



Cabinet

To the Cabinet on Friday, 24 March 2023

Date of meeting: Monday, 03 April 2023

Time: 17:30 Please note start time.

Venue: The Council Chamber

The Symington Building, Adam and Eve Street, LE16 7AG

Members of the public can access a live broadcast of the meeting from the [Council website](#), and the meeting webpage. The meeting will also be open to the public.

- Information Exchange from Portfolio Holder
- Topical Issues
 - Questions
 - Petitions
 - Notices of Motion

Agenda

- | | | |
|----------|--|------------------|
| 1 | Apologies for Absence | |
| 2 | Declarations of Members' Interests | |
| 3 | Draft Cabinet Minutes - 6 March 2023 | 3 - 12 |
| 4 | 1. Performance - Quarter 3 2022-2023 | 13 - 36 |
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| 6 | 3. Local Authorities (Goods & Services) Act 1970 - Procurement Services | 85 - 134 |
| 7 | 4. External report work at The Symington Building | 135 - 140 |

- 8 Section 100A(4) Local Government Act 1972.**
The following item(s) is suggested to be dealt with under the above legislation.
To comply with the Act the following resolution needs to be passed:
“That the public and press be excluded from the remainder of the meeting on the grounds that the matters yet to be discussed involve the likely disclosure of exempt information as defined in paragraph 3 of part 1 of Schedule 12A to the Local Government Act 1972”
- 9 Section 100A(4) - Local Government Act 1972** **141 -**
142
- 10 To consider any matters of special urgency (to be decided by the Leader)**

LIZ ELLIOTT
INTERIM CHIEF EXECUTIVE AND HEAD OF PAID SERVICE
HARBOROUGH DISTRICT COUNCIL

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Circulate to: Jonathan Bateman - Deputy Leader, Paul Dann - Member, James Hallam - Member,
Phillip King - Leader, Simon Whelband - Member

HARBOROUGH DISTRICT COUNCIL
MINUTES OF THE CABINET MEETING

held at
Council Chamber, The Symington Building, Adam and Eve Street,
Market Harborough, LE16 7AG

6th March 2023

commencing at 5.30pm

Present:

Councillors: Bateman, Dann, Hallam, King (Chair) and Whelband

Officers: D. Atkinson, E. Bird, C. Bland, L Elliott, S. Hamilton, V. Jessop, C Mason,
C. Pattinson. R. Smith and D Wright

INFORMATION EXCHANGE FROM PORTFOLIO HOLDERS

Wellbeing, Communities and Housing

Councillor Whelband reported on recent Section 106 contributions for Market Harborough highlighting the part-funding of the resurfacing of the canal tow path project together with the Canals and Rivers Trust, associated with Airfield Farm (the remaining funds from Sustrans) and also that £1.3million of contributions have been collected towards new infrastructure in the District.

Finance

Councillor Hallam reported that the 2023/24 budget had been approved at the February 2023 Council meeting, enabling a zero percentage increase to the 2023/24 Council tax to be agreed. Also a balanced Medium Term Financial strategy for the period 2024/25 to 2027/28 as agreed, including the potential to invest £2.8 million into the local community in support of environmental, housing and town centre master planning. Capital projects included the refurbishment of the two leisure centres, £10 million for the new waste depot and £270k over four years for green environmental grants.

Planning, Environment and Waste

Councillor Bateman reported that Green waste subscriptions for the 2023/24 year opened on 1st February 2023, and the subscription level for the first three weeks was c. 9,200, an increase of 2,000 based on the same period the previous year. It was noted that a small number of complaints had been received which are being resolved with the customers.

Over £200,000 had been received in relation to planning fees for quarter three, resulting in approximately £900,000 for the full year. It was noted that the government

is looking to uplift planning fees by 35% later in the year.

Councillor Bateman highlighted that the Great British Clean is taking place from the 17th March to 2nd April which will be promoted by the Council. Also during the week commencing 27th February, the new state of the art Changing Places toilets were opened in Welland Park in Market Harborough.

Corporate & Regulatory Services

Councillor Dann reported that the new induction programme has been confirmed for the forthcoming new administration post the elections. Good progress is being made in updating the Council's constitution in line with best practice.

Good progress is being made towards the 'Paper-lite approach to Council meetings for the start of the new administration, including the use of the CMIS App to annotate Committee meetings etc.

Preparations are progressing well for the forthcoming elections, with the formal elections process commencing on the 22nd March 2023. Widespread promotion of voter ID is being undertaken. Checking and receipt sessions will take place at Lutterworth Town Council on the 27th March, Billesdon village hall on 29th March and in Kibworth Grammar School on the 3rd April, all these events will run from 16.30 – 19.00.

Strategy

Councillor King reported that the Harborough Jobs Fair would take place on the 14th March between 15.00 and 18.00 in the Council buildings in Market Harborough. Earlier on the 6th March, he had attended the Cox Automotive Open Day at the Bruntingthorpe Proving Ground.

He also reported that the Council had been able to provide litter picking implements to a group of volunteers who undertake litter picking within the District.

TOPICAL ISSUES

There were none.

APOLOGIES FOR ABSENCE

There were none.

DECLARATION OF MEMBERS' INTERESTS

Councillor King declared an interest in relation to item Agenda item 8, Leicestershire Climate and Nature Pact as he is a County Councillor and a co-signatory of the Nature Pact is Leicestershire County Council.

MINUTES

RESOLVED that the minutes of the meeting of the Cabinet held on the 6th February 2023 be approved as a correct record.

2022/23 FINANCIAL PERFORMANCE REPORT – OUTTURN QUARTER 3 (YEAR ENDING 31 MARCH 2023)

The Portfolio Holder introduced the report which set out the financial position (outturn) for the year ending 31 March 2023, based on information at the end of December for revenue and capital. Based on the financial position as at 31 December 2022, given known income and expenditure commitments and working assumptions :- Revenue is forecasting an overspend of £578k (quarter 2 £810k), a variance of 4.8% to the approved budget; and Capital is forecasting an underspend of £300k.

RESOLVED that the financial performance report and comments on the Forecast Outturn (31st March 2023) as detailed within the report and associated appendices be considered.

Reasons for Recommendations

Good financial governance requires the Cabinet to consider and comment on the forecast financial outturn for 2022/23. Such commentary demonstrates to customers, partners, and stakeholders that the Council is actively considering the financial environment within which the Council is operating.

LEADERSHIP AND COLLABORATION: WASTE AND ENVIRONMENTAL MAINTENANCE SERVICES

The Portfolio Holder introduced the report which proposed to share Harborough District Council's Head of Environmental Services and three Team Leaders with Melton Borough Council ("MBC") through leadership collaboration.

HDC and MBC are similar size authorities in land coverage and demographics. Each faces similar issues in the delivery of Environmental Services (i.e Waste Management, Grounds Maintenance and Street Cleansing, optional Enforcement and Community Safety). The councils have discussed, at management and staff level what, if any, aspects of the service could be delivered collaboratively. Each operates the same waste collection system - alternate weekly collection of refuse and recycling in addition to a chargeable garden waste service. MBC retains an in-house grounds maintenance team while HDC contracts this function out. Both councils contract out the street cleaning service and use the same company to move recycle from their respective depots to Casepak.

The purpose of collaborative management is to create better resilience, both through financial and staff resources; ensuring the continued expected service levels for both authorities. In this instance, the service areas that are in scope for both councils would be Waste Management, Grounds Maintenance and Street Cleansing. In the

event that the collaboration is successful, it is anticipated that a collaborative approach would also be beneficial for each authority in respect of the enforcement function.

The proposed approach would create a better depth of expertise, more strategic oversight and enable both teams to deliver better.

Councillor Knowles had requested to speak on the item, and commented that the report and the 'Collaboration of Regulatory Services' report seemed to be contradictory to the decision taken at the December 2022 Council meeting in regards to the Strategic Partnership between Melton Borough Council and Harborough District Council report. He asked why the report was being expedited prior to the forthcoming elections by the Cabinet and proposed that both the report and the 'Collaboration of Regulatory Services' report be deferred and the decision taken by a subsequent full Council meeting.

The Leader clarified that the proposals in the two reports were not related to the decision taken by the Council on the 19th December, and there are many examples of services which are managed on HDC's behalf and vice versa. The Leader also highlighted that the informal arrangement has been in place for some time and there will be an initial trial for six months. He advised that the decision for the proposal rests with the Cabinet as detailed within the Council's constitution.

RESOLVED that:

- i. Leadership collaboration be authorised for Waste and Environmental Maintenance Services, through a shared Head of Service / Assistant Director for Waste and Environment, for an initial 6-month period from 1st April 2023 with Melton Borough Council.
- ii. Authority be delegated to the Director for Housing and Communities, in consultation with the Chief Executive, Director for Corporate Services and Portfolio Holder for Planning, Environmental Services and Waste Management to:
 - a. Agree the terms of the reciprocal arrangement for leadership collaboration with Melton Borough Council and record the same in a memorandum of understanding;
 - b. Determine and conclude the practical actions required to give lawful effect to the leadership collaboration agreement;
 - c. Review the leadership collaboration arrangements by 1 October 2023; and
 - d. Determine whether to continue, by agreement with Melton Borough Council, the leadership collaboration arrangements;

- e. Determine whether to extend the scope of the leadership collaboration.

Reasons for Recommendations

Sharing of services with a partner has been actively considered and explored to build capacity and mitigate against future staffing issues or specific operation pressures.

By sharing resources, ideas, campaigns and good working practices, there will be the ability to make savings and save officer time, furthering the following objectives:

- strengthening each council and promoting shared leadership of the two authorities and shared working within Leicestershire as a whole.
- enhancing organisational effectiveness: opportunity to share learning and good practice and through collaboration whilst increasing service resilience, stability and effectiveness.
- increasing opportunities for job enrichment, growth and development and improve recruitment and retention.
- improving financial resilience: realising efficiencies through joint working, reducing duplication, increasing purchasing power and achieving greater value for money.
- procurement efficiencies.

COLLABORATION OF REGULATORY SERVICES

The Portfolio Holder introduced the report highlighting that in line with the council's corporate vision and the furtherance of operational mutual aid provided between the council and Melton Borough Council since July 2022, discussions had taken place in respect of formalising the operational joint working provided by the Head of Regulatory Services to Melton Borough Council.

The joint working to date has been proved to increase resilience of the regulatory teams within both councils as well as maintaining financial performance and service levels. The councils continue to share experiences and expertise for their mutual benefit, and wish to record the informal arrangements that have been in place on a more formal basis.

The report proposed that a formal arrangement would commence on 1 April 2023 and be reviewed after 12 months including a review of any wider sharing opportunities within the teams. The mechanism for this arrangement is proposed to be via an agreement under section 113 of the Local Government Act 1972. This is required to enable the Head of Regulatory Services to operate legally within the Melton Borough Council district.

A reciprocal arrangement is proposed between Regulatory Services officers to enable each team to assist the other, subject to expertise and availability.

RESOLVED that:

- i. It be agreed that the Regulatory Services Team may work collaboratively with Melton Borough Council for the efficient delivery of regulatory services;
- ii. Authority be delegated to the Director of Governance and Law, in consultation with the Portfolio Holders for Planning & Environment, and Corporate & Regulatory Services and Wellbeing, Communities & Housing to:
 - a. Agree the terms of the reciprocal arrangement for mutual aid with Melton Borough Council and record the same in a memorandum of understanding;
 - b. Determine and conclude the practical actions required to give lawful effect to the mutual aid arrangement.

Reasons for Recommendations

The Regulatory Services team has a track record of working with counterparts at Melton Borough Council to build in capacity in both councils, and mitigate against staffing issues or specific operational pressures by sharing resources, ideas, campaigns and good working practices. This helps both councils to maximise:

- Organisational effectiveness: opportunity to share learning and good practice through collaboration whilst increasing service resilience, stability and effectiveness;
- Workforce: increasing opportunities for job enrichment, growth and development thereby improving recruitment and retention;
- Financial resilience: realising efficiencies through joint working, reducing duplication, and achieving greater value for money.

The scope of this arrangement is limited to operational matters only. There will be no impact upon strategic and policy oversight of the council.

AUTHORITY MONITORING REPORT 2021/2022

The Portfolio Holder introduced the report highlighting that the Authority Monitoring Report (AMR) 2021/22 assesses the effectiveness of planning policies contained within the Harborough District Local Plan, the relevant critical outcomes within the Councils' Corporate Plan 2022-2031 as well as the implementation of the Local Development Scheme and the Duty to Cooperate. The AMR covers the period 1 April 2021 to 31 March 2022 and is a factual document.

Following a discussion it was:

RESOLVED that the contents of the Authority Monitoring Report for 2021/22 be noted and it be noted that it will be published.

Reasons for Recommendations

Production of an AMR is a requirement of the Planning and Compulsory Purchase Order Act 2004 (as amended by the 2011 Localism Act) and The Town and Country Planning (Local Planning) (England) Regulations 2012.

The monitoring of housing targets set in the Local Plan is also identified as a Key Activity in the Council's Corporate Plan. This AMR also reports on the implementation of the Local Development Scheme (LDS) which sets out the timetable for plan-making in the district.

LEICESTERSHIRE CLIMATE AND NATURE PACT

The Portfolio Holder introduced the report detailing the Leicestershire Climate and Nature Pact which sets out key principles for organisations in Leicestershire to sign up to work together to deliver on delivery of action.

The Pact is a high-level commitment that supports action across all sectors. All organisations are being asked to sign up to the pact, with Local Government being a vital early adopter. The Pact recognises that delivery on the climate and nature emergencies is not something that one organisation can deliver alone.

RESOLVED that the signing of the Leicestershire Climate and Nature Pact set out in Appendix A to the report be approved.

Reasons for Recommendations

Harborough District Council has adopted its Climate Action Plan, but recognises that acting alone, it can only impact a relatively small portion of the emissions from the district. The council recognises the benefits of collaboration with other agencies to move towards net zero emissions across the district.

The collaborative approach of the Leicestershire Climate and Nature Pact supports the delivery of the council's climate action plan.

Signing the Pact highlights the leadership commitment of the council to delivering the climate action plan, including the recent collaborative working with the Leicestershire districts on projects such as Solar Together.

GOVERNANCE ARRANGEMENTS FOR ALLOCATION OF UK SHARED PROSPERITY AND RURAL ENGLAND PROSPERITY FUNDING

The Leader introduced the report which set out the proposed governance arrangements for allocation of £2,172,095 UK Shared Prosperity ("UKSPF") and £709,681 Rural England Prosperity Funding ("REPF"), received from the government.

DRAFT

RESOLVED that:

- i. The work that has been done so far to submit the Council's proposals for UK Shared Prosperity Funding and Rural England Prosperity Funding be noted; and
- ii. The terms attached to the funding as set out at Appendix 2 to the report be noted;
- iii. Authority be delegated to the Chief Executive, in consultation with the Leader of the Council to:
 - a. Commission, negotiate, award and enter into and vary such arrangements and legal agreements as may be necessary or appropriate to implement the Investment Plans for UKSPF and REPF funding; and
 - b. Negotiate such changes to the Investment Plans, as may be necessary or appropriate to secure efficient and effective delivery of the UKSPF and REPF.

Reasons for Recommendations

The guidelines for spending the funding and recording outputs, outcomes and impacts of the funding are complex and require a detailed understanding of, and regular liaison with the Department of Levelling Up, Housing and Communities to ensure compliance. Officers need the ability to be flexible to respond to changing circumstances and make speedy decisions, within the overall priorities and themes of the Investment Plans, in order to avoid potential delivery failure, having to return funding to central government and ensure that the requirements of the funding are met.

TO CONSIDER ANY MATTERS OF SPECIAL URGENCY

There were none.

The meeting ended at 18.21

Harborough District Council

Report to the Cabinet 3rd April 2023



Title:	Performance: Quarter 3 , 2022/23 Year
Status:	Public
Key Decision:	No
Report Author:	L. Elliott, Interim Chief Executive
Portfolio Holder:	Councillor Paul Dann, Corporate & Regulatory Services
Appendices:	A. Key Activities in Detail, End of Quarter 2 B. Strategic Performance Dashboard, End of Quarter

Executive Summary

- This report covers performance monitoring of the corporate plan for quarter 3 (Oct – Dec 2022).
- Appendix A contains a report of progress against all 32 Key activities in the corporate Plan. At the end of Quarter 3 there were 0 at Red status.
- Appendix B contains a report of 21 key performance indicators. At the end of Quarter 3, 1KPI had a red status.
- Quarter 3 report also highlights any activities & KPI's at amber status progress, not expected to be achieved during the 2022/23 period.

Recommendation

It is recommended that the Cabinet consider and comment on the contents of this report.

Reasons for Recommendation

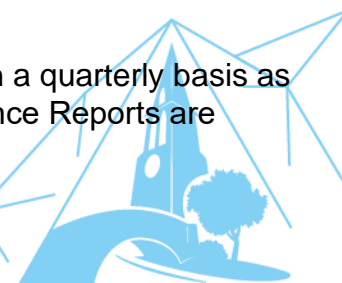
The Council's Performance Management Framework requires that both Scrutiny and the Cabinet have a role in monitoring the performance of the Council against its Corporate Delivery Plan.

1. Purpose of Report

To consider and comment on the contents of this report.

2. Background

Performance is monitored and reported on to Officers and Members on a quarterly basis as part of the Council's Performance Management Framework. Performance Reports are submitted to both Scrutiny and the Cabinet via quarterly reports.



3. Details

3.1 This report consists of:

- **Appendix A: Key Activities in Detail**

This appendix contains a performance summary of each of the Key Activities identified in the Corporate Delivery Plan for the 2022/23 year including a status, progress comment and next steps.

- **Appendix B: Strategic Performance Dashboard**

The Strategic Performance Dashboard consists of the Council's key performance indicators for each priority and is designed to provide an overview of how the Council is performing. The Council's Performance Management database contains information on a wider range of performance indicators including further indicators from the Corporate Delivery Plan and operational indicators. Exceptions are addressed through one-to-one Portfolio Holder meetings and the Performance Improvement Board. The status of these items is categorised as either 'Green' (on or better than the set target), 'Amber' (within a tolerance of 5% below the target) or 'Red' (5% or more below target). The Direction of Travel column indicates whether the indicator has changed status since the previous month. Direction of Travel is stated as either 'Better', 'Same' or 'Worse'.

3.2 Officers are required to provide a status of Complete, Green, Amber or Red for each Key Activity. Definitions of these are as follows:

Status	Description
Red	Planned actions have not been achieved or have missed their target date. Issues are now impacting on delivery or expected outcomes.
Amber	Most actions completed. Some issues recognised which may impact on the delivery or expected outcomes.
Green	Planned actions completed, project on track. There are no known issues.
Complete	The project has been completed.

3.3 Performance Summary

Quarter 3 performance has identified no red activities within the Key activities document and 1 red activity within the strategic partnership KPI dashboard. As this report covers the last period before the end of the year any amber status activities and KPI's have been highlighted that will not be achieved in quarter 4.



3.3.1 Status of Key Activities

There are 32 Key Activities, and progress against them all is shown in Appendix A.

3.3.2 5 Key Activities have an Amber status at the end of Quarter 3. Those at Amber status are;

- KA.01.13 External maintenance works to The Symington Building, has been delayed due to the need to complete a bat surveys during May - August 2023, options for completing the work will be adjusted after that inspection.
- KA.01.08 Planning decisions and planning enforcement are maintained in line with the adopted Harborough Local Plan (2011-2031) – decision timelines are monitored in the strategic performance report and show an improving picture in quarter 3. Performance against planning enforcement was lower than the target at 73% (target 80%) during quarter 3.
- KA.02.04 Review the current leisure services provisions and service delivery options for the future, including preparations for any new contractual arrangements - Delays have occurred in quarter 3 over the procurement of legal services however overall the project is on schedule due to allowances in the initial project plan.
- KA.03.03 Produce a Welland Park Strategy and further develop a 10-year strategy for the use of all Council-owned parks and green spaces – work will be started in 2023 due to competing demands of the team.
- KA.02.07 Provision of a sustainable 24-hour Lifeline Service – increases in users of the service is not increasing in line with the target of 700 users by year end. Currently 648 users - more communications around lifeline services is planned.

3.3.3 Status of Strategic Performance Dashboard

There are 19 KPI's on the Strategic Performance dashboard, progress at the end of Quarter 3 (2022/23 year) is available in Appendix B.

3 KPI's show an amber status at the end of quarter 3 - those KPI's that have moved from red to amber in this quarter and are therefore improving are:

- % of minor planning applications being determined in 8 weeks
- % of payments to creditors within 70 days.

RB 01 In-Year Council Tax Collection Rate of 98.4% - remains at amber with a slight decrease in performance against target.



1 KPI has moved to a red status at quarter 3, and refers to:

- Establishment and agency costs are kept within agreed revised budgets – The year-to-date payrise in November inflated the costs for the Quarter 3 period. Overall, there is a year to date position of an underspend.
- The two KPI's around Footfall are unable to be monitored during quarter 3 as new footfall counters are being installed.

4. Implications of Decisions

4.1. Corporate Priorities

The contents of this report are evidence of how the Council has performed in meeting its Corporate Priorities.

4.2. Financial

No financial issues arise directly from this report.

4.3. Legal

No legal issues arise directly from this report.

4.4. Policy

No policy issues arise directly from this report.

4.5. Environmental Implications including contributions to achieving a net zero carbon Council by 2030

No environmental issues arise directly from this report

4.6. Risk Management

Risks are managed alongside performance through the Council's Performance Management database. Risk reports are provided to the Cabinet at regular intervals during each year.

4.7. Equalities Impact

Equality actions are identified as part of the Business Planning Process and are captured where relevant for each Key Activity.

4.8. Data Protection

No data protection issues arise directly from this report.

5. Alternative Options Considered

Not applicable.




6. Background papers

- Corporate Plan.
- Performance Management Framework.




Key Activity Quarterly Report 2022/2023 (Quarter 3)


Community Leadership to create a sense of pride and wellbeing

Activities	Status	Progress	Next Steps	CMT Lead / Team	Portfolio
KA.01.01 Improve and enhance the future delivery of Customer Services		<p>New contact centre project successfully implemented as per project plan providing a modern contact centre, live webchat functions and improved reporting.</p> <p>Work is ongoing to embed the new services and work will be undertaken over the next months to look at ways to further enhance the delivery of the service</p>	<p>Complete final stages of implementation of the new contact centre.</p> <p>Undertake staff training.</p>	Customer Services and Engagement	Strategy
Activities	Status	Progress	Next Steps	CMT Lead / Team	Portfolio
KA.01.02 Increase the digitalisation of services		Work continues to increase digitalisation of services these include improvement to garden waste subscriptions, development and implementation of licensing forms/payments	Initial working completed re the development of online licensing forms within Netcall. Ongoing monitoring and review of current/new online forms through customer feedback. Continue with the re-engineering and redesign of the Council's website.	Customer Services and Engagement	Strategy
Activities	Status	Progress	Next Steps	CMT Lead / Team	Portfolio
KA.01.03 To ensure effective Strategic Communications across the District to keep residents informed of Council services and Key Activities		- This ongoing Key Activity is completed to date. Key news and updates are shared with stakeholders via the council's communication channels in a timely, accurate and engaging way and links	-Continue to deliver high-quality communication activities for key projects and initiatives, and in support of service areas and corporate	Communications	Strategy


		with partners and local media continue to help us to widen our reach to residents across the Harborough district.	plan priorities, across the Council's communication channels to stakeholders. - Engagement Strategy draft completed and internal consultation is taking place.		
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Activities	Status	Progress	Next Steps	CMT Lead / Team	Portfolio
KA.01.04 Investment in community facilities through the Section 106 process		<p>Cabinet Sub Committee approvals from 20th December Meeting</p> <p>Welland Park Academy- Supported by the Ward Councillors. The Committee voted in favour unanimously to approve both of the Welland Park academy applications.</p> <p>Scraptoft Parish Council - Supported by the Ward Councillor. The Committee voted in favour unanimously to approve the funding application.</p> <p>Kibworth Beauchamp Parish Council - The Committee voted in favour unanimously to approve the funding application.</p> <p>Husbands Bosworth Parish Council - Supported by the Ward Councillor. The Committee voted in favour unanimously to approve the funding application.</p> <p>Lutterworth Community Centre (owned by St. Marys Parochial Church Council - PCC)- Supported by the Ward Councillor. The representative informed the Panel of the funding already attained for the project. The Committee voted in</p>	2023 contributions at risk. Balances not provided to Parishes.	Community Partnerships	Wellbeing


		<p>favour unanimously to approve to part-fund this application to the sum of £20,000.</p> <p>Mercia Rivers Trust - Supported by the Ward Councillor. The Health & Wellbeing Manager explained to the Panel that as a part of the process there is an ability to use funding in areas where it cannot be used otherwise to retain the use of the grant funds, supported by existing business cases that are in place. This is relevant to this application whereby funds from Lutterworth are being used in the Kibworth Ward. The Committee voted in favour unanimously to approve the funding application.</p>			
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Activities	Status	Progress	Next Steps	CMT Lead / Team	Portfolio
KA.01.05 To prevent crime, tackle antisocial behaviour and support vulnerable victims		<p>Quarter 3 - October-December</p> <p>Temporary Full Time Community Safety Officer in post until February. Whilst decision is made on future recruitment.</p> <p>Celebrate Safely Campaign Ran Oct-December.</p> <p>New drink spiking campaign ran in December and will continue in January as a pilot before possible roll out in other force areas.</p> <p>Domestic Abuse campaigns - White Ribbon and 16 days of action ran in November.</p> <p>Alcohol awareness training offered to</p>	<p>- Vacant post of FT CS Officer (2 x 0.5 officers no longer in post) recruit of post pending review.</p> <p>- Hate awareness around holocaust memorial Day</p> <p>- Scam awareness/internet safety in February</p> <p>- Rural Crime event in March</p> <p>- Domestic Abuse campaign in February to tie in with Valentines</p> <p>- Continue to issue newsletters to schools each term.</p> <p>- CSP Strategic Assessment to be completed and new Three Year Plan to go to Cabinet.</p>	Environmental Services and Health & Safety	Wellbeing


		<p>staff and partners as part of alcohol awareness campaign for staff and businesses.</p> <p>Promotion of Keep Safe Places which includes all libraries in District.</p>			
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Activities	Status	Progress	Next Steps	CMT Lead / Team	Portfolio
KA.01.06 Review and implement any emerging issues that come from government policies		- There were no relevant emerging issues from government policies in Quarter 1 of the 2022/23 year.	- Continue to proactively monitor any relevant emerging issues.	Corporate Services	Corporate


Activities	Status	Progress	Next Steps	CMT Lead / Team	Portfolio
KA.01.07 Implementation and monitoring of the adopted Harborough Local Plan (2011-2031)		Continued support for implementation and ongoing monitoring of the Local Plan	- Publication of the 2021-2 Authority Monitoring Report	Strategic Planning	Planning



Activities	Status	Progress	Next Steps	CMT Lead / Team	Portfolio
KA.01.08 Planning decisions and planning enforcement are maintained in line with the adopted Harborough Local Plan (2011-2031)		<p>During Quarters 1-3, 22 out of 36 (61%) of Major and 335 of 482 (69.5%) minor applications were determined on time. 7 of 24 planning appeals have been allowed.</p> <p>Two appeals allowed included costs awards against the council .</p>	Continue to monitor planning application performance. Recruit to vacant posts.	Development Management	Planning

Activities	Status	Progress	Next Steps	CMT Lead / Team	Portfolio
KA.01.09 Continue the preparation of the next Local Plan, ensuring that design codes are developed to shape the District in line with our place-shaping ambitions		Local Plan Scoping note prepared and shared with Local Plan Member Advisory Group	Prepare strategic development options	Strategic Planning	Planning


Activities	Status	Progress	Next Steps	CMT Lead / Team	Portfolio
KA.01.10 Planning Obligations Policy preparation and ongoing monitoring		Planning Obligations SPD at implementation. Planning Obligations Officer post now filled and post now within the Communities Team.	Continue implementation of the Planning Obligation SPD a	Community Partnerships	Wellbeing


Activities	Status	Progress	Next Steps	CMT Lead / Team	Portfolio
KA.01.11 Continue the programme of review of the Council's conservation areas and preparation of the Local List of Heritage Assets		Public consultation on the Bitteswell Conservation Area Appraisal and 2nd tranche of the Local List of non-designated heritage assets now complete	Adoption of the Bitteswell Conservation Area Review and second Tranche of the Local List. Begin preparatory work on the Great Easton Conservation Area Appraisal	Strategic Planning	Planning


Activities	Status	Progress	Next Steps	CMT Lead / Team	Portfolio
KA.01.12 Support the preparation of Neighbourhood Plans		Little Bowden Neighbourhood Forum publicity period ends on 6 Feb 2023	<ul style="list-style-type: none"> - Hold The Kibworth NDP Review Referendum on 4 May 2023 - Designate Little Bowden Neighbourhood Forum and Neighbourhood Area once publicity period completed. - Set up Welland, Logan, Arden and Town Centre Forums by working with communities - Hold Dunton Bassett Referendum when Examination complete. - Support Plans as they progress: Market Harborough Neighbourhood Forums, Medbourne Review, Houghton Review, Lubenham Review, Billesdon Review, Lutterworth start (all dates TBC). 	Strategic Planning	Planning

Activities	Status	Progress	Next Steps	CMT Lead / Team	Portfolio
KA.01.13 External maintenance works to The Symington Building		<p>New contractor on board.</p> <p>Bat survey has been carried out which evidenced signs of brown long eared bats at The Symington Building. Further surveys to be carried out during May - August 2023 which will delay the start of the work.</p> <p>HDC are working with Aspect Ecology to provide further surveys / licence / supervision during the external work.</p>	<p>Further site meeting with window contractor</p> <p>Bat surveys to be completed and watching brief.</p> <p>Fixed costs to be firmed up and contract documents agreed signed/sealed.</p>	Property Team	Finance
Activities	Status	Progress	Next Steps	CMT Lead / Team	Portfolio
KA.01.14 Refurbishment of toilets in Welland Park, Market Harborough		<p>Work on site started November 2022 and is progressing well for proposed completion mid-February.</p>	<p>Work to continue on site.</p> <p>Communications to be issued for completion and opening to the public.</p>	Property Team	Finance


Promoting health and wellbeing and encouraging healthy life choices


Activities	Status	Progress	Next Steps	CMT Lead / Team	Portfolio
KA.02.01 Provide support for the most vulnerable in our communities, ensuring that they have suitable accommodation to safeguard them from harm and we provide high-quality help and advice on housing options		<p>Plowmans Yards fire safety audits have been completed and awaiting decision.</p> <p>Two new Housing Options officers are in role and the new Housing manager has taken up the post in quarter 2.</p> <p>Work continues on developing a more active and structured approach to increasing the accommodation locally for single person households.</p> <p>Recently attended a Resettlement Event hosted by the district to help Ukrainian refugees settle and find appropriate accommodation for those on the Homes for Ukraine scheme. Ongoing work with the H4U Officer to support families with move on and emergency accommodation.</p>	<p>- Continue to Provide extensive training to the Housing Options Officer.</p> <p>_ working with internal services and external housing providers to support residents with the costs of living crisis.</p> <p>- Recruitment of an officer to focus on the resettlement of refugees.</p>	Community Partnerships	Wellbeing


Activities	Status	Progress	Next Steps	CMT Lead / Team	Portfolio
KA.02.02 Agree and implement the Young Persons Strategy		<p>The Young Persons Opportunity Plan and Action Plan was competed and passed through Scrutiny.</p> <p>Young Persons Officer facilitated tour of jubilee art work banners in District.</p> <p>Young Person Officer helped facilitate diversionary activities for ASB Awareness week and through Summer.</p>	<p>- The Young Persons Opportunity Plan and Action Plan to be embedded across services areas of the council.</p> <p>Monitoring of these activities to be developed.</p>	Community Partnerships	Wellbeing


		Young persons opportunity plan and action plan was presented to cabinet 10.10.22			
Activities	Status	Progress	Next Steps	CMT Lead / Team	Portfolio
KA.02.03 Implement a Health and Wellbeing Strategy that will empower people to take action to improve health and wellbeing for themselves and others through providing effective, timely and appropriate support where it is needed		<p>The Cabinet approved the Health and Wellbeing Strategy 2022-2027 at its meeting on 10th October 2022 which sets strategic objectives and an action plan to deliver on these objectives in order to ensure;</p> <p>The Council understands and works to improve the health and wellbeing of residents in partnership with key stakeholders and alongside communities.</p> <p>The report noted that the Health and Wellbeing Strategy will ensure that the key priorities within the Corporate Plan are delivered, specifically, 'Promoting health and wellbeing and encouraging healthy life choices. The Council is in a strong position to influence and support many wider determinants of health through the services that are delivered, either solely or in partnership with stakeholders. This strategy also underpins the procurement of the new leisure contract for 2024 and focuses on 6 cross cutting strategic priorities: -</p> <ol style="list-style-type: none"> 1. Quality homes for all 2. Community infrastructure 3. Skills, jobs & income 	<p>Once approved by Cabinet on 10th October 2022 work will can begin on delivering on the six cross-cutting strategic priorities for Health and Wellbeing in Harborough District over the next 5 years. those priorities being:</p> <ul style="list-style-type: none"> • Quality homes for all • Community infrastructure • Skills, jobs & income • Stronger communities • Mental health • Physical health <p>Staff will continue to work through the associated action plan in order to support delivery of the strategy The plan will be reviewed on a regular basis to ensure the Council and partners are delivering on improving health and wellbeing for residents, The Health and Wellbeing Strategy and Action Plan will also support the Council to engage in the wider health agenda.</p>	Community Partnerships	Wellbeing

		<p>4.Stronger communities</p> <p>5.Mental health</p> <p>6.Physical health</p> <p>The strategy is based on evidence of the current health and wellbeing of Harborough districts residents and the future predicted health. The Cabinet had the opportunity to question the Portfolio Holder and following the discussion it was,</p>			
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Activities	Status	Progress	Next Steps	CMT Lead / Team	Portfolio
KA.02.04 Review the current leisure services provisions and service delivery options for the future, including preparations for any new contractual arrangements		Legal support has now been procured however. This has pushed back the start of procurement from December 2022 to January 2023. This will not impact on the overall project due to contingencies built in the project timeline. There has been good progress regarding procurement documentation which will be finalised and go live on 16th January	<p>Between November 2022-March 2023 complete a tender process to produce a long list of bidders.</p> <p>Between March 2023-July 2023 determine a short list of bidders</p> <p>In July 2023 conduct a Gateway review .</p> <p>In October 2023 conduct a revised tender evaluation.</p> <p>In November 2023 Council approval will be sought for the preferred partner with a new contract commencing on 1 April 2024.</p>	Community Partnerships	Wellbeing

Activities	Status	Progress	Next Steps	CMT Lead / Team	Portfolio
KA.02.05 Implement measures to improve the living accommodation within the District		No new data available in Quarter 2	- Continue monitoring affordable housing unit delivery and work closely partner organisations.	Strategic Planning	Wellbeing


Activities	Status	Progress	Next Steps	CMT Lead / Team	Portfolio
KA.02.06 Delivery of the agreed objectives of the Armed Forces Covenant		<p>Current activity to sustain the Armed Forces Covenant is assessed as Green.</p> <p>In Q3 the Armed Forces Covenant (AFC) Duty was signed into law and became legally enforceable as of 22nd November 2022.</p> <p>Awareness of the legislation across the Authority is good and, because the Covenant Duty is now enshrined in law, adherence to the principle of taking 'due regard' when engaging with members of the Armed Forces Community (including veterans) must now become routine business. An updated version of the written brief to HCC Members, outlining the key facets of the Covenant Duty and informing them it has now passed into law, was produced in late November 2022.</p> <p>In December the AFO produced a report for the Armed Forces Covenant Trust on progress with sustaining delivery of the Covenant across Harborough District, Rutland, and South Lincolnshire. The Trust welcomed the report and acknowledged the substantial progress in support to the Armed Forces community in the area.</p>	<ul style="list-style-type: none"> Plans to create a South Leicestershire Wellness Hub for veterans (in Lutterworth) have been delayed into Q4 due to a change in availability of the planned venue. This is a priority for the remainder of the FY. Focus turns to Defence Recognition Scheme and building a foundation for achieving the Gold Award in 2024. This will include completion of a Covenant related informal Performance Self-Assessment in Q4. Development and introduction of an E-Learning module on the Covenant for both Officers and Council Members. Maintaining oversight of HCC performance against the obligations of the Covenant Duty (monitor, record, measure). 	Corporate Services; Legal and Democratic Services	Corporate


Activities	Status	Progress	Next Steps	CMT Lead / Team	Portfolio
KA.02.07 Provision of a sustainable 24-hour Lifeline Service		Customer numbers recovering to pre-pandemic levels. Budget forecast to achieve targets.	- Continue marketing of service.	Commissioning and Lifeline	Wellbeing

Creating a sustainable environment to protect future generations


Activities	Status	Progress	Next Steps	CMT Lead / Team	Portfolio
KA.03.01 Reduce environmental crime through promoting a cleaner, greener environment using education and enforcement		As of January we still remain set to reduce flytipping again this year through our campaigns. We have also been monitoring dog fouling, littering and graffiti, as graffiti has been an issue during quarter 3. To do this we created a radio campaign and used social media to widen the coverage and encourage more reporting if witnessed.	<ul style="list-style-type: none"> - Continue the work on our successful campaigns. - Work with other districts on campaigns - Work with parishes and other organisations 	Environmental Services and Health & Safety	Regulatory
Activities	Status	Progress	Next Steps	CMT Lead / Team	Portfolio
KA.03.02 Prepare for re-procurement of the Environmental Services contract, ensuring that any new requirements from government are included in the specifications		This will start April 2023.	TBC.	Environmental Services and Health & Safety	Regulatory
Activities	Status	Progress	Next Steps	CMT Lead / Team	Portfolio
KA.03.03 Produce a Welland Park Strategy and further develop a 10-year strategy for the use of all Council-owned parks and green spaces		Due to other projects this will worked on further during 2023.	- Draft the Strategy, in line with consultation and engagement.	Environmental Services and Health & Safety	Regulatory
Activities	Status	Progress	Next Steps	CMT Lead / Team	Portfolio
KA.03.04 Provide effective local air quality management		The AQ monitor was installed in the village hall car park in North Kilworth. All questionnaires were hand delivered to the villagers and the consultation period has now ended. We have various vouchers to hand out as part of the project. Generally, AQ in the district is	Confirm the study location and send out initial questionnaires	Regulatory Services	Regulatory

		still falling below government objective levels and there have been no exceedences including in the AQMAs in Kibworth and Lutterworth. We continue to monitor AQ in the district.			
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Activities	Status	Progress	Next Steps	CMT Lead / Team	Portfolio
KA.03.05 All Council activities will work towards being carbon neutral by 2030		<p>Climate Officer group continues to meet to coordinate actions.</p> <p>10 EV charge points installed in Market Harborough Car parks.</p> <p>HIC improved with LED lighting.</p> <p>Harborough Climate Emergency Action Plan draft report completed with full list of actions including with partners.</p> <p>Inventory of emissions published on website</p>	Draft report complete and going to officers for comment.	Regulatory Services	Regulatory


Activities	Status	Progress	Next Steps	CMT Lead / Team	Portfolio
KA.03.06 Provide domestic energy efficiency advice and measures in partnership with external organisations and encourage households to participate in the Council's Collective Switching and Solar Together initiatives		<p>Solar together 250 registrant accepted offer and installs are underway to complete by end of March subject to weather conditions.</p> <p>Collective switching still on hold due to energy market conditions.</p> <p>ECO4 flexible eligibility being sorted out in partnership with other districts, so no installs yet.</p> <p>76 properties completed under LAD2. Project being closed down.</p>	<p>Close down of LAD2 by end of December.</p> <ul style="list-style-type: none"> - Installations of solar together start in October/November 2022. - ECO4 flexible eligibility is in process of being signed off following final guidance. - SWC surveys of households will start end of October. 	Regulatory Services	Regulatory


		Sustainable warmth being delivered in partnership with other Leicestershire Authorities under Green Living Leicestershire - 60 properties expected to receive measures by end of March			
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Activities	Status	Progress	Next Steps	CMT Lead / Team	Portfolio
KA.03.07 Develop and implement a Rural Strategy for the District		The Rural strategy was considered at Cabinet on 10.10.22	Seek opportunities for funding alongside the Shared Prosperity fund. Embed the strategy across council services.	Community Partnerships	Wellbeing


Supporting businesses and residents to deliver a prosperous local economy

Activities	Status	Progress	Next Steps	CMT Lead / Team	Portfolio
KA.04.01 Ensure that Harborough District's towns, villages and rural areas remain attractive and vibrant places to live, work invest and visit		<ul style="list-style-type: none"> - Submitted a bid to the Government's Levelling Up Funding for Market Harborough Town Centre. - Submitted plans to the Government's UK Shared Prosperity Fund to support the implementation of town centre Masterplans and the District's smaller towns. - Supported a comprehensive shop front enhancement scheme for businesses in towns and villages across Harborough District. 	<ul style="list-style-type: none"> - Start rolling out a programme of investment through the UK Shared Prosperity Fund, including Active Travel and town centre improvements. - Submit plans for the Government's Rural England Prosperity Funding to support Harborough District's rural areas. 	Economic Development	Finance

Activities	Status	Progress	Next Steps	CMT Lead / Team	Portfolio
KA.04.02 Ensure that we support new and existing businesses with Harborough District to be as successful as they can be		<ul style="list-style-type: none"> - Continued to attract more new and existing businesses to be based at the Harborough Innovation Centre, (up to 94% occupancy in September 2022, from 48% during the Covid pandemic). - Continued to attract more businesses to be based at the Harborough Grow-on Centre, (up to 41% occupancy, or 7 rooms in September 2022, from only 3 rooms and 18% occupancy in September 2021). - Supported 46 local businesses with free memberships for the Federation for Small Businesses and 18 local businesses to access the Zellar online sustainability platform. 	<ul style="list-style-type: none"> - Develop plans for the Rural England Prosperity Fund to support rural businesses and communities within Harborough District. - Developing new business grants scheme and comprehensive business support offer, as part of our UK Shared Prosperity Fund programme. 	Economic Development	Finance



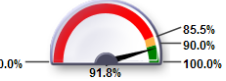



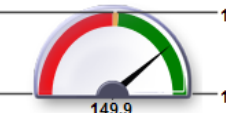

Activities	Status	Progress	Next Steps	CMT Lead / Team	Portfolio
KA.04.03 Ensure that Harborough District residents (particularly young people), can gain access to the education, training, and skills they require to obtain high-quality employment and careers to help them meet their potential and live a fulfilling life		<ul style="list-style-type: none"> - Continued to co-ordinate Job Fairs in Market Harborough and Lutterworth, alongside key partners, which have been very well received, (Market Harborough Job Fair in June 2022 resulted in over 50 individuals receiving on the spot job offers). - Monthly Job Clubs in Lutterworth continue to grow, and are now attracting involvement from significant local employers. 	<ul style="list-style-type: none"> - Develop detailed plans for the UK Shared Prosperity Fund to support District residents gaining skills and employment, (ideally for implementation in 2023/24 and 2024/25). - Continue to support and develop Job Fairs in both towns and the Lutterworth Job Club, in conjunction with partners. - Continue to support school careers events and share 	Economic Development	Finance

			good practice between schools.		
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Activities	Status	Progress	Next Steps	CMT Lead / Team	Portfolio
KA.04.04 Review and revise the Economic Development Strategy to ensure it is fit for purpose in the current climate		Work has been undertaken to assess the current position of Harborough District post-Covid and in the context of the Government's Levelling Up agenda, which is evolving in the light of changing economic circumstances and Government policy.	- Detailed work to review and develop a new Economic Development Strategy for the District is planned for late 2022/ early 2023.	Economic Development	Finance

Strategic Performance Dashboard 2022/23 – Quarter 3 report

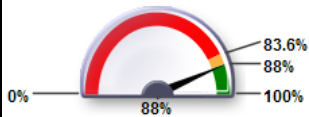


Priority 1: Community Leadership to create a sense of pride and wellbeing


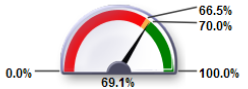








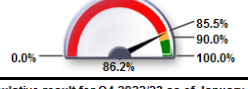







KPI	Status	Value	Target	Gauge	Direction of Travel	Comments
CCS 05 Reducing avoidable contact	✓	0%	8%	Average result for Q3 2022/23 as of December 2022 		
COR 01 Stage 1 and Stage 2 complaints responded to within 20 working days (%)	✓	91.8%	90.0%	Cumulative result for Q3 2022/23 as of November 2022 		Performance has increased on last month from 86.9%
HS 07 Number of Repeat Homelessness Acceptances	✓	0	0	Q3 2022/23 result 		There has not been a repeat of Homelessness during 2023 to date
SP 02 Supply of ready to develop housing sites in forthcoming five year period compared to requirement (achievement of five-year land supply)	✓	149.9	100.0	March 2021 result 		Data for this indicator was last calculated on 31 March 2021, when 7.49 years was available. New data expected by end of October 22.

Priority 2: Promoting health and wellbeing and encouraging healthy life choices



KPI	Status	Value	Target	Gauge	Direction of Travel	Comments
CP 11 Number of attendances at sport and physical activities	✓	34,014	25,000	<p>Q4 2021/22 result</p> 	↑	Quarter 2 data will not be made available until the end of October 22
RS 16 Average number of weeks taken to complete Disabled Facilities adaptations	✓	17	20	<p>Q2 2022/23 result</p> 	→	

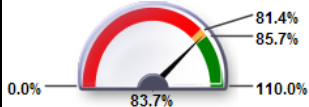
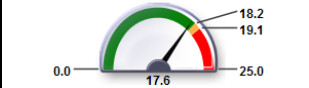
Priority 3: Creating a sustainable environment to protect future generations

KPI	Status	Value	Target	Gauge	Direction of Travel	Comments
CON 10 Levels of Litter and Detritus (% of sites are Grade B or better)	✓	88%	88%	<p>Q3 2022/23 result</p> 	↓	
CON 14 Average number of working days to respond to reports of fly-tipping (days)	✓	2.17	5.00	<p>Q3 2022/23 result</p> 	↓	
DM 01 60% of major applications determined within 13 weeks or other agreed time	✓	81.8%	60.0%	<p>Cumulative result for Q3 2022/23 as of January 2023</p> 	↑	

KPI	Status	Value	Target	Gauge	Direction of Travel	Comments
DM 02 Percentage of minor and other applications determined within 8 weeks or other agreed time		69.1%	70.0%	Cumulative result for Q3 2022/23 as of January 2023 		Improving picture of performance in Quarter 3. Only 0.9% of target for quarter.
DM 07 Less than 10% of major decisions allowed at appeal		0.0%	10.0%	Cumulative result for Q4 2022/23 as of January 2023 		
FS 02 Establishment and Agency costs are kept within agreed revised budget		£2,415,410.00	£2,286,582.00	Cumulative result for Q3 2022/23 as of December 2022 		Year to date payrise paid in November inflating cost for quarter 3. Year to date position is an underspend
FS 03 90% of payments to creditors within 30 days		86.2%	90.0%	Cumulative result for Q3 2022/23 as of December 2022 		807 payments made out of 936
HR 02 Percentage staff turnover (%)		1.7	4.0	Cumulative result for Q4 2022/23 as of January 2023 		
HR 03.1 Working days lost due to Sickness Absence (short-term only)		0.3	3.4	Average result for Q4 2022/23 as of January 2023 		

Priority 4: Supporting businesses and residents to deliver a prosperous local economy

KPI	Status	Value	Target	Gauge	Direction of Travel	Comments
ED 08.1 Market Harborough Footfall				Cumulative result for Q2 2022/23 as of September 2022 		New footfall counters are being installed from start of Quarter 3.
ED 08.2 Lutterworth Footfall				Cumulative result for Q2 2022/23 as of September 2022 		New footfall counters are being installed from start of quarter 3

KPI	Status	Value	Target	Gauge	Direction of Travel	Comments
RB 01 In-Year Council Tax Collection Rate of 98.4%	⚠️	83.7%	85.7%	<p>Q3 2022/23 result</p> 	⬆️	2% behind on target for the quarter
RB 02 Achieve an average time of 19 days to process new benefit claims	✅	17.6	18.2	<p>Average result for Q3 2022/23 as of December 2022</p> 	⬇️	

Harborough District Council



Report to Cabinet 3 April 2023

Title:	Risks and Opportunity Management Framework
Status:	Public No Exemptions
Key Decision:	No
Report Author:	L.Elliott, Interim Chief Executive
Portfolio Holder:	Councillor Dann, Corporate Portfolio
Appendices:	A - Revised Risk framework B - Revised new corporate risk register

Executive Summary

To improve the recording and managing of organisational Risk, by amending the current Risk Framework to give greater scope and flexibility.

Recommendations

That Cabinet approve the following, Amendments to the Risk Management Framework to use a 5 x 5 scoring matrix instead of a 4 x4 Matrix to improve the accuracy of recording risk and mitigations.

Reasons for Recommendations

The current Risk and Opportunity framework is approved by Cabinet and is reviewed every two years. This report identifies revisions to the current framework and so it needs Cabinet approval to make this changes.

The Risk and Opportunity framework sets out how the Council manages and monitors risks.

1. Purpose of Report

1.1 To seek agreement to revise the Risk and Opportunity framework and for direction/timelines for suitable Committees to adopt the revisions.

2. Background

2.1 The Council, through Pentana Risk, currently uses a system of a qualitative

4 x 4 matrix to score risks and opportunities as set out in the Risk and Opportunities management framework which was agreed by Cabinet, following Audit & Standards committee in February 2022.

3. Details - Rationale for Change

- 3.1** When scoring “Residual Risk” using the 4 x 4 matrix the Council finds that the overall score of risk often remains the same score as the “Inherent Risk score” as there is not enough nuance in the highest scoring box, that being Major and very likely, to show reduced risk.
- 3.2** By changing from the current 4 x 4 model to a 5 x 5 model would give greater nuance by increasing the recording of risk to 25 levels (current 16). It is considered that the 5x5 format allows you conduct risk assessments with more detail and clarity, for larger projects or risk management.
- 3.3** A 5 x 5 grid allows for a greater separation of certainty at the top and bottom end of the spectrum. There is no larger area of “acceptability” but there are more areas of moderate risk. In this model, the upper extremities of acceptability are either when the probability of risk occurrence is “Possible”, and the impact is “Very Low”, or the probability of risk occurrence is “Rare”, and the impact is “Medium”.
- 3.4** The 5x 5 matrix would create a difference between “insignificance” and “minor” at the lower end of impact and major and extreme at the top end of impact. It would also add a “rare” or “unlikely” to Likelihood, and a likely and certain at the top end of likelihood.
- 3.5** Section 2 of the current framework addresses how the Council evaluates risk in the 4 x 4 matrices. This section has been amending to reflect the proposed new 5 x 5 matrix.
- 3.6** A revision to the scoring matrix is outlined in the amended framework.

4. Implications of Decisions

4.1 Corporate Priorities

Corporate priorities and KPI's are utilised to manage the risk. Offer a view of performance to identify if the risk is increasing or decreasing.

4.2 Financial

Ideagen, who own Pentana Risk will be required to support the reconfiguration of the System to changes in Matrix. There may be a financial cost to this of no more than £1,000.

4.3 Legal

The Risk and Opportunity Management Framework feeds into the Council's budget-setting process through business planning – the ‘plan’ stage of the performance cycle. The budget is set in accordance with the Council's Constitution and the expenditure proposed is within the statutory powers of the Council.

4.4 Policy

Agreeing to revisions in the Risk and Opportunity Framework.

4.5 Risk Management

The purpose of this decision is to make amends to the current scoring of Risk and Opportunities within the Councils risk management framework. All Risks and Opportunities will need to be rescored on the system which will mean they have no comparison risk score prior to April 2023. Agreement with Pentana to rescore all Risks which will allow for old risk assessment scores to be kept in for 12 months for comparison purposes.

4.6 Equalities Impact

There are no Equality issues noted from framework amendment.

4.7 Data Protection

There are no Data Protection issues from the amended framework.

5. Background papers

The Risk and Opportunity Management Framework is intrinsically linked to a number of Council strategies including: business planning documents, the Medium-term Financial Strategy, the Communications Strategy, the Customer Services Strategy and the Workforce Strategy. The Audit and standards committee review the framework biannually with the last update being February 2022.

Risk & Opportunity Management Framework

1. The importance of managing risk and opportunity

The Council is a complex organisation, operating in a changing environment. Changes to national policy and financial pressures mean that, increasingly, there is a need to anticipate, identify and pro-actively manage risk and opportunity in order to maximise use of resources, make effective decisions and ensure efficiency and customer focus.

A robust approach to risk and opportunity management will:

- Strengthen our ability to achieve our outcomes, priorities and vision.
- Improve strategic, operational and financial management.
- Allow us to plan effectively, avoid surprises and increase our flexibility to cope with internal and external pressures and demands.
- Provide assurance that our governance and conduct of business is sound.
- Enable better, informed decision making about policies and service delivery options.
- Create a positive environment where we can pro-actively challenge, innovate and make the most of our opportunities.
- Ensure that we comply with our duties as part of the Equality Act 2010.

2. Objectives of the Risk & Opportunity Management Framework:

- To provide a comprehensive framework, systems, and processes to identify, evaluate and manage risks and opportunities.
- To integrate risk and opportunity in our organisational culture and encourage an environment of challenge and innovation.
- To embed risk and opportunity management as an integral, day-to-day, part of business planning, project management, financial management, policy setting and decision making.
- To understand how risk and opportunity can be positively used to make improvements.
- To enable officers and Members to understand their roles and responsibilities in risk and opportunity management.
- To set out a common language for risk and opportunity management that is simple and easy to understand, so that we are consistent in our approach.
- To help ensure that we comply with our equality duty as set out in the Equality Act 2010.

3. Our Approach to Risk and Opportunity Management

The Council recognises that there are risks and opportunities in everything it does, and that it has a duty to manage this in a balanced and cost-effective way. This framework sets out the processes by which the Council seeks to identify, understand and manage risks and opportunities which may prevent or enhance the achievement of the corporate vision, priorities, or desired outcomes.

The words 'risk' and 'opportunity' are used in this context to describe uncertainties that would impact on the achievement of an outcome. Risk is perhaps more commonly perceived to be related to threat, but it is important to remember that it can also present opportunities and chances for improvement. This could be through improving or enhancing the outcomes of a service or project or allowing additional benefits to be realised.

In line with the Council's corporate value to 'challenge and innovate', Officers and Members should be pro-active in seeking opportunities and should not be afraid to take opportunity risks where they are properly managed and will add value to the organisation.

Risk and opportunity management is part of our day-to-day business, and should always be considered in relation to:

- Service delivery
- Policy Setting
- Project Management (particularly in the early planning stages and Business Case, as well as through ongoing highlight reports.)
- Options Appraisals
- Planning and delivering services in partnership or with other agencies.
- Service reviews and improvements.

All risks are held in the Risk Register in Pentana, which is the Council's integrated Performance and Risk Management system.

4. Governance of Opportunity & Risk

The Council has a number of governance arrangements in place which vary according to the type and colour of the risk or opportunity. The key types and their governance arrangements are captured in the table below:

Type	Definition	Accountability	Reporting Mechanism
Corporate	This will have a significant impact on the delivery of the Council's vision and priorities.	Risk Strategy Board – Quarterly Monitoring Meetings	Quarterly Reports to Cabinet and the Audit and Standards Committee.
Operational	This affects service areas, Key Activities and activities that managers and staff carry out during their day to day operational activities.	Corporate Management Team, Quarterly Updates on Pentana.	Red Risks and Opportunities (those scoring 9 or above) are reported to the Performance Improvement Board, and escalated to the Risk Strategy Board if necessary.
Project	This affects the delivery of a specific project, identified in its Business Case & Highlight Reports.	Project Leads and Project Sponsors Monthly / Quarterly Updates as part of highlight reports.	Red Risks and Opportunities are reported to the Programme Board, and escalated to the Risk Strategy Board if necessary.

A full review of risks and opportunities is undertaken annually as part of the Business Planning Process. Operational Risks and Opportunities are identified in line with the production of the Corporate Plan and Team Plans.

All opportunities and risks are held on the Pentana system and are reviewed by the relevant lead officer on a quarterly basis for any changes to score and progress on mitigations and actions.

Risk and opportunity management forms a key part of the decision-making process within the Council. Committee reports and business cases contain a section to record the risk and opportunity implications associated with the content of the report or project. In line with the Council's Constitution and report writing guides, submissions to Cabinet, Council, Scrutiny and any other decision-making bodies should contain a risk and opportunity narrative covering all of the options that are being considered.

Roles and Responsibilities

All Officers and Members have a role to play in delivering the Council's Risk & Opportunity Management Framework, by making themselves aware of risks and opportunities within their day-to-day duties and ensuring that any issues are escalated as appropriate.

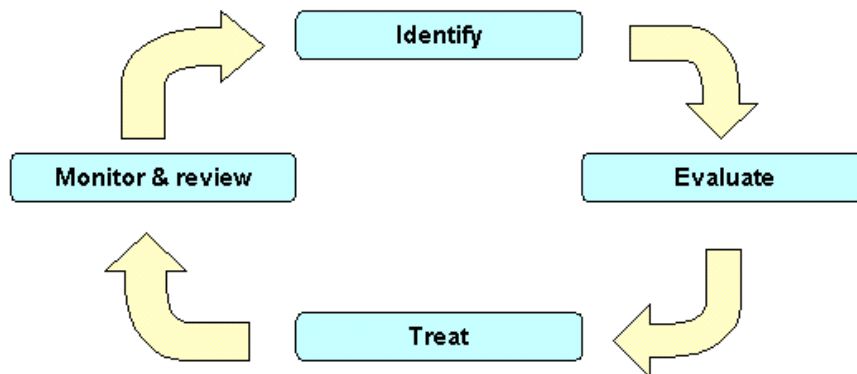
It is part of mainstream line management and therefore a duty of all managers to identify risks and opportunities within their areas of responsibility and to follow the procedures set out in this framework.

Specific responsibilities are summarised below:

Who?	What?
Risk and Opportunity Strategy Board This Board is comprised of: - the Chief Executives, - all Members of the Corporate Management Team.	<ul style="list-style-type: none"> Quarterly monitoring meetings. Accountability for identifying and managing the Council's Strategic Risks and Opportunities. Receive Red Risks & Opportunities that have been escalated by the Performance Improvement Board.
Performance Improvement Board	<ul style="list-style-type: none"> Receive Red Risks and Opportunities (with a residual score of 9 or above) on a quarterly basis. Escalation of Red Risks & Opportunities to the Risk Strategy Board as necessary.
Programme Board	<ul style="list-style-type: none"> Receive Project Highlight Reports which document risks associated with projects. Escalation of Red Risks & Opportunities to the Risk Strategy Board as necessary.
Service Managers	<ul style="list-style-type: none"> Accountability for identifying and managing opportunity and risk within their service area. Quarterly review of opportunity and risk and constant horizon scanning.
Project Sponsors	<ul style="list-style-type: none"> Ultimately accountable for management of project risks and opportunities.
Project Managers	<ul style="list-style-type: none"> Accountability for identifying and managing project risks and opportunities.
Chief Executive	<ul style="list-style-type: none"> Overall accountability for the Risk & Opportunity Management Framework.
Business Planning Officer	<ul style="list-style-type: none"> Development of the Risk & Opportunity Management Framework and processes and systems to manage opportunity and risk, including the co-ordination of the Risk and Opportunity Register. Central point of contact for managers about Risk and Opportunity Management.
Cabinet	<ul style="list-style-type: none"> Approve the Risk and Opportunity Management Framework. Receive Quarterly Reports on Risk & Opportunity.
Audit and Standards Committee	<ul style="list-style-type: none"> Receive Quarterly Reports on Risk & Opportunity.

Opportunity and Risk Management Cycle

There is a cyclical process which underpins the effective management of opportunities and risks. The four stages are identify – evaluate – treat – monitor and review.



1. Identify

The first stage is to identify where opportunities and risks may arise.

If you can identify your opportunities you can do something about them to make them happen or increase the impact and likelihood of their occurrence - just as if you identify your threats you can do something about them to minimise the chance that they will occur.

This involves anticipating changes to the internal and external environment, and having a good understanding of the context of the project / service / change. It is important to consider this at the planning stage of service delivery, projects etc.

Horizon scanning can be a good exercise. There are number of techniques to do this, including SWOT and PESTLE analysis - these are set out in detail in the Risk & Opportunity Management Toolkit.

Consider the objectives, benefits and outcomes of the project / service in question and think about anything that may enhance or prevent their achievement.

Next, define the opportunity or risk clearly so that its potential effects are understood. An easy way to do this effectively is by using the Cause – Event – Effect method (eg. Because of....xxx may occur...which would lead to...). Remember that a risk is not simply the opposite of the outcome. There are further details on how to do this in the Opportunity & Risk Management Toolkit.

In some cases, risks which are at first identified as a threat with negative connotations may be 'flipped' to become positive opportunities.

Key points:

- **Horizon scanning**
- **Consider the objectives**
- **Cause – Event – Effect**

2. Evaluate

All risks and opportunities should fit into one of the following categories.

- Corporate – has a significant impact on the delivery of the Council's vision and priorities.
- Operational – affects key activities and activities that managers and staff carry out during their day-to-day operational activities.
- Project – affects the delivery of a specific project, identified in Business Case & Highlight Reports.

Different review mechanisms are in place to monitor and manage each of these categories. More detail on this can be found on page 3 of this framework document.

Estimating impact and likelihood

The next stage is to estimate which are going to pose our greatest threats and opportunities and prioritise how we deal with them. This is done by making an assessment of the impact (the effect a risk or opportunity would have, should it occur) and likelihood (the probability that it will occur).

These two scores are then multiplied to give an overall score. The criteria for scoring impact and likelihood are available on page 11.

The scoring should be done twice. Firstly, a score should be given based on the risk or opportunity before actions have been identified to prevent or enhance it – this is known as the Inherent Score. Once actions have been identified to prevent or enhance the risk or opportunity as part of the '**Treat**' stage of the cycle, it should be assessed again with a Residual Score.

Risks at Harborough District Council will usually be collated in this format:

Risk	Inherent			Mitigation	Residual			Accountable Officer
	I	L	Score		I	L	Score	

(I = Impact, L= Likelihood)

Opportunities will be collated in a similar format:

Opportunity	Inherent			Action	Residual			Accountable Officer
	I	L	Score		I	L	Score	

The matrix below shows how each risk or opportunity can be given a status of Red, Amber Yellow or Green according to its total score.

	Extreme (5)	Yellow 5	Amber 10	Amber 15	Red 20	Red 25
Impact	Major (4)	Yellow 4	Yellow 8	Amber 12	Amber 16	RED 20
	Moderate (3)	GREEN 3	Yellow 6	Yellow 9	Amber 12	Amber
	Minor (2)	GREEN 2	GREEN 4	Yellow 6	Yellow 8	Amber 10
	Insignificant (1)	GREEN 1	GREEN 2	GREEN 3	Yellow 4	Yellow 5
		Rare (1)	Unlikely (2)	Possible (3)	Likely (4)	Almost Certain
Likelihood						

This is an effective way to determine which risks and opportunities are prioritised. Energy and resource should be mostly focused on risks and opportunities within the Red area.

Status	Score	Definition
Red	20 and above	Immediate action is needed to manage the risk or opportunity!
Amber	10- 16	Seek actions to address the risk or opportunity
Yellow	3- 9	Seek actions to influence the risk or opportunity.
Green	1-3	Limited action is needed.

Key Points:

- **Categorise the Risk**
- **Score the Risk**

3. Treat

The third stage of the cycle, having been through the identification and evaluation processes, is to identify appropriate measures to manage the risk or opportunity through one of the following means:

	Risk
Treat	Ensure that effective mitigations are in place to prevent or minimise the chance of a risk occurring.
Transfer	Transfer the risk to a third party or agency, through insurance for example.
Tolerate	If it is impossible or unfeasible to Treat or Transfer, consideration should be given to accepting the risk and what action should be taken if it were to occur.
Terminate	If the level of risk is high and it is not possible to Treat, Transfer or Tolerate, it may be appropriate to make a decision to terminate the piece of work or project.

	Opportunity
Take	Seek to make the opportunity happen. Put in place measures to ensure that the benefit of the opportunity is maximised and realised.
Enhance	Put in place actions to increase the impact or likelihood of the opportunity.
Share	Manage the opportunity through partners or key stakeholders to maximise the chance it will happen and increase the benefits.
Ignore	A minor opportunity may not require explicit actions.

In most cases it is appropriate to identify mitigations to put in place to prevent a risk from occurring, or to identify actions to increase the impact and likelihood of an opportunity.

4. Monitor and Review

The Council has a number of monitoring and review mechanisms in place to ensure that there is clear accountability for managing risks and opportunities that processes are robust and transparent, with appropriate escalation routes.

All risks and opportunities should be monitored and reviewed at a minimum on a quarterly basis, in line with the governance arrangements set out on page 3. When reviewing a risk or opportunity it is important to consider the following:

- Is the risk or opportunity still relevant?
- Have there been any changes or movement to the risk or opportunity and/or its mitigations or actions?
- Has anything occurred which might change the impact and/or likelihood and the risk score?
- Are the mitigations and actions effective and what has the progress been?
- If the risk or opportunity is increasing, are any further mitigations or actions needed to prevent or enhance its occurrence?
- If the risk or opportunity is decreasing, can any of the mitigations or actions be relaxed?
- Are there any new or emerging risks or opportunities?

Scoring Criteria

Below are the scoring criteria to assess the impact and likelihood of risk and opportunity. Remember that these are not meant to be entirely prescriptive:

Likelihood

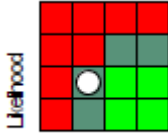
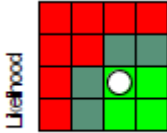



Score	Rating	Criteria
5	Almost certain	Reasonable to expect that the event WILL undoubtedly happen/recur, possibly frequently
4	Likely	Is Likely to occur in most circumstances
3	Possible	Will probably occur in most circumstances
2	Unlikely	Could occur in some circumstances
1	rare	Never likely to occur – only in exceptional circumstances

Impact

Score	Rating	Risk Criteria	Opportunity Criteria
5	Extreme	loss of service capability, or long-term service disruption Impact On all service areas of the Business Potential to cause death Publicity Financial loss of more than £100K Loss of Partnership Working Breaches of law punishable by imprisonment Litigation is extreme and undefendable, Chief officers/council leader forced to resign Extreme levels of complaints Litigation definite.	Remodelling to service(s) (e.g. through quality, level of service, speed, cost etc.) Major contribution to delivery of all objectives International or national regional partnership initiative or Arrangement Extensive positive coverage in national press Extreme improvement to local or national environment Income and/or savings in excess of £100k Changes to Resource resulting in savings (e.g. time / labour)
4	Major	Major impact on achievement of several objectives Potential to cause critical injury Adverse national publicity or central government response including potential removal of delegated powers Potential to cause financial loss of £75k to £100k Failure or breakdown of key partnership Breaches of law punishable by large financial penalty Litigation almost certain and difficult to defend, officers and/or Members forced to resign	Major contribution to delivery of several objectives or priorities National or regional partnership initiative or arrangement Extensive positive coverage in national press Major improvement to local or national environment Income and/or savings of £75 - £100k Major resource savings (e.g. time / labour)
3	Moderate	Loss of service, or medium term service disruption Serious impact on achievement of objectives Potential to cause serious injuries Major adverse local publicity or professional press items Financial loss of £50-75k or requires budget adjustment across service areas Significant impact on partnership or failure to achieve expected benefits Breaches of law, punishable by small financial penalty High level of complaints, possibly including Ombudsman complaints. Litigation to be expected	Significant improvement to service(s) (e.g. through quality, level of service, speed, cost etc.) Significant contribution to delivery of several objectives or priorities Regional partnership initiative or arrangement Significant positive coverage in national press Significant improvement to local environment Income and/or savings of between £50k and £100k Significant resource savings (e.g. time / labour)
2	Minor	Short-term service disruption Moderate impact on achievement of objectives Potential to cause minor injuries Adverse local news or opinion Financial loss of £25k to £50k Adverse effect on partnership arrangements Breaches of regulations or standards May cause some formal complaints from individuals, groups or stakeholders, litigation possible	Moderate improvement to service(s) (e.g. through quality, level of service, speed, cost etc.) Moderate delivery of several objectives or priorities Countywide partnership initiative or arrangement Positive coverage in national press Some improvement to local environment Income and/or savings of between £25k and £50k Moderate resource savings (e.g. time / labour)

1	Insignificant	<p>Brief or no service disruption</p> <p>Minor impact on achievement of objectives</p> <p>Not likely to cause any injuries beyond first aid level</p> <p>Unlikely to cause adverse publicity</p> <p>Financial loss below £25k</p> <p>Minimal impact on partnership</p> <p>Breaches of local procedures or standards</p> <p>May cause informal complaints from individuals or small groups, litigation unlikely</p>	<p>Minor improvement to service(s) (e.g. through quality, level of service, speed, cost etc.)</p> <p>Minor delivery of several objectives or priorities</p> <p>Local partnership initiative or arrangement</p> <p>Minor positive coverage in national press</p> <p>Minor improvement to local environment</p> <p>Income and/or savings of below £25k</p> <p>Minor resource savings (e.g. time / labour)</p>
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Appendix B - Corporate Risk and Opportunity Register Quarter 3 (2022-2023)

Risk ('CR' or 'CV') / Opportunity ('COR OP')	Original Risk Original Date	Score (I)	Score (R)	Assessment History Trend Icon	Status	D.O.T.
COR OP 02 Disposal of Assets for Capital Receipts or Acquisitions to meet expected or current demand.	01-Jul-2021	 Likelihood Impact	 Likelihood Impact			
Mitigations (Risks) / Actions (Opportunities)						
COR OP 02	Both Naseby Close, Market Harborough and De Verdon Road, Lutterworth are now sold. Naseby Close was sold to Platform Housing (RSL) and De Verdon Road by open-market sale. The Council has acquired 4, Roman Way, Market Harborough to help mitigate the high cost of temporary housing need and is also redeveloping flats held at Ploughman’s Yard, Market Harborough. Further, the Council now has in place an Asset Management Plan that records the condition of the Council’s current strategic property holdings and highlights future property needs.					
Linked actions						
Linked Actions Title	Linked Actions Administered By	Linked Actions Progress Bar		Linked Actions Status Icon		Linked Actions Due Date

Risk ('CR' or 'CV') / Opportunity ('COR OP')	Original Risk Original Date	Score (I)	Score (R)	Assessment History Trend Icon	Status	D.O.T.
COR OP 04 Income maximisation/ Cost Reduction.	01-Jul-2021	<div><div>Likelihood</div><div><div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div></div><div>Impact</div></div></div>	<div><div>Likelihood</div><div><div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div></div><div>Impact</div></div></div>	<div><div></div></div>	<div><div></div></div>	<div><div></div></div>
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Mitigations (Risks) / Actions (Opportunities)						
COR OP 04	Regular monitoring takes place alongside a monthly review by the relevant Portfolio Holder. Regular re-profiling of income targets takes place and is informed by current and future activity levels. Regular monitoring by the Corporate Management Team and quarterly reporting to the Cabinet monitors income trends and action plans. During the 2021/22 year, the BC25 programme came to a close. The savings and investment opportunities arising will be reported as part of the routine quarterly financial monitoring.					
Linked actions						
Linked Actions Title	Linked Actions Administered By	Linked Actions Progress Bar		Linked Actions Status Icon		Linked Actions Due Date

Risk ('CR' or 'CV') / Opportunity ('COR OP')	Original Risk Original Date	Score (I)	Score (R)	Assessment History Trend Icon	Status	D.O.T.
COR OP 05 To work with the other Leicestershire Authorities to explore different structures for delivering Council services for the benefit of residents.	01-Jul-2021	<div><div>Likelihood</div><div><div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div></div><div>Impact</div></div></div>	<div><div>Likelihood</div><div><div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div></div><div>Impact</div></div></div>	<div><div></div></div> <div><div></div></div> <div><div></div></div> <div><div></div></div>	<div><div></div></div>	<div><div></div></div>
Mitigations (Risks) / Actions (Opportunities)						
COR OP 05	The Leader of the Council has committed to working collaboratively for the potential benefit to the residents of Harborough District. Some preparatory work has been completed to identify the scope of the project. A scope has been agreed between a number of Leicestershire Authorities on further collaboration and work is continuing in this area.					
Linked actions						
Linked Actions Title	Linked Actions Administered By	Linked Actions Progress Bar		Linked Actions Status Icon		Linked Actions Due Date

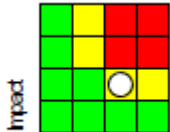
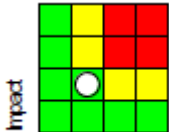



Risk ('CR' or 'CV') / Opportunity ('COR OP')	Original Risk Original Date	Score (I)	Score (R)	Assessment History Trend Icon	Status	D.O.T.
COR OP 06 To support communities during recovery from the Covid-19 pandemic via the County-coordinated Contain and COMF Funding.	01-Jul-2021	<div><div>Likelihood</div><div><div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div></div><div>Impact</div></div></div>	<div><div>Likelihood</div><div><div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div></div><div>Impact</div></div></div>	<div><div><div>↑</div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div></div>	<div><div>✔</div></div>	<div><div></div></div>
Mitigations (Risks) / Actions (Opportunities)						
COR OP 06	Agreed funding for specific projects focused on Covid-19 recovery. £130K of funding was received during Quarter 4 of the 2020/21 year. Approval has been received to continue using this funding into the 2022/23 year, which eases the urgency on spending and allows us to prioritise spending to where it will have the greatest impact.					
Linked actions						
Linked Actions Title	Linked Actions Administered By	Linked Actions Progress Bar		Linked Actions Status Icon	Linked Actions Due Date	

Risk ('CR' or 'CV') / Opportunity ('COR OP')	Original Risk Original Date	Score (I)	Score (R)	Assessment History Trend Icon	Status	D.O.T.
COR OP 07 To ensure that Harborough District Council benefits from the ERDF Welcome Back funding to support the reopening of local town centres and tourism following the Covid-19 pandemic.	01-Jul-2021	<div><div>Likelihood</div><div><div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div></div><div>Impact</div></div></div>	<div><div>Likelihood</div><div><div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div></div><div>Impact</div></div></div>	<div><div><div>↑</div></div><div><div></div></div><div><div></div></div><div><div></div></div></div>	<div><div>⚠</div></div>	<div><div></div></div>
Mitigations (Risks) / Actions (Opportunities)						

COR OP 07	To develop and deliver a programme of activities to support the reopening of local town centres and tourism and respond to the medium-term impact of Covid-19. The initial deadline to submit proposals to Government by 30 May 2021 was achieved. Once approved, the delivery of these plans can run through until the end of March 2022. Plans have had to be modified slightly to take account of continuing restrictions and lack of capacity amongst the events industry. Final submission and evidence for was made in early May 2022 and Officers are awaiting confirmation of the funding, or any further clarification from government officials, with a view to receiving the £166K funding retrospectively within the next few months.					
Linked actions						
Linked Actions Title	Linked Actions Administered By	Linked Actions Progress Bar		Linked Actions Status Icon	Linked Actions Due Date	

Risk ('CR' or 'CV') / Opportunity ('COR OP')	Original Risk Original Date	Score (I)	Score (R)	Assessment History Trend Icon	Status	D.O.T.
COR OP 08 To maximise the likelihood that Harborough District Council can benefit from Government Levelling Up Funding to support town centre regeneration, investment in local cultural facilities or upgrading local transport Infrastructure.	01-Jul-2021	<div><div>Likelihood</div><div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div></div><div>Impact</div></div>	<div><div>Likelihood</div><div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div></div><div>Impact</div></div>	<div><div>↑</div><div></div><div></div><div></div></div>	<div><div></div></div>	<div><div></div></div>
Mitigations (Risks) / Actions (Opportunities)						
COR OP 08	Whilst it is recognised that this is likely to be a very difficult case to make, given that Harborough District is classed as a Category 3 (the lowest) area, Council Officers are working with consultants to submit a credible application for to Round 2 of Levelling Up Funding in early July 2022, focussed on Market Harborough town centre. Whilst it is recognised that this is a very competitive process, every effort is being made to ensure that this is as strong an application as possible and experienced consultants have been commissioned to assist with this work, learning from the experiences of Round 1.					


Linked actions				
Linked Actions Title	Linked Actions Administered By	Linked Actions Progress Bar	Linked Actions Status Icon	Linked Actions Due Date

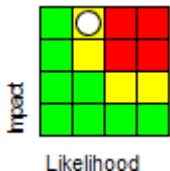
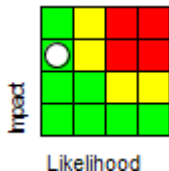










Risk ('CR' or 'CV') / Opportunity ('COR OP')	Original Risk Original Date	Score (I)	Score (R)	Assessment History Trend Icon	Status	D.O.T.
CR 07 Risk of the Council not helping to encourage conditions for new business growth results in the District not benefitting from the LLEP funding	01-Apr-2021	 Impact Likelihood	 Impact Likelihood			

Mitigations (Risks) / Actions (Opportunities)

Partnership Activity	Council is represented on the LLEP board through a nominated District Leader representation.
Other (Likelihood)	Lutterworth Town centre master plan approved by the Council in 2021. (See linked projects) St Mary's Quarter, Market Harborough being progressed with a feasibility study Late 2022
External funding	Funding received for two projects from the Business rates polling fund for 2019/20. Overseen by the LLEP – Delayed due to covid

Linked actions				
Linked Actions Title	Linked Actions Administered By	Linked Actions Progress Bar	Linked Actions Status Icon	Linked Actions Due Date


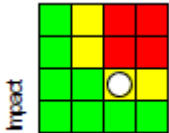









Lutterworth Town centre Master Plan	David Wright	0%		31-Mar-2025
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Risk ('CR' or 'CV') / Opportunity ('COR OP')	Original Risk Original Date	Score (I)	Score (R)	Assessment History Trend Icon	Status	D.O.T.
CR 12 Lack of a co-ordinated approach to Emergency Planning could result in a failure to effectively respond to situations.	01-Jul-2021			       		
Mitigations (Risks) / Actions (Opportunities)						
Training Staff	<p>Training undertaken by staff is under continual review to ensure compliance with the Local Resilience Forum's guidance and competencies.</p> <p>Corporate Management Team received training in May 2018 regarding management of emergency incidents. An online training module on Emergency Planning for all staff was launched in Quarter 4 of the 2016/17 year. Throughout the pandemic the Council has stood up its own response structure and an internal audit on the Council's initial response to the pandemic, with a primary focus on management of the recovery stage, including re-establishing effective governance and internal control arrangements, was carried out</p>					
Training Exercises	<p>During Quarter 2 of the 2020/21 year, a multi-agency exercise was carried out remotely across Leicestershire.</p> <p>Quarter 4 2022/03 – planned training exercise</p>					
Partnership Activity	<p>As a member of the Local Resilience Forum (LRF) the Council receives support on responding to emergency situations from a number of partner organisations. Severe Weather and Flood Contingency Plans are in place to</p>					

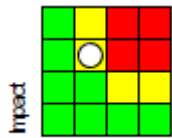
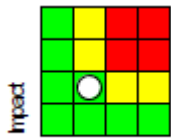








	ensure there is an effective response to any incident. There is a county-wide programme for testing plans which ensures that there is a consistent approach and that plans are tested at appropriate times. The Council is a member of the county-wide emergency planning partnership and this provides 24/7 support from an emergency planning professional. A protocol has been developed, and is in operation, to update Members, at the time of an incident. Emergency Plans have been developed and tested for the high-risk scenarios throughout the District. Joint working arrangements with LCC Highways enable a co-ordinated approach to situations that involve both organisations. Member and Officer training has been provided to ensure their roles are fully understood during an incident. We work with the LRF to ensure Harborough Emergency Planning procedures are robust, clear to Members, and are tested			
Members Training	During Quarter 3 of the 2019/20 year, elected members received an emergency plan briefing..			
Policy/strategy review				
Working practices	A Corporate Management Team Emergency Planning rota is in place.. An Audit review, conducted in February 2018, made no recommendations. The audit concluded there was substantial assurance in the controls in place in the organisation. The Corporate Management Team and Service Managers are in continual liaison to ensure that there is an appropriate level of management cover in The Symington Building. During Quarter 1 of the 2022/23 year the Council's Emergency Planning Response Structure was changed to facilitate an agile response from both the Corporate Management Team and Service Managers. The council will continue to work with the LLR Local Resilience Forum to ensure compliance with the National Resilience Standards and will provide relevant representation on the training and exercise programme			
Linked actions				
Linked Actions Title	Linked Actions Administered By	Linked Actions Progress Bar	Linked Actions Status Icon	Linked Actions Due Date

Risk ('CR' or 'CV') / Opportunity ('COR OP')	Original Risk Original Date	Score (I)	Score (R)	Assessment History Trend Icon	Status	D.O.T.
CR 15 Reduction in public sector funding by all partners leads to service gaps and reduced public sector offer to residents.	01-Jul-2021	<div><div>Impact</div><div><div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div></div><div>Likelihood</div></div></div>	<div><div>Impact</div><div><div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div></div><div>Likelihood</div></div></div>	<div><div><div>↓</div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div></div>	<div><div></div></div>	<div><div></div></div>
Mitigations (Risks) / Actions (Opportunities)						
Finance – Budget monitoring	In respect of the Council’s own budget, the government issued a one-year financial settlement for 2022/23. In February 2022, Council approves a balanced budget for 2022/23 and the entire period of the MTFS. However the 2022/23 quarter 2 financial performance report is currently indicating a forecast deficit of circa £810K; Primarily due to impacts of inflation (October at 10.1%) reducing incomes and the underachievement of savings. The council is exploring opportunities to help mitigate these costs. Similar inflationary impacts are being felt across all services across within the Public sector. Note the inherent risk score moved from 9 to 12 in quarter 1 due to reflect worsening financial pressures.					
Partnership Activity	The Council actively engages with partners in shaping future public service provision and to maintain awareness of any further potential reductions (revenue and capital) in funding from all partners. However, the expected significant changes in future funding due to formulae adjustment and business rates, now expected to be implemented in 2023/24 continues to provide a lack of clarity over funding available to partners to support outcomes in the District. The Council partially mitigates this through representation on working groups, responses to public consultations and working with other local districts.					
Linked actions						
Linked Actions Title	Linked Actions Administered By	Linked Actions Progress Bar		Linked Actions Status Icon		Linked Actions Due Date

Risk ('CR' or 'CV') / Opportunity ('COR OP')	Original Risk Original Date	Score (I)	Score (R)	Assessment History Trend Icon	Status	D.O.T.
CR 20 Business Continuity: loss of building(s) / service(s) through unforeseen events.	01-Jul-2021	<div><div>Impact</div><div><div><div><div></div><div></div><div></div><div></div></div><div><div></div><div></div><div></div><div></div></div><div><div></div><div></div><div></div><div></div></div><div><div></div><div></div><div></div><div></div></div></div><div>Likelihood</div></div></div>	<div><div>Impact</div><div><div><div><div></div><div></div><div></div><div></div></div><div><div></div><div></div><div></div><div></div></div><div><div></div><div></div><div></div><div></div></div><div><div></div><div></div><div></div><div></div></div></div><div>Likelihood</div></div></div>	<div>↓</div>	<div>⚠</div>	<div>▬</div>
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Mitigations (Risks) / Actions (Opportunities)						
Training Exercises	Disaster recovery facilities are now in place for the hosting of key ICT systems in the event of a disaster recovery incident. Testing has been completed on bringing business applications, such as TLC (Land Charges) and elections, online. The Elections system has been tested by the service area. Next stage: service areas to test using the recovered systems. Other activities include testing individual business continuity plans with service areas and review priority services and accommodation, if necessary. All of the Business Continuity plans were updated during Quarter 1 of the 2020/21 year. A Business Continuity exercise on ICT Disaster Recovery is scheduled to take place during the 2022/23 year.					
Linked actions						
Linked Actions Title	Linked Actions Administered By	Linked Actions Progress Bar		Linked Actions Status Icon		Linked Actions Due Date

Risk ('CR' or 'CV') / Opportunity ('COR OP')	Original Risk Original Date	Score (I)	Score (R)	Assessment History Trend Icon	Status	D.O.T.
CR 25 The Council does not have sufficient funding to deliver its current services in the medium term.	01-Jul-2021	 Likelihood	 Likelihood	      		
Mitigations (Risks) / Actions (Opportunities)						
Finance – Budget monitoring	<p>The budget (including income and expenditure) is monitored on a quarterly basis and corrective action taken as required. In respect of:</p> <ul style="list-style-type: none"> – 2022/23 Approved Budget: Council approved a Budget of £11.6m and over the MTFS that is balanced for each year. This includes the conclusions of the Budget Challenge 2025 review that was conducted during 2020/21; this programme achieved annual savings of £3.1m by 2024/25 –However, in 2025/26 the MTFS starts to show an unplanned budget gap, due to the compounding impacts of pay, increases in Environmental Services costs and the impacts of the governments Fair Funding Review but this pressure is met from reserves. Consequently, the Council must continue with its service transformation programme and deliver agreed savings to ensure that it can deliver sustainable services over the medium term. Over the MTFS period, all reserves far exceed the minimum 20% threshold. • 2022/23 Quarter 2: The Council is currently forecasting a net deficit of Circa £810K. this is primarily due to the impacts of inflation (£385K) underachieving of savings (£560K) and net savings from normal operational delivery (£135k). • The Council currently holds £15.7 million in reserves which includes a mix of usable and unusable reserves. • In respect of usable reserve, the council has more than £6 Million which should give it sufficient time to take appropriate action to address the currently known budgetary pressures. 					

Linked actions				
Linked Actions Title	Linked Actions Administered By	Linked Actions Progress Bar	Linked Actions Status Icon	Linked Actions Due Date

Risk ('CR' or 'CV') / Opportunity ('COR OP')	Original Risk Original Date	Score (I)	Score (R)	Assessment History Trend Icon	Status	D.O.T.
CR 27 Risk of reduction of failing to deliver housing in a timely way could lead to reduction in receipts of new homes bonus (NHB).	01-Jul-2021	 Impact Likelihood	 Impact Likelihood	     		

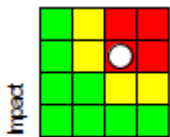
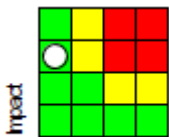



Mitigations (Risks) / Actions (Opportunities)

Working practices	The government has undertaken a consultation on New Homes Bonus, but the results have not yet been disclosed. It is expected that there will be a further round of NHB for 2023/24 and potentially for 2024/25. The Council continues to have a good five-year housing supply so if the government does introduce a "new housing" based funding stream, it is anticipated that the Council should continue to be appropriately rewarded.
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Linked actions				
Linked Actions Title	Linked Actions Administered By	Linked Actions Progress Bar	Linked Actions Status Icon	Linked Actions Due Date

Risk ('CR' or 'CV') / Opportunity ('COR OP')	Original Risk Original Date	Score (I)	Score (R)	Assessment History Trend Icon	Status	D.O.T.
CR 29 Loss of ability to provide a comprehensive service due to cyber security attacks.	22–Nov–2021	<div><div>Impact</div><div><div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div></div><div>Likelihood</div></div></div>	<div><div>Impact</div><div><div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div></div><div>Likelihood</div></div></div>	<div><div>↓</div><div>—</div><div>—</div><div>—</div><div>—</div><div>—</div><div>↑</div></div>	<div><div>⬮</div></div>	<div><div>↑</div></div>
Mitigations (Risks) / Actions (Opportunities)						
CR 29	The Council's ICT infrastructure is secured to national standards. We have annual ITC health check testing. The Council now has ongoing security and benchmarking performed by Microsoft that provides additional recommendations and assurance. During Quarter 4 of the 2020/21 year, the potential for a global security issue occurred. The Council's swift implementation of its Emergency Patching Procedure meant that it was unaffected by the incident. A revised ICT Strategy was prepared during the 2021/22 year and approved by Council on 21 June 2021. A review of this risk has increased due to a better understanding of the impact as a better from local authority examples.					
Training Exercises	We have annual ITC health check testing. The Council now has ongoing security and benchmarking performed by Microsoft that provides additional recommendations and assurance					
Working practices	During Quarter 4 of the 2020/21 year, the potential for a global security issue occurred. The Council's swift implementation of its Emergency Patching Procedure meant that it was unaffected by the incident. A revised ICT Strategy was prepared during the 2021/22 year and approved by Council on 21 June 2021. A review of this risk has increased due to a better understanding of the impact as a better from local authority examples					
National Standards	The Council's ICT infrastructure is secured to national standards..					
Linked actions						

Linked Actions Title	Linked Actions Administered By	Linked Actions Progress Bar	Linked Actions Status Icon	Linked Actions Due Date

Risk ('CR' or 'CV') / Opportunity ('COR OP')	Original Risk Original Date	Score (I)	Score (R)	Assessment History Trend Icon	Status	D.O.T.
CR 30 Risk of Loss of Planning decision-making powers on major applications to the Planning Inspectorate due to Special Measures designation as a result of triggering the Appeal threshold for Government Intervention.	01-Jul-2021					

Mitigations (Risks) / Actions (Opportunities)

Working practices	<p>The adopted District-wide Local Plan has the effect of reducing the number of planning applications made outside the strategy of the Local Plan. This has the effect of also reducing planning appeals outside of the Local Plan strategy thereby significantly reducing the risk of loss of decision-making powers, special measures and government intervention.</p> <p>The proactive growth team is working closely with applicants for allocated sites in the Local Plan and ensuring applications are submitted in a timely fashion to enable delivery in accordance with the Local Plan housing trajectory. The Council ensures that it meets Statutory deadlines for determination of applications through the use of agreed extensions of time with applicants. The Council uses software to manage deadlines and monitor performance.</p>
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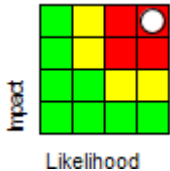
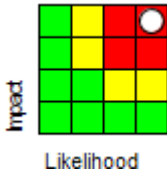



Linked actions

Linked Actions Title	Linked Actions Administered By	Linked Actions Progress Bar	Linked Actions Status Icon	Linked Actions Due Date
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Risk ('CR' or 'CV') / Opportunity ('COR OP')	Original Risk Original Date	Score (I)	Score (R)	Assessment History Trend Icon	Status	D.O.T.
CR 32 The Council does not meet its budgeted-for Planning fee income targets, particularly in regard to major applications which could have a negative impact on the Council's financial position.	01-Jul-2021	 Impact Likelihood	 Impact Likelihood	 		
Mitigations (Risks) / Actions (Opportunities)						
CR 32	<p>The proactive growth team works closely with applicants on allocated sites in the Local Plan to ensure that applications are submitted in a timely fashion to enable delivery to take place in accordance with the Local Plan housing trajectory and also to ensure that planning application fee income levels are maintained. The Corporate Management Team monitors planning fee income on a regular basis particularly in regard to fees for major applications and this information is fed into an overview of the Council's financial status. The growth team and Director of Planning and Regeneration also proactively monitor and forecast planning fee income on a regular basis: this enables early awareness of increases or decreases in income levels to be highlighted. Strategic Planners and Officers in Development Management are also proactively monitoring the delivery of the housing trajectory in the Local Plan to establish the extent to which there is a likelihood of major planning applications coming forward. The robust monitoring framework in place has shown that the Council is not going to achieve the income expected from planning applications for the remainder of 2022/23. The key reason for this is that the delivery of two major allocations from the sound, adopted district wide local plan have become delayed for reasons beyond the control the Council. Due to these delays, planning applications to progress the delivery of these key sites have also become delayed, as have the associated fee income. Officers are working to minimise these delays to delivery and to get</p>					


	these major sites back on track as soon as possible. The robust planning income monitoring system continues to function well. For this reason, the residual risk score remains at 4. This system still provides the Council with real-time financial information about planning income and enables accurate financial forecasting. A recent Growth Projections Audit report provided Good Assurance for both the Control and Compliance Environments which provides further evidence around the robust nature of the Council's ability to forecast growth and the associated income arising.
Finance – Budget monitoring	<p>The Corporate Management Team monitors planning fee income on a regular basis particularly in regard to fees for major applications and this information is fed into an overview of the Council's financial status. The growth team and Director of Planning and Regeneration also proactively monitor and forecast planning fee income on a regular basis: this enables early awareness of increases or decreases in income levels to be highlighted.</p> <p>The robust monitoring framework in place has shown that the Council is not going to achieve the income expected from planning applications for the remainder of 2022/23.</p> <p>The robust planning income monitoring system continues to function well. For this reason, the residual risk score remains at 4. This system still provides the Council with real-time financial information about planning income and enables accurate financial forecasting. A recent Growth Projections Audit report provided Good Assurance for both the Control and Compliance Environments which provides further evidence around the robust nature of the Council's ability to forecast growth and the associated income arising.</p>
Working practices	<ul style="list-style-type: none"> • The proactive growth team works closely with applicants on allocated sites in the Local Plan to ensure that applications are submitted in a timely fashion to enable delivery to take place in accordance with the Local Plan housing trajectory and also to ensure that planning application fee income levels are maintained
Issued raised	The key reason for this is that the delivery of two major allocations from the sound, adopted district wide local plan have become delayed for reasons beyond the control the Council. Due to these delays, planning applications to progress the delivery of these key sites have also become delayed, as have the associated fee income. Officers are working to minimise these delays to delivery and to get these major sites back on track as soon as possible.
Future planning	Strategic Planners and Officers in Development Management are also proactively monitoring the delivery of the housing trajectory in the Local Plan to establish the extent to which there is a likelihood of major planning applications coming forward.

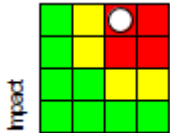
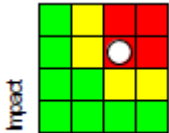









Linked actions				
Linked Actions Title	Linked Actions Administered By	Linked Actions Progress Bar	Linked Actions Status Icon	Linked Actions Due Date

Risk ('CR' or 'CV') / Opportunity ('COR OP')	Original Risk Original Date	Score (I)	Score (R)	Assessment History Trend Icon	Status	D.O.T.
CR 33 Cost of planning appeals and legal challenges significantly weaken the Council's financial position	01-Jul-2021	 Impact Likelihood	 Impact Likelihood			

Mitigations (Risks) / Actions (Opportunities)

Finance – Budget monitoring	Ongoing Monitoring of the PI on costs associated to Judicial reviews
Members Training	Ensure all members of the Planning Committee receive the necessary training. Put in place training records for all committee members and review dates.

Linked actions				
Linked Actions Title	Linked Actions Administered By	Linked Actions Progress Bar	Linked Actions Status Icon	Linked Actions Due Date
Training for Members of the planning Committee	Adrian Eastwood	<input type="text" value="0%"/>		01-Mar-2024

Risk ('CR' or 'CV') / Opportunity ('COR OP')	Original Risk Original Date	Score (I)	Score (R)	Assessment History Trend Icon	Status	D.O.T.
CR 34 The Council fails to meet its information governance and records management obligations under various enactments such as the Data Protection Act 2018 and UK GDPR.	01-Jul-2021	 Likelihood	 Likelihood	      		
Mitigations (Risks) / Actions (Opportunities)						
CR 34	<p>A series of measures have been put in place to ensure that the Council is compliant with the requirements of the Data Protection Act 2018: The appointment of Data Protection Officer (DPO); Mandatory UK GDPR training for all staff; training and guidance for elected members; all existing policies, procedures and working practices reviewed for compliance; introduction of Information Governance Board (Chaired by SIRO); introduction of Data Protection Impact Assessments (DPIA) and on-going programme of Information management inspections; on-going training and review of systems, working practices and control mechanisms. UK GDPR has been added as a standard item to all report templates and Officers were trained on this. Compliance checking continues as a matter of course. Refresher training on UK GDPR and Freedom of Information (FOI) was rolled out in the 2020/21 year and will be a rolling programme year on year. New Records Management policy to be drafted and introduced, with reference to any impacts resulting from the ICT strategy and informed by future ICT infrastructural arrangements. New Records Management policy to be drafted and introduced, with reference to any impacts resulting from the ICT strategy and informed by future ICT infrastructural arrangements. Record of Processing Activities, Information Asset Register, Privacy Notices, Information Risk Register and Retention Management policies/documents all to be interfaced throughout 2023.</p> <p>Currently there is a risk of informational retention beyond what is necessary. Where that information does not</p>					

	<p>relate to personal data processing, the resulting risk is inherently lower. However, there are some risks where there is long stored personal data. This is being tended to by Service Managers as a result of CMT briefing 01/11/2022 and other work with regards MS TEAMS data migrations. This will ensure retention policy compliance in all services in preparation for the data migration. Though this will reduce the resulting risk, the current risk rating must be scored slightly higher until that work is completed.</p>
Training Staff	<ul style="list-style-type: none"> • Mandatory UK GDPR training for all staff
Staffing	<ul style="list-style-type: none"> • The appointment of Data Protection Officer (DPO);;
Members Training	training and guidance for elected members
Compliance mechanism	Individual service area spot checks to be introduced (2023/24) to assess compliance with processing and storage requirements under UK GDPR and DPA 2018
Working practices	<p>All existing policies, procedures and working practices continually reviewed for compliance. Reporting of IG related matters to CMT to begin on a quarterly basis beginning in March 2023. CEO is the current SIRO and will be fully apprised of IG related concerns. Data Protection Impact Assessments (DPIA) processes are in place, with some work to do regarding the appropriateness of usage in some areas; on going programme of data sanitisation is taking place to support Sharepoint migrations; on-going training and review of systems, working practices and control mechanisms. Service spot checks to be introduced in 2023/24 to assess the effectiveness of data sanitisation. UK GDPR has been added as a standard item to all report templates and Officers were trained on this. Compliance checking continues as a matter of course. Refresher training on UK GDPR and Freedom of Information (FOI) was rolled out in the 2018 and will be a rolling programme year on year. 2023's training will be held back until after local elections in May to harmonise rollout to both staff and elected members.</p> <p>New Information Asset Register has been compiled, which will function as both IAR and Record Of Processing Activities (ROPA) under the legislation, and as part of an internal audit recommendation.</p> <p>Currently there is a risk of informational retention beyond what is necessary. Where that information does not relate to personal data processing, the resulting risk is inherently lower. However, there are some risks where there is long stored personal data. This is being tended to by Service Managers as a result of CMT briefing 01/11/2022 and other work with regards MS TEAMS data migrations (aforementioned Sharepoint). This will ensure retention policy compliance in all services in preparation for the data migration. Though this will reduce the resulting risk,</p>

	the current risk rating must be scored slightly higher until that work is completed.				
Linked actions					
Linked Actions Title	Linked Actions Administered By	Linked Actions Progress Bar		Linked Actions Status Icon	Linked Actions Due Date
Data protection Guidelines	Stuart Done	<div><div></div></div> 0%			31-Mar-2024
Information Sharing Protocol	Stuart Done	<div><div></div></div> 0%			31-Mar-2024

Risk ('CR' or 'CV') / Opportunity ('COR OP')	Original Risk Original Date	Score (I)	Score (R)	Assessment History Trend Icon	Status	D.O.T.
CR 37 Increase in homeless presentations results in an increased demand in Council support for reactive temporary accommodation that exceeds the current budget and weakens the Council's financial position.	01-Jul-2021	<div><div>Impact</div><div><div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div></div><div>Likelihood</div></div></div>	<div><div>Impact</div><div><div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div></div><div>Likelihood</div></div></div>			

Mitigations (Risks) / Actions (Opportunities)	
Working practices	<ul style="list-style-type: none">The majority of temporary accommodation is currently procured on the nightly spot purchase market i.e. hotels. The unit night cost fluctuates but is on an upward trend likely driven by wider economic inflationary costs i.e. increased overheads and staff costs. Cost increases can be mitigated through the Council providing the accommodation directly through purchase and new build – particularly where the Council can avail itself of low cost long-term borrowing from HM Treasury or similar. There are 10 additional units of accommodation being developed which will provide accommodation more cheaply than hotels.

	<ul style="list-style-type: none">• Preventing homelessness could reduce the use of temporary accommodation however options in the private sector are now largely unavailable for the majority of the households with which we work. We will continue to focus our work with registered providers to support their purchase of land to provide affordable homes and those through S106 planning agreements as a priority			
Issued raised	<ul style="list-style-type: none">• There are several potential external factors which may further drive demand for temporary accommodation including<ul style="list-style-type: none">• The cost of living• domestic abuse,• the war in Ukraine,• Asylum seekers (receiving refugee status alongside the existing Afghan and Syrian resettlement schemes – over which the Council has negligible if any control)			
Linked actions				
Linked Actions Title	Linked Actions Administered By	Linked Actions Progress Bar	Linked Actions Status Icon	Linked Actions Due Date

Risk ('CR' or 'CV') / Opportunity ('COR OP')	Original Risk Original Date	Score (I)	Score (R)	Assessment History Trend Icon	Status	D.O.T.
CR 38 Risk of Environmental Services contractor defaulting leads to an inability to fulfil the statutory obligation to collect waste.	01-Jul-2021	<div><div>Impact</div><div><div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div></div><div>Likelihood</div></div></div>	<div><div>Impact</div><div><div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div></div><div>Likelihood</div></div></div>	<div><div>↓</div><div></div><div></div><div></div><div></div><div></div></div>	<div>✔</div>	<div></div>
Mitigations (Risks) / Actions (Opportunities)						
CR 38	Regular engagement with contractor. The Council has had a healthy working relationship with the contractor over a number of years.					
Linked actions						
Linked Actions Title	Linked Actions Administered By	Linked Actions Progress Bar		Linked Actions Status Icon		Linked Actions Due Date

Risk ('CR' or 'CV') / Opportunity ('COR OP')	Original Risk Original Date	Score (I)	Score (R)	Assessment History Trend Icon	Status	D.O.T.
CR 39 Risk of leisure contractor defaulting leads to an inability to deliver leisure services.	01-Jul-2021	<div><div>Impact</div><div><div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div></div><div>Likelihood</div></div></div>	<div><div>Impact</div><div><div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div></div><div>Likelihood</div></div></div>	<div><div><div>↓</div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div></div>	<div><div></div></div>	<div><div></div></div>
Mitigations (Risks) / Actions (Opportunities)						
Working practices	<p>Regular engagement with contractor. The Council has had a healthy working relationship with the contractor over a number of years</p> <p>Oversight of the contract appears regularly on Council Committee agendas to ensure it continues to be discussed regularly at Scrutiny panel</p> <p>The contract with the current provider ends on 1 April 2024 and work is underway to procure this new contract. Utilities risks are mitigated by the current contractor and over recent months customer footfall has increased, allowing the contractor and the Council to be more confident in their ability to continue to deliver leisure services</p>					
Linked actions						
Linked Actions Title	Linked Actions Administered By	Linked Actions Progress Bar		Linked Actions Status Icon		Linked Actions Due Date



Risk ('CR' or 'CV') / Opportunity ('COR OP')	Original Risk Original Date	Score (I)	Score (R)	Assessment History Trend Icon	Status	D.O.T.
CR 40 Service transformation propositions are not delivered resulting in underachievement of identified savings.	01-Jul-2021	<div><div>Impact</div><div><div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div></div><div>Likelihood</div></div></div>	<div><div>Impact</div><div><div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div></div><div>Likelihood</div></div></div>	<div><div><div>↓</div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div></div></div></div>	<div><div></div></div>	<div><div></div></div>
Mitigations (Risks) / Actions (Opportunities)						
Working practices	Council’s savings and efficiency measures are being closely controlled and monitored and include a number of key attributes that aim to ensure that propositions are deliverable, realistic and achieve the expected savings/investment; including: independent project management, comparison data to similar councils; positive ownership of proposals as reviews developed by service managers; political sponsorship of service/delivery changes proposals; strategic ‘critical’ leadership review of service/delivery proposals. Subsequent service transformation is then embedded into the Council's Change Programme, which then has further strategic officer and political oversight. Implementation is led by service managers based on the Council project management methodology, including the development of detailed business cases and associated plans.					
Linked actions						
Linked Actions Title	Linked Actions Administered By	Linked Actions Progress Bar		Linked Actions Status Icon		Linked Actions Due Date


Risk ('CR' or 'CV') / Opportunity ('COR OP')	Original Risk Original Date	Score (I)	Score (R)	Assessment History Trend Icon	Status	D.O.T.
CR 41 Disruption/ uncertainty arising from the war in Ukraine	05-Apr-2022	<div><div>Impact</div><div><div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div></div><div>Likelihood</div></div></div>	<div><div>Impact</div><div><div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div></div><div>Likelihood</div></div></div>	<div><div>↓</div><div></div></div>	<div><div></div></div>	<div><div></div></div>
Mitigations (Risks) / Actions (Opportunities)						
Government policy	<ul style="list-style-type: none">Continue to monitor information provided by the Local Government Association. Maintain robust business continuity arrangements, including with partners and suppliers. Continue to work with the Leicestershire Resilience Forum (LRF) to coordinate plans and responses to operational or civil eventualities. The Council is represented on County-wide groups which are planning and preparing for potential implications.					
Linked actions						
Linked Actions Title	Linked Actions Administered By	Linked Actions Progress Bar		Linked Actions Status Icon	Linked Actions Due Date	

Risk ('CR' or 'CV') / Opportunity ('COR OP')	Original Risk Original Date	Score (I)	Score (R)	Assessment History Trend Icon	Status	D.O.T.
CR 42 Loss of income, as economic activity reduces, weakens the Council's cashflow and financial sustainability.	01-Jul-2021	<div><div>Impact</div><div><div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div></div><div>Likelihood</div></div></div>	<div><div>Impact</div><div><div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div></div><div>Likelihood</div></div></div>	<div><div>↑</div><div>↓</div><div></div><div></div><div></div></div>	<div><div></div></div>	<div><div></div></div>
Mitigations (Risks) / Actions (Opportunities)						

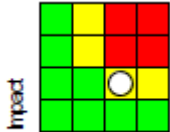
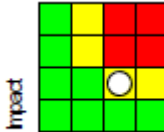



Finance – Budget monitoring					<ul style="list-style-type: none">When the Council set its 2022/23 Budget and MTFs, it recognised reductions in: 1. Corporate income (business rates and council tax) through both the use of the new Tax Income Guarantee Scheme (TIG) and revisions to Collection Fund provisions. To help mitigate future impacts, the budget included the establishment of a “Covid-19 Internal Recovery Reserve”. 2. Some service budgets, as this was the first year that the full impact of the conclusions of BC25 were included. Some significant reductions were seen in car parking budgets to reflect expected reduction in demands following Covid-19. As the year has progressed the demand risk has continued. Both service expenditure and income budgets will be closely monitored as part of the routine quarterly monitoring process. As noted elsewhere, at quarter 2, the Council is forecasting an outturn deficit of £810K, Where savings can be vired from other budgets, this will be actioned first but where significant shortfalls can only be met from the use of reserves, such reserves will be applied. The Council maintains its General Fund (Unallocated) Reserves at 20% of Net Expenditure, for 2022/23 this equates to £2.4m. The Council continues to monitor Coronavirus-related impacts and reports as required to government on such impacts
Linked actions					
Linked Actions Title	Linked Actions Administered By	Linked Actions Progress Bar	Linked Actions Status Icon	Linked Actions Due Date	

Risk ('CR' or 'CV') / Opportunity ('COR OP')	Original Risk Original Date	Score (I)	Score (R)	Assessment History Trend Icon	Status	D.O.T.
CR 43 The Council fails to put in place an up to date, sound and adoptable new Local Plan, the updated strategic planning framework for the district	19-Oct-2022	<div><div>Impact</div><div><div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div></div><div>Likelihood</div></div></div>	<div><div>Impact</div><div><div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div></div><div>Likelihood</div></div></div>	<div><div>↓</div><div>↑</div></div>	<div><div></div></div>	<div><div>↑</div></div>
Mitigations (Risks) / Actions (Opportunities)						
Partnership Activity						
<ul style="list-style-type: none">. The Council is working positively and proactively across councils boundaries with partner Councils in Leicester						

	and Leicestershire housing market area to ensure that the new local plan meets the statutory requirements of the duty to cooperate. part of meeting that duty is the need for the council to approve and sign a statement of common ground on the potential distribution of amounts of housing and employment need across the county, including the harborough district. Officer are using all means available to raise awareness of the importance of approving and signing the document with member of the council. officers are also working closely with colleagues at Leicestershire county council around that councils capacity to support the district council in producing its local plan to the timetable needed to ensure place led development continues in the Harborough District.			
Policy/strategy review	• The Council has an up to date and adopted district wide local plan in place.			
Linked actions				
Linked Actions Title	Linked Actions Administered By	Linked Actions Progress Bar	Linked Actions Status Icon	Linked Actions Due Date
The Local plan	Michael Curtis; Tess Nelson	<div><div></div></div> 0%		31-Mar-2028
Delivery of local plan		<div><div></div></div> 0%		01-Apr-2025

Risk ('CR' or 'CV') / Opportunity ('COR OP')	Original Risk Original Date	Score (I)	Score (R)	Assessment History Trend Icon	Status	D.O.T.
CR 44 Disruption and uncertainty arising from the instability in central Government	19-Oct-2022	<div><div>Impact</div><div><div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div></div><div>Likelihood</div></div></div>	<div><div>Impact</div><div><div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div></div><div>Likelihood</div></div></div>	<div><div></div><div></div><div></div></div>		<div><div></div><div></div><div></div></div>
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Mitigations (Risks) / Actions (Opportunities)						
Linked actions						

Linked Actions Title	Linked Actions Administered By	Linked Actions Progress Bar	Linked Actions Status Icon	Linked Actions Due Date

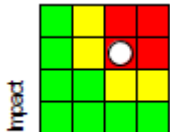
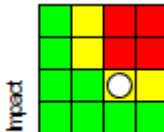



Risk ('CR' or 'CV') / Opportunity ('COR OP')	Original Risk Original Date	Score (I)	Score (R)	Assessment History Trend Icon	Status	D.O.T.
CR 45 Possibility of an unplanned General Election prior to 2024	14-Nov-2022					

Mitigations (Risks) / Actions (Opportunities)

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Linked actions

Linked Actions Title	Linked Actions Administered By	Linked Actions Progress Bar	Linked Actions Status Icon	Linked Actions Due Date







Risk ('CR' or 'CV') / Opportunity ('COR OP')	Original Risk Original Date	Score (I)	Score (R)	Assessment History Trend Icon	Status	D.O.T.
CR 47 Government changes in planning regulations may result in the Council not having a Local plan in place (2025-2027) to resist speculative housing developments.	08-Mar-2023					

Mitigations (Risks) / Actions (Opportunities)

Other (Impact)	Work is being undertaken to reduce the impact by understanding the proposed sites in the 6-10 year plan that may
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	come forward in the gap.			
Government policy	Still uncertainty around what the new LDF system – so additional risks in knowing what will be needed in April 2027.			
Working practices	<ul style="list-style-type: none">• Working to prepare a new Local Plan as soon as is feasible given uncertain changes to Government planning policy• Actively monitoring housing delivery and risks associated with strategic development sites, in order to maintain a 5 year housing supply• Closely monitoring changing Government policy around Local Plan delivery and 5 year housing supply requirements.• Implementing Government policy around Local Plan preparation and 5 year housing supply and adapting quickly to changing requirements to make the most of opportunities emerging• Supporting Development management colleagues in decision making• Assessing the need for further actions to support housing delivery			
Linked actions				
Linked Actions Title	Linked Actions Administered By	Linked Actions Progress Bar	Linked Actions Status Icon	Linked Actions Due Date
The Local plan	Michael Curtis; Tess Nelson	<div>0%</div>		31-Mar-2028

Risk ('CR' or 'CV') / Opportunity ('COR OP')	Original Risk Original Date	Score (I)	Score (R)	Assessment History Trend Icon	Status	D.O.T.
CR46 Reaching the councils Net Zero emissions target by 2033	02-Feb-2023	<div><div>Impact</div><div><div><div></div><div></div><div></div><div></div></div><div><div></div><div></div><div></div><div></div></div><div><div></div><div></div><div></div><div></div></div></div><div>Likelihood</div></div> <div><div>Impact</div><div><div><div></div><div></div><div></div><div></div></div><div><div></div><div></div><div></div><div></div></div><div><div></div><div></div><div></div><div></div></div></div><div>Likelihood</div></div>	<div><div></div><div></div><div></div><div></div></div> <div><div></div><div></div><div></div><div></div></div> <div><div></div><div></div><div></div><div></div></div>			
				<div><div></div><div></div></div>	<div><div></div></div>	<div><div></div></div>
Mitigations (Risks) / Actions (Opportunities)						
Training Staff	Ongoing training with Staff through the Internal Climate group to seek opportunities to reduce carbon footprint					

	and work on activities to contribute to the plan			
Partnership Activity	The council is part of the Green living Leicestershire partnership. Work here focuses on buildings solutions where carbon is high.			
Other (Impact)	Working with Asset management to review all facilities and making adaption s where possible such as Boiler replacement schemes, Renewal Energy opportunities. Planned activities for the next financial year for TSB, Market hall			
Members Training	Members briefing took place in February 2023 to raise awareness of the climate plan actions taken. More training to take place as part of members inductions May 2023			
Carbon offsetting	Recording tree planting in Environmental services and as part of the planning requirements for new developments . Investigating opportunities for renewal energy farms in the district Investigate other carbon neutralising offsetting options			
Linked actions				
Linked Actions Title	Linked Actions Administered By	Linked Actions Progress Bar	Linked Actions Status Icon	Linked Actions Due Date
The council commits to demonstrate political and corporate leadership in acting on climate change	Elaine Bird	<div><div></div>20%</div>		01-Apr-2030
Work with residents and communities to help them reduce their emissions and improve their resilience to climate change	Elaine Bird; Helen Chadwick	<div><div></div>20%</div>		01-Apr-2030
Work with business to reduce their carbon emissions and become more resilient to climate change	Helen Chadwick	<div><div></div>15%</div>		01-Apr-2030
Ensure development is designed to be low carbon resilient to climate change	Helen Chadwick	<div><div></div>10%</div>		01-Apr-2030
Develop resilient natural systems that ensure that the impacts of climate change are minimised	Helen Chadwick	<div><div></div>0%</div>		01-Apr-2030
KA.03.05 All Council activities will work towards being carbon neutral by 2030	Helen Chadwick	<div><div></div>0%</div>		31-Mar-2023

Risk ('CR' or 'CV') / Opportunity ('COR OP')	Original Risk Original Date	Score (I)	Score (R)	Assessment History Trend Icon	Status	D.O.T.
CV 02 Unforeseen, unfunded financial burdens as a result of responding to the ongoing situation weaken the Council's financial stability.	01-Jul-2021	<div><div>Impact</div><div><div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div></div><div>Likelihood</div></div></div>	<div><div>Impact</div><div><div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div></div><div>Likelihood</div></div></div>	<div><div><div>↓</div></div><div><div></div></div><div><div></div></div><div><div></div></div><div><div>↓</div></div><div><div></div></div></div>	<div><div></div></div>	<div><div></div></div>
Mitigations (Risks) / Actions (Opportunities)						
CV 02	The Council is now meeting pandemic-related costs within its normal service budgets and is reporting accordingly. The government has now ceased reimbursing councils for losses of income or additional expenditure, although this does not include support to the local community in respect of business and community grant schemes. In setting the 2021/22 Budget and MTFS the Council set aside a specific ear-marked reserve in respect of Covid and has been prudent in setting its Council Tax base and its estimates for Council Tax and Business Rates income. In respect of 2022/23, the Draft Budget and MTFS approved by Cabinet continues to manage the financial risks relating to the pandemic, including reductions in Car Parking Income, Investment Income and the impacts on Council Tax and Business Rates collection and still maintains a CV19 related reserve for the entire period of the MTFS.					
Linked actions						
Linked Actions Title	Linked Actions Administered By	Linked Actions Progress Bar		Linked Actions Status Icon		Linked Actions Due Date

Harborough District Council



Report to Cabinet Meeting of 3 April 2023

Title:	Report 3: The Local Authorities (Goods & Services) Act 1970: Procurement Services
Status:	Public
Key Decision:	No
Report Author:	Clive Mason; Interim Deputy Chief Executive (& s.151 Officer)
Portfolio Holder:	Cllr Paul Dann, Corporate & Regulatory Services
Appendices:	1. Draft Service Level Agreement 2. Proposal Harborough DC-Welland Procurement Partnership 3. Welland Procurement Flowchart

Summary

- i. Procurement at the council has been delivered as a joint service with CCTV/Lifeline. Following the Budget Challenge 2025 review an opportunity was identified to stream-line delivery; with CCTV/Lifeline transferring to Communities & Wellbeing Services (at nil cost) and the potential for external provision for Procurement at a significantly reduced cost.
- ii. Welland Procurement is a shared service provided by Melton Borough Council that provides procurement services to a number of Local Authorities across the East Midlands including those within Leicestershire (Melton, Blaby and Oadby & Wigston) as well Rutland County Council.
- iii. It is proposed that a formal arrangement will commence in the first quarter of 2023/24 procurement services to the council for a period of 3-years. The mechanism for this arrangement is proposed to be via an agreement under the Local Authorities (Goods and Services) Act 1970. This arrangement will be with Melton Borough Council.

Recommendations

Cabinet is requested to:

1. **Agree that the Procurement Service is provided by Welland Procurement Partnership, a direct service provided of Melton Borough Council;**

2. Delegate to the Director of Governance and Law, in consultation with the Portfolio Holders for Corporate Services authority to:
 - a. agree the terms of the arrangement with Melton Borough Council and record the same in a service level agreement;
 - b. determine and conclude practical actions required to give lawful effect to the service provision.

Reasons for Recommendations

- iv. Sharing of services with a partner has been actively considered and explored, this will build both capacity and service resilience.

1. Purpose of Report

- 1.1 To consider the future provision of procurement by the Welland Procurement Partnership, a service provided by Melton Borough Council.

2. Background

- 2.1 Like other local authorities across the country, Harborough District Council faces significant financial pressures in the medium to long term. These pressures result in the need for efficiencies to be found from services across the organisation.
- 2.2 The current post holder has indicated that they wish to retire from the council in the near future. This awards the council the opportunity to review its provision of procurement to see if it can be provided more efficiently and with greater resilience.
- 2.3 Harborough and Melton are similar size authorities in land coverage and demographics although the population size of the two districts is different with Melton having a population figure of 51,800 and Harborough 97,600, according to 2021 census data.
- 2.4 The current procurement service provides an advice service. Provision is primarily “self-served” by managers who seek advice from the internal service on an as required basis. However, the current service has inbuilt risks due to the advice being provided by a single officer and the lack of resilience
- 2.5 It is proposed that the service is provided by an external local government specialist procurement organisation. With other Leicestershire councils using the Welland Procurement Partnership they are an obvious local choice and provides opportunities to work collaboratively with neighbouring local authorities as part of the procurement process

3. Details

- 3.1 The purpose of the shared approach is to enhance resilience in the provision of procurement advice to the council's broad range of services. This approach will ensure that services have a better depth of expertise and more strategic oversight.
- 3.2 Local authorities have to operate in very similar statutory procurement environments; although each authority can have local thresholds in respect of when quotations of tenders etc are required.
- 3.3 Currently managers have to procure in line with the Councils [procurement policies, plans and strategies](#); these requirements are not expected to change upon joining the partnership.
- 3.4 A shared approach brings with it commonality in learning and the potential to benefit from the economies of scale in the provision of both operational and strategic procurement advice. Further, it is anticipated that over time there will be improved co-ordination of procurement activity across the partners. The Welland Procurement Partnership also have the district level knowledge gained from working with similar local authorities to ourselves.

Proposal

- 3.5 It is proposed that the council agrees to join the Welland Procurement Partnership. A copy of the draft proposal, service level agreement and procurement flowchart are attached as Appendices 1 to 3 respectively.
- 3.6 The current annual cost of providing the procurement service and leadership of the CCTV/Lifeline service is £83k (2022/23 salaries, based on top of grade and including oncosts). The CCTV /Lifeline service is to be transferred to the Communities & Wellbeing service at nil cost. The annual cost of the Welland Procurement Partnership is £48k, therefore this will achieve a saving of £35k per annum. This will be slightly less in the first year as there will be some initial costs of transition of circa £4k.

Outcomes

- 3.7 Implementation of the proposal is expected to deliver the following benefits to the council:
 - 3.14.1 resilience in procurement advice for all services;
 - 3.14.2 introduction of annual reporting on council procurement activity and performance to the Audit & Standards Committee;
 - 3.14.3 introduction of an annual procurement compliance review to be reported to the Audit & Standards Committee;
 - 3.14.4 provision of "tried and tested" procurement plans;
 - 3.14.5 access to a local procurement network;
 - 3.14.6 as required training for those officers who procure services, and
 - 3.14.7 an efficiency saving of £35k per annum.

- 3.8 The risks of implementing the proposal are that the anticipated benefits are not realised. However, considering that the Welland Procurement Partnership is a long-established service this risk is considered minimal

Outline Project Plan

- 3.9 An outline plan for implementation has been developed and is set out in **Table 1 below**.

Table 1

	Start	End
Approval by Cabinet for executive function	--	April 2023
Finalisation of proposal, service level agreement and welland service plan (*)	April 2023	Mid-April 2023
Training of HDC managers and procurement staff	Mid-April	
Go live	--	1 May 2023
One-off exercise to complete the first 6-month activity (**)	May 2023	October 2023
Year 1 Review period	--	April 2024
Reporting to Audit & Standards Committee on performance and compliance		June 2024
<p>* the Welland service plan is a tabulation of all expected council procurement; this is currently being established.</p> <p>** this includes updates to the Contract Procedure Regulations (CPR), the Statement of Required Practice for Procurement (SORP), transfer HDC across from the Delta eProcurement Suite to the WP managed Pro-contract eProcurement suite, update the CPR in line with national changes in procurement regulations (currently due late 2023), move the contracts register from excel based format to being held/published within Pro-Contract.</p>		

4. Implications

Corporate Priorities

- 4.1 Procurement supports the delivery of all contracted services which means that it meets all the relevant elements of the Corporate Plan.

Financial & Resources

- 4.2 The current annual cost of providing the procurement service and leadership of the CCTV/Lifeline service is £83k (2022/23 salaries, based on top of grade and including oncosts). The CCTV /Lifeline service is to be transferred to the Communities & Wellbeing service at nil cost. The annual cost of the Welland Procurement Partnership is £48k, therefore this will achieve a saving of £35k per annum. This will be slightly less in the first year as there will be some initial costs of transition of circa £4k.

- 4.3 The council was previously a member of the Welland Procurement Partnership and withdrew following a [Cabinet](#) decision in 2013. There were numerous reasons stated for withdrawal, but the main reason was to enable direct internal provision. In respect of performance, paragraph 3.8 of the report states “there is no suggestion that the work undertaken by the Unit (Welland Procurement Partnership) on the Council’s behalf has been unsatisfactory”. The reasons why the Council should re-join are highlighted earlier in the report.

Legal

- 4.3 The Local Authorities (Goods and Services) Act 1970 provides that a Local Authority may enter into agreements with other authorities for the provision of administrative, professional or technical services.
- 4.4 The proposed service level agreement with Melton Borough Council will be for a period of three years. The terms of the arrangement will be recorded in a suitable agreement between the councils and a draft service level agreement is set out at Appendix 1.
- 4.5 Functions of the executive are set out in sections 9D and 9DA of the Local Government Act 2000. There is a presumption that all local authority functions not specified in regulations made by the Secretary of State will be the responsibility of the executive, rather than the full council, where a local authority operates under executive arrangements (*section 9D(2), LGA 2000*).
- 4.6 The existing regulations are the Local Authorities (Functions and Responsibilities) (England) Regulations 2000. These set out a list of functions which:
- are not to be the responsibility of an executive of the authority.
 - may be (but need not be) the responsibility of an executive of the authority.
 - shall not be the sole responsibility of an executive of the authority
- 4.7 Procurement is not specified in the regulations; therefore the presumption is that procurement is an executive function. Further, as per the [Constitution](#), procurement is an executive function of the council duly delegated to the Director of Law and Governance & Monitoring Officer, as set out in.

Policy

- 4.8 Each authority has policies and procedures to support the delivery of the services. Whilst the policies of each authority will need to be respected, collaborative working will offer an opportunity to align the policies and procedures to reduce confusion for staff and avoid duplication of effort in maintaining the documents. This will deliver efficiencies in officer time across both services.

Environment

- 4.9 The provision of procurement advice is not expected to deliver any direct environmental benefits. However, each procurement itself can bring with it consequential environmental considerations.

Risk Assessment

4.10 Whilst the internal provision of procurement has generally worked well, when this is coupled with the facts that:

- the service is an advice giving service to managers as and when needed,
- managers generally self-serve, and that
- procurement regulation is common across all local authorities

it is considered that having an in-house subject matter expert is not the most economical means to deliver. Consequently, by buying in an enhanced service at a lower cost is considered advantageous. Although this might introduce some risk due to the formalisation of service provision, it will provide clarity for services on what they must provide themselves and what can be provided for them.

4.11 In respect of staff, with the pending departure of the service lead the externalised provision will help to mitigate that risk. Further, with a shared approach, the council will be able to draw on the economies of scale awarded by having a team of strategic, technical and operational procurement specialists with knowledge and expertise at a district council level.

Equalities Impact

4.12 An equalities impact screening assessment has been undertaken which confirms that there are no equality impacts from the proposed joint arrangement.

Data Protection

4.13 This report contains no personal data. However, implementation of the arrangement will mean that both councils will need to provide officers with access to their IT systems so that data can be accessed and recorded about the services provided. Each council has relevant policies and procedures in place which comply with the requirements of the Data Protection Act 2018.

Consultation

4.14 In respect of the transfer of the CCTV/Lifeline service to the Communities and Wellbeing service; no consultation was required due to a vacancy at the team leader level that has now been recruited with the new appointee knowing of the pending transfer. In respect of the staff involved in procurement and strategic leadership of CCTV/Lifeline, informal discussions have been held in respect of their leaving the council. If the recommendation of this report is approved, formal consultation will commence

4.15 The relevant portfolio holders have been consulted throughout the initial inception and development of this arrangements.

- 4.16 It is not considered necessary to consult with the wider public or members as the proposal is concerned with operational delivery of this executive service and no reduction in service is anticipated.

5. Alternative Options

- 5.1 The council has not undertaken a consideration of alternative options this is considered to introduce the most resilient solution that awards the council a reduction in costs of 42%.

6. Background papers

- 6.1 There are no background papers to this report.

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SERVICE LEVEL AGREEMENT

**AGREEMENT RELATING TO THE PROVISION
BY MELTON BOROUGH COUNCIL OF
PROCUREMENT SERVICES FOR
THE CLIENT COUNCIL**

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THIS AGREEMENT is made the day of 2020

BETWEEN:

1. **MELTON BOROUGH COUNCIL** of Parkside, Station Approach, Burton Street, Melton Mowbray, Leicestershire LE13 1GH ("**MBC**"); and
2. **THE CLIENT COUNCIL** of INSERT ADDRESS ("**the Council**");

Commented [MF1]: Insert HDC legal address

WHEREAS:

- (1) Under the terms of the Local Authorities (Goods and Services) Act 1970 a Local Authority may enter into agreements with other authorities for the provision of administrative, professional or technical services.
- (2) MBC and the Council have agreed that MBC shall provide to the Council such Procurement Services as set out in this Agreement.
- (3) Schedule 1 sets out respectively the detailed responsibilities of MBC and the Council and charges for the Procurement Services provided.

NOW IT IS AGREED AS FOLLOWS:

1. Definitions and interpretations.

1.1 In this agreement:

- 1.1.1 "Commencement Date" means the 1st December 2020.

Commented [MF2]: Update to 1st April 2023

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1.1.2 “Confidential Information” means any information shared between the parties pursuant to this agreement whether or not it has reasonably and properly been designated as confidential by either party in writing or that ought to be considered as confidential (however it is conveyed or on whatever media it is stored) including information which relates to the business, affairs, properties, assets, trading practices, Services, developments, trade secrets, intellectual property rights, know-how, personnel, customers and suppliers of either party;

1.1.3 “Data Protection Legislation” means:

- (i) the GDPR, the LED and any applicable national implementing Laws as amended from time to time
- (ii) the DPA 2018 to the extent that it relates to processing of personal data and privacy;
- (iii) all applicable Law about the processing of personal data and privacy;

1.1.4 “Data Protection Impact Assessment” is an assessment by the Controller of the impact of the envisaged processing on the protection of Personal Data. Controller, Processor, Data Subject, Personal Data, Personal Data Breach, Data Protection Officer take the meaning given in the GDPR.

1.1.5 “Data Loss Event” is any event that results, or may result, in unauthorised access to Personal Data held by the Processor under this Agreement, and/or actual or potential loss and/or destruction of Personal Data in breach of this Agreement, including any Personal Data Breach.

1.1.6 “Data Subject Request” is a request made by, or on behalf of, a Data Subject in accordance with rights granted pursuant to the Data Protection Legislation to access their Personal Data.

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- 1.1.7 "DPA 2018" means Data Protection Act 2018.
- 1.1.8 "GDPR" means the General Data Protection Regulation (*Regulation (EU) 2016/679*) Joint Controllers: where two or more Controllers jointly determine the purposes and means of processing.
- 1.1.9 "Lead Officer" means the person named in writing by each party that will act as the principal point of contact with the other party in the day to day operation of the Procurement Services.
- 1.1.10 "LED" means Law Enforcement Directive (*Directive (EU) 2016/680*) Protective Measures: appropriate technical and organisational measures which may include: pseudonymising and encrypting Personal Data, ensuring confidentiality, integrity, availability and resilience of systems and services, ensuring that availability of and access to Personal Data can be restored in a timely manner after an incident, and regularly assessing and evaluating the effectiveness of the such measures adopted.
- 1.1.11 "Sub-processor" means any third Party appointed to process Personal Data on behalf of that Processor related to this Agreement.
- 1.1.12 "Processor Personnel" means all directors, officers, employees, agents, consultants and contractors of the Processor and/or of any Sub-Processor engaged in the performance of its obligations under this Agreement.
- 1.1.14 "Procurement Services" means the services set out in Schedule 1 and such additional services as may be agreed under the terms set out in Clause 4 provided under the service name of Welland Procurement by MBC.
- 1.1.15 "PCR 2015" mean the Public Contract Regulations 2015 (as amended).

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1.1.16 “Service Levels” means the service levels which apply to the provision of the Services as set out in Part 1 of Schedule 1.

1.1.17 “Service Charges” means the charges to be paid to MBC for the Procurement Services in accordance with the process set out in Schedule 1 and as may be agreed under the terms set out in Clause 4.

1.1.18 “Threshold” means the financial value of contracts at which the services, goods or works as the subject of the contract must be advertised as determined from time to time by the Home Office and published in FATSthe FIND A Tender Service (FATS) and, secondly, determined in the Great British Pound equivalent value and published periodically by Crown Commercial Services by means of a Procurement Policy Note

1.1.19 “VAT” means value added tax.

1.1.20 “Transparency Code” means the Local Government transparency code 2015.

1.2 The further expressions (if any) defined in this agreement shall have the meaning so specified.

1.3 The headings are inserted for convenience only and shall not affect the construction of this agreement.

1.4 Unless the context requires otherwise:

1.4.1 words importing the singular number shall include the plural and vice versa;

1.4.2 words importing any particular gender shall include all other genders; and

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1.4.3 references to persons shall include bodies of persons whether corporate or incorporate.

1.5 Any reference in this agreement to any statute or statutory provision shall be construed as referring to that statute or statutory provision as the same may from time to time be amended, modified, extended, re-enacted or replaced (whether before or after the date of this agreement) and including all subordinate legislation made under it from time to time.

2. Period of Agreement

2.1 The Agreement shall commence on the Commencement Date and continue in force for a minimum period of three (3) years.

Commented [MF3]: Confirm the Term

2.2 Notice of termination of this Agreement cannot be made for the first eighteen (18) months and any subsequent termination must then be made in accordance with Clauses 10 and 11.

3. Services to be provided

3.1 The Services to be provided and the rights and obligations to be discharged by MBC and the Council are respectively as set out in Part 1, Part 2 and Part 3 of Schedule 1 to this Agreement.

3.2 MBC shall use all reasonable endeavours to provide the Procurement Services in a professional and efficient manner and in accordance with such appropriate or relevant standards (if any) as may be set out in Schedule 1 to this Agreement.

4. Additional Services

4.1 At the request of the Council, MBC may provide a written quotation as soon as reasonably practicable for additional services and if the quotation is

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accepted by the Council, MBC shall use all reasonable endeavours to provide such additional services in accordance with the quotation provided and subject to such additional services being within MBC's general area of competence (including legal competence) and are reasonably related to these Procurement Services and can reasonably be accommodated within work schedules.

5. Payments

5.1 The Council shall pay to MBC in cleared funds within 28 days of receipt of a valid invoice:

5.1.1 all Service Charges six months in arrears.

5.1.2 the annual cost of the service in the sum of £39,500 from the Commencement Date per financial year unless varied in accordance with Schedule 1, Part 2, Paragraph 3 of this Agreement.

6. VAT

6.1 Unless otherwise stated all sums payable under this agreement are exclusive of VAT and other duties and taxes and should any such or other duties or taxes become payable in respect of the said sums they shall be payable in addition to the said sums.

7. Variations

7.1 Any of the Services or terms or conditions of this agreement may be amended or deleted and any new services or terms or conditions may be added provided that both parties agree in writing. Any changes will be considered and reflected in Schedule 1 Part 2 of this agreement.

8. Staffing

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8.1 The parties shall each nominate in writing to each other a Lead Officer who will act as the principal points of contact between the parties in the day to day provision of the Services.

8.2 Either party may change the identity of its Lead Officer at any time by informing the other party in writing.

9. Assets and Property

9.1 All rights in the property and equipment (including intellectual property) used in the provision of the Procurement Services shall remain with the owner.

9.2 All intellectual property rights created in providing the Procurement Services shall vest in the creating party and each party grants the other a non-exclusive royalty free licence to use any intellectual property rights created in the provision of the Procurement Services, throughout the duration of this Agreement, and shall cease on termination of this agreement.

10. Termination

10.1 Subject to clause 2.1 and 2.2 above, either party shall have the right to terminate this agreement upon not less than twelve (12) months written notice, and such termination shall take effect on 31 March of any given year and or upon giving one months written notice in the event of a fundamental breach of the terms of the agreement by the other party (this is without prejudice to the parties' rights of termination with cause).

10.2 In the event that one party gives notice of its intention to terminate this agreement under any of its provisions at 10.1 both parties shall use all reasonable endeavours to maintain the provision of the Procurement Services at its normal standard whilst the agreement is still in force.

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11. Consequences of termination of the agreement

- 11.1 There shall be a reconciliation of accounts at the termination of this agreement as agreed between the parties PROVIDED that any dispute shall be resolved in accordance with Clause 13.

12. Liability

- 12.1 Neither party excludes or limits liability to the other party for death or personal injury caused by its negligence or fraudulent misrepresentation or for any breach of any obligations implied by Section 2 of the Supply of Goods and Services Act 1982.
- 12.2 Subject to clauses 12.1 and 12.5, MBC will indemnify the Council against all actions, claims and losses arising from the provision of the Procurement Services to the extent caused or contributed to by the negligence of MBC or its employees, agents or servants (including deliberate act or omission) PROVIDED that such indemnity shall apply to direct losses only.
- 12.3 Without prejudice to its obligations under Clause 12.2 MBC shall at all times take out and maintain adequate insurance to cover all sums which MBC is legally liable to pay in respect of or in consequence of accidental injury to or death of any person or for accidental damage to third party property insofar as such injury or death or damage arises from the provision of the Procurement Services.
- 12.4 MBC shall take out and maintain insurance in respect of Public Liability insurance for an amount not less than Ten Million Pounds (£10,000,000.00) and Professional Indemnity Insurance for an amount not less than Five Million Pounds (£5,000,000).
- 12.5 Subject to clause 12.1, the Council will indemnify MBC against all actions, claims and losses arising from the provision of the Procurement Services to

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the extent caused or contributed to by the negligence of the Council or its employees, agents or servants (including deliberate act or omission) PROVIDED that such indemnity shall apply to direct losses only.

- 12.6 Subject always to Clause 12.1 and 12.7 each party's liability under this agreement shall in no event exceed the amount paid by the Council to MBC for the Procurement Services (as determined at the date on which the liability arises) performed in that year (and for the purposes of this clause a year shall be calculated with reference from the Commencement Date and each subsequent anniversary) and in no event shall either party be liable to the other for:

12.6.1 loss of profits, business revenue or goodwill; or

12.6.2 indirect or consequential loss.

- 12.7 Insofar that the agreement is terminated by a party as a result of a fundamental breach by the other, the party in breach shall be wholly responsible for and shall indemnify the innocent party from any third party claims arising out of any contract entered into between the innocent party and a third party for the provision of any part of the Procurement Service in the event of the termination of this agreement.

13. Disputes procedure

- 13.1 Any disputes arising which cannot be solved at an operational level within fourteen (14) days of written notification by either party shall be escalated to a senior manager, to be nominated by the parties upon commencement of the agreement in each organisation who will then meet to attempt to resolve the dispute in good faith. If the dispute cannot be resolved within twenty one (21) days of such escalation it may be referred by either party to arbitration.
- 13.2 Where a matter is referred to arbitration it shall be referred to a single arbitrator to be agreed between the parties or failing such agreement within

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fourteen (14) days to be nominated by the President for the time being of the British Chartered Institute of Arbitrators in accordance with the Arbitration Act 1996 (as amended). Unless otherwise agreed in writing the costs of arbitration shall be shared evenly and the decision of the arbitrator shall be final and binding on both parties.

13.2 Nothing in this dispute resolution procedure shall prevent a party from seeking from any court of competent jurisdiction an interim order restraining the other party from doing any act or compelling the other party to do any act.

13.3 Notwithstanding any dispute between the parties MBC shall continue to provide the Procurement Services under the terms of this agreement and the Council shall not be entitled to withhold or to unreasonably delay any payments for the Procurement Services until the dispute is resolved.

14. Force Majeure

14.1 Both parties shall be released from their obligations under this agreement in the event of a national emergency or war or prohibitive government regulation or industrial action or any other cause beyond the reasonable control of the parties which renders the performance of the agreement not reasonably practical and the agreement shall be terminated forthwith and all sums due under the agreement shall become payable immediately.

15. Assignment

15.1 Save in respect of Clause 15.2 below MBC may assign or sub-contract any part of this agreement with the written consent of the Council provided that such assignment is made to an organisation or person of no lesser experience, qualification and standing than that provided by MBC.

15.2 In the event MBC:

- (i) outsources a significant part of the Procurement Services; or

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- (ii) becomes outsourced itself; or
- (iii) forms part of a shared service

MBC may only assign or sub-contract any part of this agreement with the written consent of the Council which shall not be unreasonably withheld or delayed.

16. Ombudsman and other complaints

- 16.1 Each party shall provide all reasonable assistance to the other in relation to complaints from third parties relating to the Procurement Services and access to all information reasonably required in the case of each party by the relevant monitoring officer, the relevant officer appointed under Section 151 Local Government Act 1972 or the relevant auditor appointed by Public Sector Audit Appointments Limited.
- 16.2 If a complaint of maladministration relating to the provision or failure to provide the Procurement Services is received it will be dealt with by MBC in consultation with the Council provided that any outcome that involves additional expenditure for the Council will be reported to the Council and resolved under the disputes procedure if necessary in Clause 13.

17. Confidentiality

17.1 Each party:

- 17.1.1 shall treat all Confidential Information belonging to the other party as confidential and safeguard it accordingly; and
- 17.1.2 shall not disclose any Confidential Information belonging to the other party to any other person without the prior written consent of the other party, except to such persons and to such extent as may be necessary for the performance of the agreement or except where disclosure is otherwise expressly permitted by the provisions of the agreement.

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17.2 Each party shall take all necessary precautions to ensure that all Confidential Information obtained from the other party under or in connection with the agreement:

17.2.1 is given only to such of the receiving party's employees and professional advisors, sub-contractors or consultants engaged to advise it in connection with the agreement as is strictly necessary for the performance of the agreement and only to the extent necessary for the performance of the agreement; and

17.2.2 is treated as confidential and not disclosed (without the other party's prior approval) or used by any of the receiving party's employees or such professional advisors, sub-contractors or consultants otherwise than for the purposes of the agreement.

17.3 The provisions of Clauses 16.1 and 16.2 shall not apply to any Confidential Information received by one party from the other if:

17.3.1 it is or becomes public knowledge other than as a direct or indirect result of the information being disclosed in breach of the agreement; or

17.3.2 the information came from a source not connected with the agreement and that source is not under any obligation of confidence in respect of the information; or

17.3.3 the information was known to the receiving party before the date of the agreement and the receiving party was not under any obligation of confidence in respect of the information; or

17.3.4 a party is required by law to disclose it (but only to the extent of any such required disclosure); or

17.3.5 the parties agree in writing that it is not confidential.

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18. Data Protection Act

18.1 Both MBC and the Council shall comply with all requirements of the Data Protection Legislation and any regulations made under it or any amendments or re-enactments thereof.

18.2 The Parties acknowledge that for the purposes of the Data Protection Legislation, the Council is the Controller and MBC is the Processor unless otherwise specified and agreed. The only processing that the Processor is authorised to do is that specifically agreed on a procurement by procurement basis, by the Controller and may not be determined by the Processor.

18.3 The Processor shall notify the Controller immediately if it considers that any of the Controller's instructions infringe the Data Protection Legislation.

18.4 The Processor shall provide all reasonable assistance to the Controller in the preparation of any Data Protection Impact Assessment prior to commencing any processing. Such assistance may, at the discretion of the Controller, include:

18.4.1 a systematic description of the envisaged processing operations and the purpose of the processing;

18.4.2 an assessment of the necessity and proportionality of the processing operations in relation to the Services;

18.4.3 an assessment of the risks to the rights and freedoms of Data Subjects; and

18.4.4 the measures envisaged to address the risks, including safeguards, security measures and mechanisms to ensure the protection of Personal Data.

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18.5 The Processor shall, in relation to any Personal Data processed in connection with its obligations under this Agreement:

18.5.1 process that Personal Data only in accordance with the Controller's specific request, unless the Processor is required to do otherwise by Law. If it is so required the Processor shall promptly notify the Controller before processing the Personal Data unless prohibited by Law;

18.5.2 ensure that it has in place Protective Measures, which are appropriate to protect against a Data Loss Event, which the Controller may reasonably reject (but failure to reject shall not amount to approval by the Controller of the adequacy of the Protective Measures), having taken account of the:

- (i) nature of the data to be protected;
- (ii) harm that might result from a Data Loss Event;
- (iii) state of technological development; and
- (iv) cost of implementing any measures;

18.5.3 ensure that :

- (i) the Processor Personnel do not process Personal Data except in accordance with this Agreement;
- (ii) it takes all reasonable steps to ensure the reliability and integrity of any Processor Personnel who have access to the Personal Data and ensure that they:
 - (A) are aware of and comply with the Processor's duties under this clause;
 - (B) are subject to appropriate confidentiality undertakings with the Processor or any Sub-processor;
 - (C) are informed of the confidential nature of the Personal Data and do not publish, disclose or divulge any of the Personal Data to any third Party unless directed in writing to do so by the Controller or as otherwise permitted by this Agreement; and

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- (D) have undergone adequate training in the use, care, protection and handling of Personal Data; and

18.5.4 not transfer Personal Data outside of the EU unless the prior written consent of the Controller has been obtained and the following conditions are fulfilled:

- (i) the Controller or the Processor has provided appropriate safeguards in relation to the transfer (whether in accordance with GDPR Article 46 or LED Article 37) as determined by the Controller;
- (ii) the Data Subject has enforceable rights and effective legal remedies;
- (iii) the Processor complies with its obligations under the Data Protection Legislation by providing an adequate level of protection to any Personal Data that is transferred (or, if it is not so bound, use all reasonable endeavours to assist the Controller in meeting its obligations); and
- (iv) the Processor complies with any reasonable instructions notified to it in advance by the Controller with respect to the processing of the Personal Data; and

18.5.5 at the written direction of the Controller, delete or return Personal Data (and any copies of it) to the Controller on termination of the Agreement unless the Processor is required by Law to retain the Personal Data.

18.6 Subject to clause 1.6, the Processor shall notify the Controller immediately if it:

18.6.1 receives a Data Subject Request (or purported Data Subject Request);

18.6.2 receives a request to rectify, block or erase any Personal Data;

18.6.3 receives any other request, complaint or communication relating to either Party's obligations under the Data Protection Legislation;

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18.6.4 receives any communication from the Information Commissioner or any other regulatory authority in connection with Personal Data processed under this Agreement;

18.6.5 receives a request from any third Party for disclosure of Personal Data where compliance with such request is required or purported to be required by Law; or

18.6.6 becomes aware of a Data Loss Event.

18.7 The Processor's obligation to notify under clause 17.6 shall include the provision of further information to the Controller in phases, as details become available.

18.8 Taking into account the nature of the processing, the Processor shall provide the Controller with full assistance in relation to either Party's obligations under Data Protection Legislation and any complaint, communication or request made under clause 17.6 (and insofar as possible within the timescales reasonably required by the Controller) including by promptly providing:

18.8.1 the Controller with full details and copies of the complaint, communication or request;

18.8.2 such assistance as is reasonably requested by the Controller to enable the Controller to comply with a Data Subject Request within the relevant timescales set out in the Data Protection Legislation;

18.8.3 the Controller, at its request, with any Personal Data it holds in relation to a Data Subject;

18.8.4 assistance as requested by the Controller following any Data Loss Event;

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18.8.5 assistance as requested by the Controller with respect to any request from the Information Commissioner's Office, or any consultation by the Controller with the Information Commissioner's Office.

18.9 The Processor shall maintain complete and accurate records and information to demonstrate its compliance with this clause. This requirement does not apply where the Processor employs fewer than 250 staff, unless:

18.9.1 the Controller determines that the processing is not occasional;

18.9.2 the Controller determines the processing includes special categories of data as referred to in Article 9(1) of the GDPR or Personal Data relating to criminal convictions and offences referred to in Article 10 of the GDPR; or

18.9.3 the Controller determines that the processing is likely to result in a risk to the rights and freedoms of Data Subjects.

18.10 The Processor shall allow for audits of its Data Processing activity by the Controller or the Controller's designated auditor.

18.11 Each Party shall designate its own data protection officer if required by the Data Protection Legislation.

18.12 Before allowing any Sub-processor to process any Personal Data related to this Agreement, the Processor must:

18.12.1 notify the Controller in writing of the intended Sub-processor and processing;

18.12.2 obtain the written consent of the Controller;

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18.12.3 enter into a written agreement with the Sub-processor which give effect to the terms set out in this clause 17.12 such that they apply to the Sub-processor; and

18.12.4 provide the Controller with such information regarding the Sub-processor as the Controller may reasonably require.

18.13 The Processor shall remain fully liable for all acts or omissions of any of its Sub-processors.

18.14 The Controller may, at any time on not less than 30 Working Days' notice, revise this clause by replacing it with any applicable controller to processor standard clauses or similar terms forming part of an applicable certification scheme (which shall apply when incorporated by attachment to this Agreement).

18.15 The Parties agree to take account of any guidance issued by the Information Commissioner's Office. The Controller may on not less than 30 Working Days' notice to the Processor amend this agreement to ensure that it complies with any guidance issued by the Information Commissioner's Office.

18.16 Where the Parties include two or more Joint Controllers in accordance with GDPR Article 26, those Parties shall enter into a Joint Controller Agreement in replacement of Clauses 18.2 to 18.16 for the Personal Data under Joint Control.

19. Freedom of Information

19.1 Each party acknowledges that the other is subject to and has obligations under the Freedom of Information Act 2000 (the "FOIA"). Each party shall comply with all requests made by the other party necessary (including but not limited to providing requested documentation and making staff available to be interviewed) to allow that other party to meet its legal obligations.

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20. Consequences of Termination

- 20.1 Clauses 17, 18 and 19 shall survive the expiry or earlier determination of this agreement.

21. Waiver

- 21.1 The failure of either of the parties at any time or from time to time to require performance of any provision of the agreement shall in no way affect its right to enforce such provision at a later time. No waiver by either of the parties of any condition or breach of any term contained in this agreement whether by conduct or otherwise in any one or more instances shall be deemed to be construed as a further or continuing waiver of any such condition or breach.

22. Health and Safety

- 22.1 It is the responsibility of MBC to ensure that Health and Safety requirements are met and appropriate risk assessments are carried out to enable the Procurement Services to be delivered.
- 22.2 MBC shall adopt safe systems of work and comply with all health and safety requirements in accordance with MBC's Health and Safety policy.
- 22.3 Where the Procurement Services or any part of thereof are to be carried out at the Council's premises the Council undertakes that the premises at which the Procurement Services are to be provided are fully compliant and will be maintained in accordance with all Health and Safety requirements to enable MBC to carry out the Procurement Services in compliance with any statutory duty or otherwise placed upon it.
- 22.4 In the event that a claim arises against MBC as a result of the Council's failure to comply with its duty as described in clause 21.3 then the Council shall fully

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indemnify MBC in respect of any such claim or claims and any costs or expenses (including legal costs and expenses) arising whether directly or indirectly out thereof.

23. Jurisdiction

23.1 This agreement shall be governed by and interpreted in accordance with English law and the parties submit to the exclusive jurisdiction of the courts of England.

AS WITNESS the parties have executed this agreement on the day and year first above written.

Signed on behalf of
MELTON BOROUGH COUNCIL
In the presence of:

Director _____
[Insert Full Name]_____

Witness _____
[Insert Full Name]_____

AS WITNESS the parties have executed this agreement on the day and year first above written.

Signed on behalf of
THE CLIENT COUNCIL
In the presence of:

Director _____
[Insert Full Name]_____

Witness _____
[Insert Full Name]_____

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SCHEDULE 1

PART 1

PROCUREMENT RESPONSIBILITIES

1 PROCUREMENTS ABOVE THE RELEVANT FATS THRESHOLD

Commented [MF4]: Update and remove any reference to OJEU.

1.1 Scope

This schedule covers all procurements for goods, services and works where the contract value is greater than the relevant FATS Threshold. Councils should consult their Contract Procedure Rules/Standing Orders for information on the current Threshold and if necessary the means of calculating a contract value. MBC will support the Council with calculations.

Procurements with a value greater than the relevant Threshold are covered by the Remedies Directive 2009 (The Amendment Regulations 2009) and as such are subject to increased risk and an obligation to understand and comply with the detail of the Public Contract Regulations 2015. The Council's Contract Procedure Rules/Standing Orders therefore establish a requirement for MBC to be involved in such procurements at every stage to minimise those risks.

Commented [MF5]: Amend to include any subsequent public procurement regulations

1.2 Responsibilities of the Council and MBC

These responsibilities are supported further by the "Roles and Responsibilities" document appended to this agreement.

Responsibilities of the Council	Responsibilities of MBC
The Council and MBC will at the commencement of this agreement and at the start of every financial year thereafter	The Council and MBC will at the commencement of this agreement and at the start of every financial year thereafter

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prepare and agree an annual service plan to agree procurements.	prepare and agree an annual service plan to agree procurements.
The Council will notify MBC as soon as it becomes aware of procurements where the value is greater than the relevant Threshold where they are not otherwise included on the annual service plan. Where possible the Council should notify MBC of such procurements at least six (6) months before the intended procurement publication date in order that the Unit can plan and allocate resources.	MBC will offer its professional services at every stage of a procurement covered by this schedule to ensure compliance with PCR 2015. Those services will include, but are not limited to, advice, document drafting and editing, relevant advertising, support for the evaluation process including the notification of award and the posting of award notices. MBC shall liaise directly with officers and suppliers as appropriate and required to provide the service to the Council.
The Council will ensure that officers responsible for procurements covered by this schedule enable MBC to be involved at every stage of the procurement. Those stages include but are not limited to: timetabling; drafting of procurement documents; agreement of weightings and criteria; relevant advertising; evaluation and award notification.	MBC will draft relevant procurement documents or comment on drafts produced by the Council or its representative. Such documents might include but are not limited to: procurement timetable; tender documents; criteria and weightings; evaluation schedule; and notification of award letters.
The Council is responsible for drafting such documents as are necessary to describe the requirement, for example the specification with support as required by MBC.	MBC will draft and publish the FATS notice as well as the Contracts Finder advertisement. Other advertising will be the responsibility of the Council but should only take place once the above named advertising has been published.
The Council or their representative is responsible for co-operating with MBC on the production of relevant procurement documents.	MBC will offer advice and support throughout the evaluation process and will carry out the role as independent moderator.

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The Council will be responsible for convening tender evaluation panels and ensuring their compliance with Contract Procedure Rules/Standing Orders with support as required by MBC.	MBC will draft notification of award letters ensuring that Regulation and best practice is complied with or will comment on drafts produced by the Council or their representative. Such letters should not be issued without the receipt of advice from MBC.
The Council must ensure that the MBC representative is engaged throughout the evaluation process and is included as an independent moderator.	MBC will support the Council through any feedback/challenge process during the standstill period and offer such advice as is necessary.
The Council must ensure that MBC is consulted before notification of award letters are circulated.	MBC will offer advice as required on the Council's due diligence activity.
The Council is responsible for the completion of all due diligence activity, for example financial assessment, checking of accreditations and certificates etc. The advice of MBC may be sought if required.	MBC will gather all information needed to produce a PCR 2015 Regulation 84 report, in co-operation with the Council, for every procurement covered by this schedule (when required).
The Council will co-operate with MBC in the production of the PCR 2015 Regulation 84 report.	MBC will publish an award notice on FATS and Contracts Finder following the conclusion of the procurement process.
The Council is responsible for arranging for any resultant contract to be signed/sealed in accordance with the Contract Procedure Rules/Standing Orders and for the relevant details to be added to its Contract Register in compliance with Transparency Regulations.	
The Council is responsible for obtaining Terms and Conditions, TUPE information	

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and any subsequent out-sourcing/in-sourcing advice that is not procurement related.	
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2 TENDERS BELOW THE RELEVANT THRESHOLD

2.1 Scope

This schedule covers all tenders for goods, services and works where the contract value is less than the relevant FATS Threshold. Councils should consult their Contract Procedure Rules/Standing Orders for information on the current Threshold, the means of calculating a contract value and information on tender processes.

Tenders with a value less than the relevant Threshold are covered by the PCR 2015 but not the Remedies Directive 2009. Such procurements are therefore subject to fewer risks but a detailed knowledge of Part 4, Chapter 8 (Below Threshold Procurements) of the PCR 2015 is still required. MBC will provide the advice and support detailed below, should there be issues with capacity MBC will agree the relevant level of support.

2.2 Responsibilities of the Council and MBC

These responsibilities are supported further by the “Roles and Responsibilities” document appended to this agreement.

Responsibilities of the Council	Responsibilities of MBC
The Council should consult its Procurement Toolkit and relevant template documents (as produced by MBC) in order to identify the process required. The Council may seek advice from MBC to confirm its	In co-operation with the Council, MBC will draft relevant procurement documents or comment on drafts produced by the Council or its representative. Such documents might include but are not limited to:

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opinion.	procurement timetable; tender documents criteria and weightings; evaluation schedule; notification of award letters.
The Council is responsible for drafting such documents as are necessary to describe the requirement, for example the specification with support as required from MBC.	MBC will publish the required Contracts Finder advert. Additional advertising is the responsibility of the Council but should only take place once the above named advertising has been published.
Using templates produced by MBC, the Council is responsible for developing an appropriate evaluation schedule. The Council may seek support from MBC in carrying out this activity.	MBC will offer advice and support throughout the tender evaluation process and will carry out the role as independent moderator.
The Council is responsible for convening tender evaluation panels and ensuring their compliance with Contract Procedure Rules/Standing Orders. The Council will include MBC to carry out the role as independent moderator.	MBC will offer advice as required on the Council's due diligence activity.
The Council is responsible for the completion of all due diligence activity, for example financial assessment, checking of accreditations and certificates etc. The advice of MBC may be sought if required.	MBC will publish an award notice on Contracts Finder following the conclusion of the procurement process.
The Council is responsible for arranging for any resultant contract to be signed/sealed in accordance with	

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the Contract Procedure Rules/ Standing Orders and for the relevant details to be added to its Contract Register in compliance with Transparency Regulations.	
The Council is responsible for obtaining Terms and Conditions, TUPE information and any subsequent out-sourcing/in-sourcing advice that is not procurement related.	

3 QUOTATIONS BELOW THE RELEVANT TENDER THRESHOLD

3.1 Scope

Quotations are competitive procurement processes. Such processes are governed by the principles of the PCR 2015 rather than the detail and so are subject to fewer risks than higher value procurements. Councils should consult their Contract Procedure Rules/Standing Orders and the Procurement Toolkit/Template Documents when conducting such procurements.

MBC will provide the advice and support detailed below, should there be issues with capacity MBC will agree the relevant level of support.

3.2 Responsibilities of the Council and MBC

Responsibilities of the Council	Responsibilities of MBC
Councils are responsible for conducting a quotation exercise with support from the Procurement Toolkit and template documents produced by MBC with support as required from	Advice and support may be offered where required and usually only in exceptional cases.

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MBC.	
The Council is responsible for arranging for any resultant contract to be signed in accordance with the Contract Procedure Rules/ Standing Orders and for the relevant details to be added to its Contract Register in compliance with Transparency Regulations.	
The Council is responsible for obtaining Terms and Conditions, TUPE information and any subsequent out-sourcing/in-sourcing advice that is not procurement related.	

4 FRAMEWORK AGREEMENT DIRECT AWARDS AND FURTHER COMPETITIONS

4.1 Scope

Framework agreements are contracts which have already been let, usually by central purchasing bodies such as Crown Commercial Services, and which are available for Councils to use. The compliant use of a framework agreement open to the Council enables compliance with both the PCR 2015 and Contract Procedure Rules/Standing Orders.

Framework agreements can offer a competitive route to market for more standard requirements. However, the rules for their use must be followed to ensure compliance. MBC will provide the advice and support detailed below, should there be issues with capacity MBC will agree the relevant level of support.

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4.2 Responsibilities of the Council and MBC

Responsibilities of the Council	Responsibilities of MBC
The Council is responsible for finding a relevant framework agreement for its requirement. Advice may be sought from MBC as required by the Council.	MBC will provide such advice as is asked of it within a reasonable period.
The Council is responsible for ensuring that the framework agreement is available for its use and that the rules for using that framework agreement are followed. Advice may be sought from MBC.	
The Council is responsible for arranging for any resultant contract to be signed/sealed in accordance with the Contract Procedure Rules/ Standing Orders and for the relevant details to be added to its Contract Register in compliance with Transparency Regulations.	
The Council is responsible for obtaining Terms and Conditions, TUPE information and any subsequent out-sourcing/in-sourcing advice that is not procurement related.	

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PART 2

THE PROCUREMENT SERVICES

1. The Procurement Service shall include management of procurement by MBC in relation to:

One-off exercises, to be completed within 6 months of service start up:

- i. Update the Contract Procedure Regulations (CPR) and the Statement of Required Practice for Procurement (SORP) into a more comprehensive and streamlined set of guidance and rules for use by HDC
- ii. Transfer HDC across from the Delta eProcurement Suite to the WP managed Pro-contract eProcurement suite
- iii. Update the CPR in line with national changes in procurement regulations (currently due late 2023).
- iv. Move the contracts register from excel based format to being held/published within Pro-Contract.

Annual Reporting

- v. Attendance (in Person if Required) at Annual reporting of procurement activity/performance/efficiencies etc to HDC Audit & Standards Committee.
- vi. Annual "compliance" review of procurement and reporting (including attendance) to Audit & Standards Committee (to be combined with the above).
- vii. To prepare an annual report to HDC including information on performance indicators as monitored and captured by MBC.

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Ongoing and Ad-hoc services from going live:

- viii. The addition of HDC's Procurement needs in the Welland Procurement Annual Service Plan. This will assess the level of support needed from WP in managing the procurements put forward by HDC
 - ix. Operational procurement support and delivery as required, from Ad-hoc advice to leading on larger strategic procurements, as agreed in the annual service plan.
 - x. Procedural guidance to enable compliance and to ensure the Council are provided with updates that would affect the Contract Procedure Rules/Standing Orders of the Council.
 - xi. Maximising value to the Council through the efficient and effective delivery of procurement plans.
 - xii. Developing effective procurement networks.
 - xiii. Supporting and advising on potential and actual challenges.
 - xiv. Facilitating the use of e-procurement including the provision of relevant reports to support the Council in complying with the Transparency Code.
 - xv. Generic support and advice to the Council to include procurement overview updates to the Senior Management Team. One formal training session to all officers will be delivered by WP each financial year of this agreement period; and
 - xvi. Facilitation and dissemination of best practice procurement.
2. The Council remains responsible for:
- i) Deciding whether to participate in a contract, or not, and shall give, or withhold, its consent through its Officers on participation or award.

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- ii) The implementation of its procurement contracts, staff awareness of procedures and practices, dissemination of support documentation, and adherence to agreed policies and procedures.
- iii) The provision of legal services.

3. Service Charges:

- i A one off charge for procurement services covering .part 2 The procurement services, sections 1.i, 1ii and 1.iv of no more than £3600 covering 12 days work at £300 per day.
- ii) In the first year, a fee of £48,000 is payable from the Commencement Date. Subsequent years will be subject to increases limited to covering the additional costs of providing the service, for example but not limited to officer pay increments or agreed changes to service delivery based on increased service offer in accordance with paragraph 3 iii) below.
- iii) MBC will invoice the Council twice annually for the relevant amount to cover its costs.
- iv) The Service Charges will be reviewed on an annual basis in line with the agreed service delivery proposals to consider service requirements.

PART 3

THE SERVICE PLAN (to be updated on an annual basis)

- i) The blank service plan will be submitted annually by Welland Procurement for completion the Council. The returned service plan will be assessed by Welland Procurement in line with plans from other members and a final list of accepted works agreed based on a fair usage of available resources.

Welland Procurement: Proposal for Managing the Procurement Service for Harborough District Council

After discussions with Harborough District Council (HDC) around their Procurement needs Welland Procurement (WP), on behalf of Melton Borough Council (MBC), would like to propose the following service:

Welland Procurement's Obligations:

1. One-off exercises, to be completed within 6 months of service start up:
 - a. Update the Contract Procedure Regulations (CPR) and the Statement of Required Practice for Procurement (SORP) into a more comprehensive and streamlined set of guidance and rules for use by HDC
 - b. Transfer HDC across from the Delta eProcurement Suite to the WP managed Pro-contract eProcurement suite
 - c. Update the CPR in line with national changes in procurement regulations (currently due late 2023).
 - d. Move the contracts register from excel based format to being held/published within Pro-Contract.

Costs for a, b, & d, worked out at a maximum of 12 days' work, at £300 a day, totalling £3600. If we use less days, then we will reduce accordingly.

Item c cannot be calculated at present as new regulations are not available. However as this will need to be changed for the wider membership, unless a revised set of CPR's for HDC look very different from any other member this should be able to be adjusted as part of the membership fee.

2. Annual Reporting

- Annual reporting of procurement activity/performance/efficiencies etc to HDC Audit & Standards Committee [Attendance in Person if Required]
- Annual "compliance" review of procurement and reporting (including attendance) to Audit & Standards Committee (to be combined with the above).
- To prepare an annual report to HDC including information on performance indicators as monitored and captured by MBC.

3. Ongoing and Ad-hoc services from going live:

- The addition of HDC's Procurement needs in the Welland Procurement Annual Service Plan. This will assess the level of support needed from WP in managing the procurements put forward by HDC
- Operational procurement support and delivery as required, from Ad-hoc advice to leading on larger strategic procurements, as agreed in the annual service plan.

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- Procedural guidance to enable compliance and to ensure the Council are provided with updates that would affect the Contract Procedure Rules/Standing Orders of the Council.
- Maximising value to the Council through the efficient and effective delivery of procurement plans.
- Developing effective procurement networks.
- Supporting and advising on potential and actual challenges.
- Facilitating the use of e-procurement including the provision of relevant reports to support the Council in complying with the Transparency Code.
- Generic support and advice to the Council to include procurement overview updates to the Senior Management Team. One formal training session to all officers will be delivered by WP each financial year of this agreement period; and
- Facilitation and dissemination of best practice procurement.

4. Procurements Routes and Values Within the Scope of the Welland Procurement Agreement

Procurement Managed by WP	Procurement Managed By the Council
<ul style="list-style-type: none">• Any Procurement over the Find a Tender Service Limit (previously OJEU)• Any procurement over the authority's tender threshold• Setting up of any Dynamic Purchasing System• Setting up of any Framework Arrangement• Further Competitions under frameworks• Posting of contract finder notices for procurements under the authority's tender threshold	<ul style="list-style-type: none">• Requests for Quotation exercises ie procurements under the authority's tender threshold• Direct Awards under existing Frameworks

Costs and Minimum Term:

- Items in Section 1 will be subject to a one-off cost for the work.
- The remainder of the outlined service will be covered by an annual fee of £48000 for 2023-24. Subsequent years will fluctuate in line with inflation.
- The current minimum term for new members to enable us to properly resource the service is a commitment to a 3 year sign up period

Harborough District Council's Obligations

Processes and management

- There will be a requirement on managers to adhere/follow the WP procurement process (attached at Schedule 1) and make procurement decisions accordingly.
- There will not be a procurement advisory role remaining in the HDC establishment. Managers will need to engage with WP in a timely manner to deliver procurements of tender threshold value and above.
- For procurement below the tender threshold Managers will self-deliver these in accordance with the WP Procurement Process (attached at Schedule 1).
- Upon completion of a procurement exercise HDC retain the right to decide whether to enter any contract or not and shall give or withhold its consent through its Officers regarding participation or award.
- HDC will be responsible for acquiring all relevant approvals pertaining to the procurement process (permission to procure, permission to award, forward plan etc)
- HDC will be responsible for the implementation and management of its procurement contracts,
- Whilst WP will deliver training, advice and documentation to support the procurement services, HDC will remain responsible for its staff awareness of procedures and practices, dissemination of support documentation, and adherence to agreed policies and procedures.
- HDC will provide their own legal services required for any procurement.
- HDC will add contract register items for procurements not managed by Welland Procurement.

Timeline for Delivery

Welland Procurement propose a service start date of April 1st 2023

In order to meet this deadline, the following must occur:

- Any approvals to enable the change (decision notice or member sign off)
- Legal agreement
- Procurement Training for Key Users (to include new process and responsibilities for HDC staff as well as contact information for Welland Procurement Team)
- Completed Service plan required for HDC's 23-24 plan of procurement
- List Live on Delta
- Contract register
- Set up on Pro-contract (admin for contracts register), Setting up new council.
- List Key figures within HDC – Section 151, Legal, Monitoring Officer/Dem services rep., Lead contact for Authority. Directors of Service Areas.
- Copy of CPR, SORP for Use on Welland Procurement Website

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- Copy of Proc Templates for HDC use.

Contact for further information:

Mark Fisher

Head of Welland Procurement

mfisher@melton.gov.uk

Welland Procurement:

Procurement Process Flowchart for Harborough District Council Staff

- This guidance is supplied by Welland Procurement as a quick access tool and should be used with the Councils Contract Procedure Rules (CPR's) and any Procurement Guidance not instead of it.
- Welland Procurement provide advice on procurements of all values however only actively manage those of a value requiring a formal tender process
- Each step is numbered in the workflow, and further details can be found on each step in the table at the end of this document

Section 1: Initial Assessments and Procurements with a Lifetime Value Under Threshold for Tender Values

Actions in this colour are Carried out by Council Officer(s)

Actions in this colour are Carried out by the Welland Procurement Officer(s)

1. All procurements known in advance should be on the Annual Service plan managed by the Councils Welland Contract Manager will be assigned a member of WP to assist. An arranged start date will be setup with the Lead Officer responsible in an initial fact-finding meeting.

This can be checked by contacting The Head of WP or your internal Welland Contract Manager.

2. **Before commencing any procurement council officers should consider the risks in the requirement:** for example, TUPE (seek legal advice if needed), Conflicts of interest, Value For money, Health & Safety Requirements, Intellectual Property, GDPR, Social Value, Local Service Delivery, Mobilisation timescales etc

3. Is this requirement on the Annual Service Plan?

Yes

4. Contact the Assigned WP officer or Head of WP (process continues page 2)

5. Calculate the Total Lifetime Value (TLV) of the procurement (including extension options) and select the process that best matches this value

Single
Quote

Three
Quotes

Formal
Tender

6. For Values under £5000.

- Use either existing catalogue pricing or requesting a formal quote based on your needs, to a single supplier.
- Raise a PO to the supplier under Standard Terms and Conditions

7. For Values Between £5k and £50k

- A minimum of 3 suppliers should provide formal quotations based on a specification provided by you (catalogue pricing can still be used)
- Use of at least 1 local provider is recommended where possible
- Legal will need to provide a formal contract (terms and conditions) or approve the supplier's Terms

12. Values exceeding £50,000 will need to undergo a formal tender process. This will either already be on the Annual Plan or need adding for Welland Procurement to manage.

10. RFQ's over £30k Inc VAT need a contracts finder award notice

9. Specification to be emailed to suppliers. Responses to be fairly evaluated, and records retained on file

8. Is this to be openly advertised?

No

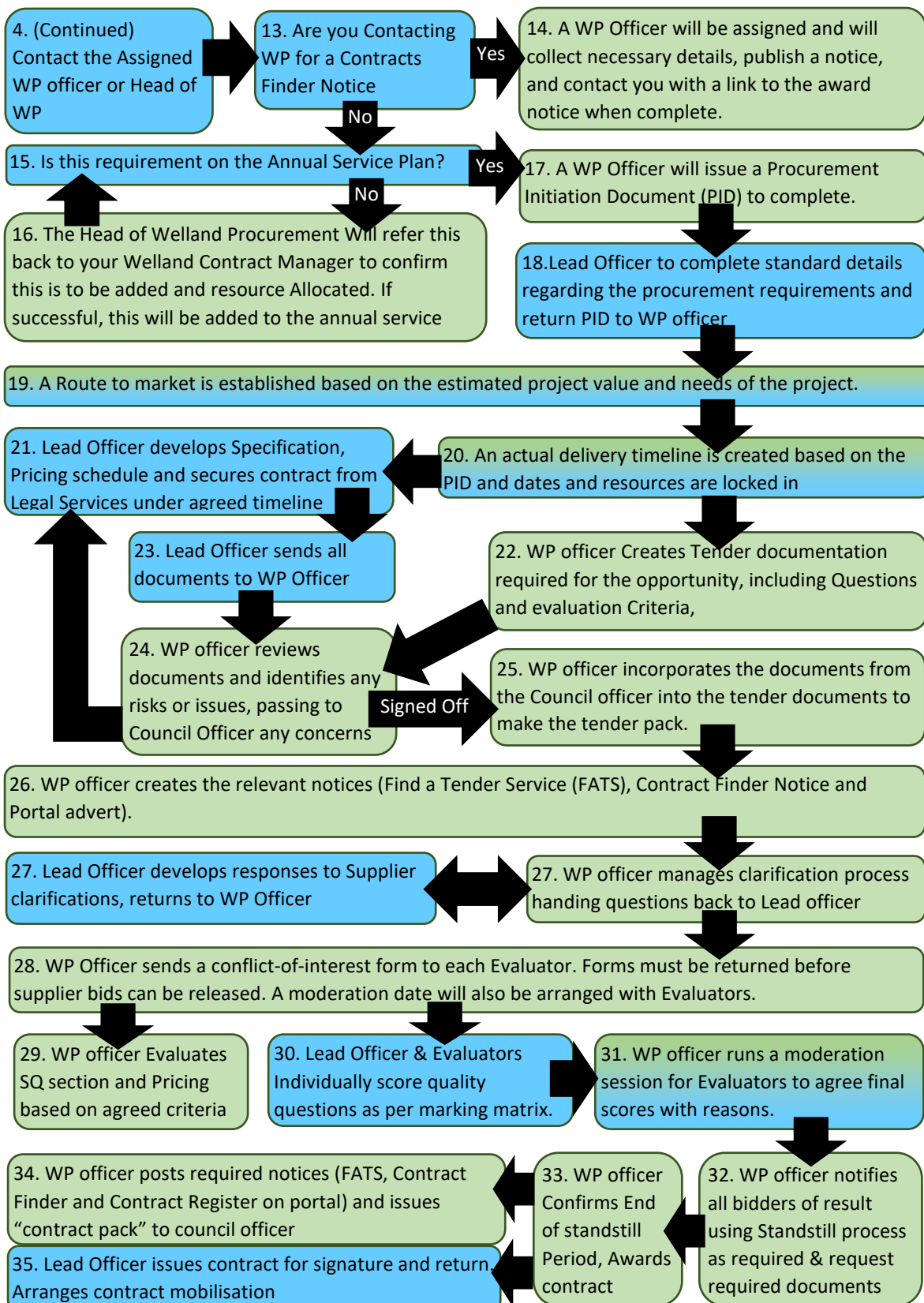
Yes

11. A contracts Finder notice is required for this opportunity supplied by Welland.

Section 2: Procurements with a Lifetime Value Over the Tender Threshold or Requiring Publishing on Contracts Finder

Actions in this colour are Carried out by Council Officer(s)

Actions in this colour are Carried out by the Welland Procurement Officer(s)



Glossary

Term	Meaning	Term	Meaning
Welland Procurement (WP)	Part of Melton Borough Council carrying out procurement on behalf of other public bodies	Welland Contract Manager	The person responsible for working with WP regarding the service and workload. Click [here] for a list for each authority.
Annual Service Plan	The list of procurement to be resourced by WP agreed annually with each Authority	Lead Officer	The officer responsible for the procurement in the authority, usually a manager who requires the goods work or services being procured

Thresholds	<p>Currently the procurement thresholds within Harborough District Council are:</p> <ul style="list-style-type: none"> • Up to £5000 – Single Quote. • Over £5000 up to £50,00 – Minimum of 3 Quotes • Over £50,000 formal tender <p>For more details on this please see</p>
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Additional Support on each stage

Step	Additional information
1	<p>Welland creates an annual plan to manage their resources based on the demands of all members. A submission will be made annually by the Welland Contract Manager with all the known procurements required by the authority for the coming year. Any items arising outside of this process will be treated ad hoc.</p> <p>The annual service plan will be coordinated by the authority's Manager for the Welland Contract and all procurement work should come to Welland via them. [Insert Hyperlink to Contacts page]</p> <p>The Lead officer details will be passed to Welland Procurement (WP) and an officer from WP will get in contact regarding additional details to properly plan the work into the programme. To check if the project is already on the annual service plan or add a new project to the plan contact your Welland Contract Manager.</p>
2	<p>As part of the initial conversation with Welland officers we will be establishing key factors for the procurement and any risks that might be entailed which will require dealing with either in the documentation or procurement processes.</p> <p>This will include checking the need for any sign off by members or officers.</p> <p>As the subject experts Lead officers for the Procurement will have input into this</p>
3	To check if the project is already on the annual service plan or add a new project to the plan contact your Welland Contract Manager.
4	A WP officer should be in touch with you in advance of the procurement start date of any work on the Annual service Plan.
5	<p>To calculate the Total Lifetime Value (TLV) either use the project cost, or for ongoing requirements, the annual cost multiplied by the number of years needed.</p> <p>Where a service is new, use the annual budget instead of the annual cost, or any information you might have from the market as indicative costs.</p> <p>Length of contract must include any desired extension options as this will be part of the advertised value</p>
6	For requirements with a TLV under [£5000] officers may source directly from a supplier. This could be an online catalogue item or a formal quote (official email or Headed paper required) responding to your specified requirements.
7	For requirements with a TLV between [£5000 and £50,000] officers may either request quotes from 3 known suppliers or where suppliers are not known this can be escalated to WP to openly advertise nationally with Contracts Finder.

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8	When you don't know the market, or maybe want to widen the supplier pool from the names you know you will need to openly advertise an opportunity it will need to be formally placed on the UK governments Contracts Finder site (as well as any social media you might wish to use).
9	Where a Request for Quotation (RFQ) is not advertised the Officer emails the specification and terms to the suppliers directly. Responses must be evaluated fairly (in line with your CPR's) and records retained on file to support the decision.
10	Even if the RFQ is run by the department, when a contract is awarded for more than £30k inc VAT the details of the contract and winning bidder must be advertised on the UK Contracts Finder website. WP will support this.
11	Welland advertise opportunities as Contracts Finder notifications as part of the service and even can run the competition through the procurement system for you (resource allowing). Contact your Welland Contract Manager to request the resource.
12	Any Procurement over the tender threshold needs adding to the authority's Annual Service Plan. This is achieved either by the approval from the Welland Contract Manager in the Authority and Head of Welland Procurement, or by being included in the annually produced Service Plan. For ad hoc work this resource cannot be guaranteed but WP will endeavour to include as much as possible.
13	Notices are required to advertise all openly available procurements, as well as to advertise the award of any contract of £30k inc VAT.
14	Ensure to retain any links or copies of notices to place in your records.
15	Service plans are set annually and will be coordinated internally by the Welland Contract Manager for your Authority. Items arising through the year (changes in circumstances, grant funding, emergency work) will be reviewed by the head of WP and The Contract Manager to ensure it is properly resourced. This may mean compromises in timelines to accommodate the existing workload.
16	The Head of WP will refer any work coming directly to the team back to the Contract Manager for their comment before it is deemed as a formal request for resource.
17	The Procurement Initiation Document is a required stage and the completion of this sets the route to market, tasks required and formalises WP's resources in delivery. It also commits both the Lead Officer and WP Officer to the timeline set by the information collected and the procurement route agreed. It is imperative that Lead Officers do not sign up to timelines they cannot deliver nor try and set timelines that cannot be delivered by WP, for resourcing or legal reasons.
18	
19	
20	
21	Once the PID is signed off the council officer will develop the documents that are their remit to the timeline agreed. Support can and should be sought from WP where required. Officers are usually responsible for delivering: The specification, the pricing documents, the contractual terms, any appendices such as drawings, KPI's, policies, blank method statements etc
22	Simultaneously the WP officer creates the tender documentation required under their remit – The instructions to bidders relevant to the procurement type, quality questions, formal notices, any set up on the tendering system required etc.
23	When the Lead Officer submits their documents for inclusion in the tender pack, the WP officer will check them for completeness and identify and risks stemming from them they find. Lead officers must then make decisions based on these as to whether to amend the documents or not. The final version of these will form the tender pack.
24	
25	
26	The WP officer then creates any notices as required in the publishing of the opportunity
27	The WP officer picks up and clarifications from suppliers and will either manage these if they are within their remit or else pass these to the Lead officer for a response. The WP officer will then ensure clarifications are issued to all potential bidders to update the specification position.
28	The Evaluators identified in the PID will then be required to complete a conflict-of-interest form identifying that they are able to evaluate without prejudice. A moderation date will also be set at this time.

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29	A WP officer will evaluate the conformance aspects of the bid as set in the electronic questionnaire, as well as the pricing
30	Council Officers will evaluate the quality aspect of the bid, in isolation from each other, using the marking matrix provided by WP
31	The WP officer holds a moderation meeting in which evaluators share their scores and agree a final score with supporting reasons.
32	The WP officer notifies the bidders of the result at the same time, using the standstill process as required. They will also request any documents required from the winning bidder to substantiate their bid prior to contract signing.
33	If using a formal standstill process the WP officer will confirm it starting and ending and issue any further award information
34	WP officer publishes any award notices required, assimilates the tender docs into a contract pack and passes these to the lead officer to create the contract.
35	The Lead Officer, possibly with legal support will take the Contract pack and the template of terms and conditions and combine it then issue this for signature by the Supplier. Contract mobilisation periods can then be agreed if not set out in the tender.

Harborough District Council



Report to Cabinet Meeting of 3 April 2023 (Appendix A – Exempt)

Title:	External repair work at The Symington Building (Appendix A – Exempt)
Status:	Public report with exempt appendix A not for publication by virtue of paragraph 3 of Part 1 of Schedule 12a of the Local Government Act 1972.
Key Decision:	Yes
Report Author:	Caroline Averill, Head of property services
Portfolio Holder:	Councillor Hallam, Finance and assets
Appendices:	Appendix A – Exempt

Executive Summary

- i. To ensure that The Symington Building remains fit for purpose, and to reduce further deterioration to the condition of the building from weathering it is necessary for repairs to the external elevations to be carried out.
- ii. Appointment of a contractor through the SCAPE framework is the procurement method most likely to achieve value for money whilst ensuring that the specialist workmanship is at the forefront when working sympathetically on the Grade 2 listed building.

Recommendations

1. That the Cabinet committee approve for the contract to be awarded to the preferred contractor as detailed in appendix A.
2. That authority to award, negotiate and finalise the contract for external works to The Symington Building be delegated to the Deputy Chief Executive Officer in consultation with the Portfolio Holder for Finance and Assets, Finance together with the Legal and Democratic Services to award, negotiate and finalise the contract.

Reasons for Recommendations

- iii. To ensure that the Council appoints a suitable contractor to undertake the specialist work to the external elevations and associated works of The Symington Building within the programme timescales.
- iv. The SCAPE framework is a public sector procurement authority which offers a suite of fully managed frameworks that are available to any public body in the UK, such as schools, councils and NHS trusts. Its direct award frameworks are fully compliant with UK and EU procurement law and are designed to accelerate projects and deliver them

to the highest possible standard. The frameworks are designed to be fair, transparent and offer value of money to the taxpayer.

1. PURPOSE OF REPORT

- 1.1 To recommend the award of a contract that will secure the preferred contractor for the external repairs and associated work to The Symington Building, Market Harborough.

2. BACKGROUND

- 2.1 The Symington Building is home to a number of public services including Council staff, Leicestershire County Council office space, Library Museum and Registrar services, Department for work and pensions, along with three retail units.
- 2.2 To ensure that the building remains in a fit state it is necessary to carry out essential maintenance to the existing masonry, water goods and windows to reduce any further deterioration to the external elevations through weathering.
- 2.3 Council approved a capital allocation of £472,000 in February 2022 for a two phased enhancement programme The Symington Building. Phase 1 is to the front elevation along with the west elevation and tower and Phase 2 is the remainder of the building. The scheme of works covers the 2022/23 and 2023/24 financial years.

3. DETAILS

Works required

- 3.1 This contract is for Phase 1 works to be completed to the front-face of The Symington Building and includes:
 - 3.1.1 essential specialist repairs to external masonry;
 - 3.1.1.1 including removal of spalling and defective face brickwork and replace with new all matching existing colour and finish,
 - 3.1.1.2 remove all loose and defective sections of the stone cornice details back to a stable surface,
 - 3.1.1.3 apply a stone repair mortar to the cornice details to shape and recreate the profile and mouldings,
 - 3.1.1.4 rake out and remove loose mortar to the joints of the coping stones forming the parapet walls to the roof level and repoint.
 - 3.1.2 overhaul and service all metal critical windows;
 - 3.1.2.1 including repairs/re-glazing/replacement re-align sashes to open & close correctly and fit tightly into aperture of frame,
 - 3.1.2.2 overhaul all window handles and fittings to operate smoothly, grind off where required, remove excess paint on leading edges where needed.
 - 3.1.2.3 thoroughly clean, prepare and redecorate the outside of the metal windows.

Procurement

- 3.2 This is a routine procurement exercise that represents 'business as usual' and is essential to maintain the Council's operations and function. Authorisation of the award by Cabinet is necessary because the value of the contract exceeds £200,000 (HDC Procurement SORP, 28.1).
- 3.3 Procurement through a Framework agreement is the most cost-effective method available to the Council. The alternative would be a tender under The Public Contracts Regulations 2015 which would be unduly onerous for such specialist work.

Contract Management

- 3.4 Included within the contract price, is a third-party contract in respect of contract administration, design and Construction Design and Management advisors. This arrangement will monitor contract compliance

Mitigation Measures during work

- 3.5 Inevitably there will be some inconvenience for building users whilst the work is carried out, this will primarily be on erection /striking of the scaffold. Therefore, following consultation with other users of the building the following measures will be put in place to reduce the impact of the works.
- Agile working to be encouraged where possible.
 - Scaffold will be erected to allow for continued access to the building.
 - Other access / egress points to the building to be used where possible.
 - Scaffold will be alarmed and monitored throughout the work period when not in use.
- 3.6 As part of the planning for the scheme a bat survey has identified evidence of brown long eared bats within the tower area of the building, this will impact on the proposed work and will only provide a small period of time for completion of the work under the requirement of a licence. The Ecology team will work closely with the contractor to ensure compliance of the required licence.

Benefits/Efficiencies

- 3.7 Completion of the project will reduce the risk of injury, damage, and potential loss of life to members of the public and users of the building from falling pieces of masonry. Ensuring that The Symington Building is safe for staff, partners, and the public to use.
- 3.8 Work being completed will assist with the long-term health and good up keep of the grade II listed building and will reduce additional deterioration of stonework therefore reducing longer term future costs.
- 3.9 Repairs being carried out in a timely manner will provide a safe and decent place for people to visit.
- 3.10 The reputation of the council will continue to be positive.

- 3.11 Carrying out work to the windows in conjunction with the other work to make use of the scaffold and only have one cost for this element.

Alternative Options Considered

- 3.12 The Council could delay the decision regarding appointment of the preferred contractor; however, this would risk incurring increased costs at a later date as the building condition deteriorates further. Also, the impact of inflation in the current economic environment might will erode the value of the current capital allocation.

4. Legal

- 4.1 Appointment of the preferred contractor through the SCAPE framework will ensure compliance with procurement regulations.

5. Resources

- 5.1 The recommended actions offer the best means of achieving value for money.
- 5.2 Funding of £472,000 has been allocated within the Capital Programme for the project, as identified in the Capital Programme Report to Council in February 2022.
- 5.3 The budget framework provides for a 10% tolerance on the approved capital programme if fixed prices were to come in higher than the budget estimate. Costs more than this tolerance would need additional approval.

6. Equalities Analysis

- 6.1 Not applicable as this is routine property maintenance.

7. Risk Management

- 7.1 Failure to identify a suitable contractor could jeopardise the future operation of the building delivery of frontline services and contractual obligations with building Partners.
- 7.2 This could impact negatively on the reputation of the Council.
- 7.3 Not awarding the contract could have Health & Safety implications as detailed in the Health & Safety Policy where Harborough District Council acknowledges and fully accepts its responsibilities under the provisions of the Health and Safety at Work etc. Act 1974 and other relevant legislation.

8. Corporate Priorities

- 8.1 The recommendations will enable the Council to secure value for money and financial sustainability, whilst acknowledging the importance of creating a sustainable environment and carbon reduction and allowing action to support these goals throughout the programme of work.
- 8.2 To demonstrate robust plans are in place to ensure the long-term sustainability of the council, maximising the use of our resources and assets to create community benefits.

9. Environmental Implications including contributions to achieving a net zero carbon Council by 2030

- 9.1 Implementation of the recommendations will support the Council's commitment to become a net zero carbon Council by 2030. Whilst it is unlikely to have a big impact this essential work to the windows will help reduce drafts in the building which in turn will help reduce the energy used to heat the building. The reduction in energy use will not only help reduce the carbon footprint but will also help reduce energy costs.

10. Data Protection

- 10.1 None.

11. Consultation

- 11.1 Service managers and the relevant portfolio holder have been consulted about this contract.
- 11.2 Planning officers have been consulted regarding the work and potential implications of the grade II listing to the building. The contractor will continue to work with the planning team throughout the required work.
- 11.3 Consultation will be undertaken with partners and with Council officers regarding the proposed work and timescales.

12. Background papers

- 12.1 None

CABINET – 3rd APRIL 2023

Section 100A (4) Local Government Act 1972

The following item is suggested to be dealt with under the above legislation.

To comply with the Act the following resolution needs to be passed.

“That the public and press be excluded from the remainder of the meeting on the grounds that the matters yet to be discussed involve the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972”.

- **Exempt: Appendix A of the report ‘External repair work at The Symington Building’.**

