

Public Document Pack

Date of meeting **Wednesday, 6th February, 2013**

Time **7.00 pm**

Venue **Civic Offices, Merrial Street, Newcastle-under-Lyme, Staffs ST5 2AG**

Contact Nick Lamper
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Cabinet

AGENDA

PART 1- OPEN AGENDA

- 1 MINUTES** **(Pages 1 - 10)**
To consider the minutes of the previous meeting held on 16th January 2013.
- 2 DECLARATIONS OF INTEREST**
To receive declarations of interest from Members on items included in the agenda.
- 3 Employer Supported Volunteering** **(Pages 11 - 30)**
- 4 Public Services (Social Value) Act 2012** **(Pages 31 - 48)**
- 5 Revenue and Capital Budgets and Council Tax 2013-14** **(Pages 49 - 52)**
- 6 Procurement of Corporate Mail Services** **(Pages 53 - 56)**
- 7 Joint Housing Allocation Policy - Minor Amendment** **(Pages 57 - 60)**
- 8 Newcastle-under-Lyme Co-operative Strategy 2013-2015** **(Pages 61 - 78)**
- 9 Financial and Performance Management Report to End of Quarter 3 (December 2012)** **(Pages 79 - 94)**
- 10 Support and Maintenance Contract for Council Telephony** **(Pages 95 - 98)**
- 11 Charging for Pre-application Planning Advice** **(Pages 99 - 110)**
- 12 URGENT BUSINESS**
To consider any business which is urgent within the meaning of Section 100B(4) of the Local Government Act 1972.

Members: Councillors Mrs Bates, Mrs Beech, Boden, Kearon, Snell, Stubbs and Williams

Members of the Council: If you identify any personal training / development requirements

from the items included in this agenda or through issues raised during the meeting, please bring them to the attention of the Committee Clerk at the close of the meeting'

Officers will be in attendance prior to the meeting for informal discussions on agenda items.

CABINET

Wednesday, 16th January, 2013

Present:- Cllr Snell – in the Chair

Councillors Mrs Bates, Mrs Beech, Boden, Kearon, Stubbs and Williams

1. APOLOGIES

There were no apologies received.

2. DECLARATIONS OF INTEREST

The Council's Monitoring Officer confirmed that the Standards Committee had granted dispensations to all Members regarding the consideration of council tax and the interests that many Members may have in properties in the Borough.

There were no declarations of interest received.

3. MINUTES

RESOLVED: That the minutes of the meeting held on Wednesday 12 December 2012 be agreed as a correct record.

4. TECHNICAL REFORMS TO COUNCIL TAX

Cabinet received a report to enable Members to consider the Technical Reforms to Council Tax Support. The Local Government Finance Act 2012 would introduce certain changes with regard to the operation of Council Tax in England. Some of the changes were to be applied generally across the scheme but others would allow individual authorities to apply discretion around how they would be applied in their own area.

The Portfolio Holder for Finance and Budget Management advised that the changes would provide an additional £81,000 of income for Newcastle Borough Council whilst affecting a minimum number of council tax payers.

The majority of the money would go to the major precepting bodies for the area including Staffordshire County Council and the Fire Service. Discussions were taking place as to how the money could be respend in Newcastle Borough.

RESOLVED: (a) That Cabinet authorise with respect to the discretion allowed by reforms to Council Tax legislation detailed within the Local Government Finance Act 2012 for charges in respect of second homes, former Class A exemptions and the Empty Homes Premium, alteration be made to existing arrangements to maximise income.

(b) That Cabinet authorise with respect to the discretion allowed by reforms to Council Tax legislation detailed within the Local Government Finance Act 2012 for charges in respect of Class C exemptions, that a 100% discount be introduced for the first 56 days and thereafter this is reduced to 0%.

5. CALCULATION OF COUNCIL TAX BASE

A report was submitted requesting Cabinet to approve the Council Tax Base to be used to calculate the 2013/14 levies for the Borough Council, the County Council, the Police Authority, the Fire Authority and each Town and Parish Council.

Sections 33 and 34 of the Local Government Finance Act 1992 required the Council to calculate the Council Tax Base for the Authority and for each of the areas covered by the Parish Council. The legislation required that the figure, when determined, be notified to precepting authorities before 31 January.

Discussions were taking place with Parish Councils as funding was provided to them and the Calculation of the Council Tax Base would affect the funding they received.

RESOLVED: That Cabinet approve, in accordance with the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012, the amounts calculated as the Council Tax Base for 2013/14 shall be as follows:

Band D Equivalent Properties

Newcastle Borough Council	34,361
Kidsgrove Town Council	6,259
Audley	2,423
Loggerheads	1,839
Balterley, Betley and Wrinehill	566
Chapel and Hill Chorlton	186
Keele	315
Madeley	1,413
Maer	245
Silverdale	1,240
Whitmore	808

6. LIVING WAGE ACCREDITATION

A report was received seeking to obtain approval from Cabinet, regarding the Living Wage Initiative with a view to the Council becoming a 'Living Wage Employer'.

The Living Wage campaign was launched by the charity London Citizens in 2001 and had cross-party support. Accreditation provided employers with a licence to the living wage employer mark. The accreditation process was relatively simple and was open to employers already paying the living wage, or those committed to an agreed timetable of implementation.

There was evidence that benefits can include: improved recruitment and retention, higher employee morale, motivation and productivity and reputational benefits of being an ethical employer. Based on posts currently filled, 19 permanent employees would be affected and up to a further 27 casual employees.

The Portfolio Holder for Finance and Budget Management had pleasure in supporting the Council on its way to implementing the Living Wage. It was hoped becoming a Living Wage employer would be expedited and the next stage would be to plan how the Living Wage could be brought in for future suppliers and sub-contractors so that they paid their employees the Living Wage and were also ethical employers.

Cabinet considered the initiative to be excellent, as it would give staff incentive and ensure the people the Council were doing business with were socially responsible.

RESOLVED: That Cabinet approve that arrangements be made for the Living Wage Initiative to be implemented for Council employees from 1 April 2013 and for the Council to obtain accreditation as a Living Wage Employer.

7. **REVENUE AND CAPITAL BUDGETS 2013/14**

A report was received reviewing progress on the completion of the revenue and capital budgets for 2013/14 following agreement of the 5 year Medium Term Financial Strategy, to enable Cabinet to recommend a robust and affordable budget for 2013/14 to the Council meeting on 27 February 2013.

It was considered that the Council was in a good position regarding the budget setting process, as there was still a month before it would be considered by Full Council. Cabinet wished to thank the Budget Review Group, the Finance team, Heads of Service and all other Officers involved for the work they had undertaken in demanding circumstances. Credit was given to the Finance Officers who had turned around the Revenue and Capital Budget, considering the lateness of the financial settlement which was received on 20 December and the many changes to such areas as business rates. The Portfolio Holder for Environment and Recycling also thanked Officers for making the budget an easy read.

It was a budget without redundancies, where there would be cuts to spending, with no effect to frontline services. There would be a freeze to Council Tax and funding would be available for a number of priorities including the Town Centre Manager, apprenticeships and home security. £100,000 had been placed in a Revenue Investment Fund to improve revenue streams. The headline figure in the press was that there would be a 2.1% reduction in spending; the figure was more realistically 5.5%. The reduction was expected to be 12-13% in 2014/2015.

It had been a positive step to bring forward the publication of the timetable to before Christmas, to make for greater Member involvement. A Budget Scrutiny Café was taking place on 17 January and effort had been made to make setting the budget an open process.

The question was raised as to whether in future years reserves would be placed into revenue streams. The Portfolio Holder for Finance and Budget Management confirmed the aim in 2014/15 was for a 'clean budget', where the budget would not be dependent upon reserves. The current draft settlement for 2014/15 would mean a gap of £1.5 million to bridge, meaning a 'clean budget' was an aggressive aim to meet.

One final report relating to the budget would be submitted to Cabinet in February. This would include a review of the balances and reserves and the comments and feedback from the Budget Scrutiny Café and the Transformation and Resources Overview and Scrutiny Committee meeting on 24 January.

It was noted that due to the lateness of receiving the settlement, it had not been possible to convey the necessary information to the Parish Councils. An email had been prepared which was ready to be sent to the Parish Clerks the following morning. This contained the information they would need for their meetings the following night to set their precepts. The Council had offered to help the Parish

Councils who did not want to increase their precepts, but the decision about whether to do so or not was dependent upon the settlements.

RESOLVED: (a) That the assumptions set out in the report be approved.

(b) That Cabinet confirm that no Council Tax increase is proposed in 2013/14.

(c) That the Transformation and Resources Overview and Scrutiny Committee be asked to consider what comments it wishes to make on the draft Budget and Council Tax proposals before the final proposals are considered at Cabinet in February 2013.

8. **SCALE OF FEES AND CHARGES 2013/14**

Cabinet received a report seeking to obtain approval for the proposed scale of fees and charges to apply from 1 April 2013. It was necessary to review the fees and charges which the Council makes in order to keep them in line with the cost of service provision and to establish the amounts to be included in the 2013/14 budget.

The preparation of the 2013/14 budget assumed an overall 2.0% increase in the amount of income raised from fees and charges in 2013/14, in line with assumptions about the rate of inflation over the period that these charges would be in force, reflecting the real increases in costs being incurred by services. The proposals had been drawn up taking account of this requirement. However, it did not mean that each charge had been increased by 2.0%, rather that charges had been amended selectively in order to achieve the desired increase in income. A great number of changes were, in fact, recommended to be frozen at their current levels and all car parking charges were being frozen in order to encourage residents and customers to visit the town centre. The Finance Team were thanked for their work and for the phrasing of the income streams.

RESOLVED: That Cabinet approve the fees and charges proposed to apply from 1 April 2013, as set out in Appendix A of the report and be submitted to the Transformation and Resources Overview and Scrutiny Committee for comment.

9. **EXCLUSION RESOLUTION**

It was resolved that the public be excluded from the meeting during consideration of an appendix to the Scale of Fees and Charges 2013/14 report as it was likely there would be a disclosure of exempt information as defined in paragraph 3 in Part 1 of Schedule 12A of the Local Government Act 1972.

10. **Scale of Fees and Charges**

11. **HOUSING CAPITAL PROGRAMME 2013/14**

A report was considered seeking Cabinet approval of the proposed 2013/14 Housing Capital Programme, taking into account the views of the Economic Development and Enterprise Overview and Scrutiny Committee.

The Council considered the Housing Capital Programme every year to ensure the Council's housing investment priorities were up to date. With limited funding available from national funding streams it was appropriate for the Council to continue using the New Homes Bonus for housing purposes. The report outlined the key options for

housing investment in the forthcoming year on the proposed housing programme to deliver the Council's strategic housing priorities and to support the Council's most vulnerable residents.

The Council had a housing capital programme to deliver the Council's priorities as set out in the Housing Strategy and associated Housing Renewal Assistance Policy, Energy Efficiency and Climate Change Strategy and Empty Homes Strategy. The current 2012/13 programme was funded by the New Homes Bonus and central government grant to support Disabled Facilities Grants (DFGs).

The Portfolio Holder for Safer Communities was pleased with the contents of the report, in particular with the funding for DFGs, where extra funding had been received from central government and this funding was being used for its intended purpose. It was a statutory duty to provide DFGs and demand for the grants was increasing. The Portfolio Holder for Stronger and Active Neighbourhoods considered the funding was important for all residents. In particular, the Accredited Landlord Scheme funding was important as there were landlords waiting to sign up. The funding for the Accredited Landlords Scheme came from the Affordable Housing Fund and the scheme had been very successful.

The Portfolio Holder for Safer Communities questioned whether large institutions such as Keele University could be asked if they would be willing to make a contribution to the Accredited Landlords Scheme. They would benefit from the improvements to the Borough that the scheme produced, such as making the Borough a more attractive place for prospective students. The Executive Director, Regeneration and Development noted that universities had their own arrangements, with Keele University having extensive on campus accommodation. It may be that they would sign up for the 'spirit' of the scheme. The Executive Director, Regeneration and Development would ask the question of Keele University about financially supporting the scheme.

The Leader considered that the Council should not be complacent as additional need would grow. Part of the solution would be to help with affordable housing.

RESOLVED: That Cabinet approve the Housing Capital Programme on the basis set out in the report.

12. **CAPITAL STRATEGY 2013/14**

A report was submitted to Cabinet to consider the Capital Strategy 2013-16. The Capital Strategy sets out how the Council proposes to deploy its capital resources in order to assist it to achieve its corporate and service objectives. It takes into account other relevant Council strategies, policies and plans and the views of partners and stakeholders with whom the Council was involved. It also takes account of the resources which are likely to be available to the Council to fund capital investment and the effect of that investment on the Council's revenue budget. It would serve as a useful point of reference when determining or reviewing the Council's Capital Programme.

The Capital Strategy 2013-16 was considered by the Transformation and Resources Overview and Scrutiny Committee on 10 December 2012 and any suggestions or changes made by the Committee had been incorporated into the strategy.

RESOLVED: That Cabinet approve the Capital Strategy 2013-16 and that the Capital Strategy 2013-16 be forwarded to Council with a recommendation for approval.

13. **ASSET MANAGEMENT STRATEGY**

A report was submitted seeking Cabinet approval for the Asset Management Strategy 2013-2016. The Strategy was a key document, which along with the Council's Capital Strategy and Medium Term Financial Strategy, forms the basis of the Council's use of resources. The Asset Management Strategy seeks to provide a robust and formal approach to the management and use of the Council's land and property assets. It also summarises the potential ways in which investment can be funded, highlighting the manner in which the Council invests in both its operational and commercial portfolios to meet the Corporate Plan's objectives.

The strategy refers to the Council's need to proactively generate its own capital through the identification and disposal of surplus assets. It also identifies potential (mainly residential) sites that the Council may wish to consider to dispose of, which are contained within the current Strategic Housing Land Availability Assessment (SHLAA) and sites to be explored in the future that are not currently contained within the SHLAA. It was intended that the planning merits of such sites were reviewed alongside land in other ownership as part of the emergency Site Allocations and Policies Local Plan. Any final decision to dispose of any such sites would be informed by the latter process but also be the subject of site-specific consultation and decision-making arrangements by the Council in its capacity as land owner.

Two land parcels at Bignall End had been removed from the Strategy. These were land at Monument View and land at Gresley Way. A piece of land at Newchapel had also been removed as this was used by local people and contained flood prevention measures for neighbouring properties.

In making any decision the Council would be looking to distinguish its role as land owner aside from its role as Planning Authority. The Town Planning process would be allowed to consider the merits of a site, then as land owner the Council could make a decision about whether to sell or not. This would enable development and help the growth agenda for the Council, who would stand to benefit from capital receipts.

The Leader noted Central Government were promoting the building of new homes, but it was desirable to locally protect that development with local safeguards. The Portfolio Holder for Stronger and Active Neighbourhoods noted that there were benefits to Borough residents from the removal of the pieces of land at Bignall End and Newchapel. The Portfolio Holder for Regeneration, Planning and Town Centres Development advised that the Planning department had been scrupulously fair when they consulted with the public and had included everything and there had been no intention to build on some pieces of land. The Council was acting according to feedback from residents as a land owner, and the Leader considered it important with regard to what that Council was aspiring to be. Meaningful consultation would be done and there would be opportunities for residents and Members to have a direct say. If any resident had concerns they could make their views known.

RESOLVED: (a) That Cabinet approve the Asset Management Strategy 2013-2016.

(b) That Cabinet approve the local planning authority be advised of the Strategy.

14. **STAFFORDSHIRE STRATEGIC PROPERTY REVIEW**

A report was received for Cabinet to review the Staffordshire Strategic Property Review report and consider the implications for the Borough Council and local stakeholders.

One of the primary aims of the review was the identification of specific rationalisation opportunities. The three that were identified within Newcastle Borough were: (a) the rationalisation of the office estate within the Newcastle area; (b) Newcastle Town Centre redevelopment (the former Sainsburys and the civic offices) and; (c) Knutton urban village site (site of former Knutton Recreation Centre and adjacent land/buildings). All three rationalisation opportunities identified would involve working with Staffordshire County Council.

The Leader and Portfolio Holder for Safer Communities had met with the new Police and Crime Commissioner and discussed greater multi-agency working. The Police and Crime Commissioner would be visiting to see what had already been done. Co-location with partners in Kidsgrove Town Hall and the Civic Offices had already been implemented, and in particular, it was considered that the co-location of partners in Kidsgrove Town Hall was working brilliantly. Members of the public spoke to one reception group and were directed around the building in a clear and swift process, which should be applauded. The Portfolio Holders for Finance and Budget Management and Regeneration, Planning and Town Centres Development would ensure the positive feedback was passed on.

The Portfolio Holder for Safer Communities considered that going forward, there should not be co-location just to cut costs, but that there should be a coherent, joined up approach to co-location with tangible benefits. The Leader concurred that by being a cooperative Council, this meant working together for the greater good.

RESOLVED: That Cabinet approve that the Staffordshire Strategic Property Review report be accepted and that the programme and project management arrangements established regarding the opportunities within the borough are noted.

15. **PAY PROTECTION**

A report was received in order for Cabinet to consider the current arrangements for protecting the pay of those employees whose pay is reduced as a result of them being redeployed to a lower graded post following restructuring. This was to ensure that the Council's pay protection arrangements were fair, equitable and reasonable, taking into account the relevant factors, including mitigation of the loss of income of affected employees and the potential cost to the authority.

The Portfolio Holder for Finance and Budget Management proposed that recommendation two as detailed in the report be approved by Cabinet.

RESOLVED: That Cabinet approve recommendation two on the Pay Protection report, that the arrangements proposed at 1.3 in the report be adopted including backdating.

16. REPLACEMENT OF SWEEPERS

A report was received to inform Cabinet of the outcome of the tendering process for the supply of replacement sweeping vehicles and to seek a decision from Cabinet regarding the award of contracts.

The current fleet of sweepers were coming up to five years old and it would be operationally and financially advantageous to replace these vehicles to ensure the continuity of service provided within the Streetscene service. All the bids have been evaluated both on cost and quality. This evaluation indicated that Johnson Sweepers for Lot 1 and Scarab Sweepers for Lot 2 had provided the most economically advantageous tender and complied with the Council's financial appraisal. The Portfolio Holder for Finance and Budget Management was pleased to see the competitive tendering process, with any reductions achieved being gratefully received.

RESOLVED: (a) That Cabinet authorise that the contract for the supply of two sub-compact sweeping vehicles be awarded to Johnson Sweepers.

(b) That Cabinet authorise that the contract for the supply of three compact sweeping vehicles be awarded to Scarab Sweepers.

(c) That Cabinet approve, subject to the approval of the fleet replacement element of the 2013/14 capital programme, the procurement of the two remaining sweepers (sweeper 6 and 7) be carried out following consultation with the Portfolio Holder.

17. PEER CHALLENGE

A report was considered providing Cabinet with a summary of the findings of the recent Local Government Association (LGA) Corporate Peer Challenge, carried out on the Borough Council from 10-12 October 2012. The summary was supplemented with an action plan, based on these findings, which could be found at Appendix A and a letter from the Peer Challenge team, found at Appendix B.

The Council invited their peers to conduct a review to assess the Council's strengths and weaknesses. The Council had opted to put the work programme in place through the Business Improvements and Partnerships department, to ensure the recommendations from the review were implemented. It had been agreed that the work programme would line up with the recommendations in the letter from the review team. By bringing the report into the public domain it was showing transparency by the Council.

Thanks were extended to Cabinet Members, external partners, Chairs and Vice-Chairs of Committees, backbench Members and to the review team who worked very hard whilst here. The review team were pleased with the progress the Council was making and offered advice for further improvements.

It was proposed that there be an additional resolution 'd' that approval be given to the Local Government Association so that they may publish the letter from the Peer Challenge team on their website

RESOLVED: (a) That Cabinet notes the contents of the report and the letter from the Peer Challenge team and the suggested action plan at Appendix A, based on the findings of the recent LGA Corporate Peer Challenge.

(b) That the Cabinet makes any further amendments or suggestions to the action plan.

(c) That Cabinet approved implementation of the action plan, led by the relevant members of the Executive Management Team (EMT) in consultation with the appropriate Portfolio Holder(s) and also the relevant Overview and Scrutiny Committee(s).

(d) That Cabinet approve that the Local Government Association may publish the letter from the Peer Challenge team on their website.

18. **URGENT BUSINESS**

There was no urgent business.

Chair

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EMPLOYER SUPPORTED VOLUNTEERING

Submitted by: Partnerships Officer (Community Development)

Portfolio: Stronger and Active Neighbourhoods

Ward(s) affected: All

Purpose of the Report

The purpose of this report is to outline opportunities that Newcastle-under-Lyme Borough Council has to promote and develop an Employer Supported Volunteering (ESV) scheme whilst recognising the volunteering opportunities that the Council already provides and supports. The report sets out a planned pilot to explore these opportunities in the first instance in order to ascertain whether an ESV scheme would be workable for the Borough Council and its staff.

Recommendations

- (a) That Cabinet notes the contents of the report.
- (b) That Cabinet supports the establishment of an ESV pilot scheme for the Council, following consultation with staff, followed by an initial open forum with employees and other interested parties on the concept of volunteering which will gauge the level of interest in the organisation.
- (c) That, in the event of a pilot being set up, Cabinet supports a review of this pilot in order to ascertain whether a permanent ESV scheme should be set up in the Borough Council.
- (d) That Cabinet considers and endorses the proposal from North Staffs Volunteer Centre (NSVC), which is designed to support the development of an ESV pilot for the Borough Council

Reasons

An ESV scheme has a number of potential benefits for the organisation and for the community as a whole. These potential benefits are outlined in this report.

An ESV pilot scheme allows the Council the opportunity to test out the veracity of these potential benefits and allows lessons to be learnt as part of an evaluation process, prior to any subsequent decision to develop and implement an ESV scheme.

Potentially developing a pilot with the outside support will test how robust a scheme could be. It is proposed that the North Staffs Volunteer Centre (NSVC) could help in the development of the pilot, given the NSVC's knowledge and experience of this area, including initial engagement with staff and others via an introductory seminar on the concept of volunteering.

1. **Background**

- 1.1 Volunteering is defined as "an activity that involves spending time, unpaid, doing something that aims to benefit the environment or individuals or groups other than (or in addition to)

close relatives”.¹ Based on this definition, the Council’s ruling political administration has expressed a commitment to investigate the potential for developing volunteering in order to deliver the benefits alluded to the above quote by encouraging Council employees to get more involved in volunteering.

- 1.2 Building on this commitment, Employer Supported Volunteering (ESV) has been investigated as a possible way to encourage employees to volunteer and to support them in their volunteering activities. ESV has the potential to enhance employee skills and improve relations between staff and the local community. It can also work in a number of ways, e.g. individuals volunteering, staff teams carrying out volunteering challenges, and the provision of professional support on a pro-bono basis.
- 1.3 In working on the delivery of this commitment, there is a need to test out a number of areas of ESV. These are: -
 - The potential costs and benefits of such a scheme.
 - How the scheme could work in practice and what areas could the scheme be applied to.
 - The level of interest in such a scheme amongst employees and others.
- 1.4 In order to investigate the possible responses to these and other questions, it is proposed at a pilot piece of work be undertaken, following initial engagement with staff and other interested parties at NBC to gauge the level of interest in such an initiative.
- 1.5 Given that this is a relatively new initiative, approaches have been made for support on the possible introduction of an ESV scheme for the Council. As a result of these approaches, the North Staffordshire Volunteer Centre (NSVC) has put forward a proposal for support. NSVC has three levels of consultancy on ESV and offers support packages for employees. The NSVC proposal is included with this report at Appendix C.

2 **Issues**

- 2.1 Some volunteering activity already takes place in some service areas – e.g. the community section of Operational Services. A table can be found at Appendix A on the level and type of activity within this service area between 2011 and 2013. It may be that the ESV pilot scheme could look to the current arrangements in Operational Services for lessons as part of the pilot process, so as to ensure consistency.
- 2.2 It should be noted that any ESV scheme established should be aware of existing Charters, such as the Staffordshire Compact Volunteering Code of Practice and the TUC/Volunteering England Charter for Strengthening Relations between Paid Staff and Volunteers.
- 2.3 In addition, the Volunteering Strategy for Staffordshire includes an action to develop ESV schemes within partner organisations (a copy of this document is available from Member Services upon request).
- 2.4 ESV schemes can work on either paid or unpaid leave, with pros & cons for both – see below:-

Advantages.	Disadvantages.
Paid Leave.	
Higher uptake likely.	Contrary to the principle that volunteering is unpaid.

¹ Volunteering England.

More attractive to lower paid staff – potentially more equitable.	Could attract interest for the wrong reasons.
Potentially unaffordable.	Costs of covering for absent staff.
	Possible negative perception by public.
Unpaid Leave.	
Minimal costs of covering for absent staff – easier to budget for.	Lower uptake likely.
Consistent with the principle that volunteering is unpaid.	Less attractive to lower paid staff – potentially more inequitable.
Staff more likely to volunteer for the right reasons.	

- 2.5 NSVC have submitted a proposal to assist the Council to develop the ESV pilot scheme outlined in this report. This can be found at Appendix C. This will be considered according to the Council's procurement regulations, although the approach to NSVC was made following consideration of alternatives and the market as a whole.
- 2.6 Members will note from the proposal that the offer is for support from NSVC for the period from January-March 2013 and includes a number of elements including an ongoing brokerage service specifically for Council employees and the potential further development of volunteering opportunities across the Council's services. It is suggested that this support from NSVC is used to oversee the work on the pilot and to offer support on the evaluation of the pilot process. To this end, it is proposed that the pilot takes place from February to March 2013.
- 2.7 The opening part of the pilot process will be to survey staff as to their views on such a scheme and whether they would be interested in participating. Based on these views, it is proposed that an open forum will be held for staff and other interested parties on how ESV works. As well as providing information, this session will also be used to gauge the level of interest amongst employees for a potential ESV scheme in the Council.

3. **Options to Consider**

- 3.1 Cabinet is asked to consider the recommendations of the report, as set out above, specifically the establishment of an initial information seminar with staff on how an ESV scheme works followed by, if deemed appropriate, a pilot project designed to provide the Council with the necessary information before a further decision can be made on whether to implement an ESV scheme across the Council.
- 3.2 Cabinet is further asked to approve the recommendations and start of a process of information and evaluation in the first instance on the feasibility of introducing an ESV scheme for the Council (Option A – recommended)
- 3.3 Cabinet may wish not to approve these recommendations – this decision would carry with it the risk of missing an opportunity to enhance volunteering across the Borough and also losing out on the potential benefits of volunteering as set out in this report (Option B – not recommended).

4. **Reasons**

- 4.1 As said, ESV schemes have the potential to deliver a number of benefits to a range of different stakeholders, including the following: -

Employer.	Employee.	Beneficiary/community.
Opportunity to contribute to solving community problems.	Opportunity to learn new skills for their personal development.	Additional support for their need/activity/project.
Opportunity for positive PR.	Enhanced self-confidence & sense of self-worth.	Additional volunteers on whom to call.
Employees able to use new skills to their job.	Opportunity to help the community.	Specialist knowledge and skills brought to their organisation.
Improved employee health, satisfaction and retainment.		

4.2 It is these and other potential benefits and how they might apply to Newcastle-under-Lyme Borough Council and the wider Borough which the pilot ESV scheme outlined in this report will be designed to investigate.

5. **Proposals**

5.1 That Cabinet approves the establishment of an initial information session on ESV with staff and other interested parties.

5.2 That, based in part on the levels of interest amongst employees, the Council establishes a pilot ESV scheme in order to investigate the issues relating to ESV and also the potential benefits set out in this report.

5.3 Cabinet instructs officers to assess support for the project. Including the proposal from NSVC found at Appendix C according to the Council's procurement regulations.

6. **Reasons for Proposals**

6.1 The potential benefits of an ESV scheme for different groups and organisations have been set out in this report and require close analysis and evaluation to ascertain whether they apply to Newcastle-under-Lyme BC and the Borough as a whole.

6.2 Commissioning NSVC to assist with this process means that they can bring their specialist knowledge, skills & experience in order to support the Council in the pilot process.

7. **Outcomes Linked to Sustainable Community Strategy and Corporate Priorities**

7.1 The possible development of a pilot ESV scheme is linked to the Corporate Priority "Creating a Healthy and Active Community".

8. **Legal and Statutory Implications**

There are no legal or statutory implications.

9. **Equality Impact Assessment**

9.1 The possible development of a pilot ESV scheme may have a positive impact on equalities in developing positive links with voluntary and community organisations in the Borough.

10. **Financial and Resource Implications**

10.1 These will be explored as part of the proposed pilot process.

10.2 There would be direct expenditure involved if the proposal from NSVC was agreed. There would also be resource implications, albeit unquantifiable, if the development work was carried out in-house. It is proposed that any funding for the process of investigating an ESV scheme comes from Business Improvement & Partnership budgets.

11. **Major Risks**

11.1 A risk assessment has been carried out – see Appendix D

12. **Key Decision Information**

12.1 This report is classed as a non-key decision document as there are no legal implications linked to non-compliance.

13. **Earlier Cabinet/Committee Resolutions**

There are none.

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APPENDIX A

Community Work Summary – October 2011 – March 2012

Note:

The value of each session is based on a realistic estimation of the cost of the works carried out by the group, as compared to current day rates charged by the Council's grounds maintenance contractor. It is recognised that some of the volunteers (particularly those with disabilities) do not possess the same ability level as skilled workers, and therefore a reasonable adjustment is made for each session in these cases.

Date	Group name	Works completed	Estimated value of works £	Number of Man/ hours worked
05/10/2011	Newcastle Day Care & Elite	Leaf raking, bulb planting, litter picking (Brampton Park)	258	16
05/10/2011	Seabridge Civic Pride	Litter picking, dog patrols, general tidy up.	85	4
17/10/2011	Mcdonalds staff	General litter pick, town centre	50	4
17/10/2011	St. Lukes church group	Litter pick along mineral line	110	8
19/10/2011	Newcastle day care & Elite	Bulb planting, sweeping, litter picking (Brampton Park)	258	16
20/10/2011	Bursley Way School garden club	Planting flower beds at Crem.	124	18
02/11/2011	Newcastle Day Care & Elite	Bulb planting at Chesterton Park	223	18
08/11/2011	West Mid.Probation Services	Litter picking,general tidy up Stubbs Gate,Hattrell St.	292	12
09/11/2011	Meadows Primary School	Bulb planting at Madeley pool	86.5	27
16/11/2011	Newcastle Day Care & Elite	Cleaning play equipment, weeding around pavilion. Clough hall pk.	318	18
18/11/2011	Silverdale Primary School garden club	Bulb planting at Silverdale park	92.33	32
25/11/2011	Crackley residents	Litter picking around Crackley estate	636	16
27/11/2011	Lyme valley friends group	Planting community orchard at lyme valley park	98	12
28/11/2011	Lyme valley friends, aspire housing, St Johns School	Planting tree whips at lyme valley park	25	26
06/12/2011	Maryhill Primary School	Bulb planting at POS off Pennyfields, Kidsgrove	148	28
07/12/2011	Newcastle day care & Elite	Sweeping, weeding, litter picking at Silverdale park	298	18
08/12/2011	St Johns Primary School	Bulb planting at Acres Nook, Kidsgrove	12.5	14
15/12/2011	St Werburghs Primary School	Bulb planting at Kingsbridge Av. Clayton	74	19
16/12/2011	St. Lukes Primary School	Bulb planting at Silverdale cemetery	25	12
21/12/2011	St Lukes church, Clayton	Bulb planting around church entrance	25	3
11/01/2012	Newcastle day care & Elite	Sweeping, litter picking, painting graffiti at Chesterton Park	333	20
18/01/2012	Newcastle day care & Elite	Raking leaves at Westlands Sports ground	273	20
25/01/2012	Newcastle day care & Elite	Litter picking / tidying at Birchenwood Park	298	22
01/02/2012	Newcastle day care & Elite	Leaves and litter at Silverdale park	518	34

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14/02/2012	Project House, Ramsey Rd	Litter Pick, Douglas Road	147.5	18
15/02/2012	Newcastle day care & Elite	Leaves and litter at Bathpool pk	373	28
16/02/2012	Staffs Wildlife Trust	Tree thinning, Thistleberry Park	557.5	40
22/02/2012	Newcastle day care & Elite	Leaves and litter and planting C. Hall	448	34
23/02/2012	Aspire Housing Volunteers	Litter pick Orme Road	570	40
17/02/2012	Unpaid workers	Spreading stone Bathpool paths	568.75	45.5
25/02/2012	Cllr. Robinson / volunteers	Litter pick Newchapple ward	220	12
29/02/2012	Newcastle day care & Elite	Litter pick Lyme Valley	445	30
05/03/2012	Unpaid workers	Various sites / projects	1225	98
07/03/2012	Newcastle day care & Elite	Litter pick at Morris Square / Marsh	470	32
08/03/2012	Aspire volunteers	Digging meadow St Johns , Kids.	150	12
10/03/2012	Butt Lane volunteers, Kids.	Litter picking general area	270	16
12/03/2012	NCHS Schoolkids	Litter pick Thistleberry Pk.	197.5	13
14/03/2012	Elite volunteers	Litter, leaves and painting, Bradwell	160	10
15/03/2012	Prince's Trust Volunteers	Pruning scrub / branches L. V. Park	682.5	50
08/03/2012	Staffs Wildlife Trust	Tree thinning of copse areas Thistleberry Park	600	48
17/03/2012	Kidsgrove volunteers	Kidsgrove ward litter pick	375	30
12/03/2012	Unpaid workers	Paths and litter Audley area	1750	140
21/03/2012	Newcastle day care & Elite	General works at Chesterton park	225	18
22/03/2012	Aspire Volunteers	Litter pick mineral line, Knutton	187.5	15
23/03/2012	Newcastle Day Care	General works at Brampton Park	187.5	15
24/03/2012	Kidsgrove Volunteers	General Litter pick	131.25	10.5
27/03/2012	BAC Oconner	General works Brampton Park	225	18
28/03/2012	Newcastle Day Care & Elite	Spreading mulch, Wolstanton Park	225	18
31/03/2012	Friends group volunteers	Litter pick Clough Hall Park	200	16
		TOTAL	£15,251.33	£1,224.00

APPENDIX A

Community Work Summary – April 2012 – March 2013

The value of each session is based on a realistic estimation of the cost of the works carried out by the group, as compared to current day rates charged by the Council's grounds maintenance contractor. It is recognised that some of the volunteers (particularly those with disabilities) do not possess the same ability level as skilled workers, and therefore a reasonable adjustment is made for each session in these cases.

Date	Group name	Works completed	Estimated value of works £	Number of Man /hours worked
03/04/2012	BAC Oconner volunteers	Tree planting at Bradwell Crematorium	112.5	9
07/04/2012	Clough Hall Friends volunteers	Easter egg hunt round the park.	250	20
10/04/2012	BAC Oconner volunteers	General works at Chesterton Park	75	6
11/04/2012	Newcastle Day Care / Elite	General Works at Brampton Park	150	12
12/04/2012	Knights Solicitors Volunteers	Scrub clearance at St. Georges Churchyard	37.5	3
15/04/2012	Porthill Fishing Club	General works at Porthill Dingle (Woodlands Park)	2125	170
18/04/2012	Newcastle Day Care / Elite	Mulch spreading at Wolstanton Park	225	18
20/04/2012	Unpaid Workers	Various sites and jobs	3175	254
24/04/2012	BAC Oconner volunteers	Gardening at Bradwell Crem	75	6
25/04/2012	Newcastle Day Care / Elite	General works at Silverdale Park	75	6
27/04/2012	Kidgrove youth club	Shrub bed preperation, memorial gdns, the Avenue	250	20
29/04/2012	Unpaid Workers	Litter pick mineral line Knutton / Silverdale	700	56
01/05/2012	BAC Oconner volunteers	General works at Bradwell Park	75	6
02/05/2012	Newcastle Day Care / Elite	General works Clough Hall Park	300	24
04/05/2012	Kidgrove youth club	Shrub bed preperation, memorial gdns, the Avenue	150	20
08/05/2012	BAC Oconner volunteers	General works at Bradwell Crem.	75	6
09/05/2012	Newcastle Day Care / Elite	Path clean up, Clayton Bank (newcastle Cemetery)	200	16
10/05/2012	Knights Solicitors Volunteers	St Georges tidy up	337.5	27
14/05/2012	Wolstanto High School	Litter pick	112.5	18
15/05/2012	BAC Oconner volunteers	General works at Brampton Park	75	6
16/05/2012	Newcastle Day Care / Elite	Path clean up, Clayton Bank (Newcastle Cemetery)	175	14
16/05/2012	Clough Hall School	Litter pick clough hall park area	168.75	27
17/05/2012	Keele university students	General works at Silverdale Park	112.5	9
18/05/2012	PM training and volunteers	Litter pick kidsgrove railway line	100	8
22/05/2012	Unpaid Workers	Various sites and jobs	2275	182
22/05/2012	BAC Oconner volunteers	Bichenwood general works	75	6
23/05/2012	St Marys School Knutton	Planting wildflowers on the Wammy POS	387.5	62
23/05/2012	St Marys School Mucklestone	Litter pick Loggerheads	66.66	16
23/05/2012	Newcastle Day Care / Elite	Path clean up, Clayton Bank (Newcastle Cemetery)	300	24
24/05/2012	Aspire volunteers	Litter pick at The Wammy	262.5	21

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24/05/2012	NCHS Science College	Bird box building at Thistleberry Park	300	24
30/05/2012	Newcastle Day Care / Elite	General works at Brampton Park	225	18
29/05/2012	BAC Oconner volunteers	Birchenwood planting flowers	37.5	3
31/05/2012	St Thomas School	Planting Jack Beech memorial beds	125	18
01/06/2012	Mcdonalds staff and volunteers	Litter pick town centre	62.5	5
01/06/2012	Tesco plus PM training	Litter pick town centre Kidsgrove	75	6
06/06/2012	Newcastle Day Care / Elite	Litter pick at Lyme Valley Park	300	24
11/06/2012	Porthill Fishing Club	General works at Porthill Dingle (Woodlands Park)	3137.5	251
11/06/2012	Unpaid Workers	Various sites and jobs	3500	280
12/06/2012	BAC Oconner volunteers	General works at Bradwell Park	37.5	3
13/06/2012	Newcastle Day Care / Elite	General works at Silverdale Park	200	16
14/06/2012	Knights Solicitors Volunteers	St Georges tidy up	112.5	9
15/06/2012	NCHS Science College	Planting flowers in entrance to school	175	14
16/06/2012	Kidsgrove youth parliament	Litter pick Leg o mutton	87.5	7
18/06/2012	Knutton Scout group	Litter pick mineral line Knutton / Silverdale	425	34
20/06/2012	Unpaid Workers / pm training	Community Pride event mineral line Silverdale	9205	714
20/06/2012	Newcastle Day Care / Elite	Douglas Rd. litter pick	200	16
21/06/2012	Langdale Schoolkids	Planting Laura Ashley bed	125	10
27/06/2012	Newcastle Day Care / Elite	General Works at Brampton Park	250	20
28/06/2012	Princes Trust volunteers	Pruning at Lyme Valley (Martec)	687.5	55
28/06/2012	NCHS Science College	Seeding new meadow at Thistleberry Park	87.5	7
02/07/2012	Porthill Fishing Club	General works at Porthill Dingle (Woodlands Park)	1962.5	157
11/07/2012	Newcastle Day Care / Elite	General works at Bradwell Park	75	6
04/07/2012	Elite volunteer	Bathpool park works	50	4
12/07/2012	Saltbox volunteers	Bradwell Crem gardening works	225	18
21/07/2012	Unpaid Workers	Various sites and jobs	5512.5	441
		TOTAL	£39,677.91	£3,232.00



Newcastle Borough Council Volunteering Consultancy Support

Prepared by: **Jo Phillips** – SMCVS Service Manager – Volunteering and Access

Date: 18th Dec 2012

Introduction:

North Staffordshire Volunteer Centres is partnership of Volunteer Centres Staffordshire Moorlands, Newcastle-under-Lyme, Stoke-on-Trent and KeeleSU – delivering volunteer support to individuals who wish to volunteer and providing expertise in volunteer management for volunteer involving organisations.

The partnership, led by Staffordshire Moorlands Community and Voluntary Services, has a long history in delivering volunteering services across the North Staffordshire area and is currently supporting over 600 voluntary and community groups. Our expertise lies in volunteering brokerage, employee engagement and volunteer management.

Identified Need:

This proposal follows a meeting on 26th November 2012 between John Sellgren (Chief Executive) Newcastle Under Lyme Borough Council and Jo Phillips (Service Manager – Volunteering and Access) Staffordshire Moorlands Community and Voluntary Services – and a subsequent additional meeting on 17th December 2012, including Simon Long (Community Development Officer)and Robin Wiles (Partnerships Officer)

At these meetings, it was discussed that Newcastle-Under-Lyme Borough Council would like to look at purchasing from SMCVS, through the North Staffordshire Volunteer Centres, volunteer management consultancy support to undertake work associated with a new Employee Supported Volunteering (ESV) scheme – incorporating:

- support in ensuring a robust volunteer management programme is set up and operational across all of the Borough Councils’ own current volunteer involving services.
- support in developing a robust Employee Supported Volunteering scheme which is able to be launched and offered to all Borough Council employees from late Feb / March 2013 (subject to Cabinet approval).
- support to run a launch event which will include –
 - Presentation on benefits of volunteering and why staff should engage
 - Set up and options to deliver x2 “Team Challenge” one day volunteering events to staff to sign up to – (x 1 by North Staffs VC + x 1 by an N-U-LBC volunteer involving service)
 - One-to-one support for staff to browse an array of other “skill based” short term and long term volunteering opportunities available to them to engage with.

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It was discussed and agreed that this support would be offered as consultancy support to the end of March 2013 and that the set up and delivery is to be piloted, evaluated and taken forward into 2013-14 on a step by step basis.

Should the launch and uptake prove successful, the next step that the North Staffordshire Volunteer Centres can offer ongoing support is in –

- delivery of ongoing brokerage support specifically for Newcastle Borough Council employees to engage with volunteering and skills development activity in the wider local community
- the development and set-up of new volunteering involving opportunities across the Borough Councils' services as opportunities arise.

Why North Staffordshire Volunteer Centres?:

-The North Staffordshire Volunteer Centres have a very successful record of development and delivery. The partnership of district Volunteer Centres is backed by and integrated into the delivery of the three local infrastructure organisations – Staffordshire Moorlands Community and Voluntary Services (SMCVS), Newcastle Community and Voluntary Support (NCVS) and Voluntary Action Stoke-on-Trent (VAST) and most recently, joined by Keele University to offer volunteering support specifically to its students. SMCVS and NCVS are members of the wider Staffordshire and Stoke-on-Trent Consortium of Infrastructure Organisations (SCIO) and work closely to ensure that voluntary & community organisations (VCO's) get the support they need in the provision of capacity building, development, promotion and co-ordination of frontline work. We work as part of SCIO to represent VCO interests, provide a voice in policy making and facilitate joint working between VCO's and the public and private sectors.

- SMCVS, as the lead partner and contract agent of the North Staffordshire Volunteer Centres, currently delivers a wide array of projects from the district offices, including –

* a North Staffs wide employment support project funded by the European Regional Development Fund and Stoke-on-Trent City Council

* two volunteer led programmes funded by NHS North Staffordshire - an Early Detection of Cancer Project and the Walking for Health programme in association with Natural England.

* volunteer and volunteer management support on behalf of Staffordshire County Council as part of the Staffordshire and Stoke-on-Trent Consortium of Infrastructure Organisations (SCIO) Volunteer Centre Network

* Volunteer Management Programme training for local volunteer infrastructure organisations.

* both accredited and unaccredited Introduction to Volunteer training.

* Employee Supported Volunteering days for businesses across North Staffordshire

- We are unique in our approach to supporting all individuals, regardless of age, background and interests to volunteer. Our person centred approach is essential to ensuring a quality service is delivered to all.

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- SMCVS holds PQASSO quality accreditation and our staff all hold enhanced CRB clearance and are trained in interview techniques, equality and diversity, disability awareness and hold at minimum the PTLLS 7303 training certificate.

- the local knowledge and daily contact by our staff with local voluntary and community sector organisations means that they are uniquely placed to provide up to date information on what local volunteering opportunities are available – and how these can benefit an individual in moving forward in their skills development.

- the delivery of all of our Volunteer Centre services across North Staffordshire is in accordance with and in receipt of, Quality Accreditation as laid down by our national governing body, Volunteering England and the standard “product” of volunteering as delivered across the county and monitored by SCIO.

- we provide up-to-date content and detail of local volunteering opportunities to the national volunteering database that is unique to the North Staffordshire Volunteer Centres. At any one time we can have from 350 up to 700 volunteering opportunities available for individuals to choose from.

Cost:

This proposal draws on the expertise of staff from SMCVS as the lead of the North Staffordshire Volunteer Centres partnership. It is developed and costed to reflect our unique ability to start work immediately and implement a volunteer involving programme tailored to the requirements of Newcastle-Under-Lyme Borough Council.

The cost of the support of the Service Manager is subsidised, through a reduction in the market hourly rate, and costs incurred from 2013 only - to reflect the ongoing partnership work between SMCVS, NCVS and the Borough Council. Costs quoted include all fees, management and employment costs incurred by SMCVS as the employing body of all Volunteer Centre staff.

Consultancy support to be purchased:

It is proposed that an initial 3 month consultancy period is purchased from the North Staffordshire Volunteer Centres running from wk commencing 7th January 2013 – 28th March 2013 - during which time intensive support will be offered in the development and implementation of a full and comprehensive Employee Supported Volunteer programme.

The support will be given by the Service Manager, with over 10 years experience in the sector; the Volunteer Centre Co-ordinator, who has worked for the last three years in developing and supporting volunteer involving organisations to set up and manage their own volunteer programmes; and by a Volunteer Officer – who on a daily basis works on the front line in the community supporting individuals into volunteering. By working through the North Staffordshire Volunteer Centres, Newcastle-Under-Lyme Borough Council will be able to quickly move towards providing a lasting legacy of volunteering engagement by its employees.

It is proposed that a full project review take place at the end of March 2013 to look at future partnership work to take the programme forward and ensure its longer term success. This will enable new outcomes, outputs and specific project deliverables to be built into a robust, bespoke Employee Supported Volunteering programme, agreeable by all partners.

Please see over for a detailed milestone timetable: (to be agreed) -

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Dates	Activity / Milestones to be achieved:	Consultancy support:
Wk commencing 2nd January 2013 (inc holiday period)	<p>Stage 1 – Develop the Infrastructure, Back Office and Processes for Newcastle-Under-Lyme Borough Councils own Volunteer Involving Programmes:</p> <p><i>Research of Borough Council need and requirements of current Volunteer Involving Programmes to be undertaken by Robin Wiles and Simon Long from 3rd January 2013, including -</i></p> <ul style="list-style-type: none"> - Mapping of all volunteer involving roles across Newcastle Borough Council and in-role training opportunities 	
Wk 7 th January 2013 – Feb launch event (date tbc)	<p><i>Agreement wk 7th Jan 2013 with North Staffordshire Volunteer Centres as to extent of support required to develop:</i></p> <p>Borough Council wide Volunteer Involving Programme to include development of:</p> <ul style="list-style-type: none"> - Volunteering Policy - Volunteer Agreements - Volunteer recruitment strategy, including – <ul style="list-style-type: none"> - Creation of role descriptions and implementation of support mechanisms – including roll out of Volunteer Management Training - creating a planned selection process, identify the best person for the role, working with the North Staffs VC to maximise take up, understand and implementing CRB/ISA Policy - Volunteer marketing strategy - Creation of VIP policies and procedures on and including: <ul style="list-style-type: none"> - Equalities and Diversity - CRB / DBS - Expenses - Health and Safety and Risk Assessment - Supporting Volunteers – including: importance of induction, support and supervision of volunteers and the motivation and retention of volunteers. <ul style="list-style-type: none"> - Company insurance limitations - Confidentiality agreements - Protecting the company against volunteer employment rights/law 	<p>Required consultancy hours TO BE CONFIRMED Wk 7th Jan 2013</p> <p>To be delivered by Jo Phillips – Service Mgr and/or Tracy Ellis – Volunteer Centre Co-ordinator</p> <p>@ £50 per hour / £350 pr day</p> <p>TOTAL COST STAGE 1 TBC ASSUME 5 DAYS = £1750?</p>
Wks 14 th – 25 th Jan 2013	<p>Stage 2 – Development of Employee Supported Volunteering Scheme for Newcastle-under-Lyme Borough Council employees to develop protocols to allow staff to participate in up to 3 days of formal volunteering per year (subject to Cabinet approval):</p> <p><i>Employee Volunteering Proposal paper to be finalised to go to Cabinet: Deadline 17th Jan 2013</i> Robin Wiles / Simon Long / Jo Phillips</p> <p>Meeting (colleagues as above) with John Sellgren wk 21st to:</p> <ul style="list-style-type: none"> - Plan launch event - Ensure establishment of effective monitoring and reporting 	<p>Approx (tbc) X 1 day Service Manager @ £50 pr hour / £350 pr day</p>

Classification: NULBC UNCLASSIFIED

	systems for staff engagement and outcomes.	
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<p>From Wk of 25th March 2013</p>	<p>Stage 4: - Evaluation:</p> <p><i>Meeting with all colleagues involved, including John Sellgren, Chief Executive, to discuss uptake, impact and overall evaluation of launch and pilot delivery.</i></p> <p><i>Support and progress required beyond April 2013 to be discussed after the evaluation report and meeting</i></p>	<p>Service Manger – x ½ day No additional cost.</p>
<p>From April 2013 onwards</p>	<p>Stage 5 - Roll Out 2013-14:</p> <p><i>Development and delivery of brokerage support specifically for Newcastle-Under-Lyme Borough Council employees - to engage with volunteering .</i></p> <p>Subject to agreement on development of programme, outputs and outcomes, opportunities to consider –</p> <ul style="list-style-type: none"> - The provision of a one-to-one interview service where appropriate for N-U-LBC employees, in conjunction with any of the North Staffordshire Volunteer Centre branches – High Street, Leek, Andrew Place, Newcastle and The Dudson Centre, Hanley – with additional telephone and email support for all staff making inquiries. - Provision of one-to-one support until a volunteer engages with a suitable volunteering opportunity - If commitment for delivery by North Staffs VC enabled for remainder of 2013-14 then option to look at “project cost” delivery model (reduced rate in comparison to consultancy) 	<p>Cost and staffing to be agreed following review meeting April 2013 in line with project success and progress.</p>
<p>TOTAL STAGE 1 CONSULTANCY COST = £1,750 ??</p> <p>TOTAL STAGE 2-4 CONSULTANCY COST = £3,150</p> <p>TOTAL FEE = £4,900 ??</p>		

Summary:

This proposal, on behalf of North Staffordshire Volunteer Centres, enables Newcastle-Under-Lyme Borough Council to access and learn from our unique expertise in developing its own Employee Supported Volunteering Scheme. This proposal provides value for money and a credible solution to the creation of a scheme, which will in less than three months time, be actively operational, and enabling the Borough Council to support their staff to give their time and expertise to support projects of real value in the local community.

Tender Proposal Contacts:

Name: Jo Phillips

Contact: Tel: 01538 398240 email: jophilips@smcvs.co.uk

Position in the Organisation: Staffordshire Moorlands Community and Voluntary Services Service Manager – Volunteering and Access (including responsibility as North Staffordshire Volunteer Centres Manager)

Classification: NULBC UNCLASSIFIED

Employer Supported Volunteering Scheme

as at 10/1/13

Risk Identified	Impact	Likelihood	Risk Rating	Type	Control Measure	Final Impact	Final Likelihood	Final Risk Rating	Risk Count:
Employer Supported Volunteering									4
Develop an ESV scheme in-house without input from NSVC	2	3	8	Control	Develop scheme with NSVC	2	2	5	
				Control	Processes for volunteering leave being approved as outlined reduce risk of misuse				
Failure to implement a robust Employer Supported Volunteering scheme	2	2	5	Control		2	1	2	
Scheme is perceived as being a way of getting work done cheaply for NBC	2	2	5	Control	Develop scheme with NSVC	2	1	2	
				Control	Develop scheme in line with the TUC and Volunteering England Charter and involve unions				
				Control	Processes for volunteering leave being approved as outlined reduce risk of misuse				
Poor take up of ESV scheme	2	2	5	Control	Positive promotion of scheme	2	1	2	

Risk Identified	Impact	Likelihood	Risk Rating	Type	Control Measure	Final Impact	Final Likelihood	Final Risk Rating
Employer Supported Volunteering				Control	Commitment to scheme from all areas of Newcastle Borough Council			

Risk Count: 4

PUBLIC SERVICES (SOCIAL VALUE) ACT 2012

Submitted by: Partnerships Officer (Community Development)/Business Improvement Manager

Portfolio: Finance & Budget Management

Ward(s) affected: All

Purpose of the Report

The purpose of this report is to outline the Public Services (Social Value) Act 2012, and what Newcastle-under-Lyme Borough Council needs to do in order to comply with the legalisation.

Recommendation

That Cabinet approve the steps set out in the Action Plan (Appendix B).

Reasons

The Public Services (Social Value) Act 2012 (also known as the Social Value Act) sets out additional requirements for public authorities. Newcastle-under-Lyme Borough Council needs to consider the implications of the legislation, and respond accordingly.

1. Background

1.1 The Public Services (Social Value) Act 2012 was initiated as a Private Member's Bill by Chris White MP, with broad cross party support. It became law on 8 March 2012, and applies with effect from 31 January 2013. The Act complements existing UK & EU procurement legislation.

2. Requirements

2.1 The Public Services (Social Value) Act requires public authorities to have regard to economic, social and environmental well-being in connection with public service contracts, and for connected purposes.

2.2 This requires the authority to consider:-

- (a) How what is proposed to be procured might improve the economic, social and environmental well-being of the relevant area, and,
- (b) How, in conducting the process of procurement, it might act with a view to securing that improvement, and,
- (c) Whether to undertake any consultation regarding a) and b) above, but with an exemption for urgent procurements, and in a way that does not overrule procurement legislation.
- (d) That any actions thereof are relevant, and proportionate, to the proposed procurement.

2.3 The Act builds on, amongst others:

- The Compact (the Council is a signatory to the Staffordshire Compact).
- Best Value Statutory Guidance, 2012.
- Equalities legislation.
- Third Sector Commissioning.

2.4 The Act is also very relevant to the Social Enterprise work being carried out by Newcastle Partnership.

3. **What does the Council need to do?**

3.1 The Council is required from 31 January 2013 to consider how what is procured may improve the social, economic and environmental wellbeing of the Borough, how the Council might secure any such improvement and to consider the need to consult. The Act only applies to service contracts which must be advertised through the European Journal but the principles could be of wider application. Appendix A is an advice note from the Department of Communities and Local Government. Your officers have produced a draft Action Plan for your approval at Appendix B.

4. **Why Should the Council Take Action?**

4.1 Putting the Action Plan into practice has the potential to be positive for the Council's reputation.

4.2 Potentially a tool to improve local services, have a positive impact on the local economy and environment and to support corporate objectives.

4.3 The concept of Social Value links in with the ethos of a Co-Operative Council.

5. **Proposal.**

5.1 That the steps set out in the Action Plan be approved.

6. **Reasons for Solution**

6.1 To ensure that Newcastle-under-Lyme Borough Council complies with the Public Services (Social Value) Act 2012

7. **Outcomes Linked to Sustainable Community Strategy and Corporate Priorities**

7.1 The recommendations support the Council's corporate priorities.

8. **Legal and Statutory Implications**

8.1 Compliance with the Public Services (Social Value) Act is mandatory. The Action Plan has been drawn up in order for the Council to comply with the legislation and its requirements.

9. **Equality Impact Assessment**

9.1 Unless otherwise stated below this proposed decision is not considered to have any adverse implications to and is considered to comply with the Council's equal opportunities/diversity policies.

10. **Financial and Resource Implications**

10.1 The implementation of the actions linked to the recommendations will be financed using existing budgets.

11. **Major Risks**

11.1 Consequences could be significant if the Action Plan is not implemented entailing possible sanctions and/or financial implications for the authority

11.2 If the Council fails to comply with legalisation it also risks reputational damage.

11.3 A risk assessment has been undertaken and is attached.

12. **Key Decision Information**

12.1 This report is classed as a key decision

13. **Earlier Cabinet/Committee Resolutions**

There were no earlier Cabinet or Committee resolutions linked to this report.

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Procurement Policy Note – The Public Services (Social Value) Act 2012 – advice for commissioners and procurers

Information Note 10/12 20 December 2012

Issue

1. The Public Services (Social Value) Act 2012 (the Act) received Royal Assent on 8 March 2012. It will be brought fully into force by commencement order on 31 January 2013
2. From that date the operative provisions of the Act will apply and commissioners and procurers must follow the Act and take it into account when considering procurements of certain types of services contracts and framework agreements.

Dissemination

3. Please circulate this Procurement Policy Note (PPN) within your organisation, agencies, non-departmental public bodies (NDPBs) and any other bodies for which you are responsible, drawing it to the particular attention of those with a commissioning or purchasing role.

Contact

4. Please direct any general enquiries to the Service Desk: 0845 000 499 servicedesk@cabinet-office.gsi.gov.uk

Introduction to the Act

5. The Act places a requirement on commissioners to consider the economic, environmental and social benefits of their approaches to procurement before the process starts. They also have to consider whether they should consult on these issues.
6. The Act applies to the pre - procurement stage of contracts for services because that is where social value can be considered to greatest effect. Commissioners should consider social value before the procurement starts because that can inform the whole shape of the procurement approach and the design of the services required. Commissioners can use the Act to re-think outcomes and the types of services to commission before starting the procurement process.
7. Demand for core public services will increase significantly over the next few years in a time of reduced funding. Increasingly, commissioners will need to identify better targeted more innovative and radical service delivery solutions to meet this demand.
8. In these tight economic times it is particularly important that maximum value in public spending is achieved. However currently some commissioners miss opportunities to secure both the best price and meet the wider social, economic and environmental needs of the community. Commissioners and procurers should be taking a value for money approach - not lowest cost - to assessing contracts and the Act complements that approach. The Cabinet Office's new Commissioning Academy will focus on these issues and this note explains the duties placed on commissioners and procurers by the Act. It also suggests approaches that may be taken when applying its considerations to the design of procurement processes. This note is not a substitute for reading the Act itself and authorities must familiarise themselves with it – see <http://www.legislation.gov.uk/ukpga/2012/3/enacted>

What are authorities required to do under the Act?

9. When it comes fully into force, the Act will require commissioners and procurers at the pre-procurement stage to consider how what is to be procured may improve social, environmental and economic well being of the relevant area, how they might secure any such improvement and to consider the need to consult. The Act will only apply to public services contracts and framework agreements to which the Public Contracts

Regulations 2006 apply.

10. When considering how a procurement process might improve the social, economic or environmental well being of a relevant area the authority must only consider matters which are relevant to what is proposed to be procured. The authority must also only consider those matters to the extent to which it is proportionate, in all the circumstances, to take those matters into account.
11. The Act also provides that if there is an urgent need to arrange a procurement the requirements to consider consultation and the impact on social, environmental and economic well being can be disregarded if it is impractical to consider them. Urgency caused by undue delay by an authority will not be a valid reason not to comply with the Act's requirements.

Considering the economic, social and environmental well being of the relevant area and applying this to the procurement process

12. The results of procurement processes can have a significant impact on economic, social and environmental well being in an area. There can often be additional value beyond the economic, social and environmental benefits that may be achieved by the services procured.
13. The Act does not prescribe how the results of the consideration of these impacts and feedback from any accompanying consultation should shape any procurement which is undertaken. It does enable the citizen and user perspectives on potential services to be taken into account in the development of outcomes and specifications for the services to be procured. With an increasing emphasis on procuring for outcomes and achieving better results for less expenditure specifications informed by the consideration of the issues set out in the Act can lead to more innovative and cost effective solutions. This might include co-commissioning of services across a number of public bodies or breaking requirements into smaller lots.
14. An example of how social value may be considered at various stages of the procurement process is presented in the annex to this action note and a number of technical questions and answers are presented below to advise commissioners and procurers how to apply the Act in practice.
15. Although the Act only applies to certain public services contracts and framework agreements to which the Public Contracts Regulations apply commissioners could, as a matter of good practice, consider how what it

is proposed to be procured might improve economic, social and environmental well being in order to obtain maximum value for money and for local authorities to comply with the best value duty. This may be particularly relevant in lower value contracts where services for citizens are being commissioned and procured.

16. [The Compact](#) sets out Government's relationship with the voluntary and community sector. It states at paragraph 2.1 that Government will ensure that social, environmental and economic value forms a standard part of designing, developing and delivering policies, programmes and services.

Technical Questions and Answers

Does the Act apply to Part B Services Contracts and below threshold contracts?

The Act will apply to services that fall under Part B of Schedule 3 of the Public Contracts Regulations 2006 as well as those that fall under Part A. The Act applies to contracts to which the Public Contracts regulations will apply so contracts below the relevant financial thresholds will not be covered. See [EU thresholds](#) for more information.

How does the Act apply to Framework Agreements?

The Act will apply to framework agreements. When procuring an above threshold framework agreement for public services procurers and commissioners must consider the provision of the Act. The Act does not apply to services contracts awarded by calling off from a framework.

What contracts are not covered by the Act?

Contracts for goods and works are not covered by the Act. Contracts where there is a mixture of services, goods or works are not covered where the value of the goods exceeds the value of the services or where the works are more than incidental to the main purpose of the contract. Contracts below the relevant monetary thresholds in the Public Contracts regulations 2006 are not covered by the Act. Call-offs from framework agreement are not covered by the Act.

Other contracts that fall outside the scope of the Public Contracts Regulations 2006 (such as those for certain defence and security services) are not covered.

Although these contracts are not covered under the Act commissioners, as a matter of good practice, could consider economic, social and environmental well being in order to obtain maximum value for money. This may be particularly relevant in lower value contracts where services for citizens (such as welfare, social and health services) are being commissioned and procured.

What has to be considered in the pre-procurement stage?

The Act requires authorities to make the following considerations at the pre-procurement stage:

- how what is proposed to be procured might improve the economic, social and environmental well-being of the “relevant area”
- how in conducting a procurement process it might act with a view to securing that improvement whether to undertake a consultation on these matters

What is the definition of public services contract?

The definition of “public services contract” in the Act is the same as the definition in the Public Contracts Regulations 2006. The tests for mixed contracts are therefore the same as in the Public Contracts Regulations 2006. Mixed contracts for goods and service will only be covered if the value attributable to the services exceeds the value of the goods covered by the contract. Mixed contracts for works and services will only be covered if the works are only incidental to the main purpose of the contract.

What is the relevant area?

The Act defines “relevant area” as being the area in which the authority (or authorities) primarily exercise their functions within the United Kingdom. For example, a local authority thinking of letting a contract for its own use would have to make considerations for its own geographical area, even if the contract is only directly relevant to part of the local authority’s area. A local authority procuring a framework agreement for use by itself and neighbouring authorities would have to consider that wider area, even if the framework agreement is only likely to be directly relevant to part of that wider area. Authorities whose functions extend throughout the UK would have to consider the area of the UK, even if the contract or framework agreement is only directly relevant to a part of the UK. Areas outside the UK do not have to be considered even if an authority has functions outside the UK.

Although the Act requires considerations to be made in respect of the “relevant area” contracting authorities should be careful to ensure that suppliers from across the EU and beyond are able to compete on an equal footing for any contracts advertised. In line with the EU Procurement Directives, EU Treaty principles and the UK’s international obligations contracting authorities should not do anything to discriminate against suppliers from other member states or countries who are party to the World Trade Organisation’s Government Procurement Agreement.

What is the pre-procurement stage?

This is the stage of the commissioning process where services are conceived and are designed and specifications developed and engagement with partners, stakeholders and current and potential providers takes place. This period ends when the first of one of the following events occurs:

- sending a notice in the Official Journal of the European Union inviting tenders, requests to be selected for tender or to negotiate or to participate in a competitive dialogue for a services contract or framework agreement
- publishing an advertisement seeking offers or expressions of interest in relation to a contract or framework agreement
- contacting suppliers to seek an offer or expression of interest in relation to a contract or framework agreement
- contacting a supplier in response to an unsolicited offer or expression of interest in relation to a contract or framework agreement
- entering into a contract or concluding a framework agreement

Who should be consulted and how should it be done?

The Act does not set out who should be consulted in the pre-procurement period. Cabinet Office procurement advice on lean sourcing already emphasises the importance of consulting with supply markets before formal procurements begin so the requirements of the Act are complimentary to the principle of consulting before procurements start to develop robust and intelligent specifications. Potential service users and organisations that represent them in the community could be consulted as well as other agencies that provide or commission services.

Consultation will be particularly relevant when considering procurements for services which are delivered directly to citizens. The voluntary and community sector, along with other providers and interested groups, should be engaged from the earliest stage to help shape policies, programmes and services. Central Government

contracting authorities should be mindful of the principles of [The Compact](#) between government and that sector. Other authorities may have local compacts with the voluntary and community sector and should be mindful of those arrangements. Consultation may be less relevant in procurements for “back office” services such as those for information technology or human resources where services are supplied directly to the contracting authority.

The Act does not set out how consultation should take place so commissioners should consider the most appropriate form of consultation bearing in mind the needs and requirements of people and organisations being consulted, the size of the procurement and the likely social, environmental and economic impact of the procurement. The Cabinet Office publishes principles on consultation exercises at [Consultation Principles](#) . Authorities may wish to take account of those principles when deciding whether to consult and how to do it. The expectation is that consultations should be “digital by default” and carried out on line if at all possible but authorities should consider the types of services they are looking to procure and the best way of getting the views of potential users who may not be familiar with modern IT.

How should Contracting Authorities apply the results of considerations and consultations to the procurement process?

The Act does not apply to any formal stages of the procurement process but it does require commissioners to consider social value issues and how they can be applied to the outcomes required. This in turn will inform the development of the specification and the assessment of bids. The Cabinet Office’s lean standard operating process places a heavy emphasis on engagement with supply markets before procurement processes commence – see [lean sourcing](#) . The requirements of the Act complement this approach. This type of engagement has two benefits. It enables the views of potential service users, potential suppliers and other stakeholders to be taken into account when designing the specification for the service to be procured. This can lead to more innovative solutions which take into account wider economic, environmental and social concerns. It also alerts the potential supply base to forthcoming procurements. If this is done early in the process it enables the supply base to “gear up” to meet demand and also may enable smaller organisations or those from the charitable or voluntary sectors to form a consortium or enter into other commercial arrangements to bid for contracts.

What about procurements which are planned at the time the Act comes fully into force but and advert has not yet been issued?

The Act applies when an authority proposes to procure or is making arrangements for procuring services. If one of the events that lead to the end of the pre-procurement stage have occurred at the time the Act comes fully into force the Act will not apply. If the project is still in the pre-procurement phase at the time the Act comes fully into force and the first of these events happens after that time, the Act will apply. Authorities may therefore wish to consider the provisions of the Act before it comes fully into force and check the conclusions of their considerations when it does come into force to ensure they are still valid. If there have been significant changes further consideration may be required. Authorities should take note that if a procurement has to be conducted urgently the consideration and consultation requirements of the Act do not apply providing the need for urgency was not caused by undue delay by the authority.

What bodies does the Act apply to?

The Act applies to those bodies that are defined as contracting authorities under the Public Contracts Regulations 2006, except that it does not apply to Welsh Ministers, the First Minister of Wales, the Counsel General to the Welsh Assembly Government, the National Assembly for Wales Commission or any other authority whose functions are wholly or mainly Welsh devolved functions.

How can contracting authorities demonstrate that the Act has been considered?

Although the Act does not prescribe that considerations made under it should be recorded, as a matter of good practice, contracting authorities may wish to keep a formal record to show that they have made the considerations required under the Act, as well as the rationale for any subsequent decisions. In the interests of transparency contracting authorities may also wish to indicate in any subsequent advertisements and tender documents that the requirements of the Act have been considered.

How does the Act relate to Local Authorities' Best Value duty?

The Local Government Act of 1999 sets out a general Duty of Best Value for specified local government organisations to *"make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness."*

Under the Duty of Best Value local authorities should consider overall value, including economic, environmental and social value, when reviewing service provision.

Communities and Local Government publish statutory guidance on the duty at [Best Value Duty](#).

Local authority commissioners should note that the Best Value Duty complements the approach in the Act but there are some differences which are summarised in the table below:

	Best Value Duty	Public Service (Social Value) Act
Duty	Consider value (including social value)	Consider how to improve social, economic and environmental well-being
Body	Local authorities	All contracting authorities
Contract	Services, goods and works	Services only
Procurement stage	Throughout the process	Pre-procurement
Value of contract	Any value	Only above relevant EU procurement thresholds
Consult?	Yes – end user	Yes – on the service being provided

Annex - Example

This example illustrates how social value can be considered at various stages of the commissioning and procurement process.

A local authority is considering the provision of a meals on wheels service for elderly people. During the pre procurement stage the contracting authority decides that as this is a service which will be provided directly to citizens it will consult potential users and potential suppliers along with other interested stakeholders.

The results of the consultation suggest that many potential service users suffer from loneliness and social isolation. Feedback from a community group suggests that a service where people are collected and taken to a local community centre for their meals would help combat problems of loneliness and isolation. Feedback from the

local NHS trust suggests that many potential users would benefit from contact with health professionals for routine medical services who could spot other medical and mental health issues at an earlier stage. In addition feedback from local people suggests the development of a new community centre would provide a valuable new community resource.

The council takes this feedback into account when designing the outcomes it wishes to see from this new service as wider economic and social benefit would derive from improving community cohesion for users of the service, in addition to improving user's health and improving access to care facilities.

As well as informing the specification of a service, considerations under the Act may inform selection of economic operators. When considering a potential supplier's technical or professional ability a supplier's experience in delivering similar services may be relevant.

The local authority decides to procure a meals on wheels service which is based on bringing people to a local community centre. When considering suppliers' technical ability to deliver this service experience in providing specialist transport services as well as catering is considered as well as experience of providing services to elderly people. The selection criteria that are established make it clear that suppliers can demonstrate their technical ability through sub-contractors taking on specialist roles in the delivery of the service, as part of a consortium as well as by a single supplier.

Useful Links and case studies

The National Council for Voluntary Organisations have published six case studies on how voluntary organisations can provide public services which demonstrate social value. Commissioners and procurers may find it useful to read these examples - [NCVO social value case studies](#) .

Public Services (Social Value) Act 2012 – Action Plan

Action required.	Deadline.	Lead Officer(s).
Identify key Members and Officers in relation to the Public Services (Social Value) Act 2012 (the Act) being those with a responsibility for OJEU procurement.	End March 2013.	Partnerships Officer (Community Development) & Business Improvement Manager.
Provide the DCLG guide to key Members and Officers	End March 2013.	Partnerships Officer (Community Development) & Business Improvement Manager.
Review current procurement policies & practices in relation to the Act – recommendations of any changes/additions to Standing Orders in relation to procurement.	End March 2013.	Business Improvement Manager/Procurement Working Group.
Liaise and consult with partner agencies, with whom we have joint procurement arrangements, regarding the Act to ensure a consistent approach.	Ongoing.	Business Improvement Manager.

Action required.	Deadline.	Lead Officer(s).
Link in with Newcastle Partnership's Social Enterprise activity.	Ongoing.	Business Improvement Manager.
Liaise and consult with Newcastle Voluntary Sector Forum regarding SVA.	27 th March 2013.	Partnerships Officer (Community Development).
Identify possible tools to measure social value impact.	End March 2013.	Partnerships Officer (Community Development) & Business Improvement Manager.
Indicate in advertisements and tender documents that the requirements of the Act have been considered	End March 2013.	Business Improvement Manager & Procurement Officer.

Social Value Act

16/01/2013

Risk Identified	Potential Consequences	Impact	Likelihood	Risk Rating	Control Measure	Final Impact	Final Likelihood	Final Risk Rating	Further Action Proposed	Comment	Owner	Target Date
Risk Count: 3												
Social Value Act												
The Public Services (Social Value) Action Plan is approved but fails to identify all relevant action required under the Act to ensure compliance	If the Action Plan is not implemented it is likely that the Public Services (Social Value) Act will not be complied with. Significant potential sanctions and/or financial implications for the authority. Reputational damage. Opportunities are missed to develop social value through procurement. NBC could be challenged by an external body	3	2	6	Advice/assistance from qualified and experienced officers available Control measures will be provided through a timely and effective Action Plan Robust Procurement Policy and Procedures in place	3	2	6	Inform and train all relevant officers - on the Act, implications of the Act and how to implement and monitor the social value impact Implementation of the Action Plan in conjunction with partners (including Newcastle Voluntary Sector Forum)	To be completed in conjunction with Simon Sowerby (Business Improvement Manager) for the initial phase and review - after this it will become an ongoing process and embedded within council procedures	Wiles, Robin (Partnerships Officer (Community Development)) Wiles, Robin (Partnerships Officer (Community Development))	31/05/13 31/05/13
The Public Services (Social Value) Act Action Plan is not approved and therefore compliance is not achieved	If the Action Plan is not implemented it is likely that the Public Services (Social Value) Act will not be complied with. Significant potential sanctions and/or financial implications for the authority. Reputational damage. Opportunities are missed to develop social value through procurement. NBC could be challenged by an external body	2	2	5	Information and training given to all relevant officers - on the Act, implications of the Act and how to implement and monitor the social value impact Robust Procurement Policy and Procedures in place Implementation of the Action Plan in conjunction with partners (including Newcastle Voluntary Sector Forum) Control measures will be provided through a timely and effective Action Plan Advice/assistance from qualified and experienced officers available	2	2	5	Approve and implement the Public Services (Social Value) Act Action Plan	The approval of the Action Plan will fall ultimately to Cabinet to make the final decision. This is following the agreement from EMT to progress to Cabinet	Cabinet	06/02/13

Risk Identified	Potential Consequences	Impact	Likelihood	Risk Rating	Control Measure	Final Impact	Final Likelihood	Final Risk Rating	Further Action Proposed	Comment	Owner	Target Date
Social Value Act												Risk Count: 3
The Public Services (Social Value) Act Action Plan is approved but not implemented	If the Action Plan is not implemented it is likely that the Public Services (Social Value) Act will not be complied with. Significant potential sanctions and/or financial implications for the authority. Reputational damage. Opportunities are missed to develop social value through procurement. NBC could be challenged by an external body	2	2	5	Advice/assistance from qualified and experienced officers available Robust Procurement Policy and Procedures in place	2	2	5	Inform and train all relevant officers - on the Act, implications of the Act and how to implement and monitor the social value impact Implementation of the Action Plan in conjunction with partners (including Newcastle Voluntary Sector Forum)	To be completed in conjunction with Simon Sowerby (Business Improvement Manager) for the initial phase and review - after this it will become an ongoing process and embedded within council procedures	Wiles, Robin (Partnerships Officer (Community Development)) Wiles, Robin (Partnerships Officer (Community Development))	31/05/13 31/05/13

REVENUE AND CAPITAL BUDGETS AND COUNCIL TAX 2013/14

Submitted by: Executive Director (Resources and Support Services)

Portfolio: Finance and Budget Management

Ward(s) affected: All

Purpose of the Report

To enable Cabinet to recommend the 2013/14 General Fund Revenue Budget and the 2013/14 Capital Programme to Full Council, meeting on 27 February 2013, following consideration of comments received from the Transformation and Resources Overview and Scrutiny Committee of 24 January 2013 and the Scrutiny Café on 17 January 2013.

Recommendations

(a) That it be recommended to Full Council that the revised minimum balances requirement be £1,300,000 with the excess of £200,000 above the current levels being transferred to the Insurance Fund (£150,000) and the Renewals and Repairs Fund (£50,000)

(b) That it be recommended to Full Council that £80,000 be transferred out of the Standards Fund into the MMI Provision.

(c) That the 2013/14 General Fund Revenue Budget and the Capital Programme 2013/14 as detailed in the report to Cabinet dated 16 January 2013 be recommended to Full Council for approval.

(d) That the charges in respect of waiver permits be approved and added to the Scale of Fees and Charges.

1. **Background**

- 1.1 The 2013/14 Revenue Budget and the Capital Programme 2013/14 were considered by Cabinet on 16 January 2013, following which these were submitted to the Transformation and Resources Overview and Scrutiny Committee, on 24 January, for consideration. In addition members have had the opportunity to raise issues and receive explanations concerning the proposed budget for 2013/14 at a Scrutiny Café event held on 17 January.

A summary of the overall Revenue Budget is as follows:

	Estimated Expenditure £	Rate of Council Tax (Band D) £ p
Borough Council requirements –		
Total Net Expenditure	14,118,640	410.89
Less: External Support	<u>7,093,630</u>	<u>206.44</u>
	7,025,010	204.45
Collection Fund Deficit 2012/13	<u>3,700</u>	<u>0.11</u>
Requirement without Council Tax Support Grant	7,028,710	204.56

Less: Council Tax Support Grant	<u>949,280</u>	<u>27.63</u>
Borough Council Tax Requirement	<u>£6,079,430</u>	<u>£176.93</u>

External Support comprises Formula Funding (£6,920,850); Council Tax Freeze Grant (£172,780)

Council Tax Support Grant is payable to compensate for a reduction in the council tax base arising from the change from Council Tax Benefit to Council Tax Support. This would otherwise result in the Band D levy being significantly increased (at £204.56) despite the Borough Council Tax Requirement of £7,028,710 being kept closely in line with 2012/13 levels (£6,924,370).

- 1.2 The Borough's council tax levy of £176.93 is unchanged from the 2012/13 amount. The draft budget considered at your meeting on 16 January 2013 was compiled on the basis that there would be no need for a tax increase in 2013/14.

2. **Transformation and Resources Overview and Scrutiny Committee**

- 2.1 At its meeting on 16 January 2013 Cabinet approved the Revenue and Capital Budgets for 2013/14, recommending no increase in Council Tax. The report and the recommendations were referred to the Transformation and Resources Overview and Scrutiny Committee for comments.
- 2.2 The Scrutiny Committee met on 24 January 2013. The Chair of the Committee will be attending the Cabinet meeting to present the Committee's observations and comments on the report and budget proposals. In addition, any comments relating to the fees and charges for 2013/14, which have been scrutinised by the Committee, will be reported to you.

3. **Final Finance Settlement Notification**

- 3.1 At the time of compiling this report the government have not yet notified the Council of the final amount of its grant funding for 2013/14. This was received at the end of January last year. However, there is unlikely to be a significant change from the amounts notified as the provisional settlement figure. If the amounts do change, the table in paragraph 1.1 will require amending to reflect the changes. A verbal update will be given at the Cabinet meeting.

4. **Balances and Reserves**

- 4.1 The Council's Balances and Reserves Strategy for 2012/13 is that there should be a minimum General Fund balance of £1.4m and a minimum balance on the Contingency Reserve of £100,000. The Council currently holds these reserves.
- 4.2 A review of all the Council's Balances and Reserves together with a risk assessment has been carried out for inclusion in the final report on the budget to Full Council on 27 February.
- 4.3 The review and risk assessment indicate the following:
 - Most of the reserves are still adequate to meet normal levels of expenditure, with two exceptions set out below.
 - The Insurance Fund will be insufficient to meet the cost of premiums and claims from 2013/14 onwards, with the shortfall indicated as at 31 March 2014 being around £125,000.

- By 2014/15 the Renewals and Repairs Fund is likely to be insufficient to meet the cost of repairs and maintenance of council buildings and structures, with an estimated balance of £3,000 by 31 March 2014. It is felt that a balance of £3,000 provides too small a margin to cater for any unforeseen requirements.
- The level of minimum balances required after considering the risk assessment has reduced to £1.3m. This is due to a number of factors, for example:
 - ◆ The inclusion of an increased allowance for income shortfalls in the 2013/14 budget means that this risk is reduced and therefore requires less to be held in balances to mitigate the potential loss.
 - ◆ Amounts of money invested that are potentially at risk continue to reduce.
 - ◆ The risk of a National insurance increase has reduced as the Chancellor made no mention of an increase in his Autumn Statement.

4.4 It is proposed, therefore, to reduce the amount held as a minimum balance by £200,000 and to use this to top up the Insurance Fund by £150,000 and the Renewals and Repairs Fund by £50,000.

4.5 Previous reports have drawn attention to the situation with regard to Municipal Mutual Insurance (MMI), whereby the Council may be subject to clawback in respect of claims settled by the company after they went into administration. Potentially the liability could amount to around £721,000. Current advice is that authorities should set aside around 25% of their potential liability as a provision to meet this eventuality. Presently, an amount of £100,000 is set aside in such a provision (the MMI Provision). A further £80,000 would be required to be set aside to represent 25% of the liability. It is proposed, therefore, that £80,000 be transferred from the Standards Fund, which has a balance of £95,000, into the MMI Provision. It is considered that the remaining balance on the Standards Fund will be sufficient to meet foreseeable costs, since only £5,000 has been charged to the Fund since it was established in 2005/06.

5. Fees and Charges - Additional Charge

5.1 A new charge in respect of “waiver permits” was omitted from the Scale of Fees and Charges submitted to Cabinet for consideration on 16 January. This charge will permit persons or organisations carrying out work at businesses within the Newcastle Town pedestrianised area to park in restricted zones. An amount of £15,000 is included in Appendix 1 to the budget report to Cabinet on 16 January, detailing savings and efficiencies, as additional income estimated to arise from this source. The new charges proposed are set out below.

	Fee/Charge 2012/13 £.p	Proposed Fee/Charge 2013/14 £.p	Increase/ Decrease £.p	Committee Approval/ Comments	VAT Status
WAIVER PERMITS				Cabinet	No VAT
Parking waiver permit (day one)	Free	15.00	15.00		
Parking Waiver Permit (additional days exc Sunday up to 7 days)	Free	5.00	5.00		

The Transformation and Resources Overview and Scrutiny Committee were made aware of this additional proposed charge when they considered the Scale of Fees and Charges at their meeting on 24 January.

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PROCUREMENT OF CORPORATE MAIL SERVICES

Submitted by: Executive Director, Resources & Support Services

Portfolios: Communications, Transformation and Partnerships/Finance and Budget Management

Ward(s) affected: Non Specific

Purpose of the Report

To inform Cabinet of the outcome of the tendering process for the provision of corporate mail services and to obtain Cabinet approval for the appointment of the successful contractor, subject to the satisfactory outcome of a pilot exercise.

Recommendation

That a contract be issued to UK Mail (the successful provider) for a period of 2 years with the option to extend to August 2016, subject to the completion of the pilot exercise of up to 6 months duration, for the delivery of corporate mail services.

Reasons

- (a) A review of current mail services has resulted in a procurement exercise being undertaken through the Government Procurement Services (GPS) Framework; the overall aim of which is to streamline the process of sending out corporate mail to ensure that the most cost effective and process efficient methods are being used.
- (b) The proposed contract will realise savings on current postal costs through working collaboratively with partners.

1. Background

- 1.1 The Council currently utilises Royal Mail for the collection, transport and delivery of mail with an annual expenditure in the region of £129,400 per annum (p.a.) on post; with a further £5,300 p.a. spend on priority mail with DX¹ Services. This total expenditure is spread across three main areas: Central Mail Services (Customer Services), Revenues & Benefits, Elections and Licensing.
- 1.2 Historically Royal Mail has been the monopoly provider of letter delivery. However, since the Postal Services Act 2000, the mail market has opened to other service providers. In January 2006, the final restrictions were removed and as a result, no part of the postal market is now reserved for Royal Mail alone, subject to an alternative operator having an operating licence from Ofcom.
- 1.3 Since then GPS have established a suite of Postal Services framework agreements for use by local and central government which have been used in this case. However, it was recognised early on that greater savings could be achieved by aggregating volumes through working with other councils to reduce costs. Therefore a joint Invitation to Quote, under the GPS Framework, was produced for the Provision of Mail Services by Newcastle Borough Council acting on behalf of a partnership with Stafford Borough Council, Cannock Chase

¹ DX is a mail alternative to 2nd class post. It is cheaper as we pre-sort mail and place it in DX sacks, rather than frank items.

District Council and East Staffordshire Borough Council, with a closure date of 28 September 2012.

- 1.4 Tenders were received from two providers², and the partnership authorities undertook an evaluation exercise based on a price:quality split of 70:30. An officer from each partner authority was involved in the evaluation of submissions, supported by 'Improvement & Efficiency West Midlands' who managed the electronic tendering process.
- 1.5 The results of the evaluation were as follows:

Evaluation Criteria	Tenderer 1 Scoring	UK Mail Scoring
Price (70 points)	62	70
Quality (30 points)	22.7	17.9
Total:	84.7	87.9

This equates to a difference of 3.2 in favour of UK Mail.

- 1.6 Subject to approval, the contract term will be for a period of 2 years with the option to extend to August 2016, which is the end date of the current GPS framework agreement.

2. **Issues**

- 2.1 The Council's current total corporate mail expenditure includes the lease, maintenance and postal charges for three separate franking machine contracts, housed at the Civic, Crematorium and Cemetery offices. It is not intended at this stage to remove the franking machines at the Crematorium and Cemetery offices as these are low cost items, and are currently under agreement with the provider until late 2014. However, the franking machine at the Civic offices has been deliberately let on a short term basis with a view to termination of that agreement. The successful tenderer will introduce processes that remove the requirement for the franking machine and associated costs, providing a saving of approximately £5.7K in the first year.
- 2.2 It is anticipated that the pilot will take place in all three areas - Central Mail Services (Customer Services), Revenues & Benefits, Elections and Licensing - over a period of up to 6 months from February 2013 to July 2013.
- 2.3 Future work will include the potential to reduce the number of licences and the evaluation of hybrid mail³ to try to identify further savings for the Authority.

3. **Outcomes linked to Sustainable Community Strategy and Corporate Priorities**

- 3.1 The outcome supports becoming a cooperative council delivering high quality community driven services, through providing a postal solution that maintains and supports sustainable communications with our community on behalf of the Authority.

² The Council's current provider (Royal Mail), whilst being listed within the framework, did not submit a tender proposal as it is bound by fixed pricing within the market.

³ Hybrid Mail is an electronic-based postal service. The sender posts the original message in either hard copy or electronic form. This means that you can produce a letter, invoice etc and have a choice on how it is sent out; either by printing it yourself and incurring postal costs locally, or via your pc by sending it directly to a provider over the internet which they then process and convert into a letter post item for physical delivery to the addressee. Costs savings can be made by electing to send most items electronically thereby reducing costs such as printing, enveloping, and transporting.

4. **Legal and Statutory Implications**

4.1 The recommendation is made in accordance with the Council's internal rules set out in the Constitution and with the European Procurement Rules and the UK regulations.

5. **Equality Impact Assessment**

5.1 An equalities impact assessment was undertaken at the initial tendering (Pre-qualification) stage prior to including successful providers on the Government Procurement Services (GPS) (RM782) Framework.

6. **Financial and Resource Implications**

6.1 The proposed contact provides saving of approximately £35.5k per year on current external postage costs, and £5.7K on franking machine costs at the Civic offices.

6.2 Internally, the post volumes are managed from 3 distinct locations/services areas: Central Post Room; Revenues & Benefits and Elections and Licensing. Officers from Customer and ICT Services will be responsible for managing the contract once awarded.

7. **Major Risks**

7.1 Risks have been identified associated with the transfer of the postal service to a new provider which in summary are:

- Operational issues in transferring the service to a new provider
- Provider not achieving consistent quality of service to Council/Contract requirements

A full Risk Log is available on request.

8. **Earlier Cabinet Resolutions**

There are none.

9. **Background Papers**

There are no background papers linked to this report, albeit a copy of the Invitation to Quote and combined specification as part of the tendering process can be made available to the reader if required.

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JOINT HOUSING ALLOCATIONS POLICY – MINOR AMENDMENT

Submitted by: Sarah Moore

Portfolio: Regeneration and Development

Ward(s) affected: All

Purpose of the Report

To highlight a request for an amendment to the Joint Housing Allocations Policy from Aspire Housing prior to the Policy launch in the New Year.

Recommendation

To give consideration to the request made by Aspire Housing for an amendment of the Joint Housing Allocations Policy and to grant approval.

Reasons

The request for the amendment to the Joint Housing Allocations Policy has been made by Aspire Housing following recent investigations into their void performance, which revealed that refusals rates are high and refusal reasons suggest that customers appear to be bidding on properties without giving full consideration of whether they would actually be prepared to accept a tenancy for the property.

1. Background

1.1 The Joint Housing Allocations Policy was approved by Cabinet in March 2012 and had been developed in partnership with Aspire Housing as a mechanism to determine priorities for housing need in the Borough and for defining the procedures to be followed in allocating accommodation to local residents approaching the Council through the Newcastle Housing Advice (NHA) service for assistance.

2. Issues

2.1 The Joint Housing Allocations Policy was reviewed and a new draft was prepared and approved in early 2012. The Policy was later approved in June 2012 following a number of minor amendments made to ensure that it complemented the provisions of Welfare Reform Act (2012) so that Borough residents are not placed in a detrimental situation relating to their housing register application and any subsequent offer of housing that could later be considered unaffordable.

2.2 There have been delays to the implementation of the revised Joint Housing Allocations Policy due to ongoing negotiations with the ICT provider that need to be resolved before the system could be built to support the enhanced delivery of the NHA Options Choice Based Lettings (CBL) system and accompanying Housing Register.

2.3 Aspire Housing, following recent investigations into their void performance, have recently identified issues indicating that refusals rates on properties advertised under the NHA Options (CBL) are high, which in turn is having a detrimental effect on void performance and is causing an increase in the loss of their rental income.

2.4 Social Housing stock is a scarce resource in the Borough and should be prioritised for those residents in most housing need.

3. **Options Considered**

3.1 In order to assist Aspire Housing in addressing their void performance issues and to ensure best use of social housing property stock in the Borough, Aspire asked the Council to consider a range of options as an amendment to the Joint Housing Allocations Policy, prior to its launch in the New Year. These options were:

- (a) To restrict the number of bids that an applicant is able to make on properties advertised each week;
- (b) To restrict the number of bids that an applicant is able to make on properties advertised each week and if an applicant then refuses a subsequent 'reasonable' offer of a tenancy or does not respond to an offer within the timescales on the offer notification to exclude the applicant from the Housing Register;
- (c) To restrict the number of bids that an applicant is able to make on properties advertised each week and if an applicant then refuses a subsequent 'reasonable' offer of a tenancy or does not respond to an offer within the timescales on the offer notification to suspend the applicant from the Housing Register for a period of 6 months;
- (d) To permit applicants to place an unlimited number of bids on properties advertised each week, however if an applicant makes an unreasonable refusal of an offer or does not respond to an offer within the timescale on the offer notification, their application will be suspended for 6 months. This does not apply to applicants in Band 1, 2 or 3 who have had an assisted bid placed by NHA on their behalf, if they refuse a suitable property from an assisted bid they become reassessed and placed 2 bands lower.

3.2 An unreasonable refusal is considered to be a reason given:

- (1) that was or could have been known at the time of bidding, such as; not liking the area; its too far from family support; it has a school nearby; don't like the neighbourhood; not happy with the external elements of the property; it has no front garden; it has steps to the front of the house etc. or;
- (2) regarding the internal space or décor or layout or the standard of the property when the property has passed Aspire's Void Standard. This will be considered on a case by case looking at customer vulnerability by a Manager to ensure consistency.

4. **Proposal and Reasons for this Preferred Solution**

4.1 It is proposed that the Joint Housing Allocations Policy is amended to permit applicants to place an unlimited number of bids on properties advertised each week under the NHA Options CBL scheme, however if an applicant makes an unreasonable refusal of an offer or does not respond to an offer within the timescale on the offer notification, that their application is suspended for 6 months (Option d above).

4.2 Applicants will be able to appeal against a decision made to penalise applicants for refusal of a property and these appeals will be dealt with by the Lettings Manager or a Manager who is more senior to the person who made the original decision.

4.3 Option d is considered the most favourable option because:-

- (1) it does not restrict an applicant's choice under the NHA Options CBL scheme;
- (2) it encourages applicants to carefully consider bids that they do make;

- (3) it prevents delays to the Lettings system that may effect vulnerable applicants who urgently need accommodation;
- (4) it protects vulnerable applicants who may not understand the implications of bidding and will therefore not be penalised;
- (5) it does not permanently penalise applicants;
- (6) it enables more effective use of property stock and administrative time;
- (7) it can be clearly communicated to applicants at the time of registration or when they bid for properties;
- (8) the process can be managed effectively and efficiently;
- (9) there is a built in appeals mechanism to ensure that fairness and consistency is achieved.

5. **Outcomes Linked to Sustainable Community Strategy and Corporate Priorities**

- 5.1 The Joint Housing Allocations Policy enables the Council to prioritise meeting the housing needs of local residents; this contributes to the delivery of the corporate priority of creating safe and sustainable communities.

6. **Legal and Statutory Implications**

- 6.1 Housing Authorities are required by s.167 of the Housing Act (1996), as amended by the Homelessness Act (2002), to have an allocation scheme for determining priorities and for defining the procedures to be followed in allocating housing accommodation.
- 6.2 The Policy complies with the Housing Act (1996) (Part VI), as amended by the Homelessness Act (2002) and the Homelessness Code of Guidance for Local Authorities.

7. **Equality Impact Assessment**

- 7.1 The Council has completed an EIA for the Joint Housing Allocations Policy.

8. **Financial and Resource Implications**

- 8.1 There are no direct implications of the proposed amendment for the Joint Housing Allocations Policy as the Policy has not yet been incorporated into the enhanced ICT systems and amendments are already scheduled to be met within the current budgets using existing resources.

9. **Major Risks**

There are no major risks attributable to this proposal.

10. **Key Decision Information**

- 10.1 The adoption and the implementation of this Policy with the proposed amendment will affect all wards within the Borough.

11. **Earlier Cabinet/Committee Resolutions**

- 11.1 Choice Based Lettings Update – Feb 2010
- 11.2 Joint Housing Allocations Policy Review – July 2011
- 11.3 Draft Joint Housing Allocations Policy – March 2012

13. **List of Appendices**

None.

14. **Background Papers**

Joint Housing Allocations Policy 2012 – available on request from the Housing Strategy Team.

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

EXECUTIVE MANAGEMENT TEAM'S REPORT TO CABINET

Date 6th February 2012

1. **REPORT TITLE** Newcastle-under-Lyme Co-operative Strategy 2013-2015
- Submitted by:** Head of Business Improvement and Partnerships – Mark Bailey
- Portfolio:** Transformation, Communications and Partnerships
- Ward(s) affected:** All

Purpose of the Report

To provide the Cabinet with a draft of the Co-operative Strategy 2013-2015.

The Strategy has been developed in line with the other key Borough Council strategies on Economic Development, Health and Well-Being and Stronger and Safer Communities.

The Strategy sets out the details around the stated ambition of the Council to become a Co-operative Council, an ambition which is also reflected in the key priority on becoming a Co-operative Council within the Council Plan.

Cabinet is asked to consider the draft version of the Strategy and approve circulation of the Strategy to partners and the community for further consultation.

Recommendations

- a) **That the Cabinet notes the contents of the Strategy**
- b) **That the Cabinet makes any further amendments or suggestions to the content of the Strategy**
- c) **That the Cabinet requests circulation of the Strategy to partners and communities following this meeting and requests further updates on the Strategy's development at future meetings of the Cabinet.**

Reasons

The Strategy provides the main framework for the work being done by the Borough Council in conjunction with its partners, communities and other key stakeholders in seeking to develop a Co-operative Council for Newcastle under Lyme B.C.

The Strategy brings together existing areas of work and provides a common basis for future work programmes as well as providing a framework for future development of the co-operative concept.

It is proposed that the Strategy – as with the other key strategies mentioned above – will be subject to consultation with key sections of the Borough's population, together with partner organisations across all sectors.

1. **Background**

- 1.1 The background to the co-operative approach is set out in the strategy itself, found at Appendix A of this report.

- 1.2 The initiative has been developed by a series of councils nationally, and is a reflection of a number of legislative and policy changes, including the development of the 'Big Society' concept by central government.
- 1.3 The co-operative approach puts the local authority at the centre of a process of change in the local area, using its position as a civic leader to develop communities, staff, partners and other sectors to work together in order to continue to deliver high quality services against a challenging financial background.
- 1.4 The initial draft of the Newcastle-under-Lyme Co-operative Strategy is presented here for consideration by Cabinet.
- 1.5 It is planned that further work will take place with communities, partners and others to establish the content of the Strategy. This will include recommendations from the recent Peer Challenge in October 2012 (reported at the January 2013 meeting of the Cabinet) which include the introduction of a Co-operative Charter for the Borough and a range of other actions laid out in the Strategy, including: -
 - Improving the 'customer journey' by simplifying the route the citizen must go along when doing business with the council as a customer
 - Including the co-operative principle in consultative processes
 - Using the co-operative approach as basis for workforce and organisational development – including through changed behaviours, culture and values (including the development of a co-operative code of conduct)
 - Developing elected Members to recognise and utilise the concept of the co-operative council
 - Developing Locality Action Partnerships (LAPs) along co-operative lines

2. Issues

- 2.1 The Co-operative Strategy itself has been developed along a number of key lines of enquiry/development.
- 2.2 There are a number of key drivers listed in the Strategy, including: -
 - National developments
 - Evidence/data
 - Other plans/strategies developed in the Borough
 - Previous experience
 - Resource issues/prioritisation
- 2.3 Based on these drivers and other factors, the Strategy will be focused on action planning, and an action plan will be developed to support implementation of the Strategy.
- 2.4 It is clear that, with the economic downturn in recent years and the subsequent tightening of the public finances, not everything can be done in terms of addressing the issues of the Borough. As a result, a clear focus has been made in this Strategy on a clear set of objectives, including services of a high quality and with a community focus.

3. Options

There are no options to be considered at this stage. Cabinet is asked to consider the draft version of the Strategy and to make any comments as required. Further consultation is due to take place with partners and other key stakeholders after this Cabinet meeting and a further version of the Strategy will be presented to Cabinet at a later date.

4. **Proposal**

- 4.1 It is proposed Cabinet consider the Strategy and make comments and changes, as set out in this report.
- 4.2 It is proposed that the Strategy becomes the overarching document for work in these key areas of activity.

5. **Reasons for Preferred Solution**

- 5.1 The Strategy has been developed in order to organise the work being done under the co-operative heading. The Strategy has taken note of key drivers as set out in this report and has also taken into account the restrictions placed on organisations and individuals due to the prevailing economic situation. The Strategy forms the basis for ongoing work in these areas over the next few years and provides a structure and coherence which will assist in moving forward in the areas covered by the Strategy.

6. **Outcomes Linked to Sustainable Community Strategy and Corporate Priorities**

- 6.1 The Strategy has potential to help deliver key outcomes across all the priorities of the Borough Council.

7. **Legal and Statutory Implications**

- 7.1 None at present – there is no statutory requirement to provide this Strategy.

8. **Equality Impact Assessment**

- 8.1 An Equality Impact Assessment is being developed for the Strategy.

9. **Financial and Resource Implications**

- 9.1 There are a range of resource implications in terms of delivering the Strategy and these have been referred to in this report and elsewhere.

10. **Major Risks**

- 10.1 The GRACE risk assessment for the Strategy is being developed. The key risks include not committing enough resources to these areas of work and the community and Borough continuing to deal with the ongoing issues as a result.

11. **Sustainability and Climate Change Implications**

- 11.1 No direct implications, although these issues will be part of the projects set out in the Strategy.

12. **Key Decision Information**

- 12.1 This item is included in the forward plan.

13. **Earlier Cabinet/Committee Resolutions**

14. **List of Appendices**

- 14.1 **Appendix A** – Draft Newcastle-under-Lyme Co-operative Strategy 2013-2015

15. **Background Papers**

- 15.1 None.

16. **Management Sign-Off**

Each of the designated boxes need to be signed off and dated before going to Executive Director/Corporate Service Manager for sign off.

	Signed	Dated
Financial Implications Discussed and Agreed <i>Lead Officer – Dave Roberts</i>		
Risk Implications Discussed and Agreed <i>Lead Officer –Mark Bailey</i>		
Legal Implications Discussed and Agreed <i>Lead Officer – Paul Clisby</i>		
Equalities Implications Discussed and Agreed <i>Lead Officer – Mark Bailey</i>		
H.R. Implications Discussed and Agreed <i>Lead Officer – Richard Durrant</i>		
ICT Implications Discussed and Agreed <i>Lead Officer – Jeanette Hilton</i>		
Sustainability and Climate Change Implications Discussed and Agreed <i>Lead Officer – Mike O'Connor</i>		
Report Agreed by: Executive Director/ Head of Service		

Newcastle-under-Lyme Co-operative Strategy 2013-2015

What is does a co-operative approach mean for Newcastle-under-Lyme?

Newcastle-under-Lyme Borough Council is committed to becoming a co-operative council and wishes to work towards making the borough of Newcastle-under-Lyme a co-operative Borough.

In developing its ambition for a co-operative approach, the Borough Council is seeking to improve the Borough through a renewed relationship between the key stakeholders in the area – including the Council itself, its public sector partners, the community, staff and elected Members – via partnerships and other collaborative arrangements which help delivers the overall Borough Council vision of “a borough that is prosperous, clean, healthy and safe”.

The background and drivers for this commitment are manifold. They include: -

- The financial pressures currently affecting the Borough Council and its partners – budgets are being reduced significantly
- Despite these pressures, the increasing expectations of residents and other key stakeholders for services of the highest quality
- The constantly changing legislative agenda of government
- The desire to work, where possible, in partnership with others in order to deliver high quality, cost effective and seamless services

In terms of these drivers and pressures, there is an inherent risk that a gap will appear between what service users and others expect and need and what local authorities and partner agencies can actually provide.

The net result of these factors is that the nature of local government – as it has developed over the past 15-20 years – will have to change. This is reflected in other ways, such as the ending of the performance regime introduced by central government in the early 1990s and continued on until 2010 and the developing agenda of localism, as expressed in the Localism Act 2011 and in other government-sponsored initiatives.

Not all those involved in local governance agree on the nature of this change, although all agree that change is necessary.

At its heart, the changes required need to address the related issues set out above of financial pressure, coupled with increasing levels of demand against a backdrop of legislative change and a desire to deliver services differently. In developing these changes, the need for local authorities is to reduce levels of demand from service users and also to enhance the ability of other stakeholders to deliver services

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where possible. In other words, by providing key stakeholders with the necessary tools to deliver services themselves or in partnership with each other they are able to better satisfy demand and reduce it through the re-design – where necessary – of services.

In Newcastle, we are keen to seek out opportunities to meet the challenges we currently face across the areas already outlined above.

Our over-arching mechanism to do this is to develop a co-operative approach, in order to create the conditions for individuals and communities to take greater responsibility for their own areas and their own lives and to rely on public services, as well as being able to commission the services they feel they need. We see this process as delivering some financial savings, but – more importantly – facilitating the continued delivery of high quality services.

Increasingly, we shall need to adopt new approaches as the ‘conventional’ approaches to finding efficiencies will not be available indefinitely and we need new, sustainable solutions.

In pursuing a co-operative approach, we wish to change the nature of local governance by remodelling the way we do business and the way in which we relate to the key stakeholders in the Borough. We believe strongly that keeping our commitment to act as a civic leader helps us to co-ordinate the pooling of resources to continue to deliver for the people of the Borough.

We are not advocating, therefore, that we as a Council should abdicate our leadership role in the community – as a local authority we are unique amongst our partners in that we are directly elected and we take our place in society seriously. In addition, we do not wish to remove ourselves from the everyday life of our community as we alone – in many cases – have the ability to bring different stakeholders together. Unlike the ‘Big Society’, our co-operative approach envisages a role for the local authority and the public sector agencies in delivering change and delivering quality services in a different way – one that recognises and reflects the times we are living in.

What we are seeking, therefore, to do is use our position and our role as a community leader to lead by example and encourage other stakeholders to become self-reliant – for example, by bringing different stakeholders such as residents and the wider community more into our decision making processes and also involving other stakeholders in how we structure and deliver our services in the future. By doing this, we want to open up our decision making processes and allow others to ‘own’ what is done in a positive way and a way where they feel that things are being done ‘with’ them and not ‘to’ them. In this way, we also feel that change will be sustainable and will not be the victim of changes in political party control or changes at the national level.

As a Council, we want to both set the best possible example to the rest of the Borough in everything we do, and offer the rest of the Borough the opportunity to get involved in a real sense in our activities and responsibilities.

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Delivering change in this way – by working with communities, partners, staff and residents - is not easy and we do not pretend it will be easy. To achieve our ambitions will require considerable changes in the way we do things both internally and externally as an organisation. We will be seeking to look at the internal culture of our organisation – to examine what we can improve to allow our staff to co-operate fully in the ways set out above. In addition, we will be seeking to bring partners together to improve the co-ordination of service delivery to our citizens (at the times they are our customers) so that their ‘journey’ as customers is straightforward and effective in them getting what they want when they want it. Our work on managing demand and redrawing the boundaries of our relationship with citizens will also play a key part in our future development.

Having set out what we are seeking to do in developing our co-operative approach, we have also given some thought to how we are going to deliver against our ambitions.

As we have said, our ambition is to deliver the necessary changes required by a number of key drivers – including the financial position we find ourselves in, but also the legislative changes we need to implement.

The changes we want to see have the collective aim of reducing some of our expenditure, but we also want to be able to continue to deliver high performing services. Our preferred approach to dealing with these challenges is a co-operative one – working with other key stakeholders to empower them (in the case of communities, for example) to deliver services themselves or co-produce services with us or other public sector agencies. This does not mean, as already stated, that we will stop doing things ourselves altogether, but it will mean that we need to take decisions on how we want to do certain things in the future.

In pursuing our co-operative vision, we have already made it a key priority in our Council Plan 2013-2016, and we will be making a number of key announcements following the publication of this strategy including the development of a Co-operative Charter setting out a number of minimum standards we hope to achieve from our co-operative work.

In delivering our vision of a Co-operative Council, we will seek to develop a number of key elements: -

- **Encouraging collaborative working** – we already work successfully in partnership with others but we want to develop this further and make it a central part of the way we operate as a business so that every decision will be looked at from a partnership perspective

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- **Enhancing citizen and customer experiences** – we want to co-operate with our citizens at the times they are our customers by simplifying the way in which we deal with their enquiries and ensuring that they do not have to go from organisation to organisation to get what they want
- **Engaging with others** - we will seek to develop further our consultation and communication techniques and approaches, building on our consultation on the 2013/14 budget for the Borough Council and work with our Locality Action Partnerships in delivering the key parts of this strategy – our aim is to make sure that everyone, so far as possible, knows what we are doing and what we are planning to do
- **Establishing change** - as this strategy has set out, we need to change and we want to deliver that change via a co-operative approach and we want to ensure that this change lasts

We call these the 4Es of co-operative working in Newcastle-under-Lyme.

In delivering this vision, via these key areas, we want to establish a Borough where people feel they have a say in what happens in their locality and where they also feel they 'own' decisions and actions taken in their name. We also want to foster a feeling of concern and care amongst people as to the direction the Borough is taking. Too often we see situations where one group of people feel that things cannot be changed or have nothing to do with them – we feel that changing attitudes towards a more responsible and engaged populace is key to delivering successful change in the way we have outlined here.

Finally, we want people to be able to decide as to what they want for their own lives. We want communities to make it clear about the level of service they require, for example, as it may be that they either want an enhanced service or perhaps a reduced service. We as a council can also take decisions for our own future, given the relative freedom given to us to determine our own destiny. Overall, we want to be able to deliver services with the highest possible quality for the best possible price, but with an ethical and social value as well.

Overall, therefore, we do not see a co-operative approach as narrow, instead we see it as delivering the 4Es set out above with the aim of creating a fifth E – that of **empowerment**. In other words, we want people to be able to control their own lives and decide what resources they and others need from the Borough Council and from other partners. In this way, co-operation can mean a great many things in practice.

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What does working co-operatively mean for Newcastle-under-Lyme?

Achieving our ambition of becoming a co-operative council does not mean that all our existing or future problems and challenges will be solved, but it does mean that we can seek to deliver some of our needed savings not by traditional 'salami slicing' activity but through a method which allows us to be innovative and also allows decisions to be made in a new way through involvement and dialogue with our key stakeholders – especially our communities.

A co-operative vision for this Council and for the Borough of Newcastle-under-Lyme as a whole offers a range of opportunities for us. It builds on our acknowledged strengths – planning and priority setting; partnership working; sound financial management; high performing services; excellent staff; good engagement with communities and others; sound governance – and potentially tackles some of our acknowledged areas for development such as developing elected Members; involving LAPs and the wider community in a more constructive way to build capacity amongst the community; identifying what are not priorities for us; and delivering necessary savings in the future.

Further to these points, it allows us to set a benchmark for the future for this area, to provide the opportunity for our employees to develop a co-operative future and for us to develop our own model for achieving this future, along the lines set out in this strategy so far.

The involvement of our staff is a key part of our co-operative approach as we see them as the best asset we have. In developing our staff to act more co-operatively, we feel we need to facilitate an atmosphere for the changes that we wish to see. In order to achieve this – at least in part - we are seeking to address elements of our organisational culture, such as: -

- Supporting risk taking and discouraging blame amongst staff and all stakeholders
- Continuing our focus on action centred work
- Focusing on the use of plain English and eliminating jargon and acronyms where possible
- Opening up the work of the organisation in a real and physical way including the use of open days and innovative approaches to publicity
- Generating ideas and removing blockages from the system which prevent these ideas getting through

We believe that by examining our own culture in this way, we will set an example for others to look at the way they do business and seek to develop their own approaches to co-operation, including the community.

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In delivering these ambitions, we will devote resources from the Borough Council, including a number of elements of the co-operative approaches set out here in a change programme led by the Executive Management Team and including other key employees.

We have acknowledged that our approach to co-operation can encompass many different ways of working. We can express our approaches in the form of a ladder of co-operation. The ladder can stretch from simply working in way which is based on the key elements of co-operative working set out above ('the 4Es') to more complex methods of working together, such as the use of mutuals or single purpose vehicles. Each of these 'rungs' on the 'ladder' can involve different stakeholders or groups of stakeholders - see below (together with existing examples of our work for illustration): -

Services delivered by formally constituted company – delivering a service via a mutual or unincorporated company – e.g. the Newcastle Town Centre Partnership
Co-production of services with communities other others – such as the purchase of facilities from Council for community to run themselves – e.g. Bradwell Lodge
Active input into decision making from stakeholders – giving service users the power to shape services – e.g. the review of community centres in the Borough
Working based on the 4Es – community development, culture change, elected Member development to develop new ways of working – e.g. LAPs development
Partnership working – working with partners on key projects – e.g. Let's Work Together
Consulting with residents and other stakeholders – on key areas of policy – e.g. the Budget setting process
Informing stakeholders of key decisions – providing timely information – e.g. about elections

Figure 1: Ladder of Co-operative Working

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Work has already been undertaken by the Borough Council on the various types of service arrangement which could be developed under a Co-operative Council heading – as can be seen by the examples above. It should be pointed out that none of the ‘rungs’ on the ladder are mutually exclusive, and a combination of different approaches can be adopted. What we want to show, however, is that there is a range of choices open in developing a co-operative approach and we see the notion of developing key stakeholders to work co-operatively is a key part of seeking out new ways of dealing with the challenges that face us. It should be stated that we do not see the above as a list of importance; rather we see it as an assessment of some of the options available as we seek to deliver our co-operative vision.

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What have we done so far?

As said in the previous section, work has already got underway in developing a co-operative approach for Newcastle under Lyme B.C.

As an organisation which is used to dealing with change, the Borough Council has been busy in developing a range of approaches to face up to the challenges facing it over the next few years. The major documents setting out the Council's plans and ambitions are: -

- Newcastle-under-Lyme Borough Council Plan 2013-2016 – referred to at various points in this strategy
- Newcastle under Lyme Economic Development Strategy 2012 -2017 – covers the key elements of economic development and growth
- Stronger and Safer Communities Strategy 2012 – 2017 – focuses on crime-related and partnerships issues, including driving forward prevention
- Health and Well-Being Strategy

Each of these key documents set out the overall vision for the Council, together with its key priorities. These are: -

Vision – To create a borough that is prosperous, clean, healthy and safe

Key priorities

- A clean, safe and sustainable borough
- A borough of opportunity
- A healthy and active community
- Becoming a co-operative council which delivers high quality, community-driven services

In addition, the three strategies set out the key actions which will seek to deliver against the key priorities set out above. In so doing, the Borough Council has sought to bring together partners, communities, and other key stakeholders to deliver key actions.

This Co-operative Strategy is both a part of this strategic framework and yet is also something else. We acknowledge that the notion of being co-operative is nothing new – indeed, it has its roots in the nineteenth century. It is a new concept, however, in the way we are seeking to achieve it. As said, we seek to develop a new role for the Council, as well as for other stakeholders in that we want to encourage these stakeholders to play a much greater role in decisions; and even to potentially deliver services for themselves. In addition, we are keen to develop our own organisation, to change our culture and become a co-operative council in a real sense.

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In a sense, therefore, this strategy both complements the above documents but also adds a delivery approach which covers all of the above. In other words, our Council Plan sets out what we are planning to do, and the three strategies above set out what we are going to do to deliver against this plan. The Co-operative Strategy, however, sets out *how* we are going to do this. We see co-operation as the over-arching delivery mechanism – developing our stakeholders such as our local community to deliver for themselves and offering our leadership role to co-ordinate and lead on that.

This Strategy covers the period 2013-2015, as we believe that it will take a period of time to lay the foundations for our co-operative approach. Having said that, we have already done a number of things to move us in this direction. These include the following: -

- Committed to the introduction of a Living Wage, ensuring that the lowest paid staff earn at least the local cost of living
- Restructured our partnership working, to move away from meetings and to focus on action and delivery
- Developing an approach to employee volunteering and encouraging volunteering generally in the borough
- Focusing on our town centres as locations for economic growth by working with local businesses
- Developed a wholesale consultation process around the budget setting for 2013/14

These are at the early stage of our work on becoming a co-operative council. As we have said, we recognise that there is still much to do.

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The Next Steps

We very much want to build on the work we have already done towards developing a co-operative council, as we have outlined in this strategy.

As said, we have as one of our key corporate priorities to become a co-operative council delivering high quality, community driven services. In order to deliver against this priority, we want to fundamentally change the way we operate as a council and also redefine the relationships we have with our key stakeholders, including our communities and residents.

We understand that to realise our ambition, we need to develop communities in order for them to take their own decisions and we need to develop ourselves in order to act as a community leader, and we can also build on our acknowledged role as the leading agency for the Newcastle Partnership. As part of the Council's development, we will be seeking to develop a range of different actions, but – as the key point in our development – we will seek to develop our workforce and work with others to change the culture of the organisation and also to work on changing assumptions about the public sector amongst the public. We know that the public sector is not seen positively at present and we want to seek to challenge that.

As we have said, we are aware that this will take time and we have set aside a period of time in this strategy to achieve its key aims, in order to bring about the reality of, first, a co-operative council and – in time – a co-operative borough for Newcastle under Lyme.

In so doing, we will seek to achieve our vision – as articulated in the key corporate priority set out above – in a number of key areas. These include: -

- Improving the customer journey, including focusing on the levels of demand from service users
- Examining the ways in which we currently deliver services and changing methods of delivery if needed, including developing community led services
- Working and engaging with others where possible – including developing co-location opportunities and our work on welfare reform
- Changing key areas of our organisation – including developing our employees and elected Members

These key areas, combined with the 4Es as outlined previously in this strategy, we believe are key to developing a co-operative council and we have studied other co-operative councils, such as Oldham and Telford, to learn valuable lessons from them in terms of how they delivered their own ambition to be co-operative.

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These areas of work, focusing on key stakeholders, are designed to bring together the different strands of the co-operative approach in order to deliver change in the way set out in this strategy. These key areas of work are designed to complement the basis for the co-operative approach, as set out in the 4Es and will form the basis of an extensive change programme for the Council, led by the Cabinet and/or with the Executive Management Team (EMT).

Our ambition to become a co-operative council must be balanced, we believe, with a desire to deliver positive outcomes. With this in mind, we have developed and will implement in 2013/14 a new performance management framework which is outcome-focused and we will be seeking to performance manage our work on pursuing a co-operative approach.

Our ultimate ambition is to bring about long-term sustainable change both internally for the Council and also externally with communities and partners throughout the borough, and also with other bodies nationally where possible. We will seek to deliver this change in a coherent and clear way, so that we remain transparent and accountable at all times during this process.

Classification: NULBC **PROTECT** Organisational

What will we do between 2013 and 2015?

In order to deliver a co-operative council by April 2015, we will develop an implementation/action plan and we will record our progress against it as part of the performance management framework of the Council.

As we have seen, some work is already ongoing to achieve this, but we will seek to build on these foundations in conjunction with other key stakeholders.

Our work here is designed to complement other key areas of work, to provide the framework for all the work we are hoping to do as set out in our Council Plan and the three main strategies of the organisation. We do not intend to duplicate existing areas of work, nor do we intend to supplant existing workstreams – instead this strategy focuses on additional areas of work which are designed to assist with our ambition of co-operation and which will seek to assist in delivering other key ambitions for Newcastle under Lyme B.C.

As we have seen, we are looking at a number of areas of work at present, including developing existing areas of engagement (e.g. the LAPs) and also developing new areas where possible, including the potential to devolve decision making and even service delivery where possible and where practical. We will continue to work on these areas, in order to develop our communities and our residents in order that they may get more involved in the workings of the local authority and to deliver true co-operation across the council and the borough.

In order to bring this to fruition, we as a Council recognise the need to change both our culture and our ways of working. We are not saying that we need to change everything, but a whole range of external and internal drivers – as outlined in this strategy – mean that we shall have to do things differently in future.

Key elements of this work will involve developing both our employees and our elected Members. We see elected Members playing a central role in the development of the co-operative council and we want to build on good areas of practice and develop Members into civic leaders, ready to lead by example, bring people together, and help to deliver co-operative solutions for the council and the borough. In the same way, our staff need to be encouraged to look wider than the traditional solutions to issues and problems and bring both innovation and different ways of thinking into what they do.

As we have seen, this strategy seeks to make sense of the co-operative approach for Newcastle under Lyme B.C. In it, we have highlighted our overall ambition, as contained within our key corporate priorities, of creating a co-operative council. In bringing this ambition to life, we have focused upon a number of key areas – we have called them the 4Es – of encouraging collaborative working;

Classification: NULBC **PROTECT** Organisational

enhancing the experience of our citizens, especially when they are our customers; engaging with our communities and other key stakeholders; and establishing change. Building on the 4Es – which we see coming together to empower – we will seek to follow a number of work areas, such as simplifying the customer journey; improving our consultation processes; working with our partners on key projects (e.g. welfare reform); working with our communities in areas like funding bids; promoting community based service approaches such as the freeing up of assets; developing our organisation and our workforce and developing our elected Members.

This is our strategic framework, designed to create the conditions for the Council to continue to deliver in the short, medium and long terms as we work towards our vision of a prosperous, clean and healthy Newcastle against a background of financial challenge.

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Agenda Item 9

FINANCIAL AND PERFORMANCE MANAGEMENT REPORT TO END OF QUARTER THREE (DECEMBER) 2012

Submitted by: Head of Finance and Head of Business Improvement & Partnerships

Portfolio: Communications, Transformation & Partnerships; Finance and Budget Management

Wards Affected: All

Purpose

To provide Cabinet with the Financial and Performance Review for the 2012/13 Third Quarter (October-December).

Recommendations

(a) That Members note the contents of the report and recommend that the Council continues to monitor and scrutinise performance alongside finances.

(b) That Members note that the appendix is a new style of performance report to be further developed for 2013-14 as detailed in line with the Performance Management Framework Review and the Council Plan 2013-14 to 2015-16. The intention is to report performance information in a new format as the work is progressed.

(c) That Members note the comments raised at the Transformation & Resources Overview & Scrutiny Committee held 24 January 2013.

Reasons

These monitoring reports provide information about the corporate performance of individual council services, alongside financial information. This report was presented to the Transformation & Resources Overview and Scrutiny Committee on 24 January 2013.

1. Background/Issues and Options

- 1.1 This report provides Members with a detailed update on how the Council has performed during the third quarter of 2012/13 by presenting performance data set in a financial context.
- 1.2 The Council approved a General Fund Revenue Budget of £14,260,980 on 22 February 2012. The actual position compared to this budget is continuously monitored by managers in order to detect any significant variances of expenditure or income from the approved amounts contained in the budget. Regular reports are made available to members by the Portfolio Holder for Finance and Budget Management informing them of the current position, highlighting any significant factors giving rise to variances.
- 1.3 A Capital Programme totalling £18,480,100, covering the two years 2011/12 to 2012/13, was approved at the same Council meeting. Of this total, £4,457,200 was estimated to be spent in 2012/13.
- 1.4 This report also provides detailed analysis of performance in the third quarter, focusing on key performance indicators.
- 1.5 A summary of the overall picture is presented in section 5 of this report. Performance is

progressing well, with the majority of targets currently met.

- 1.6 In section 5 there is also a list of comments raised at the meeting of the Transformation & Resources Overview & Scrutiny Committee on 24 January 2013.

2. **Revenue Budget Position**

- 2.1 The overall position at 31 December shows a positive variance of £7,000. At this point in the financial year, we would have expected to have spent approximately £5.235 million: we have actually spent £5.228 million. Contributing factors to the variance include:

- Sources of income such as land charges, planning fees, market stall rents, commercial property rents and car park fees, continuing to yield less compared to what we would, in the past, have expected to receive up to this point in the year. Because we anticipated economic problems would continue in 2012/13 an allowance of £200,000 was included in the budget which will help to cover these shortfalls. After the offset of this allowance income is still significantly lower than the amounts expected.
- One main overspend has occurred in respect of Kidsgrove Sports Centre (£143,000) due to the part closure of the facility over the last 12 months as repair works have been carried out to the roof of the swimming pool.
- On the positive side, there have been a number of income sources whereby income has exceeded what we would have expected to receive up to 31 December, these include litter fines, Jubilee 2 income, burial fees and licensing fees. In addition there has also been an increase in the recovery of Housing Benefit overpayments.
- There are also significant savings on supplies and services and employee savings arising from factors including the non filling of a number of vacant posts.

- 2.2 With regard to Jubilee 2, the positive position recorded in the first few months after the centre opened up to the end of the previous financial year has continued. Last year income totalled £377,508 compared with the estimate of £340,142. Up to the end of period 9 this year, income totals £1,052,151, compared to the budget of £874,654 (due to increased usage of the facility), whilst expenditure totals £1,168,373, against expected spend at this point in the year of £982,563 (due to overspends including; casual salaries for overnight cleaning before cleaning contractor appointed - £53,000, 16 months NNDR charge - £41,000, utilities due to CHP unit not fully efficient - £39,000, repairs and maintenance including chlorination of water system and water testing beyond business plan budget - £6,000).

3. **Capital Programme Position**

- 3.1 The Capital Programme approved by Council in February 2012 has been updated to take account of slippage in 2011/12. Where planned expenditure did not occur last year, this has been added to the budget for 2012/13 (apart from any cases where costs have been reduced or expenditure will no longer be incurred). The revised budget for capital projects in 2012/13 totals £5,401,300. The Capital Programme Review Group considered and agreed the revised Capital Programme at its meeting in early July and monitoring is now being carried out against this revised Programme.

- 3.2 £2,878,400 of the revised budget was expected to be spent by 31 December. Actual spending was £1,604,200. The variance of £1,274,200 is mainly accounted for by variances in relation to two projects, Silverdale Community Facilities project where expenditure is now expected in the final quarter and Section 106 Works at Lowlands Road which is awaiting completion of environmental works.

4. **Investment Counterparties**

4.1 Investment counterparties with whom money is invested, as at 25 January 2013 are as follows (with the parent company shown in brackets, where applicable):

Halifax Bank of Scotland (*Lloyds Banking Group*)

Heritable Bank (*Landsbanki*)

Royal Bank of Scotland (*Royal Bank of Scotland Group*)

4.2 With regard to the Council's frozen investment in Heritable Bank, the total amount repaid now amounts to some £1,937,728, which is around 77% of the total that was frozen. The Administrators current prediction is that 86-90% of the £2,500,000 invested will be repaid.

5. **Performance**

5.1 The Corporate Performance ('dashboard') report is reported in a new format attached as Appendix A.

5.2 The information is presented in four sections against each priority.

5.3 There are two sets of symbols to show improvement and achievement :

- One set of symbols (arrows), show whether performance has improved or worsened since the last time each indicator was reported
- Second set of symbols (smiley faces), show whether performance is currently on target or not.

5.4 An overall status of performance against each priority is also stated.

5.5 The intention is to further develop the format of performance reports ensuring suitability and clear communication of progress with outcomes for members and officers of the council.

5.6 In the appendix there are measures detailing progress against our priorities and outcomes and the number of quarterly indicators is 27. This is an interim performance report which will be progressed and developed in line with a longer term aim – to identify and focus on key measures that we consider to be of a cross cutting nature and ensure progress against our outcomes over the coming years.

5.7 The appendix comments on individual indicators where they raise an issue or where either a target has been met, or the direction of travel is not positive.

5.8 The proportion of indicators which have met their targets, based on data at the time of compiling this report, was 71%.

5.9 Positive performance can be seen in a range of services although it must be borne in mind that the results later in the year can be different and that some services have seasonal factors.

5.10 There are a small number of areas listed in this report which are not on target, though none causes concern at present. In all cases, the management of the service is aware of the issues and are taking steps to deal with the situation. Further updates will be provided for Members in future reports.

5.11 The following comments were noted at the Transformation & Resources Overview & Scrutiny Committee on 24 January 2013:

- Councillor Mrs Shenton will attend February Cabinet to feedback on the budget
- Positive variance for the revenue budget.
- There were three indicators - Violence with Injury, Anti-social Behaviour and Serious Acquisitive Crime where partners had not set targets for 2012-13. Consideration as to a locally set target of zero for Violence with injury was felt to be unrealistic, however the work of partners and the council aims to reduce levels of incidence.
- Levels of Street and Environmental Cleanliness – An update to comments received in Qtr 2 was given by Cllr Snell.
- Average number of days lost due to staff sickness – Result off target but assurance given that result is very good when comparable with this period in previous years, with cases of short term sickness being managed appropriately.
- Members queried the use of symbols for each priority in the report –Comments to be considered for the further development of performance reporting.

6. **Outcomes Linked to Sustainable Community Strategy and Corporate Priorities**

6.1 All of these indicators link to corporate priorities.

7. **Legal and Statutory Implications**

7.1 The Council has a duty to set targets for performance of a range of functions and needs to monitor these closely.

8. **Equality Impact Implications**

There are no differential equality issues.

9. **Financial and Resource Implications**

9.1 Any positive variance for the full year on the General Fund Revenue Account will enable that amount to be transferred to the Budget Support Fund and will be available in future years for use as the Council considers appropriate. Conversely, if there is an adverse variance, the amount required to cover this will have to be met from the Budget Support Fund.

10. **Major Risks**

10.1 The current economic situation represents the greatest risk to the revenue budget, particularly with regard to the impact it may have upon income receivable in relation to services where customers may chose whether or not to use Council facilities, such as car parking and other areas directly affected by the economic downturn, such as land charges and planning applications. The situation will be monitored through the normal budget monitoring procedures.

10.2 The capital programme will require regular monitoring to identify any projects which are falling behind their planned completion dates. This will be carried out by the Capital Programme Review Group, which meets on a monthly basis together with quarterly reports to Cabinet.

10.1 The above represents a high level view of risk. There are detailed risk registers available if members wish to see them.

11. **List of Appendices**

Appendix A - Corporate Performance ('dashboard')

12. **Background Papers**

Working papers held by officers responsible for calculating indicators.

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Newcastle Borough Council – Qtr 3 Performance Report 2012-13

This corporate quarterly report is a collection of our key performance indicators and the tables below provide a summary of performance to date.

Key to the symbols used in this report

This set of symbols show whether performance has improved or worsened since last time each indicator was reported:



Performance has improved



Performance has stayed the same



Performance has worsened



Comparison to last time is not possible at the moment

This set of symbols show whether performance is currently on target or not.



Achieving target



Just short of target but plans are in place to overcome these problems



Significantly missing target and so may not achieve its goals



Either the performance or the target is missing at the moment

There is a tabled section for each of our four priorities containing indicators measuring our achievement in that area.

Priority 1

- A clean, safe and sustainable borough

Overall status:








- Our streets and open spaces will be clean, clear and tidy:
- Levels of safety will have improved, along with standards of public health:
- Vulnerable citizens and victims of crime will be provided with high quality support:
- The negative impact that the Council, residents and local businesses have on the environment will have reduced
- Town centres across the borough will be sustainable and safe:
- Working in partnership to support victims of anti-social behaviour, crime and domestic violence:
- Focus with partners on empowering local people communities.



Ref	Indicator	Qtr 3 Result	Qtr 3 Target	How have we performed?	Target Achieved?
1.1	Number of food establishments which are broadly compliant with good hygiene law	91	85		
	Food business operators have demonstrated good compliance with legal requirements, the launch of the national food hygiene rating scheme and publicising hygiene scores have assisted in improving standards across businesses.				
1.2	Violence with injury	529 (cumulative total)	N/A		?
	Violence with injury incidents have increased by 2.1% compared with the year to date figure of 518 in 2011-12.				
1.3	Anti-social Behaviour	2968 (cumulative total)	N/A		?
	The number of incidents of ASB this quarter has reduced from a figure of 1139 in the previous quarter (Qtr 2) to 802 incidents.				
1.4	Serious acquisitive crime	552 (cumulative total)	N/A	↓	?
	The result for the Serious Acquisitive Crime indicator is down on the result of the previous year by 12.7%. The 2011-12 total at this point was 632.				
1.5	% of investment portfolio (NBC owned) which is vacant.	8.4	12		
	The percentage for this quarter is within target and given the current economic climate is a positive result. 15 out of 179 properties are vacant of these 7 are retail units within the Town Centre which has been particularly badly affected by the recession. A further 4 properties require substantial work prior to a tenant taking occupation of the property we are currently seeking funding to enable works to take place.				



APPENDIX A

Ref	Indicator	Qtr 3 Result	Qtr 3 Target	How have we performed?	Target Achieved?
1.6	Levels of street and environment cleanliness				
	a) litter	10.43%	9%	↑	
	b) detritus	10.26%	9%	↓	
	c) graffiti	1.49%	3%	↑	
	d) fly-posting	0%	1%	↑	
<p>Sites for the surveys are randomly selected from a list of 10 land classifications (eg retail and commercial, housing, industry, highways, recreation) and include both land for which the Council is responsible, and land in private/other ownership for which the Council does not have street cleansing responsibility. The sites change for each tranche of surveys to ensure that a true picture across the spectrum is reflected. The results in this second survey for litter have improved (10.43% against first tranche result of 12.09% although they are still slightly below the target of 9% - it should be noted that 89.57% of sites surveyed are achieving the acceptable standard for litter levels) as a result of the action taken to target resources from the information analysed in the first tranche. Detritus results have very slightly deteriorated (although again, it should be noted that 89.74% of sites surveyed are achieving the acceptable standard) and this will be addressed prior to the third tranche surveys. The other 2 categories are broadly on or exceeding target.</p> <p>Analysis of the results has identified where resources and realignment of the service needs to take place to improve levels of street and environment cleanliness in the surveyed areas. In the case of litter, resources need to be targeted towards retail and commercial areas, high obstruction housing, highways and recreation areas. In the case of detritus, resources need to be targeted towards high obstruction housing, industry and warehousing and highways. These areas include significant areas of land for which the Council does not have direct street cleansing responsibilities, and in these cases the Council will adopt an education and enforcement approach to seek to encourage landowners to improve the standard.</p> <p>How the indicator is collected: The results for this indicator are obtained from three surveys undertaken in quarters 2, 3 & 4 of 2012-13. The score is expressed as a percentage of the total number of sites surveyed which fall below the "acceptable" standard. The results of the surveys are analysed and the findings used to target the worst performing areas.</p>					
1.7	The amount of residual household waste per household	110.29kg	112.5kgs	↓	
	<p>The figure for this indicator in quarter 3 is currently an estimate and will be validated in due course. Performance is good with less residual household waste being produced. Target for 2012-13 is 450kgs.</p>				

APPENDIX A

Ref	Indicator	Qtr 3 Result	Qtr 3 Target	How have we performed?	Target Achieved?
1.8	Percentage of household waste sent for reuse, recycling and composting	49.04%	52%	↓	
	The annual trend is positive with a recycling rate of 53.91% for year to date and the service remains on target for the year end result. This quarter has seen a lower yield due to seasonal factors of less garden waste being produced during November and December and is as predicted. The service continues to look at opportunities via education, communication and material streams to enhance recycling and reduce waste. The figure for this indicator in quarter 3 is currently an estimate and will be validated in due course.				
1.9	Measure missed bin collections on all our routes	34.78	100	↑	
	The number of missed bins for Qtr 3 continues the trend to decrease with performance continuing to be strong in this area. The cumulative result for the year to date is 41.43.				

Overall status:




Priority 2 – A borough of opportunity

- Levels of worklessness will have reduced:
- Local people will be able to access opportunities for personal development and growth
- Housing will be available and accessible to meet a range of diverse needs
- Key parts of the borough will have been regenerated and there will have been overall economic growth

Ref	Indicator	Qtr 3 Result	Qtr 3 Target	How have we performed?	2012/13 Target	Target Achieved?
2.1	Number of cases where positive action was successful in preventing homelessness (from the P1E)	134	125	↑	500	
The NHA team have worked well again this quarter, with the number of service users receiving homelessness prevention assistance from the service exceeding the target.						
2.2	Continued engagement with the Family Employment Initiative (FEI)	132	135	↓	540	
The result at Q3 is 408 people engaged against a target of 405 for the year to date. The details of engagement are as follows: Engagement target 27 per month (Qtr 3, 91 including 9 into voluntary work), Training target 9 per month (Qtr 3, 15), Employment target 9 per month (Qtr 3, 26). Q3 is just under target mainly due to the Xmas/New Year break and slow down of clients prior to this.						
2.3a	NI 157a Percentage of Major Planning Applications determined within time	69.2	75 (60)	↔	75 (60)	
The performance for major applications has not met the local target with 9 out of the 13 decisions which count towards this indicator made being within 13 weeks. Without applications to determine there is little that can now be done to secure in-target performance this year. Current predictions, on the basis of applications already in the system and those that might be received in time to be determined, are that the local target will certainly not be met, although performance should still exceed the national target. Performance is being closely monitored and all possible steps taken to achieve decisions within 13 weeks, without putting the Council at risk of challenge and complaint from applicants This is a cumulative indicator and it should be noted that in December the result for decisions completed was 100%.						
2.3b	NI 157b Percentage of Minor Planning Applications determined within time	90.2	85 (65)	↑	85 (65)	
The performance for minor applications has exceeded the target						

APPENDIX A

Ref	Indicator	Qtr 3 Result	Qtr 3 Target	How have we performed?	2012/13 Target	Target Achieved?
2.3c	NI 157c Percentage of Other Planning Applications determined within time	93.6	95 (80)	↔	95 (80)	
<p>For the category of “other,” the performance for this quarter was marginally below the locally set target but exceeded the government target of 80% and so is still performing well. For the sake of clarity the national performance targets set by government have been shown in brackets against our locally set targets.</p>						

Priority 3

Overall status:



A healthy and active community

- People who live work, visit or study in the borough will have access to high quality facilities
- Levels of cultural activity and participation in the arts will have increased
- There will be a range of healthy lifestyle choices, resulting in an increase in participation in sport and physical activity
- Local people will be more able to work together to solve local problems
- Council services will be influenced by resident engagement, enabling local communities to shape services which directly affect their lives

Ref	Indicator	Qtr 3 result	Qtr 3 target	How have we performed?	2012/13 Target	Target Achieved?
3.1	Number of people accessing leisure and recreational facilities	424,196	427500	↑	570,000	
<p>The figures for usage of leisure facilities in the borough has increased this quarter with a total of 152,808 users recorded. The Council operates two leisure facilities: Kidsgrove Sports Centre and Jubilee2. The leisure attendances were almost achieved in spite of the closure of the swimming pools at Kidsgrove Sports Centre between October 2011 and November 2012 and the poor quality experience that the centre offers due to the age and condition of the facilities. Over performance at Jubilee2 has meant that the target was almost met. Plans are being developed to improve the physical infrastructure at Kidsgrove in both the medium and longer term and activities are being developed at both centres. For example a Running Club has been launched at Kidsgrove and a Junior Activity Membership at Jubilee2. Membership fees at Kidsgrove were reduced when the pools shut and have not been increased subsequently. It is further proposed to freeze prices at Kidsgrove next financial year, all in a bid to increase participation.</p>						
3.2	Number of people visiting the museum	42,290	47,250	↓	63,000	
<p>Many visits to the museum are combined with visits to the park and therefore the poor weather, particularly the wet summer, has had an adverse effect on numbers coming through the doors. The service has also experienced an initial drop in schools visits as school budgets again were tightened. We have worked hard to re-establish the schools programme at the museum, initially by sending our education staff into schools. By proving our relevance to the curriculum we are now seeing school visits increase again to near previous numbers. The programme of events and activities on offer also continues to change: A new exhibition Cabinets of Curiosity has just opened in the main gallery and the launch of a new local art exhibition in January. In addition the popular half-term craft workshops will be running in February.</p>						

Priority 4 –





**Becoming a Co-operative
Council delivering high quality,
community-driven services**

Overall status:



- The Council will have increased the capacity and skills of its workforce
- Councillors will be community champions and powerful community advocates
- The Council will have delivered further efficiencies
- High performing services will be provided for all residents and customers
- The Council will be an open, honest and transparent organisation undertaking regular consultation with its residents and listens to their views

Ref	Indicator	Qtr 3 result	Qtr 3 target	How have we performed?	2012/13 Target	Target Achieved?
4.1	Average number of days lost, per employee, to the Council through sickness	6.07 (4.00 long term 2.07 short term)	5.18	↓	6.9	
The indicator has performed well previously but is off target during this quarter. This is due largely to the effect of a number of long term sickness cases. At this point in 2011/12, long term sickness was just over 3 days and it is currently 4 days whereas short term sickness remains at a similar level. All sickness absence is continuing to be pro-actively managed with HR support and has seen a significant increase in the number of Occupational Health referrals and also the number of employees being referred for counselling support where relevant. A review of both the Attendance Management and Capability Procedures is intended.						
4.2	Percentage of invoices paid on time(within 30 days)	97.77	97	↑	97	
Performance continues to be above target						
4.3	% projected variance against full year council budget	0.13	No variance	↔	No variance	
Performance is in line with the target (£7,000 positive variance at period 9)						
4.4	% requests resolved at first point of contact	93.13	75	↓	75	
Performance continues to be well above target.						

Ref	Indicator	Qtr 3 result	Qtr 3 target	How have we performed?	2012/13 Target	Target Achieved?
4.5	% Unmet demand (number of calls not answered as a % of total call handling volume)	4.5	10	↑	10	
	Performance is above target in the third quarter. The contact centre has recently added to its services by taking a percentage of Leisure services telephone calls which will be included in future results.					
4.6	Percentage of Council Tax Collected (Cumulative)	78	76.08	↑	97.5	
	Progress for the year to date has continued favourably with performance within the targets set.					
4.7	Percentage of NNDR collected	87.2	85.2	↑	96	
	Progress for the year to date has continued favourably with performance within the targets set.					
4.8	Time taken to process Housing Benefit/Council Tax new claims and change events	11.24	13	↑	10 days	
	Process times have reduced this quarter from 11.51 days at September and is on target to meet the end of year target of 10 days.					

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SUPPORT AND MAINTENANCE CONTRACT FOR COUNCIL TELEPHONY

Submitted by: Executive Director, Resources & Support Services

Portfolio: Communications, Transformation & Partnerships

Ward(s) affected: All

Purpose of the Report

To seek Cabinet approval for the renewal of our telephony support and maintenance contract directly with Mitel Networks; the manufacturer of the Council's existing telephony system.

Recommendations

(a) That Standing Orders Relating to Contracts be waived on the grounds of 2b(v) which states 'goods and services are obtainable only from a limit numbers of persons or bodies'.

(b) That the support and maintenance contract be awarded to Mitel Networks (Mitel) with effect from 1 April 2013 for a period of three years.

Reasons

The manufacturer of the existing telephony system, Mitel, has submitted the most economically advantageous quotation for the work.

Mitel has provided a quotation for a three years fixed contract price (any new additional applications will need to be added at market price less discount) which helps ICT to budget for the next three years expenditure.

The Council has built an excellent relationship with Mitel over ten years.

1. Background

1.1 In September 2002 the Borough Council's telephony system was replaced and updated to take advantage of the latest technology and enhancements available. The Council was one of the first users of this new digital technology which utilises the Council's ICT network for telephone calls rather than having separate traditional telephone cables and exchange equipment at additional cost. Within Staffordshire, Newcastle remains as one of two authorities (alongside the County Council), with this digital telephone system. Currently the system at Newcastle is more developed and embedded than the County system with Newcastle being the only authority to have all of its locations attached to this telephone system with the ability to provide a wide range of facilities, which includes tele/home working.

1.2 Since the initial installation, the Council has purchased additional features and applications direct from the manufacturer to expand the system. These include the Corporate Contact Centre automated call system, voice recording, performance monitoring and more recently, the intelligent queue management tool¹. These additional facilities have also enabled

¹ Intelligent Queue enables the corporate contact centre to efficiently handle and retain callers in the telephone queue if all agents are busy. It provides callers with alternatives to waiting in queue and directs calls to the agents best qualified to handle their requests to aid first point of contact resolution.

Customer & ICT Services to absorb the switchboard function into the Corporate Contact Centre, which has improved the efficiency and timeliness of calls, whilst reducing costs.

- 1.3 The Council acts as a prime reference site for the manufacturer; hosting visits for major clients from private and public sectors. In return we receive a substantial discount on all goods and services and we also receive free engineer time on site during upgrades, equivalent to £1,200 per day².
- 1.4 The Council benefits from having access to engineers provided by the manufacturer who maintain and upgrade the system and have an in depth understanding of its setup, business requirements and the effects of their actions on users, which has been built over the years. This helps ensure that when work is undertaken, it can be carried out as scheduled without detrimental effect on the normal operations of the Council.
- 1.5 Direct support and maintenance from the manufacturer for the past ten years has ensured 99.9% availability of the system over that time. Almost all upgrades and changes have been configured without interruption to live services.

2. **Issues**

- 2.1 The Council has a duty to ensure that, whilst receiving an excellent level of service with the current provider, value for money is tested and obtained.
- 2.2 The Council is dependent on its telephony system, which handles in excess of twenty thousand calls per month. ICT have undertaken research which concludes that a telephony contract with a third party provider i.e. not the telephony manufacturer, introduces risk to the stable system and robust services we currently receive in terms of:
 - time taken to resolve issues;
 - lack of specialist knowledge due to the number and complexity of telephony systems supported by the third party contractor³;
 - increased cost in both resource and budgetary terms.

3. **Options Considered**

3.1 **Do Nothing**

The current maintenance contract with the manufacturer is due to end on 31 March 2013. Should no contract be in place after that date, the Council will not be licensed to continue to operate its telephony systems.

4. **Reasons for Preferred Solution**

- 4.1 Mitel have submitted the most economically advantageous quotation that provides a cost for service and maintenance fixed for three years, together with additional non chargeable services per annum. This also helps ICT in preparing budget profiles for the next three years.

² Based on current engineer cost per day

³ 3rd party providers support multiple telephony systems from manufacturers such as Avaya, Cisco, Nortel, Meridian, Siemens and a host of other providers. As such, the ratio of officially certified Mitel trained employees available at 3rd party sites is low. Research shows that their escalation process is to send a tier 1 engineer who would know the basics of a system, escalation is to tier 2 within their own organisation – a more specialist engineer, after which the call is escalated to Mitel.

4.2 The quotes by the three providers were evaluated on a quality:price split of 70:30. The quality element of the evaluation was based on the following criteria:

- The capabilities of the engineers sent to deal with system problems at the first, second and third line support. First line support generally involves relatively simple problems such as faulty hardware whilst third line support issues are extremely complex and relate to the structure or software issues requiring developer resolution.
- The partner status with Mitel as an Organisation.
- Value added services.

The results of the evaluation were as follows:

Quality (70 points)	
Company	Score
Quote 1	70
Quote 2	28
Quote 3	28
Cost (30 points)	Score
Quote 1	30
Quote 2	20
Quote 3	10
Overall Score	
Quote 1	70+30 = 100
Quote 2	28+20 = 48
Quote 3	28+10 = 38

Quote 1 obtained the highest scoring. This is from Mitel Networks UK.

4.3 The Council has consistently received excellent service from Mitel over a ten years period. This continued working relationship will benefit the Council in helping deliver 'digital by default' services, as the technology will underpin improvements in the delivery of customer related services and agile working.

5. **Outcomes Linked to Sustainable Community Strategy and Corporate Priorities**

5.1 The outcome supports becoming a cooperative council by delivering cost and efficiencies savings linked to improved procurement and other cost saving exercises. It ensures we provide and improve access to the Council by our citizens, and supports the channel shift and digital by default agendas.

6. **Legal and Statutory Implications**

6.1 The recommendations are made in accordance with the Council's internal rules set out in the Constitution and with the European Procurement Rules and the UK regulations.

7. **Equality Impact Assessment**

No adverse impact has been identified as a result of delivering the recommendations.

8. **Financial and Resource Implications**

- 8.1 Standing Orders 2b(v) require us to go through a full tender process, due to the potential value of the contract. In this instance, due to the limited number of suppliers who can provide guaranteed access to Mitel certified engineers, we have sought quotations from three lead providers of support and maintenance for our current telephony system and to ensure best value.
- 8.2 Quotations were received from two third party suppliers and were higher than those quoted by Mitel. These costs are based on the provision of comparable services to the current core contract with Mitel over a three year contract.
- 8.3 Mitel Networks have proposed a fixed price three year contract for £67,865. The revenue budget currently assigned for support will cover this and actually represents a reduction on the previous contact value.
- 8.4 The fixed price ensures that there will be no increase in cost for the following three years and a further substantial discount is available on any future Mitel products procured by the authority.
- 8.5 Mitel have added additional value items at no cost to the authority to the value of £13K. These items would attract additional costs from the two third party suppliers.

9. **Major Risks**

- 9.1 Risks have been identified associated with telephony failure due to the following factors:
 - Unqualified engineers.
 - Inappropriate/ incorrect guidance.
 - Stagnation of the telephony infrastructure.
 - Inability to deliver specialist solutions to meet Council needs.

A full Risk Log is available on request.

10. **Sustainability and Climate Change Implications**

- 10.1 There are no sustainability and climate change implications arising from this report.

11. **Earlier Cabinet/Committee Resolutions**

- 11.1 Resolution of Cabinet - 24 March 2010, Item 2.

CHARGING FOR PRE-APPLICATION PLANNING ADVICE

Submitted by: Executive Director - Regeneration & Development

Portfolio: Planning, Regeneration and Town Centres

Ward(s) affected: All

Purpose of the Report

To give Cabinet the opportunity to decide whether or not the Council should agree to introduce charging for planning advice, and the means by which this could be done.

Recommendations

- (a) That Cabinet agree that the Council will no longer provide “free” informal written advice as to whether or not planning permission is required for development proposals;**
- (b)- That Cabinet agree to the introduction of charging of fees for pre-application advice, as set out in the report and;**
- (c) That the Head of Planning and Development report back after 6 months on the implementation of these changes, the feedback received and the impact of them.**

Reasons for Recommendations

The introduction of charges for pre-application advice is permitted under Section 93 of Local Government Act and a number of local authorities have already introduced charges for this purpose. Introduction of charges for pre application planning advice presents an opportunity to recoup some of the costs associated with undertaking pre-application discussions with potential applicants for planning permission, and to offset some of the costs of the planning process. This report has been prepared in the context of a significant reduction in planning fee income, and a study, financed by the West Midlands Improvement and Efficiency Project, commissioned from the accountancy firm Deloitte, comparing the Council’s fees and charges with those made by a range of other local authorities. This work identified some activities where no charge is made but could be charged for, and the report to Cabinet on 16 January 2013 on Scale of Fees and Charges identified charging for pre-application advice as feasible for implementation in 2013/14, and advised that a report on this would be submitted to 6 February 2013 meeting.

1. Background

- 1.1 Many local authorities offer pre-planning application guidance, seeing it as a key part of delivering a good planning service.
- 1.2 The National Planning Policy Framework states:-

“Early engagement has a significant potential to improve the effectiveness of the planning system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community.

Local Planning Authorities have a key role to play in encouraging other parties to take maximum advantage of the pre-application stage. They cannot require that a developer engages with them before submitting a planning application, but they should encourage take of any pre-application services they do offer. They should also, where they think this would

be beneficial, encourage any applicants who are not already required to do so by law to engage with the local community before submitting their applications.

The more issues that can be resolved at pre-application state, the greater the benefits.....This assists local planning authorities in issuing timely decisions, helping to ensure that applicants do not experience unnecessary delays and costs”

- 1.3 In addition to giving such guidance, local planning authorities are also regularly asked to confirm in writing whether proposals require permission – particularly, but not exclusively, with respect to householder developments. For the purposes of this report these are called consent enquiries. With recent and anticipated changes in the scope of both commercial and domestic permitted development rights an increase in such enquiries can be anticipated.
- 1.4 An increasing number of Councils now charge for pre-application advice. The Secretary of State has gone on record to say that Councils should consider charging for services as a way of helping to deliver quality services in a climate of budgetary restraint. Some also charge for consent enquiries, or alternatively they decline to provide a written opinion in those situation where there is a formal alternative available – the submission of a formal application under Section 192 of the Town and Country Planning Act 1990 (as amended) for a Certificate of lawfulness of a proposed development.

2. **Issues**

- 2.1 Many local authorities, including this Council, devote considerable time and effort to offering pre-application planning advice, and see it as a key part of delivering a good planning service.
- 2.2 Pre-application planning advice is where prospective applicants (or their agents) seek advice and guidance before submitting a planning application. As already indicated the practice is strongly encouraged so that issues that would arise during the application process are identified and dealt with and the application is submitted in the “best” form possible.
- 2.3 Pre-application advice is advantageous both to applicants and to the Council in that it:
 - provides an opportunity to suggest that an application should not be submitted if the proposal is wholly unacceptable;
 - enables officers to influence the proposal to provide a better development – particularly in terms of design and layout;
 - allows discussion regarding the information required to accompany an application and draft legal requirements and;
 - allows liaison with other departments to bring out any conflicting views and issues.
- 2.4 The Council’s own Statement of Community Involvement (adopted in August 2006) refers to the importance of pre-application consultations, including with both statutory and non-statutory consultees and community and voluntary groups in the identification of issues early in the process “to avoid rushing the application into a forced decision which may later languish in an overburdened appeals procedure”.
- 2.5 Some forms of pre-application guidance are essentially non-interactive – for example the provision of leaflets at the Service Centres and content on the Council’s website. Providing ready access to Supplementary Planning Documents and Local Development Documents can be viewed as a form of pre-application advice. This is not the subject of this report, but it is important to consider any charging proposals in the context of the full extent of guidance which is available, including for example content of the Planning Portal website.

- 2.6 It is the more interactive aspect of pre-application guidance which is the consideration here – the holdings of meetings both within the Civic Offices and on site, the giving of advice over the telephone, and all written forms of communication.
- 2.7 The Table below gives an indication of the volume of enquiries being received by the Planning Service each year over the last 6 years. Although the Service has changed its procedures during this period and improved the “capturing” and recording of such enquiries it would appear that the recent trend is one of a gradually increasing number of enquiries.

Year	Number of Enquiries Received
2007/08	1061
2008/09	948
2009/10	786
2010/11	895
2011/12	944
2012/13 (predicted outturn)	1153

- 2.8 These enquiries concern a very wide range of matters, ranging from relatively simple enquiries to enquiries concerning significant development proposals.
- 2.9 Enquiries are classified according to their development type. In brief proposals for Major development are, in the case of residential proposals, proposals for 10 or more units or, where numbers are not known a site area of 0.5 hectares (1.23 acres) or more. With respect to all other uses Major developments are those with a floorspace of more than 1,000 m² (10,764 ft²), or where the site area is 1 hectare (2.47 acres) or more. Minor developments are those which are neither Major development nor householder developments nor changes of use. The category Other development includes ‘Changes of Use’, ‘Householder developments’ and other types of applications such as advertisement consent and listed building consent.
- 2.10 The Council operates a Development Team approach which involves those enquiries that are concerned with Major development being brought before a Development Team of officers from both within the Authority and from the Highway Authority. Developers can make presentations to the Development Team. A parallel approach is taken to member involvement with pre-application enquiries for Major development being brought before the Strategic Planning Consultative Group.
- 2.11 Of the 860 enquiries received in 2011/12 where information on the development type of the enquiry was obtained, 29 (3.3%) concerned ‘Major development’, 272 (31.6%) concerned ‘Minor development’ and 559 (65%) concerned ‘Other development’. Householder developments, which fall within the ‘Other development’ category, accounted for 403 (47% of the enquiries).
- 2.12 In terms of performance the % of pre-application enquiries answered by the Service within 15 working days has been 72.2% (09/10), 70.2% (10/11) & 70.5% (11/12) against a current local target of 85% within the Service Plan. Performance against this indicator is reported on a half yearly basis to the Planning Committee. The most recent report provided on 4 December 2012 indicated that performance for the first half of 2012/13 had been 69% and that it was not anticipated that the local target would be met. Members commented that it might be inappropriate to have a single target given the range of types of enquiries considered under this single indicator.

- 2.13 The Council's records do not expressly distinguish between the giving of officer opinion on the prospects of planning permission and the giving of an opinion on whether consent (normally planning permission but including listed building consent, conservation area consent and advertisement consent) would be required. However it has been estimated that in 2011/12 for those 927 for which this information has been kept, 367 (39.6%) were enquiries about whether consent was required for a particular proposal, 463 (49.6%) sought officer's opinions on the merit of proposals, whilst the remainder 97 (10.5%) sought information on both aspects. In practice because the existence of permitted development rights is such an important consideration in negotiations concerning householder developments, a greater proportion than 10% in practice deal with both issues of merit and whether consent is required.
- 2.14 There is limited information as to the costs of the provision of such guidance. The Service has participated in two recent Benchmarking exercises. In 2011 this exercise, based on time sheeting within the Authority suggested that the staff costs alone within the Planning Service of the provision of "pre-application" advice was of the order of £46,000, and a more recent similar exercise in November/ December 2012 has indicated that the annual staff costs alone, again within the Planning Service, of the provision of "pre-application guidance" is £45,700 and for the provision to customers of "permitted development opinion" £2,300.

Responding to enquiries about consent is required

- 2.15 The greatest proportion of these types of enquires are concerned with householder development, although this is likely to change as a result of the increased availability of permitted development rights in other areas. If the Council were to take the position that it would no longer provide free written advice and instead require persons seeking a formal view to submit applications for a certificate of lawfulness (where they can), these applications attract a fee which is half that of a planning application for the same proposal. In the case of householder developments such applications (for certificates of lawfulness) currently require a fee of £86. In other cases it could be considerably more.
- 2.16 However dealing with a formal application for a certificate does, almost certainly, "cost" more than dealing with an informal enquiry; how much more is very difficult to estimate. In the case of informal enquiries the tasks are the logging of the enquiry, appropriate research, and the preparation of a response. In the case of applications for certificates of lawfulness the tasks include logging and validating the application, appropriate research, consultation with Legal Services, the preparation by the case officer of a report, its clearance by a more senior officer and the dispatch of the decision. Information obtained from the 2011 PAS benchmarking exercises undertaken within the Planning Service suggests that to achieve cost recovery the average fee for an application for a certificate of lawfulness would have to have been of the order of £369, based upon an estimate that each would require 8 hours of work. This figure was confirmed by a subsequent limited time recording exercise. However it needs to be remembered that such applications almost certainly were concerned with more marginal, problematic and thus time consuming cases

2.17 The following Table indicates the number of applications received for each of the last 6 years

Year	No of Valid Application for Certificates of Lawfulness Received
2007/08	3
2008/09	7
2009/10	8
2010/11	7
2011/12	4
2012/13 (predicted outturn)	20

2.18 Whilst the recent increase in the number of applications for Certificates of lawfulness of proposed development is of note, those authorities which decline to provide “free” informal written opinion on whether planning permission is required for a proposed development generally receive greater numbers of applications (for certificates of lawfulness of proposed development). Lichfield for example received 61 applications, whilst South Staffordshire received approximately 80. However this is not always the case – Stafford Borough for example only received 21 such applications in 2011/12 and they are expecting to reach a similar total in 2012/13.

2.19 There are other considerations here. An informal opinion contained within a letter from an officer of the Council whilst it carries significant weight is not the same as a certificate of lawfulness. In a recent case where an owner had proceeded to undertake work on the basis of an incorrect view contained within such an opinion, the Council paid compensation of several thousands of pounds to the party concerned. There is accordingly a risk associated with the provision of informal opinion.

2.20 Although not the equivalent in law to a planning permission, a certificate of lawfulness does indicate that, unless any relevant factor has changed since the application date specified, in the application, it would be lawful to proceed with the proposals. It follows that it is therefore that it is vital to ensure that the terms of a certificate are precise and there is no room for doubt about what is lawful at a particular date. The only basis upon which such Certificates may be revoked is where on the application a statement was made, or document used, which was false in any material particular; or any material information was withheld from the Local Planning Authority. An error of judgement by the Local Planning Authority is not a cause for revocation of a certificate – hence the different internal procedures involved in the determination of applications for certificates of lawfulness.

2.21 In terms of additional income generation it is extremely difficult to predict the number of additional certificate applications that might be received. Working on the assumption (informed by the experience of other local planning authorities) that only 15% of the previous enquiries for informal opinions would translate into additional applications for certificates of lawfulness, such a measure might lead to additional fee income of the order of £5,500. There would be the additional work involved (of dealing with certificate applications as opposed to informal enquiries) but there would also be likely to be a corresponding reduction in the number of enquiries, once the Council’s position became known.

Responding to requests for officer opinion

2.22 As already stated the provision of pre-application guidance is well recognised as one aspect of a quality planning service, is strongly encouraged in national guidance, and is of benefit both to applicants and to the Local Planning Authority.

- 2.23 Whilst there are no figures available for this Council, it is apparent that a not insignificant proportion of the requests for advice are of a speculative nature. For example when a property is on the market, particularly when it is for auction, it is not uncommon for the Service to receive a number of requests for advice, most of which, by reason of the circumstance will not lead to the submission of a planning application. However it would be wrong to treat all enquiries which do not lead to applications as “speculative” - no application may be subsequently submitted as a direct result of the discouraging advice given. That must be to the advantage of the Local Planning Authority. Most importantly when an application is submitted, the fee for the application is for considering the application itself, rather than the cost of any pre-application discussions. Indeed national research indicates that planning application fees still fall well short of achieving cost recovery.
- 2.24 Under Section 93 of the Local Government Act 2003, a general power was introduced for local authorities to charge for discretionary activities – those services that a local authority has the power to provide, but is not obliged to do so. In the case of planning services, this could include charging for tasks outside the scope of nationally –set fees, such as offering pre-application advice. Local authorities are therefore allowed to recover at least some of the costs incurred before an application is submitted, although the income must not exceed the cost of providing the service, as set out in government guidance. With the passing of the Localism Act in 2011 the additional general power of competence has been introduced.
- 2.25 This Council’s Charging Policy includes its Charging Principles – a copy of which was provided as Appendix B to the report of the Executive Director – Resource and Support Service to Cabinet on 16 January on Scale of Fees and Charges. The principles include that charges should be made for services whenever the Council has a power or duty to do, and that there will be an initial presumption that charges to be made for the provision of a service will be set at a level intended to recover the cost of providing the service.
- 2.26 The introduction of pre-application fees potentially means greater income for the Authority and also means that the charges for these services is put onto the customer directly, rather than Council tax payers. However despite these arguments in favour of introducing fees, a number of questions also need to be considered:-
- Would the introduction of charges in this area deter potential applicants from seeking that advice?
 - Would less pre-application discussions result in un-discussed and unacceptable proposals, leading to more refusals and appeals as a result?
 - Would the proposal result in a drop in customer satisfaction levels in the service overall?
 - Would an applicant, having paid for pre-application discussion, be inclined to expect greater certainty and a quicker decision, and would they, therefore, be more aggrieved if their application is refused and ;
 - How does the introduction of pre-application charging “fit” with the decision of Cabinet to seek to aspire to obtain the Local Enterprise Planning Charter Mark?
- 2.28 An indication of the impact of charging can be obtained from the experience of other Local Planning Authorities.

The experience of other Local Planning Authorities

- 2.29 The experience of other Authorities who have brought in charging for pre-application advice is documented in a report published in June 2009 by the Planning Advisory Service entitled ‘A material world – charging for pre-application planning advice’. A copy of this report is

available within the Members room and via the following link <http://www.newcastle-staffs.gov.uk/planning/ppa> .

- 2.30 The findings of that report include that
- only a few authorities at that time charged for pre-application advice but more were considering it;
 - the main reasons given for charging were to help improve service delivery and ensure better quality application submissions;
 - most authorities that charged claimed that it helped filter out speculative and poorly thought out development proposals;
 - no authority interviewed charged for householder development and most also exempted development affecting small business premises and;
 - those that charged said that the principle was broadly accepted by developers and their agents, albeit often with some initial opposition.
- 2.31 Most authorities that have introduced the charge have indicated that as a consequence they have seen a significant reduction in the number of enquiries, most particularly those of a “speculative” nature.
- 2.32 Some authorities charge for pre application planning advice, others do not. There is no national list of those Councils who charge and those who do not. In Stoke on Trent and Staffordshire officers can confirm that South Staffordshire District Council and Staffordshire Moorlands District Council charge, the other Councils do not. The neighbouring unitary authorities of Cheshire East and Shropshire charge. A Table has been produced as an Appendix to this report which provides members with an appreciation of the comparative scale of charges in the said Authorities.
- 2.33 If charging were to be introduced it is important that the charge is easy to calculate and to collect and that it reflects the different levels of complexity and time taken to give the advice. Most authorities adopt a practice where developers submit a written request for a meeting or advice and the fee for such is paid in advance of the meeting taking place or the response being given. There would be some additional administrative costs associated with the collection of such fees – the more complicated the charging structure the greater the costs would be likely to be.
- 2.34 There are numerous alternative ways of structuring charging proposals.
- 2.35 Key decisions include the following:-
- (a) Should all types of enquiries attract a charge or is it appropriate to exempt certain types of enquiries?**
- 2.36 The group of enquiries most commonly exempted from charging regimes are householder developments. However there is no particular logic to this and enquiries have confirmed that a number of those authorities who charge do now charge for advice on householder development, whilst others do not. In the case of South Staffordshire they originally exempted enquiries from residents of the District for householder developments, but this led to significant problems including less use of agents and poorer quality submissions, and they have now decided to charge for all groups.
- (b) Could and should the charges reflect the objective of full cost recovery?**

- 2.37 Whilst the Charging Principles advocate such an approach, there are significant difficulties in identifying the true cost of the provision of the service concerned, despite the Service's participation in a number of benchmarking and fee setting exercises. Even within broad types of enquiries there will be significant variations in the actual time spent.
- 2.38 More importantly there is a real concern that if the charges were to be set at full cost recovery levels their adverse impact would be very considerable. It is suggested that the Council should rather, at least for the present, be seeking what would be a reasonable contribution towards the costs of the provision of this service.

3. Options Considered

- 3.1 Option A – that Cabinet agrees (1) that the Council should cease providing free informal written opinion as to whether or not proposals require planning permission and (2) to the introduction of charging for pre-application advice.
- 3.2 Option B – that Cabinet agrees to one of the proposals, but not both.
- 3.3 Option C – that Cabinet agrees to neither of the proposals.

4. Proposal/Preferred Option

4.1 It is proposed as follows

- (1) That the Council ceases as from 1 April 2013 to respond to requests for “free” written advice as to whether proposals require planning permission.
- (2) That the following fees are introduced (per case) as from 1 April 2013:-
 - **£400 for ‘large scale Major developments’** (for residential developments of over 200 dwellings or, when the number of dwellings is not known, a site area of 4 ha. or more; and for non-residential developments of over 10,000 m² of floorspace or, when the floorspace is not known, a site area of 2 ha. or more)
 - **£200 for ‘small scale Major developments’** (for residential developments of between 10 and 200 dwellings, or when the number of dwellings is not known, a site area of between 0.5 ha. and 4 ha; and for non-residential developments of between 1,000 and 10,000 m² floorspace or, when the floorspace is not known, a site area between 1 ha. and 2 ha.)
 - **£60 for ‘Minor’ developments** (for residential developments of between 1 and 9 dwellings or, when the number of dwellings is not known, a site area of less than 0.5 ha., and for non- residential developments of under 1,000m² floorspace or, when the floorspace is not known, a site area of less than 1 ha)
 - **£20 for ‘householder development’**
 - **£30 for all ‘Other development’**, excluding householder developments but including changes of use, advertisements, prior approval proposals, and listed building proposals

- 4.2 One option that Members may wish to consider as a variation to the suggested charging schedule set out above is whether such charges should be levied in the case of all meetings and written correspondence, or whether it might be appropriate, perhaps solely in relation to householder development, to allow without charge the provision of say one half hour meeting per case, but to charge in the event of any further meeting or if written confirmation of the advice given is sought. However it should be acknowledged that there are clear benefits to both parties in the provision of written advice. Additionally, such an arrangement

would not recognise that costs are incurred by the Council not only in the holding of the meeting but equally in the preparation for it. Whilst they are difficult to quantify there would be income consequences from such an exemption – it could be expected that the majority of householder development enquiries would not be the subject of a charge if this option was proceeded with. In this context Members may wish to consider how the proposals outlined above compare with the charging regimes within the nearby / neighbouring authorities (set out in the Appendix).

4.3 In terms of estimating the potential income that may result from the proposals as already indicated it is envisaged that proposal (1) above would be likely to result in an increased planning fee income of the order of £5,500.

4.3 If the above charges were to be introduced, on the basis that the number of enquiries for pre-application advice will reduce significantly – to say 250 and assuming the development types of these enquiries are of the same proportions as they are at present, this gives the following figures

'Large scale Major development'	1 x £400 = £400
'Small scale Major development'	12 x £200 = £2,400
'Minor development'	100 x £60 = £6,000
'Householder Development'	84 x £20 = £1,680
'All Other development'	51 x £30 = £1350

4.4 It is in practice more likely that the number of enquiries for Major development would be unlikely to be significantly affected by the decision to charge but the above calculation gives an indication of the scale of the additional fee income which might be forthcoming were the fees to be set at the above rates. Recognising the width of the band of proposals that fall within the 'small scale Major development' category (it ranges from 10 dwellings up to 199) it might well be appropriate to add in an additional fee category, and further consideration is being given to this aspect.

4.5 On the basis of the above calculation an additional fee income of £12,010 per annum might be generated from the introduction of such proposals.

4.6 Combined the two proposals it is estimated would bring an additional fee income of £17,510 in 2013/14. For budget planning purposes it might be prudent to assume an income level of say £15,000.

4.7 The comments of the Planning Committee on these proposals are being sought and will be reported to the meeting of Cabinet on 6 February.

5. **Reasons for Preferred Solution**

5.1 The proposals are modest measures which are expressly designed only to achieve a contribution towards the costs of service provision. On the basis of the experience of other Local Planning Authorities they are considered to be practical

6. **Links to Corporate Priorities**

6.1 By the provision of additional resources the proposal will assist the Council with its corporate priority of Transforming our council to achieve excellence. Were the charges to be set at too high a level they could conflict with the corporate priority of 'creating a borough of opportunity' but it is not considered that they have been.

7. **Legal and Statutory Implications**

- 7.1 The introduction of a charging system for pre application advice should not be profit making, and payment for these services would need to be made in advance, as per usual practice.

8. **Equality Impact Assessment**

- 8.1 By reason of a charge being levied it would impact upon individuals including residents of the Borough. No Equality Impact Assessment has however been undertaken.

9. **Financial and Resource Implications**

- 9.1 The proposal should improve the financial position albeit to the limited degree indicated in the report.

10. **Major Risks**

- 10.1 That potential developers may be deterred, and there be an adverse impact upon customer satisfaction with the service, and the perception that the Council is no longer seeking to offer an excellent planning service.

11. **Key Decision Information**

Key decision.

12. **Earlier Cabinet Resolutions**

There are none.

13. **Background Papers**

ODPM publication; "General Power for Best Value Authorities to Charge for discretionary Services – Guidance on the power to in the Local Government Act "
Newcastle Borough Council Charging Policy
Planning Advisory Service Publication – "A material world – charging for pre-application planning advice"

CHARGING ARRANGEMENTS IN OTHER STAFFORDSHIRE AUTHORITIES WHICH CHARGE AND THE CHARGING NEIGHBOURING UNITARY AUTHORITIES, COMPARED WITH THE NEWCASTLE PROPOSAL

Development Type	South Staffordshire District Council*	Staffordshire Moorland District Council**	Cheshire East Council ***	Shropshire Council ****	Newcastle
Large Scale Majors (200+ dwellings, 10,000m ² non-residential)	£240	£1000 for a meeting and written advice or £500 for written advice only or £250 for desk based assessment	£2000 for the first meeting and £1000 for each meeting thereafter (Development Team Service)	£1750	£400
Small Scale Majors of 50 – 199 dwellings, 1000- 9999 m ² non-residential	£240	£1000 for a meeting and written advice or £500 for written advice only or £250 for desk based assessment	£2000 for the first meeting and £1000 for each meeting thereafter (Development Team Service)	£1000	£200
Small Scale Majors 10 -50 dwellings	£240	£750 for a meeting and written advice or £250 for written advice only or £250 for desk based assessment		£1000	£200
20 to 50 dwellings			£2000 for the first meeting and £1000 for each meeting thereafter (Development Team Service)		£200
Between 6 and 19 dwellings, or between 500-1999 m ² non-residential f			£700 per meeting plus £150 for each additional officer involved		
Minor Development (incl 1-9 dwellings or under 1,000 m ² non-residential	£120	£500 for a meeting and written advice or £250 for written advice only/desk based assessment		£500	£60
Minor Operations, including 2-5 dwellings, non residential schemes up to 500 m ² , and other 'Minor Development' and 'Other Development' types	(£120)		£200 per meeting (plus £150 for each additional officer involved)		
Replacement Dwellings	(£120)	£500 for a meeting and written advice or £250 for written advice only/desk based assessment	£335 per meeting/letter		£60
Single Dwellings	(£120)			£200	£60
Changes of Use				£200	(£30)
'Other Development', except for Householders	£60	No charge (subject to confirmation)	£200 per meeting/letter		£30
Householders	£30	No charge	£100 per letter	£80	£20

All fees are inclusive of VAT

* SSDC exempt from the requirement to pay – registered disabled persons, local community groups, Parish Councils and Works to a Listed building or in a Conservation Area where no planning application is required

**SMDC do charge to confirm whether a householder proposal would be permitted development. Queries that can be answered briefly and succinctly are free off charge, but those requiring consultation, discussion, meeting or analysis are subject to the fee regime

***CEC offer a free 30 minute meeting service with a duty officer who will not have undertaken any preparation for the meeting

**** SC do not charge for works to a listed building or for conservation area consent (where there is no requirement for planning permission)

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