

**AGENDA**

Committee Administrator: Democratic Services Officer (01609 767015)

Wednesday, 15 February 2017

Dear Councillor

**NOTICE OF MEETING**

Meeting **SCRUTINY COMMITTEE**  
Date **Thursday, 23 February 2017**  
Time **9.30 am**  
Venue **Main Committee Room, Civic Centre, Stone Cross, Northallerton, DL6 2UU**

Yours sincerely

*J. Ives.*

Dr Justin Ives  
Chief Executive

**To:**

Councillors	Councillors
S P Dickins (Chairman)	D Hugill
Mrs C S Cookman (Vice-Chairman)	Ms C Palmer
M A Barningham	Mrs I Sanderson
G W Ellis	A Wake
C A Dickinson	D A Webster
R W Hudson	

Other Members of the Council for information

## **AGENDA**

### **Page No**

1. MINUTES  
To confirm the minutes of the meeting held on 12 January 2017 (SC.26 - SC.28), previously circulated.
2. APOLOGIES FOR ABSENCE
3. COUNCIL PERFORMANCE 2016/17 (QUARTER 3) 1 - 18  
Report of the Director of Finance (S151 Officer)
4. REVIEW OF RISK MANAGEMENT 19 - 22  
Report of the Director of Finance (S151 Officer)
5. POLICY REVIEW - CIVIL PARKING ENFORCEMENT 23 - 32  
Report of the Chairman
6. POLICY REVIEW - HEALTH AND SAFETY 33 - 46  
Report of the Chairman
7. MATTERS OF URGENCY  
Any other business of which not less than 24 hours' prior notice, preferably in writing, has been given to the Chief Executive and which the Chairman decides is urgent.

## **HAMBLETON DISTRICT COUNCIL**

**Report To:** Scrutiny Committee  
23 February 2017

**Subject:** **COUNCIL PERFORMANCE 2016/17 (QUARTER 3)**

**All Wards**

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### **1.0 PURPOSE AND BACKGROUND:**

- 1.1 The revised Council Plan for 2015-2019 was adopted at Council on 13 September 2016.
- 1.2 The Council Plan shows the Council's goals with measurable outcomes in the form of Council Key Performance Indicators (KPIs). The Council's approach to performance management is designed to ensure that priorities are effectively implemented, monitored and managed to achieve real improvements in the quality of life in the local community.
- 1.3 This report provides the Scrutiny Committee with details on progress towards the Council's aims together with information on indicators performing exceptionally well, and actions to address areas of under-performance at 2016/17 Quarter 3.
- 1.4 Progress is reported on a cumulative year-to-date basis, with actual results achieved during Q3 also provided to enable a comprehensive review.
- 1.5 The public has access to this information through these quarterly performance reports.
- 1.6 The Council's Performance and Risks are also reported quarterly to Management Team.

### **2.0 LINK TO COUNCIL PRIORITIES:**

- 2.1 An overview of performance against each Council priority is attached in Annex 'A'.
- 2.2 In summary, 77.14% or 27 KPIs performed on or above target at Quarter 3.
- 2.3 Of the KPIs successfully meeting their targets, the following three achieved notable progress:

#### **2.3.1 Facilitate 25 young people into local small businesses by April 2017 through Apprenticeships**

Target Q3 = 13, Actual = 35

There have been 35 approved applications of which 16 businesses have apprentices in place and 11 wait to confirm appointments. The Council continues to support businesses in their recruitment.

#### **2.3.2 To ensure the actual amount of Business Rates collected against the budget is £27.4m in 2016/17**

Target Q3 = £20.5m. Actual at Q3 = £24.5m

The target is based on the estimate of rates to be collected.

### 2.3.3 Achieve £2.69m of leisure centre income

Target at Q3 = £1.28m. Actual at Q3 = £1.99m

Income is above target and directly linked to key products including a higher Health & Fitness membership base. Actual budget has also been increase by £40k to £2.72m

Estimate income target Q1= £619K, Q2= £662K, Q3 = £620K, Q4 = £787K.

## 2.4 The KPIs not meeting their target at Q3 are:

### 2.4.1 Achieve 600 referrals signed up to Take that Step programme

Target at Q3 = 450. Actual at Q3 = 75

YTD at Q3 = 356

Very challenging targets based upon the funding Memorandum of Understanding (MoU) with NYCC Public Health and Hambleton, Richmondshire & Whitby CCG. Incorrect communication by CCG to GP's stating scheme had ended, has had a negative impact on number of referrals from GP's.

Communications have been reissued but unsure what long term effect this will have on referrals.

### 2.4.2 Ensure compliance with the private water supply risk assessment programme

Annual Target – 95%. Actual Q3 – 40% [actuals 4/10]

YTD at Q3 – 65% [actuals 13/20]

The private water supply risk assessment programme target was not met due to two of the private water supplies requiring Regulation 18 enforcement notices to be served due to poor sample results and therefore delaying other risk assessments being carried out. This was exacerbated by the resignation of an Environmental Health Officer. A new team member has been appointed which will contribute to progress in this area in future. The remaining overdue risk assessments are on low risk properties and do not present a significant public health risk.

### 2.4.3 To achieve a minimum customer satisfaction rating of 90% for the Council's waste collection service.

Target Q3 - 90%. Actual Q3 – 81%

YTD at Q3 – 80%

A comprehensive survey will be run during 2018 once the new recycling and green waste arrangements have become established.

Until then GovMetric data will be reported, however, it should be noted that this detail is not representative of the service as a whole. Performance is down due to poor Web satisfaction rates:

Q1 results: April 28%, May 81%, June 46%. Q2 results: July 76%, August 86%, Sept 73%. Q3 results: Oct 73%, Nov 64%, Dec 83%

2.4.4 Deliver an effective and efficient refuse and recycling collection service by completing the three stages of route optimisation by December 2016

Target 100% by Dec 2016. Actual Q3- 5%

YTD at Q3 – 80%

Route optimisation work has demonstrated that no further significant efficiencies can be delivered at this stage and no round changes are possible at this point. Small changes will be implemented in quarter 4. This will be re-addressed in 2018 after the charged green waste system has been operating for a year. Further efficiencies will sought by maximising recycling income.

2.4.5 Process new housing benefit claims within 20 days in line with North Yorkshire authorities

Target Q3 – 20 days. Actual Q3 – 27.49 days

YTD at Q3 – 22.99 days

The introduction of Universal Credit (UC) in October 2016 has impacted on performance. The team deal with customer enquiries and the UC customers are on average taking longer to deal with. In addition staff are having to adapt to the new rules.

The process of transferring information to Department for Work and Pensions (DWP) is more clerical. The time taken to assess whether the claim is the responsibility of the authority is also impacted by the customer and DWP's knowledge of customers' entitlement to UC.

Additionally, Q3 saw a backlog of work due to sickness and holiday absences. However the performance for the month of December was 21 days or just above the target of 20 days.

The impact of Universal Credit is being monitored through the development of statistical and anecdotal feedback.

2.4.6 Process new council tax claims within 20 days in line with North Yorkshire authorities

Target Q3 – 20 days. Actual Q2 – 26.95 days

YTD at Q3 – 24.12 days

In addition to the above, there are also delays in changes in circumstances where UC is in payment. The section is unable to alter the claim until notification of entitlement is received which, due to DWP processing times, is often not received for a period of 30 days. The performance for the month of December was 29.56 days.

The impact of Universal Credit is being monitored through the development of stats and anecdotal feedback.

2.4.7 To detect and prevent the amount of Housing Benefit and Council Tax fraud against a target of £50,000

Annual Target - £50K. Actual at Q3 - £6,0465

YTD at Q2 - £6,063

This target has been set at £50k with the expectation that fraud and error would be identified from the areas of council tax and limited housing benefit. However, due to the transfer of responsibilities to DWP, the target group in which to detect fraud has reduced rendering the target difficult to attain.

Since September 2015 Veritau has held the Council's contract for investigating fraud in these areas. The Council are in discussion with Veritau in relation to the outsourced fraud and error service it is receiving and looking at other ways to utilise Veritau's resource other than investigating council tax fraud. An investigation is currently underway as to why the fraud and error detection has fallen significantly below target whilst this area has been outsourced.

In Q3 Veritau reported just under £5,000 in respect of Council Tax Reduction cases and just over £800 in respect of a single person discount fraud. The DWP have reported they have found £256 overpaid HB.

Several investigations are ongoing by both teams.

**3.0 CONCLUSIONS:**

3.1 Performance against the revised Council Plan 2015-19 key priorities is being managed and action plans have been developed to address areas of weaker performance to assist the Council to progress to meet its priorities.

**4.0 RECOMMENDATION:**

4.1 It is recommended that the Scrutiny Committee considers the progress made at Q3 against the Council Plan 2015-19, as detailed in Annex 'A'.

LOUISE BRANFORD-WHITE  
DIRECTOR OF FINANCE (S151 OFFICER)

Background papers: Management Team Report 2016/17 Quarter 3

Author ref: Louise Branford-White  
Director of Finance (s151 officer)  
Direct Line No: (01609) 767024

Pam Channer  
Performance & Improvement Officer  
Direct Line No: (01609) 767034

## **Council Performance Quarter 3**

### **1 October – 31 December 2016**

This report provides information on performance towards the Council Business Plan Priorities for the third quarter of 2016/17, as reported to the Management Team on 8 February 2017.

#### **Key Priorities:**

- Driving Economic Vitality
- Enhancing Health & Wellbeing
- Caring for the Environment
- Providing a Special Place to Live

## PRIORITY – Driving Economic Vitality

### Purpose:

- Promote growth of local economy
- Support economic growth through planning
- Enable businesses to set up and grow
- Provide business friendly services
- Establish links with education
- Maximise private sector investment to the District
- Improve market town vitality and viability

### Outcome:

- New business & commercial openings made available
- Increased grant availability and opportunity for young people
- Businesses stay, grow and relocate to the area
- Support developers achieve planning permission for new homes, businesses, industrial developments & infrastructure
- Community Infrastructure levy is implemented to assist economic development
- Land is allocated to meet employment needs until 2035 through the new Local Plan

Indicator	Target / Benchmark	Quarter 3	YTD	Q3 Actions / Comment
Facilitate 25 young people into local small businesses by April 2017 through Apprenticeships	25	10	35	35 Approved applications. Of these 16 businesses have apprentices in place and we are waiting 11 to confirm appointment of their apprentices. Unfortunately 8 businesses have been unable to recruit apprentices and have therefore withdrawn from the scheme. We are continuing to support businesses in their recruitment.
Facilitate 15 graduates into Hambleton businesses by April 2017 through the Graduate Scheme	15	3	10	Continuing to publicise this scheme and 10 applications have been approved and 5 of these have applicants in place. 2 businesses have withdrawn from process due to issues with recruitment. We are continuing to support these businesses. Profiled to achieved target over the year as Q1 = 0, Q2 = 5, Q3 = 5 and Q4 = 5 to reflect the academic year
Delivery of 14 projects in the Economic Strategy by March 2017	14	0	14	All 14 projects identified for delivery in 2016/17 are in progress.



Indicator	Target / Benchmark	Quarter 3	YTD	Q3 Actions / Comment
To achieve a level of Business Rate collection of 98%	98%	24.36%	85.11%	On track. Cumulative % reported only.
To achieve a level of Council Tax collection of 98%	98%	28.17%	87.25%	On track. Cumulative % reported only.
To ensure the actual amount of Business Rates collected against the budget is £27.4m in 2016/17	£27.4m	£7,058,220	£24,512,057	The target is based on the estimate of rates to be collected.
To achieve the national indicator by increasing the number of major planning applications determined within 13 weeks, or as agreed with the applicant, to 80%	80%	91.6% [11 of 12]	81.2% [27 of 32]	Q1 performance was largely affected by refusal of applications challenging the Council's position on 5 year housing supply. Closer monitoring and management procedures have resulted in significant improvement in Q2, maintained in Q3.
To achieve the national indicator by increasing the number of minor planning applications determined within 8 weeks, or as agreed with the applicant, to 85%	85%	84.1% [90 of 107]	84% [306 of 364]	Q1 performance affected by turn-over of staff and delayed cases due to changes in Government policy. Closer monitoring and management have resulted in significant improvement in Q2, partly maintained in Q3, despite staff turn-over and reliance on temporary staff
To achieve 80% success rate in defending appeals where major developments are refused planning permission	80%	100% [0/0]	100% [0/0]	No appeal decisions in respect of major development and therefore no scope for overturns.

Other activity and items of interest for this Priority during Quarter 3		
<b>Planning</b>	<b>Staff Training</b>	<ul style="list-style-type: none"> <li>Gypsy, Traveller, Roma and Showpeople sub-regional conference including facilitating workshop 18 November 2016</li> <li>Royal Town Planning Institute (RTPI) Course "Can planners help to solve the housing crisis?" December 2016.</li> </ul>
	<b>Neighbourhood Planning</b>	<ul style="list-style-type: none"> <li>Hutton Rudby Neighbourhood Plan Area designated in September</li> <li>Meeting convened at request of Easingwold Neighbourhood Planning Group with health providers on December</li> <li>Support provided to Hutton Rudby Neighbourhood Planning Group on their neighbourhood questionnaire</li> <li>Support provided to Ingleby Arncliffe Neighbourhood Planning Group on their Housing Needs Survey</li> </ul>
	<b>CIL - at Dec 2016</b>	<ul style="list-style-type: none"> <li>CIL income 2016 /2017 £308,671 with £46,300 going to Parish and Town Councils</li> </ul>
<b>Business &amp; Economy</b>	<b>Federation of Small Business</b>	<ul style="list-style-type: none"> <li>In Q3 we have had 11 more small businesses sign up for the scheme, making a total of 40 for the year so far.</li> </ul>
	<b>Stokesley Wi-Fi</b>	<ul style="list-style-type: none"> <li>A joint Wayleave Agreement has now been agreed by CO-OP and Landlord. This has now been returned from CO-OP to be signed by landlord and Parish Council.</li> </ul>
	<b>Broadband</b>	<ul style="list-style-type: none"> <li>Meeting with BT on 14 December to agree approach with businesses at Dalton in line with Bridge works. Letter to go out to businesses at Dalton to update them on options</li> </ul>

<b>Other activity and items of interest for this Priority during Quarter 3</b>		
<b>Business &amp; Economy</b>	<b>Thurston Road Signage</b>	<ul style="list-style-type: none"> <li>• Discussions underway with Landowner of site and Highways have provided details on positioning.</li> </ul>
	<b>Stokesley Business Park</b>	<ul style="list-style-type: none"> <li>• Supported successful event at Armstrong Richardson, attended by Cllr Wilkinson to improve networking and understanding of Stokesley Business Park. Local business leaders attended and the LEP provided an update on apprenticeships. Agreement from HDC to pay for a Stokesley Business Park website to continue the promotion of the business park</li> </ul>
	<b>Teesside University</b>	<ul style="list-style-type: none"> <li>• Attended meetings with the University to understand the Apprenticeship levy and the degree apprenticeships on offer to promote to businesses</li> </ul>
	<b>Vibrant Market Towns [VMT]</b>	<ul style="list-style-type: none"> <li>• Background project research underway</li> <li>• Introductory meetings held with business leaders in Stokesley, Bedale and Thirsk and Easingwold planned for Q4</li> <li>• Graduate VMT Trainee Project Officer recruitment documents reviewed in readiness for recruitment currently planned in Q4 2016/17</li> </ul>
	<b>Workspaces</b>	<ul style="list-style-type: none"> <li>• Momentum – sale of the building – deal agreed and sale completed promptly</li> <li>• Springboard and Evolution continue to do well on meeting room hire and Evolution doing very well on virtual tenants</li> <li>• Land sale to Lifetime Home Improvements at Leeming Bar completed</li> <li>• Negotiations on other land sales taking place</li> </ul>
	<b>Funding Officer - Wensleydale Railway</b>	<ul style="list-style-type: none"> <li>• Regular attendance at Grants Committee meetings and at project meetings with sub groups.</li> <li>• Design and implementation of Catering Facilities Survey to gain feedback to inform project outline</li> <li>• Assisted in the design of restoration project for Leeming Bar Station House, including writing project outline for funding</li> <li>• Presentations to numerous groups regarding proposed projects</li> <li>• Developing Scruton Heritage Trail project with a view to applying for LEADER funding to support</li> </ul>
	<b>Successful funding applications – £32,683</b>	<ul style="list-style-type: none"> <li>• £3,683 grant to Stokesley Parish Council for Foodweek activity, following successful outcome of funding application to NYMNP Local Distinctiveness/Tourism Fund</li> <li>• £29k grant to Heritage Craft Alliance for Heritage Timber Construction Training Centre, following successful outcome of LEADER funding application</li> <li>• Further applications in development/submitted for Westhorpe Farm, Hambleton Farming Company, Zibizi and Rounton Coffee (x2)</li> <li>• Early stage meeting to scope project involving the relocation of Great Ayton Tourist Information Centre into the Discovery Centre building</li> </ul>
	<b>Electric Chargepoints</b>	<ul style="list-style-type: none"> <li>• Exploring possible funding options for the installation of electric car charging facilities at the Civic Centre and within the market towns</li> </ul>
	<b>Let's Grow</b>	<ul style="list-style-type: none"> <li>• Meeting with Treske to offer guidance regarding pending Let's Grow application for expansion plans</li> </ul>
	<b>Dalton Bridge – key areas of activity</b>	<ul style="list-style-type: none"> <li>• Manage design consultants, review tender documents, deal with compensation events, financial and programme control.</li> <li>• Manage the interfaces with various teams within NYCC, work with officers of NYCC to ensure satisfactory preparation of the construction contract and technical sign off of our consultants design and in relation to utility diversions and advanced works contracts</li> <li>• Work with utilities to drive down costs. Secured circa £150,000 of savings. Secure Environment Agency funding of £385,000.</li> <li>• Review Section 278 Agreement and comment on in relation to Loan and Deed of Grant Agreements</li> <li>• Work with Dalton Land Limited appointed solicitors to secure acquisition of land, ensure co-ordination between all parties.</li> <li>• Provide support to a major inward investor and facilitate the inclusion of infrastructure works into the Bridge and Highway Scheme.</li> </ul>

## PRIORITY – Enhancing Health & Wellbeing

### Purpose:

- Improve the health and wellbeing of people by providing and supporting community inclusive facilities, activities, events and interventions
- To protect consumers from health risks relating to hazardous food, drink and waters supplies.
- To protect residents from hazardous conditions in privately rented housing.

### Outcome:

- Increased physical activity participation rates & therefore improve health
- Reduction in health threatening conditions
- Improved health & wellbeing through community events, initiatives, programmes & activities
- Increased child safety through learning to swim
- Improved community cohesion & quality of life
- Improved standard of hygiene in food businesses
- Reduced health risk due to non-compliant private water supplies
- Improved quality of private rented sector housing

Indicator	Target / Benchmark	Quarter 3	YTD	Q3 Actions / Comment
To achieve and average health & fitness membership base of 2,645	2,645	2,747	2,747	Operating above target. Q3 achieved monthly sales targets. The profile for Health & Fitness memberships fluctuates throughout the year. Our membership base is 105 higher than this time last year.
Achieve £2.69m of leisure centre income	£2.69m	£655,000	£1.99m	Income is above target. Directly linked to key products including a higher Health & Fitness membership base. Actual budget has also been increase by £40k to £2.72m (EST) Profile of income target Q1= £619K, Q2= £662K, Q3 = £620K, Q4 = £787K.
To achieve 2,590 junior members on the 'Learn2 Swim' programme	2,590	2,625	2,625	Although the overall picture is still positive, a couple of centres are slightly below average for this quarter following Christmas drop off. We expect numbers to grow again Jan-Mar.

Indicator	Target / Benchmark	Quarter 3	YTD	Q3 Actions / Comment
Enable 500 targeted people to participate in new activities or initiatives offered from community venues	500	206	702	Dance – 35; Multi-Sport – 13; Boccia – 31; Primetime – 166; Park Run – 256; Sports Clubs – 19; Sporting memories – 43; Running Clubs (Stok; Easingwold & Northallerton) 69; Ability Day –36; TriClub – 34 Some events are seasonal with more take up in the summer - therefore profile for the year is Q1= 75, Q2 = 175, Q3 = 175 and Q4 = 75.
Achieve 600 referrals signed up to Take That Step programme	600	75	356	- Very challenging targets based upon the Funding MoU with NYCC Public Health and Hambleton, Richmondshire & Whitby CCG. - Incorrect communication by CCG to GP's stating scheme had ended, has had a negative impact on number of referrals from GP's. - Communications have been reissued but unsure what long term effect this will have on referrals
Allocate £175,000 to sustainable community initiatives	£175,000	£125,000	£174,014	Small grant scheme - £50k fund; Making a Difference Grants - £125k fund. Close to target, no long term concerns. Profile of funding Q1= £49K, Q2 = £0k, Q3 = £125K and Q4 = £1000.
Ensure that 90% of Section 106 funds are allocated at any given time	90%	98.90%	99% [£2,903,488.39 allocated / £2,936,247.34 received]	Includes amounts allocated from total fund received cumulatively since 2012
Ensure compliance with the food hygiene inspection programme	79% [251/317 premises inspected] revised to [317 / 400 ] from Q2	100% + [144/107]	92.48% [283/306]	A Food Hygiene Contractor was employed to assist with meeting the backlog as well as contribute to the food hygiene inspection programme. He will be retained during January and February. Profile 2016/17: Q1 - 83, Q2 - 116, Q3 - 107, Q4 - 94

Indicator	Target / Benchmark	Quarter 3	YTD	Q3 Actions / Comment
Ensure compliance with the private water supply risk assessment programme	95%	40% [4/10]	65% [13/20]	The private water supply risk assessment programme target was not met due to two of the private water supplies requiring Regulation 18 enforcement notices to be served due to poor sample results and therefore delaying other risk assessments being carried out. This was exacerbated by the resignation of an Environmental Health Officer. A new team member has been appointed which will contribute to progress in this area in future. The remaining overdue risk assessments are on low risk properties and do not present a significant public health risk.
Achieve 100% resolution of complaints on private sector housing serious health hazard within response date agreed with the landlord	90% resolved	4 resolved (100%)	11 resolved (100%)	This is the first year this indicator has been monitored and shows that housing defects are continuing to be found and resolved as a consequence of both reactive and proactive housing inspection services.

### Other activity and items of interest for this Priority during Quarter 3

<b>Environmental Health</b>	<ul style="list-style-type: none"> <li>▪ Environmental Health Service Annual Report 2015-2016 distributed to Councillors</li> <li>▪ Work completed to enable all relevant licences and registrations to be applied for, paid for and completed electronically</li> <li>▪ Prosecution of Bedale restaurant owner completed. Guilty plea entered and fines and costs totalling £3000 imposed.</li> <li>▪ Food laboratory transferred to new accommodation in more secure location</li> <li>▪ Successful completion of consistency exercise in food hygiene inspection, one of only 16 Local Authorities in England to give model answers on 2 separate occasions when the exercise has been run.</li> <li>▪ Promotion undertaken to highlight issues of condensation, damp and mould growth in private rented accommodation.</li> <li>▪ Direction Order served on the owner of a Zoo requiring compliance with licence conditions.</li> <li>▪ Air quality monitoring station service and repairs carried out by contractor and supervised by Senior Scientific Officer</li> <li>▪ Environmental permitting quality management system updated.</li> <li>▪ Two tasks involving responses to MPs have taken over 25 hours each – a response about a small waste oil burner and a joint response with Broadacres about a flat in Northallerton.</li> <li>▪ Recruitment process completed for replacement Environmental Health Manager and EHO in the Commercial team.</li> <li>▪ 19 inspections carried out by the Technical and Projects Team Leader in connection with the renewal of animal welfare licences</li> <li>▪ 3 licensed vehicles suspended due to mechanical defects and accident damage</li> <li>▪ Service of a prohibition notice on a gym for customers being able to operate gym equipment without supervision</li> <li>▪ Immigration Act 2016 measures implemented requiring drivers to evidence their right to work in the UK</li> </ul>
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### Other activity and items of interest for this Priority during Quarter 3

Leisure & Communities	<b>Making a Difference Grants</b>	<ul style="list-style-type: none"> <li>9 grants claimed during Q3</li> </ul>
	<b>Tour de Yorkshire</b>	<ul style="list-style-type: none"> <li>Announcement of route for 2017 through West Tanfield</li> </ul>

## PRIORITY – Caring for the Environment

<b>Purpose:</b> <ul style="list-style-type: none"> <li>Improve efficiency of waste collections and recycling</li> <li>Improve customer satisfaction</li> <li>Reduce CO2 and improve energy efficiency</li> </ul>	<b>Outcome:</b> <ul style="list-style-type: none"> <li>Efficient collection rounds with fit for purpose fleet</li> <li>Decreased landfill waste</li> <li>Improve service to customers</li> <li>Environmental Sustainability</li> </ul>
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Indicator	Target / Benchmark	Quarter 3	YTD	Q3 Actions / Comment
To achieve a minimum customer satisfaction rating of 90% for Council's waste collection service.	90%	81%	80%	A comprehensive survey will be run during 2018 once the new recycling and green waste arrangements have become established. Until then GovMetric data will be reported, however, it should be noted that this detail is not representative of the service as a whole. Performance down due to poor Web satisfaction rates : Q1 : April 28%, May 81%, June 46%. Q2 : July 76%, August 86%, Sept 73%. Q3 : Oct 73%, Nov 64%, Dec 83%
Reduce overall kerbside collected waste to 412 kg/per head/year by 2017.	412kg	112.7kg (est)	339.5 kg (est)	Reported quarterly in arrears. 412kg per property collected 2015/16. Qtr 1, Qtr 2 and Qtr 3 increased tonnages due to more properties/residents participating in refuse collection. New properties showing initial surge as expected. Increase in overall residual waste possibly due to complacency regarding recycling; investigations are in hand including enhanced publicity.
Increase the recycling rate to 53% by 2017 (including composting)	53%	46% (est)	54% (est)	

Indicator	Target / Benchmark	Quarter 3	YTD	Q3 Actions / Comment
Deliver an effective and efficient refuse and recycling collection service by completing the three stages of route optimisation by December 2016	100% Dec 2016	5%	80%	Route optimisation work has demonstrated that no further significant efficiencies can be delivered at this stage and no round changes are possible at this point. Small changes will be implemented in quarter 4. This will be re-addressed in 2018 after the charged green waste system has been operating for a year. Further efficiencies will sought by maximising recycling income.
Improve efficiency in public lighting by reducing energy consumption by 100,000Kwh	100,000 Kwh	30,615 kwh	52,363 kwh	Implementation of LED lighting scheme will reduce lighting energy inventory as measured by Estimated Annual Consumption (EAC). Baseline EAC 01 December 2015 - 989,364. Profile Q1 = 0, Q2 = 20,000, Q3 = 30,000, Q4 = 50,000

#### Other activity and items of interest for this Purpose during Quarter 2

<b>Design &amp; Maintenance</b>	<b>Events, Markets and Parking</b>	<ul style="list-style-type: none"> <li>Northallerton Bonfire held adjacent Applegarth Car Park, support for event.</li> <li>Support for Festive events at Market Place Thirsk.</li> <li>Free parking implemented during December. Marketing and support for Christmas markets.</li> </ul>
<b>Human Resources</b>	<b>Recruitment</b>	<ul style="list-style-type: none"> <li>HR and WaSS have been working with Job Centre Plus to explore the possibility of running a joint initiative to recruit WASS staff from the local community, giving unemployed people a job opportunity</li> </ul>
<b>Waste &amp; Street Scene</b>	<b>WaSS Consultation</b>	<ul style="list-style-type: none"> <li>Consultation with staff regarding the way ahead, efficiencies, route optimisation, working practices completed. To be implemented in Q4</li> </ul>

## PRIORITY – Providing a Special Place to Live

<b>Purpose:</b> <ul style="list-style-type: none"> <li>- Provide an adequate amount of housing to meet the housing needs of all the local community</li> <li>- Provide support to residents to prevent homelessness</li> <li>- Support people to lead independent lives</li> </ul>	<b>Outcome:</b> <ul style="list-style-type: none"> <li>- Housing sites are made available for market and affordable housing</li> <li>- Achieve affordable housing and appropriate housing mix</li> <li>- Provide financial support for residents to live in the district independently</li> <li>- Provide support to residents to prevent homelessness</li> </ul>			
Indicator	Target / Benchmark	Quarter 3	YTD	Q3 Actions / Comment
Maintain each year a minimum 5 year supply of deliverable housing sites	5 yrs	>5 yrs	>5 yrs	The Strategic Housing Land Availability Assessment published on 30 September confirms the Council currently has 7.9 years supply. This will be reviewed every six months; next review due 31 March 2017
Deliver a total of 120 affordable homes ( <i>including</i> 20 rural)	120 (100%)	64	131 [109%]	Completion of 58 units at Sowerby Gateway Extra Care scheme has boosted supply, alongside delivery of 3 units at Sowerby Gateway and 3 units at Aiskew. Delivery now exceeds target for year.
Deliver a total of 20 affordable homes in rural locations	20 (100%)	3	40 [200%]	Completion of 3 units at Aiskew, all of which were delivered through planning gain.
Complete consultation on preferred issues and options for the new Local Plan by December 2016	100% Dec 2016	100%	100%	Consultation ended 12 December 2016
To ensure 70% homelessness enquiries result in preventions	70%	70.4% (57 of 81)	77.6% [227 of 300]	<p>We have seen a footfall of 49 clients and currently have 16 homeless applications.</p> <p>Developing Initiatives Supporting Communities (DISC) won the new Homeless Prevention Service contract commencing 1st October 2016 and will provided the homeless prevention support service figures from now on.</p> <p>In addition to the Council's 57 preventions, DISC achieved 47 preventions this quarter and CAB 22 preventions, making a total of 126 homeless preventions.</p>



Indicator	Target / Benchmark	Quarter 3	YTD	Q3 Actions / Comment
<p>To achieve a total of £270k is committed to Disabled Facilities Grants applications</p> <p><i>(In August 2016 it was confirmed that the Better Care Fund would be distributed differently to the original DFG amount allocated by the Government. This has resulted in an increase of available funds and upward revision of the annual target to £376k from 2016/17 Q2)</i></p>	<p>£270k (100%) revised to £376k (100%) from Q2</p>	<p>£201,121 (£88,664 committed £112,4557 spent)</p>	<p>£341k (£187k committed £154 spent)</p>	<p>The figure recorded in Q3 is the committed to date, which fluctuates depending on clients' needs e.g. client moves to alternative accommodation or death may result in works being cancelled.</p> <p>In this quarter, 21 adaptations were completed and £112,456.95 spent, and 8 adaptations committed (£88,664.56)</p> <p>The Disabled Facilities Grant budget has been increased to £376k following the passporting of extra money from the Better Care Fund. The Home Improvement Agency has increased staffing resource in response to this and is confident it will spend in excess of £270k this year</p>
<p>Process new housing benefit claims within 20 days in line with North Yorkshire authorities</p>	<p>20 days</p>	<p>27.49 days</p>	<p>22.99 days</p>	<p>The introduction of Universal Credit (UC) in October 2016 has impacted on performance. The team deal with customer enquiries and the UC customers are on average taking longer to deal with. In addition staff are having to adapt to the new rules.</p> <p>The process of transferring information to DWP is more clerical. The time taken to assess whether the claim is the responsibility of the authority is also impacted by the customer and DWP's knowledge of customers' entitlement to UC.</p> <p>Additionally, Q3 saw a backlog of work due to sickness and holiday absences. However the performance for the month of December was 21 days which just above the target of 20 days.</p> <p>The impact of UC is being monitored through the development of statistical and anecdotal feedback.</p>

Indicator	Target / Benchmark	Quarter 3	YTD	Q3 Actions / Comment
Process new council tax claims within 20 days in line with North Yorkshire authorities	20 days	26.95 days	24.12 days	<p>In addition to the above, there are also delays in changes in circumstances where UC is in payment. The section is unable to alter the claim until notification of entitlement is received which, due to DWP processing times, is often not for a period of 30 days.</p> <p>The impact of UC is being monitored through the development of stats and anecdotal feedback</p>
Process housing benefit changes in circumstance within 7 days in line with North Yorkshire authorities	7 days	8.49 days	6.62 days	<p>The loss of resource due to short term sickness absence in December and the resource intensity of UC impacts on the processing times. Q3 was just slightly above target however the cumulative figure is below target. In the month of December processing times were under 7 days.</p>
Process council tax changes in circumstance within 7 days in line with North Yorkshire authorities	7 days	7.74 days	5.98 days	<p>The loss of resource due to short term sickness absence in December and the resource intensity of UC impacts on the processing times. Q3 was just slightly above target however the cumulative figure is below target. In the month of December processing times were under 7 days.</p>

Indicator	Target / Benchmark	Quarter 3	YTD	Q3 Actions / Comment
To detect and prevent the amount of housing benefit and council tax fraud against a target of £50,000.	£50,000	£6,046	£6,063	<p>This target has been set at £50k with the expectation that fraud and error would be identified from the areas of council tax and limited housing benefit. However, due to the transfer of responsibilities to DWP the target group in which to detect fraud has reduced, rendering the target unattainable.</p> <p>Since September 2015 Veritau has held the Council's contract for investigating fraud in these areas. The Council are in discussion with Veritau in relation to the outsourced fraud and error service it is receiving and looking at other ways to utilise Veritau's resource other than investigating council tax fraud. An investigation is currently underway as to why the fraud and error detection has fallen significantly below target whilst this area has been outsourced.</p> <p>In Q3 Veritau reported just under £5,000 in respect of Council Tax Reduction cases and just over £800 in respect of a single person discount fraud. The DWP have reported they have found £256 overpaid HB.</p> <p>Several investigations are ongoing by both teams.</p>

### NEW CLAIMS PROCESSING TIMES in days *(recorded in arrears)*

North Yorks Region	2015-16		Q1		Q2		Q3		Q4	
	C/Tax	H/Benefit	C/Tax	H/Benefit	C/Tax	H/Benefit	C/Tax	H/Benefit	C/Tax	H/Benefit
Craven	23.80	24.73	27.92	29.96	25.05	30.11	25.08	26.17		
Harrogate	20.25	18.26	21.60	20.86	10.22	23.15	18.13	20.83		
<b>HAMBLETON</b>	<b>24.73</b>	<b>20.73</b>	<b>18.98</b>	<b>17.46</b>	<b>26.39</b>	<b>24.04</b>	<b>26.95</b>	<b>27.49</b>		
Scarborough	14.56	17.24	18.13	20.63	15.35	17.62	14.65	15.87		
Selby	21.21	20.88	22.64	18.82	19.66	19.77	17.63	15.68		
Richmondshire	N/A	N/A	21.93	19.58	24.51	18.86	17.08	13.23		
Ryedale	24.46	19.50	23.90	30.99	8.58	36.08	47.02	36.43		

## CHANGE IN CIRCUMSTANCES PROCESSING TIMES in days *(recorded in arrears)*

North Yorks Region	2015-16		Q1		Q2		Q3		Q4	
	C/Tax	H/Benefit	C/Tax	H/Benefit	C/Tax	H/Benefit	C/Tax	H/Benefit	C/Tax	H/Benefit
Craven	4.47	4.18	4.50	5.14	6.60	5.28	7.26	8.77		
Harrogate	5.86	3.97	7.36	5.85	5.03	5.44	8.03	8.11		
<b>HAMBLETON</b>	<b>3.44</b>	<b>3.26</b>	<b>3.70</b>	<b>3.84</b>	<b>6.50</b>	<b>7.52</b>	<b>7.74</b>	<b>8.49</b>		
Scarborough	3.78	2.93	5.41	5.55	4.99	5.64	4.24	4.96		
Selby	3.85	3.49	3.51	5.17	4.72	5.29	5.0	5.57		
Richmondshire	N/A	N/A	3.50	4.10	4.05	3.91	3.97	3.86		
Ryedale	2.62	3.23	3.38	4.38	6.20	6.82	6.47	7.17		

### Other activity and items of interest for this Priority during Quarter 3

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<b>Customer Services &amp; Communications</b>	<b>Customer Services</b>	<ul style="list-style-type: none"> <li>Customer demand continues to be at a high level – technical projects requiring substantial support including web and intranet, CRM for garden waste charging process and providing business as usual</li> </ul>
<b>ICT</b>		<ul style="list-style-type: none"> <li>Upgraded corporate WIFI in Civic Centre at a much faster speed</li> <li>Enabled on-line Self-Serve service for the public</li> </ul>
<b>Legal</b>	<b>Elections</b>	<ul style="list-style-type: none"> <li>Published Register of Electors by 1st December with a 98% return from 42000 properties being contacted</li> </ul>
<b>Strategic Housing</b>	<b>Housing training / events</b>	<ul style="list-style-type: none"> <li>Mortgage &amp; Debt Advice Training 13th October 2016</li> <li>Housing Law Update October 2016</li> <li>North Yorkshire Wider Partnership Conference 21st Oct 2016</li> <li>Gypsy, Traveller, Roma and Show people sub regional conference including facilitating workshop November 18th 2016</li> <li>RB &amp; Homelessness 9th November 2016</li> <li>Persons from Abroad 23rd November 2016</li> <li>Welfare Reform Training 12th December 2016</li> <li>Dyslexia Awareness October 2016</li> </ul>
	<b>Addressing officer</b>	<ul style="list-style-type: none"> <li>Local Land &amp; Property Gazetteer (LLPG) meeting in Wakefield November 2016</li> </ul>
	<b>GIS officer</b>	<ul style="list-style-type: none"> <li>Ordinance Survey / Public Sector Mapping Agreement Conference November 2016</li> </ul>
	<b>All staff</b>	<ul style="list-style-type: none"> <li>Extra Care Member and Professionals visit November 2016</li> </ul>
<b>Revenues &amp; Benefits</b>	<b>Revaluation of Non-Domestic Rateable Values</b>	<ul style="list-style-type: none"> <li>The team have supported the revaluation through the publishing and distribution of literature to raise awareness and engage business in the process.</li> </ul>

## **HAMBLETON DISTRICT COUNCIL**

**Report to:** Scrutiny Committee  
23 February 2017

**Subject:** REVIEW OF RISK MANAGEMENT

All Wards

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### **1.0 PURPOSE AND BACKGROUND:**

- 1.1 The Council has a robust risk management process in place which includes a comprehensive risk register. The register captures all risks identified as presenting a threat or opportunity which may impact the Council's service delivery. At Hambleton District Council, risks on the register are recognised as being either strategic or operational in nature; operational risks are those affecting individual services and tend to involve the day to day running of those services, whilst strategic risks affect the whole Council and are wide reaching, both in terms of timescales and potential impact.
- 1.2 All risks are reviewed by the relevant service on a quarterly basis to reflect upon their appropriateness and the adequacy of the mitigating action plan. Strategic risks and high level operational risks are also reviewed by Management Team and Heads of Service.
- 1.3 To ensure that strategic risks are appropriately managed and that suitable actions are undertaken to mitigate the effect of each risk, Scrutiny Committee receive a quarterly report to monitor these. Audit, Governance and Standards Committee also receive reports on strategic risks on an ad-hoc basis only if a change occurs.
- 1.4 The Council's risk management process was audited during 2016/17 Q1 and as a result two key improvements have been introduced. A complete review of the Council's Risk Register was undertaken during Q2 in order to:
- a) ensure all risks of a strategic nature are properly identified
  - b) determine those risks pertaining specifically to Council projects
  - c)
- These improvements will enable future reporting to provide additional focus by clearly distinguishing Project risks, for enhanced monitoring, whilst also providing greater recognition and consequent management of key strategic risks.
- 1.5 Annex A summarising Project Strategic Risks and Strategic Risks at Q3 2016/17 is provided for review. It should be noted that of the 323 current active risks, some 229 risks were changed during Q3. However, these amendments reflect the changes to Directorships and Risk Managers. No new Project or Strategic risks have been identified during this period and none closed.

### **2.0 RISK MANAGEMENT:**

- 2.1 There are no risks associated with the recommendations of this report.

**3.0 RECOMMENDATIONS:**

- 3.1 It is recommended that the Committee review Annex A which identifies Project Strategic risks and t Strategic risks affecting the Council, together with the actions that are in place to mitigate their potential impact.

**LOUISE BRANFORD-WHITE  
DIRECTOR OF FINANCE (S151 OFFICER)**

**Background Papers:** Internal Audit Report - Annual Review of the Risk Management Strategy  
Department Quarterly Risk Register Review

**Contact Author ref:** Louise Branford-White  
Director of Finance (s151 officer)  
Direct Line No: (01609) 767024  
  
Pam Channer  
Performance & Improvement Officer  
Direct Line No: (01609) 767034

## ANNEX A

HDC PROJECT STRATEGIC AND STRATEGIC RISKS  
2016/17 Q3

Risk ID	Risk Name	Mandatory (cannot be closed)	Project Risk	Org Level	CP Priority	Risk Category	Status	Likelihood : Impact	Score	Risk Level	Service	Service Director / Responsible Officer	Risk Manager	Action Plan
<b>PROJECT STRATEGIC RISKS</b>														
632	North Northallerton Project is delayed or stalls completely, adversely affecting the Council's supply of housing and employment land.		Project	Strat	EV	Economic, Reputational	Active	5x5	25	High	Business & Economy	Helen Kemp	Nicole Patterson & Sam Swinbank	The situation is monitored and regular communication maintained with the developer consortium and stakeholders to ensure delivery of project
623	Failure to deliver key infrastructure to Dalton Industrial Estate resulting in restricted economic growth.		Project	Strat	EV	Economic, Reputational	Active	5x4	20	High	Business & Economy	Helen Kemp	Nicole Patterson & Sam Swinbank	Submission of £1.8m grant application to LEP. Commitment form NYCC to oversee construction.
615	Inability to deliver Bedale Gateway Car Park project leads to long-term damage to local economy through loss of visitors and trade.		Project	Strat	EV	Economic, Reputational	Active	3x4	12	High	Design & Maintenance (incl Public Lighting)	Helen Kemp	Clive Thornton	Planning permission granted October 2016. Cabinet report to be considered at Cabinet meeting February 2017. Bedale, Aiskew and Leeming Bar relief road now operation.
718	Failure to secure a development partner to redevelop the prison site in accordance with the Council's objectives		Project	Strat	Corp	Economic, Reputational	Active	2x5	10	Med	Corporate Finance	Louise Branford- White	Louise Branford- White	Project team undertaking a procurement competitive dialogue process with appropriate financial, legal & property advice
699	Northallerton Sports Village - Funding Plan cannot be resourced sufficiently to develop the village as intended		Project	Strat	HW	Partnership/ Contractual, Customer/Citizen, Reputational	Active	3x3	9	Med	Leisure & Communities	Paul Staines	Steven Lister	National governing bodies to be consulted with a needs driving community supported proposal. 106 Agreement to be implemented to enable suitable funding
703	Sowerby Sports Village - Funding Plan cannot be resourced sufficiently to develop the village as intended		Project	Strat	HW	Partnership/ Contractual, Customer/Citizen, Reputational	Active	3x3	9	Med	Leisure & Communities	Paul Staines	Lisa Wilson	National governing bodies to be consulted with a needs driven, community supported proposal. 106 Agreement to be implemented to enable suitable funding
692	Failure to provide accurate and timely employment advice to the WASS Route Optimisation Project could result in WASS management not correctly consulting or redeploying WASS staff. This in turn may result in grievances from the staff or UNISON which might delay the delivery of the project		Project	Strat	Corp	Economic, Reputational	Active	2x3	6	Med	Human Resources	Gary Nelson	Lynne Halls	HR team will ensure that advice is given in a timely and accurate manner. This project will be built into the Internal Operating Plan so that other work can be reprioritised. If any complex matters arise further advice will be sought
715	£25m loan to Broadacres Association fails because the third party no longer requires the loan, or encounters difficulties in their repayments and the income received by the council is reduced		Project	Strat	Corp	Financial	Active	3x1	3	Low	Corporate Finance	Louise Branford- White	Louise Branford- White	Ensure other income generating possibilities are being explored to maintain a balanced budget; monitor the third parties financial position to ensure they are in a secure position for the Council to loan the money; maintain good relations with the third party. Also note that the loan is secured with their housing stock
<b>STRATEGIC RISKS</b>														
227	Unable to access HDC services due to ineffective individual business continuity plans leading to loss of service.			Strat	Corp	Partnership/ Contractual, Customer/Citizen, Economic, Environmental, Financial, Health & Safety, Legal, Reputational, Social	Active	4x5	20	High	Corporate	Paul Staines	Paul Staines	Following recent audit and working with Veritau an action plan to refresh the Council's Business Continuity Plan at corporate and service level has been identified. This will include, review and challenge of business continuity plans, including risks and targets; provide training to increase understanding of Business Continuity Plan / Disaster Recover and to clarify responsibilities for Management Team, Heads of Service and Service Managers; produce a schedule for authorising, testing and reviewing Business Continuity Plans and Disaster Recovery. Complete an internal review of services, risks and agree operational importance to inform Business Continuity Plans, updating risk register as appropriate. Review and agree Business Continuity Plan support with NYCC. Timeline for delivery is in development. Responsibility transferred to Leisure & Environment Directorate.

## ANNEX A

HDC PROJECT STRATEGIC AND STRATEGIC RISKS  
2016/17 Q3

Risk ID	Risk Name	Mandatory (cannot be closed)	Project Risk	Org Level	CP Priority	Risk Category	Status	Likelihood : Impact	Score	Risk Level	Service	Service Director / Responsible Officer	Risk Manager	Action Plan
677	Cyber attack facilitated by user error leads to loss of key ICT infrastructure resulting in reduced ability to provide ICT Services			Strat	Corp	Reputational	Active	5x3	15	High	ICT (inc. Reprographics)	Helen Kemp	Jenny Pan	Compulsory annual Cyber Security training for all users, Cyber Security Incident Management Plan in place, actively monitor and review ICT security policies, participate in WARP (Warning, Advice and Reporting Point) to share knowledge and information with other Councils, arrange ICT staff training to keep up with the latest development
153	Economic downturn leads to fewer customers / memberships and therefore reduced income			Strat		Financial	Active	3x4	12	High	Leisure & Communities	Paul Staines	Natalie Curgenvin	Improve value and quality of products / services and alternative offerings
416	Significant reductions in government grant leading to the inability to sustain council services at the current level.			Strat	Corp	Financial, Reputational	Active	3x4	12	High	Corporate Finance	Louise Branford-White	Louise Branford-White	An on-going programme of service delivery and saving reviews that ensures best value is being achieved and income is maximised.
423	Health of local housing market leads to reduced ability to deliver affordable housing through planning, resulting in failure to achieve corporate plan target and to address housing need			Strat	SP	Customer / Citizen, Reputational, Social	Active	3x4	12	High	Strategic Housing	Helen Kemp	Sue Walters-Thompson	Affordable housing targets and thresholds to be reviewed as part of work on new Local Plan and with regard to Government priority for Starter Homes and viability considerations. RHE focus on delivery via exception sites that are not reliant on market
151	Increased direct fitness competition leading to customer migration resulting in less usage/income.			Strat		Customer / Citizen, Financial	Active	3x3	9	Med	Leisure & Communities	Paul Staines	Natalie Curgenvin	Improve quality of existing provision, improve gym management & improve quality/quantity of frontline gym fees.
139	Failure of the Safer Hambleton Local Delivery Group leads to non-compliance with statutory regulations			Strat	L	Legal	Active	2x4	8	Med	Leisure & Communities	Paul Staines	Lisa Wilson	The SHLDP is changing its operating model to Integrated Neighbourhood Management during 2016, this will include a pilot phase from Oct 2016 - Mar 2017, at which point a full review should be undertaken.
383	Failure to review and update emergency plans leads to inadequate response.			Strat	Corp	Customer/Citizen, Environmental, Financial, Reputational	Active	2x4	8	Med	Corporate	Paul Staines	Paul Staines	HDC to maintain review process with NYCC Emergency Team. Responsibility transferred to Leisure & Environment Directorate.
225	Failure to manage Capital Programme leading to inability to deliver Council Services efficiently and effectively			Strat	Corp	Financial, Reputational	Active	2x3	6	Med	Corporate Finance	Louise Branford-White	Louise Branford-White	Monthly review and management of Capital Programme
149	An incident resulting in death(s) leads to impact on family/staff & reputational damage resulting in lower usage/income & failure to improve residents health.			Strat		Customer / Citizen, Economic, Environmental, Financial, Health & Reputational	Active	1x5	5	Med	Leisure & Communities	Paul Staines	Steven Lister	Adherence to nationally prescribed safety standards, adherence to site specific safe operating practices, competent staff
226	ICT system(s) failure leads to loss of Council operations & key channels of communication (telephones, email, website, etc.) resulting in inability of the Council to communicate and carry out transactions with Citizens.			Strat	Corp	Reputational	Active	1x5	5	Med	ICT (inc. Reprographics)	Helen Kemp	Jenny Pan	ICT to revise, test and maintain a Disaster Recovery plan according to identified business needs
407	Failure to develop and maintain an effective Business Continuity plan leads to lack of resilience or inability to access HDC services resulting in loss of service or failure of service delivery.	M		Strat	Corp	Customer / Citizen	Active	1x5	5	Med	ICT (inc. Reprographics)	Helen Kemp	Jenny Pan	ICT Disaster Recovery Policy procedure is in place and will work with Business Areas to provide resilience in line with the business needs. Emergency Kit is in place, being reviewed and backed up on regular basis
705	Failure to provide timely legal advice and assistance regarding key strategic projects results in delays to the projects with potential adverse partnership effects and reputational damage.			Strat	Corp	Partnership/ Contractual, Legal, Reputational	Active	2x2	4	Low	Legal Services	Gary Nelson	Laura Venn	Ensure prioritisation of work and working in project deadlines for the key strategic projects to promote the Council's priorities.
709	Failure to set a 2017/18 Budget to reflect the Financial Strategy and the budgeted Council Tax.			Strat	Corp	Financial	Active	1x3	3	Low	Corporate Finance	Louise Branford-White	Ian Godfrey	Complete and challenge the Budget setting process



## **HAMBLETON DISTRICT COUNCIL**

**Report To:** Scrutiny Committee  
23 February 2017

**From:** Chairman of Scrutiny Committee

**Subject:** **POLICY REVIEW – CIVIL PARKING ENFORCEMENT**

All Wards

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### **1.0 SUMMARY:**

1.1 The purpose of this report is to review the evidence recorded to date and consider whether any further information is required before determining whether to conclude the Review.

### **2.0 BACKGROUND:**

2.1 The Committee has previously agreed to undertake this Review and identified information and issues that it would like to consider. The Project Plan for the review is attached as Annex A.

2.2 The Terms of Reference of the review are as follows:

To investigate whether the current arrangements for enforcement of Civil Parking are effective; whether there are any existing issues with delivery of the service and consider options for the future delivery of the service.

2.3 A summary of the key points highlighted from the evidence is attached at Annex B to the report along with a full memorandum of evidence at Annex C.

### **3.0 RECOMMENDATION:**

3.1 The Committee is asked to consider determine whether any further information is required to assist with the Policy Review or whether conclusions can be formulated to enable the draft report to be prepared.

COUNCILLOR STEPHEN DICKINS

**Background papers:** None  
**Author ref:** LAH  
**Contact:** Louise Hancock  
Democratic Services Officer  
Direct Line No: (01609) 767015

201016 Civil Parking Enforcement.doc

**SCRUTINY COMMITTEE**

**POLICY REVIEW – CIVIL PARKING ENFORCEMENT**

**TERMS OF REFERENCE:**

To investigate whether the current arrangements for enforcement of Civil Parking are effective; whether there are any existing issues with delivery of the service and consider options for the future delivery of the service

**SCOPE**

- To ascertain what the current arrangements are for delivery of the service
- To examine whether the existing delivery of the service is effective
- To identify whether there are any issues which may require further investigation
- To explore options of future delivery

**OBJECTIVES**

- To determine whether the existing arrangements for enforcement of Civil Parking legislation are effective and value for money
- To identify any issues arising out of the delivery of the service and explore areas for improvement
- To ascertain future options for future delivery of enforcement to be considered

**WITNESSES**

- Executive Director, Dave Goodwin
- Head of Service – Customer and Economy – Helen Kemp
- Appropriate representative from Scarborough Borough Council

DOCUMENTS/EVIDENCE

- Civil Parking Enforcement Agreement
- Statistics on numbers of notices served; appeals; bailiff stats
- Benchmarking information from other Authorities

OTHER METHODS/CONSULTATION/RESEARCH

Task and Finish Groups.

OFFICER SUPPORT

Louise Hancock, Democratic Services Officer  
Gary Nelson, Head of Service – Legal and Information (Monitoring Officer)

TIMESCALE

Commencing September 2016  
Projected completion January 2017  
Report to Cabinet February 2017

**Key Points From Evidence**

The following is a summary of the key points highlighted from the evidence received:

- It was recognised that the officers carrying out enforcement and issuing PCNs were carrying out their duties and that if the policies of the car parks were adhered to there would be less enforcement.
- Feedback was an area identified for possible improvement as this was considered to be weak.
- Options for future delivery would be considered at the appropriate time and could possibly include consideration of bringing the service back in-house.
- It was accepted that the current arrangements for Civil Parking Enforcement were adequate and presently fit for purpose.

Memorandum of Evidence

The Committee took evidence from Dave Goodwin, Executive Director, Hambleton District Council and received a presentation, a copy of which had previously been circulated and was available as part of the Committee's records.

The presentation covered the following areas:

- History/Context of Civil Parking Enforcement (CPE)
- Partnership arrangements
- Statistics – Penalty Charge Notices
- Car Park Usage
- Future Options

The Committee was provided with an explanation on the background to CPE and was advised that historically the police used to issue car parking notices for highway contraventions and the District Council employed officers to do 'off road' enforcement, such as in the car parks.

In 2002 Harrogate moved to CPE because the Government wanted the polices' time spent on other priorities. Then the Government wanted all authorities to move to this system. HDC entered into a partnership agreement in May 2013 and the agreement would run for a period of 5 years. If the Council wished to change the arrangement or withdraw from the partnership, a period of notice would be required of 6 months. It was suggested that, if this was to be an option that the Council wished to explore, it would be worth considering having a new system in place and up and running prior to the existing arrangement ceasing.

The Committee was advised that as part of the partnership, there was a 5 year agreement and income was protected. The District Council received a £14k subsidy each year because the Council had agreed to issue penalty charge notices at a lower rate than the previous system – hence why income was down.

The Committee was provided with information on statistics on benchmarking. When the figures were examined, it appeared that the District Council issued more notices but this could be interpreted in several ways. It could be that more people were breaking the rules and getting caught. An example was that in 2015/16 HDC issued 2000 PCNs, there were 410 issued in Richmondshire and 780 in Ryedale. Out of the 2000 HDC issued, 1700 were paid straightaway and 300 were challenged.

The Committee asked if officers were implementing a tougher regime in Hambleton rather than in Scarborough or Ryedale and whether a higher amount of parking contravention notices (PCN's) may be challenged because more people were unhappy. The Committee also wished to know whether the same staff worked in Hambleton as in other areas.

The Committee was advised that it could also be because of the number of car parking spaces. The staff worked on different rotas so that they did not regularly visit the same areas on the same days and times so that their visits could not be predicted by those using the car parking spaces.

The Committee commented that it would be interesting to identify of the PCNs issued, how many were residents and how many were visitors.

The Committee was informed that the finances showed that the District Council was making a surplus but the expenditure in terms of costs with undertaking CPE covered staff, equipment, etc and it did not cover the cost of maintaining the car parks, this was an entirely separate issue.

The Committee gave consideration to future options and suggested that bringing the function back in-house may be an option worth considering at the appropriate time. The Committee was advised that effectively this would mean going back to the old regime. This may not be in-line with the Government's initiative.

The Committee sought clarification as to who was the enforcing authority and was advised that this was Scarborough Borough Council as there was a single regime across North Yorkshire.

The Committee asked whether HDC could take on on-street parking which was currently policed by North Yorkshire County Council Highways and was advised that this was all part of the same Partnership regime and therefore subject to the same timescale regarding renewing the agreement.

The Committee enquired whether the days that enforcement was applicable, ie Sundays and Bank Holidays, could be altered or was this something that had to be agreed by the Partnership and was advised that this was a partnership approach but this could be altered including Sundays and Bank Holidays. HDC could make changes to when enforcement took place.

#### The Committee took evidence from Clive Thornton, Corporate Facilities Manager, HDC

The Benchmarking data on Civil Parking Enforcement (CPE) statistics had been circulated to the Committee prior to the meeting. A copy of this document was available as part of the Committee's records.

The Committee was advised that in the year 2015/16, benchmarking data indicated that Hambleton District Council had a good percentage of Penalty Charge Notices (PNC's) paid (86%) with fewer being cancelled (11%). This compared quite well with other Authorities.

The Committee noted that the statistics would indicate that there had been an increase in the number of PCN's issued and enquired as to what could be the reason for this. The Committee was advised that when Scarborough took over the service numbers increased, this could be because there was more consistency with enforcement. The more patrols there were the more PCNs would be issued if there were breaches. There was a consistent level of resources providing cover.

The Committee wished to know how Scarborough advertised and recruited their officers and how many were in the District. The Committee was advised that HDC had set out the service based on 43 hours a week of enforcement time. There were three full-time officers and resources were shared with NYCC but HDC received 43 hours of time a week. The District Council also supported Scarborough when interviewing for the posts.

The Committee was informed that HDC was a member of PATROL which was the Parking Adjudication Joint Committee and was made up of all Councils outside London operating Civil Parking Enforcement. It oversaw the operation of adjudication appeals against parking tickets. The Council had one Member on the Committee appointed at the annual meeting and this was Councillor Knapton. Councillor Knapton attended meetings and provided feedback.

The Committee enquired about Disabled parking and was advised that charges for disabled bays were applied in accordance with the policy for whichever car park the user was in and disabled bays were subject to Civil Parking Enforcement. Blue badge holders must comply with the requirements of the parking policy which was displayed on information boards and parking bays in the car parks.

The Committee commented that the rules for disabled bays could be quite complicated and wished to know how users were informed about the rules and was advised that all the information was on the signage in the car parks.

The Committee asked whether the current signage was adequate and whether there was a national standard. The Committee was advised that for off street parking it just had to be reasonable and for on street parking there was guidance which provided information on how signs should be laid out but they had to be distinctly different so that they could not be confused. If there were any deficiencies with the signage brought to our attention we would respond to it. Users should make themselves aware of the requirements and provided they comply, there would be no requirement for enforcement.

The Committee wished to know, in relation to HGV Parking, did overnight parking come under enforcement and was advised that the only provision for HGV parking was in the Applegarth Long Stay car park and users were subject to the policy of that car park. Provided users complied with the policy there would be no requirement for enforcement. If there were any breaches of HGV drivers using other car parks that they were not permitted to use, enforcement action would be used if necessary.

The Committee asked if the number of spaces that would be provided at the Bedale Car Park had been taken into account in the number of hours of enforcement and was advised that the proposals for Bedale were included within the regime and adequate resources would be provided to cover it.

The Committee enquired whether there was any feedback of any parking notices, compliments, complaints and was advised that there was no specific information collated although feedback was received from Scarborough. This was an area where the link had been lost directly with the car park users. HDC did review and respond when feedback was received and regular meetings are held with Scarborough about performance.

The Committee asked if the wording of a PCN was standard and was advised that, yes, this should be compliant with the Traffic Management Act 2004 which set out what needed to be included, such as vehicle registration, time of contravention, etc.

The Committee enquired whether the taking of pictures was a legal requirement and was advised that every PCN has a photograph accompanying it and this could be used as evidence.

The Committee noted that statistically, in 2015/16 more PCN's were successfully challenged and enquired as to the possible reason why. The Committee was advised that the reasons for cancellation varied and there was a process to go through and if you could provide a valid ticket the PCN may be cancelled. Each case had to be considered depending on individual circumstances.

The Committee asked whether the District Council were being too lenient and was advised that if HDC refused an appeal, it could go to arbitration and they might allow the challenge. Approximately 50% of cases were accepted when they went to arbitration.

The Committee wished to ascertain whether rebate would continue and was advised that this would not continue beyond the 5 year agreement.

#### The Committee took evidence from Helen Kemp, Director of Economy and Planning

The Committee wished to know whether it was possible to have a list of any parking tickets issued on behalf of HDC between 6pm and 8am since the beginning August and was advised that HDC do not issue tickets to cars between this period as a general rule Tickets may be issued to HGVs or for cars that are parked and are disrupting the market.

The Committee wished to ascertain whether it was stipulated in the SLA the expected hours of attendance, ie visits to occur between 8am and 6pm and was advised that the SLA is broken down into the number of hours enforcement time. HDC receive 43 hours of enforcement time – 14 hours in Thirsk; 14 hours in Stokesley and 1 hour in Bedale.

The Committee enquired as to whether timesheets or reports were completed in order to account for the 43 hours and was advised that timesheets are provided but hours are not clocked specifically. Officers are splitting their time between HDC and NYCC and through the rota's log on to do those specific duties. It is not a case of being paid twice by two separate organisations to do the same piece of work.

The Committee wished to know how the SLA compared in terms of contracted hours (43 per week) against hours at Ryedale and Richmond and was advised that this information had been requested from Scarborough and would be provided to the Committee upon receipt.

The Committee sought clarification regarding whether Scarborough was being paid twice and was advised that yes it was but for two separate pieces of work. The Council may provide enforcement for HDC and NYCC at the same officer but at different times but there are two separate billing structures.

The Committee wished to know whether HDC could alter the terms of the parking arrangements for the Hambleton controlled areas which could mean different parking restrictions from that of the NYCC areas. The Committee was advised that, HDC could put different parking restrictions in place but it had to be borne in mind that this has a knock-on effect in terms of traffic movement.

The Committee enquired about bank holidays and Christmas and whether this could be altered and was advised that if it is within HDC's control it can be altered.

The Committee wished to know what the financial implications for future years were if the £14000 per year rebate is not received and was advised that this would result in a loss of income. There are reasons why the surplus changes. When the penalty charges were set, they were set lower than when set in-house previously. If the income decreases consideration will have to be given to the budget and potentially raise income from elsewhere.

The Committee asked whether there would there be a surplus if the service was ran in-house and was advised that this was not that clear cut. There are changes in how CPE charges are applied – if they are paid within a certain length of time the charge reduces, if over a certain time it increases – this results in a drop in income from payment of CPE charges – we have to work within CPE rules.

The Committee suggested that it may be minded to recommend the alteration of the rule for Sundays and Bank Holidays and was advised that this could be included as a possible recommendation from the Committee within their report to Cabinet.

The Committee made an observation that one of the biggest issues related to complaints that this service is provided from Scarborough and that complainants are not listened to. HDC should take responsibility for something that happens to the service we offer. This was counteracted by an opinion that the fact that Scarborough administer the service is used as an excuse and that the same set of rules for parking apply regardless of who operates the service, it was perceived that it was the issue of CPE that people are not happy with.

The Committee sought clarification regarding confirmation of the Government Initiative that had been mentioned and was advised that the Government wished to roll out a joint working initiative and encouraged the Council to implement it. Ideally the Government wished to see on and off street parking done by the same company, in HDC's case it is still different so there is still confusion.



The Committee suggested that perhaps the Committee consider the provision of this service being done by one authority as a recommendation for consideration and was advised that this can be considered when formulating the recommendations in the report to Cabinet for consideration.

The Committee also suggest that perhaps consideration should be given to the SLA with NYCC when appropriate and was advised that this could be considered when formulating the recommendations in the report to Cabinet for consideration.

The Committee made comments regarding the inclusion of NYCC and consulting the other Councils involved in the SLA about this issue and that in order to take this forward more thought on the proposals would have to be given before this discussion could take place.

The Committee were advised that, at the appropriate time, consideration would be given to the future delivery of the service and all options would be considered at the appropriate time. It was suggested that Scrutiny Committee could request that they be kept informed of developments in this regard and consulted if appropriate.

The Committee enquired as to what was the reason for working with Scarborough and what was the principle behind this and was advised that this issue was considered by Cabinet and the report was available by way of background information.

The Committee discussed the justification for the purpose of this and what it hoped to achieve by receiving this information and accepted that as background information it would help inform the Committee as to the reasoning why this route was chosen.

The Committee made an observation that there was a difference in the number of enforcement tickets issued within different authorities and questioned whether the system was being fairly implemented.

The Committee observed that there was flexibility regarding the enforcement of the scheme, for example a 15 minute time lapse before a ticket is issued. However, it had to be borne in mind that any changes around this flexibility will have a knock-on effect.

The Committee asked if the flexibility rules differed, could consideration be given to making them the same so as to make this a level playing field all over? It was also commented that there is confusion of NYCC and HDC parking – if the service was delivered through one Council one recommendation could be to harmonise the rules between parking restrictions between NYCC and HDC so people know that the rules are the same.

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## **HAMBLETON DISTRICT COUNCIL**

**Report To:** Scrutiny Committee  
12 January 2017

**From:** Chairman of Scrutiny Committee

**Subject:** **POLICY REVIEW – HEALTH AND SAFETY**

All Wards

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### **1.0 SUMMARY:**

1.1 The purpose of this report is to consider the draft Final Report prior to submission to Cabinet in April 2017.

### **2.0 BACKGROUND:**

2.1 The Committee has previously agreed to undertake this Review and identified information and issues that it would like to consider. The Project Plan for the review is attached as Annex A.

2.2 The Terms of Reference of the review are as follows:

To consider whether the existing plans, policies and working arrangements for Health and Safety Management within the Council are effective and to ensure that the Council's Health and Safety procedures meets or exceed the legal requirements.

2.3 A summary of the key points highlighted from the evidence is attached at Annex B to the report along with a full memorandum of evidence at Annex C.

2.4 A copy of the draft report to Cabinet is attached at Annex D of the report.

### **3.0 RECOMMENDATION:**

3.1 The Committee is asked to consider the draft Final Report prior to submission to Cabinet in April 2017.

COUNCILLOR STEPHEN DICKINS

**Background papers:** None  
**Author ref:** LAH  
**Contact:** Louise Hancock  
Democratic Services Officer  
Direct Line No: (01609) 767015

## SCRUTINY COMMITTEE

### POLICY REVIEW – HEALTH AND SAFETY MANAGEMENT

#### TERMS OF REFERENCE:

To consider whether the existing plans, policies and working arrangements for Health and Safety Management within the Council are effective and to ensure that the Council's Health and Safety procedures meets or exceed the legal requirements

#### SCOPE

- To review the existing arrangements for Health and Safety Management, including the secondment arrangement with NYCC
- To review the Corporate Health and Safety Plan for 2016-2017
- To review the Health and Safety Policy 2016
- To consider performance on the key improvement priorities for 2016-2017
- To consider how the Corporate Policy and Plan is being implemented in the key risk areas for Health and Safety in the Council

#### OBJECTIVES

- To investigate whether the existing arrangements for Health and Safety Management are effective and fit for purpose
- To ascertain whether any significant Health and Safety issues remain unresolved and to consider a way forward to resolving these issues
- To review the Corporate Health and Safety Policy and Health and Safety Plan for 2016-17 taking into consideration any outstanding issues that remain unresolved
- To review existing arrangements for Health and Safety Management and consider whether these are effective

#### WITNESSES

- Chief Executive, Dr Justin Ives
- Executive Director, Mick Jewitt
- Dominic Passman, Health and Safety Risk Manager
- Head of Service – Environment, Paul Staines
- Head of Service – Leisure and Communities, Steve Lister

#### DOCUMENTS/EVIDENCE

- Health and Safety Policy 2016
- Health and Safety Plan for 2016/17
- Progress reports on the implementation of the Health and Safety Plans
- WASS Health and Safety Plan 2016/17
- Leisure and Communities Health and Safety Plan 2016/17

#### OTHER METHODS/CONSULTATION/RESEARCH

Task and Finish Groups.

#### OFFICER SUPPORT

Louise Hancock, Democratic Services Officer  
Gary Nelson, Head of Service – Legal and Information (Monitoring Officer)

#### TIMESCALE

Commencing September 2016  
Projected completion January 2017  
Report to Cabinet February 2017

**Key Points From Evidence**

The following is a summary of the key points highlighted from the evidence received:

- It was acknowledged that there was a comprehensive corporate Health and Safety Plan in place and arrangements for monitoring and review through regular meetings of the Health and Safety Group.
- It was recognised that there were very detailed service specific Health and Safety plans in place which were regularly monitored and reviewed.
- The agreement with NYCC ensured that the District Council had competent Health and Safety advice for the Council.
- Feedback to Members on the progress of service specific Health and Safety Plans was an area identified for possible improvement as this was not currently provided to Scrutiny Committee.

Memorandum of Evidence

The Committee took evidence from Mick Jewitt, Executive Director and Dominic Passman, Health and Safety Risk Manager, NYCC

Mick Jewitt explained in detail the following documents:-

- Health and Safety Policy
- Hambleton District Council Corporate Health and Safety Plan 2016 – 2017
- Waste and Street Scene Health and Safety Action Plan 2016 – 2017
- Leisure and Communities Health and Safety Action Plan 2016 – 2017

Mick reported that the Health and Safety Policy was reviewed on an annual basis and that it had recently been reviewed and had taken into consideration recent management changes.

He also reported that Scrutiny Committee received quarterly monitoring reports on Health and Safety performance.

As Executive Director, Mick was also appointed as the 'Health and Safety Director' to ensure that health and safety risk management issues were properly addressed by Senior Management Team and more widely in the District Council. The role included maintaining an adequately resourced Health and Safety Risk Management Service and also Chairing the Health and Safety Group.

Mick highlighted several areas within the HDC Health and Safety Policy, specifically the responsibilities of Executive Directors, Heads of Service, Managers, Employees and Elected Members.

The Corporate Health and Safety Plan was reviewed annually and monitored at the Health and Safety Group. Actions arising were cascaded down into the individual service areas. Milestones within the Plan would be updated as they progressed or had been completed.

In relation to the Secondment Agreement with North Yorkshire County Council, Mick reported that the Secondment Agreement had just been signed for a further 3 years from 1 September 2016 until 31 August 2019. The agreement with NYCC ensured that the District Council had competent Health and Safety advice for the Council. The employees of North Yorkshire County Council were under Mick's management when at the District Council. Under the agreement, the District Council receives 3 days per week. NYCC pays their employees' salaries however the District Council pays a contribution for 2 officers which equates to £36k per year. This was only a marginal increase on the sum paid under the previous agreement.

Both the Waste and Street Scene and Leisure and Communities Health and Safety Action Plans apply the Corporate Policy and Plan within their services.

The Committee enquired as to what were the main differences between the new plans and the old plans and was advised they had been built on the previous system which the Health and Safety Risk Manager at NYCC had helped to develop. The plans have been improved and updated to reflect best practices and changes in the organisation.

The Committee ask if they were working ok was advised that yes they were. If we looked back 3 years ago when the Council had their own Health and Safety Officer, the level of service was patchy and not as good as it should have been. The Council had had a visit by the Health and

Safety Executive within the Waste and Street Scene, particularly the Depot, and several Improvement Notices were issued. The response to that and the feedback received highlighted that the internal service was lacking and we were not getting sufficient support. The arrangement was terminated and the District Council brought in new arrangements which had resulted in significant improvements.

The Committee wished to know whether those issues that were outstanding 3 years ago had been resolved and was advised that yes they had been resolved. There had been an inspection over 3 days with 3 Inspectors and there was going to be a follow-up visit on 4 October for 1 day by 1 inspector and this would highlight the extent to which we had improved. All the matters identified in the Improvement Notices had been addressed.

The Committee asked for details on those issues from 3 years ago and was advised that there were issues around personal and protective equipment which had been dealt with; asbestos and fly tipping which had also been dealt with and there was also more general criticism following the visit about access to advice and specialisms within the authority which had been addressed through the arrangement with NYCC.

The Committee enquired as to whether there was anything in place for mental health issues and was advised that there were arrangements through HR who have separate procedures. However, in Waste and Street Scene there were issues around sickness levels generally which was included within the plan and was subsequently monitored.

The Committee observed that the WASS was very comprehensive but the Leisure Plan seemed a little sparse asked as to why this was and was advised that this was not a reflection on how well they do Health and Safety, this reflected the different services and that they had different starting positions. The Corporate priorities were set out in each plan for each year.

The Committee asked who dealt with asbestos in the Leisure Centres and was informed that an asbestos review had been undertaken which had resulted in a detailed report and action plan which had been implemented. Ultimately, health and safety was the responsibility of the Chief Executive, other officers such as Mick Jewitt, Design and Maintenance with support by Health and Safety. At property level there were nominated persons such as duty officers.

Very recent work had been undertaken and there was an action plan going to be presented to Management Team on Monday, 5 September which would then go to the Corporate Group on Tuesday, 6 September, and then be cascaded down.

The Committee wished to know what obligation did elected Members/officers have to wear personal protective equipment and was advised that the Corporate Health and Safety Policy set this out in detail.

The Committee also asked what pressure could be brought to bear to wear PPE and was advised that the policy was very strictly adhered to and that there had been dismissals, not necessary because of PPE, but for not following health and safety policies.

The Committee commented that, in respect of the Planning Committee, PPE had been issued many years ago but not so recently and that perhaps this needed refreshing. The Committee was advised that if you are issued PPE you are required to wear it, the responsibility comes back to the individual. There are pockets of good practice but perhaps there were areas that needed to be brought up to standard.

The Committee observed that the WASS staff shortages was not a good enough excuse or reason for why something had not been actioned and it was agreed that where health and safety actions



had been identified they would be dealt with. Any specific issues from the WASS Plan would be raised with Paul Staines when he attended to give evidence.

The Committee asked whether it would be possible to have a concise email or communication to Members that highlighted the different issues reflected in previous years and was advised that this was something that could be explored.

The Committee enquired how was the Hambleton Forum covered and was advised that, as the District Council lease this out, the tenants had responsibility and this would be set out in the tenancy agreement. As a landlord, the District Council only have responsibility for certain issues.

The Committee asked whether the District Council connected with other authorities and was advised that as NYCC was a shared service they provided their services to other authorities. Leisure had been under external scrutiny for a long time and there was a regional group 'WISH'. Best practice was also shared amongst different authorities to learn from others and adopt best practice.

The Committee took evidence from Paul Staines, Head of Service – Environment and Peter Marshall, Health and Safety Risk Manager, NYCC

Paul Staines provided an update on the issues that had been raised by the Health and Safety Executive previously which had resulted in enforcement notices being issued. Namely the personal and protective equipment; asbestos and fly tipping and pedestrian vehicle signage within the depot.

Paul reported that Asbestos removal was now outsourced to specialist contractors and noise generated from kerbside collection vehicles had been reduced. Health and safety was at the core of the Waste and Recycling Strategy and included actions such as reducing manual handling, etc. Reversing operations and the use of a reversing assistance had been improved however there had been 6 staff dismissals because of infringements.

Other improvements had also been made on welfare facilities; vehicle checks and benchmarking and that support had also improved because the District Council now had a dedicated Health and Safety Risk Manager monitoring the Waste and Street Scene Health and Safety Action Plan.

Paul was pleased to report that the Health and Safety Executive had visited the Depot on 12 October and did not raise any recommendations for improvement. This had been attributed to the hard work and commitment of the officers in the Depot who had gone above and beyond to ensure that all the necessary changes had been implemented. Work was continuing in looking at the culture and behavioural changes in the workplace and that there were still improvements that could be made.

Peter reported that one of the problems that staff encounter whilst on their rounds is the actions of the public such as overtaking the lorries onto incoming traffic. Risk assessments on routes were being carried out and there was an opportunity to redesign routes and stop reversing on routes to help eradicate some of these hazards. There was also the potential to move towards a mapping system which would help with the mapping of the rounds.

Paul also reported that, apart from having a dedicated resource for Health and Safety, one of the duties of one of the Managers at the Depot was specifically Health and Safety Management and staff training.

Paul attended regular meetings which were held every 6 weeks and also a quarterly corporate meeting which was chaired by the Executive Director, Mick Jewitt. The action plan was regularly monitored and updated at these meetings to ensure that actions were being implemented.

The Committee commented that it was good to hear that the report from the HSE did not raise any issues, this was excellent news. The Committee asked whether CCTV was used and if so, how useful was it in identifying any wayward practices. The Committee was informed that there was a new 360° system installed in the vehicles which did record when activated. It could be used to review evidence in disciplinary cases. It also helped employees with good practice and claims for damage could be reviewed. When carrying out the procurement exercise, the District Council did not consider anybody who did not provide CCTV.

The Committee took evidence from Steve Lister, Head of Service – Leisure and Environment and Dominic Passman, Health and Safety Risk Manager, NYCC

Steve presented the Leisure and Communities Health and Safety Action Plan to the Committee and circulated additional documentation on Managing Health and Safety at Hambleton's Leisure Centres and an updated Health and Safety Quarterly report which had just been approved at the quarterly meeting. Steve reiterated to the Committee how important Health and Safety was in the Leisure Centres and that the approach to Health and Safety was based on policy and enshrined in all practices that are undertaken.

The document Managing Health and Safety at Hambleton Leisure Centres was based around a number of stages: policy; planning; risk profiling; organising; implementing your plan; measuring performance; investigating accidents/incidents/near misses; reviewing performance and learning lessons. Steve outlined each stage which was based on the 'Plan, Do Check, Act Cycle'.

Policy: is implemented in the Leisure Centres after it has been approved – enshrined in all practices undertaken.

Planning: various arrangements in place, ie documents and procedures, actions plans, etc. Some are corporate based others are service based, eg waterslides. Some procedures are determined for us such as the leisure attendants and lifeguards – lifeguards have to be qualified and adhere to the Royal Life Saving Society Standards. We have to ensure there are the appropriate number of lifeguards in appropriate locations to ensure they are in the right place at the right time.

Risk Profiling: this is about management being clear on risks and providing a suite of risk assessments, both corporate and service specific ones to ensure they are right, suitable and sufficient.

Organising: controls, communications, co-operation and competence – eg lifeguards have to undertake a full week's worth of training and continue with personal development at least 3/4 hours a month – this policy links straight into the disciplinary procedure – it is very strict.

Implementing your plan: steps you take to ensure your plan is implemented effectively.

Measuring performance: there are two main ways to measure performance – actively and reactively. Actively includes pre-open checks, pre-closure inspection and specialists to audit our sites which is a very lengthy exercise for each site and a very thorough approach. We have quest assessments at all centres. The key focus is on health and safety. We have to check certificates, mystery visits are undertaken to check practices – a recent check at Bedale scored 100%.

Investigating accidents/incidents/near misses: approach to investigation when necessary includes the Health and Safety Risk Manager and others. We have external assistance, eg when dealing

with near misses they get logged and investigated why the incident happened – we learn lessons and avoid in the future.

Reviewing performance and Learning lessons: quarterly reports are submitted to the Corporate Health and Safety Team as well as to staff in the centres. Learning lessons is the most difficult as hard lessons may to be learnt because of individual circumstances.

The Health and Safety Action Plan determined improvements that the Council would like to see happen over the year. This originated from the Corporate Action Plan.

Benchmarking involved staff and there were various mechanisms for this to happen such as the quest system and also site visits by staff to other centres to look at different standards and operating procedures.

The Committee asked how were risks prioritised in the action plan and how were the conclusions reached and was advised that profiling risks never went away. You had to make sure the best practices were in place and continuing to learn was always at the top. Risks for equipment may be less priority and some risks may come from the quest assessments or new legislation. At the quarterly meetings new risks may be identified or the existing priorities were revised.

The Committee asked whether there was an end point and was advised that risk assessment was ongoing and was always going to be. We have an ambitious plan and may achieve 75% of these. It may be too ambitious but we also have to make sure we deal with the low scoring ones.

The Committee asked whether as a result of staff turnover, were new staff a big health and safety risk and was it possible to perhaps look at how to retain staff that had already been invested in. The Committee was advised that the District Council would like to retain staff but, as the profile of staff was quite young, they may not be sure what it was exactly they would want to do as a career and may move on into different areas. We had to be realistic.

The Committee asked whether the quarterly reports that were considered by the Health and Safety Group included progress on previous data as this would be useful to be included so that progression could be monitored. The Committee was informed that the Corporate Health and Safety team had this information however service specific reports were not provided to Scrutiny. The question of how to keep Members informed needed to be reviewed corporately.

**HAMBLETON DISTRICT COUNCIL**

**Report To:** Cabinet  
11 April 2017

**From:** Scrutiny Committee

**Subject:** **POLICY REVIEW – HEALTH AND SAFETY – FINAL REPORT**

**All Wards**

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**1.0 SUMMARY:**

1.1 Between July 2016 and February 2017 the Committee undertook a review regarding Health and Safety. This report sets out the Committee's findings, conclusions and recommendations.

**2.0 INTRODUCTION:**

2.1 Health and Safety was regarded as an appropriate topic for review because The Health and Safety at Work etc. Act 1974 places general duties on the District Council to take reasonable measures to ensure employees, service users and general public are protected from being injured or made ill by the business of the District Council. In addition, the District Council must take reasonable steps to ensure organisations that are commissioned to deliver services for or on behalf of the Council are competent to do so safely.

2.2 The Committee as a whole undertook the review and the terms of reference were to consider whether the existing plans, policies and working arrangements for Health and Safety Management within the Council are effective and to ensure that the Council's Health and Safety procedures meets or exceed the legal requirements.

2.3 In order to determine whether the District Council's plans, policies and practices were effective, the Committee wished to:-

- review the existing arrangements for Health and Safety Management, including the secondment arrangement with NYCC;
- review the Corporate Health and Safety Plan for 2016-2017;
- review the Health and Safety Policy 2016;
- consider performance on the key improvement priorities for 2016-2017; and
- consider how the Corporate Policy and Plan was being implemented in the key risk areas for Health and Safety in the Council.

**3.0 EVIDENCE**

3.1 The following witnesses attended meetings of the Committee to give evidence:

- Mick Jewitt, Executive Director, Hambleton District Council (HDC);
- Domonic Passman, Health and Safety Risk Manager, North Yorkshire County Council (NYCC);
- Paul Staines, Head of Service Environment (now Director of Leisure and Environment (HDC);

- Peter Marshall Health and Safety Risk Manager, North Yorkshire County Council (NYCC); and
- Steve Lister, Head of Service – Leisure and Environment (HDC).

3.2 The Committee also reviewed the following documents in detail:

- Health and Safety Policy;
- Hambleton District Council Corporate Health and Safety Plan 2016 – 2017;
- Waste and Street Scene Health and Safety Action Plan 2016 – 2017; and
- Leisure and Communities Health and Safety Action Plan 2016 – 2017.

#### **4.0 FINDINGS**

4.1 Based on the written and oral evidence presented, the Committee's findings were as follows:

4.1.1 The Committee ascertained that the District Council's Health and Safety Policy sets out the framework which defines what is expected from line managers and employees of the Council. Managers are responsible for ensuring the services they manage are suitably risk assessed and all reasonable control measures implemented and maintained. Employees are responsible for fully co-operating with all health and safety control measures, including behaving responsibly and making their manager aware of any health and safety issues/concerns. There are several areas within the HDC Health and Safety Policy, which specifically highlight the responsibilities of Directors, Heads of Service, Managers, Employees and Elected Members.

4.1.2 Scrutiny Committee, within the management of effective health and safety, is provided with:

- a copy of the Corporate Health and Safety Plan to be monitored and reviewed on a quarterly basis;
- a copy of the Health and Safety Annual Report to be monitored and reviewed at the end of each year.

4.1.3 As Executive Director, Mick Jewitt is also appointed as the 'Health and Safety Director' to ensure that health and safety risk management issues are properly addressed by Senior Management Team and more widely in the District Council. The role includes maintaining an adequately resourced Health and Safety Risk Management Service and also Chairing the Health and Safety Group.

4.1.4 It was acknowledged that there is a comprehensive corporate Health and Safety Plan in place and arrangements for monitoring and review through regular meetings of the Health and Safety Group. It was also acknowledged that the Corporate Health and Safety Plan is reviewed annually and monitored at the Health and Safety Group. Any actions arising are cascaded down into the individual service areas and milestones within the Plan are updated as they progress or have been completed.

4.1.5 The Secondment Agreement with NYCC had been signed for a further 3 years from 1 September 2016 until 31 August 2019. The agreement with NYCC ensured that the District Council had competent Health and Safety advice for the Council. The employees of NYCC were under the Executive Director's management when at the District Council and, under the agreement, the District Council receives 3 days per week.

- 4.1.6 It was acknowledged that the Secondment Agreement with NYCC was working effectively. It was accepted that, when the Council had an in-house Health and Safety Officer, the level of service could have been improved. The Council had received a visit by the Health and Safety Executive within the Waste and Street Scene, particularly the Depot, and several Improvement Notices had been issued. The response to that and the feedback received highlighted that the internal service was lacking and was not getting sufficient support. The arrangement was terminated and the District Council brought in new arrangements which had resulted in significant improvements.
- 4.1.7 The Committee carried out in-depth reviews of the Waste and Street Scene and the Leisure and Communities Health and Safety Action Plans.
- 4.1.8 With regard to Waste and Street Scene, it was acknowledged that a visit from the Health and Safety Executive on 12 October 2016 had highlighted several areas for improvement. This had resulted in enforcement notices being issued in relation to personal and protective equipment; asbestos and fly tipping and pedestrian vehicle signage within the depot. Appropriate action had been taken to ensure that these issues were addressed.
- 4.1.9 The Health & Safety Executive conducted a visit to WaSS on 12 October 2016 to review progress made since the audit they carried out in 2011. They concluded that all issues previously identified had been addressed and significant improvements made in all areas of H&S. The extract below confirms the outcome:
- 4.1.9.1 The Health and Safety Executive was extremely impressed with everything she heard and saw. She found no areas for improvement and has not even needed to offer advice on anything. The Council were able to demonstrate that the Council and the Service have an excellent culture regarding Safety and Health. She was particularly impressed with:
- the Council's H&S management systems
  - Senior Management buy in to H&S
  - the Council's access to specialist advice
  - the work the Council has done on tackling what was a poor H&S culture
  - staff engagement and safety culture
  - investment on H&S improvements
  - the standard and condition of the depot
  - the commitment to continuous improvement
  - commitment to welfare improvements
- 4.1.9.2 The Health and Safety Executive will not be writing to the Council as she would have to levy a charge and their policy is to only write where action is needed. The Health and Safety Executive is not planning to make a return visit.
- 4.1.10 It was noted that the Health and Safety Executive revisited the Depot on 12 October 2016 and did not raise any recommendations for improvement. This had been attributed to the hard work and commitment of the officers in the Depot who had gone above and beyond to ensure that all the necessary changes had been implemented. Work was continuing in looking at the culture and behavioural changes in the workplace and that there were still improvements that could be made.

- 4.1.11 It was reported that Health and safety was at the core of the Waste and Recycling Strategy and included actions such as reducing manual handling, etc. It was noted however that there had been 6 staff dismissals because of infringements. This illustrated the seriousness of how any Health and Safety issues were managed and addressed.
- 4.1.12 It was noted that one of the problems that waste collection staff encounter whilst on their rounds is the actions of the public, such as cars overtaking refuse wagons into oncoming traffic. Risk assessments on routes are being carried out and rounds are being redesigned to minimise some of these potential dangers and to eliminate issues such as dangerous reversing operations. There is also a project due to start in 2017 to implement a live mapping system in the vehicle's cabins, using satellite navigation technology. Route risk assessments can be pre-programmed into these units to alert drivers of potential threats to safety, such as reversing operations near a school.
- 4.1.13 Apart from having a dedicated resource for Health and Safety, one of the duties of one of the Managers at the Depot was specifically Health and Safety Management and staff training.
- 4.1.14 Regular meetings were held every 6 weeks and also a quarterly corporate meeting which was chaired by the Executive Director, Mick Jewitt, and dealt with at each 1 to 1 with the Director. The action plan was regularly monitored and updated at these meetings to ensure that actions were being implemented.
- 4.1.15 With regard to the Leisure and Communities Health and Safety Action Plan, it was reiterated how important Health and Safety was in the Leisure Centres and that the approach to Health and Safety was based on policy and enshrined in all practices that are undertaken. It was also noted that there were service specific systems in place regarding Managing Health and Safety at Hambleton's Leisure Centres.
- 4.1.16 The Committee acknowledged that the updated Leisure and Communities Action Plan was monitored and updated at the regular meetings that were held and again at the quarterly Corporate meeting.
- 4.1.17 The Committee acknowledged that there was a risk management process involved in prioritising risks in the action plans. At the quarterly meetings new risks may be identified and existing priorities were reviewed and revised if necessary.
- 4.1.18 The Committee suggested that the quarterly reports that were considered by the Health and Safety Group should include progress on previous data. This would be useful so that progression could be monitored. It was acknowledged that the Corporate Health and Safety team had this information however service specific reports were not provided to Scrutiny. The issue of how to keep Members informed needed to be reviewed corporately.

## **5.0 CONCLUSIONS:**

- 5.1 The Committee concluded from the evidence that the current arrangements for Health and Safety Management were effective and fit for purpose.
- 5.2 The Committee was satisfied that any significant Health and Safety issues that were unresolved had been adequately dealt with.
- 5.3 The Committee reviewed the Corporate Health and Safety Policy and Health and Safety Plan for 2016-17 and was satisfied that the regular monitoring and updating of these documents ensured that they remained effective and fit for purpose.

**6.0 RECOMMENDATIONS:**

6.1 To recommend to Cabinet that:-

- (1) the secondment agreement with North Yorkshire County Council to assist in providing a specialist and competent Health and Safety advice for the Council is effective and fit for purpose;
- (2) the current arrangements for implementing and monitoring Health and Safety Management within the Council are satisfactory;
- (3) consideration be given to the inclusion of previous data within the service specific Health and Safety Action Plans to assist in monitoring progress; and
- (4) consideration be given to providing feedback to Members on the progress of service specific Health and Safety Plans as this is not currently provided to Scrutiny Committee.

COUNCILLOR S P DICKINS  
CHAIRMAN

Background Papers: None  
Author ref: LAH  
Contact: Louise Hancock  
Democratic Services Officer  
Direct Line: 767015