

**To: Deputy Leader and Members of the Resources Board  
(Councillors D Wright, Davey, Davis, N Dirveiks,  
Henney, Simpson, Smitten, E Stanley and Waters)**

**For the information of other Members of the Council**

**For general enquiries please contact Emma Humphreys/Amanda Tonks on 01827 719221 or via email – emmahumphreys@northwarks.gov.uk or amandatonks@northwarks.gov.uk.**

**For enquiries about specific reports please contact the Officer named in the reports.**

**This document can be made available in large print and electronic accessible formats if requested.**

## **RESOURCES BOARD AGENDA**

**8 September 2015**

The Resources Board will meet in the Committee Room at The Council House, South Street, Atherstone, Warwickshire on Tuesday, 8 September 2015 at 6.30pm.

### **AGENDA**

- 1 Evacuation Procedure.**
- 2 Apologies for Absence / Members away on official Council business.**
- 3 Disclosable Pecuniary and Non-Pecuniary Interests.**

#### 4 **Public Participation**

Up to twenty minutes will be set aside for members of the public to ask questions or to put their views to elected Members. Participants are restricted to five minutes each. If you wish to speak at the meeting please contact Amanda Tonks/Emma Humphreys on 01827 719221 or email [democraticservices@northwarks.gov.uk](mailto:democraticservices@northwarks.gov.uk).

### **PART A – ITEMS FOR DISCUSSION AND DECISION (WHITE PAPERS)**

#### 5 **Treasury Management Update 2015/16** – Report of the Deputy Chief Executive

##### **Summary**

This report shows the Treasury Management activity for the period up to the end of July 2015.

The Contact Officer for this report is Stephen Robbins (719337).

#### 6 **Capital Programme 2015/16 Period 4 Update** – Report of the Assistant Director (Finance and Human Resources)

The report updates Members on the progress of the 2015/16 Capital Programme in terms of expenditure up to the end of July 2015.

The Contact Officer for this report is Stephen Robbins (719337).

#### 7 **General Fund Budgetary Control Report 2015/16 Period Ended 31 July 2015** – Report of the Assistant Director (Finance and Human Resources)

##### **Summary**

The report covers revenue expenditure and income for the General Fund between 1 April 2015 to 31 July 2015. The 2015/16 budget and the actual position for the period, compared with the estimate at that date, are given, together with an estimate of the out-turn position.

The Contact Officer for this report is Nigel Lane (719371).

#### 8 **Housing Revenue Account Budgetary Control Report 2015/2016 Period Ended 31 July 2015** – Report of the Assistant Director (Finance and Human Resources)

##### **Summary**

The report covers total Housing Revenue Account revenue expenditure and income for the period from 1 April to 31 July 2015.

The Contact Officer for this report is Nigel Lane (719371).

- 9 **Progress Report on Achievement of Corporate Plan and Performance Indicator Targets April - June 2015** - Report of the Chief Executive and the Deputy Chief Executive

**Summary**

This report informs Members of the progress with the achievement of the Corporate Plan and Performance Indicator targets relevant to the Resources Board for April to June 2015.

The Contact Officer for this report is Robert Beggs (719238).

- 10 **Membership of the Borough Care Task and Finish Group** – Report of the Chief Executive

**Summary**

The purpose of this report is to consider membership of the Borough Care Task and Finish Group for the ensuing year.

The Contact Officer for this report is Amanda Tonks (719221).

- 11 **Residential Caravan Sites Policy and Procedure** – Report of the Assistant Director (Housing)

**Summary**

The Housing Sub-Committee considered a report on the implications of the Mobile Homes Act 2013 (the Act) on 28 April 2014. This report sets out a proposed Fee Policy revising the previously approved fees schedule and proposes revisions to Standard Conditions for Caravan sites.

The Board is also asked to consider whether, in the light of the changes brought about by the Mobile Homes Act 2013 to provide additional protection to those living in Park Homes, a recommendation to the Planning and Development Board is made to the effect that this Act becomes a material planning consideration.

The Contact Officer for this report is Angela Coates (719368).

- 12 **Information and Communications Technology Strategy 2015 – 2019 –**  
Report of the Assistant Director (Corporate Services)

**Summary**

The report presents the Draft Information and Communications Technology (ICT) Strategy for 2015 – 2019 to Members for their consideration and comment.

The Contact Officer for this report is Linda Bird (719327).

- 13 **Contract Standing Orders –** Report of the Assistant Director (Corporate Services)

**Summary**

This report seeks approval for the revised Contract Standing Orders.

The Contact Officer for this report is Linda Bird (719327).

**PART C – EXEMPT INFORMATION  
(GOLD PAPERS)**

- 14 **Exclusion of the Public and Press**

**Recommendation:**

**That under Section 110A(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following items of business, on the grounds that they involve the likely disclosure of exempt information as defined by Schedule 12A to the Act.**

- 15 **Public Conveniences –** Report of the Assistant Director (Streetscape)

The Contact Officer for this report is Richard Dobbs (719440)

- 16 **Land at Sheepy Road, Atherstone –** Report of the Assistant Director (Streetscape)

The Contact Officer for this report is Richard Dobbs (719440)

- 17 **Irrecoverable Local Taxation Debts –** Report of the Assistant Chief Executive (Community Services)

The Contact Officer for this report is Bob Trahern (719378)

- 18 **Sundry Debtor Irrecoverable Debts** – Report of the Assistant Director (Finance and Human Resources)

The Contact Officer for this report is Sue Garner (719374)

- 19 **Complaint – Request to Join Housing Register** – Report of the Assistant Director (Housing)

The Contact Officer for this report is Angela Coates (719369)

- 20 **Land Purchase Request - Maxstoke** – Report of the Assistant Director (Housing)

The Contact Officer for this report is Paul Roberts (719459)

- 21 **Land Purchase Request – Wood End** – Report of the Assistant Director (Housing)

The Contact Officer for this report is Paul Roberts (719459)

- 22 **Request for Licence at Forge Road, Shustoke** – Report of the Assistant Director (Housing)

The Contact Officer for this report is Paul Roberts (719459)

- 23 **Tender for Roof Works at Arden Forest Estate** – Report of the Assistant Director (Housing)

The Contact Officer for the report is Angela Coates (719369)

- 24 **Disposal of Coleshill Leisure Centre** – Report of the Assistant Director (Streetscape)

The Contact Officer for the report is Richard Dobbs (719440)

JERRY HUTCHINSON  
Chief Executive

## **Agenda Item No 5**

### **Resources Board**

**8 September 2015**

**Report of the  
Deputy Chief Executive**

**Treasury Management Update  
2015/16**

## **1 Summary**

- 1.1 This report shows the Treasury Management activity for the period up to the end of July 2015.

### **Recommendation to the Board**

**That the Treasury Management Report for the period up to the end of July 2015 be noted.**

## **2 Introduction**

- 2.1 The Council operates a balanced budget, which broadly means cash raised during the year will meet its cash expenditure. Part of the treasury management operations ensure this cash flow is adequately planned, with surplus monies being invested in low risk counterparties, providing adequate liquidity initially before maximising investment return.
- 2.2 The second main function of the treasury management service is the funding of the Council's capital plans. These capital plans provide a guide to the borrowing need of the Council, essentially the longer term cash flow planning to ensure the Council can meet its capital spending operations. This management of longer term cash may involve arranging long or short term loans, or using longer term cash flow surpluses, and on occasion any debt previously drawn may be restructured to meet Council risk or cost objectives.
- 2.3 The Council uses the Code of Practice for Treasury Management issued by the Chartered Institute of Public Finance and Accountancy (CIPFA) to ensure best practice is followed. The Code suggests that Members should be informed of Treasury Management activities at least twice a year, but preferably quarterly. This report follows the guidance of the Code.

## **3 Economic Forecast**

- 3.1 The Monetary Policy Committee (MPC) have continued to follow a path of low interest rates. MPC members voted 8-1 in favour of keeping rates at their current level of 0.5% at their most recent meeting held on 6 August 2015.
- 3.2 Ahead of the meeting, many commentators were anticipating a more 'hawkish' response from the MPC, with several analysts anticipating potentially two or three members supporting an interest rate rise. However, concerns about a collapsing stock market in China and continuing talks over Greece's debts served to dampen the enthusiasm of policy makers.
- 3.3 While it seems increasingly likely that the United States Federal Reserve will look to increase rates in September or December 2015, economic analysts are suggesting that we won't see interest rate rises in the UK until the first quarter of 2016, and even then the increases will be of a smaller magnitude than before, with increases of 0.25% predicted.
- 3.4 However, it is felt that once the MPC decide to increase the rates, we would expect to see a steady increase in rates thereafter, with experts predicting these will ultimately rise to about half the level of historical averages at around 2%.
- 3.5 The Council's Treasury Advisor, Capita, has undertaken a review of its interest rate forecast and these are summarised below:

	<b>Bank Rate Forecast</b>	<b>10 Year PWLB</b>	<b>25 Year PWLB</b>	<b>50 Year PWLB</b>
Q3 Jul 15 to Sept 15	0.50%	2.90%	3.60%	3.60%
Q4 Oct 15 to Dec 15	0.50%	3.00%	3.70%	3.70%
Q1 Jan 16 to Mar 16	0.50%	3.20%	3.80%	3.80%
Q2 Apr 16 to June 16	0.75%	3.30%	4.00%	4.00%
Q3 Jul 16 to Sept 16	0.75%	3.40%	4.10%	4.10%
Q4 Oct 16 to Dec 16	1.00%	3.50%	4.20%	4.20%
Q1 Jan 16 to Mar 16	1.00%	3.70%	4.30%	4.30%
Q2 Apr 16 to June 16	1.25%	3.80%	4.40%	4.40%

## 4 Treasury Management Strategy Statement

### 4.1 Review of Annual Investment Strategy

- 4.1.1 The Treasury Management Strategy Statement (TMSS) for 2015/16 was approved by Resources Board on 26 January 2015. The Council's Annual Investment Strategy, which is incorporated in the TMSS, outlines the Council's investment priorities as follows:

- Security of Capital
- Liquidity
- Yield

- 4.1.2 The Council will aim to achieve the optimum return on investments commensurate with the proper levels of security and liquidity. In the current economic climate it is considered appropriate generally to keep investments short term, and only invest with highly rated financial institutions, including

sovereign credit rating and Credit Default Swap (CDS) overlay information provided by Capita.

4.1.3 Following a slight increase in investment rates in recent weeks based on the optimism around the potential for a 2015 rise in the Bank of England rate, rates of return on investments have now stabilised following the recent MPC meeting.

4.1.4 The average level of funds available for investment purposes during the April to July period was £19.220 million. These funds were available on a temporary basis and the level of funds available for investment purposes was mainly dependent on the timing of precept payments, the receipt and payments of grants and the timing of both capital and revenue expenditure. Officers can confirm that the approved limits within the Annual Investment Strategy have not been breached.

4.1.5 Interest gained on investments up to the end of July 2015 totalled £42,192, ahead of the profiled position of £33,333. The average interest rate on investments for this period was 0.77% compared to the benchmark of the 7 day LIBOR rate of 0.49%. (See Appendix A)

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4.1.6 The performance of the Council's Treasury Management function continues to surpass the model performance of the Capita Benchmarking Group, of which North Warwickshire Borough Council is a member.

4.1.7 At the Resources Board meeting in June, a request was made by Members to explore the possibility of benchmarking the Council's investment performance with that of the private sector. This option has been explored with our treasury advisers, who consider that finding a suitable private sector body with which to make a meaningful investment comparison would not be possible. The reasons for their view include:

- Local individuals and Small Medium Enterprises (SME's) may place funds in retail deposit facilities and achieve a higher return than we can achieve in the wholesale market. There is little merit in comparison to these companies as we can not access these markets due to the monetary limits placed on deposits in this part of the market.
- Whilst Local Authorities can benchmark with their peers to provide a comparison of performance between contributors, there is no such requirement or body in the private sector, where companies operate on a unilateral basis and benchmarking is of no importance.
- Unlike Local Authorities which share many common features, corporate bodies are diverse and disparate organisations, which have equally diverse investment strategies and portfolios. Many will have multi-currency investments and could use investments to hedge exposures in other areas of the balance sheet (i.e. interest rate, foreign exchange).



- The equity cost of the cost of capital makes holding investment cash long term very inefficient. In essence, if a corporate body has built a war chest of monies, they will either use it for acquisitive purposes or will be paying it out as dividends.

## 4.2 Borrowing

4.2.1 The Council's Capital Financing Requirement (CFR) for 2015/16 was estimated at £71 million. The CFR denotes the Council's underlying need to borrow for capital purposes. If the CFR is positive the Council may borrow from the PWLB or the market (external borrowing) or from internal balances on a temporary basis (internal borrowing). The balance of external and internal borrowing is generally driven by market conditions.

4.2.2 The table below shows the Council's external borrowings and the utilisation of cash flow funds in lieu of borrowing. This is a prudent and cost effective approach in the current economic climate.

	2015/16 Original Estimate £m	2015/16 Estimated Out-turn £m
External borrowing – Housing	54,673	54,609
Internal borrowing – General Fund	16,509	13,752
<b>CFR (year end position)</b>	<b>71,182</b>	<b>68,361</b>

4.2.3 The Council has not needed to borrow any funds on a short term basis during the year to date.

4.2.4 During the Resources Board meeting in June 2015, a request was made by members to explore the potential cost to the Council of repaying its outstanding Public Works Loans Board (PWLB) loans of £56.289 million early. Full repayment of all outstanding loans would currently require the payment of a premium of £6.045m.

## 4.3 Prudential Indicators

4.3.1 It is a statutory duty for the Council to determine and keep under review its "Affordable Borrowing Limits". The Council's authorised Borrowing Limit and Operational Boundary Limits for 2015/16 were set at £87.991 million and £71.182 million respectively. Activity has remained within these limits for the months from April to July.

## 5 Report Implications

### 5.1 Finance and Value for Money Implications

5.1.1 Up to 31 July 2015, interest earned on investments was £42,192. The Council has not needed to borrow during the first seven months of the year, to fund any temporary shortfalls in the day to day cash flow.

5.1.2 Temporary internal borrowing has been possible due to the revenue and capital reserves currently being held. Once these are used, the Council will need to replace internal borrowing with external borrowing. The use of temporary internal borrowing for capital expenditure has reduced the cost of capital in the General Fund in the short term.

## 5.2 Environment and Sustainability Implications

5.2.1 By having effective and prudent treasury management, this contributes towards sustainability and providing services that improve the quality of life for the communities of North Warwickshire.

## 5.3 Risk Management Implications

5.3.1 Credit ratings are used in assessing the institutions on the authorised lending list and the maximum investment level permitted.

5.3.2 Specialist advice was taken from our Treasury Management consultants to ensure that our debt profile for HRA self financing has an appropriate balance between long and short term borrowing.

5.3.3 Continuous monitoring of the Council's treasury position will allow external borrowing to be taken out to cover the loss of internal borrowing, at the appropriate time.

The Contact Officer for this report is Stephen Robbins (719337).

### Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date

## Investment Summary

**CURRENT LOANS & INVESTMENTS****31-Jul-15****APPENDIX A**

<b>Name of Borrowing Authority Investment General Account</b>	<b>Investment or Loan No.</b>	<b>Amount</b>	<b>% Invested</b>	<b>Type of Investment</b>	<b>Current Interest Rate</b>	<b>Date of Investment</b>	<b>Maturity Date</b>
Lloyds	9788524	500,000.00	2.41%	Fixed	1.00	22-Jan-15	22-Jan-16
Lloyds	9357775	1,000,000.00	4.82%	Fixed	0.95	10-Sep-14	10-Sep-15
Lloyds	9822139	1,000,000.00	4.82%	Fixed	1.00	30-Jan-15	29-Jan-16
Lloyds	9458142	1,000,000.00	4.82%	Fixed	1.00	13-Oct-14	13-Oct-15
Lloyds		1,000,000.00	4.82%	Fixed	0.57	15-Jun-15	15-Sep-15
Lloyds		500,000.00	2.41%	Fixed	0.57	16-Jun-15	16-Sep-15
Barclays	26522886	1,000,000.00	4.82%	Fixed	0.70	22-Jul-15	22-Jan-16
Royal Bank of Scotland	Cert of Deposit	1,000,000.00	4.82%	Fixed	0.86	14-Nov-14	13-Nov-15
Lloyds	9560396	1,000,000.00	4.82%	Fixed	1.00	14-Nov-14	16-Nov-15
Credit Suisse	Cert of Deposit	1,000,000.00	4.82%	Fixed	0.70	31-Jul-15	29-Jan-16
Santander		1,000,000.00	4.82%	Fixed	0.75	15-May-15	15-Nov-15
Standard Chartered	Cert of Deposit	1,500,000.00	7.23%	Fixed	0.78	18-Jun-15	18-Mar-16
Federated Cash Plus	0000228	1,000,000.00	4.82%	eMMF	0.58	31-Jan-14	
RLAM Cash Plus	0000057323	1,000,000.00	4.82%	eMMF	0.85	22-Jan-14	
Federated MMF	0000228	2,254,000.00	10.86%	MMF	0.4706		
Ignis MMF (Bank of New York Mellon) - class 2	0000554-001	5,000,000.00	24.09%	MMF	0.4886		
<b>TOTAL CURRENT GENERAL INVESTMENTS</b>		<b>20,754,000.00</b>			<b>0.77</b>		

**Agenda Item No 6**

**Resources Board**

**8 September 2015**

**Report of the Assistant Director  
(Finance and Human Resources)**

**Capital Programme 2015/16  
Period 4 Update**

**1 Summary**

- 1.1 The report updates Members on the progress of the 2015/16 Capital Programme in terms of expenditure up to the end of July 2015.

**Recommendation to the Board**

- a That progress made against the 2015/16 Capital Programme is noted; and**
- b To approve the change in policy which will see the Housing Division charge a 10% fee to deliver disability adaptations.**

**2 Introduction**

- 2.1 The Executive Board approved the Council's Capital Programme of £8,674,300 for 2015/16 in February 2015.
- 2.2 At the Executive Board on 16 June, it was agreed to carry forward £4,965,219 of unspent 2014/15 budget. Additionally, supplementary estimates of £465,886 for the programme of works at Hurley Kings Football Club and £244,437 for additional Transport vehicles were approved at the same meeting. This gives a total approved capital programme for 2015/16 of £14,349,842 (Appendix A).
- ...

**3 Budget Profiling**

- 3.1 A schedule of works is arranged by each budget holder and each of the schemes are timetabled for completion throughout the year. This schedule is monitored on a monthly basis and discussed with Budget Holders.

**4 Housing Schemes**

- 4.1 The original budget for 2015/16 is £6,486,110 and there is an agreed carry forward of £3,815,728 which provides a total Housing Capital budget of £10,301,838 (Appendix A).

- 4.2 There has been a total of £290,997 spent or committed on the housing capital programme during the first four periods of 2015/16; this is compared to a profiled budget of £644,943.
- 4.3 The New Build programme, supported by Waterloo Housing Association, which will deliver new properties at Princess Road, Lister Road, Ridge Lane and at the old Dordon Fire Station, is continuing at speed and invoices relating to the new financial year are anticipated shortly.
- 4.4 Contracts have recently been awarded for the External Wall Insulation scheme, Roofing programme of works and the Heating scheme. Additionally, a preferred supplier has been selected to deliver the Multi Trade Contract who will start undertaking these jobs in early September 2015.

## **5 General Fund Schemes**

- 5.1 The original budget for 2015/16 was £2,188,190 and there is an agreed carry forward of £1,149,491, alongside the aforementioned supplementary estimates totalling £710,323, provide a total General Fund Capital budget of £4,048,004 (Appendix A).
- 5.2 There has been a total of £1,507,605 spent and committed against the general fund capital projects for 2015/16, compared to a profiled budget of £1,817,749. This includes orders totalling over £600,000 which have been placed as part of the comprehensive Fleet Management process. There are further orders expected this financial year.
- 5.3 Work is progressing on the improvement works to Hurley Daw Mill Recreation ground, undertaken in conjunction with Hurley Kings FC, a project which is being funded principally by the Football Foundation.
- 5.4 Additional expenditure on work at Kitwood Avenue Recreation Ground will be funded through the use of earmarked reserves. Additional spending on IT projects such as the Operating System Upgrade, Infrastructure Improvements and the Warwickshire Direct Partnership should be offset by the expected under spend on the Academy Server Replacement.

## **6 Administration Fees on Adaptations**

- 6.1 Members will be aware that the Council has been working in partnership to deliver disability adaptations through a shared service based in Nuneaton and Bedworth Borough Council. One of the original purposes of this integrated shared service was to provide a consistent, holistic and high quality service and to simplify and accelerate the process for clients throughout Warwickshire.
- 6.2 For historical reasons, each Council has determined its' own detailed policy on matters such as any agency fees for works administration, and on matters such as recharging certain clients if the adopted property changes ownership. North Warwickshire Borough Council has not historically charged agency

fees, unlike other Boroughs which charge 10%. The Housing Division is now proposing that the Council comes into line with other authorities and charges a fee for the work which is done to deliver the adaptation. The fee will effectively, in the majority of cases, come out of the grant awarded to the customer in order to pay for the work.

## **7 Report Implications**

### **7.1 Finance and Value for Money Implications**

7.1.1 Introducing an administration charge for disability adaptations will not impact on the Council's capital programme but will supplement and offset the costs of delivering the shared service. It will reduce the revenue expenditure on staffing, which will contribute to the Council's savings. For example, on disabled adaptation spending of £250,000 per annum, this would equal circa £25,000.

7.1.2 Capital schemes will contribute to services provided by the Council, from maintaining decent Council homes, assisting in carrying out adaptations to resident's houses to helping to fund efficient heating systems to promote carbon reduction and encouraging fitness and wellbeing.

### **7.2 Environment and Sustainability Implications**

7.2.1 Expenditure incurred as part of the Council's Capital Programme enables the Council to continue to improve and deliver a range of services to the people of North Warwickshire. The implementation of the capital programme will lead to improvements in the quality of life for the communities of North Warwickshire.

### **7.3 Risk Management Implications**

7.3.1 Failure to make reasonable adjustments to ensure our buildings and facilities are accessible could expose the Council to potential litigation and risks damage to its reputation.

### **7.4 Equality Implications**

7.4.1 The Council is required to ensure it meets the requirements of the Equality Act 2010. The Act brings together all previous equality legislation and includes a public sector duty (the equality duty) replacing separate duties relating to race, disability and gender equality. The capital programme includes some provision for improving accessibility as previously required under the Disability Discrimination Act. The DDA defines discrimination in a number of ways and outlines four specific types of discrimination: direct discrimination, failure to make reasonable adjustments, disability-related discrimination and victimisation.

7.4.2 Failure to make reasonable adjustments could result in limiting access to services provided from our buildings and facilities by disabled people and the potential for legal challenges being taken against the Council.

The Contact Officer for this report is Stephen Robbins (719337).

**Capital Budgetary Control Summary 2015/16 - as at P4**

**APPENDIX A**

				(A)	(B)	(C)	(D)
Cost Centre Description	Original Budget 2015/16	Budget Slippage from 2014/15	Virements & Supplementary Budgets	Total 2015/16 Approved Budget	Profiled Budget	Total Yr To Date	Total v Profiled Bud
Hsg Disabled Facility Adaptation CH	175,000	-	-	175,000	58,333	37,278	(21,056)
Hsg Insulation	500,000	1,507,784	-	2,007,784	-	-	0
Hsg Roofing	600,000	960,871	-	1,560,871	-	231	231
Hsg Heating	1,025,000	645,579	-	1,670,579	185,620	132,468	(53,152)
Unadopted Roads	-	64,660	-	64,660	21,553	-	(21,553)
New Build Housing Project	3,200,000	-	-	3,200,000	186,576	58,566	(128,011)
Multi Trade Contract	500,000	544,364	-	1,044,364	-	12,875	12,875
Replace HDW Vehicles	287,380	64,000	-	351,380	117,127	-	(117,127)
Replace Wardens Vehicles	36,500	28,470	-	64,970	21,657	-	(21,657)
Replace Hsg Vehicles	11,000	-	-	11,000	3,667	-	(3,667)
Hsg Capital Salaries	151,230	-	-	151,230	50,410	49,580	(830)
<b>Total HRA</b>	<b>6,486,110</b>	<b>3,815,728</b>	<b>-</b>	<b>10,301,838</b>	<b>644,943</b>	<b>290,997</b>	<b>(353,947)</b>
DDA	-	329,465	-	329,465	109,822	-	(109,822)
Electrical Work to Council Premises	15,000	102,850	-	117,850	39,283	-	(39,283)
Enhancement to Parks and Playing Fields	30,000	29,674	-	59,674	19,891	30,000	10,109
General Leisure Equipment	20,000	-	-	20,000	6,667	4,548	(2,119)
Atherstone Accommodation Project	21,000	-	-	21,000	21,000	35,503	14,503
Piccadilly Sports Field	-	11,500	-	11,500	3,833	-	(3,833)
Polesworth Abbey Green Park	-	8,150	-	8,150	2,717	3,988	1,271
Dordon Long Street Recreation Ground	-	7,290	-	7,290	2,430	1,501	(929)
Kitwood Avenue Rec Ground	-	35,450	-	35,450	35,450	48,116	12,666
Bretts Hall Recreation Ground	30,000	-	-	30,000	-	-	0
Innage Park Cladding	-	5,000	-	5,000	1,667	-	(1,667)
Warden Call Scheme	63,000	59,010	-	122,010	40,670	-	(40,670)
Hurley Kings FC - Daw Mill Recreation Ground	-	-	465,886	465,886	465,885	460,434	(5,451)
Computer Software	30,000	25,292	-	55,292	55,292	52,622	(2,670)
Infrastructure Improvements	20,000	16,245	-	36,245	36,245	39,197	2,952
Warwickshire Direct Partnership	11,470	11,080	-	22,550	22,550	43,669	21,119
Operating System Upgrade	15,000	15,000	-	30,000	30,000	45,319	15,319
Academy Server Replacement	30,000	-	-	30,000	10,000	-	(10,000)
IT Replace Leisure booking system	-	18,697	-	18,697	18,697	16,801	(1,896)
Easyline Replacement	10,000	-	-	10,000	3,333	-	(3,333)
Life Lines	23,000	-	-	23,000	7,667	10,395	2,728
Mobile CCTV	-	4,947	-	4,947	1,649	-	(1,649)
Transport	1,493,350	126,603	244,437	1,864,390	643,131	656,788	13,657
Disabled Facilities (expenditure)	300,000	220,386	-	520,386	173,462	48,846	(124,617)
Decent Homes Standard Assistance	57,500	122,852	-	180,352	60,117	3,789	(56,328)
Capital Salaries	18,870	-	-	18,870	6,290	6,090	(200)
<b>Total General Fund</b>	<b>2,188,190</b>	<b>1,149,491</b>	<b>710,323</b>	<b>4,048,004</b>	<b>1,817,749</b>	<b>1,507,605</b>	<b>(310,144)</b>
<b>Total Expenditure</b>	<b>8,674,300</b>	<b>4,965,219</b>	<b>710,323</b>	<b>14,349,842</b>	<b>2,462,692</b>	<b>1,798,602</b>	<b>(664,090)</b>

## **Agenda Item No 7**

### **Resources Board**

**8 September 2015**

#### **Report of the Assistant Director (Finance and Human Resources)**

#### **General Fund Budgetary Control Report 2015/16 Period Ended 31 July 2015**

### **1 Summary**

- 1.1 The report covers revenue expenditure and income for the General Fund between 1 April 2015 and 31 July 2015. The 2015/16 budget and the actual position for the period, compared with the estimate at that date, are given, together with an estimate of the out-turn position.

#### **Recommendation to the Board**

**To consider if any further information is required.**

### **2 Consultation**

- 2.1 Councillors D Wright, Smitten and Henney have been sent an advanced copy of this report for comment. Any comments received will be reported verbally at the meeting.

### **3 Introduction**

- 3.1 Resources Board is responsible for monitoring the Council's overall financial position on the General Fund, and this report gives details of the position at 31 July.
- 3.2 The Board is also directly responsible for a number of internal and front line services. Accounting rules require front line services to show the total cost of providing the service, which includes support costs such as finance and IT services, as well as costs and income directly incurred.
- 3.3 Internal service costs are therefore recharged to all the services they support, both those that remain within Resources Board and those which are the responsibility of other Boards. This report provides some detail on both the front line services relating to this Board and the internal service costs that are recharged, at 31 July 2015.
- 3.4 Where possible, the year-to-date budget figures have been calculated with some allowance for seasonal variations, in order to give a better comparison with actual figures.



## 4 Services Remaining Within Resources Board

4.1 The total expenditure for those services that remain within Resources as at 31 July 2015, is £1,128,405, compared with a profiled budgetary position of £1,238,707; an under spend of £110,302 for the period. Appendix A to this report provides details of the profiled and actual position for each service reporting to this Board, together with the variance for the period.

### 4.2 Democratic Process

4.2.1 There has been a reduction in one of the corporate subscriptions paid and an under spend to date on members training, allowances and travel.

### 4.3 Council Tax Collection

4.3.1 There is currently an over spend on Council Tax Collection as a result of legal fee income being under the profiled level, partly due to the timing of court action.

### 4.4 Finance Unused Land and Assets

4.4.1 The over spend relates to the Business Rates payable on the old Coleshill Leisure Centre.

### 4.5 Carlyon Road Industrial Estate

4.5.1 The current overspend is due to business rates payable for two vacant units.

### 4.6 Rent Allowances

4.6.1 The current under spend relates to benefit payments being lower than expected and higher than expected recovery of Housing Benefit overpayments.

### 4.7 Rent Rebates

4.7.1 There is an under spend on Rent Rebates as the recovery of Housing Rent Rebates overpayments is above the profiled level.

## 5 Services Recharged to Other Directorates and Services

5.1 Net expenditure for those services that are recharged to other Directorates and Services, as at 31 July 2015, is (£92,403), compared with a profiled budgetary position of £31,197; an under spend of £123,600 for the period. Appendix B to the report gives the profiled and actual positions for the period for each service, together with the variance.

### 5.2 Directorate Budgets

5.2.1 The Council's budget requirement for 2015/16 assumed that there would be a salary vacancy saving in the year of £80,000 and this was included as a central amount. The central vacancy factor has been added into the budget columns shown in Appendix B, to enable easier comparison with the actual position.

Current vacancy levels within the Directorates mean that we have exceeded this target, taking into account the use of temporary and agency staff to cover key duties and any recruitment costs resulting from these vacancies, and excluding vacancies that relate to the Housing Revenue Account.

5.2.2 The areas with vacancies are Heritage and Conservation, Landscape Management, Partnership and Development and Financial Services. Most of these remain unfilled. The table below relates to the General Fund only.

	£
Current agency staff variance	35,840
Current professional fees variance	32,130
Current salaries underspend	(190,400)
<b>TOTAL</b>	<b>(122,430)</b>

## 6 Performance Indicators

6.1 In addition to the financial information provided to this Board, when the budgets were set in February, performance indicators were included as a means of putting the financial position into context. These are shown at Appendix C.

## 7 Overall General Fund Position

7.1 Appendix D provides an analysis of Board expenditure and the overall position for the General Fund for this report.

7.2 The actual level of Board expenditure for the period to 31 July 2015 is £2,949,095 compared with a profiled budgetary position of £3,194,202, an under spend of £245,107. The variations on Resources Board account for much of this underspend, and are detailed in sections 4 and 5. In addition income on Planning Control is ahead of target by £66,123 as a result of an increase in the number of planning applications being submitted and the receipt of several larger applications. The overall underspend has been reduced due to increased costs on Refuse and Recycling on employees, recycling haulage and repair and maintenance of refuse freighters.

7.3 As well as expenditure directly attributable to services, and included in the Board totals, there are a number of other amounts that need to be taken into account that provide the total net expenditure for the General Fund. This includes investment income, external interest payments and adjustments to reverse capital charges included within Board expenditure, from out of Council expenditure.

7.4 Taking these amounts into account, net expenditure for the Council to the end of July totals £2,355,666, compared with a profiled position of £2,614,811. This increases the general under-spend for the period to £259,145.

## 8 Risks to the Budget

8.1 In setting the budget in February 2015, a number of key risks to the overall budgetary position of the Council were highlighted and these are shown below:-

- A pay award of 2% has been assumed in preparing the budgets. Any settlement above or below this would affect the financial position of the Authority. A ½% variation would equate to £39,130.
- A vacancy factor of £80,000 has been included within the overall estimates. Should vacancies be less than expected, then additional costs will be borne by the Authority.
- Council expenditure on housing benefit is significant, although the majority is recouped through grant. The transfer of housing benefit into the universal credit administered nationally will impact on the workload of existing staff. The transfer of benefit will be uneven, potentially leaving existing staff with excessive workloads. There may also be an issue with retaining staff, given the transfer of work. A dip in performance would reduce the grant able to be reclaimed. There is also a risk that the level of recovery of overpayments could be affected by the current economic downturn.
- The current economic situation could have an increasing impact on the industrial rent income that the Council can obtain. In addition, the NDR on vacant commercial properties will impact directly on the Council's costs.
- The economic situation could also impact on other Council services such as Homelessness, with increased demand leading to additional expenditure.
- The Council is promoting recycling activities across the Borough. Reductions in income for recycling materials could add to the existing costs of the service.
- Limited budgetary provision is available for one off spending on areas such as public enquiries on planning, unadopted roads and contaminated land issues.
- Reduction or cessation of grants received for Community Development work could impact on the ability of the Council to meet some corporate priorities, as could failure to secure funding for the Branching Out Bus in future years.
- Deterioration of the Council's assets could require costly remedial action, and could also impact on the ability of some services to generate income. Income generation could also be affected more widely by the current economic position.

8.2 Some more specific risks to the budgetary position of the Council from services under the control of this Board were identified in setting the budget and these are set out below:

- Further changes to the employee taxation system (National Insurance);
- Additional increases in pension contribution rates above those already included;
- Higher than anticipated rises in utility costs (electricity, gas and water);
- Changes in legislation that effect service delivery and/or software requirements;
- Above inflation increases in vehicle fuel costs;
- Increased insurance costs, especially those relating to vehicles;
- Termination of employment costs;
- Increases in vacancies at industrial estates and shops that will impact on the level of rental income the Council receives and the amount of business rates that the Council is liable for;
- A higher level of maintenance on property assets and car parks, over and above that budgeted for, some of this is driven by changes in legislation;
- An increase in the level of Local Authority error made in processing benefit payments could lead to a loss of subsidy;
- A significant increase in workload due to an increase in benefit claimants and non-payment of Council Tax and/or Business Rates;
- The effect of planned Government changes in how benefits services are delivered and the structure of benefit payments;
- A fall in the level of recovery of Housing Benefit overpayments (greater than that expected) would impact on the level of expenditure borne by the Council;
- Further reductions in benefit administration grant levels;
- Further increases in pension scheme deficit;
- Effect of an ageing population on demand for Community Support services.

## 9 Estimated Out-turn for the General Fund

9.1 The anticipated out-turn for the General Fund is detailed in the table below: -

Board		£
	<b>Approved budget 2015/2016</b>	<b>8,251,290</b>
C & E	Additional Recycling haulage costs and sale of paper and card	60,150
C & E	Additional transport maintenance and hire costs on Refuse and Recycling	25,080
C & E	Additional maintenance costs of the Precinct Sweeper	15,000
Resources	Increase in the vacancy factor	(120,000)
Resources	Increase in Business Rates payable on the Old Coleshill Leisure Centre	13,800
Resources	Business Rates payable on Carlyon Road Industrial Estate vacant units	9,150
Resources	Housing and Rent Rebates	(60,000)
Planning	Additional Planning Fee Income	(70,000)
	Reduced borrowing costs due to a change in the timing of vehicle replacement	(97,000)
	Additional Investment Income	(30,000)
	<b>Expected Out-turn 2015/2016</b>	<b>7,997,470</b>

## 10 Report Implications

### 10.1 Finance and Value for Money Implications

10.1.1 The Council's budgeted contribution from General Fund balances for the 2015/2016 financial year is £594,090. This is expected to decrease by £253,820, as shown above in section 9. Income and Expenditure will continue to be closely managed and any issues that arise will be reported to this Board at future meetings.

### 10.2 Environment and Sustainability Implications

10.2.1 The Council has to ensure that it adopts and implements robust and comprehensive budgetary monitoring and control, to ensure not only the availability of services within the current financial year, but in future years.

The Contact Officer for this report is Nigel Lane (719371).

### Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date

**SERVICE REMAINING WITHIN RESOURCES BOARD**  
**Budgetary Control Report 2015/16 as at 31 July 2015**

<b>Description</b>	<b>Original Budget 2015/2016</b>	<b>Profiled Budget to July 2015</b>	<b>Actual to end July 2015</b>	<b>Variance to Date</b>	<b>Comments</b>
Cost of Democratic Process	577,210	198,669	190,294	(8,375)	See para 4.2
Election Expenses	76,490	12,310	12,145	(165)	
Registration of Electors	34,950	(951)	(2,409)	(1,458)	
Business Rates	49,250	60,133	61,947	1,814	
Council Tax Collection	174,070	87,233	97,616	10,383	See para 4.3
Miscellaneous Finance	370	123	123	-	
Compensation and Pension Increases	419,780	127,618	128,682	1,065	
Assisted Car Purchases	(610)	(203)	(194)	9	
Electricity at Work	22,710	10,077	8,026	(2,051)	
Finance Unused Land and Assets	2,800	933	11,191	10,258	See para 4.4
Corporate and Democratic Core	538,280	179,427	182,140	2,713	
Unallocated Central Support Services	121,500	11,089	8,953	(2,135)	
Coleshill Shops and Flats	(65,300)	(18,870)	(19,250)	(380)	
The Arcade	-	-	(27)	(27)	
The Pavilions, Holly Lane	(77,930)	(33,690)	(33,690)	-	
Carlyon Road Industrial Estate	(106,230)	(45,752)	(36,607)	9,145	See para 4.5
Innage Park Industrial Estate	23,000	35,904	33,951	(1,953)	
Polesworth Workspace Units	(1,700)	573	(766)	(1,339)	
Maya Bar and Restaurant	(7,460)	(2,633)	(2,634)	(1)	
Homeless Persons	105,010	35,597	35,990	393	
Public Conveniences	118,590	35,091	34,461	(630)	
Customer Contact	85,130	16,797	14,417	(2,379)	
Rent Allowances	151,170	65,857	8,214	(57,643)	See para 4.6
Housing Rent Rebates	15,900	20,581	(43,025)	(63,606)	See para 4.7
Concessionary Fares	23,860	9,260	9,951	691	
Council Tax Support	269,730	94,600	93,289	(1,311)	
Car Parks	64,340	34,207	33,109	(1,098)	
Broadband Delivery UK	100,170	22,543	22,543	-	
Animal Control	71,670	28,063	28,775	712	
Abandoned Vehicles	8,900	4,067	4,001	(65)	
Private Sector Housing Assistance	206,350	28,950	28,772	(178)	
CCTV	112,280	34,350	34,725	375	
Borough Care	566,950	170,357	167,294	(3,063)	
North Warwickshire LEADER	19,070	16,396	16,396	-	
<b>TOTALS</b>	<b>3,700,300</b>	<b>1,238,707</b>	<b>1,128,405</b>	<b>(110,302)</b>	

**RECHARGED SERVICES**  
**Budgetary Control Report 2015/16 as at 31 July 2015**

<b>Description</b>	<b>Original Budget 2015/2016</b>	<b>Profiled Budget to July 2015</b>	<b>Actual to end July 2015</b>	<b>Variance to Date</b>	<b>Comments</b>
Building Maintenance Fund	6,500	2,167	2,167	-	
Council Offices	80	27,036	29,491	2,455	
Central Telephones	-	(680)	369	1,049	
Recruitment	-	-	-	-	
Printing and Stationery	20	892	(2,222)	(3,114)	
Training	-	-	2,143	2,143	
Depot and Stores	-	13,693	10,646	(3,046)	
Postal Services	-	-	(1,000)	(1,000)	
Chief Executive Directorate	50	(244)	(600)	(357)	
Assistant Chief Executive	470	(1,920)	(9,128)	(7,208)	
Directorate of Community Services	2,180	(4,152)	(71,601)	(67,449)	
Deputy Chief Executive	4,640	5,194	(90,863)	(96,058)	
Corporate Services	620	33,385	33,655	270	
Transport	30	(17,505)	4,540	22,045	
<b>TOTALS</b>	<b>14,590</b>	<b>57,867</b>	<b>(92,403)</b>	<b>(150,270)</b>	
Central Vacancy Factor	(80,000)	(26,670)	-	26,670	
<b>TOTALS</b>	<b>(65,410)</b>	<b>31,197</b>	<b>(92,403)</b>	<b>(123,600)</b>	

## Performance Indicators (PIs) for budgets reporting to the Resources Board

	Budgeted performance	Profiled Budgeted performance	Actual performance to Date
<b>Registration of Electors</b>			
Cost per elector for the Electoral Register	£0.70	£0.30	-£0.05
<b>Business Rates</b>			
% of NDR Collection Rate	99.30%	33.10%	41.39%
Cost per NDR Property	£22.29	£27.21	£27.46
<b>Council Tax Collection</b>			
% of Council Tax Collection Tax	98.00%	39.20%	39.62%
Cost per Household	£6.45	£3.23	£3.57
<b>Coleshill Shops and Flats</b>			
Occupancy Rate	100.00%	100.00%	100.00%
Annual Income per Shop	(£10,159)	(£2,935)	(£2,926)
<b>The Pavilions</b>			
Occupancy Rate	100.00%	100.00%	100.00%
Annual Income per Unit	(£10,626)	(£4,446)	(£4,446)
<b>Carlyon Road Industrial Estate</b>			
Occupancy Rate	75.00%	75.00%	75.00%
Annual Income per Unit	(£7,071)	(£2,973)	(£2,973)
<b>Innage Park Industrial Estate</b>			
Occupancy Rate	64.00%	64.00%	64.00%
Annual Income per Unit	(£4,250)	(£1,650)	(£1,620)
<b>Polesworth Workspaces</b>			
Occupancy Rate	75.00%	75.00%	75.00%
Annual Income per Unit	(£1,116)	(£372)	(£372)
<b>Rent Allowances</b>			
Rent Allowances per Claimant	£4,850	£1,593	£1,435
Cost of Administration per Claimant	£86.58	£37.72	£4.72
<b>Rent Rebates</b>			
Rent Rebates per Claimant	£4,127	£1,530	£1,415
Cost of Administration per Claimant	£10.00	£13.13	-£27.30



**CONSOLIDATED GENERAL FUND POSITION**  
**Budgetary Control Report 2015/16 as at 31 July 2015**

<b>Board</b>	<b>Original Budget 2015/2016</b>	<b>Expected position at July 2015</b>	<b>Actual position at July 2015</b>	<b>Variance</b>
Executive	584,670	197,874	200,489	2,615
Planning and Development	311,880	94,307	33,477	(60,830)
Licensing Committee	(1,750)	5,463	6,877	1,414
Community and Environment	5,041,760	1,626,654	1,672,250	45,596
Resources (including staff vacancies)	3,638,550	1,269,904	1,036,002	(233,902)
<b>Net Board Expenditure</b>	<b>9,575,110</b>	<b>3,194,202</b>	<b>2,949,095</b>	<b>(245,107)</b>
Payments to Parish Councils	83,480	83,480	83,480	-
Other Contingencies	58,990	-	-	-
<b>Net Board Expenditure</b>	<b>9,717,580</b>	<b>3,277,682</b>	<b>3,032,575</b>	<b>(245,107)</b>
Investment Income	(100,000)	(33,333)	(42,192)	(8,859)
Revenue Contribution to Capital Spending	119,000	39,667	39,667	-
Use of Balances	(594,090)	(198,030)	(198,030)	-
Financing Adjustment	(807,720)	(471,173)	(476,352)	(5,180)
<b>Net Expenditure</b>	<b>8,334,770</b>	<b>2,614,811</b>	<b>2,355,666</b>	<b>(259,145)</b>

**Agenda Item No 8**

**Resources Board**

**8 September 2015**

**Report of the Assistant Director  
(Finance and Human Resources)**

**Housing Revenue Account  
Budgetary Control Report 2015/2016  
Period Ended 31 July 2015**

**1 Summary**

- 1.1 The report covers total Housing Revenue Account revenue expenditure and income for the period from 1 April to 31 July 2015.

**Recommendation to the Board**

**To consider if any further information is required.**

**2 Consultation**

- 2.1 Councillors Wright, Smitten and Henney have been sent an advanced copy of this report for comment. Any comments received will be reported verbally at the meeting.

**3 Introduction**

- 3.1 Under the Service Reporting Code of Practice (SeRCOP), services should be charged with the total cost of providing the service, which not only includes costs and income directly incurred, but also support costs relating to such areas as finance, office accommodation, telephone costs and IT services and Member costs.

**4 Overall Position**

- 4.1 The Housing Revenue Account (HRA) includes all costs and income relating to the letting and management of the Council's housing stock, and this has to be kept separate from General Fund expenditure. The actual position for the HRA for the period ended 31 July 2015 is a surplus of £301,920, compared with a forecast surplus position for the period of £324,688. Where possible, the forecast position has been profiled to reflect seasonal variations in expenditure and income, in order to give a better comparison with actual figures. The actual position is an unfavourable variance of £22,768 against the forecast position. Appendix A to this report provides details of the profiled and actual position for expenditure and income incurred by the HRA.

...

- 4.2 The contribution to the Repairs Fund is transferred from the Revenue Account on a monthly basis as profiled. The actual spend on repairs is shown

within the Repairs Fund. Similarly budget provision within the Revenue Account for capital expenditure is transferred to capital reserves, which are then utilised to fund HRA capital expenditure included in the capital programme.

- 4.3 There has been a lower level of dwelling rental income due to higher than expected sales of 10 dwellings to date, against a budgeted position of 5 dwellings. In addition there is a higher level of voids which require major works and therefore are empty for a longer time.
- 4.4 Some service charge income for window cleaning at Owen Street flats has been refunded, relating to previous years charges made in error. There is also a higher level of voids requiring major works in the flats, which reduces the service charge income in the current year.

## 5 **Housing Repairs Fund**

5.1 The Housing Repairs Fund covers expenditure on all repairs and maintenance, both day to day and programmed whether carried out by Housing Direct Works or external contractors. This includes any surplus or deficit on the operation of Housing Direct Works.

5.2 The balance on the Fund at the start of the year amounted to £336,860. The balance can be used to cover timing issues between years. In 2015/16 the contribution to the fund is £3,111,570. Any over-spend in the repairs fund would impact on the use of Housing Revenue Account balances if it exceeded the balance on the fund and the contribution in the year.

... 5.3 The position on the fund at the end of July is shown in Appendix B.

## 6 **Housing Direct Works**

6.1 There is an under spend on employee costs reflecting the current level of vacancies and sickness, which have been partially covered by the use of temporary agency staffing on day to day repairs and voids. There is a decrease to date in supplies and services due to lower usage and cost of materials, Sub contracted electrical works, scaffolding and skip hire. This has been partially offset by additional hired transport costs due to delays in new vehicle replacements and vehicle maintenance costs. Appendix C to this report provides the profiled and actual expenditure of Housing Direct Works in more detail.

...

## 7 **Risks to the Budget**

- 7.1 The key risks to the budgetary position of the Housing Revenue Account in 2015/16 include:
- The impact of welfare reform on the ability to collect rents;
  - Rising tenant expectations and an ageing stock are likely to continue to increase the demand for repairs, which will need to be continuously monitored;

- Asbestos removal is an ongoing cost pressure over the next few years until the full picture of the level of asbestos contained in council houses and the cost of removal is assessed.
- Any reduction in the performance of Housing Direct Works will put pressure on the Council to use external contractors and therefore will impact on the level of expenditure.

## 8 Estimated Out-turn

8.1 The anticipated out turn for the HRA for 2015/16 is detailed in the table below;

	<b>£</b>
<b>Approved budget (surplus) 2015-16</b>	<b>(40,420)</b>
Loss of Rental Income due to higher sales and voids levels	41,000
Refund of previous years cleaning service charges and increase in void levels	6,000
<b>Expected Out-turn Deficit 2015-16</b>	<b>6,580</b>

8.2 The estimated out-turn for the Repairs Fund remains the same as that included in the original budget. There is uncertainty that the current underspend will continue through the remainder of the year due to timing of work issues.

## 9 Report Implications

### 9.1 Finance and Value for Money Implications

9.1.1 The Council is currently forecasting a contribution to the Housing Revenue Fund balance for the 2015/16 financial year of £40,420. This is expected to decrease by £47,000, as shown above in section 8. Income and expenditure will continue to be closely managed and any issues that arise will be reported to this committee for comment.

### 9.2 Environment and Sustainability Implications

9.2.1 The Council has to ensure that it adopts and implements robust and comprehensive budgetary monitoring and control, to ensure not only the availability of services within the current financial year, but in future years.

The Contact Officer for this report is Nigel Lane (719371).

**HOUSING REVENUE ACCOUNT**

	<b>Original Budget 2015/2016</b>	<b>Expected Spend to July 2015/2016</b>	<b>Actual Spend to July 2015/2016</b>	<b>Variance</b>	<b>Comments</b>
<b>EXPENDITURE</b>					
Repairs and Maintenance	3,111,570	1,037,190	1,037,190	-	Comment 4.2
Supervision and Management - General	1,379,490	462,555	462,739	184	
Supervision and Management - Special Services	514,430	172,975	171,486	(1,489)	
Provision for Bad Debts	178,380	-	-	-	
Interest on Loans	1,623,860	541,287	541,287	-	
Revenue Set Aside (debt Repayment)	1,300,000	433,333	433,333	-	
Capital Expenditure - New Build	1,114,460	371,487	371,487	-	Comment 4.2
Capital Expenditure	3,102,410	1,034,137	1,034,137	-	Comment 4.2
<b>Total Expenditure</b>	<b>12,324,600</b>	<b>4,052,963</b>	<b>4,051,658</b>	<b>(1,305)</b>	
<b>INCOME</b>					
Gross Rent Income from Dwellings	(11,891,730)	(4,211,654)	(4,194,072)	17,582	Comment 4.3
Gross Rent Income from Non-Dwellings	(337,230)	(127,506)	(126,724)	782	
Charges for Services and Facilities	(93,170)	(24,105)	(18,396)	5,709	Comment 4.4
<b>Total Income</b>	<b>(12,322,130)</b>	<b>(4,363,265)</b>	<b>(4,339,192)</b>	<b>24,073</b>	
<b>NET COST OF SERVICES</b>	<b>2,470</b>	<b>(310,302)</b>	<b>(287,534)</b>	<b>22,768</b>	
Investment Income- Other	(43,160)	(14,387)	(14,387)	-	
<b>TOTAL (SURPLUS)/DEFICIT FOR THE YEAR</b>	<b>(40,690)</b>	<b>(324,688)</b>	<b>(301,920)</b>	<b>22,768</b>	

## Appendix B

### HOUSING REPAIRS FUND (to end of July 2015)

	£
<b>Balance available at 1 April 2015</b>	<b>336,860</b>
Contribution 2015/16 (to July 2015)	1,037,190
Expected Use of Fund (to July 2015)	(850,313)
<b>Surplus on the Fund at 31 July 2015</b>	<b>523,737</b>

APPENDIX C

**HOUSING DIRECT WORKS**

**Budgetary Control Report as at 31 July 2015**

	<b>Original Budget 2015/2016</b>	<b>Expected Spend 2015/2016</b>	<b>Actual Spend 2015/2016</b>	<b>Variance</b>
<b>EXPENDITURE</b>				
Employee Costs	928,720	307,183	284,971	(22,212)
Supplies and Services	782,450	258,987	110,852	(148,135)
Transport	101,590	33,603	39,808	6,205
<b>Gross controllable Expenditure</b>	<b>1,812,760</b>	<b>599,773</b>	<b>435,631</b>	<b>(164,142)</b>
Central Support	239,450	79,817	79,817	-
<b>Housing Direct Works Expenditure</b>	<b>2,052,210</b>	<b>679,590</b>	<b>515,448</b>	<b>(164,142)</b>

## Agenda Item No 9

### Resources Board

8 September 2015

#### Report of the Chief Executive and the Deputy Chief Executive

#### Progress Report on Achievement of Corporate Plan and Performance Indicator Targets April - June 2015

#### 1 Summary

- 1.1 This report informs Members of the progress with the achievement of the Corporate Plan and Performance Indicator targets relevant to the Resources Board for April to June 2015.

#### Recommendation to the Board

**That Members consider the performance achieved and highlight any areas for further investigation.**

#### 2 Consultation

- 2.1 Consultation has taken place with the relevant Members and any comments received will be reported at the meeting.

#### 3 Background

- 3.1 This report shows the first quarter position with the achievement of the Corporate Plan and Performance Indicator targets for 2015/16. This is the first report showing the progress achieved so far during 2015/16.

#### 4 Progress achieved during 2015/16

- 4.1 Attached at Appendices A and B are reports outlining the progress achieved for all the Corporate Plan targets and the performance with our local performance indicators during April to June 2015/16 for the Resources Board.
- 4.2 Members will recall the use of a traffic light indicator for the monitoring of the performance achieved.

Red – target not achieved (shown as a red triangle)

Amber – target currently behind schedule and requires remedial action to be achieved (shown as an amber circle)

Green – target currently on schedule to be achieved (shown as a green star)



## 5 Performance Indicators

- 5.1 The current performance indicators have been reviewed by each division and Management Team for monitoring for the 2015/16 year.

## 6 Overall Performance

- 6.1 The Corporate Plan performance report shows that 92% of the Corporate Plan targets and 73% of the performance indicator targets are currently on schedule to be achieved. The report shows that individual targets that have been classified as red, amber or green. Individual comments from the relevant division have been included where appropriate. The table below shows the following status in terms of the traffic light indicator status:

### Corporate Plan

Status	Number	Percentage
Green	12	92%
Amber	1	8%
Red	0	0%
Total	13	100%

### Performance Indicators

Status	Number	Percentage
Green	9	60%
Amber	5	33%
Red	1	7%
Total	15	100%

## 7 Summary

- 7.1 Members may wish to identify any areas that require further consideration where targets are not currently being achieved.

## 8 Report Implications

### 8.1 Safer Communities Implications

- 8.1.1 There are community safety performance indicators which are reported to Executive Board.

## 8.2 Legal and Human Rights Implications

8.2.1 The national indicators were specified by the Secretary of State for Communities and Local Government. They have now been ended and replaced by a single list of data returns to Central Government from April 2011.

## 8.3 Environment and Sustainability Implications

8.3.1 Improvements in the performance and quality of services will contribute to improving the quality of life within the community. There are a number of actions and indicators which contribute towards the priorities of the sustainable community strategy including customer access strategy, outreach services, financial inclusion, health and well being services and decent and affordable housing.

## 8.4 Risk Management Implications

8.4.1 Effective performance monitoring will enable the Council to minimise associated risks with the failure to achieve targets and deliver services at the required performance level.

## 8.5 Equality Implications

8.5.1 There are a number of equality related actions and indicators highlighted in the report including improving broadband access, the borough care review and procurement strategy and practices.

## 8.6 Links to Council's Priorities

8.6.1 There are a number of targets and performance indicators contributing towards the priorities of access to services, tackling health inequalities, achieving a balanced budget and developing our workforce.

















The Contact Officer for this report is Robert Beggs (719238).

### Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97


























Background Paper No	Author	Nature of Background Paper	Date
National Indicators for Local Authorities and Local Authority Partnerships	Department for Communities and Local Government	Statutory Guidance	February 2008





NWCP Resources Board 15/16

	Action	Priority	Reporting Officer	Update	Status	Direction
NWCP 039	To continue to contribute to the effectiveness and savings targets through delivery projects which help implement the Procurement and Commissioning Strategy	Public Services and Council Tax	Linda Bird	Contract Standing Orders are being updated to reflect the Public Contracts Regulations 2015.	 Green	
NWCP 040	To continue to contribute to the effective provision of services through implementing the actions and projects which help deliver the ICT Strategy	Public Services and Council Tax	Linda Bird	The ICT Strategy for 2015 - 2019 is being prepared for the September Report cycle. Projects to upgrade the Council's Website and refresh the Citrix remote working solution are progressing to plan.	 Green	
NWCP 041	To monitor the operation of the Housing Revenue Account Business Plan and maintain a 30 year	Public Services and Council Tax	Sue Garner	Monitoring is ongoing. The 30 year Plan will be updated shortly, so that the impact of new legislation is included.	 Green	
NWCP 050	To work through a programme of key Council buildings community buildings, shops and industrial units, including seeking ways to reduce, where possible, our carbon footprint. Following the completion of the new Coleshill Leisure Centre with energy saving features, a review of other leisure facilities is imminent	Public Services and Council Tax	Richard Dobbs	The Council's Asset Management Plan is due to be updated by October 2015	 Green	
NWCP 082	To work to improve broadband access for the people and businesses of North Warwickshire through the work of the Council and specifically the Coventry, Solihull and Warwickshire BDUK Project	Access to Services	Linda Bird	Progress across the region is 3 months ahead of plan. In the Borough 41 cabinets have been upgraded and an additional 10300 premises have access to better Broadband. Budget provision was made for additional match funding of £50,000 in the 2015/16 budgets. A report is going to Resources Board seeking approval for further match funding.	 Green	
NWCP 084	To implement the work directed by the Borough Task and Finish Group and deliver any actions agreed by the Resources Board as part of the review. (From June 2015 onwards)	Housing	Angela Coates	New membership for Task and Finish Group to be appointed by Resources Board in September.	 Amber	
NWCP 096	To review the effectiveness of the interim shared management arrangements for Revenues and Benefits and report to Members on the future of the service by March 2016	Public Services and Council Tax	Bob Trahern	This arrangement is progressing well and is being reviewed by the ACE (CS) along with his counterpart at Nuneaton and Bedworth on a monthly basis and we are currently introducing changes that will build on the current shared activity undertaken. A formal report will be taken to Members by February 2016	 Green	
NWCP 033	To act on the objectives set out in the Warwickshire Local Investment Plan by continuing to appraise opportunities to develop affordable homes. This will include having pipeline development schemes for new homes in the Council's own stock. (From March 2015 onwards)	Housing	Angela Coates	The schemes set out in the Plan are being progressed. The Resources Board will be asked to consider the future delivery of Council new build following the announcement of rent reductions for Council tenancies.	 Green	

NWCP 037	To work in partnership with other organisations to provide a shared service to deliver adaptations in the private sector. This will include revising the Business Plan and reporting proposals to the Housing Sub Committee and Resources Board by September 2015	Housing	Angela Coates	The work streams required to progress this project are in place and will make recommendations in the Autumn.	★ Green	➔
NWCP 062(1)	To review and develop a revised Asset Management Plan for the Council's stock (To be done between November 2015 & March 2016)	Housing	Angela Coates	Every property in the Council's stock is being surveyed. This will provide information for future programmes of work.	★ Green	➔
NWCP 098	To act to ensure that the Council's revenue from housing rent income is collected by reviewing and acting on the action plan to mitigate the impact of welfare reforms. (From March 2015 onwards)	Housing	Angela Coates	Ongoing. Universal Credit will be introduced in North Warwickshire from October 2015.	★ Green	➔
NWCP 099	To review the services delivered to sheltered schemes (including the Neighbourhood Warden and Older Person Support services) in accordance with the direction of the Borough Care review and Supporting People budget changes. (From April 2015)	Housing	Angela Coates	The County Council's Cabinet will meet to consider Housing Related Support Budgets on 18th August 2015	★ Green	➔
NWCP 100	Review the Housing Division's policies and procedures for dealing with anti-social behaviour to ensure they are robust and accord with the requirements of the Anti-Social Behaviour Act 2014. (From May 2015)	Housing	Angela Coates	Reports have been considered by the Housing Sub Committee.	★ Green	➔

NWPI Resources 15/16

Ref	Description	Section	Priority	Year End Target	Performance	Traffic Light	Direction of Travel	Comments
NWLPI 052	The % of invoices for commercial goods and services which were paid by the authority within 30 days of such invoiced being received by the Authority (former BV8)	Financial Accountancy	Public Services & Council Tax	98%	97.35%			If the improvement seen in June continues for the rest of the year, it will be possible to achieve the target.
NWLPI 57	Percentage of calls answered through the Central Control system within 60 seconds. (TSA national standard 96.5%):	Community Support	Housing	99%	99.40%			
NWLPI 135	Percentage of response repairs completed right first time	Housing Maintenance	Housing	92.00%	87.00%			This is due to gas repairs & the need to access specialist parts. Performance on this trade is 72% RFT but 5 days average turn around.
NWLPI 068	Gas certificates completed	Housing Maintenance	Housing	100.00%	99.96%			1 property
@NW:NI156	Number of households living in temporary accommodation (snapshot at end of each quarter)	Housing Management	Housing	6	6			The number of homeless applications has increased & as a consequence so has the number of families in temporary accommodation
NWLPI 136	Number of tenants with more than 7 weeks rent arrears - as an average over the year	Housing Management	Housing	2.75%	2.88%			
NWLPI 070	Average time taken to re-let local authority housing (former BV212)	Housing Management	Housing	25 days	27 days			
NWLPI 039	The percentage availability of corporate systems available to users Monday to Friday 8.00 am to 5.30 pm :	Computer Services	Public Services & Council Tax	99.7	100			
NWLPI 040	The percentage of initial response to helpdesk calls within four hours of a call being placed :	Computer Services	Public Services & Council Tax	95	97			
NWLPI 041	Percentage of Service Desk Calls resolved in target (total of IS3 to IS6)	Computer Services	Public Services & Council Tax	95	97			
NWLPI 096	The Percentage of Calls answered in 20 seconds in the contact centre	Revenues & Benefits	Public Services & Council Tax	75	70			
@NW:NI181	The average time taken in calendar days to process all new claims and change events in Housing Benefit and Council Tax Benefit	Revenues & Benefits	Public Services & Council Tax	7.5	11.87			
NWLPI 106	The percentage of non-domestic rates due for the financial year which were received by the authority (former BV10)	Revenues & Benefits	Public Services & Council Tax	98.6	30.47			

Ref	Description	Section	Priority	Year End Target	Performance	Traffic Light	Direction of Travel	Comments
NWLPI 107	Proportion of Council Tax collected (former BV9)	Revenues & Benefits	Public Services & Council Tax	97.8	30.3	 Green		
NWLPI 161	Percentage of abandoned calls in the Contact Centre	Contact Centre	Public Services & Council Tax	5	5	 Green		

**Agenda Item No 10**

**Resources Board**

**8 September 2015**

**Report of the Chief Executive**

**Membership of the Borough Care Task and Finish Group**

**1 Summary**

- 1.1 The purpose of this report is to consider membership of the Borough Care Task and Finish Group for the ensuing year.

**Recommendation to the Board**

**That the Board is invited to consider membership of the Borough Care Task and Finish Group for 2015/16.**

**2 Task and Finish Group**

- 2.1 The Borough Care Task and Finish Group membership previously comprised of 8 Members.
- 2.2 The Board is invited to consider membership of the Borough Care Task and Finish Group for 2015/16.

**3 Report Implications**

- 3.1 There are no report implications.

The Contact Officer for this report is Amanda Tonks (719221).

**Background Papers**

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

<b>Background Paper No</b>	<b>Author</b>	<b>Nature of Background Paper</b>	<b>Date</b>
None			

## **Agenda Item No 11**

### **Resources Board**

**8 September 2015**

#### **Report of the Assistant Director (Housing)**

#### **Residential Caravan Sites Policy and Procedure**

### **1 Summary**

- 1.1 The Housing Sub-Committee considered a report on the implications of the Mobile Homes Act 2013 (the Act) on 28 April 2014. This report sets out a proposed Fee Policy revising the previously approved fees schedule and proposes revisions to Standard Conditions for Caravan sites.
- 1.2 The Board is also asked to consider whether, in the light of the changes brought about by the Mobile Homes Act 2013 to provide additional protection to those living in Park Homes, a recommendation to the Planning and Development Board is made to the effect that this Act becomes a material planning consideration.

#### **Recommendation to the Board**

- a **That the report is noted and the Fees Policy is approved;**
- b **That the Board agrees to recommend to the Planning and Development Board that the Act becomes a material planning consideration in the determination of any relevant planning application; and**
- c **That the revisions to Standard Conditions for Caravan Sites are approved.**

### **2 Consultation**

- 2.1 Councillors with responsibility for Wood End have been involved in discussions relating to issues contained within the report.

### **3 Background and Proposals**

- 3.1 The Mobile Homes Act 2013 (the Act) and its implications for this council was detailed in the previous report dated 28 April 2014. The aim of the new licensing provisions is to enable Local Authorities to better protect sites in residential use; particularly in relation to security of tenure and the ability to



sell their unit as they wish. This legislation only applies to residential, deemed to be 'relevant protected' sites. There is no impact on Holiday sites.

3.2 **Fee Policy:** The Act allowed licensing authorities to charge fees for residential caravans and mobile homes and a fee schedule was adopted in June 2014. This schedule allowed for revisions to fees on an annual basis and also required that the method of calculating fees, in accordance with specific principles laid down to ensure such fees are compliant with the EU Services Directive and the Provision of Services Regulations 2009, is published. In accordance with general savings plans being considered by the Council the opportunity has been taken to reconsider the fees levied to ensure they cover the costs of the licensing activity. The revised Fee Policy can be found at Appendix 1 to this report.

3.3 The Fees Policy is broadly in line with the fee schedule approved in 2014 although there is variation in the amount of fees to be charged. Fees have been calculated based on the following criteria:

- Each task involved in the process;
- The average amount of time taken to complete each task; and
- The job role of the officer completing the task.
- The 'On-costs' (Salary of post holder + any additional costs incurred by the employer as a result of employing a person in that position)

Fees now more accurately reflect the time involved in the processes and ensure that larger sites are paying proportionately more than smaller sites. Single owner occupied and family owned sites remain exempt. The original fee schedule and a revised fee schedule is attached as Appendix 2 to this report.

3.4 **Site Rules:** The Act introduced certain rules under additional legislation and requires Park Home owners to set down Site Rules which become a contract between owners and occupiers. Primarily, residential mobile homes in the borough are single units with the exception of 2 large sites, in Hartshill and Wood End which are occupied on a permanent basis.

3.4.1 The definition of relevant protected sites in Department of Communities and Local Government Guidance Park Homes: Site Licensing; underlines that Planning Permission principally determines the status of a mobile home site for the purposes of licensing under the Caravan Sites Control and Development Act 1960.

3.4.2 This being the case the mobile home site at Wood End Boulters Lane Wood End CV9 2QD which caters for 78 mobile homes and 12 tourers was determined at Planning appeal to be a holiday caravan site and was licensed as such in 2013.

- 3.4.3 The majority of the mobile homes on the site are owner occupied by residents as their permanent place of residence albeit they are required under the current planning permission to vacate their vans for 2 weeks per year between the 1<sup>st</sup> and 3<sup>rd</sup> Saturdays in February each year.
- 3.4.4 This means that the site cannot be determined as a relevant protected site and therefore the residents do not benefit from the change in rules and additional protection provided for residents of mobile home parks.
- 3.4.5 The owner is not required to set down site rules nor to lodge such with the council and the council have no additional enforcement powers to assist residents should it be needed.
- 3.4.6 We are aware that many of the permanent residents are elderly and the additional powers provided by the new legislation relating to the sale and gifting of mobile homes will not apply.
- 3.4.7 . The planning status remains as per the appeal decision, but the Planning and Development Board should be informed that the new Act would be a material planning consideration in any subsequent applications to vary this status. The weight that would be given to the Act would be a matter for that Board.
- 3.5 **Standard conditions:** The Council has previously set standard conditions for different types of caravan site. Conditions were last reviewed in 2008 and it is now necessary to review such conditions.
- ... 3.6 The revised conditions are available at Appendix 3 and Members are requested to approve these for publication.

## 4 **Report Implications**

### 4.1 **Finance and Value for Money Implications**

4.1.1 There is an increased financial implication to mobile and park home site owners compared to 2014 for most processes. In some cases fees have been reduced. Both the existing and proposed fees schedule can be found in Appendix 2 to this report.

4.1.2 Fees proposed are compliant with current legislation and comply with the principles set down within the Mobile Homes Act 2013. This council's fees are broadly in line with other councils.

### 4.2 **Human Resources Implications**

4.2.1 The impacts of this report can be contained within existing resources.

### 4.3 Risk Management Implications

4.3.1 If the Council does not act in the way proposed in the report non-compliant fees present a risk of the council being fined, occupants of mobile park homes may be at risk of not receiving the protections provided by the Mobile Homes Act 2013 and occupants of caravans and mobile homes, both residential and holiday may be put at risk due to outdated conditions.

### 4.4 Links to Council's Priorities

4.4.1 The provisions within the Mobile Homes Act 2013 afford protection to residents of residential mobile homes parks and meet the following corporate priorities;

- (1) Enhancing community involvement and access to services
- (2) Protecting and improving our environment
- (4) Tackling health inequalities
- (6) Improving housing in the Borough

The Contact Officer for this report is Wendy Smith (719305).

### Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date
The Mobile Homes Act 2013 and subsequent regulations	Government Office	Legislation	2013 and onwards
DCLG Guidance Park Homes : Site Licensing	Government Office	Guidance	2014
Report of the Assistant director (Housing)	Mobile Homes Act 2013	Committee report	28 April 2014

## North Warwickshire Borough Council's Fees Policy for Relevant Protected Sites under the Mobile Homes Act 2013

The Caravan Sites and Control of Development Act 1960 (The Act) has been amended by the Mobile Homes Act 2013 (The Act).

As of 1st April 2014 Local Authorities were able to reclaim costs for administering and monitoring site licences for 'Relevant Protected Sites' only. This will allow for a fee to be levied in relation to the following:

- New Application for Site Licence;
- Transfer of Site Licence;
- Amendment of Site Licence;
- Annual Fee (To cover cost of annual inspection); and
- Lodgement of park rules with Local Authority.

This policy has been developed with reference to the following documentation:

- Department for Communities and Local Government (DCLG) guidance document on setting fees published in Feb 2014.
- LGA Open for business - LGA guidance on locally set fees.
- DCLG Park Homes: Site Licensing - Definition of relevant protected sites.

The policy relates to the following matters:

- The fee payable in each circumstance;
- The method of apportionment of those costs in setting those fees;
- If an annual fee is payable, when it is to be paid;
- Determine implementation date;
- How surpluses and deficits are to be treated; and
- Other matters that are deemed to be relevant.

### 1. Definition of Relevant Protected Site

Any licensable caravan site will be deemed to be a Relevant Protected Site unless exempted. A site is exempted if it has planning permission or a site licence for exclusive holiday use or, there is a restriction on use as a permanent residential site. A Relevant Protected Site specifically excludes sites on Local Authority owned land including sites for gypsies and travellers. Private sites for gypsies and travellers are not excluded. The aim of the new licensing provisions is to enable Local

## North Warwickshire Borough Council's Fees Policy for Relevant Protected Sites under the Mobile Homes Act 2013

Authorities to better protect sites in residential use; particularly in relation to security of tenure and the ability to sell their unit as they wish.

In addition, a site which has consent for holiday use and ancillary residential use, but that use is only by the owner or his employees working on the site, then their permanent occupation does not make the site a Relevant Protected Site.

If any doubt arises as to whether a site falls under the definition of a Relevant Protected Site, then the guidance issued by the Department for Communities and Local Government (DCLG) entitled 'Park Homes: Site Licensing - Definition of relevant protected sites' will be referred to by officers in order to clarify the status of the site.

### 2. Breakdown of Costs

The 2013 Act enables a Local Authority to reclaim costs for administering and monitoring site licences, but prevents a local authority from:

- Making a profit;
- Recovering enforcement costs for a breach of condition etc, as separate provisions provided for under the 2013 Act; or
- Recovering costs associated with unlicensed sites.

For the purpose of calculating fees the following criteria was applied:

- Each task involved in the process;
- The average amount of time taken to complete each task; and
- The job role of the officer completing the task.
- The 'On-costs' (Salary of post holder + any additional costs incurred by the employer as a result of employing a person in that position)

### 3. Fees payable

Below is a table stating the fee associated with each application type.

**North Warwickshire Borough Council's Fees Policy for Relevant Protected Sites under the Mobile Homes Act 2013**

	Single Units	Family Sites including Gypsy, Roma and Traveller sites	Multiple Units on Commercial Sites		
			2-5	6-30	31 +
<b>New Application</b> for Site Licence	£190	£190	£190	£235	£354
<b>Transfer</b> of Site Licence	£84	£84	£84		
<b>Variation</b> of Site Licence	£128	£128	£128	£173	£292
<b>Annual Fee</b>	Exempt	Exempt	£80	£125	£243
Lodgement of <b>site rules</b> with Local Authority ; (including variations and/or deletions to existing site rules each charged separately)	Exempt for single owner occupied sites £35 for privately rented sites	£35	£35	£35	£35

The fees stated above are subject to change for the reasons outlined in the paragraph below.

A Local Authority cannot make a profit from the proceeds raised. In respect of the Relevant Protected Site licensing fees therefore the Local Authority will need to assess annual revenue against the costs accrued and adjust fees accordingly which may go up or down.

#### **4. Single unit sites and family sites**

The following sites are exempt from having to pay an annual fee:

- Site consisting of 1 unit; and
- Site occupied solely by the owner and their family and not run for financial gain (This would include Gypsy Roma & Traveller Sites).

The above sites have been exempted as it is not intended to undertake annual inspections of these sites due to the following reasons:

## North Warwickshire Borough Council's Fees Policy for Relevant Protected Sites under the Mobile Homes Act 2013

- The majority of small sites are family run;
- Where a holiday site also has permission for residential use, and where that use is only by the owner of the site (including family members) or employees working on the site, then their permanent occupation does not make the site a Relevant Protected Site;
- The cost of inspection is outweighed by the cost of administering any charges; and
- It will also lessen expectation amongst the smaller site owners requiring the local authority to undertake annual inspections.
- In order to reduce the financial burden upon these groups.

If the applicant claims to qualify due to being a family site or Gypsy Roma and Traveller Site, then additional information may be requested by officers in order to verify this claim. If there is any doubt as to the legitimacy of the claim then the matter will be referred to the Environmental Health Manager to determine the appropriate fee that needs to accompany the application.

Any complaints received will be responded to in accordance with our complaints procedure.

### 5. Fees for depositing Site rules

Site Rules are different to the site licence conditions and are put in place by the owner of a site to ensure acceptable standards are maintained which will be of benefit to occupiers or will promote and maintain community cohesion on the site. The 2013 Act changes the way site rules must be agreed between both parties. The council must keep an up to date register of site rules on relevant protected sites and publish the register on-line.

Before publishing the site rules the council must ensure that the rules lodged with them have been made in accordance with the statutory procedure. A fee can be charged for this function, which is shown in the table.

Any site rules deposited with the local authority for the first time or applications to vary or delete existing site rules must be accompanied by the appropriate fee. The fee is the same for either a first deposit or for a subsequent variation or deletion. This is because the process will be very similar for all three types of deposits.

***A single owner-occupied site is not required to set down site rules nor is to lodge them with the local authority therefore no fee is applicable for these sites. Where single sites are tenanted or for multiple family sites where there may be an impact, site rules are required for the protection of site owners and residents.***

### 6. Enforcement costs

Where there has been a breach in a site licence condition which comes to the attention of the council we may serve a compliance notice.

## **North Warwickshire Borough Council's Fees Policy for Relevant Protected Sites under the Mobile Homes Act 2013**

The 2013 Act has amended The Act, so that it now details the elements which a local authority may include when imposing a charge for enforcement action. These include the time involved in deciding to serve and prepare the notice.

A detailed breakdown of the relevant expenses would be provided with the compliance notice. Charges would be based on an hourly rate in addition to any other costs incurred for example legal costs.

Charges for enforcement costs cannot be passed on to the residents pitch fee.

- If any works in the compliance notice are not carried out the licence holder commits an offence and the local authority may consider taking legal proceedings. Any costs associated with this process would be at the discretion of the court. If a prosecution was successfully taken, the council would have the power to carry out the works in default of the licence holder.

### **7. Implementation date**

The Fees Policy will come into force on the (to be inserted).

### **8. Charging arrangements for annual fee**

The first annual fee was due on the 1 March 2015 for any existing sites and annually thereafter. Any sites licensed for the first time after the implementation date will attract an annual fee on the anniversary of grant of licence.

### **9. How surpluses and deficits are to be treated**

A local authority can only charge in order to recover costs. Therefore, the fees will need to be reviewed annually and adjusted accordingly if a surplus or deficit has inadvertently been made. Any changes to the calculation of fees will be made by officers in conjunction with the Head of Service. Any change to the fees policy itself must be approved by the relevant Board.

### **10. Publishing and reviewing the fees policy**

This fees policy is published on North Warwickshire Borough Council's website at [www.northwarks.gov.uk](http://www.northwarks.gov.uk).

A review of the fees policy will be undertaken every three years, the findings of which will be presented to the relevant Board for their consideration and approval.

### **11. Other matters**

Please note that a Local Authority is not required to consider any application made in relation to a Relevant Protected Site unless that application is accompanied by the correct fee. This also applies to fees due when Site Rules are being deposited with the Local Authority.



**North Warwickshire Borough Council's Fees Policy for Relevant Protected Sites under the Mobile Homes Act 2013**

If the application is not approved then the applicant is **NOT** entitled to a refund, as the application has been processed

**Fees Schedule 2014**

	<b>Single Units</b>	<b>Family Sites including Gypsy, Roma and Traveller sites</b>	<b>Multiple Units on Commercial Sites</b>
<b>New Application for Site Licence</b>	£50	£50	£25 per pitch
<b>Transfer of Site Licence</b>	£50	£50	£100
<b>Variation of Site Licence</b>	£50	£50	£200
<b>Annual Fee</b>	Exempt	Exempt	£12 per pitch
Lodgement of <b>site rules</b> with Local Authority ; (including variations and/or deletions to existing site rules each charged separately)	Exempt for single owner occupied sites  £50 for privately rented sites	£50	£50

**Fee Schedule 2015**

	Single Units	Family Sites including Gypsy, Roma and Traveller sites	Multiple Units on Commercial Sites		
			2-5	6-30	31 +
<b>New Application</b> for Site Licence	£190	£190	£190	£235	£354
<b>Transfer</b> of Site Licence	£84	£84	£84		
<b>Variation</b> of Site Licence	£128	£128	£128	£173	£292
<b>Annual Fee</b>	Exempt	Exempt	£80	£125	£243
Lodgement of <b>site rules</b> with Local Authority ; (including variations and/or deletions to existing site rules each charged separately)	Exempt for single owner occupied sites £35 for privately rented sites	£35	£35	£35	£35

## **Caravan Sites and Control of Development Act 1960**

### **Permanent Residential Mobile Home Site: Standard Licence Conditions**

**All conditions must be fully complied and to the satisfaction of the licensing authority. Failure to comply with any conditions is failure to comply with the licence and may result in prosecution and revocation of the licence.**

#### **1. The Boundaries and Plan of the Site**

- 1.1 The boundaries of the site from any adjoining land shall be clearly marked by a man made or natural feature.
- 1.2 No caravan or combustible structure shall be positioned within 3 metres of the boundary of the site.
- 1.3 (a) A plan of the site shall be supplied to the local authority upon the application for a licence and, thereafter whenever there is a material change to the boundaries or layout of the site, or at any other time on the demand of the local authority.  
  
(b) The plan supplied must clearly illustrate the layout of the site including all relevant structures, features and facilities on it and shall be of suitable quality.

#### **2. Density, Spacing and Parking**

- 2.1 Except in the case mentioned in sub paragraph (2.3) and subject to sub paragraph (2.4), every caravan must where practicable be spaced at a distance of no less than 6 metres (the separation distance) from any other caravan which is occupied as a separate residence.
- 2.2 No caravan shall be stationed within 2 metres of any road or communal car park within the site or more than 50 metres from such a road within the site.
- 2.3 Where a caravan has retrospectively been fitted with cladding from Class 1 fire rated materials to its facing walls, then the separation distance between it and an adjacent caravan may be reduced to a minimum of 5.25 metres.
- 2.4 In any case mentioned in subparagraph (2.1) or (2.3):  
  
(a) A porch attached to the caravan may protrude one metre into the separation distance and must not exceed 2 metres in length and 1 metre in depth. The porch must not exceed the height of the caravan. Where a porch is installed only one door may be permitted at that entrance to the home, either on the porch or on the home.

## **Caravan Sites and Control of Development Act 1960**

### **Permanent Residential Mobile Home Site: Standard Licence Conditions**

- (b) Eaves, drainpipes and bay windows may extend into the separation distance provided the total distance between the extremities of two facing caravans is not less than 5 metres, except where sub paragraph (2.3) applies in which case the extension into the separation distance shall not exceed 4.25 metres.
- (c) Any structure including steps, ramps, etc (except a garage or car port), which extends more than 1 metre into the separation distance shall be of non-combustible construction. There should be a 4.5 metre clear distance between any such structure and any adjacent caravan.
- (d) A garage, car port, shed or similar structure may only be permitted within the separation distance if it is of non-combustible construction.
- (e) Windows in structures within the separation distance shall not face towards the caravan on either side.
- (f) Fences and hedges, where allowed and forming the boundary between adjacent caravans, should be a maximum of 1 metre high.
- (g) Private cars may be parked within the separation distance provided that they do not obstruct entrances to caravans or access around them and they is a minimum of 3 metres from an adjacent caravan.
- (h) No part of any awning may be less than 3 metres from another caravan. They may not be of the type, which incorporates sleeping accommodation, and must not face or touch another awning.
- (i) The density of caravans on a site shall be determined in accordance with relevant health and safety standards and fire risk assessments.

### **3. Hardstanding**

- 3.1 The caravan shall stand on a hardstanding of suitable inert material which shall extend over the whole area occupied by the caravan and project not less than 1 metre outwards from the entrance or entrances to the caravan. The hardstanding shall be maintained in good condition.

### **4. Roads and Footpaths**

- 4.1 All roads and footpaths shall be constructed in accordance with the specification determined by the local authority.

## **Caravan Sites and Control of Development Act 1960**

### **Permanent Residential Mobile Home Site: Standard Licence Conditions**

- 4.2 Roads shall be designed to provide adequate access for emergency vehicles and routes within the site for such vehicles must be kept clear of obstruction at all times.
- 4.2 All roads shall have adequate surface water/storm drainage.
- 4.3 Roads should not be less than 3.7 metres wide, or if they form a clearly marked one way traffic system, 3 metres wide.
- 4.4 Gateways should be a minimum of 3.1 metres wide and have a minimum height clearance of 3.7 metres.
- 4.5 Roads should have no overhead cable less than 4.5 metres above the ground. They should be suitably lit taking into account the needs and characteristics of a particular site.
- 4.6 Every caravan shall, where practicable, be connected to a road by a footpath with a hard surface which shall be maintained in good condition.
- 4.7 Where practicable, communal footpaths and pavements shall not be less than 0.9 metres wide.

### **5. Lighting**

- 5.1 Where necessary roads, communal footpaths and pavements shall be adequately lit between dusk and dawn to allow the safe movement of pedestrians and vehicles around the site during the hours of darkness. These lights will be maintained in proper working order.

### **6. Supply & Storage of Gas etc**

- 6.1 Gas (including natural gas) and oil installations, and the storage of supplies shall meet current statutory requirements, relevant Standards and Codes of Practice.
  - 6.2 Liquefied Petroleum Gas cylinders must not be positioned or secured in such a way as to impede access or removal in the event of an emergency.
  - 6.3 LPG storage supplied from tanks should comply with Guidance Booklet HSG34 "The Storage of LPG at Fixed Installations" or, where LPG is supplied from cylinders, with Guidance Note CS4 "The Keeping of LPG in Cylinders and Similar Containers" as appropriate.
  - 6.4 Where these are metered supplies from common LPG storage tanks, then Guidance Note CS11 "The Storage and Use of LPG at Metered Estates"
- North Warwickshire Borough Council (Revised 2015)

## **Caravan Sites and Control of Development Act 1960**

### **Permanent Residential Mobile Home Site: Standard Licence Conditions**

provides further guidance. In this case and where a British Gas mains supply is available, the Gas Safety (Installation and Use) Regulations 1984 and the Pipe-lines Act 1962 may also be applicable.

- 6.5 Exposed gas bottles or cylinders should not be within the separation boundary of an adjoining unit.
- 6.6 LPG installations should conform to British Standard 5482, "Code of Practice for domestic butane and propane gas burning installations, Part 2: 1977 Installations in Caravans and non-permanent dwellings".
- 6.7 For mains gas supply, the 1984 Regulations will be relevant for the installation downstream of any service pipe(s) supplying any primary meter(s) and such service pipes are subject to the Gas Safety Regulations 1972.
- 6.8 In cases where the site owner supplies gas to caravans on the site, he may need an authorisation to do so from OFGAS under the Gas Act 1986.

### **7. Electrical Installations**

- 7.1 Sites should be provided with an electricity supply sufficient in all respects to meet all reasonable demands of the caravans situated on them. Such electrical installations, other than Electricity Board works and circuits subject to regulations made by the Secretary of State under section 16 of the Energy Act 1983 and section 64 of the Electricity Act 1947, should be installed, tested and maintained in accordance with British Standards 7671 : 2001 'The Requirements For Electrical Installations' for the time being in force, and where appropriate, to the standard which would be acceptable for the purposes of the Electricity (Overhead Lines) Regulations 1988, Statutory Instrument 1988 No 1057.
- 7.2 Supplies to sites shall be inspected at not less than 5 year intervals and a periodical inspection report in the form required by BS 7671: 2001 shall be provided.

### **8. Water Supply**

- 8.1 All pitches on the site shall be provided with a potable water supply sufficient in all respects to meet all reasonable demands of the caravans situated on them.
- 8.2 All water supplies shall be in accordance with all current legislation, regulations and relevant British or European Standards.

## **Caravan Sites and Control of Development Act 1960**

### **Permanent Residential Mobile Home Site: Standard Licence Conditions**

- 8.3 All repairs and improvements to water supplies and installations shall be carried out by qualified persons to conform to current legislation and British or European Standards.

#### **9. Drainage and Sanitation**

- 9.1 Surface water drainage shall be provided where appropriate to avoid standing pools of water.
- 9.2 There shall be satisfactory provision for foul and waste water drainage either by connection to a public sewer or sewage treatment works or by discharge to a properly constructed septic tank or cesspool approved by the Local Authority. Consent will often be required from the Environment Agency to discharge the treated liquid to a ditch, watercourse or groundwater.
- 9.3 All drainage and sanitation provision shall be in accordance with all current legislation and British or European Standards.
- 9.4 Work on drains and sewers shall be carried out only by persons who are qualified and in accordance with current legislation and British or European standards.
- 9.5 Where communal sanitary facilities are provided there should be an adequate number of urinals, water closets, wash hand basins and showers. The number of each of these is to be determined by the Local Authority.

#### **10. Domestic Refuse Storage & Disposal**

- 10.1 Where communal refuse bins are provided these shall be non-combustible and housed within a properly constructed bin store.
- 10.2 All refuse disposal shall be in accordance with all current legislation and regulations.

#### **11. Communal Vehicular Parking**

- 11.1 Where applicable, suitably surfaced parking spaces shall be provided to meet the requirements of residents and their visitors. These shall be maintained in good condition and repaired whenever it is deemed necessary by the Local Authority.



## **Caravan Sites and Control of Development Act 1960**

### **Permanent Residential Mobile Home Site: Standard Licence Conditions**

#### **12. Communal Recreation Space**

- 12.1 On sites where it is practical to do so, suitable space equivalent to about one tenth of the total area of the site shall be allocated for recreational purposes, unless in the Local Authority's opinion there are adequate recreational facilities within a close proximity to the site.

#### **13. Maintenance of Common Areas, including Grass, Vegetation and Trees**

- 13.1 Every part of the site to which the public have access shall be kept in a clean and tidy condition.
- 13.2 Every road, communal footpath and pavement on the site shall be maintained in a good condition; good repair and clear of rubbish.
- 13.3 Grass and vegetation shall be cut and removed at frequent and regular intervals.
- 13.4 Trees within the site shall (subject to the necessary consents) be maintained.
- 13.5 Any cuttings; litter or waste shall be removed from the immediate surrounds of a pitch.

#### **14. Notices and Information**

- 14.1 Provide prominent displayed signs at the site entrance, suitably protected from the weather in areas lit by artificial light of:
- a) the name of the site.
  - b) a copy of the site licence.
  - c) details of action to be taken in case of emergency to include:
  - d) site plan;
  - e) contact numbers for the Police, Fire Brigade, Ambulance and local doctors and the location of the nearest public telephone.
  - f) Sites liable to flooding should display advice about the operation of the flood warning scheme.

## **Caravan Sites and Control of Development Act 1960**

### **Permanent Residential Mobile Home Site: Standard Licence Conditions**

g) In situations where vandalism is perceived risk it is acceptable to locate the above information in a secure place on site. However, this information should be readily accessible to any who wish to view it.

#### **15. Flooding**

- 15.1 The site owner shall establish whether the site is at risk from flooding by referring to the Environment Agency's Flood Map.
- 15.2 Where there is risk from flooding the site owner shall consult the Environment Agency for advice on the likelihood of flooding, the depths and velocities that might be expected, the availability of a warning service and on what appropriate measures to take.

#### **16. Subdivision of Caravan Accommodation**

- 16.1 No caravan shall be sub divided or in any other way partitioned in order to provide more than one dwelling in each unit. No caravan shall be installed on to any site, which is designed to be occupied as more than one dwelling

#### **17. Fire Points**

- 17.1 No caravan or site building shall be more than 30 metres from a fire point. Equipment provided at a fire point shall be housed in a weather-proof structure, easily accessible and clearly and conspicuously marked "FIRE POINT".

#### **18. Fire Fighting Equipment**

- 18.1 Where water standpipes are provided:
- (a) The water supply shall be of sufficient pressure to project a jet of water not less than 5 metres from the nozzle.
  - (b) There shall be a reel that complies with the current British or European Standard, with a hose not less than 35 metres long, having a means of connection to a water standpipe (preferably a screw thread connection) with a water supply of sufficient pressure and terminating in a small hand nozzle.
  - (c) Hoses shall be housed in a red box and marked "HOSE REEL". Access to the fire point shall not be obstructed or obscured.
- 18.2 Where hydrants are provided, hydrants shall conform to the current British or European Standard.

## **Caravan Sites and Control of Development Act 1960**

### **Permanent Residential Mobile Home Site: Standard Licence Conditions**

- 18.3 Access to hydrants and other water supplies shall not be obstructed or obscured.
- 18.4 Where standpipes are not provided or the water pressure or flow is not sufficient, each fire point shall be provided with dry powder extinguishers (nominally 7Kg) which comply with the current British or European standard.

### **19. Fire Warning**

- 19.1 A suitable means of raising the alarm in the event of a fire shall be provided at each fire point. This could be by means of a manually operated sounder, eg metal triangle with a striker, gong or hand operated siren. The advice of the fire authority should be sought on an appropriate

### **20. Maintenance and Testing of Fire Fighting Equipment**

- 20.1 All alarm and fire fighting equipment shall be installed, tested and maintained in working order by persons who are qualified in the particular type of work being undertaken and be available for inspection by, or on behalf of, the licensing authority or the Fire and Rescue Service. There should be an annual inspection made of all fire fighting equipment by a suitably qualified person.
- 20.2 A record shall be kept of all testing and remedial action taken.
- 20.3 All equipment susceptible to damage by frost shall be suitably protected.

### **21. Fire Notices**

- 21.1 A clearly written and conspicuous notice shall be provided and maintained at each fire point to indicate the action to be taken in case of fire. This notice should include the following:

“On discovering a fire:

- a) Ensure the caravan or site building involved is evacuated.
- b) Raise the alarm.
- c) Call the fire brigade (the nearest telephone is sited ...).
- d) Attack the fire using the firefighting equipment provided, if safe to do so.”

### **22. Miscellaneous**

- 22.1 The site and caravan(s) shall be maintained in good order at all times.

**Caravan Sites and Control of Development Act 1960**

**Permanent Residential Mobile Home Site: Standard Licence Conditions**

22.2 Where changes have been made to the licence conditions and retrospective work, which complied with the old conditions, does not now comply with the new conditions that retrospective work may be permitted with the approval of the licensing authority.

22.3 All new works shall comply with these licence conditions.

## **Agenda Item No 12**

### **Resources Board**

**8 September 2015**

#### **Report of the Assistant Director (Corporate Services)**

#### **Information and Communications Technology Strategy 2015 - 2019**

### **1 Summary**

- 1.1 The report presents the Draft Information and Communications Technology (ICT) Strategy for 2015 – 2019 to Members for their consideration and comment.

#### **Recommendation to the Board**

**That the Draft Information and Communications Technology Strategy provided as Appendix A is approved.**

### **2 Consultation**

- 2.1 Councillors D Wright, Henney, Smitten, Jones and Phillips have been sent an advanced copy of this report for comment. Any comments received will be reported verbally at the meeting. The Draft ICT Strategy was also made available to Councillors Jones as the Lead Councillor for IT and Philips as Shadow.
- 2.2 As required for Council Strategies, in addition to this Board, this report will be submitted to the Executive Board.

### **3 Introduction**

- 3.1 The Council has had a formally approved ICT Strategy since 2000, with the immediately preceding Strategy covering the period from June 2012.
- 3.2 This four year Strategy has been developed after consultation, research and using best practice from other Councils and professional bodies such as the Society of IT Managers.
- 3.3 The next four years provide an opportunity to make a step change in the way ICT support's service delivery, communication and engagement. The progression towards services being provided online will continue and we will aim to provide the technical infrastructure to enable the Council to achieve its customer access ambitions.
- 3.4 During the last Strategy, and as part of the Accommodation Project, the Council invested in the ICT infrastructure and improved network access, telephony services, server virtualisation and server room energy efficiency.

We also upgraded the Office and email solutions used by staff and Members, which give additional functionality and flexibility.

3.5 The ICT Strategy is intended to:

- Ensure that the use of, and investment in, ICT is aligned with the Council's Priorities and Corporate Plan and through these the Sustainable Community Strategy.
- Define the technical direction for the Council and the governance and operational services needed to manage and deliver ICT services.
- Support the delivery of the Council's services in ways that citizens want and value.
- Promote the effective development and use of online, digital services, information and communication by the public and within the Council.
- Follow and adopt legislative requirements, industry standards and best practice.

#### 4 **Information and Communications Technology Strategy**

4.1 The ICT Strategy will be delivered by addressing the issues and aims identified in the Strategy and to further these principles:-

- **Accessibility** – to give easy, secure and appropriate access to information and services to people when and where they need it, using ways they value; including face-to-face, telephone, mobile phone and particularly through the Internet and the website.
- **Partnership** – to work with others to provide convenient, customer focused and consistent services which the Council regards as a priority and citizens want and value.
- **Effective ICT service provision** – to provide cost effective, efficient and reliable technology, information and customer focused ICT services by developing our own staff and resources and by working with others; sharing skills, developments, technology and information.
- **Flexibility and Innovation** – to be responsive to the need for change; to help services identify and use technology and information to improve and support better ways of working.

4.2 Section 4 of the Strategy describes our current technology and systems. It provides a baseline against which we can judge our progress. It also identifies issues that need to be addressed.

- 4.3 Section 5 details the high level aims relating to all elements of ICT services, equipment and systems for the next four years.
- 4.4 We have carried out an assessment of the Council's computer applications and Appendix 1 of the Strategy is the plan for reviewing their use and fitness for purpose. We will only seek to replace systems if, on review, they prove to no-longer meet service needs and a costed business case for replacement can be established.
- 4.5 Detailed actions to implement the strategy will be identified in Corporate Services' Annual Service Plan and if appropriate in other Division's Service Plans. This will give visibility for Members, to ICT projects, as all Service Plans go through Boards for approval.
- 4.6 Officers also work to ensure links are made between relevant strategy and policy for example between the ICT Strategy, the Customer Access Strategy and policy on Consultation and Communication.

## **5 Report Implications**

### **5.1 Finance and Value for Money Implications**

- 5.1.1 There are no financial commitments arising directly from this Report. Funding for planned projects is included in the Capital Programme. The financial implications of any new, unanticipated initiatives will be identified as part of a project business case and a bid made through the Budget process if necessary.
- 5.1.2 It is expected that the use of ICT and the move to online services will help the Council to make savings and service improvements.

### **5.2 Safer Communities Implications**

- 5.2.1 The use of ICT will help contribute towards the Council's role in reducing crime and disorder in a number of ways including the use of broadband for mobile CCTV cameras, opportunities for wider community engagement through social media, publishing safer communities related information and advice on the website and other partnership related activities.
- 5.2.2 The Council meets a number of information and technical security standards and compliance regimes. It complies with the Payment Card Industry Data Security Standard for managing electronic payments. It has achieved Public Service Work (PSN) compliance which means we have passed security assessments that enable it to securely share government and public sector information and services over a common network. We are now investigating compliance with an additional cyber security accreditation (Cyber Essentials) which is being promoted by the Government, to private and public sector organisations, and would help demonstrate a pro-active approach to data protection and information security management.

### **5.3 Legal and Human Rights Implications**

5.3.1 The ICT Strategy supports developments, such as security improvements, to ensure that human rights are not infringed and that the Council complies with relevant legislation, including the Data Protection Act 1998 and the Freedom of Information Act.

### **5.4 Environment and Sustainability Implications**

5.4.1 The use of ICT can help deliver sustainability improvements including reducing the need to travel. More energy efficient equipment can help reduce power consumption.

### **5.5 Human Resources Implications**

5.5.1 The ICT Strategy identifies the need to develop skills to ensure that Staff and Members can use the technology, applications and information they require.

### **5.6 Risk Management Implications**

5.6.1 Having an ICT Strategy and its subsequent implementation is one of the ways the Council can mitigate risks associated with the provision and development of ICT systems and services. The Risk Assessment for Strategic ICT, last updated in 2012, has been reviewed and amended and is included at Appendix B to this report.

...

### **5.7 Equality Implications**

5.7.1 The use of ICT can enable people to access services and information that they may previously have been unable to. The Council has worked hard through the creation of Community Hubs, mobile service provision, Learn my way and by supporting the Superfast Broadband Project to help ensure that people are not excluded or disadvantaged through lack of access to, or skills to use, online services.

5.7.2 Increasingly government and other agencies are pursuing a “digital” transformation agenda and only providing their services online. The council is likely to have to support some of our residents negotiate this change, for example guiding people through a benefit application. The Council will also have to make decisions about how it provides services and manage its own digital journey. The Equality Impact Assessment published with the 2012 Strategy has been updated and is included at Appendix C to this report.

...

### **5.8 Links to Council’s Priorities**

5.8.1 The ICT Strategy, and its delivery, contributes to a number of Council Priorities and specifically supports the priorities relating to Promoting Sustainable and Vibrant Communities and Responsible Financial & Resource Management.



The Contact Officer for this report is Linda Bird (719327).

**Background Papers**

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date

## Risk Management Form – ICT Strategy 2015 - 2019

NORTH WARWICKSHIRE  
BOROUGH COUNCIL

Division - Corporate Services

Risk Ref	Risk: Title/Description	Consequence	Likelihood (5 = high, 1 = low)	Impact (5 = high, 1 = low)	Gross Risk Rating	Responsible Officer	Existing Control Procedures	Likelihood(5 = high, 1 = low)	Impact (5 = high, 1 = low)	Net Risk Rating
1	Not having an approved ICT Strategy.	ICT investment not made or wasted.	3	4	12	AD (CS)	Strategy gives the future view which enables funding bids to be included in Capital Programme.  Strategy, actions and any project plans show links to Council Priorities and Service Plans.  Skills identified in advance and plans and bids for training made  Technical direction stated and projects identified to support it  Strategy identifies compliance requirements and aims set to deliver them.	2	2	4
		Skills not identified or developed.	3	3	9	AD (CS)		2	2	4
		Technical direction not clear or followed.	3	3	9	AD (CS)		2	2	4
		Legislative and security requirements not met.	3	4	12	AD (CS)		2	2	4
		Benefits from ICT use for customers, staff and the Council not achieved.	3	4	12	AD (CS)		2	2	4

							Strategy identifies potential benefits, which are then clarified in projects which aim to deliver them.			
<b>Risk Ref</b>	<b>Options for additional / replacement control procedure</b>						<b>Cost Resources</b>	<b>Likelihood (5 = high, 1 = low)</b>	<b>Impact (5 = high, 1 = low)</b>	<b>Net Risk Rating</b>

Compiled By : Linda Bird  
Reviewed and Updated by : Linda Bird  
Reviewed and Updated by : Linda Bird

Date: 19/1/2009 (for 2009 – 2012 ICT Strategy)  
Date : 9/3/2012 (for 2012 – 2015 ICT Strategy)  
Date : 10/8/2015 (for 2015 – 2019 ICT Strategy)

## Initial Equality Impact Assessment Pro Forma

Section	Corporate Services	Officer responsible for the assessment	Linda Bird – AD (Corporate Services)			
Name of Policy to be assessed	<del>ICT Strategy 2009 – 2012</del>	Date of initial Assessment	19/1/2009	Is this a new or existing policy?	Update to Existing?	
	<b>ICT Strategy 2012 – 2015</b>	Date of Review & Update	9/3/2012	Existing	Yes	
	<b>ICT Strategy 2015 - 2019</b>	<b>Date of Review &amp; Update</b>	10/8/2015	Existing	Yes	
1	Briefly describe the aims, objectives and purpose of the policy.	<ul style="list-style-type: none"> <li>• Provide direction for the Council's use of technology and information.</li> <li>• Define the governance and operational services needed to manage and deliver ICT.</li> <li>• Ensure that the use of and investment in ICT is aligned with the Council's Priorities and Corporate Plan and through these the Sustainable Community Plan.</li> <li>• Support the delivery of the Council's services in ways that citizens want and value.</li> <li>• Promote and facilitate the development and use of on-line services and information.</li> <li>• Follow and adopt legislative requirements, industry standards and best practice.</li> </ul>				
2	Are there any associated objectives of the policy? Please explain.	See Above				
3	Who is intended to benefit from this policy, and in what way?	This strategy is intended to inform Councillors, Staff, Partners, Citizens and Local Communities about how the Council plans to use technology and information				
4	What outcomes are wanted from this	Our aim is to provide the best technology and ICT services for the council. Outcomes				

policy?	of specific projects and initiatives are defined during the project.		
5 What factors/forces could contribute/detract from the outcomes?	<ul style="list-style-type: none"> <li>• The strategy takes a corporate view of ICT needs, which may conflict with and override divisional needs.</li> <li>• If the council is to get maximum benefit from using ICT, services must be involved in the implementation of business solutions and the realisation of the benefits from these solutions, as this relies on operational ownership and cultural change.</li> <li>• It is envisaged that funding, especially capital will be particularly tight during the period of this strategy and this may impact on our plans and ambitious.</li> <li>• Services have not identified a need to replace any corporate or business application during this period.</li> <li>• The ongoing and transformational move to public services and information being provided digitally will be a challenge for the council and our customers and citizens</li> </ul>		
6 Who are the main stakeholders in relation to the policy?	Councillors, Staff, Partners, Citizens and Local Communities, Local Businesses.	7 Who implements the policy, and who is responsible for the policy?	The Strategy is developed and owned by Corporate Service Division on behalf of the Council. Implementation will be led by Information Services but relies on numerous projects and other Sections and Divisions..
8 Are there concerns that the policy <b>could</b> have a differential impact on racial groups?	–Y	N√	Please explain.
What existing evidence (either presumed or otherwise) do you have for this ?			
9 Are there concerns that the policy <b>could</b> have a differential impact due to gender?	–Y	N√	

What existing evidence (either presumed or otherwise) do you have for this?			
1 0 Are there concerns that the policy <b>could</b> have a differential impact due to disability?	Y√	N	The Strategy promotes the provision of accessible information. Specific initiatives include meeting accessible standards to the Website (large text, video, speech). Information and services provided online help people who are unable to visit the council or who prefer not to use the telephone to engage with the council and to get a service and information.
What existing evidence (either presumed or otherwise) do you have for this?	Research by Government and others identifies how online and digital service can benefit people with disabilities.		
1 1 Are there concerns that the policy <b>could</b> have a differential impact due to sexual orientation?	Y	N√	
What existing evidence (either presumed or otherwise) do you have for this?			
1 2 Are there concerns that the policy <b>could</b> have a differential impact due to their age?	Y√	N	There are conflicting views about the impact of ICT on older people and the preference of younger people to use technology and information. It is important for the ICT Strategy to encourage access to technology for all and the provision of information and services to meet people's needs regardless of age.
What existing evidence (either presumed or otherwise) do you have for this?			
1 3 Are there concerns that the policy <b>could</b> have a differential impact due to their religious belief?	Y	N√	

What existing evidence (either presumed or otherwise) do you have for this?			
1 4	Are there concerns that the policy <b>could</b> have a differential impact due to them having dependants/ Caring responsibilities?	Y <sup>√</sup>	<del>N</del>  The provision of services digitally as promoted in the Strategy could help people with caring responsibilities by making services available at times, places and in ways convenient for them. It also support the Councils stance on home, flexible and mobile working.
What existing evidence (either presumed or otherwise) do you have for this?			
1 5	Are there concerns that the policy <b>could</b> have a differential impact due to them having an offending past?	Y <sup>√</sup>	<del>N</del>  Some of the information held and processed is of a financial, sensitive or confidential nature. Anyone employed to use or access this information would have to satisfy criteria laid down by HR and Audit.
What existing evidence (either presumed or otherwise) do you have for this?			
1 6	Are there concerns that the policy <b>could</b> have a differential impact due to them being trans-gendered or transsexual?	<del>Y</del>	N <sup>√</sup>
What existing evidence (either presumed or otherwise) do you have for this?			
1 7	Could the differential impact identified in 8 – 16 amount to there being the potential for adverse impact in this policy?	<del>Y</del>	N <sup>√</sup>
1 8	Can this adverse impact be justified on the grounds of promoting equality of opportunity for one group? Or any other reason?	<del>Y</del>	N <sup>√</sup>

1 9	Should the policy proceed to a partial impact assessment?	-Y	N <sup>√</sup>
2 0	If Yes, is there enough to a full EIA?	Y	N
2 1	If no please detail the steps taken to minimise the adverse impact?	The Strategy is written on the basis of :- <ul style="list-style-type: none"> <li>• Ensuring accessibility and providing all with the ability to communicate with and engage with the Council.</li> <li>• Giving secure, appropriate access to information and services to all people when and where they need it, using ways they value including face-to-face, telephone, website, mobile phone etc.</li> </ul>	
2 2	Date on which Partial or Full assessment to be completed by.	Y	N
Comments  It is anticipated that the Strategy will become approved after the September 2015 meeting of the Council.  It has been assumed that the Council's Customer Access Strategy will express customers and communities aims and ambitions for using ICT and that this strategy will support the delivery of these aims.			
Signed (Completing Officer) : Linda Bird.....  Date : 10/8/2015 .....			
Signed (Head of Section): Linda Bird.....  Date: 9/3/2012.....			



# North Warwickshire Borough Council

## Information and Communications Technology Strategy

2015 - 2019



North Warwickshire  
Borough Council

## 1. Summary

This Information and Communications Technology (ICT) Strategy is a collection of principles, issues to be addressed and aims which encourage us to use technology effectively and innovatively to support the work of the Council and help it achieve its aims for the Borough.

High quality, customer focused services are dependent on access to up to date and meaningful information and information systems.

Our Strategy aims to provide technical direction but it has to be flexible and able to accommodate and respond to the inevitable changes that will impact on the Council's customers, services or priorities over the next 4 years.

## 2. Introduction

We are in an environment of constant change, with growing demand, increasing complexity and mounting customer expectation. To be able to respond to this the Council depends on a sound and secure information and technology base.

### 2.1 Purpose of the Strategy

This Strategy is intended to:

- Provide direction for the Council's development and use of technology and information.
- Ensure that the use of, and investment in, ICT is aligned with the Council's Priorities and Corporate Plan and through these the Sustainable Community Strategy.
- Define the governance and operational services needed to manage and deliver ICT.
- Support the delivery of the Council's services in ways that citizens want and value.
- Promote and facilitate the innovative development and use of on-line, digital services.

### 2.2 Timeframe, Approach and Audience

#### 2.2.1 Timeframe

This ICT Strategy builds on the achievements of the 2000, 2006, 2009 and 2012 Strategies. It will be reviewed in 2018 for re-publication in 2019.

Actions to support the delivery of the Strategy will be identified annually and included in relevant Service Plans. This process will reflect any achievements and include new requirements and changes in priorities.

#### 2.2.2 Approach

The Strategy has been developed after consultation with Services to find out their ambitions, needs and priorities. Legislation, standards, national strategy and good practice have been drawn upon.

The Strategy is developed and owned by Corporate Services on behalf of the Council. Progress will be monitored via Extended Management Team and reported annually to Board.

The Strategy will help guide day-to-day technology decisions, purchases and actions.

### 2.2.3 Audience

This Strategy is intended to inform citizens, communities, Councillors, staff, partners and suppliers about the Council's plans for using technology and information.

## 2.3 Constraints and Assumptions

The Strategy does not prescribe a single technical or organisational approach such as Cloud computing or outsourcing. We will select the best solutions to provide appropriate technology and ICT services for the Council, mindful of practical constraints such as finance, time and security and key dependencies such as legislation and skills.

This Strategy takes a corporate view of ICT, which may sometimes conflict with and override divisional needs. Services must lead the implementation of their business systems and the realisation of the benefits from these solutions. Corporate Services will continue to lead on Council wide systems such as email and the website

The majority of the Council's technical infrastructure (data cabling, network infrastructure and telephony services) was replaced during the Accommodation Project in 2014. Therefore, a priority for this Strategy is to ensure its effective use and on-going improvement.

## 2.4 Finance

The period of austerity and reducing government grant is expected to continue during the lifespan of this Strategy and this will impact on Council services, plans and ambitions. However, our computer hardware will continue to reach "end of life" and applications may cease to meet our needs. In these circumstances, robust business cases will need to be made for investment. There is also an expectation that the Council will get efficiencies from the implementation of ICT.

The Strategy informs the ICT elements of the Council's capital funded Investment Programme.

## 2.5 Council Priorities

The Council has identified a number of key priorities, which support its vision for the Borough and its communities. These corporate priorities are developed by Members, supported by officers, and reviewed as part of the Corporate Plan process. It is expected that ICT will help the Council achieve each of its priorities but is most closely allied to Promoting Sustainable and Vibrant Communities and Responsible Financial & Resource Management.

## 2.6 Other Strategies and Policies

The ICT Strategy needs to link with and support the delivery of other Council strategies and policies, most specifically the Customer Access Strategy which expresses the Council's and its customers' and communities' aims and ambitions for service delivery.

There are close links between this Strategy and strategies and policies supporting Consultation and Communication. The Officers responsible for strategy in these areas work together to ensure that the required connections are made and dependencies recognised.

The ICT Strategy must take account of the delivery of other strategies, policies and projects including HR strategy, Climate Change reduction and the Information Security Policy.

### 2.7 External Influences

During the life of this Strategy the Council will have to achieve a number of milestones and respond to government initiatives and legal requirements. Some of the key issues which will impact on the ICT Strategy are listed below: -

- Ongoing savings and efficiencies; their achievement and impact.
- Government changes to public services in areas such as planning, housing, public health.
- The drive towards Digital Services as a key way of providing access to public services.
- Responding to the Transparency<sup>1</sup> agenda and opening up of access to, and use of, our data.
- Increased demand for security from those we work with and from the public.

## 3. Strategic Principles

ICT must support the Council's business vision and the priorities it sets for serving the people and communities of North Warwickshire. This will be done by addressing the issues and aims identified in Sections 4 and 5 and by using the principles below to guide us:-

- Accessibility** – to give easy, secure and appropriate access to information and services to people when and where they need it, using ways they appreciate; including face-to-face, telephone, mobile device and particularly through the Internet and the website.
- Collaboration** – to work with others, sharing skills, developments, technology and information. To provide convenient and customer focused services which the Council regards as a priority and citizens want and value.
- Effective** – to provide cost effective, efficient and reliable technology, information and customer focused ICT services by developing our own staff and by working with others.
- Innovative** – to be aware of ICT innovation and the opportunities it offers. To utilise technology and information to help drive change and improve our ways of working.

## 4. Current Situation and Issues

To determine what must be done in the future we have to understand our current use and management of ICT and the issues, needs and wants we have to deal with.

### 4.1 ICT Governance

The range and depth of ICT services needed by the Council are provided via a mixture of methods. Information Services Section (IS) is responsible for the direct provision of the majority of ICT services.

#### 4.1.1 Direction and Management

**Projects** – ICT needs are built into the Council's 10 year Capital Programme. Projects are managed, monitored and prioritised and reported to Extended Management Team (EMT). Projects are managed by a project manager, who reports to a project sponsor, board or working

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<sup>1</sup> Local Government Transparency Code sets out the data we must publish publicly and when and how it has to be published as required by The Local Government (Transparency Requirements) (England) Regulations 2014.

## Information and Communication Technology (ICT) Strategy 2015 - 2019

group. Projects must have a valid business case and a plan that is owned by a service or by Corporate Services for council wide systems.

**Bids and Purchasing** - All ICT must be purchased through Information Services (IS). Most hardware replacement is funded through a capital programme budget. If a business application is needed the relevant service has to fund this from its budgets or make a capital programme bid.

**ICT Disaster Recovery** – We use an ICT disaster recovery (DR) service which covers business critical servers, systems and connectivity. Divisions are responsible for defining their business continuity arrangements and identifying their ICT needs in a DR or emergency situation.

**Change, Benefits Realisation and Review** – ICT is an enabler of innovation, transformation and change. Information Services Section (IS) works with Divisions to ensure that opportunities are recognised and realised through the implementation of ICT projects. IS staff assist with service reviews and post implementation reviews to establish what benefits have been achieved.

### 4.1.2 In-house ICT Services

**Information Services** - Has two functions dedicated to delivering ICT services, in brief:-

- Support - provides helpdesk services, support engineers and PC and system installation.
- Development - network and security policy and management, application upgrade and support, corporate application ownership (Website, EDRM<sup>2</sup>, GIS<sup>3</sup>) and project management.

**Divisional Expertise** – A few Services have staff who support the use of their business applications. This is beneficial where the business process is heavily integrated with, and dependant on, the application. These staff have knowledge of the service and its processes, they are able to work with IS and suppliers to ensure systems meet service needs.

### 4.1.3 External ICT Services – Shared Services and Outsourced Provision

The range of skills needed to manage the breadth of technology used will always cause difficulties for a small team. Our approach is to minimise and manage ICT risk and complexity and to provide the core ICT services as cost effectively and efficiently as possible using our resource.

We will continue to develop collaborative relationships with others to share applications, supplement skills and augment capacity or to provide services we do not regard as our core business. We use a number of systems which are developed, supported and hosted by other organisations e.g. E-learning modules, Firmstep CRM<sup>4</sup>, Website.

### Known ICT Governance Issues:-

- The impact of the pace of ICT change and the increasing complexity and variety of ICT e.g. devices, platforms (e.g. cloud).
- Maintaining or getting access to the range of professional and technical skills and services needed for the future.

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<sup>2</sup> EDRM - Electronic Document and Records Management system – used to store and retrieve documents.

<sup>3</sup> GIS - Geographic Information System – used for mapping and storing data about a physical location or object.

<sup>4</sup> CRM – Customer Relationship Management System – used to record contact with the council and our response,

## Information and Communication Technology (ICT) Strategy 2015 - 2019

- The management and development of corporate systems relies on a few IS staff and in some cases a few hours of their time. This can limit our ability to exploit these applications.
- The Council will need to take a wider and more co-ordinated view of the use of applications and information if it is to avoid cost and if new shared services are to be developed.

### 4.2 ICT Standards, Legislation and Good Practice

We will maintain an awareness of ICT related legislation, standards and good practice and will we aim to adopt, advise on and comply with those that are relevant. This can be challenging given procurement rules, the costs of compliance and the need to balance business functionality with technical fit, security restrictions and supplier responsiveness.

We have implemented or are in the process of complying with a number of technology and information related standards and good practice:-

- Staff have been trained in Prince2 and MPS for IT Project and Programme Management.
- We have implemented a payment management system which is currently Payment Card Industry Data Security Standards (PCIDSS) compliant.
- Revised the Information Security Policy.
- Adopted the Local Land and Property Gazetteer (LLPG) as our master property address file and integrated its use into a number of business systems.
- Complied with security requirements to connect to the PSN (Public Services Network).

#### Known ICT Standards, Legislation Issues and Good Practice Issues:-

- To continue to migrate systems to use the LLPG as their address data source.
- We need to ensure we maintain the appropriate approval to connect to PSN and future iterations of the Government's Secure Intranet (GSI) while there is a business need.
- We need to help support the Council's commitments on climate change reduction.
- Where qualifications in Prince and MSP have lapsed, their renewal must be balanced against the need to consider new methodologies more suited to working in a changing environment.

### 4.3 Current Applications, Software and Information

Applications and software are reviewed periodically to ensure they meet our needs. Appendix 1 is a schedule of these and shows their current status and potential review dates.

The Council must have the business and corporate applications and technologies in place to enable communications and provide access to information. Our systems need to support service delivery and we are working to enable people to use the best channel and encourage them to self-serve via the Internet.

The information held in our systems must be fit for purpose and available where and when it is needed to those authorised to use it.

During the last Strategy we:-

- Implemented a new CRM (Customer Relationship Management) system in 2014. Developing its use by the Contact Centre and for self-service is an iterative process.
- We ceased our Enterprise Agreement with Microsoft in 2010. We are only licensed to use versions up to those currently installed (Windows 7, Office 2010 and Server 2008 clients).
- Implemented a new Leisure System and a PCIDSS compliant e-payments solution.

## Information and Communication Technology (ICT) Strategy 2015 - 2019

- Expanded our use of social media with corporate and service specific (e.g. leisure) accounts.
- Complied with the requirements to publish data under the Transparency Code (2015).

### Known Application, Software and Information Issues:-

- ✦ We need to continue the development of our digital services (website, self-services and internet/social media tools) to help support the ambitions of the Customer Access Strategy.
- ✦ Some services and functions are not supported by business applications.
- ✦ Integration between applications could deliver efficiencies but is costly.
- ✦ Some of our applications can't be enabled easily for use by home or mobile workers.
- ✦ To decide if we take out a new Microsoft agreement or how other software could be used.
- ✦ The need to maintain and develop corporate systems to meet service or corporate needs.
- ✦ Need to remain on supported versions of systems, resulting in regular upgrade projects.
- ✦ Some of the data held in our systems is not of the quality or completeness we require.
- ✦ We need to review and improve GIS data and expand the use of our Address Gazetteer.
- ✦ New information classification schemes are emerging which we will need to accommodate.
- ✦ The need to comply with the mandatory parts of the Transparency Code (2015) and subsequent versions.
- ✦ File sizes and the demand for transferring and storing data and media files are challenging.

## 4.4 Current Infrastructure and Hardware

A reliable infrastructure underpins access to systems, information and resources such as telephones and printing. As part of the Accommodation Project there has been major investment in cabling, power, network hardware and telephony. The size of the Server Room has been reduced and new cooling and power protection were installed. We now need to make best use of this new infrastructure and ensure that future needs are anticipated and accommodated.

Work to improve the provision of Superfast Broadband in the Borough is underway supported by BDUK and match funding from this Council and County Council. It is anticipated that by 2017 approximately 85% of premises will be able to connect to Superfast Broadband and the aspiration is that by the end of this Strategy this figure will be 98%. A lack of access impacts directly on the people of the Borough and on our ability to connect to locations cost effectively.

The Council has invested in its technical infrastructure and now has the following in place:-

### 4.4.1 Hardware

- Computers - A replacement programme based on a "fit for purpose" test guides the purchase of PCs and monitors.
- Mobile Devices - Laptops, tablets or smartphones are used where there is a business need.
- File Servers – We have a virtualised server and storage solution, running VMware. This helps with server installation and enables data to be replicated to a Disaster Recovery site.
- Server Software – We have server software up to Server 2010 installed.
- Community Hubs – We have ICT facilities in Community Rooms, on the BOB bus and in community locations for public use as advocated in the Customer Access Strategy.
- We have some jobs roles where staff that have no, or limited, access to Council ICT.

### 4.4.2 Communications Infrastructure

The communications infrastructure enables the Council to store, produce, disseminate and communicate information.

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### Network

- Local Area Network (LAN) - The Council has a 10Gbit switched network covering the two main administrative buildings and can provide up to 1000Mbit connections to the desktop.
- Wireless – Provides, limited, Wi-Fi access in the Civic Suite and around the Council House.
- Firewall – Two makes of firewall are used to provide secure access to the network.
- Cabling Standards – The Council House, Old Bank House and Coleshill Leisure Centre have Cat 6 cabling and OM3 fibre between the main buildings and between the floors within them.
- County Network – We have a single connection to the County network.
- Secure Logon – Two factor authentication is used for remote and home working.
- Internet – We have a 100Mb internet line for web browsing and SIP<sup>5</sup> voice calls.

### Email

E-mail is an essential business communication tool and therefore the reliability and accessibility of this service is essential.

- The Email server was replaced in 2014 and the software upgraded to Exchange 2010.
- We have an Email archive solution which helps to improve resilience, searching and restore.
- The Council uses “Good for Enterprise” for mobile device and email management.

### Telephony

The Council replaced its old Index Switch and the MacFarlane ADC used by the Contact Centre as part of the Accommodation Project.

- The Council’s Mitel VOIP telephone system was upgraded significantly and new software installed to cater for its use by the Contact Centre and corporately.
- Leisure Centres have been brought onto the corporate Mitel system which has reduced cost and increasing convenience.
- During 2015 we will migrate to SIP trunking service for telephone calls.

### Printing

The Council has a policy of using multi-function workgroup devices (MFDs), which can print, copy and scan at a lower cost than small devices. Our current contract with Xerox ends in 2016.

- The Xerox MFDs have secure printing facilities deployed for printing, copying and scanning.
- There is a Xerox production copier and a colour copier, which are used via the Print Room.
- The large format plotter, printer and scanner were replaced by two devices saving space.
- Small printers have been phased out except where there is a case for their retention.
- The old, costly line printers used for cheques have been replaced by a laser printer solution.

#### 4.4.3 Home Working, Flexible and Mobile Working

- Our home and flexible working solution using broadband and Citrix is widely used.

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<sup>5</sup> SIP – Session Initiated Protocol - telephone line service which uses national internet services to provide a more flexible and lower route for inbound and outbound voice calls.



## Information and Communication Technology (ICT) Strategy 2015 - 2019

- There is a secure virtual private network (VPN) for managed access to the Council's network and applications.
- Thin Client Solution – Citrix access is the approved, secure solution for home and flexible workers. It enables the use of personal devices for some work purposes.
- Mobile Working – The “Good” application is used to provide email to mobile devices.
- Housing maintenance staff are using tablet devices to access their jobs and information.

### Known Infrastructure and Hardware issues:

- Personal Devices – PSN compliance impacts on the use of personal devices. We need to balance business needs and efficiency with security risks and compliance.
- Mobile Working – Services want to expand their use of mobile working (e.g. Housing), review their current arrangements (Streetscape) or implement new processes (Planning).
- Connectivity – The lack of fast broadband and pervasive mobile phone and data coverage is a problem in the Borough. It affects people's ability to self-serve and work on the move.
- Thin Client Solution – Our Citrix environment used by home and flexible workers and to deploy applications is being updated during 2015.
- Home and Flexible working – The solution is sized for current use and would need to be upgraded if the Council increases this type of working or introduces hot-desking.
- Servers and Virtual Environment – Our servers and shared storage need to be reviewed regularly to ensure they are fit for purpose and running supported software.
- Server Software - Need to upgrade server client licenses and server operating system software before they become unsupported by their developers.
- Backup – Our solution will be reviewed in 2015/16 and resolve speed and capacity issues.
- Print and Copy – The service required and the options available will be reviewed in 2015/16 with the preferred option implemented before the end of the Xerox contract in 2016.
- The hardware used to run applications needs to be reviewed and replaced or upgraded, if necessary, as it reaches “end of life”.
- Communications - The Mitel system has some unified communications functionality which needs to be investigated and could help improve internal communication and collaboration.

## 4.5 Skills and Knowledge

### 4.5.1 Employees and Councillors

Most Council jobs require some use of computers and the majority of staff and Councillors have access to ICT and applications. Staff and Members must be given the chance to gain the skills and confidence they need to use them effectively.

We provide awareness of, and training in, the use of technology, information and systems:-

- Appraisal - Skills and knowledge needed for jobs and by staff are considered at Appraisal.
- Application Training – Corporate Services staff provide training in the use of corporate applications e.g. TOTAL and Trim. Service application training is organised with the supplier.
- Package Training – Has been provided via an agreement with Warwick District Council.
- Technical Training - Specific technical or IT project related training is arranged by IS.
- On the Job Training - Provided for new staff by their services on relevant applications.
- Awareness – Open Days and workshops are provided to raise ICT awareness.
- Briefing sessions are held on policy and strategy changes.
- Induction – All new staff and Members who are expected to use a computer are given an ICT Induction within two weeks of starting work with the Council.

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- Process Improvement – A number of IS staff are trained in various process improvement and change management techniques such as “Systems Thinking”

### 4.5.2 Community

This Strategy needs to support the development of skills by local people and the ambitions set out in the Customer Access Strategy.

- Skills – Promote the Get Online campaign and support online training in the community.
- Access – Free internet and computer access is provided at Hubs, on the B.O.B bus and in community rooms.

### Known Skills and Knowledge Issues:-

- We need to keep on top of the changing skills and knowledge required to exploit applications and technologies such as social media.
- Our IT project management qualifications have lapsed and alternative approaches are emerging which need to be evaluated.
- The skills needed to implement and support ICT are diverse and in some cases specialised. We need to develop, buy-in or share these skills to be effective.
- In areas we are reliant on one or two staff with specific skills and knowledge.
- We need to have the skills to support the access and ICT elements of the Sustainable Community Strategy, Customer Access Strategy, Consultation Strategy and Service Plans.
- It is anticipated that using information from our system and other sources to support decisions will become increasingly important. Our skills and capacity to do this are limited.
- Skills are needed to effectively publicise, promote and measure the use and impact of our digital, on-line services.

## 5. Future Strategic Aims

The Council must continue to exploit and invest in hardware, systems, information and skills if it is to address the issues identified in Section 4 and deliver ICT solutions to meet the Council’s needs.

### 5.1 ICT Governance

The Council needs to continue to develop the governance of ICT, including our approaches to ICT service provision, partnerships and innovation.

#### ICT Governance – Strategic Aims:

**Our Strategy seeks to develop structures and services which address the following:-**

- ✿ **Shared Services** - Respond to, and help enable, any approved Shared Services or joint working initiatives. Exploit opportunities for ICT collaboration where they save cost or provide capacity or capability.
- ✿ **Digital Services** - Develop and encourage the use of customer focused, accessible on-line digital services, such as Internet payments and self-service.
- ✿ **Mobility** - Provide access to information and services regardless of location (Council buildings, at home, on site), time or device.
- ✿ **Accessibility** - Provide accessible information and services by complying with standards and by delivering services in ways people want and value.

- ✿ **Business Continuity (BC)** – To minimise and manage ICT risk by ensuring ICT BC arrangements, which meet Council and service needs, are in place and regularly tested.
- ✿ **Disaster Recovery** – To have a DR contract or alternative solution in place which ensures business critical systems can be recovered in a disaster situation.
- ✿ **Project Management** - Business cases must be produced to identify how systems help deliver Council priorities and clearly identify benefits.
- ✿ **New Ways of Working** – Help the Council respond effectively to change and the organisational impact of new systems and ways of working.
- ✿ **Benefits Realisation** – Ensure benefits of new processes and technologies are identified and measured to establish if they are benefiting the Council or improving people’s lives.
- ✿ **Performance and Service Management** – Manage and improve the performance of the ICT Service by being customer focused and providing good, value for money services.

### 5.2 Standards, Legislation and Good Practice

The Council must continue to abide by legislation, adopt standards and apply good practice approaches to security, information and technology.

#### Standards, Legislation and Good Practice – Strategic Aims:

**Our Strategy seeks to implement standards and adopt good practice to help us manage technology and information securely and effectively:-**

- ✿ **Information Security** – Provide technology to enable the Council to store and manage its own, partner and customer information securely and successfully.
- ✿ **Security Standards** - Protect the Council’s physical and information assets and ensure confidentiality for our citizens by using ISO 27001:2013 as a good practice guide.
- ✿ **Data Transfer** – Ensure data collection, transfer and storage is done securely and where necessary compliantly.
- ✿ **Policies** – Have relevant and up to date policies and good practice guidance and ensure staff and Members are aware of them and their impact on their use of ICT or information.
- ✿ **Information Management** – To manage, use and share information effectively by using relevant classifications, schemas and information management standards in our systems.
- ✿ **Compliance** – Provide systems and processes to help comply with, and respond to, legal requirements such as Freedom of Information (FOI), Environmental Information Regulations (EIR), the Data Protection Act (DPA) and the Transparency Code 2015.
- ✿ **Data Format** – Ensure our electronic information assets are in a format which can be used by the Council for as long as they are required.
- ✿ **Transparency & Open Data** – Publish data stipulated by the Government in its “Transparency Code”. Make other data available for use where there is a demand to do so.

### 5.3 Applications, Software and Information

The applications used by the Council must be developed, maintained, upgraded and if necessary replaced so that services are well supported and information is available.

#### Applications, Software and Information – Strategic Aims:

**Ensure services are supported by effective applications, suitable software and reliable information. To achieve this we will:-**

- ✿ **Be Business Driven** – New applications or upgrades will be driven by our and customers' needs and a business case.
- ✿ **Reuse** – When possible we will utilise software and applications already purchased.
- ✿ **Buy Not Build** – Buy “off the shelf” applications written for the Local Government market or which contain the functionality we need as standard.
- ✿ **Collaborate** - Look to work with other Councils to share, host or implement systems together where we can achieve efficiencies.
- ✿ **Integrate** – Use integration to improve processes if there is a business case.
- ✿ **Efficiency** – Use tools and applications to improve functionality and user experience.
- ✿ **Cost Effective** – Provide value for money solutions by investigating and if feasible implementing free or lower cost software, systems and services.
- ✿ **Web and Social Media** – Enable the use of web technologies such as social media to meet business needs around information, consultation and engagement.
- ✿ **Application Review** - Investigate, bid for funding and if a business case is approved replace applications identified in the plan provided as Appendix 1.
- ✿ **Transparency** – Be aware of the requirements of the Transparency Code and publish mandatory data at the frequencies set in the code (monthly, quarterly or annually).

### 5.4 Infrastructure and Hardware

The majority of our aged ICT infrastructure was replaced in 2013/14. Our challenge is to ensure that the new infrastructure remains fit for purpose and serves us through the foreseeable future.

#### Infrastructure and Hardware – Strategic Aims:

**To provide a modern and robust infrastructure through approved investment which will meet the Council's current and anticipated needs and ambitions; we will:-**

- ✿ **Communication** – Identify and evaluate new, and utilise existing, methods of communication and collaboration which add value to services, citizens and customers.
- ✿ **Availability** - Maintain agreed levels of infrastructure availability, resilience and reliability.
- ✿ **Innovation** – Use technology to support innovative ways of working which deliver efficiencies and / or improve services delivery and working practices.
- ✿ **Appropriate Technology** - Provide up to date and fit for purpose hardware and software.
- ✿ **New infrastructure** – Ensure the infrastructure is maintained and developed to meet the Council's current and foreseeable future needs.
- ✿ **Thin Client** – Purchase and implement an upgrade of our Citrix, thin client environment.
- ✿ **Printing** – Provide suitable print services and technology (MFD's, plotters, scanners etc) and only keep high cost small printers if there is a strong business case for their retention.
- ✿ **Choice** – Work to enable staff and Members to use their own device of choice where appropriate to securely access to information and systems.
- ✿ **Broadband** – Work with the CSW Broadband Project to improve Broadband coverage and speeds within the Borough.
- ✿ **Community Access** – Provide technology and solutions to meet service's ambitions for community access e.g. Community Hubs, Cyber Cafes, Community Room computing.

## ICT Skills

Providing the skills needed to utilise ICT is essential if we are to get the most from ICT investment and information assets. Initiatives which help the public to develop ICT skills and the confidence to use the Internet will benefit them and support the delivery of Council strategies and priorities.

### Skills – Strategic Aims:

To ensure an awareness of the opportunities to exploit and efficiently use ICT; we will:

- ✚ **New Software** – Provide staff and Members with the awareness and skills needed to use and exploit corporate software including Office and Windows.
- ✚ **Future Skills** - Continue to develop staff to have the skills needed to use the applications and information they require to do their jobs effectively.
- ✚ **Technical Skills** – Have the technical skills needed to managed and develop ICT through training our own staff, buying in services or working in partnership.
- ✚ **Process Improvement** – Provide skills to help services transform and improve their business processes and deliver efficiencies
- ✚ **Community ICT Skills** – Help residents gain ICT skills and awareness through Council Projects such as Community Hubs and by supporting initiatives such as Learn My Way.

## 6. Conclusion

There will always be a need for day-to-day, tactical and technical decisions. However, we will use this Strategy as a guide; ensuring that decisions are aligned with it and that there is a business case for investment and action.

Occasionally there may be changes or new opportunities that have such a profound effect on the Strategy that an early review or major change is necessary.

Actions to help implement the Strategy are contained in the Corporate Services Service Plan and Other Service's Plans, when appropriate, and these are approved by Members annually.

## Application Schedule - Status and Plans

Business Area	Application	Date Implemented	Fit for purpose	Plans
<b>Service Applications</b>				
Revenues & Benefits	Academy	Pre 2000	Yes	Hardware replacement in 2015
Housing Maintenance	Open Housing	2003	Yes	Hardware review 2016
Housing Rents and Allocations.	Open Housing	2005	Yes	No plans to replace application.
Housing Mobile Working	Total Mobile	2014	Yes	Implementation on-going.
Land Charges	Northgate(iLap)	2005	Yes	Review 2015 as part of Systems Thinking / Service Reviews.
Planning	Northgate(iLap)	2005	Yes	
Environmental Health	Civica – Flare	Pre 2000	Yes	Hardware review 2016
Refuse (Route Planning)	Webaspx	2012	Partially	Review 2015
Committee Minutes	Jadu	2009	Yes	Jadu upgrade 2015
IT Service Desk (Helpdesk)	Richmond	Pre 2000	Yes	No plans to replace.
Leisure Management and Booking.	Gladstone	2015	Yes	Implementation during 2015
Electoral Registration & Management	eXpress	2008	Yes	Review 2017
<b>Shared Applications (corporate cross-cutting information systems)</b>				
Contact Centre – CRM	Firmstep	2014	Yes	Review 2019
Automatic Call Distribution (ACD)	Mitel	2014	Yes	Review 2020
Finance & E-procurement	Consilium - Total	2005	Yes	Hardware review 2016
Local Land and Property Gazetteer	Northgate BS7666	2012	Yes	Review 2016
Assets (Facilities)	IBS	2003	Partially	Review 2017
Assets (Finance)	RAM	2008	Yes	Review 2017
Bank / Payment Transfer	EIGER (BACS)	2005	Yes	No plans to replace. Upgrade 2015
Cash Receipting & Phone Payments	Capita	2012/13	Yes	Review 2018
HR and Payroll	WCC Service	2009	Yes	Review 2015
Fleet / Driver Management	Fleetcheck/Tom Tom	2011	Partially	Review 2015
<b>Application Support Tools (software to help people use and present information)</b>				
GIS	Cadcorp GIS	2005	Yes	No plans to replace. Upgrade 2015

Business Area	Application	Date Implemented	Fit for purpose	Plans
Reporting Software	Crystal Reports	Existing	Yes	No plans to replace.
Project Planning Software	Microsoft Project	Existing	Yes	No plans to replace.
<b>Common Infrastructure Services</b>				
Corporate EDRMS & Workflow	Tower Trim	2005	Yes	No plans to replace – Review 2018
Content Management-Web & Intranet	Jadu	2005. Hardware 08	Yes	Major upgrade in progress 2015
Directory Services	Microsoft AD	Existing	Yes	Review/Update 2015
Personal Productivity – Word, Excel	Microsoft Office	Office 2010 in 2014	Yes	Review 2018
Email & Calendar	Exchange & Outlook	Exchange 2010 in 2014	Yes	Review 2018
Email Archive	Cryoserve	2005	Yes	Review 2017
<b>Infrastructure</b>				
Members ICT	Hardware & software provided to members	Latest update from May 2011	Yes	Reviewed May 2015. Next review April 2019.
Microsoft Server Operating System.	Windows 2007 Server.	2010	Yes	Review with new server purchases.
Client Assess Licenses	2008 r2	Existing	Partially	New licenses purchased 2015.
Remote Access	Citrix	Existing	No	Version going out of support. Review 2014. Implement replacement 2015.
Unix Operating System	Solaris	2004, upgrade 2009.	Yes	Review 2015 (Academy project).
Desktop Operating System	Windows 2003, 7	Windows 7 by 2015	Yes	Review 2017.
Internet Browser software	IE 8, Firefox	Existing	Yes	Upgrade as needed.
Telephone Switch Management	Mitel	2014	Yes	No plans to replace. Review 2020.
Desktop and Server Anti-virus Software	Symantec Anti Virus	Existing	Yes	Reviewed Annually before renewal.
Backup Software	Veritas	Upgraded 2011	Yes	Review 2015.
Preferred Database Management Systems	Oracle SQL Server	Existing	Yes	No plans to replace.

## **Agenda Item No 13**

### **Resources Board**

**8 September 2015**

#### **Report of the Assistant Director (Corporate Services)**

#### **Contract Standing Orders**

### **1 Summary**

- 1.1 This report seeks approval for the revised Contract Standing Orders.

#### **Recommendation to the Council**

**That the Draft Contract Standing Orders provided as Appendix 1 are approved.**

### **2 Consultation**

- 2.1 Councillors D Wright, Smitten and Henney have been sent an advanced copy of this report for comment. Any comments received will be reported verbally at the meeting.
- 2.2 Management Team, Senior Officers and officers who have a role in implementing Contract Standing Orders, and officers that procure regularly, have been consulted on the changes and have agreed the attached draft.

### **3 Background**

- 3.1 Contract Standing Orders are a set of rules which primarily guide how the Council buys goods, services and works. Councils are legally obliged to have these rules and they must take account of European Union Treaty and Directives and National Legislation which governs procurement by the Public Sector.
- 3.2 The current Contract Standing Orders (CSO) were updated and approved in September 2012 and they form part of the Council's Constitution. Some amendments have been made in the intervening years to update terminology and reflect minor changes to legislation.
- 3.3 We had planned to do a major review of CSO's in 2017. However, new European Public Contracts Directives (2014) and the resulting transposition of the directive, on public works, supplies and services contracts, into UK law as The Public Contracts Regulations (2015) has meant we have to update them now. We have also included some changes that were needed to comply with the Government's Local Government Transparent Code 2015.



3.4 In general Public Contracts Regulations apply when the value of the goods, services or works is above a monetary Threshold<sup>1</sup> set by the EU. However, the regulations are accepted as good practice for all procurements and as such used by the Council and other Public Sector organisations to guide purchasing.

#### 4 **Contract Standing Orders**

4.1 All the proposed changes and additions to CSO's are shown, in the draft document, in red and underlined for clarity (see Appendix 1). The main changes are summarised below:-

- New European Tendering Procedures – This is a major change as it introduces new Procedures that can be used to buy goods, services and works which are over the EU Thresholds. Because the Council does few procurements of this size, CSO's require officers to consult the Procurement Team to ensure compliance with current requirements.
- Pre-Qualification Questionnaires – Another major change is the removal of the ability to use Pre-Qualification Questionnaires (PQQ's) for below threshold procurements. PQQ's were used to help shortlist suppliers and their removal effectively means most procurement exercises will be "Open" to the market.
- Conflicts of Interest – Makes explicit reference to the need to avoid and/or declare possible conflicts of interest.
- Framework Contracts – Added that the Council needs to be clearly identifiable in any Framework Contract we want to use.
- Collaboration – Added an "Exemption" to accommodate the changes which make it easier to procure between public authorities and work collaboratively with other public bodies.
- E-Tendering – Made e-tendering the default for running a procurement exercise and paper or email the exception. This is in preparation for authorities being required to carry out the tender processes on a fully electronic basis becoming mandatory in 2018.
- Supplier Engagement – Encourages and clarifies how and when Officers can do early market engagement with suppliers or experts prior to starting the procurement exercise.
- Documentation – Added the requirement for Procuring Officers to document details of verbal quotes in response to an Internal Audit Recommendation.
- Purchase Orders – Reinforces the obligation in Financial Regulation for officers to raise Purchase Orders at the time of committing the expenditure.

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<sup>1</sup> Thresholds until 31<sup>st</sup> December 2015 are £172,514 for goods and services and £4,322,012 for works.

- Legislation – In addition to the changes made to incorporate the Public Contracts Regulations some changes have been made as result of the Transparency Code 2015.
- 4.2 A few changes in the new Regulations do not impact on Contract Standing Orders, but on the procurement documentation we use and the processes we follow. We are currently updating our Standard Contract Terms and Conditions, Tender Documents and Award Criteria to accommodate the changes needed.
- 4.3 Minor amendments to Contract Standing Orders will be made as necessary by the Assistant Director (Corporate Services) in consultation with the ACE and Solicitor to the Council. A full review will be carried out in 2019.

## **5 Report Implications**

### **5.1 Finance and Value for Money Implications**

- 5.1.1 The draft Contract Standing Orders have been developed to work with, and support, the Council's Financial Regulations.
- 5.1.2 One of the main aims of Contract Standing Orders is to ensure the Council purchases goods, services and works which are best value for money.

### **5.2 Safer Communities Implications**

- 5.2.1 The Council will comply with Contract Standing Orders for any procurement, which they take the lead responsibility for, within the work of the North Warwickshire Community Safety Partnership.

### **5.3 Legal and Human Rights Implications**

- 5.3.1 Public Sector procurement is governed by EU Treaty, Directives and National legislation. These Standing Orders have been written to help ensure legal compliance in all procurement and contracting activity.
- 5.3.2 Other legislation and related Council Policy has an impact on how procurement is carried out, on how suppliers are expected to work with us and the nature of the contracts that are ultimately signed. Senior Officers and others involved with procurements are expected to ensure relevant legislation is accommodated and Council Policy applied as necessary.

### **5.4 Environment and Sustainability Implications**

- 5.4.1 The Council is aware of its duties under the Public Sector (Social Value) Act 2012 to consider how what is to be procured might improve the economic, social or environmental well-being of the Borough. Officers are encouraged to consider how their actions could improve the well-being of communities. Any procurement generated through the work of the North Warwickshire Community Partnership, which the Council takes the lead responsibility for,

will comply with Contract Standing Orders. Other partners will comply with their procurement regulations as necessary.

## **5.5 Health, Wellbeing and Leisure Implications**

5.5.1 The Public Sector (Social Value) Act will help contribute towards improving the well-being of communities. Any initiatives supported by the Council, under this theme, which require procurement of goods and services will comply with Contract Standing Orders.

## **5.6 Human Resources Implications**

5.6.1 Significant numbers of Officers and some Members will be involved in procurements at various times. It is important that they understand their roles and levels of responsibility, these are summarised in Section 3 of the draft CSO's. Briefing notes on the revised CSO's will be developed for staff. The Procurement Team provides advice, guidance and support for Officers who are required to procure on behalf of the Council.

## **5.7 Risk Management Implications**

5.7.1 The Council is required to have rules for procuring goods and services. One of the main aims of the Council's CSO's is to help mitigate the risks that could arise through poor or illegal procurement practices.

5.7.2 Published advice on the new Public Contracts Regulations, other Council's Contract Rules and templates suggested by legal practices have been reviewed to ensure the draft CSO's are comprehensive, accurate and up to date.

## **5.8 Equalities Implications**

5.8.1 Contract Standing Orders require the Council to apply relevant legislation to its procurement activities this includes the commitment to implementing the duties laid down under the Equality Act 2010 as they relate to procurement. We will use the best practice defined by the Equality and Human Rights Commission guidance on the specific duties relating to procurement.

5.8.2 The general equality duty applies to procurement and commissioning activity, regardless of the value, by public bodies such as the Council. However, the value of the contract may impact upon the relevance and proportionality of equality considerations.

## **6 Links to Council's Priorities**

6.1 Good procurement and commissioning practices, as defined in Contract Standing Orders, support the Council's priority of achieving a balanced budget. However, the outcomes of the various procurement exercises could support and contribute to any one of the Council's priorities.

The Contact Officer for this report is Linda Bird (719327).

### **Background Papers**

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date

# North Warwickshire Borough Council

## Contract Standing Orders



North Warwickshire  
Borough Council

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## 1 PURPOSE

- 1.1 The purpose of Contract Standing Orders is to provide clear rules for Officers and Members to use when purchasing and a structure within which purchasing decisions are made. They aim to ensure that the Council:
- Purchases legally, fairly and with regard to good practice to safeguard the Council's reputation.
  - Is protected from maladministration and vulnerability to Fraud, Bribery/Corruption in the letting of contracts.
  - Protects individuals from undue criticism or allegations of wrongdoing.
  - Purchases goods, services and works that are best value for money.
  - Uses procurement to support its objectives and priorities.
- 1.2 By law (Section 135 of the Local Government Act 1972) the Council must have Standing Orders which guide the letting of contracts and which cover securing competition and regulating the Tender process.
- 1.3 Any dispute or difference in the interpretation of Contract Standing Orders and the Council's Financial Regulations or any other relevant document shall be resolved by the Solicitor to the Council.
- 1.4 Advice on the application of these Orders is available from the Procurement Team and the Assistant Director (Corporate Services).

## 2 SCOPE

- 2.1 Contract Standing Orders apply to procurements and contracts entered into by, or on behalf of, the Council for:
- the provision of goods, services and works regardless of their value,
  - concession contracts ([these are subject to the EU Concessions Directive 2014](#))
  - the disposal of land, property or other assets (including surplus goods),
  - involvement by the Council in partnerships and other joint working where the money, including external funding, passes through the Council's accounts.
- 2.2 Contract Standing Orders DO NOT apply to:
- Goods, services or works purchased through an existing, valid Corporate Contract or provided by another division within the Council.
  - The purchase or hire of property.
  - Permanent staffing.
  - The engagement of legal Counsel or expert witnesses, or instructions to Solicitors to act on the Council's behalf.
  - Lending or borrowing of money.
  - Grants from the Council (except where they are to buy services).
  - Procurements where there is a valid and approved Exemption (Section 6).
- 2.3 The terms and phrases used in this document are explained in "The Glossary". All figures in Contract Standing Orders are net of VAT.
- 2.4 Elements of this document provide advice on how to procure. Further help is available from the Procurement Team and on the Council's Intranet.



### 3 RESPONSIBILITIES AND CONDUCT

- 3.1 Members and Officers shall be mindful of and comply with relevant Legislation<sup>1</sup> and Directives and with Codes of Conduct, Protocols and Financial Regulations as set out in the Council's Constitution when dealing with procurement and contractual matters.
- 3.2 To minimise the risk of fraud, bribery and corruption within procurement, tendering and contracts particular attention should be made to NWBC Counter Fraud Policy and the Anti-Bribery Policy.
- 3.3 Information disclosed, obtained or stored as part of a procurement exercise must be handled in accordance with the Council's Information Security Policy and with regard to the Local Government Transparency Code, other relevant legislation and Council Policy such as that on Data Protection and Freedom of Information.
- 3.4 Senior Officers are accountable for purchasing and compliance in the Sections or Divisions for which they are responsible.
- 3.5 The appropriate Senior Officer is responsible for identifying a Procuring Officer to lead any procurement and contract award process.
- 3.6 Council employees, those engaged to act on behalf of the Council and all contracts made by the Council must comply with these Contract Standing Orders, the Council's Financial Regulations and Standing Orders and the Council's Procurement and Commissioning Strategy.
- 3.7 Officers, Members, and those acting on the Council's behalf shall maintain the highest standards of honesty, integrity, impartiality, independence and objectivity.
- 3.8 Officers, Members, and those acting on the Council's behalf must take appropriate measures to avoid, or properly declare, possible conflicts of interest (economic, financial or personal interests) which might be seen to compromise their impartiality or independence in the context of a procurement procedure.
- 3.9 The Deputy Chief Executive may revise any figures referred to in these Contract Standing Orders and report such changes to Resources Board.
- 3.10 Officers must follow the appropriate Procurement Route which is determined by the value of the goods, service or works being purchased.
- 3.11 The Procurement Team should be consulted before a procurement starts and it will advise on, and assist Procuring Officers with, all aspects of the procurement process, practices and documentation.
- 3.12 Once a Contract has been established by the Council, for use by all services (a Corporate Contract); it must be used by all services to ensure compliance with the terms of the Contract and avoid breach of Contract.
- 3.13 The Senior Officer or Procuring Officer should notify the Assistant Director (Corporate Services) of all contracts entered into or contracts being arranged to enable procurement planning and to facilitate best value for money.

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<sup>1</sup> Legislation including, but not limited to - Public Contracts Regulations 2015, Equality Act 2010, Bribery Act 2010, Public Sector (Social Value) Act 2012, Freedom of Information Act 2000, Data Protection Act 1998.

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## 4 PRINCIPLES APPLYING TO ALL CONTRACTS/PROCUREMENTS

- 4.1 Every contract entered into on behalf of the Council must comply with these Standing Orders. However, National and/or European Union (EU) Legislation and Directives take precedence.
- 4.2 These Contract Standing Orders take precedence over any supplier agreements and terms and conditions.
- 4.3 Contracts will typically be awarded on a “most economically advantageous basis” using criteria which take into consideration cost and quality.
- 4.4 All purchases made or procurements carried out must be undertaken and approved by Officers with the appropriate delegated authority regardless of the value, procurement route or method of payment.
- 4.5 An Officer may only procure, raise an order or enter into a contract where there is approved funding e.g. provision in the Revenue Budget or as part of a scheme in the agreed Capital Programme.
- 4.6 Any contract award that involves the transfer of staff from the Council to a third party needs the approval of the Council.
- 4.7 Officers are expected to manage contracts to cost, quality, time and budget. In the event of variation to any one of these Officers will follow the relevant Contract Standing Orders to resolve or report the variation.
- 4.8 The length of a contract should be appropriate for the goods, services or works being purchased. A Contract should be for no longer than 4 years unless it is tied to the completion of a specific job or the supply of a fixed quantity of goods or the nature of the procurement demands it and a longer timeframe has been approved by a Senior Officer or a Board.
- 4.9 When using a Framework Contract or an existing contract let by another body the Procuring Officer must ensure they comply with the processes laid down for its use and be aware of the Contract terms and any award conditions or restrictions.

## 5 PROCUREMENT PLANNING

### 5.1 Future Contracts

- 5.1.1 The Council will determine, where possible, what contracts are due to be awarded or re-tendered in the course of its financial year and issue appropriate plans and notices, which may include:
  - Prior Information Notices (PIN) where required under EU Regulations.
  - Advisory notices to current contractors.
  - A statement of intent or a Procurement Plan on the Council’s website.

### 5.2 Need & Specification

- 5.2.1 Before starting any procurement activity or making a purchase it is essential that the Procuring Officer or Senior Officer (for procurements at Tender Level);-
  - Is satisfied that the goods, service, or works are needed.
  - Has considered any alternative options for meeting the need.

- Has established if there is an existing contract or corporate contract that must or should be used.
  - Sought advice from the Procurement Manager and for procurements at Tender levels obtained a procurement reference number.
- 5.2.2 A specification of what is needed must be decided on, regardless of the value of the procurement. This may range from a simple description and an estimated price to detailed specifications for high value, complex procurements.
- 5.2.3 Specification must not include requirements that are discriminatory or which may distort competition or contain non-commercial interests.
- 5.2.4 The Procuring Officer, and for Tender exercises the Senior Officer, must be satisfied that any specification is fit for purpose.

### 5.3 Estimating the Overall Value

- 5.3.1 An estimate of the total value of the procurement must be calculated at the outset to ensure the correct procurement route is selected and best value obtained. The [whole life cost](#) must be used to calculate the Overall Estimated Value which can be established by using one of the following: -
- the expected annual amount (purchase costs and on-going cost) multiplied by the number of years the contract is expected to operate,
  - the value of past annual expenditure multiplied by the number of years the contract is expected to operate,
  - the estimated cost of the good or service for a one off purchase,
  - or a value established through market testing e.g. indicative costs from potential suppliers.
- 5.3.2 The Council is aware of its duties under the Public Services (Social Value) Act 2012 to consider how what is to be procured might improve the economic, social or environmental well-being of the Borough. Procuring Officers and other Officers involved in procurement must therefore consider how their actions will improve the well-being of our communities.

### 5.4 Aggregation

- 5.4.1 The Council will make the best use of its purchasing power by aggregating its potential needs. It will consider all of its requirement and the likely total spend for similar goods and services across all Divisions when working out the Overall Estimated Value for a contract.
- 5.4.2 Officers **must not** deliberately split requirements to reduce the value of a contract in order to avoid certain procurement routes or to fall below EU procurement thresholds (see Table 1)<sup>2</sup>.

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<sup>2</sup> See Table 1 for explanation of Tender Levels and respective values i.e. Levels 0, A,B,C,D and OJEU.

## 6. EXEMPTIONS TO CONTRACT STANDING ORDERS

- 6.1 The requirement for the Council to purchase using a competitive process can be waived in certain or exceptional circumstances and for specific types of contract. The decision to use an Exemption must take into account value for money, probity and fairness. **An Exemption cannot be used for procurements above EU thresholds or if its use would result in a breach of UK or EU legislation.**

### 6.2 Exemptions and Approval to use an Exemption

- 6.2.1 Where it is intended to use a Standing Order for Exemption to having to follow a competitive Procurement Route the appropriate Senior Officer, in consultation with the AD (Corporate Services) or the Procurement Manager, must:

- For all purchases at or below Level B (Quotes, see Table 1) – approve the reason for the exemption and the specific Standing Order(s) to be used and ensure this information is documented,
- and for contracts valued at, or above Level C (Tenders), seek approval from the Deputy Chief Executive (DCE), or the Solicitor to the Council or MT,
- and where the value of the contract exceeds or is likely to exceed Level D seek approval from the relevant Board or CE using emergency powers.

- 6.3 Exemptions include:-

- 6a Using Framework contracts or collaborative procurements made by a body, legally able to let public contracts, such as a Professional Buying Organisation. Provided that the Council is clearly identified as able to use the framework and tenders or quotations have been invited and contracts awarded in accordance with procedures which are equivalent to these Contract Standing Orders and which comply with any national or EU Public Contact Rules or legislation.
- 6b The purchase of works, goods or services required in an emergency or in exceptional circumstances or so urgently that competition would not be in the Council's best interests or possible.
- 6c Where the purchase of goods, services or works from a different firm would result in incompatibility with existing goods, services or assets or would result in disproportionate technical difficulties or financial disbenefit.
- 6d When there are justifiable technical, specialist or supply market reasons and the works, goods, materials or services can only be obtained from one firm, and no reasonably satisfactory alternative is available.
- 6e Best value for money can be achieved by the purchase of used or pre-owned vehicles, plant, equipment or materials.
- 6f The purchase or sale of property or articles at an auction sale.
- 6g In exceptional circumstances; where the work to be done or the goods to be supplied constitute a valid extension to an existing contract and it is in the Council's best interest to negotiate with the existing contractor/supplier.
- 6h Where a Contract Award has been suspended under the 2009 amendment to the Procurement Regulations, the incumbent supplier can continue offering the supply or service until the dispute has been resolved.

6i Where the contract or co-operation is between public bodies and provided that specific conditions around control, service provision and private sector involvement are met.

- 6.4 The Procuring Officer must document decisions made and retain relevant documentation if an Exemption is granted.

## 7. PROCUREMENT ROUTES

- 7.1 **This section does not apply if an Exemption has been agreed (see Section 6) or a Corporate Contract is to be used.**
- 7.2 Anyone procuring on the Council's behalf must ensure that opportunities to supply goods, services and works are advertised appropriately and that the conditions for competition are met.

### 7.3 Thresholds, Advertising and Competition

- 7.3.1 The Overall Estimated Value is used to determine the procurement method (quote or tender), the minimum number of firms to be invited, the requirements for advertising, and contract award /order process; these are summarised in Table 1.

Table 1– Levels and Procurement Route					
Level	Overall Estimated Value -	Method & Response	Number of Firms Invited	Advertising Method & Timescale	Order and Award Process
<b>Level 0</b>	Up to £1,500	Quotations – may be verbal <sup>1</sup>	At Least 2 Firms	Not Required	Confirmed & ordered using Council Purchase Order or Council P-Card.
<b>Level A</b>	£1,501 to £10,000	Quotations in writing.	At Least 2 Firms	Not Required	Confirmed & ordered using Council Purchase Order or Council P-Card.
<b>Level B</b>	£10,001 to £45,000	Quotations in writing.	At Least 3 Firms	Invitation to Quote on Council Website <u>and relevant Procurement Portal</u> for at least 5 working days.	Confirmed & ordered using Council Purchase Order.
<b>Level C</b>	£45,001 to £110,000	Tender Procedure-Responses in writing.	At Least 3 Firms	Invitation to Tender on Council Website and relevant Procurement Portal for at least 10 working days.	Confirmed by Award Letter & ordered against Contract and/or Council Purchase Order (PO)
<b>Level D</b>	£110,001 to OJEU	Tender Procedure-	At Least 3 Firms	Council Website & relevant Procurement	Confirmed by Award Letter & ordered

<sup>1</sup> Details of verbal quote should be documented by the Procuring Officer (see 11.1.1)

	Levels	Responses in writing		Portal for at least 14 working days.	against Contract and using Council PO
<b>OJEU</b>	OJEU Levels and above	EU Tendering Procedure - Consult the Procurement Team before starting EU procurements. EU Thresholds - 1st January 2014 to 31st December 2015:- Services and Supplies = £172,514, Works = £4,322,012.			
Tenders should only be advertised in a publication (Local or Trade) if the Senior Officer believes it essential to achieve competition and it is best value for money.					

7.4 If sufficient Quotations have not been obtained after advert or the relevant Senior Officer feels that it is inappropriate in the interests of the efficient management of the service to advertise or seek the required number of quotations, then the reasons and proposed actions must be discussed with the Procurement Manager and a record of the decision kept.

7.5 Where the Tender value is at Level C and a sufficient number of suitable firms cannot be identified to Tender or have not Tendered approval must be sought from the DCE, CE or MT and at Level D approval from the appropriate Board, before proceeding with the Tender. The reasons and proposed actions must be discussed with the AD (CS) or the Procurement Manager and a record of the decision kept.

## 7.6 Advertising Requirements

- 7.6.1 Any Advert or Notice of a procurement opportunity and/or any Quote or Tender must set out details of the proposed procurement and clearly:
- Describe the required goods, services or works and the scope of the Contract.
  - State what Firms will have to do to quote or to tender.
  - Invite Firms to complete the document(s) needed to register their interest or detail their ability to supply what is required.
  - State the submission process, contact details and the Closing Date for receipt of the response.
  - Summarise the criteria the Council will be using to evaluate responses and award the contract.

## 8 QUOTATIONS AND TENDERING

### 8.1 Before Tendering or Obtaining Quotes

- 8.1.1 Before seeking Quotation or Tenders the Procuring Officer and/or Senior Officer must:
- Satisfy themselves that the Council does not already have a Contract in place for supplying the required goods, services or works.
  - Decide if there is a case for an Exemption from the requirements for competition (Section 6).
  - Decide if the potential works or services could be carried out or supplied by, or assistance is need from, another division of the Council.

- (a) If the Supply-side Officer decides they want to submit a quotation or tender they will be included in the list of those to be invited.
- (b) If the Supply-side Officer decides they wish to carry out the contract, free from competition, and provided that they can demonstrate that this constitutes best value for money, then the contract will be carried out by that Officer; unless the Solicitor to the Council, in consultation with the Deputy Chief Executive (DCE) determines otherwise.
  - i. At Level C or above this arrangement must be documented and approved by the Supplying and the Procuring Senior Officer.
- Consider which legislation, guidance and Council Policy would be applicable to the requirement and with which compliance should, or must, be sought from the supplier and ensure it is referenced in the specification and subsequent contract.
  - i. This includes an accompanying declaration confirming the tendering organisation's compliance with the principles of the Bribery Act 2010 and their willingness to respond to any reasonable due diligence enquiries made by or on behalf of NWBC.
- Be satisfied that a specification has been prepared.
- Prepare or approve an Estimated Overall Value for the whole life of the contract, including, if appropriate, any maintenance costs.
- Ensure there is adequate approved budget.
- For Tenders (Level C and above)
  - (a) Have decided the preferred Procurement Route and Form of Contract or supply arrangement.
  - (b) Agree a Procurement/Contract Reference with Procurement

## 8.2 Determining the Evaluation Process and Selection and Award Criteria

- 8.2.1 The Procuring Officer must decide on the process, any relevant or mandatory exclusion criteria, the selection criteria, the award criteria and the relative weightings that will be used to shortlist firms and evaluate tender responses and ultimately select a successful tenderer(s) and award a contract an Invitation to Quote (ITQ) or Invitation to Tender (ITT).
- 8.2.2 Whenever possible and for procurements at or above Level C (Tenders) the selection criteria, award criteria and weighting must be documented and agreed with the appropriate Senior Officer and published at the time of the Invitation to Tender.
- 8.2.3 Selection criteria must focus on the company's ability to deliver the requirement.
- 8.2.4 Award criteria must be designed to secure an outcome which gives best value for money for the Council. The basic award criteria are:
  - "Most Economically Advantageous" Tender (M.E.A.T) where considerations in addition to price and quality apply.
  - "lowest price" where a payment is to be made by the Council (Level 0 or A only).
  - "highest price" where a payment is to be made to the Council

- 8.2.5 If the award is to be made to the Most Economically Advantageous offer then the criteria that demonstrate this, and the relative weighting to be used, will be determined based on the specific needs, features and risks associated with the individual procurement exercise. The table below gives some example criteria and their suggested maximum weighting.

<b>Table 2 – Example Criteria and Suggested Maximum Weighting</b>		
<b>Criteria</b>	<b>Maximum Weighting</b>	<b>Notes</b>
<b>Cost</b>	Up to 80%	Costs will be assessed for total Contract life based upon the lowest price received.
<b>Quality</b>	Up to 80%	Quality will be subjectively assessed in terms of performance against specification by relevant and competent Officers
<b>Delivery</b>	Up to 20%	Delivery will be assessed in terms of warranties, guarantees, and penalties against delivery to the Council's schedule.
<b>Social Considerations</b>	Up to 40%	<u>Relevant</u> Social Considerations can be included in the assessment. Consult Procurement before use.
<b>Environmental Impact</b>	Up to 10%	A subjective assessment of the possible environmental consequences of the goods and services tendered.
<b>Compliance</b>	Some may be Mandatory	Compliance in accordance with legislation and relevant Council Policy will be considered. If there are no fully compliant responses the Procuring Officer may judge relative compliance for none Mandatory criteria.

- 8.2.6 The differences between selection criteria and award criteria and the need to separate the two stages and not duplicate criteria can be complex. The Procurement Team should be consulted for advice.

### 8.3 Electronic Procurement

- 8.3.1 Any Level B or above Quotation or Tender will normally be run by electronic means. Documents will be made available and returned via the Council's approved e-tendering solution or in exceptional circumstances by email.
- 8.3.2 Electronic documents will be kept securely and as specified by the Assistant Director (Corporate Services) and not opened until the deadline for receipt has passed.
- 8.3.3 The Council may participate in on-line Auctions or reverse auctions as part of a Procurement process. The Procuring Officer must ensure the specification and award criteria are appropriate and the Council's commitment to any Firm is dependent upon their satisfying relevant criteria and obligations under these Contract Standing Orders.



- 8.3.4 Procuring Officers may use on-line auctions for purchases valued at Level A or below provided they have sufficient quotes, are able to prove best value for money, can obtain a VAT invoice from the supplier and they have checked the terms and conditions of supply and return. A pre-established Council user identity must be used to make purchases and payment must be made using a Council purchase order or Council payment card.

## 9. EUROPEAN UNION TENDERING PROCEDURES

- 9.1 This Contract Standing Order applies to high value contracts expected to be at or over the EU thresholds (see Table 1)
- 9.2 The Procurement Team must be consulted well in advance of any planned EU level procurement to ensure compliance with the most up to date Public Contracts Regulations (2015), legislation and Directives and the timescales and procedures dictated.
- 9.3 Contracts to which the EU rules apply will be awarded in accordance with those rules and by means of currently approved procedures:-
- Open Procedure – A single stage process, usually used when only a small number of Tenderers are expected to respond.
  - Restricted Procedure – A two stage process involving qualification and tendering. Usually used when a large response is expected.

Procedures with some degree of negotiation (only to be used in specific circumstances):-

- Competitive Procedure with Negotiation - Usually used for complex tenders where neither of the above is suitable.
- Competitive Dialogue Procedure – For highly complex tenders where the other procedures are not suitable and a solution cannot be easily identified.
- Innovative Partnerships Procedure – For developing goods, works or service not currently available in the market.
- Negotiated procedure without prior publication – Where previous procedures have resulted in irregular or unacceptable tenders or in extreme urgency.

## 10. COUNCIL TENDERING PROCEDURES

- 10.1 **These Contract Standing Orders apply to Tenders with an Overall Estimated Value of Level C or above, but below EU thresholds (or if Public Contract Regulations do not apply).**
- 10.2 The Procuring Officer will ensure that:
- Any early market engagement or discussions, with suppliers or expert bodies prior to starting the procurement, have ceased.
  - Authority to Tender has been obtained and that the appropriate Tender procedure has been selected.
  - That relevant Evaluation and Tender documentation has been prepared in terms of the specification of requirements, selection / award criteria and with regard to compliance with relevant Council Policy.

- 10.3 The Council's Tendering Procedures are based on Legislation and EU Public Procurement Rules as they are regarded as good practice. Whenever possible an Open or Restricted Tender Procure should be used.
- 10.4 The Procuring Officer will produce an Advert, Notice or Tender briefing Firms of the Council's requirements (see Section 7.6).

### 10.5 Open Tendering Procedure

10.5.1 The Open Tendering Procedure operates as follows:

- (1) The Procuring Officer will advertise in accordance with Table 1 for Firms to submit an Expression of Interest or respond to an Invitation to Tender by a specified date.
- (2) The Procuring Officer can contact Firms and invite them to respond.
- (3) All Firms that express an interest will be invited to submit a response to an Invitation to Tender.

### 10.6 Restricted Tendering Procedure

10.6.1 The Restricted Tendering Procedure operates as follows:

- (1) The Procuring Officer will advertise in accordance with Table 1 for Suppliers to submit an Expression of Interest or to respond to an Invitation to Tender (ITT) by a specified date.
- (2) The Procuring Officer can contact Firms and invite them to respond.
- (3) All firms expressing an interest will be provided with an Invitation to Tender (ITT) document. ITT's may contain specific qualifying questions, as part of a two stage ITT, prepared by the Procuring Officer. The Procuring Officer shall also prepare the selection criteria, which must focus on the financial and technical ability of the organisation to fulfil the contract.
- (4) All ITT's will be reviewed and evaluated by at least two relevantly skilled staff, one of whom should be the Procuring Officer. A shortlist which recommends at least the required number of shortlisted Firms (Table 1) will be provided to the appropriate Senior Officer for their agreement.
- (5) At least the required minimum number of Firms will be taken on to a second stage of evaluation if a two Stage ITT has been specified, otherwise all ITT's will be evaluated.

10.6.2 The Council can use a properly established and maintained Pre-Qualification service, e.g. Construction-line. The use of such services should not disadvantage other suppliers, and where appropriate a mini-competition should be sought to maintain M.E.A.T. Any resultant approved list should only be used for that procurement project. Approved lists should not be used in any other circumstances. Procurement will offer further clarification if needed.

### 10.7 Procedures with Some Negotiation

10.7.1 Public Contracts Regulations 2015/EU Rules provide four additional Procurement Procedures which allow for some degree of negotiation. These procedures should only be used in specific and sometimes exceptional circumstances and must only be used in consultation with the Procurement Team.

## 11 SUBMISSION, RECEIPT AND OPENING OF TENDERS AND QUOTATIONS

### 11.1 Submission and Receipt of Quotations.

- 11.1.1 Written quotations (Level A and B) must be kept by the appropriate Procuring Officer and details of verbal quotations (Level 0) should be documented; both should be made available, on request, to the appropriate Budget Holder, Senior Officer or Member of the Procurement Team.

### 11.2 Submission of Tenders

- 11.2.1 Every Invitation to Tender must tell the Tenderer how, when (date and time) and where to submit their response. Tenders must be returned to the Council in one of the following ways:

- (a) By submitting it electronically via a specified website or to an advised e-mail address.
- (b) In exceptional and agreed circumstances in the sealed envelope provided, or specified, by the Council and which does not bear a name or any mark which would identify the sender.

- 11.2.2 The contract award criteria will be summarised in the Invitation to Tender. The Council does not bind itself to accept the lowest or any tender.

- 11.2.3 The Council's Terms and Conditions form part of the Tender documentation and the Firm will be informed how they will apply to the award of the Contract.

### 11.3 Receipt, Opening and Registration of Tenders

- 11.3.1 Tender enveloped shall be numbered and marked with the time and date of receipt and kept unopened in the custody of the Assistant Chief Executive & Solicitor to the Council (SttC) until their scheduled opening.

- 11.3.2 Tenders not received in the manner and timescale specified by the Council will be rejected and the sender informed of the reason for rejection.

- 11.3.3 Procuring Officers must liaise with Democratic Services and the Procurement Team to arrange a date and time for opening any Tenders.

- 11.3.4 Tenders shall be opened at one time in the presence of either the Leader of the Council or one of the Deputy Leaders and the Assistant Chief Executive & SttC or his/her representative.

- 11.3.5 The Assistant Chief Executive & SttC or his/her representative must, at the time the tenders are opened, record:

- (1) the title of the contract or the description of works, goods or services.
- (2) the date of the opening of a tender;
- (3) record details of all persons present at the opening of tenders;
- (4) the name of each Firm submitting a tender;
- (5) the date and time of receipt of each tender if available;
- (6) the amount of each tender where appropriate;
- (7) the reason for any disqualification of any tender;
- (8) the name of Firms invited to tender but which did not submit a tender;

- (9) The Assistant Chief Executive & SttC or his/her representative shall ensure that the page(s) of the Tender document which contain the ultimate prices is signed and dated by the Councillor.

#### 11.4 Alterations to Tenders, Abnormal Tenders and Post Tender Negotiations

11.4.1 No alteration of any Tender will be allowed after the date and time specified for the receipt of tenders, except:

- (1) Alterations - Where typographical or arithmetical errors or discrepancies are found. The Tenderer can be given an agreed period to confirm or correct the error or to withdraw the Tender.
- (2) Abnormal Tenders - If the Procuring Officer believes a Tender to be abnormal given the requirements, the Overall Estimated Value or in comparison with other tenders. The Tenderer may be asked to explain and clarify its Tender or parts of it.
- (3) Post Tender Negotiation – This is permissible when a procurement route which allows some negotiation has been used. Otherwise, discussions with Tenderers after the submission of a Tender and before award with a view to obtaining adjustments in price, delivery or content must only take place in consultation with Legal Services and the Procurement Manager and in exceptional circumstances such as where the lowest tender received exceeds the approved budget. In circumstances such as this:-
  - (a) An exception may be authorised by a member of MT or by a Board to which the power of making contracts has been delegated.
  - (b) The appropriate Senior Officer or the Procuring Officer may contact tenderers to discuss adjustments in rates, prices or terms but only on the basis of a change to quantities or scope. Negotiations must be documented.
  - (c) There must be no disclosure as to which Tender is currently the lower or the margin(s) involved.
  - (d) The tenderers taking part in this process are required to submit their revised prices or terms to the Council in the manner set out in paragraph 11.2 and revised offers will be opened in accordance with paragraph 11.3.
- (4) Qualified Tenders – When all tenderers are unable to meet the specification the Procuring Officer can discuss submissions with all Tenderers with a view to obtaining acceptably qualified tenders. This must only take place in consultation with Legal Services and the Procurement Manager.

11.4.2 Should these measures not deliver a Tender within the cost limits or where they result in a fundamental change to the specification or contract terms the procedure will be terminated and no contract awarded.

## 12. SELECTION AND CONTRACT AWARD

### 12.1 Accepting Quotations

12.1.1 The assessment of Quotations should be carried out by the appropriate Officer or Procuring Officer. Purchases and Contracts will be made via the Council's Purchase Order system using its Purchase Order Terms and Conditions.

12.1.2 Decisions on the acceptance of quotations will be taken as follows:-

<b>Table 3 – Quotations (£0 - £45,000)</b>	
<b>Circumstance</b>	<b>Acceptance by:-</b>
(a) Level 0 (£0 - £1,500) - Lowest or most economically advantageous quotation provided that it represents best value for money.	Officer & Order approved by the Appropriate Budget Holder or Authoriser.
(b) Level A (£1,501 -£10,000) and Level B (£10,001 - £45,000) - Lowest or most economically advantageous quotation provided that it represents best value for money.	Procuring Officer & Order approved by the Appropriate Budget Holder or Authoriser and at Level B agreed by the Senior Officer.
(c) A quotation other than the lowest or most economically advantageous received or in any other circumstances	Appropriate Senior Officer in consultation with the Deputy Chief Executive.

### 12.2 Evaluating and Accepting Tenders

12.2.1 Where the Contract value is at Level (C) or above; the assessment of Tenders should be led by the Procuring Officer and must involve at least 1 other person with the appropriate skills and knowledge.

12.2.2 The Tenders must be evaluated and scored using the process, criteria and weighting set prior to Tender.

12.2.3 Before a Tender can be accepted the Procuring Officer must ensure that the Deputy Chief Executive has approved the financial standing of the Firm to which it is proposed to award the contract, in accordance with Financial Regulations.

12.2.4 Decisions on the acceptance of Tenders for works, goods or services will be taken as follows:

<b>Table 4 – Tenders (£45,001 &amp; over)</b>	
<b>Circumstance</b>	<b>Acceptance by</b>
(a) Lowest or most economically advantageous tender, provided that it represents best value for money and does not exceed the Overall Estimated Value or Approved Budget.	<p>Level C - Procuring Officer and approved by the Budget Holder and/or Appropriate Senior Officer.</p> <p>Level D (£110,001 and Above – Senior Officer and approved by the Chief Executive (CE) or DCE who will consult with the Leader of the Council or a Deputy Leader</p> <p>* The CE or DCE may refer any decision on acceptance of a Tender to a Board.</p>

(b) A tender other than the lowest or most economically advantageous tender received, provided that it represents best value for money or in any other circumstances.	Appropriate Board * A written report must be submitted to the appropriate Board detailing the decision and the supporting data (e.g. Evaluation Criteria and scoring).
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### 12.3 Tenderer Notification and Standstill Period

- 12.3.1 Once the decision to award a contract is made each Tenderer must be notified in writing of the outcome of the tender process including details of the award criteria, their performance against the criteria and the name of the successful tenderer.
- 12.3.2 For Tenders over EU Thresholds there must be a “standstill” period between the notification and signing the contract and/or raising of an order. This is ten days but can be extended, if a challenge is lodged by a Tenderer, in which case the Procurement Manager will advise on the relevant standstill period and process.
- 12.3.3 For Tenders below EU Thresholds a “voluntary standstill” period is good practice and can help prevent future challenge. The Council uses a 10 day period between notification and contract signing.

### 12.4 Nominated or Named Sub-Contractors and Nominated Suppliers

- 12.4.1 This Contract Standing Order applies where a sub-contractor or a supplier is to be nominated to an existing main contractor or contract.
- (1) Where it is not reasonably practicable to obtain competitive tenders, the appropriate Senior Officer may nominate or agree the nomination of a Sub-Contractor or supplier.
  - (2) Where competitive quotes or tenders are available, then dependent on the estimated value of the sub-contract or the estimated value of goods or materials to be supplied by a nominated supplier, tenders or quotations must be invited.
  - (3) The terms of any invitation for nominated sub-contractors or suppliers must require that, if selected, the Firms would be willing to enter into:-
    - (a) A contract with the main contractor on terms which indemnify the main contractor against the main contractor’s own obligations under the main contract in relation to the work and goods or materials included in the subcontract; and
    - (b) An agreement to indemnify the Council in such terms as may be prescribed.
  - (4) The provisions of Contract Standing Orders relating to the submission of quotes or tenders; their opening and registration; late tenders; alterations to tenders; and tender acceptance apply to this Contract Standing Order.

## 13. CONTRACTS AND TERMS

- 13.1 Before entering into a contract with any Firm, the appropriate Senior Officer must:-
- (1) Be satisfied about the selection, capability, [legitimacy](#) and financial standing of the Firm.
  - (2) Ensure that these Contract Standing Orders have been complied with and that the proposed contract represents best value for money.
  - (3) Ensure the successful Firm has been made aware of and has confirmed compliance with the legislation, regulation and Council Policies applicable to the Contract.
  - (4) Be satisfied that reasonable and proportionate due diligence enquiries have been carried out to ensure Bribery Act compliance.
  - (5) Be satisfied that successful and unsuccessful tenderers have been informed of the decision and that any standstill period has been properly observed.

### 13.2 Orders and Contracts

- 13.2.1 Where the Contract Price of a procurement is valued at Level A or less, the works, goods or services to be supplied will be purchased using a Council Purchase Order or a procurement card payment and must be approved by the Budget Holder.
- 13.2.2 Where the Contract Price is at Level B the works, goods or services to be supplied will be purchased on the basis of a duly signed Contract and/or a Council Purchase Order approved by the appropriate Budget Holder and/or Senior Officer.
- 13.2.3 Unless the Solicitor to the Council decides otherwise, every contract must be in writing and every contract with a value of Level C or above must be in a form prepared or approved by the Solicitor to the Council.
- 13.2.4 Contracts at Level D and above must be under seal. The appropriate Senior Officer must liaise with the Solicitor to the Council and decide if it is appropriate to Seal a contract priced at below Level D if:
- The Council may wish to enforce the Contract more than 6 years after its end.
  - The price paid or received is a nominal one and does not reflect the true value of the goods or service.
- 13.2.5 The Council's Purchase Order Terms and Standard Contract Terms and Conditions are available on the Internet. If these are not used the Procuring Officer or Senior Officer must ensure that the contract used covers those sections and topics detailed in the Standard Contract and that it is approved by Legal Services before signing or sealing.
- 13.2.6 At the Senior Officers discretion and for all Tenders over Level D the Procuring Officer must consult with the Deputy Chief Executive to determine if the Contract is to include Parent Company Guarantees, Bonds or Liquidated Damages.

### 13.3 Using other Organisations Contracts

- 13.3.1 The Council may choose to use Contracts and Contract terms other than its own, if the Senior Officer determines the needs of the Council can be met. This can be efficient, reducing contracting activity, and may include the following types of Contracts:

- (1) ICE (Institute of Civil Engineers) and JCT (Joint Contracts Tribunal) Contracts and Agreements and NEC Contracts.
- (2) Contracts established by organisations with the legal remit to award public contracts such as Professional Buying Organisations e.g. ESPO.
- (3) Contracts tendered and awarded by Government or public sector organisation, which are open to Local Government or this Council, provided they have been let compliantly, legally and under their CSOs.

13.3.2 It is the responsibility of the Procuring Officer or Senior Officer to ensure that such Contract terms are appropriate and that the Solicitor to the Council has had the opportunity to review any Contract and decide if such a Contract is applicable and acceptable to the Council.

13.3.3 If necessary, it is the responsibility of the Senior Officer to negotiate modifications to the Contract to properly represent the requirements of the Council. Any substantive change must be agreed with the Solicitor to the Council.

#### 13.4 Variances to Terms and Conditions

13.4.1 Any variations to the Council's Standard Contract Terms and Conditions submitted by Firms shall not be accepted without advice from the Solicitor to the Council.

13.4.2 Payment arrangements other than the Council's normal payment terms e.g. "payment on delivery" must be discussed with and agreed by the DCE.

#### 13.5 Contract Disputes

13.5.1 The Council will, in its Contracts, identify a Dispute Resolution Process. The principles of such will be to establish mutually acceptable resolution of any dispute; to maintain good working relations and avoid lengthy and costly delays for all parties.

### 14 USING CONTRACTS

#### 14.1 Placing Orders

14.1.1 Where there is a need and within approved budgets Officers may raise Orders, for approval, against Contracts which have been entered into by the Council.

14.1.2 To purchase goods, services or works Orders must be raised, at the time of committing expenditure, using the Council's Procurement System (TOTAL) and approved by the Budget Holder, unless;

- (1) Financial Regulations state that Orders do not need to be raised for a specific type of spend e.g. Utility payment, Rent.
- (2) A Council approved payment card is used for a low value purchase.

#### 14.2 Authorising Payment

14.2.1 In accordance with Financial Regulations, and within approved budgets and where relevant Contract Price, Authorised Officers or Budget Holders may authorise payments of invoices raised by a Supplier against a Council Order or Contract, on the following conditions:



- (1) That the Council has a duly authorised Goods Receipt Note to match against the order and invoice; or
- (2) That the Procuring Officer has authorised payment against the satisfactory delivery of a service or schedule of services; or
- (3) That it represents an agreed stage payment, provided that the Procuring Officer can determine and demonstrate that the stage has been reached; or
- (4) That it is a retained payment, now due; or
- (5) That a Senior Officer authorises payment.

### 14.3 Variations within Contracts

- 14.3.1 All Variations must be in the form of written instruction to the contractor. The validity and likely cost effect of each variation should be assessed before the issue of the instruction to proceed.
- 14.3.2 If the variation is valid and its cost can be contained within the Contract Price and Approved Budget the instruction may be approved by the Contract Officer or Procuring Officer at Level B and below and by the relevant Senior Office at Level C and above.
- 14.3.3 Any variation, which will result in the Approved Budget being exceeded by £5,000 or 10% of the contract sum (whichever is the greater) must be reported to the appropriate Board by the Senior Officer in accordance with Financial Regulations.
- 14.3.4 If the variation would cause the Contract Price to be exceeded, but is within the tolerance defined in Financial Regulations (£5,000 or 10% of the contract sum), the Senior Officer should liaise with the AD (Finance and HR) to establish how any overspend could be contained within Approved Budgets. If alternative funding cannot be found, the appropriate Board will need to submit a supplementary estimate request to Executive Board.
- 14.3.5 In cases when a variation is urgent and requires immediate action the instruction may be issued by the appropriate Senior Officer without prior written costing. If there is any expectation that the variation could result in the Contract Price being exceeded by £5,000 or 10% of the contract sum the appropriate Officer must consult the Chief Executive with regard to use of his emergency powers. Details of the cost of the variation or overspend and the reason(s) for it, must be reported to Board as soon as practicable in accordance with Financial Regulations.

### 14.4 Adjustments and Extensions to Contracts

- 14.4.1 Where the timing of any Contract changes for reasons beyond the control of the Procuring or Contracting Officer, a Contract may be lengthened or adjusted with the approval of the appropriate Senior Officer. Such discretion is to recognise the efficiency in procurement in situations where issues pull forward or delay a particular programme of expenditure.
- 14.4.2 Where the scope of any Contract changes the Procuring Officer must carry out an assessment to determine if the change would have impacted on the Tender and its outcome. Such discretion is to recognise adjustments to account for minor changes to scope and efficiency in procurement where identical or equivalent goods or services are required, but these must not result in material changes.

## 14.5 Emergency Orders

- 14.5.1 Where an emergency demands a response outside the practical timescales of these Contract Standing Orders, the Procuring Officer, in liaison with a Senior Officer, is authorised to set aside requirements for tendering and competition; working if at all possible within an existing Contract or with an existing Supplier. Action under this Contract Standing Order will be made compliant with Exemption to Contract Standing Order (Section 6) soon as possible.

## 15 DISPOSAL OF ASSETS

- 15.1 Assets including property, vehicles, equipment, furniture, stocks or stores which are no longer required or needed for re-use should be disposed of in accordance with the law, Financial Regulations and any Council Protocol for Disposal of Assets.
- 15.2 Low value items Level A or less may be disposed of by written bid/quotation, auction or by electronic auction. Where an electronic auction site is used the placement and sale must be through a Council, not a personal, account. The Assistant Director (Finance and HR) should be informed of disposals.
- 15.3 Where assets for disposal are valued at Level A and above (see Table 1) the relevant Senior Officer must give approval for the disposal; at Level C and above approval must also be given by the Deputy Chief Executive.
- 15.4 The method of disposal for assets valued at Level B or above should be by written tender or quotation following the processes laid out in sections 10 -13. The Assistant Director (Finance and HR) must be informed of these disposals to ensure the Council's Asset Register is maintained.
- 15.5 Tenders or Quotations received for the disposal of assets will be awarded on the basis of the "Highest" or most economically advantageous offer.

## 16 LAND TRANSACTIONS

- 16.1 This Contract Standing Order applies where there is a land transaction. With the exception of Sections 1, 2, 3 and 4 none of the Council's other Contract Standing Orders apply to land transactions, unless otherwise stated in this section.

### 16.2 Approval of Major Disposals

- 16.2.1 The method of each major disposal must be approved by the Solicitor to the Council or the Resources Board as appropriate. When determining such matters the Solicitor or Board shall:
- (1) specify the land to be disposed of;
  - (2) confirm that the land has been declared surplus to Council's requirements;
  - (3) advise upon the proposed method of disposal and set out the reasons for selecting that method;
  - (4) in matters where the Council must achieve best consideration, confirm that the proposed method of disposal which has been selected, is most likely to achieve this; and
  - (5) in matters where it is proposed that the disposal should be for less than best consideration, give reasons for and against seeking best consideration and,

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specify the relevant legal powers of the Council to accept less than best consideration.

- 16.2.2 The principal terms of major disposals (except where the approved method of disposal is by auction) must be approved by the Council on the recommendation of the Resources Board. When determining such matters, the Board shall ensure, after considering advice from the Council's Valuer, either that the consideration agreed represents best consideration, or following advice from the Solicitor to the Council that the Council has the relevant legal powers to accept less than best consideration.
- 16.2.3 In major disposals where the approved method of disposal is the inviting of formal tenders or informal offers, the disposal must be advertised on the Council's Website and in at least one local, national or specialist newspaper or publication, as determined by the Solicitor to the Council, after consultation with the Council's Valuer. Tenders shall be submitted in accordance with the Council's Tender Procedures.

### 16.3 Dealing with formal tenders and informal offers

- 16.3.1 Tenders and offers shall be opened at one time in the presence of either the Leader of the Council or one of the Deputy Leaders and the Solicitor to the Council or his/her representative. The names of tenderers and/or offerors, and the amounts of tenders/offers shall be recorded in a register kept by the Assistant Chief Executive & Solicitor to the Council. Persons present at the opening of tenders/offers shall record their presence by signing the register against the specified details. Alterations/errors in tenders/offers and late or otherwise invalid tenders/offers shall be dealt with in consultation with the Solicitor to the Council.

### 16.4 Disposals by Auction

- 16.4.1 In disposals where the approved method of disposal is by auction, the auction shall be conducted by the Council's Valuer, if he/she is a practising Auctioneer. Where this is not the case, at least two practising auctioneers must be invited to provide a written quotation as to commission and additional costs, and the lowest quote must be selected by the Solicitor to the Council.
- 16.4.2 A "reserve price" must be set by the Solicitor to the Council, in consultation with the Council's Valuer or selected auctioneer. The reserve price must be disclosed only to the auctioneer and the Council's legal officer attending the auction.

### 16.5 Approval of Land Transactions other than major disposals

- 16.5.1 The principal terms of land transactions other than major disposals (except where the method of disposal is by way of auction) must be approved by the Solicitor to the Council or the Resources Board, as appropriate. When determining such matters, the Solicitor or Board shall consider the proposals in an agreed format confirming either that the consideration agreed represents best consideration, or following consultation with the Solicitor to the Council that the Council has the relevant powers to accept less than best consideration.

### 16.6 Application of the Property Procedures

16.6.1 All land transactions must be conducted in accordance with the property procedures.

## 16.7 Formalities

16.7.1 All contracts and other documentation entered into pursuant to all land transactions shall be in writing, and shall be signed or sealed, as appropriate.

## 16.8 Accepting Tenders for the Disposal of Land, Property and other Marketable Assets.

16.8.1 Decisions on the acceptance of tenders for the disposal of land, property and other marketable assets will be taken as follows:-

<b>Table 5 – Disposal of Land, Property and Assets</b>	
<b>Circumstance</b>	<b>Acceptance by</b>
(a) The highest tender, provided that it is considered to be in the Council's interests, after taking professional advice.	The Chief Executive, (or in his absence the Solicitor to the Council) after consultation with the Leader of the Council or one of the Deputy Leaders
(b) A tender other than the highest received, provided that it is considered to be in the Council's interests; is in accordance with statutory requirements; and a written report has been submitted to the appropriate Board by the relevant Senior Officer.	Appropriate Board
Any other circumstances	Appropriate Board

**APPENDIX 1 - GLOSSARY**

Authorised Officer	An Officer of the Council with authority to raise a purchase order or purchase within an existing Contract and their delegated authority.
Authority to Tender	Means there is approved budget and a need has been established in an agreed Service or Strategy Plan or approval has been sought and given by Management Team (MT) or if required a Board.
Best consideration	Legal obligation upon the Council to achieve a consideration which is the best that can reasonably be obtained.
Bribery	Giving someone a financial or other advantage to encourage that person to perform their functions or activities improperly or to reward that person for having already done so.
Contract	Agreement between the Council and a Firm for the carrying out of work, or for the supply of goods or services. Such agreement may be made by Contract, Purchase Order, Procurement Card or other approved method.
Contractor	A firm with which the Council enters into a Contract.
Contract Officer	An Officer who has been given specific responsibility by a Senior Officer or Budget Holder to manage a Contract once established.
Contract Price	The price at which the successful Tenderer has agreed to provide the goods, works or services.
Corruption	Offences defined by the Bribery Act 2010 which makes offering or accepting a bribe a criminal offence.
Corporate Contract	A contract which has been set up as the means of purchasing specific goods, services or works by all Officers.
Council	Any of the following acting under delegated powers: A Board, Committee, Panel, Area Forum, Joint Committee or Senior Officer.
Deputy Leader	The Chairman of the Resources Board, of the Community and Environment Board or of the Planning and Development Board.
Firm	A sole trader, partnership or company or any duly incorporated trade, professional, commercial or voluntary body.
Land transaction	The acquisition or disposal of, or other dealing with land whether or not buildings, plant and equipment, fixtures and fittings, or other assets are included in that transaction.
Leader of the Council	The Chairman of the Council's Executive Board.
Major disposal	A land transaction (not under Right to Buy provisions) which consists of a disposal of the freehold where the consideration exceeds £52,000 or the grant of a lease where the rent exceeds £21,000 per annum or where the premium exceeds £52,000.

M.E.A.T	Most Economically Advantageous Tender. A combination of price and quality criteria against which tenders are evaluated.
Officer	An employee of the Council.
Order	Order placed by the Council usually to its own terms and conditions.
Overall Estimated Value.	The estimated total of all the cost associated with the goods, services or works being procured over the number of years the contract is expected to operate.
Partnership	A form of Contract between the Council and any Firm that includes some form of arrangement for sharing risk and/or reward in addition to the usual considerations for payment
Procuring Officer	An Officer who has been given responsibility by a Senior Officer or Budget Holder to run procurement exercises (Quote or Tender) and who may be required to establish and manage Contracts.
Professional Buying Organisation	An organisation which is legally able to procure and establishes contracts on behalf of the public sector.
Quotation	A formal verbal or written offer to supply or purchase goods or services or to carry out work where the Overall Estimated Value is expected to be low.
Senior Officer	The Chief Executive, the Deputy Chief Executive, an Assistant Chief Executive or an Assistant Director or equivalent post.
Social Considerations	The additional benefits to the community over and above the direct benefits of purchasing the goods or services.
Supplier	A Firm with whom the Council has entered into a Contract for the supply of goods and services.
Tender	An offer from a Firm to provide goods, services or works required at a specific cost or rate following a Tendering Process.
The property procedures	The procedures adopted by the Solicitor to the Council from time to time, in consultation with the Deputy Chief Executive.
Written or "in writing"	Includes paper and electronically transmitted documents in a format defined or approved by the Council.
Whole life cost	All the costs associate with buying a good, service or work and can include, planning, design, construction and acquisition, operations, maintenance and finance, purchase and disposal cost.

**Agenda Item No 14**

**Resources Board**

**8 September 2015**

**Report of the  
Chief Executive**

**Exclusion of the Public and Press**

**Recommendation to the Board**

**That under Section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following items of business, on the grounds that they involve the likely disclosure of exempt information as defined by Schedule 12A to the Act.**

**Agenda Item No 15**

**Public Conveniences** - Report of the Assistant Director (Streetscape)

Paragraph 3 – by reason of the report containing financial information.

**Agenda Item No 16**

**Land at Sheepy Road, Atherstone** – Report of the Assistant Director (Streetscape)

Paragraph 3 – by reason of the report containing financial information.

**Agenda Item No 17**

**Irrecoverable Local Taxation Debts** – Report of the Assistant Chief Executive (Community Services)

Paragraph 1 – by reason of the report containing information relating to an individual.

**Agenda Item No 18**

**Sundry Debtors Irrecoverable Debts** – Report of the Assistant Director (Finance and Human Resources)

Paragraph 1 - by reason of the report containing information relating to an individual.

### **Agenda Item No 19**

**Complaint – Request to Join Housing Register** – Report of the Assistant Director (Housing)

Paragraph 1 - by reason of the report containing information relating to an individual.

### **Agenda Item No 20**

**Land Purchase Request – Maxstoke** – Report of the Assistant Director (Housing)

Paragraph 1 – by reason of the report containing information relating to an individual.

### **Agenda Item No 21**

**Land Purchase Request – Wood End** – Report of the Assistant Director (Housing)

Paragraph 1 - by reason of the report containing information relating to an individual.

### **Agenda Item No 22**

**Request for Licence - Shustoke** – Report of the Assistant Director (Housing)

Paragraph 1 - by reason of the report containing information relating to an individual.

### **Agenda Item No 23**

**Tender for Roof Works at Arden Forest Estate** – Report of the Assistant Director (Housing)

Paragraph 3 - by reason of the report containing financial information.

### **Agenda Item No 24**

**Disposal of Coleshill Leisure Centre** – Report of the Assistant Director (Streetscape)

Paragraph 3 – by reason of the report containing financial information.

The Contact Officer for this report is David Harris (719222).