

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.

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