

# NON-CONFIDENTIAL



## **Borough of Tamworth**

27 March 2017

Dear Councillor

You are hereby summoned to attend a **meeting of the Council of this Borough** to be held on **TUESDAY, 4TH APRIL, 2017** at 6.00 pm in the **TOWN HALL, MARKET STREET, TAMWORTH**, for the transaction of the following business:-

### **AGENDA**

#### **NON CONFIDENTIAL**

**1 Apologies for Absence**

**2 To receive the Minutes of the previous meeting (Pages 1 - 4)**

**3 Declarations of Interest**

*To receive any declarations of Members' interests (pecuniary and non-pecuniary) in any matters which are to be considered at this meeting.*

*When Members are declaring a pecuniary or non-pecuniary interest in respect of which they have dispensation, they should specify the nature of such interest. Members should leave the room if they have a pecuniary or non-pecuniary interest in respect of which they do not have a dispensation.*

**4 To receive any announcements from the Mayor, Leader, Members of the Cabinet or the Chief Executive**

**5 Question Time:**

- (i) To answer questions from members of the public pursuant to Procedure Rule No. 10.
- (ii) To answer questions from members of the Council pursuant to Procedure Rule No. 11

- 6 Audit and Governance Annual Report** (Pages 5 - 8)  
(The Report of the Chair of Audit and Governance Committee)
- 7 Scrutiny Chairs' Report** (Pages 9 - 26)  
(The Report of the Chair of Aspire and Prosper Scrutiny Committee)  
(The Report of the Chair of Healthier and Safer Scrutiny Committee)
- 8 Pay Policy Report 2017** (Pages 27 - 42)  
(The Report of the Leader of the Council)
- 9 Garden Waste Subscription Scheme** (Pages 43 - 58)  
(The Report of the Portfolio Holder for Environment and Culture)

Yours faithfully

A handwritten signature in black ink, appearing to read 'A. O. O.', with a large circular flourish on the left and a horizontal line extending to the right.

**CHIEF EXECUTIVE**

*People who have a disability and who would like to attend the meeting should contact Democratic Services on 01827 709264 or e-mail [committees@tamworth.gov.uk](mailto:committees@tamworth.gov.uk) preferably 24 hours prior to the meeting. We can then endeavour to ensure that any particular requirements you may have are catered for.*

Marmion House  
Lichfield Street  
Tamworth



## **MINUTES OF A MEETING OF THE COUNCIL HELD ON 9th MARCH 2017**

**PRESENT:** Councillors K Norchi (Chair), J Chesworth, R Bilcliff, S Claymore, T Clements, D Cook, C Cooke, A Couchman, S Doyle, R Ford, J Goodall, S Goodall, M Greatorex, R Kingstone, A Lunn, A James, T Madge, J Oates, M Oates, T People, R Pritchard, R Rogers, P Seekings, P Standen, M Summers, M Thurgood and P Thurgood

The following officers were present: Anthony E Goodwin (Chief Executive), Jane Hackett (Solicitor to the Council and Monitoring Officer), Christie Tims (Head of Organisational Development), John Day (Corporate Performance Officer), Natalie Missenden (Public Relations Officer) and Janice Clift (Democratic and Elections Officer)

### **42 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors J Faulkner, M Gant and S People

### **43 TO RECEIVE THE MINUTES OF THE PREVIOUS MEETING**

The minutes of the meeting held on 21 February 2017 were approved and signed as a correct record.

*(Moved by Councillor D Cook and seconded by Councillor P Standen)*

### **44 TO RECEIVE ANY ANNOUNCEMENTS FROM THE MAYOR, LEADER, MEMBERS OF THE CABINET OR THE CHIEF EXECUTIVE**

The following Announcements were made:-

Councillor T Clements:-

Just in case anybody hasn't seen it just to remind you that Ladybridge is closed from 8 o'clock this evening so if anyone is trying to get home that way you won't be able to cross the bridge.

Councillor P Standen:-

I was very sorry to hear the news from John on the death of his wife Pam. I last saw his wife at the Mayor's Ball less than three weeks ago. I remember thinking at the time how well she looked ironically as it turns out. Events like this really show what is really important in life. My thoughts and prayers and I'm sure everyone present here tonight are with John and his family at this moment.

Councillor P Seekings:-

Just to let you know that I have been to see John today and spent one and a half hours with him. John is a gritty character and he wasn't showing any real emotions today but I'm sure that will come eventually. His brother came on Tuesday night from Derby and one of their children is coming today from Aberdeenshire this afternoon so he will have company and there will be people with him. I know how you all feel and Pam was a wonderful lady and it's a very sad thing as far as this Council is concerned.

Tony Goodwin Chief Executive:-

Those Members that may not of received my e-mail I have had a request from Councillor J Faulkner to ask quite obviously to Members and, indeed I have passed this on to officers not to bother him during this time. As soon as he chooses to return to public life I will let Members and officers know.

#### 45 STATE OF TAMWORTH DEBATE

The Leader of the Council informed Members of the progress made towards the Corporate Priorities and of the Outcomes from the Tamworth Listens Question Time Event. The three themes discussed being Safer Communities, Regeneration and Health and Wellbeing.

Following the debate the following motions were approved

**RESOLVED:** That Members requested that the Council send a letter to all employees thanking them for all the work that they do to contribute towards the operation of the Council.

*(Moved by Councillor P Standen and seconded by Councillor D Cook)*

that once a month Scrutiny Committee receive a report from Staffordshire County Council Road Services on the repairs carried out and the repairs outstanding in the Borough.

*(Moved by Councillor T Madge and Councillor D Cook)*

that this Council challenges the Regional Schools

Commissioner of the West Midlands to look at the performance of all Secondary Schools and Post 16 provision in Tamworth with a view to making them better.

*(Moved by Councillor R Kingstone and seconded by Councillor C Cooke)*

a proposal to review the Council's Tattoo Licensing Policy.

*(Moved by Councillor A Lunn and seconded by Councillor D Cook)*

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The Mayor

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**Audit & Governance Committee  
Annual Report 2016/17**

At the time of writing this report the Audit & Governance committee has met on five occasions so far this year, with one further meeting scheduled before the end of March. The committee are presented with regular Internal Audit and Risk Management reports, all of which demonstrate that this Council is maintaining a high standard of internal control. This is backed up by the reports of the external auditors, Grant Thornton. I've selected some highlights of the key areas of business as follows:

### **9th June 2016**

- **Review of amendments to the Constitution**

The committee reviewed the amendments tabled at Council on May 24<sup>th</sup> 2016. The members endorsed the proposals.

- **Review of the Effectiveness of the System of Internal Control**

Under the requirements of the Accounts and Audit (England) Regulations 2015 the Council must, at least once a year, conduct a review of the effectiveness of the system of internal control. It is pleasing to report that this authority has set very high standards of internal control and the committee endorsed the annual review, with no areas of concern noted.

- **Annual Governance Statement**

The Annual Governance Statement is published with the Annual Statement of Accounts and ensures that:

- There is a robust governance framework, that is regularly reviewed and
- Any shortfalls in governance are reported.

Members were satisfied with the Statement and endorsed it as appropriate for presentation to the auditors, and for inclusion in the Annual Statement of Accounts.

### **30th June 2016**

- **Draft Annual Statement of Accounts 2015/16**

Current regulations stipulate that the draft statement of accounts is presented by June 30<sup>th</sup> each year, to be audited and signed off by September 30<sup>th</sup>. The Accounts and Audit Regulations 2015 state that from 2017/18 the draft accounts will be required by May 31<sup>st</sup>; and the audited version by July 31<sup>st</sup>. This will undoubtedly put additional pressure on the authority and also the external auditors.

I'm pleased to report that our Finance team produced a first draft of the Statutory Accounts for 2015/16 on June 3<sup>rd</sup> and I believe that come 2017/18 we will be ready to meet the new deadlines. The draft version was to be audited by September 30<sup>th</sup> as per the current regulations.



## **22nd September 2016**

- **Grant Thornton – Audit Findings for Tamworth Borough Council**

This report covered the year ending March 31<sup>st</sup> 2016. The key messages arising from the audit of the Council's financial statements were that

- the draft accounts were of good quality
- the audit did not identify any material misstatements
- finance staff responded promptly to audit queries, facilitating the prompt completion of the audit.

Additionally, no control weaknesses were identified in the report. This is a further reflection of the good work undertaken throughout the year by the officers and their teams.

Working with the criteria published by the Audit Commission the auditors were also satisfied that the Council has in place proper arrangements to secure economy, efficiency and effectiveness in its use of resources.

- **Annual Statement of Accounts 2015/16**

The external auditors required some minor amendments to the draft accounts, produced earlier in the year. These adjustments related to minor presentational or disclosure issues and had no impact on the reported outturn position or net balances of the General Fund, Housing Revenue Account or Collection Fund. On that basis the committee was happy to approve the Statement of Accounts.

## **27th October 2016**

- **Fraud and Corruption Update Report**

Investigations concluded that in total three frauds, totalling £882, have been identified relating to housing benefit claims. Those fraudulent claims are being recovered.

Work in the counter fraud area is ongoing, and a fraud response plan is in place for the current financial year.

## **9<sup>th</sup> February 2017**

- **Regulation of Investigatory Powers Act 2000 – Adoption of Policy**

The Protection of Freedoms Act 2012 now requires that local authority authorisations under RIPA for Directed Surveillance or Covert Human Intelligence Sources (CHIS) can only become effective on the granting of an order approving the authorisation by a Justice of the Peace. Additionally, a local authority can now only have an authorisation under RIPA for the use of Directed Surveillance where the local authority is investigating criminal offences which attract a maximum custodial sentence of six months or more, or criminal offences relating to the underage sale of alcohol or tobacco under the Licensing Act 2003 or the Children and Families Act 2014.

- No Directed Surveillance has been carried out by the Council since 2011 and it is not envisaged that there will be any appreciable change in the foreseeable future. It is seen as the last resort. By adhering to this Policy the Council will ensure that the acquisition and disclosure of data is lawful, necessary and proportionate so that the Council is not held to be in breach of Article 8 of the European Convention on Human Rights (the right to respect for private family life, home and correspondence).

Finally I would like to place on record, on behalf of the Committee, my thanks to the officers and their teams for their work in producing accounts and reports throughout the year and ensuring that this Council meets the requirements of the various pieces of legislation currently in force.

**Aspire & Prosper  
Scrutiny Committee  
2016/17 Annual Report**

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## **Introduction**

2016/17 has been a busy year for the committee covering a wide range of topics.

I think the committee has worked well together with full cross party cooperation on topics such as the Wilnecote Board School's item that was brought to scrutiny and wasn't on the original work plan.

This was a good demonstration the role scrutiny can play in good governance concluding in a recommendation to cabinet based on the evidence gathered.

Other topics covered included new business support offer, the Borough's litter prevention strategy and the on-going review of the castles offer.

## **2<sup>nd</sup> June 2016**

### **Work plan for 2016/17**

The committee agreed to scrutinise several items during 2016/17

- Review of Tamworth Litter prevention strategy
- High conception rates in under 18's
- Provision of post-16 education and training in Tamworth
- Analysis of new business support in Tamworth
- Tamworth tourism & heritage offer including transport, infrastructure & town centre parking
- Strategic investment fund
- West Midlands Combined Authority

## **28<sup>th</sup> June 2016**

### **Work Programme Proposal**

A review of the scoping document that had been previously used had taken place. A new Work Programme Proposal form was introduced at this meeting as its replacement.

### **Review of Tamworth litter prevention strategy**

A discussion took place around a briefing note that was sent from the Head of Environmental Management outlining the activities and support that the Borough Council offers in relation to reducing litter in the Borough, a number of questions were generated for response.

### **High conception rates in under 18's**

The committee was informed that a joint scrutiny meeting was to be arranged with the Healthier and Safer scrutiny committee at a convenient time.

## **12<sup>th</sup> July 2016**

### **Tamworth litter prevention strategy**

Updates were given to the committee that answers to specific questions had been received and that these would be circulated.

### **Provision of Post-16 education and training in Tamworth**

The committee received a presentation from Karen Adderley, Head of commissioning & partnerships with regard to the area review of the Staffordshire wide college system.

It was agreed that nothing could be planned until the report had been formally completed and issued.

### **Wilnecote School building**

The committee reviewed the work plan proposal that had been tabled and agreed that it would be better to form a working group to look at all the evidence surrounding the building.

## **23<sup>rd</sup> August 2016**

### **Tamworth litter prevention strategy**

It was agreed that the monitoring systems that were being used demonstrated that litter was well below the national average and also that of our peer towns. The committee felt that the department was performing well with the resources available and that Tamworth Borough Council were doing everything they could to keep Tamworth clean and as a result, no recommendations were formally made.

### **Wilnecote School building**

After two very successful working group meetings that gathered evidence from all relevant parties a recommendation was made that would go to a future cabinet meeting.

The committee unanimously supported the motion that 'The Aspire & Prosper committee, having considered the available evidence recommend to cabinet to consider local listing of the Wilnecote School

building and investigate the associated costs in adding an Article 4 direction which removes permitted development rights for demolition’.

### **Analysis of new business support in Tamworth**

The committee was advised that a meeting had taken place with the senior economic development & regeneration officer and a presentation and report would be coming for analysis at a future meeting.

## **18<sup>th</sup> October 2016**

### **Wilnecote School building**

The committee was informed that the recommendation previously made would be going before cabinet on the 20<sup>th</sup> October.

### **High conception rates in under 18’s**

The committee was briefed on the findings of the multiple agency centre (MAC) report that was presented to the joint scrutiny committee by Tim Lees on the 4<sup>th</sup> October and a joint working group set up with the Healthier & Safer committee.

### **Tamworth tourism & heritage offer including transport, infrastructure & town centre parking**

The committee agreed to form a working group to look at some of the issues around this topic.



**22<sup>nd</sup> November 2016**

**Analysis of new business support in Tamworth**

A presentation was given with regard to this subject by the Head of Managed Growth, Regeneration and Development, Matt Bowers; this followed with a discussion on the subject and prompted a number of comments. It was generally accepted that Tamworth Borough Council had good measures in place to support local new business start ups.

**Tamworth tourism & heritage offer including transport, infrastructure & town centre parking**

The committee was briefed on the working group that had taken place and informed that someone would be coming to the committee in the future to discuss the item.

**17<sup>th</sup> January 2017**

**Tamworth tourism & heritage offer**

The committee discussed some of the points that had been raised at the previous working group with regard to the Castle. The Portfolio holder for Environment and Culture (Joy Goodall) and the Leader of the Council (Danny Cook) were both invited to answer some particular questions and informed that a Castle review was ongoing. It was agreed that an interim briefing on the castle review should be brought to the scrutiny committee as soon as available.

The committee agreed that the focus of this scrutiny item be towards the Castle and it was agreed that Town Centre parking was to be looked at as a separate item on the work plan.

**7<sup>th</sup> March 2017**

**Town Centre Car Parking**

The Leader of the Council Danny Cook was invited to answer questions posed by the committee on the current situation with regard to town centre parking strategy. The committee were advised to gather further evidence to take this topic forward.

**11 April 2017**

The agenda for this meeting will be confirmed in due course; however the interim report on the castle review will be one of the items coming to the committee.

Cllr Simon Goodall – Chairman  
Aspire & Prosper scrutiny committee

# **Healthier & Safer Scrutiny Committee**

## **2016/17 Annual Report**

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## **Introduction**

2016/17 has again been a busy year for the committee; the committee has reviewed and endorsed the PSPO to reduce boy racers across the Borough of Tamworth, which was introduced in 2015/16.

The Alcohol Exclusion Zones and Dog Control Orders were also reviewed prior to proposed adoption of PSPOs.

The committee is reviewing life expectancy in Tamworth and a report will be considered at the next and last scrutiny meeting of the current year.

The excellent report produced by Cllr Jeremy Oates on teenage pregnancy in Tamworth lead to several motions going to Cabinet, including the petition to the Government calling for contraceptive pill boxes to warn of major factors making the pill less effective and I call on every member of this council to sign the petition.

Two updates on the Borough Council's Safeguarding Children and Adults at Risk of Abuse and Neglect policy and the Quarter 1 and Quarter 2 Performance reports have been received and reviewed by the committee in the current electoral year.

At the next and last meeting of 2016/17 on 20 April, the committee is due to receive the review of Anti-Social Behaviour and a report on the revamped Let's Work Together project.

## **2 June 2016**

### **Work plan for 2016/17**

The committee voted to scrutinise several items during 2016/17

- Is Tamworth dementia friendly?
- Teenage Pregnancy in Tamworth
- Inequality of Life Expectancy Across the Borough
- Tamworth Borough Council's Quarter Performance Reports
- Alcohol Exclusion Zones prior to proposed adoption of PSPO
- Dog Control Orders prior to proposed adoption of PSPO
- Safeguarding Children and Vulnerable Adults Review
- Review the impact of the Public Protection Order on boy racers after summer period
- Anti-Social Behaviour – yearly review
- Retirement provision across the Borough of Tamworth

## **21 June 2016**

### **Work Programme Proposal**

The new Work Programme Proposal form was introduced as a replacement for the previous scoping document and all members were asked to utilise this form should they want proposals for inclusion on the work programme.

### **Inequality of Life Expectancy across the Borough**

The response to a question submitted by Councillor M Clarke, at the last Healthier and Safer meeting of 2015/16, about estate inspections and read out the Officer's response with regards to estate walkabouts was received.

### **Tamworth Borough Council's Quarter Four 2015/16 Performance Report**

The Borough Council's Quarter 4 Performance reported was reviewed and it was noted that under Legal & Democratic Services in the Quarter Four 2015/16 Performance Report the number of concerns reported ref: children and family safeguarding issues had risen.

## **15 September 2016**

### **Report of the Children and Families Safeguarding Officer**

The Children and Families Safeguarding Officer provided the biannual safeguarding update; the committee reviewed the report and endorsed it accordingly.

### **Inequality of Life Expectancy across the Bough**

It was agreed to establish a working group be established to include Councillors A James, S Goodall, C Cooke, A Couchman and J Faulkner.

### **Tamworth Borough Council's Quarter One 2016/17 Performance Report**

The committee reviewed the report and agreed no further action was required.

## **13 October 2016**

### **Teenage Pregnancy in Tamworth**

A discussion took place with regards to the MAC Report and the committee agreed to a working group being set up consisting of Councillors A James, S Goodall, C Cooke, A Couchman and J Oates.

## **17 November 2016**

### **Post Implementation Review of the PSPO Introduced Borough Wide to Assist in the Prevention of Car Cruising**

The committee received a presentation on the review of the PSPO introduced Borough Wide to assist in the Prevention of Car Cruising followed by a question and answer session.

### **Proposed Introduction of the New PSPO'S to Replace the Current Control Orders for Both Dog Control and Alcohol Free Zones**

The committee received a presentation on the proposed introduction of PSPOs PSPO'S to replace the current control orders for both Dog Control and Alcohol Free Zones followed by a question and answer session.

## **5 January 2017**

### **Update from Staffordshire Health Select Committee**

A discussion took place with regards to the National Health Service – Staffordshire and Stoke Sustainability and Transformation Plan and Sir Robert Peel Hospital and Councillor Doyle was invited to speak on this item. The committee considered that the input was useful and that they would await further information for going forward prior to considering calling the Chief Executive of Burton Hospital Health Trust to a meeting.

### **Tamworth Borough Council Commissioning of Services and Tamworth Partnership Commissioning Prospectus update which was considered by Cabinet on 18 August 2016**

The update presented by Councillor S Doyle was followed by a question and answer session.

### **Tamworth Borough Council's Quarter Two 2016/17 Performance Report**

The committee reviewed the report and agreed no further action was required.

## **2 February 2017**

### **Teenage Pregnancy in Tamworth**

Councillor J Oates gave an in depth discussion on Teenage Pregnancy followed by a question and answer session.

The committee agreed unanimously for the following recommendations go to Cabinet on 16 March 2017.

That Tamworth Borough Council:

- signpost all services relating to sexual health
- creates additional pages on its website to signpost to subject specific WebPages including <http://www.sssexualhealth.nhs.uk>
- assist South Staffordshire Sexual Health in promotion and recruitment of both users and suppliers for the C-card across the town and particularly in areas where Teen pregnancy is still on the increase
- become a C-card outlet at both front desk, TIC and any other suitable outlets
- recognise the drop in Teen pregnancy of 26% in the last 2 years



- creates or signpost to a voluntary group mentoring group for pregnant or new parents with particular focus on teens who are pregnant or new parents
- no longer considers Teen pregnancy as a stand alone issue but as part of the sexual health agenda
- works towards breaking down the prejudice and stigma around teen pregnancy and parents whilst promoting the empirical stories of success of individuals after becoming parents
- note and endorse the efforts of Staffordshire County Council with the Mac's, South Staffordshire Sexual Health, School nurses with clinic in a box and charities in promoting safe sex and dealing with contraception
- creates a voluntary group or signposts to a support groups and services dealing with conception which does not go full term for whatever reason
- understands that any additional financial burden of assisting teen parents on the public purse is short lived and the majority go on to have successful careers without public sector support as do most parents regardless of age

The committee also voted by a majority that the following motion also go to Cabinet on 16 March 2017.

That Members approved a campaign to petition to Parliament for contraceptive pillboxes to warn of major factors making the pill less effective. Members would like legislation requiring manufacturers of contraceptive pills to clearly and prominently display a warning on the packaging showing the major factors in the pill being less effective. Members would like a warning similar to that of a cigarette packet

### **Tamworth Borough Council's Quarter Three 2016/17 Performance Report**

The Leader of the Council, Councillor D Cook, updated Members on the Quarter Three Performance Report and will report back to the meeting in March to update Members.

## **23 March 2017**

### **Report of the Children and Families Safeguarding Officer**

The Children and Families Safeguarding Officer provided the biannual safeguarding update; the committee reviewed the report and endorsed it accordingly.

### **Inequality of Life Expectancy across the Borough**

The committee will be updated on the scrutiny of inequality of life expectancy across the Borough.

## **20 April 2017**

The agenda will be confirmed in due course, however, the following items will be on the agenda.

A review of Anti-Social Behaviour in the last twelve months, a report on the revamped Let's Work Together project and an update on making Tamworth dementia friendly.

## **Healthy Staffordshire Select Committee**

The Healthy Staffordshire Select committee have held fourteen committee meetings.

The Select committee have scrutinised a wide range of health issues during 2016/17.

- Transforming Care Partnership
- Recommissioning of Healthwatch Staffordshire and Independent NHS Complaints Advocacy Service
- Staffordshire's Child Health and Wellbeing Programme (0-5 years)
- All Age Disability - Independent Futures
- Home Care
- Learning Disabilities Day Opportunities
- Improving Lives Programme
- Temporary Suspension of Children's Emergency Centre, County Hospital
- Derby and Burton: A route to high quality and sustainable services
- Better Care Fund Mitigation

- Staffordshire & Stoke on Trent Sustainable Transformation Plan
- My Care My Way' Consultation and Proposals
- Hearing Aid Policy Review - North Staffordshire Clinical Commissioning Group
- Staffordshire & Stoke on Trent Sustainable Transformation Plan Consultation on Section 75
- Preventing Obesity

The Healthy Staffordshire Select committee also held eight public accountability sessions during 2016/17 with the various NHS Foundation Trusts that cover the health of Staffordshire.

Two meetings with the City of Wolverhampton Health Scrutiny Panel, and one meeting each with Burton Hospitals NHS Foundation Trust, University Hospitals North Midlands NHS Trust, West Midlands Ambulance Service NHS Foundation Trust, Staffordshire and Stoke on Trent Partnership Trust, South Staffordshire and Shropshire Healthcare NHS Foundation Trust Accountability Session and North Staffordshire Combined Healthcare NHS Trust.

Full details of all County Council Health Select committee meetings and public accountability sessions are available on the County Council's website

<http://modern.gov.staffordshire.gov.uk/mgCommitteeDetails.aspx?ID=871>



Cllr Andrew James – Chairman  
Healthier & Safer scrutiny committee

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## REPORT OF THE LEADER OF THE COUNCIL

### PAY POLICY REPORT 2017

#### **PURPOSE**

This report details Tamworth Borough Council's Pay Policy Statement so that statutory guidance as set out in S38 of the Localism Act is adhered to.

#### **RECOMMENDATIONS**

**That the Pay Policy 2017 is formally approved by Full Council for adoption and publication in line with the Localism Act 2011.**

#### **EXECUTIVE SUMMARY**

Under section 112 of the Local Government Act 1972, the Council has the "power to appoint officers on such reasonable terms and conditions as authority thinks fit". This Pay Policy Statement (the 'statement' set out at Appendix1) sets out the Council's approach to pay policy in accordance with the requirements of Section 38 of the Localism Act 2011.

The purpose of the statement is to provide transparency with regard to the Council's approach to setting the pay of its employees by identifying;

- the methods by which salaries of all TBC employees are determined;
- the detail and level of remuneration of TBC's most senior staff i.e. 'chief officers', as defined by the relevant legislation;
- the Committees responsible for ensuring the provisions set out in this statement are applied consistently throughout the Council and recommending any amendments to the full Council.

Once approved by full Council, this policy statement will come into effect from 1<sup>st</sup> April and will be subject to review on a minimum of an annual basis in accordance with the relevant legislation prevailing at that time.

#### **OPTIONS CONSIDERED**

n/a

#### **RESOURCE IMPLICATIONS**

There are no resource implications associated with this report. All pay is accounted for with the approved Council Budget, current salaries are budgeted at £11,425,920 for 2016/17.

#### **LEGAL/RISK IMPLICATIONS BACKGROUND**

Section 38 of the Localism Act must be complied with by 1<sup>st</sup> April 2017. Therefore, so as to minimise risk this report must be approved by full Council before that date.

**SUSTAINABILITY IMPLICATIONS**

None

**BACKGROUND INFORMATION**

The Council's first pay policy was introduced in 2012 and has been updated annually.

**REPORT AUTHOR**

Anica Goodwin, Director of Transformation and Corporate Performance x 225 and Christie Tims Head of Organisational Development x 215

**LIST OF BACKGROUND PAPERS**

Pay Policy 2014

Pay Policy 2015

Pay Policy 2016

**APPENDICES**

Appendix 1 Pay Policy 2017

Appendix 2 TBC Pay rates and bands 2017



## PAY POLICY 2017

Document Status: Final

Document Ref: HRPP2017

Originator: Christie Tims

Owner: Anica Goodwin

Version: 01.01.08

Date: 20.03.17

**Approved by Appointments and Staffing /Full Council**

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Classification: SEC1 - Routine

## Document Location

This document is held by Tamworth Borough Council, and the document owner is Anica Goodwin.

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## Revision History

Revision Date	Version Control	Summary of changes
17.01.13	2013	Update figures and spinal column points
09.01.14	2014	Reviewed & updated with 2013 pay settlement
10.02.15	2015	Updated following 2015 settlement
04.03.15	2015	Finalised figures based on recommendations of Leader & Appointments & Staffing Committee 26.2.15
17.02.16	2016	Reviewed & Updated
16.02.17	2017	Reviewed and updated
20.03.17	2017 final	Finalised for Full Council Approval

## Key Signatories

### Approvals Creation and Major Change

Name	Title	Approved
Appointments & Staffing	Director of Transformation and Corporate Performance	13.02.17
Full Council	Leader of the Council	04.04.17

## Approval Path

### Major Change

Anica Goodwin

Tony Goodwin

Trade Union Liaison Group

Appointments & Staffing

CMT / Cabinet

Full Council

### Action

Submission

Sponsor

Consultative Group

Approval

Corporate Approval

Council Approval

## Document Review Plans

This document is subject to a scheduled annual review. Updates shall be made in accordance with business requirements and changes and will be with agreement with the document owner.

## Distribution

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## Security Classification

This document is classified as SEC 1 Routine with access restricted to Tamworth Borough Council Staff and business partners.



# PAY POLICY STATEMENT

## Tamworth Borough Council

2017

### Introduction and Purpose

Under section 112 of the Local Government Act 1972, the Council has the “power to appoint officers on such reasonable terms and conditions as authority thinks fit”. This Pay Policy Statement (the ‘statement’) sets out the Council’s approach to pay policy in accordance with the requirements of Section 38 of the Localism Act 2011. The purpose of the statement is to provide transparency with regard to the Council’s approach to setting the pay of its employees by identifying;

- the methods by which salaries of all employees are determined;
- the detail and level of remuneration of its most senior staff i.e. ‘chief officers’, as defined by the relevant legislation;
- the Committee responsible for ensuring the provisions set out in this statement are applied consistently throughout the Council and recommending any amendments to the full Council.

Once approved by the full Council, this policy statement will come into immediate effect and will be subject to review on a minimum of an annual basis in accordance with the relevant legislation prevailing at that time.

### Legislative Framework

In determining the pay and remuneration of all of its employees, the Council will comply with all relevant employment legislation. This includes the Equality Act 2010, Part Time Employment (Prevention of Less Favourable Treatment) Regulations 2000, The Agency Workers Regulations 2010 and where relevant, the Transfer of Undertakings (Protection of Earnings) Regulations. With regard to the Equal Pay requirements contained within the Equality Act, the Council ensures there is no pay discrimination within its pay structures and that all pay differentials can be objectively justified through the use of equality proofed Job Evaluation mechanisms which directly relate salaries to the requirements, demands and responsibilities of the role. These are Hay for Chief Officer and Gauge for all other staffing groups.

The pay structure anticipates changes required to comply with the National Minimum Wage (NLW) regulations which require a minimum payment of £7.50 per hour from 1<sup>st</sup> April 2017 for all employees over 25.

### Pay Structure

Based on the application of the Job Evaluation process (Pay and Conditions Review); the Council uses the nationally negotiated pay spine as the basis for

its local grading structure. The two year agreement from April 2016 to March 2018 will last for the duration of this Policy period. The Council remains committed to adherence with national pay bargaining in respect of the national pay spine and any annual cost of living increases negotiated in the pay spine. However the Council is also considering options to protect the integrity of the Council's job evaluation scheme in the context of significant increases to the NLW and its impact on supervisory grades.

All other pay related allowances are the subject of either nationally or locally negotiated rates, having been determined from time to time in accordance with collective bargaining machinery and/or as determined by Council Policy. Additional Payments Policy and Other Payments Policy specify such payments that may be made.

In determining its grading structure and setting remuneration levels for all posts, the Council takes account of the need to ensure value for money in respect of the use of public expenditure, balanced against the need to recruit and retain employees who are able to meet the requirements of providing high quality services to the community, delivered effectively and efficiently and at times at which those services are required.

New appointments will normally be made at the minimum of the relevant grade, although this can be varied where necessary to secure the best candidate. From time to time it may be necessary to take account of the external pay market in order to attract and retain employees with particular experience, skills and the Council retains the right within the Pay Policy to justify such a payment where necessary. The Council will ensure the requirement for such a payment (taking into account whole package comparisons) is objectively justified by reference to clear and transparent evidence of relevant market comparators, using appropriate data sources available from within and outside the local government sector in line with the Council's Market Supplement Policy.

The Council also recognizes that it may need to make additional payments to individuals taking on temporary assignments and responsibilities under the scope of the Council's Honorarium Policy. Where the level of remuneration cannot be determined using the job evaluation framework, this may be a discretionary payment of either one or 2 spinal column points for a period not to exceed 6 months. The Council retains the right to justify payments not set within the pay scale, where these can be objectively justified.

### **Recruitment of Chief Officers**

The Council's policy and procedures with regard to recruitment of chief officers is set out within the Officer Employment Procedure Rules as detailed in Part 4 / Schedule 8 of the Constitution. When recruiting to all posts the Council will take full and proper account of its own Equal Opportunities, Recruitment and Selection, Employment Stability and Re-engagement Policies. The determination of the remuneration to be offered to any newly

appointed chief officer will be in accordance with the pay structure and relevant policies in place at the time of recruitment. Where the Council is unable to recruit to a post at the designated grade, it will consider the use of temporary market forces supplements in accordance with its relevant policies where this is appropriate.

Where the Council remains unable to recruit chief officers under a contract of service, or there is a need for interim support to provide cover for a vacant substantive chief officer post, the Council will, where necessary, consider and utilize engaging individuals under 'contracts for service' (subject to the relevant tests for compliance with Intermediaries Regulations). These will be sourced through a relevant procurement process ensuring the council is able to demonstrate the maximum value for money benefits from competition in securing the relevant service. The Council does not currently have any chief officers engaged under such arrangements. In the event that a vacancy can be covered by the distribution of responsibilities to existing Chief Officers an Augmented Payment will apply.

### Senior Management Remuneration

For the purposes of this statement, senior management means 'chief officers' as defined within S43 of the Localism Act. The posts falling within the statutory definition are set out below, with details of their basic salary and allowances as at 1<sup>st</sup> April 2017

Job Type / Allowance	Scale Pt	Salary	Car Allowance
Chief Executive	CE1	113,120	1239
Deputy Register of Electors Allowance		1346	
Deputy Head of Paid Service Responsibility		1,836	
Executive Director	CD4	84,056	1,239
Register of Electors Allowance		2,691	
Corporate Director	D9*	79,057	1,239
Corporate Director	D9*	79,057	963
"O" Licence Allowance		3,753	
Director	D9	75,057	963
Director	D9	75,057	1,239
Director	D6	68,687	963
Director	D6	68,687	1,239
Senior Manager	SM4	59,181	963
Senior Manager	SM2	55,199	963

\*Corporate Directors are in receipt of Augmented Payments until September 2017 of £4,000 each for additional duties

### **Additions to Salary of Chief Officers**

The Council does not apply any bonuses or performance related pay to its chief officers.

In addition to basic salary, set out in the above table are details of other elements of 'additional pay' which are chargeable to UK Income Tax and do not solely constitute reimbursement of expenses incurred in the fulfillment of duties. This includes a company paid health care scheme at a cost of £9.50 per month per officer.

In terms of additional statutory appointments the Representation of the People Act 1983 requires the Council to appoint an Electoral Registration Officer and a Returning Officer in order to fulfil the authority's duties carrying out the electoral registration and elections process. The appointed officer receives an annual remuneration calculated according to the number of registered electors. For the year commencing 1 April 2017 the annual payment will be £2,691. The payment is subject to income tax, national insurance and superannuation. In addition, the aforesaid officer can appoint in terms of the legislation Deputy Returning Officer(s) to assist with the election process, any payments made to such deputies are at the discretion of the statutory appointee, such payments are not superannuable.

**Returning Officer/Registration of Electors duties** are determined by Electoral Registration Officer Section 8 Representation of the People Act 1983 and Returning Officer Section 35 Representation of the People Act 1983. They are based on the size of the electorate multiplied by a figure set by County Council on an annual basis.

**Deputy Head of Paid Service Responsibility Allowance** is payable for duties undertaken in the absence of the Head of Paid Service. These are set by members following decisions by the Full Council.

**Essential Car User Allowances** as determined by the Council's Travel and Subsistence Policy and reviewed and updated in line with NJC rates.

**License Payments** are made in line with the Council's Additional Payments Policy – License Holder Payments approved as part of the Pay & Conditions Review 2007. The "O" License is for Vehicle Certificate of General Competence.

With the exception of progression through the incremental scale of the relevant grade being subject to satisfactory performance, which is assessed on an annual basis, the level of remuneration is not variable dependent upon the achievement of defined targets.

### **Payments on Termination**

The Council's approach to statutory and discretionary payments on termination of employment of chief officers, prior to reaching normal retirement age, is set out within its policy statement in accordance with Regulations 5 and 6 of the Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations 2006. We have chosen not to adopt Regulations 12 and 13 of the Local Government Pension Scheme (Benefits, Membership and Contribution) Regulations 2007.

Any other payments falling outside the provisions (such as Settlement Agreements) or the relevant periods of contractual notice shall be subject to a formal decision made by the Head of Paid Service and Directors with delegated authority to approve such payments. These must be notified to members.

We take note of The Enterprise Act 2016 (Commencement No. 2) Regulations 2017 and ensure the cap on Exit Payments will be observed.

### **Publication**

Upon approval by the full Council, this statement will be published on the Council's Website. In addition, for senior employee\* posts where the full time equivalent salary is at least £50,000, the Council's Annual Statement of Accounts will include a note setting out the total amount of

- salary, fees or allowances paid to or receivable by the person in the current and previous year;
- any sums payable by way of expenses allowance that are chargeable to UK income tax;
- any compensation for loss of employment and any other payments connected with termination;
- any benefits received that do not fall within the above – including contribution to the person's pension

\* As defined by in the Accounts & Audit (England) Regulations 2011

### **Lowest Paid Employees**

The lowest paid persons employed under a contract of employment with the Council are employed on full time 37 hours equivalent salaries in accordance with the minimum spinal column point currently in use within the Council's grading structure. As at 1<sup>st</sup> April 2017, the lowest spinal column point is spinal column point 6, £15.014. The Council employs Apprentices or other such categories of workers who are not included within the definition of 'lowest paid employees' as they are employed under the National Minimum Wage for Apprentices. From 1<sup>st</sup> April 2017 all employees who are not apprentices and aged over 25 will receive at least the National Minimum Wage of £7.50 per hour.

The relationship between the rate of pay for the lowest paid and chief officers is determined by the processes used for determining pay and grading structures as set out earlier in this policy statement.

The statutory guidance under the Localism Act recommends the use of pay multiples as a means of measuring the relationship between pay rates across the workforce and that of senior managers, as included within the Hutton 'Review of Fair Pay in the Public Sector' (2010). The Hutton report was asked by Government to explore the case for a fixed limit on dispersion of pay through a requirement that no public sector manager can earn more than 20 times the lowest paid person in the organisation. The report concluded that the relationship to median earnings was a more relevant measure and the Government's Code of Recommended Practice on Data Transparency recommends the publication of the ratio between highest paid salary and the median average salary of the whole of the authority's workforce, which for Tamworth is currently **£24,174** (£20,661 including casual staff).

The current pay levels within the Council define the multiple between the lowest paid (full time equivalent) employee and the Chief Executive as **1:7.5** (excluding allowances) and; between the lowest paid employee and average chief officer as **1:4.8**. The multiple between the median average full time equivalent earnings and the Chief Executive is **1:4.7** (1:5.5 including casual staff) and; between the median average full time equivalent earnings and average chief officer as **1:3** (1:3.5 including casual staff) (average chief officer excludes the Chief Executive).

As part of its overall and ongoing monitoring of alignment with external pay markets, both within and outside the sector, the Council will use available benchmark information as appropriate.

### **Accountability and Decision Making**

In accordance with the Constitution of the Council, the Appointments and Staffing Committee are responsible for decision making in relation to the recruitment, pay, terms and conditions and severance arrangements in relation to employees of the Council.

Where appropriate these may be delegated to the Head of Paid Service and Directors under the scheme of delegation.

### **Amendments to the Policy**

This statement may be amended during the course of a financial year to reflect changes or developments in the authority's pay policy. However, section 39(5) of the Act requires that amendments can only be made by resolution of the full council and that any amended statement must be published as soon as is reasonably practicable.

## Equality Impact Assessment

Is this a new or existing policy?	Existing		
1. Briefly describe the aims, objectives and purpose of the policy?	To provide clear and transparent guidance of how TBC Pay Policies interrelate and are formally approved by the full Council		
2. Are there any associated policy/ procedure/ practice which should be considered whilst carrying out this equality impact assessment?	All TBC Pay & Conditions Policies, NJC pay spines, Council Constitution		
3. Who is intended to benefit from this policy and in what way?	The general public in having clear visibility on how Local Government Pay is determined		
4. What are the desired outcomes from this policy?	Transparency		
5. What factors/ forces could contribute/ detract from the outcomes?	Ability to make payments to staff and chief officers		
6. Who are the main stakeholders in relation to the policy?	Trades unions all employees and Chief Officers		
7. Which individuals/ groups have been/ will be consulted with on this policy?	TULG, CMT, Members		
8. Are there concerns that the policy <u>could</u> have a differential impact on racial groups?	Y		Biennial review to assess any adverse impact on this group.
9. Are there concerns that the policy/ procedure/ practice <u>could</u> have a differential impact due to gender?	Y		Biennial review to assess any adverse impact on this group.
10. Are there concerns that the policy <u>could</u> have a differential impact due to them being transgender or transsexual?		N	Please explain
11. Are there concerns that the policy <u>could</u> have a differential impact due to disability?	Y		Biennial review to assess any adverse impact on this group.
12. Are there concerns that the policy <u>could</u> have a differential impact due to sexual orientation?		N	Please explain
13. Are there concerns that the policy <u>could</u> have a differential impact due to age?	Y		Biennial review to assess any adverse impact on this group.
14. Are there concerns that the policy <u>could</u> have a differential impact due to religious belief?		N	Please explain
15. Are there concerns that the policy <u>could</u> have a differential impact on Gypsies/ Travellers?		N	Please explain
16. Are there concerns that the policy <u>could</u> have a differential impact due to dependant/caring responsibilities?		N	Please explain
17. Are there concerns that the		N	Please explain

<b>policy could have a differential impact due to them having an offending past?</b>			
<b>18. Are there concerns that the policy could have an impact on children or vulnerable adults?</b>		<b>N</b>	<b>Please explain</b>
<b>19. Does any of the differential impact identified cut across the equality strands (e.g. elder BME groups)?</b>		<b>N</b>	<b>Please explain</b>
<b>20. Could the differential impact identified in 8 – 19 amount to there being the potential for adverse impact in this policy/ procedure/ practice?</b>		<b>N</b>	<b>Please explain</b>
<b>21. Can this adverse impact be justified:</b> <ul style="list-style-type: none"> <li>• on the grounds of promoting equality of opportunity for one group?</li> <li>• For any other reason?</li> </ul>			<b>Please explain</b>
<b>22. As a result of carrying out the equality impact assessment is there a requirement for further consultation?</b>		<b>N</b>	<b>Please explain</b>
<b>23. As a result of this EIA should this policy be recommended for implementation in its current state?</b>	<b>Y</b>		<b>Please explain</b>



**PLEASE COMPLETE THE FOLLOWING ACTION PLAN FOR ALL IMPACT ASSESSMENTS**  
**Equality Impact Assessment Action Plan**

Complete the action plan demonstrating the changes required in order to meet TBC's commitment to equality and diversity. The action plan must contain monitoring arrangements, the publishing of results and the review period required for this policy.

<b>ACTION/ ACTIVITY</b>	<b>RESPONSIBILITY</b>	<b>TARGET</b>	<b>PROGRESS</b>
Pay Review	Head of Organisational Development	31 <sup>st</sup> December 2013	Completed as part of Workforce Development Plan
	Head of Organisational Development	31 <sup>st</sup> December 2014	Equal Pay Review carried out
	Head of Organisational Development	22 <sup>nd</sup> February 2016	Reviewed
		23 <sup>rd</sup> February 2017	
<b>Monitoring arrangements:</b>		Data collected 6 monthly	reports and updates to CMT/ Appts & Staffing Committee
<b>Publication:</b>		Internet and Intranet	
<b>Review Period:</b>		Reviewed annually	

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**TBC Grade Structure 2017**

Appendix 2

		<u>S.C.P.</u>	<u>Hourly Rate</u>	<u>Annual Salary</u>
<u>Grade</u>	<u>Points</u>			
1	0-268	6	7.78	15,014
2	269-311	7	7.83	15,115
		8	7.90	15,246
		9	7.97	15,375
		10	8.09	15,613
		11	8.19	15,807
3	312-340	12	8.36	16,123
		13	8.55	16,491
		14	8.70	16,781
		15	8.85	17,072
		16	9.03	17,419
4	341-395	17	9.21	17,772
		18	9.37	18,070
		19	9.72	18,746
		20	10.07	19,430
		21	10.44	20,138
5	396-448	22	10.71	20,661
		23	11.02	21,268
		24	11.38	21,962
		25	11.74	22,658
		26	12.13	23,398
6	449-498	27	12.53	24,174
		28	12.94	24,964
		29	13.45	25,951
		30	13.90	26,822
		31	14.34	27,668
7	499-559	32	14.76	28,485
		33	15.20	29,323
		34	15.63	30,153
		35	15.96	30,785
		36	16.38	31,601
8	560-614	37	16.84	32,486
		38	17.33	33,437
		39	17.90	34,538
		40	18.37	35,444
		41	18.86	36,379
9	615-850	42	19.34	37,306
		43	19.83	38,261
		44	20.32	39,244
		45	20.76	40,057
		46	21.26	41,025
10		47	21.75	41,967
		48	22.24	42,899
		49	22.71	43,821
		50	23.28	44,916
		51	23.87	46,055
Snr Mgt		52	24.46	47,189
		SM1	27.73	53,491
		SM2	28.61	55,199
		SM3	29.50	56,905
DIR1		SM4	30.67	59,181
		D1	30.32	58,499
		D2	31.20	60,200
		D3	32.38	62,474
DIR2		D4	33.56	64,744
		D5	34.57	66,687
		D6	35.60	68,687
DIR3		D7	36.67	70,748
		D8	37.77	72,871
		D9	38.90	75,057
Exec Dir		CD2	41.21	79,511
		CD3	42.39	81,782
		CD4	43.57	84,056
Chief Exec		100	58.63	113,120

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## Council

4<sup>TH</sup> APRIL 2017

### REPORT OF THE PORTFOLIO HOLDER FOR ENVIRONMENT AND CULTURE

#### GARDEN WASTE SUBSCRIPTION SERVICE

#### EXEMPT INFORMATION

#### PURPOSE

To inform Council of proposals to introduce a chargeable garden waste collection service from 1<sup>st</sup> January 2018.

#### RECOMMENDATIONS

Council is recommended to approve the following:

- 1) The cessation of the current free garden waste collection service from 31<sup>st</sup> December 2017
- 2) The introduction of a chargeable (opt in) garden waste collection service from 1<sup>st</sup> January 2018. The annual charge will be £36 per bin for on line payment and £40 per bin for other forms of payment.
- 3) To delegate authority to the Corporate Director Growth Assets & Environment in consultation with the Portfolio Holder for Culture and Environment the setting of the subscription rate for future years (in line with the Councils fees & Charges policy) and to take all steps necessary to implement the proposal, making any necessary minor amendments as identified during project implementation.
- 4) To finance all the project start-up costs using the funds held in the Joint Waste Service Reserve and fully reimburse the Reserve with the receipts from the subscription charge.

#### EXECUTIVE SUMMARY

##### Background

- 1.1 In 2005 the UK budget deficit, being the difference between the amount of money being spent by Government and the revenue received by it, was less than £20 billion. By 2009 the budget deficit had risen to £50 billion and by 2010 the budget deficit was £103 billion.
- 1.2 The coalition Government of 2010 and subsequent Government of 2015 have taken steps to reduce over spending. In order for Government to seek to live within its means and stop overspending, local authorities have seen a significant reduction in funding from central Government since 2010.
- 1.3 Against the backdrop of reduced funding to local Government, the changing demographic landscape has seen an increase in the demand for adult social care. Local authorities, such as Staffordshire County Council who are

responsible for meeting the adult social care needs of our residents, have acute funding problems as a consequence and are looking to reduce spending wherever possible, so as to try and meet the rising cost of providing this care.

- 1.4 Staffordshire County Council were intending to make £1.5 million of savings over the course of their 3-year Medium Term Financial Strategy (MTFS) in relation to waste by reducing the amount of Recycling Credit it pays to the district councils for diverting waste from landfill. The Recycling Credit helps meet the cost of collecting and disposing of waste and its reduction would have impacted directly upon the Joint Waste Service, operated as a partnership between Lichfield District Council and Tamworth
- 1.5 Whilst Staffordshire County Council has removed the planned waste saving from its MTFS, this is subject to review and at present is anticipated to only be temporary and when it is reintroduced it will compound the problem of falling financial settlements from central to local Government. Other income streams from central Government, such as New Homes Bonus, are also being affected, requiring local authorities to continually review services and how they can pay for these.
- 1.6 Any reduction in recycling credits from Staffordshire County Council in relation to waste would be a direct financial loss to the Council
- 1.7 The Joint Waste Service has to consider how it can continue to deliver waste collection services to residents, appreciating the current MTFS position and also any anticipated reduction in recycling credits from Staffordshire County Council.
- 1.8 The Joint Waste Service currently offers a fortnightly kerbside collection of garden waste from properties in both Lichfield and Tamworth. Unlike collecting residual waste or dry recycle material, collecting garden waste is not a statutory requirement.
- 1.9 An external review of waste collection across Staffordshire, funded by DEFRA, concluded that reducing the frequency of waste collections delivered negligible savings and could potentially increase costs, where the need for a weekly food waste collection service was created.
- 1.10 The options to compensate for a reduction in recycling credits from Staffordshire County Council are to either stop collecting organic waste, or, to carry on doing so, but with the garden waste collection needing to be self-financing as a service. To take monies out of other service areas would impact upon the Councils key priority of protecting the most vulnerable in our society.
- 1.11 The proposal, if approved, would mean that Tamworth and Lichfield are likely to be the first members of the Staffordshire Waste Partnership to introduce a charge for garden waste collections although other member authorities are understood to be looking at this. However there is a risk that this decision may not be universally well received at the Joint Waste Management Board (JWMB). This is because the Staffordshire Waste Partnership has recently secured additional funding from the Waste Resources Action Programme (WRAP) to continue the work it has been doing to identify holistic savings for the council tax payers of Staffordshire. The chair of the JWMB has recently

written to all partners asking that they delay making any decisions regarding changes to their waste services until the results of the latest work are published. It has since transpired that WRAP has set a project completion deadline of 31<sup>st</sup> March 2018 which is far too long to delay the decision taking into consideration both councils financial predicament. The Joint Waste Service position is that the proposal does not fundamentally change the waste service it provides to the residents of both districts. All residents will still have access to a garden waste service albeit they will have to contribute to its cost if they want to continue using it. More importantly our position is strongly supported by the findings from WRAPs initial work which concluded that charging for garden waste is the only option likely to produce holistic savings for the tax payer. Should the further study lead to a pan-Staffordshire solution for charging for garden waste, or the administration of such a scheme, the Joint Waste Service would seek to ensure it did not preclude itself from participating.

- 1.12 The members of the Staffordshire Waste Partnership signed a non-binding Memorandum of Understanding in 2015 and in so doing had the opportunity to record issues each member was not willing to consider. Two districts indicated they would not agree to charging for green waste – and so in one way decisions have already been taken which would impact on any pan-Staffordshire joint approach, unless these authorities were to reverse their positions. We would continue to support the work of the WRAP/JWMB and we would not agree independently with the County Council any change to recycling credits, as that is a collective issue all parties are currently negotiating.

## **Considerations**

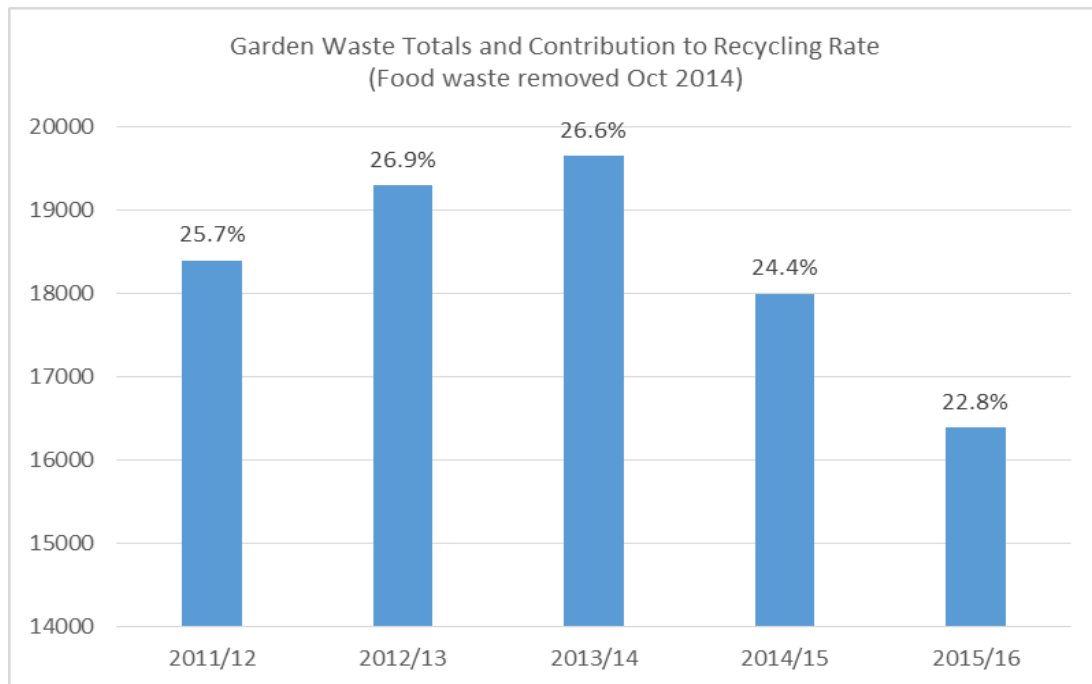
- 2.1 The Joint Waste Service between Tamworth Borough Council and Lichfield District Council started on 5<sup>th</sup> July 2010. The partnership provides all waste collection services to the residents of both authorities including the existing garden waste service.
- 2.2 The County Council are unable to guarantee that they will be able to continue paying recycling credits at the current rate in future years, despite the fact Districts and Boroughs have already looked to support the County Council by giving up the annual 3% uplift for successive fiscal years.
- 2.3 With the reduction in funding to local authorities, both Lichfield and Tamworth have undergone a wholesale review of all their services in order to identify where budget savings can be made. Lichfield has had its Fit for Future programme in place since 2012 and Tamworth has undertaken service reviews since 2010. At the same time as looking at the cost and need for services, both authorities have looked to consider what they can do differently in the future to become more commercial and replace some of the income they no longer receive from central Government.
- 2.4 Approximately half of the local authorities in the UK have moved to a chargeable garden waste collection service. This recognises that local authorities have a duty to collect household residual waste under Section 45 of the Environmental Protection Act 1990. However, there is no duty placed on local authorities to provide a separate collection of garden waste.

- 2.5 Section 46 of the same Act, allows local authorities to specify to the householder how the waste is to be presented and policies associated with waste collection.
- 2.6 Schedule 2 of The Controlled Waste Regulations 1990 (amended in 2012) allows local authorities to make a charge specifically for the collection of garden waste but not for its treatment.
- 2.7 The implementation of a charging scheme in both Tamworth and Lichfield would help the Joint Waste Service to offset the anticipated reduction in recycling credits from Staffordshire County Council. The subscription scheme would be an “opt in” basis which means only those residents who choose to use the garden waste collection service will have to pay for it. Those residents who do not wish to use a chargeable service would still have the option of disposing of their garden waste without charge by taking it to a Household Waste Recycling Centre, or, by home composting.
- 2.8 The payment of Recycling Credits by the county to the districts is governed by a Memorandum of Understanding (MOU) which all members of the Staffordshire Waste Partnership had to sign in order to facilitate PFI funding for the Four Ashes Energy to Waste project. The conditions contained in the MOU make it clear that the county shall pay an “agreed recycling credit” to a district authority for each tonne of green waste diverted from final disposal and certified as composted. The County Council currently pays a recycling credit of £49.10 per tonne for garden waste and legislation protects its value from being lower than the cost of disposal which is £20.00 per tonne. Unfortunately the MOU does not define the term “agreed recycling credit” nor does it specify the mechanism for reaching agreement. Informal discussions regarding the future direction of the Recycling Credit including the impact of charging for garden waste are due to take place with the County Council in the next few weeks. However should the County decide to act unilaterally and reduce the Recycling Credit without agreement then the only potential course of redress would be to initiate a legal challenge through the courts. The loss of any recycling credit would obviously need to be weighed against the cost of legal proceedings.

### **Current Service Provision**

- 3.1 The current garden waste service is offered to 31,500 properties in Tamworth and 43,000 properties in Lichfield. The service is funded in part by each council’s income and by the recycling credits from Staffordshire County Council.
- 3.2 The graph below shows the garden waste tonnages collected over the last 5 years. The amount of garden waste collected is variable as it is dependent on weather conditions.





- 3.3 The weather is a principal factor in determining the collection infrastructure that is required to provide the garden waste collection service. In the height of the growing season, which tends to be late spring and early summer, up to seven trucks and crews are required. In the winter months the need for collection is reduced and the service is scaled back to three trucks and crews.
- 3.4 The cost of providing the garden waste collection service will be approximately £1 million in 2016/17. This takes into consideration the value of the Recycling Credit payments from Staffordshire County Council which will be nearly £800k

### **Proposal – Charge for the collection of garden waste on an ‘Opt in’ basis**

- 4.1 Under the proposal of introducing a chargeable garden waste service, residents will use the existing green garden waste wheelie bins and will be supplied with a sticker stating that they have subscribed. The resident will need to attach the sticker to their bin otherwise they will not receive the service. The subscription list will also be uploaded onto the “Bartec” System so that the crew will be able to see which residents have paid on the computers in the collection vehicles.
- 4.2 The subscription period will be for a full calendar year with the chargeable service commencing on 1<sup>st</sup> January 2018. The service will be suspended for a fortnight over the Christmas and New Year holiday period which is as per the current collection arrangements.
- 4.3 The charge will be £36 per bin per annum for residents who subscribe to the service on line and £40 per bin per annum for other means of payment. The on line charge is significantly lower than the national average which is currently £41.20 per annum. Research has revealed that there is strong correlation between the charge and the number of residents who subscribe to a scheme. It is hoped that the low charge will result in a higher uptake in both

Lichfield and Tamworth.

4.4 Residents will also be able to pay their subscription on-line, over the telephone and in person at Council offices and it will be a one off annual payment. The intention is not to offer the option for spreading the cost over the year, so as to reduce the costs of administering the service. Payment by direct debit is an option which will be considered as part of the project implementation plan.

4.5 No discounts will be offered to residents who choose to subscribe after the launch date, or, are in receipt of benefits, elderly or disabled. This is because processing discounts would significantly increase the cost of administering the service and result in a higher level of charge to compensate.

There are approximately 1600 residents across both districts that are provided with an assisted collection and consideration has been given to whether these residents should continue to receive the garden waste service free of charge. The justification for a free service could be based on an assumption that immobile residents are less likely to work and therefore financially disadvantaged. However the authority doesn't have any evidence to support this assumption. In addition it would be difficult and very expensive to administer a free service to residents who receive an assisted collection. This is because the current system of applying for an assisted collection is based on trust, which couldn't continue to happen if a financial benefit was available to the applicant. Burdensome and intrusive checks would have to be introduced so as to ensure the eligibility criteria was met thus raising issues of sensitivity and confidentiality surrounding each applicant's medical condition. The Joint Waste Service will instead continue to provide assisted collections to those residents who are unable to move bins for themselves.

4.6 Residents will be able to subscribe for additional bins. There will be no discounts offered for the same reasons given in paragraph 4.5.

4.7 Those residents who do not subscribe to the scheme will be asked to retain their garden waste bin. This is because the bin is relevant to the property and needs to be present should there be a change of occupier, who in turn may wish to subscribe to the service. By retaining the green bin, anyone who does not wish to sign up to the chargeable service at outset will be able to do so at any time and will have a bin at their property to use for this purpose.

4.8 There will be no refunds offered to residents that want to stop using the service after they have paid their subscription or for force majeure. Missed bins will be dealt with in accordance with current service delivery standards. As the service will be subject to an annual renewal, residents can opt out at the next renewal date.

4.9 Residents who move house and remain within either the Tamworth or Lichfield authority areas will be able to transfer the service to their new property for no extra charge.

4.10 A comprehensive Communications Plan will be developed to support the introduction of the chargeable service. The communications will fully explain why the change has had to be introduced, advising residents how they can subscribe to the scheme and highlight alternative methods of disposal.

- 4.11 Options for how the scheme will be administered are currently being developed. Discussions are due to take place with authorities which have already introduced similar schemes to see whether we can take advantage of joint working or partnership arrangements.
- 4.12 The introduction of a chargeable service will have an impact on the logistical delivery of the collections. Under the current arrangements the trucks visit every street on their round each collection day because the crews don't know which properties will present bins. With a subscription service we anticipate there will be areas with a high take up rate and also areas with a low take up. This will necessitate an ongoing review of the deployment of resources.
- 4.13 With a proposed start date of 1<sup>st</sup> January it is anticipated that subscriptions may be lower at commencement, with additional subscriptions happening once the grass starts to grow. The variations in the number of customers will have to be managed very carefully so as to ensure that the appropriate level of resource is allocated to the service. On one hand we want to make sure that there are enough personnel and trucks deployed in order to complete collections but on the other hand we don't want to over resource the service as this will be financially inefficient. The efficient management of the resource is going to require a high degree of logistical skill and planning.
- 4.14 Using an anticipated participation rate of 45% for a chargeable service indicates a modest reduction in the infrastructure required to operate the garden waste service. However, this reduction is difficult to quantify at this stage as it will very much depend on the geographical dispersal pattern of the residents who decide to subscribe to the service and the point in the year when they elect to take out the service. Redundancies are not anticipated as a result of this decision, as any staff not needed to collect garden waste would be used to cover holidays and sickness thus reducing reliance on agency staff.
- 4.15 A draft Implementation Plan for the introduction of the chargeable garden waste service has been prepared which includes all key milestones and tasks etc. **The draft Plan is attached as Appendix B.**

### **Alternative routes for garden waste**

- 5.1 Where residents do not wish to opt into the service then the main alternatives are to home compost garden waste or take the material to Household Waste Recycling Centres (HWRCs). It is essential that as part of the communications campaign residents are made aware of the reasons for the change and the importance of making an informed choice as to how they manage their garden waste based on the options explored below.

### **Home Composting**

- 6.1 Home composting is ideal for grass cuttings, leaves, pruning's, weeds and other small items of garden waste. Composting also provides a benefit to the environment by allowing the householder to compost kitchen waste such as fruit and vegetable peelings, tea bags and egg shells, therefore promoting recycling and carbon reduction. It is estimated that the average household

can compost up to 250 kg of garden waste per year which is approximately 25% of the total amount of waste generated. The Joint Waste Service will continue to promote the existing home composting campaign named “Get Composting” which enables residents to purchase composting bins at a reduced price.

## **Household Waste Recycling Centres**

- 7.1 Tamworth residents have access to a site at Lower House Farm which is situated just over the border in Warwickshire and there are two sites within Lichfield district. Residents will be allowed to dispose of their garden waste at these facilities without charge. It is acknowledged that a chargeable garden waste service will increase users at these sites and they will get busier especially at peak times.

## **Anticipated Environmental Performance**

- 8.1 The introduction of a chargeable service will inevitably have an impact on the recycling performance of the Joint Waste Service. The level of impact will be dependant primarily by the number of residents who subscribe to the service. Research undertaken has suggested that the proposed charge of £36 could result in a participation rate in line with 45%. Modelling of this participation rate has suggested that the amount of garden waste collected will fall by around 6,000 tonnes per annum which is about 35% of current yield. The tonnage won't fall as much as the participation rate because residents generally ensure they use a collection service more effectively if they have to pay for it. National studies indicate that on average subscribers to an opt-in service put out for collection between 300-400kgs per household per year. This is a higher figure than we currently achieve through our existing scheme. The loss of 6,000 tonnes of garden waste will result in the headline recycling rate for the Joint Waste Service falling by around 5-6 percentage points. The recycling rate achieved in 2015/16 was 51%.
- 8.2 The introduction of a chargeable garden waste service could see an increase in the amount of fly tipping in both Lichfield and Tamworth. Experiences of other authorities who have introduced chargeable services is that the anticipated increase does not materialise. Officers currently monitor fly tipping incidents on a monthly basis and they will be able to identify any trends that occur following the introduction of the charge. Given SCC have recently implemented a charging regime at HWRC for “DIY” waste arising from domestic householders fly-tipping is regularly reviewed at the Staffordshire Joint Waste Management Board, and to date has shown no increase.
- 8.3 The amount of residual waste in the black bin could increase as some residents may choose to use any spare space in this bin to dispose of garden waste.

## **OPTIONS CONSIDERED**

Service cessation was not considered to be a viable option, therefore discounted. No other option will give the necessary savings.

## **RESOURCE IMPLICATIONS**

The amount of additional income that could be generated by charging for the

collection of garden waste is very dependent on the number of residents who subscribe to the scheme. A financial model has been developed which predicts the amount of additional income for three different subscription rates namely 35%, 45% and 55%. **The amount of additional income to Tamworth Borough Council for achieving a participation rate of 45% is predicted to be £246,411 per annum for the authority.** The MTFs approved by Council on 21<sup>st</sup> February 2017 included additional income of £245,000 as a Policy Change from 2019/20. Based upon the experience of other authorities who have introduced a chargeable service, 45% participation appears to be a reasonable expectation.

The model assumes that the value of the Recycling Rate will be reduced to match the cost of disposal. Provisional costs are used for administering the service as solutions to these issues have not been finalised.

No costs have been built into the model for mitigating against the risk of increased fly tipping because it is anticipated that this will not be a significant problem.

**The financial model is attached as Appendix A.**

A capital investment of £30,000 would be required to upgrade storage facilities for unwanted garden waste bins at the Burntwood Depot. The contribution of £12,750 required from Tamworth Borough Council can be met from existing budgets.

Delivery of the project will require up front expenditure of approximately £140,000. Funding will be needed to implement the Communications Plan, integrate the back office systems and to prepare for the administration of the scheme. These costs will be fully funded from the subscriptions received from residents but this income stream will not start to flow until 1<sup>st</sup> December 2017. Therefore it is proposed that the up-front project costs are funded from the Joint Waste Service Reserve which was set up to deal with new property growth.

The Reserve will then be refunded once sufficient subscription receipts are received which should be before 31<sup>st</sup> March 2018. Lichfield District Council in its service host role holds separate reserves for both authorities in the Joint Waste Service and has agreed to this proposal.

**LEGAL/RISK IMPLICATIONS BACKGROUND**

	Risk Description	Mitigation	Severity of Risk (RYG)
A	Adverse publicity given to the Council's proposal to charge for garden waste collection as no charge is currently levied.	A communications plan will be devised which will fully explain why the charge has had to be introduced	Yellow (Material)
B	Criticism from our partners on the JWMB for making a decision prior to the publication of WRAPs results.	Issue a position statement justifying the decision	Yellow (Material)
C	The Recycling Credit is unilaterally reduced by the County Council in contravention of the Memorandum of Understanding.	Legal challenge	Red (Severe)
D	An increase in fly-tipping	The low level of charge is unlikely to lead to a	Yellow (Material)

		significant increase in the unlawful disposal of garden waste	
E	Low participation	It is proposed to introduce a charge at the lower end of potential charges to encourage take-up A discount will be available for on line subscriptions Effective promotion of the service Redeployment of staff to backfill agencies etc.	Yellow (Material)
E	Higher than expected participation	Residents will be encouraged to subscribe on line. Capacity issues will be considered in the Implementation Plan	Yellow (Material)
G	Uneven distribution of participants	Effective promotion of the service Undertake a round review. Logistical management of the service	Yellow (Material)
H	Increase in burning of waste	Education of residents Monitoring of complaints Enforcement action	
I	Increased residual waste due to residents putting garden waste into their black bin instead of paying for a chargeable service. This could put pressure on the collection infrastructure.	Education of residents. Consider implementing Section 46 of the EPA and prohibit use of the black bin for garden waste	Yellow (Material)
J	Residents abandon unwanted garden waste bins	Consideration to be given to the issue in the Implementation Plan	Yellow (Material)
K	Reduced tonnage will have a significant financial impact on the disposal contractor and this may jeopardise the viability of the site.	Consultation and negotiations with the contractor. Consideration to be given to the issue in the Implementation Plan	Yellow (Material)
L	Commercial sector could provide an alternative service	Regular review of charge Promotion of the service	Yellow (Material)
M	Insufficient project support resources	Consideration to be given to the issue in the Implementation Plan	Yellow (Material)
N	Both Authorities need to agree to this service change in order to implement the charging regime	Joint waste committee has considered the proposal	Green

## **SUSTAINABILITY IMPLICATIONS**

The Joint Waste Service plays a key role in assuring we have a clean, green and welcoming place.

The charge could have a disproportionately higher impact on residents on low income because the proposal does not include any concessions. However, all residents have the option to dispose of their garden waste by other means which do not incur a charge.

An Equality Impact Analysis has been completed which has ascertained that there is unlikely to be an adverse impact on specific groups with a protected characteristic.

There is a concern that if a charge for garden waste is introduced, there could be an increase in fly-tipping, however, it is not anticipated that this would be a significant issue based upon recent data used by the County Council after they implemented a charge for DIY construction waste at their household waste recycling centres.

This service change is dependent upon agreement with our partner in the Joint Waste Service, Lichfield District Council and is being considered by their Cabinet on the 4<sup>th</sup> April 2017, having already been endorsed through their scrutiny committee on the 8<sup>th</sup> March 2017.

## **BACKGROUND INFORMATION**

MTFS Council 21.02.17

## **REPORT AUTHOR**

Andrew Barratt – Corporate Director Growth Assets & Environment  
Nigel Harris – General Manager Joint Waste Service

## **LIST OF BACKGROUND PAPERS**

nil

## **APPENDICES**

## Model - Predicted Income Based on Participation Rates

	Impact on Revenue Budget (Saving)/Pressure 35% Uptake £	Impact on Revenue Budget (Saving)/Pressure 45% Uptake £	Impact on Revenue Budget (Saving)/Pressure 55% Uptake £
Charge for Garden Waste £36 charge per bin per annum based on property count 75,000 properties	(945,000)	(1,215,000)	(1,485,000)
Reduction in number of properties paying for a second bin - 250/200/150 properties	10,000	8,000	6,000
Saving on operational infrastructure (vehicles and operatives)	(143,930)	(102,490)	(51,740)
Saving on disposal gate fees (8,000/6,000/4,000 tonnes less garden waste)	(160,000)	(120,000)	(80,000)
Loss of recycling credit on 8,000/6,000/4,000 tonnes of garden waste no longer collected	392,800	294,600	196,400
Recycling credit for garden waste reduced to the actual cost of disposal on 9,000/11,000/13,000 tonnes	261,900	320,100	378,300
Administration of the chargeable service	150,000	160,000	170,000
Promotion of the chargeable service	35,000	35,000	35,000
Provision of home composters	10,000	10,000	10,000
Dealing with unwanted bins - collection and storage	30,000	30,000	30,000
<b>Totals</b>	<b>(359,230)</b>	<b>(579,790)</b>	<b>(791,040)</b>
<b>LDC Share</b>	<b>(206,557)</b>	<b>(333,379)</b>	<b>(454,848)</b>
<b>TBC Share</b>	<b>(152,673)</b>	<b>(246,411)</b>	<b>(336,192)</b>

Capital/one off expenditure **£30,000 - LDC Share £17,250 TBC Share £12,750**



## Garden Waste Subscription Service Implementation Plan

<b>Date</b>	<b>Milestone</b>	<b>Key Outcomes and Outputs</b>
1 <sup>st</sup> January 2018	Subscription Service Starts	<ul style="list-style-type: none"> <li>• Crews only empty garden waste bins which have the appropriate permit attached</li> <li>• Crews report any bins which are presented that don't have the benefit of a permit and attach an advisory sticker.</li> </ul>
24 <sup>th</sup> December 2017	Collection Resource Allocation	<ul style="list-style-type: none"> <li>• Operational resource matched to customer demand by the Logistics officer</li> <li>• Determine number of trucks and men required to provide service on a day by day basis</li> <li>• Subscribing properties allocated to collection rounds</li> </ul>
14 <sup>th</sup> December 2017	Crew Training	Training to include: <ul style="list-style-type: none"> <li>• Terms and conditions</li> <li>• Collection policy</li> <li>• Permit checking procedures</li> <li>• Reporting procedures</li> <li>• Contamination checks</li> </ul>
1 <sup>st</sup> December 2017	Subscription Window Opens	<ul style="list-style-type: none"> <li>• Residents are able to subscribe to the service by using the agreed methodologies</li> <li>• Residents are informed of their first collection date</li> <li>• Permits are printed and posted together with the terms and conditions of the service</li> <li>• Bartec and other back office systems are updated with all new subscribers</li> </ul>
1 <sup>st</sup> November 2017	System Testing	Testing of <ul style="list-style-type: none"> <li>• Payments system</li> <li>• Integration with back office systems including Bartec and Lagan</li> <li>• Production of permits and instructions</li> </ul>
1 <sup>st</sup> October 2017	Logistic Officer Employed	<ul style="list-style-type: none"> <li>• Dedicated officer employed to plan and supervise the waste collections</li> </ul>
1 <sup>st</sup> October 2017	Improvement of Storage Facilities	<ul style="list-style-type: none"> <li>• Completion of improvement works.</li> </ul>
1 <sup>st</sup> August 2017	Appointment of Logistics Officer	<ul style="list-style-type: none"> <li>• Recruitment and selection</li> <li>• Advertise for post</li> <li>• ELG</li> </ul>
1 <sup>st</sup> July 2017	Terms and Conditions	<ul style="list-style-type: none"> <li>• Develop terms and conditions for the subscription service</li> </ul>

1 <sup>st</sup> June 2017	Prepare Communication plan	<ul style="list-style-type: none"> <li>• Define objectives, audiences and goals</li> <li>• Communication methodologies and tools</li> <li>• Campaign dates</li> <li>• Special initiatives – Garden Waste Club</li> <li>• Member updates</li> </ul>
1 <sup>st</sup> June 2017	Procurement	<ul style="list-style-type: none"> <li>• Commence procurement of administration solution</li> <li>• Procurement methodology</li> </ul>
1 <sup>st</sup> June 2017	Hosting of the administration	<ul style="list-style-type: none"> <li>• Decision on how the administration of the service will be hosted</li> <li>• Approval of Administration Implementation plan and costs including recharges</li> </ul>
1 <sup>st</sup> June 2017	Improvement of Bin Storage Facilities	<ul style="list-style-type: none"> <li>• Obtain quotes for the resurfacing of the storage compound</li> <li>• Appoint a construction contractor</li> </ul>
1 <sup>st</sup> May 2017	Business Case for Logistics Officer	<ul style="list-style-type: none"> <li>• Preparation of Business Case for Logistics Officer</li> <li>• Job Description and Person Specification</li> <li>• Job Evaluation</li> </ul>
1 <sup>st</sup> May 2017	Hosting of the administration	<ul style="list-style-type: none"> <li>• Identify options for hosting the administration of the service</li> <li>• Discussions with potential partners</li> <li>• Procurement issues</li> <li>• Resilience and risk assessment</li> <li>• Determine potential costs</li> <li>• Administration Implementation plan drafted</li> <li>• Identify additional staffing requirements</li> <li>• Identify any recharge implications</li> </ul>
1 <sup>st</sup> May 2017	Administration Specification	<p>Determine the administration specification including</p> <ul style="list-style-type: none"> <li>• Define the customer experience</li> <li>• Subscription methodologies</li> <li>• Payment systems</li> <li>• Assess impact on CRM at Tamworth and Lichfield</li> <li>• Assess impact on support services at Tamworth and Lichfield</li> <li>• Process mapping</li> <li>• Bartec upgrade</li> <li>• Generation of permits and instructions</li> <li>• Integration with back office systems</li> </ul>
12 <sup>th</sup> April 2017	Project Team	<ul style="list-style-type: none"> <li>• Formation of project team</li> <li>• Liaison with Innovation Hubs at Lichfield and Tamworth</li> <li>• Skills assessment</li> <li>• Roles and responsibilities</li> <li>• Governance and reporting</li> </ul>
9 <sup>th</sup> April 2017	Formal notification	<ul style="list-style-type: none"> <li>• Formal notification of approval decision sent to Staffordshire County Council,</li> </ul>

		Joint Waste Management Board, UNISON and Greener Composting (Disposal Contractor)
4 <sup>th</sup> April 2017	Political Approval of Subscription Scheme	<ul style="list-style-type: none"> <li>• Approval of the subscription scheme by Lichfield's Cabinet and Tamworth's Full Council</li> </ul>

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