



Cabinet 1 December 2010

Engineering Services

1. Summary and Reasons for Recommendations

- 1.1 The current arrangement between the Borough Council and Suffolk County Council (SCC) regarding delivery of highway services through an Agency Agreement is due to cease on 31 March 2011. It has been agreed with SCC that Borough Council staff currently undertaking this work will be transferred to SCC with effect from 31 January 2011.
- 1.2 In order to deliver the residual engineering responsibilities of the Borough Council, and any services that continue to be delivered on behalf of SCC through a Service Level Agreement, the Borough Council needs to have a staffing structure in place as close to 1 February 2011 as possible.

2. Recommendations

- 2.1 It is **RECOMMENDED** that:-
- (a) the contents of this report be noted;
 - (b) the Director of Economy and Environment, in consultation with the Portfolio Holder for Transport and Planning, be authorised to negotiate with SCC the development of Service Level Agreements or other appropriate arrangements to formalise the delivery of certain services and the fulfilment of the Borough Council's remaining agency obligations in February and March 2011;
 - (c) the staffing structure as detailed in Appendix B be approved; and
 - (d) recruitment to the posts be from within existing staffing resources.

3. Corporate Objectives

- 3.1 The recommendations meet the following as contained within the Corporate Plan:-
- (a) Corporate Priority: *Secure a sustainable and attractive environment; 'to manage the Council's resources efficiently in order to raise performance' and*
 - (b) Cabinet Commitments: *'to improve efficiency'.*

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<p>4. Key Issues: Background</p> <p>4.1 The current Highway Agency Agreement with SCC for delivery of a range of highway services for Bury St Edmunds is due to cease on 31 March 2011 resulting in the delivery of those services transferring back to SCC. However, there will be a range of engineering services that remain the responsibility of the Borough Council and are not included in the agency agreement and these are listed in Appendix A.</p> <p>4.2 Additionally, there is a small number of highway services included within the current Agency Agreement which align well with the existing Borough Council functions and can be delivered more efficiently by the Borough Council than by SCC. For these services a continuation of the Agency Agreement or a Service Level Agreement will be developed. A report detailing these services is due to be considered by the SCC Cabinet on 7 December 2010. It is, therefore, necessary to have in place a staffing structure to deliver the residual responsibilities and those agreed as part of any Service Level Agreement.</p> <p>4.3 The proposed staffing structure is set out in Appendix B. Recruitment to the structure will be from existing staffing resources, with most posts being filled through 'slotting in' of staff. This process will be in accordance with Borough Council's employment policies.</p> <p>4.4 In order to ensure that existing Borough Council employees currently undertaking work as part of the Agency Agreement are considered as part of restructuring due to commence shortly at SCC, an early transfer under Transfer of Undertakings (Protection of Employment) Regulations (TUPE) has been agreed, to take effect from the end of January 2011.</p> <p>4.5 Collection of on street car parking charges will be undertaken by existing Borough Council parking attendants currently employed within the car parking and markets service. For clarity these have not been included within the staffing structure (Appendix B) but all costs relating to the proposed service delivery will be recovered from SCC.</p>
<p>5. Other Options considered</p> <p>5.1 It would be possible to decline the invitation to undertake work on behalf of SCC such as the on street parking, both collection of car parking charges and resident permit schemes. However, this would negate the efficiencies arising from the arrangement which would benefit both authorities.</p>

<p>6. Community impact <i>(including Section 17 of the Crime and Disorder Act 1998 and diversity issues)</i></p> <p>6.1 <u>General</u></p> <p>6.1.1 Continued delivery of the residual functions will ensure well maintained street scenes.</p> <p>6.2 <u>Diversity and Equality Impact</u> <i>(including the findings of the Equality Impact Assessment)</i></p> <p>6.2.1 There are no diversity implications.</p>
<p>7. Sustainability Impact <i>(including environmental or social impact on the local area or beyond the Borough)</i></p> <p>7.1 The continued delivery of services through Service Level Agreements is the most sustainable way of delivering these services.</p>

8. Consultation
 8.1 Consultation has taken place with SCC and the Borough Council's Portfolio Holder for Transport and Planning and Management Team.

9. Resource implications *(including asset management implications)*
 9.1 The total on-costed service for the structure as detailed in Appendix A is approximately £131,500 of which £69,000 will be funded by the Green Travel Plan or by SCC through a Service Level Agreement. This is a growth of £62,500 plus overheads of 5% namely £65,500 equivalent to £1.73 for a band D taxpayer. This is subject to detailed evaluation of posts, but it is below the figure incorporated within the proposed 2011/2012 Dynamic Review – Innovation, Value and Enterprise (DR-IVE) growth bids.
 9.2 The delivery by the Borough Council of specific services on behalf of SCC, and the costs arising there from, are still subject to negotiation. However, a cautious figure based on current agreements has been included in the amounts quoted above. It is proposed that the detail of these negotiations be agreed by the Director for Economy and Environment, in consultation with the Portfolio Holder for Transport and Planning.

10. Risk Assessment *(potential hazards or opportunities affecting corporate, service or project objectives)*
 10.1 The following risks are identified:

Risk area	Inherent level of Risk (before controls)	Controls	Residual Risk (after controls)
Following transfer of Agency Agreement residual services are not delivered.	High	Proper resourcing of engineering services.	Low
Corporate costs rise following transfer of agency agreement.	High	Negotiate with SCC to continue to deliver on-street parking service.	Medium

11. Legal or policy implications
 11.1 An Agency Arrangement is the formal delegation of functions from one local authority to another through a legal agreement under Section 101 of the Local Government Act 1972. Suffolk County Council as the Highway Authority has resolved not to extend the existing agreement beyond 31 March 2011. Entering into a Service Level Agreement for delivery of specific services is appropriate.
 11.2 A protocol has been agreed with SCC to safeguard the employment rights of the transferring staff even though the transfer will take place before the end of the Agency Agreement. A suitable mechanism will be agreed, for example the Borough Council commissioning the work from SCC, to enable the Council to carry out its agency obligations from 1 February to 31 March 2011.

Wards affected	All.	Portfolio Holder	Transport and Planning
Background Papers		Subject Area	Highways and Transport

Engineering services.

Staffing required to deliver council's engineering responsibilities and duties covered by proposed service level agreement with SCC.

Green Travel Plan officer

Duties covered.

Advice to planning service on applications in respect of travel plans.

Reviewing car parking charges

Recharges to SCC

Management of pool bikes.

Management of plan and initiatives.

Liaison with bus companies

Traffic and Transport officer

Duties covered.

Residents parking,

- renewal letters
- updating application forms
- management of databases.
- active management of filing of applications.
- web site management
- issuing/selling permits and visitor vouchers
- processing payments
- issuing replacements
- training reception staff
- dealing with complaints

Other permits

- Market traders
- Gt Churchyard
- Keebles Yard
- Social Health Care

Police Town Clauses Act – road closures public events.

- time order plans
- invoice applicant
- consultation letters
- map preparation of closure and diversion routes
- amending old orders, sending to legal section
- sending letters incorporating signed order

- addressing issues
- updating website to show road closures and liaising with comms unit.

Assisting with other traffic matters

- Christmas Park and Ride.
- liaison with bus companies including tendering service.
- changes in car parking tariffs'

Highway officers (incorporating current Rights of Way post)

Police Town Clauses Act – road closures public events.

- organising road closures and traffic management for civic events
- design, map and order temporary signage
- arrange temporary barriers
- liaison with different departments and outside bodies.

Maintenance

- lining and diversions to car parks
- car parks, shopping centres, bus station, etc inspections and records
- issue work orders and inspect repairs
- authorise payments
- investigate complaints re street name plates (whole borough).
- inspect and repair or authorise replacements
- order signs for parking permit schemes
- inspection and arranging repairs to street furniture including seats and bins
- inspection and arranging repairs to street bollards and gates
- inspection and arranging repairs to welcome signs, tourists signs, maps etc.
- inspection and arranging repairs and cleaning to bus shelters including liaising with 'clear shelter'.

Miscellaneous

- issue pre licensing notification documents. (Bury, Haverhill and Clare) for street licences
- investigate insurance claims and prepare reports
- drainage inspections, grilles etc.
- river inspections
- drainage disputes., liaison with owners and EA. (Water Courses Act) footway amenity lights, arrange repairs through SCC

Rights of Way post duties

- diversions- throughout SEBC
- consultations on planning submissions
- liaison with SCC.

Admin officer

- management of sewer map records
- dealing with public enquiries re drainage records
- liaison with other departments especially EH
- confirming if public open space or highway
- invoicing EA for river inspections
- raising purchase orders
- paying invoices
- on street energy supplies, invoicing etc.
- filing
- admin support for Traffic and Transport Officer

Clerk of Works

Inspecting works on site. Note this position is only filled when there are SEBC works on site and is undertaken by agency worker. Costs are incorporated within overall capital or revenue budget relating to individual schemes.

Engineering Services

