



OVERVIEW SCRUTINY GROUP

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To: Councillors Capleton (Chair), Ranson (Vice-Chair), Bradshaw, Brookes, Paling and Sutherland (For attention)

All other members of the Council
(For information)

You are requested to attend the meeting of the Overview Scrutiny Group to be held in Committee Room 2 - Council Offices on Monday, 15th October 2018 at 6.30 pm for the following business.

Chief Executive

Southfields
Loughborough

5th October 2018

AGENDA

1. APOLOGIES
2. MINUTES OF THE PREVIOUS MEETING 4 - 7
To approve the minutes of the meeting of the Group held on 10th September 2018.
3. DISCLOSURES OF PECUNIARY AND PERSONAL INTEREST
4. DECLARATIONS OF THE PARTY WHIP

5. QUESTIONS UNDER SCRUTINY COMMITTEE PROCEDURES
11.16

No questions were submitted.

6. CABINET ITEMS FOR PRE-DECISION SCRUTINY

The following items were identified for pre-decision scrutiny from the Cabinet agenda for 18th October 2018:

(a) **Future Cemetery Provision for Loughborough** 8 - 30

A report of the Head of Cleansing and Open Spaces to appraise the sites for a cemetery in Loughborough following consultation on the viable options will be considered for pre-decision scrutiny. This is in order to make recommendations to the Cabinet as appropriate.

(b) **Future Options for the Provision of Revenues and Benefits Services** 31 - 38

A report of the Head of Customer Experience to consider which of one or more options for the future provision of the revenues and Benefits service should be progressed. The report will be considered by the Group to make recommendations as appropriate to the Cabinet.

7. OVERVIEW SCRUTINY GROUP PRE-DECISION SCRUTINY - CABINET RESPONSE 39 - 42

A report of the Cabinet setting out its responses to recommendations of the Group on pre-decision scrutiny items.

8. WORK PROGRAMME 43 - 52

A report of the Head of Strategic Support setting out the list of forthcoming Executive Key Decisions and the Group's Work Programme for consideration, in order to identify items for future scrutiny.

SCRUTINY QUESTIONS

What topics to choose?

- What difference will scrutiny make?
- Is this an area of concern – public/performance/risk register?
- Is this a corporate priority?
- Could scrutiny lead to improvements?
- What are the alternatives to pre-decision scrutiny?

Pre-decision scrutiny

- What is Cabinet being asked to agree?
- Why?
- How does this relate to the overall objective? Which is ...?
- What risks have been identified and how are they being addressed?
- What are the financial implications?

- What other options have been considered?
- Who has been consulted and what were the results?
- Will the decision Cabinet is being asked to take affect other policies, practices etc.?

Basic Questions

- Why are you/we doing this?
- Why are you/we doing it in this way?
- How do you/we know you are making a difference?
- How are priorities and targets set?
- How do you/we compare?
- What examples of good practice exist elsewhere?

OVERVIEW SCRUTINY GROUP 10TH SEPTEMBER 2018

PRESENT: The Chair (Councillor Capleton)
The Vice Chair (Councillor Ranson)
Councillors Bradshaw, Brookes and Paling

Councillors Barkley (Deputy Leader of the Council
and Cabinet Lead Member for Finance and
Property Services) and Harper-Davies (Cabinet
Lead Member for Performance of Major Contracts)

Chief Executive
Head of Cleansing and Open Spaces
Strategic Director of Corporate Services
Strategic Director of Neighbourhoods and
Community Wellbeing
Democratic Services Officer (NA)

APOLOGIES: Councillor Sutherland

The Chair stated that the meeting would be recorded and the sound recording subsequently made available via the Council's website. He also advised that, under the Openness of Local Government Bodies Regulations 2014, other people may film, record, tweet or blog from this meeting, and the use of any such images or sound recordings was not under the Council's control.

18. MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting of the Group held on 13th August 2018 were confirmed as a correct record and signed.

19. DISCLOSURES OF PECUNIARY AND PERSONAL INTEREST

No disclosures were made.

20. DECLARATIONS OF THE PARTY WHIP

No declarations were made.

21. QUESTIONS UNDER SCRUTINY COMMITTEE PROCEDURES 11.16

No questions were submitted.

22. ENVIRONMENTAL SERVICES CONTRACT - OPTIONS FOR DELIVERY FROM JUNE 2020

A report of the Strategic Director of Neighbourhoods and Community Wellbeing considering the two aspects of the Environmental services contract: the options available to the Council for future delivery from June 2020 and the options around the

ownership of the fleet required for the provision of the contract was discussed by the Group. (item 06A on the agenda filed with these minutes).

The Lead Member for Major Contracts, The Strategic Director of Neighbourhoods and Community Wellbeing and the Head of Cleansing and Open Spaces attended the meeting to assist with consideration of the item and gave the following responses to issues raised:

- (i) A blended funding approach would be taken to purchase the fleet required and money would be sued from the Council's reserve fund and borrowing.
- (ii) The procurement process will captured all the specification requirements for the new vehicles such as the range and size. The vehicles transferred over to the new fleet would be the latest models and have a larger capacity for refuse collection.
- (iii) The Group was advised that the project group had considered alternatives to extending the current contract but it was felt that Serco were providing a good service and they were established in the market so were the best option.

RESOLVED that the Cabinet be informed that the Group supports the recommendations as set out in the report of the Strategic Director of Neighbourhoods and Community Wellbeing.

Reason

Having considered the report and asked questions of the Lead Member for Major Contracts, the Strategic Director of Neighbourhoods and Community Wellbeing and the Head of Cleansing and Open Spaces on the matter, the Group concluded that it would be appropriate for the Cabinet to approve the recommendations set out in the report.

23. PARTICIPATION IN PILOT SCHEME - 75% BUSINESS RATE RETENTION

A report of the Strategic Director for Corporate Services setting out the case for the Council's participation in a pilot scheme in which a substantial element of government funding would be received by retaining 75% of business rates collected was considered by the Group (item 06B on the agenda filed with these minutes).

The Lead Member for Finance and Property Services and the Strategic Director for Corporate Services attended the meeting to assist with consideration of this item and gave the following responses to the issues raised:

- (i) It was clarified that the Council would still receive at least 95% of its funding under the new scheme but may lose some of the grant funding. This would mean a potential loss but it was felt unlikely that would happen.
- (ii) There were no cost implications to the Council in applying to join the pilot scheme and as a pool arrangement already existed some of the potential issues were already known.

RESOLVED that the Cabinet be informed that the Group supports the recommendations as set out in the report of the Strategic Director of Corporate Services.

Reason

Having considered the report and asked questions of the Lead Member for Finance and Property Services and the Strategic Director of Corporate Services on the matter, the Group concluded that it would be appropriate for the Cabinet to approve the recommendations set out in the report.

24. OVERVIEW SCRUTINY GROUP PRE-DECISION SCRUTINY - CABINET RESPONSE

A report of the Cabinet was considered setting out its responses to the recommendations of the Group on pre-decision scrutiny items (item 7 on the agenda filed with these minutes).

RESOLVED that the Cabinet's responses to the Group's recommendations be noted.

Reason

The Group was satisfied that it added value where appropriate and welcomed the Cabinet's consideration of the Group's views and recommendations as part of its decision making process.

25. WORK PROGRAMME

A report of the Head of Strategic Support was considered, to enable the Group to consider its work programme and forthcoming Key Decisions and decisions to be taken in private by the Cabinet in order to schedule items for pre-decision scrutiny and to provide an opportunity for members of the Group to raise suggestions on issues for scrutiny (in addition to pre-decision scrutiny) which fell within the Group's remit, for scheduling by Scrutiny Management Board (item 8 on the agenda filed with these minutes).

The Group considered the report (and further information on the forthcoming Key Decisions and decisions to be taken in private by the Cabinet provided by the Chief Executive at this meeting) and agreed to schedule items for pre-decision scrutiny prior to the next Cabinet meeting.

RESOLVED that the Group's current work programme be noted and there were no changes.

Reason

To ensure effective and timely scrutiny, either to provide Cabinet with advice prior to it taking a decision or to ensure that the Council and external public service providers and partners were operating effectively for the benefit of the Borough.

NOTES:

1. No reference may be made to these minutes at the Council meeting on 5th November 2018 unless notice to that effect is given to the Democratic Services Manager by five members of the Council by noon on the fifth working day following publication of these minutes.
2. These minutes are subject to confirmation as a correct record at the next meeting of the Overview Scrutiny Group.

CABINET – 18TH OCTOBER 2018

Report of the Head of Cleansing and Open Spaces Lead Member: Councillor Jenny Bokor

Part A

LOUGHBOROUGH BURIAL PROVISION

Purpose of Report

To report on further site appraisals undertaken at Council owned land regarding the potential development of a new cemetery site as per recommendations from Cabinet. This report provides details of the consultation responses and recommends a preferred location for the new cemetery.

Recommendations

1. That land at Nanpantan is approved as the location of the site to be developed as a new cemetery subject to approval by the Environment Agency and Planning Permission being obtained.
2. To approve the revision of the capital programme for the cemetery development project; to allocate £60,000 of capital funding for 2018/19 to enable the commencement of pre-development surveys & assessments and £590,000 for construction/development to 2020/21.

Reasons

1. To reflect the outcome of detailed independent site assessments carried out to the 3 shortlisted sites and to reflect the public consultation undertaken by the Council.
2. To ensure that sufficient resources are made available to deliver the project.

Policy Justification and Previous Decisions

A report to inform the Cabinet of developments regarding the provision of burials at Loughborough Cemetery and the recommendation to develop a new Cemetery site within the Town was presented to Cabinet on the 19th October 2017. The Cabinet report had also been presented to Overview Scrutiny Group on the 16th October 2017.

This report recommended that the site at Allendale Rd be selected as the preferred location for a cemetery, and this recommendation was approved by Cabinet.

This decision was called-in under the Council's call-in procedure and a meeting of Scrutiny Management Board was held on 14th November 2018. The Board requested that further work be undertaken to appraise sites for a new cemetery, and that public consultation take place prior to a further report being considered by Cabinet.

On 16th November, 2018, Cabinet considered the report of the Scrutiny Management Board in respect of the Call-in and made the following resolutions.

1. that further work is undertaken to appraise the sites for a new cemetery in the Loughborough area;
2. that public consultation is undertaken on the viable options;
3. that a further report be submitted to the Cabinet following consultation on viable options setting out the preferred option;
4. that the report of the Scrutiny Management Board be acknowledged.

The issue of the new cemetery location was also considered by the Loughborough Area Committee on 18th September 2018. Detailed comments made by committee members are contained in Part B of this report.

Implementation Timetable including Future Decisions and Scrutiny

Once the necessary approvals are received, the implementation phase of the project will start. The key phases of the project are outlined in the table below:

Key Stage	Proposed timeframe
Cabinet Approval for preferred site	Oct 2018
Flood Risk Assessment	Dec 2018
Planning Policy Statements/Assessments	Jan 2019
Detailed Site Design Options	Feb 2019
Boreholes & 6 months groundwater monitoring (may not be required)	Mar 2019
Archaeological/Geophysical Survey	Mar 2019
Ecology Surveys (Bat, Badger, Newt, Reptile)	May 2019
Planning Submission	Jun 2019
Public Consultation on final design for cemetery	Aug 2019
Tender of cemetery construction & recreation areas	Oct 2019
Contract mobilisation	April 2020
Cemetery open	May 2021

Report Implications

The following implications have been identified for this report.

Financial Implications

The estimated cost for the implementation of the first hectare of new cemetery is £650,000 (£610,000 plus £40,000 contingency). A full breakdown provided in Part B of this report. This total expenditure was approved by Council on 26th February 2018 as part of the New Capital Plan 2018/19 to 2020/21. The budget has not increased and the expenditure is now being profiled.

Risk Management

The risks associated with the decision Cabinet is asked to make and proposed actions to mitigate those risks are set out in the table below.

Risk Identified	Likelihood	Impact	Risk Management Actions Planned
Planning permission not granted for the recommended option	Possible	High	Close communication to be maintained with Planning section throughout project to highlight any risks.
Escalation of costs for delivering the project	Possible	High	Tight budget control and strict project management principles to be applied throughout project.
Delay in delivering the project could lead to gap in burial provision	Possible	High	Priority given to delivery of the project by the service. Review of burial plots in existing cemetery to be regularly reviewed and potential available space maximised.

Equality and Diversity

The proposals seek to ensure that a suitable cemetery site is provided within the Loughborough Town catchment which is suitable for easy access by all residents.

A separate Equality Impact Assessment has been produced and is appended to this report at Appendix A.

Sustainability

The proposed measures aim to ensure the continuity of service provided by the Council's Bereavement Services to provide burial space for residents of the Borough.

Key Decision: Yes

Background Papers: T2 Environmental reports for Allendale Rd
T2 Environmental reports for Nanpantan
T2 Environmental reports for Shelthorpe

Officer(s) to contact: Matthew Bradford
Head of Cleansing and Open Spaces
Matthew.Bradford@charnwood.gov.uk
01509 634 695

Adam Goodall
Policy & Green Space Development Manager
adam.goodall@chanrwood.gov.uk
01509 634975

Theo Karantzalis
Programme Manager
Theo.karantzalis@charnwood.gov.uk
01509 634537

Part B

Background

1. A report to inform of developments regarding the provision of burials at Loughborough Cemetery and the recommendation to develop a new Cemetery site within the Town was presented to Cabinet on the 19th October 2017. The Cabinet report had also been presented to Overview Scrutiny Group on the 16th October 2017.
2. The Cabinet's decision on the matter, and the reasons for it, are set out in Cabinet Minute 41 2017/18.
3. The Cabinet decision on the matter (Cabinet Minute 41 2017/18) was called-in under Scrutiny Committee Procedure 11.7. Scrutiny Committee Procedure 11.7 requires Councillors requesting a Call-in a Cabinet decision to state the reasons for doing so and to indicate their preferred outcome or variation of the decision.

On this occasion, these were given as follows:

"We do not believe that Allendale Road is the appropriate location. Local residents were not informed of this possibility when they bought their properties and had always been led that the land would be used for recreational purposes.

There has been no consultation on this matter.

Proper consideration must be given to benchmarking the prices that we currently charge in Loughborough cemetery and, if they are increased, this would result in a reduced take-up of the available spaces".

4. On 16th November, 2018, Cabinet considered a report of the Scrutiny Management Board in respect of the Call-in under Scrutiny Committee Procedure 11.7 of the decision taken by the Cabinet on 19th October 2017 (Cabinet Minute 53 2017/18). Councillor Miah, Chair of the Scrutiny Management Board, presented the report which detailed the Board's consideration of the matter and recommendation. The Cabinet decision on the matter is given below:

"RESOLVED

1. *that further work is undertaken to appraise the sites for a new cemetery in the Loughborough area;*
2. *that public consultation is undertaken on the viable options;*
3. *that a further report be submitted to the Cabinet following consultation on the viable options setting out the preferred option;*

4. *that the report of the Scrutiny Management Board be acknowledged.*

Reasons

1-3. *To allow for suitable long term cemetery provision for Loughborough to be established.*

4. *To acknowledge the work undertaken by and the views and recommendations of the Scrutiny Management Board.”*

Further Work on Site Options

5. Following the call-in decision, further work was carried out to appraise all sites included within the original Tier 1, to a Tier 2 assessment. These being:
 - Allendale Road,
 - Shelthorpe Golf Course
 - Agricultural Land, Hathern
 - Agricultural Land, Nanpantan Rd
6. Officers also made further initial assessments of additional sites in the Councils ownership to determine if any additional suitable land could be identified. The proposed cemetery extension site at Ling Road was excluded from further analysis as the site will provide future ashes plots only.
7. Tier 2 surveys have now been undertaken at all of the shortlisted sites. A Tier 2 site screening assessment involves a more detailed desk study and trail pit investigation and monitoring to identify any potential hazards. All sites have been assessed as being technically suitable for burial whilst considered high risk based on the number of annual predicted burial numbers.
8. The original shortlist of Council owned sites was reassessed to ensure that all potential sites have been appropriately considered.
9. Once all of the information had been gathered, the Project Board met to consider all of the options available. Taking all matters into account, it was decided to take three options forward for public consultation, these being;
 - Allendale Road, Loughborough
 - Shelthorpe Golf Course,
 - Agricultural Land, Nanpantan Rd
10. The option at Hathern was dropped for the following reasons:
 - Access difficulties. The site does not have a suitable access and this would need to be negotiated with a private land owner.

- Poor transport links. The site is outside of Loughborough and has limited access by public transport.
- The gradient of the site. The site is sloping which would make movement around the site difficult for people with restricted mobility.
- High development costs. The site had the highest capital development costs.

Public Consultation

11. A public consultation exercise was launched on the 8th August and ran until the 23rd September 2018. The aim was to ensure a meaningful consultation was carried out with residents on the future of Loughborough Cemetery which can form part of the decision-making process.
12. The consultation was promoted through all of the local media channels. In addition, a letter was sent to residents in close proximity of all of the short-listed sites to make them aware of the consultation and how they could respond.
13. A total of 725 responses were received based on seven main questions about the proposed development of a new cemetery. These are shown in Appendix B, Summary of Consultation Responses. In addition to stating their preference for the location for a new cemetery, residents were asked to submit written comments. Common themes were as follows:
 - The Council should have purchased the land next door to the existing cemetery or ensured it was incorporated into adjacent developments.
 - Greater emphasis should be placed on cremation rather than burial.
 - Agree that Loughborough should provide a cemetery for the town.
 - A new cemetery should not be developed on existing green space or recreational land.
14. The results from the consultation show that the majority of respondents support the development of a new cemetery site at Nanpantan rather than at Allendale Road or Shelthorpe Golf Course.
15. A separate petition relating to Shelthorpe Golf Course was delivered to the Council on 21st September 2018. The petition received 538 signatures, specifically to express opposition to part of Shelthorpe Golf Course being used for the expansion of the cemetery and loss of the course as a recreational area. The petition is on the Council's Website at: https://www.charnwood.gov.uk/pages/petitions_received.
16. On 18th September 2018, the Loughborough Area Committee was asked for its comments on the location of the new cemetery. The comments are listed below;

- Cemeteries are traditionally located on the outskirts of towns rather than in the middle of residential developments. Considered inappropriate to place a cemetery in an existing residential area due to the impact on residents and for access reasons. This comment applies to both Allendale Road and Shelthorpe Golf Course options.
- To an extent both Allendale Road and Shelthorpe Golf Course were allocated as recreational use and considered inappropriate to switch to another type of use.
- Capacity of the sites indicates in a generation the Allendale Road site will be at capacity unlike the other two sites
- Preferable that burial provision is near to the crematorium meaning Allendale Road and the Nanpantan sites are the better options.
- Upward trend for cremations as opposed to burials. Nationally there is a 65% cremation rate. This is caveated by the fact that in the UK there is an ageing population so the number of burials is increasing.
- Preference for the Nanpantan site due to the higher capacity of that site and favour a burial site as opposed to a housing development near to the Outwoods woodland and open space.
- The Allendale Road housing development had open space provision as part of the planning process. To re-designate for burial provision will impact householders. The Open Spaces Strategy indicates a deficiency in open spaces in the Borough so the Allendale Road option is not preferable. On talking to residents, the Nanpantan site is the preferred option.
- None of the options are preferable. Cabinet should look at buying land on the edge of town for burial provision. The opportunity to address the shortfall in provision was at the planning stage for the land now known as Trinity Gardens.
- Disappointed that the consultation period commenced in the summer holidays. Preferable that it started in September.

Recommended Site

17. Following the consultation exercise and technical study detailed in the T2 survey, land at Nanpantan is recommended to be taken forwards as the preferred option for the new cemetery site based on the following reasons:

- The site provides the longest potential life span at 276 years, with costs to develop the site based on lifespan is the lowest at £6,619 per developed year.
- Reduced impact on residential properties as site is located on edge of Loughborough with access to Nanpantan Road. Additional screening/buffers would be provided to properties off Cricket Lane.
- No net loss on public recreational land as site is currently arable farmland.

- Peaceful and tranquil location suitable for cemetery which could be enhanced by sensitive and appropriate landscape scheme.
 - Based on consultation, the site is the clear favourite by residents who responded.
 - Site can easily be developed in phases as required, with remaining areas continued to be managed as farmland.
18. The site at Allendale Rd was considered to be viable, but not preferred for the following reasons;
- Low levels of support following the consultation exercise.
 - The site was considered to be a short-term option. The preference is for a site with a larger burial capacity.
 - There would be a perceived loss of recreational space amongst members of the community.
 - Legal issues around covenants relating to the site.
19. The site at Shelthorpe Golf Course was considered to be viable, but not preferred for the following reasons;
- Low levels of support following the consultation exercise.
 - Lower burial capacity than the preferred option.
 - Partial loss of valued local amenity.
 - Difficult access to the site.

Legal and Planning Considerations

20. The Borough Council acquired the site in 1982, under Title Number LT133711.
21. The rights granted on the title are as follows:
- Conveyance dated 8 September 1965, a right for the owners of enclosure number 113 (adjoining the Council's land) to use the entrance roadway.
 - Deed dated 13 December 1905, a right for the mayor alderman and burgesses to lay two lines of pipes not exceeding 36 inches under the area marked in.
 - Deed dated 16 March 1953, the right for the East Midlands Gas Board to lay etc etc gas mains along the line marked as. No material alternation of the land can be made measured six feet from any direction along the broken blue line.
 - Deed dated 17 November 2000, the right for Powergen Energy plc to route electric lines and the Council agrees not to build anything within one metre of this route.

22. There are no planning conditions restricting how this land should be used.
23. As the site is outside the limits to development and in the countryside any proposals for development as a cemetery would need to be strongly justified.
24. The National Planning Policy (NPPF) strongly endorses a sustainable approach to development. Section 4 of the NPPF sets out the Government's strong preference for promoting sustainable transport. Therefore any proposed new cemetery site should demonstrate sustainable transport links for the community.
25. The Core Strategy (2015); Policy CS11 Landscape and Countryside requires new developments to protect landscape character and to reinforce sense of place and local distinctiveness taking account of relevant local Landscape Character Assessments.
26. The Local Plan (2004); Saved Policies, Outside Limits to Development (ST/2) sets out a presumption favouring development within limits to development. General Principles for Areas of Countryside, Green Wedge and Local Separation (CT/1) states that development will be strictly controlled, however uses that may be suitable include public services and utilities. Development in the Countryside (CT/2) states that development should not harm the character and appearance of the countryside.
27. The primary known constraint for the site is the designation of Flooding Zone 2 for the adjacent Nanpantan Sports Ground. Whilst the proposed site itself is not constrained by flood risk, the management of surface water and influence on adjacent ditches, drains and streams will need to be carefully considered and managed.

Next Steps

28. Further detailed investigations into the design and implementation of the site as a cemetery will be undertaken as soon as possible.
29. Further environmental investigations may be required as part of the planning application to provide borehole monitoring, flood risk assessment and associated mitigation methods e.g. SUDS/reed bed design. Detailed species assessment and historic environment assessments will also be required.
30. Evidence for the Planning application will also require to be developed including design & access statements, transport statement road traffic audit, land & visual impact assessment & needs & planning policy statement.
31. The proposed design plan for Nanpantan would include:

- Details of shared access with sports ground from the existing Nanpantan Road entrance.
- Internal surfaced roadways, for access to graves and car parking provision within the site.
- Sympathetic landscape design to incorporate the cemetery site within the wider landscape.
- Phased approach to development of the site as required.
- Drainage plan.
- Attendant Building concept design (if required)

Breakdown of estimated costs for Cemetery site

Pre-development surveys & assessments	
All surveys, landscape drawings and planning requirements	£60,000
Cemetery provision & landscaping	
Contract preliminaries	10,000
Pedestrian footpaths	35,000
Internal roads	70,000
Highways access & road improvements	200,000
Cemetery car Park	60,000
Water connection, stand pipes & utilities	13,000
Fencing, Gates, Boundary treatments	57,000
Drainage (SUDS and surface infrastructure)	70,000
Concrete beams for headstones (2x to start)	15,000
Landscaping	20,000
Sub Total	£610,000
Contingencies	40,000
TOTAL	£650,000

Appendices

Appendix A – Equality Impact Assessment

Appendix B – Summary of Consultation Responses

Charnwood Borough Council

Equality Impact Assessment 'Knowing the needs of your customers and employees'

■ Background

An Equality Impact Assessment is an improvement tool. It will assist you in ensuring that you have thought about the needs and impacts of your service/policy/function in relation to the protected characteristics. It enables a systematic approach to identifying and recording gaps and actions.

■ Legislation- Equality Duty

As a local authority that provides services to the public, Charnwood Borough Council has a legal responsibility to ensure that we can demonstrate having paid due regard to the need to:

- ✓ Eliminate discrimination, harassment and victimisation
- ✓ Advance Equality of Opportunity
- ✓ Foster good relations

For the following protected characteristics:

1. Age
2. Disability
3. Gender reassignment
4. Marriage and civil partnership
5. Pregnancy and maternity
6. Race
7. Religion and belief
8. Sex (Gender)
9. Sexual orientation

What is prohibited?

1. Direct Discrimination
2. Indirect Discrimination
3. Harassment
4. Victimisation
5. Discrimination by association
6. Discrimination by perception
7. Pregnancy and maternity discrimination
8. Discrimination arising from disability
9. Failing to make reasonable adjustments

Note: Complete the action plan as you go through the questions

■ **Step 1 – Introductory information**

Title of the policy	Future Cemetery Provision for Loughborough
Name of lead officer and others undertaking this assessment	Matt Bradford (Head of Service), Theo Karantzalis (Programme Manager), Adam Goodall (Project Manager)
Date EIA started	28 th September 2018
Date EIA completed	28 th September 2018

■ **Step 2 – Overview of policy/function being assessed:**

Outline: What is the purpose of this policy? (Specify aims and objectives)
<p>Charnwood Borough Council is a Burial Authority by virtue of s214(1) of the Local Government Act 1972 and provides and manages its cemetery at Loughborough under the provisions of the Local Authorities' Cemeteries Order 1977. There is no statutory duty to create new cemeteries or extensions of existing cemeteries, but burial authorities are under a duty in the Local Authorities' Cemeteries Order 1977 to maintain their existing cemeteries.</p> <p>The most active form of regulation of cemeteries and new cemetery developments is now exercised by The Environment Agency, largely due to a concern with the pollution of water sources.</p> <p>Loughborough cemetery was laid out in 1857 as a 7 acre site and further expanded at the turn of the century to cope with the expansion of the town's population. In 1947 a completely new cemetery was opened to the south and west, incorporating a crematorium. In 2005 a mausoleum was opened, one of very few in the country.</p> <p>The cemetery has approximately 4 years of burials space left, and will be full to capacity by 2022. It is therefore recommended that the Council considers options to ensure continuity of service to its residents. To ensure the present lifespan of the cemetery is maximised, pre-purchase of graves will be stopped and fees and charges increased for non-Loughborough residents.</p> <p>The Council commissioned a feasibility study in March 2017 to assess a range of potential Council owned sites which could be developed as a new cemetery.</p> <p>Following the assessment a preferred site at Nanpantan, Loughborough has been identified. No site plans have been created at this early stage. However, it is envisaged that the site will provide burial areas for different faiths as appropriate, as well as a general burial section. The cemetery will be serviced by accessible pathways with appropriate parking for those with limited mobility. It is anticipated that the land will remain unconsecrated.</p> <p>The proposed plan for Nanpantan will include:</p> <ol style="list-style-type: none"> a) Sympathetic landscape design b) Improve local biodiversity c) Internal surfaced pathways for public recreation and access to graves d) Vehicular access, egress and gateage. e) Car parking f) New burial provision to the southern section of site
What specific group/s is the policy designed to affect/impact and what is the intended change or outcome for them?

The proposal will provide additional cemetery space within Loughborough to ensure the continuity of a burial service to residents.

Which groups have been consulted as part of the creation or review of the policy?

Public consultation took place between the 4th August and 23rd September on the preferred location for the cemetery. Three options were presented for consideration and over 700 responses were received.

As part of the planning process for the new cemetery site consultation will be required to inform the design of the site.

■ Step 3 – What we already know and where there are gaps

List any existing information/data do you have/monitor about different diverse groups in relation to this policy? Such as in relation to age, disability, gender reassignment, marriage and civil partnership, pregnancy & maternity, race, religion or belief, sex, sexual orientation etc.

Data/information such as:

- Consultation
- Previous Equality Impact Assessments
- Demographic information
- Anecdotal and other evidence

Further information on strategic context:

- Charnwood Borough Council Equality Strategy 2016 - 2020

https://www.charnwood.gov.uk/files/documents/equality_strategy_2013_20161/Equality+Strategy+2016-2020+FINAL+1.0.docx

- Charnwood Demographic Information 2013

http://www.charnwood.gov.uk/files/documents/charnwood_demographic_information_2013/Charnwood%20Borough%20Council%20Demographic%20Profile%202013.pdf

What does this information / data tell you about diverse group? If you do not hold or have access to any data/information on diverse groups, what do you need to begin collating / monitoring? (Please list)

It is difficult to estimate any diverse groups who could be potentially impacted by this project. We therefore intend to take all possibilities into consideration when assessing the equality impacts of the charges.

We can utilise information primarily from our demographic profile to ensure that any service users are not adversely impacted by this project.

■ Step 4 – Do we need to seek the views of others? If so, who?

In light of the answers you have given in Step 2, do you need to consult with specific groups to identify needs / issues? If not please explain why.

Detailed consultation will be undertaken as part of the design and planning processes to ensure that the cemetery site accommodates all groups. It is important to stress that this is largely delivery of the service as usual, but on a new site within the Town.

■ **Step 5 – Assessing the impact**

In light of any data/consultation/information and your own knowledge and awareness, please identify whether the policy has a positive or negative impact on the individuals or community groups (including what barriers these individuals or groups may face) who identify with any 'protected characteristics' and provide an explanation for your decision (please refer to the general duties on the front page).

	Comments
Age	The new cemetery site is to be located within Loughborough Town and part of the assessment criteria to ensure the site is within close proximity to public transport and other access networks. Car Parking will be provided, along with bays for Blue Badge holders.
Disability (Physical, visual, hearing, learning disabilities, mental health)	The new cemetery site will be designed to ensure compliance with the Equality Act 2010. Access to and around the site will be a key consideration in the design. Disabled parking bays will be provided on site.
Gender Reassignment (Transgender)	Neutral Impact
Race	Neutral Impact
Religion or Belief (Includes no belief)	Religion or belief is a key consideration within the design of the new site and the provision of separate areas depending on Religious belief will be required. Memorial height & width, along with grave type may be regulated (pending consultation) as part of the new site provision to maximise burial space. This may impact on some religions which have a preference for more ornate and large memorials. A policy on memorials to ensure a fair and consistent approach will be developed.
Sex (Gender)	Neutral
Sexual Orientation	Neutral
Other protected groups (Pregnancy & maternity, marriage & civil partnership)	Neutral
Other socially excluded groups (Carers, low literacy, priority neighbourhoods, health inequalities, rural isolation, asylum seeker and refugee)	Neutral Impact

Where there are potential barriers, negative impacts identified and/ or barriers or impacts are unknown, please outline how you propose to minimise all negative impact or discrimination.

Please note:

- a) If you have identified adverse impact or discrimination that is illegal, you are required to take action to remedy this immediately.
- b) Additionally, if you have identified adverse impact that is justifiable or legitimate, you will need to consider what actions can be taken to mitigate its effect on those groups of people.

There are no impacts which are believed to be illegal as a result of this assessment.

There is a potential minor adverse impact on some groups by the regulation of Memorial height & width, along with grave type to maximise burial space. A policy on memorials to ensure a fair and consistent approach will be developed. The adverse impact is considered to be reasonable and proportionate.

Summarise your findings and give an overview as to whether the policy will meet Charnwood Borough Council's responsibilities in relation to equality and diversity (please refer to the general duties on the front page).

The new cemetery site will be planned and designed to be compliant with the Equality Act 2010 compliant and fully accessible by all residents and groups within Loughborough.

Step 6- Monitoring, evaluation and review

Are there processes in place to review the findings of this Assessment and make appropriate changes? In particular, how will you monitor potential barriers and any positive/ negative impact?

This EIA will be reviewed as the project progresses to ensure compliance.

How will the recommendations of this assessment be built into wider planning and review processes? E.g. policy reviews, annual plans and use of performance management systems.

Consultation with interested groups.

Step 7- Action Plan

Please include any identified concerns/actions/issues in this action plan:

The issues identified should inform your Service Plan and, if appropriate, your Consultation Plan

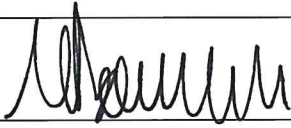
Reference Number	Action	Responsible Officer	Target Date
1	Consult with local community and cemetery user groups/religions as part of the cemetery design and planning process. This will ensure that the design of the site can be improved upon and any adverse impacts or characteristics adequately addresses where necessary.	Head of Cleansing & Open Spaces	August 2019

2	Further EIA to be developed following consultation in order to ensure all adverse impacts and barriers are removed when developing the preferred site.		

■ **Step 8- Who needs to know about the outcomes of this assessment and how will they be informed?**

	Who needs to know (Please tick)	How they will be informed (we have a legal duty to publish EIA's)
Employees	√	Published on intranet
Service users	√	Published with Cabinet report
Partners and stakeholders	√	Published with Cabinet report
Others	√	Published with Cabinet report
To ensure ease of access, what other communication needs/concerns are there?	√	Include in paper format in areas where controls will be renewed or altered.

■ **Step 9- Conclusion (to be completed and signed by the Service Head)**

Please delete as appropriate	
I agree / disagree with this assessment / action plan	
If <i>disagree</i> , state action/s required, reasons and details of who is to carry them out with timescales:	
Signed (Service Head):	 MATT BRADFORD - HEAD OF CLEANING AND OPEN SPACES
Date:	4/10/18

Please send completed & signed assessment to Suzanne Kinder for publishing.

Loughborough Cemetery Consultation Summary

The consultation on proposed viable options for a new cemetery site ran between August 8 and September 23, 2018.

There were 725 responses.

Summary of consultation exercise:

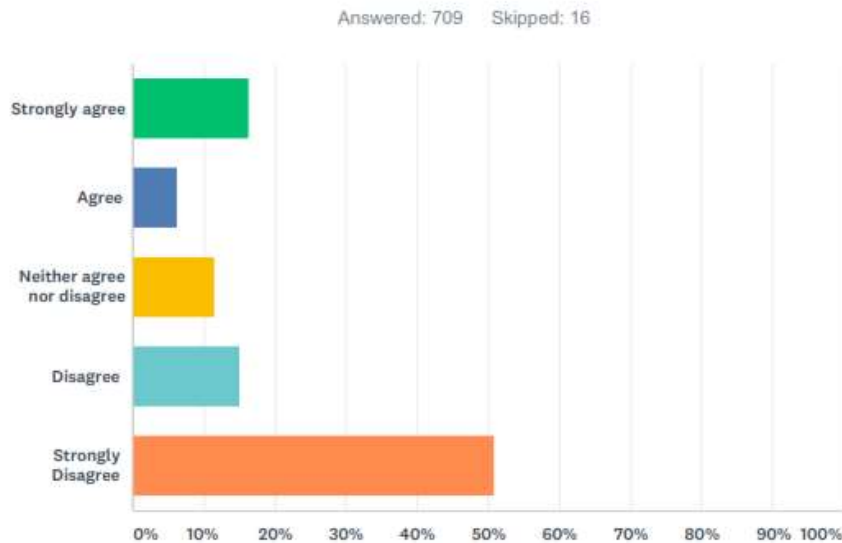
Channel	Measure
Website – five web pages dedicated to the consultation	<ul style="list-style-type: none"> ○ Pages viewed over 5,000 times ○ Main page containing the survey link viewed 2,600 times (largest referrer was Facebook - 30% of traffic landing directly on the consultation home page)
Direct	<ul style="list-style-type: none"> ○ 900 letters sent to residents in immediate area of viable sites
Media	<ul style="list-style-type: none"> ○ Three press releases <p>Coverage:</p> <ul style="list-style-type: none"> ○ Loughborough Echo, August 8 (Front page), Sept 12, Sept 19 ○ Radio Leicester, August 8 ○ East Midlands Today, August 10 ○ Leicester Mercury – August ○ Leicester Mercury - September 11
Facebook	<ul style="list-style-type: none"> ○ Nine posts on corporate page ○ Most viewed post reached around 8,500 people, received 100 comments, 145 link clicks (supported by small, paid-for boost) ○ Other posts reached 7,800; 6,600, 2,600 and then smaller numbers ○ £60 spent in total on boosting three posts to increase reach
Twitter	<ul style="list-style-type: none"> ○ 12 posts ○ Most viewed post reached 2,200 with 23 link clicks
Drop-in session at Loughborough Town Hall	<ul style="list-style-type: none"> ○ 50 people attended
Printed materials	<ul style="list-style-type: none"> ○ Posters displayed on viable sites ○ Leaflets placed in main foyer of Council Office & Loughborough Library
Static display	<ul style="list-style-type: none"> ○ Council offices – August 8 September 23 plus paper copies of consultation questions and leaflets available
Email	<ul style="list-style-type: none"> ○ all 52 councillors ○ Council's email newsletter Charnwood Now to 220 subscribers (x3)
Other	<ul style="list-style-type: none"> ○ There were other mentions of the consultation on non-Council Facebook pages

Response Analysis

The following response analysis demonstrates the number of responses for each of the 3 options as well as the main reason given as a rational in the comment section for each option. It is worth mentioning that not all respondents justified their choices.

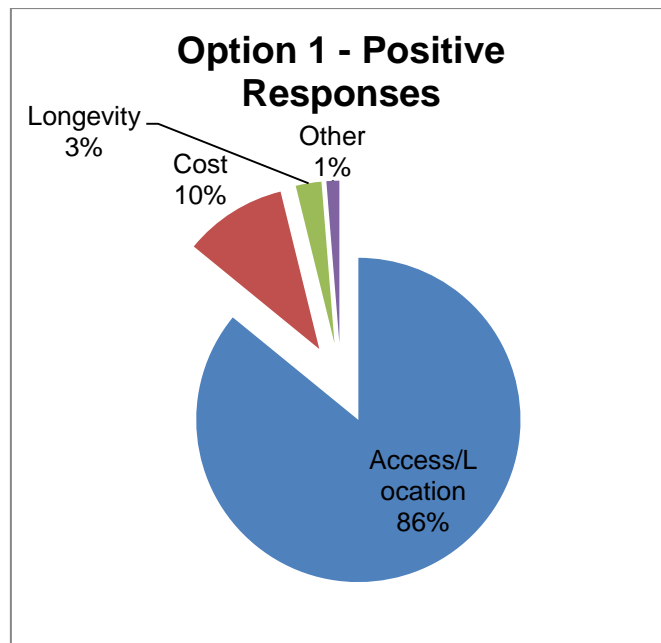
Option 1 - Allendale Road

Q1 Option 1 - Allendale Road - Do you agree or disagree that this is the best of the three options?



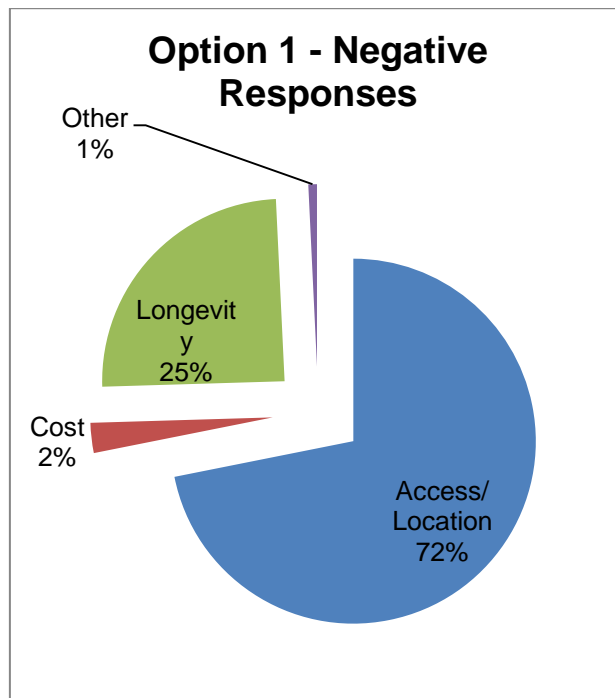
ANSWER CHOICES	RESPONSES	
Strongly agree	16.22%	115
Agree	6.35%	45
Neither agree nor disagree	11.42%	81
Disagree	15.09%	107
Strongly Disagree	50.92%	361
TOTAL		709

Out of the 160 responses for Strongly Agree and Agree the main reasons were:



The majority of positive responses for this option were based on the close proximity to the existing cemetery as well as the good transport links.

Out of the 468 responses for Strongly Disagree and Disagree the main reasons were:

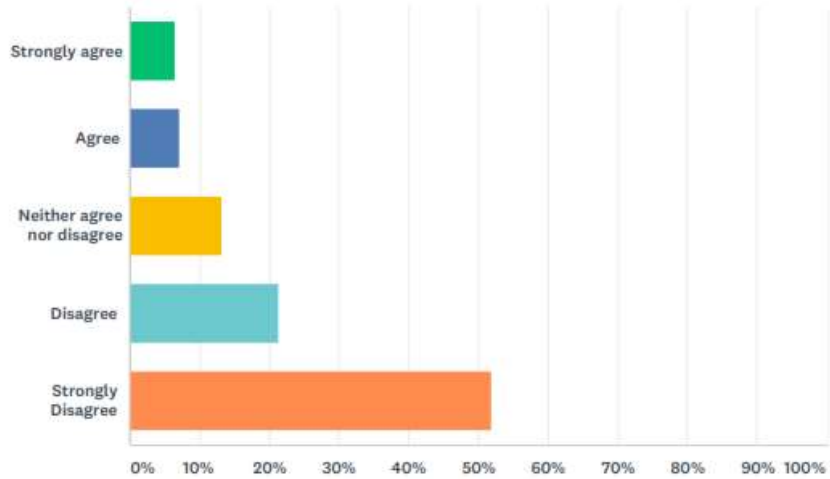


The majority of negative responses were focusing on the lack of recreational spaces in the areas as well as the recent overdevelopment of the site. The size of the site also seemed to be a significant concern

Option 2 - Part of Shelthorpe Golf Course

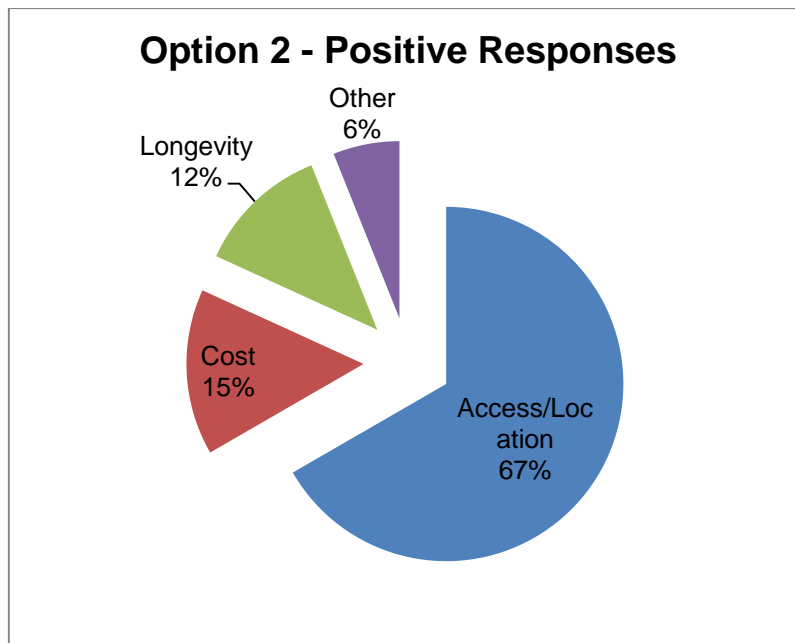
Q3 Option 2 - Part of Shelthorpe Golf Course - Do you agree or disagree that this is the best of the three options?

Answered: 711 Skipped: 14



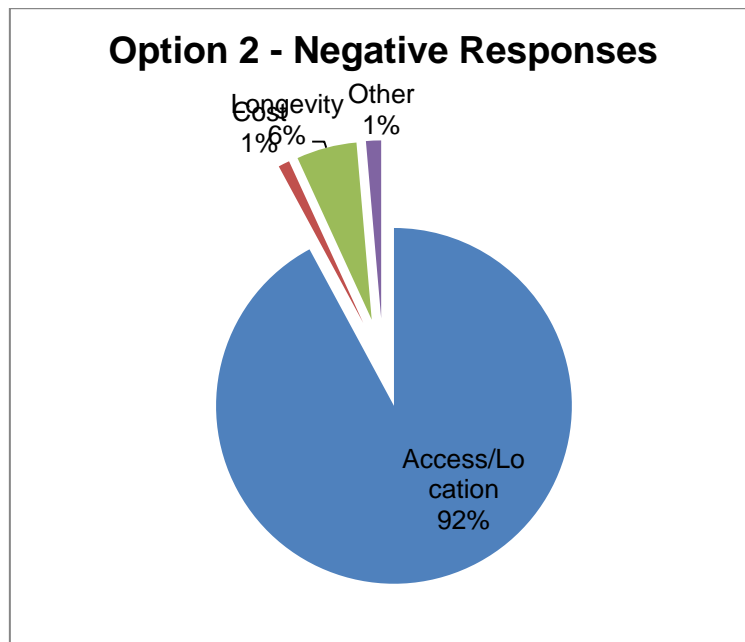
ANSWER CHOICES	RESPONSES	
Strongly agree	6.47%	46
Agree	7.17%	51
Neither agree nor disagree	13.22%	94
Disagree	21.24%	151
Strongly Disagree	51.90%	369
TOTAL		711

Out of the 97 responses for Strongly Agree and Agree the main reasons were:



The majority of respondents that agreed with this option thought that such a development wouldn't affect the existing site.

Out of the 520 responses for Strongly Disagree and Disagree the main reasons were:

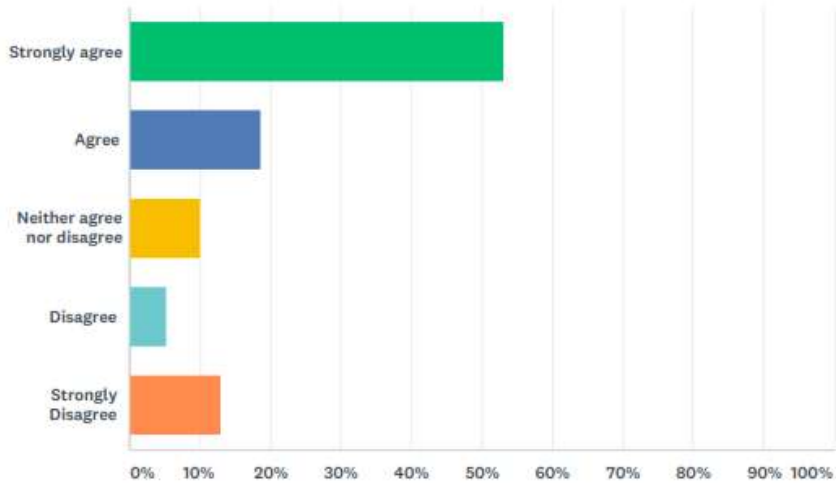


The vast majority of respondents that disagreed with this option expressed their opinion that this site is very important for the local community and should be maintained at its current use.

Option 3 - Nanpantan

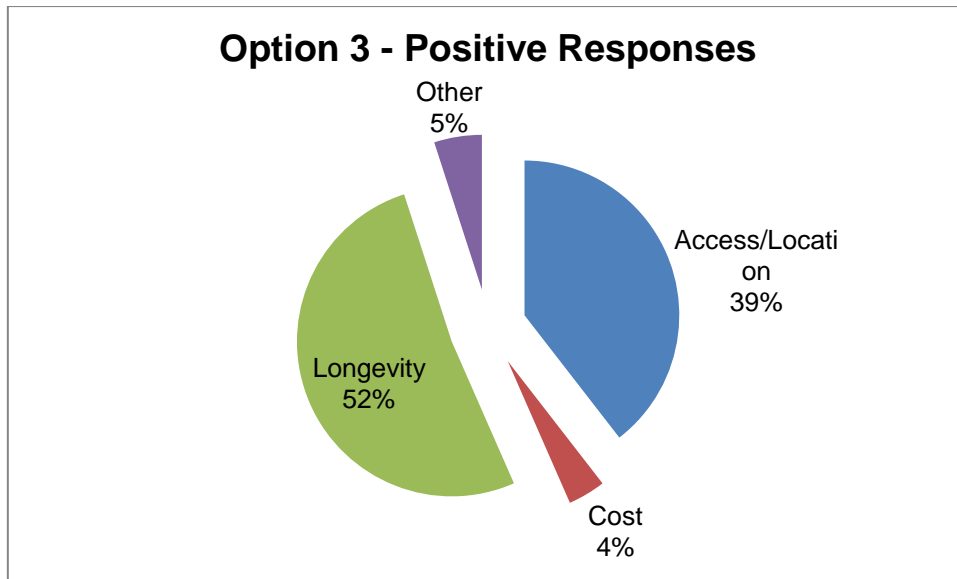
Q5 Option 3 - Nanpantan - Do you agree or disagree that this is the best of the three options?

Answered: 715 Skipped: 10



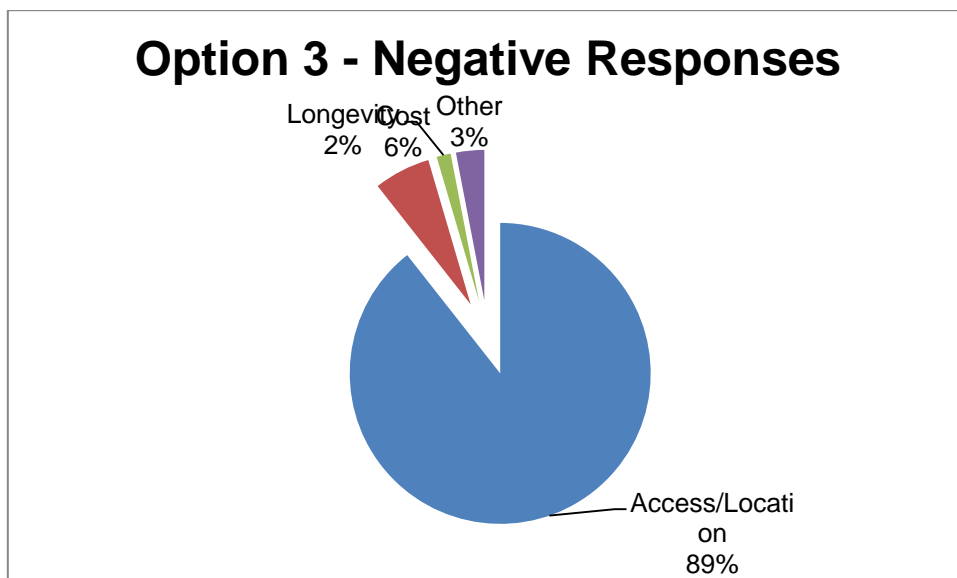
ANSWER CHOICES	RESPONSES	
Strongly agree	53.15%	380
Agree	18.60%	133
Neither agree nor disagree	10.07%	72
Disagree	5.17%	37
Strongly Disagree	13.01%	93
TOTAL		715

Out of the 513 responses for Strongly Agree and Agree the main reasons were:



Respondents that agreed with this option focus on the longevity of this option as well as by the fact that the area is not overlooked by residential properties.

Out of the 130 responses for Strongly Disagree and Disagree the main reasons were:



Respondents that disagreed with this option highlighted the distance from the existing site, the poor access infrastructure as well as the potential loss of a valued open space for farming and recreation.

CABINET – 18TH OCTOBER 2018

Report of the Head of Customer Experience Lead Member: Councillor Leigh Harper-Davies

Part A

REVENUES AND BENEFITS SERVICE DELIVERY – FUTURE OPTIONS

Purpose of Report

To seek agreement from Cabinet on the next steps in the decision-making process for the delivery of the Revenues and Benefits Service post 2020 when the current outsourcing contract comes to an end.

Recommendations

That Cabinet endorse the development of Options 2 and 3, as set out in Part B of this report, into detailed and costed proposals to present to Cabinet for a final decision on the future provision of the Revenues and Benefits service.

Reason

To allow resources to be focussed on a defined set of preferred future service delivery options.

Policy Justification and Previous Decisions

One of the key themes of Charnwood Borough Council's Corporate Plan is to *Deliver Excellent Services*. This project is in line with this theme, particularly in terms of "providing high quality, affordable and responsive services ... always seeking to improve the services that we deliver ... We will maintain the financial stability of the Council whilst continuing to seek ways to deliver better services as efficiently as possible".

The current Revenues and Benefits service delivery contract was introduced in February 2010. As the contract has now been in operation for coming up to 10 years it is necessary to review and take the opportunity to look at alternative delivery models on a timely basis to ensure we continue to deliver a service to meet both the needs of our residents and those of the Council.

Implementation Timetable including Future Decisions and Scrutiny

The existing contract with Capita LGS for the delivery of the current Revenues and Benefits Service expires February 2020. With this in mind it is proposed that a final report will be presented to Scrutiny Management Board and Cabinet in February 2019. This will allow development of an implementation plan with a view to ensuring continuation of the Service from February 2020.

Report Implications

The following implications have been identified for this report.

Financial Implications

At this stage there are no direct financial implications; resources to develop the options identified can be found within existing resources.

Risk Management

There are no specific risks associated with this decision at this stage

Key Decision: No

Background Papers: None

Officer(s) to contact: Karey Barnshaw
Head of Customer Experience
01509 634923
Karey.barnshaw@charnwood.gov.uk

Simon Jackson
Strategic Director for Corporate Services
01509 634699
Simon.jackson@charnwood.gov.uk

Part B

Background

1. In 2009 the Council agreed to outsource its Benefits, Revenues and Business Rates Services to Capita LGS for an initial period of 10 years, effective from 1st February 2010. This contract has the option for an extension for an additional 5 years from 2020. As we now near the end of the current contract period it is appropriate to consider what options are available to the Council for the future delivery of this service.
2. In broad terms the options available for consideration are:
 1. Bring the currently outsourced service back in house
 2. Seek out a shared service arrangement with other local authorities
 3. Extend the existing contract for a further (maximum) of 5 years
 4. Re-procure an outsourced arrangement for the provision of Revenues and Benefits Services
3. Each of the above has advantages and disadvantages which could be weighted more or less strongly dependent on prevailing circumstances. At present, the continued uncertainty around the impact of Universal Credit, which is likely to have a fundamental impact on the future shape of the service in the medium term, but with an uncertain roll-out schedule, suggest that options that provide lower risk and higher levels of flexibility would be preferred. It should also be noted that the lead time for some of the above options is quite extensive.
4. To assist in the initial assessment, the current provider has recently provided a future options paper for consideration. In addition to this, discussions have also commenced with another shared service provider. If the selected option will (or may) result in a move away from Capita as service provider, then formal procurement (or equivalent) processes will need to commence from late-2018 to guarantee sufficient time for service transition.

Options

1. Bring the currently outsourced service back in house

The option to bring the service back in house should be considered carefully. Whilst this option gives the Council full control in terms of service delivery there are also a number of other less positive factors that need to be fully considered.

Considerations

+Pros

- Customer and quality will be the focus of the service not profit
- Full control of service delivery within the authority; may offer more budgetary flexibility
- Possible opportunity to offer support to other local authorities to generate income
- More flexible options for employees in terms of flexible working etc.

-Cons

- Lack of resilience across the service compared to being part of a larger organisation or partnership
- Potentially higher costs – no opportunities for shared structure particularly management or IT systems leading to higher costs
- Significant work to initially set up structure, team, working practices etc. – will require some additional dedicated resources initially to support this at additional cost
- Risk to service delivery during transitional phase
- Lack of flexibility in service delivery; due to welfare reform the landscape for Housing Benefits is constantly changing making it difficult to forecast accurately the resources that will be required to deliver the changing service over the next 4-5 years. This could lead to over or under resourcing which would affect service delivery, reputation and could eventually lead to addition costs such as redundancies. The current rollout timetable for Universal Credit has regularly changed and in total the project is now 8 years behind target.

2. Seek out a shared service arrangement with other local authorities

There is already a Leicestershire Revenues & Benefits Partnership which is made up of North West Leicestershire District Council, Harborough District Council and Hinckley & Bosworth Borough Council. This partnership has been operating successfully for a number of years with each authority maintaining their independence.

Considerations

+Pros

- The aim of the partnership is '*Working in Partnership to deliver better services*' the focus remains on delivering high quality service for customers driven by efficiency and effectiveness, not for profit
- The partnership is well established with embedded governance arrangements, management/staffing structure and processes in place. Performance results shows the Partnership is delivering in line or better than other authorities in the area. The performance is higher than the Council at present.
- The service is scalable and flexible to meet the changing demands as a result of welfare reform as well as peaks and troughs throughout the year. Initiatives such as home working have meant the team work flexibly outside of normal business hours to meet the demands at peak times.
- Partnership arrangement gives good degree of resilience to the service
- Currently all authorities within the Partnership are using the same IT systems, this creates opportunity to reduce overall costs at contract negotiations stage due to economies of scale.

-Cons

- Possible initial risk to service delivery during change over period

- Less clear-cut accountability in a partnership than in a commercial contract.

3. Extend the existing contract for a further (maximum) of 5 years

The current contract with Capita LGS has been in place since 1st February 2010. Overall the contract has delivered as expected. However, in terms of current delivery there have been some concerns in terms of collection rates and delivery of an effective Housing Benefit Service.

Considerations

+Pros

- Lowest risk option for the Council in terms of ongoing service delivery with no transitional arrangement required
- No additional costs required as minimal transition work.
- Systems, process and resourcing all in place and functional
- Established working relationships in place.
- Opportunity to review current KPI's to modernise the requirements and ensure the service can be effectively managed
- Currently good levels of resilience in the service due to the size of the organisation
- Contractor is investing in digital solutions, which are currently being rolled out in Charnwood, offering greater future flexibility in service provision (and improved customer experience)

-Cons

- Current financial position of Capita is a concern based on the profit warning issued in January 2018
- Capita were issued with an improvement notice in March 2018 to address the lack of performance against a contractual KPI in respect of accuracy of Housing Benefit (HB) processing. This KPI had not been met for over 12 months. Whilst trying to address this issue a further issue has arisen in terms of processing times which has led to backlogs in work of over 12 weeks.
- Although now being addressed, there has been a lack of investment in the service meaning the service has now fallen behind in terms of being able to offer services in a digital way, this has led to inefficiencies in the service and opportunities have been missed to improve service delivery.
- In the latter period of the contract, the contractor focus has been on profitability and not always on customer experience; the contractor now stresses that this is being addressed
- In latter years there has been a decline in performance both for collections rates but also for processing times and accuracy of claims. This is not what was expected of the contract; again this is now being addressed

4. Re-procure an outsourced arrangement for the provision of Revenues and Benefits Services

The current contract will have been in place for 10 years, and two other providers still in the market that deliver outsourced Revenues and Benefits Services have been identified.

Considerations

+Pros

- Opportunity to consider the current market in terms of outsourcing and what may now be available to find an improved service delivery model that brings improvement both in quality and cost for the Council

-Cons

- Full procurement is a significant piece of work for a contract this size that would require additional resource to deliver the procurement at a cost to the Council including project management, legal support, and service redesign resource.
- Due to the Welfare Reform changes which mean a changing requirement for service delivery over the next 4-5 years it will be difficult to stipulate the requirements clearly for a future contract including the length of contract that should be considered. If UC continues to roll out as per the current plan the requirements for the Housing Benefits service will significantly change and most likely reduce. At this stage it is difficult to be clear on the expectations due to the number of changes that have happened to the planned UC roll out over the last 2 years.
- Likely to require significant upfront investment for systems if the Capita system isn't utilised.
- Risk to service delivery during transitional phase
- Due to the levels of uncertainty there is no guarantee a suitable partner would be found to deliver the service; anecdotal evidence of recent procurements in other local authorities suggests that market interest in providing this service may be low and that the Council might be faced with a limited choice of provider

Summary and conclusions

5. Universal Credit provides a major environment of uncertainty as the future provision of the Revenues and Benefits service is considered. In particular, although the roll-out is around eight years behind original timeframes it is still intended that all working age Housing Benefit claimants will be migrated onto Universal Credit by, as currently envisaged, 2022. This would represent around 60% of such claimants and around a third of the existing total contract value. Subsequently, pension age Housing Benefit claimants will be migrated

onto Universal Credit (although no timescales have yet been published) which would leave the service at around half of its current size.

6. Effectively, this means that whilst very significant changes to the service can be expected in the medium term it is very difficult to specify the service requirements over the next 5 to 10 years, and significantly influences our conclusions.
7. Extending the existing contract with Capita (Option 3) is ostensibly the most straightforward and least risky option in terms of securing ongoing service delivery against the uncertain background of the implementation of Universal Credit. As this would be a continuation of the existing service, systems, resources and service agreements are already in place. This option therefore attracts the minimum risk to service delivery as well as minimal cost to the Council as the only work required would be to complete any necessary paper work associated with the extension. There would also be opportunity to renegotiate certain aspects of the contract to ensure effective management of the contract could take place and a high quality service was delivered for the next five years. As noted above, there are existing performance issues with the Capita contract that have arisen in recent periods. The contractor has responded positively to our issues and is making efforts to address these, and it is expected that these performance issues will be addressed in the next few months. Assuming that existing performance issues are addressed, the inherent low risk of service discontinuity together with the ability to create flexible solutions (and in particular the ability to specify a shorter contract term than would likely be necessary in the case of a full procurement) , indicate that this option be considered in more detail.
8. An attractive alternative to extending the contract with Capita is the possibility of participating in the existing Leicestershire Revenues & Benefits Partnership (Option 2). Whilst a higher level of implementation risk would be anticipated this solution also offers a reasonable level of resilience in a public sector model which would avoid the private sector profit margin. The Partnership has been in operation for a number of years now and the current performance levels indicate a consistently high standard of service delivery across all partners. The scale of Partnership operations offers the ability to be flexible in service delivery that would be case in the where there was standalone in-house service delivery. In addition, the Partnership provides the opportunity to share management structures as well as IT systems allowing possible cost savings through economies of scale whilst still remaining focused on service delivery. This report therefore recommends that this option should be pursued in more detail.
9. Conversely, the other options presented are significantly less attractive. Bringing the service back in house (Option 1) may save money but the inherent lack of resilience in such an arrangement creates an increased risk in ongoing service delivery combined with a reduced capacity to react to changes arising from the government's Welfare Reform agenda as compared to a larger service structure. For example hosting of the necessary IT system and lack of availability of specialist skills and knowledge could both impact on cost and service delivery. Ultimately, this lack of flexibility, which is seen as key weakness given the underlying issue of operational challenges arising from the

Universal Credit roll-out might have to be addressed through additional resourcing which would reduce any initial cost savings identified.

10. Undertaking a full-scale re-procurement is also unattractive. A key challenge of going down this route would be to specify the contract over an extended period of time. This is likely to result in a less flexible solution due the extended contract term required of contractors. The procurement process would be very expensive in comparison to the preferred options whilst the likely length of contract term that would be required – maybe 10 years – may not be appropriate in the context of existing uncertainty associated with Universal Credit roll-out.
11. As well as the Council, a major procurement exercise is also expensive for prospective contractors. Given the uncertainties around Universal Credit (which will shrink existing housing benefit workloads) and general market sentiment towards outsourcing it is possible that market interest in the Charnwood service may not be strong; certainly in comparison to the time of award of the existing contract, there are fewer prospective contractors in the market, and anecdotal evidence from a recent procurement in a London Borough is that only two contractors expressed an interest in the contract, one of whom was subsequently ruled out on the grounds of financial stability.
12. Given the pros and cons identified for each of the options, and the underlying uncertainty around the future shape of the Revenues and Benefits service, this report therefore recommends that Options 2 and 3, as outlined above, are pursued in more detail in the next phase of the appraisal process.

OVERVIEW SCRUTINY GROUP – 15TH OCTOBER 2018

Report of the Cabinet

ITEM 07 OVERVIEW SCRUTINY GROUP PRE-DECISION SCRUTINY - CABINET RESPONSE

Purpose of Report

To set out the Cabinet's responses to the recommendations of the Group on pre-decision scrutiny items.

Action Requested

To note the Cabinet's responses to the recommendations submitted by the Group on items considered for pre-decision scrutiny.

Policy Context

One of the principles of effective scrutiny, identified by the Centre for Public Scrutiny, is "provide a constructive critical friend challenge to the Executive".

Pre-decision Scrutiny

Since the May meeting of the Group, the Cabinet has considered the following items on which the Group undertook pre-decision scrutiny:

A. ENVIRONMENTAL SERVICES CONTRACT – OPTIONS FOR DELIVERY FROM JUNE 2020

B. PARTICIPATION IN PILOT SCHEME – 75% BUSINESS RATE RETENTION

Details of the Group's consideration of the items as reported to the Cabinet on the 13th September 2018 are set out in the appendix to this report.

The Chair of the Group, Councillor Capleton, attended the Cabinet's meeting on the 13th September 2018 to present the Group's reports to the Cabinet.

Cabinet Response

The Cabinet considered the Group's reports and acknowledged the work undertaken and the views of the Group. In particular, the Cabinet responded as follows to the reports:

Environmental Services Contract – Options for Delivery from June 2020

The Cabinet adopted the officer recommendations, which the Group had supported.

Participation in Pilot Scheme – 75% Business Rate Retention

The Cabinet adopted the officer recommendations, which the Group had supported.

Report Implications

The following implications have been identified for this report:

Financial Implications

None.

Risk Management

No risks have been identified in connection with this report.

Background Papers: None

Officer to contact: Nadia Ansari
Democratic Services Officer
01509 634502
nadia.ansari@charnwood.gov.uk

ENVIRONMENTAL SERVICES CONTRACT – OPTIONS FOR DELIVERY FROM JUNE 2020

Recommendation of the Overview Scrutiny Group

That the Cabinet be informed that the Group supports the recommendations as set out in the report of the Strategic Director of Neighbourhoods and Community Wellbeing.

Reason

Having considered the report and asked questions of the Lead Member for Performance of Major Contracts, the Strategic Director of Neighbourhoods and Community Wellbeing and the Head of Cleansing and Open Spaces on the matter, the Group concluded that it would be appropriate for the Cabinet to approve the recommendations set out in the report.

Meeting Discussion

The Lead Member for Performance of Major Contracts, the Strategic Director of Neighbourhoods and Community Wellbeing and the Head of Cleansing and Open Spaces attended the meeting to assist with consideration of the item and gave the following responses to issues raised:

- (i) A blended funding approach would be taken to purchase the fleet required and money would be used from the Council's reserve fund and borrowing.
- (ii) The procurement process will capture all the specification requirements for the new vehicles such as the range and size. The vehicles transferred over to the new fleet would be the latest models and have a larger capacity for refuse collection.
- (iii) The Group was advised that the project group had considered alternatives to extending the current contract but it was felt that Serco were providing a good service and they were established in the market so were the best option.

PARTICIPATION IN PILOT SCHEME – 75% BUSINESS RATE RETENTION

Recommendations of the Overview Scrutiny Group

That the Cabinet be informed that the Group supports the recommendations as set out in the report of the Strategic Director of Corporate Services.

Reason

Having considered the report and asked questions of the Lead Member for Finance and Property Services and the Strategic Director of Corporate Services on the matter, the Group concluded that it would be appropriate for the Cabinet to approve the recommendations set out in the report.

Meeting Discussion

The Lead Member for Finance and Property Services and the Strategic Director of Corporate Services attended the meeting to assist with consideration of the item and gave the following responses to issues raised:

- (i) It was clarified that the Council would still receive at least 95% of its funding under the new scheme but may lose some of the grant funding. This would mean a potential loss but it was felt unlikely that would happen.
- (ii) There were no cost implications to the Council in applying to join the pilot scheme and as a pool arrangement already existed some of the potential issues were already known.

OVERVIEW SCRUTINY GROUP – 15TH OCTOBER 2018

Report of the Head of Strategic Support

ITEM 08

WORK PROGRAMME

Purpose of Report

1. To consider the list of forthcoming Executive Key Decisions and the Group's Work Programme in order to schedule items to be considered for pre-decision scrutiny.
2. To provide an opportunity for members of the Group to raise suggestions on issues for scrutiny, in addition to pre-decision scrutiny, which fall within the Group's remit, for scheduling by the Scrutiny Management Board.

Work Programme

The Group's current Work Programme is attached at Appendix 1.

In addition to Cabinet pre-decision scrutiny, the Group is also able to consider for inclusion on the Work Programme (subject to the agreement of Scrutiny Management Board):

- (i) Scrutiny of external public service providers and partners;
- (ii) Scrutiny of outside bodies, especially those which the Council gives grants to and/or has service level agreements with;
- (iii) Scrutiny of services which are shared with other local authorities including joint scrutiny of those services.

Key Decisions

To enable the Group to be aware of the Key Decisions to be taken by the Cabinet over the coming months and to determine which, if any, of these items should be programmed for pre-decision scrutiny, details of forthcoming Exempt and Key Decisions to be taken by the Cabinet are attached as Appendix 2.

Items dated prior to or for this meeting have been removed to avoid confusion on Appendix 2.

Background Papers: None
Officer to contact: Nadia Ansari
Democratic Services Officer
(01509) 634502

Responsible Body	Meeting Date	Issue	Scope of Item / Terms of Reference	Reason for Scrutiny	Invitees / Officers	Progress / Notes / Action Requested
Overview Scrutiny Group	12 November 2018 (standing item)	OSG Pre-decision scrutiny – Cabinet Response	A report of Cabinet, setting out the response of Cabinet to recommendations by the Overview Scrutiny Group on pre-decision scrutiny items.		N. Ansari (report) Lead Officer (meeting)	
Overview Scrutiny Group	12 November 2018 (standing item)	Work Programme	To agree and schedule items to be considered at future meetings.	To allow the Group to identify items, including the scrutiny of forthcoming Key Decisions, pre-decision scrutiny and the scrutiny of external public service providers and partners.	N. Ansari (report) Lead Officer (meeting)	
Overview Scrutiny Group	12 November 2018 (standing item)	Cabinet items for pre-decision scrutiny			To be confirmed	Items may be determined by the Chair and Vice-chair in consultation with the Democratic Services Manager. Further items may also be added following publication of the Cabinet agenda.
Overview Scrutiny Group	June 2019	Capital Plan Outturn 2018/19		Cabinet item for pre-decision scrutiny.	C. Hodgson	Added by SMB 08 August 2018 (see min 14.3).

Responsible Body	Meeting Date	Issue	Scope of Item / Terms of Reference	Reason for Scrutiny	Invitees / Officers	Progress / Notes / Action Requested
Overview Scrutiny Group	June 2019	General Fund and HRA Revenue Outturn 2018/19 and Carry Forward of Budgets		Cabinet item for pre-decision scrutiny.	C. Hodgson	Added by SMB 08 August 2018 (see min 14.3).
Overview Scrutiny Group	As required	Capital Plan Amendment Reports		Cabinet Report for Pre-decision Scrutiny.	C. Hodgson	Agreed by OSG at its meeting on 13th November 2017, with the item to be included when the Chair and Vice-chair identify that there are particular issues that require scrutiny in that quarter's report.

Note: Over the next 12 months, meetings of the Overview Scrutiny Group will be held as follows:

- 12 November 2018
- 10 December 2018
- 14 January 2019
- 11 February 2019
- 11 March 2019
- 8 April 2018
- 3 June 2018
- 1 July 2018
- 5 August 2018
- 16 September 2018
- 14 October 2018
- 11 November 2018



**FORTHCOMING KEY
DECISIONS AND DECISIONS
TO BE TAKEN IN PRIVATE
BY CHARNWOOD BOROUGH
COUNCIL'S EXECUTIVE**

**Published
19th September 2018**

What is a Key Decision?

A key decision is one which:

commits the Council to expenditure, savings or increases or reductions in income of £100,000 or more in any financial year;

makes proposals in relation to the budget or the policy framework under Budget and Policy Framework Procedure 14.2(a); or

will result in the closure of any facility from which Borough Council services are provided or a reduction by more than 10% in the level of a discrete service provided.

In other cases the impact of the decision will be considered in terms of the strategic nature of the decision, the effect on the amenity of the community or quality of service provided by the Council to a significant number of people living or working in the locality affected, the size of the area affected and the likely public interest in the decision.

What is a Private Meeting?

Meetings of the Council's Cabinet are open to the public to attend. All or part of a meeting may be held in private, where the item of business to be considered may result in confidential or exempt information being disclosed. Definitions of confidential and exempt information are set out in the Access to Information Procedures in the Council's Constitution.

Representations

Members of the public are able to make representations about forthcoming key decisions to be taken by the Council's Executive, these should be made in writing (including via e-mail) to the responsible officer (details are listed for each proposed key decision). Members of the public are also able to make representations concerning proposals to hold a meeting in private, these should be made in writing (including via e-mail) to Democratic Services (contact details below). In both cases, representations should be submitted by midday on the working day preceding the date on which the decision is due to be taken.

Other information

This document supersedes all previous Forward Plans.

If you have any general queries, please contact:

Karen Widdowson
Democratic Services Manager
Charnwood Borough Council,
Southfield Road, Loughborough, Leicestershire, LE11 2TX
Tel: 01509 634785
Email: democracy@charnwood.gov.uk

FORTHCOMING EXECUTIVE KEY DECISIONS

Decision Item	What is the nature of decision to be taken?	Who will take the decision?	When is the earliest a decision will be taken?	Documents to be considered?	Will the report be considered in public?	Who can give me more information?
Medium Term Financial Strategy 2019-2022	To present a revised MTFS to Cabinet and Council for approval.	Cabinet Council	15th November 2018 21st January 2019	Report Report	Yes Yes	Clare Hodgson Head of Finance and Property Services Tel: 01509 634810 clare.hodgson@charnwood.gov.uk
Charnwood Grants	To enable Cabinet to consider applications for funding received in round three of the Community Facilities Capital Grants and Community Development Grants Schemes for 2018/19.	Cabinet	13th December 2018	Report	Yes	Julie Robinson Head of Neighbourhood Services Tel: 01509 634590 julie.robinson@charnwood.gov.uk
Playing Pitches, Open Spaces and Built Facilities Strategies	To consider adopting the Playing Pitches, Open Spaces and Built Facilities Strategies and associated Action Plans.	Cabinet	13th December 2018	Report	Yes	Matt Bradford Head of Cleansing and Open Spaces Tel: 01509 634695 matthew.bradford@charnwood.gov.uk
Discretionary Houses in Multiple Occupation Licensing Scheme Options	To consider the introduction of a discretionary Licensing Scheme in the Borough and approve the licensing fees if a scheme is to be introduced.	Cabinet	13th December 2018	Report	Yes	Alison Simmons Head of Strategic and Private Sector Housing Tel: 01509 634780 alison.simmons@charnwood.gov.uk
Draft General Fund and HRA 2019-20 Budgets	To seek approval to the Draft Revenue Budget for 2019-20 as a basis for consultation.	Cabinet	13th December 2018	Report	Yes	Clare Hodgson Head of Finance and Property Services Tel: 01509 634810 clare.hodgson@charnwood.gov.uk

Decision Item	What is the nature of decision to be taken?	Who will take the decision?	When is the earliest a decision will be taken?	Documents to be considered?	Will the report be considered in public?	Who can give me more information?
Capital Plan Amendment Report	To consider and approve amendments to the Capital Plan.	Cabinet Council	13th December 2018 21st January 2019	Report	Yes	Clare Hodgson Head of Finance and Property Services Tel: 01509 634810 clare.hodgson@charnwood.gov.uk
Amendments to Annual Procurement Plan	To consider possible amendments to the Annual Procurement Plan.	Cabinet	13th December 2018	Report	Yes	Clare Hodgson Head of Finance and Property Services Tel: 01509 634810 clare.hodgson@charnwood.gov.uk
Treasury Management Strategy Statement, Minimum Revenue Provision Strategy and Annual Investment Strategy 2019-20	To seek approval to the Treasury and Investment Strategy for 2019-20 and to seek approval to the annual report on the Prudential Code.	Cabinet Council	14th February 2019 25th February 2019	Report	Yes	Clare Hodgson Head of Finance and Property Services Tel: 01509 634810 clare.hodgson@charnwood.gov.uk
2019-20 General Fund and HRA Revenue Budgets and Council Tax	To seek approval to the Revenue Budget, Capital Plan, Financial Plan for 2019-20 and to propose the Council Tax for approval by Council.	Cabinet Council	14th February 2019 25th February 2019	Report	Yes	Clare Hodgson Head of Finance and Property Services Tel: 01509 634810 clare.hodgson@charnwood.gov.uk
Capital Plan Amendment Report	To consider and approve amendments to the current Capital Plan.	Cabinet Council	14th March 2019 25th March 2019	Report	Yes	Clare Hodgson Head of Finance and Property Services Tel: 01509 634810 clare.hodgson@charnwood.gov.uk
Annual Procurement Plan 2019/20	To seek approval to the Annual Procurement Plan for 2019/20.	Cabinet	14th March 2019	Report	Yes	Clare Hodgson Head of Finance and Property Services Tel: 01509 634810 clare.hodgson@charnwood.gov.uk

Decision Item	What is the nature of decision to be taken?	Who will take the decision?	When is the earliest a decision will be taken?	Documents to be considered?	Will the report be considered in public?	Who can give me more information?
Housing Capital Programme	To approve the annual investment programme for improvements to the Council's housing stock.	Cabinet	14th March 2019	Report	Yes	Peter Oliver Head of Landlord Services Tel: 01509 634952 peter.oliver@charnwood.gov.uk
Local Development Scheme	To approve a revised Local Development Scheme (LDS) so that the programme for the preparation of planning documents for Charnwood is agreed.	Cabinet	14th March 2019	Report	Yes	Richard Bennett Head of Planning and Regeneration Tel: 01509 634763 richard.bennett@charnwood.gov.uk
Business Plan 2019/20	To set out the Council's principal activities in delivering the Corporate Plan for the Council Year 2019/20.	Cabinet	14th March 2019	Report	Yes	Adrian Ward Head of Strategic Support Tel: 01509 634573 adrian.ward@charnwood.gov.uk
Charnwood Grants	To consider applications for revenue funding received in round one of the Community Facilities Capital Grants and Community Development Grant Schemes for 2019/20.	Cabinet	June 2019	Report	Yes	Julie Robinson Head of Neighbourhood Services Tel: 01509 634590 julie.robinson@charnwood.gov.uk
Capital Plan Outturn 2018/19	To report the Council's capital expenditure results for 2018/19 subject to audit.	Cabinet	June 2019	Report	Yes	Clare Hodgson Head of Finance and Property Services Tel: 01509 634810 clare.hodgson@charnwood.gov.uk
General Fund and HRA Revenue Outturn Report (2018/19) and Carry Forward of Budgets	To report the Council's revenue expenditure results for 2018/19 subject to audit.	Cabinet	June 2019	Report	Yes	Clare Hodgson Head of Finance and Property Services Tel: 01509 634810 clare.hodgson@charnwood.gov.uk

Decision Item	What is the nature of decision to be taken?	Who will take the decision?	When is the earliest a decision will be taken?	Documents to be considered?	Will the report be considered in public?	Who can give me more information?
Capital Plan Amendment Report	To consider and approve amendments to the Capital Plan.	Cabinet Council	July 2019 September 2019	Report	Yes	Clare Hodgson Head of Finance and Property Services Tel: 01509 634810 clare.hodgson@charnwood.gov.uk
Amendments to Annual Procurement Plan	To consider possible amendments to the Annual Procurement Plan.	Cabinet	July 2019	Report	Yes	Clare Hodgson Head of Finance and Property Services Tel: 01509 634810 clare.hodgson@charnwood.gov.uk
Charnwood Dog Control Public Spaces Protection Order 2019	To approve the formal Notice of Intention to renew the Borough-wide Public Spaces Protection Order for Dog Control (dog fouling, dogs on leads and dogs under control) under Section 59 of the Anti-social Behaviour, Crime and Policing Act 2014.	Cabinet	July 2019	Report	Yes	Alan Twells Head of Regulatory Services Tel: 01509 634650 alan.twells@charnwood.gov.uk
Charnwood Grants	To consider applications for revenue funding received in round two of the Community Facilities Capital Grants and Community Development Grants Schemes for 2019/20.	Cabinet	September 2019	Report	Yes	Julie Robinson Head of Neighbourhood Services Tel: 01509 634590 julie.robinson@charnwood.gov.uk
Amendments to Annual Procurement Plan	To consider possible amendments to the Annual Procurement Plan.	Cabinet	September 2019	Report	Yes	Clare Hodgson Head of Finance and Property Services Tel: 01509 634810 clare.hodgson@charnwood.gov.uk
Capital Plan Amendment Report	To consider and approve amendments to the Capital Plan.	Cabinet Council	September 2019 November 2019	Report	Yes	Clare Hodgson Head of Finance and Property Services Tel: 01509 634810 clare.hodgson@charnwood.gov.uk

EXECUTIVE MEETINGS TO BE HELD IN PRIVATE

The following items are due to be considered by the Council’s Cabinet and the public could potentially be excluded since exempt or confidential information could be considered.

Decision Item	What is the nature of decision to be taken?	Who will take the decision?	When is the earliest a decision will be taken?	Documents to be considered?	Will the report be considered in public?	Who can give me more information?

When items are considered in exempt or confidential session, the reasons for exemption would fall into one or more of the following categories:

1. Information relating to any individual.
2. Information which is likely to reveal the identity of an individual.
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6. Information which reveals that the authority proposes—
 - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
 - (b) to make an order or direction under any enactment.
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

CABINET MEMBERS

Members of the Council's Cabinet are as follows:

Name (Group)	Lead Member Responsibilities
Councillor Morgan (Conservative)	Leader of the Council Whole Council, Strategic Partnerships and Communications
Councillor Barkley (Conservative)	Deputy Leader of the Council Finance and Property
Councillor Bokor (Conservative)	Loughborough
Councillor Harper-Davies (Conservative)	Performance of Major Contracts
Councillor Mercer (Conservative)	Housing
Councillor Poland (Conservative)	Equalities, Member and Strategic Services
Councillor Rollings (Conservative)	Deputy Lead Member for Customer Services
Councillor Smidowicz (Conservative)	Regulatory Services, Enforcement and Licensing
Councillor Taylor (Conservative)	Communities, Safety and Wellbeing
Councillor Vardy (Conservative)	Planning, Inward Investment and Tourism Strategy