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14 November 2018

To: All Councillors

As a Member or Substitute of the **Governance and Resources Committee**, please treat this as your summons to attend a meeting on **Thursday 22 November 2018 at 6.00pm in the Council Chamber, Town Hall, Matlock.**

Yours sincerely



Sandra Lamb
Head of Corporate Services

AGENDA

1. APOLOGIES/SUBSTITUTES

Please advise Democratic Services on 01629 761133 or e-mail committee@derbyshiredales.gov.uk of any apologies for absence and substitute arrangements.

2. APPROVAL OF MINUTES OF PREVIOUS MEETING

20 September 2018

3. PUBLIC PARTICIPATION

To enable members of the public to ask questions, express views or present petitions, **IF NOTICE HAS BEEN GIVEN**, (by telephone, in writing or by electronic mail) **BY NO LATER THAN 12 NOON OF THE WORKING DAY PRECEDING THE MEETING.**

4. INTERESTS

Members are required to declare the existence and nature of any interests they may have in subsequent agenda items in accordance with the District Council's Code of Conduct. Those interests are matters that relate to money or that which can be valued in money, affecting the Member her/his partner, extended family and close friends.

Interests that become apparent at a later stage in the proceedings may be declared at that time.

5. QUESTIONS PURSUANT TO RULE OF PROCEDURE NUMBER 15.

To answer questions from Members who have given the appropriate notice.

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6. SECTION 106 PLANNING OBLIGATION AGREEMENT – LAND AT OLD COACH ROAD, TANSLEY

4 - 6

To receive and note a report advising of legal proceedings initiated by the District Council to secure payment of an affordable housing contribution of £61,575 pursuant to an agreement under the provisions of section 106 of the Town and Country Planning Act 1990. Furthermore, to consider approval that the outstanding s.106 debt owed to the District Council by Barncroft Homes Limited is written off and the decision not to pursue the respective property owners is endorsed.

7. PROCUREMENT STRATEGY 2018-2021

7 - 17

To consider adoption of the Derbyshire Dales District Council Procurement Strategy for 2018-2021.

8. REPLACEMENT OF ICT BACKUP STORAGE

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To consider approval for a business case for ICT backup storage replacement with funding of the £30,000 from within the capital programme for 2019/20.

9. ANIMAL WELFARE REGULATIONS (LICENSING OF ACTIVITIES INVOLVING ANIMALS) (ENGLAND) REGULATIONS 2018 – LICENSING FEES

21 - 23

To receive a report providing background information on the new licensing arrangements for activities involving animals and consider approval of the schedule of fees as set out in the report.

10. CUSTOMER INNOVATION PROJECT

24 - 30

To receive and note a report summarising the work of a new cross departmental Hub aimed at improving the customer experience.

11. ELECTION FEES

31 - 41

To consider the adoption of election fees to be used as a basis of recharge at the forthcoming parish council elections and as a means of payment for staff involved in the preparation and delivery of an efficient combined local government election on 2 May 2019.

12. REFERRED ITEMS

42 - 45

To consider recommendations referred from the Joint Consultative Group meeting held on 8 November 2018 to adopt the Management of Noise at Work Policy, the Management of Vibration at Work Policy and also the Travel & Subsistence Policy.

Members of the Committee - Councillors Deborah Botham, Albert Catt, Tom Donnelly, Steve Flitter, Chris Furness (Vice Chairman), Alyson Hill, Neil Horton, Angus Jenkins, Jean Monks, Garry Purdy, Mike Ratcliffe, Lewis Rose, Mark Salt, Jacquie Stevens (Chairman), Colin Swindell, John Tibenham, Joanne Wild.

Substitutes – Councillors Jason Atkin, Jennifer Bower, Richard Bright, Sue Bull, Sue Burfoot, David Chapman, Ann Elliott, Richard FitzHerbert, Helen Froggatt, Susan Hobson, Vicky Massey-Bloodworth, Dermot Murphy, Joyce Pawley, Irene Ratcliffe, Philippa Tilbrook.

GOVERNANCE AND RESOURCES COMMITTEE
22 NOVEMBER 2018

Report of the Chief Executive

SECTION 106 PLANNING OBLIGATION AGREEMENT – LAND AT OLD COACH ROAD, TANSLEY

PURPOSE OF THE REPORT

This report advises of legal proceedings initiated by the District Council to secure payment of an affordable housing contribution of £61,575 pursuant to an agreement under the provisions of section 106 of the Town and Country Planning Act 1990. The report also advises of the District Council's involvement in a company liquidation process.

RECOMMENDATION

1. That the Committee notes the actions taken by the District Council in attempting to secure payment of the affordable housing contribution and acknowledges that no further action can be taken against Barncroft Homes Limited in light of the company liquidation process.
2. That the outstanding s.106 debt owed to the District Council by Barncroft Homes Limited in the sum of £59,438.32 is written off and the a decision not to pursue the respective property owners is endorsed.

WARDS AFFECTED

Matlock St. Giles

STRATEGIC LINK

The collection of affordable housing contributions through the provisions of s.106 of the Town and Country Planning Act 1990 enables the District Council to support the delivery of affordable housing in accordance with one of its identified corporate priorities.

1 BACKGROUND

- 1.1 In April 2009, planning permission was granted for the erection of 2 detached dwellings on land at Old Coach Road, Tansley (Application 08/00594/FUL). The planning permission was subject to a section 106 agreement requiring the payment of an affordable housing contribution in the sum of £61,575. The terms of the agreement required payment after two years from the commencement of development or before first occupation of the development (whichever shall first occur). The terms of the agreement and the payment schedule reflected other similar agreements appertaining to affordable housing payments.

- 1.2 Following completion and subsequent occupation of the development, in early 2011 the District Council formally requested payment of the affordable housing contribution. However, the debt remained unpaid and prolonged discussions were undertaken with the developer in order to agree revised payment terms. Despite extensive efforts, the debt remained outstanding and interest payments were accrued on the original debt owed to the District Council. The total debt owed to the District Council increased to £69,752.14
- 1.3 In early 2012, the developer was informed that the failure to voluntarily repay the debt plus accrued interest would result in the District Council initiating formal collection arrangements. This resulted in revised payment terms being agreed. Unfortunately, the company again failed to make the agreed payments and the Council commenced debt recovery proceedings through the Courts. Unfortunately, despite lengthy Court proceedings and enforcement, the District Council was unable to secure full payment of the debt due to the financial position of the company and the outstanding amount is £59,438.32.
- 1.4 As part of the debt recovery proceedings, the District Council did secure charging orders against 3 properties owned by Barncroft Homes Limited, however those properties were subject to 999 year leases to various tenants and, as such, the Freehold Title owned by the Company is of nominal value.
- 1.5 In August 2018 the Company was placed in liquidation. As part of the process, the District Council, as a creditor, voted upon the appointment of the liquidator and provided evidence of its proof of debt and the secured charges over the 3 properties owned by the Company. The liquidator received valuations for the properties which are subject to those charging orders and advised that the value of the Freehold Title is £600. The District Council has agreed that the Freehold Title be sold to a management company rather than be disclaimed to the Crown to ensure security for the tenants concerned.
- 1.6 The s.106 agreement includes standard clauses which state that no person will be liable for a breach of the restrictions and obligations contained in the agreement after that person has parted with all interest in the Land or with the part in respect of which the breach occurs but without prejudice to any liability for any breach committed prior to such parting. Similarly, the agreement also includes a clause whereby any covenant made under the agreement shall bind whomsoever shall become a successor or successors in title to the Land.
- 1.7 The properties in question have been purchased by individuals who are now the successors in title. It is therefore possible that the District Council could seek to recover the s.106 monies from those persons.
- 1.8 It is clearly regrettable that despite pursuing all potential options, the District Council has been unable to secure payment of the affordable housing contribution from Barncroft Homes Limited. However, in the circumstances it is not considered fair or reasonable to now seek to recover these monies from individual property owners who no doubt purchased their properties [in 2009] in good faith and are possibly unaware of the circumstances surrounding this matter.

- 1.9 The Committee is therefore asked to consider writing-off the s.106 debt that is owed as there are no further legal avenues that the District Council can pursue.

2. RISK ASSESSMENT

2.1 Legal

The District Council has sought to pursue all legal avenues available to secure payment from the Company including obtaining Judgment in the County Court for the amount owed and obtaining Charging Orders against properties owned by the Company.

The Company has no assets in which to discharge the remainder of the debt and is now insolvent. As such, no further action can be taken against Barncroft Homes Limited. Enforcement of the s.106 against successors in Title for a breach of the agreement by the former Development Company is permissible under the terms of the Agreement, however, is likely to be resisted by those property owners and result in further civil proceedings which may not be successful. The legal risk of writing off the debt is therefore considered low.

2.2 Financial

In line with generally accepted accounting practice, the income from the transaction was accounted for when the invoice was raised. However, it is the Council's practice to set aside amounts in the grants unapplied reserve pending settlement of section 106 invoices. No expenditure has been committed in respect of this section 106 receipt. Should the committee approve the write off, an amount would be released from the grants unapplied reserve to finance it. The financial risk has been assessed as medium.

3. OTHER CONSIDERATIONS

In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

4. CONTACT INFORMATION

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5. BACKGROUND PAPERS

Planning Application 08/00594/FUL

BACK TO AGENDA

GOVERNANCE & RESOURCES COMMITTEE
22 NOVEMBER 2018

Report of the Head of Corporate Services

PROCUREMENT STRATEGY 2018-2021

PURPOSE OF REPORT

This report seeks approval of a revised Procurement Strategy.

RECOMMENDATION

That the Derbyshire Dales District Council Procurement Strategy for 2018-2021 is adopted.

WARDS AFFECTED

All

STRATEGIC LINK

The Procurement Strategy supports the District Council's Corporate Plan aim to provide excellent services.

1 BACKGROUND

- 1.1 The Council adopted its first formal Procurement Strategy in 2003. The original strategy has since been updated in 2006, 2010 and 2015.
- 1.2 The increasing pressures on budgets have made the procurement activity a vital factor in the successful delivery of services and the Council recognises that it should adopt best practise to maximise the benefits available from all commercial arrangements.

2 UPDATED STRATEGY

- 2.1 The updated strategy aims to continue with the Council's initiatives to remove unnecessary complexity from processes and procedures and to retain only those that add value to the service we deliver.
- 2.2 The Strategy directs the Council into taking a long term strategic view of its procurement requirements and exploring possible opportunities for working with other authorities especially for goods and services which can be procured more cost-effectively in a collaborative group.
- 2.3 The Vision for Procurement – 'Where the Council wants to be' – this is to enable the Council to procure what it needs to deliver the best services possible within its

available resources. To do this we have continued with the following Strategic Themes, with the addition of Strategic Theme 5 – Savings.

- Strategic Theme 1 – Straightforward
- Strategic Theme 2 – Professional
- Strategic Theme 3 – Support a vibrant economy
- Strategic Theme 4 – Strategic
- Strategic Theme 5 - Savings

2.4 The Action Plan in Section 9 is a programme of these Strategic Themes and implementing it will be a continuous process throughout the period covered by the strategy.

3 RISK ASSESSMENT

3.1 Legal

There are no legal implications arising directly from this report. In general terms the Council's procurement activities must be carried out in accordance with the Council's Contract Standing Orders and Financial Regulations and procurement legislation and regulations (EU and UK).

3.2 Finance

There are no financial considerations arising directly from the report. The strategy embodies the principles of Contract Standing Orders and Financial Regulations to mitigate risk.

4. OTHER CONSIDERATIONS

In preparing this report the relevance of the following factors is also been considered prevention of crime and disorder, equality of opportunity, environmental health, legal and human rights, financial personal and property considerations.

5 CONTACT INFORMATION

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6 BACKGROUND PAPERS

None

7. ATTACHMENTS

Appendix 1 - Procurement Strategy

PROCUREMENT STRATEGY

October 2018 — October 2021



Contents

- 1 Introduction
- 2 Purpose of Strategy
- 3 The Vision for Procurement
- 4 Procurement Hub
- 5 Training and Development
- 6 Relationships with Suppliers
- 7 Equality
- 8 Our Conduct
- 9 Action Plan

Useful Contacts

Please contact me if you have any questions or comments about this Procurement Strategy or about tendering for Council business:

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Business Support Manager

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Derbyshire Dales District Council support the Fair Trade Initiative



1 Introduction

The aim of this Strategy is to make sure that every penny is spent wisely to get more value from every pound spent by, either cashable returns, or better operational efficiencies. This would maximise benefits from our procurement spend within the Derbyshire Dales.

The Strategy aims to improve links with the Council's corporate priorities and will continue to reflect the Council's initiatives to remove unnecessary complexity from processes and procedures and to retain only those that add value to the services we deliver.

Procurement has a key role to play in ensuring that the Council continues to deliver what our residents/customers want e.g. value for money, equal treatment and transparency and in contributing towards economic, social and environmental wellbeing.

Procurement is a strategic process that follows a clear pattern starting with identifying a need right through to reviewing the delivery of the contract and learning any lessons for future procurements.

2 Purpose of the Strategy

The strategy aims to:

- 2.1 Increase value for money (defined, for the purposes of this Strategy as the best whole-life cost and quality ratio to fulfil the stated requirements) and reduce processing costs.
- 2.2 Take a long-term strategic view of the Council's procurement requirements, including the potential for innovative procurement and the opportunity for working with other authorities especially for goods and services which can be procured more cost-effectively in a collaborative group.
- 2.3 To minimise harm to the environment and to promote conservation of natural resources in any procurement decisions.
- 2.4 We want to achieve significant savings through improved procurement and contract management.
- 2.5 To assess the risk associated with each procurement project in order to achieve a balance with commercial outcomes and placing risk where it is best managed.
- 2.6 Promote social value through the Council's procurement practices.
- 2.8 Where practicable support small and medium sized enterprises (SMEs), local to the Derbyshire Dales through a range of initiatives including:
 - Making it simpler to do business with the Council;
 - Reduce the bidding burden on suppliers.
 - Have regard to the impact on small/local firms of the way in which a procurement is structured.
 - Providing clear information about selling to the Council on our website; Using local advertising portals such as Source Derbyshire www.sourcederbyshire.co.uk and other means to focus the attention of locally based firms.
 - Contracts for all categories of procurement where the cost is over £10,000 will be published on the Contracts Finder website - www.gov.uk/contracts-finder

3 The Vision for Procurement

The vision for Procurement — where we want to be - is to enable the Council to procure what it needs to deliver the best services possible for Derbyshire Dales residents and customers within its available resources. To do this we have adopted the following Strategic Themes for the period covered by the Strategy.

3.1 Strategic Theme 1

Straightforward:

- To make procurement as straightforward as possible for the Council and potential suppliers, in particular to improve access for local suppliers and small and medium enterprises and to eliminate anything that does not add value to the procurement process
- Take a more corporate approach to procure items to maximise the benefits of economy and scale.

3.2 Strategic Theme 2

Professional:

- Continue to embed professional procurement and contract management skills across the Council. This goes hand in hand with moves to increase the commercial outlook of the Council.
- Ensure all procurement activities are carried out in accordance with the Council's Contract Standing Orders and Financial Regulations and latest procurement legislation and regulations (EU and UK).

3.3 Strategic Theme 3

Support a vibrant local economy:

- Give opportunity to local SMEs to participate in procurement opportunities by increasing engagement and the visibility of our procurement plans and opportunities. This can be achieved for straightforward low value procurements by moving from frameworks to competition through a simple quotation exercise.

3.4 Strategic Theme 4

Strategic:

- Increase officer awareness and understanding of opportunities to support the Council's corporate priorities through procurements
- For each procurement consider how and what is being procured might improve the economic, social and environmental wellbeing of Derbyshire Dales residents (where proportionate and relevant) For example this could be achieved by the inclusion of a comment or question within the tender documentation.
- Working in collaboration with others to improve and develop sound procurement practices and innovative solutions to promote sustainability and deliver value for money and outcomes which benefit Derbyshire Dales residents / customers, making use of clear and detailed procurement/purchasing data, collaboration and partnership opportunities.

- An Action Plan will be presented to Corporate Leadership Team on a quarterly basis for a review and update on action taken on high spend procurement within Derbyshire Dales.

3.5 Strategic Theme 5

Savings:

- Work in collaboration with partners across services and maximise on economies of scale to deliver savings
- Actively seek price reductions on contract renewal – seek 10% savings target reduction as contracts are renewed.
- Renegotiations of contracts where appropriate to seek earlier savings.
- Procurement Hub in liaison with the Corporate Leadership Team to realise savings on Corporate spend.

4 Procurement Hub

- 4.1** The purpose of the Procurement Hub is to import and share knowledge and good practice and ensure that the District Council operates in a risk free environment.

The objectives of the Procurement Hub are:

- To have an overview of the use of technology to streamline procurement processes
- To make it easier for suppliers to do business with the authority
- To review the relevance and effectiveness of the Procurement Strategy and Contract Standing Orders
- To identify areas for collaborative working to produce more cost effective and innovate procurement solutions.
- To create capacity through joint delivery of significant procurement projects.
- To review and recommend the role and function of the Hub.

5 Training and Development

- 5.1** The Council acknowledges that all members and officers responsible for making procurement decisions need the appropriate skills, knowledge and guidance in order to make the right decision and achieve continuous improvement. Accordingly members and employees with procurement responsibilities will be:-

- Given the appropriate training in order to undertake effective procurement and purchasing;
- Made aware of their responsibilities under the corporate procurement framework and related policies through induction and the PDR process.
- Advised on the budgetary implications of procurement decisions; and
- Consulted on proposed future changes to the Corporate Procurement Strategy.

6 Relationships with suppliers

- 6.1 In longer-term contracts, the Council will incorporate provisions for continuous improvement both within the contracted service and to the benefit of the community / customers it is serving.
- 6.2 In higher value contracts the specification will challenge contractors to demonstrate other methods of contributing to improving the economic, social and environmental well-being of the Derbyshire Dales provided they relate to the contract.
- 6.3 New suppliers may be required to ensure that they possess the necessary resource and financial capacity to perform the contract.

For example:

- the new supplier may be required to have a certain minimum annual turnover, including a certain minimum turnover in the area covered by the contract;
- provide information on their annual accounts;
- have an appropriate level of professional risk indemnity insurance.

7 Equality, Economic, Social & Environmental

- 7.1 The Council will take social, economic, environmental benefits and equalities issues into consideration alongside financial factors in decision-making. The business case for procurements will be required to address equalities issues and sustainability issues to identify whether there is scope to improve the environmental, economic and social impacts of the proposed contract.
- 7.2 In procuring contracts, the District Council aims to ensure that all businesses have fair access to opportunities to work with the Council. In the delivery of these contracts, we will ensure that evaluation models, specification of services, contract conditions, quality requirements and monitoring procedures fully address equalities issues. To help us achieve this, we will ensure compliance with equalities legislation (The Equality Act 2010) and Public Services (Social Value) Act (2012) and use positive action provisions in assessing the commitment of tendering firms to the aims and values of the Council's Equality and Diversity Policy.
- 7.3 The Procurement Strategy also requires officers of the District Council to:
- undertake a (proportionate) Equality Impact Assessment when planning a procurement when appropriate and consider opportunities for economic, social and environmental benefits within the business case for projects (and build appropriate questions into the tender pack);
 - make provision within the tender specification (where appropriate) to include equality related award criteria or specific equalities outcomes to reflect the needs of different services users.
 - establish the need for secure systems to be put in place for the transfer of personal sensitive information by email or other means.

8 Our conduct

- 8.1 In all our dealings in the procurement process, the Council will preserve the highest standards of honesty, integrity, impartiality and objectivity and shall comply with the Council's Codes of Conduct, Contract Standing Orders and Financial Regulations at all times.

9 Action Plan

The table below summarises the actions and initiatives planned over the Strategy period to achieve the outcomes set out in the Vision for Procurement. A target date for completion and owner has also been included:

| PROCUREMENT ACTION PLAN October 2018 — October 2021 | | | |
|--|---|--------------------|-----------------|
| Strategic Theme | Action | Target Date | Owner |
| 1 Straightforward | Promote and develop Corporate understanding of the Procurement Strategy | | CL |
| | To explore current contracts and spend to challenge new procurement opportunities and save money | On going | ALL |
| | Ensure the District Council's procurement documentation is proportionate to the requirements of both higher value and lower value contracts | Jan 2019 | Procurement Hub |
| | To provide a dedicated Procurement webpage to provide suppliers with a simple unified approach to procurement activity within the Council. | | CL |
| 2 Professional | Develop and deliver targeted training programme for officers undertaking procurement. | | CL |
| | Review Contract Standing Orders and Financial Regulations | Annually | KH/SL/CL |
| | Ensure that EIA are completed for all appropriate procurement projects | Ongoing | ALL |

| | | | |
|------------------------------------|--|--|--|
| 3 Support a Vibrant Economy | Promote procurement opportunities and how to do business with the Council via website and business MATTERS newsletter | As and when required Monthly (as appropriate) | ALL Economic Development |
| | Increase engagement with local SMEs through Meet the Buyer event in partnership with other Derbyshire / Peak District authorities (to help 'coach' local SMEs on requirements of local councils) | Annually | Economic Development / Procurement Hub |
| 4 Strategic | Refresh and Publish online Contracts Register to promote future contract opportunities and timely ongoing renewals | Monthly | Budget Holders |
| | Produce practical officer guidance on incorporating social value questions within tender evaluation criteria (inc. sample questions) | March 2019 | CL / Economic Development |
| | Continue analysis to determine uncontracted high spend to identify new opportunities within the Derbyshire Dales | Annually | Procurement Hub |
| 5 Savings | Seek price reductions on contract renewal - 10% savings target reductions as contracts are renewed Renegotiations of contracts where appropriate to seek earlier savings | As and when required | Budget Holders |

BACK TO AGENDA

GOVERNANCE AND RESOURCES COMMITTEE
22 NOVEMBER 2018

Report of the Head of Resources

REPLACEMENT OF ICT BACKUP STORAGE

PURPOSE OF REPORT

This report seeks approval for a business case relating to the replacement of ICT backup storage.

RECOMMENDATION

1. That the business case for ICT backup storage replacement is approved.
2. That, subject to the approval of recommendation 1, Council be requested to approve £30,000 funding for this project within the capital programme for 2019/20.

WARDS AFFECTED

None

STRATEGIC LINK

Adequate provision of ICT facilities will help to provide services efficiently and to reduce the risks of service disruption, supporting the achievement of many of the Council's aims and priorities.

1 REPORT

- 1.1 Under the Civil Contingencies Act the Council is required to ensure that it has made adequate provision for business continuity in the event of emergencies and unforeseen events. The Council's Business Continuity Plan, ICT Disaster Recovery Strategy and Risk Management Strategy all recognise the need for systems and processes to mitigate the impact of any service disruptions.
- 1.2 In order to minimise ICT service disruption in the event of a system failure, daily backups are carried out for data from Council business systems and shared data drives. The backups are initially to local backup storage systems and these are replicated each night to offsite storage at Pioneer House, Wingerworth, which is shared with Bolsover District Council.
- 1.3 The current storage devices were deployed in 2014 and support from the manufacturer will be withdrawn in November 2019. It is therefore necessary to plan to replace the backup storage systems at Matlock Town Hall and Pioneer House, Wingerworth.

- 1.4 This business case proposes that the Council should procure new fully supported backup storage systems for Matlock Town Hall and Pioneer House. The estimated capital cost of this project is £30,000, which is requested for the financial year 2019/20. There would be no maintenance costs for the initial 5 years following installation, which gives revenue savings of £1,700 a year.
- 1.5 The project will be run by the Joint ICT Service using the approved project management methodology. The ICT Joint Management Team will act as the Project Board and in addition update reports will be delivered to the Head of Resources at Derbyshire Dales on a monthly or as required basis. The key stages of the proposed project are:

| | |
|--|-----------------------|
| Approval of business case and inclusion in capital programme | By 5 December 2018 |
| Requirements specification | By 31 December 2018 |
| Procurement exercise | January to March 2019 |
| Award of Contract | April 2019 |
| Installation and commissioning of new storage systems | May to October 2019 |
| Post-project review | November 2019 |

Both cloud based hosting and on site storage hardware will be considered as part of the procurement.

- 1.6 The proposed business case has been approved by the Corporate Leadership Team and given a score of 75 for the purposes of capital prioritisation.

2 RISK ASSESSMENT

2.1 Legal

The legal power in relation to this item is set out in the main body of the report. The legal risk is therefore low.

2.2 Financial

It will be necessary to seek approval from Council for the investment in this project, which is estimated to cost £30,000. Funding is available from the ICT Renewals Reserve. The financial risk arising from this report is assessed as medium.

3 OTHER CONSIDERATIONS

In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

4 CONTACT INFORMATION

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5 BACKGROUND PAPERS

None

6 ATTACHMENTS

None

BACK TO AGENDA

GOVERNANCE AND RESOURCES COMMITTEE
22 NOVEMBER 2018

Report of the Head of Regulatory Services

ANIMAL WELFARE REGULATIONS (LICENSING OF ACTIVITIES INVOLVING ANIMALS) (ENGLAND) REGULATIONS 2018 – LICENSING FEES

PURPOSE OF THE REPORT

This report provides background information on the new licensing arrangements for activities involving animals, explains the fee setting process and recommends the level of fees that should be charged under the new regime.

RECOMMENDATION

That the schedule of fees set out below is approved.

WARDS AFFECTED

All

STRATEGIC LINK

An effective licensing regime contributes towards the District Council's priority of a thriving district, particularly in relation to business growth and job creation

1. BACKGROUND

- 1.1 For many years a number of different activities involving animals have required licensing by the District Council. These activities have been animal boarding, dog breeding, the keeping of dangerous wild animals, pet shops, riding establishments and zoos. In addition, keeping performing animals has been an activity that has been regulated by the County Council, through a system of registration.
- 1.2 Government has recognised that the variety of legislation covering these issues has led to confusion and inconsistency and that these factors, taken together with the aging nature of the legislation, has meant that there would be benefits in updating and amalgamating the law in this area. As a consequence the Animal Welfare Regulations (Licensing of Activities Involving Animals) (England) Regulations 2018 (the Regulations) have been introduced.
- 1.3 These Regulations replace the law covering animal boarding, dog breeding, riding establishments and performing animals, and slightly amend the law that relates to dangerous wild animals and zoos.

2 REPORT

- 2.1 The Regulations replace the range of licences and registration that covered animal boarding, dog breeding, pet shops, riding establishments and performing animals with

a single licence. They also increase the scope of the licensing regime to include dog day care, home boarding of dogs and pet sales (such as internet sales) that had previously been outside the scope of the Pet Animals Act 1951. The Regulations are clear that responsibility for the implementation of the new regime rests with second-tier authorities, including those functions that were previously the responsibility of upper-tier authorities. The Regulations came into force on 1 October 2018 and final guidance on their implementation, including prescribed forms, was issued by Government on 1 October 2018.

- 2.2 The late provision of the Guidance has made it difficult for both local authorities and operators to prepare for the new regime. Full details of how the system will operate, including the scheme of delegated authority was considered by the Licensing and Appeals Committee on 1 November 2018. However, responsibility for setting fees rests with the Governance and Resources Committee. Consequently this report recommends a schedule of fees for adoption and explains the methodology behind them. Due to the late provision of the Guidance that allowed the calculation of fees to be undertaken it is recommended that the new schedule is not introduced until 1 January 2019, by which time those existing licences that expire on 31 December 2018 will have been processed and transferred to the new system.
- 2.3 Government is now clear that fees for the activities covered by the Regulations need to be calculated and charged in 2 stages. The first stage is a fee for the receipt and consideration of a licence and the second stage is for the grant of that same licence. The purpose behind this is to ensure that a business that does not receive a licence is not charged for the regulatory activities that take place following the grant of a licence. At the same time Government has made it clear that it expects local authorities to set their fees based on the principle of full cost recovery. To assist with this process a template has been provided that sets out the activities that it is considered can reasonably be included in both parts of the fee, from the receipt of an application through to surveillance and inspection. This template has been populated and the fees recommended by officers are as follows:

| Activity | Fee |
|--|------------|
| Application fee for new licence | £310 |
| Fee for grant of licence, including compliance and enforcement | £75 |
| Application fee for renewal of licence | £310 |
| Fee for grant of renewal, including compliance and enforcement | £75 |
| Variation of licence – administration | £25 |
| Variation of licence – administration and inspection | £125 |
| Re-rating inspection | £100 |
| Appeal inspection | £100 |

- 2.4 These fees represent a significant increase on the existing fees, which range from £103 for the renewal of an animal boarding licence to £158 for a new riding establishment licence. However, the new Regulations allow for businesses that are operating to a high standard to receive a 3 year licence, rather than one that must be renewed annually, thereby rewarding those operators that meet expectations.
- 2.5 In addition to fees for the licence itself, officers recommend that a schedule of fees for advice is introduced. In many ways the provision of advice on these activities is

similar to the now well-established system of fees for pre-planning application advice and can consume a great deal of officer time, both in the Licensing team and the Environmental Health team. Therefore it is recommended that a balance is struck between offering business some degree of free advice and recovering the costs of officer time when that advice effectively transforms into consultancy. The recommended schedule of advice fees is:

| Activity | Fee |
|---|---|
| Advice from Licensing team - first 30 minutes | Free |
| Advice from Licensing team – more than 30 minutes | £50 fee to include meeting and written advice |
| Advisory site visit | £100 |

2.6 If approved, all existing licensed businesses will be made aware of the new fees and the benefits of good performance and be directed to the updated webpages.

3 RISK ASSESSMENT

2.1 Legal

The Regulations underpinning the proposals are outlined in the main body of the report. The legal risk is therefore low.

2.2 Financial

The level of fees that is recommended in this report is based on the principle of full cost recovery. The financial risk is, therefore, assessed as low.

3 OTHER CONSIDERATIONS

In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

4 CONTACT INFORMATION

Tim Braund, Head of Regulatory Services, Tel: 01629 761118, Email: tim.braund@derbyshiredales.gov.uk

5 BACKGROUND INFORMATION

Fee calculation template

6 ATTACHMENTS

None

BACK TO AGENDA

GOVERNANCE AND RESOURCES COMMITTEE
22 NOVEMBER 2018

Report of the Head of Corporate Services

CUSTOMER INNOVATION PROJECT

PURPOSE OF REPORT

This report summarises the work of a new cross departmental Hub aimed at improving the customer experience.

RECOMMENDATION

1. That the report is welcomed and that the findings of the customer survey and progress of the Hub is reported to the January 2019 meeting of the Committee.
2. That the report to the January meeting includes a budget estimate for delivery of the project.

WARDS AFFECTED

All

STRATEGIC LINK

Enabling the customer to enquiry of, and transact with the District Council in the most efficient manner, is at the heart of District Council's objectives.

1 INTRODUCTION

- 1.1 The Committee will be aware of the major piece of work currently underway, to renew the waste collection contract in 2020. The volume of customer contacts regarding waste and other Environmental Services is number one across all communication channels.
- 1.2 In preparing for the launch of a new waste service, considerable thought is being given to our state of readiness and ability to respond to queries so that they are easier, quicker and more efficient. The main drivers for change include:
 - A reduction in support service staffing levels to deal with the anticipated increase in demand once the new contract is delivered
 - The need to replace the telephone system which is close to end of life
 - The increase in demand for on-line, on demand transactions
 - The need to re-engineer customer service to reduce avoidable contact
 - The current inability, given the constraints of technology to offer more online payment options for one-off services

- The current inability to profile customer needs given the diverse range of services delivered
- The need to change customer behaviour to move towards ‘accessing’ our services as opposed to simply making ‘contact’.

1.3 To take this project forward a Customer Innovation Hub has been formed with the following membership.

| | |
|--|---|
| <i>Project Lead</i> | <i>Sandra Lamb, Project Manager, report to CLT at key stages, Head of Service for procurement and customer contact, budget monitoring</i> |
| <i>Facilitator</i> | <i>Ros Hession - to organise meetings, record actions and deal with admin type tasks on periphery</i> |
| <i>Core Technical team</i> | <i>Ian Brailsford, Cara Marchant, Christine Laver, Lynn Ankrett</i> |
| <i>ICT support</i> | <i>For non-functional requirements and adviser – Kristen O’Gorman</i> |
| <i>Service Advisers on specific priority areas of review</i> | <i>Community and Environmental Services –Helen Carrington, Chloe Lewis, Claire Orford, Business Support – Karen Brough</i> |

1.4 The aims of the Hub are to **“scope, procure and implement, a customer platform that integrates with existing systems to enable us to drive channel shift and to deliver easier, faster and better customer service.”**

1.5 The Hub’s Objectives are to:

- Provide our customers with an improved, user friendly and accessible means of accessing and paying for services electronically
- Promote a culture of ‘digital by choice’ for all customer interactions and move the organisation to a future state where customer service and satisfaction is key to our success.
- Minimise avoidable contact by unifying communications across the organisation
- Transform customer interactions to the leanest form
- Identify cashable efficiencies by the transformation of service delivery
- Provide a means of implementing income generation opportunities
- Develop by June 2019, a Customer Access Strategy as a means of setting standards and guidelines for delivering convenience and excellence for our customer which we can measure our performance by.
- Map current service provision on key priority areas and estimate level of time and effort required to deliver ‘as is service’. Key priority areas currently defined are :
 - Ordering, paying for and providing
 - new/replacement bins
 - regular chargeable bin collections
 - occasional bulky waste collections
 - regular or occasional trade waste collections

- Ordering, paying for and providing car park permits and replacement resident passes
- Paying non domestic rates and council tax bills
- Devise simple means of gauging customer interest in modernising service provision and likely resistance to change

1.6 Stage 1 of the project is to develop a specification for the procurement of a Customer Relationship Management System (CRM) and associated software to meet those objectives. CRM is a system that manages an organisation's interactions with current and potential customers. One important aspect of a CRM approach is its ability to compile data from a range of different communication channels, including website, telephone, email, live chat, and social media. Through the CRM approach and the systems used to facilitate it, the District Council will be able learn more about their customers and how to best cater to their needs and where personal information is safely stored within the principles of GDPR.

1.7 The ultimate aim is to have the new platform in place and fully functional in order to deliver the priority before the new waste service is rolled out.

1.8 The main body of this report details progress and initial findings.

2. CURRENT SERVICE TRENDS AND DATA

2.1 Level of Contact

Appendix 1 attached shows the number of customer contacts delivered at first point of contact i.e. those delivered by the Business Support and Communications teams. The cost attributed to each transaction is for illustrative purposes and is based on global unit costs for local authorities. The majority of these contacts are traditional and none automated from the initial point of contact to delivery of the customer's needs.

2.2 Taking telephone calls to waste and refuse as an example, 55% of the total recorded result in an actual service request. The remainder (45%) is avoidable contact by way of repeat calls and chasing progress. The actual number of service requests breaks down as follows:

| Type | Number |
|------------------------|--------|
| Complaints/Missed Bins | 5070 |
| Replacement Bins | 4807 |
| New Bins | 2048 |
| Request for service | 1009 |
| Bulky Collections | 936 |
| Liner Requests | 862 |
| Electrical items | 612 |
| Trade Waste | 320 |
| Exceptions | 178 |
| Clinical waste | 19 |
| Loose box collections | 11 |
| Blue box requests | 2 |
| Total | 15874 |

In comparison 3170 transactions were recorded using the on line reporting facility for missed bin/replacement bin requests (37.6% overall).

2.3 Process Mapping

A sub-team of the Hub has recently been trained in process mapping to re-engineer processes to the leanest form. A request for a replacement bin with payment has been mapped which at best takes 16 minutes from beginning to end. With all complications mapped, involving complaint handling can take up to 90 minutes which results in no payment being taken and no replacement bin for the customer. Little can be done to re-engineer this transaction without an improved customer platform and enhanced technology.

A short presentation to illustrate this point will be made at the meeting.

2.4 Customer Feedback

A short questionnaire has been designed for customers to tell us how they currently access services and for ideas on how we could improve. The results from the survey will shape the ideal outcomes to be met by a new CRM from a customer's perspective. The survey will also help us to shape a Customer Access Strategy in the future which recognises customers as individuals with preferences and behaviour patterns which we will need to adapt to.

The questionnaire has been promoted in Dales Matters; is available on line, and in paper format. Members of the Business Support Team are also interviewing telephone and in-person customers and arranging call backs if appropriate. Some Councillors have also requested paper copies which they are circulating to constituents. All responses will be compiled on-line for effective analysis. The deadline for the consultation is 17 November 2018. Over 600 responses have been recorded so far.

2.5 System Compatibility

A technical sub-team is mapping the current system infrastructure and delving into capabilities and limitations to scope whether any new software may be required moving forward. Much of our on line presence also contains broken links. For example a customer may believe they are transacting on-line when in fact the forms they complete populate a spreadsheet for further manipulation rather than a streamlined process. Similarly, the current online payment system is limited to transactions where there is a unique identifier such as Council tax records. The detailed work of the sub-team will be invaluable in defining the technical outcomes to be written into the specification.

3 RISK ASSESSMENT

3.1 Legal

The specification will need to take account of GDPR at all levels of customer interaction. Procurement will comply with Contract Standing Orders. The risk at this stage in the process is mitigated to give an overall rating of low.

3.2 Financial

There are no financial risks arising from this report as, so far, costs can be met from existing budgets. The report to the January meeting will include a budget estimate for delivery of the project and financial risks will be assessed at that time.

4 **OTHER CONSIDERATIONS**

In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

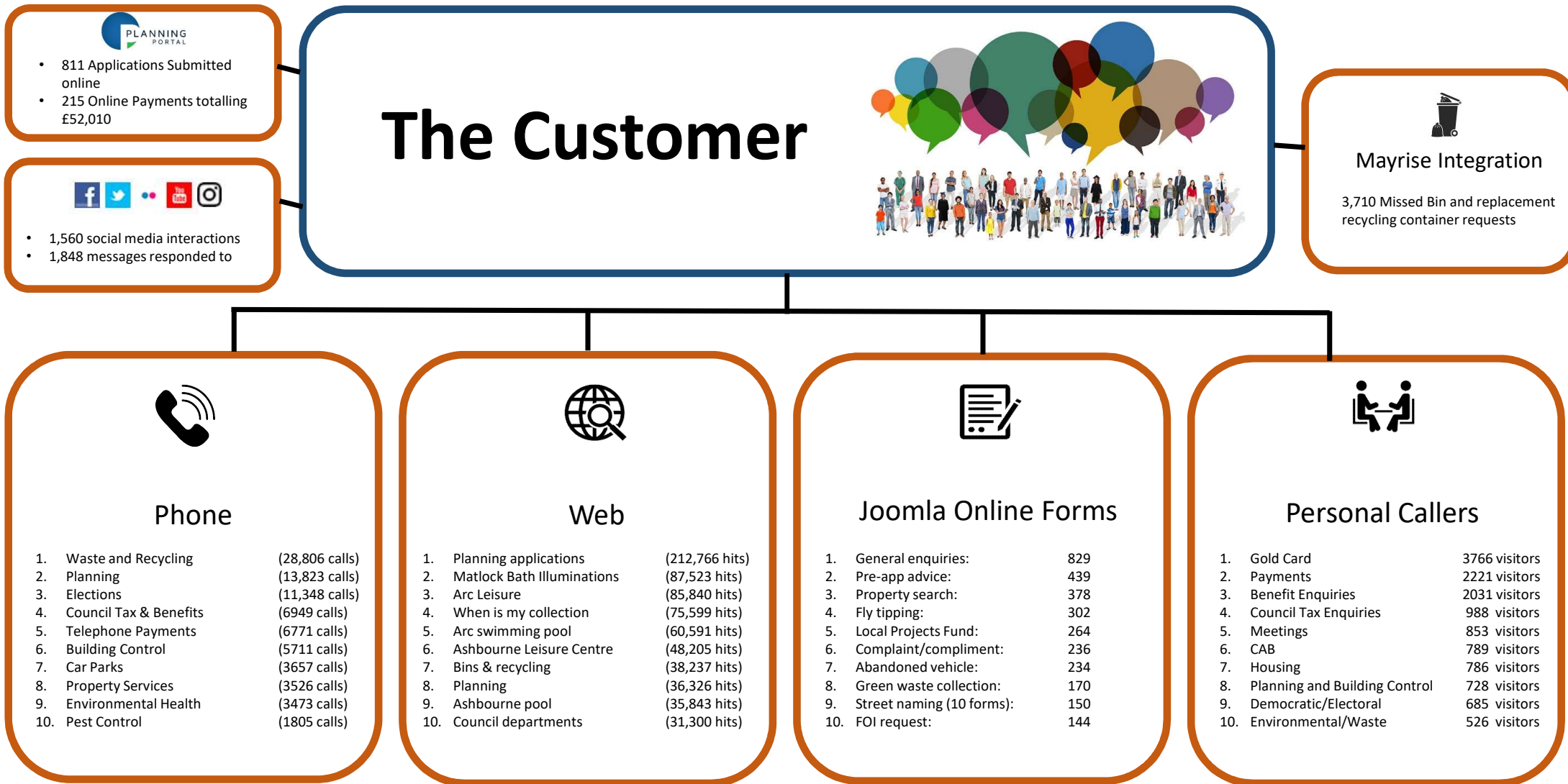
5 **CONTACT INFORMATION**

Sandra Lamb, Head of Corporate Services
Telephone: 01629 761281; Email: sandra.lamb@derbyshiredales.gov.uk

6 **BACKGROUND PAPERS**

7 **ATTACHMENTS**

Appendix 1 – Customer Contacts Statistics



Top 10 Services by Access Channel, 1st April 2017 – 31st March 2018



Average Contact Costs

Phone Callers

| | | |
|------------------------|-----------------------|--------------------|
| Waste and Recycling | (28,806 calls) | £115,800.12 |
| Planning | (13,823 calls) | £55,568.46 |
| Elections | (11,348 calls) | £45,618.96 |
| Council Tax & Benefits | (6949 calls) | £27,934.98 |
| Telephone Payments | (6771 calls) | £27,219.42 |
| Building Control | (5711 calls) | £22,958.22 |
| Car Parks | (3657 calls) | £14,701.14 |
| Property Services | (3526 calls) | £14,174.52 |
| Environmental Health | (3473 calls) | £13,961.46 |
| Pest Control | (1805 calls) | £7,256.10 |
| Total | (85,869 calls) | £345,193.38 |

Web Hits

| | | |
|-----------------------|-----------------------|--------------------|
| Planning applications | (212,766 hits) | £31,914.390 |
| MB Illuminations | (87,523 hits) | £13,128.45 |
| Arc Leisure | (85,840 hits) | £12,876.00 |
| When is my collection | (75,599 hits) | £11,339.85 |
| Arc swimming pool | (60,591 hits) | £9,088.65 |
| Ashbourne Leisure | (48,205 hits) | £7,230.75 |
| Bins & recycling | (38,237 hits) | £5,749.05 |
| Planning | (36,326 hits) | £5,448.90 |
| Ashbourne pool | (35,843 hits) | £5,376.45 |
| Council departments | (31,300 hits) | £4,695.00 |
| Total | (712,230 hits) | £106,834.50 |

Personal Callers

| | | |
|-----------------------|------------------------|--------------------|
| Gold Card | 3766 visitors | £46,208.82 |
| Payments | 2221 visitors | £27,251.67 |
| Benefit Enquiries | 2031 visitors | £24,920.37 |
| Council Tax Enquiries | 988 visitors | £12,122.76 |
| Meetings | 853 visitors | £10,466.31 |
| CAB | 789 visitors | £9,681.03 |
| Housing | 786 visitors | £9,644.22 |
| Planning | 728 visitors | £8,932.56 |
| Democratic/Electoral | 685 visitors | £8,404.95 |
| Environmental/Waste | 526 visitors | £6,454.02 |
| Total | 13,373 visitors | £164,086.71 |

3,710 Missed Bin and replacement recycling container requests **£556.50**

Based on the following average costs:

| Face 2 Face | Phone | Post | IVR | Online |
|-------------|-------|--------|-------|--------|
| £12.27 | £4.02 | £12.10 | £0.20 | £0.15 |

BACK TO AGENDA

GOVERNANCE AND RESOURCES COMMITTEE
22 NOVEMBER 2018

Report of the Head of Corporate Services

ELECTION FEES

PURPOSE OF THE REPORT

This report recommends the adoption of election fees to be used as a basis of recharge at the forthcoming parish council elections and as a means of payment for staff involved in the preparation and delivery of an efficient combined local government election on 2 May 2019.

RECOMMENDATION

1. That the schedule of fees for general staff as set out in Appendix 1 is approved and increased in line with the national living wage.
2. That the Returning Officer fee formula as set out in Appendix 1 is approved and increased in line with the local government pay award

WARDS AFFECTED

Not applicable

STRATEGIC LINK

The organisation of the District and Parish Council elections is the responsibility of the Returning Officer and is a democratic process to elect future Councillors as community leaders for the District of the Derbyshire Dales. The engagement of people wishing to stand and vote at election is critical to the District Council's overall success.

1 BACKGROUND

- 1.1 Election Fees for local government elections were last approved by a Committee of the Council in 2012. Since then the Returning Officer has used her delegated authority to determine the level of fees paid to polling station and count staff at a locally attractive market rate. The Returning Officer (RO) fee has remained at the 2010 level for District and Parish Council elections. (All references in the report to 'parish council' includes town councils). At all other elections that fee is prescribed and reimbursed by the Cabinet Office.
- 1.2 The last all out election was the 2017 UK Parliamentary Election. The Cabinet Office has challenged certain fee levels set by the RO and initially declined to pay the full amount for Presiding Officer and Poll Clerks as part of the overall funding

package. Persistent appeals have resulted in the full claim being paid but the Office has made it clear that the current levels of fees are not sustainable and will not be paid in the future. The reason given was that the fee level was not comparable with neighbouring authorities. In terms of neighbouring authorities we compare favourably to some but not all as each RO will take account of different values according to local market pay conditions, availability of labour and extent of responsibility attached to some roles.

- 1.3 For example, the RO insists that all polling station staff arrive ready for duty at 06:30 on the day of poll to ensure adequate time to respond to an emergency, given the geography of the district. This is paid work. Similarly all staff are trained to the same extent in the event that the poll clerk has to take charge in the temporary absence of the Presiding Officer. This is not the case in some neighbouring authorities.
- 1.4 The fee basis therefore needs to change and to set a bar for the next national event. This is the optimum time. A Derbyshire Group is formulating ideas on which this paper is based. Not all assumptions are transferable for the reasons given above, so the suggested fees attempt to strike a balance which recognises the uniqueness of the District of Derbyshire Dales.

2. **RECOMMENDED FEE STRUCTURE**

2.1 General

The suggested fee structure is attached and should be self-explanatory. For poll clerks, the recommended fee is based upon the current living wage with 25% uplift for Presiding Officers. The rates are recommended to be increased in line with the living wage moving forward.

For comparison purposes the fee last paid was £190 for a poll clerk and £230 for a presiding officer excluding training and mileage.

New additions have also been added to reflect the demands of an election project overall which culminate in the Count itself. The new fees are:-

- Provision of training. The majority of training of polling station staff, postal vote staff, nomination team, count personnel and so on is delivered personally by the RO with assistance from experienced colleagues. The training role is quite demanding and it is recommended that a fee should be paid to any member of the team who delivers the training on the RO's behalf.
- Communications – is a key role in managing expectations, dealing with media requests and spreading the news when announcements are made at the Verification and Count.
- Uplift for combined elections. This is to reflect the level of complexity if a polling station is running two or more elections at the same time. This is

highly likely in a number of polling stations in May 2019 with the combination of district and parish council elections.

- Payment of core team. The fee structure also sets out fees to be paid for the ongoing election work undertaken by a smaller pool of people and the principles of their reimbursement. This covers the work in meeting tight statutory deadlines undertaken outside normal working hours.

The fee structure also sets out time off arrangements for internal staff to comply with health and safety legislation.

2.2 Returning Officer Fee

At all national elections the Returning Officer's fee is prescribed by the Cabinet Office. At Local Government Elections a locally determined fee needs to be agreed.

The RO plays a central role in the democratic process and is personally responsible for the conduct of the election. A working knowledge of the legislation governing the conduct of the election is required which means that, in addition to having a clear understanding of the statutory functions, the RO should have an overview of what the legislation contains and an understanding of how it affects the administration of the election, so that s/he can review, question where necessary, and quality-assure the whole process.

The RO is also subject to breach of official duty provisions. This means that if the RO is, without reasonable cause, guilty of any act or omission in breach of official duty the RO is liable on summary conviction to an unlimited fine. The fee therefore needs to reflect the skills, knowledge and time commitment involved.

The draft Derbyshire model makes the calculation much easier than present and is based on the number of electors in a Ward in multiples of 1000 electors. That principle is also suggested for parish councils. The main advantage is simplicity and updates the reimbursement of a parish council RO fee to a more acceptable level. The fee structure however is geared for high density areas and results in a reduction in fee overall compared to 2015. The structure similarly does not reflect the level of responsibility at by-elections. For example, in cases where a RO (or appointed Deputy) is appointed to conduct a parish council by-election, the suggested fee structure of £47.50 is not attractive. The fee is recommended to be supplemented by the equivalent of a Count Manager Fee and that any Deputy RO fees paid are disbursed from the overall RO fee in all-out elections. The RO fee is also recommended for automatic inflation in line with any local government pay award.

3. **PROVISIONAL ARRANGEMENTS**

- 3.1 For the elections in May, the Verification and Count will take place immediately after the close of poll on 2 May 2019 and will continue until District seats have been declared. This is estimated to be 0330. The parish count will take place on another day depending on the level of contest.

4. RE-CHARGE TO PARISH COUNCILS

- 4.1 Parish Council election recharges are calculated to reflect the total cost of running an election and are in the main, the actual cost of premises, printing and postage, full recovery of polling station staff (pro rata) and an administrative fee based on the size of the parish to reflect the level of complexity in receiving nominations and the number of postal votes received. Based on the level of contest in 2015 the new structure is estimated to recover £34,000 as opposed to £20,000 last time. The increase reflects the more realistic RO fee and more accurate costings of what the Council needs to procure or deliver on a parish council's behalf. All parish/town councils have been advised of estimates for both contested and uncontested elections so that an accurate precept can be made in 2019/20.

5. RISK ASSESSMENT

5.1 Legal

The legal risk for the Council is minimal as all risk is carried by the RO. The conduct of elections is highly prescribed and involves a lengthy risk assessment at each stage in the process, and is an integral part of the project plan. Whilst all risk cannot be mitigated, the District Council, through its RO, has an excellent record in terms of preventing and detecting fraud and enjoys enviable turn out figures compared with neighbouring authorities.

5.2 Financial

Financial risks are mitigated by using a robust fee basis (proposed in this report), setting appropriate levels of fees to recharge town and parish councils (proposed in this report) and by the District Council building up an elections reserve that will be sufficient to cover the costs of District Council elections. It is expected that by 31 March 2019, the elections reserve will have a balance of around £128,000, which is expected to be sufficient for the May 2019 election. The financial risk is therefore assessed as low.

6. OTHER CONSIDERATIONS

In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

7. CONTACT INFORMATION

Sandra Lamb, Head of Corporate Services and Returning Officer. Tel. 01629 761281 or email sandra.lamb@derbyshiredales.gov.uk

8. BACKGROUND PAPERS

None

9. ATTACHMENTS

Appendix 1 – Election Scale of Fees 2019



Election Scale of Fees 2019

Poll Clerk

Poll Clerks work from 6.30 am until 10.15pm and need to be capable of temporarily taking over from the Presiding Officer during comfort breaks and in case of emergency. They undergo the same training to ensure that they have the necessary knowledge.

The proposed fee of £8.75 per hour is the (current) National Living Wage and equates to a level 3 post in the District Council pay scale, which, generally, is basic clerical work. This fee will be increased to reflect any increases in the National Living Wage

In addition, Poll Clerks are required to attend a training session at Matlock Town Hall. The travel element covers that and travel to their appointed polling station, which may be some distance from home.

| | |
|-------------------------------|----------------|
| Basic fee | **£144.00 |
| Training fee | £40.00 |
| Travel (tax free) | £10.00 |
| Total | £194.00 |
| Uplift for combined election* | £20.00 |

*If more than one election is contested on the same day the staff will have to deal with two sets of ballot papers and, possibly, different franchises. It is considered reasonable to offer an enhancement to cover the more complex work involved in such cases.

**The basic fee is reduced to £79.00 if the appointed person is a District Council employee who chooses not to take holiday or flexi to work on the election. In such cases the time off must be agreed by their manager.

Presiding Officer

Presiding Officers work from 6.30am until approximately 10.30pm and are responsible for the set up and running of their Polling Station. They are required to manage one or more Poll Clerks, depending on the size of the electorate at their station. They are also required to attend training and pick up their ballot box at Matlock Town and deliver their ballot box to a designated collection point following close of poll.

The proposed fee of £10.93 per hour equates to a scale 6 post in the District Council pay scale, which, generally, is high level clerical/supervisor level, and represents a 25% increment on the poll clerk fee.

| | |
|-------------------------------|----------------|
| Basic fee | £180.00 |
| Training fee | £40.00 |
| Travel (tax free) | £10.00 |
| Total | £230.00 |
| Uplift for combined election* | £30.00 |

*If more than one election is contested on the same day the staff will have to deal with two sets of ballot papers and, possibly, different franchises. It is considered reasonable to offer an enhancement to cover the more complex work involved in such cases.

**The basic fee is reduced to £99.00 if the appointed person is a District Council employee who chooses not to take holiday or flexi to work on the election. In such cases the time off must be agreed by their manager

Roving Presiding Officer

Roving Presiding Officers oversee approximately 15 polling stations in their appointed area. They are the first point of contact for Presiding Officers and are on standby to deal with any problems that may occur on as instructed by the RO. They tour their stations during the day, survey the premises for the upcoming review of Polling Districts, Places and Stations and collect any postal votes that are handed in during the day and return them to the Town Hall for Processing. Roving Presiding Officers are required to undergo Presiding Officer Training.

| | |
|-------------------------------|----------------|
| Basic fee | £180.00 |
| Training fee | £40.00 |
| Travel | 0.45p per mile |
| Total | £220.00 |
| Uplift for combined election* | £30.00 |

*If more than one election is contested on the same day the staff will have to deal more complex electoral arrangements. It is considered reasonable to offer an enhancement to cover the more complex work involved in such cases.

**The basic fee is reduced to £96.00 if the appointed person is a District Council employee who chooses not to take holiday or flexi to work on the election. In such cases the time off must be agreed by their manager

Stand-by staff for late replacements

| | |
|--------------|---------------|
| Basic fee | *£0.00 |
| Training fee | £40.00 |
| Travel | £10.00 |
| Total | £50.00 |

*Paid pro rata at applicable hourly rate if called on to work.

Count Assistant

Count Assistants work from 9.30pm until declaration. (Estimated at 3.30am for a District and Parish election). The fee of £16.5 per hour recognises the unsocial hours and the close scrutiny under which they work. To give certainty to the post-holders the fee is guaranteed up to the estimated finish time, with any additional hours or part hours being paid at £16.50 per hour – including training and travel.

Health and Safety regulations prevent these employees from returning to work until 2pm the following day and they would, therefore, be granted additional time off to cover their normal working day until 2pm. If, however, those staff choose not to return to work at 2pm they will need to take annual leave, TOIL or flexi, with the agreement of their Manager to cover any time taken after 2pm.

| | |
|---|------------------------------|
| Basic Fee up to estimated finish time of 3.30am | (£99) rounded to £100 |
| Addition for hours or part hours after estimated finish time | £16.50 per hour or part hour |
| Friday Count – DDDC staff in normal working hours | No fee |
| Friday Count – external staff or DDDC staff taking leave, TOIL or flexi | £45.00 |
| Friday Count – additional hours - all | £15.00 per hour |

Count Supervisor

Count Supervisors are responsible for distributing ballot papers to the count teams and ensuring that the process is carried out in a consistent and systematic way. They work from 9.30pm until everything is cleared away and packed up after the declaration.

The fee of £20 per hour recognises the unsocial hours, the close scrutiny under which they work and the often physical nature of the work in lifting heavy ballot boxes.

A Count Supervisor will also be responsible for recording the verification totals and overseeing the repacking of any ballot papers that are to be counted at a later date.

| | |
|---|---------------------------|
| Basic Fee up to estimated finish time of 3.30am | £120 |
| Addition for hours or part hours after estimated finish time | £20 per hour or part hour |
| Friday Count – DDDC staff in normal working hours | No fee |
| Friday Count – external staff or DDDC staff taking leave, TOIL or flexi | £55.00 |
| Friday Count – additional hours - all | £20.00 per hour |

Health and Safety regulations prevent these employees from returning to work until 2pm the following day and they would, therefore, be granted additional time off to cover their normal working day until 2pm. If, however, those staff choose not to return to work at 2pm they will need to take annual leave, TOIL or flexi, with the agreement of their Manager to cover any time taken after 2pm.

Count Manager

Count Managers are responsible for the verification of the ballot papers allocated to their team of counters and supervisors. They decide how the work will be allocated and keep accurate records of the process. They liaise with the verification supervisor to ensure the accuracy of the process.

The fee of £25 per hour recognises the unsocial hours, the close scrutiny under which they work and their responsibility for ensuring the security and accurate verification of the ballot papers allocated to their team.

| | |
|--|---------------------------|
| Basic Fee up to estimated finish time of 3.30am | £150 |
| Addition for hours or part hours after estimated finish time | £25 per hour or part hour |
| Friday Count – DDDC staff in normal working hours | No fee |
| Friday Count – DDDC staff taking leave, TOIL or flexi | £66.00 |
| Friday Count – additional hours - all | £22.00 per hour |

Health and Safety regulations prevent these employees from returning to work until 2pm the following day and they would, therefore, be granted additional time off to cover their normal working day until 2pm. If, however, those staff choose not to return to work at 2pm they will need to take TOIL or flexi, with the agreement of their Manager to cover any time taken after 2pm.

Count Manager (DRO) at by-election or remote count

In the case of by-elections or at parish elections it is sometimes necessary to appoint a DRO to oversee the count either following the close of poll or at an appointed time. The fee for the overall management role undertaken by the DRO recognises the special responsibilities that accompany this appointment.

| | |
|-------------------------------------|--|
| By-election or remote count manager | £197.50 (count manager + RO count fee) |
|-------------------------------------|--|

Logistical Support

Community and Environmental Services staff provide support by cleaning ballot boxes and delivering them to the Town Hall, delivering polling booths to stations where more than one is required, setting up the Count venue, including moving furniture when

required, accepting ballot boxes at collection points on election night, transporting postal votes from the Town Hall to the Count, moving ballot boxes around the Hall during the count, clearing up and moving sealed ballot papers to secure store.

| | | |
|---|-------------------|-----------------|
| Work carried out during normal working hours | No additional pay | |
| Work associated with the count that requires attendance during the same period as a count assistant | Supervisor | £120.00 |
| | Assistant | £100.00 |
| Additional hours outside normal working hours and period covered by count payment | Supervisor | £20.00 per hour |
| | Assistant | £16.50 per hour |

Health and Safety regulations prevent these employees from returning to work until 2pm the following day and they would, therefore, be granted additional time off to cover their normal working day until 2pm. If, however, those staff choose not to return to work at 2pm they will need to take TOIL or flexi, with the agreement of their Manager to cover any time taken after 2pm.

Communications

The Communications Officer deals with the press and provides live information to count attendees.

| | |
|--|---------------------------|
| Basic Fee up to estimated finish time of 3.30am | £120 |
| Addition for hours or part hours after estimated finish time | £20 per hour or part hour |

Health and Safety regulations prevent these employees from returning to work until 2pm the following day and they would, therefore, be granted additional time off to cover their normal working day until 2pm. If, however, those staff choose not to return to work at 2pm they will need to take TOIL or flexi, with the agreement of their Manager to cover any time taken after 2pm.

IT Support

IT support is necessary to set up the electronic equipment used at the count and to deal with any issues that arise during the night.

| | |
|---|------------------------------|
| Basic Fee up to estimated finish time of 3.30am | £100.00 |
| Hourly rate if not in attendance for whole of count | £16.50 per hour or part hour |
| On call fee | £25.00 |

Health and Safety regulations prevent these employees from returning to work until 2pm the following day – IT support staff will need to determine how their employers will deal with that time.

Postal Vote Supervisor

Postal Vote Supervisors oversee the postal vote opening process to ensure the transparent and accurate electronic verification of all postal votes received. Weekend working may be necessary, depending on the volume of postal votes received. They also work on election night to verify the final votes being delivered from Polling Stations.

| | |
|---|-------------------|
| Full time staff – openings in normal working hours | No additional pay |
| External, DDDC staff taking leave, TOIL or flexi or part time staff outside of their normal working hours (during normal working hours Mon-Fri 9 – 5) | £10.5 per hour |
| All – evening or weekend working | £13.50 per hour |
| Uplift for combined election | £1.50 per hour |

Postal Vote Assistant

Postal Votes Assistants, open, sort, scan and electronically verify postal votes. Weekend working may be necessary, depending on the volume of postal votes received.

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| Full time staff – openings in normal working hours | No additional pay |
| External, DDDC staff taking leave, TOIL or flexi or part time staff outside of their normal working hours (during normal working hours Mon-Fri 9 – 5) | £8.75 per hour |
| All – evening or weekend working | £10.50 per hour |
| Uplift for combined election | £1.00 per hour |

Delivery of Training

For delivery of training to Polling Station staff, Count Supervisors and Managers and Postal Vote Team

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| Trainer – per session including preparation | £100.00 |
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Additional Hours worked by core team

It is often necessary for the core elections team to work additional hours to ensure that the election is delivered on time and in accordance with guidance. This work may include data transfers to our printer, proofing of postal votes and ballot papers, dealing

with nominations or just accommodating the large volume of work within the time available.

Staff undertaking such duties often exceed their entitlement to carry forward 8 hours of flexi time to the next period and they are, therefore entitled, if they wish to convert any additional flexi time into Time off in Lieu (TOIL). Alternatively, staff can opt to be paid for the additional hours, in excess of their flexi time allowance at their normal rate of pay.

Returning Officer Fees

The role of the Returning Officer carries significant personal risk and is entitled to a fee for conducting the election as required under the Representation of the People Acts and the Rules and Regulations made thereunder. The fee including all disbursement and expenses other than those for which special provision has been made, above, as follows:

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|----------------------|--|
| DDDC contested | Electorate / 1000 (rounded up) x £47.50 per contest |
| parishes contested | Electorate / 1000 (rounded up) x £47.50 per contest |
| parishes uncontested | £47.50 electoral area |
| DDDC uncontested | £47.50 per electoral area |
| Count fee | £47.50 per count |

BACK TO AGENDA

**GOVERNANCE AND RESOURCES
22 NOVEMBER 2018**

Report of the Chief Executive

REFERRED ITEMS

SUMMARY

To consider two recommendations from the Joint Consultative Group meeting held on 8 November 2018 regarding:

1. The adoption of two new safety policies: the Management of Noise at Work and the Management of Vibration at Work.
2. The adoption of a new Travel and Subsistence Policy

RECOMMENDATION

1. To consider a recommendation from the Joint Consultative Group to adopt the Management of Noise at Work Policy and also the Management of Vibration at Work Policy.
2. To consider a recommendation from the Joint Consultative Group to adopt the new Travel & Subsistence Policy.

WARDS AFFECTED

All

STRATEGIC LINK

The proposed new policies support the District Council's corporate values of valuing our employees and in being open and transparent when making decisions and using public resources ethically and responsibly.

1 REPORT – RECOMMENDATION 1

The relevant minute of the Joint Consultative Committee is reproduced in full, below, to assist Members' understanding of the issues involved.

MANAGEMENT OF NOISE AND VIBRATION AT WORK – 2 NEW POLICIES

The Committee considered a report outlining the reasons for the two new policies. Following her appointment, the Environmental Services Manager was concerned that routine health monitoring at the Depot had lapsed, which in turn could weaken risk assessments. At the same time the Human Resources Officer was referring Depot staff to Occupational Health as part of the Sickness Absence Management process and reports back indicated that monitoring of noise and vibration going forward would be appropriate. As part of the assessment, in December 2017, the Environmental Services Manager

commissioned a consultant from Derbyshire County Council to undertake a Hand Arm Vibration (HAVS) and Noise assessment and another consultant advised on Full Body Vibration in January 2018.

In June 2018 the issues were discussed at the Safety Committee following which Officers met with the Head of Occupational Health to seek advice on routine health surveillance, costs and policy base, leading to the development of the 2 proposed policies. The policies were supported by the Corporate Leadership team at their meeting on 21 August and sent out to all staff for consultation, highlighted in the October Core Briefs and discussed at the Employee Group meeting on 10 October 2018 and the Safety Committee on 17 October 2018.

In summary the policies:

- Apply to all staff whose work subjects them to exposure to noise or vibration, primarily affecting Environmental Services staff using mowers, brush cutters, leaf blowers, chain saws, drills, powered percussion tools etc. Other staff engaged on site visits may be subject to occasional but significant noise at work.
- Highlight the need for staff at risk from noise or vibration at work to be trained in safe systems of work, the importance of wearing personal protective equipment (PPE) and immediate reporting of any concerns.
- Confirm that managers and staff have risk assessments (written and dynamic) to provide safe systems at work. Managers have a responsibility to regularly monitor risk and implement control measures.
- Confirm that staff identified as at risk are subject to annual health monitoring through Occupational Health. If any issues arise staff will be more frequently monitored by occupational health, with reasonable adjustments considered as required.

The Human Resources Officer advised Health monitoring commenced in October and will be completed by mid-November 2018.

The 2 new policies are important in order to fulfil the Council's duty of care to employees and for employees to fulfil their duty of care to themselves and their colleagues. Having safe systems of work, health surveillance and records will mitigate against the risk of injury claims.

During debate the issue of risk assessments for Contractors working for the Council both at the Town Hall and off site was raised. Councillors asked for clarification on where responsibility for contractor's safe working lies.

It was moved by Councillor Lewis Rose, seconded by Councillor Garry Purdy and

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| AGREED (Unanimously) | That the Governance & Resources Committee be recommended to adopt the Management of Noise and Work Policy and also the Management of Vibration at Work Policy at its meeting on 22 November 2018. |
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2 REPORT – RECOMMENDATION 2

The relevant minute of the Joint Consultative Committee is reproduced in full, below, to assist Members' understanding of the issues involved.

TRAVEL AND SUBSISTENCE POLICY

Following the cessation of the Lease Car Scheme in February 2017 a review team was established in autumn 2017 to review the car user allowances. The current scheme had become unfit for purpose, was 'broken' and needed to be reviewed. While the scheme was under review it was agreed all new appointments would be made without the essential user allowance. The taking home of council vehicles by Environmental Services, affecting approximately 10 staff, was also considered in the review.

Over the winter of 2017/18 the review team met several times to analyse the data and undertake a survey of how other councils had reviewed their allowances. In April 2018 they reported to the Corporate Leadership Team (CLT) with a variety of costed options. CLT were concerned about the impact on staff but agreed the scheme needed to be changed to make it fair and consistent. Consultation with staff began in May 2018 on removing allowances and achieving a rate of 45p per mile for all staff via 57p per mile for a time. In April, the Environmental Services Manager and Human Resources Manager began consultation with those staff who take a council vehicle home.

In June 2018, the Review Team reported back to CLT on the consultation. The proposal was the retention of car user allowances on a costed tiered basis. CLT developed this proposal further and staff were consulted again. An Equality Impact Assessment was also carried out and staff at the Depot were consulted again.

The proposals were included as part of the October Core Briefs and discussed at October's Employee Group. On 23 October, CLT considered the updated costed proposals, the consultation comments, the Equality Impact Assessment and suggestions arising from the Employee Group discussion. In addition advice from a tax specialist on the taking home of council vehicles was discussed and the Head of Community & Environmental Services asked to conclude consultation with the 10 staff affected.

The Head of Human Resources gave an update on Item 2.8 of the report – taking home of council vehicles. Along with the Head of Community & Environmental Services a meeting had taken place with the staff concerned and they were content with the proposals that the staff who do not undertake emergency call out retain their vehicle for immediate home to work mileage but are required to pay for their fuel from 1 April and that any replacement staff will not be able to take a vehicle home..

In summary, under the revised scheme:-

- 58 employees would see an overall reduction based upon business mileage incurred in 2017/18.
- 18 employees would see an overall increase based upon business mileage incurred in 2017/18.
- 17 employees would move from casual to essential user status.
- 9 employees would move from essential user status to casual user status.
- 50 employees would retain their current car user status.

The financial impact of the revised scheme would be as follows:

| | Existing Cost | Proposed Cost |
|-----------------|---------------|---------------|
| Mileage Costs | £45,068 | £36,277 |
| User Allowances | £51,714 | £35,600 |
| Total Costs | £96,782 | £71,877 |
| Scheme Savings | | -£24,905 |

The final proposals to go forward to the Governance & Resources Committee are (full details contained in the report):

- Retention of a car user allowance scheme based upon defined casual and essential user criteria
- Introduction of a banding for essential user payments to reflect the differing maintenance costs for high/low mileage users
- From 1 April 2019 all staff go to HMRC mileage rates which is consistent with mileage payments to Members and simplifies tax arrangements for all.
- Changes to the taking home of vehicles is implemented from 1 April 2019.

Councillors felt strongly that staff should be made aware the decision to recommend the new Policy had not been taken lightly by the Group and the Chairman offered to write to all staff affected to explain the decision.

It was moved by Councillor Chris Furness, seconded by Councillor Lewis Rose and

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| AGREED | That the Governance & Resources Committee be recommended to adopt the Travel and Subsistence Policy at its meeting on 22 November 2018. |
| | <i>This item was not carried as the employee representatives declared interests that precluded them from voting, therefore a majority of the representatives on each side of the JCG was not attainable.</i> |
| Voting: | |
| For: | 6 |
| Abstentions: | 3 |
| Against: | 0 |

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