

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
Core Services

SCRUTINY TASK AND FINISH GROUP (TFG) REPORT ON BMBC'S ASSET MANAGEMENT

1. Purpose of report

- 1.1 To report to Cabinet the findings of the Overview & Scrutiny Committee (OSC) from the investigation undertaken on its behalf by the Asset Management Task & Finish Group (TFG). The group specifically considered: developments; community asset transfers (CATs); actions taken as a result of the Grenfell incident; and energy efficiency.

2. Recommendations

- 2.1 That Cabinet considers the conclusions and recommendations set out in section 6 as a result of the TFG's review of Asset Management in Barnsley.

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. 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.
- 3.2 The members of the TFG who undertook this investigation included the following: Councillor Paul Hand-Davis (TFG Lead Member), Councillor Phil Birkinshaw, Councillor Malcolm Clements, Councillor Jeff Ennis, Councillor Wayne Johnson, Councillor Caroline Makinson and Councillor Sarah Tattersall.

4. What the Task & Finish Group (TFG) looked at

- 4.1 Initially, the TFG met to consider the scope of the investigation, which included receiving an overview presentation of the Council's Asset Management Strategy 2017-2020. This gave the group a broader understanding of the management of the Council's Assets, following which they selected to undertake more detailed investigation with regards to: 'the developer's view' of the borough and affordable housing; CATs; actions and implications of the Grenfell Tower fire; and energy efficiency of Council assets.
- 4.2 The TFG undertook a number of 'check and challenge' sessions with relevant officers from both the Council and Berneslai Homes regarding the work being carried out and future plans. In addition to these sessions, the TFG also visited two examples of where CATs had been undertaken which included Penistone Leisure Centre and Athersley Community Shop.

5. What the Task & Finish Group found

- 5.1 The TFG challenged the availability of affordable housing in the borough and what is being done to increase this. The group received a presentation which explained the challenges and variables with regards to this including how developers view the borough, the challenges of building in the current climate as well as considerations regarding commercial developments. The TFG were reassured by evidence of the work being done to maximise the benefits of developments in the borough for residents as well as the economy. This included activities requiring several years of investment both financially but also in building relationships with external agencies.
- 5.2 With regards to CATs, the group were given a detailed presentation on the variety of forms this can take. This included an overview of the existing policy as well as an outline of the proposals for the new policy for the period 2017-2020; the plans for which are to encourage CATs to be undertaken. The TFG were keen to ensure that groups are well-informed before they undertake a CAT and receive guidance on where they can seek continuing support from, such as regarding particular aspects of the law. The group found that innovative work is being undertaken to consider each CAT on its own merits, thereby ensuring appropriate safeguards are in place depending on the circumstances. The TFG welcomed the clarity provided with recent CATs regarding the long-term maintenance of assets however raised concerns that this may need to be re-visited for CATs undertaken historically.
- 5.3 The group undertook site visits to Penistone Leisure Centre and Athersley Community Shop which were varying examples of existing CATs. At Penistone Leisure Centre the TFG were impressed by the work undertaken by volunteers and the support which had been provided by both individuals and businesses in the local community to maintain this community asset. The TFG were able to learn about the challenges of undertaking a CAT and what the Council could put in place to support this process in future. The TFG were also able to make suggestions to the volunteers regarding potential ideas and support services they had not yet accessed.
- 5.4 On visiting Athersley Community Shop the group learned how this CAT had been undertaken as a partnership amongst local professional organisations. The TFG were inspired by the work being undertaken and the opportunities CATs can provide. In terms of the CAT process, the group were made aware of the challenges of this even when professional organisations were involved which could call on resources such as expert financial advice within their own organisations. Those involved were keen to highlight that those proposing to undertake a CAT need to be aware of the timescales involved and that this cannot be done overnight given the legal and governance requirements.
- 5.5 Further to the Grenfell Tower fire incident, the group met exactly 6 months to the date since the disaster to provide check and challenge to work that had been undertaken in Barnsley as a result. The TFG were reassured that checks had been carried out both as expected and in addition, immediately, on all relevant buildings. Proactive communication had been provided to residents and there was evidence of effective partnership working amongst local organisations. The TFG were advised that all of the current buildings and checks undertaken met with current regulations; however, given the ongoing enquiry into the Grenfell disaster, some of these may change. To avoid wasting resources, the relevant organisations advised that they are awaiting the

- outcome of the Grenfell enquiry and any potential new national guidance before they take action to make any changes to either the fabric of buildings or inspection regimes.
- 5.6 In relation to Energy Management, the TFG were given an overview of this dedicated theme within the Asset Strategy to: minimise energy consumption; promote energy efficient building design; promote renewable energy; and low carbon technology. The group critiqued the work being undertaken and understood the challenges faced due to limited data. The group welcomed the innovative initiatives already put in place as well as future plans being considered including work to encourage staff behaviour change and implementation of the latest building technology.

6. Recommendations

- 6.1 During the investigations, the TFG members made a number of suggestions and recommendations regarding the work being undertaken which the services were able to consider as part of their work. In addition to these suggestions, the TFG recommends the following:

6.2 **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.

6.3 **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.

6.4 **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.

6.5 **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.

6.6 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.

6.7 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 TFG would like to take this opportunity to thank all those who provided information and assisted with the TFG's investigation.

7. Implications for local people / service users

7.1 Effective management of the Council's Assets is essential for local people and service users. The check and challenge provided to services by the TFG helps 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.

7.2 The proposals to increase the use of CATs provide opportunity for local groups to manage local assets. The TFG's recommendations are in support of this and will help to make this process easier in future.

8. Financial implications

8.1 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.

9. Employee implications

9.1 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.

10. Communications implications

10.1 The opportunity for CATs to be undertaken needs to be promoted within communities, which Elected Members can highlight as an option as appropriate. In support of this, it is important however that information regarding this is clear and easy to access so that those considering this as an option are aware of what they will be undertaking.

10.2 Recommendation 5 in the report requests that fire safety information is targeted at specific groups to both reduce the risk of fires as well as ensure those who may be vulnerable in an emergency situation are proactively communicated with.

11. Consultations

11.1 Consultations have taken place with the Asset Management TFG, Councillor Alan Gardiner, Councillor Roy Miller, Council Officers Jeremy Sykes, Tim Hartley, Tanya Hunter, George Lee, Simon Dobby, Phillip Spurr and Paul Stelling, Steve Davis from Berneslai Homes, the Council's Senior Management Team as well as representatives from Penistone Leisure Centre and Athersley Community Shop.

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

12.1 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.

13. Promoting equality, diversity, and social inclusion

13.1 The TFG highlighted that particularly in an emergency, we need to ensure individual customer needs are met, particularly those who are vulnerable, have disabilities and would need additional support should an emergency situation occur.

13.2 In relation to CATs, site specific proposals will be considered in relation to equality and diversity. Similarly, public buildings will need to be maintained in accordance with appropriate standards.

14. Tackling the impact of poverty

14.1 In recommending that advice is given against the purchase of cheap electrical goods, the TFG is aware that those in poverty may be at greatest risk of purchasing such appliances and therefore putting themselves and others at greater risk of danger and injury. It is therefore important that appropriate guidance is provided.

14.2 The TFG also undertook challenge of provision of affordable housing in the borough and what is being done to ensure this is maximised. The group were reassured by the work being undertaken and have recommended that this is shared with the Planning Regulatory Board to support them in their decision making.

15. Tackling Health Inequalities

15.1 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.

16. Reduction of crime and disorder

- 16.1 By encouraging people to be more active in their local community, we can encourage them to take responsibility for their local area, for example by being part of a CAT. It is also noted that vacant or under used buildings and land can attract vandalism and unauthorised uses such as fly-tipping, substance abuse and other anti-social behaviour. The transfer of properties helps keep them in use, helping to prevent such problems.

17. Health, safety, and emergency resilience issues

- 17.1 The TFG have undertaken specific challenge with regards to health, safety and emergency resilience provision in the borough. The group were reassured that immediately following the Grenfell Tower fire, actions were taken to ensure the safety of our residents and to proactively communicate with them. The group have specifically recommended action to support the health and safety of residents.

18. Risk management issues

- 18.1 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’

- 18.2 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.’

- 18.2 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 asset management activities and community asset transfers to be cognisant of these risks.

19. Glossary

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

20. 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>

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