

MEETING:	Cabinet
DATE:	Wednesday, 16 May 2018
TIME:	10.00 am
VENUE:	Reception Room, Barnsley Town Hall

AGENDA

1. Declaration of pecuniary and non-pecuniary interests
2. Leader - Call-in of Cabinet decisions

Minutes

3. Minutes of the previous meeting held on 18th April 2018 (Cab.16.5.2018/3)
(Pages 3 - 4)

Items for Noting

4. Decisions of Cabinet Spokespersons (Cab.16.5.2018/4) (Pages 5 - 6)

Petitions

5. Petitions received under Standing Order 44 (Cab.16.5.2018/5) (Pages 7 - 10)

Items for Decision/Recommendation to Council

Deputy Leader

6. Public Health Strategy 2016-18 - Response to the Scrutiny Task and Finish Group (Cab.16.5.2018/6) (Pages 11 - 16)

Core Services Spokesperson

7. Barnsley Council's Asset Management Strategy - Response to the Scrutiny Task and Finish Group (Cab.16.5.2018/7) (Pages 17 - 22)
8. Strategic Risk Register Review - March 2018 (Cab.16.5.2018/8) (Pages 23 - 36)

Communities Spokesperson

9. Community Engagement Steering Group - Response to the Scrutiny Task and Finish Group (Cab.16.5.2018/9) (Pages 37 - 40)

Place Spokesperson

10. Greater Use of Enforcement Powers to Tackle Problematic Long-Term Empty Properties (Cab.16.5.2018/10) (Pages 41 - 48)
11. Report on the Schools Capital Programme 2018/19 (Cab.16.5.2018/11) (Pages 49 - 58)
12. Beever Street, Goldthorpe - Re-development (Cab.16.5.2018/12) (Pages 59 - 66)

People (Safeguarding) Spokesperson

13. Proposal to Amend the Current Payment Scheme for Barnsley In-House Foster Carers (Cab.16.5.2018/13) *(Pages 67 - 74)*

To: Chair and Members of Cabinet:-

Councillors Houghton CBE (Chair), Andrews BEM, Bruff, Cheetham, Gardiner, Howard, Miller and Platts

Cabinet Support Members:

Councillors Franklin, Frost, David Griffin, Lamb, Pourali and Saunders

Chair of Overview and Scrutiny Committee

Chair of Audit Committee

Diana Terris, Chief Executive

Rachel Dickinson, Executive Director People

Matt Gladstone, Executive Director Place

Wendy Lowder, Executive Director Communities

Julia Burrows, Director Public Health

Andrew Frosdick, Executive Director Core Services

Alison Brown, Service Director Human Resources and Business Support

Michael Potter, Service Director Business Improvement and Communications

Neil Copley, Service Director Finance

Katie Rogers, Communications and Marketing Business Partner

Anna Marshall, Scrutiny Officer

Ian Turner, Service Director, Council Governance

Chris Braithwaite, Senior Council Governance Officer

Corporate Communications and Marketing

Please contact Ian Turner on email governance@barnsley.gov.uk

Tuesday, 8 May 2018



MEETING:	Cabinet
DATE:	Wednesday, 18 April 2018
TIME:	10.00 am
VENUE:	Reception Room, Barnsley Town Hall

MINUTES

Present Councillors Houghton CBE (Chair), Andrews BEM, Bruff, Cheetham, Gardiner, Miller and Platts

Members in Attendance: Councillors Franklin, Frost, Lamb, Pourali, Saunders and Sheard

236. Declaration of pecuniary and non-pecuniary interests

There were no declarations of pecuniary or non-pecuniary interests.

237. Leader - Call-in of Cabinet decisions

The Leader reported that no decisions from the previous meeting held on 4th April, 2018 had been called in.

238. Minutes of the previous meeting held on 4th April, 2018 (Cab.18.4.2018/3)

The minutes of the meeting held on 4th April, 2018 were taken as read and signed by the Chair as a correct record.

239. Decisions of Cabinet Spokespersons (Cab.18.4.2018/4)

There were no Records of Decisions by Cabinet Spokespersons under delegated powers to report.

240. Petitions received under Standing Order 44 (Cab.18.4.2018/5)

It was reported that no petitions had been received under Standing Order 44.

Core Services Spokesperson

241. Asset Management Plan - Planned Maintenance Programme 2018/19 (Cab.18.4.2018/6)

RESOLVED:-

- (i) that the list of schemes identified as priorities for each Service, within the report now submitted, be agreed and that NPS Barnsley Ltd, in conjunction with the Service Director Economic Regeneration, be authorised to place orders for the works;
- (ii) that the Service Director Economic Regeneration be authorised, in conjunction with the relevant Service and the Cabinet Spokesperson responsible for asset management, to vary the programme within the overall financial approval;

- (iii) that, in accordance with Contract Standing Order 10.1(h), Contract Standing Order 3.2(b) be invoked to allow single tenders to be received from the NPS Works Planning and Delivery, subject to these being checked for value for money against previously tendered works, such an exception being justified on the grounds set out in Section 4 of the report; and
- (iv) that, in the event that the planned maintenance budget for 2018-2019 is not fully expended, the value of any committed works be rolled forward in addition to next year's planned maintenance allocations.

People (Safeguarding) Spokesperson

242. Children and Social Work Act (2017): Barnsley Local Offer To Care Leavers (Cab.18.4.2018/7)

RESOLVED that approval be given to the publication of the Borough's Local Offer for Care Leavers as set out in the Appendix to the report now submitted.

.....
Chair

BARNSELY METROPOLITAN BOROUGH COUNCIL

CABINET SPOKESPERSONS' DECISIONS

Schedule of Decisions taken for week ending 27th April, 2018

<u>Cabinet Spokesperson</u>	<u>Item</u>	<u>Decisions</u>
1. People (Achieving Potential)	Introduction of a Tariff-Based System of Charging for the Future Commissioning of Places at the Pupil Referral Unit	that the proposal to introduce a tariff-based system for charging schools and academies for the future commissioning of permanent and fixed-term exclusion placements at the Pupil Referral Unit, with effect from the 2018/19 financial year be approved.
2. Place	Housing Service Review	<p>(i) that the financial management arrangements relating to the HRA/Housing Capital Programme currently carried out by Berneslai Homes are transferred back to the Council under the direct control of the Section 151 Officer; and</p> <p>(ii) that the BMBC Housing & Energy Team assumes responsibility for all capital new build programmes, with Berneslai Homes to retain responsibility for miscellaneous acquisitions to support empty homes programmes and mitigate the loss of Council housing through Right to Buy, S106 acquisitions and conversions.</p>

This page is intentionally left blank

BARNSELEY METROPOLITAN BOROUGH COUNCIL

Report of the Chief Executive

Petitions received under Standing Order 44

1. Purpose of Report

To consider action in respect of petitions received by the Chief Executive under Standing Order 44.

2. Recommendations

- 2.1 That Cabinet agree the action to be taken in response to the petitions referred to in the report in line with the Council's Petitions Scheme.**

3. Background

- 3.1 The Council's Standing Order 44 requires that "All petitions relating to a matter over which the Council ... has authority or which affects the Borough shall be presented to the Chief Executive who shall refer them to the relevant officer for investigation."
- 3.2 The Petitions Scheme, which was revised in April, 2013, requires petitions to be reported into Cabinet. This report sets out recent petitions received and the recommended response.
- 3.3 Whilst the report of petitions to Cabinet fulfils this duty requirement, Cabinet may wish to consider further action, such as referring any petition to the relevant Area Council.

4. Details of Petitions Received

- 4.1 Details of the petitions received up to this meeting of Cabinet are set out in the appendix attached, including a recommendation of the action to be taken for consideration. Members should note that individual petitions will not be the subject of further reports to Cabinet unless this is specifically requested at the meeting when the petition is reported.

5. List of Appendices

- 5.1 Appendix 1 – Petition – Volume and Speed of Traffic through Great Houghton and request for a pedestrian refuge

6. Background Papers

Petitions presented to the Chief Executive. Available for inspection in the Council Governance Unit, Town Hall, Barnsley, except where the petitions contain Exempt Information.

Officer Contact: Ian Turner **Email:** governance@barnsley.gov.uk **Date:** 2 May, 2018

This page is intentionally left blank

Petitions received under Standing Order 44 - Cabinet – 16th May, 2018

Issue	No. of Signatories	Date Received	Action recommended under the Petitions Scheme
<p>Complaint about volume and speed of traffic through Great Houghton.</p> <p>Cllr Higginbottom's additional request for a pedestrian refuge</p>	32 signatories	26/01/2018	<p>Highway Officers met the three Ward Members and Cllr Coates, representing Great Houghton Parish Council, on the 11th December 2017 to discuss the request for a pedestrian refuge on High Street. The process for prioritisation of the available Road Safety funding, using Personal Injury Collision (PIC) data supplied by the Police, was explained. Interrogation of the PIC data determined there was no PIC Cluster site or Cluster length identified through the village, thus, Highways were unable to fund the refuge. Accordingly, it was agreed a budget estimate would be provided to Members to enable them to investigate funding from other sources. A budget estimate of £14,000 for the works and £2,600 for the associated Traffic Regulation Order to prevent indiscriminate parking was provided on the 16th February 2018. Once Members have identified a budget this work can be prioritised into the Highways work programme.</p>

This page is intentionally left blank

BARNSELY METROPOLITAN BOROUGH COUNCIL (BMBC)

This matter is not a Key Decision within the council's definition and has not been included in the relevant Forward Plan.

Report of the Director of Public Health

**RESPONSE TO THE SCRUTINY TASK AND FINISH GROUP (TFG) REPORT ON
THE PUBLIC HEALTH STRATEGY 2016-18**

1. Purpose of report

- 1.1 To respond to the recommendations as set out in the Overview & Scrutiny Committee's (OSC) TFG report as a result of its investigation on the Public Health Strategy 2016-18.

2. Recommendations

- 2.1 **Members endorse the responses to each of the recommendations made by Public Health and Core Services as outlined in section 4 of the report.**

3. Introduction/Background

- 3.1 As part of its work programme the OSC agreed to undertake a TFG investigation of the Council's Public Health Strategy 2016-18. Further to previous investigations undertaken by the OSC and its TFGs, the OSC felt it was an opportune time to follow up on this work.

4. Specific Recommendations and Responses

- 4.1 From the investigation, nine recommendations were made, each recommendation has been considered and the response included below.

- 4.2 **Recommendation 1: Targeted communications work is done with Elected Members, School Governors and Barnsley Alliance to promote public health messages and initiatives in schools**

Public Health supports this recommendation. The Health and Wellbeing Officer supporting Public Health Nursing has attended the Primary and Secondary Heads' meetings as well as Barnsley Schools' Alliance to update on local public health initiatives and offer support. Following this, Primary and Secondary Heads' have nominated public health champions for their schools. New resources and guidance are regularly sent to these contacts.

The Governors' annual brochure and termly Governing Body Meetings are used to update schools. An example of this is a briefing paper which was prepared to update on the upcoming changes to Relationships and Sex Education, which will become statutory in 2019. In addition, the School's E-bulletin is used to communicate public health messages. To support this recommendation a contact

list of key elected members will be created and used to share resources, guidance and local initiatives in relation to public health in schools.

4.3 Recommendation 2: Services to explore the use of carbon monoxide measuring devices to discourage parents from smoking

Public Health supports this recommendation and will explore this option. The National Institute for Health and Care Excellence (NICE) guidance around smoking in pregnancy recommends screening all pregnant women for smoking using carbon monoxide (CO) monitoring. This recommendation is in place in Barnsley. We have an opt out system in place and all pregnant women are asked if they smoke, and are all CO monitored by the Midwife. All pregnant women that are smokers are referred to the specialist stop smoking Midwife Service. More investment has been made into the Stop Smoking Midwifery service at Barnsley Hospital NHS Foundation Trust to continue to support work to achieve an increased reduction in reduction in smoking rates among pregnant women.

4.4 Recommendation 3: Area Councils purchase tooth brushing packs via the Council's Public Health service

Public Health supports this recommendation and has notified the Area Managers. Area Councils are able to order tooth brushing packs at a discounted cost and oral health leaflets are available free of charge to all Area Councils. Both resources can be accessed via the Public Health Team.

4.5 Recommendation 4: An Elected Member from the OSC sits on the Council's Oral Health Improvement Action Group

Public Health supports this recommendation. Cllr Hayward has very kindly volunteered to sit on the Oral Health Improvement Advisory Group (OHIAG) and attended his first meeting on 23 April 2018. Several links and actions have already been implemented as a result of this engagement.

4.6 Recommendation 5: Specific communication activity is undertaken to raise awareness regarding access to dental services

Public Health supports this recommendation. The OHIAG has a plan in place for a campaign around dentist availability to be tied in with Smile Month (14th May-14th June 2018). The campaign will refer people to the NHS Choices website to find out the Barnsley dental practices that are accepting new NHS patients and dispel the myths on access to dental care. Through the Local Dental Committee we will ensure that the list of available dentists on NHS Choices is kept up to date. The campaign will be shared and promoted by all OHIAG partners.

4.7 Recommendation 6: An All Member Information Briefing (AMIB) is held on 'emotional resilience'

Public Health supports this recommendation. Public Health welcomes the opportunity to work collaboratively with Elected Members to hold an All Member Briefing on emotional resilience to aid them in supporting their communities. Planning work for this Briefing is underway.

4.8 Recommendation 7: In Council Cabinet Reports, the section on ‘Implications for Local People/Service Users’ makes specific reference to ‘Mental Wellbeing’ implications of decisions

Public Health supports this recommendation and would welcome inclusion of a specific reference to ‘Mental Wellbeing’ implications of decisions in Council Cabinet Reports. We would also support the introduction of a Mental Health Impact Assessment for major projects. Public Health are liaising with the Council Governance Team to make these arrangements.

4.9 Recommendation 8: Health and Social Care services consider how they can all focus investment in preventative and early help services

Public Health supports this recommendation. The multi-agency Stronger Communities Partnership brings together responsible authorities, statutory and voluntary services, and local people to provide system-wide leadership to the community and early help offer; it’s focus is on transforming the ways in which services from across the borough interact with individuals, families and communities – making more effective use of assets within communities.

Through collaborative working the Partnership and the Adults and Children’s Early Help Sub Groups aim to ensure a coordinated approach to prevention and early intervention, ensuring that individuals and families have easy access to all forms of early help, making best use of their own skills and resources and preventing needs escalating.

4.10 Recommendation 9: Communication activity is accessible to all Barnsley communities including those with disabilities and where English is an additional language

Public Health supports this recommendation. The Council uses many channels of communication, including the local media, its social media accounts, Facebook and Twitter; Openmail – an e-bulletin that goes out to a list of subscribers; the Barnsley Schools Bulletin; via Ward Councillors and Area Councils. It also shares news and information with its many partners and provides information in marketing materials such as posters, leaflets, flyers and advertising. The Equality and Inclusion Team offer support to Council Officers to assess projects and associated materials for their equality impact. This approach will enable us to ensure that services are promoted to and accessible to all Barnsley communities.

An example of this is the work underway to improve all Barnsley communities’ ability to understand or make use of every day health information. Improving Health Literacy is a key element to enable good self-care and requires culture change at individual, community, organisational and system level.

5. Implications for local people / service users

5.1 The recommendations made are in support of improving health outcomes for people in Barnsley.

6. Financial implications

- 6.1 There are no specific financial implications in responding to the recommendations in the report.

7. Employee implications

- 7.1 There are no specific employee implications in responding to the recommendations in the report.

8. Communications implications

- 8.1 The recommendations and responses consistently highlight the importance of effective communication in relation to key health messages and the availability of services. This includes both clarity of information contained within resources, as well as utilising specific communication channels to ensure messages reach target audiences.

9. The Corporate Plan and the Council's Performance Management Framework

- 9.1 As outlined in the Corporate Plan, the three priorities for Barnsley are: a thriving and vibrant economy, strong and resilient communities; and citizens achieving their potential. Positive physical and mental wellbeing are central to achieving all of these priorities, therefore it is essential the Council and its partner organisations work together to support these aims.

10. Promoting equality & diversity and social inclusion

- 10.1 It is essential that all our communities understand how to access Council services and activities. In undertaking any awareness campaigns a variety of methods will be used so that the information is accessible to all our communities.

11. Tackling the impact of poverty

- 11.1 Given the complexity of interconnection between people's income and health, a broad approach to improving the health of those who experience limited resources is important. Evidence suggests that supporting emotional resilience and encouraging people to have healthy lifestyles can help in tackling the impact of poverty.

12. Tackling Health Inequalities

- 12.1 Health inequalities exist between Barnsley and England and within Barnsley itself. Improving health and reducing health inequalities will help local people to reach their full potential. Actions in response to the recommendations identified above support improving health outcomes across the borough; with recognition that additional work is required in particular communities, to help address health inequalities.

13. Risk management issues

13.1 This issue relates to the following risks currently logged on the Council's Strategic Risk Register (SRR), as follows:

- 3026 – 'Failure to achieve a reduction in Health inequalities within the Borough'
- 3047 – 'Failure to protect the health of the population from preventable health threats'

13.2 It is likely the recommended activities detailed in this report will contribute further to the effective mitigation of these risks, and it would be appropriate for any follow-up report regarding community engagement to be cognisant of these risks.

14. Glossary

AMIB – All Member Information Briefing
BMBC – Barnsley Metropolitan borough Council
OSC – Overview and Scrutiny Committee
TFG – Task and Finish Group
NICE - National Institute for Health and Care Excellence
CO - Carbon Monoxide
OHIAG - Oral Health Improvement Advisory Group
SRR – Strategic Risk Register

15. Background papers

- Public Health Strategy 2016-18 Cabinet Report (Cab.16.12.2015/6):
<http://barnsleymbc.moderngov.co.uk/documents/s6332/Public%20Health%20Strategy%20Report.pdf>
- Public Health Strategy 2016-18:
<http://barnsleymbc.moderngov.co.uk/documents/s6333/Public%20Health%20Strategy.pdf>
- Scrutiny Task And Finish Group Report on the Public Health Strategy 2016-18
<http://barnsleymbc.moderngov.co.uk/documents/s32296/Overview%20and%20Scrutiny%20Committee%20-%20Task%20and%20Finish%20Group%20-%20Public%20Health%20Strategy%202016-18%20Cab.21.3.2.pdf>

Report Author: Rebecca Clarke Date: 27th April 2018

This page is intentionally left blank

BARNSELY METROPOLITAN BOROUGH COUNCIL (BMBC)

This matter is not a Key Decision within the council's definition and has not been included in the relevant Forward Plan.

Report of the Executive Director Place

RESPONSE TO THE SCRUTINY TASK AND FINISH GROUP (TFG) REPORT OF THE BMBC ASSET MANAGEMENT SERVICE

1. Purpose of report

- 1.1 To respond to the recommendations as set out in the Overview & Scrutiny Committee's (OSC) TFG report as a result of its investigation of the BMBC Asset Management Service in particular relation to: development viability; community asset transfers (CATs); actions taken as a result of the Grenfell incident; and energy efficiency.

2. Recommendations

- 2.1 **Members endorse the responses to each of the recommendations made by Asset Management and the Place Directorate as outlined in section 4 of the report.**

3. Introduction/Background

- 3.1 As part of its work programme the OSC agreed to undertake a TFG investigation of the Council's Asset Management Service. Given the Council's new Asset Management Strategy 2017-2020 had recently been agreed by Cabinet (Cab.31.5.2017/8) and the Grenfell Tower fire incident on 14th June 2017, the OSC felt it was an opportune time to provide overview and scrutiny of this area of work.

4. Specific Recommendations and Responses

- 4.1 From the investigation six recommendations were made, each recommendation has been considered and the response included below.

- 4.2 **Recommendation 1: The presentation on 'the developer's view' of the borough be delivered to the Planning Regulatory Board**
(The TFG benefitted from a greater understanding of 'the developer's view' of the borough and the considerations made to determine the value of sites. The group felt that sharing this presentation with Planning Regulatory Board Members would assist them further in their decision making)

The Asset Management Service supports this recommendation. It is proposed that an all member briefing is arranged with the Corporate Asset Manager (in conjunction with the Head of Planning) to present a development viability session.

The presentation will look at residential and commercial development appraisals and how developers see Barnsley and the factors that are considered in them bidding for sites and investing in the Borough. This will include how land is selected / costs of development / profit margins and revenue considerations. It will also

consider commercial development illustrated with recent examples from the Councils property investment funds.

4.3 Recommendation 2: Clarity is sought regarding maintenance of historical CATs

(To ensure the sustainability of existing CATs, the TFG recommend that clarity is provided regarding the responsibility for maintenance of assets. In support of this, advice should also be given of potential sources of funding which relevant groups could apply for.)

The Asset Management Service accepts this recommendation and will explore this option. The Council's existing community assets transfer policy is a number of years old and is currently being reviewed with the intention of a refreshed policy being presented to Cabinet in the coming weeks. There are a number of assets which have been handed to the communities to maintain over previous years which have not been formal asset transfers (such as bowling pavilions) and it is proposed that a guidance note is issued to all around repairs and maintenance responsibilities. It is proposed that this guidance will also signpost these groups to potential sources of funding / organisations who can advise on funding opportunities.

4.4 Recommendation 3: BMBC should undertake cyclical maintenance inspections of CATs

(In the interests of health and safety, the TFG recommend that inspections are undertaken of CATs to ensure they are safe for the public to continue to use. Given that CATs may be undertaken by local volunteers who may not necessarily be well-versed in all of the relevant regulations, visits by BMBC will help ensure the health and safety of all those involved)

The Asset Management Service accepts this recommendation and will explore this option. Assets which have been formally transferred freehold or leasehold will have requirements within the transfer documents to maintain the assets to an appropriate standard. Consideration can be given to cyclical inspections of these assets, but this will have an impact on current Asset Management resources and depending on the findings of such inspections may have a financial consequence to either the community group or the Council. If premises are found not to meet with minimum requirements they will either need to be closed or their future use reviewed. If these instances arose, these would need to be reported back to Cabinet on a case by case basis.

4.5 Recommendation 4: A quick reference / tick sheet guide is provided in the new CAT policy documentation

(Having learned from the experiences of those involved in undertaking a CAT, the TFG recommends that a summary guide is developed which highlights the key considerations groups need to account for before they undertake a CAT and where they can seek support. This should include for example plans for building maintenance, relevant guidance on health and safety law and employment law, sustainability considerations as well as advising on the potential timescales involved in undertaking a CAT. Similarly it would be helpful to point groups towards both local and national organisations and useful websites which may be able to provide support.)

The Asset Management Service accepts this recommendation and will be bringing a refreshed Community Asset Transfer policy to Cabinet in the coming weeks.

The intention of the new (refreshed) policy will be to make the process of applying for community asset transfers more straight forward and will provide high level advice and guidance around support and organisations that can assist in this process. The new policy will address the issues raised by the task and finish group and lessons learned from the site visits to Penistone and Athersley.

The Asset Management Service is also preparing a tenant's manual which will set out useful information for all tenants who rent property from the Council. Once approved this will be issued to all parties who rent property from the Council.

4.6 Recommendation 5: Communication efforts with regards to fire safety are targeted at those in residential complex buildings

(Given the increased risks where buildings are in multiple occupancy, the TFG recommends that communication activity is targeted at those residents. Specific examples include warning them of the dangers of purchasing cheap electrical goods, such as phone chargers, which may not meet modern safety standards. Every individual needs to be responsible for their own health and safety, however additional support may be required for those with disabilities or where English is an additional language to ensure they are aware of fire safety and evacuation procedures)

The Council and Berneslai Homes support this recommendation and are already working to introduce 'Personnel Projection Plans' in complex residential buildings owned by the Council and managed by Berneslai Homes. The plans assess the risk of the individual and tailor fire safety advice and evacuation procedures to their needs.

4.7 Recommendation 6: BMBC adopts the ISO 50001 standard for Energy Management Systems

(To ensure BMBC maximises its energy efficiency and to make sure that energy considerations are embedded in all of the Council's policies the TFG recommends the adoption of this standard. By undertaking this, the Council will be able to improve its energy performance, make cost savings and help reduce its carbon footprint.)

The Asset Management Service supports this recommendation. The Corporate Asset Manager welcomes the opportunity to work to and adopt the ISO 50001 standard for Energy Management Systems, which will in turn support the work of the team and energy efficiency of the Council's asset base. This recommendation also aligns with the Asset Strategy and theme 6 which is dedicated to energy.

5. Implications for local people / service users

5.1 The recommendations made are in support of the recently adopted Asset Strategy.

5.2 Effective management of the Council's Assets is essential for local people and service users. The recommendations support / ensure appropriate services and plans are in place to support our communities whether this is regarding fire safety, provision of buildings or efficient energy use.

- 5.3 The proposals to increase the use of CATs provides opportunity for local groups to manage local assets.

6. Financial implications

- 6.1 There are no specific financial implications in responding to the recommendations in the report.
- 6.2 Further reports will be prepared for Cabinet should any of the recommendations give rise to financial implications not already allowed for within the Assets base budget.

7. Employee implications

- 7.1 There are no specific employee implications in responding to the recommendations in the report.

8. Communications implications

- 8.1 The recommendations and responses consistently highlight the importance of effective communication in relation to the Council's Asset Strategy and wider use of land and property assets.
- 8.2 A communications plan will be established that will include both clarity of information in relation to asset policies as well as utilising specific communication channels to ensure asset messages reach target audiences.

9. The Corporate Plan and the Council's Performance Management Framework

- 9.1 As outlined in the Corporate Plan, the three priorities for Barnsley are: a thriving and vibrant economy, strong and resilient communities; and citizens achieving their potential. The Council's Asset Management Strategy 2017-20 sets out how it will support each of these outcomes for example by reducing costs, increasing income and enabling communities to develop assets and create local economic opportunities.

10. Promoting equality & diversity and social inclusion

- 10.1 In responding to the recommendations the Asset Management Service supports ensuring all Council assets and activities are accessible to all its communities and are maintained and managed in accordance with appropriate standards.

11. Tackling the impact of poverty

- 11.1 There are no issues arising from this report.

12. Tackling Health Inequalities

- 12.1 By encouraging people to become more active in their local community, we can have a direct impact on health and wellbeing. By encouraging and supporting

people to be part of a CAT, we can also support the provision of localised services which may be of specific support to tackling health inequalities in our communities.

13. Risk management issues

- 13.1 This issue relates to the following risks currently logged in the Strategic Risk Register (SRR), as follows:

3543 – ‘Failure to ensure the adequate supply of land for housing and commercial property growth’

- 13.2 This issue also relates to the following risks currently logged in the risk register for Business Unit 11 (Assets), as follows:

3306 – ‘Failure to ensure that opportunities for communities to improve the quality of life and environment are suitably communicated and facilities, leading to dilapidated assets, under used buildings and cost pressures regarding maintenance.’

- 13.3 It is likely the recommended activities detailed in this report will contribute further to the effective mitigation of these risks, and it would be appropriate for any follow-up report regarding asset management activities and community asset transfers to be cognisant of these risks.

14. Glossary

BMBC	Barnsley Metropolitan Borough Council
CATs	Community Asset Transfers
OSC	Overview and Scrutiny Committee
TFG	Task and Finish Group

15. Background papers

- BMBC’s Asset Management Strategy Cabinet Report (Cab.31.5.2017/8):
<http://barnsleymbc.moderngov.co.uk/documents/s20627/Asset%20Strategy%202017-2022.pdf>
- BMBC’s Asset Management Strategy 2017-2020:
<http://barnsleymbc.moderngov.co.uk/documents/s20628/Appendix%20A.pdf>
- Existing Community Asset Transfer Policy (Cab.30.1.2013/6.3):
<http://barnsleymbc.moderngov.co.uk/Data/Cabinet/201301301000/Agenda/item%20g6.3.pdf>
- Overview and Scrutiny Committee Task and Finish Group Report on Barnsley Council's Asset Management (Cab.21.3.2018/6):
<http://barnsleymbc.moderngov.co.uk/documents/s32294/Overview%20and%20Scrutiny%20Committee%20-%20Task%20and%20Finish%20Group%20-%20Barnsley%20Councils%20Asset%20Management%20Cab.2.pdf>

Correspondence regarding this matter is held on the files in Asset Management – not available for inspection contains exempt information.

If you would like to inspect background papers for this report, please email governance@barnsley.gov.uk so that appropriate arrangements can be made.

Report author: Tim Hartley

BARNSELY METROPOLITAN BOROUGH COUNCIL

This matter is not a Key Decision within the Council's definition and has not been included in the relevant Forward Plan

Report of the Executive Director (Core Services)

STRATEGIC RISK REGISTER – Full Review March 2018

1. Purpose of the Report

- 1.1 The Strategic Risk Register (SRR) contains those high level risks which are considered to be significant potential obstacles to the overall achievement of the Council's corporate objectives.
- 1.2 Like all risk registers, it is important that the SRR remains up to date and is reviewed regularly in order to accurately reflect the most significant risks to the achievement of corporate objectives and facilitate timely and effective mitigations of those risks.
- 1.3 Following a review of the SRR in October 2016, a further review of the SRR was undertaken in October 2017. The outcomes of that review are detailed in the body of this report.

2. Recommendation

2.1 It is recommended that:

- i. Cabinet confirms that the high level strategic risks articulated within the SRR fully reflect the current position of the Council; and,
- ii. Cabinet considers the content of this report, and continues to commit to support the Corporate Risk Management process and the embedding of a Risk Management culture within the organisation.

3. Introduction and Background

- 3.1 The Introduction and background to the SRR is included as Appendix One to this report.

4. Risk Profile

- 4.1 The table below sets out the distribution of the SRR risks across the six concern rating classifications:

Risk Concern Rating	Number of Risks (as at March 2018)	Percentage (as at March 2018)	Number of Risks (as at Oct 2017)	Percentage (as at Oct 2017)	Number of Risks (as at March 2017)	Percentage (as at March 2017)	Number of Risks (as at Oct 2016)	Percentage (as at Oct 2016)
1	0	0%	1	5%	0	0%	0	0%
2	3	15%	3	15%	3	16%	4	20%
3	7	35%	6	30%	5	26%	6	30%
4	9	45%	8	40%	9	47%	9	45%
5	1	5%	2	10%	2	11%	1	5%
6	0	0%	0	0%	0	0%	0	0%
Total	20	100%	20	100%	19	100%	20	100%

- 4.2 The total number of risks logged in the SRR has remained stable, however:
- Risk 4103 ('Waste PFI – Insurance Risk') has been removed from the SRR following its de-escalation;
 - Risk 3027 ('Failure to manage organisational change - 'Risk of Destabilisation of the Organisation') has been removed and replaced with risk 4154 ('Failure to achieve the full benefit of our change work to date and to ensure it is sustainable for the future.');
 - Risk 4170 ('Failure to ensure the Glassworks Programme delivers the appropriate levels of retail, market and leisure space that allows for a robust level of return on investment to be made that allows the Council to recover its borrowing within a suitable timescale and deliver the positive impacts on the Town Centre and wider economic landscape') is now included as a new risk.
- 4.3 The current review identified one risk that has had its risk concern rating increased:
- Risk 3029 ('Failure to safeguard information) – was concern rating '4', and is now logged with a concern rating '3: Reflects possible exposure to areas of non-compliance relating to the General Data Protection Regulations which re due to come into force in May 2018.

- 4.4 Details of the average risk category score for the SRR, from the 'zero-based' review in March 2013 are detailed below:

	Period										
	Mar 2013	Oct 2013	Feb 2014	Sept 2014	Feb 2015	Oct 2015	Mar 2016	Oct 2016	Mar 2017	Oct 2017	Mar 2018
Average Risk Concern Rating	3.70 →	3.47 ↓	3.47 →	3.35 ↓	3.5 ↑	3.47 ↓	3.37 ↓	3.35 ↓	3.52 ↑	3.45 ↓	3.4 ↓

- 4.5 The slight variance in the average concern rating is directly attributable to the removal of risk 4103, the addition of risk 4154 and 4170, allied to the changes to risk 3029 detailed in section 4.2 – 4.3 of this report.

5. Highlights Arising from the March 2018 Review

- 5.1 The highlights of the March 2018 review include:

5.2 Significant / 'Red' Risks:

- 5.2.1 Risk 3026: Failure to achieve a reduction in health inequalities within the Borough:

Risk:	Risk Owner:
Risk 3026 – Failure to achieve a reduction in health inequalities within the Borough.	Director of Public Health
Consequences:	
Health inequalities persist. Life expectancy in Barnsley remains well below the national average. Such health inequalities challenge not just the health and social care services but every one interested in the future prosperity and well-being of the borough. <i>For more information, see Appendix Three.</i>	

During the review meeting, the Director of Public Health was challenged to consider whether the risk score could be changed. It was agreed to leave this risk as 'red' as analysis of the data that underpins this risks confirms that at this time is not improving.

5.2.2 Risk 3792: Failure to be prepared to assist in the event of an emergency resilience event in the region:

Risk:	Risk Owner:
Risk 3792 – Failure to be prepared to assist in the event of an emergency resilience event in the region.	Executive Director, Core Services
Consequences:	
Recent emergencies relating to industrial actions and flooding proves there is still an inappropriate reliance on the increasingly limited resources of the HS&ERS to manage and lead on the management of emergency events. <i>For more information see Appendix Three.</i>	

During the review meeting, the Head of Health, Safety and Emergency Resilience was challenged to consider whether the risk score could be changed. It was agreed to leave this risk as 'red' until further testing of the Councils resilience arrangements can be undertaken.

5.2.3 Risk 3793: Failure to ensure that appropriate disaster recovery arrangements are in place to ensure the Council is able to recover in the event of a business continuity threat or incident:

Risk:	Risk Owner:
Risk 3793 – Failure to ensure that appropriate disaster recovery arrangements are in place to ensure the Council is able to recover in the event of a business continuity threat or incident	Executive Director, Core Services
Consequences:	
In the event of a business continuity threat the Council will be unable to recover in an effective manner resulting in lost time and resources. Inability for customers to be able to access services and a lack of access to IT systems to enable employees to undertake their duties effectively. <i>For more information see Appendix Three.</i>	

During the review meeting, the Service Director, Information Technology was challenged to consider whether the risk score could be changed. It was agreed to leave this risk as 'red' until further testing of the Councils resilience arrangements can be undertaken.

5.3 New / Emerging Risks:

5.3.1 There are two new risks logged on the SRR as follows:

- Risk 4154 – Failure to achieve the full benefit of our change work to date and to ensure it is sustainable for the future; and,
- Risk 4170 - Failure to ensure the Glassworks Programme delivers the appropriate levels retail, market and leisure space that allows for a robust level of return on investment to be made that allows the Council to recover its borrowing within a suitable timescale and deliver the positive impacts on the Town Centre and wider economic landscape.

5.4 Other Material Changes:

5.4.1 Details of all SRR risk concern ratings, including a direction of travel indicator to provide details of the 'trend' of the SRR risk profile are included as Appendix Two to this report.

6. Assurance

- 6.1 This report and the SRR (which is attached to this report as Appendix Three) itself will be submitted to the Audit Committee at their meeting of 18th April 2018, in order to provide assurances that these significant risks are being managed appropriately.
- 6.2 The Audit Committee have expressed a clear interest in receiving assurance from Cabinet that appropriate challenge and scrutiny of corporate risk management arrangements take place, and engagement with significant risks through reports on the SRR will be a key source of assurance. The Audit Committee will be informed of the outcomes of Cabinet's consideration of the SRR.

7. Future Review of the SRR

- 7.1 Future review of the SRR are now programmed with other governance related reports such as those relating to Corporate Finance and Performance Management in order for Cabinet to receive and consider these governance related reports as a broad suite of documents.

8. Delivering Corporate Plan Ambitions

- 8.1 The SRR lists those significant risks which could impact upon the delivery of the Council's priorities and objectives, as set out in the Council's Corporate Plan. Risks within the SRR are directly linked to the Corporate Plan in order to ensure that the register is focused upon those risks which are considered to be significant potential obstacles to the achievement of corporate objectives.

9. Risk Management Issues

- 9.1 The report focuses on the further development of the SRR and the contribution this will make to the embedding of a risk management culture throughout the Council.
- 9.2 Failure to develop the SRR will present a significant risk to the successful implementation of the required Risk Management culture within the Council.

10. Financial Implications

- 10.1 There are no specific financial implications arising directly from this report, although there is often a cost in taking (or not taking) specific action that was identified through the risk management process. Most individual Cabinet Reports have financial implications and so the application of good risk management practices is vital to ensure the most effective use of resources.

11. Appendices

Appendix One: SRR Introduction and Background
Appendix Two: Direction of Travel / Trend Report
Appendix Three: Full SRR as at October 2017

12. Background Papers

- 12.1 Various papers and electronic files and risk registers are available for inspection at the Westgate Plaza One offices of the Council.

If you would like to inspect background papers for this report, please email governance@barnsley.gov.uk so that appropriate arrangements can be made.

1. Introduction

- 1.1 The embedding of a culture where Risk Management is considered a part of normal business process is crucial to the delivery of the Risk Management Policy and Strategy and the implementation of good governance arrangements.
- 1.2 A robust and dynamic SRR sets the culture and tone for Risk Management across and throughout the Council. The engagement of the Senior Management Team (SMT) in the Risk Management process through their ownership and review of the SRR demonstrates a strong commitment to lead and champion Risk Management 'from the top' and to further reinforce the continuing development of a Risk Management culture.
- 1.3 The risks in the SRR are owned by SMT, with the management of individual risks being allocated to a Risk Manager (a member of SMT) and measures to mitigate risks allocated to Risk Mitigation Action Managers (being those senior managers best placed to take responsibility to drive the implementation of those actions).
- 1.4 SMT is also responsible for ensuring that the SRR continues to express those high level risks which have a significant bearing upon the overall achievement of corporate objectives and that they are being appropriately managed.
- 1.5 In order to provide assurances that the SRR is being appropriately managed, reviews of the register are facilitated by the Risk and Governance Manager on a six monthly cycle. The results of these reviews are then presented to the Council's Directorate Risk Champions, and reported to SMT for further consideration and challenge. The outcomes of these processes are then reported to the Audit Committee, and subsequently, Cabinet.
- 1.6 This report provides a summary to Cabinet of the recent review, and highlights specific issues and actions for consideration. This ensures Senior Elected Members are aware of the SRR and can contribute to its development. The consideration of the SRR by Cabinet also contributes towards the role of Elected Members in assisting in the development of strategy and contributing to the identification of high level strategic risks, rather than simply monitoring the management of the Risk Management process.

2. Background and Context to the March 2016 Review

- 2.1 The review that has recently been completed is the fifth review of the SRR, which was significantly refreshed, following a 'zero-based' review of the SRR in March 2013.
- 2.2 The current review included:
 - **Consideration of the current expression of the Risk:**
Risk Owners are encouraged to consider risks in terms of Event > Consequence > Impact, and these are logged within the 'Risk Title' and 'Risk Consequences' fields.
 - **Consideration of links between Corporate Priorities, Outcomes and Risks:**
Each Risk is clearly linked to a Corporate Priority, and these are logged in the 'Priority' field.

Clear links between Corporate Outcomes and Risks have been identified and logged in the 'Existing Control Measures' field, to demonstrate the relevance of risks to the Council's performance management framework.

▪ **Consideration of the level of 'Concern' for each Risk:**

Clearly, all risks logged in the SRR are significant. A 'traditional' quantitative risk assessment of all SRR risks has been undertaken, and all of the risks logged in the SRR have been assessed as being 'red' due to their high rating in terms of probability and / or impact.

Whilst risk mitigation actions are in place, and efforts are being made to ensure the intended benefits of such risk mitigation actions are realised, the actual positive impact of these mitigations can often be hard to express in terms of the risk assessment itself, and ultimately, what are contextually small positive impacts on such significant risks may simply result in the *maintenance* of the assessment, rather than actually *improving* it.

As part of the 'zero-based' review of the SRR in March 2013, the use of a 'Concern Rating' was implemented. This qualitative assessment gives the Risk Owner, or SMT collectively, the opportunity to consider the following dynamic elements of the risks, rather than focusing on the traditional probability and impact based assessments:

Concern Rating	Description
1 - Red	Little confidence the Risk can be improved; Unachievable Objective; Difficult to Influence; or, Out of Tolerance.
2 - Red	Concern is between Rating 1 and Rating 3.
3 – Amber	Some confidence the risk can be improved; Moderately achievable Objective; Possible to Influence; or, Barley Tolerable.
4 – Amber	Concern is between Rating 3 and Rating 5.
5 – Green	Confident the Risk can be improved; Achievable Objective; Easily Influenced; or, Tolerable.
6 – Green	Concern Rating is less than 5.

▪ **Consideration regarding *existing* Risk Mitigation Actions, as well as consideration of any *new* Risk Mitigation Actions:**

Each risk mitigation action is allocated a red, amber or green rating, on a similar basis as the Risk Concern rating. Risk mitigation action owners are asked to provide an assessment as to the overall progress and achievement of each of these actions. Of note is the fact that some risks may be logged as being 'amber' or in some circumstances, 'red' in terms of the overall 'Concern Rating', but risk mitigation actions may be logged as 'green'. The implication of this is that the actions being taken are on track, but due to factors such as the 'long-tail' nature of some risks, the action may be something that is aimed at *maintaining* the risk, rather than *improving* it.

Similarly, some risks may be logged as having a 'Concern Rating' of 'green', with actions logged as being 'amber' or in some circumstances, 'red'. This reflects that whilst the risk itself may be acceptable, the actions themselves may be less so. In these circumstances, attention should be given to ensuring the action is resourced to ensure it is able to deliver the intended outcomes. This is in addition to the '% complete' field which is included within the register.

- **Consideration of Future Council Activity:**

As part of the current review, SRR Risk Owners were asked to consider the implications of the transition to the Future Council model, in terms of the ownership and positioning of the risk, along with any issues arising that may affect the delivery of risk mitigation actions.

- 2.3 Consideration was also given during each update meeting with Risk Owners regarding any new or emerging risks that should be considered, or any risk areas that may be developing that could influence the consideration of exiting risks.

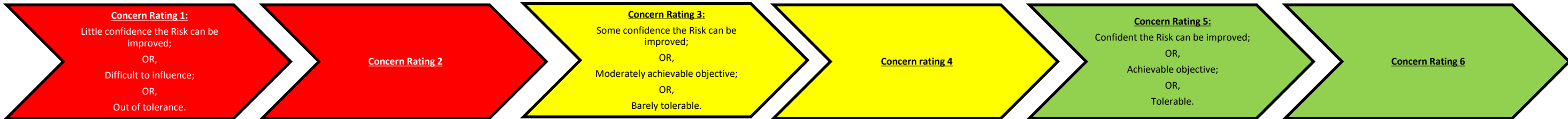
Appendix Two: Direction of Travel / Trend Report

Risk Number	Risk Title	Mar 2018	Oct 2017	Mar 2017	Oct 2016	Mar 2016	Sept 2015	Feb 2015	Sept 2014	Feb 2014	Oct 2013	June 2013
3021	Failure to build the Economy of Barnsley	Closed -	Closed -	Closed -	Closed -	Closed -	Closed -	Closed -	3 ⇕	3 ⇕	3 ⇕	3 -
3022	Inability to direct Corporate Strategy	4 ↑	3 ⇕	3 ⇕	3 ⇕	3 ⇕	3 ⇕ 2	3 ⇕	3 ⇕	3 ⇕	3 ⇕	3 -
3023	Failure to engage with Stakeholders	5 ↑	4 ⇕	4 ↑	3 ⇕	3 ⇕	3 ⇕	3 ↑	2 ↓	3 ⇕	3 ⇕	3 -
3024	Lack of Educational Attainment	4 ⇕	4 ⇕	4 ⇕	4 ↑	3 ⇕	3 ↓	4 ⇕	4 ⇕	4 ⇕	4 ↑	3 -
3025	Failure to Safeguard Vulnerable Service Users	3 ⇕	3 ⇕	3 ⇕	3 ⇕	3 ↑	4 ⇕	4 ⇕	4 ⇕	4 ⇕	4 ⇕	4 -
3026	Failure to achieve a reduction in health inequalities within the Borough	2 ⇕	2 ⇕	2 ⇕	2 ⇕	2 ⇕	2 ⇕	2 ⇕	2 ⇕	2 ⇕	2 ⇕	2 -
3027	Failure to manage Organisational Change ('Risk of destabilisation of the Organisation')	Closed -	5 ⇕	5 ⇕	5 ⇕	5 ⇕	5 ⇕	5 ⇕	5 ⇕	5 ⇕	5 ⇕	5 -
3028	Workforce planning issues	3 ⇕	3 ⇕	3 ⇕	3 ⇕	3 ⇕	3 ⇕	3 ⇕	3 ⇕	3 ⇕	3 ↓	4 -
3029	Failure to Safeguard Information	3 ↓	4 ⇕	4 ⇕	4 ⇕	4 ⇕	4 ⇕	4 ↑	3 ⇕	3 ⇕	3 ↓	4 -
3030	Failure to be prepared for an emergency response or business continuity threat	Closed -	Closed -	Closed -	Closed -	Closed -	2 ⇕	2 ⇕	2 ↓	3 ⇕	3 ↓	4 -
3031	Strategic Performance, Governance or Compliance failure	4 ⇕	4 ⇕	4 ⇕	4 ⇕	4 ⇕	4 ⇕	4 ⇕	4 ⇕	4 ⇕	4 ⇕	4 -
3032	Failure of Partnership Working / Supply Chains	Closed -	Closed -	Closed -	Closed -	Closed -	Closed -	Closed -	4 ⇕	4 ⇕	4 ⇕	4 -
3033	Failure to adapt the Authority into a sustainable organisation ('Failure to maintain current Services')	4 ⇕	4 ⇕	4 ⇕	4 ⇕	4 ⇕	4 ⇕	4 ↑	3 ⇕	3 ⇕	3 ↓	4 -
3034	Failure to deliver the Medium Term Financial Strategy ('Failure of the Future Council to be able to deliver the required level of savings')	4 ⇕	4 ⇕	4 ↑	3 ⇕	3 ↓	4 ↓	5 ⇕	5 ⇕	5 ⇕	5 ⇕	5 -
3035	Loss of assets and resources as a result of one-off incident of fraud / corruption / bribery or a sustained or widespread occurrence	3 ⇕	3 ⇕	3 ⇕	3 ⇕	3 ⇕	3 ⇕	3 ⇕	3 ↓	4 ⇕	4 ↓	5 -
3047	Failure to protect the population from preventable health threats	3 ⇕	3 ⇕	3 ⇕	3 ⇕	3 ⇕	3 ⇕	3 ⇕	3 ⇕	3 ⇕	3 ⇕	3 -
1630	Equal Pay Claims	Closed -	Closed -	Closed -	Closed -	Closed -	Closed -	3 ⇕	3 ⇕	3 ⇕	3 ↑	2 -
3514	Failure to be able to deliver the ambitions and outcomes associated with the Customer Service Organisation (CSO) Programme	4 ⇕	4 ⇕	4 ⇕	4 ⇕	4 ⇕	4 ⇕	4 -	-	-	-	-
3543	Failure to ensure the adequate supply of land for housing and commercial property growth	4 ⇕	4 ⇕	4 ⇕	4 ⇕	4 ⇕	4 ↑	3 -	-	-	-	-
3699	Failure to ensure the Council's commercial / trading arm is effective in its operations, and is a well governed organisation	4 ⇕	4 ⇕	4 ⇕	4 ⇕	4 ⇕	4 -	-	-	-	-	-

Risk Number	Risk Title	Mar 2018	Oct 2017	Mar 2017	Oct 2016	Mar 2016	Sept 2015	Feb 2015	Sept 2014	Feb 2014	Oct 2013	June 2013
3792	Failure to be prepared to assist in the event of an emergency resilience event in the region	2 ↕	2 ↕	2 ↕	2 ↕	2 -	-	-	-	-	-	-
3793	Failure to ensure that appropriate disaster recovery arrangements are in place to ensure the Council is able to recover in the event of a business continuity threat or incident	2 ↕	2 ↕	2 ↕	2 ↕	2 -	-	-	-	-	-	-
3794	Failure to ensure the governance arrangements underpinning and controlling the emerging City Region Deal Devolution Deal enable an appropriate blend of risk and reward for the Council	3 ↕	3 ↓	4 ↕	4 ↕	4 -	-	-	-	-	-	-
3842	Failure to ensure the transfer of 0-19 services that are coming back into Council control ensure customers remain safe, there is continuous service and that during and after the transition period customers remain safe	Closed -	Closed -	Closed -	2 -	-	-	-	-	-	-	-
4103	Waste PFI – Insurance Risk	Closed -	1 -	-	-	-	-	-	-	-	-	-
4154	Failure to achieve the full benefit of our change work to date and to ensure it is sustainable for the future	4 -	-	-	-	-	-	-	-	-	-	-
4170	Failure to ensure the Glassworks Programme delivers the appropriate levels of retail, market and leisure space that allows for a robust level of return on investment to be made that allows the Council to recover its borrowing within a suitable timescale and deliver the positive impacts on the Town Centre and wider economic landscape	3 -	-	-	-	-	-	-	-	-	-	-

This page is intentionally left blank

Strategic Risk Register - as at March 2018



Priorit y	Risk No	Risk Title	Risk Consequences	Risk Owner	Existing Control Measures	Oct-16	Mar-17	Oct-17	Mar-18	Risk Mitigation Action	Owner	% comp	Review Date
ECONOMY Page 33 CITIZENS ACHIEVING THEIR POTENTIAL	3543	Failure to ensure the adequate supply of land for housing and commercial property growth	<p>Without an adequate supply of land, the Council will face:</p> <ul style="list-style-type: none">• A decline in the Town Centre;• Decline in the value and quality of available housing stock;• A Decline on the overall Council Tax base available;• Lack of a conducive environment for developers;• Negative impact on Jobs and Business Growth Plan;• Lack of overall positive impact on the local Economy. <p>There are some important opportunities that Barnsley needs to exploit in order to ensure that it continues to meet its economic growth aspirations. These include the delivery of good quality and affordable housing and a range of commercial property. Underpinning this includes the potential offered through the delivery of superfast broadband, the use of low carbon technology and the scope to improve the area's visitor economy through better operation of its cultural assets (to attract visitors and spend) which will add to the overall viability of such housing and commercial schemes.</p> <p>In order to address the challenges and to maximise these and other opportunities, it will be essential to work in partnership with a variety of stakeholders to deliver a suite of priorities and key interventions, complete major regeneration projects, target both housing growth and business development and growth, and link new and existing jobs more effectively to local people.</p> <p>There are financial pressures making the delivery of the Local Plan difficult, but the positioning in two city regions (Leeds and Sheffield) provides opportunities to identify and maximise funding from these sources.</p> <p>Schemes that have been successful in obtaining external funding must be able to demonstrate adequate progress towards achieving their ambitions within appropriate timescales or face the risk of having the external funding removed;</p>	SMT SMT	<p>Local Plan - Examination in public (May, July and October 2017) followed by adoption in early Spring 2018. Examination and consultation process underway;</p> <p>Strategic Business Park - Working with Sheffield City Region regarding SCRIF funding to facilitate the development of Strategic Business Park infrastructure;</p> <p>Property Investment Fund - Working with Sheffield City Region regarding JESSICA funding to facilitate the identification of land to build speculative developments to aid commercial growth;</p> <p>Glassworks Programme - Ambitious programme of redevelopment with Barnsley Town centre which includes new developer led retail offer;</p> <p>SY Superfast Broadband programme which is intended to improve the infrastructure in the Borough, to benefit both commercial and residential stakeholders;</p> <p>Enterprising Barnsley schemes focusing on attracting inward investment, investing in infrastructure, growing existing businesses and encouraging higher activity start ups;</p> <p>Strategies in place include Jobs and Business Growth Plan, Transport and Employment and Skills that aim to make the Borough a thriving and unique place to live, work, visit and trade;</p> <p>Quarterly Developer Forums in place to ensure the Council is engaging with regional developers;</p> <p>Outcomes:</p> <p>Create more and better jobs and good business growth (GREEN)</p> <p>Increase skills to get more people working (AMBER)</p> <p>Develop a vibrant Town Centre (GREEN)</p> <p>Strengthen our visitor economy (GREEN)</p> <p>Create more and better housing (AMBER)</p> <p>Protecting the Borough for future generations (AMBER)</p>					<p>Refresh of Local Plan and approval by Cabinet in March 2016;</p> <p>Consultations complete and Cabinet approved in November 2016 - plans was submitted to Planning Inspectorate December 2016 who will measure extent of representations made before re-running numbers over two or three phases - likely to feedback in December 2017;</p> <p>Feedback re Stage 2 received and now progressing the Local Plan to Stage 3 in early October 2017 - likely to received further modifications which will require further consultation;</p> <p>The timescale for the adoption of the Local Plan is to be confirmed, however the current estimate is Spring 2018;</p>	ED Place	90% Green	30/09/18
						4	4	4	4	<p>Delivery of 3 year SCRIF programme (2015-18) :</p> <p>J36 Business Park: Road infrastructure completed, business park development held up by Local Plan (is benefiting from SCR Jessica funding);</p> <p>J37 Business Park: Business Plan submitted to Cabinet, followed by significant consultation including Planning. Phase II of scheme likely to be held up by Local Plan;</p> <p>Capitol Park;</p> <p>Ashroyd Business Park;</p> <p>PIF2: On schedule (is benefiting from SCR Jessica funding);</p> <p>Looking to accelerate spending and delivery on certain schemes to reduce delays and ensure funding is not pulled or reduced.</p>	ED Place	85% Green	30/09/18
	024	Lack of educational attainment	<p>Negative impact on pupils and parents in terms of health, economic, employment and life choices;</p> <p>Negative OFSTED inspection findings;</p> <p>Failure to meet DfE targets for educational attainment;</p> <p>Damage to reputation through poor performance in published league tables compared to the national average, and in poor inspection outcomes;</p> <p>Reputational damage from press;</p> <p>Potential adverse Annual Performance Assessment;</p> <p>Intervention by DfE;</p> <p>Poor educational outcomes will result in skills gaps and a negative impact on the development of the Boroughs economy;</p>	SMT SMT	<p>Performance Management Framework;</p> <p>CYPF Policies and Strategies;</p> <p>Barnsley Alliance established and reports to DMT and SMT;</p> <p>Work with the Barnsley Governors Association to ensure strong governance within schools;</p> <p>School Evaluation Team works to monitor, challenge and intervene in schools to improve standards and outcomes despite limited capacity;</p> <p>Overview and Scrutiny Arrangements;</p> <p>Children and Younger People's Plan 2016 - 2019 refreshed and adopted by TEG and Cabinet with aspirational targets;</p> <p>Corporate Parenting Group in place to delivery Service Improvement Plan which is monitored by the Safeguarding Governance Board and reported to Education Steering Group chaired by Cllr Cheetham - governance structures for 'virtual school' in place and working effectively;</p> <p>Outcomes:</p> <p>Every child attends a good school and is successful in learning and work (AMBER)</p> <p>Reducing demand through improving access to early help (GREEN)</p>					<p>Development of plans to ensure Barnsley Schools are in a strong position to implement the Progress 8 framework which is designed to encourage schools to offer a broad and balanced curriculum with a focus on an academic core at key stage 4, and reward schools for the teaching of all their pupils, measuring performance across 8 qualifications. This will also include:</p> <ul style="list-style-type: none">• Developing a Communications Strategy to ensure stakeholders understand the framework;• Continued liaison with schools via the Barnsley Alliance construct to ensure Progress 8 is embedded in BMBC maintained schoolsand,• Use of limited capacity within BMBC in terms of Schools Improvement activities. <p>Now reviewing impact on Barnsley maintained schools</p>	ED People	60% Green	30/09/18
						3	4	4	4	<p>Development of School Places Plan which will be designed to influence and build external markets - plan approved by SMT and Cabinet - now implementing plan</p>	ED People	60% Green	30/09/18
	3025	Failure to safeguard vulnerable service users	<p>The risk of not safeguarding vulnerable children, adults and families who are either known or not known to the service;</p> <p>The risk is made more significant due to a rise in the number of referrals (a 21% increase in the last 12 months) along with many cases having high levels of complexity which is affecting the overall capacity of the Service;</p> <p>Changes in demographics mean there are more 'older-older' people which means an increased demand for services;</p> <p>As increased pressure mounts to reduce budgets / spending, there will be a likely increase in demand for assistance, intervention and help from service users who are also under significant financial pressure;</p> <p>Better care at an young age for those with physical or other forms of disability means life expectancy increases which puts further pressure on Adult Services;</p> <p>Arrangements are not sufficient to keep children and young people safe from harm, abuse or neglect;</p> <p>National and local child abuse enquiries affecting public confidence and reputation of local authorities and other agencies;</p> <p>The risk is compounded by whether or not the children at risk are known to the service;</p> <p>The system that delivers to children, vulnerable adults, young people and families is increasingly complex. Complexity arises from a number of factors; the number of partners with responsibilities for commissioning and/or delivering services to vulnerable children; the changing legislative, policy and financial landscape; the different mechanisms for partnership working to align delivery and test the effectiveness of services; the potential for changes within the workforce at operational levels and strategic levels;</p>	SMT SMT	<p>Adults Safeguarding Board;</p> <p>Barnsley Safeguarding Children Board;</p> <p>Opportunities to undertake Lessons Learnt reviews are fully exploited by the Safeguarding Board (including regional and joint learning);</p> <p>Service Delivery Plans / Business Plans;</p> <p>Service Improvement Plan (Children's) developed to deliver OFSTED Safeguarding Recommendations;</p> <p>Overview and Scrutiny arrangements;</p> <p>Action Plan developed using OFSTED inspection framework;</p> <p>Adults Social Care Peer review - outstanding actions consolidated into Business Plan;</p> <p>Making Safeguarding personal programme - outstanding actions consolidated into Business Plan;</p> <p>Adults and Childrens Safeguarding Business Plans refreshed 2018;</p> <p>Review of Governance and Performance Arrangements undertaken for Stronger Community Partnership who own the Early Help workstream;</p> <p>Self Evaluation undertaken against the OFSTED Framework in October 2017 - action plan developed;</p> <p>Outcomes:</p> <p>Children and Adults are safe from harm (AMBER)</p>					<p>Adults Safeguarding - development of outcome based Performance Framework - use of qualitative data to improve outcomes</p>	ED People	30% Green	30/09/18
						3	3	3	3	<p>Delivery of Action Plan following self-assessment against OFSTED Framework</p>	ED People	20% Green	30/09/18
										<p>Safeguarding Awareness Week 2018 (09/07/2018 - 14/07/2018) planning underway to develop a successful Safeguarding Awareness Week that builds on the successes from 2017 and 2016 - likely to be a further week that will cover the regional / South Yorkshire area</p>	ED People	20% Green	30/09/18

Priorit y	Risk No	Risk Title	Risk Consequences	Risk Owner	Existing Control Measures	Oct-16	Mar-17	Oct-17	Mar-18	Risk Mitigation Action	Owner	% comp	Review Date
1	3026	Failure to achieve a reduction in Health inequalities within the Borough.	Life expectancy in Barnsley remains well below the national average and varies between different parts of the borough; Health inequalities challenge not just the health and social care services but every one interested in the future prosperity and well-being of the borough; The cost of health inequalities is borne not just by health and social care services and parents, carers and children, but by employers and the local economy; Healthy people are less likely to be socially excluded and more likely to be in work; Healthy children are more likely to do well at school; Available evidence shows that health is closely associated with people's standard of living, occupation, level of education and where they live;	SMT SMT	Various plans and strategies in place with key partners aimed at addressing health inequality; Liaison with Clinical Commissioning Group (CCG) and GPs to ensure that the right services are being commissioned; Joint Strategic Needs Assessment (JSNA) undertaken to ensure an appropriate understanding of the requirements of the population of Barnsley; Public Health Strategy and Implementation Plan has been considered by H&WB Board and includes references the Sustainability Transformation Plan (STP); Tobacco and Alcohol prevention plans link to STP and the local Barnsley Plan feeds into this also; Barnsley Place Based Plan has been developed and feeds into the STP (which acts as the delivery vehicle for the health and Wellbeing Partnership); Local Accountable Care Partnership (which includes representation from BMBC) developed which is responsible for delivery of the Place Based Plan and includes responsibility for delivering Place based elements of the STP and Health Lives workstream; Outcomes: People are happier, healthier, independent and active (AMBER)	2	2	2	2	Renewing of Public Health Stratgy - refresh due in 2018	Director Public Health	15% Green	30/09/18
	3047	Failure to protect the health of the population from preventable health threats.	Failure to protect health and population against preventable disease by ensuring appropriate levels of vaccination, immunisation and screening.	SMT SMT	Liaison with NHS and Public Health England regarding large scale response; Currently Barnsley has above average coverage regarding public health related screening and vaccinations; Health Protection Board functioning well; BMBC DPH is co-chair of Local Health Resilience Partnership; HPB established – good engagement from partners at local and regional meetings and proportionate systems are in place;	3	3	3	3	Audit of Health Protection Arrangements undertaken - national audit programme has identified a number of improvement opportunities, but some rely on national guidance to implement	Director Public Health	25% Green	30/09/18
	3023	Failure to engage with stakeholders	Non ability to explain Councils position and / or public relations; Failure to communicate effectively with community/stakeholders; Lack of proper engagement with stakeholders, at the right level, and at the right time; Loss of confidence in ability to deliver services or respond to problems; Lack of community support which prevents and / or hinders improvement or effective implementation of change; High expectation of service delivery and resource availability despite budget reductions; Poor engagement with regard to Future Council Activity could result in legal challenge; Increased community tensions as a result of Brexit decision resulting in a loss of community cohesion and increased incidents of hate crime;	SMT SMT	Community Engagement Strategy; Barnsley 'Deal' - making clear exactly what the Council offers and sets out what support is needed from people living and working in Barnsley; Supported by the Love Where You Live campaign (3,500+ volunteers have stepped forward to support their communities in different ways, and the work of all of our communities was recognised in March 2017 when Barnsley won the Local Government Chronicle Award for Community Involvement). Residents' survey - 20% of residents would like to get involved in their local community and to improve their neighbourhood; Outcomes: People volunteering and contributing towards stronger communities (AMBER)	3	4	4	5	Refresh of Community Engagement Strategy that underpins Stronger Communities Partnership and Community Safety Partnership (council, not multi-agency) - revised Community Engagement Strategy to be considered by Cabinet in March 2017 - following approval, an implementation plan will be developed to underpin the 'deal' between the Council and its stakeholders - now developing an Implementation Plan Conclusion of voluntary, community and social enterprise infrastructure review - report due to Cabinet in February 2018 Development of 'Town Spirit' as part of Barnsley Deal aiming to recast relationship between the Council and Communities Recommissioning of U-Engage system Development of Strategic Commissioning Group with partners including CCG, Barnsley Hospital and SWYPFT	ED Communiti es ED Communiti es ED Communiti es ED Communiti es	40% Green 90% Green 10% Green 25% Green 15% Green	30/09/18 30/09/18 30/09/18 30/09/18
	1792	Failure to be prepared to assist in the event of an emergency resilience event in the region	Reduced employee numbers, service rationalisation, third party service delivery models and on-going budget cuts may challenge the Authority's ability to fulfil its Civil Contingencies Act 'Category One' responder duties to an extent expected by residents and their political representatives; Recent responses to emergency events proves there is still an inappropriate reliance on the increasingly limited resources of the HS&ERS to manage and lead on the management of emergency events;	SMT SMT	Business Unit/Service Business Continuity Plans developed using the template provided and reviewed in 17/18; Corporate Resilience Plan and supporting specific plans; Ongoing liaison with SMT regarding aspirations and expectations during emergency events; Formal on-call arrangements by the Health, Safety and Emergency Resilience Service (bronze/operational) and BLT (strategic/gold); Multi-agency working across the Local Resilience Forum; Operational Services role as 'Lead Local Flood Authority'; Corporate emergency plans appear robust and are well delivered - concern raised regarding the management of those incidents that occur 'out-of-hours'; Ward Alliances encouraged to consider and develop Community Flood plans - Dodworth, Darfield and Penistone visited; Corporate Resilience Plan reviewed following transition to Future Council; Exercise Refresh - October 2018	2	2	2	2	Busienss Unit / Service continuity plans reviewed in 17/18 - some gaps identified which are to be highlighted to SMT in Spring 2018 which will include a 'check and challenge' session with relevants business units / services Flooding report being developed for SMT in Spring 2018 - will be asking Ward Alliances for copies to their own Flood Plans which will then feed into the Overview and Scrutiny task and finish group analysis which will be reported to Cabinet in Autumn 2018	Executive Director, Core Services Executive Director, Core Services	50% Green 25% Green	30/09/18 30/09/18
	3793	Failure to ensure that appropriate disaster recovery arrangements are in place to ensure the Council is able to recover in the event of a business continuity threat or incident	In the event of a business continuity threat the Council will be unable to recover in an effective manner resulting in lost time and resources; Inability to process customer queries resulting in dissatisfaction, complaints and possible issues regarding safeguarding and vulnerable customers; Lack of support to employees such as that provided to lone workers as a result of IT and telephony systems being unavailable for significant lengths of time; Inability for customers to be able to access services; Lack of access to IT systems to enable employees to undertake their duties effectively;	SMT SMT	Working with Health and Safety and Emergency Resilience Service; Data Centre located at Beevor Court; Working with Business Units to understand their requirements; Informal testing programme in place; Power supplies tested on a weekly basis; Infrastructure Team in place to support out of hours / weekend activities;	2	2	2	2	Immediate / 24 hour priority services identified and aligned with IT systems with the external data centre. This has now being mapped by the Enterprise Architect team and the 'top' 30% technical dependent systems identified - the recovery order has now been agreed, resilience arrangements are now being considered Following development of recovery order, consider testing arrangements	Executive Director, Core Services Executive Director, Core Services	60% Green 0% Green	30/09/18 30/09/18
	3022	Inability to direct corporate strategy	The Authority may be challenged by internal friction between Elected Members and appointed leadership, especially with regard to challenging decisions with significant political consequences or local repercussions; Local commissioning activity not being undertaken correctly resulting in legal challenges and reputational damage;	SMT SMT	Council Constitution; Corporate Plan; In the event of Constitutional dispute, role of Monitoring Officer to adjudicate as and when tensions arise; Area Council Arrangements in place, with supporting documentation in the form of 'Area Governance Handbook', 'Ward Alliance Governance Handbook', 'Ward Alliance Community Representative Handbook', 'Consulting and Engaging our Communities through Neighbourhood Networks' and 'Working with you to support your Community'; Private / informal Cabinet meetings used as a forum to discuss sensitive and confidential issues; SMT meetings and processes to ensure leadership is able to keep in touch with regard to pressures; Area Chairs meet each other on a regular basis to ensure cooperation and consensus; Member information session held regarding Conduct and Commissioning; Officer Working Group in place to support commissioning and procurement activity; Area Council Officer Coordinating Group to unpick issues relating to Area Governance - developing Member Protocol to deal with potential tensions within Ward Alliances in place and working effectively; Area Council Commissioning Group to unpick issues relating to procurement and commissioning in place and working effectively; Area Council Chairperson Group to encourage cooperation and consensus amongst Area Councils in place and working	3	3	3	4	Monitor and Review Area Council activity (in terms of Area Council Coordinating Group, Area Council Commissioning Group and Area Council Chairperson Group) (17/18) Monitor and Review Area Council activity (in terms of Area Council Coordinating Group, Area Council Commissioning Group and Area Council Chairperson Group) (18/19) Monitor and review the implementation and effectiveness of revised Contract Procedure Rules to deal with commissioning of internal services from Area Council budgets (17/18) Monitor and review the implementation and effectiveness of revised Contract Procedure Rules to deal with commissioning of internal services from Area Council budgets (18/19)	Executive Director, Core Services Executive Director, Core Services Executive Director, Core Services Executive Director, Core Services	75% Green 0% Green 75% Green 75% Green	30/09/18 31/03/19 30/09/18 31/03/19
	3028	Workforce planning issues	The Council requires employees to have different skill sets that underpin a transformed business model. Operationally, risks inherent in organisational down-sizing initiatives will include: - Increasing workforce productivity; - Getting the balance right between cost and benefit; - Need to reduce deficit reductions; - Balancing the impact of reducing the workforce and the economic impact on the community; and, - Maintaining morale in the remaining workforce.	SMT SMT	HR Policies; Council Constitution; Equalities and Diversity Policy; Risk Management Policy; Management and monitoring of 'Future Council' / KLoE activity; Organisational Development Strategy monitoring reports to Scrutiny; Regular progress reports against Future Council characteristics to SMT; NW Employers session - workforce planning now a more important element of Business Planning processes; Workforce Planning arrangements now embedded into Business Planning activities;	3	3	3	3	Delivery of Organisational Improvement Strategy including oversight and governance arrangements being delivered by Organisational and Improvement Board 18/19	Executive Director, Core Services	25% Green	30/09/18

Priorit y	Risk No	Risk Title	Risk Consequences	Risk Owner	Existing Control Measures	Oct-16	Mar-17	Oct-17	Mar-18	Risk Mitigation Action	Owner	% comp	Review Date
ONE COUNCIL TICNOUNO	3029	Failure to safeguard information	The Council is increasingly managing, storing and maintaining personal data and information as part of the delivery of services. With data held in a vast array of places and transferring between supply chain partners, it becomes susceptible to loss, protection and privacy risks; Loss of personal and financial information held by Council employees and systems; Financial and non-financial penalties from Information Commissioners Office; Loss of public confidence in the ability of the Council to store sensitive information, possibly resulting in a reduction in the use of public self-service facilities; Failure to maintain PSN compliance leading to the suspension of the Councils connection to the government secure network; Non compliance with General Data Protection Regulations, Data Protection Act and Freedom of Information Act; Non compliance with Payment Card Industry Data Security Standards (PCI DSS) leading to the inability to process payment card transactions; Failure to ensure that unwanted data is cleared and disposed of, leading to non-compliance with DPA requirements; Inability to gather data from other agencies to strengthen and benefit the Council's activities; Failure to have appropriate data sharing agreements with agencies and partners leading to vicarious liability in the event they lose or misplace sensitive information; Inability to ensure that partners that we share data with are in themselves compliant with appropriate guidance and legislation;	SMT SMT	Information Management and Governance Policies; Executive Director of Core Services - Senior Information Risk Officer (SIRO); Information Governance Team in place to provide advice, guidance and training; Records Management Team in place to provide advice, guidance and training; Information Governance Board in place; Three Caldicott guardians established within Public Health and People (Adults and Childrens services) Directorates; Proactive Phishing campaign to identify risk areas; Proactive approach to PSN compliance - addressing lower risk issues that may become bigger in future years; SharePoint being rolled out across Council during 2016 - 2019; Head of Internal Audit assumed role of DPO in order to achieve GDPR compliance and completed DPO accredited training in 2018; ICO Consensual Audit 2017 - concluded the Council had provided 'reasonable assurance'; Action Plan with progress updates on GDPR being presented to the Audit Committee; Sharepoint intranet portal for IS and GDPR resources in place;	4	4	4	3	Removal of Citrix from personal computers due to PSN constraints	Executive Director, Core Services	90% Green	30/09/18
										Review of IG Toolkit - aiming for L3 compliance in 2018/19	Executive Director, Core Services	60% Green	31/03/18
										ICT systems access system access, review policy and simplify process for new starters, movers and leavers - is being progressed as part of IT Services pursuit of ITIL compliance and Digital First.	Executive Director, Core Services	15% Green	31/03/18
										Activities to ensure compliance with General Data Protection Regulations 2018: • high level action plan monitored weekly; • quick reference guides drafted (consent, processing child data, individual rights and privacy notices; • Review of all policies underway; • Elected Members mandatory training underway; • Data Protection Officer job profile drafted and waiting evaluation; • Corporate GDPR training course being re-written and published to all staff and third parties, once IG Policies have been approved; • Cyber security software tender awarded – project manager established and ready to implement software.	Executive Director, Core Services	65% Green	
										PSN Compliance review undertaken in December 2017 - review completed and not successful. Now awaiting confirmation regarding certification which may be delayed until the next review in March 2018	Executive Director, Core Services	75% Amber	30/09/18
										Procurement of Perimeter Defence System - current arrangements expire in September 2018 - likely to be a four month window where the Council is exposed to attempts to penetrate the Councils IT systems - affecting connections to Council Tax, Health, Education and Social Care. In order to mitigate the Councils exposure, extra monitoring of perimeter activity is in place and a reduction in the timescale for the tender exercise has been agreed	Executive Director, Core Services	25% Amber	30/09/18
	3031	Strategic Performance, governance or compliance failure	Budgetary pressures to minimise back office functions may drive the Authority to downgrade the focus on meeting proper governance standards and ultimately, remaining 'safe'. The implementation of the Area Council Arrangements has required the Council's Constitution to have been significantly reviewed to ensure Area Council governance and Ward Alliance governance issues are included.	SMT SMT	Council Constitution; Local Code of Corporate Governance; Information Management and Governance Policies; ToR for Audit Committee; ToR for Scrutiny Committees; Internal Audit; Risk Management Policy; Performance Management Arrangements including revised Corporate Plan Performance Report and 'We Will Statements'; Terms of reference for all Overview and Scrutiny Committees reviewed; Scrutiny Committee workplans are now aligned to Corporate Priorities; Briefing for Elected Members relating to Performance Management of Area Council activity; Revised AGR process for 14/15; Analysis of Casey Rotherham Safeguarding Report undertaken - report to SMT in February 2015 including recommendations for Internal Audit activity; Improvements to the recording of officer delegated decisions to ensure this is in line with legislation completed via AGS Action Plan;	4	4	4	4	Monitoring and reviewing commissioning activities at Ward Alliance level 17/18 - progress being made in adapting to new governance arrangements	Executive Director, Core Services	75% Green	30/09/18
										Monitoring of AGS Action Plan (17/18)	Executive Director, Core Services	75% Green	30/09/18
	3033	Failure to adapt the Authority into a sustainable organisation - 'Failure to maintain current services'	The need to balance the books, gain efficiencies and meet new demands could lead the Council into drastic measures that could increase long-term risks and costs, both to the organisation as well as to the community; The Council runs the risk of moving away from addressing problems with long-term solutions, such as capital investment projects essential to meet social and area-based economic challenges; 'Short-termism' could potentially lead to decaying infrastructure and an inability to develop long-term economic vitality; Need to ensure that the Council has the right people to ensure sustainable opportunities are being exploited to their maximum.; Development of City Region Devolution Deal which while fiscally neutral, will provide more opportunities to strengthen the sustainability of the organisation by transferring a number of powers and policy levers from central Government to local leaders, including: • Skills; • Employment; • Business support; • Transport; and, • Housing.	SMT SMT	Council Constitution; Performance Management Framework; Growing Barnsley's Economy (2012-2033) - Economic Strategy; Customer Services Organisation project; Integrating areas of work and consideration of new Service Delivery models such as traded services or social enterprise; Contract for Leadership and Management training for all 4th tier and above officers agreed with IODA Training completed. Second and third wave of leadership training underway; Future Council Strategy and Workforce development refreshed and approved by Cabinet in March 2017; New Corporate Plan 2017-2020 developed and published; Talkabout sessions delivered May and June 2017 led by Executive Directors which aimed to link new Corporate Plan to Business Plan via 'golden thread';	4	4	4	4	Corporate Talkabouts being developed for Spring / Summer 2018	Executive Director, Core Services	10% Green	30/09/18
										Delivery of Key Drivers (growth, early help, local devolution, behaviour change and digital first) as detailed in the Future Council 2020 Improvement, Growth and Sustainability report 2018	Chief Executive	25% Green	30/09/18
	3034	Failure to deliver the Medium Term Financial Strategy and its underlying financial assumptions	Unsustainable financial position for the Council; Requirement for further KLOE process and consequential impact on front line services; Adverse effect on the Council's reserves and possibly falling below minimum working balances; Adverse External Audit report / opinion and possible Government intervention with impact on Council flexibility;	SMT SMT	Strong service and financial planning processes in place reported to SMT/ Cabinet to assess the impact and deal with it; Robust MTFS in place - eg 3 year balanced position through to 2020 and refreshed on a regular basis to reassess the underlying assumptions and incorporate national and local focus; Strong governance framework including refreshed Financial Regulations, Annual Governance Action Plan and other supporting strategies; Implementation of the Future Council model based on a Business Unit model; Financial Services structure and systems set up to support the above framework and business partnering model; Robust governance of savings, efficiencies and improvements; Strong Financial Monitoring and Performance Management Framework in place; Working groups established to specifically review any major over spending services eg. between Finance and People (ASC) to understand issues that are now stabilising - eg. specific review of BU6 with collaboration between Finance and Service staff;	3	4	4	4	Working with Budget Managers to further embed and exploit SAP Business Planning and Consolidation (BPC). New guidance being developed got imminent roll-out to encourage the further use of BPC by Budget Managers	Executive Director, Core Services	50% Green	30/09/18
										Working with Budget Managers to develop SAP Business Objects - proof of concept developed and agreed with Service Directors and Budget Managers - now working with BU15 (Business Improvement and Communications) and BU12 (Information Technology) to identify a solution - blueprinting and road mapping being developed	Executive Director, Core Services	15% Amber	30/09/18
										Financial Services at the forefront of understanding and influencing major government changes proposed in next 2 years such as 75% business rate retention and Fair Funding review. Reports to be submitted to SMT and Cabinet as required	Executive Director, Core Services	0% Green	30/09/18
										Financial Services at the forefront of understanding and influencing any local / regional / national issues including Devolution and Brexit including its impact on Barnsley and its partners	Executive Director, Core Services	0% Green	30/09/18

Priorit y	Risk No	Risk Title	Risk Consequences	Risk Owner	Existing Control Measures	Oct-16	Mar-17	Oct-17	Mar-18	Risk Mitigation Action	Owner	% comp	Review Date
Page 36	3035	Loss of assets and resources as a result of a one-off incident of fraud / corruption / bribery or sustained or widespread occurrences.	Occurrence or incidents of sustained and / or widespread and / or one off / big bang occurrence of Fraud and Corruption leading to financial loss, loss of income, property and other assets; Fraudulent transactions, contracts / payments and the like perpetrated by employees and / or third parties; External Audit public interest report; Loss of management time in undertaking investigations, be they 'real' incidents, or vexatious claims; The consequences of this risk will greatly depend on the context of the individual incidents, and will be greatly influenced by both the scale of the incident, and the position of the perpetrator within the Organisation; Negative impact on employee morale either through actual incidents, or suspicions of incidents being perpetrated; Tensions and issues with morale within groups / teams as a result of changes within and to the organisation; Increased opportunities to commit fraud due to management attention being distracted by change programmes and increased workloads; Losses arising from officers not doing their jobs properly, or not expending the amount of effort that may have been normal previously, due to morale and motivation issues; Increased risk of third party IT attacks on BMBC systems such as hacking for personal data, general mischief and disruption or to facilitate the transacting or processing of false documents; Negative impact on BMBCs reputation through the actions of partners and the perception that	SMT SMT	Anti Fraud, Corruption and Bribery Policy which is developed and refined following analysis of the Annual Fraud Risk Self Assessment (FRSA); Anti Money Laundering Policy which is developed and refined following analysis of the FRSA; Whistleblowing Policy which is developed and refined following analysis of the FRSA; Prosecutions Policy in place to ensure the Authority is open regarding censure relating to inappropriate behaviour; Council Constitution; Local Code of Corporate Governance; Member and Officer Codes of Conduct; Police involvement / criminal investigations; NFI Data Matching; Membership of NAFN; IT usage policies and procedures; IA for CA and other major organisations; Corporate Fraud Team in place; Fraud and Corruption included in AGR process; BOLD Elearning modules in place; Relationship in place between Internal Audit, Human Resources, Legal Services and the Police which was refreshed as part of the development of the Corporate Anti-Fraud Team;	3	3	3	3	Review corporate training programme utilising corporate PDR information and further development of POD online training - trialling a pilot package Prosecution Policy and Whistleblowing Policy to be reviewed and considered by the Audit Committee and Cabinet Communication of arrangements via training and awareness sessions regarding anti fraud and corruption arrangements to publicise these throughout the Council - main focus will be new POD training package Reinstatement of annual Fraud Risk Self Assessment at Business Unit level	Executive Director, Core Services Executive Director, Core Services Executive Director, Core Services Executive Director, Core Services	90% Green 85% Green 65% Green 50% Green	30/09/18 30/09/18 30/09/18 30/09/18
	3514	Failure to be able to deliver the ambitions and outcomes associated with the Customer Strategy Implementation Programme	Leading to... Negative impact on savings plans 2018 - 2020; Failure to ensure customers are at the heart of the organisation; Lack of growth regarding our digital service which will be unable to encourage a channel shift in terms of customers interact with the Council resulting in customers not changing their behaviour and not undertaking greater levels of self-service; Lack of efficient and effective services; Services becoming unsustainable following the Council's journey to Future Council and future financial pressures facing local government; Directorates / Business Units not embracing the objectives of the agreed Customer Services Design Principles and associated objectives; No 'changing relationship' between the Council and its stakeholders; Issues regarding the capacity and time frame to deliver and concern regarding over promising and under delivering leading to 'work-around' arrangements that are unsustainable;	SMT SMT	Robust working relationship with Information Services in place, and now part of the same Directorate; New website in place with continuing improvement plan in place; Emergence of Digital Board to include Customer Services workstream; Outline Business Case for Digital First Agenda approved by SMT - Cabinet have also agreed a £2M investment for Digital First agenda; Business Units embracing Digital First principles within their own individual Business Plans; Outcomes: Customers can contact us easily and use more services online (AMBER)	4	4	4	4	Development of reflective 'look-back' report to examine progress made in 17/18 which will be considered by Cabinet Customer Care / Customer Contact training to be provided to employees who have a high level of contact with the public - Organisational Improvement Board now leading on the embedding of digital skills / smart working / agile working arrangements into the broader Organisational Improvement Project Plan - also includes the provision of digital training, maximising trhe equipment provided and building a new digital-based 'culture' Establishment of a Project Manager role for Digital First programme	Executive Director, Communities Executive Director, Communities Executive Director, Communities	25% Green 15% Green 10% Green	30/09/18 30/09/18 30/09/18
	3699	Failure to ensure the Council's commercial / trading arm is effective in its operations, and is a well governed organisation	Reputational damage if the BMBC is not seen as a good business to trade with; Lost time and wasted resource in setting up the organisation, completing tenders, submissions and other commercial activities; Lost income which may have been used to avoid service cuts in future years resulting in lost jobs and employment opportunities; Legal / compliance failures if commercial / trading arm is not well controlled and governed;	SMT SMT	Trading organisations to date: - HR Services; - ILAHS; - Financial Services / Audit Services BMBC Legal Services providing oversight and advice regarding company constitution; In terms of the availability of commercial and trading skills, it is acknowledged the Council is working from a low starting point; Consideration of new skills in terms of commerciality, trading and innovation within the Future Council structure; Scheduled governance review to assist in determining the effectiveness of existing governance arrangements; Elements of company being wound up including Barnsley HR Services and Barnsley Financial Services; ILAH Action Plan completed and lessons learnt reported to Cabinet; Commercial Strategy now in place; Commercial Awareness Sessions delivered; Commercial Toolkit developed; Leadership Programme included consideration of Commercial skills; Director of Core Services attended course on governance arrangements for Trading Organisations	4	4	4	4	Development of internal control mechanisms to ensure that the correct roles are filled by appropriate employees, that good quality company governance is in place, that information is able to properly flow throughout the organisation and that commercial and financial reporting structures are in place - Director training deferred in light of reduced level of trading activity - reviewed and considered further controls - not required at this stage due to reduced levels of direct trading through company structure Development of shareholder role (SMT and Member / Cabinet level) to ensure the appropriate oversight of the trading / commercial activities is in place - reviewed and considered further controls - not required at this stage due to reduced levels of direct trading through company structure	Board of Directors Executive Director, Core Services	0% Green 0% Green	30/09/18 30/09/18
	3794	Lack of certainty regarding the outcome of wider Yorkshire devolution deal and the city region devolution	Conflict of interest for a number of Council Services that provide support to internal functions within the Council, as well as external relationships such as Legal Services who provide legal support to the Council and the CA; Increased officer time required to support both organisations; Increased risks regarding project activities, where the CA may be unwilling to underwrite risk on behalf of constituent Councils; Increased reliance of CA funding; Significant reputational damage in the event the devolution model fails or is seen to fail as a result of BMBC support;	SMT SMT	Development of protocols for dealing with potential conflicts of interest; Escalation of issues through Chief Executives; De-briefs following significant interaction with the Combined Authority; Ongoing collaborative work with Yorkshire Authorities to progress Yorkshire Mayoral Combined Authority to reflect community preferences as expressed in the Community Poll in late 2017;	4	4	3	3	Ensuring that the Authority is able to learn from its experiences in terms of conflicts that may have arisen and identifying areas of potential improvement in terms of how conflict are identified, handled and addressed (17/18)	Executive Director, Core Services	75% Green	30/09/18
	4154	Failure to achieve the full benefit of our change work to date and to ensure it is sustainable for the future. (OPENED AS PER FUTURE COUNCIL 2020 CABINET / SMT AWAYDAY report dated 27/07/2016 (see Michael Potter))	Lack of improved service provision; Scant resources being targeted on inappropriate areas; Significant budget cuts have driven the 'Future Council' programme which has dramatically transformed the organisation's business model; Delivering services and outcomes through mixed economy partnerships and outsourced contracts, Infrastructure transformation initiatives, process re-engineering and organisational change programme and projects may be challenged by cost over-runs and failure to meet expectations.	SMT SMT	Future Council Steering Group in place to track KLOE activity; Organisational Improvement Board in place to oversee the delivery of organisational development and change programmes; SMT responsible for the Delivery of the Councils Corporate Plan 2017 - 2020; Forward look for Corporate Plan 2020 - 2022 underway; Delivery of Digital First agenda which cuts across Council and aims to modernise the Councils IT estate and change ways of working to ensure the Council; has a 'digital first' mind-set when considering improvements to processes, transactions, communications etc. Development of plans in terms of organisational development, despite not having a clear understanding of the financial context in which the Council will operate as a result of uncertainties relating to devolution and Fail Funding arrangements; Programmes of activity include: Facilitating and accelerating growth, Supporting Early Help, Developing local Devolution Models, Supporting behaviour change within communities, Brexit Implications and Technology;	N/A	N/A	N/A	4	Monitor and review the progress made 18/19	Chief Executive	0% Green	30/09/18
THRIVING AND VIBRANT ECONOMY	4170	Failure to ensure the Glassworks Programme delivers the appropriate levels of retail, market and leisure space with the agreed resource envelope that enables a robust level of return on investment to be made - allowing the Council to obtain the best deal possible in terms of being able to recover its borrowing within a suitable timescale and deliver the positive impacts on the Town Centre and wider economic landscape	Inability to recover borrowings in a timely and cost effective manner; Lack of improvement for Town Centre; Disruption to Town Centre businesses; Inability to let space resulting in the failure of the business case;	SMT SMT	Programme Management arrangements in place, including jpoint board / jopint governance arrangements for Phases 1 and Phase 2; Nearing completion of Phase One works; DMO tender underway;	N/A	N/A	N/A	3	Working with DMO to identify and secure high end retailers to ensure scheme is cost effective and has strong public support Working with architects, designers and DMO to ensure new builds are high quality, aspirational and draw in the correct type of retailers Working with stakeholders to consult and collaborate on the scheme and to ensure there is a high level of awareness in place	ED Place ED Place ED Place	40% Green 75% Green 50% Green	30/09/18 30/09/18 30/09/18

BARNSELY METROPOLITAN BOROUGH COUNCIL (BMBC)

This matter is not a Key Decision within the council's definition and has not been included in the relevant Forward Plan.

**Joint Report of the Executive Director
Core Services and the Executive Director Communities**

**Response to the Overview and Scrutiny Committee's Task and Finish Group (TFG)
Report on the work of the Community Engagement Steering Group**

1. Purpose of the report

- 1.1 To report to Cabinet the proposed actions as well as actions taken in response to the Overview and Scrutiny Committee's Task and Finish Group report on the work of the Community Engagement Steering Group

2. Recommendations

- 2.1 As outlined in the TFG's report, during the investigation the TFG members made a range of suggestions and recommendations which were able to be considered on an ongoing basis. In addition, the TFG made five specific recommendations in their report which were welcomed; the response to each is outlined below:

2.2 Recommendation 1: In developing the web portal we use this opportunity to highlight what the role of an Elected Member is

In addition to helping communities to understand what the Council does, Elected Members feel it is important to provide information on the role of a local councillor. This includes advising how they support their local community and local residents.

Response: This information will be agreed and included in the new web portal.

2.3 Recommendation 2: Ensure appropriate governance is in place regarding consultation activities to ensure that they are only undertaken when our communities can influence the outcome

The TFG highlighted the importance of genuine community consultation so that people will continue to engage with the Council. Appropriately skilled officers and governance should be in place for consultation activity to be challenged before it is undertaken to ensure that it is fit for purpose.

Response: An engagement and consultation toolkit has been launched. Training for employees involved in developing and delivering consultation activity is in development.

2.4 Recommendation 3: Ensure Ward Members are made aware of consultation/engagement activity in their local area

The TFG were keen to ensure that local ward members and not just Cabinet Spokespersons are made aware of consultation/engagement activity so that they are able to answer queries and provide support to their local residents. A prompt for this was

recommended for inclusion in the officer consultation tick list and therefore the TFG are keen to highlight that this documentation is utilised by officers.

Response: The guide to engagement and consultation has been updated with advice to employees undertaking engagement activity to liaise with area members at the early stages of development.

2.5 Recommendation 4: A report is brought to the OSC on the consultation activity undertaken during the first 12 months of the new consultation system being in place

The report should outline how the new system is being utilised, including the consultation activity undertaken, the response received and how this has influenced service planning/delivery. This will enable the OSC to monitor the implementation of this work and make further recommendations as appropriate.

Response: A report is being developed analysing consultation activity in 2017/18. It will show consultation activity, responses received, what people told us and what decision was made as a result.

2.6 Recommendation 5: OSC Members are increasingly involved in the development stages of key pieces of work

The TFG's involvement in the development of this project has been invaluable. Officers leading on the work have valued the opportunity to consult with Elected Members representing the public voice and a different perspective on this work in order to ensure the end product is fit for purpose. Our Elected Members have vast knowledge of our local communities and key local networks. They are able to provide a community viewpoint on how work/projects/information may be received by a local area and advise on considerations officers may need to be aware of which will help to improve service delivery.

Response: Officers have found the involvement of the TFG very helpful. Involvement of the TFG during the development stage of projects is now recommended to managers.

3. Implications for local people / service users

- 3.1 Our community engagement work aims to strengthen community involvement and encourage innovation and change through community action. This has implications for every person living and working in Barnsley, because we are asking them to work together with us to help make Barnsley a better place to live and work. Additionally, by encouraging wider participation in consultation activity will enable the Council to be better aware of the impact decisions may have on people living and working in Barnsley.

4. Financial implications

- 4.1 There are no specific financial implications, although in responding to the recommendations in the report, the financial implications of these would need to be fully assessed by the appropriate services responding.

5. Employee implications

- 5.1 There are no specific employee implications, although in responding to the recommendations in the report, the employee implications of these would need to be fully assessed by the appropriate services responding.

6. Communications implications

- 6.1 Communication is critical to this piece of work and will require effective plans to be in place to both launch the work as well as ensure its continued use throughout all of the Council's work streams. Prior to launch the Council will need to ensure that both Members and officers are aware of this work so they can spread the word out in communities and utilise it in everything they do.

7. Consultations

- 7.1 Consultations have taken place with the Community Engagement TFG, Councillor Jenny Platts, Councillor Alan Gardiner, Council Officers Phil Hollingsworth, Michael Potter, Rachel King and the Senior Management Team.

8. The Corporate Plan and the Council's Performance Management Framework

- 8.1 As outlined in the Corporate Plan, the three priorities for Barnsley are: a thriving and vibrant economy, strong and resilient communities; and citizens achieving their potential. Ensuring people in our communities are aware of what the Council does and encouraging them to engage with services and participate in volunteering activities contributes to achieving all of these.

9. Promoting equality & diversity and social inclusion

- 9.1 The TFG is keen to ensure that all Council activities are accessible to all its communities. Throughout the TFG's involvement in the development of this work they have specifically referred to making sure that materials are accessible to those who may have physical impairments as well as those where English may be an additional language. Also, by enabling better consultation facilities will support the voice of all our communities to be heard.

10. Tackling the impact of poverty

- 10.1 By encouraging people to take responsibility for their local community we can help people build confidence, skills and capability. This can lead to people having confidence to find work or find a way out of poverty. Additionally, by making communities better aware of what help and support is available can enable them to access appropriate services.

11. Tackling Health Inequalities

- 11.1 By encouraging people to become more active in their local community, we can have a direct impact on health and wellbeing. By helping people to take responsibility for their local community, we can encourage them to be accountable for their own health and wellbeing. Enabling communities to be better aware of the support services available will help them to access appropriate services. Additionally, by encouraging wider participation in consultation activity will enable the Council to be better aware of the impact decisions may have on communities.

12. Reduction of crime and disorder

- 12.1 Community engagement has been shown to improve community resilience and discourage people from causing damage in their local area. By encouraging people to be more active in their local community, we can encourage them to take responsibility for their local area.

13. Risk management issues

- 13.1 This issue relates to the following risk currently logged on the Council's Strategic Risk Register (SRR), as follows:

- 3023 – 'Failure to engage with stakeholders'

- 13.2 The intended positive benefits of the project are logged as mitigation to this risk and it is envisaged that the recommended activities detailed in this report will contribute further to the effective mitigation of these risks, and it would be appropriate for any follow-up report regarding community engagement to be cognisant of these risks.

14. Glossary

BMBC – Barnsley Metropolitan borough Council
OSC – Overview and Scrutiny Committee
TFG – Task and Finish Group

15. Background papers

- Barnsley Community Engagement Strategy Cabinet Report (Cab.22.3.2017/8):
<http://barnsleymbc.moderngov.co.uk/documents/s18437/Community%20Engagement%20Strategy.pdf>
- Barnsley Community Engagement Strategy 2017-20:
<http://barnsleymbc.moderngov.co.uk/documents/s18438/Appendix%201.pdf>
- Overview and Scrutiny Committee - Task and Finish Group - Report on the Work of the Community Engagement Steering Group (Cab.21.3.2018/8):
<http://barnsleymbc.moderngov.co.uk/documents/s32295/Overview%20and%20Scrutiny%20Committee%20-%20Task%20and%20Finish%20Group%20-%20Report%20on%20the%20Work%20of%20the%20Community%20Engage.pdf>

Date: 16 May 2018

BARNSELY METROPOLITAN BOROUGH COUNCIL

This matter is not a Key Decision within the Council's definition and has not been included in the relevant Forward Plan

**REPORT OF THE
EXECUTIVE DIRECTOR, PLACE
TO CABINET 16th May, 2018**

GREATER USE OF ENFORCEMENT POWERS TO TACKLE PROBLEMATIC LONG-TERM EMPTY PROPERTIES

1. PURPOSE OF REPORT

- 1.1 To advise members of proposals to make greater use of enforcement powers to bring back into use problematic long-term empty properties.

2. RECOMMENDATIONS

- 2.1 That, in order to more effectively tackle problematic long-term empty properties approval be granted for the use of:

- Empty Dwelling Management Orders (EDMOs),
- Enforced Sale procedure through the use of delegated powers as mortgagee under the Law of Property Act (1925) and
- Compulsory Purchase Orders

- 2.2 That powers under the Acts set out below be delegated to the Service Director, Culture, Housing and Regulation insofar as they relate to tackling long-term empty properties.

- Housing Act 2004 – for Empty Dwelling Management Orders (EDMO) and Housing Health & Safety Rating System (HHSRS)
- Building Act 1984 – for ruinous and dilapidated buildings
- Town & Country Planning Act 1990 – for maintenance and amenity of land
- Prevention of Damage by Pests Act 1949 – for dealing with rats and mice
- Environmental Protection Act 1990 (section 215) – for detriment being caused by condition of land and buildings

3. INTRODUCTION

- 3.1 The Council's Senior Management Team has indicated that an increased focus should be brought to bear on tackling the number of long-term empty homes within the Borough. The latest statistics are shown below:

Time Empty	Total
6 months – 2 years	1019

2 years – 5 years	333
5 years – 10 years	191
10 years plus	72
Grand Total	1615

Source: Council tax data extract Apr. 2018.

The vast majority of long-term empty homes are found in the private sector.

- 3.2 The Council already provides a range of support services to the owners of empty homes to return such properties to use; this includes basic advice, the provision of grants and the offer of property purchase. However, sometimes offers of support go unheeded and in such circumstances enforcement action leading to a change in property ownership can be required if problematic empty homes that are dragging down local neighbourhoods are to be brought back into use. The range of enforcement powers that can be used to tackle long-term empty homes is set out in the Council's Empty Homes Strategy 2014-18.
- 3.3 It isn't just long-term empty homes that cause problems – the same is true of long-term empty non-domestic properties. For example, there are a number of former pubs in the Borough that have been empty for years that are causing blight and disamenity; properties such as these could potentially be converted into housing and brought back into use, again making use of enforcement powers to change ownership if need be to achieve this end.
- 3.4 Making greater use of enforcement powers to return long-term empty property into use as housing will have the following benefits:
- An increase in the supply of good quality accommodation to meet housing need
 - The removal of eyesores that have been blighting and causing disamenity in local neighbourhoods
 - The removal of magnets for anti-social behaviour
 - In some cases, the recovery of outstanding debts owed to the Council
 - Be part of the answer to broader local neighbourhood renewal initiatives
 - Complement other activity in the Council's proposed selective licensing areas, helping to restore confidence in neighbourhoods.
- 3.5 In itself enforcement will not provide a panacea for all long-term empty properties; indeed, in many instances, and particularly if the property is not causing disamenity, it would be wholly inappropriate to use enforcement powers. Enforcement action will only be taken where property owners have failed to respond in a positive manner to offers of support from the Council and where it is proportionate and reasonable to do so.

The Use of Enforcement Actions as a Precursor to the Enforced Sales Process

- 3.6 The Council has numerous enforcement powers and tools at its disposal. By way of reminder these powers, in relation to empty property enforcement action, are provided by virtue of the following statutes:

- Housing Act 2004 – for Empty Dwelling Management Orders (EDMO) and Housing Health & Safety Rating System (HHSRS)
- Building Act 1984 – for ruinous and dilapidated buildings
- Town & Country Planning Act 1990 – for maintenance and amenity of land
- Prevention of Damage by Pests Act 1949 – for dealing with rats and mice
- Environmental Protection Act 1990 (section 215) – for detriment being caused by condition of land and buildings

3.7 Local authorities can serve notices requiring property owners to carry out works under the above Acts. In the event of non-compliance a local authority can carry out the works required in default and charge the property owner for the costs incurred. If the property owner refuses to reimburse the local authority a charge in respect of the outstanding debt can then be registered against the title of the property. Continued failure to clear the debt then enables a local authority, as mortgagee, to invoke the Enforced Sales procedure under the Law of Property Act 1925.

4. PROPOSAL AND JUSTIFICATION

Enforced Sales Procedure

- 4.1 A greater use of the Enforced Sales procedure is proposed to bring about the change in ownership that will be required to bring back into use some of the problematic long-term empty properties in the Borough.
- 4.2 The use of this power will be addressed on a case by case basis and only used where it is proportionate and reasonable to do so. It should also be noted that some of the problematic long-term empty properties in the Borough have significant council debt attached to them and effecting a change in ownership will enable the repayment of many of these debts. Manchester City Council have been using the Enforced Sales Procedure successfully for some time now and have produced a very helpful guide on the matter.
- 4.3 The starting point for the use of the Enforced Sales procedure is the serving of notice(s) requiring the property owner to take action in regard to any of a number of matters linked to the empty property that is causing disamenity. As matters stand the delegated authority for the use of enforcement powers under the Acts listed above is currently delegated to the Service Director, Stronger Safer and Healthier Communities. This report seeks approval for the use of these powers to be delegated to the Service Director, Culture, Housing and Regulation as well, *but only and insofar as they relate to the Council's empty homes programme.*
- 4.4 The delegation of powers will enable officers within the Housing and Energy Service to carry out enforcement action in regard to problematic empty properties that have been identified and included in the Council's empty homes programme, leading, subject to final authorisation by BMBC Legal, to the enforced sale of such properties and their subsequent return to use.
- 4.5 Disposal of properties will be through an estate agent or, should this fail to result in a sale within a reasonable period of time, an auction house.
- 4.6 Not all properties will have an outstanding debt owed to the Council registered against the property title and in such cases the Enforced Sales Procedures couldn't

be used. However, it would be possible to use either a Compulsory Purchase Order or an Empty Dwelling Management Order in such circumstances.

Use of Compulsory Purchase Orders (CPOs)

- 4.7 It is possible to use CPOs as a means of bringing problematic long-term empty properties back into use under provisions within the Housing Act 1985 and the Town and Country Planning Act 1990. Some LAs, for example Wolverhampton City Council, have used the CPO power to good effect in this regard. Barnsley MBC does periodically use the CPO mechanism to acquire land and property that is required for housing redevelopment purposes but to date hasn't used CPOs as a tool to remedy problems with long-term empty properties.
- 4.8 As part of the increased focus on bringing such properties back into use as housing it is proposed that the Council will extend its use of CPO powers to tackle long-term empty properties, using existing approval mechanisms, where it is reasonable and proportionate to do so.

Empty Dwelling Management Orders (EDMOs)

- 4.9 Local authorities can apply to Residential Property Tribunals for an EDMO in respect of residential property that has been empty for at least 2-years. EDMOs can be interim (lasting up to 12-months) or final (lasting up to 7 years) in nature. EDMOs provide local authorities with the power to carry out works to the property such that it can then be let. Costs incurred are recouped from the rental income.
- 4.10 It is proposed that the Council makes use of the EDMO power where attempts to persuade property owners to remedy matters have failed and it is reasonable to do so.

Management of Empty Property Enforcement Caseload

- 4.11 A small officer group, coordinated and led by the Housing & Energy Service, is to be formed to assess and determine which properties are to be prioritised for enforcement action as part of the Council's empty homes programme and the enforcement route to be taken. The group will consist of representatives from the following services:

- Housing and Energy
- Safer Communities (case management)
- Legal
- Finance – council tax.

A specially designed scoring matrix will be used to inform the prioritization process. The group will meet on a bi-monthly basis and the workload will be managed to ensure that it matches the level of resources available.

- 4.12 Problematic empty properties will be identified through referrals from the public and front-line Council officers (principally within the Housing & Energy Service and Safer Communities). Area Council officers will also be an important conduit for referrals, as will relevant front-line officers within Berneslai Homes.

- 4.13 We do not anticipate large numbers of properties and their owners being subjected to the ultimate enforcement sanctions of CPOs, EDMOs or Enforced Sales – as previously stated the principal means of engagement with property owners will remain as one of support – but those properties that are returned to use through this route will make a significant difference to the general ambience and wellbeing of the neighbourhoods within which they are located.
- 4.14 Some of the properties identified might be suitable for inclusion in the Council's 2018/21 Empty Homes contract with Homes England (formerly the HCA). In such circumstances the Council, working in conjunction with Berneslai Homes, would seek to purchase and refurbish these properties and bring back into use as council housing thus obviating the need for enforcement action.

5. CONSIDERATION OF ALTERNATIVE APPROACHES

- 5.1 The principal manner in which the Council will engage with the owners of long-term empty properties will continue to be through the provision of advice and support, including financial assistance that will be available through a number of capital programmes 2018/21. However, in cases where long-term empty properties are causing significant disamenity and the property owners have refused to respond to the support and advice that has been offered, the Council will use the enforcement powers set out in this report where it is reasonable and proportionate to do so.

6. IMPLICATIONS FOR LOCAL PEOPLE/SERVICE USERS

- 6.1 Greater use of enforcement powers will enable the Council to better deal with long-term empty properties that blight local neighbourhoods. Bringing such properties back into use will alleviate the disamenity that is frequently associated with long-term empty properties and in the process help to improve the localities within which such properties are found.

7. FINANCIAL IMPLICATIONS

- 7.1 Consultations on the financial implications have taken place with representatives of the Service Director – Finance (S151 Officer)
- 7.2 Where the support and actions by the Council results in the property owner taking steps to ensure the empty property becomes occupied, there will be no direct cost financial implication to the Council.
- 7.3 If the property owner refuses to take advantage of the support offered and the property remains vacant, the Council may have no further choice but to pursue enforcement action to take ownership of the property via the Enforced Sales process or the issuing of CPOs or EDMOs. The costs associated with this course of action including all the purchase costs will be funded from resources totalling £1.5M previously earmarked from the Berneslai Homes surplus.
- 7.4 Properties acquired will then either be held by the Council in its HRA housing stock and let accordingly (subject to any remedial works being carried out on the property which will be funded by the HRA capital programme) or alternatively the properties will be marketed for onwards sale via the use of estate agents or auction. The costs associated with the onward sale (including the original purchase cost) are expected

to be funded via income generated by the sale. However, it should be noted that there is a risk that the sale costs may not cover the full costs associated with this process, although this will be mitigated wherever possible.

7.5 In addition to the above the Council would also seek to recover any outstanding debt that has been held on the properties from the sale proceeds. This includes monies owed to the Council from works previously carried on properties in default.

7.6 Finally there may also be some financial benefits to the council via additional new homes bonus as a result of decreasing the number of long-term empty homes.

8. EMPLOYEE IMPLICATIONS

8.1 The Council's Housing and Energy Service is in the process of recruiting a dedicated Empty Homes Officer on a 3-year fixed-term contract as part of a broader stepping up of empty homes activity. This additional resource will work closely with colleagues in the Stronger and Safer Communities service to enable the Council to take a more proactive approach in the use of enforcement powers to tackle problematic empty properties where it is appropriate and proportionate to do so.

9. COMMUNICATIONS IMPLICATIONS

9.1 The Housing and Energy Service will continue to promote, in general terms, the advice and support that is available to owners of empty homes. Communications regarding the use of enforcement will be *targetted* at those owners whose empty properties are causing significant levels of disamenity.

10. CONSULTATIONS

10.1 Consultation has taken place with:

- BMBC Stronger and Safer Communities
- BMBC Legal Services
- BMBC Finance
- BMBC Planning – Development Management

11. THE CORPORATE PLAN AND THE COUNCIL'S PERFORMANCE MANAGEMENT FRAMEWORK

11.1 Tacking action to return empty properties to use as housing helps to deliver the following Corporate Plan outcomes:

- Creating more and better housing
- Increase skills to get more people working

11.2 The number of long-term empty homes returned to use is a corporate performance indicator.

12. PROMOTING EQUALITY, DIVERSITY AND SOCIAL INCLUSION

12.1 No issues arising from this report.

13. TACKLING THE IMPACT OF POVERTY

13.1 No issues arising from this report.

14. TACKLING HEALTH INEQUALITIES

14.1 No issues arising directly from this report.

15. REDUCTION OF CRIME AND DISORDER

15.1 Empty property is a magnet for anti-social behaviour. Reducing the number of empty properties will reduce the opportunity for crime and disorder.

16. RISK MANAGEMENT ISSUES

Risk	Mitigation
That enforcement is used in inappropriate circumstances	Established approval process in regard to CPOs. Officer group to identify which properties are to be escalated for CPO, Enforced sale or EDMO action. Prioritisation process contains checks and balances. Oversight from Service Director, Culture, Housing and regulation and Legal throughout process.
Excessive caseload	Officer group to assess and prioritise properties for enforcement action commensurate with resources available.

17. HEALTH, SAFETY AND EMERGENCY RESILIENCE ISSUES

17.1 No issues arising from this report.

18. COMPATIBILITY WITH THE EUROPEAN CONVENTION ON HUMAN RIGHTS

18.1 Article 1 of the Convention provides for the right to the peaceful enjoyment of one's possessions. The checks and balances in within the procedure that officers will follow when seeking to invoke the enforcement powers set out in recommendation 1 of this report will ensure that that action taken is compatible with the European Convention on Human Rights.

19. CONSERVATION OF BIODIVERSITY

19.1 No issues arising from this report.

20. GLOSSARY

- EDMO – Empty Dwelling Management Order
- CPO – Compulsory Purchase Order

21. LIST OF APPENDICES

None.

22. BACKGROUND PAPERS

Manchester City Council – Enforced Sales Procedure: <http://www.htlc.co.uk/wp-content/uploads/2015/09/manchester-enforced-sales-procedure-smaller-size2.pdf>

Report author: Richard Kershaw.

Financial Implications/Consultation

.....
*(To be signed by senior Financial Services officer
where no financial implications)*

BARNSELY METROPOLITAN BOROUGH COUNCIL

This matter is not a Key Decision within the Council's definition and has not been included in the relevant Forward Plan

Report of the
Executive Director Place

REPORT ON THE SCHOOLS CAPITAL PROGRAMME 2018/19

1. Purpose of the report

- 1.1. To seek approval to the 2018/19 schools capital programme.

2. Recommendations

- 2.1. The list of schemes, detailed in Appendices B and C be approved and financed from the 2018/19 Department for Education (DFE) School Condition Allocation;
- 2.2. The Executive Director - Place, in consultation with the Cabinet Spokesperson, be authorised to vary the programme of works, and to approve additional schemes, to meet emerging priorities;
- 2.3. The financial implications arising from the report be included in the capital programme and released in accordance with the Financial Regulations Code of Practice C5.2(a).

3. Introduction

- 3.1. The 2018/19 capital programme for schools has been prepared to address urgent building condition defects, including health and safety measures across the maintained school estate.
- 3.2. The schools' capital programme is made up of two funding streams. The first, Basic Need, is used to meet the demand for pupil places across the Borough. The second, School Condition, is used to deal with the urgent condition defects backlog, including health and safety measures, which reduces the risk of school closure.
- 3.3. As there is no Basic Need grant allocation for the Authority in 2018/19, this report is only for the School Condition allocation.
- 3.4. On 15th March 2018 the DFE announced the Authority will receive funding of £1.172m in 2018/19 for School Condition items. This amount is £148k less than was received in 2017/18 and creates additional pressures when preparing a programme to address urgent, high priority, property issues.
- 3.5. In setting priorities for the use of the School Condition allocation, the Council has used the available data from its own condition surveys and where appropriate has consulted with other services (including NPS Barnsley surveyors and the School Meals Service).
- 3.6. It should be noted that the condition data held on the asset management system is several years old, although this is in the process of being updated through NPS Barnsley. Existing condition items have been financially uplifted to reflect current construction prices.

3.7. The backlog of maintenance on the maintained schools is shown in the table below:

High Priority Works (to be completed within 18 months)	£3.796m
Medium Priority (to be completed within 3 years)	£2.648m
Low Priority (to be completed within 5 years)	£0.387m
Total Maintenance Requirement	£6.831m

- 3.8. As the table highlights, the available funding will be insufficient to deal with the high priority items. It is therefore highly unlikely that any medium priority items will be addressed within this period. These items will continue to deteriorate and will be reviewed and monitored to ensure that they are re-prioritised should the need arise.
- 3.9. The current number of maintained primary schools the Council is responsible for under the School Condition allocation is 28. This has reduced from 82 in 2005/06 and is a result of the Primary Finance Initiative (PFI) Contracts and School Academisation. The secondary school estate is managed through the Building Schools for the Future (BSF) processes.
- 3.10. Following approval, NPS (Barnsley) will be commissioned to complete the design and development work on the schools capital programme.

4. Consideration of Alternate Approaches

- 4.1. The summer holiday period of six weeks is normally when the vast majority of the School Condition works can be completed. In order to minimise the pressure of delivering the whole School Condition programme over this period, where possible, and in discussions with schools, some schemes may be carried out over alternative holiday periods.

5. Proposal and Justification

- 5.1. Appendix C of this report provides details of the proposed schemes within the School Condition programme. These are necessary to address urgent condition defects.
- 5.2. 3 schemes have been identified as further phases of work to schemes carried out under the 2017/18 School Condition programme. These elements were not carried out at the time due to a) insufficient funds within 2017/18 programme; or B) other higher priority schemes at the same school made it extremely difficult to facilitate the works at the same time.

6. Implications for local people / service users

- 6.1. The proposed school capital projects will improve the condition and the facilities available within the school building(s) in the area that they serve. The building works can be expected to have a positive impact on the management and morale of the school and should benefit local communities, as many of the facilities are accessed by the local community.
- 6.2. By carrying out the works over the main school holiday period wherever possible, disruption to the education of the children within the schools is kept to an absolute minimum.

7. Financial Implications

- 7.1. The proposed schedule of School Condition capital works totals £1.182M. The table below outlines the proposed expenditure areas:

Scheme	2018/19 Proposed Budget (£)
Health & Safety Works	100,000
Electrical Works	140,000
Heating Works	290,000
Roofing / Structural Works	460,000
External Works	150,000
Internal Works	30,000
School Access	12,308
Total	1,182,308

- 7.2. A full summary of the Schools Capital Programme can be found in Appendix B, with more detailed scheme details in Appendix C.
- 7.3. These schemes will be funded through the School Condition allocation, announced by the DFE on 15th March 2018, amounting to £1.172m in 2018/19.
- 7.4. The resources available to match the above plans also include a contribution towards the cost of one of the individual schemes at Jump Primary, of Devolved Formula Capital grant (DFC) totalling £0.010M. This grant is received in its entirety by the Council and then passported on to the individual schools, based on a specific allocation. In this scenario, the Council will retain the £0.010M to utilise on the scheme.
- 7.5. The financial implications of this report are summarised in the attached Appendix A.

8. Legal Implications

- 8.1. No implications arising from this report.

9. Employee implications

- 9.1. No implications arising from this report.

10. Communications implications

- 10.1. No implications arising from this report.

11. Consultations

(a) Financial Implications

The financial implications of this report are described in section 7. A Financial Services Manager has been consulted on the content of the report, on behalf of the Service Director Finance, and has provided an Appendix A.

(b) Local Members

Local ward members have not been consulted on this report.

(c) Property Implications

Information on the implications on each school is shown in Appendix C.

(d) Implications for Other Services

There are no risks to other services contained within this report.

12. The Corporate Plan and the Council's Performance Management Framework

- 12.1. This proposal supports the Corporate Plan objectives of People achieving their potential: Outcome six: Every child attends a good school and is successful in learning and work - The quality of our schools and early years provision is good.

13. Tackling Health Inequalities

- 13.1. No implications arising from this report.

14. Climate Change & Sustainable Energy Act 2006

- 14.1. No implications arising from this report.

15. Risk Management Issues

- 15.1. The current costs identified within the report are based on estimated prices. Until actual tendered prices have been received, there is a risk that scheme costs could change.
- 15.2. As far as reasonably practical site surveys and investigations will be carried out on the building and site to identify potential risks to the project. Where identified these will be included with the tendered works.
- 15.3. As with any building work, there is always a risk of unknowns that only surface once ground works have begun or demolitions have started. The project costs will be closely monitored as part of the Directorate's regular capital monitoring and risk management.

16. Health, safety, and emergency resilience issues

- 16.1. All health and safety matters in respect to the schemes contained within this report will be addressed as part of the design and delivery of the School Condition programme.

17. Compatibility with the European Convention on Human Rights

- 17.1. No implications arising from this report.

18. Promoting equality, diversity, and social inclusion

- 18.1. No implications arising from this report.

19. Reduction of crime and disorder

- 19.1. No implications arising from this report.

20. Conservation of biodiversity

- 20.1. No implications arising from this report.

21. Glossary

21.1. Not used.

22. List of Appendices

Appendix A – Financial Implications
Appendix B – Schedule of Schemes
Appendix C – Scheme Details

23. Background Papers

Budget Monitoring Papers regarding this matter is held on the files within the Assets Team - not available for inspection, contains exempt information.

Officer Contact: Richard Waterhouse Date 13/04/2018

This page is intentionally left blank

FINANCIAL IMPLICATIONS

i) Capital Expenditure

	<u>2018/19</u>	<u>2019/20</u>	<u>2020/21</u>	<u>2021/22</u>
	£	£	£	£
School Condition Capital Expenditure on Various School Schemes (Indicated on Appendix B)	1,182,308			
	<u>1,182,308</u>	<u>0</u>	<u>0</u>	<u>0</u>
To be financed from:				
School Condition Allocation (SCA) Grant	1,172,308			
School DFC Contribution - Jump Primary	10,000			
	<u>1,182,308</u>	<u>0</u>	<u>0</u>	<u>0</u>

ii) Revenue Effects

	<u>2018/19</u>	<u>2019/20</u>	<u>2020/21</u>	<u>2021/22</u>
	(£)	(£)	(£)	(£)
	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
To be financed from:				
	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

Impact on Medium Term Financial Strategy

Not applicable in this report

Agreed by:  On behalf of the Service Director-Finance

This page is intentionally left blank

Proposed Schemes

		Funding		Total
		School Condition 2018/19	School DFC Contribution 2018/19	
1. Health & Safety Works				
1.1 Asbestos	Removal works (supporting capital maintenance schemes)	25,000		25,000
1.1a Jump Primary	Asbestos Encapsulation works	25,000		25,000
1.1b Silkstone Primary	Asbestos Removal to sub floor	20,000		20,000
1.2 Other H&S and safeguarding works		30,000		30,000
				100,000
2. Electrical Works				
2.1 Jump Primary	Replace Lighting / Ceilings, Phase 1	100,000		100,000
2.2 Oxspring Primary	Replace Fire Alarm System	40,000		40,000
				140,000
3. Heating Works				
3.1 Athersley South Primary	Boiler Replacement	120,000		120,000
3.2 Churchfield Primary	Boiler Replacement - Hall Block	50,000		50,000
3.3 Wilthorpe Primary (Junior)	Boiler Replacement	120,000		120,000
				290,000
4. Roofing / Structural Works				
4.1 Barugh Green Primary	Re-roof flat roof	100,000		100,000
4.2 Burton Road Primary	Re-roof flat roof (with rooftop playground)	100,000		100,000
4.3 Gawber Primary	Re-roof flat roof area	100,000		100,000
4.4 Milefield Primary	Rooflight / roofing works, Phase 1	100,000		100,000
4.5 Millhouse Primary	Re-roof flat roof over FS/KS1 Area	50,000		50,000
4.6 Summer Lane Primary	Recover asphalt roof - various areas	10,000		10,000
				460,000
5. External Works				
5.1 Barugh Green Primary	Safeguarding / Security Fencing	50,000		50,000
5.2 Milefield Primary	Extend Playground / Formation of MUGA	90,000		90,000
5.3 Keresforth Primary	Replace cladding on Nursery	10,000		10,000
				150,000
6. Internal Works				
6.1 Jump Primary	Nursery Toilet refurbishment	20,000	10,000	30,000
				30,000
7. School Access				
7.1 Further support to SEN		12,308		12,308
				12,308
Total		1,172,308	10,000	1,182,308

This page is intentionally left blank

BARNSELEY METROPOLITAN BOROUGH COUNCIL

This matter is a Key Decision within the council's definition and has been included in the relevant Forward Plan.

**Report of the Executive
Director of PLACE**

Beever Street, Goldthorpe – Re-development

1. Purpose of Report

- 1.1 The purpose of this report is to seek approval for the re-development of 8 bungalows on Beaver Street, Goldthorpe as part of the Council's Housing Capital Programme.

2. Recommendations

It is recommended that:

- 2.1 Cabinet approves the proposal for the Council to build 7x 2-Bed bungalows and 1x 3-bed bungalow on the site of former properties at 1-37 Beaver Street due to be demolished over the coming months (agreed as part of Cab.20.04.19/9). The homes will be HRA properties, managed by Berneslai Homes and let to applicants on the Council's Housing Waiting List.
- 2.2 Cabinet approves the proposal for the Council to appoint NPS Construction as part of the Joint Venture SLA as principal contractor to deliver the scheme. NPS Construction will then deliver the scheme, appointing BH CS as a sub-contractor. The scheme will be funded from the HRA Capital Programme at a total project cost of £1,060,620 (£119,320 of which will be funded via 1-4-1 RTB receipts in line with 'grant' terms).

3. Background:

- 3.1 In April 2016, Cabinet took a decision to progress the Compulsory Purchase (CPO) of a number of privately owned dwellings (13) on two terraced blocks at 1-37 Beaver Street, Goldthorpe. The Council had been working with property owners for over two years to acquire homes via negotiation for the purpose of demolition and re-development as a regeneration priority. However, the Council was forced to pursue a CPO when it was proving impossible to acquire the homes by agreement and the condition of these properties continued to deteriorate.
- 3.2 Since this time, officers have worked with property owners and their tenants to complete the acquisition of these homes and re-house the remaining three tenants, as appropriate. Following the completion of a General Vested Declaration served on January 8th 2018, all of the homes (and adjacent land) are now in the Council's ownership, service disconnection works are almost completed and demolition works are due to commence in April 2018.

4. Current Situation:

- 4.1 Berneslai Homes had previously undertaken a competitive tender exercise to deliver an alternative bungalow scheme of 6x 2 bedroom bungalows but, despite significant

value engineering, the properties were proving too expensive to deliver and did not represent value for money for the Council. This was perhaps a result of the scheme being a less desirable project for contractors than other new build opportunities – in terms of scale, risk and deliverability logistics; resulting in less competitive bids (it is a tight site with the potential for security concerns). There were also some savings identified should a re-design be pursued.

- 4.2 To respond to this, and following the successful delivery of two direct build schemes at Heritage Mews (Elsecar) and Bellbrooke Avenue (Darfield), the Council proposes to appoint NPS Construction as part of the Joint Venture SLA as principal contractor to deliver the scheme. NPS Construction will then deliver the scheme, appointing BH CS as a sub-contractor. This arrangement, alongside a slight re-design of the properties (to include an additional 2 units) has reduced overall project costs to c. £120,000 per unit – a saving of over £30k a plot.
- 4.3 Subject to final Planning approval in April 2018, the scheme would be ready to start on Site in late-spring 2018 and complete before the end of March 2019. An accelerated timescale is possible as this option removes timescales associated with competitive tendering. The scheme will be project managed by officers in Housing Growth with technical support provided by NPS Barnsley (design, QS etc.).
- 4.4 To protect the Council's investment in re-developing this part of central Goldthorpe, the Council and Berneslai Homes have established a working group (which aligns with the strategic priorities of the Dearne Approach) undertaking a targeted approach to improving the overall area by:
- Bringing long term empty homes back into use
 - Improving the standard of properties in the private rented sector
 - Offering grant support to landlords intending to invest in their homes, and:
 - Improving the environment and desirability of Beever Street and surrounding homes, more generally.

5. Justification

- 5.1 Previous cabinet reports have approved the acquisition and clearance of the properties on Beever Street as part of wider plans to regenerate and re-develop this area of Central Goldthorpe, in line with the master plan and Goldthorpe Action Plan recommendations. Significant investment has gone into the village as part of the Housing Market Renewal Pathfinder programme (which ceased in 2011) which included property and environmental improvements and, more recently, the acquisition of the 13 privately owned dwellings (as part of the CPO) and the £5m investment in a new primary school, off the high street and adjacent to Beever Street.
- 5.2 The CPO (cab.20.04.16/9) was granted under Section 226 (1) (a) of the Town and Country Planning Act 1990, which enables the compulsory acquisition of land where the acquiring authority thinks that the acquisition is necessary to facilitate the carrying out of development, re-development or improvement likely to contribute to achieving the promotion and improvement of the economic, social and environmental wellbeing of the area. A re-developed scheme of new Council homes to meet the needs of older and/or disabled persons will facilitate this.
- 5.3 As explained above, attempts to secure a contractor via a competitive tender route resulted in a contract sum which did not offer Value for Money to the Council. As such, it is proposed that NPS Construction will deliver the scheme, appointing BH CS as a sub-contractor.

6. Consideration of alternative approaches

- 6.1 **Do Nothing – This is not an option.** The Council previously secured a Compulsory Purchase Order under Section 226 (1) (a) of the Town and Country Planning Act 1990, to demolish properties at 1-19 Beever Street for the purpose of clearance and re-development. There are thus risks (financial, legal and reputational) of challenge to the Council if it does not seek to re-develop the site in line with the Order.
- 6.2 **Re-tender the revised scheme on a competitive basis -** Whilst re-tendering the revised scheme could result in a reduced tender price, the scheme will still attract similar contractors who will price the job based on ease of deliverability, risk and other competing market opportunities, at that time. Due to the scale of redevelopment vs the associated delivery risks (tight scheme, lack of available compound space, risk of vandalism/site thefts), it is not considered that significant savings could be made against NPS Barnsley's negotiated set price. To go further, another re-tender will significantly delay project start on site, following clearance. This will mean that the Council will incur additional costs in securing the cleared site from unauthorised access and fly-tipping, pending handover to the contractor.
- 6.3 **Recommended Option: Approve the revised scheme and proposal to award the contract to NPS Barnsley.** This option will deliver a Value for Money redevelopment which meets the needs of the local community on an accelerated delivery basis. There are also financial benefits to a direct delivery via both NPS and Construction services relating to the profit share arrangements that the Council has with both Organisations. A financial Business Case was produced for the scheme as part of the Capital Oversight Board approvals process. The Board were supportive of direct delivery by NPS.

7. Implications for local people / service users

- 7.1 The re-development will positively impact on those residents residing or operating a business in the surrounding area as the new homes will be built within the footprint of the existing terraced housing, will provide private off-road parking specific to the property and will be built to a sympathetic scale and design to surrounding properties; enhancing the overall street scene and diversifying the availability of affordable accommodation to meet the needs of older and/or disabled people . The properties will be made available for rent via Berneslai Homes' Choice Based Lettings process in line with the council's Allocations Policy, which fully complies with the Equalities Act 2010.
- 7.2 The scheme will enable NPS Construction and BH Construction Services to enhance the training offer to their co-hort of apprentices. Construction Services, in partnership with Barnsley College, will use the project to develop existing apprentices and students with experience of new-build construction (rather than the trades associated with the PRIP contract which is repairs and maintenance focussed).
- 7.3 The scheme complements Dearne Approach priorities to improve the overall environment of Goldthorpe; alongside other strategic themes. The project and the work of the PRS working group will report into the Dearne Approach, as required.

8. Financial implications

- 8.1 Consultations on the financial implications have taken place with representatives of the Service Director – Finance (S151 Officer).

- 8.2 The Beaver Street development to create 8 bungalows is estimated to cost £1,060,620. This can be funded from a combination of monies already earmarked from within the New Build fund within the HRA capital Programme (£941,300) together with £119,320 from 1-4-1 Right to Buy capital receipts.
- 8.3 It is estimated that the scheme will generate a contribution of £25K to the HRA in 2019/20 from rental income offset partially by repairs and management costs. In later years this reduces to around £14K per annum due to future major repairs commitments.
- 8.4 The financial implications are summarised in the attached Appendix A.

9. Employee implications

- 9.1 There are no employee implications arising from this report.

10. Communications implications

- 10.1 The re-development of Beaver Street is positive news for the residents and business owners on Beaver Street and will complement targeted interventions from Berneslai Homes and BMBC in relation to bringing empty homes back into use and tackling poor standards within the Private Rented Sector.
- 10.2 As part of the build contract, the contractors will be expected to keep local residents up to speed (as well as the Dearne Approach) on development activity and will be required to hold a 'meet the contractor' event prior to scheme start on site. Given the site's proximity to the local primary school, there will also be an expectation for the contractor to liaise with the school regarding site safety.

11. Consultations

- 11.1 Local Ward Members have been consulted and support the proposal.
- 11.2 Consultation has been undertaken with officers within BMBC and Berneslai Homes, who are supportive of the planned proposals.

12. The Corporate Plan and the Council's Performance Management Framework

- 12.1 Building new Affordable Homes will help to achieve the following priority within the Council's Corporate Plan:

- Create more and better housing

New Affordable Homes meet housing need and contribute to growth targets.

- 12.2 The Council's Performance Management Framework contains the following performance indicator:

- EC29 – Number of NEW Affordable Homes
- EC28 Number of New Home Completions

13. Tackling Health Inequalities

- 13.1 The clearance of the obsolete terraced properties enabled the re-housing of the three affected tenants into more suitable accommodation to meet their needs. The new

properties will be suitable for older and/or disabled people in need of affordable accommodation.

14. Climate Change & Sustainability Energy Act 2006

14.1 None arising directly from this report.

15. Risk Management Issues

15.1 There are risks associated with both the delivery and non-delivery of this scheme.

15.2 There are reputational risks and (potentially) risk of legal challenge if the Council does not deliver the redevelopment of the site in line with the CPO. The site would remain a revenue liability to the Council; incurring security costs to prevent unauthorised access and, undoubtedly, to address fly-tipping issues.

15.2 There are risks involved in the delivery of any build schemes including, inclement weather delaying completion, site security and vandalism issues, spiralling costs associated with unaccounted for site 'abnormals' and contractor performance. These are all considered at project inception stage with mitigations in place to manage potential issues and a robust project management framework. However, direct delivery of this nature reduces a number of risks associated with tendering and the contractor stability.

16. Compatibility with European Convention on Human Rights

16.1 None arising directly from this report.

Office Contact: Sarah Cartwright	Telephone No: 6942	Date: 08/03/2018
----------------------------------	--------------------	------------------

This page is intentionally left blank

Report of the Executive Director of Place

FINANCIAL IMPLICATIONS

Beever Street, Goldthorpe – Re-development

i) Capital Expenditure	<u>2017/18</u>	<u>2018/19</u>	<u>2019/20</u>	<u>TOTAL</u>
		£	£	
Works and Fees	76,630	933,990	50,000	1,060,620
	76,630	933,990	50,000	1,060,620
To be financed from:				
HRA New Build Budget		891,300	50,000	941,300
Right to Buy Capital receipts	76,630	42,690		119,320
	76,630	933,990	50,000	1,060,620

ii) Revenue Effects	<u>2017/18</u>	<u>2018/19</u>	<u>2019/20</u>	<u>FYE</u>
	£	£	£	£
none in this report				
Total Expenditure	0	0	0	0
To be financed from:				
	0	0	0	0

Impact on Medium Term Financial Strategy	<u>2017/18</u>	<u>2018/19</u>	<u>2019/20</u>	<u>2020/21</u>
	£	£	£	£
MTFS	0.000	0.000	-0.317	0.000
Effect of this report		0	0	0
Revised Medium Term Financial Strategy	0.000	0.000	-0.317	0.000

Agreed by: On behalf of the Service Director and Section 151 Officer - Finance

This page is intentionally left blank

BARNSLEY METROPOLITAN BOROUGH COUNCIL

This matter is a Key Decision within the Council's definition and has been included in the relevant Forward Plan

Report of the Executive Director (People)
to Cabinet
(18th April 2018)

PROPOSAL TO AMEND THE CURRENT PAYMENT SCHEME FOR BARNSLEY IN-HOUSE FOSTER CARERS

1.0 Purpose of the Report

- 1.1 The report seeks Cabinet's approval on proposed changes to the Current Foster Carer Payment Scheme as a result of the ending of the Fostering Network Rate for allowances and learning from experience of the impact on recruitment and support following the introduction of the current scheme in April 2015.

2.0 Recommendations

- 2.1 **Cabinet is recommended to approve the proposed changes to the payment of allowances to Local Authority foster carers as summarised below:**
- **Increase the weekly payment at skills level 1 from £50 to £100**
 - **Reduce the number of skills levels from 5 to 3**
 - **Formalise the age-related skills payments and ensure that they both reflect the additional skills required to provide placements to older children and provide an incentive for carers to consider older children.**
 - **Allowances will continue to be paid at the National Minimum Standards rates**

3.0 Introduction

- 3.1 The current Foster Carer Payment scheme was introduced in April 2015 and has not been reviewed so far since that date. The payment scheme comprised 5 levels of skill-based fee payments and set allowances for the maintenance of the children based on the Fostering Network Rates which were set centrally and annually updated at the time.
- 3.2 Since the introduction of the Barnsley Scheme experience in practice has indicated that a review of skills-level payments was required and the ending of the Fostering Network Allowance rate in April 2016 meant that the arrangement for setting the maintenance allowances also requires a review.
- 3.3 At the time of the ending of the Fostering Network Rate and in order to conform with the requirement that allowances for both foster carers and other carers such as Special Guardians are comparable, a temporary arrangement was put in place where the actual allowance was based on the National Minimum Standard (NMS) rate proposed by the Department of Education and an 'age-related' skills based fee was introduced which exactly covered the difference between the NMS and the Fostering Network rate of allowances. This position however was untenable in the longer term.
- 3.4 The ending of the Fostering Network rate coupled with the 2 years' experience of delivering the new Barnsley payment scheme provided an opportunity for a review to ensure that the scheme reflects the skills and experience of carers and supports the Service to provide the numbers and types of placements required to meet the needs of local children and young people.

4.0 Consideration of Alternative Approaches

- 4.1 Every local authority and Independent Fostering Agency makes their own arrangements for the payment of foster carers and it is a competitive market to attract and retain carers. The one constant is the Department of Education guidance on the National Minimum Standard for allowances which most Local Authorities use as the basis for allowances. Skills fees vary considerably with some authorities not offering any fees at all and some Independent Agencies offering very high levels for skilled and experienced carers.
- 4.2 The fee and allowance arrangement is a challenge for Local Authorities who are expected to pay the same level of allowances to foster carers as they do to other carers where children are considered to have been 'placed' by Children's Services. It is however legally possible to differentiate in respect of skills payments. The capacity to consider alternative approaches for Local Authorities is therefore limited by legal considerations.

5.0 Proposal and Justification

5.1. Skills Levels

- Feedback from carers, as well as experience of trying to fit carers to an appropriate level at approval, indicates that the current level 1 is too low to encourage new carers to take up fostering. The proposal is therefore to increase the payment at level 1 from £50 to £100 per week.
- Feedback from carers and staff is that the current 5 level system is too complicated and doesn't meet the current need. The proposal is therefore to reduce the number of levels from 5 to 3.
- New carers will start at level 1 (£100 per week) and once they have acquired the required standard; can demonstrate that they are attending support groups, are supporting the Service through recruitment or other events, have completed the required 4 elements of training and can provide suitable placements for children they would progress to level 2 (£150 per week). It would be expected that most carers will spend 2 years at level 1.
- Once carers have completed the in-house Diploma and have at least 3 years' experience as a carer they could progress to level 3 (£360 per week).
- Carers who have a degree in Social Work/Teaching/Nursing and appropriate experience can start at level 3 provided they are providing placements for children over 5 or sibling groups.
- Connected persons carers would receive skills payments at level 1 once they had been approved as carers provided they had completed either the preparation for fostering training or the Training Standard. Connected persons carers would not progress beyond skill level 1 without completing an additional assessment to become mainstream carers.
- Unless they were additionally assessed as main-stream carers and were caring for unrelated children connected persons carers would not receive age related skills fees. Age-related skills fees would only be paid for children not placed under the connected person regulations.

5.2. Age-related skills payments

- The Fostering Service has a significant gap in carers prepared to offer placements to older children. The increase in additional payments reflects the additional skills and experience required to care for older children and provides an incentive to encourage more carers to consider older children
- The tables below illustrate the changes proposed to the payment scheme in comparison with the existing arrangements.

- The age-related skills fees are a rationalisation of the difference between the NMS rate for each age group and the previous Fostering Network rate. This additional payment needs to be maintained otherwise our carers will see significant reduction in their weekly payments. For many years Barnsley has made a commitment to carers to pay at the higher rate in recognition of the skills and commitment required to provide secure and stable placements for children placed with unrelated carers. Any significant reduction in overall payments would result in the loss of carers either to Independent Fostering Agencies or other Local Authorities as all Fostering Agencies are aware of the need to pay carers at competitive rates.
- The rationalisation of these payments enables the service to provide a clear rationale for higher skills payments to those carers providing placements for older children and young people where a higher level of skill, commitment and understanding are often required.

Proposed Scheme					
Fortnightly	Age's				
	0-1	1-4	5-10	11-15	16-18
Level 1	£ 200.00	£ 200.00	£ 200.00	£ 200.00	£ 200.00
Level 2	£ 300.00	£ 300.00	£ 300.00	£ 300.00	£ 300.00
Level 3	£ 720.00	£ 720.00	£ 720.00	£ 720.00	£ 720.00
Allowances	£ 254.00	£ 260.00	£ 286.00	£ 326.00	£ 382.00
Age Related Fee	£ -	£ 20.00	£ 40.00	£ 90.00	£ 120.00

Current Scheme

2017/18 Current Rates					
Fortnightly	Age's				
	0-1	1-4	5-10	11-15	16-18
Level 1	£ 100.00	£ 100.00	£ 100.00	£ 100.00	£ 100.00
Level 2	£ 200.00	£ 200.00	£ 200.00	£ 200.00	£ 200.00
Level 3	£ 300.00	£ 300.00	£ 300.00	£ 300.00	£ 300.00
Level 4	£ 520.00	£ 520.00	£ 520.00	£ 520.00	£ 520.00
Level 5	£ 720.00	£ 720.00	£ 720.00	£ 720.00	£ 720.00
Allowances	£ 246.00	£ 252.00	£ 278.00	£ 318.00	£ 370.00
Age Related Fee	£ 39.72	£ 33.72	£ 47.46	£ 87.16	£ 122.88

5.3. Allowances

- Allowances will continue to be paid at the National Minimum Standards rates. These are up-lifted every year in line with current Government Policy. In the last few years this has been an up-lift of around 1%. This would continue into the future and carers will see an annual increase in their fortnightly allowance.
- Maintaining allowances in line with national guidelines provides complete transparency and enables the Service to ensure parity between approved foster carers and other types of carers supported by the Department.

6.0 Implications for Local People and Service Users

- 6.1 The new payment scheme will be far more transparent and more easily comprehensible to current and especially potential carers. The added incentive to

care for older children should result in the increased availability of placements for children in the older age ranges.

- 6.2 The increase in the initial skills level will increase the interest amongst potential new carers as feedback from current and potential carers has been that the initial low level of reward has been a disincentive to many carers who may already be employed and would like to foster but are anxious about a reduction in income. The reduction from 5 to 3 levels also makes it much simpler for new carers to understand.
- 6.3 Additional in-house foster carers will broaden the choice for looked after children and enable the Service to support placements much more effectively than when children are placed with Independent Fostering Agencies.
- 6.4 There will be some carers who will see a reduction in income where they care for very young children due to the changes in the age-related fee. However this is considered to be a fair reflection of the skills required and the challenges posed by caring for older children. At current placement levels this will affect around 12 carers currently caring for babies under a year old.
- 6.5 Changes in the maintenance allowance and age-related fee will only come into place as a carer takes a new placement or as a child passes through an age-barrier. Changes to the skills related fee will be made following the review which determines that the carers are suitable to move to the next level.
- 6.6 Some connected person carers will no longer be able to progress beyond level one but there are very few connected person carers who have ever wanted to do this and it would not be a proper use of public funds to train and pay at enhanced skills rates carers who are caring for members of their own family.

7.0 Financial Implications

- 7.1 The proposed schemes have been costed based on the following assumptions:
- Number of Foster Carers in October 2017/18 @ 85
 - Number of Children in October 2017/18 @ 130
 - 2016/17 Ratio of the number of carers at each skills level and child age groups.
- 7.2 Current spend on foster carers allowances / payments is forecast in excess of £2.0m for 2017/18. The financial impact of the change in the foster carer payment scheme is summarised in the table below:
- The proposed scheme is estimated to cost £65k more than the current scheme.

	Current	Proposed Scheme	Variance
	£'000	£'000	£'000
Skills Levels	1,160	1,228	68
Allowances	997	1,026	29
Age Related	219	186	-33
	2,376	2,440	64

- 7.3 The main increase is in the skills level payments and is attributable to the number of level 1 and level 4 carers that would be paid at a higher rate as a result of the move from the current 5 level structure to 3. Also the increase in the scheme costs is attributable to the NMS in 2017/18 rate being higher than where the rate was when the Network rate was frozen in Barnsley in March 2016.
- 7.4 This may be mitigated by reducing the age related fee however that could impact on the one of the objectives of the Placement and Sufficiency Strategy to attract carers for older children. It must also be noted that the NMS rates are subject to annual inflationary increase, the current scheme that BMBC operates has not seen an increase to the rates for a number of years.
- 7.5 Currently, foster care payment costs are managed as part of the looked after children placement budget (as per the LAC sufficiency strategy). The change in the payment scheme and the increased will no doubt increase or exacerbate the cost pressures within the Placement and Sufficiency Strategy costs. However, it is envisaged that the changes to the age related fee element (and the new scheme) would incentivise carers to foster older children thereby reducing the cost pressures on IFAs and residential care placements. At this stage it is difficult to quantify the opportunity cost savings that would accrue from such and incentive.
- 7.6 Whilst the proposed scheme can be modelled using increased activity levels i.e. 140 or 150, it should be noted this does not change the cost differential (i.e. £64k) between the current and proposed scheme. Increase in cost and therefore funding requirement would be inevitable with increased numbers however this is not a consequence of the new scheme (but rather a demographic cost).

8.0 Employee Implications

- 8.1 Other than ensuring the proposed changes to the Scheme will lead to the improved recruitment, retention, skills and capacity of Local Authority foster carers, there are no further employee implications for the Authority.

9.0 Communications Implications

- 9.1 There will be communications implications. There will be consultation with the existing foster carers prior to implementation and there will be a need to ensure that all current carers are aware of the changes. The web-site will need amending which gives details to carers regarding the payment levels. Payment levels can be used to attract new carers as part of the social media campaign.

10.0 Consultations

- 10.1 There have already been initial consultations with foster carers and the Foster Carer Association and carers are aware of and have already made their views known regarding a number of the proposals detailed here.
- 10.2 As part of the consultation process, two consultation sessions were arranged for 19th February one in the morning and one in the evening to ensure as many carers as possible were able to attend. The proposals were shared with carers in advance of the meeting and carers views gathered on the 4 key recommendations indicated in Paragraph 2.1.

11.0 The Corporate Plan and the Council's Performance Management Framework

- 11.1 The plan to have more Barnsley Carers for Barnsley children and increase the number of in-house carers is part of the Corporate Plan and is monitored through the Sufficiency Strategy. An appropriate payment scheme is essential to recruit new carers and retain existing ones.

12.0 Promoting Equality, Diversity and Inclusion

- 12.1 The intention is to recruit carers from a diverse range of backgrounds and cultures including carers with disabilities to meet the diverse needs of children in care.

13.0 Tackling the Impact of Poverty

- 13.1 Fostering can lift children out of poverty and providing opportunities for local people to become skilled foster carers offers opportunities for individuals to obtain worthwhile employment and evade poverty.

14.0 Tackling Health Inequalities

- 14.1 The health needs of children in care are directly addressed enabling them to achieve a healthy adulthood. All foster carers are trained to pay attention to the health needs of the children in their care.

15.0 Reduction of Crime and Disorder

- 15.1 Looked after children are less likely to offend and foster carers encourage children in their care to be good citizens.

16.0 Risk Management Issues

- 16.1 The risks are minimal with this proposal. The costs have been managed within budget as far as possible despite a significant increase in the number of in-house carers. It is likely that most carers will support the proposed changes with the possible exception of carers of younger children who will lose income under the age-related fee. The aim of the Service will be to ensure carers as a whole understand and support the changes.

17.0 Health, Safety and Emergency Resilience Issues

- 17.1 Not relevant

18.0 Compatibility with the European Convention on Human Rights

- 18.1 These changes are compatible with the European Convention on Human Rights

19.0 Conservation of Biodiversity

- 19.1 Not relevant

20.0 Glossary of Terms and Abbreviations

- 20.1 None applicable.

21.0 List of Appendices

21.1 There are no appendices to this report.

22.0 Details of Background Papers

22.1 If you would like to inspect background papers for this report, please e-mail governance@barnsley.gov.uk so that appropriate arrangements can be made.

Report author: Mel John-Ross (Service Director: Children's Social Care and Safeguarding)

Financial Implications/
Consultation (to be signed by senior Financial Services Officer where no financial implications

This page is intentionally left blank