

LOCAL EMPLOYMENT AND TRAINING

Supplementary Planning Document

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Table of Contents

1.0 Introduction	1
What is a Supplementary Planning Document (SPD)?.....	1
Employment Land Local Plan (ELLP).....	1
2.0 Strategic Context	3
National Planning Policy Framework (NPPF)	3
National Skills Academy	3
Local Enterprise Partnership.....	3
Eastbourne Sustainable Community Strategy	4
Eastbourne Core Strategy Local Plan.....	4
Employment Land Local Plan (ELLP).....	5
3.0 Evidence	7
4.0 Use of Planning Obligations and Section 106 Agreements	10
5.0 Thresholds and Definitions	11
6.0 Local Employment and Training Framework	12
7.0 Local Employment and Training Measures to be Secured	13
8.0 Mechanism for Securing Local Employment and Training Measures	14
Employment and Training Plan (ETP)	14
Financial Contribution	16
Monitoring at Construction Phase	17
Operational Phase	18
Monitoring of Operational Phase	18
Appendices	19



Appendix 1 – Template Section 106 (or Unilateral Undertaking) Wording for Local Labour 19

Appendix 2 – Benchmark Standards for Work Experience Placements, Apprenticeships and NVQs at Construction Phase 21

Appendix 3 – Sample Pro-forma for Construction Phase 30

Appendix 4 – Sample Pro-forma for Operational Phase 31

Appendix 5 – Sample Monitoring Form for the Construction Phase 33

Appendix 6 - Sample Monitoring Form for the Operational Phase 35

Appendix 7 – Index Linking 36

Appendix 8 – Glossary 37

1.0 Introduction

- 1.1 Eastbourne Borough Council has prepared a Local Employment and Training Supplementary Planning Document (SPD) to assist in securing local labour agreements as part of development proposals. The level of development required in Eastbourne up to 2027 will create a significant number of jobs and this SPD will play an important role in helping to secure local employment at both construction and operational stages of development.

What is a Supplementary Planning Document (SPD)?

- 1.2 An SPD is a planning policy document that adds further detail on a policy within a Local Plan. They are used to provide additional information on how a policy should be implemented or what is required in order to satisfy the policy.
- 1.3 This Local Employment and Training SPD has been prepared to provide detail to the Eastbourne Employment Land Local Plan Policy EL1 in order to provide a framework as to how local labour agreements (including employment and training measures) will be secured and how to maximise local employment opportunities at both the construction and first operational phase of the development.
- 1.3 SPDs are material planning considerations in the determination of planning applications and provide additional guidance on matters contained within Local Plans. In respect of this SPD, the Local Plan is the Eastbourne Employment Land Local Plan (ELLP).

Employment Land Local Plan (ELLP)

- 1.4 This SPD is directly linked to the requirements of Policy EL1 (Economy & Employment Land) of the Eastbourne Employment Land Local Plan (ELLP). The ELLP guides job growth and economic development in Eastbourne up to 2027 as well as identifying an appropriate supply of land for future employment development, in order to achieve a sustainable economy and make Eastbourne a town where people want to live and work. The ELLP forms part of the development plan for Eastbourne together with other planning policy documents such as the Eastbourne Core Strategy Local Plan.
- 1.5 The Council and its local partners are committed to working in partnership with the developer and operator to assist in the delivery of this in order to maximise the opportunities available to all parties. Developers and operators



that support this SPD and achieve the measures identified within will be recognised by local residents, business and key stakeholders as major contributors towards the growth and success of the local economy.

- 1.6 The Local Employment and Training SPD was approved for adoption by full Council on 16 November 2016, following a 12 week consultation period with key stakeholders.

2.0 Strategic Context

- 2.1 There are a number of national, regional and local strategic policy goals and objectives that provide a strong justification for this document. These policies and objectives are critically important to Eastbourne Borough Council. In summary the key objective is to identify opportunities to improve employment opportunities, training and skills in the town for the future economic growth of the Borough.

National Planning Policy Framework (NPPF)

- 2.2 A key policy direction of the NPPF is to deliver sustainable development, by building a strong and competitive economy. There is a national commitment to securing economic growth in order to create jobs and prosperity. The NPPF identified that local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century.

National Skills Academy

- 2.3 The National Skills Academy Construction has produced a Client-Based Approach to developing and implementing an Employment and Skills Strategy on construction projects through on-site training. This reiterates the Government's commitment to enhance the delivery of apprenticeships and workplace training. It is recognised that there are opportunities for local government to lever a significant amount of training and employment opportunities through their powers under planning policy and development management. The document provides good practice guidance on how to incorporate employment and skills requirements into the planning and procurement of construction projects. This document¹ has provided key guidance for this.

Local Enterprise Partnership

- 2.4 In March 2014 the South East Local Enterprise Partnership (SELEP) set out priorities in the Growth Deal and Strategic Economic Plan. There are a number of ambitions such as focussing on supporting priority sectors and skills gaps, employability skills, opportunities for young people, supporting

¹ Client-Based Approach to developing and Implementing an Employment and Skills Strategy on construction projects through on-site training (May 2012)

people in work to sustain their employment through raising skill levels. Productivity in the SELEP economy is lower than the national average and a low proportion of residents are employed in skilled occupations. The labour market when compared with the South East, as a whole, has fewer residents with National Vocational Qualification (NVQ) 4+ skills and cites skills gaps in technical, practical or job specific skills. Companies in the region are finding it hard to recruit due to skills shortages².

- 2.5 The East Sussex Growth Strategy Implementation Plan identifies 'skills' as one of its priorities along with measures to maintain employment rates at a higher rate than the national rate and reduce the percentage of residents with no qualifications or qualifications equivalent to an NVQ 1. Pre-employment training is also seen as a priority.

Eastbourne Sustainable Community Strategy

- 2.6 Eastbourne's Sustainable Community Strategy is part of a wider East Sussex Integrated Sustainable Community Strategy called 'Pride of Place'. The Community Strategy is developed by the local community focusing on what is important to people who live, work and visit the town in order to make positive changes. The objectives of 'Pride of Place' indicate that by 2026 the town will aim to provide:

- Well paid jobs for local people with a workforce skilled to match employment opportunities
- A broad economic base with diverse employment opportunities available
- A population with skills and education levels needed to be successful both personally and in the local economy
- Fully effective engagement with employers, providing them with access to high quality learning and training to improve economic development
- Providing all young people with high quality work-related learning and work based experiences; and
- Encouraging apprenticeships and jobs with training

Eastbourne Core Strategy Local Plan

- 2.7 The Eastbourne Core Strategy Local Plan is the strategic planning policy document for the Borough covering the period 2006 - 2027. A key spatial

² SELEP Growth Deal and Strategic Economic Plan, pages 32-33.

objective of the Plan is to give support to a strong and growing local economy built on innovation, creativity and entrepreneurship. Within the spatial portrait there is also an appreciation of the need to grow a better skilled labour force in order to realise the town's economic objectives.

Employment Land Local Plan (ELLP)

- 2.8 The ELLP as outlined in paragraph 1.4 is a planning policy document that will guide job growth, economic development, identify employment land supply and the future needs for employment for Eastbourne up to 2027. It identifies the future requirements for employment land in Eastbourne and how the future needs for employment are to be met.
- 2.9 The ELLP has been subject to a number of rounds of consultation and was submitted to the Secretary of State for examination in February 2016. Following examination the inspector concluded that the ELLP provided an appropriate basis for the planning of employment land provisions in the Borough, subject to some modifications and that with the recommended modifications the plan satisfied the requirements of Section 20(5) of the 2004 Act and met the criteria for soundness in the National Planning Policy Framework.
- 2.10 Within the ELLP, Policy EL1 (Economy and Employment Land) identifies the overall strategy for Eastbourne's economy, including where new employment development should be located and what types of development will be supported. This policy forms the foundation of the SPD, and is provided in full overleaf for reference.

Policy EL1 – Economy and Employment Land

Job growth and economic prosperity in Eastbourne will be supported in order to enable the achievement of a sustainable economy and make Eastbourne a town where people want to live and work. This will be achieved by:

- Taking a positive approach that reflects a presumption in favour of sustainable economic development;
- Meeting the requirement for 48,750 sqm (GEA) of additional employment floor space over the plan period through employment development within the Sustainable Centres (Town Centre and Sovereign Harbour) and through maximising the use of land in existing employment locations;
- Promoting development which provides units for new start-up businesses and small enterprises;
- Encouraging key businesses and their supply chains to grow existing specialisms;
- Encouraging development which supports improvements in the local jobs market through creation of additional jobs and employment diversification;
- Seeking local labour agreements on all development of 1,000sqm or more, including change of use, to secure local employment and training measures as part of development proposals; and
- Supporting the Education and Training sector of the Eastbourne economy through a flexible approach to expansion proposals.

2.11 The ELLP identifies that Eastbourne Borough Council will seek to secure local labour agreements and associated contributions on developments of 1,000sqm or more (including change of use) in order to secure local employment and training measures as part of development proposals, with the objective of improving training and skills in the town for the future economic development of the Borough. This will be achieved through Section 106 Agreements(or Unilateral Undertaking) related to specific development proposals, which will secure contributions from development that will support and benefit the local labour market and economy, enabling employment growth, raising skills and giving local people opportunities generated by new developments.

2.12 The ELLP also highlights that a Local Employment and Training SPD will be prepared to guide the implementation of Policy EL1.

3.0 Evidence

- 3.1 This section provides evidence to support the justification and continuation of this SPD.
- 3.2 Eastbourne's resident population is 101,455 (2015)³. In 2014 total employee jobs for Eastbourne were 39,000 with 1,400 in construction⁴.
- 3.3 In December 2015 Eastbourne's Job Seekers Allowance claimant rate for ages 16 – 64 years was 1.5% compared with 0.9% for the South East and 1.5% for Great Britain⁵.
- 3.4 The Index of Multiple Deprivation (IMD)⁶ 2015 has seven domains namely: income, employment, health and disability, education, training and skills, barriers to housing and services, living environment and crime. People may be counted in one or more of the domains. The IMD provides an overall score of multiple deprivation based on a weighted combination of the seven domains. IMD scores are recorded by Super Output Areas (SOAs) and ranked across England from 1 most deprived to 34,844 least deprived. Two SOAs in Devonshire ward (2071 and 3330) and one SOA in Hampden Park ward (2882) have IMD scores within the top 10% of deprived areas in England.
- 3.5 The qualification table overleaf demonstrates that Eastbourne has lower levels of educational achievement at all levels when compared with those for the South East. Additionally, with the exception of NVQ 1, Eastbourne also has lower achievement levels than those for Great Britain.

³ NOMIS, Population Estimates in 2015 - wards

⁴ East Sussex in Figures, Employment by industry UK SIC(2007), 2009-2014 - districts

⁵ NOMIS, JSA claimants by age duration (December 2015)

⁶ East Sussex in Figures, ED 2015, Index of Multiple Deprivation – Super Output Area

Table 1 - Qualifications (Jan 2014-Dec 2014)

	Eastbourne (level)	Eastbourne (%)	South East (%)	Great Britain (%)
Individual levels				
NVQ4 and above	20,300	34.8	39.1	36.0
NVQ3 and above	32,500	55.7	60.5	56.7
NVQ2 and above	43,800	75.1	77.1	73.3
NVQ1 and above	51,200	87.9	89.2	85.0

3.6 Construction falls in eighth place within the top ten most popular apprenticeships⁷; a mechanism needs to be put in place to preserve and maintain a trained workforce particularly in construction. This can be achieved by dedicated measures such as local labour agreements. Employment and training targets, particularly those associated with apprenticeships, work experience and NVQ start and completions during the construction phase will encourage employers to invest in their workforce and raise the profile of the construction industry.

3.7 Since 1996 there has been a gradual increase in apprenticeship starts in England and Wales. Between 2009/10 and 2010/11 there was a large increase in the number of apprenticeship starts, much of it driven by apprentices aged 25+. The take up rate for those aged 19 – 24 has increased marginally and has been fairly static for those aged under 19 years. From 2012/13 to 2013/14 start rates declined by 14% with most of the fall being in the 25+ age range due to changes in funding arrangements. Apprenticeship achievements follow similar reporting patterns, reaching a peak in 2011/12 and subsequently maintaining achievement levels⁸.

⁷ SFA data, National Audit Office, Ancestry: the Centre for Economics and Business Research

⁸ House of Commons Library, Briefing Paper 06113, June 2015, Apprenticeship Statistics: England

- 3.8 Starts by qualification level for 2013/14 were 65% intermediate (NVQ level 2), 33% advanced (NVQ level 3) and 3% higher (NVQ level 4). These levels have minor fluctuations since 2009/10. In 2013/14 apprenticeship starts in construction, planning and the built environment were 16,000 compared to 105,000 in the highest sector, business, administration and law. This sector together with health, public services and care, retail and commercial enterprise and engineering and manufacturing reports increases in start rates since 2009/10 compared with a decline in construction, planning and the built environment⁹.
- 3.9 New legislation, phased in from 2013, requires all 16-18 year olds to remain in education or training until aged 18. In 2013 over 80% of 16-18 year olds were in further education, however, 7.6% were not classified as NEET, (Not in Education, Employment or Training)¹⁰. This change in legislation is an opportunity to attract new entrants to the construction sector.
- 3.10 The 2015 Summer Budget confirmed the Government's ongoing commitment to apprenticeships by introducing an apprenticeship levy to encourage large companies to set up training schemes, in addition to creating 3 million new apprenticeships.
- 3.11 As outlined earlier, the East Sussex Growth Strategy Implementation Plan has identified 'skills' as a key measure with the objective of meeting the needs of business and supporting residents to reach their potential. Action areas include:
- the use of business appropriate apprenticeships to improve residents' employability and facilitate employee succession planning, i.e. identify and develop internal personnel to fill future key leadership positions
 - support people to gain business relevant soft skills
 - increase the number of employers providing work tasters, internships and work placements.

⁹ House of Commons Library, Apprenticeship Statistics: England, June 2015

¹⁰ NAO/DfE, 16 to 18 year old participation in education and training, September 2014

4.0 Use of Planning Obligations and Section 106 Agreements

4.1 Section 106 Agreements can be used to secure planning obligations related to new developments including improving employment opportunities, training and skills. The Government has guidelines when a Section 106 Agreement can be used. This document complies with Regulation 122 of the Community Infrastructure Levy regulations 2010 (as amended) which requires the planning obligation to be:

- Necessary to make the development acceptable in planning terms
- Directly related to the development and
- Fairly and reasonably related in scale and kind to the development.

4.2 In considering these points the Council believes that there is a clear case to use a Section 106 Agreement (or Unilateral Undertaking) to secure local labour agreements from future developments. This will secure contributions from developments that will support and benefit the local labour market and economy, enabling employment growth, raising skills and giving local people opportunities generated by new developments. Specific measures could include training (pre-employment and vocational), apprenticeships, employment advice, interview guarantees and work placements. Developers will need to discuss particular measures with the Council and in some instances a financial contribution may be taken in lieu of providing specific measures.

5.0 Thresholds and Definitions

- 5.1 This SPD will apply to residential and commercial developments, including those of strategic importance to the Council as outlined in the 'Thresholds for Development' detailed below. For residential development this applies to the construction phase, however, if there are operational jobs associated with the residential development, then both the construction and operational stages will apply. For commercial developments this applies to both construction and operational stages. The Council has set the following thresholds:

Thresholds for Development

Commercial – All developments (other than C3/C4 Planning Use Class), including change of use, that create/relate to 1,000 sq m. (gross). This also includes developments of strategic importance (eg essential infrastructure, development identified in Council plans and strategy) and all of those that create 25+ jobs.

Residential - Major developments (within C3/C4 Planning Use Class) that involve 10 or more gross units.

- 5.2 Appendix 2 provides a table for each type of development and indicates the number of work experience placements, NVQ starts and completions and apprenticeships that should be provided at the construction stage. This provides the benchmark standards for new developments.

6.0 Local Employment and Training Framework

- 6.1 Where proposed developments reach the thresholds set out, the Council will negotiate and seek a commitment to a local labour agreement detailing employment and training deliverables and a financial contribution.
- 6.2 If there is a commercial end use of the site, a financial contribution will be sought from the developer and not from the operator, which may or may not be the same. Furthermore, employment and training measures and a separate Employment and Training Plan (ETP) for both phases of the development – construction and operation (starting workforce only), who may or may not be the same entity, will be sought recognising the differing labour market needs. If the operational phase of the development has multiple operators, separate and appropriate employment and training measures will be negotiated and sought independently with each operator through their own separate ETP's.
- 6.3 The complexities of multi-site and multi-phase developments are recognised and will be negotiated on a case by case basis in order to achieve a balance between meeting the needs of the SPD and the employment and training needs of the construction supply chain and operator/s.
- 6.4 It is intended that the financial contribution will fund the monitoring of employment and training and the economic impacts of the development and co-ordinate the deliverability of the ETP. Furthermore, the funding will assist towards the co-ordination of recruitment campaigns and pre-employment training for local residents to prepare them for vacancies generated by the development.
- 6.5 It is intended where appropriate that the Council would work to develop an ETP in partnership with the developer and operator to outline a delivery plan on how to meet the measures negotiated and the additional labour market obligations in the Section 106 Agreement (or Unilateral Undertaking).

7.0 Local Employment and Training Measures to be Secured

7.1 It is intended that developments could achieve the following types of measures and activities:

- NVQ training for sub-contractors (construction phase only)
- Traineeships in conjunction with work experience placements or as a preparatory phase for progression to an apprenticeship
- Apprenticeships
- Work experience placements for those unemployed
- Work experience placements for those aged 14-18 years in education
- Work based activities for those Not in Education, Employment or Training (NEET)
- Delivering workshops within educational establishments or on site with students from schools, colleges and universities
- Targeted recruitment and training campaign including promotion of vacancies locally, pre-employment training, work trials and guaranteed interviews
- Job Fairs to promote new operational vacancies and opportunities
- In larger developments, development of traineeships to help new entrants in the industry to assist with shortages of staff in researched skills shortfall areas

7.2 The Council will use reasonable endeavours to process Section 106 (or Unilateral Undertaking) negotiations and agreements. However, it is a complicated legal process and ample time needs to be available to complete the process. To this end, the Council has drawn up a standard local labour agreement template to assist in the processing of applications. Developers are encouraged to contact the Council at the earliest opportunity and will need to brief their own legal advisors early in the pre-application process.

8.0 Mechanism for Securing Local Employment and Training Measures

- 8.1 At the pre-planning application stage, prospective developers whose development would exceed the thresholds are encouraged to contact the Council to discuss a potential local labour agreement and employment and training measures that are appropriate to the size of the proposal. If the planning application is approved the applicant will be required to enter into a Section 106 Agreement (or Unilateral Undertaking) with Eastbourne Borough Council to secure the financial contribution, agree the employment and training measures and develop an ETP.

Employment and Training Plan (ETP)

- 8.2 There are two key areas of employment and training for which Section 106 (or Unilateral Undertaking) planning obligations will be sought. The first is the construction phase for all large developments and the second at the operational phase (starting workforce) for all large commercial/employment generating developments. The Section 106 (or Unilateral Undertaking) measures will seek to ensure that local people can better access job opportunities arising from developments focusing on helping unemployed people back into work; as well as matching motivated and skilled local people to new vacancies.
- 8.3 For both the construction and operational phases, developers and occupiers will need to be committed to working with the Council to develop a site specific ETP. The Section 106 (or Unilateral Undertaking) local labour agreement will contain key employment and training measures and the implementation of an approved ETP.
- 8.4 In order to formulate an ETP, completed Pro-formas for the construction (Appendix 3) and operational (Appendix 4, if relevant) need to be submitted by the developer with the planning application. If the operator is unknown at this stage, the operator will need to repeat this process for the starting workforce (Appendix 4) as soon as this information is available. Where there are multiple operators, each will be required to complete a Pro-forma.

- 8.5 Following an initial discussion regarding the content of the Pro-forma between the developer and operator and the Council and their relevant partners, the Council and its partners will respond with a draft ETP for consultation and approval. The ETP will outline a bespoke employment and training plan detailing what relevant measures need to be achieved and how, and what employment support and training will be delivered, by whom and when, in order to meet the employment and training requirements of the developer and operator whilst maximising any government financial incentives available. The ETP will also entail tailored support to prepare local unemployed people for the recruitment of new vacancies. The development cannot commence until the ETP has been approved by the Council.
- 8.6 Following the approval of the ETP by the Council, the developer and operator will implement the approved ETP which will be centrally coordinated by the Council to ensure that so far as is reasonably practicable the measures are met and regularly monitored. The ETP is valid throughout the supply chain (e.g. building supply merchants, sub-contractors, etc.) of the construction phase and for all tenants in the operational phase of the development.
- 8.7 The developer needs to include a written statement in their contracts with the contractor and sub-contractors and inform the freeholder or lease holder of the operational phase of the development, encouraging them to liaise with the Council to discuss, agree and implement the arrangements as set out in this SPD and the site specific Section 106 Agreement (or Unilateral Undertaking) to ensure the successful and consistent application.
- 8.8 The contractor and sub-contractors in the construction phase shall provide to the Council on a monthly basis a Monitoring Form (Appendix 5) outlining the achievements against the ETP and Section 106 Agreement (or Unilateral Undertaking). The operator shall provide this information once, one month after opening (Appendix 6).
- 8.9 The developer and operator shall attend a meeting with the Council after the completion of the development or one month after opening to review performance against the ETP and Section 106 Agreement (or Unilateral Undertaking) to formulate an evaluation report to consider the scope for improvement on future developments and to maximise promotional activities of the outcomes of the specific development.

Financial Contribution

8.10 A financial contribution will be required to:

- Fund the monitoring of the ETP and Section 106 (or Unilateral Undertaking) obligation and to co-ordinate and deliver the ETP with the Council and its partners.

8.11 The Council may also seek to negotiate additional contributions if the employment and training requirements identified in the Pro-forma are out of the financial scope of local providers funding arrangements and are greater than the monitoring fee.

8.12 (Contribution towards monitoring and co-ordination equivalent to 7.5 hours a week at £20 per hour (inclusive of on costs) x the length of the development in weeks + 4 weeks) = financial contribution

Example:

If the length of the development is 52 weeks

Contribution towards S106 monitoring - £150 x 56 (52 + 4 weeks) =
£8,400¹¹

8.13 One month in advance of tendering, the contractor shall provide a detailed programme and an up-to-date schedule of works. All sub-contracting and tendering opportunities need to be advertised locally to make local businesses aware of the opportunities, timescales and procedures to be adopted in tendering for available work.

8.14 The number of apprentices, work experience placements and NVQ training starts and completions agreed and written into the approved ETP and Section 106 Agreement (or Unilateral Undertaking) are themselves non-negotiable. Appendix 2 outlines the minimum measures to be achieved. They are based on construction benchmarks from the National Skills Academy for Construction – Client-Based Approach. This defines employment and training based benchmarks for developments based on build cost and type. The benchmarks have been set as a result of experience from the National Skills Academy for Construction projects and an analysis of labour patterns in the industry. The entry benchmarks have been amended to reflect Eastbourne’s local priorities and to simplify the process.

¹¹ The monitoring fee will be subject to index linking.

- 8.15 For developments under 52 weeks, the Council understands that it is difficult for employers to engage with apprenticeships where shorter time bound projects are contracted. The use of the independent Apprenticeship Training Agency (ATA) is one option. The Council works with Training and Apprenticeships in Construction (TrAC), our local ATA, which allows contractors to demonstrate and strengthen their support for the apprenticeship employment agenda. (This is under constant review.)
- 8.16 For developments expected to last for at least 52 weeks, the Council seeks that a Modern Apprenticeship is facilitated. The developer is responsible for ensuring the relevant number of apprenticeship places are created on site – either directly or through the developer’s managing agents and their supply chain. The developer is responsible for all associated costs. The Council can help facilitate apprenticeship activity if necessary.
- 8.17 The Council encourages the contractor and supply chain to access sector specific training support and grants through CITB - Construction Skills. The Council can broker this support.

Monitoring at Construction Phase

- 8.18 Provide regular monitoring and information to the Council on:
- The achievements against the ETP and Section 106 Agreement (or Unilateral Undertaking) obligation, numbers of local businesses contracted and numbers of local people employed on a monthly basis via completion of a Monitoring Form (Appendix 5)
 - Traineeships combined with work experience or as a preparatory phase to an apprenticeship
 - Apprentices’ work experience placements and NVQ starts and completions progress on site including number of weeks engaged on site and skills attained
 - A monthly site monitoring meeting
 - Any other relevant information as directed by the Council
- 8.19 The Council will also identify the economic impact of the development on the local economy. As well as the monitoring and information identified above, the development must provide quarterly regular information to the Council on:
- Where have contractors and sub-contractors been staying overnight and if in local hotel accommodation, for how long?

- How have contractors and sub-contractors been spending their leisure time?
- Has there been any unplanned expenditure e.g. purchase of building materials locally, and at what value?
- What involvement have contractors and sub-contractors had in local community issues/events?
- Outcomes from Considerate Constructor assessments
- Plus other relevant development related initiatives.

Operational Phase

8.20 The developer is to inform the lease holder about this SPD and the site specific Section 106 Agreement (or Unilateral Undertaking), who needs to complete the Pro-forma (Appendix 4) for submission to the Council as soon as possible after they are aware they are leasing the premises. Occupiers and their personnel departments shall then meet with the Council and their selected partners to discuss the Pro-forma to formulate an ETP – a bespoke and targeted recruitment and training campaign to enable local people to acquire the skills needed to gain employment.

8.21 The measures will be negotiated on a case by case basis for all appropriate developments and will seek to maximise the outcomes outlined in the section on key activities and measures. Operators are responsible for ensuring the relevant numbers of apprenticeship, work experience and NVQ training places are created and they are responsible for all associated costs.

Monitoring of Operational Phase

8.22 Tenants to provide monitoring and information to the Council one month after operation on:

- The achievements against the ETP and Section 106 Agreement (or Unilateral Undertaking) obligation, one month after opening via a Monitoring Form (Appendix 6)
- Starting workforce statistics including details of number of local and unemployed residents
- Apprentice and work experience placements progress on site including number of weeks engaged on site, and skills attained
- Any other relevant information as directed by the Council

Appendices

Appendix 1 – Template Section 106 (or Unilateral Undertaking) Wording for Local Labour

1. Local Labour

- 1.1. The Owner shall in connection with the construction and operation of the Development ensure that:
 - 1.1.1 [%] of the work during the construction phase should be for Small and Medium Sized Enterprises who are based in East Sussex.
 - 1.1.2 All new temporary and permanent vacancies including apprenticeships not identified in the Employment and Training Plan to be reported to the Council in advance of recruitment. The Council and its partners will promote vacancy details to local job seekers and are able to match suitable candidates to job specifications for consideration by the developer/contractor and sub-contractor/s.
 - 1.1.3 One month in advance of tendering, the contractor shall provide a detailed programme and an up-to-date schedule of works.
 - 1.1.4 All sub-contracting and tendering opportunities to be advertised locally to make local businesses aware of the opportunities, timescales and procedures to be adopted in tendering for available work.
 - 1.1.5 To work with the Council in the development and implementation of an Employment and Training Plan to deliver a recruitment and training campaign linked directly to the construction and operational jobs within the Development to prepare the labour market and match suitable candidates to job specifications. To include:
 - 1.1.6 Provide guaranteed job interviews for those unemployed who have undertaken specific pre-employment training related to the development. The target for which is [%] of the starting workforce.
 - 1.1.7 All new vacancies to be advertised locally.
 - 1.1.8 To use reasonable endeavours to recruit [] apprentices, provide [] work experience placements for those unemployed, [] work

experienced placements for those aged 14-18 years in education and [] NVQ training for sub-contractors associated with the construction of the Development.

- 1.1.9 To use reasonable endeavours to recruit apprentices and provide work experience placements for those unemployed and work experience placements for those aged 14-18 years in education associated with the operation of the Development.
- 1.1.10 The Owner shall provide promptly the monitoring information required.
- 1.1.11 The Owner shall issue a written statement to its prospective contractors and sub-contractors at the stage of tendering for work and contracts associated with the construction of the Development stating that any company invited by the Owner shall be given clear written details of the obligation and shall abide by the site's local labour Section 106 (or Unilateral Undertaking) obligations and subsequently include a similar term within any contract.
- 1.1.12 The Owner shall issue a written statement to its prospective operator associated with the operation of the Development stating that any company invited by the Owner shall be given clear written details of the obligation and shall abide by the site's local labour Section 106 (or Unilateral Undertaking) obligations.
- 1.1.13 The Owner shall make a single Local Labour Obligations Monitoring Fee and Employment and Training Contribution of [] towards the costs on or prior to Commencement of Development.
- 1.1.14 The Owner shall not Commence the Development until it has paid the Local Labour Obligations Monitoring Fee and Employment and Training Contribution to the Council.

Appendix 2 – Benchmark Standards for Work Experience Placements, Apprenticeships and NVQs at Construction Phase

The tables¹² in this Appendix detail the Work Experience placements, Apprenticeship and NVQ benchmarks that will apply for qualifying developments during the construction phase. The benchmarks vary dependent on the type and cost of the build.

Benchmarks have not been included for Traineeships as these will be delivered as and when appropriate in conjunction with work experience or as a preparatory phase to an Apprenticeship. The achievement of work experience or Apprenticeship benchmarks via a Traineeship route will be tracked and recorded in the summary report for the development.

Build types are classified as follows:

- Residential
- Retail, Sports, Leisure and Entertainment
- Factories
- Education (Private/Non County Council)
- Health
- Offices
- Refurbishment/Decent Homes

¹² Client-Based Approach to developing and Implementing an Employment and Skills Strategy on construction projects through on-site training (May 2012)

Residential	Up to 500K	£500K - 1m	£1 – 3.5m	£3.5 – 6m	£6 – 10m	£10 – 15m	£15 – 20m	£20 – 30m	£30 – 40m	£40- 50m	£50- 60m	£60- 70m	£70- 80m
Work Experience Placement for those Unemployed - persons	1	2	3	5	7	9	11	13	16	18	19	20	20
Work Experience Placement for those aged 14-18 yrs in Education - persons	0	0	0	1	1	2	3	3	4	4	4	5	5
Apprentice Starts - persons	0	0	0	2	4	6	7	8	9	10	11	12	13
Apprentice Completions -persons	0	0	0	0	2	3	4	5	5	6	6	6	7
<u>Construction Phase Only</u>													
NVQ Starts for Sub- contractors – persons	0	0	1	2	3	6	8	10	13	15	17	19	21
NVQ Completions for Sub-contractors – persons	0	0	1	2	3	5	7	8	11	12	14	16	17

Retail, Sports, Leisure and Entertainment	Up to 3.5m	£3.5 – 6m	£6 – 10m	£10 – 15m	£15 – 20m	£20 – 30m	£30 – 40m	£40 – 50m	£50 – 60m	£60- 70m	£70- 80m	£80- 90m	£90- 100m
Work Experience Placement for those Unemployed - persons	2	3	4	5	6	7	8	9	10	10	10	11	11
Work Experience Placement for those aged 14-18 yrs in Education - persons	0	1	1	1	2	2	2	2	2	3	3	3	3
Apprentice Starts - persons	0	1	3	4	5	5	6	7	7	8	8	9	10
Apprentice Completions -persons	0	0	1	1	1	1	1	2	2	2	2	2	2
<u>Construction Phase Only</u>													
NVQ Starts for Sub-contractors – persons	1	1	2	4	5	6	8	9	10	11	13	14	14
NVQ Completions for Sub-contractors – persons	1	1	2	3	4	5	7	7	8	10	10	11	12

Factories	Up to 3.5m	£3.5 – 6m	£6 – 10m	£10 – 15m	£15 – 20m	£20 – 30m	£30 – 40m	£40 – 50m	£50 – 60m	£60- 70m	£70- 80m	£80- 90m	£90- 100m
Work Experience Placement for those Unemployed - persons	0	1	1	1	2	2	2	3	3	3	3	3	3
Work Experience Placement for those aged 14-18 yrs in Education - persons	0	0	0	0	0	0	0	0	0	0	0	0	0
Apprentice Starts – persons	0	1	1	2	2	2	3	3	3	4	4	4	5
Apprentice Completions –persons	0	0	1	1	1	2	2	2	2	2	2	2	2
<u>Construction Phase Only</u>													
NVQ Starts for Sub- contractors – persons	1	1	2	3	4	6	7	8	9	10	12	13	13
NVQ Completions for Sub-contractors – persons	1	1	2	3	4	4	6	7	8	9	9	10	11

Education (Private/Non County Council)	Up to 3.5m	£3.5 – 6m	£6 – 10m	£10 – 15m	£15 – 20m	£20 – 30m	£30 – 40m	£40 – 50m	£50 – 60m	£60- 70m	£70- 80m	£80- 90m	£90- 100m
Work Experience Placement for those Unemployed - persons	4	6	8	11	13	16	19	22	23	24	24	25	25
Work Experience Placement for those aged 14-18 yrs in Education - persons	0	1	1	2	4	4	5	5	5	6	6	6	6
Apprentice Starts – persons	0	2	3	5	6	6	7	8	9	10	10	11	12
Apprentice Completions –persons	0	0	2	3	3	4	4	5	5	5	6	6	6
<u>Construction Phase Only</u>													
NVQ Starts for Sub-contractors – persons	1	2	3	6	8	10	13	15	17	19	21	23	24
NVQ Completions for Sub-contractors – persons	1	2	3	5	7	8	11	12	14	16	17	19	20

Health	Up to 3.5m	£3.5 – 6m	£6 – 10m	£10 – 15m	£15 – 20m	£20 – 30m	£30 – 40m	£40 – 50m	£50 – 60m	£60- 70m	£70- 80m	£80- 90m	£90- 100m
Work Experience Placement for those Unemployed - persons	2	3	4	5	7	8	10	11	11	12	12	13	13
Work Experience Placement for those aged 14-18 yrs in Education - persons	0	1	1	1	2	2	2	2	2	3	3	3	3
Apprentice Starts - persons	0	1	2	4	4	5	5	6	7	7	8	8	9
Apprentice Completions -persons	0	0	1	1	1	2	2	2	2	2	2	2	2
<u>Construction Phase Only</u>													
NVQ Starts for Sub- contractors – persons	1	2	2	5	6	8	10	12	14	15	17	18	19
NVQ Completions for Sub-contractors – persons	1	2	2	4	6	6	9	10	11	13	14	15	16

Offices	Up to 3.5m	£3.5 – 6m	£6 – 10m	£10 – 15m	£15 – 20m	£20 – 30m	£30 – 40m	£40 – 50m	£50 – 60m	£60- 70m	£70- 80m	£80- 90m	£90- 100m
Work Experience Placement for those Unemployed - persons	1	2	2	3	3	4	5	5	6	6	6	6	6
Work Experience Placement for those aged 14-18 yrs in Education - persons	0	0	0	1	1	1	2	2	2	2	2	2	2
Apprentice Starts – persons	0	1	2	3	3	4	4	5	5	5	6	6	7
Apprentice Completions –persons	0	0	1	1	2	2	2	2	2	2	3	3	3
<u>Construction Phase Only</u>													
NVQ Starts for Sub- contractors – persons	1	1	2	4	5	6	8	9	10	11	13	14	14
NVQ Completions for Sub-contractors – persons	1	1	2	3	4	5	7	7	8	10	10	11	12

Refurbishment/Decent Homes	Up to 3.5m	£3.5 – 6m	£6 – 10m	£10- 15m	£15 20m	£20 30m	£30 – 40m	£40 – 50m	£50 – 60m	£60- 70m	£70- 80m	£80- 90m	£90- 100m
Work Experience Placement for those Unemployed - persons	2	4	5	6	8	9	11	13	13	14	14	15	15
Work Experience Placement for those aged 14-18 yrs in Education - persons	0	0	0	1	1	1	1	1	1	2	2	2	2
Apprentice Starts – persons	0	1	3	4	5	6	6	7	8	8	9	10	11
Apprentice Completions –persons	0	0	1	2	3	4	4	4	4	4	5	5	5
<u>Construction Phase Only</u>													
NVQ Starts for Sub-contractors – persons	1	1	2	4	6	7	9	11	12	13	15	16	17
NVQ Completions for Sub-contractors – persons	1	1	2	4	5	6	8	8	10	11	12	13	14



Notes: The numbers in the tables refer to total amount of work experience placements and apprenticeships in each category expected by value of development. For projects in excess of the development costs listed above, targets need to be negotiated with the Council.

Source: Client-Based Approach to developing and Implementing an Employment and Skills Strategy on construction projects through on-site training (May 2012)

Appendix 3 – Sample Pro-forma for Construction Phase

Pro-forma for Construction Phase

Date	
Author	
Site name	
Developer	
Main contractor	
End user operator/s	
Estimated build value	
Planned start date	
Planned completion date	

Number of apprentices (starts and completions)	
Number of TrAC apprentices	
Number of work experience placements for those unemployed	
Number of work experience placements for those aged 14-18 years in education	
Number of NVQ starts for Sub-contractors (starts and completions)	
Additional labour market measures	
Anticipated new vacancies	

Appendix 4 – Sample Pro-forma for Operational Phase

Pro-forma for Operational Phase

Date	
Author	
Site name	
End user operator	
Planned opening date	

Number of apprentices	
Number of work experience placements for those unemployed	
Number of work experience placements for those aged 14-18 years in education	
Additional labour market measures	

Breakdown Number of Jobs

Number of jobs (e.g. 2)	Type of Roles (e.g. Retail Assistants)	Hours (eg 11 hours per week)	Skills, Qualifications and Qualities Seeking (e.g. right attitude)



Outline your own company's recruitment process and pre-employment training if applicable	
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Appendix 5 – Sample Monitoring Form for the Construction Phase

Monitoring Form – Construction Phase

Please complete and submit this form at the end of every month and email to

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All sub-contractors in the development chain are required to do so under the site's Section 106 Agreement.

If you need assistance in completing this form contactvia email at

.....

Date	
Company name and location of headquarters	
Company number of employees	
Company contact name	
Number of staff on site	
Number of staff previously unemployed	
Number of staff on site who live in Eastbourne and East Sussex	
Number of new apprentices on site and level of apprenticeship (intermediate, advanced or higher)	
Number of apprenticeship completions	
Number of completed work experience placements for those unemployed	
Number of completed work experience placements for those aged 14-18 in education	
Number of NVQ starts for Sub-contractors	



Number of NVQ completions for Sub-contactors	
Do you anticipate or will you be recruiting additional or replacement staff during this project? Any new vacancies need to be reported to the Council?	Yes / No
Since the last form, if you have recruited, what numbers were previously unemployed? (Not required on first completion)	
Since the last form, if you have recruited, what numbers live in Eastbourne and East Sussex? (Not required on first completion)	
Number of job interviews for those who have undertaken pre-employment training?	
Please list the contact details of any new sub-contractors to be used on site	
Apprenticeship and Work Experience feedback/comments	

Thank you

Appendix 6 - Sample Monitoring Form for the Operational Phase

Monitoring Form – Operational Phase

Please complete and submit this form after 4 weeks of opening and email to

All sub-contractors in the development chain are required to do so under the Section 106 Agreement.

If you need assistance in completing this form contactvia email at

Date	
Company name	
Company contact name	
Number of staff on site	
Number of staff employed who live in Eastbourne	
Number of staff previously unemployed	
Number of new apprentices on site and level of apprenticeship (intermediate, advanced or higher)	
Number of work experience placements for those unemployed	
Number of work experience placements for those aged 14-18 in education	

Thank you

Appendix 7 – Index Linking

Contributions shall be index linked and varied as necessary by the application of the following formula:

$$A = \frac{B \times C}{D}$$

Where:

A is the sum actually payable on the relevant specified date, eg date monitoring fee is due;

B is the original sum specified in the local labour agreement;

C is the inflation index for the month preceding the specified date;

D is the inflation index for the month preceding the date of the signed local labour agreement;

C divided by D is equal to or greater than 1

Please note: Inflation Index means the 'all items' index figure of the Retail Prices Index published by the Office for National Statistics.

Appendix 8 – Glossary

Term	Definition
B1(a)	Planning Use Class - General office use
C3	Planning Use Class - Residential self-contained unit
C4	Planning Use Class - House in multiple occupation
CSCS	Construction Skills Certificate Scheme
CITB	Construction Industry Training Board
EBC	Eastbourne Borough Council
ESCC	East Sussex County Council
ESA	Employment and Support Allowance
ETP	Employment and Training Plan
JSA	Job Seekers Allowance
IB	Incapacity Benefit
NEET	Not in Employment Education or Training
NPPF	National Planning Policy Framework
NVQ's	National Vocational Qualifications
NVQ Starts/ Completions for Sub-contractors	Target that describes NVQ starts at levels 2, 3, 4 or 5 for individuals working in the project supply chain, not directly employed by the main contractor
Operator	End user of the premises
Out-of-Work Rate	The accumulation of JSA, ESA and IB, Lone Parents and others on income related benefits with Department for Work and Pensions
Section 106	Section 106 Agreements can be used to secure planning obligations related to new developments including improving training and skills
SME's	Small and Medium Sized Enterprises
SELEP	South East Local Enterprise Partnership
TrAC	Training and Apprenticeships in Construction
Unemployed	People who are jobless, have been actively seeking work in the past four weeks and are available to start work in the next two weeks; or they are out of work, have found a job,



Term	Definition
	and are waiting to start it in the next two weeks.
Unilateral Undertaking	This is an alternative arrangement to a Section 106 Agreement
Work Experience Placement for those Unemployed	The placements are to support those unemployed claiming a key out-of-work benefit from Jobcentre Plus, gain experience in the workplace to help them find employment. The minimum duration of a work experience placement should be 5 working days.
Work Experience Placement for those aged 14-18 in Education	The work experience placements are to support young people in education. Work placements can support those undertaking related qualifications to the build and operation of the site. The minimum duration of a work experience placement should be 5 working days.