

# Public Document Pack

Mid Devon District Council

Cabinet

Thursday, 27 August 2015 at 2.15 pm  
Phoenix House

Next ordinary meeting  
Thursday, 24 September 2015 at 2.15 pm

Those attending are advised that this meeting will be recorded

## Membership

|                       |   |
|-----------------------|---|
| Cllr C J Eginton      | Leader  |
| Cllr R J Chesterton   | Deputy Leader and Planning and Economic<br>Regeneration |
| Cllr N V Davey        | Environment   |
| Cllr P H D Hare-Scott | Finance   |
| Cllr C R Slade        | Community Well Being                                    |
| Cllr Mrs M E Squires  | Working Environment and Support Services                |
| Cllr R L Stanley      | Housing   |

## A G E N D A

*Members are reminded of the need to make declarations of interest prior to any discussion which may take place*

- 1. Apologies**  
To receive any apologies for absence.
- 2. Public Question Time**  
To receive any questions relating to items on the Agenda from members of the public and replies thereto.
- 3. Minutes of the Previous Meeting (Pages 5 - 10)**  
To receive the minutes of the special meeting of 7 August 2015
- 4. Review of the Tenancy Policy (Pages 11 - 26)**  
Arising from a report of the Head of Housing and Property, the Decent and Affordable Homes Policy Development Group had recommended that the revised Tenancy Policy be approved.
- 5. Income Management Policy (Pages 27 - 40)**  
Arising from a report of the Head of Housing and Property Services; the Decent and Affordable Homes Policy Development Group, had recommended that the revised Income Management Policy be

approved.

6. **Digital Transformation - Recommendation from the Scrutiny Committee** (Pages 41 - 44)

Arising from a briefing paper of the Head of Customer Services, the Scrutiny Committee had recommended that the means of contacting the authority be reviewed to avoid exclusion for those that could not use digital methods.

7. **Tiverton Town Centre Development** (Pages 45 - 48)

To receive a report of the Head of Housing and Property Services in relation to Council Assets

8. **Financial Monitoring** (Pages 49 - 64)

To receive a report of the Head of Finance requesting the Cabinet to note the financial monitoring information for the income and expenditure so far for the 2015/16 financial year.

9. **Performance and Risk** (Pages 65 - 86)

To receive a report of the Head of Communities and Governance providing Members with an update on performance against the corporate plan and local service targets for the 2015/16 financial year as well as providing an update on the key business risks.

10. **Notification of Key Decisions** (Pages 87 - 92)

To note the rolling plan containing key decisions.

11. **Access to Information Act - Exclusion of the Press and Public**

During discussion of the following items it may be necessary to pass the following resolution to exclude the press and public having reflected on Article 12 12.02(d) (a presumption in favour of openness) of the Constitution. This decision may be required because consideration of this matter in public may disclose information falling within one of the descriptions of exempt information in Schedule 12A to the Local Government Act 1972. The Cabinet will need to decide whether, in all the circumstances of the case, the public interest in maintaining the exemption, outweighs the public interest in disclosing the information.

To consider passing the following resolution so that financial information may be discussed.

**Recommended** that under Section 100A(4) of the Local Government Act 1972 the public be excluded from the next item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act, namely information relating to the financial or business affairs of any particular person (including the authority holding that information).

12. **Outcome of Procurement for Roofing Works 2015/16** (Pages 93 - 98)

To receive a report of the Head of Housing and Property Services seeking agreement to award the contract to the winning bidder in line with item 5.1.78 of the financial regulations.

The Chairman of the Scrutiny Committee has agreed that this item may be discussed although 28 days notice has not been adhered to as this would prolong the date when the tender could be awarded and therefore delay the work that needs to be undertaken.

**Kevin Finan**  
Chief Executive  
Wednesday, 19 August 2015

Anyone wishing to film part or all of the proceedings may do so unless the press and public are excluded for that part of the meeting or there is good reason not to do so, as directed by the Chairman. Any filming must be done as unobtrusively as possible from a single fixed position without the use of any additional lighting; focusing only on those actively participating in the meeting and having regard also to the wishes of any member of the public present who may not wish to be filmed. As a matter of courtesy, anyone wishing to film proceedings is asked to advise the Chairman or the Member Services Officer in attendance so that all those present may be made aware that is happening.

Members of the public may also use other forms of social media to report on proceedings at this meeting.

Members of the public are welcome to attend the meeting and listen to discussion. Lift access to the Council Chamber on the first floor of the building is available from the main ground floor entrance. Toilet facilities, with wheelchair access, are also available. There is time set aside at the beginning of the meeting to allow the public to ask questions.

An induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter. If you require any further information, or

If you would like a copy of the Agenda in another format (for example in large print) please contact Sally Gabriel on:

Tel: 01884 234229

E-Mail: [sgabriel@middevon.gov.uk](mailto:sgabriel@middevon.gov.uk)

Public Wi-Fi is available in all meeting rooms.

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## MID DEVON DISTRICT COUNCIL

**MINUTES** of a **MEETING** of the **CABINET** held on 7 August 2015 at 10.00 am

### **Present**

#### **Councillors**

C J Eginton (Leader)  
R J Chesterton, N V Davey, C R Slade,  
Mrs M E Squires and R L Stanley

### **Apologies**

#### **Councillor(s)**

P H D Hare-Scott

### **Also Present**

#### **Councillor(s)**

Mrs E M Andrews, Mrs A R Berry, R Evans and  
F J Rosamond

### **Also Present**

#### **Officer(s):**

Kevin Finan (Chief Executive), Amy Tregellas (Head of Communities and Governance and Monitoring Officer), Jenny Clifford (Head of Planning and Regeneration) and Sally Gabriel (Principal Member Services Officer)

## 47. **APOLOGIES**

Apologies were received from Cllr P H D Hare-Scott.

## 48. **PUBLIC QUESTION TIME**

Dr M Dixon (Culm Valley Integrated Health Centre) referring to item 4 on the agenda (Masterplan – Cullompton North West Urban Extension) stated that the masterplanning exercise gave an ideal opportunity for the town to have a community garden to the rear of the surgery which would be used to identify the needs of the community with regard to health issues, such as learning to grow food, the use of organic food and herbs which could relate to issues with obesity and diabetes. The surgery had a strong national and international profile with regard to innovative health and requested that a small area of allocated land be used for such a project.

The Chairman stated that this issue would be addressed during the meeting.

Cllr E J Berry (Devon County Council) again referring to Item 4 on the agenda stated that he had been approached by residents of St Georges Well with regard to the impact of the proposed development, particularly during the construction period. Would an environmental assessment take place with regard to air quality during the construction period.

The Chairman stated that this issue would be addressed during the meeting.

A representative from Veysey's Butchers raised concerns regarding the placing of bollards in Fore Street that morning forbidding loading and unloading. The Chairman

stated that this item was not on the agenda; however the Head of Planning and Regeneration stated that Devon County Council (Highway Authority) had just issued a Temporary Road Traffic Order on the main route through the town seeking to prevent congestion caused by loading and unloading at peak times.

Mr Emmet again referring to Item 4 on the agenda stated that he had concerns regarding the movement of traffic on St Georges View, were Members aware that there were also problems with parking and traffic movement on Willand Road?

The Chairman stated that this issue would be addressed during the meeting.

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

The minutes of the previous meeting were approved as a true record and signed by the Chairman.

#### **50. MASTERPLAN - CULLOMPTON NORTH WEST URBAN EXTENSION (00-11-35)**

The Cabinet had before it a report \* of the Head of Planning and Regeneration requesting it to consider the draft Masterplan Supplementary Planning Document for stage 2 public consultation.

The Cabinet Member for Planning and Economic Regeneration outlined the contents of the report explaining that the Allocations and Infrastructure Development Plan Document (AIDPD) was adopted in January 2010 following extensive public consultation and examination by a Planning Inspector. It allocated sites for development in order to meet the Core Strategy's growth requirements. A large proportion of this growth was to be accommodated within urban extensions.

An area of 74.8 ha to the north west of Cullompton was allocated for development within the AIDPD. The allocation comprised of : mixed use development, 1100 houses with 35% affordable housing and at least 5 gypsy and traveller pitches, 40,000 sq m employment floorspace, transport provision including a road linking Willand Road with Tiverton Road, primary school, local centre, community facilities and 28 hectares of green infrastructure.

The masterplanning of the site had been informed by a range of surveys and studies which sought to understand the constraints to development and in particular how much development could be delivered, where within the site in relation to green infrastructure areas. Topics considered included transport and access, ecology, landscape and visual impact, topography, drainage and flooding archaeology, heritage and utilities.

A first round of public consultation had taken place between 12<sup>th</sup> September and 12<sup>th</sup> October 2014, followed by a workshop of stakeholders. The first stage consultation focused on key issues around the amount of development and how it was distributed across the site in relation to the green infrastructure, access options and the location and amount of employment land and also the location of the primary school, sports pitches and gypsy and traveller pitches. From the first consultation period a total of 65 valid responses had been received. Key issues identified included the need to prioritise the delivery of highway improvements and the primary school.

The first stage public consultation specifically considered 2 options for the boundaries between the area identified for development and the green infrastructure. The first option looked at the area as allocated. Additional site investigation and survey resulted in an estimate of 700 houses being able to be delivered within the areas identified. This lower quantum of housing would not be able to deliver all the necessary infrastructure and community benefits.

A second option considered redrawing the boundaries between the area to be developed and the green infrastructure, whilst keeping within the overall site area as allocated. This redistribution of development was estimated to deliver 1000 houses, which would still meet the policy requirement for at least 28 hectares of green infrastructure. The higher housing numbers that could be achieved through this option would generate more development value and therefore more funding towards infrastructure and community benefits as required by policy.

The responses from the public consultation over this and other key issues had informed the emerging masterplan work.

Following an assessment of the consultation responses, a draft masterplan had been prepared which sought to provide guidance on how the site would come forward in a comprehensive way to deliver common infrastructure, coordinate phasing and how future planning applications should address design issues and deliver planning aspirations for the urban extension.

The Head of Planning and Regeneration identified by way of presentation the proposed development identifying the topography of the site, the use of the 3 hilltops and the links created between Tiverton Road and Willand Road and the local components which would create a sustainable neighbourhood. The placement of the community facilities were identified, that of the new primary school, and community building, the local centre for community facilities, the residential area and the green infrastructure area. There was also the possibility that part of the sports provision could be provided off site to supplement existing sports and recreation in other parts of the town.

She identified the housing trajectory and the proposed timeline for development and explained the proposed delivery of the link road between Tiverton Road and Willand Road and the fact that it would be funded by the sale of initial land parcels and identified the other triggers within the masterplan which included the delivery of the primary school in the early stages of development.

She addressed the questions put at the beginning of the meeting: the impact of the development on St Georges Well, this would be a temporary access to the site to allow for the construction of the link road to take place from either end of the development; traffic modelling had taken place indicating that the road was suitable. It would be possible at the application stage to impose conditions covering construction management to address the concerns of local residents. With regard to traffic issues on Willand Road, it was proposed that traffic calming measures be put in place; the construction of the link road would give an alternative route to the town centre.

With regard to the community garden at the rear of the doctors surgery: she was aware of the request and it had been proposed in the Local Plan Review, however an objection had been received and it would therefore have to be considered by the Planning Inspector when determining the Local Plan.

The Cabinet Member for Planning and Economic Regeneration informed the meeting that a second round of public consultation was now proposed over 6 weeks between 20<sup>th</sup> August to 1<sup>st</sup> October 2015 and explained the process to be followed as identified in the report.

Consideration was given to:



The proposed traffic calming measures in Willand Road and the location of the primary school and whether there was room for expansion.

The affordable housing on the site and the need to protect the percentage proposed.

The need for the road link to be put in place early in the development plans.

With regard to the community garden, local residents were urged to make their views known on this in the consultation process.

The support of the proposal by the Chairman of the Planning Committee.

Age appropriate housing to be considered.

The implications of the development on J28 of the motorway.

**RESOLVED** that

a) the draft Masterplan Supplementary Planning Document be submitted for public consultation.

b) delegated authority be given to the Head of Planning and Regeneration in consultation with the Cabinet Member for Planning and Economic Regeneration to finalise the consultation material.

(Proposed by Cllr R J Chesterton and seconded by Cllr C R Slade)

Note: \* Report previously circulated copy attached to minutes.

**51. FIVE YEAR LAND SUPPLY (1-04-37)**

The Cabinet had before it a report \* of the Head of Planning and Regeneration advising Members on the most recent five year housing land supply calculations and to recommend a course of action to minimise the risk of a successful challenge to that calculation.

The Cabinet Member for Planning and Economic Regeneration outlined the contents of the report stating that National Planning Policy required that Council's 'identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against it's housing requirements'. National policy required the calculation to include an additional buffer of 5%, or where there was a record of 'persistent under delivery' this should be increased to 20%. Further advice stated that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority could not demonstrate a five year supply of deliverable housing sites. In effect, unless the Council could identify a five year supply of housing land the existing Local Plan policies relating to the supply of land (including crucially the definition of settlement limits identifying areas which were countryside and those which were within defined settlements) may not be supported by Inspectors at appeal in the face of short term need for housing in the area.

The most recent calculation, taking account of completions and planning permissions during 2014/15 demonstrated that there was a five year supply plus a 'buffer' of 21%. He therefore suggested that the Council was in a position to continue to determine housing allocations in accordance with the existing local plan policies. However, officers were aware of challenges being made to the council's calculations in current planning applications and appeals. If those challenges were successful there was the potential consequence that existing housing supply policies be considered 'out of



date' by inspectors and that housing applications may be granted contrary to the local plan.

The report highlighted three areas of risk where the calculation may be challenged. Whilst the officers had confidence in their assessment and the resulting calculation, there was a risk that at appeal Inspectors may disagree with the Council. As a result, officers proposed mitigation measures to increase the buffer to a point where the risk of a successful five year supply challenge was minimal. It was therefore proposed to do this by bringing forward sites which were proposed as allocations within the emerging local plan. Six sites received no objection and could therefore be considered for development immediately:

Barn Park, Crediton - 20 dwellings

Old Abattoir, Copplestone – 30 dwellings

Linhay Close, Culmstock – 6 dwellings

Hunters Hill, Culmstock – 10 dwellings

Court Orchard, Newton St Cyres – 25 dwellings

South of Broadlands, Thorverton – 12 dwellings

In addition the Council's Local Plan had contingency sites which could be released if the rate of development fell below certain levels. Of those sites, Pedlerspool in Crediton was proposed to be made a full allocation for 200 dwellings in the emerging local plan.

By inviting applications on the sites highlighted, there would be a significant boost to the five year supply, which would leave the risk of a successful challenge at a very low level. The resulting calculation would leave the Council with 6.45 years supply, equivalent to having a buffer of 29%.

He informed those present of the outcome of a very recent legal case, the judgment for which was delivered last Friday. There were implications for the release of two sites previously mentioned. A legal judgement delivered last Friday, arising from a case brought by two local authorities against the Government, had resulted in the immediate revocation of some national planning guidance. The planning guidance had stated that developments of 10 units or 1000 square metres or less (including annexes and extensions) would be excluded from affordable housing levies and tariff based contributions. It also applied a lower threshold for designated rural areas where developments of 5 or less would be excluded from such levies/contributions, and those of 6-10 dwellings would be subject to a commuted sum (in lieu of on-site provision) to be payable upon completion.

The national guidance was originally introduced immediately prior to the second of three cabinet meetings held across November and December 2014 which considered the proposed submission version of the Local Plan Review. Following its introduction, proposed policies which set thresholds for affordable housing provision and/or required affordable housing provision on sites of 10 dwellings or fewer within the Local Plan Review were amended accordingly prior to the document being made available for consultation.

As a result of the successful legal challenge, the relevant paragraphs of the National Planning Policy Guidance had been revoked with immediate effect. In the case of affordable housing provision, this meant that the Council could use the thresholds set in the adopted Local Plan when requesting on-site affordable housing provision. This applied to sites of more than 4 dwellings in the towns of Tiverton, Cullompton, Crediton and Bampton, and sites of more than 2 dwellings elsewhere.

Two of the sites proposed to be released, Linhay Close and Hunters Hill at Culmstock, fell within the 6-10 dwelling size bracket. The policies for those sites were drafted to reflect the now revoked guidance, and stated that their affordable housing requirement of 30% could be provided off-site via a financial contribution.

Following the revocation of the relevant guidance, the Council would seek to ensure that the default policy position was that affordable housing should be provided on all sites above the thresholds set in the Local Plan, with a presumption for on-site provision.

It was reported that the Government were likely to appeal the above decision.

Consideration was given to:

The need for the current position of affordable housing and other contributions on smaller sites to be applied to current applications

The need to lobby MP's with regard to the recent court case.

Development at Pedlerspool

The need for a robust defence with regard to land supply.

It was therefore:

**RESOLVED** that:

a) The emerging local plan allocations of Barn Park, Crediton, Old Abattoir, Coplestone, Linhay Close, Culmstock, Hunters Hill, Culmstock, Court Orchard, Newton St. Cyres, South of Broadlands, Thorverton and the contingency site at Pedlerspool, Crediton be brought forward from later in the plan period in accordance with the NPPF advice and are therefore confirmed as available within the five year supply;

b) The Cabinet Member for Planning and Economic Regeneration be requested to write to local MP's to inform them of Members views on affordable housing on sites of 10 or less.

(Proposed by R J Chesterton and seconded by Cllr N V Davey)

Notes:

(i) Cllr Mrs M E Squires requested that her abstention from voting be recorded as she had concerns regarding the proposed development at Pedlerspool, Crediton;

(ii) \* Report previously circulated copy attached to minutes.

(The meeting ended at 11.25 am)

**CHAIRMAN**

## DECENT & AFFORDABLE HOMES PDG 11 AUGUST 2015

### HOUSING SERVICES TENANCY POLICY

**Cabinet Member** Cllr Ray Stanley  
**Responsible Officer** Housing Services Manager

**Reason for Report:** To review the Housing Services Tenancy Policy.

**RECOMMENDATION(S):** The Cabinet approves the revised Housing Services Tenancy Policy.

**Relationship to Corporate Plan:** The Council must run the Housing Service efficiently and effectively in accordance with legislative requirements and the provisions of the regulatory framework.

**Financial Implications:** Failure to have a clear policy relating to the use of flexible tenancies could result in complex and expensive legal challenges.

**Legal Implications:** The Homes and Communities Agency (HCA) expects registered providers (RP's) to offer tenancies or terms of occupation which are compatible with the purpose of the accommodation, the needs of individual households, the sustainability of the community and the efficient use of their housing stock. Having a clearly defined policy ensures consistency of approach and ensures that no resident is treated any more fairly or unfairly than any other.

**Risk Assessment:** Failure to provide housing management staff with policies to use in the course of their day to day activities could result in a less consistent and effective service.

#### 1.0 Introduction

- 1.1 As a RP of social housing, the Council is regulated by the HCA. The regulatory framework consists of a number of standards and the Council is expected to comply with the provisions of those relating to consumer regulation.
- 1.2 Regulatory requirements relating to tenure are contained within the Tenancy Standard. This requires RP's to offer tenancies or terms of occupation which are compatible with the purpose of the accommodation, the needs of individual households, the sustainability of the community and the efficient use of their housing stock.
- 1.3 RP's are required to publish clear and accessible policies which outline their approach to tenancy management, including interventions to sustain tenancies and prevent unnecessary evictions and tackling tenancy fraud, and set out:
  - The type of tenancies they will grant;

- Where they grant tenancies for a fixed term, the length of those terms;
- The circumstances in which they will grant tenancies of a particular type;
- Any exceptional circumstances in which they will grant fixed term tenancies for a term of less than five years in general needs housing following any probationary period;
- The circumstances in which they may or may not grant another tenancy on the expiry of the fixed term, in the same property or in a different property;
- The way in which a tenant or prospective tenant may appeal against or complain about the length of fixed term tenancy offered and the type of tenancy offered, and against a decision not to grant another tenancy on the expiry of the fixed term;
- Their policy on taking into account the needs of those households who are vulnerable by reason of age, disability or illness, and households with children, including through the provision of tenancies which provide a reasonable degree of stability;
- The advice and assistance they will give to tenants on finding alternative accommodation in the event that they decide not to grant another tenancy; and
- Their policy on granting discretionary succession rights, taking account of the needs of vulnerable household members.

1.4 The Council is committed to improving the Housing Service. The review of this policy reflects changes in good practice and allows for any legislative changes to be updated accordingly. It will provide a framework for staff to enable them to be consistent in their approach to delivering the Housing Service. It will empower staff as it will provide guidance to them on how they should approach tenancy management, including interventions to sustain tenancies and prevent unnecessary evictions.

1.5 The Tenancy Policy was adopted at the meeting of the Decent and Affordable Homes Policy Development Group in January 2013. The policy is due to be reviewed by January 2017.

1.6 Tenants Together approved the draft Tenancy Policy at their meeting on 11 June 2015.

1.7 Members are asked to consider the proposed changes and agree the adoption of the reviewed policy.

## **2.0 Proposed policy changes**

2.1 The policy has been updated to take account of government guidance. The guidance states that registered providers shall develop and provide services that will support tenants to maintain their tenancy and prevent unnecessary evictions.

2.1 The revised policy clarifies the position relating to the different types of tenancies and length of terms we offer including a new section on tenancy

changes, which contains a provision to create a new tenancy, for example a joint to sole tenancy.

- 2.2 In addition, the policy clarifies what happens at the end of a fixed term and the options available to the tenant.
- 2.3 The Housing Service is committed to tackling tenancy fraud and we will take action to take possession of a property where it has been obtained by the making of a false or misleading statement. The steps that we will take to prevent and reduce cases of tenancy fraud have been highlighted in the policy.
- 2.4 Finally, other changes to the policy include the provision of information about the Housing Services approach to tenancy management. The exceptional circumstances where we may renew a tenancy where it would not normally meet the criteria. This may include circumstances where severe financial hardship may result if a tenancy was not renewed or where such a decision may have an adverse effect on the welfare of the tenant and their household.

**Contact for more Information:** Claire Fry, Housing Services Manager (01884 234920 cfry@middevon.gov.uk)

**Circulation of the Report:** Councillor Ray Stanley, Management Team

**List of Background Papers:** A copy of such papers to be made available for public inspection and included on Website

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**Mid Devon District Council**

**Tenancy Policy**

Policy Number: **HSG v3.5**

**August 2015**

DRAFT



## Version Control Sheet

*Title:* Tenancy Policy

*Purpose:* To review the Policy in accordance with good practice, regulatory framework requirements and any changes in legislation.

*Owner:* **Housing Services Manager**  
**cfry@middevon.gov.uk**  
**Telephone number 01884 234920**

*Date:* **August 2015**

*Version Number:* **v3.5**

*Status:* Review of Policy

*Review Frequency:* **Every 4 years or sooner if required and in accordance with changes in good practice, regulatory framework requirements and legislation.**

*Next review date:* **August 2019**

*Consultation* **This document was sent out for consultation to the following:**

Cabinet Member

Staff

Tenants Together

Management Team

PDG Decent & Affordable Homes

### Document History

This document obtained the following approvals.

| <b>Title</b>                  | <b>Date</b>       | <b>Version Approved</b> |
|-------------------------------|-------------------|-------------------------|
| Cabinet Member                | <b>05/2015</b>    |                         |
| Tenants Together              | <b>11/06/2015</b> |                         |
| Management Team               |                   |                         |
| PDG Decent & Affordable Homes |                   |                         |
| Cabinet                       |                   |                         |

## **1. Introduction**

This policy statement outlines the approach of Mid Devon District Council's (MDDC), Housing Service to fulfilling the requirements of the Localism Act (2011) and the requirements of the Regulator, the Homes Communities Agency (HCA) for Registered Providers (RPs) to have a tenancy policy.

The aim of the policy is to enable the Housing Service to make the best use of available social housing stock. This will include reducing overcrowding, tackling under-occupation and making best use of adapted housing for those with a disability. This will support the development of sustainable communities in the District.

## **2. Scope**

This policy describes the different types of tenancies the Housing Service uses when letting properties and the circumstances when they may use them. In particular, it explains when they might use a fixed term rather than a lifetime tenancy. It clarifies how a tenant or prospective tenant may appeal against a decision made about the type of tenancy offered.

It acknowledges that housing applicants may be vulnerable at the point when they are being allocated a new home and that this must influence the decision relating to the tenancy type they will be offered. It states that advice and assistance will be made available to help tenants to manage their tenancies. This policy should be read in conjunction with the related documents stated below.

## **3. Related Documents**

- a. Tenancy Strategy
- b. Tenancy Agreement
- c. Allocations Policy
- d. Devon Home Choice Scheme
- e. Policy relating to successions and assignments
- f. Compliments, Comments and Complaints Procedures

## **4. Types of tenancies and length of terms**

**4.1** In the majority of cases MDDC will offer new tenants an Introductory Tenancy for an initial trial period of 12 months. If for any reason it is not appropriate to grant an Introductory Tenancy then in exceptional circumstances MDDC can decide to grant a Secure Tenancy or a Flexible Tenancy.

**4.2** A Flexible Tenancy will be for a fixed term of 5 years unless there are exceptional Circumstances, in which case the fixed term offered may be 2 years; this will be determined by the Service Manager.

## **5. Introductory tenancy**

**5.1.** An Introductory Tenancy will be granted in the form of MDDC's Introductory Tenancy Agreement current as at the date of the grant. In the majority of cases prior to

granting an Introductory Tenancy, MDDC will indicate that at the end of the Introductory Tenancy, a Flexible Tenancy will be granted for either a 2 or 5 year fixed term.

- 5.2** An Introductory tenancy will not be granted by MDDC where a tenant (or if joint tenants; at least one tenant) has immediately, prior to a tenancy being granted, been either a secure tenant or an assured (but not an assured short hold) tenant of a RP.
- 5.3** Introductory tenants enjoy the majority of rights held by secure tenants however they do not have the right to:-
- Exchange their property with another tenant
  - Transfer the tenancy (other than in accordance with a court order).
  - Make improvements (unless there is a health and safety need)
  - Take in lodgers or sublet or part with possession of the property
  - Buy their home (although the period of the Introductory Tenancy may count towards the qualification period of the Right to Buy)
- 5.4** This type of tenancy enables MDDC to closely monitor the first year 'trial period'. If this is not satisfactory and the tenancy is breached, for reasons including anti-social behaviour and other serious breaches by the tenant, a visitor or a member of their household. Based on MDDC investigation process, a decision can be made to extend the Introductory Tenancy for a period of 6 months or terminate the Introductory Tenancy.
- 5.5** If MDDC decides to extend or terminate the Introductory Tenancy, MDDC will give a notice of this decision in writing explaining the basis for its decision. Unless MDDC has given notice of its decision to extend or terminate the Introductory Tenancy then MDDC will grant a Flexible Tenancy (or, in some circumstances, a Secure Tenancy).

## **6. Flexible tenancy**

- 6.1** A Flexible Tenancy will generally be for a fixed term of 5 years, however in exceptional circumstances MDDC may decide that the term should be for 2 years.
- 6.2** The following are examples of exceptional circumstances where a 2 year tenancy may be offered:-
- Where the tenancy is offered as part of a specific scheme or programme where a shorter tenancy term might be appropriate; or
  - In circumstances that are determined by a Service Manager of MDDC as being exceptional, for example where a tenant has a history of anti-social behaviour, non-payment of rent or there is a change in household profile, income or circumstances or if the accommodation is sheltered housing with two or more bedrooms.
- 6.3** A Flexible Tenancy will be granted in the form of MDDC's Flexible Tenancy Agreement current as at the date of the grant. Flexible Tenants enjoy the majority of rights held by secure tenants however they do not have the right to:-
- Make improvements (unless there is a health and safety need)
  - Sublet or part with possession of the property

## **7. Secure tenancy**

**7.1** Where MDDC decides to offer a periodic secure tenancy it will be in the form of MDDC's Secure Tenancy Agreement current as at the date of the grant. Any Secure Tenancy granted by MDDC will be governed by the Housing Act 1985 (as amended).

## **8. Demoted tenancy**

**8.1** Where there have been incidents of anti-social behaviour, MDDC may apply to court to obtain a demoted tenancy. Demoted tenancies usually last for one year.

**8.2** Where a secure tenancy has been demoted and the demotion period completed successfully; the demoted tenancy will automatically revert to a secure tenancy.

**8.3** Where a flexible tenancy has been demoted and the demotion period completed successfully. A notice will be served on the tenant prior to the end of the demotion period, informing them that the tenancy is to be a Flexible Tenancy. This will specify the length of the fixed term and other express terms of the tenancy.

## **9. Affordable rents**

**9.1** All tenancies on new build schemes will be offered at affordable rents which are 80% of market rent. Existing stock is let so that a social rent is payable.

## **10. Tenancy changes**

**10.1** Sole tenants may request to have a joint tenancy so they share their tenancy with another person. This results in the sole tenancy being terminated and a new joint tenancy created. MDDC will exercise discretion in granting a joint tenancy.

**10.2** Where a new joint tenancy is created, both tenants will be given advice on what they can expect from MDDC as the landlord and what is expected from them when conducting their tenancy.

**10.3** The sole tenant will be advised to seek independent legal advice before giving up their sole tenancy. If the sole tenant is in breach of any of the conditions of their current tenancy, the application will be refused.

**10.4** A joint tenancy will end at the expiry of a valid Notice to Quit (NTQ) in writing from one or both tenants. If an NTQ is received from only one of the tenants, MDDC will take all reasonable steps to inform the other tenant of the effects of the first tenant's action and ask all parties involved in the joint tenancy to agree to sign the NTQ if this is possible.

**10.5** If one member of the tenancy requests to stay in the property as a sole tenant, following the receipt of an NTQ signed by all tenants. MDDC will review this in line with their Allocations Policy and the provisions of the Devon Home Choice Scheme as this would result in the creation of a new sole tenancy.

## **11. Assignment to a qualifying successor**

**11.1** In certain circumstances, tenants may have the right to assign their tenancy to another person who would be entitled to succeed on a tenant's death. This request must be put in writing and comply with the conditions of the tenancy agreement. There can only be one assignment by law and that can only be made to a person who would qualify as a successor to the tenancy.

## **12. End of flexible tenancy fixed term**

**12.1** Before the end of the fixed term of the Flexible Tenancy, MDDC will, further to any other reviews which it has carried out will review the tenant's household circumstances. They will also discuss their housing options with them so that MDDC can decide:-

- Whether another tenancy should be offered for the same property or at a different property
- What length of tenancy should be offered
- What rent level should be offered
- Specific tenancy terms which are included in any new tenancy agreement.

**12.2** MDDC will notify the tenant of its decision in writing not less than 6 months prior to the end of the fixed term of the Flexible Tenancy. In making its decision MDDC may take into account the points raised below under 12.3-12.10.

**12.3 Household profile** - Will be considered, when a change or anticipated change in household profile warrants a move to alternative accommodation or is thought to warrant such a move in the near future (for example the property is over or under occupied or does not match the tenant's need).

**12.4 Tackling under occupation** - It is recognised that a large number of family properties, particularly three bedroom properties are under occupied. Tenants are encouraged to apply for the downsizing scheme (where budgets are available) which provides financial assistance to people who move to a smaller property and so free up a family sized property. Priority is given to tenants wishing to downsize on Devon Home Choice.

**12.5 Income and savings** - It is recognised that household incomes and savings may change during the term of a flexible tenancy. Where there is sufficient declared income and savings or disposable assets to be able to afford to buy private housing or there is an opportunity to purchase the property they are living in, or another suitable property, outright or on a shared ownership/equity basis, then a new tenancy will not be offered.

**12.6 Adapted properties** - Where a tenant is living in a property which has been built or adapted for a person with a disability. If the tenant or their household no longer need that type of home, we may take steps through the Courts to end the tenancy. We will try as far as possible to offer the tenant and/or their household alternative accommodation.

Tenants on a Flexible Tenancy living in a property which has been built or adapted for a person with a disability will only be renewed if there is still a requirement within the household for that kind of property and they meet the relevant conditions.

- 12.7 Stock disposal/refurbishment** - Where it would be too costly to bring the property up to modern standards or it is surplus to requirements but the tenant meets the criteria to be offered a new tenancy, they will be offered an alternative property that meets their household needs.
- 12.8 Mixed communities** - In order to be consistent with a local lettings policy or to create an appropriate balance of tenure on an estate/development or in a locality, it may not be appropriate to renew the tenancy.
- 12.9 Tenancy conduct** - The conduct of the Flexible Tenancy will be taken into account when the tenancy is reviewed. The tenancy may not be renewed where there is evidence of a significant breach in the terms of the tenancy, for example, possession proceedings based on anti-social behaviour of the tenant and/or the household during the tenancy or non-payment of rent. However, where the breach has been remedied satisfactorily, or is in the process of being remedied, this will be taken into account. Any other specific matters drawn to the attention of MDDC by the tenant or relevant to the making of the decision will be taken into consideration as part of the review process.
- 12.10 Rent arrears** - When a Flexible Tenancy is reviewed the status of the tenants rent account will be considered. A new tenancy will not be granted where there are high levels of rent arrears. Exceptions will be made in the following cases:
- Where the tenant is in receipt of the housing cost element of any benefit and can prove that any amounts will be backdated; or
  - Tenants with low rent arrears or those who have made an agreement to pay by instalments and have maintained the arrangement.

### **13. Tenancy not renewed**

- 13.1** If MDDC decides not to renew a Flexible Tenancy at the end of the fixed term. It will notify the tenant of the reason it has made this decision and inform the tenant of their right to request a review of the decision and the timescale for this. If no new Flexible Tenancy is granted and the tenant refuses to vacate at the end of the fixed term MDDC can take legal steps to obtain a possession order from the court.

### **14. Review of tenancy fixed term**

- 14.1** An Introductory Tenant is entitled to request a review of MDDC's decision to extend or to terminate the Introductory Tenancy. A tenant of a Flexible Tenancy is entitled to request a review of MDDC's decision:-
- To grant a fixed term Flexible Tenancy;
  - Not to renew the Flexible Tenancy;
  - To renew the Flexible Tenancy but for a different term, upon different tenancy terms or to renew in relation to a different property.

In all cases a request for a review must:-

- Be made in writing within 21 days of the date of service of the notice from MDDC of its decision
- State if an oral hearing is required.

**14.2** A Senior Council officer who has not been involved in the decision which is being challenged will carry out the review. If an oral hearing has been requested MDDC will set up a panel to hear the review. MDDC will inform the tenant of the date, time and place of this hearing at least five working days prior to the panel hearing. At any hearing the tenant will be entitled to put forward any evidence which they consider is relevant and may ask to be represented by a third party.

## **15. Exceptional circumstances**

**15.1** There will be exceptional circumstances where the Housing Service may use its discretion to renew a tenancy where the normal criteria will not be met. This may be circumstances where non-renewal may result in severe financial hardship or have an adverse effect on the welfare of the tenant and their household. In such circumstances an exemption to this policy can be made by the Housing Service's Manager. Such circumstances may include:

- Welfare concerns which suggest that a house move would worsen mental illness, cause long-term stress, or create some other significant welfare need.
- There is a need for the household to remain in the same location and suitable alternative accommodation is not available locally.
- The property has had to be adapted to meet the needs of the tenant or their household and this work would have to be duplicated in a new property.

**15.2** Before a decision is made as to whether or not to renew a tenancy, the Housing Service will liaise with other agencies, as appropriate, including Social Services, Health Services or the Probation Service.

## **16. Options available to tenants**

**16.1** A range of options might be offered to a tenant at the end of a Flexible Tenancy: This will depend on the outcome of the tenant's review when determining whether or not a new tenancy will be offered. If a new tenancy is to be granted, tenants may be offered the following:-

- A lifetime tenancy
- A further Flexible Tenancy of the same period
- A further Flexible Tenancy for a different period (a minimum of two years)
- A tenancy with a different rent (social or affordable)
- A tenancy at a different property.

**16.2** However, MDDC's ability to offer alternative accommodation will be determined by the availability in the preferred location. In addition to the above, all flexible tenants will be offered advice and guidance on future housing options. This will be done when the tenancy is reviewed, at least six months before the expiry of the tenancy. Officers in the Neighbourhood teams will liaise with the Housing Options Team to offer housing advice to prevent homelessness.



## **17. Special provisions relating to vulnerable households**

**17.1** Assistance will be provided to tenants and households who have language and literacy difficulties and those with special needs. This Tenancy Policy can be provided in other formats, such as large print and audio tape by contacting MDDC on 01884 255255. Where required home visits can be arranged.

**17.2** In making decisions in relation to the grant, renewal, extension and termination of Tenancies, MDDC will ensure that, as far as is possible, it takes into account the circumstances of the tenant and their household. In particular MDDC will:-

- Consider any special circumstances and needs of those households who are vulnerable, for example, because of age, disability, or illness which have been notified to MDDC
- Make such reasonable enquiries as are necessary of the tenant to ensure that the needs and circumstances of the household are known.

**17.3** MDDC will, where possible, place certain preferences on its available housing to ensure that the most suitable applicant and household is considered for the accommodation taking into account its size, locality, facilities, adaptations, any local connection of the household, and any medical, age related or other need.

**17.4** MDDC will, if possible, offer suitable alternative accommodation when it becomes available to a vulnerable successor tenant if as a result of the succession the successor tenant will be in a property which is unsuitable for their needs.

## **18. Advice and assistance**

**18.1** MDDC and its partner agencies, either directly or through other agencies, will aim to provide support services to the tenant and their household in the event of them being required to find alternative accommodation. Support will include:-

- Housing and tenancy advice; and
- Referrals to other agencies or services for non-housing support such as emotional support, advocacy and counselling services.

## **19. Policy on discretionary succession rights**

**19.1** MDDC has a range of tenancy agreements which set out the rules for the granting of successions. In all cases these comply with statutory requirements. A separate policy relating to successions and assignments is also available which sets out the succession rights for tenants depending on the type of tenancy offered and when it was granted. It is our policy not to grant additional discretionary succession rights.

## **20. Approach to tenancy management**

**20.1 Tenancy Agreements** - Our tenancy agreements will be written in plain English. They will set out the rights and obligations of both the tenant and the landlord. Tenants will be given a copy of the tenancy agreement at the start of the tenancy and the terms will be explained to them at the sign up meeting.

**20.2 Tenancy fraud** - MDDC is committed to tackling tenancy fraud and will take action to take possession of a property where it has been obtained by the making of a false or misleading statement. Steps are taken to prevent and reduce cases of tenancy fraud and these include:-

- When a property is offered, the prospective tenant will be asked to provide photo identification, such as a passport or driver's licence
- Where no photo identification is available the prospective tenant will be asked to provide two passport photos signed by a professional who has known that person for the past 2 years.
- Staff will carry out regular tenancy home checks where identification is requested to make sure the right person is living at the property
- Staff will follow up any reports of unoccupied properties or sub-letting of properties and take the appropriate action to investigate
- Tenants are encouraged to report tenancy fraud confidentially
- Working in partnership with other agencies where tenancy fraud is being investigated.

**20.3 Mutual exchange** - MDDC understands that there may be many reasons as to why a household may need to move, these include the need to move closer to other family members or for work reasons. In some cases, the pressures of supply versus demand in terms of social housing mean that it could take many years for suitable alternative accommodation to become available.

MDDC is committed to the promotion of mutual exchanges as a housing option for tenants who wish to move. This includes encouraging tenants to use the national HomeSwapper website to find a suitable exchange partner and giving advice on other ways of finding people who may be looking to exchange homes.

**20.4 Transfers** - Existing MDDC tenants and those of other RPs may be eligible to be considered to transfer to another property. This may encourage tenants to move to properties that are suitable for their needs as well as helping people to move closer to work or family commitments. The type of tenancy offered will be dealt with in line with MDDC's Allocations Policy, Tenancy Policy and the Devon Home Choice Scheme.

**20.5 Supporting tenancies** - MDDC is committed to helping tenants maintain their tenancy and offers support in a number of ways to prevent breaches of any of the terms and conditions of the tenancy agreement. This will include endeavouring to prevent them falling into rent arrears or carrying out acts of anti-social behaviour. Tenants will be supported in the following ways:-

- All tenants will be given information about how to conduct their tenancy at the sign up stage. This will ensure the tenant understands the terms and conditions of the tenancy agreement including methods and frequencies for paying their rent on time, how to access benefits and report repairs whilst highlighting opportunities to get involved
- New tenants will be visited at home approximately six weeks after their tenancy commenced to check that everything is going well for them. Checks

will be carried out to ensure they are paying their rent regularly, that benefits have been applied for and that there are no breaches of tenancy

- Tenants will be made aware of their obligations to pay charges and clear outstanding debts on time. There will be a focus on preventing arrears, providing regular information about rent accounts and offering affordable debt management arrangements
- Staff will make early contact with anyone who may be breaching their tenancy, to allow them to understand what could happen if they continue with their actions and offer appropriate support to help them keep their home
- Tenants will be signposted to specialist support agencies if the tenant requires support and advice to help them to maintain their tenancy
- MDDC will engage with working age tenants who have been affected by welfare reform changes by providing information, support and advice about housing options and maximising their income
- Housing Community Support Officers are available to offer assistance if a tenant needs some additional support to sustain their tenancy
- All rent arrears letters sent out provide details about where the tenant can seek independent advice
- Where there are issues of neighbour nuisance or conflict the full range of powers and tools available to tackle anti-social behaviour will be used.

## **21. Complaints**

- 21.1** MDDC will deal with any complaints about its service in accordance with its Complaints Procedure, details of which are available on MDDC website at [www.middevon.gov.uk](http://www.middevon.gov.uk) or available by telephone on 01884 255255.

## **22. References**

- Localism Act 2011
- Housing Act 1985
- HCA Regulatory Framework for Social Housing

## **23. Equality and Diversity**

- 23.1** The Housing Service will tailor their services to meet the diverse needs of individuals. They will foster good relations with people when providing their services to eliminate discrimination and promote equality of opportunity.

## **24. Review**

- 24.1** This Policy has been written in line with good practice, regulatory requirements and current relevant legislation. Unless there are any changes to such regulatory requirements or legislation beforehand, the next review of this Policy is due June 2019 and every four years thereafter.

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## DECENT & AFFORDABLE HOMES PDG 11 AUGUST 2015

### HOUSING SERVICES INCOME MANAGEMENT POLICY

**Cabinet Member** Cllr Ray Stanley  
**Responsible Officer** Housing Services Manager

**Reason for Report:** To review the Housing Services Income Management Policy.

**RECOMMENDATION(S):** The Cabinet approves the revised Housing Services Income Management Policy.

**Relationship to Corporate Plan:** The Council must run the Housing Service efficiently and effectively in accordance with legislative requirements and the provisions of the regulatory framework.

**Financial Implications:** Rent collected is paid into the Housing Revenue Account for dwellings and garages/garage ground rent plots (GGRP). It is therefore important to maintain the revenue stream. However, as Council housing is designed to help those in housing need, there are many vulnerable people on low incomes living in our properties. As a result of this, and more so when Universal Credit is introduced in late 2015 to Devon, consideration must be given to individual circumstances when making decisions about tenancy enforcement action.

**Legal Implications:** The Housing Services tenancy agreement contains a clause which states that tenants are responsible for paying their rent and other charges on time. Rent is due on a Monday. The Housing Service offers tenants many different methods of payment and also accepts payments on a weekly, fortnightly or monthly basis as long as rent is paid regularly.

Having a clearly defined policy ensures consistency of approach and ensures that no tenant or resident is treated any more fairly or unfairly than any other.

**Risk Assessment:** Failure to provide housing management staff with policies to use in the course of their day to day activities could result in a less consistent and effective service.

#### 1.0 Introduction

- 1.1 As a registered provider (RP) of social housing, the Council is regulated by the Homes and Communities Agency (HCA). The regulatory framework consists of a number of standards and the Council is expected to comply with the provisions of those relating to consumer regulation.
- 1.2 The Council is committed to improving the Housing Service. The review of this policy reflects changes in good practice and allows for any legislative changes to be updated accordingly. It will provide a framework for staff to enable them to be consistent in their approach to delivering the Housing Service. It will empower staff as it will provide guidance to them on how they

should approach the management of rent collection for Council dwellings, garages, GGRP's and other charges.

- 1.3 The aim of this policy is to create a rent payment culture and to ensure that rent and charges are collected quickly and effectively, whilst supporting tenants in matters relating to financial inclusion and the ability to manage their money.
- 1.4 The following organisations were given an opportunity to comment on the revised policy during April and May 2015:
  - Churches Housing Action Team (CHAT), Tiverton
  - Torridge, North, Mid and West Devon Citizen's Advice Bureau (CAB)
  - Wiser£Money
- 1.5 Wiser£Money commented on the revised policy and their comments have been incorporated into it.
- 1.6 The Rent Arrears Management Policy was adopted at the meeting of the Decent and Affordable Homes Policy Development Group in May 2011. The policy is due to be reviewed by May 2015.
- 1.7 Tenants Together approved the draft Income Management Policy at their meeting on 11 June 2015.

## **2.0 Proposed policy changes**

- 2.1 The policy has been revised to take into account the different income streams that the Housing Service collects, not just rental income. With this in mind, the title of the policy has been reworded from Rent Arrears Management Policy to Income Management Policy to reflect these changes.
- 2.2 The policy has been updated to explain the different methods of payment available to tenants including the new payment kiosk in Phoenix House reception. The importance of paying rent or charges on time has been emphasised, even if the tenant is in receipt of benefits.
- 2.3 A decline in rental income can have a massive impact on the Housing Service. The ability to maintain the housing stock will be affected if there are reduced financial resources available in the Housing Revenue Account. The level and quality of service will be affected if income levels decline as it will reduce the capacity to improve and deliver the service. Therefore, we have included information on preventive measures that will be taken to reduce arrears and to prevent them escalating in order that any impact on resources is minimised.
- 2.4 With the introduction of Universal Credit, new recovery measures have been introduced by the Department of Works and Pensions where a tenant fails to pay rent direct to their Landlord. The new mechanisms to collect housing costs direct from the DWP have been included in the policy.

- 2.5 The Housing Service will continue to pursue the recovery of former rent arrears. The policy re-iterates that every effort will be made to trace and contact debtors and that we may use debt recovery agencies or initiate proceedings through the County Court, to recover any unpaid sums.
- 2.6 The policy makes it clear that the tenant is responsible for claiming any benefits or paying back any overpayments. Tenants are reminded that in the case where Universal Credit is only paid to one member of the household or where one joint tenant has left the property, they are still responsible for paying their rent on time.
- 2.7 The policy highlights that those tenants who have an insolvency arrangement in place, are still liable to pay current rent as usual on time. In addition, the importance of paying rent on time or making arrangements to clear any arrears is highlighted in the policy. It is made clear that a tenant's home may be at risk if they fall into arrears and we may start possession proceedings against them.
- 2.8 Finally, the Housing Service considers eviction to be a last resort, therefore, additional clauses has been added to make tenants aware that they may be able to apply to the Court to have a possession order varied, subject to meeting certain conditions, to enable them to remain in their home.

**Contact for more Information:** Claire Fry, Housing Services Manager (01884 234920 cfry@middevon.gov.uk)

**Circulation of the Report:** Councillor Ray Stanley, Management Team

**List of Background Papers:** A copy of such papers to be made available for public inspection and included on Website



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**Mid Devon District Council**

**Income Management Policy**

Policy Number: HSG v2.8

**August 2015**

DRAFT

## Version Control Sheet

*Title: Income Management Policy*

*Purpose:* To alter the title of the policy to Income Management Policy from Rent Arrears Management Policy so it reflects the changes made to the policy. In addition, the policy has been reviewed in accordance with good practice and legislation.

**Owner: Housing Services Manager**  
**cfry@middevon.gov.uk**  
**Telephone number 01884 234920**

*Date:* **August 2015**

*Version Number:* v2.8

*Status:* Review of Policy and title change

*Review Frequency:* **Every 4 years or sooner if required and in accordance with changes in good practice and legislation**

*Next review date:* **June 2019**

*Consultation* **This document was sent out for consultation to the following:**

Cabinet Member

Staff

Tenants Together

Management Team

PDG Decent & Affordable Homes

CAB, CHAT and Wiser£Money

### Document History

This document obtained the following approvals.

| <b>Title</b>                  | <b>Date</b>       | <b>Version Approved</b> |
|-------------------------------|-------------------|-------------------------|
| Cabinet Member                | <b>05/2015</b>    |                         |
| Tenants Together              | <b>11/06/2015</b> |                         |
| Management Team               |                   |                         |
| PDG Decent & Affordable Homes |                   |                         |
| Cabinet                       |                   |                         |

## 1. Introduction

This policy statement outlines Mid Devon District Council's (MDDC), Housing Services approach to the management of rent collection for Council dwellings, garages, garage ground rent plots (GGRP's) and other charges. The aim of this Policy is to create a rent payment culture, ensuring that rent and charges are collected quickly and effectively, whilst supporting our tenants in matters relating to financial inclusion and the ability to manage their money.

## 2. Scope

This policy applies to how the Housing Service will oversee the management and recovery of arrears and other unpaid sums. A firm but fair approach to recovery of rent arrears will be adopted, which is sensitive to individuals' circumstances.

Proactive steps are to be taken to prevent and minimise the build-up of unpaid sums on rent and sub accounts where possible, recognising that from time to time tenants may experience financial difficulties. In these circumstances, Officers aim to support and work with tenants at the earliest opportunity to help tackle financial exclusion and to provide assistance to individuals experiencing financial difficulty.

This policy also covers the following points and should be read in conjunction with the related documents as stated below:

- Payment arrangements
- Preventive measures
- Recovery of current and former rent arrears
- Recovery of other unpaid sums
- Making an arrangement
- Claiming and overpayment of benefits
- Insolvency arrangements
- Writing off debts
- Legal action
- Changing possession orders

## 3. Related Documents

- Corporate Debt Collection Policy
- Tenancy Agreement
- Garage Agreements
- GGRP Agreement
- Pre-action Protocol for Possession claims by Social Landlords
- Recharge Policy
- Rent Arrears Management Procedures
- Service Standards

## 4. Definitions

For the purposes of this policy the definition of rent is defined as a payment

amount, fixed by a tenancy agreement, by which a tenant is liable to pay at specified intervals in return for the right to occupy or use a dwelling, garage or garage ground rent plot.

- A current tenant arrear is when a tenant(s) owes the Council outstanding rent or charges for a dwelling or a garage / garage ground rent plot on a tenancy which is still in place.
- A former tenant arrear is when a former tenant(s) owes the Council any outstanding rent or charges from a terminated tenancy.
- Unpaid sums are any monies outstanding for rent, a service received or recharges, for example alarm charge, rechargeable repair, court costs.
- Charges include rechargeable repairs, court costs, sewage or alarm charges.

## **5. Payment arrangements**

**5.1** It is the responsibility of the tenant to pay their rent and charges on time even if they are in receipt of benefits.

**5.2** Rent and charges are payable by tenants over 48 weeks of the year. Tenants who pay their rent weekly, need to pay on the Monday each week and tenants who pay it on a fortnightly or monthly basis need to pay in advance.

**5.3** There are a number of methods by which tenants can make payments, for example direct debit, online payments, automated telephone service, telephone calls to the office, payment at a Council cash office or kiosk, Post Office or Payzone outlets. Deduction direct from salary is also an option for employees of MDDC.

**5.4** Officers will promote all payment methods to tenants.

## **6. Prevention of arrears**

**6.1** The Housing Service will take preventive measures to reduce arrears and prevent them escalating.

### **6.2 Early contact**

- Tenants will be contacted as soon as their rent account falls into arrears. They are expected to work with us as soon as there is a missed payment.

### **6.3 New tenants**

- When an offer of accommodation is accepted, the prospective tenant will be provided with clear information on their responsibility to pay rent on time, payment methods available to them, how to claim benefits for housing costs and the amount of rent and other charges payable.
- In order to build a payment culture, the Council will ask new tenants to pay rent one week in advance. If the new tenant is in receipt of benefits for housing costs, then the Council will ask for a small contribution towards the rent for the first week of the tenancy.
- We will invite new tenants to accept a home appointment approximately six weeks after they signed for their new home to see how they are settling into their new home including discussing rent payments and benefit claims. If it is

not possible to meet with the tenant at that time, they will carry on trying to make contact.

- Tenants will be given the opportunity to be signposted to agencies that provide financial and debt advice where it has been identified that they may need assistance.

#### **6.4 Information and advice**

- Information will be provided about rent accounts through the issue of quarterly rent statements. Up-to-date statements can also be requested at any time.
- All tenants will be advised of any changes to the rent or charges payable and reason for the changes; for example, we have a statutory duty to inform tenants 4 weeks in advance if we plan to increase their rent at the start of the new financial year.
- Officers aim to reach an agreement (repayment plan) with the tenant to pay off any unpaid sums over a reasonable period of time. This must be both achievable for the tenant and acceptable to the Housing Service.
- The Housing Service will work in partnership with agencies to facilitate the provision of independent advice to tenants about money management, debt, housing and welfare benefits.

### **7. Recovery of current rent arrears**

**7.1** The recovery of arrears will be dealt with in accordance with the Housing Service's Rent Arrears Management Procedures, with an emphasis on maintaining regular personal contact via telephone, letters and home visits throughout the recovery process. All contact made with a tenant will be recorded on our housing management system.

Personal contact allows Officers to gain a greater understanding of the circumstances of tenants who may be finding it hard to pay their rent or charges. Where necessary, text and email may be used as methods of contacting tenants.

**7.2** Where a tenant is claiming the housing cost element of Universal Credit and falls into rent arrears, contact will be made with the tenant. They will be advised that if they continue to remain in arrears then an application will be made to the Department of Works and Pensions (DWP) to claim direct payments by way of alternative payment arrangements (APAs).

**7.3** If a tenant is in receipt of Housing Benefit and falls into rent arrears, then the Council will ask for deductions to be made from other ongoing benefits in respect of the debt at the applicable rate.

**7.4** Legal proceedings will commence where there is a record of persistent arrears and the tenant does not make or adhere to an agreement to reduce the arrears. This action will be used as a last resort.

**7.5** Rent arrear cases are referred to the Eviction Panel prior to applying to court for possession or eviction to ensure that the Officer managing them has followed procedure and done everything possible to recover the debt. Cases are discussed in detail and a decision is made as to whether or not they should be referred to court.

The Housing Service will ensure that all cases progressed to court comply with the Pre-action protocol for possession claims based on rent arrears and relevant statutory requirements.

- 7.6** If a support agency is involved with a tenant, they may attend the meeting of the Eviction Panel, with the tenant's permission, to provide an update on their financial and other circumstances, as appropriate.
- 7.7** At all stages of the legal process the tenant will be informed of the reasons for the action and where they can seek support and advice.
- 7.8** During legal proceedings, Officers will request a Possession Order, court costs will be recharged to the tenant. Where the court grants an Order for Possession, Officers will also seek to obtain a money judgement order, allowing future recovery of the debt after eviction.
- 7.9** It is the tenant's responsibility to notify us of any changes in their circumstances which may affect their ability to pay their rent.
- 7.10** Where a tenant holds an introductory tenancy and a Notice of Possession Proceedings has been served. They will have the right to have their case heard in front of an Appeals Panel where two senior Council Officers who have had no previous involvement will adjudicate. If the tenant requests an oral hearing, she/he has the right:
- to be heard and to be accompanied or to be represented by another person
  - to call any person to give evidence, and ask her/him any questions.

## **8. Recovery of former tenant rent arrears**

- 8.1** All former tenant arrears will be pursued. Every effort will be made to trace and contact debtors and make an arrangement to recover the debt. Where the debt remains unpaid the Housing Service may use debt recovery agencies or initiate proceedings through the County Court to recover any unpaid sums. This may affect a tenant's credit rating.
- 8.2** When a tenant terminates their tenancy, Officers will make contact with the tenant prior to the tenancy ending to advise of any amounts that need clearing prior to termination. If it is not possible for the tenant to pay the balance in full, a repayment plan that is affordable and sustainable will be agreed.
- 8.3** Former tenants also will be signposted to where they can seek independent advice and support.
- 8.4** If there is an outstanding debt relating to a deceased tenant, the next of kin, administrator or executor will be notified that there will be a claim against the estate.

## **9. Recovery of other charges**

- 9.1** The Housing Service are responsible for recovering other charges, for example



rechargeable repairs, court costs, sewage or alarm charges.

- 9.2** If there is a sub account, for instance if a tenant has a debt relating to an outstanding rechargeable repair, they will be expected to clear any outstanding arrears on their main rent account first. Once arrears from the main account have been settled, the tenant must make arrangements to clear their sub account/s; failure to do so may result in the Council applying to the small claims court to recover the outstanding balance.
- 9.3** If there is no outstanding arrears on the main rent account but there is an unpaid sum on a sub account then the tenant is expected to pay or make an arrangement to clear any amounts outstanding.
- 9.4** Payment of alarm charges are due weekly on time. When a tenant falls into arrears with their alarm charge and they have failed to engage with us or make an arrangement to clear any unpaid sums. They will be advised in writing that the alarm service will be removed from their property and they will be required to find alternative support.

## **10. Arrangements**

- 10.1** When arrears are present, Officers will consider the circumstances of the tenant, their payment history, current financial situation and their ability to pay when agreeing a repayment plan. Income and Expenditure forms will be completed where possible. Alternatively, a tenant may work with a partner agency who will complete a common financial statement and this will be taken into account if passed to our Officers. This is to ensure that the arrangement is affordable and manageable.
- 10.2** Tenants will be advised that court action may be taken to recover unpaid sums if payments are not made on a regular basis or an agreed arrangement is broken.

## **11. Claiming benefits and overpayments**

- 11.1** It is the responsibility of the tenant to make a claim for benefit to cover their housing costs. It is important that tenants talk to Officers straight away if they experience benefit delays. Where a tenant is claiming the housing cost element of Universal Credit, the Housing Service will provide the relevant paperwork to the tenant to support any claims they make. If a tenant is claiming Housing Benefit, the Housing Service can only liaise with Officers in the Benefits team about the case if the tenant has authorised this. Therefore, tenants must not assume that any issues relating to their Housing Benefit will be resolved without any input from them.
- 11.2** Joint tenants are 'jointly and severally' responsible for paying rent and any charges on time as well as any unpaid sums. This means that if one joint tenant does not pay, the other is fully liable. This will still be the case where Universal Credit is only paid to one member of the household, or where one joint tenant has left the property.
- 11.3** The rent arrears process will still be followed where there is a debt due to an outstanding benefit claim or delay. However, cases will be referred to the Eviction

Panel where a decision will be made whether or not court proceedings will commence. Where a tenant is entitled to benefit to cover their full rent and they have not been responsible for the delay and can satisfy us that they have provided all supporting evidence to support their claim, court proceedings will not commence.

**11.4** Tenants are expected to pay any rent due which is not covered by benefits on time.

**11.5** Tenants are responsible for paying back any overpayment of benefit that covered their housing costs.

## **12. Insolvency Arrangements – Bankruptcy, Individual Voluntary Arrangements (IVA) and Debt Relief Orders (DRO)**

**12.1** Where a tenant has an insolvency arrangement they remain liable to pay current rent as usual. Written confirmation of any arrangements will be required and once received, Officers will update the rent account with details. This is because people subject to such arrangements are advised not to contact their creditors, instead, MDDC should be working with the Receiver who can provide all relevant information.

**12.2** Where a tenant is bankrupt, rent arrears are not written off. Any repayment of rent arrears which are not kept to will be dealt with in accordance with the Rent Arrears Management Procedures.

**12.3** Rent arrears accrued prior to a DRO being granted will be dealt with differently. If there is a DRO, creditors are prevented from pursuing debts for a period of 12 months. Tenants with a DRO are still liable to pay rent, and rent arrears incurred after the DRO has been made are not covered by the moratorium. Repayment of these arrears will be dealt with in accordance with the Rent Arrears Management Procedures.

## **13. Write offs**

**13.1** In some circumstances, we will write off irrecoverable debts where they are uneconomic to pursue, for example where there are arrears outstanding after the death of a tenant and there is no estate to recover the debt.

**13.2** Prior to any unpaid sums being written off, Officers will carry out the relevant recovery actions before seeking approval to write off the debt.

## **14. Legal action**

**14.1** Tenants will be referred to court to secure formally any amounts owing where they have failed to engage with us or keep to an arrangement. This is a serious step which puts their tenancy at risk and will result in the tenant having to pay for court costs.

**14.2** Procedures laid out by the Pre-Action Protocol for possession claims based on rent arrears will be followed by Officers when court action is being considered.

**14.3** In cases where the tenant has failed to keep to a court order and where it is deemed

appropriate, repossession proceedings will be undertaken. Tenants will be encouraged to attend court and will be signposted to where they can seek independent advice and support.

## **15. Changing possession orders**

- 15.1** A tenant may be able to request a possession order be varied. This will depend on whether or not the judge had a choice when making the possession order in the first instance, for example in some situations the judge has no choice about making an order and cannot change it once made, as long as the landlord followed the correct legal procedure to obtain the order. This applies to introductory or demoted tenancies.
- 15.2** Where a tenant requests to make a change to a possession order, they will be advised to seek independent advice about applying to the court to either have the possession order set aside, suspend or postpone the date for possession or vary the terms of the order. It will be the responsibility of the tenant to supply the relevant evidence (for example the reason they missed a rent payment, details about change in income, details of an outstanding housing cost claim) in their application to have a case re-heard or the possession order to be varied, set aside or delayed.
- 15.3** Any application to the court to set aside a possession order, does not automatically stop the court bailiff carrying out an eviction. It is the responsibility of the tenant to request the court to stay or suspend any warrants at the same time they apply for an order to be set aside or varied.

## **16. Equality and Diversity**

- 16.1** The Housing Service will tailor its service to meet the diverse needs of individuals. They will foster good relations with people when providing their services to eliminate discrimination and promote opportunity of equality.

## **17. Review**

This Policy has been written in line with good practice and current relevant legislation. Unless there are any changes to such legislation beforehand, the next review of this Policy is due June 2019 and every four years thereafter.

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Liz Reeves

**Head of Customer Services.**

Back ground:

Work started in 2005 setting up a central customer service team, the objective was to improve efficiency by reducing administration and providing one easy and accessible contact for customers. Reports were provided to Members on the outcomes of this project annually.

Customer Service is now an established service providing:

- Front line enquiry service open 9.00 to 5.00 /4.30(Friday) for face to face contacts for all services.
- A call centre open 8.30 to 5.00/4.30 (Fridays and covered by DCC until 8.00pm and Saturday mornings) providing a combination of switchboard and service contact for a range of services.
- A central Admin team covering post opening, scanning and a range of other general administrative support task.
- Communications, website and digital contacts.
- Revenues collection.

The teams are generic and cover for one and other to maximise our ability to respond to demand. This is an essential part of the design of the service as customer contact is increasing and customers now use a variety of methods to contact us, and at times that suit their own life style. As well as the traditional contact method, of face to face, phone and letter, customers now email, text, go on line and use social media.

Staffing levels have decreased across the Council, so we need to build services that can respond to customer demand and this must include digital and self- service options. Developing digital services will enable mobile working and allow scope to consider shared and partnership working.

The Customer Service project and now the Digital Transformation project have included business analysis and transformation of how we transact with customers from the point of contact to delivery of the service.

These two corporate projects have contributed to our ability to maintain services as our budgets have reduced.

A summary of the savings made from the Customer Service project is provided in table 1.

It is difficult to quantify savings as the project has grown as there are so many changing factors to our business. For example in the past 10 years the Council has introduced a new waste collection

scheme, introduced Local Welfare Assistance, made changes to the Electoral services, on street parking and Housing services etc.

Details of savings in postage costs can be seen in table 2.

Reduction in printing costs can be seen in table 3.

The project work is now focused on digital transformation, to help the Council work more effectively and provide customers with new digital channels for completing transactions with us. I have provided the Digital Transformation strategy and Cabinet report from January of this year, which contain details of why we are making this investment in change.

A quarterly highlight report is provided to Management Team who are the project board for this high profile project.

I will be happy to answer questions.

Liz Reeves

Head of Customer Services

Table 1 Customer Services Project report 2011

**Summary of savings to date:**

| Annual Savings | 2005/6<br>£    | 2006/7<br>£    | 2007/8<br>£    | 2008/9<br>£     | 2009/10<br>£    | 2010/11         | Totals<br>£    |
|----------------|----------------|----------------|----------------|-----------------|-----------------|-----------------|----------------|
| BPR            | 23,760         | 23,760         | 23,760         | 23,760          | 23,760          | 23,760          | 142,560        |
| BPR            |                | 15,150         | 15,150         | 15,150          | 15,150          | 15,150          | 75,750         |
| BPR            |                |                | 6,150          | 6,150           | 6,150           | 6,150           | 24,600         |
| Staff saving   |                |                | 40,140         | 40,140          | 40,140          | 40,140          | 160,560        |
| BPR*           |                |                |                | 34,230          | 34,230          | 34,230          | 102,690        |
| BPR & staff    |                |                |                |                 | 10,535          | 6,745           | 17,280         |
| Staff saving** |                |                |                |                 |                 | 16,857          | 16,857         |
| BPR            |                |                |                |                 |                 | 987             | 987            |
| <b>Total</b>   | <b>£23,760</b> | <b>£38,910</b> | <b>£85,200</b> | <b>£119,430</b> | <b>£129,965</b> | <b>£144,019</b> | <b>541,284</b> |

\*includes estimate of cost of providing extended opening hours through DCC

**Table 2 Savings on postage:**

| Franked              |         | cleanmail            |          |
|----------------------|---------|----------------------|----------|
| Franked Mail 2013/14 | £29,960 | Clean Mail 2013/2014 | £123,963 |
| Franked Mail 2014/15 | £20,459 | Clean Mail 2014/2015 | £113,383 |
| Saving               | £9,501  | Saving               | 10,580   |

Further savings will be by investigating alternatives to postage and where post is the best media using outsourced solutions to maximise discounts.

**Table 3 Savings to printing costs**

| year | saving   |
|------|--|
| 2004 | £20,000 move to Phoenix house centralised printing                         |
| 2005 | £16,000 further savings maximising use of shared printers in Phoenix house |

Further savings will need to be from use of digital solutions, reducing the need for paper copies/files.

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## **Cabinet 27 August 2015**

### **Tiverton Town Centre update**

**Cabinet Members** Cllr R Stanley / Cllr R Chesterton  
**Responsible Officer** Head of Housing & Property Services

**Reason for Report:** To provide Members with an update on the current position in relation to the proposals for the regeneration of Tiverton town centre.

#### **RECOMMENDATIONS:**

1. **That Cabinet note the contents of the report;**
2. **That authority be delegated to the Head of Housing & Property Services, in consultation with the Cabinet Member for Housing and the Cabinet Member for Planning & Economic Development, to agree disposal to Premier Inn for 125 years of part of the multi-storey car park for the provision of a hotel.**

**Relationship to Corporate Plan:** A thriving economy is one of the Council's key priorities within the Corporate Plan.

**Financial Implications:** None arising directly from this report. However, future projects requiring major financial input would require a detailed business case and if approved would form part of the Capital Programme.

**Legal Implications:** None to this report.

**Risk Assessment:** A full risk assessment will be undertaken as the projects in the scheme are developed. Failure to support a regeneration of Tiverton town centre could lead to deterioration in commercial activity, a less vibrant centre, with falling income to the Council.

#### **1.0 Introduction**

- 1.1 Members will be aware that the acquisition by the Council of Market Walk, Tiverton was completed in March 2015. This report informs Members:
  - 1.1.1 on how the scheme is being operated, together with proposals for its future management and use;
  - 1.1.2 on the requirement to prepare a master-planning exercise for the town centre; and
  - 1.1.3 on a number of the project objectives detailed within the approved Project Initiation Document (PID) for the regeneration of the town centre.

## **2.0 Project objectives currently being progressed**

### **2.1 Production of a master-plan for Tiverton town centre:**

2.1.1 Officers have formally signed an Access Agreement with the Homes and Communities Agency (HCA) which enables the procurement of a specialist planning consultant through the HCA Framework Agreement.

2.1.2 A 'scoping' document has been prepared outlining the requirements of the master-plan. This document will be used to invite expressions of interest from organisations in the HCA framework. Responses will be scored and the top four consultants meeting the criteria will then be asked to prepare a fully priced submission.

### **2.2 Facilitate an improved cinema offering for the town by working in partnership with Merlin Cinemas:**

2.2.1 Officers have recently met with the cinema operators who are still keen to work with the Council. The operators are looking to commence project planning with an intended start of work within the next 18 months.

### **2.3 Develop a business plan to maximise the Council's property portfolio:**

2.3.1 Refurbishment and letting of flat above 34 Fore Street completed and let.

2.3.2 Improvements to façade facing Fore Street completed.

2.3.3 Rear aspect of flat access de-littered and timber works replaced and painted

2.3.4 Lighting improved under archway from the market through to Fore Street.

2.3.5 Regular meetings with lettings and managing agent for Market Walk.

2.3.6 Use of vacant shop units – High School display and Community Safety Partnership.

2.3.7 Weed spraying to town centre road and footpaths undertaken in absence of DCC work being carried out.

2.3.8 Appointed specialist consultant to develop a feasibility study for the offer at Market Walk.

### **2.4 Work with the private sector to bring forward plans for a hotel in the town centre:**

2.4.1 Officers are in discussion with Premier Inn for an 85-room hotel on District Council owned land adjacent to the multi-storey car park, Tiverton.

2.4.2 Pre-application advice has been given by the Planning service.

2.4.3 Valuation advice is being sought in order to provide the Council with sufficient comfort that the financial proposal offered is reasonable within the context of the delivery of the scheme against other similar market transactions.

2.5 There are a number of other identified project objectives which have yet to be commenced and will be brought forward as and when appropriate.

### **3.0 Project Board and Project Plan**

3.1 Monthly meetings are held by the Project Working Group to deal with day-to-day management issues regarding the Council's property holdings and to progress the creation of a masterplan. A Project Board, whose responsibility will be to make decisions on the proposed masterplan, keep timescales on track and commitment of resources, will be formed.

3.2 A project plan with agreed timescales will be completed and provided to the Project Board in the form of a highlight report on a two monthly basis. The Project Board will oversee future reports to the Cabinet at least six-monthly or as decisions are required, if sooner.

### **4.0 Other Council initiatives and schemes**

4.1 In addition to the project objectives detailed, there are a number of additional initiatives being undertaken for the town centre regeneration. These include:

4.1.1 The recruitment of a Town Centre Manager (TCM) for Tiverton on a two-year fixed term has been concluded and the TCM will start on 7 September 2015.

4.1.2 A Tiverton shop front face-lift grant scheme is being run by the Council's Community Development & Regeneration team.

4.1.3 Planning permission and listed building consent has been obtained for additional lock-up units within the Pannier Market former 'pig pens' together with a further retail unit.

4.1.4 A working group has been set up which includes representatives from the Town Council, Royal British Legion and Burma Star Association with the aim of improving the town space for war memorials and commemorative services. A specialist urban design consultant is being procured through the HCA Framework Agreement to design a suitable scheme based on Angel Hill.

4.1.5 A scheme to convert the Lowman Green public conveniences into a retail unit has been tendered and a start on site is due in September 2015. Officers are currently in discussion with interested parties to lease the converted building.

4.1.6 Coaches are able to use the designated coach bays at William Street coach park, however some further improvements which will make the access easier to navigate are due to be made in the next two weeks.

## 5.0 Consultation

- 5.1 An informal meeting with Tiverton town centre businesses and retailers was held on 12 August 2015 to inform businesses of the aims and aspirations that the Council has for the town centre, together with the progress to date.
- 5.2 It is hoped that this will be the start of more frequent basis with officers and the Town Centre Manager as the project develops.

**Contact for more information:** Nick Sanderson (01884 234960 – [nsanderson@middevon.gov.uk](mailto:nsanderson@middevon.gov.uk))

**Distribution of the report** Cllr R Stanley, Cllr R Chesterton, Management Team

**CABINET  
27 AUGUST 2015**

**AGENDA ITEM**

## **FINANCIAL UPDATE FOR THE FOUR MONTHS TO 31 JULY 2015**

**Cabinet Member** Cllr Peter Hare-Scott  
**Responsible Officer** Head of Finance

**Reason for Report:** To present a financial update in respect of the income and expenditure so far in the year.

**RECOMMENDATION(S):** The Cabinet note the financial monitoring information for the income and expenditure so far for the 2015/16 financial year.

**Relationship to the Corporate Plan:** The financial resources of the Council impact directly on its ability to deliver the corporate plan; prioritising the use of available resources brought forward and any future spending will be closely linked to key Council pledges from the updated Corporate Plan.

**Financial Implications:** Good financial management and administration underpins the entire document.

**Legal Implications:** None.

**Risk Assessment:** Regular financial monitoring information mitigates the risk of over or underspends at year end and allows the Council to direct its resources to key corporate priorities.

### **1.0 Introduction**

- 1.1 The purpose of this report is to highlight to Cabinet our current financial status and the likely reserve balances at 31 March 2016. It embraces both revenue, in respect of the General Fund and Housing Revenue Account, and capital and aims to focus attention on those areas which are unlikely to achieve budget. It is particularly important for next year's budget setting and, looking further ahead, with the medium term financial plan.
- 1.2 Favourable variances generating either increased income or cost savings are expressed as credits (negative numbers), whilst unfavourable overspends or incomes below budget are debits (positive numbers). This report only includes budget variances in excess of £10k as the purpose of the report is to concentrate on material issues that may require further investigation/action. Budget variances are expressed net of budgeted transfers to or from earmarked reserves, which were previously approved by Cabinet. A more detailed analysis will be provided with the final outturn report for the year.

## 2.0 Executive Summary of 2015/16

2.1 The table below shows the opening position of key operational balances of the Council, the forecasted in year movements and final predicted position at 31 March 2016:.

| Usable Reserves             | 31/03/2015 | Forecasted in year movement | 31/03/2016 |
|-----------------------------|------------|-----------------------------|------------|
|                             | £k         | £k                          | £k         |
| <b>Revenue</b>              |            |                             |            |
| General Fund – see note     | (2,380)    | 112                         | (2,268)    |
| Housing Revenue Account     | (2,000)    | (14)                        | (2,014)    |
| <b>Capital</b>              |            |                             |            |
| Major Repairs Reserve       | 0          | 0                           | 0          |
| Capital Receipts Reserve    | (985)      | 471                         | (514)      |
| Capital Contingency Reserve | (1,123)    | 580                         | (543)      |

## 3.0 The General Fund Reserve

3.1 This is the major revenue reserve of the Council. It is increased or decreased by the surplus or deficit generated on the General Fund in the year. This reserve held a balance of £2,380k as at 31/03/15.

3.2 The forecast General fund *deficit* for the current year is £112k as shown at Appendix A. The most significant *service* movements this month comprise:

|   |      |
|---|------|
|   | £k   |
| Vehicle repairs – running aged fleet until replacement need known | 40   |
| Planning enforcement action (predominantly Harlequin Valet)       | 20   |
| Housing Benefit subsidy improvement                               | (28) |

3.3 The following issue was included in the previous monitoring report, but we have considered it such a material change that we have repeated it for Members information.

When the 2015/16 budgets were set negotiations with the owners of Market Walk were ongoing. No 2015/16 budgets were therefore set for the associated income, expenses, and loan interest on a possible loan from the Public Works Loan Board (PWLb), although a projected net annual surplus was expected if the purchase went ahead. Subsequently the acquisition was successful and completion took place on 27 March 2015.

3.3.1 The components that are related to the project are shown below:

|   |            |
|---|------------|
|   | £          |
| The projected annual service surplus at this time | (363)k     |
| Interest payable on associated PWLB loan          | 108k       |
| Capital financing (mandatory)                     | <u>83k</u> |
| Net transfer into earmarked reserves              | 172k       |
|   | =====      |

3.3.2 A reserve is required for future repairs (we have responsibilities as the landlord) and any further surplus will be earmarked for future economic generation projects.

3.4 The major variances are highlighted at Appendix B. The current incomes from our major funding streams are shown at Appendix C, whilst current employee costs are shown at Appendix D.

#### 4.0 Housing Revenue Account (HRA)

4.1 This is a ring-fenced account in respect of the Council's social housing function. Major variances and proposed corrective action are highlighted at Appendix F.

4.2 Appendix E shows that the reserve opening balance is £2,000k. A forecast Underspend of £14k would increase the available balance to £2,014k.

4.3 The most significant items of this underspend comprise a surplus in income generated from community alarms and unbudgeted structural repair works that are required for health and safety purposes.

4.4 There are budgeted revenue contributions to capital projects as follows for 2015/16.

| Description                | Budget<br>£'000 | Forecast<br>Outturn<br>£'000 | Variance<br>£'000 |
|----------------------------|-----------------|------------------------------|-------------------|
| Sewage pumping stations    | 50              | 50                           | 0                 |
| HRA digital transformation | 30              | 30                           | 0                 |
| Replacement vehicles       | 59              | 59                           | 0                 |

In addition to the above, the works required at Birchen Lane, which were slipped from the 2014/15 capital programme will still require funding. Part of these costs may need to be covered by a revenue contribution from the HRA.

#### 5.0 Major Repairs Reserve

5.1 The Major Repairs Reserve had a nil balance at 31 March 2015. After this year's capital expenditure and funding of the Major Repairs Reserve the closing balance is forecast to be nil.

## 6.0 Capital Programme

- 6.1 The status of this year's capital programme is shown at Appendix G.
- 6.2 Committed and Actual expenditure is currently £2,798k against a budgeted Capital Programme of £13,720k (this has been increased by £46k following approval of additional funds for remodelling Lowman Green public conveniences approved at 30/07/15 Cabinet).
- 6.3 Forecast underspends currently amount to £30.5k, which are comprised of the following (please see notes on appendix G):
- Grounds Maintenance replacement Tractor £5.5k
  - HRA Sewerage works £25k
- 6.4 Forecast slippage into 2016/17 currently amounts to £187k, this comprises the following projects (please see notes on appendix G):
- Land Drainage scheme – Ashleigh Park Bampton £67k
  - Works in relation to major repairs of our council houses £120k

## 7.0 Capital Contingency Reserve

- 7.1 The Capital Earmarked Reserve has been set aside from Revenue to fund Capital Projects; the movement on this reserve is projected below:

|   | £k                    |
|---|-----------------------|
| Capital Earmarked Reserve at 1 April 2015             | (1,123)               |
| Funding required to support 2015/16 Capital Programme | 298                   |
| Earmarked Reserve for Private Sector Housing          | 282                   |
| <b>Forecast Balance at 31 March 2016</b>              | <b>(543)</b><br>===== |

## 8.0 Capital Receipts Reserve (Used to fund future capital programmes)

- 8.1 Unapplied useable capital receipts are used to part fund the capital programme, the movement on this account for the year to date is given below:

|  | £k                    |
|--|-----------------------|
| Unapplied Useable Capital Receipts at 1 April 2015       | (985)                 |
| Earmarked Reserve for Private Sector Housing             | 194                   |
|  | <b>(791)</b>          |
| Net Receipts to date (includes 2 RTB's)                  | (90)                  |
| <b>Current Balance</b>                                   | <b>(881)</b>          |
| Forecast further capital receipts in year                | (590)                 |
| Forecast capital receipts to be applied in year          | 957                   |
| Forecast Unapplied Capital Receipts c/fwd. 31 March 2016 | <b>(514)</b><br>===== |



- 8.2 Please note the majority of these balances on the capital Contingency Reserve and the Capital Receipts reserve will be required to enable a balanced Capital MTFP that will be brought to the October Cabinet.

## 9.0 Treasury Management

- 9.1 The interest position so far this financial year can be summarised as follows:

Interest Received:

|                                  | <b>Budget</b> | <b>Forecast</b> | <b>Variance</b> |
|----------------------------------|---------------|-----------------|-----------------|
|                                  | <b>£k</b>     | <b>£k</b>       | <b>£k</b>       |
| Interest from HRA funding        | (69)          | ( 69 )          | 0               |
| Investment Income Received       | (65)          | (70 )           | (5)             |
|                                  | -----         | -----           | ----            |
| <b>Total Interest Receivable</b> | <b>(134)</b>  | <b>(139 )</b>   | <b>(5)</b>      |
|                                  | =====         | =====           | ====            |

- 9.2 At the previous Cabinet meeting it was resolved to place an investment of £2.5m with the Churches, Charities and Local Authorities Fund Managers Ltd (CCLA) Local Authorities Property Fund – based on previous year returns from their commercial property fund it is anticipated that this will generate an additional circa £60k in investment return during the remainder of 2015/16.

## 10.0 Conclusion

- 10.1 Members are asked to note the revenue and capital forecasts for the financial year. This report only covers the first third of the year, which is early to identify end of year positions. Cost pressures and income trends will become more apparent as we progress through the year.
- 10.2 With the announcement in the budget of further cuts to public spending at a similar rate to earlier years we will face further funding cuts next year and beyond. Budget meetings are still ongoing with senior managers, the Chief Executive and myself. Once again these are being held against a backdrop of uncertainty over the magnitude of ongoing Formula Grant cuts and starting from a position where services have already reduced costs by circa £2.5m since 2010/11. We are currently estimating that an aggregate saving of £750k to £1m will be required to balance the 2016/17 budget. Further updates will be provided to Members over the following months and will be useful in arriving at an affordable Corporate Plan for the next four to 5 years.

In due course Members will be required to consider various potential future scenarios and their potential impact on service delivery that will facilitate a balanced budget, of *prioritised services*.

**Contact for more information:**

Andrew Jarrett, 01884 23(4242),  
[ajarrett@middevon.gov.uk](mailto:ajarrett@middevon.gov.uk)

**Circulation of the Report:**

Cllr Peter Hare-Scott, Management Team

**GENERAL FUND FINANCIAL MONITORING INFORMATION FOR  
THE PERIOD 01 APRIL TO 31 JULY 2015**

| Com          | General Fund Summary                                  | Note         | 2015/16<br>Annual<br>Budget<br>£ | Full Year Forecast (Net of<br>Trf to Earmarked Reserves<br>(EMR)<br>(0 = On budget)<br>£ | Variance<br>% |
|--------------|---|--------------|----------------------------------|--|---------------|
|              | <b>Cllr C J Eginton</b>                               |              |                                  |  |               |
| <b>CM</b>    | Corporate Management                                  | <b>A</b>     | 1,197,130                        | (24,000)   | -2.0%         |
| <b>LD</b>    | Legal & Democratic Services: Member/Election Services | <b>B</b>     | 1,027,290                        | 60,000   | 5.8%          |
|              | <b>Cllr N V Davey</b>                                 |              |                                  |  |               |
| <b>CP</b>    | Car Parks   | <b>C</b>     | (23,680)                         | 0  | 0.0%          |
| <b>ES</b>    | Cemeteries & Public Health                            | <b>D</b>     | 156,640                          | (15,000)   | -9.6%         |
| <b>ES</b>    | Open Spaces   | <b>F</b>     | 593,300                          | 0  | 0.0%          |
| <b>GM</b>    | Grounds Maintenance                                   | <b>E</b>     | (16,870)                         | 25,000   | -148.2%       |
| <b>WS</b>    | Waste Services  | <b>H</b>     | 2,358,870                        | 40,000   | 1.7%          |
|              | <b>Cllr C R Slade</b>                                 |              |                                  |  |               |
| <b>CD</b>    | Community Development                                 | <b>I</b>     | 328,270                          | (6,200)  | -1.9%         |
| <b>ES</b>    | Environmental Services incl. Licensing                | <b>D</b>     | 157,180                          | 9,000  | 5.7%          |
| <b>IT</b>    | IT Services   | <b>Q</b>     | (12,040)                         | (45,900)   | 381.2%        |
| <b>PR</b>    | Planning - Land charges                               | <b>N</b>     | (600)                            | (7,000)  | 1166.7%       |
| <b>RS</b>    | Recreation And Sport                                  | <b>J</b>     | 662,400                          | 50,000   | 7.5%          |
|              | <b>Cllr P H D Hare-Scott</b>                          |              |                                  |  |               |
| <b>FP</b>    | Finance And Performance                               | <b>K</b>     | (180)                            | 0  | 0.0%          |
| <b>RB</b>    | Revenues And Benefits                                 | <b>L</b>     | 782,650                          | (47,000)   | -6.0%         |
|              | <b>Cllr R L Stanley</b>                               |              |                                  |  |               |
| <b>ES</b>    | ES: Private Sector Housing Grants                     | <b>D</b>     | 112,120                          | 0  | 0.0%          |
| <b>HG</b>    | General Fund Housing                                  | <b>M</b>     | 317,150                          | 0  | 0.0%          |
| <b>PS</b>    | Property Services                                     | <b>G</b>     | 253,800                          | (363,000)  | -143.0%       |
|              | <b>Cllr R J Chesterton</b>                            |              |                                  |  |               |
| <b>CD</b>    | Community Development: Markets                        | <b>I</b>     | 60,550                           | 10,000   | -16.5%        |
| <b>PR</b>    | Planning And Regeneration                             | <b>N</b>     | 960,400                          | 175,000  | 18.2%         |
|              | <b>Cllr M Squires</b>                                 |              |                                  |  |               |
| <b>CS</b>    | Customer Services                                     | <b>O</b>     | (18,270)                         | 0  | 0.0%          |
| <b>ES</b>    | Environment Services - Public Health                  | <b>D</b>     | 356,920                          | 0  | 0.0%          |
| <b>HR</b>    | Human Resources                                       | <b>P</b>     | 98,470                           | 0  | 0.0%          |
| <b>LD</b>    | Legal & Democratic Services: Legal Services           | <b>B</b>     | (10)                             | 2,000  |               |
|              | <b>All General Fund Services</b>                      |              | <b>9,351,490</b>                 | <b>(137,100)</b>   | <b>-1.5%</b>  |
| <b>IE260</b> | Interest Payable                                      |              | 68,390                           | 79,064   |               |
| <b>IE290</b> | Interest Receivable on Investments                    |              | (65,000)                         | (5,000)  |               |
|              | Interest from Funding provided for HRA                |              | (69,090)                         | 0  |               |
|              | New Homes Bonus Grant                                 |              | 0                                | (1,612,725)  |               |
|              | Sundry Grants   |              | 0                                | 0  |               |
| <b>ABFGF</b> | Statutory Adjustments (Capital charges)               |              | (905,860)                        | 83,453   |               |
| <b>TREMR</b> | Net Transfer to/(from) Earmarked Reserves             | <b>APP B</b> | 386,420                          | 1,704,725  |               |
|              | <b>TOTAL BUDGETED EXPENDITURE</b>                     |              | <b>8,766,350</b>                 | <b>112,417</b>   | <b>1.3%</b>   |
|              | Formula Grant   |              | (3,767,480)                      | 0  |               |
|              | Council Tax   |              | (4,955,540)                      | 0  |               |
|              | Collection Fund Surplus                               |              | (43,330)                         | 0  |               |
|              | <b>TOTAL BUDGETED FUNDING</b>                         |              | <b>(8,766,350)</b>               | <b>0</b>   | <b>0%</b>     |
|              | <b>Forecast in year (Surplus) / Deficit</b>           |              | <b>0</b>                         | <b>112,417</b>   |               |
|              | General Fund Reserve 01/04/15                         |              |                                  | (2,380,180)  |               |
|              | <b>Forecast General Fund Balance 31/03/16</b>         |              |                                  | <b>(2,267,763)</b>   |               |

## GENERAL FUND FINANCIAL MONITORING INFORMATION FOR THE PERIOD 01 APRIL TO 31 JULY 2015

| Note     | Description of Major Movements  | Full Year Forecast Variation (Net of Trf to EMR) | PDG     |
|----------|---|--|---------|
| <b>A</b> | <b>Corporate Management</b>   |  |         |
|          | External audit fees have seen a significant reduction   | (24,000)   | Cabinet |
|          |   | (24,000)   |         |
| <b>B</b> | <b>Legal &amp; Democratic Services</b>  |  |         |
|          | Salaries - uncovered maternity & variance in hours  | (6,000)  | Cabinet |
|          | Income - Legal Section 106 work less than in previous years   | 8,000  | Cabinet |
|          | Cost of District Council Elections (covered by earmarked reserve)   | 60,000   | Cabinet |
|          |   | 62,000   |         |
| <b>C</b> | <b>Car Parks</b>  |  |         |
|          |   | 0  |         |
| <b>D</b> | <b>Environmental Services combined</b>  |  |         |
|          | Salary underspends in Environmental Enforcement due to vacant post and overtime budget  | (6,000)  | CWB     |
|          | Licensing Unit salaries - Capacity issues, increase in hours and JE impact  | 15,000   | CWB     |
|          | Cemetery income above profile on internments & exclusive burial rights  | (15,000)   | MTE     |
|          |   | (6,000)  |         |
| <b>E</b> | <b>Grounds Maintenance</b>  |  |         |
|          | £25k cut in grass cutting budget from Devon County Council  | 25,000   | MTE     |
|          |   | 25,000   |         |
| <b>F</b> | <b>Open Spaces</b>  |  |         |
|          |   | 0  |         |
| <b>G</b> | <b>Property Services</b>  |  |         |
|          | Market Walk income not budgeted -Predicting £363k of net income at year end to be off-set by costs of PWLB loan and capital financing. The projected surplus £172k will be transferred into reserves for future economic development. | (363,000)  | MTE     |
|          |   | (363,000)  |         |
| <b>H</b> | <b>Waste Services</b>   |  |         |
|          | Refuse - vehicle repairs, running aged fleet until replacement need is known.   | 40,000   | MTE     |
|          |   | 40,000   |         |
| <b>I</b> | <b>Community Development</b>  |  |         |
|          | Salaries - variance in hours  | (6,200)  | CWB     |
|          | Market Income - proactive work is being carried out to try and meet this gap  | 10,000   | CWB     |
|          |   | 3,800  |         |
| <b>J</b> | <b>Recreation And Sport</b>   |  |         |
|          | Exe Valley Leisure Centre (EVLC) salaries   | 10,000   | CWB     |
|          | EVLC Income   | 20,000   | CWB     |
|          | Culm Valley Sports centre (CVSC) salaries   | 5,000  | CWB     |
|          | Maintenance overspend   | 15,000   | CWB     |
|          |   | 50,000   |         |
| <b>K</b> | <b>Finance And Performance</b>  |  |         |
|          |   | 0  |         |
| <b>L</b> | <b>Revenues And Benefits</b>  |  |         |
|          | HB Fraud section transferred to DWP from 01/05/15   | (56,000)   | CWB     |
|          | Additional agency staff required in Housing Benefit   | 37,000   | CWB     |
|          | Housing Benefit Subsidy   | (28,000)   | CWB     |
|          |   | (47,000)   |         |
| <b>M</b> | <b>General Fund Housing</b>   |  |         |

## GENERAL FUND FINANCIAL MONITORING INFORMATION FOR THE PERIOD 01 APRIL TO 31 JULY 2015

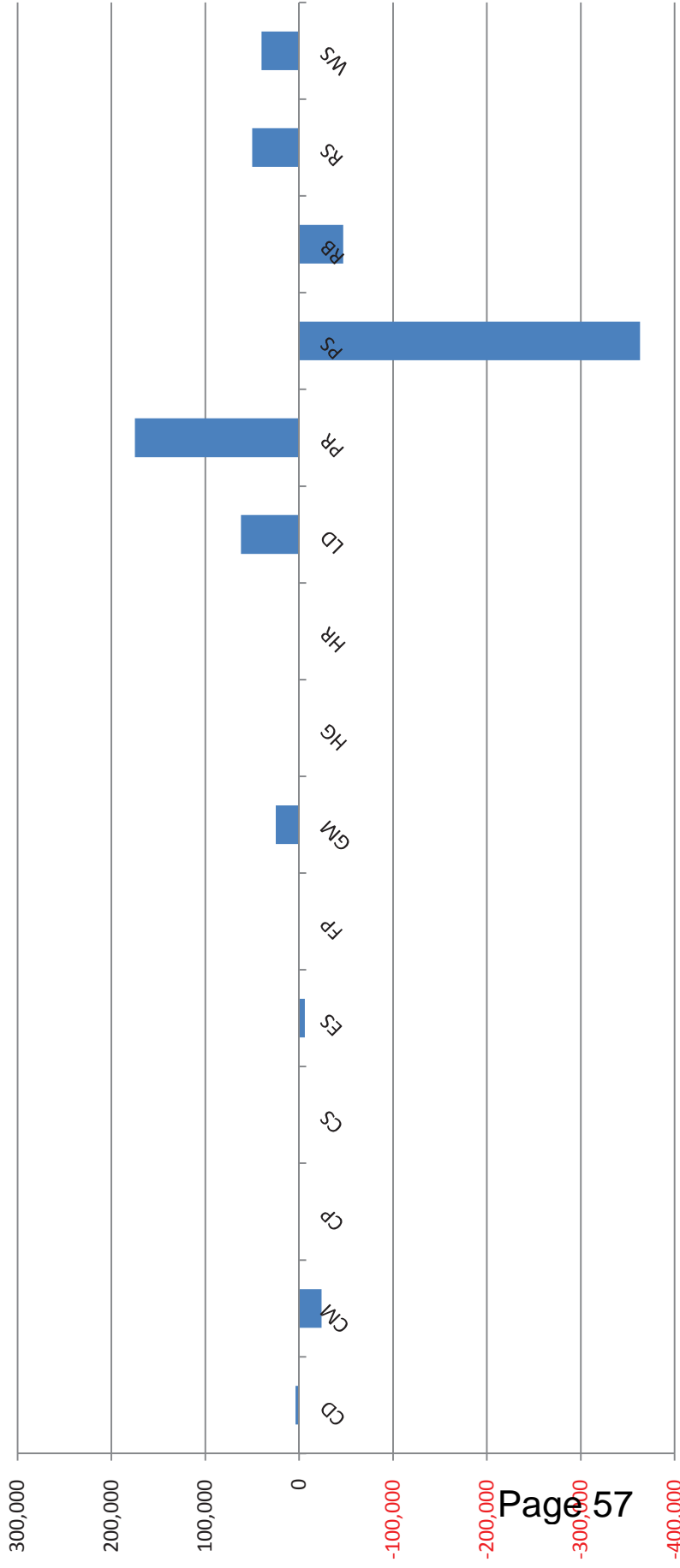
| Note     | Description of Major Movements   | Full Year Forecast Variation (Net of Trf to EMR) | PDG     |
|----------|--|--|---------|
|          |  | 0  |         |
| <b>N</b> | <b>Planning And Regeneration</b>   |  |         |
|          | Enforcement-Direct Action costs (predominantly Harlequin Valet)  | 80,000   | CWB     |
|          | Enforcement salary savings   | (10,000)   | CWB     |
|          | Development Control salaries-JE and backfilling  | 13,000   | CWB     |
|          | Recruitment costs (all Planning)   | 20,000   | CWB     |
|          | Local Plan consultancy costs   | 35,000   | CWB     |
|          | Land charges fee income  | (7,000)  | CWB     |
|          | Building Control cost of shared arrangement with North Devon District Council.                             | 22,000   | CWB     |
|          | Tiverton and Cullompton on-going project work (covered by earmarked reserve)                               | 15,000   | CWB     |
|          |  | 168,000  |         |
| <b>O</b> | <b>Customer Services</b>   |  |         |
|          |  | 0  |         |
| <b>P</b> | <b>Human Resources</b>   |  |         |
|          |  | 0  |         |
| <b>Q</b> | <b>I.T. Services</b>   |  |         |
|          | Other sundries   | (5,900)  | Cabinet |
|          | Salary underspend due to employing apprentice  | (10,000)   | Cabinet |
|          | Head of BIS recharge to NDDC, any savings however will be earmarked for digital transformation expenditure | (30,000)   | Cabinet |
|          |  | (45,900)   |         |
|          | <b>FORECAST (SURPLUS)/DEFICIT AS AT 31/03/16</b>   | <b>(137,100)</b>                                 |         |

|                |                  |
|----------------|------------------|
| <b>Cabinet</b> | <b>(7,900)</b>   |
| <b>CWB</b>     | <b>183,800</b>   |
| <b>DAAH</b>    | <b>0</b>         |
| <b>MTE</b>     | <b>(313,000)</b> |
|                | <b>(137,100)</b> |

## Net Transfers to / from Earmarked Reserves

|  |                  |
|--|------------------|
| New Homes Bonus monies earmarked for capital and economic regeneration projects          | 1,612,725        |
| Transfer to digital transformation project   | 30,000           |
| District Election Costs from earmarked reserve released                                  | (60,000)         |
| Local Plan consultancy costs   | (35,000)         |
| Projected surplus on Market Walk transfer to reserves earmarked for economic development | 172,000          |
| Tiverton and Cullompton project spend covered by earmarked reserve released              | (15,000)         |
| <b>Net Transfer to / (from) Earmarked Reserves</b>                                       | <b>1,704,725</b> |

## 2015/16 General Fund Projected Outturn Variance £



**Key** + = Overspend / Income under target - = Savings / Income above budget

|           |                         |                                  |
|-----------|-------------------------|----------------------------------|
| <b>CD</b> | Community Development   | <b>Interest Receivable</b>       |
| <b>CM</b> | Corporate Management    | <b>IT</b>                        |
| <b>CP</b> | Car Parks               | <b>LD</b>                        |
| <b>CS</b> | Customer Services       | <b>PR</b>                        |
| <b>ES</b> | Environmental Services  | <b>PS</b>                        |
| <b>FP</b> | Finance and Performance | <b>RB</b>                        |
| <b>GM</b> | Grounds Maintenance     | <b>RS</b>                        |
| <b>HG</b> | General Fund Housing    | <b>WS</b>                        |
| <b>HR</b> | Human Resources         |                                  |
|           |                         | <b>I.T. Services</b>             |
|           |                         | <b>Legal and Democratic</b>      |
|           |                         | <b>Planning and Regeneration</b> |
|           |                         | <b>Property Services</b>         |
|           |                         | <b>Revenues and Benefits</b>     |
|           |                         | <b>Recreation and Sports</b>     |
|           |                         | <b>Waste Services</b>            |

## GENERAL FUND FINANCIAL MONITORING INFORMATION FOR THE PERIOD 01 APRIL TO 31 JULY 2015

|                                   | 2015/16            | 2015/16            | 2015/16            | 2015/16         | Full Year     | Variance                       |
|-----------------------------------|--------------------|--------------------|--------------------|-----------------|---------------|--------------------------------|
|                                   | Annual Budget      | Profiled Budget    | Actual             | Variance        | Forecast      | Variation                      |
|                                   | £                  | £                  | £                  | £               | £             | %                              |
| Building Control Fees             | (235,030)          | (78,343)           | (90,164)           | (11,821)        | 0             | 0%                             |
| Planning Fees                     | (777,000)          | (259,000)          | (251,895)          | 7,105           | 0             | 0%                             |
| Land Searches                     | (110,460)          | (36,820)           | (48,498)           | (11,678)        | (7,000)       | 6%                             |
| Car Parking Fees - See Below      | (661,050)          | (205,960)          | (222,460)          | (16,500)        | 0             | 0%                             |
| Leisure Fees & Charges            | (2,530,020)        | (826,730)          | (778,790)          | 47,940          | 20,000        | -1%                            |
| Trade Waste Income                | (605,000)          | (347,272)          | (351,348)          | (4,076)         |               | 0%                             |
| Licensing                         | (113,560)          | (28,287)           | (28,935)           | (648)           |               | 0%                             |
| Market Income                     | (111,670)          | (37,223)           | (32,280)           | 4,943           | 10,000        | -9%                            |
|                                   | <b>(5,143,790)</b> | <b>(1,819,635)</b> | <b>(1,804,370)</b> | <b>15,265</b>   | <b>23,000</b> | <b>-0.4%</b>                   |
|                                   |                    |                    |                    |                 |               |                                |
|                                   |                    |                    |                    |                 |               |                                |
|                                   |                    |                    |                    |                 |               |                                |
|                                   |                    |                    |                    |                 |               |                                |
|                                   |                    |                    |                    |                 |               |                                |
| <b>Pay and Display</b>            |                    |                    |                    |                 | <b>Spaces</b> | <b>Bud Income pa per space</b> |
| Beck Square, Tiverton             | (76,000)           | (25,333)           | (28,619)           | (3,285)         | 40            | (1,900)                        |
| William Street, Tiverton          | (36,000)           | (12,000)           | (8,847)            | 3,153           | 45            | (800)                          |
| Westexe South, Tiverton           | (42,500)           | (14,167)           | (16,027)           | (1,861)         | 51            | (833)                          |
| Wellbrook Street, Tiverton        | (13,000)           | (4,333)            | (5,241)            | (907)           | 27            | (481)                          |
| Market Street, Crediton           | (34,000)           | (11,333)           | (12,100)           | (767)           | 39            | (872)                          |
| High Street, Crediton             | (48,500)           | (16,167)           | (18,534)           | (2,368)         | 190           | (255)                          |
| Station Road, Cullompton          | (22,000)           | (7,333)            | (10,134)           | (2,801)         | 112           | (196)                          |
| Multistorey, Tiverton             | (100,500)          | (33,500)           | (36,331)           | (2,831)         | 631           | (159)                          |
| Market Car Park, Tiverton         | (195,000)          | (65,000)           | (64,136)           | 864             | 122           | (1,598)                        |
| Phoenix House, Tiverton           | (4,000)            | (1,333)            | (1,039)            | 295             | 15            | (267)                          |
|                                   | <b>(571,500)</b>   | <b>(190,500)</b>   | <b>(201,008)</b>   | <b>(10,508)</b> | <b>1,272</b>  | <b>(7,363)</b>                 |
|                                   |                    |                    |                    |                 |               |                                |
| <b>Season Tickets</b>             | (31,000)           | (2,228)            | (2,228)            | 0               |               |                                |
|                                   |                    |                    |                    |                 |               |                                |
| <b>Residents Permits</b>          | (11,870)           | (548)              | (548)              | 0               |               |                                |
|                                   |                    |                    |                    |                 |               |                                |
| <b>Business Permits</b>           | (9,670)            | (198)              | (198)              | 0               |               |                                |
|                                   |                    |                    |                    |                 |               |                                |
| <b>Overnight Permits</b>          | (1,000)            | 0                  | 0                  | 0               |               |                                |
|                                   |                    |                    |                    |                 |               |                                |
| <b>Town Hall, Tiverton</b>        | 0                  | 0                  | (443)              | (443)           |               |                                |
|                                   |                    |                    |                    |                 |               |                                |
| <b>Other Income</b>               | (36,010)           | (12,485)           | (18,035)           | (5,550)         |               |                                |
|                                   |                    |                    |                    |                 |               |                                |
|                                   | <b>(661,050)</b>   | <b>(205,960)</b>   | <b>(222,460)</b>   | <b>(16,500)</b> |               |                                |
|                                   |                    |                    |                    |                 |               |                                |
| <b>Standard Charge Notices (C</b> | <b>(25,000)</b>    | <b>(8,333)</b>     | <b>(9,992)</b>     | <b>(1,659)</b>  |               |                                |

## GENERAL FUND FINANCIAL MONITORING INFORMATION FOR THE PERIOD 01 APRIL TO 31 JULY 2015

|                                | 2015/16             | 2015/16            | 2015/16            | 2015/16          |
|--------------------------------|---------------------|--------------------|--------------------|------------------|
|                                | Annual Budget       | Profiled Budget    | Actual             | Variance         |
|                                | £                   | £                  | £                  | £                |
| <b>Total Employee Costs</b>    |                     |                    |                    |                  |
| <b>General Fund</b>            |                     |                    |                    |                  |
| Community Development          | 255,140             | 85,047             | 89,932             | 4,885            |
| Corporate Management           | 814,520             | 271,507            | 283,188            | 11,681           |
| Customer Services              | 670,660             | 223,553            | 243,407            | 19,854           |
| Environmental Services         | 923,530             | 307,843            | 312,299            | 4,456            |
| Finance And Performance        | 587,280             | 195,760            | 202,862            | 7,102            |
| General Fund Housing           | 186,890             | 62,297             | 61,887             | (410)            |
| Grounds Maintenance            | 417,410             | 139,137            | 133,976            | (5,161)          |
| Human Resources                | 292,870             | 97,623             | 98,598             | 975              |
| I.T. Services                  | 529,450             | 176,483            | 163,908            | (12,575)         |
| Legal & Democratic Services    | 370,940             | 123,647            | 130,662            | 7,015            |
| Planning And Regeneration      | 1,420,670           | 473,557            | 425,949            | (47,608)         |
| Property Services              | 316,090             | 105,363            | 87,626             | (17,737)         |
| Recreation And Sport           | 1,476,980           | 492,327            | 518,990            | 26,663           |
| Revenues And Benefits          | 682,780             | 227,593            | 213,357            | (14,236)         |
| Waste Services                 | 1,703,400           | 567,800            | 568,792            | 992              |
|                                | <b>10,648,610</b>   | <b>3,549,537</b>   | <b>3,535,433</b>   | <b>(14,104)</b>  |
| <b>Housing Revenue Account</b> |                     |                    |                    |                  |
| BHO09 Repairs And Maintenance  | 947,660             | 315,887            | 321,088            | 5,201            |
| BHO10 Supervision & Management | 1,315,080           | 438,360            | 449,881            | 11,521           |
| BHO11 Special Services         | 230,340             | 76,780             | 38,779             | (38,001)         |
|                                | <b>2,493,080</b>    | <b>831,027</b>     | <b>809,748</b>     | <b>(21,279)</b>  |
| <b>Total</b>                   | <b>£ 13,141,690</b> | <b>£ 4,380,564</b> | <b>£ 4,345,181</b> | <b>£(35,383)</b> |

|                                | 2015/16        | 2015/16         | 2015/16        | 2015/16        |
|--------------------------------|----------------|-----------------|----------------|----------------|
|                                | Annual Budget  | Profiled Budget | Actual         | Variance       |
|                                | £              | £               | £              | £              |
| <b>Agency Staff</b>            |                |                 |                |                |
| <b>General Fund</b>            |                |                 |                |                |
| Car Parks                      | 0              | 0               | 0              | 0              |
| Community Development          | 0              | 0               | 0              | 0              |
| Corporate Management           | 0              | 0               | 0              | 0              |
| Customer Services              | 0              | 0               | 0              | 0              |
| Environmental Services         | 0              | 0               | 4,373          | 4,373          |
| Finance And Performance        | 0              | 0               | 0              | 0              |
| General Fund Housing           | 0              | 0               | 0              | 0              |
| Grounds Maintenance            | 5,000          | 1,667           | 4,609          | 2,942          |
| Human Resources                | 0              | 0               | 0              | 0              |
| I.T. Services                  | 0              | 0               | 0              | 0              |
| Legal & Democratic Services    | 0              | 0               | 0              | 0              |
| Planning And Regeneration      | 0              | 0               | 0              | 0              |
| Property Services              | 0              | 0               | 12,947         | 12,947         |
| Recreation And Sport           | 0              | 0               | 0              | 0              |
| Revenues And Benefits          | 0              | 0               | 16,769         | 16,769         |
| Waste Services                 | 30,000         | 10,000          | 16,207         | 6,207          |
|                                | <b>35,000</b>  | <b>11,667</b>   | <b>54,905</b>  | <b>43,238</b>  |
| <b>Housing Revenue Account</b> |                |                 |                |                |
| BHO09 Repairs And Maintenance  | 2,000          | 667             | 0              | (667)          |
| BHO10 Supervision & Management | 0              | 0               | 758            | 758            |
| BHO11 Special Services         | 0              | 0               | 0              | 0              |
|                                | <b>2,000</b>   | <b>667</b>      | <b>758</b>     | <b>91</b>      |
| <b>Total</b>                   | <b>£37,000</b> | <b>£12,334</b>  | <b>£55,663</b> | <b>£43,329</b> |

**HOUSING REVENUE ACCOUNT FINANCIAL MONITORING INFORMATION FOR THE PERIOD 01 APRIL TO 31 JULY 2015**

|   |       | 2015/16 Annual Budget | Forecast        | Variance     |
|---|-------|-----------------------|-----------------|--------------|
| Housing Revenue Account (HRA)                     | Notes | £                     | £               | %            |
| SHO01 Dwelling Rents Income                       | A     | (12,810,600)          | 13,000          | -0.1%        |
| SHO04 Non Dwelling Rents Income                   | B     | (519,780)             | (10,000)        | 1.9%         |
| SHO06 Tenant Charges For Services                 | C     | (30,980)              | (10,000)        | 32.3%        |
| SHO07 Leaseholders' Service Charges               | D     | (19,840)              | 0               | 0.0%         |
| SHO08 Contributions Towards Expenditure           | E     | (34,970)              | 0               | 0.0%         |
| SHO09 Alarm Income - Non Tenants                  | F     | (138,170)             | (41,000)        | 29.7%        |
| SHO10 H.R.A. Investment Income                    | G     | (40,000)              | 0               | 0.0%         |
| SHO11 Miscellaneous Income                        | H     | (19,000)              | (5,000)         | 26.3%        |
| SHO13A Repairs & Maintenance                      | I     | 3,274,710             | (3,000)         | 0.0%         |
| SHO17A Housing & Tenancy Services                 | J     | 1,358,850             | 27,000          | 2.0%         |
| SHO22 Alarms & L.D. Wardens expenditure           | K     | 178,700               | 15,000          | 8.4%         |
| SHO29 Bad Debt Provision Movement                 | L     | 25,000                | 0               | 0.0%         |
| SHO30 Share Of Corporate And Democratic           | M     | 202,890               | 0               | 0.0%         |
| SHO32 H.R.A. Interest Payable                     | N     | 1,323,820             | 0               | 0.0%         |
| SHO34 H.R.A. Transfers between earmarked reserves | O     | 2,589,500             | 0               | 0.0%         |
| SHO36 H.R.A. R.C.C.O.                             | P     | 139,000               | 0               | 0.0%         |
| SHO37 Capital Receipts Reserve Adjustment         | Q     | (15,600)              | 0               | 0.0%         |
| SHO38 Major Repairs Allowance                     | R     | 1,986,590             | 0               | 0.0%         |
| SHO45 Renewable Energy Transactions               | S     | (150,000)             | 0               | 0.0%         |
|   |       | <b>(2,699,880)</b>    | <b>(14,000)</b> | <b>-0.5%</b> |
| Net recharge to HRA                               |       | 1,223,440             |                 |              |
| Capital Charges                                   |       | 1,476,440             |                 |              |
| <b>Net Housing Revenue Account Budget</b>         |       | <b>0</b>              |                 |              |

| Housing Revenue Account                    | £k             |
|--|----------------|
| Total HRA reserve as at 01/04/14           | (2,000)        |
| Forecast variance for the year (see above) | (14)           |
| <b>Forecast HRA reserve as at 31/03/15</b> | <b>(2,014)</b> |

| Housing Maintenance Fund                            | £k             |
|---|----------------|
| Opening balance                                     | (6,360)        |
| Amount required to fund MRA works                   | 914            |
| Reserve utilised for capital works (see appendix G) | 5,001          |
| Budgeted transfer to reserves                       | (2,465)        |
| <b>Forecast closing balance</b>                     | <b>(2,910)</b> |

| Renewable Energy Fund                               | £k           |
|---|--------------|
| Opening balance                                     | (370)        |
| Expenditure forecast for this year (see appendix G) | 270          |
| Income forecast for this year                       | (150)        |
| <b>Forecast closing balance</b>                     | <b>(250)</b> |



**HOUSING REVENUE ACCOUNT FINANCIAL MONITORING INFORMATION FOR THE PERIOD 01 APRIL TO 31 JULY 2015**

| Note     | Description of Major Movements  | Corrective Action | Forecast Variance<br>£ |
|----------|---|-------------------|------------------------|
|          |   |                   |                        |
| <b>A</b> | Slight variance in rent against budget (0.1%)   | None              | 13,000                 |
| <b>B</b> | Garage rents ahead of target so far   | N/A               | (10,000)               |
| <b>C</b> | LD warden contract generating more revenue than budgeted                                    | N/A               | (10,000)               |
| <b>F</b> | Excellent performance of community alarms, both in the tenant population and private sector | N/A               | (41,000)               |
| <b>H</b> | Sale of a piece of land has generated income in excess of budget                            | N/A               | (5,000)                |
| <b>I</b> | Minor variance  | N/A               | (3,000)                |
| <b>J</b> | Unbudgeted structural repair work planned at £27k   | None              | 27,000                 |
| <b>K</b> | Final costs of wrapping up warden service   | None              | 15,000                 |
|          |   |                   |                        |
|          |   | <b>TOTAL</b>      | <b>(14,000)</b>        |

MID DEVON DISTRICT COUNCIL  
MONITORING OF 2015/16 CAPITAL PROGRAMME

| Code  | Scheme  | Adjusted approved Programme 2015/16 £ | Actual Expenditure | Committed Expenditure | Total          | Variance to Adj Capital Programme | Forecast (Under/overspend) | Forecast Shippage to 16/17 | Notes   |
|---|---|---------------------------------------|--------------------|-----------------------|----------------|-----------------------------------|----------------------------|----------------------------|---|
|   |   | £                                     | £                  | £                     | £              | £                                 | £                          | £                          |   |
| <b><u>Estates Management</u></b>            |   |                                       |                    |                       |                |                                   |                            |                            |   |
| <b><u>Leisure – Site Specific</u></b>       |   |                                       |                    |                       |                |                                   |                            |                            |   |
| CA624                                       | Lords Meadow Leisure Centre, Main car park resurfacing                                  | 50,000                                | 0                  | 0                     | 0              | (50,000)                          |                            |                            | Project due to be delivered in Q3 15/16   |
| CA625                                       | Squash Court roof improvements  | 20,000                                | 0                  | 0                     | 0              | (20,000)                          |                            |                            | Project due to be delivered in Q3 15/16. If under £20k cost will need to go to Revenue  |
| CA626                                       | Fitness gym extension   | 500,000                               | 0                  | 0                     | 0              | (500,000)                         |                            |                            | Expenses included per Leisure consultants report - further work required & subject to Business Case demonstrating acceptable payback period         |
| <b><u>Other MDDC Buildings</u></b>          |   |                                       |                    |                       |                |                                   |                            |                            |   |
| CA403                                       | Town Hall Redevelopment Project   | 46,000                                | 4,252              | 12,481                | 16,743         | (29,257)                          |                            |                            | Linked to New Build St Andrews Street CA113. Will be used for improvements to Main Lane   |
| CA709                                       | MSCP Improvements   | 89,000                                | (7,098)            | 7,098                 | 0              | (89,000)                          |                            |                            | This work is on hold depending on the outcome of the proposed Premier Inn development. 17% retention payment on hold until remedial works completed |
| CA608                                       | Play area refurbishment - Wilcombe Tiverton   | 50,000                                | 0                  | 0                     | 0              | (50,000)                          |                            |                            | Project due to be delivered in Q4 15/16. Possible S106 funding contribution   |
| <b><u>Other Projects</u></b>                |   |                                       |                    |                       |                |                                   |                            |                            |   |
| CA420                                       | Land drainage flood defence schemes - Avelagh Park Bampton                              | 67,000                                | 0                  | 0                     | 0              | (67,000)                          |                            |                            | Project due to be delivered in Q1 16/17. circa £75k with £20k DCC funding   |
| CA431                                       | Public Conveniences - Lowman Green, Tiverton remodel for work subject to payback period | 100,000                               | 0                  | 0                     | 0              | (100,000)                         |                            |                            | Budget increased by £48k per Cabinet Report 30/07/15. Morgan Smith will commence work in Sept   |
| CA448                                       | Angle Hill improvements   | 20,000                                | 0                  | 0                     | 0              | (20,000)                          |                            |                            |   |
| <b><u>ICT Projects</u></b>                  |   |                                       |                    |                       |                |                                   |                            |                            |   |
| CA421                                       | Replacement of PC estate 330s   | 40,000                                | 0                  | 0                     | 0              | (40,000)                          |                            |                            |   |
| CA422                                       | Continued replacement of WANLAN   | 60,000                                | 0                  | 0                     | 0              | (60,000)                          |                            |                            |   |
| CA423                                       | Server farm expansion/upgrade   | 88,000                                | 0                  | 0                     | 0              | (88,000)                          |                            |                            |   |
| CA424                                       | United Comm telephony   | 107,000                               | 0                  | 0                     | 0              | (107,000)                         |                            |                            |   |
| CA425                                       | Web Transformation  | 26,000                                | (1,059)            | 1,059                 | 0              | (26,000)                          |                            |                            |   |
| CA426                                       | Digital Transformation - Customer Portal  | 89,000                                | 12,679             | 7,579                 | 20,259         | (68,741)                          |                            |                            |   |
| CA427                                       | Digital Transformation - Customer Portal  | 45,000                                | 0                  | 0                     | 0              | (45,000)                          |                            |                            |   |
| CA428                                       | Mobile Working ROL MK   | 20,000                                | 11,822             | 120                   | 12,042         | (8,000)                           |                            |                            |   |
| CA429                                       | Mobile Working ROL MK   | 20,000                                | 0                  | 0                     | 0              | (20,000)                          |                            |                            |   |
| CA430                                       | Mobile Working ROL MK   | 40,000                                | 0                  | 0                     | 0              | (40,000)                          |                            |                            |   |
| CA431                                       | Mobile Working ROL MK   | 25,000                                | 0                  | 0                     | 0              | (25,000)                          |                            |                            |   |
| CA432                                       | Members Mobile  | 20,000                                | 0                  | 0                     | 0              | (20,000)                          |                            |                            |   |
| CA433                                       | SQL/tables refreshes  | 90,000                                | 0                  | 0                     | 0              | (90,000)                          |                            |                            |   |
| CA434                                       | hCab  | 20,000                                | 0                  | 0                     | 0              | (20,000)                          |                            |                            |   |
| CA435                                       | E-Financials Technical refresh  | 20,000                                | 0                  | 0                     | 0              | (20,000)                          |                            |                            |   |
| CA436                                       | E-Financials Technical refresh  | 20,000                                | 0                  | 0                     | 0              | (20,000)                          |                            |                            |   |
| CA437                                       | Uniform Technical refresh   | 20,000                                | 0                  | 0                     | 0              | (20,000)                          |                            |                            |   |
| <b><u>Economic Development Projects</u></b> |   |                                       |                    |                       |                |                                   |                            |                            |   |
| CA504                                       | Schemes as yet to be identified   | 270,000                               | 0                  | 0                     | 0              | (270,000)                         |                            |                            | See comment on CA507 below  |
| CA505                                       | Tiverton Panier Market Walkway Roof   | 110,000                               | 0                  | 0                     | 0              | (110,000)                         |                            |                            | The Tender for this project is due in mid Sept. When full cost identified sufficient budget will be provided from CA504                             |
| CA507                                       | Tiverton Panier Market Pigeons  | 3,808                                 | 3,808              | 0                     | 3,808          | 0                                 |                            |                            |   |
| <b><u>Replacement Vehicles</u></b>          |   |                                       |                    |                       |                |                                   |                            |                            |   |
| <b><u>Grounds Maintenance</u></b>           |   |                                       |                    |                       |                |                                   |                            |                            |   |
| CA712                                       | Iveco Tipper (or equivalent)  | 24,000                                | 0                  | 0                     | 0              | (24,000)                          |                            |                            | Discount achieved in procuring this vehicle   |
| CA713                                       | Iveco Tractor   | 34,000                                | 28,800             | 0                     | 28,800         | (5,500)                           | (5,500)                    |                            |   |
| <b><u>Street Cleaning</u></b>               |   |                                       |                    |                       |                |                                   |                            |                            |   |
| CA619                                       | Green Machine ride-On Sweeper (or equivalent)   | 25,000                                | 0                  | 0                     | 0              | (25,000)                          |                            |                            |   |
| CA620                                       | Green Machine ride-On Sweeper (or equivalent)   | 25,000                                | 0                  | 0                     | 0              | (25,000)                          |                            |                            |   |
| <b><u>Refuse Collection</u></b>             |   |                                       |                    |                       |                |                                   |                            |                            |   |
| CA814                                       | Demis Eagle Tenberg RCV 22.26 (or equivalent)   | 160,000                               | 0                  | 0                     | 0              | (160,000)                         |                            |                            |   |
| CA821                                       | 5* Refuse Vehicles with food waste capability   | 740,000                               | 0                  | 0                     | 0              | (740,000)                         |                            |                            |   |
| CA822                                       | Iveco Tipper 7t (or equivalent)   | 35,000                                | 0                  | 0                     | 0              | (35,000)                          |                            |                            |   |
| <b><u>Recycling</u></b>                     |   |                                       |                    |                       |                |                                   |                            |                            |   |
| CA816                                       | 10 x very heavy capacity Cabstar recycling 4x4 loader 4.5t                              | 65,000                                | 0                  | 0                     | 0              | (65,000)                          |                            |                            |   |
| CA823                                       | Urban recycling vehicle   | 61,000                                | 0                  | 85,500                | 85,500         | 4,500                             |                            |                            |   |
| <b><u>CCTV Initiatives</u></b>              |   |                                       |                    |                       |                |                                   |                            |                            |   |
| CA449                                       | Town centre/Market area fibre optic hub and camera system                               | 40,000                                | 0                  | 0                     | 0              | (40,000)                          |                            |                            |   |
| <b><u>Waste &amp; Recycling</u></b>         |   |                                       |                    |                       |                |                                   |                            |                            |   |
| CA824                                       | New Refuse & Recycling scheme Oct'15  | 276,000                               | 97,452             | 0                     | 97,452         | (178,548)                         |                            |                            | Garden waste project due to commence Oct'15   |
|   |   | <b>3,566,000</b>                      | <b>150,257</b>     | <b>113,877</b>        | <b>364,134</b> | <b>(3,301,866)</b>                | <b>(5,900)</b>             | <b>67,000</b>              |   |

| Code  | Scheme  | Adjusted approved Capital Programme 2016/17 | Actual Expenditure | Committed Expenditure | Total     | Variance to Adj Capital Programme | Forecast (Under spend)/ Overspend | Forecast (Under spend)/ Overspend to 16/17 | Notes  |
|-------|---|---|--------------------|-----------------------|-----------|-----------------------------------|-----------------------------------|--|--|
|       |   | £   | £                  | £                     | £         | £                                 | £                                 | £  |  |
|       | <b>Private Sector Housing Grants</b>  |   |                    |                       |           |                                   |                                   |  |  |
| C6216 | Private Sector Housing Initiatives to be prioritised  | 102,000                                     | 0                  | 0                     | 0         | (102,000)                         |                                   |  |  |
| C6201 | Disabled Facilities Grants-Private Sector   | 590,000                                     | 109,247            | 87,191                | 196,437   | (393,563)                         |                                   |  |  |
| C6202 | Houses in Multiple Occupation Grants  |   | 4,072              | 606                   | 4,672     |                                   |                                   |  |  |
| C6203 | Home Repair Assisted Grants   |   | 752                | 752                   | 752       |                                   |                                   |  |  |
| C6205 | House Renovation Grants   |   |                    |                       |           |                                   |                                   |  |  |
|       | Please note where possible commitments are raised on the Finance Ledger. Currently the total commitment for Private Sector Housing Grants held outside the budget is £33k. This underspend includes underspent budget on Private Tenant DFOs amounting to £234k; these are effectively ring fenced, therefore leaving £89k uncommitted (£490k - £234k). Commitments include all approved grants. The timing of when these are drawn down is dependent on the client (up to 1 year), therefore at year end although sums may be committed, some may be carried forward to 2016/17 as a slippage. | 692,000                                     | 109,247            | 92,621                | 201,868   | (489,132)                         | 0                                 | 0  |  |
|       | <b>Affordable Housing Projects</b>  |   |                    |                       |           |                                   |                                   |  |  |
| C4200 | Affordable Housing (0.67 FTE  | 21,000                                      | 6,623              | 0                     | 6,623     | (14,377)                          |                                   |  |  |
| C4200 | Grants to Housing Associations to provide units (funded by committed sum)   | 300,000                                     | 5,000              | 0                     | 5,000     | (295,000)                         |                                   |  |  |
|       |   | 321,000                                     | 11,623             | -                     | 11,623    | (309,377)                         | 0                                 | 0  |  |
|       | <b>HRA Projects</b>   |   |                    |                       |           |                                   |                                   |  |  |
| CA100 | Housing Maintenance Fund  | 2,900,000                                   | 278,126            | 1,244,240             | 1,522,366 | (1,374,634)                       |                                   | 120,000                                    | £120k will be prioritised for spending in 16/17  |
| CA111 | Renewable Energy Fund Spend   | 270,000                                     | 55,815             | 0                     | 55,815    | (214,185)                         |                                   |  | £20k HCA grant approved. Tenderer in cooperation with CA116 (see below)  |
| CA112 | Birchen Lane - re development of unit for housing conversion  | 170,000                                     | 5,193              | 0                     | 5,193     | (164,807)                         |                                   |  | £10k HCA grant approved. Tenderer in cooperation with CA116 (see below)  |
| CA113 | Council House Building - St Andrews Street  | 419,000                                     | 304,680            | 188,635               | 493,315   | 72,515                            |                                   |  | £229k (see on completion of scheme)  |
| C6200 | Disabled Facilities Grants - Council Houses   | 291,000                                     | 170,222            | 0                     | 170,222   | (120,778)                         |                                   |  | Budget adjusted as £41k spent in CA 14/15. HCA bid being worked on (26 Dwellings). Additional survey works to clarify tender price   |
| CA119 | Palmerston Park Thorton - affordable dwellings  | 3,399,000                                   | 48,801             | 20,360                | 69,161    | (3,389,919)                       |                                   |  | Budget adjusted as £41k spent in CA 14/15. HCA bid being worked on (26 Dwellings). Additional survey works to clarify tender price   |
| CA120 | CA1 allotment site Burdyscombe (6 units)  | 694,000                                     | 0                  | 6,000                 | 6,000     | (688,000)                         |                                   |  | Budget adjusted as £1k spent in CA 14/15. Scheme subject to planning permission. CA120k will be spent on a scheme at Walsfield. It will include some owner contributions. Other smaller projects will be under £100k & therefore cost to revenue |
| CA124 | Queensway Thorton (2 units)   | 299,000                                     | 0                  | 0                     | 0         | (299,000)                         |                                   |  |  |
| CA102 | Sewage Pumping Stations   | 60,000                                      | (625)              | 0                     | (625)     | (6,525)                           | (25,000)                          |  |  |
| CA121 | HRA Digital Transformation  | 30,000                                      | 0                  | 0                     | 0         | (30,000)                          |                                   |  |  |
|       | <b>Replacement Vehicles - Housing Repairs</b>   |   |                    |                       |           |                                   |                                   |  |  |
| CA122 | Neco Tipper 3.5t (or equivalent)  | 24,000                                      | 0                  | 0                     | 0         | (24,000)                          |                                   |  |  |
| CA123 | Neco Tipper 7t (or equivalent)  | 35,000                                      | 0                  | 0                     | 0         | (35,000)                          |                                   |  |  |
|       |   | 9,141,000                                   | 862,312            | 1,467,655             | 2,319,967 | (6,851,033)                       | (25,000)                          | 120,000                                    |  |
|       | <b>CAPITAL PROGRAMME GRAND TOTAL</b>  | 13,720,000                                  | 1,133,639          | 1,684,154             | 2,797,792 | (10,952,208)                      | (26,000)                          | 197,000                                    |  |

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**CABINET**  
**27 AUGUST 2015:**

## **PERFORMANCE AND RISK REPORT FOR THE FIRST QUARTER OF 2015-16**

**Cabinet Member** Cllr Clive Eginton  
**Responsible Officer** Head of Communities & Governance

**Reason for Report:** To provide Members with an update on performance against the corporate plan and local service targets for 2015-16 as well as providing an update on the key business risks.

**RECOMMENDATION:** That the Cabinet reviews the Performance Indicators and Risks that are outlined in this report and feeds back any areas of concern.

**Relationship to Corporate Plan:** Corporate Plan priorities and targets are effectively maintained through the use of appropriate performance indicators and regular monitoring.

**Financial Implications:** None identified

**Legal Implications:** None

**Risk Assessment:** If performance is not monitored we may fail to meet our corporate and local service plan targets or to take appropriate corrective action where necessary. If key business risks are not identified and monitored they cannot be mitigated effectively.

### **1.0 Introduction**

- 1.1 Appendices 1-6 provide Members with details of performance against the Corporate Plan and local service targets for the 2015-16 financial year.
- 1.2 Appendix 7 shows the higher impact risks from the Corporate Risk Register. This includes operational and Health and Safety risks where the score meets the criteria for inclusion
- 1.3 All appendices are produced from SPAR, the Corporate Service Performance and Risk Management system.
- 1.4 When benchmarking information is available it is included.

### **2.0 Performance**

#### Managing the Environment Portfolio - Appendix 1

- 2.1 The **carbon footprint** results for 2014-15 are now available; Pre degree-day adjustment is 28.2% and post degree-day adjustment is 21.7%. These should be viewed as one-off as they are a result of the Anesco spend to save project. Going forward the savings year on year will be closer to the usual 2% target.

2.2 The PIs have been provided for this quarter for **waste** but please be aware that they are currently un-verified by Waste Data Flow so they could change slightly. The missed collections have been given in numbers and % terms.

2.3 There is a new PI regarding **Fixed Penalty Notices** for your information.

#### Decent and affordable Homes Portfolio - Appendix 2

2.4 **Repairs** performance is generally on target. The interpretation of “% repairs completed at first visit” is under review at the moment as the Housemark definition is unrealistically strict.

2.2 For **rent collection** we are looking into profiling the target to make it more accurate. Some other PIs are already reported this way.

2.3 The position regarding % **decent, gas safety certificates** and **voids** can be found on Appendix 2.

#### Community Well Being Portfolio - Appendix 3

2.7 For Q1 the number of **empty shops** in all 3 main towns is below the “target” which is good but the number of empty shops in Tiverton has noticeably increased from Q4 2014/15 however as at 30 June this has reduced again.

2.8 For **leisure** retention of members is good but the operational recovery rate is currently below target.

#### Planning and Regeneration Portfolio - Appendix 4

2.11 It continues to be a challenging period for the **Planning** Service in terms of staffing. Recruitment has been undertaken to replace the majority of vacancies. New members of staff have recently arrived or are expected shortly. Whilst the staffing situation has improved during this first quarter, the development management team is not yet at full complement and staffing change within this team will continue throughout the financial year as a result of maternity leave and associated cover arrangements. Priority continues to be given to meeting all the critical targets in relation to special measures and timescales that would result in a cost to MDDC if they were not met.

#### Working Environment Portfolio - Appendix 5

2.12 Although below the current target, the **sickness** figures continue to be monitored closely and we are working with managers to ensure that they always complete return to work interviews and follow the appropriate path i.e. capability if there is an issue.

2.13 There have been a few teething problems with the statistics for **Customer First** as a result of the new website and complaints system being introduced. The information will become more reliable as the year progresses.

Finance Portfolio - Appendix 6

2.14 Both % **Council Tax** and % **NDR** collected are slightly below target at present.

**3.0 Risk**

3.1 The Corporate risk register is reviewed by Management Team (MT) and updated. Risk reports to committees include risks with a total score of 15 or more and all those with an impact score of 5. (Appendix 7)

3.2 Service and Corporate Business risks will be reviewed when the Corporate Plan for 2015-19 is published.

3.2 The profile of these risks for this quarter is:

|               |          |                   |          |          |          |          |
|---------------|----------|-------------------|----------|----------|----------|----------|
| <b>Impact</b> | <b>5</b> | <b>15</b>         | <b>2</b> |          |          |          |
|               | <b>4</b> |                   |          |          |          |          |
|               | <b>3</b> |                   |          |          |          |          |
|               | <b>2</b> |                   |          |          |          |          |
|               | <b>1</b> |                   |          |          |          |          |
|               |          | <b>1</b>          | <b>2</b> | <b>3</b> | <b>4</b> | <b>5</b> |
|               |          | <b>Likelihood</b> |          |          |          |          |

**4.0 Conclusion and Recommendation**

4.1 That the Cabinet reviews the performance indicators and risks that are outlined in this report and feeds back any areas of concern.

**Contact for more Information:** Amy Tregellas, Head of Communities & Governance ext 4246

**Circulation of the Report:** Management Team and Cabinet Member

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## MTE PDG Performance Report - Appendix 1

Quarterly report for 2015-2016

No headings

For Environment - Cllr Neal Davey Portfolio

For MDDC - Services

Filtered by Performance Status: Exclude PI Status: Data not due, Not calculable

*Key to Performance Status:*

|                         |         |                   |              |           |              |                   |
|-------------------------|---------|-------------------|--------------|-----------|--------------|-------------------|
| Performance Indicators: | No Data | Well below target | Below target | On target | Above target | Well above target |
|-------------------------|---------|-------------------|--------------|-----------|--------------|-------------------|

### MTE PDG Performance Report - Appendix 1

| Performance Indicators  |  |               |               |                |        |        |        |        |
|---|--|---------------|---------------|----------------|--------|--------|--------|--------|
| Status  | Title  | Prev Year End | Annual Target | Current Target | Q1 Act | Q2 Act | Q3 Act | Q4 Act |
| Well below target   | <u>Number of Fixed Penalty Notices (FPNs) Issued (Environment)</u>             | n/a           | 20            | 5 (1/4)        | 2      |        |        |        |
| <b>Management Notes:</b>  |  |               |               |                |        |        |        |        |
| Above target  | <u>Residual household waste per head</u>                                       | 462.6         | 455.00        | 113.75 (1/4)   | 108.12 |        |        |        |
| <b>Management Notes:</b><br>(Quarter 1)   |  |               |               |                |        |        |        |        |
| Estimate as currently waiting for figures to be verified by Waste Data Flow at DCC.   |  |               |               |                |        |        |        |        |
| (SK)  |  |               |               |                |        |        |        |        |
| Data not entered  | <u>% of Household Waste Reuse, Recycled and Composted</u>                      | 48.2%         | 52.0%         | 52.0%          |        |        |        |        |
| <b>Management Notes:</b><br>(Quarter 1)   |  |               |               |                |        |        |        |        |
| The recycling rate should not be published until all information is confirmed by DCC and entered on Waste Data Flow. This is normally completed 6-8 weeks after period end. |  |               |               |                |        |        |        |        |
| (SK)  |  |               |               |                |        |        |        |        |
| On target   | <u>Number of Households on Chargeable Garden Waste</u>                         | n/a           | 15%           | 0% (1/4)       | 0%     |        |        |        |
| <b>Management Notes:</b><br>(Quarter 1)   |  |               |               |                |        |        |        |        |
| Scheme not due to start until Q3  |  |               |               |                |        |        |        |        |
| (SK)  |  |               |               |                |        |        |        |        |
| Well above target   | <u>% of missed collections reported per Quarter (refuse and organic waste)</u> | 0.10%         | 0.03%         | 0.03% (1/4)    | 0.02%  |        |        |        |
| <b>Management Notes:</b>  |  |               |               |                |        |        |        |        |
| Well below target   | <u>% of Missed Collections logged per Quarter (recycling)</u>                  | 0.13%         | 0.03%         | 0.03% (1/4)    | 0.05%  |        |        |        |
| <b>Management Notes:</b><br>(Quarter 1)   |  |               |               |                |        |        |        |        |
| Above target due to new scheme start and use of agency staff  |  |               |               |                |        |        |        |        |
| (SK)  |  |               |               |                |        |        |        |        |

## MTE PDG Performance Report - Appendix 1

| Performance Indicators   |   |               |               |                |        |        |        |        |
|--|---|---------------|---------------|----------------|--------|--------|--------|--------|
| Status   | Title   | Prev Year End | Annual Target | Current Target | Q1 Act | Q2 Act | Q3 Act | Q4 Act |
| Well above target  | <u>Number of Missed Collections reported per Quarter (refuse and organic waste)</u> | 1,797         | 540           | 135 (1/4)      | 99     |        |        |        |
| <p><b>Management Notes:</b><br/>(Quarter 1)</p> <p>The roll out for the new scheme started on 1st June 2015. Reports of missed collections rose due to residents who had not yet received their green box leaving cardboard as side waste instead of contained in the brown bin.</p> <p>(CY)</p> |   |               |               |                |        |        |        |        |
| Well below target  | <u>Number of Missed Collections reported per Quarter (Recycling)</u>                | 1,162         | 270           | 68 (1/4)       | 126    |        |        |        |
| <p><b>Management Notes:</b><br/>(Quarter 1)</p> <p>Above target due to new scheme start and use of agency staff.</p> <p>(SK)</p>   |   |               |               |                |        |        |        |        |

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## DAH PDG Performance Report - Appendix 1

Quarterly report for 2015-2016

No headings

For Decent and Affordable Homes - Cllr Ray Stanley Portfolio

For MDDC - Services

Filtered by Performance Status: Exclude PI Status: Data not due, Not calculable

*Key to Performance Status:*

|                         |         |                   |              |           |              |                   |
|-------------------------|---------|-------------------|--------------|-----------|--------------|-------------------|
| Performance Indicators: | No Data | Well below target | Below target | On target | Above target | Well above target |
|-------------------------|---------|-------------------|--------------|-----------|--------------|-------------------|

### DAH PDG Performance Report - Appendix 1

| Performance Indicators  |  |               |               |                 |          |        |        |        |
|---|--|---------------|---------------|-----------------|----------|--------|--------|--------|
| Status  | Title  | Prev Year End | Annual Target | Current Target  | Q1 Act   | Q2 Act | Q3 Act | Q4 Act |
| On target   | <u>% Emergency Repairs Completed on Time</u>             | 100.00%       | 100.00%       | 100.00% (3/12)  | 100.00%  |        |        |        |
| <b>Management Notes:</b>  |  |               |               |                 |          |        |        |        |
| On target   | <u>% Urgent Repairs Completed on Time</u>                | 99.94%        | 100.00%       | 100.00% (3/12)  | 100.00%  |        |        |        |
| <b>Management Notes:</b>  |  |               |               |                 |          |        |        |        |
| On target   | <u>% Routine Repairs Completed on Time</u>               | 99.98%        | 100.00%       | 100.00% (3/12)  | 100.00%  |        |        |        |
| <b>Management Notes:</b>  |  |               |               |                 |          |        |        |        |
| Below target  | <u>% Repairs Completed at First Visit</u>                | 99.87%        | 100.00%       | 100.00% (3/12)  | 98.28%   |        |        |        |
| <b>Management Notes:</b>  |  |               |               |                 |          |        |        |        |
| Below target  | <u>Rent Collected as a Proportion of Rent Owed</u>       | 100.09%       | 100.75%       | 100.75% (3/12)  | 96.96%   |        |        |        |
| <b>Management Notes:</b>  |  |               |               |                 |          |        |        |        |
| Above target  | <u>Rent Arrears as a Proportion of Annual Rent Debit</u> | 0.60%         | 1.00%         | 1.00% (3/12)    | 0.94%    |        |        |        |
| <b>Management Notes:</b>  |  |               |               |                 |          |        |        |        |
| Below target  | <u>% Decent Council Homes</u>                            | 100.00%       | 100.00%       | 100.00% (3/12)  | 96.25%   |        |        |        |
| <b>Management Notes:</b>  |  |               |               |                 |          |        |        |        |
| (June)  |  |               |               |                 |          |        |        |        |
| At the beginning of each financial year our asset management database flags up a number of properties that will become non decent for one reason or another throughout the year. As the year progresses the non decent properties will be picked up as part of the main contract we have running it is envisaged that at the year end they will be once again 100% decent |  |               |               |                 |          |        |        |        |
| (SB)  |  |               |               |                 |          |        |        |        |
| Below target  | <u>% Properties With a Valid Gas Safety Certificate</u>  | 99.86%        | 100.00%       | 100.00% (3/12)  | 99.72%   |        |        |        |
| <b>Management Notes:</b>  |  |               |               |                 |          |        |        |        |
| (June)  |  |               |               |                 |          |        |        |        |
| Six properties failed due to tenants not allowing contractor access to carry out checks and issue the Landlord's Gas Safety Record.   |  |               |               |                 |          |        |        |        |
| (WD)  |  |               |               |                 |          |        |        |        |
| Above   | <u>Average Days to Re-Let</u>                            | 14.9days      | 17.0days      | 17.0days (3/12) | 16.3days |        |        |        |

## DAH PDG Performance Report - Appendix 1

| Performance Indicators   |  |               |                                  |                                  |        |        |        |        |
|--|--|---------------|----------------------------------|----------------------------------|--------|--------|--------|--------|
| Status   | Title                                  | Prev Year End | Annual Target                    | Current Target                   | Q1 Act | Q2 Act | Q3 Act | Q4 Act |
| target   | <u>Local Authority Housing</u>         |               |                                  |                                  |        |        |        |        |
| <b>Management Notes:</b>   |  |               |                                  |                                  |        |        |        |        |
| No Target  | <u>Dwelling rent lost due to voids</u> | n/a           | no target - for information only | no target - for information only | 0.73%  |        |        |        |
| <b>Management Notes:</b><br>(April - June)<br><br>Rent loss for Q1 £23,617<br><br>(AH) |  |               |                                  |                                  |        |        |        |        |

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## CWB PDG Performance Report - Appendix 3

Quarterly report for 2015-2016

No headings

For Community Well-Being - Cllr Colin Slade Portfolio

For MDDC - Services

Filtered by Performance Status: Exclude PI Status: Data not due, Not calculable

*Key to Performance Status:*

|                         |         |                   |              |           |              |                   |
|-------------------------|---------|-------------------|--------------|-----------|--------------|-------------------|
| Performance Indicators: | No Data | Well below target | Below target | On target | Above target | Well above target |
|-------------------------|---------|-------------------|--------------|-----------|--------------|-------------------|

### CWB PDG Performance Report - Appendix 3

| Performance Indicators  |  |               |               |                |        |        |        |        |
|---|--|---------------|---------------|----------------|--------|--------|--------|--------|
| Status  | Definition   | Prev Year End | Annual Target | Current Target | Q1 Act | Q2 Act | Q3 Act | Q4 Act |
| Well above target   | <u>The number of Empty Shops. (TIVERTON)</u>   | 12            | 20            | 20 (1/4)       | 17     |        |        |        |
| <b>Management Notes:</b><br>(Quarter 1)   |  |               |               |                |        |        |        |        |
| 17 empty shops out of 246 shops = 6.91% of shops in Tiverton were empty at the time of the survey in April 2015   |  |               |               |                |        |        |        |        |
| (AT)  |  |               |               |                |        |        |        |        |
| Above target  | <u>The number of Empty Shops. (CREDITON)</u>   | 10            | 10            | 10 (1/4)       | 9      |        |        |        |
| <b>Management Notes:</b><br>(Quarter 1)   |  |               |               |                |        |        |        |        |
| 9 empty shops out of 118 shops = 7.63% of shops in Crediton were empty at the time of the survey in April 2015  |  |               |               |                |        |        |        |        |
| (AT)  |  |               |               |                |        |        |        |        |
| Well above target   | <u>The number of Empty Shops (CULLOMPTON)</u>  | 11            | 14            | 14 (1/4)       | 12     |        |        |        |
| <b>Management Notes:</b><br>(Quarter 1)   |  |               |               |                |        |        |        |        |
| 12 empty shops out of 94 shops = 12.77% of shops in Cullompton were empty at the time of the survey in April 2015   |  |               |               |                |        |        |        |        |
| (AT)  |  |               |               |                |        |        |        |        |
| Well below target   | <u>The percentage of Leisure's operational expenditure recovered through customer receipts</u> | 88.16%        | 88.50%        | 88.50% (1/4)   | 79.19% |        |        |        |
| <b>Management Notes:</b><br>(Quarter 1)   |  |               |               |                |        |        |        |        |
| Reasons as to why the PI is below target were highlighted as: we are overspent on maintenance; some unplanned fixes to some plant but also the repainting and cleaning of the tennis courts at Exe Valley, also paying for the feasibility study for the EVLC extension. Coupled with this we have a delay in some membership income coming to us – we did some 15 months for 9 last year and income is expected to come in October so the phasing is a bit out. Swimming income is down across the two sites but this is a national trend. |  |               |               |                |        |        |        |        |
| (SK)  |  |               |               |                |        |        |        |        |
| Above target  | <u>% of Leisure members retained from month beginning to month end.</u>                        | 95.33%        | 96.50%        | 96.50% (1/4)   | 96.87% |        |        |        |
| <b>Management Notes:</b>  |  |               |               |                |        |        |        |        |

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## Planning Performance Report - Appendix 4

Quarterly report for 2015-2016

No headings

For Planning and Economic Regeneration - Cllr Richard Chesterton Portfolio

For MDDC - Services

Filtered by Performance Status: Exclude PI Status: Data not due, Not calculable

*Key to Performance Status:*

|                         |         |                   |              |           |              |                   |
|-------------------------|---------|-------------------|--------------|-----------|--------------|-------------------|
| Performance Indicators: | No Data | Well below target | Below target | On target | Above target | Well above target |
|-------------------------|---------|-------------------|--------------|-----------|--------------|-------------------|

### Planning Performance Report - Appendix 4

| Performance Indicators  |                                       |  |               |               |                |         |        |        |        |
|---|---------------------------------------|--|---------------|---------------|----------------|---------|--------|--------|--------|
| Status  | Quartile                              | Title  | Prev Year End | Annual Target | Current Target | Q1 Act  | Q2 Act | Q3 Act | Q4 Act |
| Well above target   | 2012-2013<br>No Data Available        | <b>Planning Applications: Householder Applications determined within 8 weeks</b> | 90%           | 80%           | 80% (1/4)      | 92%     |        |        |        |
| <b>Management Notes:</b><br>(Quarter 1)<br><br>Full complement of planning assistants restored.<br><br>(SB) |                                       |  |               |               |                |         |        |        |        |
| Well above target   | 2012-2013<br>No Data Available        | <b>Enforcement site visits within 15 days of complaint</b>                       | 95%           | 87%           | 87% (1/4)      | 100%    |        |        |        |
| <b>Management Notes:</b>  |                                       |  |               |               |                |         |        |        |        |
| Above target  | 2012-2013<br>No Data Available        | <b>Delegated decisions</b>   | 94%           | 90%           | 90% (1/4)      | 94%     |        |        |        |
| <b>Management Notes:</b>  |                                       |  |               |               |                |         |        |        |        |
| Well above target   | 2012-2013<br>No Data Available        | <b>Planning Applications: over 13 weeks old</b>                                  | 32            | 45            | 45 (1/4)       | 25      |        |        |        |
| <b>Management Notes:</b>  |                                       |  |               |               |                |         |        |        |        |
| On target   | 2012-2013<br>No Data Available        | <b>Searches carried out w/in 5 working days</b>                                  | 100.00%       | 100.00%       | 100.00% (1/4)  | 100.00% |        |        |        |
| <b>Management Notes:</b>  |                                       |  |               |               |                |         |        |        |        |
| Well below target   | 2015-2016<br>No Data Available        | <b>Listed Building &amp; conservation Area Consents</b>                          | 69%           | 80%           | 80% (1/4)      | 70%     |        |        |        |
| <b>Management Notes:</b>  |                                       |  |               |               |                |         |        |        |        |
| Below target  | 2012-2013<br>Below Median All England | <b>Planning Applications: Major Applications</b>                                 | 63%           | 60%           | 60% (1/4)      | 57%     |        |        |        |
| <b>Management Notes:</b><br>(Quarter 1)   |                                       |  |               |               |                |         |        |        |        |

## Planning Performance Report - Appendix 4

### Performance Indicators

| Status | Quartile | Title | Prev Year End | Annual Target | Current Target | Q1 Act | Q2 Act | Q3 Act | Q4 Act |
|--------|----------|-------|---------------|---------------|----------------|--------|--------|--------|--------|
|--------|----------|-------|---------------|---------------|----------------|--------|--------|--------|--------|

This includes applications where an extension of time has been agreed with the applicant.

(CY)

|              |  |  |     |     |           |     |  |  |  |
|--------------|--|--|-----|-----|-----------|-----|--|--|--|
| Above target | 2012-2013<br>Below Median<br>All England | <b>Planning Applications: Minor Applications</b> | 67% | 65% | 65% (1/4) | 68% |  |  |  |
|--------------|--|--|-----|-----|-----------|-----|--|--|--|

#### Management Notes:

|                   |  |  |     |     |           |     |  |  |  |
|-------------------|--|--|-----|-----|-----------|-----|--|--|--|
| Well above target | 2012-2013<br>Above Median<br>All England | <b>Planning Applications: 'Other' Applications determined within 8 weeks</b> | 79% | 80% | 80% (1/4) | 91% |  |  |  |
|-------------------|--|--|-----|-----|-----------|-----|--|--|--|

#### Management Notes:

|              |                                |   |     |      |            |     |  |  |  |
|--------------|--------------------------------|---|-----|------|------------|-----|--|--|--|
| Below target | 2015-2016<br>No Data Available | <b>New Performance Planning Guarantee determine within 26 weeks</b> | 96% | 100% | 100% (1/4) | 97% |  |  |  |
|--------------|--------------------------------|---|-----|------|------------|-----|--|--|--|

#### Management Notes:

(Quarter 1)

Extensions of time will have been agreed in most cases.

(SB)



## Working Environment Portfolio Performance - Appendix 5

Quarterly report for 2015-2016

No headings

For Working Environment and Support Services - Cllr Margaret Squires Portfolio

For MDDC - Services

Filtered by Performance Status: Exclude PI Status: Data not due, Data not entered

**Key to Performance Status:**

|                         |         |                   |              |           |              |                   |
|-------------------------|---------|-------------------|--------------|-----------|--------------|-------------------|
| Performance Indicators: | No Data | Well below target | Below target | On target | Above target | Well above target |
|-------------------------|---------|-------------------|--------------|-----------|--------------|-------------------|

### Working Environment Portfolio Performance - Appendix 5

| Performance Indicators  |  |               |                      |                      |        |        |        |        |
|---|--|---------------|----------------------|----------------------|--------|--------|--------|--------|
| Status  | Title  | Prev Year End | Annual Target        | Current Target       | Q1 Act | Q2 Act | Q3 Act | Q4 Act |
| No Target   | <u>Number of phone calls to CF per month</u>                             | 12,670        | For Information Only | For Information Only | 11,192 |        |        |        |
| <b>Management Notes:</b>  |  |               |                      |                      |        |        |        |        |
| On target   | <u>Satisfaction with front-line services</u>                             | 81.75%        | 80.00%               | 80.00% (1/4)         | 80.00% |        |        |        |
| <b>Management Notes:</b>  |  |               |                      |                      |        |        |        |        |
| Well below target   | <u>% complaints acknowledged w/in 3 days</u>                             | 46%           | 80%                  | 80% (1/4)            | 39%    |        |        |        |
| <b>Management Notes:</b><br>(Quarter 1)<br><br>Transition from old to new CRm system, some records were not updated so these figures do not reflect all responses made to customers.<br><br>(LR)  |  |               |                      |                      |        |        |        |        |
| Below target  | <u>% of complaints resolved w/in timescales (10 days - 12 weeks)</u>     | 97%           | 90%                  | 90% (1/4)            | 83%    |        |        |        |
| <b>Management Notes:</b><br>(Quarter 1)<br><br>moved to new up graded crm mid May, will complete manual check of all stats later in the years once the system has been in place for 3 months, to check accuracy of reporting.<br><br>(LR) |  |               |                      |                      |        |        |        |        |
| Above target  | <u>% Emails received by Customer Services responded to within 5 days</u> | 98.0%         | 95.00%               | 95.00% (1/4)         | 99.00% |        |        |        |
| <b>Management Notes:</b>  |  |               |                      |                      |        |        |        |        |
| Not calculable  | <u>Number of Complaints</u>  | 74            | For information only | For information only | 61     |        |        |        |
| <b>Management Notes:</b>  |  |               |                      |                      |        |        |        |        |
| Not calculable  | <u>Number of Digital payments</u>  | 8,989         | For information only | For information only | 11,886 |        |        |        |
| <b>Management Notes:</b>  |  |               |                      |                      |        |        |        |        |
| No Target   | <u>Number of web hits per month</u>                                      | n/a           | For information only | For information only | 0      |        |        |        |
| <b>Management Notes:</b><br>(Quarter 1)   |  |               |                      |                      |        |        |        |        |

## Working Environment Portfolio Performance - Appendix 5

| Performance Indicators |       |               |               |                |        |        |        |        |
|------------------------|-------|---------------|---------------|----------------|--------|--------|--------|--------|
| Status                 | Title | Prev Year End | Annual Target | Current Target | Q1 Act | Q2 Act | Q3 Act | Q4 Act |

Data will not be available until later in the year when all content is on the new website and the old website has been turned off.

(LR)

|                   |  |          |          |                |          |  |  |  |
|-------------------|--|----------|----------|----------------|----------|--|--|--|
| Well above target | <u>Working Days Lost Due to Sickness Absence</u> | 9.21days | 8.00days | 2.00days (1/4) | 1.64days |  |  |  |
|-------------------|--|----------|----------|----------------|----------|--|--|--|

**Management Notes:**

(Quarter 1)

The total number of days lost to sickness absence is 675 which is split into 333 days for long Term Sickness (15 + days) 0.81 days per employee and 342 for short term sickness (less than 15 days) 0.83 days per employee.

(JC)

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## Finance Portfolio Performance - Appendix 6

Quarterly report for 2015-2016  
 No headings  
 For Finance - Cllr Peter Hare-Scott Portfolio  
 For MDDC - Services

*Key to Performance Status:*

|                         |         |                   |              |           |              |                   |
|-------------------------|---------|-------------------|--------------|-----------|--------------|-------------------|
| Performance Indicators: | No Data | Well below target | Below target | On target | Above target | Well above target |
|-------------------------|---------|-------------------|--------------|-----------|--------------|-------------------|

### Finance Portfolio Performance - Appendix 6

| Performance Indicators   |  |               |               |                |        |        |        |        |
|--------------------------|--|---------------|---------------|----------------|--------|--------|--------|--------|
| Status                   | Title  | Prev Year End | Annual Target | Current Target | Q1 Act | Q2 Act | Q3 Act | Q4 Act |
| Below target             | <u>% total Council tax collected - monthly</u> | 97.80%        | 98.0%         | 30.0% (3/12)   | 29.4%  |        |        |        |
| <u>Management Notes:</u> |  |               |               |                |        |        |        |        |
| Below target             | <u>% total NDR collected - monthly</u>         | 99.00%        | 98.00%        | 34.00% (3/12)  | 31.10% |        |        |        |
| <u>Management Notes:</u> |  |               |               |                |        |        |        |        |

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## Risk Report Appendix 7

Report for 2015-2016  
 Filtered by Flag:Include: \* CRR 5+ / 15+  
 For MDDC - Services

Not Including Risk Child Projects records or Mitigating Action records

Key to Performance Status:

Risks: No Data (0+) High (15+) Medium (5+) Low (1+)

### Risk Report Appendix 7

**Risk: Asbestos** Health risks associated with Asbestos products such as lagging, ceiling/wall tiles, fire control.

**Effects (Impact/Severity):**

**Causes (Likelihood):**

**Service: Housing Services**

**Current Status:**  
**Medium (5)**

**Current Risk Severity: 5 -**  
**Very High**

**Current Risk Likelihood: 1 -**  
**Very Low**

**Head of Service: Nick Sanderson**

**Review Note:** Recommendations from the HSE after the events last year have now been implemented.

## Risk Report Appendix 7

**Risk: Breaches in HR Legislation** Failure to keep Council policies up to date, that complement the appropriate legislation

Failure to develop staff knowledge and competence regarding legislation/changes

**Effects (Impact/Severity):** - The Council could face poor reports from assurance bodies  
 - Failure to meet statutory duties could result in paying penalties, stretching already thin financial resources  
 - Failure to comply with legislation could lead to legal challenge against individuals or the Council as a whole  
 - Future legislation changes, their impact on services and the cost of implementing changes to policies, procedures and service delivery

**Causes (Likelihood):**

**Service: Human Resources**

|                                   |   |  |
|-----------------------------------|---|--|
| <b>Current Status: Medium (5)</b> | <b>Current Risk Severity: 5 - Very High</b> | <b>Current Risk Likelihood: 1 - Very Low</b> |
|-----------------------------------|---|--|

**Head of Service: Jill May**

**Review Note:** The council employs four Chartered Ins of Personnel and Development (CIPD) staff who undertake regular employment law updates. All policies are reviewed on an three year programme which has slipped lately due to pressure of work (reorganisations, consultations and redundancies) however we always prioritise legislative change. Therefore whilst this is a huge risk it is a risk which is managed.

**Risk: Breaches of Legislation** Breaches of Anti-Money Laundering or Bribery Act both could result in a criminal conviction.

**Effects (Impact/Severity):**

**Causes (Likelihood):**

**Service: Audit**

|                                |   |  |
|--------------------------------|---|--|
| <b>Current Status: No Data</b> | <b>Current Risk Severity: 5 - Very High</b> | <b>Current Risk Likelihood: 1 - Very Low</b> |
|--------------------------------|---|--|

**Head of Service: Amy Tregellas**

**Review Note:**

**Risk: Chemicals** Staff using chemicals incorrectly.

**Effects (Impact/Severity):**

**Causes (Likelihood):**

**Service: Leisure Services**

|                                   |   |  |
|-----------------------------------|---|--|
| <b>Current Status: Medium (5)</b> | <b>Current Risk Severity: 5 - Very High</b> | <b>Current Risk Likelihood: 1 - Very Low</b> |
|-----------------------------------|---|--|

**Head of Service: Jill May**

**Review Note:**

## Risk Report Appendix 7

**Risk: Council Finances - Banking Arrangements** Problems with banks and online services may affect ability to access funds when we need to or receive / process payments on a timely basis

**Effects (Impact/Severity):** Unable to promptly pay suppliers or treasury commitments

**Causes (Likelihood):** ICT systems down at Council or Bank so impossible to review cash position or make urgent payments

**Service: Financial Services**

**Current Status:**  
Medium (5)

**Current Risk Severity:** 5 -  
Very High

**Current Risk Likelihood:** 1 -  
Very Low

**Head of Service:** Andrew Cawdron, Andrew Jarrett

**Review Note:**

**Risk: Council Finances - Investments** Failure to invest in the Council's funds in an efficient and effective manner may cause potential of a loss of monies invested

**Effects (Impact/Severity):** • Could result in cash flow loss of up to £3M

**Causes (Likelihood):** • Future banking collapses

**Service: Financial Services**

**Current Status:**  
Medium (5)

**Current Risk Severity:** 5 -  
Very High

**Current Risk Likelihood:** 1 -  
Very Low

**Head of Service:** Andrew Cawdron, Andrew Jarrett

**Review Note:**

**Risk: Council Finances - Treasury Management** Failure to comply with the CIPFA Code of Practice on Treasury Management /local authority accounting would be a breach in statutory duty

**Effects (Impact/Severity):**

**Causes (Likelihood):**

**Service: Financial Services**

**Current Status:**  
Medium (5)

**Current Risk Severity:** 5 -  
Very High

**Current Risk Likelihood:** 1 -  
Very Low

**Head of Service:** Andrew Cawdron, Andrew Jarrett

**Review Note:**

## Risk Report Appendix 7

**Risk: Digital transformation - Local Plan** Jeopardisation of the Local plan consultation timetable due to problems with the website

**Effects (Impact/Severity):**

**Causes (Likelihood):**

**Service: Management Team**

**Current Status:**  
Medium (10)

**Current Risk Severity: 5 - Very High**

**Current Risk Likelihood: 2 - Low**

**Head of Service: Liz Reeves**

**Review Note:**

**Risk: Digital Transformation - No Website** The complete failure of the Council website

**Effects (Impact/Severity):**

**Causes (Likelihood):**

**Service: Management Team**

**Current Status:**  
Medium (5)

**Current Risk Severity: 5 - Very High**

**Current Risk Likelihood: 1 - Very Low**

**Head of Service: Christina Cross, Liz Reeves**

**Review Note:** the security patch has been successfully applied to Goss.

**Risk: Document Retention** If documents fail to be retained for the statutory period then we may face financial penalties

**Effects (Impact/Severity):**

- The Council may be disadvantaged in taking or defending legal action if prime documents are not retained;
- Performance statistics cannot be verified;
- The external auditor may not be able to verify the Council's final accounts and subsidy may be lost.
- Mismanagement of burial records

**Causes (Likelihood):** • "Data debris" cluttering system and storage space

**Service: Management Team**

**Current Status:**  
Medium (5)

**Current Risk Severity: 5 - Very High**

**Current Risk Likelihood: 1 - Very Low**

**Head of Service: Christina Cross**

**Review Note:** no change to policy



## Risk Report Appendix 7

**Risk: Failure to comply with card security standards** As an organisation we need to comply with the requirements of TrustWave to be authorised as card payment processors.

**Effects (Impact/Severity):**

**Causes (Likelihood):**

**Service: Management Team**

**Current Status:**  
**Medium (5)**

**Current Risk Severity: 5 -**  
**Very High**

**Current Risk Likelihood: 1 -**  
**Very Low**

**Head of Service: Liz Reeves**

**Review Note:** Annual review of policy and training for all staff. ICT advise on all payment systems to ensure comply to PCI standard.

**Risk: Fire and Explosion** Risks associated with storage of combustible materials, fuels and flammable substances and sources of ignition, as well as emergency procedures (existence, display and knowledge of), accessibility (or obstruction) of emergency exits and walkways to. Also, risks associated with use of fire extinguishers, having correct type in location, in date and trained operatives on site.

**Effects (Impact/Severity):** Very High (5) – Although the risk is low, a fire in the server or storage room could potentially cause loss of life, have serious financial implications and severely impact the councils ability to provide services due to loss of IT infrastructure.

**Causes (Likelihood):** Very Low (1) – The likelihood of a fire within ICT is extremely low. No quantities of combustible materials are stored within the work area. There is easy access to the emergency exit and all staff have received fire awareness training.

**Service: I C T**

**Current Status:**  
**Medium (5)**

**Current Risk Severity: 5 -**  
**Very High**

**Current Risk Likelihood: 1 -**  
**Very Low**

**Head of Service: Christina Cross**

**Review Note:** we had an incident 7 pm Tuesday evening and our heat sensors and recovery team worked all as it should and problem averted

**Risk: Information Security** Inadequate Information Security could lead to breaches of confidential information, damaged or corrupted data and ultimately Denial of Service. The council fails to have an effective information strategy in place.

Risk of monetary penalties and fines, and legal action by affected parties

**Effects (Impact/Severity):**

**Causes (Likelihood):**

**Service: I C T**

**Current Status:**  
**Medium (5)**

**Current Risk Severity: 5 -**  
**Very High**

**Current Risk Likelihood: 1 -**  
**Very Low**

**Head of Service: Christina Cross**

**Review Note:** no changes since last risk review. Users are aware and regularly reminded

## Risk Report Appendix 7

### **Risk: Legionella** Legionella

Effects (Impact/Severity):

Causes (Likelihood):

Service: Leisure Services

**Current Status:**  
Medium (5)

**Current Risk Severity:** 5 -  
Very High

**Current Risk Likelihood:** 1 -  
Very Low

Head of Service: Jill May

Review Note:

### **Risk: Lifeguard Training** Poor quality training. Improper use of rescue equipment

Effects (Impact/Severity):

Causes (Likelihood):

Service: Leisure Services

**Current Status:**  
Medium (5)

**Current Risk Severity:** 5 -  
Very High

**Current Risk Likelihood:** 1 -  
Very Low

Head of Service: Jill May

Review Note:

### **Risk: Plant Rooms** plant rooms

Effects (Impact/Severity):

Causes (Likelihood):

Service: Leisure Services

**Current Status:**  
Medium (5)

**Current Risk Severity:** 5 -  
Very High

**Current Risk Likelihood:** 1 -  
Very Low

Head of Service: None

Review Note:

### **Risk: Waste Collection - Health and Safety** Inadequate training with regards to Manual Handling and workplace hazards (eg contact with broken glass) could result in Health and Safety risks

Effects (Impact/Severity):

**Causes (Likelihood):** - Increasing demand and service costs due to increasing population, consumer society and an increasing amount of waste

Service: Street Scene Services

**Current Status:**  
Medium (10)

**Current Risk Severity:** 5 - Very  
High

**Current Risk Likelihood:** 2 -  
Low

Head of Service: None

Review Note:

# MID DEVON DISTRICT COUNCIL – NOTIFICATION OF KEY DECISIONS

September 2015

The Forward Plan containing key Decisions is published 28 days prior to each Cabinet meeting

| Title of report and summary of decision   | Decision Taker | Date of Decision | Officer contact   | Cabinet Member  | Intention to consider report in private session and the reason(s) |
|---|----------------|------------------|---|---|---|
| <b>Review of the Local Development Scheme</b><br>Report of the Head of Planning and Regeneration updating the Local Development Scheme  | Cabinet        | 24 Sep 2015      | Jenny Clifford, Head of Planning and Regeneration Tel: 01884 234346 | Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton) | Open  |
| <b>Review of the Article 4 Direction for Cullompton</b><br>To receive a report from the Head of Planning and Regeneration regarding the outcomes of the review of the Article 4 Direction in Cullompton | Cabinet        | 24 Sep 2015      | Jenny Clifford, Head of Planning and Regeneration Tel: 01884 234346 | Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton) | Open  |
| <b>Landscape Implications of Wind and Solar Energy Proposals Supplementary Planning Document</b><br>Report of the Head of Planning and Regeneration   | Cabinet        | 24 Sep 2015      | Jenny Clifford, Head of Planning and Regeneration Tel: 01884 234346 | Cabinet Member for Planning and Economic Regeneration (Councillor Richard)            | Open  |

Agenda Item 10.

| Title of report and summary of decision   | Decision Taker | Date of Decision | Officer contact   | Cabinet Member   | Intention to consider report in private session and the reason(s) |
|---|----------------|------------------|---|--|---|
| regarding proposals for the Supplementary Planning Document   |                |                  |   | Chesterton)  |   |
| <b>Asset Management and Capital Strategy Plan (Corporate)</b><br>A report of the Head of Housing and Property Services reviewing the existing policy and providing an update on recent acquisitions / disposals | Cabinet        | 24 Sep 2015      | Nick Sanderson, Head of Housing and Property Services Tel: 01884 234960 | Cabinet Member for Housing (Councillor Ray Stanley)                                    | Open  |
| <b>Gas Service Contract</b><br>Report of the Head of Housing and Property Services regarding the awarding of the tender for maintenance, servicing and responsive repairs.                                      | Cabinet        | 24 Sep 2015      | Nick Sanderson, Head of Housing and Property Services Tel: 01884 234960 | Cabinet Member for Housing (Councillor Ray Stanley)                                    | Fully exempt  |
| <b>Complaints and Feedback Policy</b><br>To receive a report of the Head of Customer Services providing an annual report on complaints, comments and compliments.   | Cabinet        | 24 Sep 2015      | Liz Reeves, Head of Customer Services Tel: 01884 234371                 | Cabinet for the Working Environment and Support Services (Councillor Margaret Squires) | Open  |

| Title of report and summary of decision   | Decision Taker | Date of Decision | Officer contact   | Cabinet Member  | Intention to consider report in private session and the reason(s) |
|---|----------------|------------------|---|---|---|
| <p><b>Play Areas in Mid Devon</b><br/>Following a report of the Head of Housing and Property Services to the Managing the Environment Policy Development Group: to receive a recommendation from the Group following the consultation process on play areas in Mid Devon.</p> | Cabinet        | 22 Oct 2015      | Nick Sanderson, Head of Housing and Property Services Tel: 01884 234960 | Cabinet Member for the Environment (Councillor Neal Davey)                            | Open  |
| <p><b>Masterplan - Area B Tiverton Eastern Urban Extension</b><br/>Report of the Head of Planning and Regeneration requesting the Cabinet to consider consultation drafts</p>   | Cabinet        | 22 Oct 2015      | Jenny Clifford, Head of Planning and Regeneration Tel: 01884 234346     | Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton) | Open  |
| <p><b>Housing Strategy</b><br/>A report of the Housing Services Manager reviewing the existing strategy</p>   | Cabinet        | 22 Oct 2015      | Clare Fry, Housing Services Manager Tel: 01884 234920                   | Cabinet Member for Housing (Councillor Ray Stanley)                                   | Open  |
| <p><b>MDDC Housing Asbestos Policy</b><br/>To receive a report of the Head of Housing and Property Services outlining</p>   | Cabinet        | 22 Oct 2015      | Nick Sanderson, Head of Housing and Property Services Tel: 01884 234960 | Cabinet Member for Housing (Councillor Ray Stanley)                                   | Open  |

| Title of report and summary of decision  | Decision Taker | Date of Decision | Officer contact  | Cabinet Member  | Intention to consider report in private session and the reason(s) |
|--|----------------|------------------|--|---|---|
| this revised policy.   |                |                  |  |   |   |
| <b>Void Policy</b><br>To receive a report of the Head of Housing and Property Services outlining this revised policy.  | Cabinet        | 22 Oct 2015      | Nick Sanderson,<br>Head of Housing and Property Services<br>Tel: 01884 234960                    | Cabinet Member for Housing<br>(Councillor Ray Stanley)                        | Open  |
| <b>Corporate Asbestos Policy</b><br>A report of the Head of Housing and Property Services providing a review of the existing policy with recommendations for any necessary changes | Cabinet        | 22 Oct 2015      | Nick Sanderson,<br>Head of Housing and Property Services<br>Tel: 01884 234960                    | Cabinet Member for Housing<br>(Councillor Ray Stanley)                        | Open  |
| <b>Private Sector Housing Renewal Policy</b><br>Report of the Head of Housing and Property Services undertaking a review of the policy.  | Cabinet        | 22 Oct 2015      | Nick Sanderson,<br>Head of Housing and Property Services<br>Tel: 01884 234960                    | Cabinet Member for Housing<br>(Councillor Ray Stanley)                        | Open  |
| <b>Economic Development Strategy</b><br>To consider a report of the Head of Communities and Governance revising this policy  | Cabinet        | 22 Oct 2015      | Amy Tregellas,<br>Head of Communities and Governance and Monitoring Officer<br>Tel: 01884 234246 | Cabinet Member for Planning and Economic Regeneration<br>(Councillor Richard) | Open  |

| Title of report and summary of decision  | Decision Taker | Date of Decision | Officer contact   | Cabinet Member  | Intention to consider report in private session and the reason(s) |
|--|----------------|------------------|---|---|---|
|  |                |                  |   | Chesterton)   |   |
| <b>Medium Term Financial Plan</b><br>Report of the Head of Finance updating the Medium Term Financial Plan.  | Cabinet        | 22 Oct 2015      | Andrew Jarrett,<br>Head of Finance<br>Tel: 01884 234242                       | Cabinet Member for Finance<br>(Councillor Peter Hare-Scott) | Open  |
| <b>Improvements to Council Properties policy</b><br>Report of the Head of Housing and Property Services reviewing the existing policy.   | Cabinet        | 22 Oct 2015      | Nick Sanderson,<br>Head of Housing and Property Services<br>Tel: 01884 234960 | Cabinet Member for Housing<br>(Councillor Ray Stanley)      | Open  |
| <b>MDDC Housing Asbestos Policy</b><br>To receive a report of the Head of Housing and Property Services outlining this revised policy.   | Cabinet        | 22 Oct 2015      | Nick Sanderson,<br>Head of Housing and Property Services<br>Tel: 01884 234960 | Cabinet Member for Housing<br>(Councillor Ray Stanley)      | Open  |
| <b>Demand and Supply Policy</b><br>Report of the Head of Housing and Property Services regarding the availability of stock and the Council's ability to meet the housing needs | Cabinet        | 22 Oct 2015      | Nick Sanderson,<br>Head of Housing and Property Services<br>Tel: 01884 234960 | Cabinet Member for Housing<br>(Councillor Ray Stanley)      | Open  |

| Title of report and summary of decision  | Decision Taker | Date of Decision         | Officer contact  | Cabinet Member   | Intention to consider report in private session and the reason(s) |
|--|----------------|--------------------------|--|--|---|
| and aspirations of the housing applicants.   |                |                          |  |  |   |
| <b>Corporate Plan</b><br>Report of the Head of Communities and Governance detailing the updated Corporate Plan.  | Cabinet        | 19 Nov 2015              | Amy Tregellas,<br>Head of Communities and Governance and Monitoring Officer<br>Tel: 01884 234246 | Leader of the Council<br>(Councillor Clive Eginton)    | Open  |
| <b>Allocations Policy (Band E Devon Home Choice) Revised Report</b><br>Report of the Head of Housing and Property Services giving consideration to the merits of retaining a Band E classification | Cabinet        | Not before 19th Nov 2015 | Nick Sanderson,<br>Head of Housing and Property Services Tel: 01884 234960                       | Cabinet Member for Housing<br>(Councillor Ray Stanley) | Open  |



By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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