

# Public Document Pack

Sefton Council 

MEETING: CABINET  
DATE: Thursday 4th April, 2019  
TIME: 10.00 am  
VENUE: Birkdale Room, Town Hall, Southport

DECISION MAKER: **CABINET**

Councillor Maher (Chair)  
Councillor Atkinson  
Councillor Cummins  
Councillor Fairclough  
Councillor Hardy  
Councillor John Joseph Kelly  
Councillor Lappin  
Councillor Moncur  
Councillor Veidman

COMMITTEE OFFICER: Steve Pearce  
Interim Democratic Services Manager  
Telephone: 0151 934 2046  
E-mail: [steve.pearce@sefton.gov.uk](mailto:steve.pearce@sefton.gov.uk)

The Cabinet is responsible for making what are known as Key Decisions, which will be notified on the Forward Plan. Items marked with an \* on the agenda involve Key Decisions

A key decision, as defined in the Council's Constitution, is: -

- any Executive decision that is not in the Annual Revenue Budget and Capital Programme approved by the Council and which requires a gross budget expenditure, saving or virement of more than £100,000 or more than 2% of a Departmental budget, whichever is the greater
- any Executive decision where the outcome will have a significant impact on a significant number of people living or working in two or more Wards

**If you have any special needs that may require arrangements to facilitate your attendance at this meeting, please contact the Committee Officer named above, who will endeavour to assist.**

We endeavour to provide a reasonable number of full agendas, including reports at the meeting. If you wish to ensure that you have a copy to refer to at the meeting, please can you print off your own copy of the agenda pack prior to the meeting.

This page is intentionally left blank

# AGENDA

Items marked with an \* involve key decisions

<u>Item No.</u>	<u>Subject/Author(s)</u>	<u>Wards Affected</u>	
1	<b>Apologies for Absence</b>		
2	<b>Declarations of Interest</b>  Members are requested at a meeting where a disclosable pecuniary interest or personal interest arises, which is not already included in their Register of Members' Interests, to declare any interests that relate to an item on the agenda.  Where a Member discloses a Disclosable Pecuniary Interest, he/she must withdraw from the meeting room, including from the public gallery, during the whole consideration of any item of business in which he/she has an interest, except where he/she is permitted to remain as a result of a grant of a dispensation.  Where a Member discloses a personal interest he/she must seek advice from the Monitoring Officer or staff member representing the Monitoring Officer to determine whether the Member should withdraw from the meeting room, including from the public gallery, during the whole consideration of any item of business in which he/she has an interest or whether the Member can remain in the meeting or remain in the meeting and vote on the relevant decision.		
3	<b>Minutes of the Previous Meeting</b>  Minutes of the meeting held on 7 March 2019		(Pages 5 - 10)
4	<b>Corporate Health and Safety Policy</b>  Report of the Head of Corporate Resources	All Wards	(Pages 11 - 36)
* 5	<b>Locality Services - Cleansing Services Vehicle Fleet Procurement</b>  Report of the Head of Locality Services		(Pages 37 - 42)
* 6	<b>Procurement of Liquid Fuels</b>	All Wards	(Pages 43 - 46)

## Report of the Head of Locality Services

**THE "CALL IN" PERIOD FOR THIS SET OF MINUTES ENDS AT 12 NOON ON WEDNESDAY 20 MARCH 2019.**

## **CABINET**

### **MEETING HELD AT THE COMMITTEE ROOM, TOWN HALL, BOOTLE ON THURSDAY 7TH MARCH, 2019**

**PRESENT:** Councillor Maher (in the Chair)  
Councillors Atkinson, Cummins, Fairclough, Hardy, John Joseph Kelly, Lappin and Moncur

#### **101. APOLOGIES FOR ABSENCE**

An apology for absence was received from Councillor Veidman.

#### **102. DECLARATIONS OF INTEREST**

No declarations of any disclosable pecuniary interests or personal interests were received.

#### **103. MINUTES OF THE PREVIOUS MEETING**

##### **Decision Made:**

That the minutes of the Cabinet meeting held on 14 February 2019 be confirmed as a correct record.

#### **104. REVENUE AND CAPITAL BUDGET UPDATE 2018/19 – 2019/20**

The Cabinet considered the report of the Head of Corporate Resources which provided details of the current forecast revenue outturn position for the Council for 2018/19 and potential impact on the 2019/20 budget; the current forecast on Council Tax and Business Rates collection for 2018/19 and the current position of the 2018/19 Capital Programme.

##### **Decision Made: That:**

- (1) It be noted that in view of the significant budget pressure in 2018/19, officers will continue to review all current budget forecasts across all service areas to close the current in-year forecast budget deficit (£0.062m). This will include the continuing review of all current vacancies and non-essential expenditure;
- (2) in the event that there is material change to the 2018/19 outturn forecast, approval be given to additional remedial measures being identified in order that a balanced budget position can be achieved;
- (3) in the event that additional financial pressure are identified between now and the year end, that has not taken account of in the recently approved 2019/20 budget, approval be given to additional

# Agenda Item 3

CABINET- THURSDAY 7TH MARCH, 2019

proposals being brought forward for members to consider in order to ensure that financial sustainability is maintained; and

- (4) the reduced delivery of the capital programme be noted and that as the delivery has reduced, a full review of capital project management be led by the Head of Corporate Resources and be completed in advance of the next financial year.

## **Reasons for Decision:**

To ensure Cabinet are informed of the forecast outturn position for the 2018/19 revenue and capital budgets as at the end of September 2018 and to provide an updated forecast of the outturn position with regard to the collection of Council Tax and Business Rates.

In March 2017 Council approved a three-year budget plan to March 2020. The final two years of this plan were revised in March 2018 as part of the process of setting the 2018/19 budget. The Council is half way through the second year of the budget plan and remains confident that the strategic approach to budget planning alongside good financial management and extensive community engagement means that it will secure future sustainability to 2020 and beyond. However, in year demand for social care services is currently resulting in the costs for these services exceeding the budget. Corrective action will be required to bring the overall budget into balance before the end of the financial year if the position worsens over the coming months.

## **Alternative Options Considered and Rejected:**

None.

## **105. MEDICALLY MANAGED RESIDENTIAL DRUG AND ALCOHOL DETOXIFICATION SERVICE**

The Cabinet considered the report of the Head of Health and Wellbeing which provided details of proposals to implement a two-year extension of the current contract with Mersey Care NHS Foundation Trust for the provision of the Medically Managed Residential Drug and Alcohol Detoxification Service.

Members of the Cabinet expressed the view that the provision of the service should be mindful of the current work taking place within the Liverpool City Region on the Housing First Initiative.

## **Decision Made:**

That the Head of Health and Wellbeing be granted authority in consultation with the Cabinet Member – Health and Wellbeing to exercise the option to extend the current contract with Mersey Care NHS Foundation Trust for a period of two years from the 1 July 2019.

CABINET- THURSDAY 7TH MARCH, 2019

## **Reasons for Decision:**

The Cabinet on 1 October 2015, authorised the Interim Director of Public Health and Chief Finance Officer to award the contract for its core period from 1 July 2016 and authority was required to exercise the extension options outlined in the tender exercise.

For the past two and a half years, Mersey Care NHS Foundation Trust have provided Medically Managed Residential Detoxification Services that meet or exceed contractual and performance targets. For example, the threshold for successful detoxification completions is set at 80%. In Quarter 4 of 2017/18 the service achieved 81%; in Quarter 1 of 2018/19 86% and in Quarter 2 of 2018/19 90%. The threshold for service users rating their satisfaction as good or excellent is set at 80%. In July, August and September 2018 the service achieved 100%. Public Health Commissioners have no concerns over the quality, performance or governance of the current service.

Mersey Care have recently invested heavily in a refurbishment and upgrade of the Hope Centre Detoxification Centre. The Centre now offers modernised accommodation, bespoke therapy rooms and a Barnardo's approved children's area.

Authority to exercise a two-year extension option rather than a one-year extension was recommended to ensure on-going service stability and improvements in outcomes / performance being sustained in the longer-term.

Medically Managed Residential Detoxification services are highly specialist and experience from previous tender exercises show choice within the local and regional market to be extremely limited.

Conducting a full procurement exercise at this point would not bring about any significant benefits for Sefton Council or for users of the detoxification service and exercising the option to extend the current contract by one-year would only bring about temporary short-term stability. Exercising both twelve-month extension options together at this point provides the best opportunity for continued service stability and service improvement within an environment of uncertainty and change.

## **Alternative Options Considered and Rejected:**

The available options are:

- i) Exercise one year extension / continuation option. This option would provide a degree of continuity and stability and the value would be within the threshold for Cabinet Member Authorisation. However, any continuity / stability derived from exercising this option would be limited to twelve months at which point the Council would still need to consider exercising the second extension / continuation option or re-tender the service.

# Agenda Item 3

CABINET- THURSDAY 7TH MARCH, 2019

- ii) combine both twelve-month extension / continuation options and exercise an extension to the existing contract for a period of two years. This option would provide a longer period of service stability and reduce cost to the Council from engaging in a procurement exercise. The value of a two-year extension would exceed the threshold for Cabinet Member Authorisation and a decision would need to be sought from full Cabinet.

Conducting a full procurement exercise would not bring about any significant benefits for Sefton Council or for users of the detoxification service.

Considerable savings were realised throughout the 2016 procurement exercise with a contract value reduced from £510,522 per year to £374,900 per year. The contract was awarded following robust assessment and evaluation procedures and it was clear that there were only a limited number of acceptable options available within the open market.

Medically Managed Residential Detoxification Services are highly specialised services and few exist outside of NHS Trusts. After the current service provider, the nearest provision for medically managed detoxification is in Manchester and does not meet the specified criteria of delivering a service within fifteen miles of Sefton boarder.

## **106. SOUTHPORT BUSINESS IMPROVEMENT DISTRICT**

The Cabinet considered the report of the Head of Economic Growth and Housing which provided details of the Southport Business Improvement District (BID) Business Plan and the proposals for the Council to hold a ballot as part of the process to enable the BID to be formally established in accordance with the 2004 BID Regulations.

### **Decision Made:**

That:

- (1) the proposals for the Southport Business Improvement District (BID) as set out in the business plan be approved;
- (2) the Head of Economic Growth and Housing be authorised to submit a positive vote on behalf of the Council;
- (3) the Chief Executive be granted delegated authority in consultation with the Leader of the Council and the Head of Corporate Resources (Section 151 Officer), to sign a future BID Baseline Agreement on behalf of the Council;



CABINET- THURSDAY 7TH MARCH, 2019

- (4) the Head of Corporate Resources be authorised to complete the necessary formal agreements required for the collection of the BID Levy if a Yes vote is achieved; and
- (5) as the relevant ballot holder, authority be given to the Electoral Reform Services to hold the BID ballot.

**Reasons for Decision:**

To allow the BID ballot to commence and then thereafter for the BID company to deliver a new 5 year term

**Alternative Options Considered and Rejected:**

There are no other alternative options for the BID delivery, or similar model that would secure the level of private sector investment into Southport.

This page is intentionally left blank

# Agenda Item 4

<b>Report to:</b>	Cabinet	<b>Date of Meeting:</b>	4 April 2019
<b>Subject:</b>	Corporate Health and Safety Policy		
<b>Report of:</b>	Head of Corporate Resources	<b>Wards Affected:</b>	(All Wards);
<b>Portfolio:</b>	Cabinet Member - Regulatory, Compliance and Corporate Services		
<b>Is this a Key Decision:</b>	No	<b>Included in Forward Plan:</b>	No
<b>Exempt / Confidential Report:</b>	No		

## Summary:

This report sets out the revised Corporate Health and Safety policy for approval.

## Recommendation(s):

- (1) The Corporate Health and Safety Policy be approved; and
- (2) Note that the changes to the terms of reference of the Audit and Governance referred in paragraph 2 will be submitted to the Committee and Council in due course.

## Reasons for the Recommendation(s):

The Council has an existing Corporate Health and Safety Policy which in line with good practice has been reviewed to ensure that it reflects the operating arrangements in place and current legislation.

The Council's Constitution outlines that the Cabinet has a strategic responsibility for employee related health and safety.

## Alternative Options Considered and Rejected: (including any Risk Implications)

None considered.

## What will it cost and how will it be financed?

### (A) Revenue Costs

There are no additional revenue costs associated with approving the revised Corporate Health and Safety Policy.

# Agenda Item 4

## (B) Capital Costs

There are no capital costs associated with approving the revised Corporate Health and Safety Policy

### Implications of the Proposals:

<b>Resource Implications (Financial, IT, Staffing and Assets):</b> None
<b>Legal Implications:</b> None.
<b>Equality Implications:</b> There are no equality implications.

### Contribution to the Council's Core Purpose:

Protect the most vulnerable: n/a
Facilitate confident and resilient communities: n/a
Commission, broker and provide core services: n/a
Place – leadership and influencer: The revised Policy is a cornerstone of the Council's health and safety framework and will help to ensure there is an effective health and safety culture in the organisation.
Drivers of change and reform: n/a
Facilitate sustainable economic prosperity: n/a
Greater income for social investment: n/a
Cleaner Greener n/a

### What consultations have taken place on the proposals and when?

#### (A) Internal Consultations

The Head of Corporate Resources (FD5571/19) and the Chief Legal and Democratic Officer (LD4695/19) have been consulted and any comments have been incorporated into the report.

The Corporate Health and Safety Committee (which includes Trade Union representatives), the Cabinet Member (Regulatory, Compliance and Corporate Services) and the Strategic Leadership Team have all been consulted.

#### (B) External Consultations

Not applicable.

## Implementation Date for the Decision

Following the expiry of the “call-in” period for the Minutes of the Cabinet Meeting.

<b>Contact Officer:</b>	David Eden
Telephone Number:	0151 934 4053
Email Address:	david.eden@sefton.gov.uk

## Appendices:

The following appendices are attached to this report:

Corporate Health and Safety Policy

## Background Papers:

There are no background papers available for inspection.

# Agenda Item 4

## **1. Introduction/Background**

- 1.1 The Council has in accordance with its responsibilities to manage health and safety approved a Council-wide Corporate Health and Safety Policy. The policy sets out the Council's approach to health and safety, the responsibilities for key staff for managing the system and the arrangements within the Council for monitoring health and safety. The Policy in line with good practice has been reviewed in November 2018 to ensure that the arrangements remain relevant to the current operating model.
- 1.2 This report provides the revised health and safety policy which was presented to the Corporate Health and Safety Committee in December 2018 and the Cabinet Member for Regulatory, Compliance and Corporate Services in January 2019, Cabinet are now asked to approve the policy

## **2. Revised Policy**

- 2.1 The revised Health and Safety Policy includes the following amendments:
  - Clarified the roles of the Cabinet and Cabinet Member for Regulatory, Compliance and Corporate Resources for managing health and safety linked to the roles stated in the Constitution.
  - Clarified the monitoring role for Audit and Governance Committee which will be amended in a future revision of both the Committee's Terms of Reference and the Constitution.
  - Defining key health and safety objectives for the next two years and highlighting that key performance indicators will need to be developed to provide an assessment on progress.
  - Further clarification on the roles of Head of Corporate Resources and Heads of Services.
  - Clarification on the roles of Finance Manager, Chief Internal Auditor, building managers and the Property Services Team.
  - Revised the Terms of Reference for the Corporate Health and Safety Committee
  - The auditing of the implementation of the health and safety system by both the Health and Safety Team and the Internal Audit Team.
- 2.2 The revised policy provides a strong foundation to further enhance the Council's approach to health and safety across the organisation.

## **3. Recommendation**

- 3.1 That Cabinet agree the Corporate Health and Safety Policy.

# Corporate Health and Safety Policy

2019 – 2021

This policy outlines the Council's statutory health and safety duties,  
relevant responsibilities and corporate objectives.

Effective January 2019 – January 2021



<b>Contents</b>	<b>Section</b>	<b>Page no</b>
Introduction		4
<b>Policy Statement</b>	1.	6
Sefton Council's Corporate Health and Safety Policy Statement	1.1	6
Elected Members' Health and Safety Policy Statement	1.2	7
<b>ORGANISATION</b>	2.	8
Roles and responsibilities	2.1	8
Governance	2.2	8
Cabinet	2.3	8
Elected Members	2.4	8
Cabinet Member for Regulatory, Compliance and Corporate Services	2.5	9
Audit and Governance Committee	2.6	9
Chief Executive Office	2.7	9
Directors, Heads of Service and Senior Managers (including Headteachers of maintained and voluntary controlled schools)	2.8	9
Head of Corporate Resources (section 151 Officer)	2.9	10
Deputy Section 151 Officer	2.10	11
Chief Internal Auditor	2.11	11
Asset and Property Manager	2.12	12
Building Managers	2.13	12
Property Services	2.14	12
Health and Safety function buildings only	2.15	13
Health and Safety Co-ordinators	2.16	14
Trade Union Representatives	2.17	14
Managers, supervisors and team leaders	2.18	14
All employees, agency workers and contractors	2.19	15
School governing bodies	2.20	15
Trusts and Partnerships	2.21	16
Contractors	2.22	16
Volunteers	2.23	17
Corporate Health and Safety Team	2.24	17
Consultation arrangements	2.25	18
Health and Safety Standards	2.26	19
<b>Monitoring and Reporting</b>	3.	20
Health and safety systems and processes	3.1	20
Setting health and safety objectives	3.2	20
Measuring health and safety performance	3.3	20
Training and Information	3.4	21
<b>Audit and review</b>	4.1	21
Health and safety Standards	Appendix A	22



DRAFT

**Version Control**

Version number	Date	Approved by	Effective from
1	23/01/2013	Corporate Health and Safety Committee	15/05/2013
2	01/04/2016	Corporate Health and Safety Committee	15/10/2016
3	13/12/2018	Corporate Health and Safety Committee	
4		Cabinet	



## Introduction

Sefton Council is committed to effective health and safety management as part of its wider agenda of social responsibility, sustainability, corporate governance, risk management and the delivery of value for money quality services. We expect this same commitment from our partners and contractors. This means having in place effective management arrangements that ensure the wellbeing of our employees and service users that minimise the losses (including financial and reputational) to our business from ill health and injury.

Implementation of this health and safety policy, associated guidance and management systems will therefore contribute to improving corporate performance.

This health and safety policy has been developed jointly by the Health and Safety Team with the Corporate Health and Safety Committee and is endorsed by the Council's trade unions.

## Guiding Principles

The main legislation covering this area is the Health and Safety at Work etc. Act 1974 and regulations made under that Act; in particular the Management of Health and Safety at Work Regulations 1999.

Health and safety law requires the employer to assess the risks to the health and safety of staff and others affected by their activities. The terms risk assessment and risk management are used to describe the process of thinking about the risks of any activity and the steps taken to counter them.

To achieve continuous improvement of our health and safety performance through management leadership and the commitment of our employees, we have developed guiding principles taken from the Health and Safety Executive's (HSE) revised edition of [HSG65 Managing for health and safety](#). These guiding principles are interrelated and interdependent so that consistent activity and effort in each area is needed to promote a climate in which a positive health and safety culture can develop.

The guidance uses the Plan Do Check Act approach to achieve a balance between the systems and behavioural aspects of management.

The impact of poor health and safety at work can include death, major injury, lost working days due to injury and occupational ill-health, uninsured losses, civil claims and loss of reputation. Failure to comply with health and safety legislation can have serious consequences – for individuals as well as organisations.

This Policy Document is in four parts:

- 1 **Statement** - The Chief Executive's declaration of intent on behalf of Sefton Council and the Elected Members Health and Safety Policy Statement.
- 2 **Organisation** - The management structure and the defining of roles and responsibilities within the organisation.
- 3 **Arrangements** - The corporate procedures and systems necessary for implementing the policy.
- 4 **Monitoring** - The systems for auditing and checking the effectiveness of the arrangements and reporting on health and safety performance.

DRAFT



**1. Policy Statement**

**1.1 Sefton Council’s Corporate Health and Safety Policy Statement**

Sefton Council recognises that providing good health and safety management is fundamental to the delivery of its services.

We will seek to ensure an active health and safety culture throughout our workforce and will strive to meet and adhere to all relevant legislation and codes of practice.

We consider health and safety to be an integral part of what we do and we hope to achieve continual improvement in performance by setting objectives and targets and we will follow the principles set out in Health and Safety Executive’s guidance *Managing for Health and Safety HSG65*.

We will adopt a planned risk based approach to health and safety management based on the principles of sensible risk management. We are committed to:

- Preventing accidents and work related ill health
- Complying with health and safety legislation, guidance and good practice
- Identifying, assessing and controlling the risk that arise from our work
- Providing adequate information, instruction and training to ensure everyone has the necessary competence to do their job safely
- Providing a safe and healthy working environment
- Ensuring that competent persons are available to provide health and safety assistance and technical advice
- Ensuring safe working methods and providing safe plant and equipment
- Monitoring and reviewing systems to make sure that they are effective
- Developing and maintaining a positive health and safety culture through communication and consultation with employees and their recognised trade union representatives.

Sefton Council expects all staff to go about their duties with the proper concern for the safety of themselves and others. It also expects the same support and cooperation from contractors, partners, visitors and persons using its facilities.

**Signed:** .....

**Date:** .....

Margaret Carney  
Chief Executive – Sefton MBC



## 1.2 Elected Members' Health and Safety Policy Statement

Elected members fully support the Council's approach to managing health and safety as outlined below:

- A sensible risk management approach is fundamental to the way the Council operates and delivers its services
- A key focus should be on high risk activities and the Council's six priority topics in line with HSE's identified priority areas for local government: waste and recycling, building maintenance activities, road safety and transport, musculoskeletal, stress and work-related violence in compliance with statutory obligations. <http://www.hse.gov.uk/aboutus/strategiesandplans/sector-plans/public-services.pdf>
- Elected members have a key role to play when setting budgets. The health and safety implications of Council budget decisions and target setting must be a fundamental part of decision-making process.
- Elected Members have a key part to play in the monitoring and review of health and safety performance particularly through the receipt of health and safety reports at Cabinet meetings where appropriate.
- The Cabinet will ensure that mechanisms are in place to consult with trade union and other staff representatives on health and safety matters.
- Successful health safety management is based on continuous improvement in all areas of health and safety.
- The full Council will approve the policy and questions members on health and safety policy decisions.

The policy will be reviewed on or before the January 2021.

.....  
Councillor Lappin  
Cabinet Member for Regulatory Compliance and Corporate  
Services

Health and Safety Champion

Date:

# Agenda Item 4



## **2.0 Organisation**

### **2.1 Roles and responsibilities**

The Chief Executive has overall responsibility for the development and implementation of the Corporate Policy and for its monitoring and review. The Chief Executive is responsible for ensuring that the Council is informed of significant issues concerning the policy, its implementation and the resources required.

Although some duties and responsibilities may be delegated, accountability for health safety and welfare at work of employees is not transferable. Executive direction of the Council's policy for health and safety matters including authorisations will follow normal arrangements for accountability and responsibility - in this case to members of the Strategic Leadership Board.

Sefton Council recognises that the key to further improvements in health and safety lie in securing a systematic approach to health and safety management throughout the organisation so that health and safety becomes fully integrated with all other aspects of business management. This requires strategic leadership supported by specialist professional input.

All employees have health and safety responsibilities at work.

### **2.2 Governance**

The key governance arrangements for managing, monitoring and setting direction on health and safety within Sefton are set out below:

- Cabinet
- Cabinet Member for Regulatory, Compliance and Corporate Services
- Audit and Governance Committee
- Corporate Health and Safety Committee

These governance structures will enable the health and safety management systems' actions and levels of performance to be appropriately challenged.

### **2.3 Cabinet**

The Cabinet has strategic responsibility for employee related health and safety in the Council.

### **2.4 Elected Members**

The Council's elected members have a responsibility to conduct their business and make decisions in conformity with health and safety legislation and the Council's own policies. Members must ensure that the decisions they make take account of health and safety issues and that sufficient resources are allocated for this purpose. As a result of the powers given to individual members there is an increased possibility that they could be held legally liable for the consequences of



their decisions in health and safety terms.

## **2.5 Cabinet Member for Regulatory, Compliance and Corporate Services**

The Cabinet Member for Regulatory, Compliance and Corporate Services has responsibility for Health and Safety in the Council's capacity as an employer and will jointly sign off on the Council's Health and Safety policy with the Chief Executive Officer.

## **2.6 Audit and Governance Committee**

The Audit and Governance committee's responsibilities are to consider the Council's arrangements for health and safety, receive regular assurances and assessments on the effectiveness of these arrangements.

## **2.7 Chief Executive** is responsible for:

- Providing clear and visible health and safety leadership that promotes a positive health and safety culture and encourages employee involvement in improving health and safety standards.
- Ensuring all decisions made reflect their health and safety intentions as articulated in the Council's health and safety policy statement.
- The implementation and effective operation of an integrated health and safety management structure.
- The monitoring of health and safety arrangements that includes progress against the corporate health and safety action plan. This will set the direction for health and safety and allocate resources to make the strategy a reality.
- Ensuring that sufficient resources are allocated for the implementation of health, safety and welfare. This will be achieved in part, through the setting of safety performance standards and by the promotion of a positive safety culture throughout the organisation.
- Ensuring the appointment of competent persons to assist in the management of health, safety and welfare.

## **2.8 Directors, Heads of Service and Senior Managers (including Headteachers of maintained and voluntary controlled schools)** must comply with Sefton Council's health and safety policy and:

- Visibly support the Council's health and safety arrangements, work with trade union and employee representatives and ensure that all employees are familiar with their specific responsibilities and duties.
- Ensure that where they operate buildings statutory building checks such as legionella, gas safety, asbestos, periodic electrical checks etc are carried out in accordance with statutory guidance and that actions highlighted in the checks are completed in a timely manner.
- Ensure the relevant standards and systems are periodically reviewed and updated.
- Ensure that remedial action following audits or accident investigations actions are implemented.



# Agenda Item 4

- Ensure that there are effective systems in place to control to identify and control risks to service users and members of the public.
- Make sure that service managers are aware of the standards and systems relevant to their sections and are held accountable for any shortfall.
- Take forward any actions agreed at the Corporate Health and Safety Committee
- Nominate the Health and Safety Coordinators to help take a lead on health and safety within the service and to represent the Head at health and safety meetings.
- Ensure that an effective health and safety management system is implemented in their work area by effective monitoring
- Where two or more services share a site to ensure that clear health and safety roles and responsibilities and means of communication and cooperation between the services are established and maintained.
- The following senior managers have specific responsibilities:

**2.9 Head of Corporate Services (Section 151 Officer)** is the named senior officer with specific responsibility for managing the corporate health and safety function as well as the Property Services function and as such has the following responsibilities in addition to those listed above:

- Responsibility for ensuring statutory compliance for Council buildings where Property Services undertakes this function on behalf of Heads of Services.
- Liaising with the Health and Safety Executive and other enforcing bodies
- Liaising with the Executive Member nominated as the Health and Safety Champion with regards to health and safety matters.
- Visibly demonstrating a commitment to achieving and maintaining a high standard of health, safety and welfare performance.
- Presenting policies and reports to the Senior Leadership Board and joint consultation bodies (as necessary)
- Liaising with the Corporate Health and Safety Team on corporate health and safety matters.
- Ensuring that each service has access to sufficient health and safety advice.
- Managing the implementation of health and safety policies and supporting documents
- Consulting with TU health and safety representatives.
- Ensuring that adequate resources are made available to implement adequate health safety and welfare facilities.
- Ensuring co-operation with other parts of the Council and that adequate arrangements are in place for consultation with staff (and their representative) on health safety and welfare issues.
- Chair the Corporate Health and Safety committee to ensure it meets its terms of reference.
- Provide quarterly reports on health and safety performance to the Audit and Governance Committee
- Provide an annual health and safety report to Cabinet on Health and Safety.



**2.10 Deputy Section 151 Officer** on behalf of the Head of Corporate Services has the following responsibilities:

- In the absence of the Section 151 Officer responsibility for ensuring statutory compliance for Council buildings where Property Services undertakes this function on behalf of Heads of Services.
- Liaising with the Health and Safety Executive and other enforcing bodies
- Liaising with the Executive Member nominated as the Health and Safety Champion with regards to health and safety matters.
- Visibly demonstrating a commitment to achieving and maintaining a high standard of health, safety and welfare performance.
- Presenting policies and reports to the Corporate Leadership Board and joint consultation bodies (as necessary)
- Liaising with the Corporate Health and Safety Team on corporate health and safety matters.
- Ensuring that each service has access to sufficient health and safety advice.
- Managing the implementation of health and safety policies and supporting documents
- Consulting with TU health and safety representatives.
- Ensuring that adequate resources are made available to implement adequate health safety and welfare facilities.
- Ensuring co-operation with other parts of the Council and that adequate arrangements are in place for consultation with staff (and their representative) on health safety and welfare issues.
- will chair the Corporate Health and Safety committee to ensure it meets its terms of reference.
- Provide quarterly reports on health and safety performance to the Audit and Governance Committee
- Provide an annual health and safety report to Cabinet on Health and Safety.

**2.11 Chief Internal Auditor (CIA).** The CIA responsibilities include:

- Liaise with the Head Corporate Resources on health and safety issues to ensure that new and emerging issues are identified and shared with the Senior Leadership Board.
- Manage the Health and Safety function of the Council.
- Prepare the Corporate Health and Safety Policy for approval by the Cabinet.
- Prepare health and safety guidance notes and documentation which support the Corporate Health and Safety Policy.
- Provide clear and timely health and safety guidance to Council Members, Heads of Service, the seniors managers and other employees.
- Encourage effective links with relevant stakeholders to improve health and safety performance.
- Monitor the Corporate Health Safety Policy and its associated guidance and documentation.
- Keep up to date with changes in legislation and best practice documents.
- Maintain a corporate wide register of accidents/incidents and near misses and notify the Health and safety Executive of accidents and dangerous

# Agenda Item 4



occurrences as necessary.

- Provide regular quarterly reports to the Audit and Governance Committee on behalf of Head of Corporate Resources
- Provide an annual report on Health and Safety to Cabinet on behalf of the Head of Corporate Resources.
- Manage the health and safety function.

**2.12 Service Manager - Property and Buildings** has responsibility for providing the assurance that all statutory tests and inspections are carried out and remedial actions taken and priorities managed for the properties where Property Services provides statutory buildings related health and safety services.

**2.13 Building Managers appointed by the Head of Service (including Head Teachers) where the responsibility for managing the building lies with the service area:** are responsible for managing and co-ordinating health and safety for the building including (but not exhaustively):

- Control of asbestos
  - Management of Legionella
  - Fire risk assessments and procedures
  - Electrical Safety
  - Gas safety
  - Supervision of contractors
  - Emergency and contingency planning
  - Lifts and hoists
  - Lighting Conductors
- Heads of Services are responsible for ensuring that a building manager is appointed for each building in their service area and that they are competent by a combination of appropriate training and experience.
  - Building Managers should liaise with Property Services to ensure that building related risk assessments are carried out and any necessary actions such as maintenance and repairs are undertaken within reasonable timescales.
  - Building Managers should ensure that co-ordinated inspections of common areas within their premises are undertaken, so that the building and equipment are safe and properly maintained.
  - Building Managers will also ensure that records are kept and employees informed of the control measures necessary to minimise the risks to health and safety of the building users.
  - Building Managers will provide periodic updates, where requested, to the Corporate Health and Safety Committee on their compliance with their responsibilities.

**2.14 Property Services** are responsible for managing and co-ordinating statutory health and safety for the buildings they directly manage as well as for those properties they provide services on behalf of the Heads of Services including (but not exhaustively):



- Control of asbestos
  - Management of Legionella
  - Fire risk assessments and procedures
  - Electrical Safety
  - Gas safety
  - Supervision of contractors
  - Emergency and contingency planning -
  - Lifts and hoists
  - Lighting Conductors
- Property Services will ensure that building related risk assessments are carried out and any necessary actions such as maintenance and repairs are undertaken within reasonable timescales.
  - Property Services should ensure that co-ordinated inspections of common areas within the premises they manage are undertaken, so that the building and equipment are safe and properly maintained.
  - Property Services will also ensure that records are kept and employees informed of the control measures necessary to minimise the risks to health and safety of the building users.
  - Property Services will devise policies and procedures, seek formal approval in accordance with Sefton's Constitution and update as required to ensure that Sefton complies with its statutory duties.
  - Property Services will provide advice and guidance to building managers and other staff where appropriate, where the responsibilities for maintaining the building lie with the Service Area.
  - Property Services will liaise with Health and Safety on property related health and safety issues on a regular basis.
  - Property Services will provide periodic updates, where requested, to the Corporate Health and Safety Committee on their compliance with their responsibilities.
  - Property Services will monitor for forthcoming changes in legislation, good practice etc devising and revising guidance where it is required.

**2.15 Health and Safety Function (buildings related only).** The responsibilities for buildings related Health and Safety include:

- Health and Safety function to liaise with Property Services on property related health and safety issues on a regular basis, to ensure that action is taken by Property Services on new guidance and assisting devising guidance where it has been identified as required.
- Health and Safety function will undertake an annual risk based buildings compliance review programme the scope of which are all buildings that are owned by Sefton or where Sefton has the responsibility to maintain. The outcome of the reviews will be provided to Property Services and the Corporate Health and Safety Committee for information.
- Health and Safety function will ensure that there is linkage to buildings related policies and procedures from the corporate health and safety web page to ensure that there is a seamless approach to buildings related health and safety.

# Agenda Item 4

**2.16 Health and Safety Coordinators.** Health and Safety coordinators are managers nominated by their Head of Service and who report directly to them on health and safety issues.

- They act alongside the recognised trade union representatives to ensure all staff views on health are represented.
- Set up health and safety sub-committees within the Service as necessary.
- Ensure action is taken as directed by the Corporate Health and Safety Committee.
- They are the first point of contact for significant health and safety issues which cannot be resolved by line managers.,
- They report on current health and safety matters at management team meetings
- They act as service area contact for the Corporate Health and Safety Team.

**2.17 Trade Union Health and Safety Representatives.** Each recognised Council Trade Union:

- Will be encouraged to ensure that suitable union officials are available to actively participate in the Council's Health and Safety committee and subcommittees. This will form an integral part of the process of consultation and communication of key issues to the workforce.
- Will share advice, information and policies as appropriate within the relevant health and safety committees
- Be engaged in health and safety issues raised by the workforce and will progress such matters in accordance with agreed escalation procedures.

## **2.18 Managers Supervisors and Team Leaders**

All managers shall ensure that risk assessments are completed for tasks, workplaces and equipment. The most suitable people for carrying out risk assessments are those who are directly involved with the work in question. Managers have a crucial role in influencing and overseeing the day to day health and safety risks within their sections. Managers will also:

- Identify hazards, initiate risk assessments record significant findings and implement any necessary control measures.
- Check that the working environment is safe; equipment, products and materials are used safely; that health and safety procedures are effective and complied with.
- Review risk assessments in accordance with corporate guidelines
- Inform instruct train and supervise employees as necessary.
- Keep records of instruction and training
- Ensure employees have the correct equipment to carry out work safely.
- Ensure that all significant accidents and violent incidents are investigated
- Ensure that health and safety is a standard item on the agenda of all team meetings which will encourage engagement.



Managers shall also ensure that their staff:

- Understand the risks to themselves and others concerning their work and the adoption of safe systems of work needed to minimise those risks
- Are instructed in any emergency procedures relevant to their task/workplace
- Are aware of their responsibilities to report any significant hazards and accidents
- Have access to relevant health and safety policies and guidance
- Are provided with safe work equipment and protective equipment where necessary.

## **2.19 All employees, agency workers and contractors must:**

- Take reasonable care of their own health and safety at work and of those who may be affected by their actions or by their omissions
- Comply with health and safety instructions and information about working safely
- Be familiar with the hazards of their work and the safe systems of working.
- health and safety training as required
- Cooperate with council staff to ensure a healthy and safe environment for all.
- Not intentionally or recklessly interfere with or misuse anything provided in the interests of health safety and welfare.
- Report to their manager any health and safety concerns, hazardous conditions or defects in the health and safety arrangements.

## **2.20 Schools and Governing Bodies**

In schools, as elsewhere, the employer is ultimately responsible for health and safety though tasks may be delegated to staff.

- For community schools, community special schools, voluntary- controlled schools, maintained nursery schools the employer is the Local Authority – Sefton Council.
- For voluntary aided schools the employer is the governing body
- For academies, the employer is the academy board/trust
- For free and independent schools the employer is the proprietor or other equivalent entity.

Where schools are required to comply with Sefton Council's Health and Safety Policy, which includes all community schools, voluntary controlled schools, maintained nursery schools, extended learning centres and other schools not listed but covered by the Council's insurance package, they must be able to demonstrate compliance.

The school Governing Body is accountable for health safety. These responsibilities can be satisfied by ensuring that the governing body and school's management team:



# Agenda Item 4

- Produce a local health and safety policy and devise appropriate procedures for managing related issues;
- Implement the policies of the Council and any agreed local policies or procedures where appropriate;
- Consider costs of implementing the policies seeking and setting aside reasonable funding for their implementation;
- Receive and action regular and routine health and safety reports from the head teacher to enable it to monitor and evaluate the effectiveness of the health and safety management systems.
- The Governing Body is the accountable body for Health and Safety.
- Day to day responsibility falls to the Head teacher with specific management functions delegated to Heads of Department and members of the senior management team.
- The main function of the Governing Body is to ensure that health and safety is covered in governor's meetings, ensuring the local school policies are in place and prioritising actions where resources are required.
- The Council as employer will include schools in the audit programme
  - Provide information and guidance
  - Provide access to or advice on appropriate training
  - Analyse accident/incident data

## 2.21 Trusts and Partnerships

Working in partnership with other organisations is a critical task for councils, police forces, health authorities and NHS Trusts. There is a national drive to improve the quality of public services that includes finding solutions to fit together services that are provided by more than one agency and partnerships can be a productive way of achieving more efficient and effective use of scarce resources.

There are key issues with governance, accountability and responsibility with Trusts and Partnerships that each of the organisations need to consider and agree. A robust and effective partnership governance structure and performance management arrangements are essential elements in managing risk in trusts and partnerships.

Partnerships and trusts associated with the Council must have documented and effective health and safety arrangements, management procedures and controls in place with agreement as to responsibilities and accountabilities means of coordination and communication of health and safety issues.

## 2.22 Contractors

Contractors working for the Council have legal duties placed on them under the under Health and Safety law to safeguard the health and safety of their employees and anyone who may be affected by their business activities. Therefore, contractors working for the Council must conduct their activities in such a way as that they do not endanger Council employees or anyone for whom the Council has a duty of care.

Contractors will be selected according to the Council's specifications and approval procedures. All contracts will be required to meet relevant statutory duties and Council



policies. The Council's procurement arrangements when establishing a contract will include protocols that will ensure that they have adequate risk assessments and safe systems of work in place. Contractors can expect a level of monitoring by the council and failure to comply with the council's standards could result in the termination of the contract.

## 2.23 Volunteers

Many parts of the Council work with volunteers who help support community initiatives and Council Services.

Individual volunteers have a duty of care to others who may be affected by their activities. Health and Safety legislation imposes duties on all people regardless of employment status to not misuse anything provided to keep people safe and to cooperate with local health and safety arrangements.

The Council has duties under the Health and Safety at Work Act to protect people other than those at work (e.g. members of the public and volunteers) from risks to their health and safety arising out of or in connection with their work activities.

In practice, this means that volunteers will need to have the appropriate supervision (equivalent to employees doing the same work), levels of information, training and protective equipment so activities can be carried out safely and without harming health.

## 2.24 Corporate Health and Safety Team

The Corporate health and safety team will act as the "competent persons" as set out in the Management of Health and Safety at Work Regulations 1999

- Monitor compliance with the Health and Safety systems based on the Health and Safety Executives "Successful Health and Safety Management" (HSG 65).
- Provide appropriate advice and guidance to services on new and emerging risks as well as changes to risk assessments.
- Keep up to date with legislation as well as best practice knowledge and share with the organisation.
- Engage with and support to managers where specialist skill is needed in developing risk assessments, safe systems of work and incident investigations.
- Develop policy and strategies to manage risk.
- Advise on new emerging risks and changes to risk management.
- Liaise closely with other officers within the Council to support health and safety management including environmental health, corporate training and development, personnel, audit and risk services and building services.
- Network closely with external health and safety agencies e.g. Health and Safety Executive, Fire Authorities and other public service organisations.
- Draft regular quarterly reports to be provided to the Audit and Governance Committee on behalf of Head of Corporate Resources
- Draft an annual report on Health and Safety to Cabinet on behalf of the Head of Corporate Resources.

# Agenda Item 4



## 2.25 Consultation Arrangements

### Health and Safety Committee structure

Employers have a duty to consult with their employees and/or their representatives on health and safety matters.

- Consulting employees about health and safety can
  - lead to improvements in efficiency, improved workforce motivation and staff wellbeing.
  - result in a healthier and safer workplace as employees can help identify hazards, assess risks and jointly develop control measures.
  - provide a stronger commitment to implementing agreed actions
  - lead to greater cooperation and trust
- There is a single Corporate Health and Safety Committee and a number of Service Level Health and Safety subcommittees within Sefton Council.

### Corporate Health and Safety Committee

The Corporate Health and Safety Committee will be chaired by the Head of Corporate Resources and will meet at least twice a year.

The primary functions of the committee will be to:

- To provide a forum for setting objectives and targets to improve health and safety performance.
- To consider and recommend policies and standards for approval by the Cabinet.
- To monitor health and safety performance against the stated objectives and compliance against the policy framework.
- To receive and recommend approval of Corporate Health and Safety Policy to Cabinet
- To approve and monitor the Corporate Health and Safety Improvement Plan
- To co-ordinate issues of a corporate nature identified by service Health and Safety subcommittees with a view to resolving issues of common concern.
- Promote effective communication channels and systems to ensure the exchange and sharing of health and safety knowledge and information.
- To identify new legislation and good practice which should be shared across the Council.
- Identify matter of serious concern that require reporting to the Senior Leadership Board and down to Heads of Service for dissemination to respective teams using existing communication arrangements.

Membership:

- Head of Corporate Resources and the Service Manager Finance
- Senior Manager to attend to represent each Service area
- Representative from the Health and Safety function



- Each trade union will be represented by one nominated person. Each person must be an authorised health and safety representative
- Any member of the Committee may be represented at a meeting by a nominated substitute provided that the substitute has been duly appointed
- The consistency of the Committee will be reviewed in light of managerial and service changes and where it is believed that significant improvement can be achieved
- The Chair of each service subcommittee (or nominated representative) will attend or be represented by a nominated substitute.

### **Service Sub-Committees**

Primary function and objectives:

- As above and to identify matters relating to corporate objectives and targets to improve health and safety performance within the specific areas.
- To monitor accident/incident data
- To review risk assessments that require updating.
- To identify matters that require escalation to the Corporate Health and Safety Committee.
- To analysis concerns raised by employee representatives that can be resolved locally.

The nature and size of the service committees will be governed by the needs of the services. The Health and Safety Coordinators within the departments can agree a suitable structure. The minimum composition should be:

- Head of Service as Chair
- Health and Safety Coordinator
- Representatives from Trade Unions
- Health and Safety Adviser
- Major business area managers
- Additional invited officer depending on the agenda.

The minimum frequency is will be twice a year to meet before the Corporate Health and Safety Committee.

### **Health and Safety Standards**

- The standards that are required under this Health and Safety Policy are maintained by the Corporate Health and Safety Team on the Council intranet. The list is shown in Appendix 1.
- All standards provide hyperlinks to HSE's up to date guidance.

The main reasons for review and amendments to the standards will be driven by legislative change and matters raised at the Services' subcommittees and the Corporate Health and Safety Committee.

# Agenda Item 4



## **3. Monitoring and Reporting**

### **3.1 Health and safety systems and processes.**

Health and safety will appear regularly on the agenda for senior leadership board meetings and integrated into the main governance structures including board sub-committees such as Audit and Governance Committee.

### **3.2 Setting health and safety objectives**

The Corporate Health and Safety Committee will ensure that outstanding health and safety issues are being prioritised and addressed via a risk based approach and also sign off the annual Health and Safety Improvement Plan.

The current health and safety objectives for 2018 – 2020 include:

- Embedding risk assessment across the Council's functions and service areas.
- Clarify and strengthen governance arrangement for health and safety
- Improve competence of all staff to improve risk management by targeting effective health and safety training.

### **3.3 Measurement of Health and Safety Performance**

In order to substantiate that health and safety standards are being achieved it is necessary to measure performance against pre-determined plans and objectives. Any area where the standards are not being met will require remedial action. The types of systems that will be used to measure health and safety performance include:

Active monitoring systems:

- Routine monitoring and inspections e.g. spot checks
- Documents relating to the promotion of health and safety culture should be periodically examined.
- Premises plant and equipment should be systematically inspected.in line with statutory requirements.
- Health surveillance and environmental monitoring systems should be established to check the effectiveness of health control methods and to detect early signs of harm to health. These include such areas as monitoring of hand arm vibration for staff using power tools, noise exposure, sight tests for HGV drivers.

Reactive monitoring systems:

- Measuring accident rates, work related ill-health, damage to property near misses
- Reports of accident investigations, complaints etc.

A suite of health and safety KPIs will be developed for the Corporate Health and Safety Committee in March 2019 based on the objectives in 3.2.



## **3.4 Training and information**

Health and safety information will be provided to employees during induction, through attendance at formal training courses covering general health and safety and courses covering specific job topics e.g. manual handling.

Currently managers identify health and safety training needs through employee appraisal / supervision sessions and managers must ensure that appropriate training is delivered as required.

A training needs assessment for Sefton employees will be developed by the Health and Safety and rolled out to managers during the during the 2019/20 financial year.

## **4.1 Audit and review**

Audit is the structural process of collecting information on the efficiency effectiveness and reliability of the total health and safety management system and drawing up plans for any corrective action.

Sefton Council recognises that health and safety performance must be audited and reviewed regularly at corporate and service levels. An annual audit plan will be developed and presented to the Corporate Health and Safety Committee for approval to be undertaken by the Corporate Health and Safety Team. In addition, there will be an annual audit of the health and safety system by the Internal Audit Team.

Audit findings and recommended actions will be reported where appropriate to the service level sub- committees as well as to the Corporate Health and Safety Committee.

Both reactive monitoring (incident rates, absence levels, results of investigating accidents, near misses and complaints) and active monitoring (checking protocols are being followed and systems are working well) will be carried out by service managers and results reported back to the relevant subcommittees.

Health and safety training needs should also be reviewed regularly across all areas. This should link in with normal management system of personal performance development review.

Health and safety standards listed in the appendix below will be reviewed regularly to ensure they reflect any changes to health and safety guidance and legislation.

### Appendix 1

- Asbestos Management
- Call centres
- Bad Weather (Cleansing)
- <http://intranet.sefton.gov.uk/default.aspx?page=951>
- Display Screen Equipment
- Driver Safety
- Educational visits
- Fire Prevention
- First Aid Management
- Hazardous Substances
- Heavy Goods Vehicle Movement
- Home Working
- Incident Reporting
- Infection control
- Legionella Management
- Lone Working
- Management of Contractors
- Management of Gas safety
- Manual Handling
- Noise at Work
- Risk Assessment
- Slips, Trips and Falls
- Statutory inspection of plant and equipment
- Stress Management
- Testing of Portable Appliances
- Violence at Work
- Working at Height

# Agenda Item 5

<b>Report to:</b>	Cabinet	<b>Date of Meeting:</b>	April 4 <sup>th</sup> 2019
<b>Subject:</b>	Locality Services - Cleansing Services Vehicle Fleet Procurement		
<b>Report of:</b>	Head of Locality Services	<b>Wards Affected:</b>	(All Wards);
<b>Portfolio:</b>	Cllr. John Fairclough		
<b>Is this a Key Decision:</b>	Yes	<b>Included in Forward Plan:</b>	Yes
<b>Exempt / Confidential Report:</b>	No		

## Summary:

The current refuse collection and recycling vehicle fleet was initially purchased in 2012/13, with the prudential borrowing being repaid over a five year period up to 2017/18. Following the final repayment of all purchase costs, the fleet is currently being operated for an additional two years (2018/19 and 2019/20). At seven years old the fleet will have reached the point at which it is no longer reliable, and an increased number of breakdowns would be expected, coupled with greatly increased maintenance costs. As such, a replacement vehicle fleet will be required.

In order to procure a new fleet during 2020/21, the procurement process must commence over twelve months in advance of the vehicles being required. Therefore, in order to provide continuity of service, permission is being sought to commence the required procurement process in April 2019, albeit with no capital requirement until the 2020/21 financial year.

## Recommendation(s):

(1) That Cabinet note the requirement to replace the vehicle fleet in 2020/21 and instructs officers to commence the necessary procurement process to obtain tender prices accordingly.

(2) That Cabinet note that no commitment will be entered into prior to a further report upon completion of the initial procurement process detailing costs and options and funding proposals.

## Reasons for the Recommendation(s):

The current fleet is reaching the end of its effective life cycle and needs replacement.

The current fleet is also 'Euro 5' diesel, and to meet the revised and enhanced suite of targets, a fleet of 'Euro 6' compliant, or the potential or possibility of CNG (compressed natural gas) vehicles, or electric vehicles, must be purchased to meet strict carbon and emissions targets by the EU and UK national Government.

# Agenda Item 5

## **Alternative Options Considered and Rejected:** (including any Risk Implications)

To not renew the fleet risks the current fleet becoming unmaintainable and the service provision liable to be disrupted. A new fleet greatly reduces/eliminates the risk of service delivery disruption

## **What will it cost and how will it be financed?**

### **(A) Revenue Costs**

The revenue costs of the current fleet, and future fleet replacements, are met from existing transport budgets within the Cleansing Services Section.

Proposals to fund the new fleet will be presented within a future report following completion of the initial tender exercise.

### **(B) Capital Costs**

Until the procurement exercise is undertaken it is not known what the exact capital cost will be. Detail of capital costs will be contained within the further report following the initial procurement exercise.

## **Implications of the Proposals:**

<b>Resource Implications (Financial, IT, Staffing and Assets):</b>  The existing fleet is now 'owned' by the Council, having been paid for in full, and will be classed as an asset to be disposed of accordingly.
<b>Legal Implications:</b>  There are no legal implications
<b>Equality Implications:</b>  There are no equality implications

## **Contribution to the Council's Core Purpose:**

Protect the most vulnerable:  Not Applicable
Facilitate confident and resilient communities:  Not Applicable
Commission, broker and provide core services:

The “new” fleet will ensure delivery of core refuse & recycling services for the next seven years.
Place – leadership and influencer:  Not Applicable
Drivers of change and reform:  The new ‘Euro 6’ engine or CNG (compressed natural gas) or electric fleet will provide a cleaner and greener Sefton, and carry forward the commitment of the Council to prevent global warming.
Facilitate sustainable economic prosperity:  Not Applicable
Greater income for social investment:  Not Applicable
Cleaner Greener  The “new” fleet will help with all aspects of carbon reduction / reduced spillage in streets and improve recycling rates across the Council. The potential or possibility of using CNG (compressed natural gas) or electric vehicles is also being investigated by officers

## What consultations have taken place on the proposals and when?

### (A) Internal Consultations

The Head of Corporate Resources (FD5588/19) and the Chief Legal and Democratic Officer (LD4712/19) have been consulted and any comments have been incorporated into the report.

### (B) External Consultations

Not Applicable

## Implementation Date for the Decision

Following the expiry of the “call-in” period for the Minutes of the Cabinet Meeting

<b>Contact Officer:</b>	Gary Berwick
<b>Telephone Number:</b>	0151 288 6134
<b>Email Address:</b>	gary.berwick@sefton.gov.uk

## Appendices:

# Agenda Item 5

There are no appendices to this report

## **Background Papers:**

There are no background papers available for inspection.



## 1. Introduction/Background

- 1.1 The final loan repayment for the current fleet was made in 2017/18. Therefore, by not replacing the current fleet and extending the vehicle life for an additional two years in 2018/19 and 2019/20, there has been a 'saving' in the Cleansing Services transport budget.
- 1.2 However, the fleet is now entering the final year of this 'extension', namely 2019/20, and due to the length of time required for such a large procurement exercise, coupled with the manufacturing 'lead-in' times, permission to commence the procurement exercise is now being sought. This will allow the fleet to start being replaced on a phased basis from the start of the 2020 financial year.
- 1.3 Specific detail of potential capital cost will be further reported following the completion of the initial procurement exercise.
- 1.4 It is requested to purchase 28 replacement vehicles, comprised of a variety of vehicle sizes and weights to provide the required flexibility to deliver the optimal service over the next seven years.
- 1.5 The procurement exercise will utilise various procurement platforms and portals to ensure that the best price is received, and the optimum vehicles are purchased for the Council.
- 1.6 The Council will also include with the invitation and tendering documents an opportunity for companies to offer CNG (compressed natural gas) and electric vehicles.
- 1.7 The current fleet, which is now an asset of the Council, will then be disposed of to generate a sum which can be utilised to offset the fleet cost in year one.
- 1.8 This report seeks permission to commence the procurement process in obtaining prices and options.
- 1.9 Upon completion of the initial procurement process, a further report will be presented to Cabinet detailing costs, options, and funding proposals.

This page is intentionally left blank

# Agenda Item 6

<b>Report to:</b>	Cabinet	<b>Date of Meeting:</b>	4 April 2019
<b>Subject:</b>	Procurement of Liquid Fuels		
<b>Report of:</b>	Head of Strategic Support	<b>Wards Affected:</b>	(All Wards);
<b>Portfolio:</b>	Cabinet Member - Regulatory, Compliance and Corporate Services		
<b>Is this a Key Decision:</b>	Yes	<b>Included in Forward Plan:</b>	Yes
<b>Exempt / Confidential Report:</b>	No		

## Summary:

To agree the approach for the procurement of Liquid Fuels with effect from 1st October 2019.

## Recommendation(s):

### That Cabinet:

- (1) Approve that Sefton Council sources its supply of Liquid Fuels via the new Yorkshire Purchasing Organisation (YPO) Liquid Fuels supply framework. The contract is to be established with effect from 23/11/2019, for a maximum period of 4 years, subject to re-competition within the framework after 2 years;
- (2) Authorise an extension of the current supply arrangement with Standard Fuel Oils, via the existing YPO Liquid Fuels supply framework, for the short 8 week bridging period of 1/10/2019 to 22/11/2019 in order to align procurement timescales; and
- (3) Delegate authority to the Head of Strategic Support, in consultation with the Cabinet Member – Regulatory, Compliance and Corporate Services to approve and implement the resulting supply arrangements to ensure uninterrupted service.

## Reasons for the Recommendation(s):

The Council must procure quantities of liquid fuels to operate its daily business. Under the Council's Contract Procedure Rules the level of expenditure involved (approximately £1.168m per annum) requires that pre-procurement approval is sought from Cabinet.

It is considered that the Council can best be assured of value for money, in terms of price and security of supply, by continued procurement through an external framework contract that is able to offer considerably more collaborative usage volume to the market than Sefton Council alone can offer.

# Agenda Item 6

## **Alternative Options Considered and Rejected:** (including any Risk Implications)

The Council could decide not to continue procuring Liquid Fuels through an external framework and instead undertake its own procurement process. This process would need to be a procurement process compliant with the Public Contract Regulations, and would take approximately 6 months to complete.

The significant risk in that, and the reason this option has not been recommended, is that it is considered that the separate procurement of lower volumes of fuel (i.e. Sefton Council procuring fuel alone) is certain to result in much higher unit prices, potentially greater fluctuation in price, and potentially less reliable supply, than if the Council pools its requirement with a significantly wider user group.

## **What will it cost and how will it be financed?**

### **(A) Revenue Costs**

An analysis of current data suggests that the expenditure on Liquid Fuels across 2018/2019 is approximately £1.168m per annum.

### **(B) Capital Costs**

## **Implications of the Proposals:**

<b>Resource Implications (Financial, IT, Staffing and Assets):</b> Costs to be contained within existing revenue budgets
<b>Legal Implications:</b>
<b>Equality Implications:</b> There are no equality implications.

## **Contribution to the Council's Core Purpose:**

Protect the most vulnerable:
Facilitate confident and resilient communities:
Commission, broker and provide core services:  The proposed procurement recognises that the Council will seek to source value for money through an external supply framework that will provide the opportunity of greater buying power.

Place – leadership and influencer:
Drivers of change and reform:
Facilitate sustainable economic prosperity:
Greater income for social investment:
Cleaner Greener  The proposed procurement recognises the Council’s commitment to work with others to maintain Sefton’s natural beauty and ensure that its many assets provide a contribution to Sefton’s economy, people’s wellbeing and the achievement of the 2030 Vision.

**What consultations have taken place on the proposals and when?**

**(A) Internal Consultations**

The Head of Corporate Resources (FD5562/19) and the Chief Legal and Democratic Officer (LD4686/19) have been consulted and any comments have been incorporated into the report.

The Head of Locality Services has been consulted in the development of this proposal.

**(B) External Consultations**

Consultations have taken place with procurement officers at Yorkshire Purchasing Organisation, of which Sefton Council is an Associate Member, in relation to the planned procurement activity to secure a new liquid fuels supply framework with effect from 23/11/2019.

Following the expiry of the “call-in” period for the Minutes of the Cabinet Meeting

<b>Contact Officer:</b>	Chris Magee
Telephone Number:	Tel: 0151 934 4069
Email Address:	chris.magee@sefton.gov.uk

**Appendices:** There are no appendices to this report

**Background Papers:** There are no background papers available for inspection

# Agenda Item 6

## 1. Introduction/Background

- 1.1 Sefton Council has historically sourced its heating and automotive liquid fuel requirements via an external supply framework. The prime reason for this is that although the Council's expenditure is not an insignificant amount of money, within the Liquid Fuels market the Council's usage volumes and related expenditure represent an extremely small percentage of the market. Should the Council endeavour to procure liquid fuels via its own supply contract, it would simply be unable to attract the competitive pricing that would be available via an external supply framework. An external supply framework offers a significantly larger collaborative usage volume to the marketplace than Sefton can alone. Cost efficiencies that the Council currently benefits from would be lost, should the Authority not continue to procure these products via an external framework.
- 1.2 Sefton Council is an Associate Member of Yorkshire Purchasing Organisation (YPO). YPO supplies products and services to a wide range of customers including schools, local authorities, charities, emergency services, public sector and other businesses such as nurseries and care homes. YPO is 100% publicly owned, by 13 local authorities, which means the profits made are returned to their public-sector customers. As an associate member, the Council benefits from an annual dividend based upon the Council's degree of usage of the range of available YPO frameworks. When procurement officers last tested the marketplace less than 2 years ago, in 2017, the YPO Liquid Fuels supply framework proved to be a competitive supply route when compared with other options. The Council's incumbent supply arrangements were therefore established via the current YPO Liquid Fuels supply framework.
- 1.3 In 2017, Cabinet gave approval for the supply of liquid fuels to be established via the existing YPO Liquid Fuels supply framework for the specific 2-year period 1/10/2017 to 30/9/2019.
- 1.4 The Council currently procures its liquid fuel requirements via Standard Fuel Oils, sourced via the existing YPO supply framework. The Authority needs to secure a bridge in supply with Standard Fuel Oils between 1/10/2019 and 22/11/2019 to ensure that services are maintained, and costs are managed whilst YPO are putting their new Liquid Fuels supply framework in place.
- 1.5 The existing YPO supply framework is due to expire on 22/11/2019 and over the course of this year YPO will undertake a procurement exercise to renew their framework with effect from 23/11/2019. That will then provide a supply route for a maximum period of 4 years, with YPO re-competing the collaborative requirements amongst their framework providers after the initial 2-year period.
- 1.6 The Council needs to commit to the YPO Procurement exercise to secure Liquid Fuels supply from 23/11/2019 for a maximum period of 4 years.
- 1.7. The YPO Procurement exercise will follow a process compliant with the 2015 Public Contract Regulations.
- 1.8 The basis of evaluation will be MEAT (Most Economically Advantageous Tender) taking into consideration a percentage balance between Cost and Quality.