

**Eastbourne Borough Council**

## **Local Employment and Training Technical Guidance Note**

**Final Report**

**Adopted 1 April 2013**

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## **1. Introduction**

- 1.1 Eastbourne Borough Council has prepared this Local Employment and Training Technical Guidance Note to assist in securing local employment and training measures as part of development proposals. This will be achieved through planning obligations secured by Section 106 Agreements related to specific development proposals. This Technical Guidance Note provides a framework as to how these 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.
- 1.2 This Technical Guidance Note is directly linked to the requirements in Policy D2 'Economy' of the Eastbourne Core Strategy Local Plan which seeks to 'encourage development which supports improvements in the local jobs market through the creation of additional jobs and employment diversification'.
- 1.3 The Council and its local partners are committed to working in partnership with the developer and operator to assist in the delivery of this Technical Guidance Note in order to maximise the opportunities available to all parties. Developers and operators that support this Technical Guidance Note 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.
- 1.4 The Technical Guidance Note has been subject to targeted consultation with key stakeholders including planning agents, developers, consultants and those with an interest in development matters, from 20 February to 13 March 2013. Consultation responses and any necessary amendments were presented to Planning Committee on 26 March 2013. Planning Committee resolved to adopt the Technical Note on 1 April 2013.

## **2. 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 training and skills in the town for the future economic development 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 21<sup>st</sup> century.

### ***National Skills Academy***

- 2.3 The National Skills Academy 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 Coalition Government's commitment to enhance the delivery of apprenticeships and workplace training. This means using procurement to promote investment in skills both when awarding new contracts and working with existing contractors. 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 control. The document provides good practice guidance on how to incorporate employment and skills requirements into the planning and procurement of construction projects. This document has provided key guidance for this Technical Guidance Note.

### ***Local Enterprise Partnership***

- 2.4 The South East Local Enterprise Partnership's (SELEP) goal is to enable steady, sustained economic growth over the next two decades. The partnership indicates in its objectives that some of coastal areas of the LEP region suffer from significant deprivation but still offer significant potential for economic growth. The LEP indicates that Eastbourne is an area in which it will focus and promote investment. One of the objectives identified is to improve skills across the workforce of the LEP region to enable the area to become as competitive as any other to compete in the global market place.

### ***Eastbourne Sustainable Community Strategy***

2.5 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's Corporate Plan***

2.6 The Eastbourne Borough Council's Corporate Plan sets priority themes and aims for the town for the period 2010-2015. Under the heading of a 'Prosperous Economy' the Corporate Plan sets out the need for 'an inspiring cultural provision combining opportunities for employment and learning' and 'a wide range of employment opportunities'. This priority theme states that Eastbourne residents will have a wide range of skills and opportunities to help make the town attractive to employers and new businesses.

### ***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 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. Policy D2 'Economy' of the Core Strategy recognises the important role that the economy plays in Eastbourne's prosperity. It sets out how job growth and economic development will be supported as well as identifying an appropriate supply of land for future employment development. This policy forms the foundation of this Technical Guidance Note, and it is provided in full below for reference.

### **Policy D2: Economy**

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

- Encouraging development which supports improvements in the local jobs market through creation of additional jobs and employment diversification
- Supporting development which provides for, or achieves, units for new start-up businesses;
- Identify sites and land for employment use to meet the need for 55,430m<sup>2</sup> floorspace in the period to 2027
- Maximising the use of existing employment sites, through redevelopment for employment use and increased density on existing industrial estates, and the upgrading of the existing stock;
- Allocating land within the town centre through the Town Centre Area Action Plan for new B1(a) office use
- Supporting the development of B1(a) office use at Sovereign Harbour
- Supporting the Education and Training sector of the Eastbourne economy through a flexible approach to expansion proposals
- Protecting good quality employment space, and resisting change of use. Any proposal will be considered in a sequential process which gives priority to retention unless the site is unviable for employment use or is otherwise unsuitable

### 3.0 Evidence

- 3.1 This section sets out key statistical evidence to demonstrate the current state of Eastbourne’s employment and skills base. This provides strong justification for preparing this Technical Guidance Note.
- 3.2 The following table provides a summary of key unemployment statistics for Eastbourne, compared to other areas of the country. A glossary defining the key terms can be found in Appendix 6 of this Technical Guidance Note.

*Table One: Key Unemployment Statistics for Eastbourne (%)*

<b>Indicator</b>	<b>Highest Local Authority Rate</b>	<b>Eastbourne</b>	<b>East Sussex</b>	<b>South East</b>	<b>SELEP</b>	<b>Great Britain</b>
Economic Inactive <sup>1</sup>	34.3	19.8	22.8	20.7	21.8	23.4
Those Economic Inactive Looking for Work <sup>2</sup>	65.5	40.3	31.4	26.1	29.8	24.1
Unemployment <sup>3</sup>	16.4	6.8	6.5	5.9	7.1	8.1
Out-of-Work <sup>4</sup>	23.7	13.7	11.7	8.8	10.9	12.5
ESA/IB <sup>5</sup>	13.9	7.6	6.6	4.6	5.5	6.5
JSA <sup>6</sup>	8.6	3.7	3.1	2.4	3.2	3.8

- 3.3 The proportion of the working age population economically inactive in Eastbourne is 19.8%, lower than East Sussex, South East, SELEP and Great Britain averages. However, the inactive resident population who are looking for work in Eastbourne is 40.3% which is higher than the areas of geographical comparison. These findings are supported by data from the Department for Work and Pensions in that there is a higher

<sup>1</sup> Nomis/ Annual Population Survey / % of working age population who are economically inactive - July 2011-June 2012

<sup>2</sup> Nomis/ Annual Population Survey / % of economically inactive who want a job - July 2011-June 2012

<sup>3</sup> Nomis/ Model-based Estimates of Unemployment /% of economically active - July 2011-June 2012

<sup>4</sup> Nomis/ DWP Benefits/ Benefit Claimants Working Age Client Group/ Rate - February 2012

<sup>5</sup> Nomis/ DWP Benefits/ Benefit Claimants Working Age Client Group/ Rate - February 2012

<sup>6</sup> Nomis/ DWP Benefits/ Benefit Claimants Working Age Client Group/ Rate - November 2012

proportion of working age claimants on ESA/IB benefits in Eastbourne (7.6%) than in all of Sussex and above the average for Great Britain.

- 3.4 The local unemployment rate in Eastbourne (6.8%) is above East Sussex (6.5%) and South East (5.9%) averages but below the national figure (8.1%) and the SELEP region (7.1%). The rate of JSA claimants in Eastbourne (3.7%) also lies above East Sussex (3.1%), South East (3.1%) and the SELEP (3.2%) averages.
- 3.4 The data collectively indicates high levels of worklessness (wider than unemployment and inclusive of other working age benefits) in Eastbourne. The out-of-work benefit claimant rate in Eastbourne (13.7%) is higher than East Sussex (11.7%), South East (8.8%), the SELEP (10.9%) and Great Britain (12.5%) averages.
- 3.5 Eastbourne has 5 Super Output Areas that are in the top 10% most deprived areas in employment in England.<sup>7</sup>
- 3.6 There are 3.7 JSA claimants per Jobcentre Plus vacancy in Eastbourne compared with 3.8 nationally and 2.4 in the South East.<sup>8</sup>
- 3.7 Since 2007, Eastbourne has improved its skills base and is becoming more qualified. 52% of the population in Eastbourne in 2011 have achieved NVQ level 3 and above compared to 51.5% in East Sussex, 56.7% in the South East, 48% in the SELEP region and 52.7% in Great Britain.<sup>9</sup>
- 3.8 The percentage of high-level professionals living in Eastbourne is lower than the county, region and national - Eastbourne 39.6%, East Sussex 40.4%, South East 48.1%, SELEP 42.1% and Great Britain 43.2%.<sup>10</sup>
- 3.9 The area has lower labour productivity which is evidenced in lower earnings. Resident earnings in Eastbourne have decreased from £492 per week in 2010 to £439 in 2011. These remain uncompetitive compared to the South East (£554) and Great Britain (£503) weekly averages.<sup>11</sup>

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<sup>7</sup> Communities and Local Government/ Indices of Multiple Deprivation - 2010

<sup>8</sup> East Sussex in Figures/ Nomis/ JSA claimants per job vacancy – October 2012

<sup>9</sup> Nomis/ Annual Population Survey/ % of working age population with NVQ's – July 2011-June 2012

<sup>10</sup> Nomis/ Annual Population Survey/ % of working age population in employment – July 2011-June 2012



- 3.10 Despite the economic climate, there is continued interest from developers in Eastbourne. Future investment will create a significant number of jobs and there is opportunity to create local employment at both construction and operational stages.
- 3.11 These findings highlight that whilst Eastbourne performs above average nationally for most statistics, including the unemployment rate, it is not performing well comparatively across the South East region. The SELEP indicates that investment is required to allow Eastbourne to perform on a par with more prosperous areas of the South East. There are opportunities to address these issues through the planning process and these are outlined in this document.

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<sup>11</sup> Nomis / Annual Survey of Hours and Earnings/ resident analysis - 2011

#### **4. 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 training and skills. The Government has guidelines when a Section 106 Agreement can be used. They are:
- Is the obligation necessary to make the development acceptable in planning terms?
  - Is the obligation directly related to the development?
  - Is the obligation fairly and reasonably related in scale and kind to the development?
- 4.2 In considering these points the Borough Council believes that there is a clear case to use a Section 106 Agreement to secure training and employment opportunities 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, work placements, transport arrangements and child care. 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. Thresholds and Definitions**

- 5.1 This development Technical Guidance Note will only apply to larger residential and commercial developments, including those of strategic importance to the Council. For residential development this applies to just the construction phase. 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 1,000 sq m. (gross). This also includes commercial developments of strategic importance and those that create 50+ jobs.

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

- 5.2 Appendix 2 provides a table for each type of development to indicate the amount of work experience placements and apprenticeships that should be provided at the construction stage in line with this document. This provides the benchmarks standards for new developments.

## **6.0 Local Employment and Training Framework**

- 6.1 Where proposed developments reaches the thresholds set out, the Borough Council will negotiate and seek a commitment to employment and training measures, an Employment and Training Plan (ETP) to set out how relevant employment and training measures will be delivered and a financial contribution.
- 6.2 If there is a commercial end use of the site, a financial contribution will be sought by the developer and not from the operator, which may or may not be same. Furthermore, employment and training measures and a separate 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 and not the Section 106 Agreement.
- 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 Technical Guidance Note 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 a salaried post at the Council to monitor the employment and training and economic impacts of the development and coordinate the deliverability of the ETP. Furthermore, the funding will assist towards the costs of enabling the employment and training of local residents to prepare them for vacancies generated by the development.
- 6.5 It is intended that the employment and training measures will be adopted to target specific labour market groups.
- 6.6 It is intended where appropriate 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. It will comprise of a tailored package including resources levered in from Council partners - Eastbourne Jobcentre Plus and sub-contractors, local colleges, training providers and local organisations who help people back into work.

6.7 It is intended that operators of the development will commit to attaining and continuing to hold membership of the Eastbourne Business Crime Group during the operation of the Development where appropriate.

## **7.0 Local Employment and Training Measures to be Secured**

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

- Training Plans for sub-contractors (construction phase only)
- Supervisor Training for sub-contractors (construction phase only)
- Leadership and Management Training for sub-contractors (construction phase only)
- Advanced Health and Safety Training for sub-contractors (construction phase only)
- NVQ training for sub-contractors (construction phase only)
- A percentage of Construction Skills Certificate Scheme (CSCS) card holders on site at any one point of time (construction phase only)
- 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)
- The carrying out 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 generated vacancies
- The possible establishment of an on-site jobs information centre
- In larger developments, development of traineeships to help new people in the industry to assist with shortages of staff in researched skills shortfall areas

7.2 The list is indicative of the types of interventions anticipated and not exhaustive. The employment and training measures will be negotiated on a case by case basis for all appropriate developments but it is intended that the development will achieve as a minimum the following as reasonable endeavours:

- A percentage [25%] of work during the construction phase should be for Small and Medium Enterprises (SMEs)
- All new temporary and permanent vacancies including apprenticeships during the construction phase not identified in the ETP to be reported to the Council in advance of recruitment. The Council and its partners will promote vacancy details to job seekers and are able to match suitable candidates to job specifications for consideration by the developer/contractor and sub-contractor/s.
- 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 to be advertised locally to make local businesses aware of the opportunities, timescales and procedures to be adopted in tendering for available work.
- Work with the Council in the development and implementation of an ETP 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 guaranteed job interviews for those unemployed who have undertaken specific pre-employment training, the target for which is [25%] of the starting workforce and the advertisement of vacancies locally (the Council can advise of local mediums)
  - Targets also for:
    - Work experience placements for those unemployed
    - Work experience placements for those aged 14-18 years in education
    - Apprenticeships
    - NVQ training for sub-contractors in the construction phase of the development only
- The developer needs to include a written statement in their contracts with the contractor and sub-contractors and inform the operator of the operational phase of the development encouraging them to liaise with the Council's nominated Officer to discuss, agree and implement the arrangements as set out in this Note and the site specific Section 106 Agreement to ensure the successful and consistent application

7.3 The Council will use reasonable endeavours to process Section 106 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 standard minimum clauses (Appendix 1) to be used in any draft Section 106

Agreement to assist the processing of applications. Developers will need to brief their own legal advisors early in the pre-application process.

- 7.4 Where this is not appropriate financial considerations in lieu will be considered. The Borough Council will have regard to other site constraints and obligations as part of the negotiations.
- 7.5 These activities aim to contribute to one or more of the following priorities for Eastbourne:
- Increase local employment and levels of economic activity particularly in deprived neighbourhoods
  - Increase the employability of local residents and remove the barriers to participation
  - Maximise the number of new jobs created in the local economy taken up by local residents
  - Increased job density
  - Improving the skills base throughout Eastbourne encouraging increased productivity and competitiveness of local businesses

## **8. 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 potential local employment and training measures that are appropriate to the size of the proposal. The Council will be able to discuss in more detail the type of employment and training measures that are appropriate. If the planning application is approved the applicant will be required to enter into a Section 106 Agreement 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 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 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 match 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 site specific ETP. The Section 106 Agreement will contain key employment and training measures and the requirement of the implementation of the approved ETP.
- 8.4 In order to formulate an ETP, completed Pro-forma's for the construction and operational (if relevant phases (Appendix 3 and 4) needs 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 this Plan 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 development funded Officer employed by the Council and ensure that so far as is reasonably practicable the measures are met and regularly monitored. The ETP is valid throughout the supply chain of the construction phase and for all tenants occupied 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's nominated Officer to discuss, agree and implement the arrangements as set out in this Note and the site specific Section 106 Agreement 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 (sample provided see Appendix 5) outlining the achievements against the ETP and Section 106 Agreement measures and provide details of the employment and training activities delivered in that time. The operator shall provide this information once one month after opening (sample provided see 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 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 normally be required to:
- Fund a salaried post at the Council 7.5 hours a week - to monitor the ETP and Section 106 measures and to coordinate and deliver the ETP with the Council and its partners
  - Fund a nominal contribution towards employment and training costs
- 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 nominal contribution.
- 8.12 One of the following formulas will need to be adopted:

#### *Construction Developments Only*

(Contribution towards a salaried post 7.5 hours a week at £75 x the length of the development in weeks) + (x contribution towards employment and training costs calculated at 25%) = financial contribution

Example:

If the length of the development is 52 weeks

Contribution towards a salaried post - £75 x 52 = **£3,900**

Contribution towards employment and training costs - £3,900 x 25% = **£975**

Financial contribution - £3,900 + £975 = **£4,875**

### *Construction and Operational Developments*

(Contribution towards a salaried post 7.5 hours a week at £75 x the length of the development plus 4 weeks) + (x contribution towards employment and training costs calculated at 50%) = financial contribution

Example:

If the length of the development is 52 weeks

Contribution towards a salaried post - £75 x 56 = **£4,200**

Contribution towards employment and training costs - £4,200 x 50% = **£2,100**

Financial contribution - £3,900 + £975 = **£6,300**

### **Construction Phase**

- 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 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 benchmarks have been amended to reflect Eastbourne's local priorities and to simplify the process.

- 8.15 For developments under 52 weeks, the use of the independent Apprenticeship Training Agency *Training and Apprenticeships in Construction (TrAC)* is one option (under constant review by the Council) that could count as an apprenticeship target. 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 developers managing agents and their supply chain. The developer is responsible for all associated costs.
- 8.16 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**

- 8.17 Provide regular monitoring and information to the Council on:
- The achievements against the ETP and Section 106 Agreement measures monthly via a Monitoring Form
  - Apprentice's, work experience placements and NVQ starts and completions progress on site including number of weeks engaged on site and skills attained
  - Standards of service, product and delivery arising from local procurement activities
  - A six to eight week basis, via e-mail, phone fax or liaison meeting
  - Any other relevant information as directed by the Council
- 8.18 The Council also wants to identify the economic impact of the development on the local economy. As well as the monitoring and information identified above, the development must provide regular information to the Council on:

- Numbers of local businesses contracted and numbers of local people employed in the construction phase and the starting workforce of the operational phase of the development as key indicators to gauge local success of the Technical Guidance Note
- Where has contractors and sub-contractors been staying overnight and if in local hotel accommodation, for how long?
- How has 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 has contractors and sub-contractors had in local community issues/events?

## **Operational Phase**

- 8.19 The developer is to inform the lease holder of this Technical Guidance Note and the site specific Section 106 Agreement, 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 to 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.
- 8.20 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. The operator is responsible for ensuring the relevant numbers of apprenticeship places are created and is responsible for all associated costs.
- 8.21 The Council will maintain an ongoing relationship with the operator to continue employment and training outcomes of the site for the benefit of the local economy.

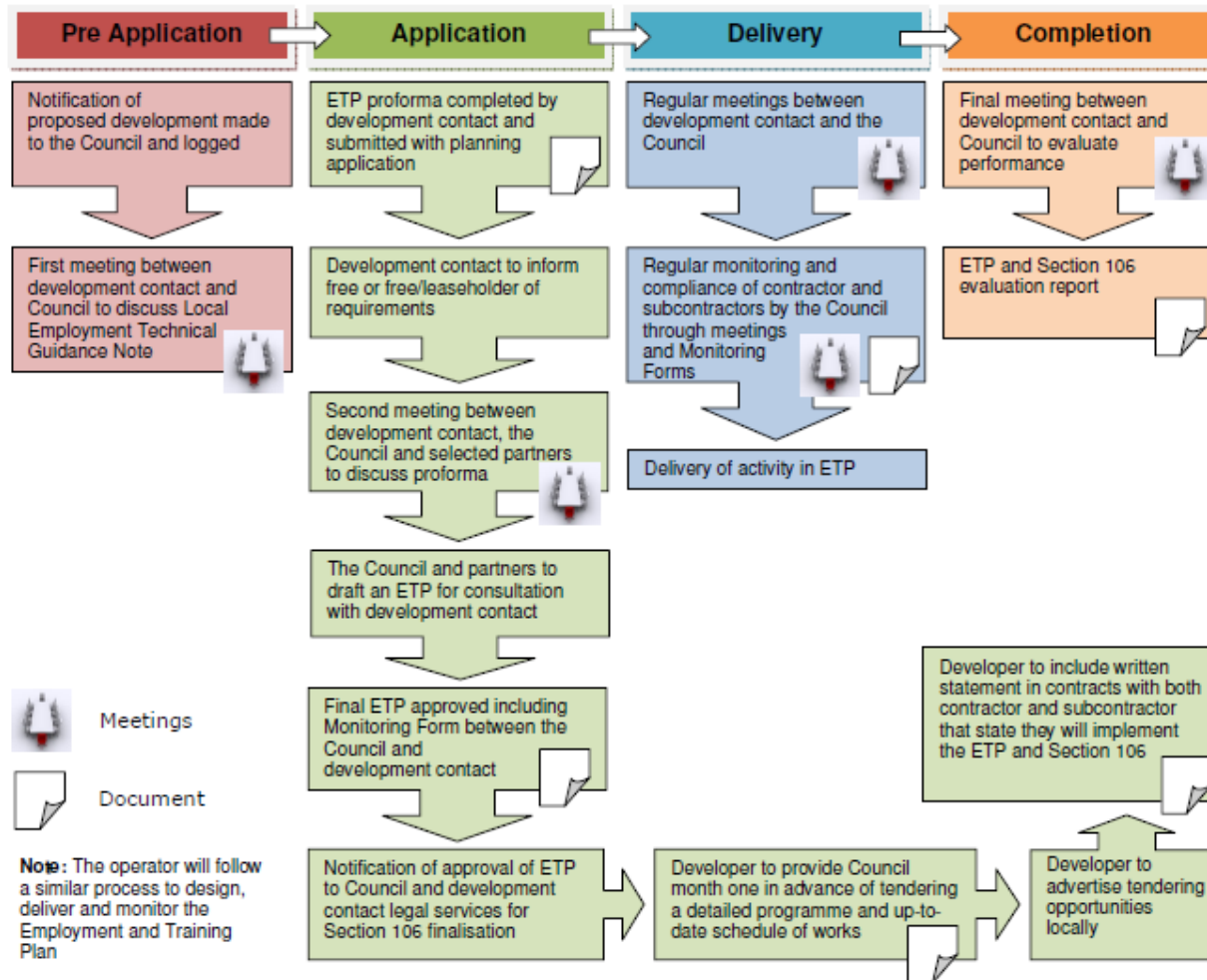
## **Monitoring of Operational Phase**

- 8.22 Tenants to provide monitoring and information to the Council on:

- The achievements against the ETP and Section 106 Agreement measures one month after opening via a Monitoring Form
- Apprentice's 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

## Summary of the Process

8.23 The following process map provides a summary of the stages involved in the determination of a planning application and the key stages in which economic development issues will be discussed and addressed.



## **Appendix 1: Template Section 106 Wording for Local Labour**

### **1. Local Labour**

1.1. The Owner shall in connection with the construction and operation of the Development:

1.1.1. Use reasonable endeavours to ensure that:

1.1.1.1. [ %] of the work during the construction phase should be for Small and Medium Sized Enterprises.

1.1.1.2. 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.

1.1.1.3. One month in advance of tendering, the contractor shall provide a detailed programme and an up-to-date schedule of works.

1.1.1.4. 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.

1.1.2. Use reasonable endeavours 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:

- 1.1.2.1. 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.
- 1.1.2.2. All new vacancies to be advertised locally.
- 1.1.2.3. 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.
- 1.1.2.4. To use reasonable endeavours to recruit apprentices and provide work experience placements for those unemployed and work experienced placements for those aged 14-18 years in education associated with the operation of the Development.
- 1.1.3. The Owner shall use reasonable endeavours to provide promptly the monitoring information required.
- 1.1.4. The Owner shall use a 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 to use all reasonable endeavours to abide by the sites local labour Section 106 obligations and subsequently include a similar term within any contract.
- 1.1.5. 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 to use all reasonable endeavours to abide by the sites local labour Section 106 obligations.
- 1.1.6. 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.



- 1.1.7. 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.
- 1.1.8. The Owner shall procure a commitment from operators of the Development to attain and continue to hold membership of the Eastbourne Business Crime Group during the operation of the Development.
- 1.1.9. The Owner shall provide proof to the Council that operators of the Development have attained membership of the Eastbourne Business Crime Group within 3 (three) months from the Opening Date.

## Appendix 2

### Benchmark Standards for Work Experience Placements, Apprenticeships and NVQs at Construction Phase

<b>Residential</b>	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
<b>Construction Phase Only</b>													
NVQ Starts for Sub-contactors – persons	0	0	1	2	3	6	8	10	13	15	17	19	21
NVQ Completions for Sub-contactors – persons	0	0	1	2	3	5	7	8	11	12	14	16	17
<b>Retail, Sports, Leisure and Entertainment</b>													
	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	0	1	1	1	2	2	2	2	2	3	3	3	3

aged 14-18 yrs in Education - persons													
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-contactors – persons	1	1	2	4	5	6	8	9	10	11	13	14	14
NVQ Completions for Sub-contactors – persons	1	1	2	3	4	5	7	7	8	10	10	11	12

<b>Factories</b>	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-contactors – persons	1	1	2	3	4	6	7	8	9	10	12	13	13
NVQ Completions for Sub-contactors – persons	1	1	2	3	4	4	6	7	8	9	9	10	11

<b>Education (Private/Non County Council)</b>	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
<b>Construction Phase Only</b>													
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

<b>Health</b>	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-contactors – persons	1	2	2	5	6	8	10	12	14	15	17	18	19
NVQ Completions for Sub-contactors – persons	1	2	2	4	6	6	9	10	11	13	14	15	16

<b>Offices</b>	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-contactors – persons	1	1	2	4	5	6	8	9	10	11	13	14	14
NVQ Completions for Sub-contactors – persons	1	1	2	3	4	5	7	7	8	10	10	11	12

<b>Refurbishment/Decent Homes</b>	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	0	0	0	1	1	1	1	1	1	2	2	2	2

14-18 yrs in Education - persons													
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-contactors - persons	1	1	2	4	6	7	9	11	12	13	15	16	17
NVQ Completions for Sub-contactors - 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

### Pro-forma for Construction Phase

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

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

## Appendix 4

### Pro-forma for Operational Phase

<b>Date</b>	
<b>Author</b>	
<b>Site name</b>	
<b>End user operator</b>	
<b>Planned opening date</b>	

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

### Breakdown Number of Jobs

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

<b>Outline your own companies recruitment process and pre-employment training if applicable</b>	
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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 .....

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 contact .....via email at .....

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

<b>Do you anticipate or will be recruiting additional or replacement staff during this project? Any new vacancies need to be reported to the Council</b>	<b>Yes / No</b>
<b>Since the last form, if you have recruited, what numbers were previously unemployed (Not required on first completion)</b>	
<b>Since the last form, if you have recruited, what numbers live in Eastbourne (Not required on first completion)</b>	
<b>Please list the contact details of any new sub-contractors to be used on site</b>	

**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 contact .....via email at .....

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

**Thank you**

## Appendix 7

### 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
ESA/IB	Employment Support Allowance/Incapacity Benefit
ESCC	East Sussex County Council
ETP	Employment and Training Plan
ETTWA	Eastbourne Travel to Work Area
JSA	Job Seekers Allowance
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, and are waiting to start it in the next two weeks.
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.