states that 'a proposal may include the request for a transfer of functions from one person to another'. The CLG guide to the Act interprets this as the transfer from one public body to another. Potentially the Act allows for proposals that involve significant shifts in responsibilities across the public sector, including Government and regional agencies and quangos (Non Departmental Public Bodies) as well as local service providers. Such proposals would need to demonstrate why they would improve economic, social or environmental wellbeing in the locality from where the proposal is made. The agency concerned must be consulted about this proposal, but is not required to support it.

If a function transfers, does the budget go with it?

Where a successful case is made for the transfer of responsibilities from one public body to one or more others, relevant budgets would transfer across at the same time. The Local Spending Reports (explained below) are intended to provide information to support this process. As in all such cases, there would be issues to be resolved about adequacy of budgets, and the extent to which they were secure for the longer-term.

Can a function be transferred from the private sector to the public sector?

Nothing in the Act prevents such proposals being made, but the Act does not create any new means of over-riding private law rights or contractual agreements. There will be inevitable complications over what are seen as 'public' services provided by bodies not in public sector (such as transport operators, housing associations and Registered Social Landlords).

The Act involves 'Local Spending Reports'. What are these?

An important part of the Act is a new requirement on the Government to ensure the publication of information about public expenditure in different areas and localities across England. The aim is to give people a better picture of how public money is currently spent, and encourage ideas for spending it more effectively, and in ways which contribute better to sustainability. At the moment there is little easily accessible information available on the geographic distribution of all public expenditure, at anything lower than a regional level.

What will Local Spending Reports include?

The government will be issuing a discussion paper in autumn 2008 on the scope and format of spending reports. Issues to be decided include the geographic level

for such reports (for example whether information will match local authority boundaries at district level, as well as county level), and the expenditure categories to be used.

When will the first Local Spending Reports become available?

The Act requires arrangements to be in place by April 2009. CLG have stated in the past that they hope for earlier publication.

How will the Selector role work?

This is still being discussed between the Local Government Association and CLG and more details will be published in October 2008. The initial thinking is: There will be an initial deadline for proposals, allowing several months following the October 2008 first invitation for ideas to be worked up and discussed at local level. There is likely to be an option (not a requirement) to submit an initial expression of interest: short summaries from councils who want to float an idea to see if it gathers support, or is also being considered by others. A simple format for proposals to be submitted to the Selector will be available. The LGA hopes to publish (via the Selector website) brief details of proposals as they come in. This should help ensure the system is open and transparent and will allow people to build on ideas coming from different parts of the country.

Who will be doing the 'selecting', 'within the Local Government Association?

The LGA is a membership organisation, made up of local councils in England (almost all councils are members). It works as a cross-party organisation, via a series of boards made up of councillors from different local authorities. The political balance across these boards reflects the state of the political parties within local councils across England, at any point in time. Agendas and decisions of LGA boards are published on the LGA website: [LGA decision-making bodies](#) Decisions on which proposals to short-list will be made by a new LGA Selector body, set up specifically for the purpose. It will be made up of councillors, drawn from across the political parties represented on the LGA.

How will proposals be assessed?

Depending on the nature of the proposal the assessment will need to cover questions such as. Does the proposal require action from central government, or is it something that a local council or (other local partner body) could do anyway? How will it contribute to environmental, economic and/or social sustainability, (including participation in civic and political activity)? What will be the impact of the proposal, in terms of geographic area or population affected. Is it of very local significance or potential sub-regional impact? The LGA is likely to short-list smallscale as well as larger ideas, in keeping with the devolutionary intent of the Act. What legal issues might be involved? Do any local bodies (council, police, health, others)

already have the necessary powers? If there are proposals for transfer of functions, what other bodies are affected? Have they been consulted?

Have the Act's requirements for engagement with a community panel been met, and what evidence is there of local support for the proposal?

Have the various matters in the Schedule to the Act been taken into account, where relevant to an individual proposal?

Who pays for the costs of implementing the Act?

The Act states that Parliament will meet the costs. Negotiations between the LGA and CLG on meeting the costs of the Selector role have yet to be concluded, and the LGA will want to ensure that costs of the selection process are fully reimbursed by Government and do not fall on councils and council-tax payers.

REPORT TO CABINET

REPORT OF: Portfolio Holder for Resources and Assets

REPORT NO: TSE36

DATE: 6 July 2009

TITLE:	MATERIALS CONTRACT	
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	Key decision	
PORTFOLIO HOLDER: NAME AND DESIGNATION:	Cllr M Taylor, Resources and Assets Portfolio Holder	
CONTACT OFFICER:	Tony Campbell, Director of Tenancy Services 01476 406501 t.campbell@southkesteven.gov.uk	
INITIAL IMPACT ASSESSMENT:	Carried out and Referred to in paragraph (7) below:	Full impact assessment Required:
Equality and Diversity		
FREEDOM OF INFORMATION ACT:	This report is publicly available via the Local Democracy link on the Council's website: www.southkesteven.gov.uk	
BACKGROUND PAPERS	None	

1. RECOMMENDATIONS

This report recommends that Cabinet:

- Agree for the council to purchase the materials used by the Works team through the framework agreements set up by Procurement for Housing (PfH) and the Eastern Shires Purchasing Organisation (ESPO).

2. PURPOSE OF THE REPORT/DECISION REQUIRED

The Council has a budget of £450,000 for the Works team's use of materials in the repairs service. Using the framework agreements set up by PfH and ESPO will enable us to have the flexibility to use a range of suppliers rather than obtaining materials through a sole supplier.

3. DETAILS OF REPORT (SUMMARY – USE APPENDICES FOR DETAILED INFORMATION)

The Works team use a number of local merchants for the materials used in the responsive repairs service. The budget for materials in 2009/10 is £450,000. At this value any contract for the supply of materials must be tendered in accordance with European procurement legislation and the Public Contract Regulations 2006.

However, PfH and ESPO have already established framework agreements for supplying the type of materials used by our Works team. These frameworks are EU procurement compliant and Procurement Lincolnshire have confirmed that they are happy for us to use these agreements, subject to us demonstrating value for money for the materials. There are no joining fees for ESPO and PfH.

Joining PFH and using their framework agreements would save us the time and resources that would be used if we were to advertise for the contract ourselves. We have carried out a benchmarking exercise comparing the costs for commonly used materials with PfH. This exercise shows that we can expect to achieve savings of around 6% p.a.

Another benefit offered by the framework agreements is that we can continue to use most of the suppliers we currently use as one or both of the framework agreements cover the major suppliers. The PfH agreement also offers smaller local suppliers to provide materials through the agreements provided that they match the tendered prices and join the framework through Unimer. This is an organisation which helps small firms access large framework agreements.

This flexibility is an important consideration for us, given the wide area we cover and the range of different merchants which have a base in the main towns in the district.

Both ESPO and PfH provide an invoice consolidation service which means that we would just receive one invoice a month, detailing all the materials used, rather than the hundreds of invoices we currently receive each month. Moving to monthly invoicing will produce efficiencies in both the Works and Finance teams.

Both also offer the opportunity for us to use P-cards in the future which will lead to further operational efficiencies in our administrative processes.

Through the Systems Thinking review of the repairs service, we are now evaluating the potential benefits of using van stocks managed by suppliers, rather than operating a central store. These framework agreements will not stop us directly negotiating these additional services with individual suppliers directly.

4. OTHER OPTIONS CONSIDERED

An alternative option is to tender for the materials supply contract ourselves. However, this would involve additional officer time and cost in managing the European procurement procedure. This option also does not allow the Council to take advantage of the bulk purchasing power that the framework agreements have in place.

5. RESOURCE IMPLICATIONS

Purchasing materials through these framework agreements will enable us to make savings on the materials budget of approximately 6%.

6. RISK AND MITIGATION (INCLUDING HEALTH AND SAFETY AND DATA QUALITY)

There are no significant risks associated with this recommendation to purchase materials through the existing framework agreements.

7. ISSUES ARISING FROM EQUALITY IMPACT ASSESSMENT

None.

8. CRIME AND DISORDER IMPLICATIONS

There are no crime and disorder implications associated with this report.

9. COMMENTS OF SECTION 151 OFFICER

This matter was reported to the Governance and Audit Committee by Pricewaterhouse Coopers (internal auditors) on 10 April 2008. This budget heading overspent by £52,000 in 2008/09 and the report confirms that there will be savings of 6% if the procurement proposals are agreed. These projected savings will be incorporated into the budget heading for the future financial years.

10. COMMENTS OF MONITORING OFFICER

The proposal is to contract for the supply of materials for works to council houses alone through the provision of two existing framework agreements as detailed in the report. As such agreements are not anticipated in contract procedure rules, to enter such agreements will require the completion of forms relating to the exemption of contract procedure rules. The Contract supervisor will need a detailed working knowledge of both framework agreements to ensure we comply with terms of the framework and the individual requirements of each individual supplier. The Council should also obtain written confirmation from both frameworks that the supply of goods has been advertised in accordance with the Public Contract Regulations.

11. COMMENTS OF OTHER RELEVANT SERVICE MANAGER

Liz Banner, Service Manager Asset & Facilities Management - When examining this contract from a procurement perspective, it is important that the contract number is specified in order that it can be established if mini-competition is required. It is generally accepted that if there is more than one supplier a mini-competition would be necessary, unless it can be proven that the type of materials required can only be purchased from one of the suppliers only. It is also necessary that the report writer has read the terms and conditions of this contract and that they are satisfied with their content.