



Please ask for Joel Hammond-Gant
Direct Line: 01246 34 5273
Email committee.services@chesterfield.gov.uk

The Chair and Members of Cabinet

5 March 2018

Dear Councillor,

Please attend a meeting of the CABINET to be held on TUESDAY, 13 MARCH 2018 at 10.30 am in Committee Room 1, Town Hall, Rose Hill, Chesterfield, the agenda for which is set out below.

AGENDA

Part 1(Public Information)

1. Declarations of Members' and Officers' Interests relating to items on the Agenda
2. Apologies for Absence
3. Minutes (Pages 5 - 16)

To approve as a correct record the Minutes of the Cabinet meeting held on 20 February, 2018.

4. Forward Plan

Please follow the link below to view the latest Forward Plan.

[Forward Plan](#)

Items Recommended to Cabinet via Cabinet Members

Cabinet Member for Governance

5. Corporate Enforcement Policy (Pages 17 - 90)

Cabinet Member for Health and Wellbeing and Cabinet Member for Homes and Customers

6. Asbestos Management Compliance (Pages 91 - 136)

Cabinet Member for Health and Wellbeing

7. Commercial Services Fees and Charges for Cemeteries in 2018/19 (Pages 137 - 146)

Cabinet Member for Homes and Customers

8. Tenant Satisfaction STAR Survey Results (Pages 147 - 200)
9. Exclusion of the Public

To move “That under Regulation 21(1)(b) of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 3 and 5 of Part I of Schedule 12A to the Local Government Act 1972.”

Part 2 (Non Public Information)

Cabinet Member for Health and Wellbeing

10. Commercial Services Fees and Charges for Trade Waste and Outdoor Sports and Leisure in 2018/19 (Pages 201 - 218)

Cabinet Member for Homes and Customers

11. Barrow Hill Contractor Appointment (Pages 219 - 224)
12. Robinsons PLC Business Rates Appeal (Pages 225 - 232)

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Randy', with a stylized flourish at the end.

Local Government and Regulatory Law Manager and Monitoring Officer

This page is intentionally left blank

CABINET

Tuesday, 20th February, 2018

Present:-

Councillor P Gilby (Chair)

Councillors T Gilby
Blank
A Diouf
Huckle

Councillors Brunt
Ludlow
Serjeant

Non Voting Catt
Members Dickinson

J Innes

*Matters dealt with under the Delegation Scheme

131 **DECLARATIONS OF MEMBERS' AND OFFICERS' INTERESTS RELATING TO ITEMS ON THE AGENDA**

No declarations of interest were received.

132 **APOLOGIES FOR ABSENCE**

An apology for absence was received from Councillor Bagley.

133 **MINUTES**

RESOLVED –

- 1) That the minutes be amended to note an apology for absence for Councillor Diouf.
- 2) That the minutes of the meeting of Cabinet held on 30 January, 2018 be approved as a correct record, subject to noting the above amendment, and signed by the Chair.

134 **FORWARD PLAN**

The Forward Plan for the four month period 1 March to 30 June 2018 was reported for information.

***RESOLVED –**

That the Forward Plan be noted.

135 DELEGATION REPORT

Decisions taken by Cabinet Members between 22 January and 12 February 2018 were reported.

***RESOLVED –**

That the Delegation Report be noted.

136 MINUTES OF THE SHEFFIELD CITY REGION COMBINED AUTHORITY

Minutes of the meeting of the Sheffield City Region Combined Authority (SCRCA) held on 11 December, 2017 were reported for information.

Assistant Cabinet Member, Councillor Dickinson, asked if the Council had been made aware of whether its capital funding bids to the SCRCA had been successful.

The Chief Executive advised that the SCRCA had received in excess of 50 separate funding bids as part of its Local Growth Fund supplementary commissioning round, and that the Council expected to hear the outcome of its 2 bid submissions late March 2018.

Members were also informed that the two separate funding bids submitted by the Council to the Sheffield City Region Housing Fund had been successful, and that Chesterfield College had been awarded SCRCA Skills Capital to support the development of a digital skills hub.

***RESOLVED –**

That the Minutes be noted.

137 APPROVAL OF CHESTERFIELD BOROUGH COUNCIL'S COUNCIL PLAN – 2018/19 UPDATE

The Assistant Director – Policy and Communications submitted a report presenting for approval the Council Plan 2015-19, updated for 2018/19.

In 2015/16 the Council had moved from the production of a one year plan to a four year strategic Council Plan following a recommendation from the Local Government Association's peer challenge in 2013.

The updated Council Plan, as attached at Appendix A to the officer's report, had been revised to show the progress made during the first three years of the plan, and to highlight the priority areas for the remaining final year of the plan.

*** RESOLVED –**

That it be recommended to full Council that:

1. The Council Plan be approved and adopted as the Council's strategic framework for monitoring performance against key aims and objectives and to prioritise resources.
2. Delegated authority be granted to the Deputy Leader to approve any minor changes to the Council Plan that may be required to improve its readability.

REASON FOR DECISIONS

To provide the Council with a clear statement of its strategic priorities for 2015-2019, and a framework within which decisions can be made regarding the allocation of resources.

138 TREASURY MANAGEMENT STRATEGY 2018/19

The Director of Finance and Resources submitted a report recommending for approval the Treasury Management Strategy Statement and the Annual Investment Strategy Statement for 2018/19, the revised Minimum Reserve Provision (MRP) Policy for 2017/18 and the MRP Policy for 2018/19.

The report noted the Council's requirement to approve its Treasury Management and Investment Strategies, and to reaffirm its adoption of the Chartered Institute of Public Finance and Accountancy (CIPFA) 'Code

of Practice for Treasury Management in the Public Services', at the start of each financial year.

The Director of Finance and Resources also reported on the Council's estimated capital expenditure, how this would be financed and the Council's borrowing need. The level of external debt remained within the Council's authorised limit, and the Council's approach to investing cash would continue to balance the need for security and liquidity with achieving the highest rate of return.

The Treasury Management Strategy Statement 2018/19 was attached at Appendix A to the officer's report.

*** RESOLVED –**

That it be recommended to full Council that:

1. The adoption of CIPFA's Code of Practice on Treasury Management be affirmed.
2. The Treasury Management Strategy Statement and Annual Investment Strategy, including the Prudential Code Indicators, be approved.
3. The revised Minimum Revenue Provision policy for 2017/18 be approved.
4. The Minimum Revenue Provision policy for 2018/19 be approved.

REASON FOR DECISIONS

To comply with regulations and recognised best practice.

139 CAPITAL STRATEGY AND GENERAL FUND CAPITAL PROGRAMME 2018/19

The Director of Finance and Resources submitted a report recommending for approval the General Fund Capital Strategy and Programme for the financial year 2018/19.

The report provided details of the updated Capital Strategy and expenditure forecasts, new schemes added to the Capital Programme

during the last year, and progress made on current major schemes. Members were also made aware of the Council's capital financing arrangements, the level of capital receipts and its net financing position.

The Director of Finance and Resources reported that significant work had been undertaken to ensure the Capital Programme over the next three financial years, despite the challenging economic climate.

***RESOLVED –**

That it be recommended to full Council that:

1. The Capital Strategy be approved.
2. The updated General Fund Capital Programme expenditure and financing be approved.
3. The new Capital Programme schemes, as outlined in paragraph 8.3 of the officer's report, be approved subject to satisfactory business cases being made and subsequent Cabinet and/or Council agreement.

REASON FOR DECISIONS

To update the Council's General Fund Capital Programme and ensure that it is affordable and deliverable over the medium term.

140

2018/19 BUDGET AND MEDIUM TERM FINANCIAL PLAN

The Director of Finance and Resources submitted a report on the draft General Fund budget, with recommendations made to Council on the budget allocations and Council Tax level for 2018/19.

The Director of Finance and Resources confirmed that, despite growing cost pressures, savings for 2017/18 totalling £1.206k had been achieved. The revised budget forecast therefore showed an estimated surplus of £976k.

The report outlined the assumptions that had been made in preparing the draft budgets from 2018/19 through to 2022/23, and the actions that had been implemented to finalise the portfolio budgets since they were considered by Cabinet on 19 December, 2017.

The report also noted the emphasis from central Government for local authorities to become financially self-sufficient by 2020/21, including the phasing out of the Revenue Support Grant.

The report noted that the recommended £5 increase in annual Council Tax for all Band 'D' properties was equivalent to an annual increase of 3.23 per cent, or a weekly increase of 9.6 pence.

Members were informed of the expenditure estimates for the coming financial year, as well as the medium term forecasts for 2019/20 through to 2022/23.

***RESOLVED –**

That it be recommended to full Council that:

1. The revised budget for 2017/18 be approved.
2. The Local Government Finance Settlement be noted.
3. The Collection Fund and Tax Base forecasts be noted.
4. The portfolio budgets and overall revenue budget summary for 2018/19 be approved.
5. Delegated authority be granted to the Director of Finance and Resources in consultation with the Leader, Deputy Leader and Chief Executive to review what is required to ensure that maximum opportunity is taken from the flexibility available to use capital receipts for revenue purposes where such investment will lead to budget savings.
6. The budget forecasts for 2019/20 and the medium term forecasts, as well as the strategy for addressing the projected deficits, be noted.
7. The growth request of £10k for each of the next two years to enable the implementation of the Council's Skills Action Plan, be approved.
8. Approval be given to the estimates of reserves, including:

- i. Maintaining the General Working Balance at £1.5m;
 - ii. The phasing of the recommended £200k insurance provision increase over 5 years;
 - iii. The creation of an ICT Digital Innovation reserve to fund the cost of ICT development.
9. The budget risks and sensitivity analysis be noted.
10. The recommended £5 increase in Council Tax for a Band 'D' property in 2018/19 be approved.
11. The 2018/19 Council Tax Requirement and financing be approved.
12. The Director of Finance and Resources' assurances be noted.

REASON FOR DECISIONS

In order to meet the statutory requirements relating to setting a budget and the council tax.

141 SENIOR PAY POLICY

The Human Resources Manager submitted a report seeking approval for the Senior Pay Policy Statement for 2018/19, in accordance with the Localism Act 2011 and the Local Government (Transparency Requirements) (England) Regulations 2014.

The Senior Pay Policy Statement for 2018/19, as attached at Appendix 1 to the officer's report, included details of how senior pay was set within the Council. The revised policy statement had been updated to reflect the implementation of the Council's new corporate management structure.

*** RESOLVED –**

That it be recommended to full Council that the revised Senior Pay Policy Statement for 2018/19 be approved.

REASON FOR DECISION

To meet the requirements of the Localism Act 2011 by publishing the Senior Pay Policy Statement by 31 March, 2018.

142 REVISED SAFEGUARDING POLICY AND PROCEDURES AND MODERN SLAVERY STATEMENT

The Assistant Director – Policy and Communications submitted a report recommending for approval the Council’s updated policy and procedures for the safeguarding of children and vulnerable adults, and the Council’s Modern Slavery Statement for 2018/19.

The report noted the Council’s statutory duties in respect of safeguarding children and vulnerable adults, and that work had been carried out to deliver improvements to the Council’s safeguarding policy and procedures, following a safeguarding audit review carried out in June 2015.

A number of effective and sustainable improvements had been made, which were set out in paragraph 4.2 of the officer’s report. The full revised policy for safeguarding children and vulnerable adults was attached at Appendix A to the officer’s report.

The Modern Slavery Statement for 2018/19 was attached at Appendix B to the officer’s report.

*** RESOLVED –**

1. That the revised policy and procedures for safeguarding children and vulnerable adults be approved.
2. That delegated authority be granted to the Cabinet Member for Health and Wellbeing to approve essential amendments to the safeguarding policy and procedures between formal review periods.
3. That a review of the safeguarding policy, procedures and arrangements be carried out two years after approval.
4. That the Modern Slavery Statement for 2018/19 be approved.

REASON FOR DECISIONS

To effectively safeguard and promote the welfare of children and vulnerable adults within our borough.

143 HOUSING CAPITAL PROGRAMME: NEW PROGRAMME FOR 2018/19 THROUGH TO 2021/22

The Assistant Director – Housing and the Director of Finance and Resources submitted a report seeking approval for the public sector housing ‘Capital’ programme for 2018/19 and provisionally for 2019/20 through to 2022/23.

The report reaffirmed that the focus of the Housing Capital Programme was to maintain the Decent Homes Standard, modernise the non-traditional housing stock, deliver improvements to the estate environment, and accelerate the provision of new Council housing in the immediate short term.

The Assistant Director – Housing advised that the proposed 2018/19 programme continued to broadly reflect the spending priorities set out in the Housing Revenue Account (HRA) Business Plan, and addressed needs as identified in the latest Stock Condition Survey.

The report noted the important role that the HRA Steering Group – comprised of cross-party elected members, officers and tenants – had played in reviewing and prioritising the Capital Programme.

Details of the recommended share of the Capital Programme to Commercial Services were set out in Appendix 1 of the officer’s report.

***RESOLVED –**

That it be recommended to full Council that:

1. The Housing (Public Sector) Capital Programme for 2018/19 be approved and its procurement, as necessary, be authorised.
2. The Housing (Public Sector) Capital Programmes for 2019/20 to 2022/23 be provisionally approved.
3. The Commercial Services share of the 2018/19 Programme be approved.

4. Delegated authority be granted to the Assistant Director – Housing to transfer funds between programme heads and budgets in order to manage the Capital Programme.

REASONS FOR DECISIONS

1. To maintain the Council's 'Decent Homes Standard' targets in line with the Council Plan.
2. To maintain and improve the condition of the Public Sector housing stock and its environment.
3. To contribute to the aims of the Borough Housing Strategy and to deliver the Housing Revenue Account Business Plan.

144 HOUSING REVENUE ACCOUNT BUDGET 2018/19 TO 2022/23

The Assistant Director – Housing and Director of Finance and Resources submitted a report presenting the probable outturn on the Housing Revenue Account (HRA) for 2017/18, and the budget estimates for 2018/19 through to 2022/23.

The Council was required to produce a 30 year HRA Business Plan that was financially viable and able to maintain the Council's housing stock at the minimum Decent Homes Standard.

The probable outturn for the HRA in 2017/18 was reported in Section 5 of the officer's report.

The Assistant Director – Housing advised that the financial strategy for the HRA in 2018/19 was to continue to deliver a balanced, sustainable and self-financing budget. The initial HRA budget forecast for 2018/19 was set out at Section 7 of the officer's report.

***RESOLVED –**

That it be recommended to full Council that:

1. The probable outturn for the current financial year 2017/18 be noted.

2. That the draft budget estimates for 2018/19 and future financial years be approved.

REASONS FOR DECISIONS

1. To enable the Council to set the Housing Revenue Account budget for 2018/19.
2. To continue with the financial strategy contained in the Housing Revenue Account Business Plan and self-financing debt settlement arrangements.

145 HOUSING REPAIRS BUDGET 2018/19

The Assistant Director – Housing submitted a report recommending for approval the Housing Repairs Budget for 2018/19.

The report noted that extensive reviews had been undertaken to ensure a cost-effective approach to delivering future housing repairs and maintenance programmes, and to mitigate the implications of changes in national housing and welfare policy on the financial viability of the Housing Revenue Account (HRA) Business Plan.

In light of the increased provision within the Housing Capital Investment Programme, and tenants taking greater responsibility for their own repairs, the Assistant Director – Housing recommended that the Housing Repairs Budget be decreased by £500k in 2018/19, and by a further £500k in 2019/20.

***RESOLVED –**

1. That the Housing Repairs Budget of £8.473m for 2018/19, as set out in Appendix 1 to the officer's report, be approved.
2. That, pursuant to Cabinet Minute No.148 (2016/17), the Housing Repairs Budget for 2019/20 be further decreased by £500k, after which it will be set in accordance with an increase in the rate of inflation (CPI).
3. That delegated authority be granted to the Assistant Director - Commercial Services to transfer funds between responsive repairs

budget heads in order to effectively manage and respond to fluctuations in tenant-led, or weather dependent repairs.

REASONS FOR DECISIONS

1. To permit the required maintenance of the Housing Stock.
2. To contribute to the delivery of a balanced and sustainable Housing Revenue Account, which is self-financing in the longer term.
3. To support the Council's vision and priorities within the Council Plan.

For publication

Corporate Enforcement Policy (GV600L)

Meeting: Cabinet

Date: 13 March 2018

Cabinet portfolio: Governance

Report by: Senior Environmental Health Officer

1.0 Purpose of report

- 1.1 To enable consideration of a Corporate Enforcement Policy and the supplementary guidance on the issuing of Fixed Penalty Notices, as a result of the Regulators Code 2014.
- 1.2 To ask Members to approve that the documents in Appendix A and Appendix B are adopted as a corporate approach to enforcement.

2.0 Recommendations

- 2.1 To ask Members to approve the Corporate Enforcement Policy as outlined in Appendix A.
- 2.2 To ask Members to approve the Fixed Penalty Notice – supplementary guidance as outlined in Appendix B.
- 2.3 That the Senior Environmental Health Officer in consultation with the Cabinet member for Governance is given delegated authority to approve minor amendments to the 'Corporate

Enforcement Policy' document or 'Fixed Penalty Notice Supplementary Guidance' document should there be the need for change; driven by either a change in legislation, national guidance or for minor editorial amendments.

3.0 Background

- 3.1 The government is committed to reducing regulatory burden on business and supporting growth of compliant business and constructive relationships between regulators and those they regulate.
- 3.2 The Regulators Code came into statutory effect on 6th April 2014 and replaces the Regulators Compliance Code. It provides a principles-based framework for how regulators should engage with those they regulate. A copy of the Regulators Code is contained in Appendix C.
- 3.3 The specific services listed in the Regulators' Code are food safety, environmental protection, health & safety, private sector housing, public health, waste and licensing.
- 3.4 Other regulatory and enforcement services which are not specifically listed in the Code, but also carry out enforcement duties are planning, building control, parking services, rent and council tax recovery, community safety partnership and housing/tenancy management teams.
- 3.5 The broad principles contained within the Corporate Enforcement Policy are equally applicable to all enforcement services and should be adopted as a corporate approach to enforcement.

4.0 Background - The Regulators Code

4.1 The Regulators Code is based on 6 broad principles which are set out below. The Code contains a section on each of these which sets out what is expected of the regulator in each case.

1. Regulators should carry out their activities in way that supports those they regulate to comply and grow.
2. Regulators should provide straightforward ways to engage with those they regulate and hear their views.
3. Regulators should base their regulatory activity on risk.
4. Regulators should share information about compliance and risk.
5. Regulators should ensure clear information, guidance and advice is available to help those they regulate meet their responsibilities to comply.
6. Regulators should ensure that their approach to their regulatory activities is transparent.

4.2 A key action required to ensure compliance with the Code is to have an enforcement policy explaining how the local authority responds to non-compliance.

4.3 It is also a requirement of the Code that mechanisms are put in place to engage with those they regulate including the development of service standards. A copy of the Environmental Health Service Standards is available in Appendix D.

5.0 **Background – Overview of Enforcement**

5.1 Chesterfield Borough Council carries out a wide range of regulatory roles in meetings its many statutory functions of protecting the public, individuals and the environment. These functions are discharged through a combination of programmed inspections, responding to complaints, issuing licences and offering advice.

- 5.2 This Corporate Enforcement Policy is an overarching policy that applies to all the Council's services. Certain service areas may have additional service specific enforcement requirements (for example, private sector housing team, tenancy management team and community safety team).
- 5.3 The Corporate Enforcement Policy is intended to protect the public, the environment and workers through:
- Enforcing the law in a fair, equitable and consistent manner.
 - Assisting compliant businesses to meet their legal obligations.
 - Taking firm action against those who flout the law or act irresponsibly.
- 5.4 The Policy sets out the broad approach that the Council will take to enforcement and commits us to being:
- Proportionate – our activities will reflect on the level of risk to the public and enforcement action taken will relate to the seriousness of the offence.
 - Accountable – our activities will be open to public scrutiny, with clear and accessible policies, and fair and efficient complaints procedures.
 - Consistent – our advice to those we regulate will be robust and reliable and we will respect advice provided by others.
 - Transparent – we will ensure that those we regulate are able to understand what is expected of them and what they can anticipate in return.
 - Targeted – we will focus our resources on higher risk enterprises and activities.
- 5.5 The Policy sets out the levels of enforcement action available to the council, how we will determine which action is appropriate in the event of non-compliance and how we will conduct our investigations.

6.0 Equalities Impact Assessment (EIA)

- 6.1 During policy development equality, diversity and human rights issues were considered and a preliminary EIA completed. No negative impacts for protected groups have been identified.
- 6.2 We apply the principles of the European Convention for the Protection of Human Rights and fundamental freedoms. This Policy and all associated enforcement decisions take into account the provisions of the Human Rights Act 1998; in particular, due regard is had to the right to a fair trial and the right to respect for family and private life, home and correspondence.

7.0 Financial Implications

- 7.1 This Policy provides a framework for the delivery of the Council's regulatory services setting out the principles of good enforcement practice and the governance arrangements that apply to officers carrying out enforcement work. Adherence to the Policy will help protect the Council from legal challenge and financial claims from inappropriate enforcement action.

8.0 Risk Management

Table 1 – risk factors affecting enforcement

Risk	Likelihood	Impact	Mitigating Action	Revised Likelihood	Residual Impact
Legal challenge against enforcement action.	Medium	Medium	The new policy and service standards are based on the principles of good regulation including being proportionate, accountable,	Medium	Low

			<p>consistent, transparent and targeted.</p> <p>This approach plus effective training for staff engaged in enforcement activity reduces the risk of successful legal challenge.</p>		
Lack of resources to deliver enforcement activity.	High	Medium	<p>New policy confirms that we will target our resources on higher risk enterprises and activities, reflecting local and national priorities.</p> <p>The introduction of a standard approach to enforcement also enables multi-skilling and mutual aid arrangements across service areas.</p>	Medium	Low

9.0 Recommendations

- 9.1 To ask Members to approve the Corporate Enforcement Policy as outlined in Appendix A.
- 9.2 To ask Members to approve the Fixed Penalty Notice – supplementary guidance as outlined in Appendix B.
- 9.3 That the Senior Environmental Health Officer in consultation with the Cabinet member for Governance is given delegated authority to approve minor amendments to the 'Corporate

Enforcement Policy' document or 'Fixed Penalty Notice Supplementary Guidance' document should there be the need for change; driven by either a change in legislation, national guidance or for minor editorial amendments.

10.0 **Reasons for recommendations**

- 10.1 To have a corporate approach to enforcement across all services that carry out regulatory roles.

Decision information

Key decision number	678
Wards affected	All wards
Links to Council Plan priorities	To provide value for money services.

Document information

Report author	Contact number/email
Esther Thelwell, Senior Environmental Health Officer	01246 345767
Background documents These are unpublished works which have been relied on to a material extent when the report was prepared.	
This must be made available to the public for up to 4 years.	
Appendices to the report	
Appendix A	Corporate Enforcement Policy
Appendix B	Fixed Penalty Notice – supplementary guidance
Appendix C	The Regulators Code
Appendix D	Environmental Health Service Standards

This page is intentionally left blank

Enforcement Policy

Policy statement

Chesterfield Borough Council (the Council) has a responsibility to enforce a range of legislation. Where possible, we will offer advice and guidance to support businesses and individuals to comply, but where it becomes necessary to take enforcement action, we will do so. There is a wide range of enforcement tools available to deal with non-compliance and includes:

- Compliance advice, guidance and support
- Voluntary undertakings
- Statutory (legal) notices (including orders)
- Works in default
- Financial penalties
- Injunctive actions, enforcement orders and possession orders
- Simple caution
- Prosecution
- Refusal, revocation or suspension of a licence or approval
- Detention/seizure of food/goods/equipment
- Forfeiture Proceedings
- Penalty Charge Notices
- Civil Penalties
- Proceeds of Crime Applications
- Prohibition
- Statutory orders
- Compulsory Purchase Orders
- Use of other legal powers
- No action

We will always choose an enforcement method that is relevant and proportionate to the offence to contravention.

This Policy applies to all services with enforcement duties although it should be noted that some services have specific legislative guidance and regulations which set out the enforcement requirements in these services.

This Policy provides guidance to officers, businesses and the general public on the range of enforcement options that are available to achieve compliance with legislation enforced by the Council. It is designed to help you understand our objectives and methods for achieving compliance and the criteria we consider when deciding the most appropriate response to a breach of legislation.

1. INTRODUCTION

The Council carries out a wide range of regulatory roles in meeting its many statutory functions of protecting the individuals, communities and the environment. These duties are mainly met by carrying out programmed inspections of premises, responding to complaints, taking pro-active action (e.g. mandatory grounds for possession on conviction), issuing licenses and offering advice. This Policy outlines the approach we will take when considering enforcement action and is an overarching policy that applies to all the Council's services with enforcement duties. It should be noted that some services have specific legislative guidance and regulations as well as local policies and procedures which set out the enforcement requirements in these services.

The appropriate use and full range of enforcement powers, including prosecution and other legal action is important, both to secure compliance with the law and to ensure that those who have duties under it may be held accountable for failures to safeguard health, safety and welfare, or breach of other regulations enforced by the Council. In deciding on the most appropriate course of action, officers should have regard to the principles set out in this Policy and the need to maintain a balance between enforcement and other activities, including inspection, advice and education.

[The Legislative and Regulatory Reform Act 2006](#) requires Chesterfield Borough Council to have regard to the principles of 'good regulation' when exercising a specified regulatory function.

Chesterfield Borough Council will exercise our regulatory activities in a way which is:

Proportionate - our activities will reflect the level of risk to the public and enforcement action taken will relate to the seriousness of the offence.

Accountable - our activities will be open to public scrutiny, with clear and accessible policies, together with a fair and efficient complaints procedure.

Consistent – our advice to those we regulate will be robust and reliable and we will respect advice provided by others. Where circumstances are similar, we will endeavour to act in similar ways to other local authorities.

Transparent – we will ensure that those we regulate are able to understand what is expected of them and what they can anticipate in return.

Targeted – we will focus our resources on higher risk enterprises and activities, reflecting local need and national priorities.

The Council has had regard to the [Regulators Code](#) in preparation of this Policy. In certain circumstances we may conclude that a provision in the Code is either not relevant or is outweighed by another provision. We will ensure that any decision to depart from the Code will be properly reasoned, based on material evidence and documented.

[Human Rights Act 1998](#)

The Council is a public authority for the purposes of this Act. We therefore apply the principles of the European Convention for the Protection of Human Rights and Fundamental Freedoms. This Policy and all associated enforcement decisions take into account the provisions of this Act; in particular, due regard is had to the right to a fair trial and the right to respect for family and private life, home and correspondence.

[Police and Criminal Evidence Act 1984](#)

This Act governs how the Police and other enforcement agencies (including the local authority) will conduct investigations, detention, interrogation, entry and search of premises, and the taking of samples (with the Police having additional guidance for their 'stop and search' and 'arrest' powers). Also part of this legislation are the PACE Codes of Practice which must be considered when enforcement officers carry out procedures associated with their work. The Act aims to strike a fair balance between the exercise of power by those in authority and the rights of members of the public. All criminal investigations carried out by authorised officers at the Council will be conducted in compliance with PACE.

[Regulation of Investigatory Powers Act 2000 \(RIPA\)](#)

A Council has the power to acquire data under this Act for one of two reasons:

- Protecting public health, or
- Preventing or detecting crime.

During an investigation into an alleged criminal offence, we may need to undertake directed covert surveillance. In such circumstances, we will ensure that any statutory prerequisites under RIPA are complied with.

[Data Protection Act 1998 and the General Data Protection Regulations 2018](#)

Where there is a need for Chesterfield Borough Council to share enforcement information with other agencies, we will follow the provisions of these legislative provisions.

[The Code for Crown Prosecutors](#)

When deciding whether to prosecute we will have regard to the provisions of The Code for Crown Prosecutors as issued by the Director of Public Prosecutions.

The Code for Crown Prosecutors is a public document that sets out the general principles to follow when decisions are made in respect of prosecuting cases. The Code sets out two tests that must be satisfied; commonly referred to as the 'evidential test' and the 'public interest test'.

[Regulatory Enforcement and Sanctions Act 2008](#)

This Act (as amended), established the Primary Authority Scheme. The Council will comply with the requirements of this Act when we are considering taking enforcement action against any business or organisation that has a primary authority; and we will have regard to guidance issued by the Secretary of State in relation to Primary Authority.

2. SCOPE OF THE POLICY

One of the functions of the Council is to act as a regulator and an enforcement agency for a large range of legal duties and powers applied by Acts of Parliament and the Regulations and Orders made under them (including various byelaws). This Policy sets out standards that will be applied across the Council when acting in its role as regulator and enforcement agency and what residents and businesses can expect from us.

This document also sets out the approach to be followed by the authorised officers when making decisions in respect of the Council's compliance and enforcement activities. The Council is committed to ensuring that all authorised officers will act in accordance with this Policy.

This document is the overarching Enforcement Policy for the Council and outlines our approach to enforcement and lays down the principles which will be followed in deciding upon and taking action.

Enforcement includes any criminal or civil action taken by the Council and is aimed at ensuring individuals and businesses comply with the law.

2.1 The Council's Vision and Corporate Priorities

We make a fundamental contribution to the maintenance and improvement of public health, safety, quality of life and wellbeing. The Council's vision is *"putting our communities first"* and we aim to achieve this by our corporate priorities which are:

To make Chesterfield a thriving borough. To deliver this, we will focus on four objectives:

1. To make sure that local people benefit from growth in Chesterfield Borough.
2. To continue delivering regeneration projects that will make Chesterfield Borough a better place.
3. To develop our great town centre.
4. To improve access to technology that meets the needs of our residents, businesses and visitors.

To improve the quality of life for local people. To deliver this, we will focus on four objectives:

5. To increase the supply and quality of housing in Chesterfield Borough to meet current and future needs.
6. To increase the quality of public space for which the council has responsibility through targeted improvement programmes.
7. To improve the health and well-being of people in Chesterfield Borough.
8. To reduce inequality and support the more vulnerable members of our communities.

To provide value for money services. To deliver this, we will focus on a single objective:

9. To become financially self-sufficient by 2020, so we can continue to deliver the services our communities need.

The Council's ethos in everything we do is centred around the following core values:

- Customer focused – delivering great customer service, meeting customer needs.
- Can do – striving to make a difference by adopting a positive attitude.
- One council, one team –proud of what we do, working together for the greater good.
- Honesty and respect – embracing diversity and treating everyone fairly.

Central to this is the importance of economic development, including tourism. Visitor numbers are influenced by their direct experience which includes the quality and safety of food and drink and of the premises they are sold from and consumed in; the safety and cleanliness of our markets, town centre and residential shopping areas and the control of unauthorised and illegal development.

Priorities for our regulatory and enforcement services include tackling unauthorised town planning development and activities, and protecting and promoting the health and well-being of our communities to ensure they remain safe from harm and able to live healthy life styles.

3. ENFORCEMENT AND COMPLIANCE PRINCIPLES

The Council has set out its strategic objectives and core values and the enforcement services will carry out their duties in support of these. Our approach is intended to provide better information to businesses and the community and, by doing so, lend support to the Council's efforts to deliver best value for money services.

Council services will work with and consult other agencies, and other service areas within the Council as necessary, where there is shared or complementary enforcement role.

Officers will take reasonable steps to assist businesses and individuals to comply with the law. However, officers will be prepared to ensure compliance by exercising formal powers delegated to them in the Councils Scheme of Delegation including, where appropriate, prosecution.

The Council will have regard to the principles of good regulation when exercising its enforcement duties including:

Openness

We will provide accessible information and advice, in plain language, on the legislation that we enforce. We will be open about how we set about our work and any charges that we set, and where necessary consult with local business and other interested parties.

Helpfulness

We believe that prevention is better than cure; we will actively work with local businesses and individuals to advise on, and assist with, compliance. We will provide a courteous and efficient service, and our staff will identify themselves by name, showing their identification card or Certificate of Appointment. We will offer a contact point and telephone number to encourage further liaison. Applications for licences, registrations, approvals etc. will be dealt with efficiently and promptly. We will strive to ensure that wherever practicable, our activities are effectively co-ordinated to avoid unnecessary overlaps and/or delays.

Equality

We will seek to ensure that everyone using our services receives equal treatment and we will take positive action to make our services accessible by using for example, interpreters and translations. The particular needs and interests of consumers within the borough, including business proprietors, their employees and the public will be accommodated wherever possible. A copy of the Council's corporate Equalities Policy is available [online](#).

Proportionality

Proportionality means relating enforcement action to the risks and to the seriousness of any breach of the law. We will take into account the costs of compliance for business and individuals by ensuring that any enforcement action we take or remedial action we require is proportional to the risks. We will, as far as the law allows, work with business and individuals so that they can meet their legal obligations, without unnecessary expense.

Consistency

We will carry out our duties in a fair, equitable and consistent manner. Consistency of approach does not mean uniformity. It means taking a similar approach in similar circumstances to achieve similar ends. Whilst officers necessarily exercise judgement in individual cases, we will have arrangements in place to promote consistency, including liaison with other authorities and enforcement bodies.

Targeting

We will target our enforcement services primarily on those whose activities give rise to the most serious risks to the public, workers and the environment. We will take enforcement action against those duty holders who are responsible for the risk and who are best placed to control it.

Shared enforcement

In some circumstances, risks to the public, workers and the environment are also dealt with by other authorities (for example Health & Safety Executive, Police etc.). Where appropriate we will liaise with all other authorities before taking enforcement action. In some situations, risks to the public, workers and the environment, are also addressed by more specific legislation enforced by other authorities. In order to avoid duplication, we will in such circumstances, seek to agree who should ensure that any such risks are adequately controlled. In determining who is the most appropriate enforcing authority, regard will be had to the following principles:-

- relative effectiveness of the available legislation
- degree of expertise held by each authority
- efficient use of resources
- general suitability of the respective authorities to deal with the risks in question
- relevant enforcing authority legislation
- relevant information will be shared with other enforcement bodies, where appropriate.

Transparency

We will ensure that through our interventions and inspections, where regulatory non-compliance is found, our officers make clear the form of action and next steps they propose to take. This can range from specific advice with no further actions through to more formal enforcement action, for example the serving of statutory notices or the instigation of legal proceedings. Where there is a right of appeal or other redress, officers will advise those affected persons or organisations of these. They will also make it clear what are legal requirements and what are recommendations.

Intelligence led

We will adopt an intelligence led approach to our compliance interventions and enforcement actions, using systems, procedures and techniques that provide us with intelligence. We will keep apprised of matters that are relevant to the sectors we regulate at a national, regional and local level and will closely work with other internal regulatory services, other local authorities and enforcement agencies to share information and intelligence on important regulatory issues and enforcement matters.

Risk based

Adapted to the risk posed by non-compliance activities to provide robust, speedy and effective enforcement against those that commit the most serious regulatory offences and those serial offenders who deliberately and wilfully flout the law, including those who seek to take commercial advantage from such offences.

Accountable

We recognise the importance of the public services we provide and the impact they have on protecting the safety and health of the public, the quality of our local environment and the need for direct accountability for our actions or where we decide not to take action, to the public, stakeholders as the corporate body. We will ensure, where this does not compromise our legal responsibilities, that our enforcement actions will be placed in the public arena.

4. OUR APPROACH TO NON-COMPLIANCE

Where evidence is found that a business or other regulated person is showing disregard for the law by deliberately or persistently failing to comply with advice or requests made by the Council, it may be deemed that further informal action is not appropriate. Under these circumstances enforcement action may be escalated directly to prosecution or to other sanctions where available.

Where there is specific legislative guidance and regulations which set out the enforcement requirements these will be followed.

Where a business or individual contacts the Council to ask for advice and it transpires that a breach of legislation is present at the premises, the most appropriate course of action will be determined on the factors set out in section 6.0 (i.e. enforcement options).

If it is clear that the business or individual is keen to resolve the non-compliance quickly, taking on board and completing the steps recommended by the Council, an informal approach is likely to be taken as opposed to triggering enforcement action. However, if there is a serious breach and/or there is an imminent risk to public health or safety, enforcement action may still have to be taken but the Council will seek to work with the business or individual to resolve the problem as quickly as possible.

Factors that influence our response to breaches include:

- Whether or not the Council has previously provided advice or guidance to a business or individual
- The seriousness of the compliance failure
- Business size and capacity
- The past performance of a business or individual
- The current practice of a business or individual
- The risks being controlled
- Legal, official or professional guidance
- Local priorities of Chesterfield Borough Council
- The ease in which the issue can be resolved

5. CONDUCT OF INVESTIGATIONS

Enforcement action may result in either civil or criminal proceedings being instigated by the Council. The process that will be followed by officers in the investigation of alleged breaches of the law will depend on which branch of the law the investigation is being conducted under. As the enforcing authority in any proceedings it instigates, the burden of proof falls to Chesterfield Borough Council.

Investigations will be carried out in compliance in accordance with all associated guidance or codes of practice and the following legislation:

- Police and Criminal Evidence Act 1984
- Criminal Procedure and Investigations Act 1996
- Regulation of Investigatory Powers Act 2000
- Criminal Justice and Police Act 2001
- Human Rights Act 1998

These Acts and associated guidance control how evidence is collected and used and give a range of protections to citizens and potential defendants.

The authorised officers will also comply with the requirements of the particular legislation under which they are acting, and with any associated guidance or codes of practice.

5.1 Powers of Authorised Officers

There are numerous pieces of legislation which the Council as a local authority either has a duty to enforce or adopts or chooses to enforce. The powers available to the officers under these different pieces of legislation vary considerably and it is not the purpose of this document to provide an exhaustive list of those powers.

If officers come across situations where they believe they are being obstructed in carrying out their duties they will always explain the provisions of the relevant legislation in order to resolve the issue.

The Council recognises the Primary Authority scheme and where appropriate will communicate with any identified primary authority as part of the enforcement/compliance process.

In some cases powers of seizure are used for safety and evidence gathering purposes. Where articles are removed for any of these purposes a receipt or notice will be given at the time of the inspection or as soon as is practicably possible afterwards.

Officers do not have the power of arrest; however, joint working is undertaken with the Police and other agencies. Instances may arise where the Police consider that an arrest should be made in connection with the authorised officers' investigations.

For cases that could result in prosecution (i.e. criminal rather than civil), officers will carry out formal interviews in line with this Policy and the Police and Criminal Evidence Act 1984.

In respect of legislation in England that contains criminal offences, there are strict time limits beyond which the law prevents proceedings being instigated. These time limits vary and are stated in the relevant legislation.

In relevant cases where either criminal or civil proceedings are intended to be brought by the Council a report will be prepared containing all the relevant evidence that has been gathered during an investigation. This report will be reviewed by a manager and will also be reviewed by the Council's Regulatory and Law team before any proceedings are instigated.

5.2 Progress of Investigations

Where appropriate, authorised officers carrying out investigations will keep alleged offenders and complainants informed about the progress of any investigation as far as their involvement in the process is concerned.

All investigations will be documented.

6. ENFORCEMENT OPTIONS

An open, fair and proportionate approach will be taken in dealing with breaches of legislation which are regulated and enforced by Chesterfield Borough Council. Raising awareness and promoting good practice in regulated areas is the first step in preventing breaches, and officers of the Council will signpost people to guidance on aspects of the law where requested to do so.

There are a number of potential enforcement options available to Chesterfield Borough Council. The action taken varies from advice through to proceedings in Court. Examples of the main types of action that can be considered are:

- Compliance advice, guidance and support
- Voluntary undertakings
- Statutory (legal) notices (including orders)
- Works in default
- Financial penalties
- Injunctive actions, enforcement orders and possession orders
- Simple caution
- Prosecution
- Refusal, revocation or suspension of a licence or approval
- Detention/seizure of food/goods/equipment
- Forfeiture Proceedings
- Penalty Charge Notices
- Civil Penalties
- Proceeds of Crime Applications
- Prohibition
- Compulsory Purchase Orders
- Use of other legal powers
- No action

Compliance advice, guidance and support

Where appropriate, the Council uses compliance advice, guidance and support as a first response in the case of many breaches of legislation that are identified. Advice is provided sometimes in the form of a warning letter, to assist individuals and businesses in rectifying breaches as quickly and efficiently as possible, avoiding the need for further enforcement action. A warning letter will set out what should be done to rectify the breach and to prevent re-occurrence. If a similar breach is identified in the future, this letter will influence our decisions in considering the most appropriate course of action to take on that occasion. Such a letter cannot be cited as a previous conviction but may be presented in evidence.

We recognise that where a business has entered into a partnership with a primary authority, the primary authority will provide compliance advice and support, and the Council will take such advice into account when considering the most appropriate

enforcement action for it to take. It may discuss any need for compliance advice and support the primary authority.

Where more formal enforcement action, such as a simple caution or prosecution is taken, Chesterfield Borough Council recognises that there is likely to be an ongoing need for compliance advice and support, to prevent further breaches.

Voluntary undertakings

Chesterfield Borough Council may accept voluntary undertakings that breaches will be rectified and/or recurrences prevented. Chesterfield Borough Council will take any failure to honour voluntary undertakings seriously and enforcement action is likely to result.

Statutory (legal) notices (including orders)

In respect of many breaches, Chesterfield Borough Council has powers to issue statutory notices and orders. Examples of these include

- Abatement Notices,
- Stop Notices,
- Prohibition Notices,
- Prohibition Orders,
- Emergency Prohibition Notices,
- Improvement Notices,
- Emergency Remedial Action,
- Rent Repayment Orders,
- Compulsory Purchase Orders, and
- Enforced Sale.

Such notices are legally binding. Failure to comply with a statutory notice can be a criminal offence and may lead to prosecution and/or, where appropriate, the carrying out of 'works in default'.

Some statutory notices/Orders will clearly set out actions which must be taken and the timescale within which they must be taken. The statutory notice/Order may also list the actions that the authority intend to take or are considering taking and the timescale within which they must be taken.

It is likely to require that any breach is rectified and/or prevented from recurring. It may also prohibit specified activities until the breach has been rectified and/or safeguards have been put in place to prevent future breaches. Where a statutory notice/order is issued, an explanation of the appeals process will be provided to the recipient.

Some notices issued in respect of premises may be affixed to the premises and/or registered as a local land charges.

Works in default

We will normally carry out 'works in default' of a statutory notice where:

- Works required by the statutory notice have not been carried out, and
- There is an imminent risk to public health/safety or the environment, such that the consequences of not taking immediate action would be unacceptable or
- Statute does not permit prosecution for non-compliance with a statutory notice.

Financial penalties

The Council has the powers to issue 'fixed penalty notices' in respect of some breaches. A fixed penalty notice is not a criminal fine, and does not appear on an individual's criminal record. If a fixed penalty notice is not paid, Chesterfield Borough Council may commence criminal proceedings or take other enforcement action in respect of the breach.

If a fixed penalty notice is paid in respect of a breach, Chesterfield Borough Council will not take any further enforcement action in respect of that breach. Payment of a fixed penalty notice does not provide immunity from prosecution in respect of similar recurrent breaches.

Chesterfield Borough Council is only able to issue fixed penalty notices where it has a specific powers to do so. If fixed penalty notices are available, their issue is at Chesterfield Borough Council's discretion. In some circumstances, in particular, where breaches are serious or recurrent, it may be that prosecution is more appropriate than the issue of a fixed penalty notice.

The service of a fixed penalty notice will be carried out when the circumstances of the offence satisfy the following criteria: -

- The offence is sufficiently serious to warrant prosecution having regard to the nature of the matter and the Council's corporate priorities.
- There is sufficient evidence of the offender's guilt to give a realistic prospect of conviction in case of non-compliance with the fixed penalty notice.
- The officer believes that a fixed penalty notice will prevent repeat offences.
- The offender will accept the fixed penalty notice and understands its significance.
- It is in the public interest to issue a fixed penalty notice rather than start prosecution proceedings.

Fixed penalty notices may be cited in prosecution proceedings in relation to a similar offence committed within three years of the issue of the fixed penalty notice. Offenders shall normally only be offered a fixed penalty notice once for the same offence. In cases of repeat offenders, simple cautions, prosecutions and court orders shall be considered.

Also available is the 'Fixed Penalty Notice – supplementary guidance' document which details:

- The scope of the legislation such as the application of byelaws, adopted powers, designated areas, and similar provisions to ensure enforcement is consistent with the prevailing laws and orders such as when and where it applies.
- How to deal with juvenile offenders (i.e. those under 18 years of age) and conditional alternative measures available in lieu of a fixed penalty notice.
- Payment timescales and options for reduced early payment and deferred payment in cases of specified hardship.

A copy of this document is available separately.

Injunctive actions, enforcement orders and possession orders

In some circumstances we may seek a direction from the court (in the form of an order or an injunction), that a breach be rectified and/or prevented from recurring. The court may also direct that specified activities be suspended until the breach has been rectified and/or safeguards have been put in place to prevent future breaches.

Failure to comply with a court order constitutes contempt of court, a serious offence which may lead to imprisonment.

The Council is required to seek enforcement orders after issuing some enforcement notices, providing the court with an opportunity to confirm the restrictions imposed by the notice. Otherwise, we will usually only seek a court order if it has serious concerns about compliance with voluntary undertakings or a notice.

Possession Orders

A possession order may be sought in the civil court to enforce a breach of the tenancy agreement under the [Housing Act 1985](#), as amended by successive legislation.

Closure Orders

A closure order may be sought in the Magistrate's court under the [Anti-social Behaviour Crime and Policing Act 2014](#). The Council may seek a closure order where a person has engaged, or (if the order is not made) is likely to engage, in disorderly, offensive or criminal behaviour on the premises, or serious nuisance behaviour or there has been, or there is likely to be disorder near those premises associated with the use of those premises. The order must be necessary to prevent the behaviour, nuisance or disorder. The closure order prohibits access to the premises for no more than three months. An application to extend the period may be made to the magistrate court.

Simple caution

The Council has the power to issue simple cautions (previously known as 'formal cautions') as an alternative to prosecution for some less serious offences, where a person admits an offence and consents to the simple caution. Where a simple caution is offered and declined, Chesterfield Borough Council is likely to consider prosecution.

A simple caution will appear on the offender's criminal record. It is likely to influence how the Council and others deal with any similar breaches in the future, and may be cited in court if the offender is subsequently prosecuted for a similar offence. If a simple caution is issued to an individual (rather than a corporation) it may have consequences if that individual seeks certain types of employment.

The service of a simple caution will normally be considered in the following cases:

- There is sufficient evidence of the suspect's guilt to meet the Threshold Test i.e. there is reasonable suspicion of the suspect having committed the offence and that it is in the public interest to issue a simple caution; and
- The suspect has made a clear and reliable admission of the offence (either verbally or in writing); and
- The suspect is 18 years or over; and
- It is a first offence

If all the above requirements are met, the officer must consider whether the seriousness of the offence makes it appropriate for a Simple Caution to be issued. To assist officers in their decision making process the factors listed in table 1 must be considered. Simple cautions may be cited in prosecution proceedings in relation to a similar offence committed within three years of the caution's issue. A central register of simple cautions issued will be maintained.

Table 1: Simple caution aggravating and mitigating factors

Factors indicating that a simple caution may not be appropriate	Factors indicating that a simple caution may be appropriate instead of prosecution
Conviction is likely to result in a significant sentence.	Conviction is likely to result in a small or nominal penalty.
Weapon used or violence threatened during commission of offence.	Prosecution is likely to have bad effect on victim's physical or mental health.
Offence against public servant (e.g. council employee).	Offender supplied information which reduced risk, loss or harm to others.
Offender abused a position of trust	Offender was influenced by others more criminally sophisticated.
Offender was ringleader/organiser.	Genuine mistake or misunderstanding.
Evidence of premeditation.	Vulnerability of the offender.
Offender was part of an organised team or offence was committed by a group.	Provocation from victim or victim's group and offender reacted impulsively.
Victim was vulnerable, deliberately put in considerable fear or suffered personal attack, damage or disturbance.	The offence is minor and offender has put right harm or loss caused; has expressed regret; offered reparation or compensation.
Evidence of exploitation.	Offender is or was at time of offence suffering from significant mental or physical ill-health and offence is not likely to be repeated.
There are grounds for believing the offence is likely to be repeated or continued – e.g. by a history of recurring conduct.	The offence is so old that the relevance of any response is minimised, i.e. there has been a long delay between the offence occurring and the point of decision making – Unless the offence is serious; the offender contributed to the delay; the offence only recently came to light; or the complexity of the offence has contributed to long investigation.

Prosecution

The Council may prosecute in respect of serious or recurrent breaches, or where other enforcement actions, such as voluntary undertakings or statutory notices have failed to secure compliance. When deciding whether to prosecute, we have regard to the provisions of The Code for Crown Prosecutors as issued by the Director of Public Prosecutions.

Prosecution will only be considered where the Council is satisfied that it has sufficient evidence to provide a realistic prospect of conviction against the defendant(s).

Simple caution or prosecution?

When determining whether a prosecution or simple caution is viable and appropriate two 'tests' will be applied. Enforcement officers will follow guidance set by the [Crown Prosecution Service](#) when applying the tests.

A simple caution or prosecution will only be progressed when the case has passed both the '*evidential test*' and the '*public interest test*'. The principles outlined apply equally to the other types of formal enforcement action that are available.

The Evidential Test

The Council must be satisfied there is sufficient evidence to provide a 'realistic prospect of conviction' against each defendant on each charge. A realistic prospect of conviction is an objective test that means that a jury or bench of magistrates, properly directed in accordance with the law, is more likely than not to convict the defendant of the charge alleged. This is a separate test from the one that the criminal courts themselves must apply.

The Public Interest Test

The public interest will be considered in each case where there is sufficient evidence to provide a realistic prospect of conviction. Chesterfield Borough Council will balance factors for and against prosecution carefully and fairly. Public interest factors that can affect the decision to prosecute usually depend on the seriousness of the offence or the circumstances of the suspect. Some factors may increase the propensity to prosecute but others may not.

A successful prosecution may result in a criminal record. The court may impose a fine and in respect of particularly serious breaches a prison sentence. The court may order the forfeiture and disposal of non-compliant goods and/or the confiscation of any profits which have resulted from the breach. Prosecution may also lead, in some circumstances, to the disqualification of individuals from acting as company directors

Refusal, revocation or suspension of a licence or approval

The Council issues a number of licences and permits and has a role to play in ensuring that appropriate standards are met in relation to licenses issued by other agencies. Most licences include conditions which require the licence holder to take steps to ensure that, for example, a business complies with specified standards; either set in legislation, guidance or local agreements. Breach of a licence condition may lead to a review of the licence which may result in its revocation or amendment.

When considering future licence applications we will take previous breaches and enforcement action into account.

Detention/seizure of food/goods/equipment

Certain legislation enables authorised officers to seize goods, for example, unsafe food, documents, sound equipment that is being used to cause a statutory noise nuisance, unsafe products or any items that may be required as evidence for possible future court proceedings. When we seize goods we will give the person from whom the goods are taken a receipt.

Forfeiture Proceedings

This procedure may be used in conjunction with seizure and/or prosecution where there is a need to dispose of goods in order to prevent them from re-entering the market place or being used to cause a further problem. In appropriate circumstances, the Council will make an application for forfeiture to the Magistrates Court.

Penalty Charge Notices

Penalty Charge Notices (PCNs) are prescribed by certain legislation as a method of enforcement by which the offender pays an amount of money to the enforcer in recognition of the breach. Failure to pay the PCN will result in the offender being pursued in the County Court for non-payment of the debt. A PCN does not appear on the person's criminal record and we may choose to issue a PCN without first issuing a warning.

Civil Penalties

A civil penalty is a financial penalty imposed by the local housing authority on an individual or organisation as an alternative to prosecution for certain housing offences under the [Housing Act 2004](#). The same criminal standard of proof is required for a civil penalty as for prosecution. This means that before taking formal action, a local housing authority should satisfy itself that if the case were to be prosecuted in the Magistrates Court, there would be a realistic prospect of conviction. For this purpose, local housing authorities should consult the Crown Prosecution Service Code for Crown Prosecutors' as it provides advice on the extent to which there is likely to be sufficient evidence to secure a conviction. Local housing authorities are expected to develop and document their own policy on when to prosecute and when to issue a civil penalty and should decide which option to pursue on a case-by-case basis in line with that policy.

Proceeds of Crime Applications

Applications may be made under the '[Proceeds of Crime Act 2002](#)' for confiscation of assets in appropriate cases. Their purpose is to recover the financial benefit that the offender has obtained from his criminal conduct. Proceedings are conducted according to the civil standard of proof. The Council will seek to recover proceeds of crime in appropriate circumstances.

Prohibition

This power will be used where there are valid grounds (e.g. there is an imminent risk of injury to health or a risk of serious personal injury) and where the situation cannot be allowed to continue because of the risks involved. This course of action is usually associated with food and health and safety enforcement, but there will be other occasions, for example prohibiting part of a dwelling under housing legislation.

Use of other legal powers

Certain authorised officers have additional powers that enable them to carry out their duties; for example take photographs, leave a workplace undisturbed as part of an accident investigation, and take samples or measurements. These powers are to allow Chesterfield Borough Council to carry out its duties. Where these powers are exercised by Officers they will be carried out lawfully and in accordance with statutory codes of practice and with due regard to guidance and best practice.

Chesterfield Borough Council may seek to recover costs of any enforcement action against a business or individual subject to the enforcement action, where appropriate and legal to do so.

No Action

In certain circumstances, contravention of the law may not warrant any action. This can be where there is insufficient evidence or it is not in the public interest to proceed. Some areas of legislation only allow Chesterfield Borough Council to take action where it is expedient to do so, taking into account the level of harm caused by the contravention. In certain cases it may not be considered expedient to take enforcement action. All such decisions will be made transparently.

7. HOW ENFORCEMENT DECISIONS ARE MADE

In assessing what enforcement action is necessary and proportionate consideration will be given to the following principles for enforcement:

- ✓ aim to change behaviour of the offender;
- ✓ aim to eliminate any financial gain or benefit from non-compliance;
- ✓ be responsive and consider what is appropriate for the particular offender and regulatory issue, which can include punishment and the public stigma that should be associated with a criminal conviction;
- ✓ be proportionate to the nature of the offence and the harm caused;
- ✓ aim to restore the harm caused by regulatory non-compliance, where appropriate, and
- ✓ aim to deter future non-compliance.

7.1 Who decides what enforcement action is taken?

Decisions about the most appropriate course of action to be taken are based upon professional judgement, legal guidelines, statutory codes of practice and priorities set by the Council and/or Central Government.

Where appropriate decisions about what enforcement action is to be taken may involve consultation between investigating officers, senior managers and Chesterfield Borough Council's solicitors.

The decision to prosecute a case will be taken by those with authority to do so in accordance with the Constitution/Scheme of Delegations.

All decisions will be fully documented.

The Council will provide a timely explanation in writing of any rights to representation or appeal and information on the process involved.

Appeals

In some circumstances a business or individual subject to enforcement action may have a right to appeal the decision. Where such a right exists, the business or individual will be advised in writing of that right, including details of how to exercise that right.

Delegation of authority

The Council's Scheme of Delegations specifies the extent to which enforcement powers are delegated to officers. Whilst delegation is mainly to officers, in some specific circumstances the decision to take enforcement action lies with the relevant Council Committee.

7.2 Liaison with other regulatory bodies and agencies

Where appropriate, enforcement activities will be co-ordinated with other regulatory bodies and enforcement agencies to maximise the effectiveness of any enforcement and to avoid duplication of regulation.

Where an enforcement matter affects a wide geographical area beyond the Borough boundary, or involves enforcement by one or more other local authorities or organisations; where appropriate all relevant authorities and organisations will be informed of the matter as soon as possible and all enforcement activities co-ordinated with them.

Where appropriate, and in accordance with the law, Chesterfield Borough Council will share intelligence with other regulatory bodies, enforcement agencies and partner agencies including:

- Derbyshire Fire & Rescue Services
- Derbyshire Police

- Government Agencies (such as Food Standards Agency and Public Health England)
- Trading Standards
- Public Health
- Environment Agency
- Health & Safety Executive
- Other local authorities

8. COMMENTS AND COMPLAINTS

Complaints and appeals

All appeals in relation to enforcement action taken should be via the statutory appeals process outlined in the relevant legislation.

We value input from you to help us ensure our service is meeting your needs. We would like to hear from you whether your experience of us has been good or in need of improvement. This helps us to ensure we keep doing the right things and make changes where we need to. We are constantly looking for feedback on our services. We welcome any feedback that that will assist us in improving our services.

Whether you wish to make a comment, complaint or a compliment you are encouraged to do so by either:-

In person:	Informing a member of our staff, Customer Service Centre, 85 New Square, Chesterfield, S40 1SN
Telephone:	01246 345345
Text:	07960 910 264
By post:	Chesterfield Borough Council, Town Hall, Rose Hill, Chesterfield. S40 1LP
Online:	www.chesterfield.gov.uk
Social media:	Facebook, Twitter

Complaints about the conduct of officers should be made via Chesterfield Borough Councils' [complaints procedure](#).

We will seek to work with you in the most appropriate way to meet your individual needs. We can make information available in different formats, and have access to translation and interpretation services.

9. SERVICE DELIVERY STANDARDS, QUALITY AND PERFORMANCE MONITORING

Skills, competencies and experience of regulatory officers

The Council will ensure that all authorised officers are equipped with the appropriate level of skills, competencies and experience commensurate with their role and responsibilities and the support necessary to undertake their job effectively and efficiently. Continuing Professional Development (CPD), qualifications, training and development to meet statutory codes of practice will always be offered.

Staff training and development will be maintained by using methods such as the Regulators Development Needs Analysis (RDNA) and Guide for Regulators Information Point (GRIP), CPD, development opportunities, appraisals, feedback, personal learning plan, mentoring/shadowing, secondment, peer review and challenge (both receiving and supporting).

Service and quality standards

Chesterfield Borough Council will always strive to meet the highest standards in undertaking enforcement action. The following service standards will be applied:

- ✓ officers will clearly identify themselves and carry the appropriate ID cards and any necessary authorisations.
- ✓ Officers will be professional, courteous and helpful in their conduct, during work on enforcement issues and will work with individuals, groups and businesses to promote compliance.
- ✓ Officers will provide assistance where appropriate and advice will be given to assist in compliance before formal action is instigated, except in those circumstances where the breach of legislation is sufficiently serious to warrant formal action or is punishable by the issuing of a fixed penalty notice.
- ✓ Fairness in appropriate cases – adequate opportunity will be given to rectify the non-compliance before formal proceedings are commenced.
- ✓ Matters relating to enforcement will be dealt with promptly.

Benchmarking

The Council will work with organisations such as the Chartered Institute of Public Finance and Accountancy, the Food Standards Agency, the Health & Safety Executive, the Local Government Association and HouseMark to share data on our performance and facilitate benchmarking.

10. OTHER SUPPORTING DOCUMENTS

This Corporate Enforcement Policy is an overarching policy that applies to all the Council's services. Certain service areas may have additional service specific enforcement requirements (for example Private Sector Housing Team, Tenancy Management Team and Community Safety Team).

Documents that should be considered with this Policy include:

- ✓ Environmental Health: Fixed Penalty Notice – supplementary guidance
- ✓ Environmental Health: Service Standards
- ✓ Anti-Social Behaviour Statement of Policy (Corporate)
<https://www.chesterfield.gov.uk/media/562585/anti-social-behaviour-policy-2015-2019.pdf>
- ✓ Anti-Social Behaviour Statement of Policy (Tenancy Management Team)
<https://www.chesterfield.gov.uk/media/499888/statement-of-housing-asb-policy-190213.pdf>
- ✓ Chesterfield Borough Council – Corporate Surveillance Policy
<https://www.chesterfield.gov.uk/media/563268/surveillance-policy-2017.pdf>

11. REVIEW OF THIS POLICY

This Policy will be reviewed every two years or in line with changes in relevant legislation, or Regulators Code.

12. POLICY DETAILS

Document:	Corporate Enforcement Policy
Owner:	Environmental Health
Author:	Esther Thelwell
Agreed by:	Enforcement group INSERT NAME OF COMMITTEE
Date:	December 2017
Version	DRAFT
Status:	FINAL
Location of electronic file:	S:\Directorate of Community Services\Health Services\Environmental Protection Team\Projects\Project_Corporate Enforcement Policy
Location on CBC website:	



Document:	Fixed Penalty Notices – supplementary guidance
Owner:	Environmental Health
Author:	Esther Thelwell
Agreed by:	
Date:	February 2017
Version	1.1
Status:	FINAL
Location of electronic file:	S:\Directorate of Community Services\Health Services\Environmental Protection Team\Fixed Penalty Notices
Location on CBC website:	
Version Control	09.02.2018 – document updated to take into account comments from Cllr Sharon Blank.

1.0 INTRODUCTION

This 'supplementary guidance' document supports Chesterfield Borough Council's Corporate Enforcement Policy. The purpose of this guidance document is to establish standardised procedures to be followed by all those authorised officers with powers to issue fixed penalties, including the circumstances in which a Fixed Penalty Notice (FPN) should be issued.

FPNs can be issued by local authority officers where the legislation permits and where the officer is authorised to do so. These notices provide a quick, visible and effective way of dealing with low-level straightforward environmental crimes, and are an alternative to prosecution.

A fixed penalty is not a fine. Payment of the penalty by the recipient discharges their liability to conviction for the offence for which the FPN was issued. It does not constitute an admission of guilt, but removes the possibility of the creation of a record of criminal conviction.

Current government guidance is that local authorities must have a fixed penalty notice document that details:

- ✓ Offences included in the local authority FPN scheme.
- ✓ How much fine is issued for each offence.
- ✓ Details of any early repayment discounts.
- ✓ How fixed penalty notices are issued.
- ✓ How we will deal with juvenile offenders.
- ✓ What we will do if the offenders don't pay.
- ✓ How to appeal (if that option is offered).
- ✓ How the money received from FPNs will be spent.
- ✓ What records we will keep.

Further information about Fixed Penalty Notices can be found [online](#).

2.0 GROUNDS FOR ISSUING A FPN

A FPN may only be issued where an officer has reason to believe a person has committed a penalty offence and there is sufficient evidence to support a successful prosecution.

An officer may issue a FPN where the offence is of a nature suitable to be dealt with by means of a FPN. When considering a case, officers should consider the nature and seriousness of the offence. For example, the use of a FPN is appropriate for most types of littering offences, but in the case of flytipping, a FPN is only going to be appropriate for offences at the minor end of the scale.

Normally offences resulting in a FPN will be witnessed directly by the officer. However, an officer may consider it appropriate to issue a FPN to a suspect if they have not directly witnessed the offence, but have a reliable witness testimony.

Any interview and questioning must be consistent with the practice and procedures established by the Police and Criminal Evidence Act 1984, Code C.

3.0 THE OFFENDER

A FPN should be issued where

- ✓ the alleged offender is compliant and able to understand what is going on and,
- ✓ there is sufficient evidence as to his/her identity and place of residence.

A FPN will be appropriate for first-time offenders and 'one-off' incidents as it is a low-level disposal and the recipient can avoid obtaining a conviction. Issuing a FPN will also be appropriate because it is not likely that there is a record of previous warnings being served by other agencies on the same individual.

A FPN is a means of changing offending behaviour and may be an appropriate response where a warning or a caution might have been considered.

Where the suspect is not cooperative, consideration should be given to an alternative disposal (e.g. prosecution and/or police involvement).

FPNs must be issued to and received by the offender.

If an intended recipient of a FPN refuses, after being warned, to give a correct name and address, and identity can be established through other means (i.e. by the police), (s)he should be reported for prosecution, rather than given an FPN. It is a specific offence for a person to fail to provide the officer with their name and address, or to give false details.

A FPN *may not* be appropriate:

- where a suspect appears to be unable to understand what is being offered to them (for example, the suspect is deaf), or there is doubt about



their ability to understand English. Where such circumstances arise every effort should be made to solicit/impart the required information.

- where the suspect's behaviour suggests they have learning difficulties or mental disorder, or where the suspect is under the influence of intoxicating substances. The officer should question whether issuing a FPN and (as it will probably go unpaid) prosecution is in the public interest.
- where no satisfactory address exists for enforcement purposes. This may be where the officer has reason to believe that the suspect is homeless or sleeping rough, or where the suspect is a non-resident foreign national (i.e. not British or Northern Irish).
- where the penalty offence is known to have been committed in association with another non-fixed penalty offence.
- where an offender is threatening, abusive or violent to the officer. Where an offender becomes aggressive or violent, the officer should ensure their own safety and seek help from the police. The offender would be dealt with by way of prosecution, either by the police or the local authority.

A FPN will not be appropriate where it is known that the offender has a previous relevant conviction or caution, or has previously been issued with an FPN (for the offence), particularly if they have not paid. The officer should inform the offender that (s)he will be reported with a view to prosecution.

4.0 ISSUING THE FPN

The officer will approach the offender, identify him/herself and tell the person, in simple terms that they have been seen committing an offence. The person will then be spoken with to obtain their name, address and date of birth. These details will be verified as far as is reasonably practicable. Documentary evidence of identity and place of residence will be requested but not demanded, and will be preferable to non-physical checks such as the electoral register. Failure to identify an offender prior to issue could invalidate enforcement. Police assistance will be sought where necessary. The officer must record the offender's forename, surname, address, postcode and date of birth on the FPN. These are required for processing purposes.

It may not be possible to speak with an offender at the time of the incident, for example when litter is thrown/deposited from a vehicle (i.e. because the vehicle is moving). In this circumstance, the identity of the registered keeper will be obtained from the DVLA. A letter will be sent to the registered keeper requesting that they confirm who was driving the vehicle at the time the offence took place. A FPN will then be issued by post where the individual who left the litter can be identified, e.g. CCTV image, visual recognition or statement by the keeper of the vehicle.

For 'smoke-free' offences under the Health Act 2006, authorised officers are not permitted to seek the identity of the registered keeper via the DVLA. Authorised officers are required to record the company name (if visible on the vehicle) or for taxi's, the plate number.

Instead of issuing the FPN 'in person', the FPN can be completed in an office space and 'issued by post'. When the FPN is issued, it must be accompanied with a letter explaining that payment offers an opportunity to avoid liability to prosecution, and will draw the person's attention to the relevant points about

making payment. The letter must advise that in the event of non-payment, they will be prosecuted for the offence.

Officers will not accept payment of a FPN anywhere other than in a Chesterfield Borough Council building or where a payment is made over the phone.

Payments can be made

In person: Customer Service Centre, 85 New Square, Chesterfield, Derbyshire, S40 1SN

By post: Chesterfield Borough Council, Town Hall, Rose Hill, Chesterfield, Derbyshire, S40 1LP (postal orders only not cheques)

By phone: 01246 345345

4.1 Dealing with obstructing offenders

Offences involving obstruction of officers are normally dealt with by way of prosecution. In terms of fixed penalty offences, officers should note the following guidance:

1. Offender refuses to give details or gives false details, but provides correct details after being warned, or before police arrive – it is considered appropriate to offer and issue an FPN.
2. Offender gives correct details only after being required to do so by a police officer – report for summons for original offence and offence of failing to give/giving false details.
3. Offender gives false/inaccurate details, FPN is issued at time, and is subsequently paid – no further action should be taken in respect of giving false details.



4. Offender gives false/inaccurate details, FPN issued at time and not paid, and enquiries identify offender – report for summons for original offence and the offence of giving false details.

4.2 Summary of rules for issuing FPNs

In summary, when issuing fixed penalties, officers should ensure that they:

- ✓ have all the proof necessary for the offence;
- ✓ are presentable and carry identification and authorisation;
- ✓ are alert, active and prepared;
- ✓ are fair, equitable, courteous and cooperative;
- ✓ are firm and self-confident but not over-officious;
- ✓ are consistent;
- ✓ are accurate, ensure writing is legible and that the notice is complete;
and
- ✓ are tactful whilst maintaining a respectful and pleasant attitude.

5.0 ISSUING FPNs to JUVENILES

The issuing of FPNs to juveniles will take into account DEFRA (Department for Environment, Food and Rural Affairs) guidance:

“Issuing Fixed Penalty Notices to Juveniles – Guidance on issuing fixed penalty notices contained within the Clean Neighbourhoods and Environment Act 2005”.

The issuing of FPNs for differing age groups will be as set out below:

5.1 Juveniles under the age of 10 years

A FPN cannot and will not be issued to a juvenile under the age of 10 years. Where an offence has been committed, the young offenders name, address and age shall be ascertained, together with that of their parents or legal guardian. The young offender will be informed that children’s service authorities will be informed (as there is an obligation under the Children’s Act 2004 to discharge their functions having regard to the need to safeguard and uphold the welfare of children).

5.2 Juveniles aged between 10 and 15 years

Other than in the circumstances of litter, a young offender will not be issued with a FPN. The young offenders name, address and age shall be ascertained, together with that of their parents or legal guardian. If an authorised officer’s view is that a FPN is appropriate for the offence committed, then a FPN shall only be issued in the presence of a parent or legal guardian.

Before issuing a FPN the following factors shall be considered:

- Has a FPN been issued previously?
- Is a reprimand, warning or other sanction more appropriate? And

- Are there any family circumstances or other vulnerabilities?

In all cases, the children's services authorities (such as the Youth Offending Team) should be informed.

With specific regard to littering, a FPN can be issued for the offence of littering by school pupils where it has been agreed with the school to issue them for littering during the lunch period. In all such cases, the parents, legal guardian or school must be notified of the FPN issue as soon as possible.

5.3 Juveniles aged between 15 and 17 years

A FPN can be issued to a young offender in accordance with the procedures for adults, subject to the same considerations plus:

- Learning difficulties; and
- Any signs of substance abuse.

If the authorised officer is in any doubt regarding the age of a young offender, then the procedures set out for young persons between ages of 10 to 15 years shall be applied.

In all circumstances, a letter can be issued to the parents informing them of the incident.

6.0 DISPUTES ABOUT ENFORCEMENT

Once a FPN has been issued the recipient may decide to phone or write in pleading mitigation or contesting the fact that the FPN was issued. An offender contesting a FPN should be advised that there is no obligation to pay a fixed penalty and there is no formal appeal procedure.

Whilst the Authority should review the facts of a particular case when invited, the opportunity to challenge the allegation and plead not guilty to the alleged offence at an independent hearing is open to the receipt of the FPN. This will be by way of prosecution, on summons, and trial in a Magistrates Court.

Any person wishing to make a formal complaint about the FPN must do so in writing. Such letters may help identify any issues that need resolving or investigating before a case comes to court. Arguments over the law, the amount of the fixed penalty, etc. will not be relevant, but claims that a defence applies will. Only in occasional circumstances will it be appropriate to withdraw a FPN or not proceed to summons on non-payment.

For example, a FPN may be withdrawn if information becomes available after a FPN has been served that an offence has not been committed or that it is not in the public interest to prosecute.

With specific regard to FPNs relating to 'smoke free' offences issued under the Health Act 2006, the offender has a choice to either pay the penalty or request a court hearing. To request a court hearing, the offender is required to complete the application box on the rear of the FPN.

Payment of a fixed penalty by instalments will not be accepted. In cases of demonstrable hardship, consideration may be given by a senior officer to



extending the suspended enforcement period and delaying the issue of summons, although there is no legal basis for this.

For offences under the Health Act 2006, the FPN amount is reduced if paid within 15 days of the date the FPN was issued.

7.0 UNPAID OR CHALLENGED FPNs

If the person either refuses to accept a FPN or, having accepted such a notice, does not pay before the end of the suspended enforcement period (14 days), a final reminder letter will be issued giving a further seven days' notice. If the FPN remains unpaid, the matter will result in prosecution (unless there is good reason to not to). To ensure the credibility of a FPN scheme, the assumption will be that all cases involving non-payment will be referred to court.

With the exception of 'smoke free' offences under the Health Act 2006, reminder letters are not sent. The FPN clearly states that 'no reminder letter will be issued' and that 'payments must be made within 29 days of the FPN being served'.

Where a FPN is refused, not paid, or challenged, the process defaults to a standard prosecution and the officer who issued the FPN will be notified.

It is the responsibility of the officer who issued the FPN to ensure that all witness statements and exhibits, including any record of interview, are sent to the relevant administration officer (e.g. Lead Enforcement Officer or Senior Officer). Copies of documentation must also be made available to the Legal Services via regulatory.law@chesterfield.gov.uk . This must be done within two weeks of notification.

Each case will be reviewed by Senior Officers and solicitors, applying the evidential and public interest tests before a prosecution is commenced.

8.0 AMOUNT OF FIXED PENALTY

Chesterfield Borough Council has discretion to vary the amount of the FPN from the national default sum. This is supplemented by specific legislation such as the [Environmental Offences \(Fixed Penalties\) \(Miscellaneous Provisions\) Regulations 2006](#) which enable a local authority to specify the amount of fixed penalties for litter and waste offences.

Table 1 – list the offence and fixed penalty amount

Offence	Minimum full penalty	Maximum full penalty	CBC	Discount?
Littering	£50	£80	£60	None offered
Anti-social Behaviour Crime & Policing Act 2014 Community Protection Notices	-	£100	£70	None offered
Anti-social Behaviour Crime & Policing Act 2014 Public Spaces Protection order s.63 Order (alcohol)	-	£100	£100	None offered
Anti-social Behaviour Crime & Policing Act 2014 Public Spaces Protection Order s. 67 Order (asb)	-	£100	£100	None offered
Anti-social Behaviour Crime & Policing Act 2014 Public Spaces Protection Order s. 59 Order (dog control)	-	£100	£80	None offered
Flytipping	£200	£400	£300	None offered
Smoke free	-	£50	£50	Reduced to £30 if paid within 15 days

9.0 FIXED PENALTY OFFENCES AND SPECIFIC LEGISLATIVE GUIDANCE

Reference should be made to the offence-creating statutes as well as to this document. As with any area of enforcement, it is essential that officers are aware of their powers under the relevant statutes.

9.1 Environmental Protection Act 1990: littering

In cases of littering, the normal course of action will be to offer a FPN, providing the person is cooperative and is not a habitual litter offender.

The offence under section 87 of the Environmental Protection Act 1990 applies to **all** places that are open to the air, including private open land, and land covered by water. It also applies to any covered place with a significant permanent opening on at least one side (such as a bus shelter, railway station or garage forecourt that remains open to the air at all times) providing the public has access to it, with or without payment.

A person does not commit a littering offence if they leave litter on their own land or they have the permission of the landowner to leave litter.

Litter is not defined, but includes cans, bottles, confectionary wrappers, food and drink containers, chewing gum, plastic bags, left over food, cigarette and cigar ends and flyers.

Issuing FPNs for food litter can be contentious and the following examples should assist officers:

- excessively feeding birds, warn in first instance;
- fruit peelings or apple core dropped on pavement. This requires cleaning, may lead to staining and is a slipping hazard, so issue FPN; and
- crumbs accidentally dropped, no action.

The authorised officer must be satisfied that the two elements of the offence have been committed, namely that a person has been witnessed '*throwing down, dropping or otherwise depositing*' any litter **and** leaving it. The offence is made out when a person intentionally discards something and walks away.

The officer should note how long someone has left something before approaching or how far they walked before being stopped.

The offence does not rely on any requirement to ask the person who has deposited litter, to pick it up. If a person chooses to return to the litter and pick it up following the intervention from an officer, it will not be sufficient for an FPN not to be issued. Such action would be recorded by the officer and noted in the event of a subsequent prosecution.

9.2 Anti-Social Behaviour Crime & Policing Act 2014: Community Protection Notices

The Anti-Social Behaviour Crime & Policing Act 2014 came into force on 20th October 2014 replaces a number of existing legislative functions. The ASB legislation introduces Community Protection Warning Notices (CPNs) to make a person or business stop or start an activity, or take a specific action. Failure to comply with a CPN can lead to a fixed penalty being issued or prosecution taking place.

The legislation requires a warning notice to be issued prior to the Community Protection Notice to present reasonable opportunity to comply.

9.3 Anti-Social Behaviour Crime & Policing Act 2014: Public Spaces Protection Order (PSPO) for dog control – fouling

For persons who fail to clear up after a dog in their charge has fouled designated land, the normal course of action will be to offer a FPN, providing the person is cooperative and is not someone who has failed to be deterred by previous FPNs.

The requirement to clean up after a dog has fouled applies to any land which is open to the air and to which the public are entitled or permitted to have access (with or without payment). The whole of Chesterfield has been designated for the purposes of this Order.

If a person decides to clear up the dog faeces after the intervention of an authorised officer, it will not be sufficient for the FPN to not be issued. Such

action would be recorded and noted in the event of a subsequent prosecution. The requirement is to remove faeces forthwith, i.e. immediately.

The offence does not apply to persons who are registered blind or to a person who has a disability which affects his/her mobility, manual dexterity, physical co-ordination or ability to lift, carry, or otherwise move everyday objects, in respect of a dog trained by a prescribed charity and upon which he/she relies for assistance.

Guidance states that not being aware of a dog's defecation, or not having a device or other suitable means of removing the faeces is not a reasonable excuse for failing to comply with the Order.

**9.4 Anti-Social Behaviour Crime & Policing Act 2014:
Public Spaces Protection Order (PSPO) for dog control – failing to put
and keep dog on lead with directed to do so**

An offence is committed when a person in charge of a dog, on land to which the Order applies, does not put the dog on a lead (and keep on a lead) when directed to do so by an authorised officer. For persons who fail to comply with such a direction, the normal course of action will be to offer a FPN, providing the person is cooperative and is not someone who is a repeat offender.



Authorised officers will only exercise the power to direct someone to put a dog on a lead where the dog is, in the opinion of the authorised officer, causing nuisance or alarm. This may be harassment of children or other dog walkers,

or where the dog is running into a road and may be a hazard to traffic. Officers will record why they made such a direction.

Offences which would be better dealt with under the Dangerous Dogs Act 1991 and Dogs (Protection of Livestock) Act 1953 will be referred to the Police.

10 CAUTIONS

10.1 When to issue

Under the Police and Criminal Evidence Act 1984 ([Code C – questioning](#)), a **caution must be given when:**

A person whom there are grounds to suspect of an offence must be cautioned before any questions about an offence, or further questions if the answers provide the grounds for suspicion, are put to them if either suspect's answers or silence (i.e. failure or refusal to answer or answer satisfactorily) may be given in evidence to a court in a prosecution.

A **person need not be cautioned** if questions are for other necessary purposes, e.g.

- solely to establish their identity or ownership of any vehicle;
- to obtain information in accordance with any relevant statutory requirement.

A caution needs to be given when informing a person not under arrest that they may be prosecuted for an offence.

10.2 Interviews

An **accurate record must be made of each interview**; which must state the place of interview, the time it begins and ends, any interview breaks and the names of all those present. The interview must be recorded in the authorised officers pocket notebook or on an interview record form.



11 AMENDMENTS TO THIS SUPPLEMENTARY GUIDANCE DOCUMENT

It may be necessary, for instance with the issuing of new guidance by Government, for amendments to be made to this document. If there are no statutory reasons to amend this document, it shall be reviewed every 2 years.

Any matters of legal doubt will be assessed by the Council's Regulatory Law team.



Department
for Business
Innovation & Skills

Better
Regulation
Delivery Office

Regulators' Code

Foreword



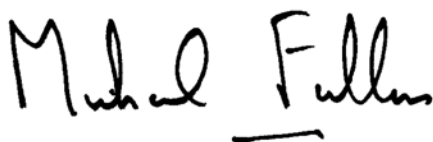
In the Autumn Statement 2012 Government announced that it would introduce a package of measures to improve the way regulation is delivered at the frontline such as the Focus on Enforcement review of appeals, the proposed Growth Duty for non-economic regulators and the Accountability for Regulator Impact measure.

This Government is committed to reducing regulatory burdens and supporting compliant business growth through the development of an open and constructive relationship between regulators and those they regulate. The Regulators' Code provides a flexible, principles based framework for regulatory delivery that supports and enables regulators to design their service and enforcement policies in a manner that best suits the needs of businesses and other regulated entities.

Our expectation is that by clarifying the provisions contained in the previous Regulators' Compliance Code, in a shorter and accessible format, regulators and those they regulate will have a clear understanding of the services that can be expected and will feel able to challenge if these are not being fulfilled.

Regulators within scope of the Regulators' Code are diverse but they share a common primary purpose – to regulate for the protection of the vulnerable, the environment, social or other objective. This Code does not detract from these core purposes but seeks to promote proportionate, consistent and targeted regulatory activity through the development of transparent and effective dialogue and understanding between regulators and those they regulate.

I believe the Regulators' Code will support a positive shift in how regulation is delivered by setting clear expectations and promising open dialogue. Ultimately this will give businesses greater confidence to invest and grow.

A handwritten signature in black ink that reads "Michael Fallon". The signature is written in a cursive, flowing style.

Michael Fallon
Minister of State for Business and Enterprise
Department for Business, Innovation and Skills

Regulators' Code

This Code was laid before Parliament in accordance with section 23 of the Legislative and Regulatory Reform Act 2006 ("the Act"). Regulators whose functions are specified by order under section 24(2) of the Act **must** have regard to the Code when developing policies and operational procedures that guide their regulatory activities. Regulators must equally have regard to the Code when setting standards or giving guidance which will guide the regulatory activities of other regulators. If a regulator concludes, on the basis of material evidence, that a specific provision of the Code is either not applicable or is outweighed by another relevant consideration, the regulator is not bound to follow that provision, but should record that decision and the reasons for it.

1. Regulators should carry out their activities in a way that supports those they regulate to comply and grow

1.1 Regulators should avoid imposing unnecessary regulatory burdens through their regulatory activities¹ and should assess whether similar social, environmental and economic outcomes could be achieved by less burdensome means. Regulators should choose proportionate approaches to those they regulate, based on relevant factors including, for example, business size and capacity.

1.2 When designing and reviewing policies, operational procedures and practices, regulators should consider how they might support or enable economic growth for compliant businesses and other regulated entities², for example, by considering how they can best:

- understand and minimise negative economic impacts of their regulatory activities;
- minimising the costs of compliance for those they regulate;
- improve confidence in compliance for those they regulate, by providing greater certainty; and
- encourage and promote compliance.

1.3 Regulators should ensure that their officers have the necessary knowledge and skills to support those they regulate, including having an understanding of those they regulate that enables them to choose proportionate and effective approaches.

1.4 Regulators should ensure that their officers understand the statutory principles of good regulation³ and of this Code, and how the regulator delivers its activities in accordance with them.

2. Regulators should provide simple and straightforward ways to engage with those they regulate and hear their views

2.1 Regulators should have mechanisms in place to engage those they regulate, citizens and others to offer views and contribute to the development of their policies and service standards. Before changing policies, practices or service standards, regulators should consider the impact on business and engage with business representatives.

¹ The term 'regulatory activities' refers to the whole range of regulatory options and interventions available to regulators.

² The terms 'business or businesses' is used throughout this document to refer to businesses and other regulated entities.

³ The statutory principles of good regulation can be viewed in Part 2 (21) on page 12: http://www.legislation.gov.uk/ukpga/2006/51/pdfs/ukpga_20060051_en.pdf.

- 2.2 In responding to non-compliance that they identify, regulators should clearly explain what the non-compliant item or activity is, the advice being given, actions required or decisions taken, and the reasons for these. Regulators should provide an opportunity for dialogue in relation to the advice, requirements or decisions, with a view to ensuring that they are acting in a way that is proportionate and consistent.

This paragraph does not apply where the regulator can demonstrate that immediate enforcement action is required to prevent or respond to a serious breach or where providing such an opportunity would be likely to defeat the purpose of the proposed enforcement action.

- 2.3 Regulators should provide an impartial and clearly explained route to appeal against a regulatory decision or a failure to act in accordance with this Code. Individual officers of the regulator who took the decision or action against which the appeal is being made should not be involved in considering the appeal. This route to appeal should be publicised to those who are regulated.
- 2.4 Regulators should provide a timely explanation in writing of any right to representation or right to appeal. This explanation should be in plain language and include practical information on the process involved.
- 2.5 Regulators should make available to those they regulate, clearly explained complaints procedures, allowing them to easily make a complaint about the conduct of the regulator.
- 2.6 Regulators should have a range of mechanisms to enable and regularly invite, receive and take on board customer feedback, including, for example, through customer satisfaction surveys of those they regulate⁴.

3. Regulators should base their regulatory activities on risk

- 3.1 Regulators should take an evidence based approach to determining the priority risks in their area of responsibility, and should allocate resources where they would be most effective in addressing those priority risks.
- 3.2 Regulators should consider risk at every stage of their decision-making processes, including choosing the most appropriate type of intervention or way of working with those regulated; targeting checks on compliance; and when taking enforcement action.
- 3.3 Regulators designing a risk assessment framework⁵, for their own use or for use by others, should have mechanisms in place to consult on the design with those affected, and to review it regularly.
- 3.4 Regulators, in making their assessment of risk, should recognise the compliance record of those they regulate, including using earned recognition approaches and should consider all available and relevant data on compliance, including evidence of relevant external verification.
- 3.5 Regulators should review the effectiveness of their chosen regulatory activities in delivering the desired outcomes and make any necessary adjustments accordingly.

⁴ The Government will discuss with national regulators a common approach to surveys to support benchmarking of their performance.

⁵ The term 'risk assessment framework' encompasses any model, scheme, methodology or risk rating approach that is used to inform risk-based targeting of regulatory activities in relation to individual businesses or other regulated entities.

4. Regulators should share information about compliance and risk

- 4.1 Regulators should collectively follow the principle of “collect once, use many times” when requesting information from those they regulate.
- 4.2 When the law allows, regulators should agree secure mechanisms to share information with each other about businesses and other bodies they regulate, to help target resources and activities and minimise duplication.

5. Regulators should ensure clear information, guidance and advice is available to help those they regulate meet their responsibilities to comply

- 5.1 Regulators should provide advice and guidance that is focused on assisting those they regulate to understand and meet their responsibilities. When providing advice and guidance, legal requirements should be distinguished from suggested good practice and the impact of the advice or guidance should be considered so that it does not impose unnecessary burdens in itself.
- 5.2 Regulators should publish guidance, and information in a clear, accessible, concise format, using media appropriate to the target audience and written in plain language for the audience.
- 5.3 Regulators should have mechanisms in place to consult those they regulate in relation to the guidance they produce to ensure that it meets their needs.
- 5.4 Regulators should seek to create an environment in which those they regulate have confidence in the advice they receive and feel able to seek advice without fear of triggering enforcement action.
- 5.5 In responding to requests for advice, a regulator's primary concerns should be to provide the advice necessary to support compliance, and to ensure that the advice can be relied on.
- 5.6 Regulators should have mechanisms to work collaboratively to assist those regulated by more than one regulator. Regulators should consider advice provided by other regulators and, where there is disagreement about the advice provided, this should be discussed with the other regulator to reach agreement.

6. Regulators should ensure that their approach to their regulatory activities is transparent

- 6.1 Regulators should publish a set of clear service standards, setting out what those they regulate should expect from them.
- 6.2 Regulators' published service standards should include clear information on:
 - a) how they communicate with those they regulate and how they can be contacted;
 - b) their approach to providing information, guidance and advice;
 - c) their approach to checks on compliance⁶, including details of the risk assessment framework used to target those checks as well as protocols for their conduct, clearly setting out what those they regulate should expect;

⁶ Including inspections, audit, monitoring and sampling visits, and test purchases.

- d) their enforcement policy, explaining how they respond to non-compliance;
 - e) their fees and charges, if any. This information should clearly explain the basis on which these are calculated, and should include an explanation of whether compliance will affect fees and charges; and
 - f) how to comment or complain about the service provided and routes to appeal.
- 6.3 Information published to meet the provisions of this Code should be easily accessible, including being available at a single point⁷ on the regulator's website that is clearly signposted, and it should be kept up to date.
- 6.4 Regulators should have mechanisms in place to ensure that their officers act in accordance with their published service standards, including their enforcement policy.
- 6.5 Regulators should publish, on a regular basis, details of their performance against their service standards, including feedback received from those they regulate, such as customer satisfaction surveys, and data relating to complaints about them and appeals against their decisions.

⁷ This requirement may be satisfied by providing a single web page that includes links to information published elsewhere.

Monitoring the effectiveness of the Regulators' Code

The Government is committed to making sure the Regulators' Code is effective. To make sure that the Code is being used effectively, we want businesses, regulated bodies and citizens to challenge regulators who they believe are not acting in accordance with their published policies and standards. It is in the wider public interest that regulators are transparent and proportionate in their approaches to regulation.

The Government will monitor published policies and standards of regulators subject to the Regulators' Code, and will challenge regulators where there is evidence that policies and standards are not in line with the Code or are not followed.

© Crown copyright 2014

You may re-use this information (not including logos) free of charge in any format or medium, under the terms of the Open Government Licence. Visit www.nationalarchives.gov.uk/doc/open-government-licence, write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or email psi@nationalarchives.gsi.gov.uk.

This publication is also available on our website at:
<https://www.gov.uk/government/publications/regulators-code>

Any enquiries regarding this publication should be sent to:

Better Regulation Delivery Office
Department for Business, Innovation and Skills
Lower Ground Floor
Victoria Square House
Victoria Square
Birmingham B2 4AJ

Tel: 0121 345 1200

If you require this publication in an alternative format, email brdo.enquiries@bis.gsi.gov.uk or call 0121 345 1200.

URN: BRDO/14/705

This page is intentionally left blank



Chesterfield Borough Council

‘What you can expect from Environment Health’

This document explains what you can expect of Environment Health at Chesterfield Borough Council. Whether you operate a business, are an employee or a member of the public, we are committed to providing you with an efficient, courteous and helpful service and this document tells you how we aim to do that and what standards we will meet.

1. What does Environmental Health do?

We deliver services in a number of areas:

Environmental Health			
Food Safety <ul style="list-style-type: none"> • Hygiene standards • Food safety • Imported foods • Food related illnesses • Food Hygiene Rating Scheme • Approved premises 	Health and Safety <ul style="list-style-type: none"> • Health and safety standards in relevant premises we enforce, by <ul style="list-style-type: none"> - inspections - complaint investigations - advice - training/seminars • Attend the VAL Group • Accident investigations • Cooling Tower Registration • Tattoo Hygiene Rating Scheme 	Health Licences <ul style="list-style-type: none"> • Skin piercing registrations • Animal Boarding Establishments • Pet Shops • Riding Establishments 	Environmental Protection <ul style="list-style-type: none"> • Abandoned vehicles • Air quality monitoring • Contaminated land • Dog warden duties • Investigation of issues concerning public health and statutory nuisance (Noise/Odour etc.) • Regulation of emissions from industrial processes
Public Health <ul style="list-style-type: none"> Heart of Derbyshire Awards Breastfeeding Welcome Awards Healthy Eating initiatives <ul style="list-style-type: none"> - Eats, Meets and Treats - Fruit sessions - smoothie bike at events - hand washing in schools 			
Licensing			
Regulation of: <ul style="list-style-type: none"> • Hackney Carriage and Private Hire • Alcohol, late night refreshment and regulated entertainment • Gaming machines, betting shops, lotteries and Bingo establishments • Sexual Entertainment Venues • Scrap Metal dealers and collectors • Street and House to House Collections • Provide help and advice for licence applicants, legal representatives, other responsible authorities and members of the public • Compliance investigations and necessary enforcement action to promote public safety 			

We make a fundamental contribution to the maintenance and improvement of public health, safety, quality of life and wellbeing. The Council's vision is

"Putting our communities first"

We have three priorities to help us achieve our vision:

To make Chesterfield a thriving borough, we aim to:

- create jobs and safeguard existing ones
- deliver regeneration projects that make the borough a better place
- assist businesses to expand and attract new ones to the borough

- attract more visitors to the borough
- improve the cultural facilities and activities available to residents and visitors

To improve the quality of life for local people, we aim to;

- improve the quality of housing in the borough
- reduce anti-social behaviour, crime and the fear of crime
- keep our streets, parks and open spaces clean, tidy and well managed
- encourage people to recycle more
- encourage people to lead healthy and active lifestyles
- reduce inequality and improve standards of living

To provide value-for-money services, we aim to:

- deliver the best quality services possible with reduced funding
- provide effective services that put customers first
- make it easier for customers to contact us
- find new ways to deliver services that improve efficiency, save money or generate income
- value and develop our staff in order to reach their full potential

Our four values show how we will work:

Customer focused: delivering great customer service, meeting customer needs

Can do: striving to make a difference by adopting a positive attitude

One council, one team: proud of what we do, working together for the greater good

Honesty and respect: embracing diversity and treating everyone fairly

The council plan enables us to prioritise the actions it needs to take to achieve our priorities a copy is available at: <https://www.chesterfield.gov.uk/media/145453/chesterfield-borough-council-plan-2015-16.pdf>

We determine our activities each year by our service planning process using data and other information available to us to ensure our resources are targeted appropriately. Where possible we assess the needs of local people and our local business community and considering the risks that require addressing. Our current work programme is available by contacting us on the contacts below.

We are committed to being transparent in our activities. Performance plus is undergoing review currently and will be available in 2017.

2. How we work

We follow the guiding principles set down by the [Regulators Code](#) and strive to reduce regulatory burden on businesses and support regulatory growth.

We carry out all our activities in a way that supports those we regulate to comply and grow.

We ensure that information and guidance is available to help those we regulate to meet their statutory obligations. Where you need advice that is tailored to your particular needs and circumstances we will provide this.

We use a risk based approach to target our resources, including in planning how we monitor and check compliance with statutory requirements.

- Food Safety
Using the Food Law Code of Practice Annex 5 from the Food Standards Agency which uses a risk based scoring matrix to determine the frequency of routine inspections.
Link to Food Law Code of Practice
https://www.food.gov.uk/sites/default/files/Food%20Law%20Code%20of%20Practice%20-%202015_1.pdf
- Health and Safety
Using Health and Safety Executive LAC 67/2 which uses a risk based scoring matrix to determine the frequency of routine inspections.
Link to LAC 67/2 www.hse.gov.uk/lau/lacs/67-2.htm
- Licensing
<https://www.chesterfield.gov.uk/business/licensing-and-regulation.aspx>
- Environmental Protection
We deal proportionately with breaches of the law as set out in our Enforcement Policy, available at <https://www.chesterfield.gov.uk/media/140436/environment-enforcement-policy.pdf> including taking firm enforcement action when necessary.

Our service will be delivered in accordance with the requirements of the [Regulators' Code](#).

3. Working with businesses and others we regulate

In all your dealings with us you can expect, and will receive, an efficient and professional service. Our team of officers will:

- Be courteous and polite
- Always identify themselves by name in dealings with you, and provide contact details
- Seek to gain an understanding of how your business operates and the pressures you face
- Provide details of how to discuss any concerns you may have
- Agree timescales, expectations and preferred methods of communication with you
- Ensure that you are kept informed of progress on any outstanding issues.

Chesterfield is committed to giving an equal service to all. This means that customers should not be treated any differently because of their disability, ethnicity, religion, special needs, language, sexual orientation, gender or age. We challenge discrimination and take positive action for equal opportunities. See our policy here: - <https://www.chesterfield.gov.uk/living-here/people-and-families/equality-and-diversity.aspx>

The Council has access to an external agencies providing translation services. This allows us to communicate with people whose English is limited on the telephone or written communication.

We recognise that your business will receive advice and inspections from other organisations, and we will do our best to work with them to ensure that you receive the best service.

4. Helping you to get it right

We want to work with you to help your business to be a success, and it is important to us that you feel able to come to us for advice when you need it. We won't take formal action just because you tell us that you have a problem.

We make information and guidance on meeting statutory obligations available on our website at www.chesterfield.gov.uk. Guidance from specific agencies is given in Appendix 1.

Where you need advice to help you to meet your legal obligations we will:

- Provide advice that supports compliance and that can be relied on
- Provide advice that is appropriate for your circumstances and is not overly burdensome
- Provide clear advice that can be easily understood and implemented
- Distinguish legal requirements from suggested good practice
- Ensure that any verbal advice you receive is confirmed in writing if requested
- Acknowledge good practice and compliance.

5. Inspections and other compliance visits

We monitor and support compliance in a number of different ways including through inspections, sampling visits, test purchases, advisory visits and complaint investigations. These visits will always be based on an assessment of risk. We will give you notice that we intend to visit unless we have specific reason to believe that an unannounced visit is more appropriate.

When we visit you our officers will:

- Explain the reason and purpose of the visit
- Carry their identification card, and present it on request when visiting your premises
- Exercise discretion in front of your customers and staff
- Have regard to how you approach compliance within your business, and use this information to inform future interactions with you
- Provide advice to support you in meeting your statutory obligations, if required

As most of our work is statutory then we do not charge for inspection or compliance visits. Every effort is made to avoid the necessity for enforcement action by sending informal letters/schedules of works and having discussion with property owners. If the works are not carried out and enforcement notices have to be served a fee is charged to recover some of the costs incurred. No fees are charged for informal action or for giving advice.

Charges apply to the issue of licences or registration and these are detailed in our Fees and Charges Schedule at:-

Animal and Pest Control Fees

<https://www.chesterfield.gov.uk/health-and-environment/animal-and-pest-control.aspx>

DEFRA Environmental Permitting Fees

<https://www.gov.uk/government/publications/environmental-regulation-of-industrial-plant-fees-and-charges>

Stray Dog Fees

<https://www.chesterfield.gov.uk/health-and-environment/animal-and-pest-control/dogs/stray-dogs.aspx>

Licensing Act 2003 Fees

<https://www.chesterfield.gov.uk/business/licensing-and-regulation/licensing-act-2003/licensing-act-2003-fees.aspx>

Animal Licensing Fees

<https://www.chesterfield.gov.uk/business/licensing-and-regulation/animal-licensing.aspx>

6. Responding to non-compliance

Where we identify any failure to meet legal obligations, we will respond proportionately, taking account of the circumstances, in line with our Enforcement Policy.

<https://www.chesterfield.gov.uk/media/140436/environment-enforcement-policy.pdf>

Where we require you to take action to remedy any failings we will:

- Explain the nature of the non-compliance
- Discuss what is required to achieve compliance, taking into account your circumstances
- Clearly explain any advice, actions required or decisions that we have taken
- Agree timescales that are acceptable to both you and us, in relation to any actions required
- Provide in writing details of how to appeal against any advice provided, actions required or decisions taken, including any statutory rights to appeal
- Explain what will happen next, including any timescales
- Keep in touch with you, where required, until the matter is resolved

7. Requests for our service

We respond to requests for assistance that we receive, including requests for advice and complaints about breaches of the law. We will:

- Make every effort to acknowledge your request within 3 working days
- Tell you when you can expect a substantive response
- Seek to fully understand the nature of your request
- Explain what we may or may not be able to do, so that you know what to expect
- Keep you informed of progress throughout our involvement
- Provide clear advice where appropriate
- Inform you of the outcome as appropriate
- Keep your contact details confidential

A detailed breakdown of our response times and expected resolution times is available in Appendix 1, however, please be aware that a risk based judgment will be made by officers to determine whether a more prompt response is required.

8. What you can do for us

The Council has respect for all its customers and employees and our aim is to provide all our customers with a high level of service and we ask that you help us with this by:

- Being aware that we cannot always make an appointment or advise that we intend to visit
- When requesting advice or information give us a reasonable amount of time to respond especially for those that are particularly complicated or need detailed investigation
- Treating our staff with respect
- Not using bad language, being abusive or acting in a threatening manner
- Providing the information we need to deliver our services
- Telling us when something goes wrong
- Remembering that we are here to help and assist you

Chesterfield Borough Council will not accept any form of abuse or discriminatory behaviour against our staff or our customers.

9. Our Team

We have a dedicated team of officers who have the appropriate qualifications, skills and experience to deliver the services provided. We have arrangements in place to ensure the ongoing professional competency of all officers.

Where specialist knowledge is required in an area outside of our expertise we have arrangements in place, with both neighbouring authorities and other regulatory organisations, to call on additional resources as necessary.

10. Working with others

Environmental Health work closely with other council services such as Housing, Neighbourhoods Rangers, Licensing, Planning and Economic Development and our aim is to provide a streamlined service.

We are part of a much wider regulatory system in Derbyshire. We have good working relationships with other regulators and this enables us to deliver a more joined up and consistent service. This includes sharing information and data on compliance and risk, where the law allows, helping target regulatory resources. Some of our partners include:-

Police	Community Safety Partnership
Fire Service	Derbyshire County Council Trading Standards
Health and Safety Executive	Food Standards Agency
Environment Agency	Public Health England

Our officers are familiar with the work of our partners and can signpost you to the advice and guidance you need. We fall into both D2N2 the Local Enterprise Partnership for Derby, Derbyshire, Nottingham and Nottinghamshire www.d2n2lep.org and Sheffield City Region SRC Local Enterprise Partnership <http://sheffieldcityregion.org.uk/about/overview>. As part of this partnership the Better Business Regulation (BBR) project aims to support businesses primarily by making business regulations easier to access and understand. If you have any comments or concerns regarding the way in which the local regulatory system is operating you can contact either of these above partnerships via their websites.

We also operate Chesterfield innovation support programme, a project to support businesses in the Chesterfield area. Find out more about the above here

<https://www.chesterfield.gov.uk/business/regeneration/business-support.aspx>

11. Comments Complaints Compliments

We value input from you to help us ensure our service is meeting your needs. We would like to hear from you whether your experience of us has been good or in need of improvement. This helps us to ensure we keep doing the right things and make changes where we need to. We are constantly looking for feedback on our services. We welcome any feedback that that will assist us in improving our services.

Whether you wish to make a Comment, Complaint or a Compliment you are encouraged to do so by either:-

- Informing a member of our staff
- Telephoning or text us on 01246 345345
- Writing to us - Chesterfield Borough Council, Town Hall, Rose Hill, Chesterfield. S40 1LP
- Completing our Comments Complaints Compliments online form
<https://secure.chesterfield.gov.uk/forms/?contactus>

Full details of our Comments Complaints Compliments Policy may be viewed at

<https://www.chesterfield.gov.uk/media/145496/complaints-comments-compliments-guidance.pdf>

Any feedback that we receive will be acknowledged, considered and responded to. We are always willing to discuss with you the reasons why we have acted in a particular way, or asked you to act in a particular way.

You can contact Catherine Bromhall
(Senior Environmental Health Officer, Food, Health and Safety and Communicable Disease)
Tel: 01246 345749
Email: catherine.bromhall@chesterfield.gov.uk
By post: Chesterfield Borough Council, Town Hall, Rose Hill, Chesterfield. S40 1LP.

Esther Thelwell
(Senior Environmental Health Officer, Environmental Protection Team)
Tel: 01246 345767
Email: esther.thelwell@chesterfield.gov.uk
By post: Chesterfield Borough Council, Town Hall, Rose Hill, Chesterfield. S40 1LP.

Trevor Durham
(Licensing Manager)
Tel: 01246 345203
Email: trevor.durham@chesterfield.gov.uk
By post: Chesterfield Borough Council, Customer Service Centre, 85 New Square, Chesterfield. S40 1AH

12. How to contact us

Environmental Health

Telephone: 01246 345345

Email: food@chesterfield.gov.uk
pollution@chesterfield.gov.uk

By post: Chesterfield Borough Council, Town Hall, Rose Hill, Chesterfield. S40 1LP

In person Stonegravels depot, Old Brick Works Lane, Stonegravels, Chesterfield. S41 7LF
Monday to Friday 8am until 5pm

Licensing

Telephone: 01246 345230

Email: licensing@chesterfield.gov.uk

By post: Chesterfield Borough Council, Town Hall, Rose Hill, Chesterfield. S40 1LP

In person Monday: 10am to 12pm, 1pm to 4pm
Tuesday: 1pm to 4pm
Wednesday: 10am to 12pm, 1pm to 4pm
Thursday: 1pm to 4pm
Friday: 10am to noon, 1pm to 3.30pm at Customer Service Centre, 85 New Square, Chesterfield, S40 1SN

We will seek to work with you in the most appropriate way to meet your individual needs. We can make information available in different formats, and have access to translation and interpretation services.

If you contact us we will ask you for your name and contact details to enable us to keep in touch with you as the matter progresses. We treat all contact with the service in confidence unless you have given us permission to share your details with others as part of the matter we are dealing

with on your behalf or there is an operational reason why we need to do so. We will respond to anonymous complaints and enquiries where we judge it appropriate to do so.

Personal data will be managed in accordance with Chesterfield Borough Council's Data Protection Policy. <https://www.chesterfield.gov.uk/your-council/your-chesterfield/freedom-of-information/data-protection-act.aspx>

Our Community Engagement Strategy brings together Chesterfield Borough Council's community engagement activities into one overarching framework for the borough, to better coordinate how we engage with our customers and communities.

The strategy incorporates our community engagement standards, including guidance on consultation subjects, timing, accessibility, transparency, and other practical considerations such as choosing the appropriate type of engagement and tools.

The Community Engagement Strategy recognises the diversity of our communities and the need to provide appropriate opportunities for customers and communities to participate and influence service delivery, decision making and policy development. See our strategy here <https://www.chesterfield.gov.uk/your-council/your-chesterfield/community-engagement.aspx>

Appendix 1 Breakdown of our response times and expected resolution times

ENVIRONMENTAL HEALTH

This section includes

- Food Safety,
- Health and Safety
- Health Licences
- Environmental Protection

Complaints and requests for all service areas

We will:-	<ul style="list-style-type: none">• Comply with all statutory time limits• Undertake a first response to your service request or complaint within 3 working days.• Reply to your written correspondence within 5 working days.• If we can't send you a full response, we will send an acknowledgment followed by a full response or update within 20 working days.• Give you verbal or written confirmation of the outcome when we have finished dealing with your request or complaint if required.
-----------	--

Commercial Premises Interventions and Inspections

We will:-	<ul style="list-style-type: none">• Answer questions either when we carry out an intervention/inspection or as soon as possible afterwards if we cannot give you an answer immediately.• Give you advice and information on proposed works or improvements to premises before you begin the work.• Carry out interventions in line with our legal duty, codes of practice, recognised guidance and good practice.• Leave a hand written report or a verbal summary at the time of the visit and if required send a written report within 14 days.• Meet all legal time limits, for example:-<ul style="list-style-type: none">- Determine applications for permitted processes within the timescales given in the relevant guidance note.- Determine animal welfare licences and skin piercing registrations within 28 days of an appropriate application being received.
-----------	--

LICENSING

We will:-	<ul style="list-style-type: none">• Be available during the working week either by telephone, by appointment at the council offices or when necessary at the business premises to answer questions regarding licence applications• Provide information in clear and simple terms• Consult with the trade on all aspects of the taxi licence function, particularly the council's Conditions and Specifications and seek comments at every opportunity.• Comply with all statutory time limits
-----------	--

	<ul style="list-style-type: none"> • Respond to service requests/ complaints • Respond to letters • Determine licence applications from completion of statutory consultation periods (Licensing Act 2003 and Gambling Act 2005) • Determine licence applications from receipt of completed application • Undertake multi-agency enforcement initiatives as part of a co-ordinated response in seeking compliance by licence holders
--	--

Further information	<p>Senior Environmental Health Officers</p> <p>01246 345749 – Food, Health and Safety and Communicable Disease. food@chesterfield.gov.uk</p> <p>01246 345767 – Environmental Protection pollution@chesterfield.gov.uk</p>
Further information	<p>Licensing Manager</p> <p>01246 345203 licensing@chesterfield.gov.uk</p>

Website / information links	https://www.chesterfield.gov.uk/business/licensing-and-regulation.aspx
-----------------------------	---

Website / information links	<p>Food Standards Agency www.food.gov.uk</p> <p>Health and Safety Executive www.hse.gov.uk</p> <p>Permitted Processes www.defra.gov.uk/industrial-emissions https://www.gov.uk/government/organisations/environment-agency</p>
-----------------------------	---

For publication

Asbestos Management Compliance Update (HC000)

Meeting:	Cabinet
Date:	13 March 2018
Cabinet portfolio:	Cabinet Member for Homes and Customers Cabinet Member for Health and Wellbeing
Report by:	Assistant Director – Housing Assistant Director – Health and Wellbeing

For publication

1.0 Purpose of Report

- 1.1 To provide Cabinet with an update in respect of the Asbestos Management Compliance Review and to seek approval to adopt a new Asbestos Policy for the Council.

2.0 Recommendations

- 2.1 That Cabinet notes the improved position in respect of Asbestos Management compliance and the outstanding work still to be delivered in the associated Action Plan.
- 2.2 That the Asbestos Management Compliance Sub Group continues to oversee the implementation of the outstanding actions set out in the Asbestos Compliance Action Plan and reports progress to the Corporate Health and Safety Committee on a quarterly basis.
- 2.3 That Cabinet approves the adoption of the new Asbestos Policy 2018 – 2021.

- 2.4 That further reports are brought to Cabinet as and when plans, policies, procedures and strategies are prepared, reviewed and updated.

3.0 Background

- 3.1 On 3 November 2015 Cabinet received a report in respect of an Asbestos Management Compliance Review that had taken place in respect of both the Council's non-domestic (Corporate) and domestic (Housing) property portfolios. The purpose of the review, undertaken by Savills on behalf of the Council, was to establish the current status of asbestos compliance in relation to domestic and non-domestic premises, to identify any shortcomings and make recommendations in relation to prioritised actions to ensure best practice. A detailed RAG rated Action Plan formed part of the report. A copy of this report is attached at **Appendix 1**.
- 3.2 In order to deliver the actions contained within this report cabinet approved the establishment of an Asbestos Management Compliance Sub Group, reporting to the Corporate Health and Safety Committee to oversee the implementation of the Action Plan.
- 3.3 Since this time, the Sub Group, assisted by Savills (who have continued to provide consultancy support) have undertaken a significant amount of work in order to deliver actions identified in the Corporate and Housing Action Plans.
- 3.4 The purpose of this report is to provide Cabinet with an up to date position in respect of this work and to seek approval for the first of a series of Asbestos Management related policies and procedures.

4.0 Progress

- 4.1 Overall, good progress has been made in relation to the individual Corporate and Housing Action Plans, with many areas being cross

cutting. In addition there has been improved co-ordination between Housing and the Corporate Health and Safety Unit in respect of asbestos management. Some of the key aspects of these improvements are identified below, together with examples of work that is still required to complete all of the actions.

4.2 Corporate Action Plan (attached at **Appendix 2**)

4.2.1 A comprehensive re-survey programme of the corporate property portfolio is almost complete and the associated survey data will soon be available to view. Specialist consultancy services were procured in order to review and verify the survey information as it was received.

4.2.2 The completed survey data is currently being uploaded onto the Keystone Asbestos Register (which has been extended from Housing Services to include information in respect of the corporate property portfolio) for use by officers in the Health and Safety Unit, Commercial Services, Kier and other contractors when carrying out work to these properties.

4.2.3 There are a number of actions which continue to be developed but are not wholly completed yet, these include the development of a 'Communications Strategy' which will ensure that tenants, lessees and building occupants are provided with more detailed asbestos related information that is suitable for the different individual tenancy types. The provision of this information will demonstrate good practice by informing those who may otherwise accidentally disturb ACM's simply by occupying a commercial tenancy.

4.2.4 Other actions yet to be completed are highlighted in amber at **Appendix 2.**

4.3 Housing Action Plan (attached at **Appendix 3**)

4.3.1 A review of the management surveys of the non-domestic areas (common parts e.g. entrance halls / stairwells / storage areas)

within blocks of flats has been fully completed and an ongoing re-inspection cycle has been agreed on a risk basis. This is the combined risk score based on location of asbestos /likelihood of disturbance e.g. hidden away in inaccessible boiler and the type of asbestos e.g. chrysotile (low risk). The completed survey data (undertaken in 2017) has identified that there are no high asbestos risks in the Housing property portfolio e.g. crocidolite in poor condition and in an easily accessible, high traffic area.

4.3.2 Approximately 40% of all properties / communal areas have had Refurbishment & Demolition surveys carried out in order to ensure that suitable data is available to pass onto Commercial Services and other contractors who carry out works to Housing properties. This information is made available on a web-based system which allows access remotely.

4.3.3 A Communications strategy has been partly developed – with the Council’s web-site updated and a leaflet has been published for tenants’ information. There are still some other communications elements that require final completion generally in order to disseminate the survey results to tenants in respect of their individual homes.

4.4 Outstanding Actions

4.4.1 There are a number of actions which continue to be developed but are not wholly completed yet these include;

- The procurement of retained asbestos surveying, analytical and removal contractors, for both the Corporate and Housing property portfolios, rather than procuring these services on a project by project basis as is current practice.
- Giving consideration to increasing the current compliance management and auditing structure.
- Finalising a review of the existing compliance documentation and procedures, the first of which is set out below. Additional documents will be brought to Cabinet for adoption as they are

completed, including an Asbestos Management Plan, Communications Strategy.

4.4.2 The Asbestos Management Compliance Sub Group will continue to meet, indefinitely, on a quarterly basis to review and update both the Corporate and Housing Action Plans, discuss and implement any legislative or policy changes, discuss and agree any lessons learned from incidents or near misses and general management about asbestos related risk to the Council.

4.4.3 Asbestos in both the Corporate Property Portfolio and Housing Stock will continue to be re-inspected on at least an annual basis in accordance with the Control of Asbestos Regulations 2012 and the HSE ACOP for Asbestos Management L127.

4.5 Asbestos Policy

4.5.1 Savills, in consultation with the Asbestos Management Compliance Sub Group have developed an Asbestos Policy (attached at **Appendix 4**). This document outlines the Council's controls and responsibilities to manage asbestos effectively and safely in line with the Control of Asbestos Regulations 2012 and Health & Safety at Work Act 1974.

4.5.2 It pulls together all of the information, policies and procedures relating to managing asbestos in the Council's non domestic and domestic properties.

4.5.3 It also sets out the responsibilities for asbestos management and how these are allocated to specific employees and all other employees.

5.0 **Financial Implications**

5.1 As part of the procurement process for the Compliance Review, Savills fees allowed for the provision of support with the implementation of the Action Plan and the provision of a full suite

of related compliance documentation for both the domestic and non-domestic property portfolio's, including policies, procedures and an asbestos management plan.

- 5.2 As part of this procurement and contained with the report to Cabinet on 3 November 2015, it was agreed that the associated fees of £39,500 would be met by the Housing Revenue Account, for which a budget of £50,000 is available for consultants / professional services annually.
- 5.3 Any additional assistance in relation to the Corporate Property portfolio resurveys and the implementation of the Keystone Asbestos Register have been procured separately and met by the General Fund.
- 5.4 As outstanding recommended actions arising from the action plan are implemented, further reports and financial implications will be reported to Cabinet as and when necessary.

6.0 Human Resource Implications

- 6.1 There are no human resource implications arising from this report.

7.0 Risk Management

Description of the Risk	Impact	Likelihood	Mitigating Action	Impact	Likelihood
Failure to fully comply with recent changes to related Asbestos Management Legislation, resulting in	High	Medium	Continue to implement actions recommended within the compliance review Review and	Low	Low

an investigation / prosecution from the HSE			audit as part of an ongoing compliance regime		
Insufficient data relating to the presence of asbestos results in exposure to a building occupant, employee, contractor or tenant	High	Medium	Ensure properties are routinely surveyed, asbestos removed or encapsulated where required and information shared as appropriate	Low	Low

8.0 Equalities Impact Assessment (EIA)

8.1 A preliminary Equalities Impact Assessment is attached at **Appendix 5**.

9.0 Recommendations

9.1 That Cabinet notes the improved position in respect of Asbestos Management compliance and the outstanding work still to be delivered in the associated Action Plan.

9.2 That the Asbestos Management Compliance Sub Group continues to oversee the implementation of the outstanding actions set out in the Asbestos Compliance Action Plan and reports progress to the Corporate Health and Safety Committee on a quarterly basis.

9.3 That Cabinet approves the adoption of the new Asbestos Policy 2018 – 2021.

- 9.4 That further reports are brought to Cabinet as and when plans, policies, procedures and strategies are prepared, reviewed and updated.

10.0 Reasons for Recommendations

- 10.1 To ensure legislative and statutory obligations in relation to the management of asbestos risk are met.

Decision information

Key decision number	738
Wards affected	ALL
Links to Council Plan priorities	To contribute to the council's priorities to improve the quality of life for local people and to provide value for money services

Document information

Report author		Contact number/email
Peter Bartle		Extn. 5709 peter.bartle@chesterfield.gov.uk
Appendices to the report		
Appendix 1	Asbestos Compliance Review 2015 (Savills)	
Appendix 2	Corporate Action Plan (2018 position)	
Appendix 3	Housing Action Plan (2018 position)	
Appendix 4	Asbestos Policy	
Appendix 5	Preliminary Equalities Impact Assessment	

Chesterfield Borough Council

Asbestos Compliance Review

October 2015

Prepared For:



Chesterfield Borough Council
Town Hall
Rose Hill
Chesterfield
S40 1LP

Prepared By:



Savills (UK) Limited
33 Margaret Street
London
W1G 0JD

Chesterfield Borough Council

Asbestos Compliance Review

CONTENTS

1.0	EXECUTIVE SUMMARY	1
1.1	Summary.....	1
2.0	INTRODUCTION	2
2.1	The Brief	2
2.2	Interviews (Staff)	3
3.0	LEGAL CONTEXT / BEST PRACTICE	4
3.1	Legislation	4
3.2	Best Practice.....	5
3.3	Context of Recommendations	6
4.0	RECOMMENDATIONS	7
5.0	GLOSSARY / ABBREVIATIONS	9

Appendices

Appendix 1 – Recommendations Summary Tables (Housing and Corporate draft Action Plans)

1.0 Executive Summary

1.1 Summary

In summary good progress has been made over a period of years by those responsible for both Housing and Corporate Services to address asbestos related risk management at Chesterfield Borough Council (CBC). This is evidenced by the appropriate use of specialist surveyors and contractors, accumulated data and related operational processes and documentation. Notwithstanding this, it is evident through the process of review, there remain a number of concerns which, in the event of an inspection by the Health and Safety Executive may currently result in a less than satisfactory assessment.

This review has identified some gaps in assurance which need to be addressed.

These are identified in the separate Housing and Corporate recommendations (draft Action Plans within Appendix 1) respectively, which set out our view as to what actions ought to be considered and/or taken. Although listed separately for ease of application, it should be noted that a number of themes identified are common between Corporate and Housing and may therefore benefit from a joint approach.

At this time, post review, there has been a positive direction of travel. CBC has made as much progress as it can reasonably do pending approval/ endorsement of the recommended Action Plans.

For CBC to reach a point of robust assurance, the recommended actions need to be approved, implemented as a priority, and then reviewed and audited as part of an on-going compliance management regime.

If implemented in this way, the asbestos compliance position ought to move from limited to full assurance.

It should be noted that the recommendations being made within this review are the sort often made for organisations of this nature. This is however not to say that they are not important. Careful consideration of the recommendations within the Action Plans (appended) is recommended. In our view there should be a particular focus toward the recommendations around the commercial (non-domestic) premises.

2.0 Introduction

2.1 The Brief

- 2.1.1 Savills were commissioned by Chesterfield Borough Council (CBC) to conduct a preliminary audit/ review of asbestos compliance, adopting a methodology that is typically applied by the HCA and HSE in compliance audit circumstances. The purpose of this review has been to establish the current status of asbestos compliance, identify possible areas for improvement and make practical recommendations in relation to the Housing and Corporate sphere. Staff and contractor representatives have been interviewed, the Keystone (Housing) and Frontline (Corporate) register systems accessed and a wide cross section of relevant documentation, both policy and procedural, examined together with pro-forma templates, leaflets, information sheets, web data formats, contract specifications, advice notes, example survey reports, job descriptions etc. Recommendations are made with reference to prevailing legislation, approved codes of practice, published guidance and good practice.
- 2.1.2 Through review of the sample information gathered a broad gap analysis was undertaken to assist in identifying areas of limited assurance which has resulted in two draft Action Plans (under Appendix 1). Detailed procedures relating to the operations performed by specific external contractors, their operatives, or 'OSD' (CBC In-House service provider) in particular, were excluded other than the general strategic overview and examination of sample documentation/ the register data presented during interview with associated staff.
- 2.1.3 Site visits to practically test the findings of this review (or individual asbestos survey reports examined) have not been conducted at this stage; and it is not therefore intended to be interpreted as a forensic audit of specialist service providers employed by CBC (including asbestos removal contractors, surveyors, site analysts, or others working directly, or as sub-contractors). Such site auditing and routine method statement/ risk assessment review will however be appropriate as part of an enhanced CBC compliance management regime in the future and has been reflected within the recommendations made.

2.2 Interviews (Staff)

2.2.1 Informal meetings were held with the Housing team at Venture House, and with the Corporate team at Chesterfield Town Hall, where the key individuals involved directly or indirectly in the asbestos management process for CBC are based. Interviews were held on an informal basis and over a period of months during December 2014 to April 2015, in parallel with review of documentation and supplemental discussion via telephone. Staff were helpful, open and honest and enabled the differing operational aspects related to both the Corporate and Housing management operations to be assessed comprehensively. The draft report and recommendation based Action Plans were then subject to detailed review together with appropriate CBC staff, and updated to reflect recent progress made, in order to issue the final report in October 2015.

2.2.2 Julian Ransom of Savills undertook interview with the following staff/ committee members:

- Alison Craig - Housing Service Manager, Business Planning and Strategy (Housing Services)
- Roger Farrand - Design and Capital Investment Manager CBC (Housing Services)
- Marc Jasinski - Corporate Health & Safety Adviser (Corporate Services)
- Karen Brown - Business Transformation Manager CBC (Corporate Services)
- David Johnson - Assistant Health & Safety Adviser (Corporate Services)
- Paul Stepto - Asset Management Co-ordinator (Housing Services)
- Andy Granger - Capital Contracts Manager (Housing Services)
- Cathy Jones - Senior Quantity Surveyor (Housing Services)
- Martin Wainwright - Architectural Assistant (Housing Services)
- Peter Bartle - CDMC Business Planning & Strategy (Housing Services)
- Jon Vaughan - Facilities Maintenance Team Leader (Kier Asset Partnership Services Ltd)
- Matthew Sorby - Head of Contract [Chesterfield] (Kier Asset Partnership Services Ltd)
- Joanne O'Neal - Clerical Assistant (Kier Asset Partnership Services Limited)
- Martin Stone - CBC Assistant Executive Member for Housing
- Steven Oliver - CBC Solicitor
- Graham King - Chair CBC H&S Committee

2.2.3 Notes arising from interview, review of extracted Frontline and Keystone Register data, as well as considerable accumulated documentation, sample surveys and certification have been used to collate this report and summary recommendation.

3.0 LEGAL CONTEXT / BEST PRACTICE

As a Council responsible for civic/ corporate buildings, providing places of work and as a social housing provider, CBC has to satisfy statutory and legislative landlord compliance obligations to ensure that it provides a safe environment for its building occupiers and tenants. Amongst others, this covers legislation in relation to fire risk, gas safety, electrical safety, lifts, water testing and asbestos.

3.1 Legislation

In relation to the CBC residential and corporate portfolio the primary asbestos management legislation relevant is:

- The Control of Asbestos Regulations 2012 [CAR]
- The Health and Safety at Work Act 1974 [HASWA]
- The Construction (Design and Management) Regulations 2015

Regulation 4 of the above legislation (CAR) places a specific obligation upon 'duty holders' (owners and/or those responsible for maintenance) to manage asbestos within non-domestic premises (including corporate buildings and common parts of domestic dwellings). This requires identification of the location and condition of asbestos containing materials (ACMs), a corresponding risk assessment and written management plan to prevent harm to *anyone* who occupies or works upon the building.

In respect of the ACMs identified or presumed (through specialist survey), the duty holder must then:

- Monitor its condition;
- Maintain or safely remove it;
- Provide information regarding its location and condition to *every person* liable to disturb it; and
- Review the management plan and ensure it is implemented.

When commissioning work within a tenanted property, the duty to manage ACMs is extended to the relevant domestic area of that dwelling by virtue of the HASWA regulations. Specialist survey and risk assessment is therefore required within domestic areas of dwellings prior to undertaking any invasive work which may disturb ACMs present. While the direct responsibility of the 'employer' (of the operatives undertaking work) to ensure a safe working environment, the duty holder (the property owner/ those responsible for maintenance, i.e. CBC) responsibility extends to ensuring appropriate information is made available and where necessary that ACMs are safely removed. This responsibility is further re-iterated by the requirements placed upon the 'client' under part 2 (Client duties) Regulation 4 of the Construction (Design and Management) Regulations 2015 which states:

- 'A client *must provide pre-construction information as soon as is practicable* to every designer and contractor appointed, or being considered for appointment, to the project';
- Ensure 'the construction work can be carried out, so far as is reasonably practicable, *without risks to the health or safety of any person affected by the project*';
- 'Must make suitable arrangements for managing a project, including the allocation of sufficient time and other resources'.

3.2 Best Practice

In addition to the primary legislative regulation published, the HSE publish Approved Codes of Practice specifically in relation to asbestos compliance. A number of these carry 'special legal status', notably including ACOPL143 'Managing and Working with Asbestos' (December 2013) which sets out 'practical advice as to how to comply with the law' (i.e. the duty holder obligations within CAR 2012).

Other key HSE guidance publications relevant to asbestos management include HSG227 'A Comprehensive Guide to Managing Asbestos in Premises' and HSG264 'Asbestos The Survey Guide'. These are not compulsory, but state that 'if you do follow the guidance you will normally be doing enough to comply with the law'.

In addition to legislative compliance, many major landlords will go further and extend the principles within published guidance to adopt best practice and incorporate additional, demonstrable asbestos management measures to ensure the continued safety of staff, residents and contractors.

3.3 Context of Recommendations

This review has been prepared following consideration of current legislative requirements and guidance. We have also included areas for consideration which do not fall within either current legal mandate or published guidance requirements. This is for the following reasons:

1. Some landlords chose to go beyond the requirements set out in law or prevailing guidance in relation to certain issues around asbestos;
2. Within the draft Action Plans, we have therefore highlighted issues where CBC may practically wish to consider taking steps over and above any legal or direct guidance requirements in a deliberate effort to mitigate litigation, reputational and/or other risk. CBC are not obliged to do so.

It should be noted that the recommendations and draft Action Plans provided have been prepared following our review and subsequent detailed consultation with representatives within both the Housing Services and Corporate Services spheres.

4.0 RECOMMENDATIONS

- 4.1 Following review of all information made available, the following tables (Appendix 1) list the key summary recommendations arising. For ease of application (and to facilitate the subsequent development of operational Action Plans) these recommendations are presented using similar generic headings, but collated separately for the Housing and Corporate compliance areas respectively.
- 4.2 Additional columns can be added at a later stage if required in order to incorporate the 'clients' response and to list key resources, timelines, milestones, etc through which to clearly monitor and record revision and improvement to the asbestos compliance regime. The 'Red/ Amber/ Green' status allocated to each composite recommendation (numbered heading) are somewhat subjective, but are intended to provide a clear sequential representation of the compliance position overall and to provide a visual record over time of the implementation of measures to demonstrate a robust compliance regime overall.
- 4.3 Key strategic recommendations to CBC are:
1. Consider and approve the recommended Housing and Corporate recommendation Action Plans (Appendix 1):
 2. If approved, ensure systems are in place to deliver these Action Plans in a timely fashion, with adequate resources;
 3. Identify appropriate people to be accountable to deliver actions against discrete timescales and then monitor progress;
 4. Develop a robust audit function to provide assurance as to actions undertaken and compliance / identify future gaps in compliance; and
 5. We suggest that in 6 to 9 months time, CBC obtain a short addendum, independent report to provide external assurance that approved Action Plans are being appropriately progressed.

Note: Housing Services and Corporate Services teams need to work in a cooperative way to effectively implement the recommendations made. It is understood through review that CBCs intention is to set up a working group to do so. We support this proposal.

It should also be noted that while a number of actions within Appendix 1 are currently shown at 'Amber' status these still need to be actively progressed because overall there is currently limited assurance and if not progressed further, these actions may revert to 'Red' status.

5.0 GLOSSARY / ABBREVIATIONS

The following terms/ abbreviations are employed within the report and recommendations tables (Appended):

ACM	-	Asbestos Containing Material
AMP	-	Asbestos Management Plan
AIB	-	Asbestos Insulation Board
CAR	-	Control of Asbestos Regulations (2012)
CBC	-	Chesterfield Borough Council
CDM	-	Construction Design Management Regulations (2015)
Frontline	-	Asbestos Register system (CBC Corporate Services) via Frontline Data Ltd
H&S	-	Health and Safety
HSE	-	Health and Safety Executive
Keystone	-	Keystone Asbestos Register (KAR) system (CBC Housing Services)
MAN	-	Management Actions
MRA	-	Material Risk Assessment (HSE methodology HSG264)
Non-Domestic	-	Commercial areas, or corridors/ landings/ stairwells/ etc associated with residential blocks (often referred to as 'Communal' areas)
Northgate	-	Housing Management Information System (incl. repairs ordering)
OSD	-	CBC 'in-house' service provider (direct/partner service organisation)
PRA	-	Priority Risk Assessment (HSE methodology HSG264/227)
RA	-	Risk Assessments (MRA + PRA)
RAMS	-	Risk Assessment and Method Statement
R&D	-	Refurbishment and Demolition (pre-works) surveys
RIDDOR	-	Reporting Injuries Diseases and Dangerous Occurrences Regulations (1995)
RMSGAM	-	Risk Management Sub Group - Asbestos Management
TNA	-	Training Needs Assessment (HSE ACoP L143 methodology)
TOR	-	Terms of Reference
VFM	-	Value for money
UDC	-	User Defined Content (in this context an asbestos related pop up warning)

Appendix 1

Recommendations Summary (draft Action Plans)

Chesterfield Borough Council Asbestos Compliance Recommendations Action Plan:

Version: ISSUE 01

Date: Oct-2015



HOUSING

REF/RAG	Title:	Activity / Task:	Legal Requirement:	Notes:	Responsibility/Input:
1A	Asbestos Compliance Audit + Action Plan	Commission a CBC strategic asbestos compliance review and recommendations.	No	Undertake an asbestos specific compliance review and compile a related 'asbestos compliance recommendations action plan'. Review undertaken by Savills (autumn 2014/ spring 2015) and recommendation action plan developed (spring/summer 2015).	Savills
1B			No	Implement Action Plan and monitor/ report progress. Consider alignment of mutual recommendations/ actions with CBC Corporate asbestos compliance regime for consistency/ VFM. While this recommendation is a 'red' status, this is necessarily the case until the Action Plan has gone to Cabinet for ratification and approval. If approved, the status will then change to Amber as the implementation phase can be commenced swiftly.	CBC + Savills Input
2A	Non-Domestic Area Surveys	Comprehensively check that all housing related non-domestic areas are discretely identified, surveyed (if appropriate) + re-surveyed within initial 12 month cycle. Review ACM RAs + 'no access' areas + implement recommendations. Include garage blocks.	Yes [CAR Reg 4]	Highest HSE/ CAR legislative mandate. Non-Domestic areas surveyed 2010 and 2013 i.e. beyond 12 month cycle (applicable up to December 2013). Recommend re-inspection 2015, review of findings and alignment of new RA based cycle thereafter. Reflect approach/findings within new compliance documentation (AMP). Ensure data entry/ management within KAR electronically. Ratification of non-domestic stock definition advised + UPRN alignment. Non-Domestic survey re-inspections programmed 2015.	CBC + Savills
2B			Yes [CAR Reg 4]	Include garage blocks specifically (and treat external envelope of garage blocks as non-domestic areas), together with boiler rooms and consider any additional non-domestic areas identified. This action commenced; specification for these surveys completed and surveys programmed for commencement October 2015.	CBC + Savills input
3A	Prioritised Domestic Area Surveys (3A) + Retained Specialist Surveying Services (3B)	Robust Survey Strategy required (desk top review/ prioritisation protocol as per guidance HSG227).	No	Approx 23% survey of domestic housing stock currently achieved. Following desk top risk review/ prioritisation for next phase, CBC have a plan to undertake a further 20% to 25% survey in 2015. Although not a legal requirement, as part of a proactive risk management approach, CBC aspire to reaching 100% of properties surveyed over time. This provides a reasonable/ prudent approach. We also recommend CBC consider their non-standard conventional stock in this prioritised survey process (example: South Yorkshire Housing stock and non-traditional construction properties). This approach will be reflected in an updated AMP.	CBC + Savills input
3B		Consider extending retained survey services procurement to provide all retained specialist services for improved compliance consistency + VFM.	No	Surveys currently procured for extended term/ VFM/ consistency. Robust format/ template review and re-alignment of current surveys to CBC compliance regime and enhanced KAR to be incorporated within 2015 survey programme. Future R&D survey brief to include whole house Management Survey while on site. This a 'pragmatic' recommendation to extend existing survey contract to include all survey and analytical services, including re-inspections/ training/ 24 hour cover/ retained advice for consistency, electronic data submission and compliance consistency (partnership approach). This is necessarily at 'red' status at this stage as the tasks relating to this recommendation cannot be considered until the Action Plan is approved by Cabinet. At that time CBC can commence practical consideration and if appropriate implementation at an organisational level, at which point the status will swiftly change to Amber.	CBC + Savills input (+ professional services procurement hub)
4	ACM Re-Inspection Regime	Consider deriving a robust (specific) risk assessment based re-inspection regime for domestic areas.	No	CBC intend to build upon their new 100% domestic survey program by bringing into place a proportionate evidence based ACM re-inspection regime. Savills will work with CBC with regard to corresponding narrative paperwork and phasing. CBC intend to initiate this aspirational regime when nearing 100% survey, unless individual ACM risk assessments warrant otherwise. No proactive domestic re-inspections have been undertaken by CBC previously . The new approach is to be robust, will align with the non-domestic re-inspection protocol and incorporate checks to labelling (where appropriate) as well as comprehensive review of the results, trend analysis and reflection within a 'live' RA protocol. While this recommendation is a 'red' status, this is necessarily the case until the Action Plan has gone to Cabinet for ratification and approval. If approved, the status will then change to Amber as operational consideration and where appropriate implementation commences.	CBC + Savills input
5	Asbestos Data Availability / Management Reporting	Review existing Keystone Asbestos Register system and ensure 'fit for purpose'. These processes have legal relevance in the sense that the 'duty holder' (CBC) have the requirement to provide relevant information regarding ACMs to those that need to see it.	Yes [CAR Reg 4]	Existing register system (KAR) under license with Keystone part implemented/ populated with relevant data and currently no active link to Northgate. Regarding practical implementation and optimisation of the data systems, we recommend that aspects to be reviewed/ enhanced should now specifically include: alignment of KAR to CBC protocols/ RAs (MRA + PRA), enhanced stock list attributes (tenures/config/build dates/etc), all data entered electronically, full register access (24/7) to all that need to see it (staff + contractors), clear management reporting ('no access', ACMs requiring work, re-inspection cycles, etc), ACM removal data capture + entry (register updates and certification), data reference auditing (i.e. have contractors consulted the information appropriately). Documented confirmation recommended to demonstrate that sufficient R&D surveys have been commissioned for any phase of intrusive work. Link to Northgate for headline ACM 'flag/ warning'. Integrate with 'out of hours' service and emergency services (Fire Authority register access). No survey / removal information received post void or disabled adaptation work: process mapping recommended to ensure a robust approach (this started for disabled adapts where reference to the register not previously evidenced). Facilitate 'UDC' flag link to Northgate. 'Arvato' security access protocols may present web data access issues to resolve. Seek assurance within the data systems that historic data is retained and available to CBC when required. This action is at an 'Amber' stage around the fact that review has been commenced, some conclusions drawn, and consequential actions initiated to address aspects raised.	CBC + Savills input

6	Review outcomes of surveys with a view to on-going assurance.	Collate + review existing survey data/ recommendations and action. Ensure document trail for assurance upon completion. Legal context: to undertake ACM risk assessments and act upon them. Context: to demonstrate good governance by identifying actions and recording their completion.	Yes [CAR Reg 4]	Outcomes arising from surveys and ACM re-inspections ought to be routinely reviewed and audited for interpretation regarding compliance themes, trends and 'gap analysis'. This to help identify pro-active management actions arising and steps needed in consequence. Specific areas to consider will include: 'No access areas' / ACM risk assessment based recommendations upon survey reports/ re-inspections / robust demonstrable review/ recommendation actioning. Similar auditing to ensure post removal data capture recommended as part of routine register/ data management protocols. Although necessarily at 'Red' status currently, it is the view of Savills that once the Action Plan is approved by Cabinet, this can be a swift task and may be commenced rapidly to change the status to 'Amber' overall.	CBC + Savills input
7	Communication Strategy	Provision of enhanced asbestos related information to tenants/ building occupants, as well as general guidance and a wider 'strategy' document. This is to demonstrate 'good practice' by informing those who may otherwise accidentally disturb ACMs by virtue of building occupation.	No	CBC has in place a number of methods, typical of many Local Authorities, with which to communicate with residents regarding asbestos. CBC is however committed to enhance this process and as a component of this review, recommendations to enhance this communication regime have been considered and will now be developed / implemented.	CBC + Savills input
8	Updated Compliance Documentation / Procedures	Review and update the CBC suite of asbestos compliance documentation. Reflect within aligned practical procedures (and guidance for staff/ those commissioning work).	Yes [CAR Reg 4]	CBC commissioned this independent review in part as it was understood that the documentation and processes associated needed update to reflect changes in both guidance and operational processes. Updates to some CBC documentation where therefore delayed pending independent review which we agree represents a reasonable response. Revised/ updated/ expanded CBC Asbestos Policy, AMP, and Procedure documentation is now recommended/ required. Align to an updated compliance regime, with integrated protocols and guidance. Aspects to be incorporated include: roles and responsibilities, asbestos information/ data access/ communication, defined MRA+PRA Man Actions, monitoring/ review criteria, training matrix, QC and audit. It is also recommended the RMSGAM terms of reference (which cover Housing and Corporate Services) are reviewed/ updated and meetings reinstituted to help monitor implementation of the Action Plan. Terms of Kier/Arvato ACM compliance responsibility need express clarification + monitoring. Review now commenced and Savills assisting. Subject to approval of the Action Plan, this activity will continue as part of the operational implementation.	CBC + Savills input
9	Compliance Auditing Regime	Enhance and incorporate additional specific (demonstrable) auditing protocols as an extension of the wider updated asbestos compliance regime/ procedure suite. This item allied to 8 (above), but separated as a reflection of the importance assigned by CBC to provide assurance and demonstrate good governance.	No	Demonstrable, on-going auditing of duty holder compliance regimes is considered important by CBC and consideration of these aspects therefore deliberately incorporated within this review and recommendation. The need to undertake auditing in respect of this compliance area and the recommendation to further develop express processes within the wider asbestos regime agreed with CBC. Recommended auditing related aspects to be considered include the following: Enhanced register system (KAR) management reporting capability/ formatting, audited use of register data (by contractors/ staff/ OSD), QC of surveys, proportion of R&D surveys, QC of removal work (including air testing and RAMS evaluation), partner contractor compliance/ operative training (including OSD + Spire Pride + sub-contractors), annual compliance review (criteria HSE driven + appended to AMP), re-inspection surveys and training cycles. New CDM oriented staff appointment already understood to include in-house auditing role. This is necessarily at 'red' status at this stage as the tasks relating to this recommendation cannot proceed until the Action Plan is approved and the operational implementation commenced. The Council cannot put in place an enhanced audit regime until the new Asbestos Management Plan is in place.	CBC + Savills input
10	Compliance Management Structure	Review of the management structure to ensure sufficient staff resourcing (asbestos related) and a fully integrated strategic compliance function/ enhanced link to the CBC Health & Safety Team. This task recommended in order to demonstrate good governance and provide assurance by providing appropriate resources for active risk management.	No	It is recommended that CBC consider an emphasis toward enhanced strategic level compliance monitoring and reflect within the new management structure contemplated. Differing areas of strength between the Housing and Corporate compliance regimes can be combined for an optimum H&S management approach overall. Detailed recommendations agreed with CBC to include: Focus upon survey report interpretation and trend analysis with appropriate data admin support recommended. Improved lines of communication and routine compliance status reporting. Consider an overall 'Compliance Manager' role (Corporate + Housing) and delegated asbestos steering group (RMSGAM or similar). Include Group 'near miss'/ RIDDOR register and CBC response/ monitoring protocols. Consider a further emphasis toward 'informed client' role with retained (partner) specialist service providers. The in-house CDM compliance appointment a positive development in the light of CDM 2015 regulation changes.	CBC + Savills input
11	Training	Review the training need and suitability to provide assurance.	Yes [CAR Reg 10]	Appropriate training of staff (and in-house service providers [OSD + Spire Pride] operatives/ contractors) and appropriate repeat cycle a clear legal and guidance requirement. General 'Annual Asbestos Awareness' training is provided via e-learning (Frontline portal) for all staff. Certified repeat cycles need careful review/ monitoring. Enhanced training now recommended for staff/ roles with specific asbestos responsibility as a component of an enhanced aspirational CBC regime. An updated CBC Training Needs Assessment (TNA) recommended to help define a 'mandatory' training matrix and monitor / document on-going delivery. Regard 'e-learning' option as refresher (not primary) training resource. Include register system (KAR) training when its use is to be extended. Reflect within the RMSGAM (or equivalent) terms of reference to ensure training delivery is monitored/ audited. Note: CBCs thinking regarding the potential appointment of an overall 'compliance manager' role is thought will help support this task and delivery.	CBC + Savills input
12	Contractor Vetting	Consider establishing an enhanced asbestos compliance related contractor vetting procedure. Repeat annually using a standardised, documented approach/ log.	No	Current contractor compliance vetting variable and in-house guidance as to what to require will benefit from review/ enhancement. Compliance risk should be demonstrably enhanced by 'best practice' duty holder contractor (+ sub-contractor/ specialists/ M&E etc) asbestos compliance vetting process. Document responses including evidence of operative training in compliance with HSE guidance. Include enhanced processes where non-licensed work undertaken directly by contractors/ OSD. Suspend where responses inadequate. Undertake sample auditing as part of related CBC procedure. Terms of Kier facilities management function/Arvato ACM compliance responsibility needs express clarification/ monitoring. This is an operational recommendation and necessarily at 'red' status since it is dependent upon approval of the Action Plan by Cabinet to progress. Approval will allow collation of the operational plan and swift implementation.	CBC + Savills input

13	Removal Contractor	Consider procuring retained asbestos removal services (licensed and un-licensed) from a single provider. Legal context: the requirement to employ specialist contractors 'licensed' by the HSE for particular types of work. The aspirational context is toward an enhanced role provided by a single contractor for improved consistency, VFM and data administration/ management.	No	Varying removal companies used (quotation for individual jobs) currently. Although work volumes low, a single retained provider may offer better VFM (schedule of rates) / streamlined data capture / alignment to CBC compliance protocols / 24 hour cover etc. More stringent regulation to follow (updated HSG248) which can be anticipated as part of specification. Better align processes with retained survey provider (see above) re site analytical audits/ air testing regime etc. Some non-licensed work undertaken by OSD; data capture/ register update processes will benefit from review and enhancement. This recommendation is necessarily at 'red' status at this stage, pending approval of the Action Plan by Cabinet and formulation of the operational plan and implementation.	CBC + Savills input
14	Clarify Non Standard/ Leased Tenure Obligations	Ensure leases and management agreements are clearly understood regarding the liabilities arising around asbestos management.	N/A	This recommendation applies in only a small number of cases for Housing Services. In order to mitigate litigation and/or reputational risk, the Council ought to ensure that it understands the effect of current leases around asbestos compliance obligations and managing future leases and the corresponding legal documentation in order to reduce risk. The council need to be assured that the compliance position regarding shops and commercial premises (allied to the housing stock) is sufficiently clear. Ensure in the event of specific enquiries to the council, these are managed appropriately with reference to legal advice where appropriate as this is a complex area, particularly in respect of historic lease agreements.	CBC

RAG Status:

	Green = Activity / Task Complete
	Amber = Activity /Task Commenced
	Red = Activity /Task Not Commenced

Key to Terms:

ACM = Asbestos Containing Material
AMP = Asbestos Management Plan (and related protocols/ policy)
CAR = Control of Asbestos Regulation 2012
Frontline = Asbestos Register system (CBC Corporate Services) via Frontline Data Ltd
H&S = Health and Safety
HSE = Health and Safety Executive
KAR = Keystone Asbestos Register system (CBC Housing Services)
MAN = Management Actions
MRA = Material Risk Assessment (HSE methodology HSG264)
Northgate = Housing Management Information System (incl. repairs ordering)
Non-Domestic = Commercial areas, or corridors/ landings/ stairwells/ etc associated with residential blocks (often referred to as 'Communal' areas)
OSD = CBC 'in-house' service provider (direct/partner service organisation)
PRA = Priority Risk Assessment (HSE methodology HSG264/227)
RA = Risk Assessments (MRA + PRA)
R&D = Refurbishment and Demolition (pre-works) surveys
RIDDOR = Reporting Injuries Diseases and Dangerous Occurrences Regulations (1995)
RMSGAM = Risk Management Sub Group - Asbestos Management
TNA = Training Needs Assessment (HSE ACoP L143 methodology)
TOR = Terms of Reference
VFM = Value for money
CBC = Chesterfield Borough Council
UDC = User Defined Content (in this context an asbestos related pop up warning)

Chesterfield Borough Council Asbestos Compliance Recommendations Action Plan:

Version: **ISSUE 01**

Date: **Oct-2015**

CORPORATE






REF/RAG	Title:	Activity / Task:	Legal Requirement:	Notes:	Responsibility/Input:
1A	Asbestos Compliance Audit + Action Plan	Commission a CBC strategic asbestos compliance review and recommendations.	No	Undertake an asbestos specific compliance review and compile a related 'asbestos compliance recommendations action plan'. Review undertaken by Savills (autumn 2014/ spring 2015) and recommendation action plan developed (spring/summer 2015).	Savills
1B			No	Implement Action Plan and monitor/ report progress. Consider alignment of mutual recommendations/ actions with CBC Housing Services asbestos compliance regime for consistency/ VFM. While this recommendation is a 'red' status, this is necessarily the case until the Action Plan has gone to Cabinet for ratification and approval. If approved, the status will then change to Amber as the implementation phase can be commenced swiftly.	CBC + Savills Input
2	Non-Domestic Surveys	Comprehensively check that all relevant areas are discretely identified, surveyed (if appropriate) + re-surveyed within initial 12 month cycle. Review ACM RAs + 'no access' areas + implement recommendations. Include garage blocks. Note: all Corporate stock (i.e. non-housing revenue account) is regarded as non-domestic, being either 'communal' areas or 'commercial'/ business lettings.	Yes [CAR Reg 4]	Savills review of existing/ historic surveys (including re-inspections) has revealed gaps in quality and extent in some instances. The proposal of this recommendation is for CBC to have assurance around the content and robustness of surveys and subsequent re-inspection surveys. Current guidance regarding re-inspection surveys is that the duty holder (CBC) bases the frequency of these upon a robust individual risk assessment. Having conducted this review, it is recommended that the starting point will be for annual-re-inspection survey, but that this will then be subject to review as part of the practical implementation process. This process will be reflected in an updated AMP. Notwithstanding the Amber status of this item, it is Savills advice that this is an urgent recommendation, is progressed swiftly and kept under close consideration. This action has commenced; the specification for new updated surveys has been completed and an initial partial phase of new surveys has been piloted in September 2015.	CBC + Savills Input
3	Retained Specialist Surveying Services	Consider commissioning specialist surveys/ analytical services via a single retained survey company relationship to provide all retained specialist services for improved compliance consistency + VFM.	No	Management and R&D surveys commissioned individually (no retained contract). Poor coordination sometimes resulting in reduced notice period (to H&S advisor to commission surveys in time). Consider extending longer term relationship with a single specialist provider for 'partnership' compliance alignment approach and schedule of rates VFM for all related specialist services including: surveys, re-inspections, site analytical/ air testing, contractor site auditing, 24 hour emergency cover, electronic post survey data submission, training, etc. Consider extending arrangements for a single provider for Housing and Corporate. This is necessarily at 'red' status at this stage as the tasks relating to this recommendation cannot be considered until the Action Plan is approved by Cabinet. At that time CBC can commence practical consideration and implementation at an organisational level, at which point the status will swiftly change to Amber.	CBC + Savills (+ professional services procurement hub)
4	Asbestos Data Availability / Management Reporting	In order to obtain assurance, address the areas of weakness detailed/ highlighted in the notes section. In summary: review the existing Frontline Asbestos Register system capability and either enhance or undertake options appraisal for preferred replacement system. Ensure the preferred system is then operationally 'fit for purpose'. These processes have legal relevance in the sense that the 'duty holder' (CBC) have the requirement to provide relevant information regarding ACMs to those that need to see it.	Yes [CAR Reg 4]	Frontline register system not up to date (old surveys and/or post removal data not robustly captured/entered), errors in data apparent (data input errors or insufficient data QC/auditing previously), difficult to interpret, no web access, and management/ strategic reporting capability very restricted. Visual surveys routinely categorised as sampling surveys. Overall little confidence in reliability of Frontline data amongst staff/ OSD/ contractors who resort to hard copy data, and protocols may not therefore be guidance compliant. Access to data very limited and still reliance operationally upon hard copy data due to lack of confidence in electronic data. Reliance upon paper copy 'Register' folder at each premises (including management record/ re-visit records) requires review as difficult to maintain/control and audit robustly. Some data errors apparent during recent sample auditing (as a result of this compliance review). Frontline fees for data import high and original deadlines for 'in-house' hard copy data entry into the register not achieved due to complexity and limited resource. Given 'issues' regarding core data and Frontline, the re-direction of resource to: (a) new robust survey and automated data entry (b) review of Frontline capability and/or options appraisal for a replacement system recommended. Consider KAR as 1st option by way of license extension (from Housing Services) and for compliance consistency. Then fully implement updated/ new register to preferred enhanced electronic template (reflecting updated CBC compliance protocols). To include 24/7 web access (staff + contractors) and improved 'duty holder' management reporting and audit functionality. Consider a link to repairs ordering system for headline ACM 'flag/ warning'. Integrate with 'out of hours' service and emergency services (Fire Authority register access). Regulate/ document R&D survey and post removal data capture processes. This area of recommendation is at an 'Amber' stage because review has been commenced with consideration of new register system criteria and presentations by Frontline and KAR have commenced in September 2015.	CBC + Savills Input. (+ I.C.T + 'Arvato')

5	Review outcomes of surveys with a view to on-going assurance.	Collate and complete data entry of all existing survey and post removal data. Review existing survey data/ recommendations and action. Ensure document trail for assurance upon completion. Legal context: to undertake ACM risk assessments and act upon them. Organisational context: to demonstrate good governance by identifying actions and recording their completion.	Yes [CAR Reg 4]	Outcomes arising from surveys and ACM re-inspections ought to be routinely reviewed and audited for interpretation regarding compliance themes, trends and 'gap analysis'. This is to help identify pro-active management actions arising and steps needed in consequence. This is not helped currently as the register (Frontline) not fully implemented/ management reporting capability poor). Specific areas to consider will include: 'No access areas' / ACM risk assessment based recommendations upon survey reports/ re-inspections / robust demonstrable review/ recommendation actioning. Similar auditing to ensure post removal data capture recommended as part of routine register/ data management protocols. The sample review carried out of the Corporate survey data indicated there are gaps in terms of accuracy/ quality and this provides limited assurance currently. CBC in the longer term ought to consider comprehensive re-survey for a robust basis of determining immediate (consistent) actions and the re-inspection regime in the longer term. This process has been started, hence the Amber status, but is at an early stage and should be kept under close consideration.	CBC + Savills Input
6	Communication Strategy	Provision of enhanced asbestos related information to tenants/ building occupants (including lessees for non-domestic/ commercial premises/ areas). Consider enhanced general guidance and a wider 'strategy' document. This to demonstrate 'good practice' by informing those who may otherwise accidentally disturb ACMs by virtue of building occupation/ commercial tenancy.	No	Significant work evident and asbestos compliance documentation provided to commercial lessees ('Tenants Handbook' for shops/ small business units etc + 'Notice to Contractors'). In the light of the HSG143 guidance (December 2013) review is recommended to ensure appropriate emphasis. Current procedures (AMP) rely heavily upon the 'Premise Managers' for practical compliance application (and auditing) and via hard copy records retained on site. Given difficulty of maintaining these records (noted elsewhere) a review of these processes recommended and the use of improved/ auditable 'on-line' register data should be considered. Overall, CBC has in place a number of methods, typical of many Local Authorities, with which to communicate with commercial/ business tenants regarding asbestos. CBC is however committed to enhance this process and as a component of this review, recommendations to enhance this communication regime have been agreed and will now comprise an enhanced approach for CBC subject to approval of the Action Plan by Cabinet (hence the necessity of the 'red' status pending Cabinet approval).	CBC + Savills Input.
7	Updated Compliance Documentation / Procedures	Review and update the CBC suite of asbestos compliance documentation. Reflect within aligned practical procedures (and guidance for staff/ those commissioning work).	Yes [CAR Reg 4]	Corporate AMP: good combined MRA+PRA Man Actions defined. ACoP L143 up to date. New CDM Regs update reference needed. Re-inspection regime + cycle unclear. On-going AMP review/endorsement process unclear. A new 'asbestos steering group' + TOR recommended. Labelling protocol unclear, needs clarification and strict application at the point of next re-inspection. Contractor vetting + criteria unclear. Emergency testing regime requires review and updating, particularly in respect of new guidance coming into force in the near future. 'Premise Manager' role crucial currently: check training and documentation associated up to date/robust and consider move toward electronic data access/record keeping approach. Differences apparent between hard copy site asbestos folder and office data illustrate difficulty in reliance upon hard copies and represent a compliance risk currently. Terms of Kier/Arvato ACM compliance responsibility need express clarification + monitoring. Compliance documentation review now commenced and Savills assisting. Subject to approval of the Action Plan, this activity will continue as part of the operational implementation.	CBC + Savills Input.
8	Compliance Auditing Regime	Enhance and incorporate additional specific (demonstrable) auditing protocols as an extension of the wider updated asbestos compliance regime/ procedure suite. This item allied to 7 (above), but separated as a reflection of the importance assigned by CBC to provide enhanced assurance and demonstrate good governance.	No	Demonstrable, on-going auditing of duty holder compliance regimes is considered important by CBC and consideration of these aspects was therefore deliberately incorporated within this review and recommendations. In some cases, auditing reveals unacceptable inconsistencies in quality / extent/ consistency of survey data currently. The need to undertake auditing in respect of this compliance area and the recommendation to further develop express processes within the wider asbestos regime has been agreed with CBC. Recommended auditing related aspects to be considered include the following: Enhanced register system (Frontline, or KAR) management reporting capability/ formatting, audited use of register data (by contractors/ staff), QC of surveys, proportion of R&D surveys, QC of removal work (including air testing and RAMS evaluation), partner contractor compliance/ operative training (including sub-contractors), annual compliance review (criteria HSE driven + appended to AMP), re-inspection surveys and training cycles. Dedicated staff resource currently limited and compounded by register (Frontline) limitations and over reliance on hard copy data. Ensure the replacement/ enhanced existing register system provides assurance from an auditing perspective. A combined strategic compliance auditing function (Housing + Corporate) recommended as part of wider demonstrable AMP regime. This area of recommendation is necessarily at 'red' status at this stage as the tasks relating to this recommendation cannot proceed until the Action Plan is approved and the operational implementation commenced. The Council cannot put in place an enhanced audit regime until the new Asbestos Management Plan is in place.	CBC + Savills Input
9	Compliance Management Structure	Review of the management structure to ensure sufficient staff resourcing (asbestos related) and a fully integrated strategic compliance function/ enhanced link to the CBC Health & Safety Team. This task recommended in order to demonstrate good governance and provide assurance by providing appropriate resources for active risk management.	No	It is recommended that CBC consider an emphasis toward enhanced strategic level compliance monitoring and reflect within the new management structure contemplated. Differing areas of strength between the Housing and Corporate compliance regimes can be combined for an optimum H&S management approach overall. Detailed recommendations agreed with CBC to include: Focus upon survey report interpretation and trend analysis with appropriate data admin support/ improved register reporting recommended. Improved lines of communication and routine compliance status reporting. Consider an overall 'Compliance Manager' role (Corporate + Housing) and delegated asbestos steering group (RMSGAM or similar). Include Group 'near miss'/ RIDDOR register and CBC response/ monitoring protocols. Consider a further emphasis toward 'informed client' role with retained (partner) specialist service providers rather than retained specialisms in-house. Review CDM compliance related protocols in the light of CDM 2015 regulation changes. Given current arrangements, staff changes and lack of confidence in register system (and reliance upon paper records) staff provision for asbestos compliance processes needs review. Responsibilities between Kier and CBC in some cases unclear and need to be express/ better reflected in procedures.	CBC + Savills Input

10	Training	Review the training need and suitability to provide assurance.	Yes [CAR Reg 10]	Appropriate training of staff (and in-house service providers [OSD + Spire Pride] operatives/ contractors) and appropriate repeat cycle a clear legal and guidance requirement. General 'Annual Asbestos Awareness' training is provided via e-learning (Frontline portal) for all staff. Certified repeat cycles need careful review/ monitoring. Enhanced training now recommended for staff/ roles with specific asbestos responsibility as a component of an enhanced aspirational CBC regime. An updated CBC Training Needs Assessment (TNA) recommended to help define a 'mandatory' training matrix and monitor / document on-going delivery. Regard 'e-learning' option as refresher (not primary) training resource. Include register system (KAR) training when its use is to be extended. Reflect within the RMSGAM (or equivalent) terms of reference to ensure training delivery is monitored/ audited. Note: CBCs thinking regarding the potential appointment of an overall 'compliance manager' role is thought will help support this task and delivery on an on-going basis. There is an urgent need to have assurance that anyone undertaking surveys 'in-house' is appropriately qualified/ experienced. Insufficient specific training provided for those entering Frontline data is thought to have compounded other system assurance issues.	CBC + Savills Input
11	Contractor Vetting	Consider establishing an enhanced asbestos compliance related contractor vetting procedure. Repeat annually using standardised documented approach/ log.	No	Current contractor compliance vetting variable and in-house guidance as to what to require will benefit from review/ enhancement. Compliance risk should be demonstrably enhanced by 'best practice' duty holder contractor (+ sub-contractor/ specialists/ M&E etc) asbestos compliance vetting process. Document responses including evidence of operative training in compliance with HSE guidance. Include enhanced processes where non-licensed work undertaken directly by contractors/ OSD. Suspend where responses inadequate. Undertake sample auditing as part of related CBC procedure. Terms of Kier facilities management function/Arvato ACM compliance responsibility need express clarification/ monitoring. This is an operational recommendation and necessarily at 'red' status at present dependent upon approval of the Action Plan by Cabinet to progress . Approval by Cabinet will allow preparation and implementation of an operational plan.	CBC + Savills Input
12	Removal Contractor	Consider procuring retained asbestos removal services (licensed and un-licensed) from a single provider. Legal context: the requirement to employ specialist contractors 'licensed' by the HSE for particular types of work. The aspirational context is toward an enhanced role provided by a single contractor for improved consistency, VFM and data administration/ management.	No	Post removal information/ certification/ consignment notes rarely received (licensed or non-licensed work). Frontline consequently not updated or floor plans amended; therefore limited assurance around robustness of historic/ current data. Clarification of related data processes recommended as part of review/ re-procurement of removal services, together with on-going contract administration to ensure appropriate robust data is received, logged and registers updated. Integrate with retained survey provider. This recommendation is necessarily at 'red' status at this stage, pending approval of the Action Plan by Cabinet and formulation of an operational plan and implementation.	CBC + Savills Input
13	Clarify Non Standard/ Leased Tenure Obligations	Ensure leases and management agreements are clearly understood regarding the liabilities arising around asbestos management. Determine CBC asbestos management response as may be dependent upon specific lease arrangements.	N/A	In order to mitigate litigation and/or reputational risk, the Council ought to ensure that it understands the effect of current leases around asbestos compliance obligations and managing current and future leases and the corresponding legal documentation. Shop units (often with flat above), generally surveyed at void and not re-inspected (by CBC). Unclear how many surveyed overall; clarification and survey of remaining units recommended. Only structural alterations require CBC notification/ permission so smaller re-fits are not notified (and may disturb ACMs). Shops/ other commercial premises deemed lessees responsibility are not re-inspected: check legal mandate and re-iterate obligations in writing. CBC to consider the appropriateness of ACM re-inspection surveys in commercially sub-let properties or the non-domestic accommodation allied to these. CBC is to consider and decide whether to limit its obligations simply to those legally mandated, or to go beyond.	CBC

RAG Status:

	Green = Activity / Task Complete
	Amber = Activity / Task Commenced
	Red = Activity / Task Not Commenced

Key to Terms:

ACM = Asbestos Containing Material
 AMP = Asbestos Management Plan (and related protocols/ policy)
 CAR = Control of Asbestos Regulation 2012
 Frontline = Asbestos Register system (CBC Corporate Services) via Frontline Data Ltd
 H&S = Health and Safety
 HSE = Health and Safety Executive
 KAR = Keystone Asbestos Register system (CBC Housing Services)
 MAN = Management Actions
 MRA = Material Risk Assessment (HSE methodology HSG264)
 Northgate = Housing Management Information System (incl. repairs ordering)
 Non-Domestic = Commercial areas, or corridors/ landings/ stairwells/ etc associated with residential blocks (often referred to as 'Communal' areas)
 OSD = CBC 'in-house' service provider (direct/partner service organisation)
 PRA = Priority Risk Assessment (HSE methodology HSG264/227)
 RA = Risk Assessments (MRA + PRA)
 R&D = Refurbishment and Demolition (pre-works) surveys
 RIDDOR = Reporting Injuries Diseases and Dangerous Occurrences Regulations (1995)
 RMSGAM = Risk Management Sub Group - Asbestos Management
 TNA = Training Needs Assessment (HSE ACoP L143 methodology)
 TOR = Terms of Reference
 VFM = Value for money
 CBC = Chesterfield Borough Council
 UDC = User Defined Content (in this context an asbestos related pop up warning)

Chesterfield Borough Council Asbestos Compliance Recommendations Action Plan:

Version: ISSUE 07

Date: Dec-2017

Appendix 2



CORPORATE

REF/RAG	Title:	Activity / Task:	Notes:	Legal Requirement:	H/M/L	Target Date	Responsibility	Progress
1A	Asbestos Compliance Audit	Commission a CBC strategic asbestos compliance review and recommendations.	Commissioned an asbestos specific compliance review and compiled a related 'asbestos compliance recommendations action plan' via Savills (autumn 2014/ spring 2015), final report submitted May 2015. Findings presented to Cabinet with Action Plans November 2015	No	N/A	May, 15	Savills	Complete
1B	Action Plan	Implement an Action Plan and monitor/report progress	Governed by Asbestos Management Steering Group - AMMSG, reporting to H&S Committee and Risk Management Group. Draft Action Plan in place, AMMSG established as agreed at H&S Committee and Cabinet.	No	H		AMMSG, Delegated Officers & Savills	Ongoing
2	Non-Domestic Surveys	Comprehensively check that all relevant areas are discretely identified, surveyed (if appropriate) + re-surveyed within initial 12 month cycle. Review ACM RAs + 'no access' areas + implement recommendations. Include garage blocks. Note: all Corporate stock (i.e. non-housing revenue account) is regarded as non-domestic, being either 'communal' areas or 'commercial'/ business lettings.	Corporate list of premises finalised in 2016 including all non-HRA lettings to allow a prioritised survey schedule to be developed. Initial pilot surveys undertaken to ensure data import via the Keystone system provides quality assured data - a number of pilot studies completed in 2016 and further development required to allow confidence in data quality. Main survey now underway prioritised on high usage public buildings first, commercial lets with maintenance responsibility and finally all lettings with no maintenance responsibility. The corporately occupied premises are completed and there is significant progress on the commercially let premises. The import to Keystone is working well and we are uploading surveys as they are received from EE. We have contracted specialist support from EE to analyse the reports and support with the preparation of a prioritised intervention programme. The EE support will also review the findings and alignment of new RA based cycle thereafter. The revised survey outcomes, weighted risk assessment approach, remediation programme and inspection approach will be addressed within new compliance documentation (AMP).	Yes [CAR Reg 4]	H	Nov '17	CBC + Savills	At time of update there are 31 surveys still to be done. These are mainly industrial and commercial units and it is often difficult to arrange access. As re-survey programme progresses a new property list is being prepared detailing the type of lease on the premises, whether asbestos is present on site, what abatement work is required, frequency of ACM re-inspections, etc.
3	Retained Specialist Surveying Services	Consider commissioning specialist surveys/ analytical services via a single retained survey company relationship to provide all retained specialist services for improved compliance consistency + VFM.	Surveys currently procured for extended term/ VFM/ consistency. Robust format/ template review and re-alignment of current surveys to CBC compliance regime and enhanced KAR format to be incorporated within survey programme. This a 'pragmatic' recommendation to extend existing survey contract with Environmental Essentials (who are procured via Savills on a framework) to include all survey and analytical services and in future consideration given to extending into re-inspections/ training/ 24 hour cover/ retained advice for consistency, electronic data submission and compliance consistency. Environmental essentials also being retained for analytical and inspection work related to remediation projects and have been retained to support the analysis of the inspection reports to develop a prioritised intervention programme.	No	H	Jun. '16	CBC + Savills input (+ professional services procurement hub)	EE Consulted appointed to work for 30 days uploading survey reports onto Keystone database, carrying out quality checks, prioritising abatement work and preparing programme of work and preparing specification documents. At time of update, 137 surveys had been uploaded onto Keystone with 140 still to be uploaded.
4	Asbestos Data Availability / Management Reporting	Provision of enhanced asbestos related information to tenants/ building occupants (including lessees for non-domestic/ commercial premises/ areas). Consider enhanced general guidance and a wider 'strategy' document. This to demonstrate 'good practice' by informing those who may otherwise accidentally disturb ACMs by virtue of building occupation/ commercial tenancy.	Switched from Frontline register as not determined fit for purpose going forward. Keystone offers better remote and contractor access along with ability for rapid import and integration with the EE survey data. Register system (KAR) used by Housing now under license with Keystone for Corporate surveys use. There has been significant work to format the system for corporate use for complex and lengthy survey reports for large complex buildings and necessary changes to Housing configuration to ensure that data import for both service uses are acceptable. The practical implementation and optimisation of the data systems has been reviewed to provide for alignment of KAR to CBC protocols, revised RAs (MRA + PRA), full register access (24/7) to all that need to see it (staff + contractors), clear management reporting ('no access', ACMs requiring work, re-inspection cycles, etc), ACM removal data capture + entry (register updates and certification), data reference auditing (i.e. have contractors consulted the information appropriately). There is the need to finalise the development of the kiosk operation to provide for contractor access to the management and RAD surveys. The review of the AMP will include a requirement that documented confirmation is obtained to demonstrate that sufficient R&D surveys have been commissioned for any phase of intrusive work. This action is at an 'Amber' stage around the fact that initial configuration is complete, the system can take electronic data import and a consolidated premises list has been imported. The system has been configured to provide summary premises specific asbestos registers and these have been printed in hard copy currently whilst awaiting the kiosk for remote access. There is final configuration work required to upgrade the survey details re-reporting the summary register following remediation works.	Yes [CAR Reg 4]	H	Nov'17	CBC + Savills input	Keystone workbench up and running and tested. Keystone Kiosk said to be up and running at time of update but it has not yet been tested.
5	Review outcomes of surveys with a view to on-going assurance.	Collate and complete data entry of all existing survey and post removal data. Review existing survey data/ recommendations and action. Ensure document trail for assurance upon completion. Legal context: to undertake ACM risk assessments and act upon them. Organisational context: to demonstrate good governance by identifying actions and recording their completion.	Initial review of data integrity and audit of pilots and initial phase surveys completed. During the data import the results will need to be routinely reviewed and audited for interpretation regarding compliance themes, trends and 'gap analysis'. We have contracted EE to provide specialist support to carry out quality analysis of the surveys and interpret the outcomes to produce a prioritised full intervention programme for all corporate buildings. In addition the management responsibilities and approach will inform the new AMP. Similar auditing to ensure post removal data capture recommended as part of routine register/ data management protocols.	Yes [CAR Reg 4]	H	Dec. '17	CBC, EE + Savills input	Quality checks being undertaken on completed data uploads to ensure integrity of database. Once abatement plan is produced it will need financial assessment.

6	Communication Strategy	Provision of enhanced asbestos related information to tenants/ building occupants (including lessees for non-domestic/ commercial premises/ areas). Consider enhanced general guidance and a wider 'strategy' document. This to demonstrate 'good practice' by informing those who may otherwise accidentally disturb ACMs by virtue of building occupation/ commercial tenancy.	CBC has in place a number of methods, typical of many Local Authorities, with which to communicate with building users regarding asbestos largely focused around the register, survey reports and operational systems for anybody accessing and working within the building. There are also specific functions for the premises manager to discharge. CBC is however committed to enhance this process and as a component of this review, recommendations to enhance this communication regime have been considered and will now be developed / implemented. Draft being considered by ASMG, once approved draft to be passed to John Fern (CBC Communications & Marketing Manager) to be developed. Corporate Strategy to be common across Council however separate streams of communication documents and systems to be developed for Corporate stock use.	No	M	Dec'17	CBC + Savills input	Several drafts have been produced and work is continuing with an aim to complete by end of January 2018
7	Updated Compliance Documentation / Procedures	Review and update the CBC suite of asbestos compliance documentation. Reflect within aligned practical procedures (and guidance for staff/ those commissioning work).	CBC commissioned this independent review in part as it was understood that the documentation and processes associated needed update to reflect changes in both guidance and operational processes. Updates to some CBC documentation where therefore delayed pending independent review which we agree represents a reasonable response. Savills are supporting the production of revised/ updated/ expanded CBC Asbestos Policy, AMP, and Procedure documentation. Drafts of the policy and an early AMP draft has been produced. There will need to be an interface with the work currently underway to review the contractor management processes. Align to an updated compliance regime, with integrated protocols and guidance. Aspects to be incorporated include: roles and responsibilities, asbestos information/ data access/ communication, defined MRA+PRA Man Actions, monitoring/ review criteria, training matrix, QC and audit. Terms of Kier/Arvato ACM compliance responsibility need express clarification + monitoring. This activity continues to be part of the operational implementation.	Yes [CAR Reg 4]	L	Dec-17	CBC + Savills input	Several drafts have been produced and work is continuing with an aim to complete by end of January 2018.
8	Compliance Auditing Regime	Enhance and incorporate additional specific (demonstrable) auditing protocols as an extension of the wider updated asbestos compliance regime/ procedure suite. This item allied to 7 (above), but separated as a reflection of the importance assigned by CBC to provide assurance and demonstrate good governance.	Demonstrable, on-going auditing of duty holder compliance regimes is considered important by CBC and consideration of these aspects therefore deliberately incorporated within this review and recommendation. The need to undertake auditing in respect of this compliance area and the recommendation to further develop express processes within the wider asbestos regime agreed with CBC. Recommended auditing related aspects to be considered include the following: Enhanced register system (KAR) management reporting capability/ formatting, audited use of register data (by contractors/ staff/ OSD), QC of surveys, proportion of R&D surveys, QC of removal work (including air testing and RAMS evaluation), partner contractor compliance/ operative training, annual compliance review (criteria HSE driven + appended to AMP), re-inspection surveys and training cycles. The Council cannot put in place an enhanced audit regime until the new Asbestos Management Plan is in place and resourced. There has been a significant amount of work done over the last 12 months focussed on close inspection and control of a number of asbestos removal projects including a large programme in the Town Hall. This will inform the future compliance assessment and contractor assessment.	No	M	Dec-17	CBC + Savills input	Staff are qualified. ASMG implemented Report due to Cabinet Nov/Dec 2017 for approval. In the meantime continual auditing on quality of data by EE is being carried out. When database is complete, system use by CBC staff and contractors to be audited.
9	Compliance Management Structure	Review of the management structure to ensure sufficient staff resourcing (asbestos related) and a fully integrated strategic compliance function/ enhanced link to the CBC Health & Safety Team. This task recommended in order to demonstrate good governance and provide assurance by providing appropriate resources for active risk management.	It is recommended that CBC consider an emphasis toward enhanced strategic level compliance monitoring and reflect within the new management structure contemplated. Differing areas of strength between the Housing and Corporate compliance regimes can be combined for an optimum H&S management approach overall. Detailed recommendations agreed with CBC to include: Focus upon survey report interpretation and trend analysis with appropriate data admin support recommended. Improved lines of communication and routine compliance status reporting. Include Group 'near miss'/ RIDDOR register and CBC response/ monitoring protocols. There are proposals to redesign the health and safety service to include additional resource and extensive asbestos knowledge and experience will be a key aspect of this role. In the meantime CBC have contracted EE to provide specialist technical support to assist in review of surveys, development on intervention and inspection plans, producing specifications for work and developing a framework contractor for remediation works.	No	M	Dec-17	CBC + Savills input	ASMG implemented System in place - continually being reviewed. New management structure CMT includes two weekly review of all incidents, accidents and near misses and reported to H&S committee.
10	Training	Review the training need and suitability to provide assurance.	Appropriate training of staff (and in-house service providers [OSD + Spire Pride] operatives/ contractors) and appropriate repeat cycle a clear legal and guidance requirement. General 'Annual Asbestos Awareness' training is provided via e-learning (Frontline portal) for all staff. Certified repeat cycles need careful review/ monitoring. Enhanced training now recommended for staff/ roles with specific asbestos responsibility as a component of an enhanced aspirational CBC regime. An updated CBC Training Needs Assessment (TNA) recommended to help define a 'mandatory' training matrix and monitor / document on-going delivery. Regard 'e-learning' option as refresher (not primary) training resource. Classroom based training (with qualified trainer) for key Officers who need extra awareness to carry out daily duties. Include register system (KAR) training when its use is to be extended. Reflect within the RMSGAM (or equivalent) terms of reference to ensure training delivery is monitored/ audited. Ongoing training and re-training to ensure awareness is constant high standard.	Yes [CAR Reg 10]	H	Feb. 16	CBC + Savills input	All technical staff have completed Asbestos Awareness training in 2017. Refresher training being organised for early 2018. Online asbestos awareness training now available but it is not UKATA accredited.

11	Contractor Vetting	Consider establishing an enhanced asbestos compliance related contractor vetting procedure. Repeat annually using a standardised, documented approach/ log.	Current contractor compliance vetting variable and in-house guidance as to what to require will benefit from review/ enhancement. Compliance risk should be demonstrably enhanced by 'best practice' duty holder contractor (+ sub-contractor/ specialists/ M&E etc) asbestos compliance vetting process. Document responses including evidence of operative training in compliance with HSE guidance. Include enhanced processes where non-licensed work undertaken directly by contractors/ OSD. Suspend where responses inadequate. Undertake sample auditing as part of related CBC procedure. Terms of Kier facilities management function/Arvato ACM compliance responsibility needs express clarification/ monitoring. There has been a significant amount of work done over the last 12 months focussed on close inspection and control of a number of asbestos removal projects including a large programme in the Town Hall. This will inform the future compliance assessment and contractor assessment.	No	M	Dec-17	CBC + Savills input	Interim vetting system in place based on general contractor competency assessments. Framework agreement to be considered for abatement work.
12	Removal Contractor	Consider procuring retained asbestos removal services (licensed and un-licensed) from a single provider. Legal context: the requirement to employ specialist contractors 'licensed' by the HSE for particular types of work. The aspirational context is toward an enhanced role provided by a single contractor for improved consistency, VFM and data administration/ management.	There has been a significant amount of work done over the last 12 months focussed on close inspection and control of a number of asbestos removal projects including a large programme in the Town Hall. This has resulted in much closer management of the contractors and highlighted aspects of the works that need more careful assessment and control. Keystone will be updated to record updated management conditions following remediation works. EE have been contracted to support CBC to procure framework contractors and this will be carried out as a joint exercise with housing. In the interim all contracts have been subject to detailed review of RAMS by the H&W manager and H&S Integration of data management with retained survey provider is in hand.	No	M	Jan-18	CBC + Savills input	New detailed systems for asbestos removal monitoring. Aim to implement during 2017. To be considered corporately and will need to go via NHS procurement.
13	Clarify Non Standard/ Leased Tenure Obligations	Ensure leases and management agreements are clearly understood regarding the liabilities arising around asbestos management. Determine CBC asbestos management response as may be dependent upon specific lease arrangements.	In order to mitigate litigation and/or reputational risk, the Council ought to ensure that it understands the effect of current leases around asbestos compliance obligations and managing current and future leases and the corresponding legal documentation. Shop units (often with flat above), generally surveyed at void and not re-inspected (by CBC). Unclear how many surveyed overall; clarification and survey of remaining units recommended. Only structural alterations require CBC notification/ permission so smaller re-fits are not notified (and may disturb ACMs). Shops/ other commercial premises deemed lessees responsibility are not re-inspected: check legal mandate and re-iterate obligations in writing. CBC to consider the appropriateness of ACM re-inspection surveys in commercially sub-let properties or the non-domestic accommodation allied to these. CBC is to consider and decide whether to limit its obligations simply to those legally mandated, or to go beyond. A decision has been made to resurvey all of the commercially let properties. As part of this work analysis of the current lease requirements has revealed that there are two primary approaches - the tenant responsible for all internal maintenance or both internal and external. When the surveys are complete CBC will write to the tenant with a copy of the survey pointing out their obligations to manage and respect. If there are any conditions that pose a significant risk CBC will request an urgent action plan from the tenant.	N/A	M	Dec-17	CBC	Decision to survey all stock irrespective of tenancy agreement. On completion of surveys reports will be shared with tenants. Review with Kier of roles and responsibilities and content of agreements.

RAG Status:

	Green = Activity / Task Complete
	Amber = Activity /Task Commenced
	Red = Activity /Task Not Commenced

Key to Terms:

ACM = Asbestos Containing Material
AMP = Asbestos Management Plan (and related protocols/ policy)
CAR = Control of Asbestos Regulation 2012
Frontline = Asbestos Register system (CBC Corporate Services) via Frontline Data Ltd
H&S = Health and Safety
HSE = Health and Safety Executive
KAR = Keystone Asbestos Register system (CBC Housing Services)
MAN = Management Actions
MRA = Material Risk Assessment (HSE methodology HSG264)
Northgate = Housing Management Information System (incl. repairs ordering)
Non-Domestic = Commercial areas, or corridors/ landings/ stairwells/ etc associated with residential blocks (often referred to as 'Communal' areas)
OSD = CBC 'in-house' service provider (direct/partner service organisation)
PRA = Priority Risk Assessment (HSE methodology HSG264/227)
RA = Risk Assessments (MRA + PRA)
R&D = Refurbishment and Demolition (pre-works) surveys
RIDDOR = Reporting Injuries Diseases and Dangerous Occurrences Regulations (1995)
RMSGAM = Risk Management Sub Group - Asbestos Management
TNA = Training Needs Assessment (HSE ACoP L143 methodology)
TOR = Terms of Reference
VFM = Value for money
CBC = Chesterfield Borough Council
UDC = User Defined Content (in this context an asbestos related pop up warning)

This page is intentionally left blank

Chesterfield Borough Council Asbestos Compliance Recommendations Action Plan:

Version: ISSUE 07

Date: Feb-2018

Appendix 3



HOUSING

REF/RAG	Title:	Activity / Task:	Notes:	Legal Requirement:	H/M/L	Target Date	Responsibility	Progress
1A	Asbestos Compliance Audit	Commission a CBC strategic asbestos compliance review and recommendations.	Commissioned by Housing in November 2015, final report submitted May 2015. Findings presented to Cabinet with Action Plans October 2015	No	N/A	May, 15	Savills	Complete
1B	Action Plan	Implement an Action Plan and monitor/report progress	Governed by Asbestos Management Steering Group - AMSG, reporting to H&S Committee and Risk Management Group. Draft Action Plan in place, AMSG established as agreed at H&S Committee and Cabinet.	No	High		AMSG, Delegated Officers & Savills	Ongoing
2A	Non-Domestic Area Surveys	Comprehensively check that all housing related non-domestic areas are discretely identified, surveyed (if appropriate) + re-surveyed within initial 12 month cycle. Review ACM RAs + 'no access' areas + implement recommendations. Include garage blocks.	Highest HSE/ CAR legislative mandate. Non-Domestic areas surveyed 2010 and 2013 i.e. beyond 12 month cycle (applicable up to December 2013). Re-inspection carried out early 2016, review of findings and alignment of new RA based cycle thereafter. Reflect approach/findings within new compliance documentation (AMP). Ensure data entry/ management within KAR electronically. Ratification of non-domestic stock definition advised + UPRN alignment. Non-Domestic survey re-inspections completed 2016.	Yes [CAR Reg 4]		May '16	CBC + Savills	Completed
2B			Include garage blocks specifically (and treat external envelope of garage blocks as non-domestic areas), together with boiler rooms and consider any additional non-domestic areas identified. This completed by May 2016.	Yes [CAR Reg 4]		May '16	CBC + Savills input	Completed
3A	Prioritised Domestic Area Surveys	Robust Survey Strategy required (desk top review/ prioritisation protocol as per guidance HSG227).	Approx 23% survey of domestic housing stock currently achieved. Following desk top risk review/ prioritisation for next phase, CBC have a plan to undertake a further 20% to 25% survey in 2015. Although not a legal requirement, as part of a proactive risk management approach, CBC aspire to reaching 100% of properties surveyed over time. This provides a reasonable/ prudent approach. We also recommend CBC consider their non-standard conventional stock in this prioritised survey process (example: South Yorkshire Housing stock and non-traditional construction properties). This approach will be reflected in an updated AMP. Completed in 2016	No		May '16	CBC + Savills input	Completed
3B	Retained Specialist Surveying Services	Consider extending retained survey services procurement to provide all retained specialist services for improved compliance consistency + VFM.	Surveys currently procured for extended term/ VFM/ consistency. Robust format/ template review and re-alignment of current surveys to CBC compliance regime and enhanced KAR to be incorporated within 2015 survey programme. Future R&D survey brief to include whole house Management Survey while on site. This a 'pragmatic' recommendation to extend existing survey contract to include all survey and analytical services, including re-inspections/ training/ 24 hour cover/ retained advice for consistency, electronic data submission and compliance consistency (partnership approach). Agreements now in place - Management Surveys (Savills - exp. 31st March 2017); R&D Surveys and analytical feedback (Armstrong York - exp. 31st March 2019).	No		Jun. '16	CBC + Savills input (+ professional services procurement hub)	Completed with process ongoing
4	ACM Re-Inspection Regime	Consider deriving a robust (specific) risk assessment based re-inspection regime for domestic areas.	CBC intend to build upon their new 100% domestic survey program by bringing into place a proportionate evidence based ACM re-inspection regime. Savills will work with CBC with regard to corresponding narrative paperwork and phasing. CBC intend to initiate this aspirational regime when nearing 100% survey, unless individual ACM risk assessments warrant otherwise. No proactive domestic re-inspections have been undertaken by CBC previously . The new approach is to be robust, will align with the non-domestic re-inspection protocol and incorporate checks to labelling (where appropriate) as well as comprehensive review of the results, trend analysis and reflection within a 'live' RA protocol. While this recommendation is a 'red' status, this is necessarily the case until the Action Plan has gone to Cabinet for ratification and approval. If approved, the status will then change to Amber as operational consideration and where appropriate implementation commences. Reviews ongoing. Primary comments in surveys discussed and agreed in princpal. Communal areas being re-surveyed on an annual basis, domestic - on a priority basis. All management surveys going forwards to managed on Risk Basis, rather on a programmed cyclical basis, as at present	No		Nov. '16	CBC + Savills input	Completed with process ongoing
5	Asbestos Data Availability / Management Reporting	Review existing Keystone Asbestos Register system and ensure 'fit for purpose'. These processes have legal relevance in the sense that the 'duty holder' (CBC) have the requirement to provide relevant information regarding ACMs to those that need to see it.	Existing register system (KAR) under license with Keystone part implemented/ populated with relevant data and currently no active link to Northgate. Regarding practical implementation and optimisation of the data systems, we recommend that aspects to be reviewed/ enhanced should now specifically include: alignment of KAR to CBC protocols/ RAs (MRA + PRA), enhanced stock list attributes (tenures/config/build dates/etc), all data entered electronically, full register access (24/7) to all that need to see it (staff + contractors), clear management reporting ('no access', ACMs requiring work, re-inspection cycles, etc), ACM removal data capture + entry (register updates and certification), data reference auditing (i.e. have contractors consulted the information appropriately). Documented confirmation recommended to demonstrate that sufficient R&D surveys have been commissioned for any phase of intrusive work. Link to Northgate for headline ACM 'flag/ warning'. Integrate with 'out of hours' service and emergency services (Fire Authority register access). No survey / removal information received post void or disabled adaptation work: process mapping recommended to ensure a robust approach (this started for disabled adapts where reference to the register not previously evidenced). Facilitate 'UDC' flag link to Northgate. 'Arvato' security access protocols may present web data access issues to resolve. Seek assurance within the data systems that historic data is retained and available to CBC when required. This action is at an 'Amber' stage around the fact that review has been commenced, some conclusions drawn, and consequential actions initiated to address aspects raised. Contract set-up with Armstrong York in June 2016 to carry out all R&D Surveys (Housing) for Planned Works to be available electronically via web portal (TEAMS system) to all contractors (incl. internal OSD), data also to be imported to existing Keystone database to ensure continued access to data. From Jan 2017 OSD (Housing budgets) added to contract to ensure R&D surveys carried out on same basis for repairs & voids works	Yes [CAR Reg 4]	L	Mar. '17	CBC + Savills input	Keystone set-up review COMPLETED. Security / Kiosk issues resolved, however, currently utilising TEAMS web portal, via Armstrong York. Good evidence that this is working well both internally & externally (contractors). Note: Trial of Kiosk currently being carried out by OSD, supported by Corporate & Kier.

6	Review outcomes of surveys with a view to on-going assurance.	Collate + review existing survey data/ recommendations and action. Ensure document trail for assurance upon completion. Legal context: to undertake ACM risk assessments and act upon them. Context: to demonstrate good governance by identifying actions and recording their completion.	Outcomes arising from surveys and ACM re-inspections ought to be routinely reviewed and audited for interpretation regarding compliance themes, trends and 'gap analysis'. This to help identify pro-active management actions arising and steps needed in consequence. Specific areas to consider will include: 'No access areas' / ACM risk assessment based recommendations upon survey reports/ re-inspections / robust demonstrable review/ recommendation actioning. Similar auditing to ensure post removal data capture recommended as part of routine register/ data management protocols. Although necessarily at 'Red' status currently, it is the view of Savills that once the Action Plan is approved by Cabinet, this can be a swift task and may be commenced rapidly to change the status to 'Amber' overall. Classed as 'green' as 'work-around' TEAMS system ensuring task fulfilled.	Yes [CAR Reg 4]	L	Jul. '16	CBC + Savills input	Completed with process ongoing. Full Review annually after Management Surveys completed
7	Communication Strategy	Provision of enhanced asbestos related information to tenants/ building occupants, as well as general guidance and a wider 'strategy' document. This is to demonstrate 'good practice' by generally informing residents about asbestos risk(s). To include residents & others who may accidentally disturb ACMs by virtue of building occupation.	CBC has in place a number of methods, typical of many Local Authorities, with which to communicate with residents regarding asbestos. CBC is however committed to enhance this process and as a component of this review, recommendations to enhance this communication regime have been considered and will now be developed / implemented. Draft agreed by ASMG, and passed to John Fern (CBC Communications & Marketing Manager) to be developed. Corporate Strategy to be common across Council, however, separate streams of actual communication documents to be developed for Housing (as opposed to Corporate) because of different building use, including occupation and legislation. CBC Housing has NO high risk asbestos (based on survey) management survey data, therefore can managed on risk basis.	No	M	Mar. '17 Revised to Sept. 17	CBC + Savills input	Housing tenants leaflet now published (hard copy & electronically). Individual reports to tenants - format still to be finalised.
8	Updated Compliance Documentation / Procedures	Review and update the CBC suite of asbestos compliance documentation. Reflect within aligned practical procedures (and guidance for staff/ those commissioning work).	CBC commissioned this independent review in part as it was understood that the documentation and processes associated needed update to reflect changes in both guidance and operational processes. Updates to some CBC documentation where therefore delayed pending independent review which we agree represents a reasonable response. Revised/ updated/ expanded CBC Asbestos Policy, AMP, and Procedure documentation is now recommended/ required. Align to an updated compliance regime, with integrated protocols and guidance. Aspects to be incorporated include: roles and responsibilities, asbestos information/ data access/ communication, defined MRA+PRA Man Actions, monitoring/ review criteria, training matrix, QC and audit. It is also recommended the RMSGAM terms of reference (which cover Housing and Corporate Services) are reviewed/ updated and meetings reinstituted to help monitor implementation of the Action Plan. Terms of Kier/Arvato ACM compliance responsibility need express clarification + monitoring. Review now commenced and Savills assisting. Following approval of the Action Plan, this activity continues to be part of the operational implementation.	Yes [CAR Reg 4]	L	Sep. '16	CBC + Savills input	All technical staff have completed Asbestos Awareness training (2016), refresher training also carried out in March 2017 (via Armstrong York - to link into their data). All relevant staff / projects now complying with CDM Legislation.
9	Compliance Auditing Regime	Enhance and incorporate additional specific (demonstrable) auditing protocols as an extension of the wider updated asbestos compliance regime/ procedure suite. This item allied to 8 (above), but separated as a reflection of the importance assigned by CBC to provide assurance and demonstrate good governance.	Demonstrable, on-going auditing of duty holder compliance regimes is considered important by CBC and consideration of these aspects therefore deliberately incorporated within this review and recommendation. The need to undertake auditing in respect of this compliance area and the recommendation to further develop express processes within the wider asbestos regime agreed with CBC. Recommended auditing related aspects to be considered include the following: Enhanced register system (KAR) management reporting capability/ formatting, audited use of register data (by contractors/ staff/ OSD), QC of surveys, proportion of R&D surveys, QC of removal work (including air testing and RAMS evaluation), partner contractor compliance/ operative training (including OSD + Spire Pride + sub-contractors), annual compliance review (criteria HSE driven + appended to AMP), re-inspection surveys and training cycles. New CDM oriented staff appointment already understood to include in-house auditing role. This is necessarily at 'red' status at this stage as the tasks relating to this recommendation cannot proceed until the Action Plan is approved and the operational implementation commenced.	No		Jun. '16	CBC + Savills input	PB completed P405 Course in December 2015. AMSG now implemented. Report due to Cabinet during early 2018 for approval. Continual auditing on quality of data, being carried out and also to ensure proper use of system by staff & contractors.
10	Compliance Management Structure	Review of the management structure to ensure sufficient staff resourcing (asbestos related) and a fully integrated strategic compliance function/ enhanced link to the CBC Health & Safety Team. This task recommended in order to demonstrate good governance and provide assurance by providing appropriate resources for active risk management.	It is recommended that CBC consider an emphasis toward enhanced strategic level compliance monitoring and reflect within the new management structure contemplated. Differing areas of strength between the Housing and Corporate compliance regimes can be combined for an optimum H&S management approach overall. Detailed recommendations agreed with CBC to include: Focus upon survey report interpretation and trend analysis with appropriate data admin support recommended. Improved lines of communication and routine compliance status reporting. Consider an overall 'Compliance Manager' role (Corporate + Housing) and delegated asbestos steering group (RMSGAM or similar). Include Group 'near miss'/ RIDDOR register and CBC response/ monitoring protocols. Consider a further emphasis toward 'informed client' role with retained (partner) specialist service providers. The in-house CDM compliance appointment a positive development in the light of CDM 2015 regulation changes.	No	M	Jun. '16 / Mar. '17	CBC + Savills input	AMSG implemented System in place - continually being reviewed.

11	Training	Review the training need and suitability to provide assurance.	Appropriate training of staff (and in-house service providers [OSD + Spire Pride] operatives/ contractors) and appropriate repeat cycle a clear legal and guidance requirement. General 'Annual Asbestos Awareness' training is provided via e-learning (Frontline portal) for all staff. Certified repeat cycles need careful review/ monitoring. Enhanced training now recommended for staff/ roles with specific asbestos responsibility as a component of an enhanced aspirational CBC regime. An updated CBC Training Needs Assessment (TNA) recommended to help define a 'mandatory' training matrix and monitor / document on-going delivery. Regard 'e-learning' option as refresher (not primary) training resource. Classroom based training (with qualified trainer) for key Officers who need extra awareness to carry out daily duties. Include register system (KAR) training when its use is to be extended. Reflect within the RMSGAM (or equivalent) terms of reference to ensure training delivery is monitored/ audited. Note: CBCs thinking regarding the potential appointment of an overall 'compliance manager' role is thought will help support this task and delivery. Ongoing training and re-training to ensure awareness is constant high standard.	Yes [CAR Reg 10]	H	Feb. 16	CBC + Savills input	All technical staff have completed Asbestos Awareness training (2016), refresher training also carried out in March 2017 (Armstrong York - to link into their data). All relevant staff / projects now complying with CDM Legislation. On line refresher training to be carried out by all staff early 2018. New starters to have classroom based training early 2018 (circa 4 persons).
12	Contractor Vetting	Consider establishing an enhanced asbestos compliance related contractor vetting procedure. Repeat annually using a standardised, documented approach/ log.	Current contractor compliance vetting variable and in-house guidance as to what to require will benefit from review/ enhancement. Compliance risk should be demonstrably enhanced by 'best practice' duty holder contractor (+ sub-contractor/ specialists/ M&E etc) asbestos compliance vetting process. Document responses including evidence of operative training in compliance with HSE guidance. Include enhanced processes where non-licensed work undertaken directly by contractors/ OSD. Suspend where responses inadequate. Undertake sample auditing as part of related CBC procedure. Terms of Kier facilities management function/Arvato ACM compliance responsibility needs express clarification/ monitoring. This is an operational recommendation and necessarily at 'red' status since it is dependent upon approval of the Action Plan by Cabinet to progress. Approval will allow collation of the operational plan and swift implementation.	No		Dec. '16	CBC + Savills input	Interim vetting system in place contractor / operative -- compliance / awareness (carried by Construction Safety Coordinator, Contract Supervisors, and QS). Continual auditing on quality of data being carried out.
13	Removal Contractor	Consider procuring retained asbestos removal services (licensed and un-licensed) from a single provider. Legal context: the requirement to employ specialist contractors 'licensed' by the HSE for particular types of work. The aspirational context is toward an enhanced role provided by a single contractor for improved consistency, VFM and data administration/ management.	Varying removal companies used (quotation for individual jobs) currently. Although work volumes low, a single retained provider may offer better VFM (schedule of rates) / streamlined data capture / alignment to CBC compliance protocols / 24 hour cover etc. More stringent regulation to follow (updated HSG248) which can be anticipated as part of specification. Better align processes with retained survey provider (see above) re site analytical audits/ air testing regime etc. Some non-licensed work undertaken by OSD; data capture/ register update processes will benefit from review and enhancement. This recommendation is necessarily at 'red' status at this stage, pending approval of the Action Plan by Cabinet and formulation of the operational plan and implementation. To be jointly considered by Housing & Corporate.	No		Oct. '16	CBC + Savills input	Joint Procurement - to be combined contract with Corporate now confirmed. Housing to take lead.
14	Clarify Non Standard/ Leased Tenure Obligations	Ensure leases and management agreements are clearly understood regarding the liabilities arising around asbestos management.	This recommendation applies in only a small number of cases for Housing Services. In order to mitigate litigation and/or reputational risk, the Council ought to ensure that it understands the effect of current leases around asbestos compliance obligations and managing future leases and the corresponding legal documentation in order to reduce risk. The council need to be assured that the compliance position regarding shops and commercial premises (allied to the housing stock) is sufficiently clear. Ensure in the event of specific enquiries to the council, these are managed appropriately with reference to legal advice where appropriate as this is a complex area, particularly in respect of historic lease agreements. R&D Surveyshave been carried out for all Shops & Community Rooms (Housing stock), data expected imminently.	N/A		Dec. '16	CBC	Completed

RAG Status:

	Green = Activity / Task Complete
	Amber = Activity /Task Commenced
	Red = Activity /Task Not Commenced

Key to Terms:

ACM = Asbestos Containing Material
AMP = Asbestos Management Plan (and related protocols/ policy)
CAR = Control of Asbestos Regulation 2012
Frontline = Asbestos Register system (CBC Corporate Services) via Frontline Data Ltd
H&S = Health and Safety
HSE = Health and Safety Executive
KAR = Keystone Asbestos Register system (CBC Housing Services)
MAN = Management Actions
MRA = Material Risk Assessment (HSE methodology HSG264)
Northgate = Housing Management Information System (incl. repairs ordering)
Non-Domestic = Commercial areas, or corridors/ landings/ stairwells/ etc associated with residential blocks (often referred to as 'Communal' areas)
OSD = CBC 'in-house' service provider (direct/partner service organisation)
PRA = Priority Risk Assessment (HSE methodology HSG264/227)
RA = Risk Assessments (MRA + PRA)
R&D = Refurbishment and Demolition (pre-works) surveys
RIDDOR = Reporting Injuries Diseases and Dangerous Occurrences Regulations (1995)
RMSGAM = Risk Management Sub Group - Asbestos Management
TNA = Training Needs Assessment (HSE ACoP L143 methodology)
TOR = Terms of Reference
VFM = Value for money
CBC = Chesterfield Borough Council
UDC = User Defined Content (in this context an asbestos related pop up warning)

This page is intentionally left blank


CHESTERFIELD
BOROUGH COUNCIL

Asbestos Policy 2018-2021

Third (final) draft December 2017

Version	Date	Name	Description
V 0.1 Draft 01	May 2017	J Ransom	First Pre-Draft Policy (for development).
V 0.1 Draft 02	Sept 2017	J Ransom	Incorporating AMSG Feedback.
V 0.1 Draft 03	Dec 2017	J Ransom	Incorporating AMSG + Management Feedback.

Section	Content	Page
1	Management Information	3
2	Statement of Purpose and Scope	4
3	Key Definitions	4
4	Policy Statements (Practical Intent)	5
5	Monitoring (of this Policy)	8
6	Review Cycle	8
7	Primary Regulation / Legal References	9
8	Glossary of Terms	9
Supporting documents		
Appendix A	Schedule of Interim Revisions (prior to 3 yearly review)	10

1. MANAGEMENT INFORMATION

Risk Assessment	To define the management of risks from Asbestos Containing Materials.
Consultation	Asbestos Management steering Group (AMSG). Senior Management Team. Corporate Health & Safety Unit. Council Risk Management Group. CBC Board of Management.
Diversity Issues (how diversity impacts have been considered, what action has been taken or that no diversity issues arise).	No Specific Diversity Issues.
Associated Policies Plans & Procedures	CBC Health & Safety Policy. Asbestos Management Plan (AMP). Asbestos Specific Procedures (listed in AMP).
Director / Policy Sponsor Policy Specialist	Assistant Director - Housing Design & Capital Investment Manager. Assistant Director - Health & Wellbeing
Applicable to	CBC, Consultants and Contractors.
Responsibility for Implementation	Chief Executive CBC.
Policy 'Owner'	Assistant Director - Housing (<i>for Housing</i>). Assistant Director - Health & Wellbeing (<i>for Corporate</i>).
Date of Issue Date of Review Date agreed by Board of Management / Council Committee	
Performance reporting & resident scrutiny	
Circulation list	Available to all CBC staff electronically on Council data server repository (once draft version approved).

2. STATEMENT OF PURPOSE AND SCOPE:

The purpose of this policy is to outline Chesterfield Borough Council (CBC) controls and responsibilities to manage asbestos effectively and safely in line with the Control of Asbestos Regulations 2012 (CAR) and Health and Safety at Work Act 1974.

This policy applies to:

- All Chesterfield Borough Council (CBC) employees and contractors undertaking asbestos related works, or work adjacent to asbestos containing materials (ACMs);
- All Chesterfield Borough Council (CBC) properties including all properties owned by partner/ subsidiary organisations of the Council or managed by CBC (unless otherwise formally agreed with the freeholder/ business tenant/ lessee/ occupier). This will include domestic rented properties, communal areas (including those to leasehold property) and non-domestic (corporate and commercial) properties. This will also include any property managed by CBC; and
- Anyone likely to be put at risk from work in these properties.

3. KEY DEFINITIONS:

Term:	Description:
Asbestos	A term for a group of six naturally occurring fibrous minerals; chrysotile, crocidolite, amosite, anthophyllite, tremolite, and actinolite. Asbestos can most typically be found in buildings built or refurbished prior to the year 2000. When asbestos containing materials are disturbed or damaged, causing fibres to be released into the air, if inhaled these represent a potential health hazard. If safely managed and contained these materials do not present a health hazard.
Asbestos Containing Material (ACM)	Any material containing asbestos. Some examples include pipe and boiler insulation, sprayed on fireproofing, floor tiles and mastic, floor linoleum, roofing materials, wall and ceiling boards, textured coatings (Artex), flues, and ceiling tiles.
Duty Holder	CBC, as a corporate body, is responsible for ensuring compliance with Health and Safety legislation, CAR 2012 and that the safe management and mitigation of risk is achieved overall. External contractors and Kier Asset Partnership Services Ltd property maintenance team also act as individual responsible 'Duty Holder' in respect of asbestos when conducting work directly.

Term:	Description:
Management Survey	Used to locate asbestos containing materials (as far as reasonably practical) that could be disturbed or damaged, and to help manage ACMs strategically. Often involves only minor intrusive work and localised disturbance in order to obtain samples to test. Results used to conduct Risk Assessment.
Risk Assessment	Identifying and assessing the hazards and the risk associated with those hazards from exposure to asbestos and determining any necessary precautions (either immediate or longer term). 'The assessment of risk is required by regulation'.
Refurbishment and Demolition Survey	Used to locate all asbestos containing materials (as far as reasonably practical) by being conducted before any demolition, or intrusive work likely to disturb the fabric of the building is carried out and is specific to the scope of intended works. Surveys are fully intrusive and may involve destructive inspection to gain access to all appropriate areas, including those that are difficult to reach (example: service ducts). Results are used to conduct Risk Assessments and derive appropriate Method Statements.

4. POLICY STATEMENTS (PRACTICAL INTENT):

1. We will manage ACMs via reasonably practical means to prevent exposure to asbestos fibres.
2. We have a duty of care to ensure that we mitigate (reduce) any risks associated with asbestos to customers, residents, employees, contractors, and members of the public as far as reasonably practical.
3. We will, as the Duty Holder, take reasonable steps to locate asbestos containing materials (ACMs) in premises that are likely to contain them, including where it is situated and what condition it is in. If in doubt, we will presume materials contain asbestos unless there is strong evidence that they do not.
4. Approved Codes of Practice & Guidance information published by the HSE shall be taken as the adopted compliance standard.
5. We will have an Asbestos Management Plan (AMP) that sets out how we manage and control the risks from ACMs to employees, customers, contractors, etc. We will annually review and monitor the plan so it remains up to date and relevant, or sooner if suspected it is no longer valid, there has been a significant change to the business or its activities, or there has been a major incident.

6. We will conduct asbestos surveys, either Management Survey or Refurbishment and Demolition Survey, as outlined in the HSG264 'the Survey Guide' with the aim to determine and record the location, condition and extent of any presumed ACMs. We will make sure these are only carried out by approved and competent individuals/ contractors.
7. The survey strategy for all property constructed prior to 2000 and as set out in the AMP will be to:
 - Ensure 100% management survey to the non-domestic (communal) areas associated with our housing, including communal garage blocks externally;
 - Implement a pro-active prioritised survey programme of all our domestic properties (typically flats and houses) based upon higher risk asbestos identified in our existing data, or other relevant criteria (age, construction type, etc). A nominal 20% survey proportion (of the domestic stock) to be conducted annually (until 100% survey completion). This protocol will be set out within the AMP and subject to annual review to ensure this remains fit for purpose;
 - Ensure 100% management survey to the non-domestic corporate property and areas that we own and retain management responsibility for;
 - Ensure an initial 100% management survey to the non-domestic corporate property and areas that we own and sub-let/devolve on-going management responsibility to the lessee/business tenant for. These surveys to then be passed onto the responsible lessee/ business tenant with which to undertake their own statutory obligations thereafter. This may include corporate/ commercial property sub-let and managed on behalf of CBC; and
 - Carry out pro-active surveys where required prior to any work intrusive to the fabric of a building, including planned maintenance, empty homes works and day to day repairs.
8. Following risk assessment (typically survey), and where we retain management responsibility, we will re-inspect, re-assess and record the condition of known ACMs at suitable intervals as defined in the AMP.
9. We will not, unless it becomes a risk to remain in-situ, remove ACMs as this could be more dangerous than leaving them in place. Where removal is the most appropriate option, we will ensure only appropriately trained/ equipped/ experienced/ licensed/ competent contractors undertake works in the properties for which we have responsibility. We will aim to remove all "high risk" rated ACMs in our properties, or return them to a safe state of repair.

10. We will ensure that where ACMs providing fire, sound or thermal insulation protection are removed, that these are replaced with an alternative material providing similar protection.
11. We will repair or seal ACMs if they are damaged or deteriorating, but only if otherwise in sound condition and unlikely to be subject to further damage, or in a position where they will not otherwise cause a risk to health if left untreated.
12. We will only label ACMs in communal areas of buildings not accessible or visible to the public. Any exceptions to this (for specific corporate buildings) will be clearly detailed within the Asbestos Register system. Labels will then be checked during ACM monitoring re-inspection surveys.
13. We will follow recommendations contained in the survey report and with reference to the timescales/ cycles defined in the AMP. Any deviation to this will be reviewed with the 'responsible person' and expressly recorded upon the Asbestos Register system.
14. We will record the location and condition of ACMs, or materials we presume contain asbestos and keep those records up to date.
15. We will hold the results from the surveys on the approved CBC Asbestos Register, which will be made accessible to employees, contractors and emergency services. This will contain information on the location and condition of all asbestos, or materials presumed to contain asbestos, along with the associated risk assessment and materials confirmed that do not contain asbestos. Following implementation of the new unified CBC hosted Asbestos Register and compliance management system (Autumn 2017), for new surveys these records will also provide linked access to photographs and schematic plans for those that need to see them.
16. We will undertake a risk assessment (recorded in the register), in order to appropriately and consistently assess the risk from asbestos being present. This will be based upon the 'material risk score' as well as the 'priority risk score' to comprehensively assess the overall likelihood of anyone being exposed.
17. We will, where a new full survey has been carried out, inform our customers within that property to the presence of ACMs as per the CBC 'Communication' Strategy: Informing Residents About Asbestos'. We will also provide generic guidance in the form of a leaflet, for new tenants, upon our web site, within our tenant handbooks and via periodic newsletter articles.
18. We will provide employees with the appropriate level and frequency of training based on their roles and responsibilities (Training Needs Assessment). Some asbestos specific roles will also be required to demonstrate appropriate competence.

19. We will investigate all 'near misses'/ compliance breaches and where appropriate report asbestos exposure through RIDDOR.
20. We will maintain an Asbestos Management steering Group (AMSG) with representation from all parts of the business (Housing and Corporate) involved to monitor and scrutinise our practical application of the asbestos compliance regime. The AMSG will undertake an annual summary review of our adherence to the AMP with clear recommendations where appropriate to the CBC Executive Team/ Board of Management.
21. Hazardous waste consignment notes will be kept for 3 years and Certificates of re-occupation for 40 years. Records of other precautionary measures undertaken, including advice/ survey summaries issued to residents, ACM removal records, related consignment notes, work auditing, 'statements of cleanliness', etc will also be retained and when the new combined CBC hosted Asbestos Register system fully implemented (Autumn 2017), attached within the register system for continuity.
22. Key performance information in relation to Regulation 4 (of the CAR 2012) and re-inspections undertaken will be provided to the CBC Executive Team/ Board of Management, every quarter (3 monthly).

5. MONITORING (OF THIS POLICY):

We will monitor this policy to ensure it continues to deliver the expected outcomes. Service standards, key performance indicators and audits are typical of the monitoring systems which will be employed but this will vary according to the area of the policy concerned. These aspects are set out in more detail and will be dynamic/ subject to review (to ensure they remain adequate for purpose) as part of the AMP and related CBC Procedures.

6. REVIEW CYCLE:

We will review this policy as a minimum on a three yearly cycle, or otherwise when a business/ compliance obligation need arises. Our review programme may also be driven by service improvement initiatives, changes to legislation, regulation, practice, our management structure or systems, or as a result of feedback from key stakeholders/ customers.

7. PRIMARY REGULATION / LEGAL REFERENCES:

- Control of Asbestos Regulations 2012 (CAR);
- Health and Safety at Work Act 1974;
- Management of Health & Safety at Work Regulations 1999;
- Control of Substances Hazardous to Health Regulations 2002;
- Workplace (Health, Safety and Welfare) Regulations 1992;
- Hazardous Waste Regulations 2005;
- Construction (Design and Management) Regulations 2015;
- The Approved Code of Practice; 'Managing and Working with Asbestos' (L143);
- Guidance Document; 'A Comprehensive Guide to Managing Asbestos in Premises' (HSG227);
- Landlords and Tenants Act 1985; and
- HCA Regulatory Framework - Home Standard (to meet all statutory requirements that provide for the health & safety of occupants in their home).

8. GLOSSARY OF TERMS AND ABBREVIATIONS:

ACM -	Asbestos Containing Material
ACOP -	Approved Code of Practice
AMP -	Asbestos Management Plan
AMSG -	Asbestos Management Steering Group
CAR -	Control of Asbestos Regulations (2012)
HSE -	Health and Safety Executive
RIDDOR -	Reporting Of Injuries, Diseases & Dangerous Occurrences Regulations
CBC -	Chesterfield Borough Council

Version number:	V 0.1 Draft 03 (Final).
Approved by:	AMSG
Approval date:	
Effective from:	Third (final) draft for review 13 December 2017.
Review date:	(3 years post endorsement).
Equality analysis completed:	
Policy author:	J Ransom/ M Key/ A Craig.
Policy owner:	Assistant Director for Housing (<i>for Housing</i>). Assistant Director for Health & Wellbeing (<i>for Corporate</i>).

APPENDIX A:

Schedule of Interim Revisions
(prior to 3 yearly Policy review/update cycle)

Date:	Page Number:	Section Reference:	Revision:

Chesterfield Borough Council

Equality Impact Assessment - Preliminary Assessment Form

The preliminary impact assessment is a quick and easy screening process. It should identify those policies, projects, services, functions or strategies which require a full EIA by looking at negative, positive or no impact on any of the equality groups.

Service Area: HOUSING SERVICES
 Section: ASSET MANAGEMENT
 Lead Officer: PETER BARTLE

Title of the policy, project, service, function or strategy the preliminary EIA is being produced for: **Asbestos Management Compliance Update**

Is the policy, project, service, function or strategy:

Existing ☐

Changed ☒

New/Proposed ☐

Q1 - What is the aim of your policy or new service?

The purpose of the report is to update Members on Management Compliance Update to premises owned by Chesterfield Borough Council and adopt a new Asbestos Policy

Q2 - Who is the policy or service going to benefit?

The Asbestos Management arrangements will benefit all residents & visitors to and Contractors working on properties owned by Chesterfield Borough Council.

Q3 - Thinking about each group below, does, or could the policy, project, service, function or strategy have an impact on protected characteristics below? You may also need to think about sub groups within each characteristic e.g. older women, younger men, disabled women etc.

Please tick the appropriate columns for each group.

Group or Protected Characteristics	Potentially positive impact	Potentially negative impact	No impact
Age – including older people and younger people.			X
Disabled people – physical, mental and sensory including learning disabled people and people living with HIV/Aids and cancer.			X
Gender – men, women and transgender.			X
Marital status including civil partnership.			X
Pregnant women and people on maternity/paternity. Also consider breastfeeding mothers.			X
Sexual Orientation – Heterosexual, Lesbian, gay men and bi-sexual people.			X
Ethnic Groups			X
Religions and Beliefs including those with no religion and/or beliefs.			X
Other groups e.g. those experiencing deprivation and/or health inequalities.			X

If you have answered that the policy, project, service, function or strategy could potentially have a negative impact on any of the above characteristics then a full EIA will be required.

Q4 - Should a full EIA be completed for this policy, project, service, function or strategy?

Yes ☐

No ☒

Q5 - Reasons for this decision:

There will be no impact on users generally.

For publication

Commercial Services Fees and Charges for Cemeteries 2018/19 (HW000)

Meeting: Cabinet

Date: 13 March 2018

Cabinet portfolio: Health and Wellbeing

Report by: Commercial Services Manager

For publication

1.0 Purpose of report

- 1.1 To set the Council's cemeteries fees and charges for the financial year commencing 1 April 2018.

2.0 Recommendations

- 2.1 It is recommended that the 2018/19 fees and charges as detailed in Appendix A, be approved.

3.0 Report details

- 3.1 Chesterfield Borough Council are responsible for the management of four Council cemeteries; Brimington, Staveley, Boythorpe and Spital. The cemeteries service is managed within the Bereavement Services Section who also manage the

crematorium on behalf of the Chesterfield, North East Derbyshire and Bolsover Councils.

- 3.2 Cemeteries fees and charges are subject to annual review, with revised fees and charges implemented on 1st April each year.
- 3.3 In preparing this report, the Council's adopted general guidelines on charging for services have been taken into account.
- 3.4 The Cemeteries Service is currently subsidised with approximately 80% of controllable costs recovered from fees and charges. In setting the annual fees and charges for Cemeteries, proposals in this report have been taken into account;
 - (a) The reduction in the number of burials taking place in recent years.
 - (b) The need for the Council to achieve a balanced budget.
 - (c) The level of fees and charges levied by other authorities in our family group and local cemeteries providers.
 - (d) Broader value for money considerations.
- 3.5 A Comparison of charges has been carried out, reviewing fees and charges made by other authorities in our family group.

Table 1: Fees of "Family Group Comparator Authorities 1 April 2017

Authority	Interment Fee	Exclusive Right of Burial	Exclusive Right of burial (CR)	Interment of cremated remains
Mansfield	£565.00	£1270.00	£710.00	£170.00
Chesterfield Borough Council	£800.00	£990.00	£360.00	£270.00
Ipswich	£850.00	£1300	£1300.00	£185.00
Worcester	£860.00	£775.00	£385.00	£325.00

Gloucester	£995.00	£680.00	£268.00	£215.00
Carlisle	£716.00	£1140.00	£397.50	£217.00
Newcastle U Lyme	£832.00	£1221.00	£554.00	£364.00
Average Fee	£803.00	£1039.00	£586.00	£249.00

**Note to Tables:*

"Interment fee" is the price for each burial in a grave and is payable in addition to the Exclusive Right of Burial Fee"

"Exclusive Right of Burial Fee" is the price to purchase the right of burial in a grave. The owner of this right must authorise each burial in the grave and has the automatic right to be buried in the grave at the time of his or her own death.

"CR" – cremated remains

- 3.6 Members will note that the Council's fees are still below the family group average. Comparator authorities will almost certainly increase their fees again in 2018-19.
- 3.7 For 2017/18 the controllable cost of cemeteries is forecast to be around £288,490 and the income is expected to be approximately £232,020, meaning that there is an expected net subsidy of £56,470, and that income now covers around 80% of the controllable cost of the service.
- 3.8 Should members approve fees and charges for 2018/2019, as set out in Appendix A, it is estimated that burial numbers will be consolidated and approximately 84% of controllable costs will be recovered.
- 3.9 The table below explains how the Cemetery Fees and Charges have increased over 5 years from 2012 to 2017. The higher than average increases have seen the % of controllable costs recovered rise from 49.43% in 2012/13 to an estimated 84% in

2018/19. However, over the same period, the number of interments has fallen.

	2012/13	2013/14	2014/15	2015/16	2016/17
INTERMENTS	290	243	241	227	210
FEE INCREASE		+10%	+30%	+5%	+3%
% CONTROLLABLE COSTS RECOVERED	49.43%	50.01%	74.62%	76.65%	73.97%

4.0 Human resources/people management implications

4.1 There are no human resource implications arising from this report.

5.0 Financial implications

5.1 The Council's general guidelines for charging include an aim to recover the full cost of the service except where:

- There is an opportunity to maximise income; or
- Members determine that a reduction or subsidy should be made for specific reasons

5.2 The proposed fees and charges for 2018/19 therefore aim to ensure that:

- The service continues to move towards cost recovery
- Our fees remain competitive and affordable, helping to ensure we provide an affordable service and that burials continue to be an affordable option for the bereaved.

6.0 Legal and data protection implications

6.1 There are no legal or data protection implications arising from this report.

7.0 Risk management

7.1 Details of the risks associated with increasing fees and charges are given below.

Description	Impact	Probability	Controls to be Implemented
Below expected take up of services generally	Reduced income	Medium	Income from cemeteries is largely subject to fluctuations in the death rate, however, price sensitivities can be a factor. Proposed fees will be comparable with neighboring authorities.
Users choosing to use facilities elsewhere	Reduced income	Low	Families have a connection to local cemeteries and proposed increases still represent good value for money. Continue to build sound relationships with Funeral Directors who may influence the final decision.
Adverse publicity	Criticism of authority	Medium	Prepare good reasoning for the increase in fees and charges and that they remain below comparable authorities. Improve standards in cemeteries.

8.0 Equalities Impact Assessment (EIA)

8.1 Funeral payments are normally the first costs to come out of the deceased's estate. Where there is a shortfall a DWP Funeral Payment, an element of the Social Fund, provides help to people receiving specified income-related benefits and tax credits. This can provide a contribution towards the costs of a simple, respectful, low cost funeral. The payment covers the full cost of specified expenses (i.e. cemetery fees and charges) plus up to £700 for Funeral Director expenses.

9.0 Alternative options and reasons for rejection

- 9.1 Members could decide not to increase fees and charges, however, the cemeteries service is already subsidised.
- 9.2 A larger increase could be applied to fees, however, this may result in burial not being an affordable option.

10.0 Recommendations

- 10.1 It is recommended that the 2018/18 fees and charges as detailed in Appendix A, be approved.

11.0 Reasons for Recommendations

- 11.1 There has been a decline in burial numbers over recent years which has coincided with above average fee increases. It is expected that by applying an average increase, burial numbers will be consolidated.
- 11.2 To generate income to contribute to the costs of providing and maintaining a burial service.

Decision information

Key decision number	807
Wards affected	All
Links to Council Plan priorities	Value for money

Document information

Report author	Contact number/email
Ross Fawbert, Bereavement Services Manager	01246 345885 / ross.fawbert@chesterfield.gov.uk
Background documents These are unpublished works which have been relied on to a material extent when the report was prepared.	

Appendices to the report	
Appendix A	Proposed fees and charges for Cemeteries in 2018/2019

This page is intentionally left blank

Appendix A – Proposed Fees and Charges for Cemeteries in 2018/19

	RESIDENT 2017/18	PROPOSED 2018/19	NON RESIDENT 2017/18	PROPOSED 2018/19
INTERMENTS				
Interment of Stillborn	No Charge	No Charge	No Charge	No Charge
Interment of Child	No Charge	No Charge	No Charge	No Charge
Interment of Adult	No Charge	£824.00	£1600.00	£1648.00
Interment of Cremated Remains	£800.00	£278.00	£270.00	£278.00
Scattering of Cremated Remains	£52.00	£54.00	£104.00	£108.00
EXCLUSIVE RIGHT OF BURIAL				
	£84.00	£87.00	£165.00	£174.00
Children's Grave	£990.00	£1020.00	£1980.00	£2040.00
Graves 9' x 4' – 50 Years	£360.00	£371.00	£360.00	£371.00
Cremated Remains				
MEMORIALS (FOR A PERIOD OF 30 YEARS)				
Headstone (3') and Footstones	£226.00	£233.00	£226.00	£233.00
Kerbstone/Other Memorial	£120.00	£124.00	£120.00	£124.00
	£163.00	£168.00	£163.00	£168.00
	£48.00	£50.00	£48.00	£50.00
Exceeding 3' Additional	£95.00	£98.00	£95.00	£98.00

Additional Inscription	At Cost	At Cost	At Cost	At Cost
Temporary Memorial	£336.00	£346.00	£336.00	£346.00
Scheme	£240.00	£247.00	£240.00	£247.00
Communal Headstone				
Inscription				
Headstone and Kerbs				
Cremated Remains				
Plaque and Surrounds				
OTHER CHARGES				
Grave Planting	£120.00	£124.00	£116.00	£124.00
Searching Burial	£6.00	£6.00	£6.00	£6.00
Register (Per Name)				
	£190.00	£196.00	£190.00	£196.00
Saturday Surcharge -	£113.00	£116.00	£113.00	£116.00
Full Burial				
Saturday Surcharge -	£270.00	£278.00	£270.00	£278.00
Cremated Remains				
	£50.00	£52.00	£50.00	£52.00
Exhumation of				
Cremated Remains				
Burials from 3.30pm				
Onwards (Additional				
Fee)				

For publication

Tenants Satisfaction 'STAR' Survey Results (HC000)

Meeting: Cabinet

Date: 13 March 2018

Cabinet portfolio: Homes and Customers

Report by: Assistant Director Housing

For publication

1.0 Purpose of report

- 1.1 To inform Cabinet of the results of the Survey of Tenants and Residents 'STAR' that was carried out in autumn 2017.

2.0 Recommendations

- 2.1 That Cabinet notes the results of the 2017 STAR survey and the improvement in tenant satisfaction

3.0 Background

- 3.1 The Survey of Tenants and Residents ('STAR survey') is a voluntary replacement of the 'Standardised Tenants Satisfaction Survey' or 'STATUS' tenant satisfaction survey that was previously a Government requirement.
- 3.2 Following the removal of the Government requirement to carry out a standardised tenants satisfaction survey the

housing benchmarking company 'HouseMark' developed the STAR survey as a replacement. The STAR survey enables housing providers to accurately and consistently compare satisfaction with their services.

- 3.3 Housing Services commissioned the Policy and Communications Team to undertake the survey on their behalf. During October 2017 a postal questionnaire was sent to a random sample of 2,500 council housing tenants across Chesterfield Borough.
- 3.4 The survey was completed and returned by 505 residents. This number of return is sufficient to give a confidence level of 95% with a margin of error of between 3 and 4% - within the requirements of the survey methodology and benchmarking requirements of HouseMark. A confidence interval measures how likely a survey result will happen if you carry out the same survey 100 hundred times. A 95% confidence interval with 3-4% margin of error means that 95 times out of a hundred the result would be within 3-4% of the results of the survey just completed.
- 3.5 The headline results for the 'core' benchmarking questions are provided in **Table 1** below. The full detailed report is provided in **Appendix 1**.

Table 1:

How satisfied or dissatisfied are you with:	2017 Satisfied	2015 Satisfied	Change +/-	
...the overall Housing Service provided by Chesterfield Borough Council?	88.8%	88.0%	+0.8%	↑
...the overall quality of your home?	82.9%	80.9%	+2.0%	↑
...your neighbourhood as a place to live?	81.8%	82.5%	-0.7%	↓

...that your rent provides value for money?	80.8%	78.8%	+2.0%	↑
...the way the Housing Service deals with repairs and maintenance?	79.8%	77.9%	+1.9%	↑
...that the Housing Service listens to your views and acts upon them?	67.0%	66.2%	+0.8%	↑
...the overall condition of your home?	80.0%	79.8%	+0.2%	↑
...giving you the opportunity to make your views known?	67.0%	66.2%	+0.8%	↑

3.6 With the exception of 'Satisfaction with your Neighbourhood as a place to live' which experienced a slight fall (from 82.5% to 81.8%) all the core question indicators have improved since the previous survey in 2015.

3.7 The subscription to HouseMark Benchmarking will enable the satisfaction of our tenants to be compared to those of 40 other Local Authority Housing providers.

3.8 Further work will be undertaken by Housing Services to examine the results and identify further areas for improvement. Any areas requiring improvement will be addressed in Service and Team Planning for 2018/19.

4.0 Financial considerations

4.1 None

5.0 Risk management

5.1 Not applicable

6.0 Equalities Impact Assessment (EIA)

- 6.1 An equalities impact assessment is attached as **Appendix 2**. There are no Equalities Implications associated with this report.

7.0 Recommendations

- 7.1 That Cabinet notes the results of the 2017 STAR survey and the improvements in tenant satisfaction.

8.0 Reasons for recommendations

- 8.1 To recognise the contribution of the Housing Service in meeting the Councils Value of being 'Customer focused – delivering great customer service, meeting customer needs '.

Decision information

Key decision number	798
Wards affected	ALL

Document information

Report author	Contact number/email
James Crouch Housing Strategy and Enabling Manager	<u>James.crouch@chesterfield.gov.uk</u>
Appendices to the report	
Appendix 1	STAR Survey Report
Appendix 2	Equalities Impact Assessment

Survey of Tenants and Residents 2017

Headline Report

Contents

	Introduction	4
	Methodology	4
	Summary of change in performance	5
	About our services in general	6
Q1(a-h):	Please tell us how satisfied or dissatisfied you are with the following:	7
Q1	the Housing Service provided by CBC?	7
Q1a	the overall quality of your home?	8
Q1b	your neighbourhood as a place to live?	9
Q1c	your rent provides value for money?	10
Q1d	the way Housing Services deals with repairs and maintenance?	11
Q1e	the Housing Service listens to your views and acts upon them?	12
Q1f	the overall condition of your home?	13
Q1h	the Housing Service gives you the opportunity to make your views known?	14
	About our services in general (summary)	15
Q1(a-h):	Please tell us how satisfied or dissatisfied you are with the following:	15
	About your perceptions	17
Q2.	To what extent do you agree or disagree with the following statements	17
	About repairs	19
Q3.	How satisfied or dissatisfied are you with gas servicing arrangements?	19
Q4.	Have you had any repairs to your home in the last 12 months?	19
Q4.a.	Thinking about the last repair completed, how satisfied or dissatisfied were you with the following:	20
Q4.b.	Did the contractor show proof of identity?	22
Q4.c.	If you had an appointment for this repair, was it kept?	22
	About your neighbourhood / estate	23
Q5.	To what extent are any of the following a problem in your neighbourhood?	23
Q6.	In the last three years, would you say your neighbourhood has improved or declined?	24
	About Estate Services	25
Q7.	How satisfied or dissatisfied are you with the following aspects of Estate Services?	25
	About anti-social behaviour	27
Q8.	Have you reported anti-social behaviour to the Housing Service in the last 12 months?	27
Q8.a.	At the beginning, how easy or difficult was it to contact a member of staff to report the anti-social behaviour	27
Q8.b.	How would you describe the member of staff dealing with your report about anti-social behaviour?	27
Q8.c.	How would you rate how quickly you were initially interviewed about your report (either in person or on the phone)?	28
Q8c:	How would you rate how quickly you were initially interviewed about your report (either in person or on the phone)?	28
Q8.d.	How satisfied or dissatisfied were you with the following aspects of the anti-social behaviour service?	29
Q8.e.	How willing would you be to report any anti-social behaviour to the Housing Service in the future?	30
	About contacting us and communications	30

Q9.	How good or poor do you feel the Housing Service is at keeping you informed about things that might affect you as a resident?	30
Q10.	Have you contacted the Housing Service in the last 12 months with a query other than to pay your rent or service charges?	30
Q10.a.	Was getting hold of the right person easy or difficult?	30
Q10.b.	Did you find the staff helpful or unhelpful?	31
Q10.c.	Was your query answered within a reasonable time?	31
Q10.d.	How satisfied or dissatisfied were you with the following:	32
Q11.	Do you use the internet?	33
Q11.a.	Why do you not use the internet?	33
Q12.	Which of the following methods of being kept informed and getting in touch with the Housing Service are you happy to use?	33
	About complaints	34
Q13.	Are you aware that the Housing Service has a formal complaints procedure?	34
Q14.	Have you made a complaint to the Housing Service in the last 12 months about our services?	35
Q14.a.	How satisfied or dissatisfied are you with the following aspects of the complaints service?	35
Q14.b.	How willing would you be to make a complaint about our services to the Housing Service in the future?	37
	About advice and support	38
Q15.	Thinking about your rent and income, how satisfied or dissatisfied are you with the advice and support you receive from the Housing Service with the following?	38
Q16.	How satisfied or dissatisfied are you with the advice and support you receive from the Housing Service with the following?	38
	Other	40
Q17.	Are you aware of the Housing Service's published service standards?	40
Q18.	Are you aware of how to challenge the Housing Service's published service standards?	40
Q19.	Do you have any other suggestions of ways to improve the Housing Service?	41
	About you	42
Q20.	What type of property do you live in?	42
Q22.	Are you or any household member's day to day activities limited because of a health problem which has lasted, or is expected to last, at least 12 months?	44
Q23.	Does your household currently receive housing benefit (either paid directly to you or to your landlord)?	44
Q24.	You and your household - please tell us the age and gender of everyone who lives with you in your household. Gender - Please select either male or female for your gender. Transgender or transsexual: select the answer which you identify yourself as. You can select either 'male' or 'female', whichever you believe is correct, irrespective of the details recorded on your birth certificate. You do not need to have a Gender Recognition Certificate.	45
Q25.	What is your ethnic group?	47
Q26.	What is your religion?	47
Q27.	How would you describe your sexual orientation?	47

Introduction

Chesterfield Borough Council's Housing Service is responsible for the day-to-day management and repair of over 9,200 houses, flats, maisonettes and bungalows across 24 estates. It is also responsible for planned maintenance and improvement and modernisation programmes to meet targets set by the Government under the Decent Homes Standard.

The Survey of Tenants and Residents (STAR) was developed by HouseMark with input from landlords, tenants, National Housing Federation (NHF), Chartered Institute of Housing (CIH), Tenants and Residents Organisations of England (TAROE), Tenant Participation Advisory Service (TPAS) and market research companies.

The survey enables social housing providers to have a means of comparing key satisfaction results with other providers.

The STAR survey has been endorsed by the Tenant Participation Advisory Service (TPAS) and Tenants and Residents Organisations of England (TAROE).

Methodology

STAR methodology defines the measures of confidence level and sampling error / margin of error that are needed to give statistical validity to the results. For STAR, the margins of error for satisfaction results reported by stock type to HouseMark (see section 5 of *STAR features*) are:

<i>Table 1: STAR margins of error at 95 per cent confidence level</i> Population size	Required margin of error	Minimum number of replies
0 – 1,000	+ / - 5 per cent	Up to 275
1,000 – 10,000	+ / - 4 per cent	375 – 565
10,000 and above	+ / - 3 per cent	950 or more

To illustrate the meaning of a confidence level / margin of error combination, when quoting a result of 85 per cent of respondents to a survey being satisfied, using a confidence level of 95 per cent and a margin of error of +/- 4%, you would be saying that you are 95 per cent confident that the whole population's response would lie between 81 per cent and 89 per cent satisfied.

In accordance with STAR methodology, a postal questionnaire method was undertaken. During November 2017, the postal questionnaire was sent to a random sample of 2500 housing tenants in Chesterfield Borough. The sample was created by applying a computer-generated random selection function to the sample frame of all current tenants. For accuracy, results have been cross-tabulated with postal addresses to indicate areas of residence. The survey was completed by 505 residents, giving a confidence level of 95% and a margin of error of around 4%.

The 'base' figure given for each question is the number of respondents to that question. For questions where the 'base' number of responses are much lower – for instance where a tenant is asked whether they have used a service and then only those who have are asked further questions on that service – the confidence intervals is much larger and the result less reliable.

Summary of change in performance

	2017 Satisfied	2017 Neither	2017 Dissatisfied	2015 Satisfied	2013 Satisfied	2008 Satisfied	Change from 2015 +/-	HouseMark 2016-17 performance (quartile range)*
Taking everything into account, how satisfied or dissatisfied are you with the Housing Service provided by Chesterfield Borough Council?	88.8%	4.4%	6.8%	88.0%	87.5%	77.4%	+0.8%	Top quartile
How satisfied or dissatisfied are you with the overall quality of your home?	82.9%	6.2%	11.0%	80.9%	82.7%	77.3%	+2.0%	Upper middle quartile
How satisfied or dissatisfied are you with your neighbourhood as a place to live?	81.8%	6.8%	11.4%	82.5%	83.2%	72.0%	-0.7%	Lower middle quartile
How satisfied or dissatisfied are you that your rent provides value for money?	80.8%	9.8%	9.4%	78.8%	76.9%	68.8%	+2.0%	Lower middle quartile
Generally, how satisfied or dissatisfied are you with the way the Housing Service deals with repairs and maintenance?	79.8%	6.1%	14.0%	77.9%	80.0%	76.3%	+1.9%	Upper middle quartile
How satisfied or dissatisfied are you that the Housing Service listens to your views and acts upon them?	67.0%	16.8%	16.2%	66.2%	66.6%	59.0%	+0.8%	Upper middle quartile
How satisfied or dissatisfied are you with the overall condition of your home?	80.0%	6.7%	13.3%	79.8%	80.7%	71.4%	+0.2%	N/A
How satisfied or dissatisfied are you that the Housing Service gives you the opportunity to make your views known?	67.0%	22.4%	10.6%	66.2%	N/A	N/A	+0.8%	N/A

* This is the quartile the result would have placed CBC in the current HouseMark performance report – if the survey was done during 2016/17.

About our services in general

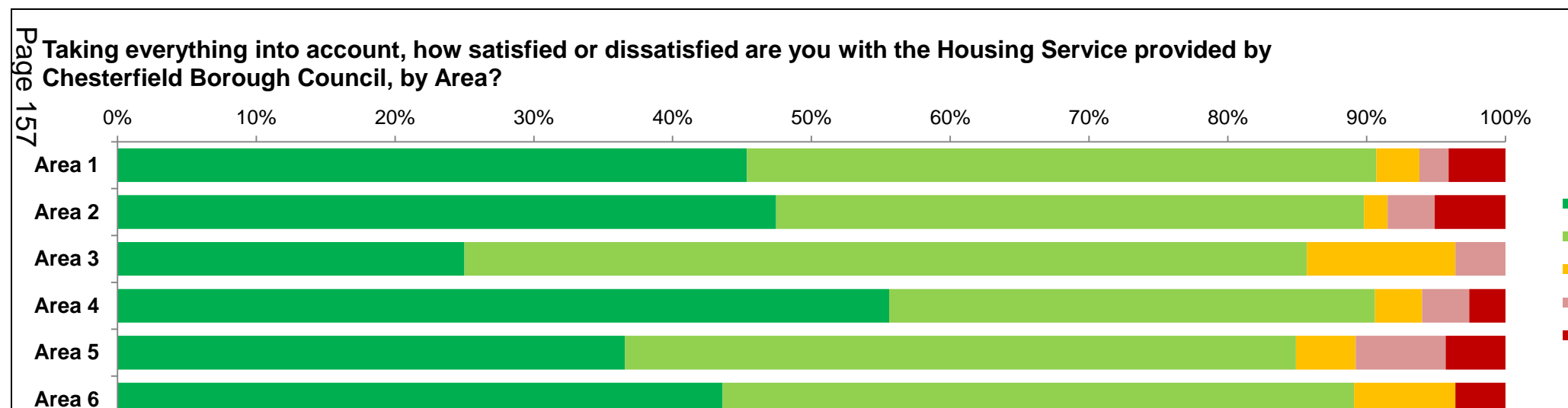
Although Area Panels no longer exist, where appropriate, the data has been analysed by the six areas below in order to observe geographical trends. Responses to key satisfaction questions have also been broken down by property type where appropriate.

Area 1	Area 2	Area 3	Area 4	Area 5	Area 6
Barrow Hill	Hartington/ Lowgates	Dunston	Hazlehurst	Boythorpe	Grangewood
Brimington	Mastin Moor	Green Farm Close	Highfields	Brampton	Hady
Duckmanton	Newbold Moor	Old Whittington	Holme Hall	Loundsley Green	Hasland
Inkersall	Poolsbrook	Peveril	Littlemoor	St Augustines	Spital
Middlecroft	Racecourse		Newbold	Whitecotes	Birdholme
New Whittington	Staveley TC		Newland Dale		Town Centre
			Pevensey		
			Stonegravels		
			Whittington Moor		

Q1: Taking everything into account how satisfied or dissatisfied are you with the Housing Service provided by CBC ?

Q1: Taking everything into account, how satisfied or dissatisfied are you with the Housing Service provided by Chesterfield Borough Council, by Area.

	All respondents	Area 1	Area 2	Area 3	Area 4	Area 5	Area 6
Base	497	97	59	56	117	93	55
Very satisfied	44.1%	45.4%	47.5%	25.0%	55.6%	36.6%	43.6%
Fairly satisfied	44.7%	45.4%	42.4%	60.7%	35.0%	48.4%	45.5%
Neither	4.4%	3.1%	1.7%	10.7%	3.4%	4.3%	7.3%
Fairly dissatisfied	3.2%	2.1%	3.4%	3.6%	3.4%	6.5%	0
Very dissatisfied	3.6%	4.1%	5.1%	0	2.6%	4.3%	3.6%



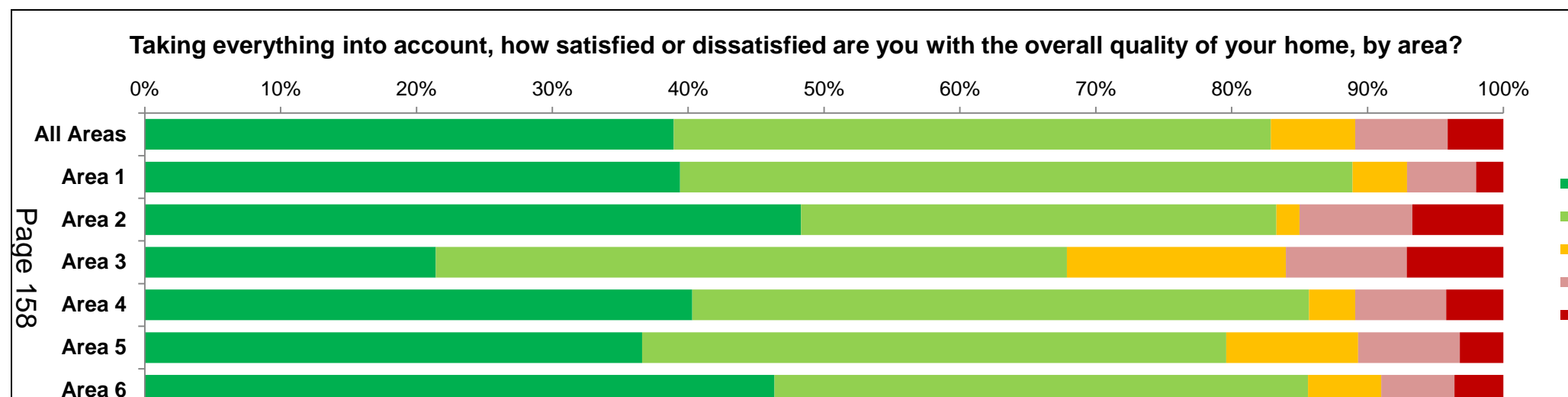
Q1: Taking everything into account, how satisfied or dissatisfied are you with the Housing Service provided by Chesterfield Borough Council, by property type

	House	Bungalow	Flat	Older Person's Flat	Maisonette
Base	199	127	143	7	6
Very satisfied	39.2%	57.5%	37.1%	71.4%	33.3%
Fairly satisfied	48.2%	36.2%	49.0%	28.6%	33.3%
Neither	5.0%	3.1%	5.6%	0.0%	0.0%
Fairly dissatisfied	3.0%	3.1%	4.2%	0.0%	0.0%
Very dissatisfied	4.5%	0.0%	4.2%	0.0%	33.3%

Q1a: Taking everything into account, how satisfied or dissatisfied are you with the overall quality of your home?

Q1a: Taking everything into account, how satisfied or dissatisfied are you with the overall quality of your home, by area.

	All respondents	Area 1	Area 2	Area 3	Area 4	Area 5	Area 6
Base	503	99	60	56	119	93	56
Very satisfied	39.4%	39.4%	48.3%	21.4%	40.3%	36.6%	46.4%
Fairly satisfied	43.5%	49.5%	35.0%	46.4%	45.4%	43.0%	39.3%
Neither	6.2%	4.0%	1.7%	16.1%	3.4%	9.7%	5.4%
Fairly dissatisfied	6.8%	5.1%	8.3%	8.9%	6.7%	7.5%	5.4%
Very dissatisfied	4.2%	2.0%	6.7%	7.1%	4.2%	3.2%	3.6%

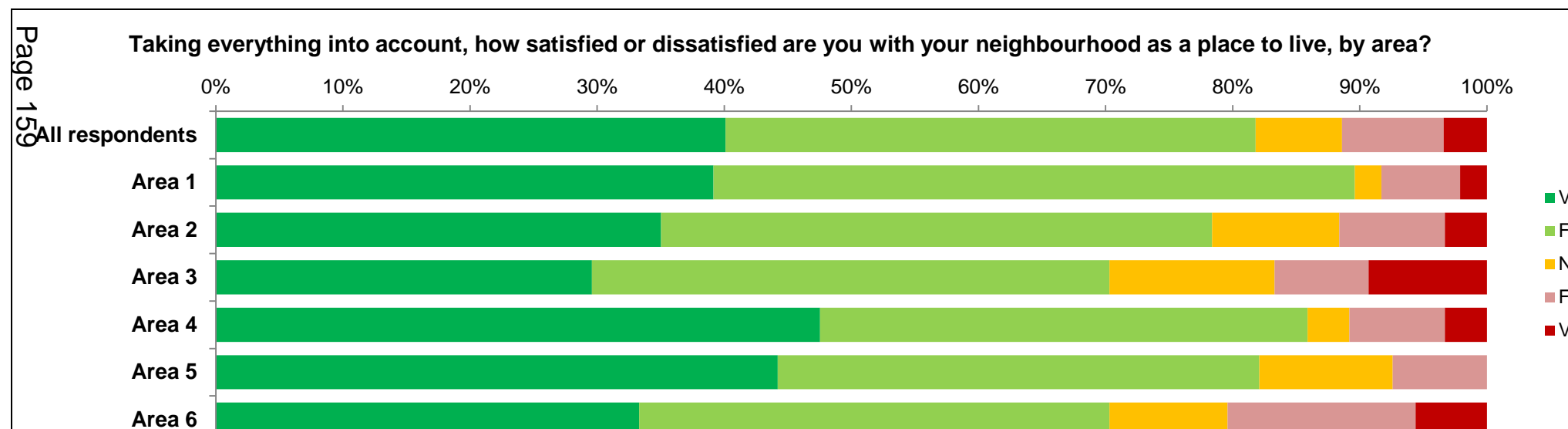


Q1a: Taking everything into account, how satisfied or dissatisfied are you with the overall quality of your home, by property type

	House	Bungalow	Flat	Older Person's Flat	Maisonette
Base	203	128	144	7	6
Very satisfied	34.0%	51.6%	35.4%	57.1%	33.3%
Fairly satisfied	46.3%	41.4%	43.1%	42.9%	16.7%
Neither	8.9%	3.9%	4.9%	0.0%	0.0%
Fairly dissatisfied	5.4%	1.6%	11.8%	0.0%	50.0%
Very dissatisfied	5.4%	1.6%	4.9%	0.0%	0.0%

Q1b: Taking everything into account, how satisfied or dissatisfied are you with your neighbourhood as a place to live?

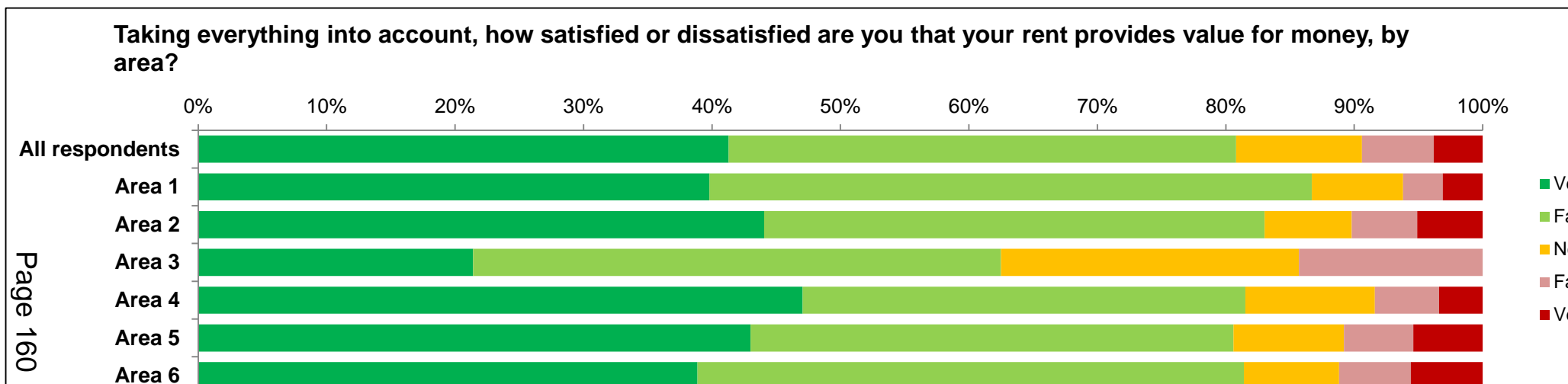
Q1b: Taking everything into account, how satisfied or dissatisfied are you with your neighbourhood as a place to live, by Area.							
	All respondents	Area 1	Area 2	Area 3	Area 4	Area 5	Area 6
Base	499	97	60	54	120	95	54
Very satisfied	40.1%	39.2%	35.0%	29.6%	47.5%	44.2%	33.3%
Fairly satisfied	41.7%	50.5%	43.3%	40.7%	38.3%	37.9%	37.0%
Neither	6.8%	2.1%	10.0%	13.0%	3.3%	10.5%	9.3%
Fairly dissatisfied	8.0%	6.2%	8.3%	7.4%	7.5%	7.4%	14.8%
Very dissatisfied	3.4%	2.1%	3.3%	9.3%	3.3%	0.0%	5.6%



Q1b: Taking everything into account, how satisfied or dissatisfied are you with your neighbourhood as a place to live, by property type.					
	House	Bungalow	Flat	Older Person's Flat	Maisonette
Base	202	127	143	7	5
Very satisfied	42.1%	56.7%	22.4%	57.1%	40.0%
Fairly satisfied	42.1%	34.6%	45.5%	28.6%	60.0%
Neither	5.9%	1.6%	13.3%	14.3%	0.0%
Fairly dissatisfied	6.9%	6.3%	12.6%	0.0%	0.0%
Very dissatisfied	3.0%	0.8%	6.3%	0.0%	0.0%

Q1c: Taking everything into account, how satisfied or dissatisfied are you that your rent provides value for money?

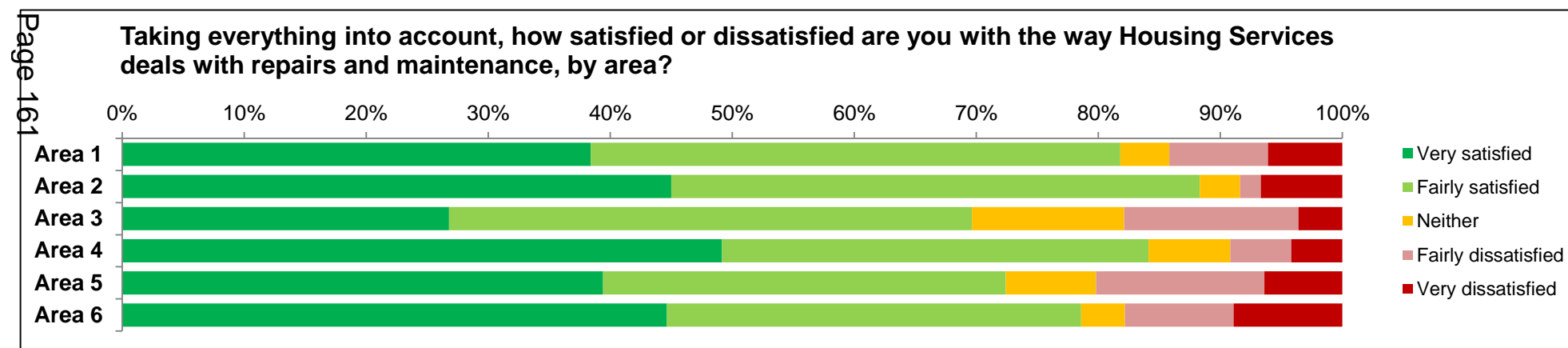
Q1c: Taking everything into account, how satisfied or dissatisfied are you that your rent provides value for money, by area.							
	All respondents	Area 1	Area 2	Area 3	Area 4	Area 5	Area 6
Base	499	98	59	56	119	93	54
Very satisfied	41.3%	39.8%	44.1%	21.4%	47.1%	43.0%	38.9%
Fairly satisfied	39.5%	46.9%	39.0%	41.1%	34.5%	37.6%	42.6%
Neither	9.8%	7.1%	6.8%	23.2%	10.1%	8.6%	7.4%
Fairly dissatisfied	5.6%	3.1%	5.1%	14.3%	5.0%	5.4%	5.6%
Very dissatisfied	3.8%	3.1%	5.1%	0.0%	3.4%	5.4%	5.6%



Q1c: Taking everything into account, how satisfied or dissatisfied are you that your rent provides value for money, by property type.					
	House	Bungalow	Flat	Older Person's Flat	Maisonette
Base	200	129	143	7	6
Very satisfied	34.0%	53.5%	37.8%	42.9%	83.3%
Fairly satisfied	45.0%	38.0%	33.6%	42.9%	16.7%
Neither	11.0%	6.2%	13.3%	0.0%	0.0%
Fairly dissatisfied	6.5%	2.3%	7.7%	14.3%	0.0%
Very dissatisfied	3.5%	0.0%	7.7%	0.0%	0.0%

Q1d: Generally, how satisfied or dissatisfied are you with the way Housing Services deals with repairs and maintenance?

Q1d: Generally, how satisfied or dissatisfied are you with the way Housing Services deals with repairs and maintenance, by area							
	All respondents	Area 1	Area 2	Area 3	Area 4	Area 5	Area 6
Base	505	99	60	56	120	94	56
Very satisfied	41.2%	38.4%	45.0%	26.8%	49.2%	39.4%	44.6%
Fairly satisfied	38.6%	43.4%	43.3%	42.9%	35.0%	33.0%	33.9%
Neither	6.1%	4.0%	3.3%	12.5%	6.7%	7.4%	3.6%
Fairly dissatisfied	8.3%	8.1%	1.7%	14.3%	5.0%	13.8%	8.9%
Very dissatisfied	5.7%	6.1%	6.7%	3.6%	4.2%	6.4%	8.9%

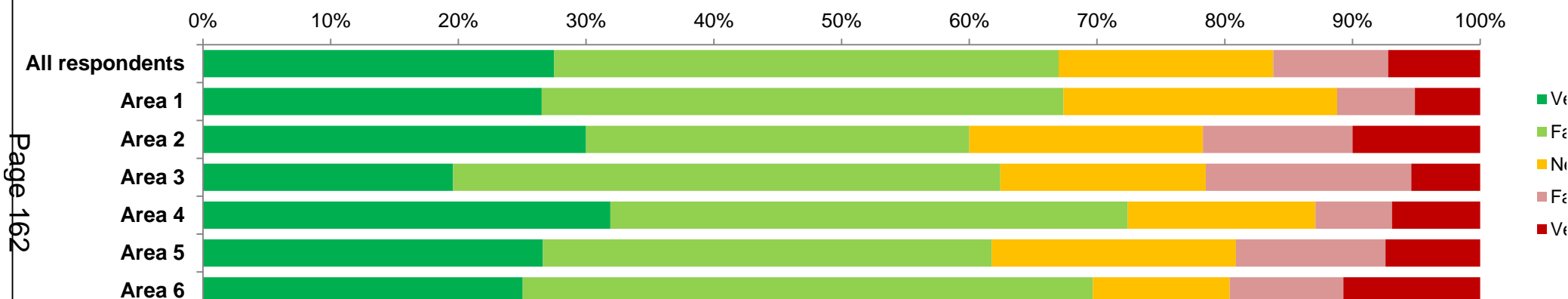


Q1d: Generally, how satisfied or dissatisfied are you with the way Housing Services deals with repairs and maintenance, by property type.					
	House	Bungalow	Flat	Older Person's Flat	Maisonette
Base	204	129	144	7	6
Very satisfied	38.7%	46.5%	39.6%	42.9%	33.3%
Fairly satisfied	39.2%	38.8%	37.5%	42.9%	33.3%
Neither	6.9%	5.4%	5.6%	14.3%	0.0%
Fairly dissatisfied	8.8%	5.4%	10.4%	0.0%	16.7%
Very dissatisfied	6.4%	3.9%	6.9%	0.0%	16.7%

Q1e: How satisfied or dissatisfied are you that the Housing Service listens to your views and acts upon them ?

Q1e: How satisfied or dissatisfied are you that the Housing Service listens to your views and acts upon them, by area.							
	All respondents	Area 1	Area 2	Area 3	Area 4	Area 5	Area 6
Base	499	98	60	56	116	94	56
Very satisfied	27.5%	26.5%	30.0%	19.6%	31.9%	26.6%	25.0%
Fairly satisfied	39.5%	40.8%	30.0%	42.9%	40.5%	35.1%	44.6%
Neither	16.8%	21.4%	18.3%	16.1%	14.7%	19.1%	10.7%
Fairly dissatisfied	9.0%	6.1%	11.7%	16.1%	6.0%	11.7%	8.9%
Very dissatisfied	7.2%	5.1%	10.0%	5.4%	6.9%	7.4%	10.7%

Taking everything into account, how satisfied or dissatisfied are you that the Housing Service listens to your views and acts upon them, by area?

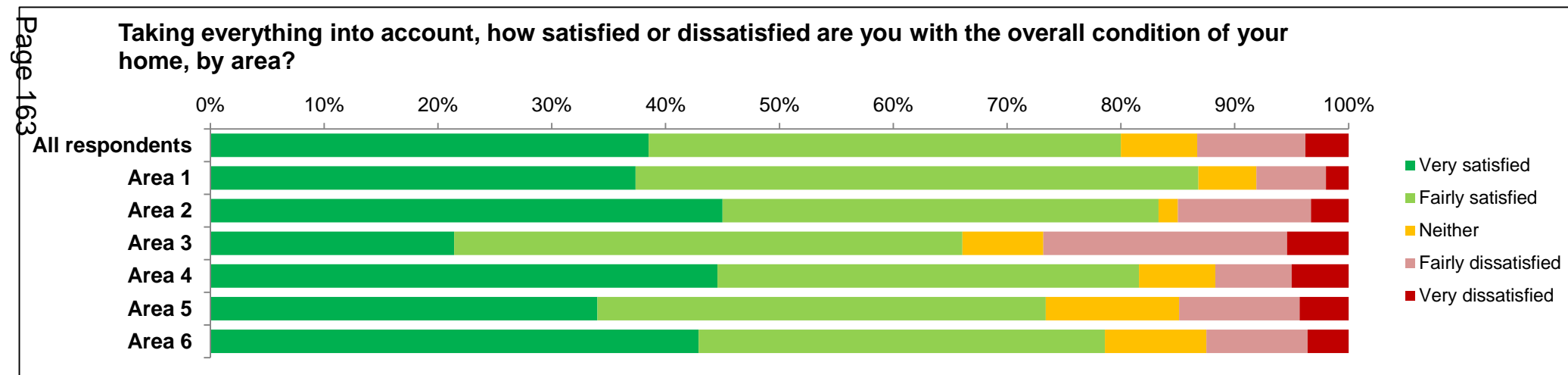


Q1e: How satisfied or dissatisfied are you that the Housing Service listens to your views and acts upon them, by property type					
	House	Bungalow	Flat	Older Person's Flat	Maisonette
Base	201	128	143	7	6
Very satisfied	25.9%	29.7%	26.6%	28.6%	33.3%
Fairly satisfied	35.3%	43.8%	41.3%	57.1%	0.0%
Neither	19.9%	18.0%	12.6%	0.0%	16.7%
Fairly dissatisfied	12.9%	5.5%	6.3%	14.3%	33.3%
Very dissatisfied	6.0%	3.1%	13.3%	0.0%	16.7%

Q1f: How satisfied or dissatisfied are you with the overall condition of your home?

Q1f: How satisfied or dissatisfied are you with the overall condition of your home?, by Area.

	All respondents	Area 1	Area 2	Area 3	Area 4	Area 5	Area 6
Base	504	99	60	56	119	94	56
Very satisfied	38.5%	37.4%	45.0%	21.4%	44.5%	34.0%	42.9%
Fairly satisfied	41.5%	49.5%	38.3%	44.6%	37.0%	39.4%	35.7%
Neither	6.7%	5.1%	1.7%	7.1%	6.7%	11.7%	8.9%
Fairly dissatisfied	9.5%	6.1%	11.7%	21.4%	6.7%	10.6%	8.9%
Very dissatisfied	3.8%	2.0%	3.3%	5.4%	5.0%	4.3%	3.6%



Q1f: How satisfied or dissatisfied are you with the overall condition of your home, by property type.

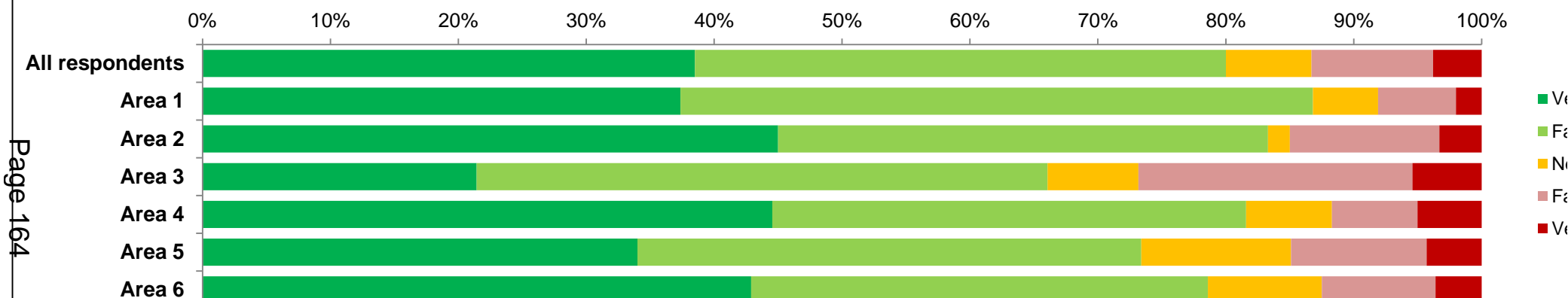
	House	Bungalow	Flat	Older Person's Flat	Maisonette
Base	203	129	145	7	5
Very satisfied	33.0%	49.6%	35.2%	42.9%	40.0%
Fairly satisfied	46.8%	41.1%	34.5%	42.9%	20.0%
Neither	5.4%	3.9%	11.0%	14.3%	20.0%
Fairly dissatisfied	11.8%	3.1%	12.4%	0.0%	20.0%
Very dissatisfied	3.0%	2.3%	6.9%	0.0%	0.0%

Q1g: How satisfied or dissatisfied are you that the Housing Service gives you the opportunity to make your views known?

Q1g: How satisfied or dissatisfied are you that the Housing Service gives you the opportunity to make your views known, by Area.

	All areas	Area 1	Area 2	Area 3	Area 4	Area 5	Area 6
Base	500	96	60	55	119	94	56
Very satisfied	29.2%	26.0%	35.0%	20.0%	29.4%	31.9%	26.8%
Fairly satisfied	37.8%	42.7%	26.7%	41.8%	40.3%	30.9%	41.1%
Neither	22.4%	24.0%	28.3%	23.6%	20.2%	23.4%	21.4%
Fairly dissatisfied	6.6%	5.2%	5.0%	9.1%	7.6%	8.5%	5.4%
Very dissatisfied	4.0%	2.1%	5.0%	5.5%	2.5%	5.3%	5.4%

Taking everything into account, how satisfied or dissatisfied are you that the Housing Service gives you the opportunity to make your views known, by area?



Q1g: How satisfied or dissatisfied are you that the Housing Service gives you the opportunity to make your views known, by property type.

	House	Bungalow	Flat	Older Person's Flat	Maisonette
Base	199	129	145	7	6
Very satisfied	28.1%	32.6%	24.1%	57.1%	33.3%
Fairly satisfied	31.7%	41.9%	43.4%	28.6%	33.3%
Neither	29.1%	20.2%	17.9%	0.0%	0.0%
Fairly dissatisfied	7.5%	3.9%	6.9%	14.3%	33.3%
Very dissatisfied	3.5%	1.6%	7.6%	0.0%	0.0%

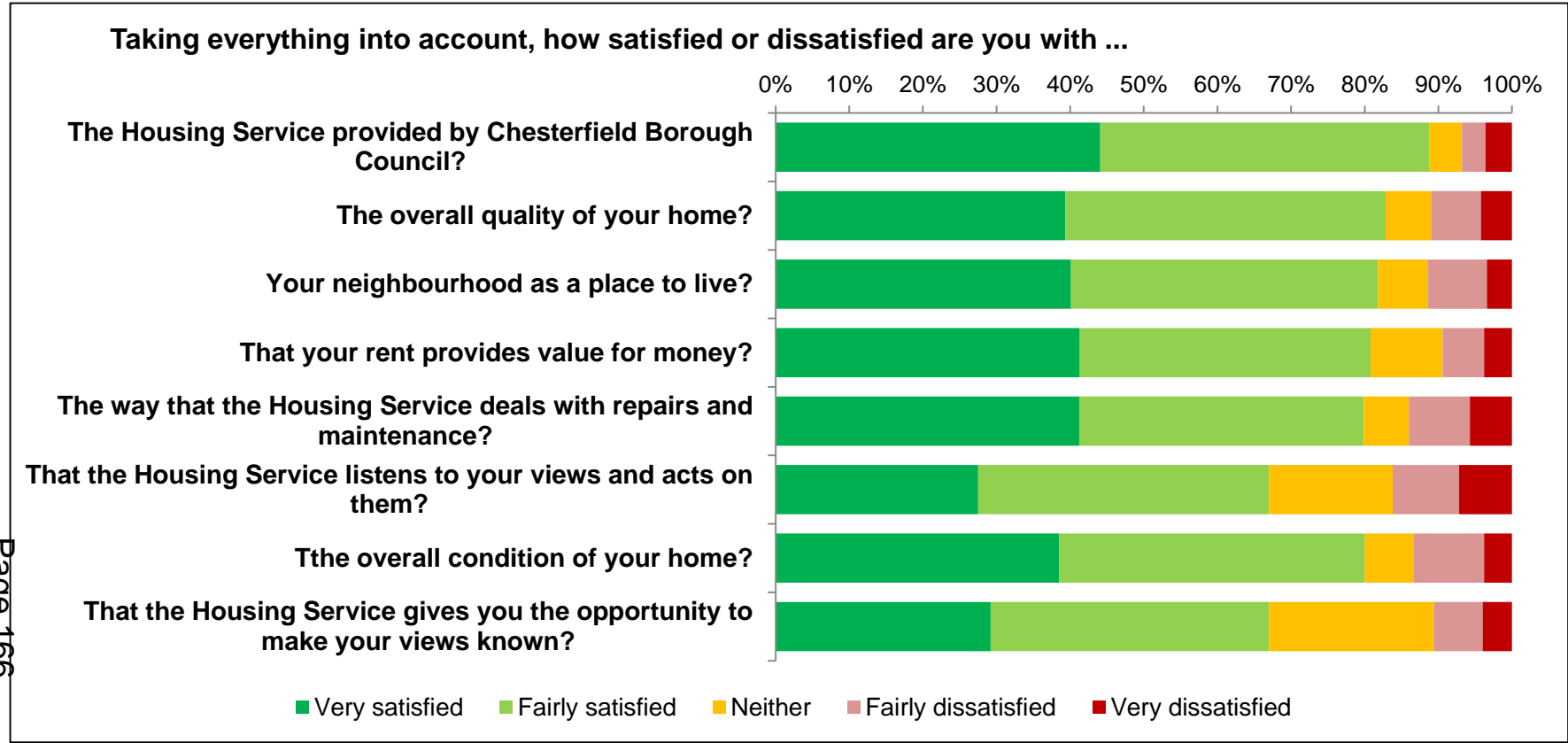
About our services in general

Q1. Please tell us how satisfied or dissatisfied you are with the following:

Q1(a-h): Please tell us how satisfied or dissatisfied you are with the following:

	<i>Star 2017</i>						<i>Trend</i>				
	<i>Base</i>	<i>Very satisfied</i>	<i>Fairly satisfied</i>	<i>Neither</i>	<i>Fairly dissatisfied</i>	<i>Very dissatisfied</i>	<i>2017 Satisfied</i>	<i>2015 Satisfied</i>	<i>2013 Satisfied</i>	<i>2008 Satisfied</i>	<i>Change from 2015 +/-</i>
Taking everything into account, how satisfied or dissatisfied are you with the Housing Service provided by Chesterfield Borough Council?	497	44.1%	44.7%	4.4%	3.2%	3.6%	88.8%	88.0%	87.5%	77.4%	+0.8%
How satisfied or dissatisfied are you with the overall quality of your home?	503	39.4%	43.5%	6.2%	6.8%	4.2%	82.9%	80.9%	82.7%	77.3%	+2.0%
How satisfied or dissatisfied are you with your neighbourhood as a place to live?	499	40.1%	41.7%	6.8%	8.0%	3.4%	81.8%	82.5%	83.2%	72.0%	-0.7%
How satisfied or dissatisfied are you that your rent provides value for money?	499	41.3%	39.5%	9.8%	5.6%	3.8%	80.8%	78.8%	76.9%	68.8%	+2.0%
Generally, how satisfied or dissatisfied are you with the way that the Housing Service deals with repairs and maintenance?	505	41.2%	38.6%	6.1%	8.3%	5.7%	79.8%	77.9%	80.0%	76.0%	+1.9%
How satisfied or dissatisfied are you that the Housing Service listens to your views and acts on them?	499	27.5%	39.5%	16.8%	9.0%	7.2%	67.0%	66.2%	66.6%		+0.8%
How satisfied or dissatisfied are you with the overall condition of your home?	504	38.5%	41.5%	6.7%	9.5%	3.8%	80.0%	79.7%	80.7%	71.4%	+0.3%
How satisfied or dissatisfied are you with that the Housing Service gives you the opportunity to make your views known?	500	29.2%	37.8%	22.4%	6.6%	4.0%	67.0%	66.2%	59.9%		+0.8%

Summary chart of Q1 – Q1h: Please tell us how satisfied or dissatisfied you are with the following:



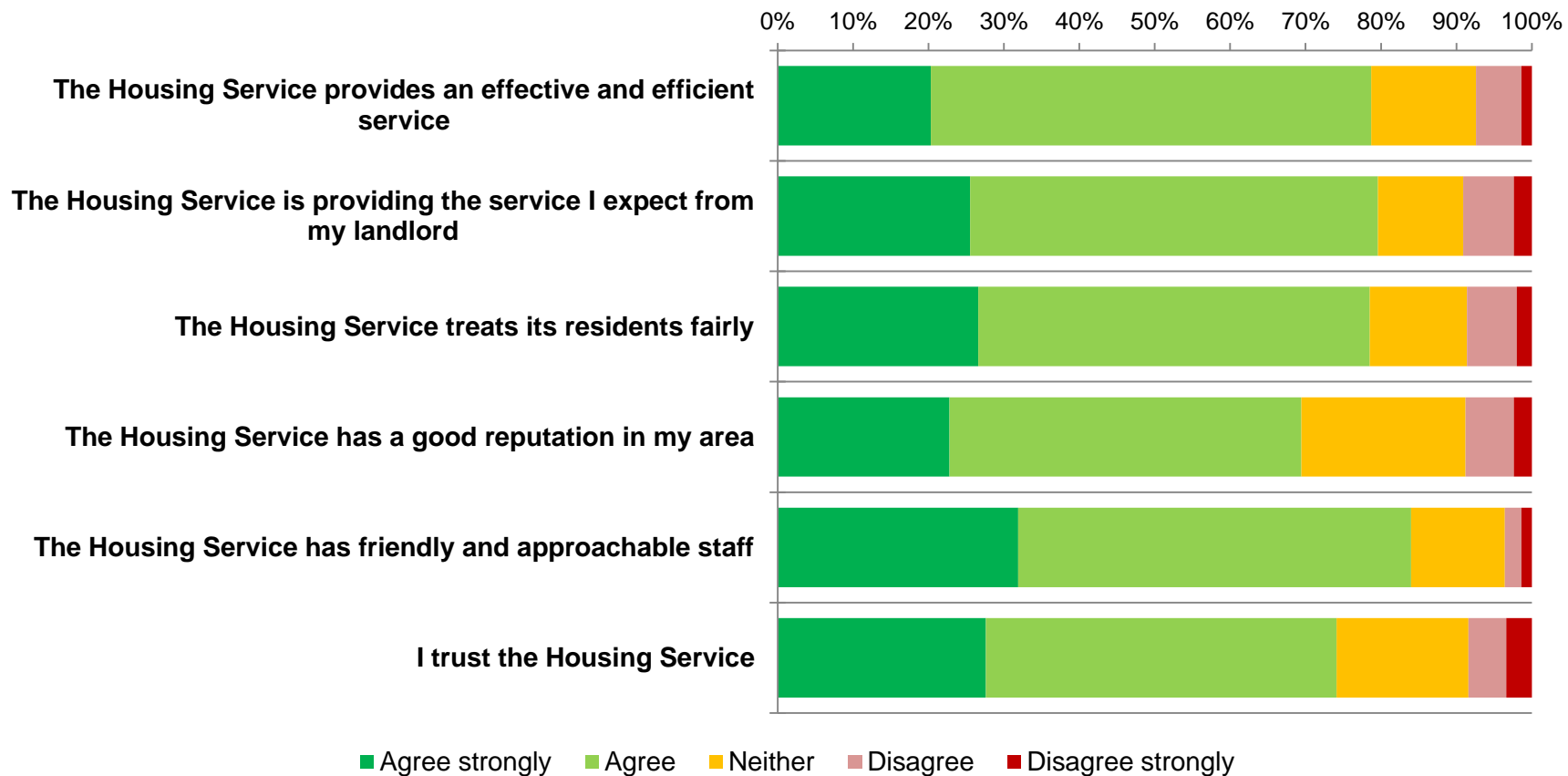
About your perceptions

Q2. To what extent do you agree or disagree with the following:

Q2: To what extent do you agree or disagree with the following:

	<i>2017 Results</i>					<i>Trend</i>			
	<i>Agree strongly</i>	<i>Agree</i>	<i>Neither</i>	<i>Disagree</i>	<i>Disagree strongly</i>	<i>2017 Agree</i>	<i>2015 Agree</i>	<i>2013 Agree</i>	<i>Change from 2015 +/-</i>
The Housing Service provides an effective and efficient service	20.3%	58.4%	13.9%	6.0%	1.4%	78.7%	78.0%	79.5%	+0.7%
The Housing Service is providing the service I expect from my landlord	25.5%	54.0%	11.3%	6.7%	2.4%	79.5%	79.9%	81.0%	-0.4%
The Housing Service treats its residents fairly	26.6%	51.9%	12.9%	6.6%	2.0%	78.5%	74.7%	79.6%	+3.8%
The Housing Service has a good reputation in my area	22.8%	46.7%	21.8%	6.4%	2.4%	69.5%	70.5%	68.8%	-1.0%
The Housing Service has friendly and approachable staff	31.9%	52.1%	12.4%	2.2%	1.4%	84.0%	81.7%	84.5%	+2.3%
I trust the Housing Service	27.6%	46.5%	17.5%	5.0%	3.4%	74.1%	74.3%	78.1%	-0.2%

Q2. To what extent do you agree or disagree with the following...



About repairs

Q3. How satisfied or dissatisfied are you with gas servicing arrangements?

Q3: How satisfied or dissatisfied are you with gas servicing arrangements?								
	<i>Base</i>	<i>Very satisfied</i>	<i>Fairly satisfied</i>	<i>Neither</i>	<i>Fairly dissatisfied</i>	<i>Very dissatisfied</i>	<i>N/A</i>	<i>Total satisfied</i>
<i>Star 2017</i>	499	67.1%	23.8%	3.2%	2.8%	1.2%	1.8%	90.9%
<i>Star 2015</i>	568	65.5%	25.5%	2.1%	1.6%	2.6%	2.6%	91.0%
<i>Star 2013</i>	704	58.5%	27.4%	4.3%	2.3%	2.1%	5.4%	85.9%

Q4. Have you had any repairs to your home in the last 12 months?

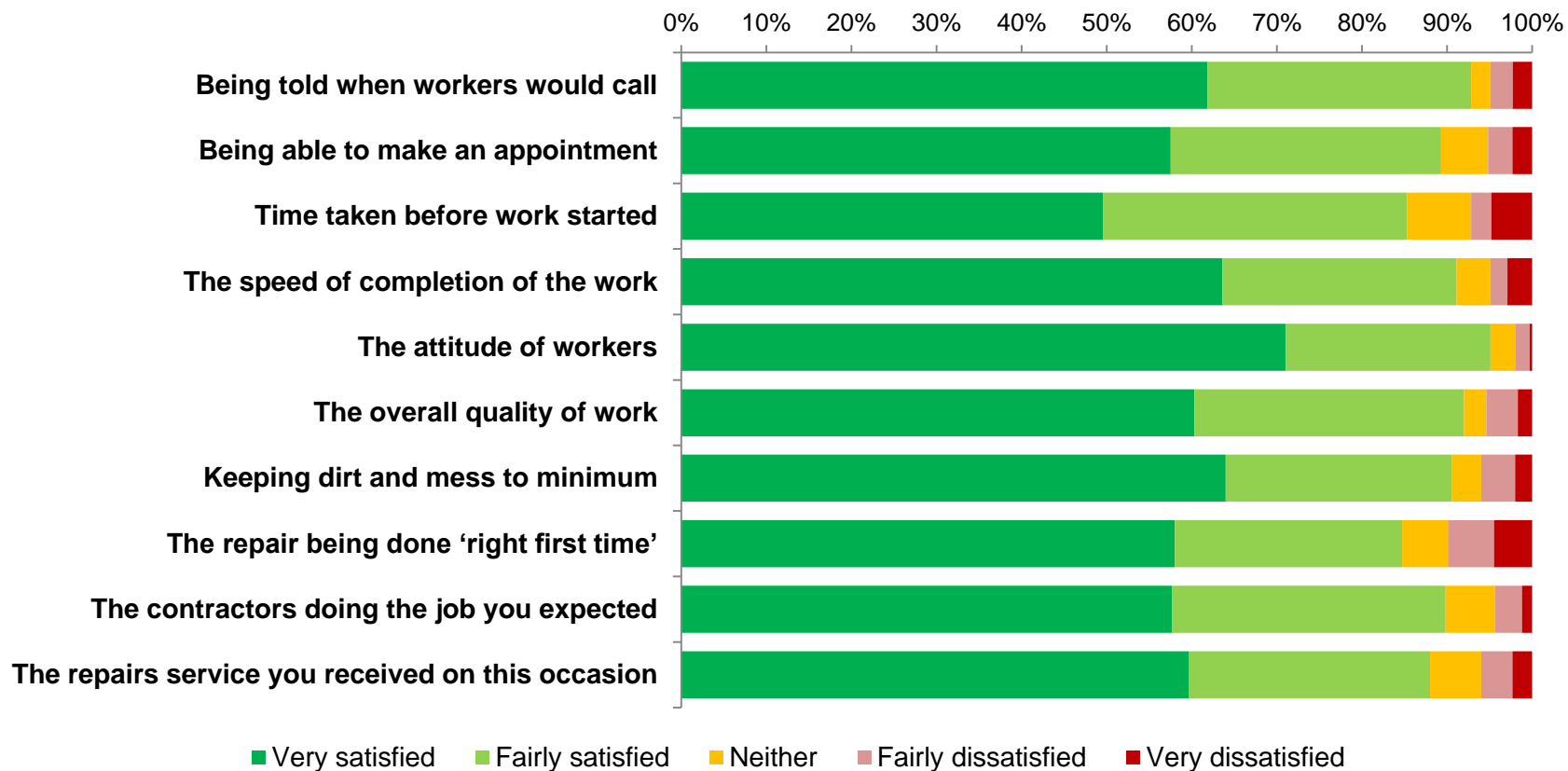
Q4: Have you had any repairs to your home in the last 12 months?				
	<i>Base</i>	<i>Yes</i>	<i>No</i>	<i>Can't remember</i>
<i>Star 2017</i>	476	70.0%	30.0%	
<i>Star 2015</i>	528	70.8%	29.2%	
<i>Star 2013</i>	642	74.0%	26.0%	
<i>TSS Sept 2008</i>	651	72.0%	22.0%	6.0%

Respondents that indicated 'no' to this question were asked to go to question 5 next.

Q4.a. Thinking about the last repair completed, how satisfied or dissatisfied were you with the following:

Q4a: Thinking about the last repair completed, how satisfied or dissatisfied were you with the following:											
	<i>Star 2017</i>						<i>Trend</i>				
	<i>Base</i>	<i>Very satisfied</i>	<i>Fairly satisfied</i>	<i>Neither</i>	<i>Fairly dissatisfied</i>	<i>Very dissatisfied</i>	<i>2017 Satisfied</i>	<i>2015 Satisfied</i>	<i>2013 Satisfied</i>	<i>2008 "Good"</i>	<i>Change from 2015 +/-</i>
Being told when workers would call	352	61.9%	31.0%	2.3%	2.6%	2.3%	89.3%	89.7%	89.2%	90.0%	-0.4%
Being able to make an appointment	346	57.5%	31.8%	5.5%	2.9%	2.3%	85.4%	86.2%	88.2%		-0.8%
Time taken before work started	335	49.6%	35.8%	7.5%	2.4%	4.8%	91.1%	81.2%	83.3%	85.0%	+9.9%
The speed of completion of the work	349	63.6%	27.5%	4.0%	2.0%	2.9%	95.2%	86.0%	89.4%	89.0%	+9.2%
The attitude of workers	349	71.1%	24.1%	2.9%	1.7%	0.3%	92.0%	90.5%	92.9%	93.0%	+1.5%
The overall quality of work	350	60.3%	31.7%	2.6%	3.7%	1.7%	90.6%	86.6%	85.3%	84.0%	+4.0%
Keeping dirt and mess to minimum	350	64.0%	26.6%	3.4%	4.0%	2.0%	84.7%	86.4%	88.9%	89.0%	-1.7%
The repair being done 'right first time'	352	58.0%	26.7%	5.4%	5.4%	4.5%	89.9%	80.8%	79.1%		+9.1%
The contractors doing the job you expected	345	57.7%	32.2%	5.8%	3.2%	1.2%	88.0%	81.4%	83.6%		+6.6%
The repairs service you received on this occasion	350	59.7%	28.3%	6.0%	3.7%	2.3%	89.3%	84.7%	85.8%		+4.6%
Wording change from Status question 2008											

Thinking about the last repair completed, how satisfied or dissatisfied were you with the following:



Q4.b. Did the contractor show proof of identity?

Q4b: Did the contractor show proof of identity?			
	Base	Yes	No
<i>Star 2017</i>	347	79.3%	29.7%
<i>Star 2015</i>	389	77.9%	22.1%
<i>Star 2013</i>	509	78.0%	22.0%

Q4.c. If you had an appointment for this repair, was it kept?

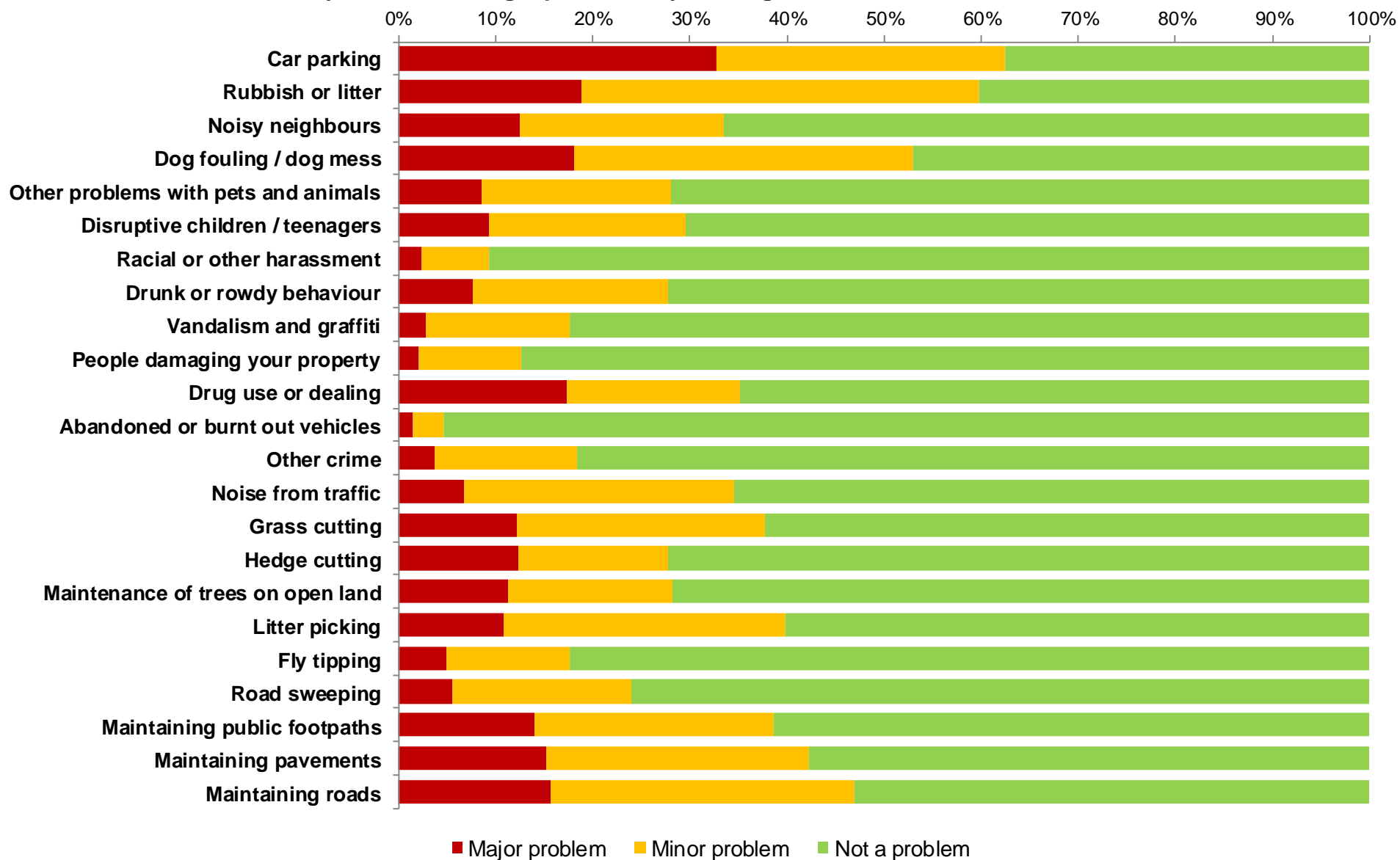
Q4c: If you had an appointment for this repair, was it kept?				
	Base	Yes	No	<i>Didn't have an appointment</i>
<i>Star 2017</i>	349	88.8%	3.2%	8.0%
<i>Star 2015</i>	402	80.1%	6.7%	13.2%
<i>Star 2013</i>	532	84.6%	6.4%	9.0%

About your neighbourhood / estate

Q5. To what extent are any of the following a problem in your neighbourhood?

Q5: To what extent are any of the following a problem in your neighbourhood?										
	Star 2017				Star 2015			Star 2013		
	Base	Major problem	Minor problem	Not a problem	Major problem	Minor problem	Not a problem	Major problem	Minor problem	Not a problem
Car parking	477	32.7%	29.8%	37.5%	30.6%	27.5%	41.9%	27.6%	28.8%	43.5%
Rubbish or litter	482	18.9%	40.9%	40.2%	18.6%	42.0%	39.3%	19.2%	38.1%	42.8%
Noisy neighbours	472	12.5%	21.0%	66.5%	13.8%	24.9%	61.3%	12.3%	23.9%	63.8%
Dog fouling / dog mess	481	18.1%	34.9%	47.0%	25.8%	36.4%	37.8%	27.2%	36.0%	36.8%
Other problems with pets and animals	470	8.5%	19.6%	71.9%	9.3%	20.6%	70.1%	9.6%	20.9%	69.5%
Disruptive children / teenagers	474	9.3%	20.3%	70.5%	6.5%	28.2%	65.3%	8.1%	25.5%	66.4%
Racial or other harassment	474	2.3%	7.0%	90.7%	2.2%	8.0%	89.8%	2.0%	6.0%	92.0%
Drunk or rowdy behaviour	480	7.7%	20.0%	72.3%	5.9%	23.2%	70.9%	6.5%	19.1%	74.3%
Vandalism and graffiti	472	2.8%	14.8%	82.4%	2.6%	16.0%	81.4%	4.0%	14.2%	81.7%
People damaging your property	468	2.1%	10.5%	87.4%	2.2%	8.9%	88.9%	3.2%	9.2%	87.6%
Drug use or dealing	483	17.4%	17.8%	64.8%	12.9%	19.7%	67.4%	12.9%	19.9%	67.1%
Abandoned or burnt out vehicles	472	1.5%	3.2%	95.3%	0.2%	3.7%	96.1%	1.0%	2.8%	96.1%
Other crime	446	3.8%	14.6%	81.6%	2.7%	18.5%	78.8%	3.0%	20.3%	76.7%
Noise from traffic	477	6.7%	27.9%	65.4%	6.8%	22.6%	70.6%	5.8%	23.5%	70.6%
Grass cutting	477	12.2%	25.6%	62.3%	7.5%	20.8%	71.7%	8.9%	18.3%	72.8%
Hedge cutting	464	12.3%	15.5%	72.2%	9.6%	13.2%	77.2%	9.5%	13.3%	77.2%
Maintenance of trees on open land	467	11.3%	16.9%	71.7%	10.3%	14.1%	75.6%	8.0%	13.5%	78.5%
Litter picking	471	10.8%	29.1%	60.1%	11.4%	25.7%	62.9%	10.0%	24.8%	65.3%
Fly tipping	468	4.9%	12.8%	82.3%	4.7%	15.5%	79.8%	4.6%	14.0%	81.4%
Road sweeping	465	5.6%	18.3%	76.1%	6.8%	13.2%	80.0%	5.1%	14.8%	80.1%
Maintaining public footpaths	470	14.0%	24.7%	61.3%	12.8%	22.5%	64.7%	10.1%	23.1%	66.8%
Maintaining pavements	467	15.2%	27.0%	57.8%	15.3%	21.8%	62.9%	12.0%	25.6%	62.3%
Maintaining roads	474	15.6%	31.4%	53.0%	17.2%	26.1%	56.7%	17.1%	29.3%	53.6%

To what extent are any of the following a problem in your neighbourhood?



Q6. In the last three years, would you say your neighbourhood has improved or declined?

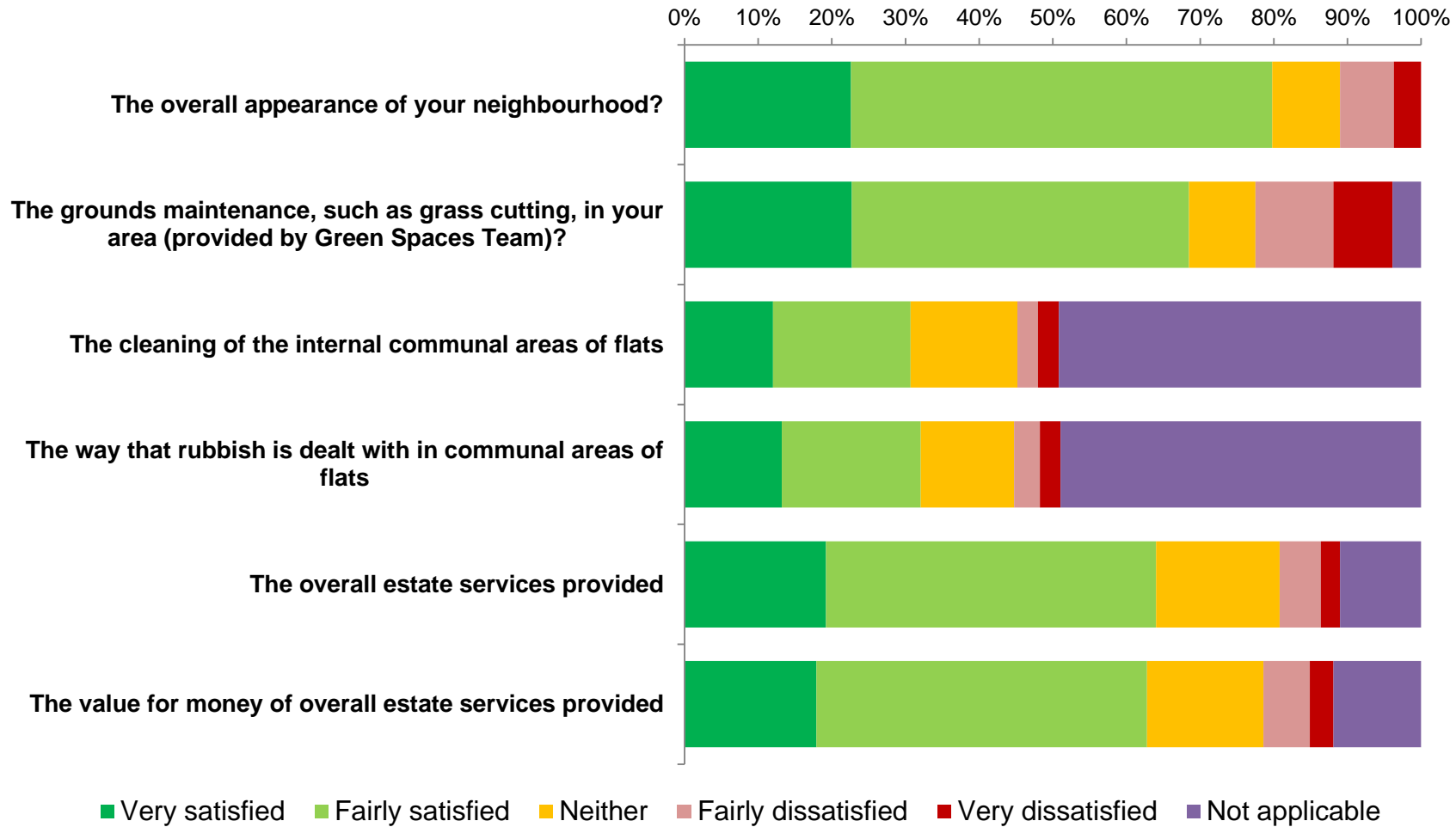
Q6: In the last three years, would you say your neighbourhood has improved or declined?						
	Base	Greatly improved	Slightly improved	Stayed the same	Slightly declined	Greatly declined
Star 2017	479	8.6%	13.4%	53.9%	16.7%	7.5%
Star 2015	533	9.2%	12.3%	55.7%	15.7%	7.1%
Star 2013	692	7.1%	16.0%	56.5%	14.7%	5.6%

About Estate Services

Q7. How satisfied or dissatisfied are you with the following aspects of Estate Services?

Q7: How satisfied or dissatisfied are you with the following aspects of Estate Services?										
	2017							Trend		
	Base	Very satisfied	Fairly satisfied	Neither	Fairly dissatisfied	Very dissatisfied	N/A	2017 Satisfied	2015 Satisfied	2013 Satisfied
The overall appearance of your neighbourhood?	491	22.6%	57.2%	9.2%	7.3%	3.7%		79.8%	78.3%	82.2%
The grounds maintenance, such as grass cutting, in your area?	489	22.7%	45.8%	9.0%	10.6%	8.0%	3.9%	68.5%	72.0%	78.9%
The cleaning of the Internal communal areas of flats	433	12.0%	18.7%	14.5%	2.8%	2.8%	49.2%	30.7%	33.4%	47.1%
The way that rubbish is dealt with in communal areas of flats	433	13.2%	18.9%	12.7%	3.5%	2.8%	49.0%	32.1%	36.2%	40.0%
The overall estate services provided	464	19.2%	44.8%	16.8%	5.6%	2.6%	11.0%	64.0%	64.8%	69.5%
The value for money of overall estate services provided	463	17.9%	44.9%	15.8%	6.3%	3.2%	11.9%	62.8%	60.4%	65.5%

How satisfied or dissatisfied are you with the following aspects of Estate Services?



About anti-social behaviour

Q8. Have you reported anti-social behaviour to the Housing Service in the last 12 months?

Q8: Have you reported anti-social behaviour to the Housing Service in the last 12 months?			
	Base	Yes	No
<i>Star 2017</i>	495	11.5%	88.5%
<i>Star 2015</i>	551	10.5%	89.5%
<i>Star 2013</i>	679	9.4%	90.6%
<i>TSS Sept 2008</i>		12.6%	84.3%
Question details: Optional Star question ASB1, Status question			

Q8.a. At the beginning, how easy or difficult was it to contact a member of staff to report the anti-social behaviour

Q8a: At the beginning, how easy or difficult was it to contact a member of staff to report the anti-social behaviour?						
	Base	Very easy	Fairly easy	Neither	Fairly difficult	Very difficult
<i>Star 2017</i>	54	35.2%	38.9%	13.0%	7.4%	5.6%
<i>Star 2015</i>	58	46.6%	29.3%	8.6%	10.3%	5.2%
<i>Star 2013</i>	79	36.7%	25.3%	13.9%	13.9%	10.1%
Question details: Optional Star question ASB2, HouseMark benchmark ASB						

Q8.b. How would you describe the member of staff dealing with your report about anti-social behaviour?

Q8b: How would you describe the member of staff dealing with your report about anti-social behaviour?							
	2017 Results					Trend	
Star 2015	Base	Always	Usually	Occasionally	Never	2015 'Always'	2013 'Always'
<i>Helpful</i>	55	47.3%	20.0%	16.4%	16.4%	45.8%	43.4%
<i>Courteous</i>	52	46.2%	30.8%	11.5%	11.5%	57.8%	46.4%
<i>Sensitive</i>	49	44.9%	28.6%	12.2%	14.3%	42.9%	42.9%
<i>Responsive</i>	52	48.1%	15.4%	17.3%	19.2%	46.0%	42.2%
<i>Knowledgeable</i>	51	47.1%	17.6%	19.6%	15.7%	48.4%	42.0%
¹ HouseMark benchmark: ASB							

Q8.c. How would you rate how quickly you were initially interviewed about your report (either in person or on the phone)?

Q8c: How would you rate how quickly you were initially interviewed about your report (either in person or on the phone)?					
	<i>Base</i>	<i>Good</i>	<i>Fair</i>	<i>Poor</i>	<i>Don't know</i>
Star 2017	56	35.7%	35.7%	19.6%	8.9%
Star 2015	75	40.0%	33.3%	16.0%	10.7%
Star 2013	77	45.5%	22.1%	23.4%	9.1%
<i>Question details: Optional Star question ASB4, HouseMark benchmark ASB</i>					

Q8.d. How satisfied or dissatisfied were you with the following aspects of the anti-social behaviour service?

Q8d: How satisfied or dissatisfied were you with the following aspects of the anti-social behaviour service?											
	<i>Star 2017</i>						<i>Trend</i>				
	<i>Base</i>	<i>Very satisfied</i>	<i>Fairly satisfied</i>	<i>Neither</i>	<i>Fairly dissatisfied</i>	<i>Very dissatisfied</i>	<i>2017 Satisfied</i>	<i>2015 Satisfied</i>	<i>2013 Satisfied</i>	<i>2008 Satisfied</i>	<i>Change from 2015 +/-</i>
How well you were kept up to date with what was happening throughout your anti-social behaviour case.	55	23.6%	34.5%	10.9%	7.3%	23.6%	58.1%	42.2%	45.5%	39.0%	+15.9%
The support provided by staff	54	24.1%	33.3%	11.1%	7.4%	24.1%	57.4%	49.2%	46.6%	39.0%	+8.2%
Overall, how satisfied or dissatisfied are you with the final outcome of your anti-social behaviour case?	53	22.6%	22.6%	13.2%	9.4%	32.1%	45.2%	49.2%	34.7%	30.0%	-4.0%
Overall, how satisfied or dissatisfied are you with the way that your anti-social behaviour case was dealt with?	54	25.9%	24.1%	16.7%	7.4%	25.9%	50.0%	52.4%	36.6%		-2.4%

¹Wording change from Status question

Q8.e. How willing would you be to report any anti-social behaviour to the Housing Service in the future?

Q8e: How willing would you be to report any anti-social behaviour to the Housing Service in the future?						
	Base	Very willing	Fairly willing	Neither	Fairly reluctant	Very reluctant
<i>Star 2017</i>	58	51.7%	19.0%	5.2%	6.9%	17.2%
<i>Star 2015</i>	73	60.3%	11.0%	4.1%	16.4%	8.2%
<i>Star 2013</i>	86	47.7%	19.8%	3.5%	10.5%	18.6%

About contacting us and communications

Q9. How good or poor do you feel the Housing Service is at keeping you informed about things that might affect you as a resident?

Q9: How good or poor do you feel the Housing Service is at keeping you informed about things that might affect you as a resident?							
	Base	Very good	Fairly good	Neither	Fairly poor	Very poor	Total 'good'
<i>Star 2017</i>	491	34.2%	43.6%	11.6%	5.9%	4.7%	77.8%
<i>Star 2015</i>	572	31.8%	39.2%	18.4%	7.0%	3.7%	71.0%
<i>Star 2013</i>	699	30.2%	43.1%	16.0%	6.7%	4.0%	73.3%

Q10. Have you contacted the Housing Service in the last 12 months with a query other than to pay your rent or service charges?

Q10: Have you contacted the Housing Service in the last 12 months with a query other than to pay your rent or service charges?			
	Base	Yes	No
<i>Star 2017</i>	486	30.0%	70.0%
<i>Star 2015</i>	550	32.9%	67.1%
<i>Star 2013</i>	670	35.1%	64.9%

Q10.a. Was getting hold of the right person easy or difficult?

Q10a: Was getting hold of the right person easy or difficult?				
	Base	Easy	Difficult	Neither
<i>Star 2017</i>	153	56.2%	28.8%	15.0%
<i>Star 2015</i>	183	63.4%	26.2%	10.4%

<i>Star 2013</i>	232	68.5%	22.0%	9.5%
<i>TSS 2008 (% positive rating)</i>		69.0%		

Q10.b. Did you find the staff helpful or unhelpful?

Q10b: Did you find the staff helpful or unhelpful?				
	<i>Base</i>	<i>Helpful</i>	<i>Unhelpful</i>	<i>Neither</i>
<i>Star 2017</i>	153	71.2%	15.0%	13.7%
<i>Star 2015</i>	188	70.7%	17.0%	12.2%
<i>Star 2013</i>	237	77.2%	11.4%	11.4%
<i>TSS 2008 (% positive rating)</i>		77.0%		

Q10.c. Was your query answered within a reasonable time?

Q10c: Was your query answered within a reasonable time?			
	<i>Base</i>	<i>Yes</i>	<i>No</i>
<i>Star 2017</i>	133	73.7%	26.3%
<i>Star 2015</i>	165	67.9%	32.1%
<i>Star 2013</i>	201	72.1%	27.9%

Q10.d. How satisfied or dissatisfied were you with the following:

Q10d: How satisfied or dissatisfied were you with the following											
	Star 2017						Trend				
	Base	Very satisfied	Fairly satisfied	Neither	Fairly dissatisfied	Very dissatisfied	2017 Satisfied	2015 Satisfied	2013 Satisfied	2008 "Positive"	Change from 2015 +/-
The ability of staff to deal with your query quickly and efficiently	147	40.1%	29.9%	12.2%	8.8%	8.8%	70.0%	65.1%	75.2%		4.9%
The final outcome of your query	140	36.4%	30.0%	12.9%	9.3%	11.4%	66.4%	56.5%	67.8%	62.0%	1.3%
¹ Wording change from Status question											

Q11. Do you use the internet?

Q11: Do you use the internet?							
	Base	Yes, at home		Yes, outside the home		No	
		Number	%	Number	%	Number	%
Star 2017	486	251	51.6%	87	17.9%	221	45.5%
Star 2015	542	269	49.6%	74	13.7%	251	46.3%
Star 2013	656	301	45.9%	85	13.0%	344	52.4%

Q11.a. Why do you not use the internet?

Q11a: Why do you not use the internet?		
	Number of respondents	% of respondents
Do not have access to the internet	88	45.4%
Do not want to use the internet	93	47.9%
Connection costs (e.g. broadband) too high	57	29.4%
Lack of confidence / skills	53	27.3%
Equipment costs too high	28	14.4%
Privacy and security concerns	46	23.7%
No free internet access near me	26	13.4%
Physical disability	67	34.5%

Q12. Which of the following methods of being kept informed and getting in touch with the Housing Service are you happy to use?

Q12: Which of the following methods of being kept informed and getting in touch with the Housing Service are you happy to use?		
	Number of respondents	% of respondents
Telephone	123	25.3%
In writing	346	71.0%
Newsletter	115	23.6%
Email	244	50.1%
Text / SMS	116	23.8%
Visit to your home by staff	92	18.9%
Visit to the office	35	7.2%
Open meetings	150	30.8%

About complaints

Q13. Are you aware that the Housing Service has a formal complaints procedure?

Q13: Are you aware that the Housing Service has a formal complaints procedure?			
	<i>Base</i>	<i>Yes</i>	<i>No</i>
Star 2017	486	60.1%	39.9%
Star 2015	547	57.0%	43.0%
Star 2013	683	56.1%	43.9%

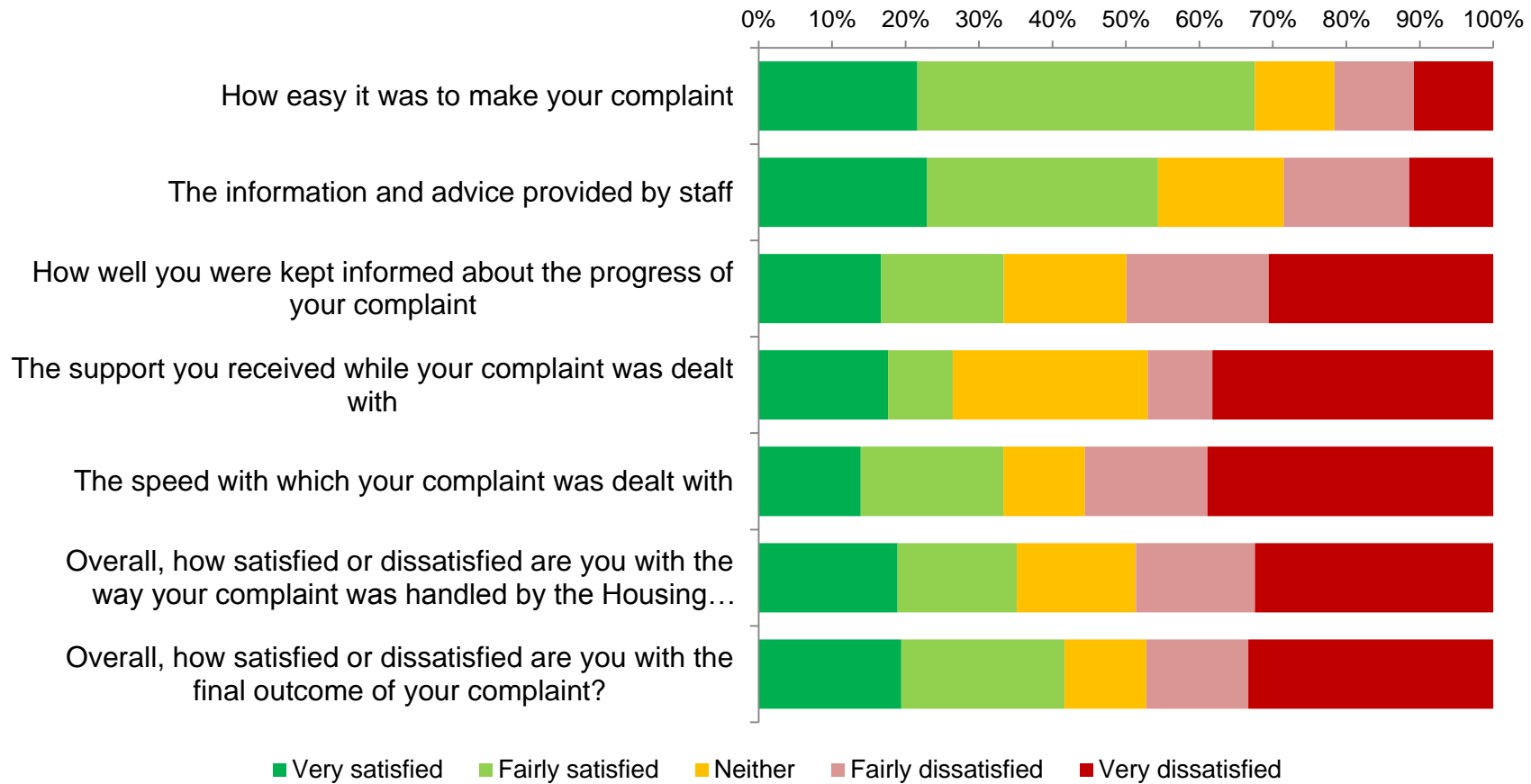
Q14. Have you made a complaint to the Housing Service in the last 12 months about our services?

Q14: Have you made a complaint to the Housing Service in the last 12 months about our services?			
	<i>Base</i>	<i>Yes</i>	<i>No</i>
Star 2017	492	8.1%	91.9%
Star 2015	541	7.2%	92.8%
Star 2013	669	7.5%	92.5%

Q14.a. How satisfied or dissatisfied are you with the following aspects of the complaints service?

Q14a: How satisfied or dissatisfied are you with the following aspects of the complaints service?										
	Star 2017						Trend			
	<i>Base</i>	<i>Very satisfied</i>	<i>Fairly satisfied</i>	<i>Neither</i>	<i>Fairly dissatisfied</i>	<i>Very dissatisfied</i>	<i>2017 Satisfied</i>	<i>2015 Satisfied</i>	<i>2013 Satisfied</i>	<i>Change +/-</i>
How easy it was to make your complaint	37	21.6%	45.9%	10.8%	10.8%	10.8%	67.5%	67.4%	69.8%	+0.1%
The information and advice provided by staff	35	22.9%	31.4%	17.1%	17.1%	11.4%	54.3%	50.0%	57.9%	+4.3%
How well you were kept informed about the progress of your complaint	36	16.7%	16.7%	16.7%	19.4%	30.6%	33.4%	38.1%	40.7%	-4.7%
The support you received while your complaint was dealt with	34	17.6%	8.8%	26.5%	8.8%	38.2%	26.4%	32.5%	42.3%	-6.1%
The speed with which your complaint was dealt with	36	13.9%	19.4%	11.1%	16.7%	38.9%	33.3%	39.0%	42.3%	-5.7%
Overall, how satisfied or dissatisfied are you with the way your complaint was handled by the Housing Service?	37	18.9%	16.2%	16.2%	16.2%	32.4%	35.1%	31.0%	41.0%	+4.1%
Overall, how satisfied or dissatisfied are you with the final outcome of your complaint?	36	19.4%	22.2%	11.1%	13.9%	33.3%	41.6%	38.1%	42.3%	+3.5%

How satisfied or dissatisfied were you with the following aspects of the complaint service?



Q14.b. How willing would you be to make a complaint about our services to the Housing Service in the future?

Q14b: How willing would you be to make a complaint about our services to the Housing Service in the future?						
	<i>Base</i>	<i>Very willing</i>	<i>Fairly willing</i>	<i>Neither</i>	<i>Fairly reluctant</i>	<i>Very reluctant</i>
Star 2017	49	53.1%	28.6%	8.2%	8.2%	2.0%
Star 2015	63	50.8%	22.2%	7.9%	15.9%	3.2%
Star 2013	86	46.5%	30.2%	8.1%	9.3%	5.8%

About advice and support

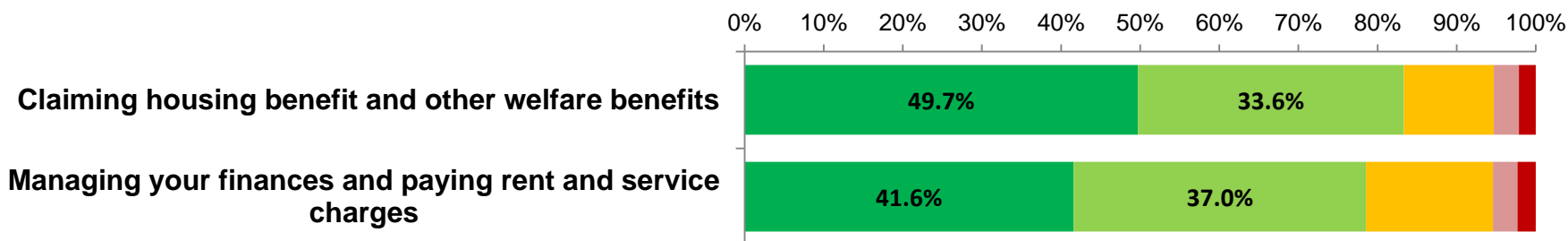
Q15. Thinking about your rent and income, how satisfied or dissatisfied are you with the advice and support you receive from the Housing Service with the following?

Q15: Thinking about your rent and income, how satisfied or dissatisfied are you with the advice and support you receive from the Housing Service with the following?											
	<i>Base</i>	<i>Very satisfied</i>	<i>Fairly satisfied</i>	<i>Neither</i>	<i>Fairly dissatisfied</i>	<i>Very dissatisfied</i>	<i>N/A</i>	<i>2017 satisfied</i>	<i>2015 satisfied</i>	<i>2013 satisfied</i>	<i>Change +/-</i>
<i>Claiming housing benefit and other welfare benefits</i>	476	39.5%	26.7%	9.0%	2.5%	1.7%	20.6%	66.2%	61.5%	63.1%	+4.7%
<i>Managing your finances and paying rent and service charges</i>	460	35.0%	31.1%	13.5%	2.6%	2.0%	15.9%	66.1%	64.2%	62.3%	+1.9%

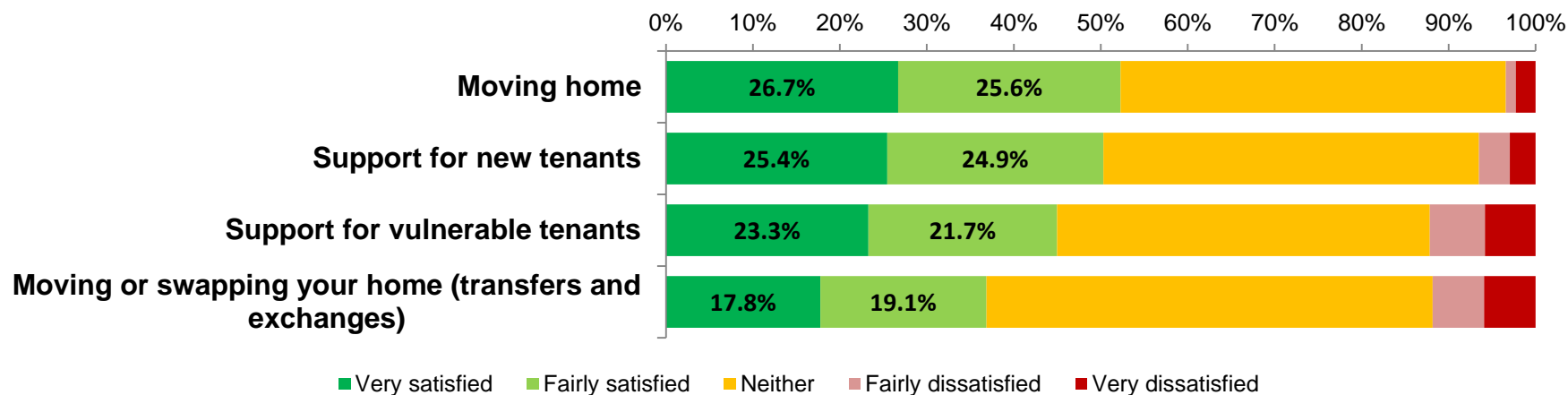
Q16. How satisfied or dissatisfied are you with the advice and support you receive from the Housing Service with the following?

Q16: How satisfied or dissatisfied are you with the advice and support you receive from the Housing Service with the following?												
	<i>Star 2015</i>							<i>Trend</i>				
	<i>Base</i>	<i>Very satisfied</i>	<i>Fairly satisfied</i>	<i>Neither</i>	<i>Fairly dissatisfied</i>	<i>Very dissatisfied</i>	<i>N/A</i>	<i>2017 Satisfied (excluding N/As)</i>	<i>2015 Satisfied (excluding N/As)</i>	<i>2013 Satisfied (excluding N/As)</i>	<i>2008 Satisfied</i>	<i>Change from 2015 +/-</i>
Moving home	422	11.1%	10.7%	18.5%	0.5%	0.9%	58.3%	52.3%	50.0%	57.1%	32.0%	+2.3%
Support for new tenants	417	10.3%	10.1%	17.5%	1.4%	1.2%	59.5%	50.3%	51.2%	55.6%	37.9%	-0.9%
Support for vulnerable tenants	413	10.7%	9.9%	19.6%	2.9%	2.7%	54.2%	45.0%	37.7%	45.2%	35.8%	+7.3%
Moving or swapping your home (transfers and exchanges)	418	6.5%	6.9%	18.7%	2.2%	2.2%	63.6%	36.8%	36.6%	45.0%		+0.2%

Thinking about your rent and income, how satisfied or dissatisfied are you with the advice and support you receive from the Housing Service with the following? (excluding don't know/NA responses)



How satisfied or dissatisfied are you with the advice and support you receive from the Housing Service with the following?



Other

Q17. Are you aware of the Housing Service's published service standards?

Q17: Are you aware of the Housing Service's published service standards?			
	<i>Base</i>	<i>Yes</i>	<i>No</i>
Star 2017	476	35.9%	64.1%
Star 2015	530	40.4%	59.6%
Star 2013	666	32.0%	68.0%

Are you aware of the Housing Service's published service standards?



Q18. Are you aware of how to challenge the Housing Service's published service standards?

Q18: Are you aware of how to challenge the Housing Service's published service standards?			
	<i>Base</i>	<i>Yes</i>	<i>No</i>
Star 2017	464	23.5%	76.5%
Star 2015	526	24.1%	75.9%
Star 2013	662	20.5%	79.5%

Are you aware of how to challenge the Housing Service's published service standards?



Q19. Do you have any other suggestions of ways to improve the Housing Service?

The comments made by respondents have been included in full at Appendix 1.

The key themes were as follows:

- Compliments about the service
- Concerns about anti-social behaviour
- Comments in relation to changes to Tenancy Agreement
- Comments about gardens, paths and litter
- Comments about customer service
- Comments about repairs and alterations

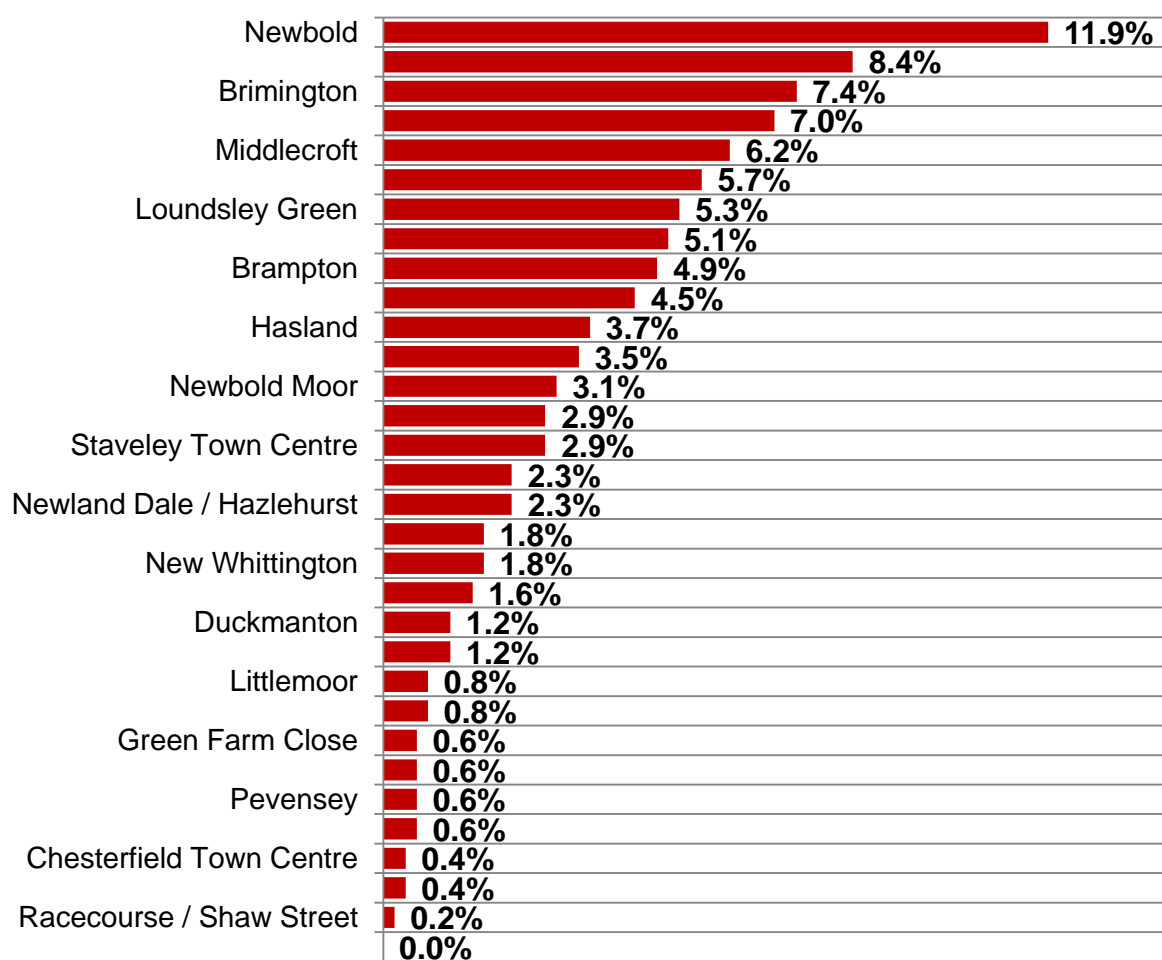
About you

Q20. What type of property do you live in?

Q20: What type of property do you live in?			
	Star 2015	Star 2013	Star 2017
<i>House</i>	44.2%	45.8%	41.5%
<i>Bungalow</i>	23.9%	23.0%	26.4%
<i>Flat</i>	29.9%	27.0%	29.5%
<i>Older person's flat</i>	1.2%	3.0%	1.4%
<i>Maisonette</i>	0.7%	1.1%	1.2%



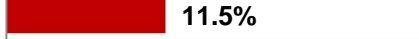


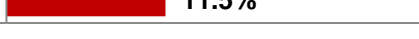
Q21. Which area do you live?

In which area do you live?



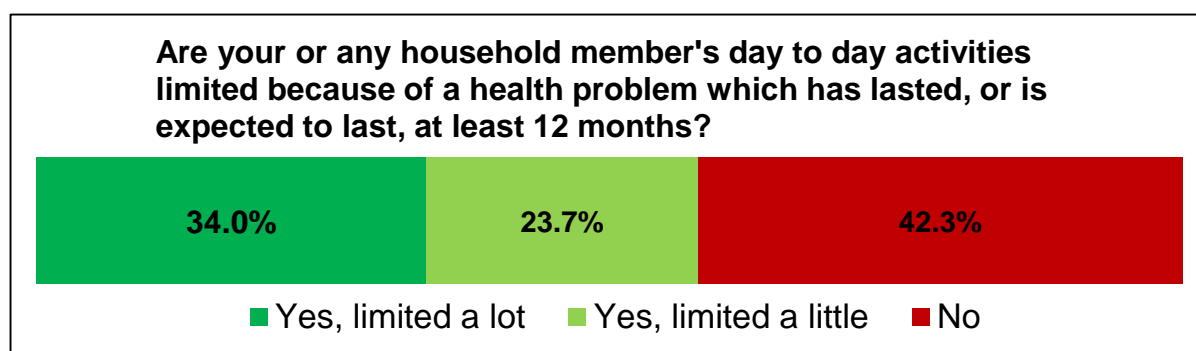
Although Area Panels no longer exist, where appropriate, the data has been analysed by the six areas below in order to observe geographical trends. Responses to key satisfaction questions have also been broken down by property type where appropriate.

Area 1	Area 2	Area 3	Area 4	Area 5	Area 6
Barrow Hill	Hartington/ Lowgates	Dunston	Hazlehurst	Boythorpe	Grangewood
Brimington	Mastin Moor	Green Farm Close	Highfields	Brampton	Hady
Duckmanton	Newbold Moor	Old Whittington	Holme Hall	Loundsley Green	Hasland
Inkersall	Poolsbrook	Peveril	Littlemoor	St Augustines	Spital
Middlecroft	Racecourse		Newbold	Whitecotes	Birdholme
New Whittington	Staveley TC		Newland Dale		Town Centre
			Pevensey		
			Stonegravels		
			Whittington Moor		

Q21: In which area do you live?					
Area	No.	%			
1	100	20.5%	Area 1		20.5%
2	60	12.3%	Area 2		12.3%
3	56	11.5%	Area 3		11.5%
4	120	24.6%	Area 4		24.6%
5	95	19.5%	Area 5		19.5%
6	56	11.5%	Area 6		11.5%

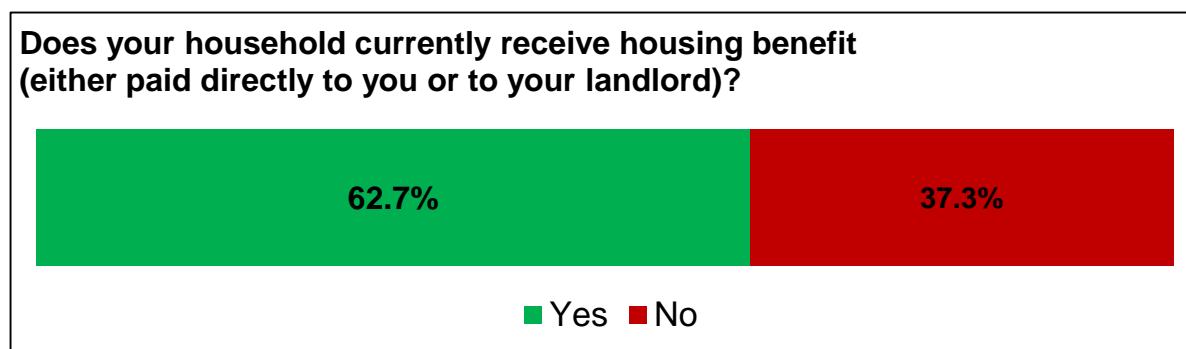
Q22. Are your or any household member's day to day activities limited because of a health problem which has lasted, or is expected to last, at least 12 months?

Q22: Are your or any household member's day to day activities limited because of a health problem which has lasted, or is expected to last, at least 12 months?			
	Star 2017	Star 2015	Star 2013
<i>Yes, limited a lot</i>	34.0%	31.6%	30.9%
<i>Yes, limited a little</i>	23.7%	19.9%	23.0%
<i>No</i>	42.3%	48.5%	46.1%



Q23. Does your household currently receive housing benefit (either paid directly to you or to your landlord)?

Q23: Does your household currently receive housing benefit (either paid directly to you or to your landlord)?			
	Star 2017	Star 2015	Star 2013
Yes	62.7%	60.8%	64.7%
No	37.3%	39.2%	35.3%



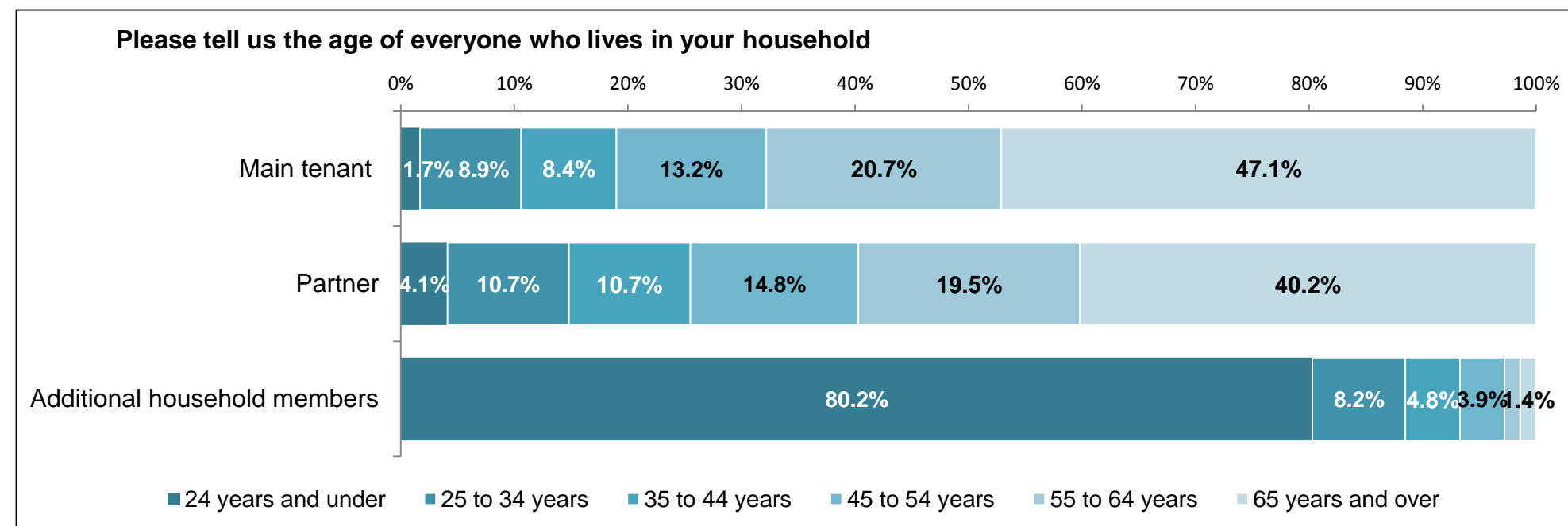
Q24. You and your household - please tell us the age and gender of everyone who lives with you in your household. *Gender - Please select either male or female for your gender. Transgender or transsexual: select the answer which you identify yourself as. You can select either 'male' or 'female', whichever you believe is correct, irrespective of the details recorded on your birth certificate. You do not need to have a Gender Recognition Certificate.*

Q24: You and your household - please tell us the gender of everyone who lives with you in your household.					
Star 2017	Base	Male		Female	
		No.	%	No	%
Main tenant	476	212	44.5%	264	55.5%
Partner	174	69	39.7%	105	60.3%
Additional household members	230	120	52.2%	110	47.8%

Q24: You and your household - please tell us the gender of everyone who lives with you in your household.					
Star 2015	Base	Male		Female	
		No.	%	No	%
Main tenant	548	264	48.2%	284	51.8%
Partner	197	75	38.1%	122	61.9%
Additional household members	275	156	56.7%	119	43.3%

Q24: You and your household - please tell us the gender of everyone who lives with you in your household.					
Star 2013	Base	Male		Female	
		No.	%	No	%
Main tenant	690	319	46.2%	371	53.8%
Partner	259	102	39.4%	157	60.6%
Additional household members	339	190	56.0%	149	44.0%

Q24: You and your household - please tell us the age of everyone who lives with you in your household.													
	Base	24 years and under		25 to 34 years		35 to 44 years		45 to 54 years		55 to 64 years		65 years and over	
		No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
Main tenant	463	8	1.7%	41	8.9%	39	8.4%	61	13.2%	96	20.7%	218	47.1%
Partner	169	7	4.1%	18	10.7%	18	10.7%	25	14.8%	33	19.5%	68	40.2%
Additional household members	207	166	80.2%	17	8.2%	10	4.8%	8	3.9%	3	1.4%	3	1.4%



Q25. What is your ethnic group?

Q25: What is your ethnic group?		
	Main tenant	Partner
English / Welsh / Scottish / Northern Irish / British	95.9%	80.0%
Irish	0.8%	0.0%
Gypsy or Irish Traveller	0.0%	0.9%
Any other White background	1.6%	0.4%
White and Black Caribbean	0.4%	0.0%
White and Black African	0.0%	1.3%
White and Asian	0.0%	0.0%
Any other Mixed / multiple ethnic background	0.0%	0.9%
Indian	0.0%	1.8%
Pakistani	0.4%	3.1%
Bangladeshi	0.0%	2.2%
Chinese	0.0%	3.6%
Any other Asian background	0.2%	1.3%
African	0.4%	0.9%
Caribbean	0.0%	0.0%
Any other Black / African / Caribbean background	0.2%	0.9%
Arab	0.0%	0.0%
Any other ethnic group	0.0%	2.7%

Q26: What is your religion		
	Main tenant	Partner
No religion	32.9%	30.5%
Christian (all denominations)	59.8%	43.8%
Buddhist	0.2%	0.0%
Hindu	0.0%	0.0%
Jewish	0.0%	0.0%
Muslim	0.6%	8.6%
Sikh	0.2%	3.4%
Any other religion	2.3%	6.9%
Prefer not to say	4.0%	6.9%

Q27: How would you describe your sexual orientation?					
Heterosexual	Gay man	Gay woman	Bisexual	Other	Prefer not to say
80.3%	1.0%	1.7%	0.7%	2.4%	13.8%

This page is intentionally left blank

Chesterfield Borough Council

Equality Impact Assessment - Preliminary Assessment Form

The preliminary impact assessment is a quick and easy screening process. It should identify those policies, projects, services, functions or strategies which require a full EIA by looking at negative, positive or no impact on any of the equality groups.

Service Area: HOUSING SERVICES

Section: **ALL**

Lead Officer: ALISON CRAIG

Title of the policy, project, service, function or strategy the preliminary EIA is being produced for: **TENANT SATISFACTION STAR SURVEY RESULTS**

Is the policy, project, service, function or strategy:

Existing ☐

Changed ☐

New/Proposed ☒

Q1 - What is the aim of your policy or new service?

To present to Cabinet the results of the 2017 Tenants Satisfaction 'STAR' Survey

Q2 - Who is the policy or service going to benefit?

The STAR survey enables the Housing Service to assess the satisfaction of its tenants with the services provided and enable the service to utilise the results in service planning to the benefit of all tenants.

Q3 - Thinking about each group below, does, or could the policy, project, service, function or strategy have an impact on protected characteristics below? You may also need to think about sub groups within each characteristic e.g. older women, younger men, disabled women etc.

Please tick the appropriate columns for each group.

Group or Protected Characteristics	Potentially positive impact	Potentially negative impact	No impact
Age – including older people and younger people.			X
Disabled people – physical, mental and sensory including learning disabled people and people living with HIV/Aids and cancer.			X
Gender – men, women and transgender.			X
Marital status including civil partnership.			X
Pregnant women and people on maternity/paternity. Also consider breastfeeding mothers.			X
Sexual Orientation – Heterosexual, Lesbian, gay men and bi-sexual people.			X
Ethnic Groups			X
Religions and Beliefs including those with no religion and/or beliefs.			X
Other groups e.g. those experiencing deprivation and/or health inequalities.			X

If you have answered that the policy, project, service, function or strategy could potentially have a negative impact on any of the above characteristics then a full EIA will be required.

Q4 - Should a full EIA be completed for this policy, project, service, function or strategy?

Yes ☐

No ☒

Q5 - Reasons for this decision:

No negative impact is identified for any group with a protected characteristic.

Please e-mail this form to the Policy Service before moving this work forward so that we can confirm that either a full EIA is not needed or offer you further advice and support should a full EIA be necessary.

For publication

Commercial Services Fees and Charges for Outdoor Recreation and Waste Services 2018/19 (HW000)

Meeting: Cabinet

Date: 13 March 2018

Cabinet portfolio: Health and Wellbeing

Report by: Assistant Director – Commercial Services

For publication – except for Appendix B to the officer's report, which is exempt information by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972

1.0 Purpose of report

- 1.1 To set the Council's Waste and Outdoor Recreation fees and charges for the financial year commencing 1 April 2018.

2.0 Recommendations

- 2.1 It is recommended that the 2018/19 fees and charges as detailed in Appendix A and B, be approved.

3.0 Report details

- 3.1 In accordance with the Council's Budget Strategy, this is the annual review of fees and charges taking into consideration

that charges should aim to recover at least the full cost of the service except where:

- (1) There is an opportunity to maximise income: or
- (2) Members determine a reduction or subsidy should be made for a specific reason.

- 3.2 In preparing this report, we have had regard to The Council's Budget Strategy in that provision should be made for a minimum inflationary increase of 3% each year.

Outdoor Recreation fees and charges

- 3.3 The Council provides a variety of facilities and services that contribute to promoting positive and healthy lifestyles and improving the quality of life for residents. The demand for our services has held up generally well against national and local economic difficulties.
- 3.4 From time to time event organisers wish to make a major booking and there needs to be the flexibility to vary rates to be competitive and to attract bookings that will increase income to the Council. A decision on pricing of events of this nature is agreed with the Assistant Director – Commercial Services.
- 3.5 It should be noted that we are actively seeking to secure lease agreements, where possible, with sports clubs alongside reducing the subsidy for each pursuit. In 2017/18 priority was focused on Bowling Greens and Chesterfield Cricket Club in accordance with the Council's 'Cease and Reduce' Programme. 2018/19 will continue to see a review of current leases and arrangements to ensure value for money and a consistent approach is achieved. This may affect the overall level of fees and charges during the year.

Waste

- 3.6 The Council has a duty under the Environmental Protection Act 1990 to arrange for the removal of Commercial Waste from shops, offices, hotels and similar businesses if requested to do so by the occupier. Businesses from which waste is removed must pay reasonable charges for the collection and disposal of such waste. Current charges for the collection and disposal (referred to as removal) are shown in Appendix B.
- 3.7 The services covered by this arrangement are listed below:
- Industrial Waste – Waste Collection Authorities (WCAs) such as CBC may if requested but only with the consent of the Waste Disposal Authority (WDA). Derbyshire County Council, our WDA, does not permit any of the WCAs in Derbyshire to collect and dispose of such waste so this is not a service CBC can offer.
 - Chargeable Household Waste – Such as schools, other educational premises, nursing homes, residential homes, registered charities and hospitals are charged has changed. These changes were agreed by Cabinet 14 July 2015 and a new non-profit making charging structure was set up.
 - Hire Charges For Trade Waste Receptacles – A separate charge is itemised on the customers invoice for the hire of a receptacle. This is for administrative purposes and also in order to ensure that as a minimum the total cost of servicing each size of receptacle is recovered and preferably makes a positive contribution to the Trading Account profitability.
 - Healthcare Waste – In the interests of public health and safety certain types of healthcare waste defined as offensive or infectious are collected free of charge from

domestic properties. However, it is Council policy to charge Commercial Waste rates at Residential Homes who request the service.

- One-off Collections – The Council may be requested to make special journeys for one-off collections of Commercial or Chargeable Household Waste. These are charged at an hourly rate. The annual number of such jobs is variable with current income estimated for this financial year at £4,500.
- Wheeled Bins – In April 2001 the Council introduced a charge for the supply and delivery of wheeled bins to new domestic properties and these charges include the cost of delivery.
- Bulky Household Waste Collections – Charges are based on the overriding waste management principles of the waste hierarchy (Reduce, Re-use, Recycle) and the polluter pays.
- Sharps Boxes – Occasionally we get requests from Residential Care Homes to collect sharps boxes.
- Mixed Hereditament – These are premises with a mix of customer categories, i.e. a shop and public house or business. A reduced charge (allowance) is made if the customer enters into a contract for the collection of their trade waste and the occupier opts to dispose of the domestic element of their waste in their trade bin that is provided.

3.8 However, producers of Commercial Waste may request the service from one of a number of private sector companies who operate in the Chesterfield area. Traditionally these have provided strong competition for the Council, normally

focusing on the servicing of larger 1100 and 660 litre sized receptacles.

- 3.9 Our knowledge of the service and our stable share of the market indicate that the fees and charges recommended will remain competitive. The service also plans to launch a commercial recycling service during 2018/19, this will improve the overall offer of the service to our customers as well as meet our Council Objectives.

4.0 Human resources/people management implications

- 4.1 There are no direct human resource implications arising from this report although the Council employee staff to deliver the services included in this report.

5.0 Financial implications

- 5.1 The Council's general guidelines for charging include an aim to recover the full cost of the service except where:

- There is an opportunity to maximise income; or
- Members determine that a reduction or subsidy should be made for specific reasons

- 5.2 The proposed fees and charges for 2018/19 achieve this aim whilst giving consideration to the current economic climate, market forces, competition, and the customer's ability to pay.

6.0 Legal and data protection implications

- 6.1 There are no legal or data protection implications arising from this report.

7.0 Risk management

7.1 Details of the risks associated with increasing fees and charges are given below.

Description	Impact	Probability	Controls to be Implemented
Below expected take up of services generally	Reduced income	Medium	Income is largely subject to economic fluctuations; however, price sensitivities can be a factor. Proposed fees will be comparable with neighboring authorities.
Users choosing to use alternative facilities	Reduced income	Low	Proposed increases still represent good value for money. Continue to build sound relationships with our customers and service users.
Adverse publicity	Criticism of authority	Medium	Prepare good reasoning for the increase in fees and charges and that they remain below comparable authorities. Improve standards of services.

8.0 Equalities Impact Assessment (EIA)

8.1 A preliminary Equalities Impact Assessment has been completed previously and no group is anticipated to face a disproportionate negative impact.

9.0 Alternative options and reasons for rejection

- 9.1 Members could decide not to increase fees and charges, however, a number of service are already subsidised.
- 9.2 A larger increase could be applied to fees, however, this may result in services being either not competitive or not affordable.

10.0 Recommendations

- 10.1 It is recommended that the 2018/19 fees and charges as detailed in Appendix A and B, be approved.

11.0 Reasons for Recommendations

- 11.1 To comply with the Council's Budget Strategy.

Decision information

Key decision number	807
Wards affected	All
Links to Council Plan priorities	To provide value for money services

Document information

Report author	Contact number/email
Mike Brymer, Assistant Director – Commercial Services	01246 345325 Michael.brymer@chesterfield.gov.uk
Background documents These are unpublished works which have been relied on to a material extent when the report was prepared.	
Appendices to the report	
Appendix A	Proposed fees and charges for 2018/2019 – Outdoor Sport and Leisure Services

Appendix B	Proposed fees and charges for 2018/2019 – Waste Collection. This is exempt information by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972
------------	---

APPENDIX A OUTDOOR RECREATION FEES & CHARGES

Market Comparison (Where available)

	<u>Existing</u>	<u>Proposed 2018/19</u>	<u>Mansfield</u>	<u>Amber Valley</u>	<u>Sheffield City Council</u>
	£	£	District Council	Borough Council	
<u>BOWLING</u>					
Casual - Adult per hour					
Casual - Concessionalry per hour					
Hire of Green Exclusive Use	£95.00	£95.00	No Comparable Rate	No Comparable Rate	
Club - Annual Green Fee (Including Pavilion)	£1,400.00	£1,400	£1,600	No Comparable Rate	£0- fully maintained by clubs
Bowling Clubs - Brimington, King George, Eastwood Park and Stand Road		Fixed at 2017/18 following each Club agreeing to take on additional maintenance responsibilities			

FOOTBALL

PITCHES (per season per team including posts & marking)

Adult - Full Size	£555.00	£571.65	£400	No Comparable Rate	£363.00
Adult - Full Size (Holmebrook Valley Park)	£660.00	£679.80	No Comparable Rate	No Comparable Rate	No Comparable Rate
Junior - Full Size	£475.00	£489.25	No Comparable Rate	No Comparable Rate	£210.00
Junior - Full Size (Holmebrook Valley Park)	£560.00	£576.80	No Comparable Rate	No Comparable Rate	No Comparable Rate
3/4 Pitch	£400.00	£412.00	No Comparable Rate	No Comparable Rate	No Comparable Rate
3/4 Pitch (Holmebrook Valley Park)	£470.00	£484.10	No Comparable Rate	No Comparable Rate	No Comparable Rate
9 v 9 Pitch	£400.00	£412.00	No Comparable Rate	No Comparable Rate	No Comparable Rate
9 v 9 Pitch (Holmebrook Valley Park)	£470.00	£484.10	No Comparable Rate	No Comparable Rate	No Comparable Rate
Mini-Soccer	£250.00	£257.50	No Comparable Rate	No Comparable Rate	No Comparable Rate
mini-Soccer (Holmebrook Valley Park)	£280.00	£288.40	No Comparable Rate	No Comparable Rate	No Comparable Rate

CHANGING ACCOMODATION (per team per season)

Adults - Purpose built changing rooms with showers & toilets	£210.00	£216.30	No Comparable Rate	No Comparable Rate	£540
Juniors - Purpose built changing rooms with showers & toilets	£110.00	£113.30	No Comparable Rate	No Comparable Rate	£420.00
Adults - Changing rooms with hand wash basin & toilets	£130.00	£133.90	No Comparable Rate	No Comparable Rate	No Comparable Rate
Juniors - Changing rooms with hand wash basin & toilets	£70.00	£72.10	No Comparable Rate	No Comparable Rate	No Comparable Rate
Adults - Changing rooms with no facilities	£110.00	£113.30	No Comparable Rate	No Comparable Rate	No Comparable Rate
Juniors - Changing rooms with no facilities	£55.00	£56.65	No Comparable Rate	No Comparable Rate	No Comparable Rate

OCCASIONAL MATCHES

With changing accomodation	£67.00	£69.01	£46.00	£39.58	£44.00
Without changing accomodation	£52.00	£53.56	£46.00	£35.42	£25.00

CRICKET

WICKET (per season per team)

Brearley Park	£570.00	£587.10	£1,050	No Comparable Rate	No Comparable Rate
Eastwood Park	£570.00	£587.10	£1,050	No Comparable Rate	No Comparable Rate
School Use	£410.00	£422.30	£1,050	No Comparable Rate	No Comparable Rate
Junior Teams	£290.00	£298.70	£1,050	No Comparable Rate	No Comparable Rate

CHANGING ACCOMODATION (per team per season)

Brearley Park
Eastwood Park

£130.00

£133.90 No Comparable Rate

No Comparable Rate

No Comparable Rate

OCCASIONAL MATCHES

Adults - With changing accomodation

£90.00

£92.70

£105.00 No Comparable Rate

Juniors - With changing accomodation

£58.00

£59.74

No Comparable Rate

No Comparable Rate

Adults - Without changing accomodation

£65.00

£66.95

£50 No Comparable Rate

No Comparable Rate

Juniors - Without changing accomodation

£40.00

£41.20

£25 No Comparable Rate

No Comparable Rate

TENNIS

Adult - Casual court booking per hour

£7.75

£7.98 No Comparable Rate

£4.50

£5.00

Concessionary - Casual court booking per hour

£6.25

£6.44 No Comparable Rate

£2.50

£5.00

MINIATURE RAILWAY

Per person

£2.00

£2.00 No Comparable Rate

No Comparable Rate

No Comparable Rate

Family Ticket (1 Adult & 2 Children)

£4.75

£5.00 No Comparable Rate

No Comparable Rate

No Comparable Rate

BMX TRACK

Seasonal use

No Comparable Rate

No Comparable Rate

No Comparable Rate

Club Events

No Comparable Rate

No Comparable Rate

No Comparable Rate

RECREATION GROUNDS

Hire per day

£250.00

£257.50

£1,000

£220.00 £480.00-£3,500

Club Hire of a designated area up to 3 hours

£20.00 No Comparable Rate

No Comparable Rate

No Comparable Rate

Catering rights per mobile unit / stall

£60.00

£61.80 No Comparable Rate

£39.00 No Comparable Rate

COMMUNITY ROOM HIRE (Country Parks)

Monday - Friday (up to 2 hours)

£27.50

£28.33

£20.00 No Comparable Rate

No Comparable Rate

Additional hourly rate

£11.00

£11.33 No Comparable Rate

No Comparable Rate

No Comparable Rate

Weekends & Bank Holiday by negotiation

£40 Community- £50 Corporate No Comparable Rate

No Comparable Rate

QUEENS PARK CRICKET PAVILION

Monday - Friday (up to 4 hours)

£60.00

£61.80 No Comparable Rate

No Comparable Rate

No Comparable Rate

Monday - Friday (all day)

£120.00

£123.60 No Comparable Rate

No Comparable Rate

No Comparable Rate

Additional hourly rate

£22.00

£22.66 No Comparable Rate

No Comparable Rate

No Comparable Rate

Weekends & Bank Holiday by negotiation

No Comparable Rate

No Comparable Rate

No Comparable Rate

POOLSBROOK COUNTRY PARK

LAUNCHING FEES (Based on 8 canoeists plus qualified coach)

Club sessions (up to 2 hours)	£33.00	£33.99 No Comparable Rate	No Comparable Rate	No Comparable Rate
Club sessions (up to 4 hours)	£45.00	£46.35 No Comparable Rate	No Comparable Rate	No Comparable Rate
Club sessions (all day)	£85.00	£87.55 No Comparable Rate	No Comparable Rate	No Comparable Rate

PERMITS

Use of metal detector at designated sites per annum	£17.00	£25.00	No Comparable Rate	
Commercial fitness coach at designated sites per annum	£90.00	£92.70	£150.00 No Comparable Rate	£348.50

EASTWOOD PARK

M.U.G.A.

Netball - per match *	£18.00	£18.54 No Comparable Rate	No Comparable Rate	No Comparable Rate
Walking football - per session	£12.00	£12.36 No Comparable Rate	No Comparable Rate	No Comparable Rate
Petanque - season	£110.00	£113.30	£950 No Comparable Rate	No Comparable Rate

* Evening fixtures incurring security and flood light expenditure

EVENTS IN GENERAL

Friends of groups events				£0 No Comparable Rate
Sponsored walks / bike rides / picnic				£0 No Comparable Rate
Community event (fun day, awareness days)	£25.00	£25.75 £359 small/£1025 large per day		£0 £480
Charity event	£75.00	£77.25 £359 small/£1025 large per day		£110.00 £480
Commercial Events (Up to 500 attendees)	£500.00	£515.00 £718.00 per day	£220.00 per day	£1,700
Commercial Events (Over 500 attendees)		By negotiation £2050 per day	No Comparable Rate	£3,500
Weddings - tapton	£500.00	£515.00 No Comparable Rate	No Comparable Rate	No Comparable Rate

FUNFAIRS

Queen's Park - early may, spring bank and august bank	£1,630.00	£1,678.90 By Negotiation	No Comparable Rate	£4,000
Eastwood Park	£1,209.00	£1,245.27 By Negotiation	No Comparable Rate	£4,000
Other park	£637.00	£656.11 By Negotiation		£4,000
Stand Road fireworks	£2,000.00	£2,060.00 By Negotiation		£4,000

CIRCUS

Stand Road / Queen's Park - up to 1 week	£2,250.00	£2,317.50 By Negotiation	No Comparable Rate	£6,000
Stand Road / Queen's Park - over 1 week	£3,750.00	£3,862.50 By Negotiation	No Comparable Rate	£6,000
Smaller Circus on other sites- up to 1 week		£850.00 By Negotiation	No Comparable Rate	£6,000

Smaller Circus on other sites- over 1 week	£1,250 By Negotiation	No Comparable Rate		£6,000
Ground Bond	£500.00 By Negotiation		£500	

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank