



CABINET MEMBER DECISION RECORD TEMPLATE

This form should be used to record Executive decisions taken by Cabinet Members

Decision Ref. No:	
Responsible Officer:	Larry Austin - Service Director, Environment
Subject:	PARTNERSHIP WORKING WITH DORSET COUNTY COUNCIL ON A338 PROJECTS
Decision taken:	<p>To authorise, in accordance with Part F of the Council’s Financial Regulations (External Arrangements), partnership and joint working between Bournemouth Borough Council and Dorset County Council in delivery of a number of highway improvement schemes on the A338 located within and immediately outside the Borough boundary.</p>
Reasons for the decision:	<p>BBC and DCC have jointly bid for and secured grant funding from the Dorset Local Enterprise Partnership (the “DLEP”) in respect of a package of works referred to as the A338 Blackwater Junction to Cooper Dean Improvement Works within the Bournemouth International Growth (“BIG”) programme, (the “Project”). The Project spans across areas within each local authority’s geographical area of coverage hence the need for joint working in this regard. The grant funding for the financial year 2016/2017 and for the subsequent financial years 2017/2018, 2018/2019, 2019/2020 and 2020/2021 have been made available for the Project upon the conditions set out in the relevant funding letter within which the DLEP has allocated the grant funding between BCC and DCC in the proportions and amounts set out in the relevant schedule. Pursuant to the above, the parties have drafted a partnering agreement to govern all the arrangements related to the execution of each aspect of the Project by BBC and DCC.</p> <p>Partnership working between the two Local Authorities is critical in ensuring value for money to the Dorset Local Enterprise Partnership in delivery of the projects. The arrangement will also provide the opportunity to closely plan and co-ordinate all construction works on the A338 to minimise disruption to the travelling public as well as the effects to local businesses and organisations.</p>
Call-in and Urgency:	<p>This decision is subject to the Council’s Call-In procedure.</p>

Background:

A number of highway improvement schemes on the A338 are to be delivered as part of the Dorset Local Enterprise Partnership's Bournemouth International Growth programme. These projects facilitate the creation of new jobs which is an essential objective of the funding secured by the Dorset Local Enterprise Partnership through the Government's Growth Deals.

As the schemes are located either side of the Bournemouth/Dorset boundary it is essential to work in partnership with Dorset County Council to ensure integration of the scheme designs as well as joint planning and programming of the construction works which will lead to a minimisation of the disruptive effects on the travelling public. This partnership approach will also lead to a reduction in overall costs and hence a demonstration of value for money to the Government for the delivery of these schemes. Through the partnership arrangement there will also be a combined communications strategy to give clear and comprehensive messages to stakeholders and the public in general.

Bournemouth Borough Council are lead Authority for delivery of these schemes. A joint team has been established including staff from Bournemouth Borough Council and Dorset County Council as well as their suppliers. These staff are working on elements of all the projects which lie within both the Borough of Bournemouth and that of Christchurch for which Dorset County Council currently have Highway Authority responsibility.

A Partnership Agreement has been drawn up and agreed between the two Authorities which will be sealed once the Cabinet Member Decision is finalised.

Options - and reasons for rejection:

There are no realistic other options for development and delivery of the A338 schemes. The two Local Authorities working separately would result in higher combined costs as well as much greater traffic disruption overall.

Consultations undertaken:

Consultation has taken place with the Cabinet Member for Transport at Dorset County Council, Board Members and the Director of the Dorset Local Enterprise Partnership and Senior Legal, Finance and Communications staff at Bournemouth Borough Council and Dorset County Council. All are in support of this Partnership Arrangement.

Finance/Resource Implications:

This decision will ensure there are no unnecessary additional costs

Name: *Shaun Darcy*

Signature: *(of Deputy Chief Finance Officer)*

Date: *17/8/18*



Legal implications:

The Council has the power to enter into this partnering and joint working arrangement pursuant to Section 1 of the Localism Act and Section 1 of the Local Authorities (Goods and Services) Act 1970. It is important for BBC and DCC to ensure compliance with all the grant funding terms and conditions especially periodic reporting as required by DLEP, in order to minimise risk. The provisions of the Partnering Agreement have been reviewed and approved by Legal Services

Name: TANYA COULTER

Signature: (of Monitoring Officer)

Date: 20/06/18

Risk assessment:

- An initial assessment indicates that identified risks have medium ratings.

Name: GARY POWSON

Signature: (of Officer completing assessment)

Date: 17 July 2018

Impact Assessments:

- An Equality Impact Needs Assessment showed no adverse effects.

Information for/not for publication:

For Publication.

Background papers:

- Initial Risk Assessment
- Impact Assessment

Any conflict of interest declared by a Cabinet Member who is consulted by the Member taking the decision

Name of Cabinet Member

Nature of interest

Details of any dispensation granted by the Monitoring Officer

No

Decision taken by:

Councillor

MIKE GREENS

Cabinet Portfolio

TRANSPORT, CLEANING + WASTE

Signed:

Date of decision:

23/8/18.

Date of publication of record of decision: (to be inserted by Democratic Services)

Date decision effective - that is 5 working days after the date of publication of the record of decision unless the decision is called-in for consideration by the relevant Overview and Scrutiny Panel:

EINA Screening Record

Title of Policy/Service/Project	Partnership Working with Dorset County Council on A338 Projects
Date of screening	17/07/2018
Service Unit	Environment
Lead Responsible Officer	Ian Kalra
Job Title	Head of Transportation Services
Members of the Assessment Team	Ian Kalra & Claire Clark

If the answers to the following questions are Yes or Don't know, then a full EINA will need to be carried out.

Is there likely to be a positive or negative impact in terms of equalities?	No
Does it involve a significant commitment of resources?	No

It is not necessary at the screening stage to identify adverse or differential impact

It is important to remember that even when it is decided that a policy/service/project does not require an EINA, it remains subject to the general duties. Not carrying out a full EINA places our council at greater risk of legal challenge because it cannot use the EINA process to meet our [Public Duties](#) around equality. It also means, more importantly, that opportunities may have been missed to promote equality.

If you have answered no to the questions above and do not intend to carry out an EINA, please explain why?

This EINA Screening has been carried out specifically in regard to an arrangement whereby staff from Bournemouth Borough Council and Dorset County Council will be working together in partnership to deliver a number of highway improvement projects along the A338.

Consultation with a wide range of groups, affected communities and individuals has already been carried out as part of the development process of these individual schemes.

RISK REGISTER FOR

Partnership Working With Dorset County Council on A338 Projects

RISK REGISTER COMPLETED BY:

Ian Kalra

DATE:

17-Jul-18

Risk Key:

Definitions:

Priority Ratings:

Corporate Risk Categories:

Pol=Political Enviro=Environmental
 Econ=Economic Comp=Competitive
 S=Social Cust=Customer/Citizen
 T=Technological Rep=Reputation
 L=Legislative Phys=Physical

L = Likelihood (1-4)

1-2 Low risk

I = Impact (1-4)

3-6 Medium risk

S = Score (I x L)

8-16 High

Service Risk Categories:

Res=Resource Cont=Contractual
 L=Legal T=Technological
 Phys=Physical Enviro=Environmental

PLEASE SEE TABS BELOW FOR THE RISK SCORING MATRIX, INFORMATION ON RISK CATEGORIES AND IMPACT & LIKELIHOOD SCORING DEFINITIONS

A:
B:
C:
D:
E:
F:

Objectives of the Project, Policy, Initiative, Service etc:

Risk No	Risk			Risk Category	Risk Owner	Gross Risk Score (ie as if no mitigations/controls in place)			Risk Mitigation/Control Measures Put in Place	Net Risk Score (ie rating of the risk with current controls or procedures in place)			Further Action (ie mitigation/controls) required	Action Owner	Completion Date (DD/MM/YYYY)	Target Risk Score (ie rating of risk once these new actions successfully implemented)		
	Risk (uncertainty which may affect objective)	Risk Cause (definite situational facts affecting the objective)	Risk Impact (contingent effect on objective)			L	I	S		L	I	S				L	I	S
1	Decision by either Local Authority to weaken their commitment to partnership working	Either Council changes priorities as a consequence of Local Government Reorganisation (LGR)	A reduced ability to co-ordinate the design and delivery of the A338 projects could lead to greater costs and more disruption to the travelling public.	Res	Larry Austin	2	4	8	Emphasis on establishing strong partnership working relationships to achieve mutual benefits and deliver objectives of DLEP and Central Government. These benefits will include unlocking new jobs and housing as well as enhanced reputation for the two authorities.	1	4	4	Regular communications at Portfolio Holder and Senior Officer level to emphasise importance of continued partnership approach which can also lead to significant additional Government funding in the future.	Gary Powell	Ongoing	1	4	4
2	Failure to secure adequate skilled staff to work on projects	Either Council re-allocates key staff to other project, or staff leave and the general industry skills shortage leads to unfilled posts	Potential delay in the delivery of the schemes which in terms of funding are time critical.	Res	Larry Austin	2	4	8	Continuous review of staff resource requirements at different stages of scheme development.	1	4	4	Use of appropriate staff from each Council's Engineering Consultancy support partners to fill gaps if required.	Gary Powell	Ongoing	1	4	4

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						L I S		L I S				L I S

Risk Scoring Matrix

		THREATS			
Likelihood	Almost Certain (4) >90%	4	8	12	16
	Likely (3) 60 - 90%	3	6	9	12
	Could Happen (2) 20 - 60%	2	4	6	8
	Unlikely /Rarely (1) 0 - 20%	1	2	3	4
		Low (1)	Medium (2)	High (3)	Extreme (4)
		Impacts			

Please see tabs below for explanations of risk categories, and impact & likelihood scoring guidance.

and

Categories of Risk

Table 1: Corporate Risks

(Table 2: Service Risks is below)

Categories of Risk

Corporate Risks are those risks which need to be taken into account in judgements about the medium- to long-term goals and objectives of the Council.

Service Risks are those risks that managers and staff will encounter in the daily course of their work.

The following tables include categories of risk however these are not an exhaustive list but provide a framework for identifying and categorising a broad range of risks the Council could face.

Table 1: Corporate Risks

Category of Risk	Risk Definition	Examples
Political	Those associated with a failure to deliver either local or central government policy, or to meet the local administration's manifesto commitments	<ul style="list-style-type: none"> a) Wrong corporate/strategic priorities b) Decisions based on incomplete/incorrect information c) Too slow to modernise/innovate d) Community planning oversights/errors
Economic	Those affecting the ability of the Council to meet its financial commitments. These include internal budgetary pressures, the failure to purchase adequate insurance to cover external macro-level economic changes ¹ , or the consequences of proposed investment decisions	<ul style="list-style-type: none"> a) UK/regional economic problems b) Missed business or service opportunities c) Unreliable accounting records d) Material misuse of resources or fraud e) Cost of capital
Social	Those relating to the effects of changes in demographic, residential or socio-economic trends on the Council's ability to deliver its objectives	<ul style="list-style-type: none"> a) Demographic change b) Crime and disorder
		Continued to the right

¹ For example, changes in interest rates, inflation, borrowing consent or other responses to the global market

Category of Risk	Risk Definition	Examples
Reputation	Those associated with the level of confidence and trust which stakeholders have in an organisation	<ul style="list-style-type: none"> a) Reality gap between stakeholder expectations and actual outcomes b) Changes in external beliefs and expectations which can widen or (less likely) narrow this gap c) The quality of internal coordination, which also can affect the gap¹ d) Increasingly the quality of co-ordination with partners in service delivery
Physical	Those associated with corporate or systemic fire, security, health, safety & welfare (both staff and community) etc	<ul style="list-style-type: none"> a) Corporate Health & Safety b) Corporate Fire Safety c) Safeguarding the vulnerable in the community

¹ Walter Isaacson, The Real Leadership Lessons of Steve Jobs, Harvard Business Review Magazine, April 2012

Category of Risk	Risk Definition	Examples
Technological	Those associated with the capacity of the Council to deal with the pace/scale of technological change, or its ability to use technology to address changing demands. They may also include the consequences of internal technological failures on the Council's ability to deliver its objectives	<ul style="list-style-type: none"> a) Obsolescence b) Inappropriate IT strategy c) Inability to implement change d) Major IT or project failure
Legislative	Those associated with current or potential changes/management of changes in respect of national or European law	<ul style="list-style-type: none"> a) TUPE regulations¹ b) Breaches c) Inadequate response to legislative changes
Environmental	Those relating to the environmental consequences of progressing the Council's strategic objectives	<ul style="list-style-type: none"> a) Noise, contamination, pollution b) Impact of planning and transport policies c) Climate Change d) Energy efficiency e) Recycling f) Landfill requirements g) Sustainability issues
Competitive	Those affecting the competitiveness of the service (in terms of cost or quality) and/or its ability to deliver best value	<ul style="list-style-type: none"> a) Failed bids for government funds/grants b) Failure to demonstrate best value
Customer/Citizen	Those associated with the failure to meet the current and changing needs and expectations of customers and citizens	<ul style="list-style-type: none"> a) Lack of consultation b) Image
		Continued below left

¹ Transfer of Undertakings (Protection of Employment) Regulations relating to the possible transfer of staff terms and conditions when in-house work is transferred to an external contractor

Table 2: Service Risks

Category of Risk	Impact	Examples
Resource	Financial HR Information Physical assets	<u>Financial</u> a) insufficient funding b) poor budget management c) fraud <u>HR</u> a) staff capacity b) staff skills c) recruitment and retention <u>Information</u> a) adequacy for decision making b) protection of privacy <u>Physical assets</u> a) loss b) damage c) theft
Legal	Those related to possible breaches of legislation	a) Breaches b) Exposure to liability claims
Physical	Those related to fire, security, accident prevention and health and safety of staff and public	Hazards/risks associated with: a) Buildings b) Vehicles c) Plant and d) Equipment
Contractual	Those associated with the failure of contractors to deliver services or products to the agreed timeframes, cost and specification	a) Slipped or missed timescales b) Costs exceeded c) Specification not met
Technological	Those relating to a reliance on operational equipment	a) IT systems b) Equipment and machinery
Environmental	Those relating to pollution, noise or the energy efficiency of ongoing service operations	a) Noise, contamination, pollution b) Inefficient use of energy and/or water c) Climate Change

Impact and Likelihood Scoring

Table 3: Impact Scoring Guidance

Threat (Negative) Impacts Scores		
1	Low	<ul style="list-style-type: none"> a) Potential financial loss of less than £100k b) Minor injury c) Minor legal/regulatory consequence d) Minor impact outside single objective/local system e) Internal adverse publicity, minor reputational damage/ adverse publicity f) Minor service disruption g) Minimal service user complaints
2	Medium	<ul style="list-style-type: none"> a) Potential financial loss of between £100k and £499,999 b) More serious injury c) Significant legal/ regulatory consequence d) Significant impact on objective/s, processes or systems e) Significant localised reputational damage f) Significant service disruption g) Multiple service user complaints
3	High	<ul style="list-style-type: none"> a) Potential financial loss of between £500k and £999,999 b) Major disabling injury c) Substantial legal/ regulatory consequence d) Substantial impact on objective/s, processes or systems e) Prolonged adverse local and national media coverage f) Substantial service disruption g) A substantial number of service user complaints
4	Extreme	<ul style="list-style-type: none"> a) Potential financial loss of over £1m b) Fatality and/or multiple injuries c) Major legal/regulatory consequence d) Major impact on corporate level objective/s e) Major/severe reputational damage/ national adverse publicity f) Central government interest/ administration g) Loss of all critical services for a significant period of time

Table 4: Likelihood Scoring Guidance

Threat (Negative) Likelihood Score		
1	Unlikely/ Rare	a) 0 - 20% chance of occurrence b) 1 in 20 year event c) May occur only in exceptional circumstances d) Has never or very rarely happened before
2	Could Happen	a) 20 - 60% chance of occurrence b) 1 in 10 year event c) Is unlikely to occur but could occur at some time/in some circumstances
3	Likely to Happen	a) 60 - 90% chance of occurrence b) 1 in 5 year event c) Will probably occur at some time/in most circumstances
4	Almost Certain	a) Over 90% chance of occurrence b) Occurs on an annual basis c) Is expected to occur in most circumstances