

Public Document Pack

Mid Devon District Council

Cabinet

Thursday, 1 December 2016 at 2.15 pm
Exe Room, Phoenix House, Tiverton

Next ordinary meeting
Thursday, 5 January 2017 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 Regeneration
Cllr K Busch	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 - 12*)

To receive the minutes of the special meeting of 21 November 2016.

4. **Motion 530 (Cllrs R L Stanley and R J Chesterton 19 September 2016)**

To consider the following Motion that has been passed to the Cabinet from Council:

In order to allow a new, productive future for certain agricultural

buildings, permitted development rights have been extended allowing for their use to change without planning permission in certain instances. Procedures allow for local consultation but do not currently recognise a need to consult with Parish Councils. Local communities as represented through Parish Councils, are well placed to identify the likely impacts of proposals and could be identified as a required consultee. Impacts may be cumulative where there is a concentration of proposals within a small area and it is considered that the permitted development rights could be worded to recognise cumulative effects. It is requested that Council write to the Minister to bring these issues to his attention and request that he amend the General Permitted Development Order accordingly.

5. **Recommendation from Environment Policy Development Group - Draft Budget**

Arising from a report of the Director of Finance, Assets and Resources regarding options available in order for the Council to set a balanced budget, the PDG had recommended that:

- a) Bulky Waste collection fees be increased by £1 from April 2017; and
- b) Garden Waste collection fees be increased by £1 for both size bins from October 2017.

6. **Council Tax Reduction Scheme** (*Pages 13 - 44*)

Arising from a report of the Director of Finance, Assets and Resources, the Community Policy Development Group's recommendation to follow.

7. **Tax Base Calculation** (*Pages 45 - 50*)

Report of the Director of Finance, Assets and Resources detailing the statutory calculations necessary to determine the Tax Base for the Council Tax.

8. **Tiverton Memorial Garden Project** (*Pages 51 - 56*)

To consider a report of the Conservation Officer seeking agreement for the continued work of the Tiverton War Memorial Project Working Group.

9. **Freedom of Information Policy** (*Pages 57 - 68*)

To consider a report of the Head of Customer Services regarding a review of Freedom of Information Policy (FOI) and Environmental Information Regulations (EIR).

10. **Performance and Risk** (*Pages 69 - 98*)

To consider a report of the Director of Corporate Affairs and Business Transformation providing Members with an update on performance against the corporate plan and local service targets for 2016-17 as well as providing an update on the key business risks.

11. **Cabinet Member Decision - Environment.**

To note the following decision made by the Cabinet Member for the Environment:

To give free car parking for the first three Saturday's in December (3rd, 10th and 17th) plus a 4th day (Saturday 26th November for Tiverton and Cullompton and Saturday 24th December for Crediton) in the long stay car parks of:

Multi-storey car park, Tiverton

Station Road, Cullompton

St Saviours Way, Crediton

12. **Notification of Key Decisions** (*Pages 99 - 108*)

To note the contents of the Forward Plan.

Stephen Walford

Chief Executive

Wednesday, 23 November 2016

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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

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MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **CABINET** held on 21 November 2016 at 10.00 am

Present

Councillors C J Eginton (Leader)
R J Chesterton, K Busch, P H D Hare-Scott,
C R Slade, Mrs M E Squires and
R L Stanley

Also Present

Councillor(s) R F Radford, Mrs J Roach and F J Rosamond

Also Present

Officer(s): Stephen Walford (Chief Executive), Andrew Jarrett (Director of Finance, Assets and Resources), Jenny Clifford (Head of Planning and Regeneration), Adrian Welsh (Forward Planning Team Leader) and Sally Gabriel (Member Services Manager)

93. **APOLOGIES**

There were no apologies.

94. **PUBLIC QUESTION TIME (00-01-15)**

Cllr Warren (Willand Parish Council) stated that:

This question relates to item 4 (Local Plan Review) of your agenda.

I find it of considerable concern that it is necessary to ask this question but it has been asked twice before at public meetings and has not been answered.

It is not directed at paid officers as the assumption is made that they are acting on the instructions of elected Members.

It is directed at those Cabinet Members who in 2014 and 2015 voted not to include land at Junction 27 in the Emerging Local Plan yet since that time have persisted in activities which have caused us to be where we are today.

What has happened to bring you to change your position or did your earlier vote not show your true views?

The second part of my question relates to the whole process for the inclusion of land at Junction 27 into the plan. A very comprehensive document has been prepared by officers of over 600 pages on the Local Plan yet after publication of the agenda and report on 16 November 2016 your Members Services Manager had to send out amendments to pages 551 and 552 in relation to the revised policy in relation to Junction 27.

We keep getting told that this is about the allocation of land in the plan at Junction 27 yet every presentation and document has the Eden Westwood vision and proposals

all over it, which makes it virtually impossible for another developer/visionary to meet the criteria.

How long are you going to continue to show a lack of respect for the intelligence of Parish/Town Councils and our communities by persisting in this myth that none of this is to do with Eden Westwood?

The following answer was provided by the Head of Planning and Regeneration during the debate: she felt that the first part of the question was directed at the Cabinet Members and therefore she would leave them to answer. With regard to the supplement with amendments to the Junction 27 policy after the agenda had been published: a meeting had taken place with "Duty to Cooperate" partners and strategic consultees with regard to cross boundary issues, concerns had been raised regarding the level of control in respect of retail aspects of the policy, because of these concerns, together with similar expressed by the Planning Policy Advisory Group, the policy had been amended.

With regard to the proposed policy within the plan and whether other developers could meet the criteria, there was a need to strike a balance between control in order for the Council's aspirations for the site to be met, , whilst ensuring that the development within the allocation could be delivered by a range of developers. She gave examples of where components of the proposed policy had been delivered elsewhere by other developers.

The Leader stated that he had indeed changed his mind since 2014, when the original decision had been made the housing numbers were in 4 figures, this was now not the case.

Cllrs Chesterton and Stanley stated that they had not changed their minds from the original decision.

Mr Asprey (Clerk to Sampford Peverell Parish Council) referring to item 4 on the agenda (Local Plan Review) stated that as Sampford Peverell was designated as a village it should only be available for limited development. The Local Plan Review now stated that 60 additional dwellings should be built at Higher Town, was this compatible with village designation? Can it be assumed that the village school has sufficient capacity for children of families living in the new development?

The following answer was provided by the Head of Planning and Regeneration during the debate: she stated that this issue was addressed at the September meeting of Council, the scale of the proposed allocation and the impact on the village. She outlined the SHLAA process and the call for sites, many large land parcels had been put forward in the area of Sampford Peverell. It was felt that 60 dwellings was appropriate in terms of scale. With regard to additional school places, it was forecasted that there would be spare capacity. It would of course be possible as with any planning application that additional contributions could be sought through legal agreements (Section 106 agreement).

Mr Lucas referring again to Item 4 on the agenda stated that a decision had been made in 2014 to proceed with the Local Plan without an allocation at Junction 27 as there was insufficient evidence to include it at the time. The Local Plan had been approved for an 8 week consultation before being submitted to the Secretary of State. In November 2016, the Local Plan Review came forward again including Junction 27 and an allocation of 60 dwellings at Higher Town, Sampford Peverell,

why do we have a new revised plan when in 2014 it was approved. If the Local Plan Review was approved for consultation, what weight would be given to the Council's decision when it came before the inspector.

The following answer was provided by the Head of Planning and Regeneration during the debate: a motion had been put before Council in April 2016 which sought to look at the implications of including Junction 27 within the Local Plan Review, the Cabinet report in September 2016 had outlined the reasons for the delay in submitting the Local Plan, the motion had also overridden the decision to allow the Head of Planning and Regeneration delegated authority to submit the plan following consultation, therefore there was a need for the plan with consultation responses, amendments and additional technical information to come back to the Cabinet who would make a recommendation to Council. She also stated that if approved the Local Plan would go out for further consultation prior to being submitted to the Inspectorate. The weight the inspector would give to the Council decision would be at his or her discretion.

Cllr Milner (Uplowman Parish Council) referring to Item 4 on the agenda stated that it had taken two years to finalise the Local Plan Review which now included an allocation at Junction 27. The Local Plan was required to meet the needs of the district, was the professional advice incorrect at that time or had Councillors lost confidence in the original decision? What had changed?

The Head of Planning and Regeneration stated that she had advised of the circumstances which had led to the delay within this and previous reports including technical assessments and further evidence work had taken place.

Hayley Keary again referring to Item 4 on the agenda stated that the SHLAA evidence in 2013 had stated that the site at Higher Town Sampford Peverell was unsuitable for development as there were access issues, what had changed as the topography of the land remained the same.

The Head of Planning and Regeneration stated that the SHLAA had concluded that the site would be appropriate for 60 dwellings, the access issues were not so severe as to prevent an allocation. With regard to 2014, the site had not been necessary at that time as Junction 27 was not included. She confirmed that nothing had changed in relation to site topography.

Mr Disney again referring to Item 4 on the agenda stated that not all of Sampford Peverell were against development at Higher Town. He asked why was mitigation required for the Culm Grassland at Hares Down Moor as it was 14/15 miles from Junction 27.

The Head of Planning and Regeneration stated that this was a Special Area of Conservation and because of the additional traffic generation on the A361 there was a need to consider its impact upon the SAC and put mitigation measures in place as there was a need to make sure that the plan was sound.

Mr Byrom, again referring to Agenda Item 4 stated that many aspects of the revised plan have been included because of Junction 27 and we are told they are a package, the housing sites at Blundells Road and Sampford Peverell were both linked to Junction 27 and if the allocation at Junction 27 did not come forward for development the associated housing sites could be deleted? He also referred to the pre app

meetings that had taken place but 48 meetings had not taken place, £5,000 a month had been received from May to December, what happened to the thousands of pounds that didn't pay for the meetings and when would that information be made public?

The Head of Planning and Regeneration stated that she had not come across such a restriction with regard to the deletion of a site if another site didn't come forward, but that she would look into the matter. With regard to the pre app meetings, she suggested that Mr Byrom was referring to the Pre-application Advice Guidance Note. In this case the authority had entered into a Planning Performance Agreement with the developer covering pre-application service. The charge agreed under this document was for officer time. She confirmed that this was a public document which she would make available to Mr Byrom.

95. MINUTES OF THE PREVIOUS MEETING (00-19-08)

The minute of the previous meeting held on 27 October were approved as a correct record and signed by the Chairman.

96. LOCAL PLAN REVIEW 00-20-05)

The Cabinet had before it a report* of the Head of Planning and Regeneration requesting consideration of suggested modifications to the proposed submission Local Plan and to make appropriate recommendations to Council.

The Cabinet Member for Planning and Economic Regeneration outlined the contents of the report highlighting the consultation process that had taken place in 2015, following the consultation additional technical work was required prior to submission to the Secretary of State to ensure that the position was robust. The additional technical evidence had resulted in a delay in submitting the plan. The external technical work, reliant on statutory consultees' involvement, had taken longer than anticipated to complete. Agreement on the flood modelling work for Junction 28 of the M5 at Cullompton was now expected to coincide with the proposed further round of consultation commencing in January 2016. Also since the last round of consultation in 2015 the Council had proposed to allocate land in the Local Plan for tourism, leisure and retail use at Junction 27 of the M5 and related residential allocations. This had resulted in making the necessary amendments to the plan to reflect this decision, there was also a need to consider changes to Government guidance, updated permissions, completions data and additional evidence.

He outlined the decisions already made by Council in December 2014 and the additional decision in September 2016 to allocate land at Junction 27 and the masterplanning exercise north west of Cullompton. Therefore it was only the modifications to the plan that required approval.

He then provided a list of changes which had been highlighted by track changes within the Cabinet report.

With regard to the additional housing sites required in connection with the proposed allocation at Junction 27, he reported that the Planning Policy Advisory Group had requested that officers give further consideration to whether there was a need to allocate land at Higher Town, Sampford Peverell (SP2). As Members noted that the proposed allocation at Blundells Road, Tiverton (TIV16) was for 200 houses only;

whereas the adopted Local Plan allocation was for 200 dwellings together with 7,000 square metres of employment floorspace. Members therefore wished to understand whether there was scope to increase the housing numbers since the employment floorspace was not proposed to be included in the new policy. Officers had reviewed the Blundells Road proposed allocation, if increased to 260 dwellings, the density would rise to approximately 43 dwellings per hectare. The allocation as a whole included land subject to flooding, increasing the number of houses above that proposed would give less flexibility in the design of the flood mitigation measures and would be likely to position housing closer to areas that would remain subject to flooding. A higher residential density could also lead to a less satisfactory residential environment and leave less land available for a sustainable urban drainage system. Importantly development of the site must also safeguard a strategic road route through the site to serve as a road access for future development needs beyond the plan period and that would require land. Officers were of the view that they could not recommend increasing housing numbers on the Blundells Road, Tiverton site. Accordingly it was considered that the proposed allocation at Sampford Peverell should remain.

With regard to the North West Cullompton Phasing Policy CU6; this policy was proposed to be revised in order to align the phasing with that agreed in the adopted masterplan SPD for the site.

With regard to the land proposed for allocation at Sampford Peverell he felt that there was a need to consider protecting the site to just 60 dwellings and asked officers whether it was possible for it to become a contingency site or whether the number of windfalls would mitigate having to allocate the site. The Head of Planning and Regeneration stated that there was a need to submit a sound plan and that it meet objectively assessed housing need. She confirmed that the plan would need to demonstrate flexibility and that no allowance had been made within it for windfall sites in order to provide for this. She also confirmed that contingency sites were only released in set circumstances and so did not figure in the plan's housing supply figures. A contingency site approach would not deliver the required housing numbers and she therefore could not recommend either that approach or taking into account windfall housing. Policy SP2 did make reference to low density, good design and that the highest part of the site should remain undeveloped.

Consideration was given to sites coming forward at Copplestone and Hemyock and whether those sites could be included in the housing need or whether the design of the dwellings proposed in the allocation at Blundells Road could be in line with Popham Close with regard to the height of the dwellings.

Further consideration was given to

- The latest Government guidance with regard to policy DM7 – Traveller sites.
- Pedestrian access to Tiverton Parkway Station from the proposed allocation at Junction 27.
- The type of retail development at Junction 27.
- Whether the requirements and criteria within the allocation at Junction 27 was clear.
- Policy S1 – sustainable development priorities.
- Policy DM8 – rural works dwellings

- Policy DM6 and a possible amendment to (b) to state “each house” and to amend the wording to consider the Local Authority’s cascade system.

RECOMMENDED that:

- a) Delegated authority be given to the Head of Planning and Regeneration in consultation with the Cabinet Member for Planning and Economic Regeneration to make minor changes both before and after consultation to the text and maps including updating factual information such as the latest commercial land survey results.

(Proposed by the Chairman)

- b) Approval be given to publish the proposed modifications to the Local Plan for consultation and that delegated authority be given to the Head of Planning and Regeneration in consultation with the Cabinet Member for Planning and Economic Regeneration for the plan’s subsequent submission to the Planning Inspectorate for examination together with its supporting documentation.

(Proposed by the Chairman)

- c) Policy DM6 (b) be amended removing the wording “The housing” and replacing it with “Each house” with an line to be added to paragraph 4.23 “to refer to Mid Devon District Council’s cascade system”.

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

Notes:

- (i) Cllr P H D Hare-Scott declared a personal interest with regard to his pension with Friends Life (in line with his statement at the previous meeting when Junction 27 was discussed). He also stated that he lived near proposed sites in Crediton but that this did not affect him directly;
- (ii) Cllr R L Stanley stated that since the previous meeting his interest with regard to Friends Life was no longer relevant;
- (iii) *Report previously circulated, copy attached to minutes.

97. COMMUNITY INFRASTRUCTURE LEVY CHARGING SCHEDULE (2-09-00)

The Cabinet had before it a report* of the Head of Planning and Regeneration requesting consideration of the Draft Community Infrastructure Levy (CIL) and associated policies.

The Cabinet Member for Planning and Regeneration outlined the contents of the report highlighting the previous decision in January 2015 and informing the meeting that because of the time delay the proposed rates had now been reviewed having taken account of the viability update and review and the representations received, the Consultant had considered no changes were proposed to the draft charging schedule levy rates.

Some minor changes were proposed to give greater clarity to the document, also an Instalments Policy for larger schemes, and a "Payment in kind" policy statement had now been included.

Following the Council decision on 22 September to include an additional strategic allocation at Junction 27 in the Local Plan it was suggested that, as with the other strategic allocations, that it should be included in Zone 1. This would result in a zero CIL charge for the Junction 27 development, with infrastructure improvements sought through Section 106 agreement. This approach was considered by officers to be entirely appropriate given the nature of the development and the scale of infrastructure improvements required. Owing to this change it was recommended that a further round of CIL consultation be undertaken alongside the Local Plan consultation.

RECOMMENDED that:

- a) That the Draft Community Infrastructure Levy Charging Schedule (DCS), attached as Appendix 1 of the report, be approved for Consultation;
- b) That the Draft Infrastructure Plan, Draft Regulation 123 List and Draft Policy on the use of Section 106 Agreements, the Instalments Policy and Payment in Kind Policy be published for consultation with the DCS; and
- c) The draft Regulation 212(4) Statement be approved with delegated authority given to the Head of Planning and Regeneration in consultation with the Cabinet Member for Planning and Economic Regeneration to agree and submit the final Regulation 212 (4) statement;
- d) That delegated authority be given to the Head of Planning and Regeneration in consultation with the Cabinet Member for Planning and Economic Regeneration to make minor changes to the documents referred to in a) – c) above and for their submission.

(Proposed by Cllr R J Chesterton and seconded by Cllr Mrs M E Squires)

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

98. **LOCAL DEVELOPMENT SCHEME (2-14-00)**

The Cabinet had before it a report* of the Head of Planning and Regeneration proposing a revised timetable for the review of the Local Plan in the Local Development Scheme for Mid Devon.

The Cabinet Member for Planning and Economic Regeneration outlined the contents of the report stating that as the plan moved towards submission there was a need to update the timetable.

RECOMMENDED that the revised Local Development Scheme (as outlined in appendix 1 of the report) be approved.

(Proposed by Cllr R J Chesterton and seconded by Cllr P H D Hare-Scott)

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

(The meeting ended at 12.32 pm)

CHAIRMAN

COMMUNITY POLICY DEVELOPMENT GROUP

29 NOVEMBER 2016

Proposed changes to the Council Tax Reduction Scheme for 2017/18

Cabinet Member Cllr Peter Hare-Scott
Responsible Officer Director of Finance, Assets and Resources
Andrew Jarrett

Reason for Report: To provide members with details of the proposed changes to the Council Tax Reduction Scheme from April 2017

RECOMMENDATION(S):

- (1) To note the reasons for the proposal, the consultation process and requirement to approve a revised scheme by 31 January 2017.

That Cabinet subsequently approve;

- (2) To approve the proposed changes to Council Tax Reduction Scheme from 1 April 2017 as detailed in Appendix 1 subject to amendment shown in para 4 of this report
- (3) To approve the updated Council Tax Reduction Exceptional hardship Policy (Appendix 4)
- (4) To continue with delegated authority to the Director of Finance, Assets and Resources to make any minor amendments to the scheme where there appears to be ambiguity in relation to wording of the scheme and the Councils intent for the scheme.
- (5) Members note the requirement to read and consider the Equality Impact Assessment and consider the impact of the proposed changes

Relationship to Corporate Plan: The Council will continue to ensure a localised CTR scheme provides direct financial support in the economic wellbeing of the district taking into account other welfare reforms and council services.

Financial Implications: The overall impact on the Council's financial position is minimal and any savings translate into increased income if the additional Council Tax is recovered . Funding for the Council Tax Reduction Scheme is now included within the Revenue Support Grant and with the ongoing reduction of RSG Council's must ensure their local scheme is fair, transparent and affordable.

Legal Implications: Paragraph 5 of Schedule 1B of the Local Government Finance Act 1992, as amended by the Local Government Act 2012, requires the Council to approve a Council Tax Reduction scheme by 31 January each year.

Risk Assessment: The Council must be confident that the scheme will withstand any equality impact assessment.

There are many unknown risks with changes to schemes where they are based on means testing . Outside factors such as level of unemployment/employment, and increases in the level of Council Tax may affect the amount of support that will need to be funded each year.

1.0 Introduction

- 1.1 Council Tax Reduction (CTR) also known as Council Tax Support was introduced on 1 April 2013 and replaced Council Tax Benefit, which was fully funded by the Department for Work and Pensions.
- 1.2 CTR is a local reduction scheme. The scheme for Working-age customers (those below the age to claim State Pension) is set out in our CTR Scheme Policy. The requirement to have a policy is within S13A and Schedule 1a of the Local Government Finance Act 1992.
- 1.3 The scheme for pension-age customers is a national scheme and is prescribed within Government legislation. Pensioners are protected in order to receive the same level of support they received under the DWP Council Tax Benefit Scheme up to 31 March 2013.
- 1.4 Funding for a CTR scheme is now included within the Revenue Support Grant. Members will recall the Government reduced the level of funding by 10% when responsibility was transferred and have effectively reduced the funds available to support the scheme each year as the level of RSG has been reduced.
- 1.5 Cost of the CTR Scheme

YEAR	Number of Pensioner Claims	Number of Working age Claims	Cost of CTR
March 13 (CTB)	2931	2787	£5,085,710 (CTB)
March 14	2757	2418	£4,280,644
March 15	2622	2299	£4,166,883
March 16	2496	2289	£4,039,274
31 Oct 2016	2416	2225	£4,020,638

2.0 Proposed changes

2.1 On 15 April 2016 a report submitted to the Devon Local Government Steering Group asked Chief Executives and Leaders to consider the future strategy for CTR.

2.2 It was agreed the CTR scheme for working age customers should change to align with recent changes to Housing Benefit and Universal Credit to keep the schemes more closely aligned and reduce any ongoing administrative burden. (See Appendix 1).

2.3

To align with Housing Benefit
Removal of family premium for all new claims or break in claims Removal of Employment & support Allowance Work Related Activity Component for all new ESA claims. Temporary Absence Rule for persons absent from GB for 4 weeks or more No dependant addition for third or subsequent child born on or after 1 April with certain exceptions Backdating reduced to 1 calendar month (from 6 months)

2.4

To align with Universal Credit
Simplify the assessment by using figures within the UC calculation to calculate CTR Introduce a minimum income floor for self-employed customers who have declared zero income for more than 12 months.

3.0 Consultation

3.1 It is a DCLG requirement that all Local Authorities must consult on any proposed changes to their CTR scheme.

3.2 A Supreme Court ruling in 2014 has imposed strict rules surrounding consultation and decision making on CTR schemes. *Supreme Court- R (on the application of Moseley (in substitution of Stirling Deceased) (AP) Appellant v London Borough of Haringey*

3.3 Devon Chief Finance Officers discussed on 27th April 2016 the work involved in changing CTR schemes and it was agreed Devon County Council (DCC) would host the consultation, as a contribution towards the additional resource required.

3.4 Officers from all Devon billing authorities and the major precepting authorities have been working closely in setting the proposals and to maintain a common approach .

- 3.5 Evaluation of evidence from other authorities across the country has taken place to assess any impact and ensure support is in place for those affected.
- 3.6 The consultation was predominantly web based hosted by DCC. Paper versions of the questionnaire were available on request. The consultation period ran from 27th June 2016 to 4th September 2016
- 3.7 As part of the consultation, as well as consulting on various options related to the design of the scheme, case law has clarified that we are also required to consider alternative funding options as opposed to simply changing the current scheme to reduce costs.
- 3.8 A letter was sent to all applicants who currently receive CTR and would be directly affected explaining the impact the changes may have on them. Mid Devon web site contained details of the changes and link to the consultation questionnaire. Articles were included in July and August editions of Mid Devon Talk. Leaflets about the consultation were included with Benefit entitlement statements and sent to local accountants. A briefing was given to local stakeholders and representatives from welfare groups at a meeting on 19th July 2016.
- 3.9 A summary of the Mid Devon responses is available on our website <https://www.middevon.gov.uk/residents/benefits/council-tax-reduction/ctr-consultation-results-summary/> and a summary of the responses to other Devon districts is shown in Appendix 2.
- 3.10 The number of responses has been low across Devon (see table below)

District/City	No. responses received	District/City	No. responses received
Exeter	79	South Hams	18
East Devon	250	Teignbridge	156
Mid Devon	19	Torridge	81
North Devon	82	West Devon	22

4 Amendment to proposed changes

- 4.1 Taking account of responses and other identified issues it is proposed the following amendments be included:
- (i) Proposals 1 and 5. These changes are intended to align CTR with the administration of Housing Benefit. At the present time the Government have not approved the changes to HB but regulations are expected before the 1st April 2017. Members are advised that in the unlikely event that these changes are not effected by Central Government by 1st April 2017, that the Council's Council Tax Reduction scheme will not be amended for 2017 but will be amended from 2018.

- (ii) Proposal 3. To take account of the restriction placed on people who may have limited ability to work 35 hours per week the following is proposed;

The 35 hours will be replaced with 16 hours, or actual hours worked if more than 16, or the actual self- employed earnings if those earnings are above either of these amounts

5.0 Financial Impact

- 5.1. Any reductions to CTR whilst increasing council tax income to the Council and our major preceptors has financial implications for our residents.
- 5.2. Modelling has been undertaken at a pan Devon level which has indicated the proposed changes to the CTR scheme may result in savings of circa £20k for Mid Devon. This figure would be subject to levels of collection
- 5.3. We will continue to offer support on managing finances and advice on other potential benefits through our partnership with Wiser£money.
- 5.4. The Council Tax Exceptional Hardship policy is available for those affected by the proposed changes who may have difficulty paying their council tax. The amounts awarded via this policy are;

2013/14	£7,009.20
2014/15	£24,922.35
2015/16	£17,941.09
2016/17 (to September 16)	£1,537.27

The cost of these awards is shared with the precepting authorities.

- 5.5 The recovery of any additional council tax sums levied on working age claimants and ultimately the impact on the Council Tax Base and the Collection Fund are both key elements of the overall budget setting process for the Council. Council Tax recovery levels are monitored regularly and this will in due course provide an indicator of the changes and whether any additional resource will be required.

6. Equalities Implications /Public Sector Duty

- 6.1. The existing CTR scheme is supported by the original Equality Impact Assessment (EIA) undertaken in 2013 following the consultation in 2012. The proposed changes will continue to support the most vulnerable members of our community as it contain more generous provisions for protecting disabled residents (which is applied to any applicant where a member of the household is in receipt of Disability Living Allowance or Personal Independence Payment (PIP)).
- 6.2 Case law has highlighted that Councillors should note that the scheme

together with all supporting papers, Equality Impact assessments etc. must be considered before making any decision on the scheme .

Due regard should therefore be had to the Public Sector Equality Duty when giving consideration to a review of the scheme and the recommendations in this report.

- 6.3 An equalities impact assessment has been undertaken for the proposed changes to the scheme and this is given at Appendix 3 of this report.

7 Further Reviews

- 7.1 There are many unknown risks with changes to schemes where they are based on means testing. Outside factors such as levels of unemployment, changes in other state benefits and increases in the level of Council Tax affects the amount of support that will need to be funded each year.
- 7.2. A review of the scheme will be undertaken for 2018/19 where further changes may be proposed from 2018 onwards.
- 7.3 Should any amendments be required a further consultation exercise will need to be undertaken during 2017 and approval for a revised scheme made by full Council by 31 January 2018.

8 Conclusion

- 8.1. The Council is required to have a localised Council Tax Reduction scheme approved by 31 January each year to operate from 1 April in the following financial year.
- 8.2. With this proposed scheme we have attempted to protect the most vulnerable in our community by maintaining the link to entitlement to other benefits as a means of entitlement to support.
- 8.3 This meeting will need to approve the proposed changes in order for Cabinet to make recommendation on 1 December 2016 prior to final approval by Full Council on 14 December 2016.

Contact for more Information: Dawn Harris Benefit Manager 01884 234372

Circulation of the Report: Members of Community PDG, Cllr Hare-Scott & Management Team

Proposed changes to Council Tax Support Scheme 2017/18

The proposed working-age Council Tax Support Scheme from 1st April 2017 will be the 2016/17 scheme but including eight changes, outlined below.

The full details of our current scheme can be found on our website www.middevon.gov.uk

PROPOSAL 1. Removing the Family Premium for all new working age applicants

This will change Schedule 1 paragraph 3.

The removal of Family Premium from 1st April 2017 for new claims will bring our Council Tax Support scheme in line with Housing Benefit.

The Family Premium is part of how we assess the 'needs' (Applicable Amounts) of any claimant which is compared with their income. Family Premium is normally given when a claimant has at least one dependant child living with them.

Removing the Family Premium will mean that when we assess a claimant's needs we would not include the family premium (currently £17.45 per week). This change would not affect those on Universal Credit, Income Support, Income Related Employment and Support Allowance or Income Based Jobseeker's Allowance.

PROPOSAL 2. Reducing Backdating to 1 month

This will change section 69.9

Currently claims for Council Tax Support from working age claimants can be backdated for up to 6 months where an applicant shows they could not claim at an earlier time.

Central Government has reduced the period for Housing Benefit claims to 1 month. It is proposed that the Council's Council Tax Support Scheme be aligned with the changes for Housing Benefit.

PROPOSAL 3. Introducing a minimum income floor for the self employed after a 12 month start up period.

This will change section 20.

In order to align Council Tax Support with Universal Credit, the Council proposes to use a minimum level of income (minimum income floor) for those who are self-employed.

This would be in line with the National Living Wage (or National Minimum wage for under 25's) for 35 hours worked per week. The income would not apply for a designated start-up period of one year from the start of the business. Variations would apply to any person who is both employed and self-employed.

PROPOSAL 4. Reducing the period for which a person can be absent from Great Britain and still receive Council Tax Reduction to 4 weeks
This will change section 8.

Within the current scheme, applicants can be temporarily absent from their homes for 13 weeks (or 52 weeks in certain cases) without it affecting the Council Tax Support. This replicated the rule within Housing Benefit.

Housing Benefit has been changed so that if a person is absent from Great Britain for a period of more than 4 weeks, their benefit will cease.

It is proposed that the Council Tax Support scheme is amended to reflect the changes in Housing Benefit. There will be exceptions for certain occupations such as mariners and the armed forces.

PROPOSAL 5. Removing the Work Related Activity Component in the calculation of the entitlement for new Employment and Support Allowance applicants
This will change Schedule 1 paragraphs 17-18.

From April 2017, all new applicants for Employment and Support Allowance (ESA) who fall within the Work Related Activity Group will no longer receive the work related activity component in either their ESA or within the calculation of Housing Benefit. It is proposed that the Council Tax Support scheme is amended to reflect the changes.

PROPOSAL 6. Limiting the number of dependant children within the calculation for Council Tax Support to a maximum of two
This will change Schedule 1 paragraph 2.

Within the current scheme, claimants who have children are awarded a dependant's addition of £66.90 per child within the calculation of their needs (Applicable Amounts). There is no limit to the number of dependant's additions that can be awarded.

From April 2017 Central Government will be limiting dependant's additions in Universal Credit, Housing Benefit and Tax Credits to a maximum of two. This will only affect households who have a third or subsequent child on or after 1st April 2017.

It is proposed that the Council Tax Support scheme is amended to reflect the changes in Housing Benefit and Central Government Benefits. There will be exceptions where: there are multiple births after 1st April 2017 (and the household is not already at their maximum of two dependants within the calculation); adopted children, where households merge or where a child is born as a result of rape.

PROPOSAL 7. Removing entitlement to the Severe Disability Premium where another person is paid Universal Credit (Carers Element) to look after them
This will change Schedule 1 paragraph 10.

Currently when another person is paid Carers Allowance to look after a Council Tax Support claimant, then the Severe Disability Premium is not included when working out their needs (Applicable Amounts). The reason for this is that it avoids paying for the same care twice.

This proposed change will align the scheme with Housing Benefit by treating persons who receive the Universal Credit (Carers Element) in the same way as anyone receiving Carers Allowance.

PROPOSAL 8. Removing entitlement to the additional earnings disregard for Universal Credit customers in work

This will change Schedule 3 paragraph 16.

Currently an additional amount of earnings can be disregarded if a customer is working sufficient hours. This additional disregard doesn't apply in Universal Credit.

This proposal removes the additional disregard from Council Tax Support for working customers who receive Universal Credit. The standard earnings disregard will still apply.

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APPENDIX 2

District	Total No of Responses	Question 1 Fam Prem			Question 2 Limit Back			Question 3 MIF			Question 4 Absent >4wk		
		Yes	No	DontKnow	Yes	No	D/K	Yes	No	DontKnow	Yes	No	DontKnow
		%	%	%	%	%	%	%	%	%	%	%	%
East Devon	250	62.08	22.5	15.42	80.74	14.75	4.51	71.95	20.73	7.32	85.31	11.43	3.27
Exeter	79	69.74	21.05	9.21	75	22.37	2.63	78.95	13.16	7.89	89.47	10.53	0
Mid Devon	19	38.89	50	11.11	38.89	55.56	5.56	33.33	55.56	11.11	77.78	11.11	11.11
North Devon	82	63.41	29.27	7.32	83.95	11.11	4.94	71.95	24.39	3.66	91.46	7.32	1.22
South Hams	18	71.43	28.5	0	71.43	21.43	7.14	64.29	35.7	0	71.43	21.43	7.14
Teignbridge	156	60.53	24.34	15.13	66.45	25	8.55	66.67	22.88	10.46	84.11	11.26	4.64
Torrige	81	59.26	33.33	7.41	75.31	16.05	8.64	61.73	28.4	9.88	90.12	3.7	6.17
West Devon	22	47.83	26.09	26.09	68.18	27.27	4.55	69.57	26.09	4.35	73.91	17.39	8.7

District	Question 5 Remove wrac			Question 6 2 dep limit			Question7 UC Carer Elem			Question 8 UC Addtl earn dis		
	Yes	No	DontKnow	Yes	No	DontKnow	Yes	No	DontKnow	Yes	No	DontKnow
	%	%	%	%	%	%	%	%	%	%	%	%
East Devon	68.57	15.51	15.92	81.22	13.47	5.31	68.57	15.1	16.33	70.66	8.26	21.07
Exeter	76.32	10.53	13.16	76.32	15.79	7.89	74.67	12	13.33	82.89	7.89	9.21
Mid Devon	50	16.67	33.33	50	44.44	5.56	55.56	33.33	11.11	41.18	47.06	11.76
North Devon	69.51	12.2	18.29	78.05	18.29	3.66	78.05	10.98	10.98	71.6	9.88	18.52
South Hams	57.14	14.26	28.57	69.23	15.38	15.38	64.29	28.57	7.14	57.14	7.14	35.71
Teignbridge	69.74	11.18	19.08	79.47	13.25	7.28	70.59	9.15	20.26	70.59	9.15	20.26
Torrige	58.02	14.81	27.16	79.01	19.75	1.23	65	12.5	22.5	58.75	16.25	25
West Devon	56.52	30.43	13.04	65.22	34.78	0	56.52	30.43	13.04	65.22	17.39	17.39



<p>This assessment looks at possible impacts of a change to our Council tax Reduction (CTR) Scheme.</p>	
Date of assessment	October 2016
Lead Officer	<i>Dawn Harris</i>
Version	1
Department	<i>Benefits</i>
Proposed change to service	<p>Changes to the Council Tax Reduction scheme .from April 2017.</p> <p>This is a local scheme that replaced Council Tax Benefit from April 2013 and provides help to low income households with their council tax liability</p> <p>We are proposing 8 changes to some elements of the CTR scheme these will affect current and future recipients.</p> <p>PROPOSAL 1. Removing the Family Premium for all new working age applicants</p> <p>The removal of Family Premium from 1st April 2017 for new claims will bring our Council Tax Reduction scheme in line with Housing Benefit.</p> <p>The Family Premium is part of how we assess the ‘needs’ (Applicable Amounts) of any claimant which is compared with their income. Family Premium is normally given when a claimant has at least one dependant child living with them.</p> <p>Removing the Family Premium will mean that when we assess a claimant’s needs we would not include the family premium (currently £17.45 per week). This change would not affect those on Universal Credit, Income Support, Income Related Employment and Support Allowance or Income Based Jobseeker’s Allowance.</p> <p>We estimate this will create an average potential loss of £30.00 per annum per claim.</p> <p>PROPOSAL 2. Reducing Backdating to 1 month</p> <p>Currently claims for Council Tax Reduction from working age claimants can be backdated for up to 6 months where an applicant shows they could not claim at an earlier time.</p> <p>Central Government has reduced the period for Housing Benefit claims to 1 month. It is proposed that the Council’s Council Tax</p>

Reduction Scheme be aligned with the changes for Housing Benefit.

In 2015/16 we have very few claims backdated beyond one month. Any people affected by the change will be encouraged to apply for Exceptional Hardship

PROPOSAL 3. Introducing a minimum income floor for the self employed after a 12 month start up period.

In order to align Council Tax Reduction with Universal Credit, the Council proposes to use a minimum level of income (minimum income floor) for those who are self-employed.

This would be in line with the National Living Wage (or National Minimum wage for under 25's) for 35 hours worked per week. The income would not apply for a designated start-up period of one year from the start of the business. Variations would apply to any person who is both employed and self-employed.

Where this policy has been adopted elsewhere in the country experience has found most self employed people have generally been able to cope with the increase in Council Tax .

Where some claimants are disabled or have caring responsibilities they often find running their own business is more suitable to taking up employment .It is important these limitations are recognised and they will be encouraged to request Exceptional Hardship

We currently have 120 claims who will be affected by this change The average annual loss per claim is estimated to be £600.00.

PROPOSAL 4. Reducing the period for which a person can be absent from Great Britain and still receive Council Tax Reduction to 4 weeks

Within the current scheme, applicants can be temporarily absent from their homes for 13 weeks (or 52 weeks in certain cases) without it affecting the Council Tax Reduction. This replicated the rule within Housing Benefit.

Housing Benefit has been changed so that if a person is absent from Great Britain for a period of more than 4 weeks, their benefit will cease.

It is proposed that the Council Tax Reduction scheme is amended to reflect the changes in Housing Benefit. There will be exceptions for certain occupations such as mariners and the armed forces.

We have no data on people who have been absent for more than 4

weeks therefore it is not possible to estimate the numbers affected by this change.

PROPOSAL 5. Removing the Work Related Activity Component in the calculation of the entitlement for new Employment and Support Allowance applicants

From April 2017, all new applicants for Employment and Support Allowance (ESA) who fall within the Work Related Activity Group will no longer receive the work related activity component in either their ESA or within the calculation of Housing Benefit. It is proposed that the Council Tax Reduction scheme is amended to reflect the changes.

Disabled people who currently receive the Work Related activity Component of £29.05 per week will not be affected

This change will not actually reduce the level of CTR for new claims after April 2017 and the number of people affected are likely to be very low.

PROPOSAL 6. Limiting the number of dependant children within the calculation for Council Tax Reduction to a maximum of two

Within the current scheme, claimants who have children are awarded a dependant's addition of £66.90 per child within the calculation of their needs (Applicable Amounts). There is no limit to the number of dependant's additions that can be awarded.

From April 2017 Central Government will be limiting dependant's additions in Universal Credit, Housing Benefit and Tax Credits to a maximum of two.

It is proposed that the Council Tax Reduction scheme is amended to reflect the changes in Housing Benefit and Central Government Benefits. There will be exceptions where: there are multiple births after 1st April 2017 (and the household is not already at their maximum of two dependants within the calculation); adopted children, where households merge or where a child is born as a result of rape.

We estimate this will create an average annual loss of £410.00 per annum per claim. Existing claims with 3 or more children will not be affected. This will only affect households who have a third or subsequent child on or after 1st April 2017.

PROPOSAL 7. Removing entitlement to the Severe Disability Premium where another person is paid Universal Credit (Carers Element) to look after them
This will change Schedule 1 paragraph 10.

	<p>Currently when another person is paid Carers Allowance to look after a Council Tax Reduction claimant, then the Severe Disability Premium is not included when working out their needs (Applicable Amounts). The reason for this is that it avoids paying for the same care twice.</p> <p>This proposed change will align the scheme with Housing Benefit by treating persons who receive the Universal Credit (Carers Element) in the same way as anyone receiving Carers Allowance.</p> <p>PROPOSAL 8. Removing entitlement to the additional earnings disregard for Universal Credit customers in work <i>This will change Schedule 3 paragraph 16.</i></p> <p>Currently an additional amount of earnings can be disregarded if a customer is working sufficient hours. This additional disregard doesn't apply in Universal Credit.</p> <p>This proposal removes the additional disregard from Council Tax Reduction for working customers who receive Universal Credit. The standard earnings disregard will still apply.</p>
<p>Background and Reason for the service change.</p>	<p>Council Tax is collected from households by District councils and the money collected contributes to providing public services provided by Devon County Council , Police , Fire and District Councils. Funding is also received in the form of Government grants.</p> <p>As the grants from Central Government have reduced significantly. and further reductions are expected Council Tax is becoming a main source of income for local authorities</p> <p>The cost of the Council Tax Reduction scheme has to be reviewed annually to ensure additional burdens are not put on the general fund and local taxpayers.</p> <p>Mid Devon District council has a statutory duty to administer a CTR scheme under the Local Government Finance Act 2012 . The CTR scheme for Pensioners is prescribed by the Government to protect the level of support they receive. The Working age scheme has to be designed, agreed and delivered by local authorities</p> <p>The proposed changes to Mid Devon's Working are being considered ;</p> <p>To ensure the CTR scheme continues to provide support to low income households whilst managing the decrease in funding to local authorities from the Government</p> <p>To simplify administration of the scheme and align the rules with other welfare benefits making it easier for applicants to understand.</p>

	<p>To limit the impact of any changes to the CTR scheme on the residents with low income who may be vulnerable .</p> <p>Local authorities are unable to reduce the scheme to affect those of Pension Age. This means that the burden of any proposed saving falls upon those of Working Age</p> <p>Other Options Considered</p> <ol style="list-style-type: none"> 1. <i>Reduce budgets to other council services . budget reductions to services are considered each year. It is becoming harder each year to find further efficiencies that meet public expectations and statutory obligations</i> 2. <i>Use council reserves (savings). Using reserves would only provide relief in the short term. Once reserves are used they are no longer available and there would be no funding for unforeseen events such as environmental emergencies.</i> 3. <i>Continuing with the current scheme . The administration costs may increase as the scheme does not align with Housing Benefit .</i> 4. <i>Increase Council Tax. In 2016/17 the council raised Council Tax as far as it could without the need for a local referendum and the County council increased tax by 4%. Increasing council tax has an impact on all local taxpayers</i> 				
<p>Information about users, research or other evidence</p>	<p><i>Number of CTR recipients @ 31 July 2016 4678</i></p> <p><i>Pensioner age 2440 (52%)</i> <i>Working age 2238 (48%)</i></p> <p>The percentage will change over time, as the national age threshold for becoming a pensioner is increasing.</p> <p>For Working age we mean those aged 18 to 62 and for Pension age we mean those who will be 63 on 1 April 2017</p> <p>CTR expenditure @ 31 July 2016 £4,047,177</p> <table style="margin-left: 100px;"> <tr> <td>Pension Age</td> <td>£2,424,089</td> </tr> <tr> <td>Working Age</td> <td>£1,623,088</td> </tr> </table> <p>Our current scheme and proposals for changes to the scheme are in line with other Devon authorities. Officers from all Devon Councils and the preceptors (DBOG) meet regularly to monitor and review the Council Tax Reduction scheme.</p> <p>Nationally some authorities have already introduced the changes we are proposing DBOG has used the information gained from them</p>	Pension Age	£2,424,089	Working Age	£1,623,088
Pension Age	£2,424,089				
Working Age	£1,623,088				

	<p>when submitting the proposals. any negative/positive has been taken into account in this assessment</p>
<p>Stakeholder involvement and consultation</p>	<p>We consulted with the preceptors Devon County Council the Police and Fire brigade. The County and District Heads of Finance recommended the proposals to Devon Local Government Steering Group who agreed the proposals and that a consultation process should take place.</p> <p>We have carried out consultation on the proposed changes to our scheme for eight weeks between 4 July and 4 September 2016.</p> <p>We met with external stakeholders on 19 July 2016 to brief them on the proposed changes and invited them to respond</p> <p>Articles were included in the June and July editions of Mid Devon Talk. All Members were notified via their Weekly Information Sheet</p> <p>A Consultation alert header was set up on the Homepage, Benefits, Council Tax and Consultation page of Mid Devon District Council's web site . This remained in place throughout the 8 week period linking to a summary of the proposals, a copy of our current scheme and the online consultation questionnaire.</p> <p>We have written to all recipients of CTR who will be affected by the changes</p> <p>A full copy of the Responses to the consultation are on our web site https://www.middevon.gov.uk/residents/benefits/council-tax-reduction/ctr-consultation-results-summary/</p>
<p>Impact of change</p>	<p>It has been difficult to give an exact figure to the savings . Modelling has been undertaken at a pan Devon level which has indicated the proposed changes to the CTR scheme may result in savings of circa £20k for Mid Devon. This figure would be subject to levels of collection .</p> <p>Any customer who is entitled to Council tax Support , or who loses their entitlement because of the changes and has a shortfall is entitled to make a claim for help via the Exceptional Hardship payment scheme.</p> <p>We work in partnership with Wiser£money who can assist customers to manage their household budgets and overall debt.</p> <p>Council Tax collection rate could be affected. The reduction in support given may result in additional administration and recovery</p>

	<p>action It is difficult to estimate the impact however as the collection rate of Council Tax is monitored regularly this will in due course provide an indicator of the impact of the changes and whether any additional resource will be required.</p> <p>Additional enquiries to the Benefit, Council Tax and Customer Service teams will be higher at the start of the financial year and may affect services delivery for a short period of time .</p> <p>Impact of other changes</p> <p>Many claimants will also be managing the impact of other welfare reforms e.g.</p> <ul style="list-style-type: none"> <input type="checkbox"/> Social sector size criteria reductions to Housing Benefit <input type="checkbox"/> Replacement of Disability Living Allowance with Personal Independence Payments <input type="checkbox"/> National benefit cap <input type="checkbox"/> Increased non-dependent deduction rates <input type="checkbox"/> Reduced uprating percentage for benefits and tax credits. <input type="checkbox"/> National roll out of Universal Credit <input type="checkbox"/> Freeze on benefit rates for the working Age Group (excluding disability benefits)
	Impact on Protected Groups
Age	<p>The proposed changes will not affect those of Pension age who will continue to have their support assessed under national rules set by the Government to replicate the former Council Tax Benefit scheme .</p> <p>Working age households whose income is based on self employment will cease to receive support after a 12 month set up period.</p> <p>Younger residents between 18 and 24 are slightly disadvantaged under the current CTR scheme and other welfare benefits , which gives lower applicable amounts in the calculation of council tax reduction. this</p> <p>Applications for Exceptional Hardship payment will be considered in line with our responsibilities under section 13a (1)(c) of the Local Government Finance Act 1992</p>
Disability	<p>The changes will not affect the Disabled band reduction scheme which is applied to the council tax liability before the calculation of CTR entitlement.</p> <p>Applying the Minimum Income Floor to Self employed applicants who receive disability benefits (Employment and Support Allowance Disability Living Allowance or Personal Independence Payment)will</p>

	<p>lose their entitlement to CTR after a 12 month start up period.</p> <p>Applications for Exceptional Hardship payment will be considered in line with our responsibilities under section 13a (1)(c) of the Local Government Finance Act 1992</p> <p>The changes to family premium and the 2 child allowance restriction will affect new applicants after 1 April 2017.</p> <p>Additional premiums are included in the calculation of entitlement for those who in receipt of disability benefits . Disability Living Allowance, Personal Independence payments and war disablement Pension are disregarded in full when the calculation income.</p> <p>The earnings disregard for people with a disability is £20 rather than the standard £5 for a single person and £10 for a couple . This ensure disabled people who work are able to keep more of their earnings .</p> <p>For applicants who are Blind or receive the care component of Disability Living Allowance or Personal Independence payment ,no non dependant deduction is taken from their entitlement for CTR. This supports households where assistance is provided to the person with disabilities.</p> <p>Applications for Exceptional Hardship payment will be considered in line with our responsibilities under section 13a (1)(c) of the Local Government Finance Act 1992</p>
Sex (gender)	<p>The means tested scheme is based on income and household circumstances that are not influenced by gender. The CTR scheme does not impact on anyone differently on grounds of gender.</p>
Marital status, family circumstances or caring responsibilities	<p>There is a Carer disregard applied to council tax liability for carers living in a property with the person they are caring for. A 25% reduction is applied before any entitlement to council tax reduction The proposed changes will not affect this disregard.</p> <p>Single parents, predominately women who are statistically usually in low paid or part time employment may lose entitlement to CTR if they are self employed.</p>
Race / Ethnicity	<p>The means tested scheme is based on income and household circumstances that are not influenced by race and ethnicity. The CTR scheme does not impact on anyone differently on grounds of race or ethnicity</p>
Religion / Belief	<p>The means tested scheme is based on income and household circumstances that are not influenced by religion or belief . The CTR scheme does not impact on anyone differently on grounds of religion or belief</p>

Sexual Orientation	The means tested scheme is based on income and household circumstances that are not influenced by sexual orientation . The CTR scheme does not impact on anyone differently on grounds of sexual orientation	
Other		
Submissions from interested parties received.	There have been no submissions from any support organisations a full summary of the responses are available on our web site https://www.middevon.gov.uk/residents/benefits/council-tax-reduction/ctr-consultation-results-summary/	
Issues and Recommendations	Issue	Recommendations
	1.Claimants with children will have less income for their living expenses and for caring for their children if they have to pay more towards their Council Tax; a	To mitigate this issue the Council provides a Section 13A discretionary hardship scheme.
	2. Disabled claimants who may be unable to work due to their disability may be affected by an increase in the amount of Council Tax they have to pay.	To mitigate this issue the Council provides a Section 13A discretionary hardship scheme
	3. Increase in Council Tax to pay and reduction in collection rate	The collection of Council Tax to be monitored throughout the financial year
Overall Recommendation	The CTR scheme and the proposed changes do not unlawfully discriminate against people with protected characteristics, it continues to provide additional support for those with children, caring responsibilities or disabilities who can often have fewer opportunities and has been developed using a fair and evidence based approach.	
Approved by	Andrew Jarrett Director of Finance Assets and Resources	
Approval date	November 2016	

Review	<p><i>The CTR scheme and any impacts is reviewed monthly by the Devon Benefit Officer Group and this will continue throughout the next financial year</i></p> <p><i>The increase in Council Tax payable, recovery rates and number of people applying for Exceptional Hardship will be monitored monthly for any impacts</i></p>
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Mid Devon District Council



**Council Tax Reduction Scheme
Exceptional Hardship Policy**

November 2016

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1.0 Background

1.1 An Exceptional Hardship Policy has been created by the Council to assist persons who have applied for Council Tax Reduction and who are facing 'exceptional hardship'. This is to provide further assistance where an applicant is in receipt of Council Tax Reduction but the level of support being paid by the Council does not meet their full Council Tax liability.

1.2 Exceptional Hardship will be available to any applicant where their daily award of Council Tax Reduction does not meet 100% of their Council Tax liability (less any appropriate discounts and non-dependant deductions).

1.3 The main features of the policy are as follows:

- The operation of the policy will be at the total discretion of the Council;
- The policy will be operated by the Revenues and Benefits section on behalf of the Council;
- Exceptional Hardship falls within S13A 1 A of the Local Government Finance Act 1992 and forms part of the Council Tax Reduction scheme;
- Exceptional Hardship payments will only be available from 1st April 2017 and **will not be available for any other debt other than outstanding Council Tax**;
- A pre-requisite to receive a payment is that an application for Council Tax Reduction has been made;
- Where an Exceptional Hardship Payment is requested for a previous period, Exceptional Hardship must have been proven to have existed throughout the whole of the period requested;
- Exceptional Hardship Payments are designed as a short-term help to the applicant only and it is expected that payments will be made for a short term only; and
- All applicants will be expected to engage with the Council and undertake the full application process. Failure to do so will inevitably mean that no payment will be made.

2.0 Exceptional Hardship and Equalities

2.1 The creation of an Exceptional Hardship Policy facility meets the Council's obligations under the Equality Act 2010.

2.2 The Council recognises the importance of protecting our most vulnerable customers and also the impact the changes imposed by the removal of Council Tax Benefit by Central Government. This policy has been created to ensure that a level of protection and support is available to those applicants most in need. It should be noted that an Exceptional Hardship Policy is intended to help in cases of **extreme** financial hardship and not support a lifestyle or lifestyle choice. Whilst the definition 'Exceptional Hardship' is not exactly defined by this policy, it is accepted that changes to the level of support generally will cause financial hardship and any payment made will be at the total discretion of

the Council. Exceptional Hardship should be considered as 'hardship beyond that which would normally be suffered'

3.0 Purpose of this policy

3.1 The purpose of this policy is to specify how the Council will operate the scheme, to detail the application process and indicate a number of factors, which will be considered when deciding if an Exceptional Hardship payment can be made.

3.2 Each case will be treated on its own merits and all applicants will be treated fairly and equally in both accessibility and also decisions made with applications.

4.0 The Exceptional Hardship Process

4.1 As part of the process of applying for additional support, all applicants must be willing to undertake **all** of the following:

- a. Make a separate application for assistance;
- b. Provide full details of their income and expenditure;
- c. Where a person is self-employed or a director of a private limited company, details of their business including business accounts must be supplied;
- d. Accept assistance from either the Council or third parties such as the CAB or similar organisations to enable them to manage their finances more effectively including the termination of non essential expenditure;
- e. Identify potential changes in payment methods and arrangements to assist the applicant;
- f. Assist the Council to minimise liability by ensuring that all discounts, exemptions and reductions are properly granted; and
- g. Maximise their income through the application for other welfare benefits, cancellation of non-essential contracts and outgoings and identifying the most economical tariffs for the supply of utilities and services generally.

4.2 Through the operation of this policy the Council will look to

- Allow a short period of time for someone to adjust to unforeseen short-term circumstances and to enable them to "bridge the gap" during this time, whilst the applicant seeks alternative solutions;
- Enable long term support to households in managing their finances;
- Help applicants through personal crises and difficult events that affect their finances;
- Prevent exceptional hardship;
- Help those applicants who are trying to help themselves financially; and
- Encourage and support people to obtain and sustain employment.

4.3 It cannot be awarded for the following circumstances:

- Where the full Council Tax liability is being met by Council Tax Reduction;
- For any other reason, other than to reduce Council Tax liability;
- Where the Council considers that there are unnecessary expenses/debts etc and that the applicant has not taken reasonable steps to reduce these;
- To pay for any arrears of Council Tax Reduction caused through the failure of the applicant to notify changes in circumstances in a timely manner or where the applicant has failed to act correctly or honestly; or
- To cover previous years Council Tax arrears

5.0 Awarding an Exceptional Hardship Payment

5.1 The Council will decide whether or not to make an Exceptional Hardship award, and how much any award might be.

5.2 When making this decision the Council will consider:

- The shortfall between Council Tax Reduction and Council Tax liability;
- Whether the applicant has engaged with the Exceptional Hardship process;
- The personal circumstances, age and medical circumstances (including ill health and disabilities) of the applicant, their partner any dependants and any other occupants of the applicant's home;
- The difficulty experienced by the applicant, which prohibits them from being able to meet their Council Tax liability, and the length of time this difficulty will exist;
- The income and expenditure of the applicant, their partner and any dependants or other occupants of the applicant's home;
- How reasonable expenditure exceeds income;
- In the case of a self-employed applicant, whether they are in gainful employment;
- All income received by the applicant, their partner and any member of their household irrespective of whether the income may fall to be disregarded under the Council Tax Reduction scheme;
- Any savings or capital that might be held by the applicant, their partner and any member of their household irrespective of whether the capital may fall to be disregarded under the Council Tax Reduction scheme;
- Other debts outstanding for the applicant and their partner;
- The exceptional nature of the applicant and/or their family's circumstances that impact on finances; and
- The length of time they have lived in the property;

5.3 The above list is not exhaustive and other relevant factors and special circumstances will be considered.

5.4 An award of Exceptional Hardship does not guarantee that a further award will be made at a later date, even if the applicant's circumstances have not changed.

5.5 An Exceptional Hardship payment may be less than the difference between the Council Tax liability and the amount of Council Tax Reduction paid. The level of payment may be nil if the authority feels that, in its opinion, the applicant is not suffering 'exceptional hardship' or where the applicant has failed to comply with the Exceptional Hardship process.

6.0 Publicity

6.1 The Council will make a copy of this policy available for inspection and will be published on the Council's website.

7.0 Claiming an Exceptional Hardship payment

7.1 An applicant must make a claim for an Exceptional Hardship award by submitting an application to the Council. The application form can be obtained via the telephone, in person at one of the Council offices and/or via the Council's website.

7.2 Applicants can get assistance with the completion of the form from the Revenues and Benefits Service or Customer Services at the Council.

7.3 The application form must be fully completed and supporting information or evidence provided, as reasonably requested by the Council. The form must be returned within one calendar month of its issue.

7.4 In most cases the person who claims the Exceptional Hardship award will be the person entitled to Council Tax Reduction. However, a claim can be accepted from someone acting on another's behalf, such as an appointee, if it is considered reasonable.

8.0 Changes in circumstances

8.1 The Council may revise an award of Exceptional Hardship where the applicant's circumstances have changed which either increases or reduces their Council Tax Reduction entitlement.

9.0 Duties of the applicant and the applicant's household

9.1 A person claiming an Exceptional Hardship payment is required to:

- Provide the Council with such information as it may require to make a decision;
- Tell the Council of any changes in circumstances that may be relevant to their ongoing claim; and
- Provide the Council with such other information as it may require in connection with their claim.

10.0 The award and duration of an Exceptional Hardship Payment

10.1 Both the amount and the duration of the award are determined at the discretion of the Council, and will be done so on the basis of the evidence supplied and the circumstances of the claim.

10.2 The start date of such a payment and the duration of any payment will be determined by the Council. In any event, the maximum length of the award will not exceed the end of the financial year in which the award is given.

11.0 Payment

11.0 Any Exceptional Hardship payment will be made direct onto the customer's Council Tax account, thereby reducing the amount of Council Tax payable.

12.0 Overpaid Exceptional Hardship Payments

12.1 Overpaid Exceptional Hardship payments will generally be recovered directly from the applicant's council tax account, thus increasing the amount of council tax due and payable.

13.0 Notification of an award

13.1 The Council will notify the outcome of each application for Exceptional Hardship payment.

14.0 Appeals

14.1 Exceptional Hardship payments are granted under S13A 1A of the Local Government Finance Act 1992 as part of the Council Tax Reduction scheme, as such the normal Council Tax appeal process applies and an appeal can be made at any time. The initial appeal should be made to the Council who will review any decision. Ultimately any decision can be considered by an independent Valuation Tribunal.

15.0 Fraud

15.1 The Council is committed to protect public funds and ensure funds are awarded to the people who are rightfully eligible to them.

15.2 An applicant who tries to fraudulently claim an Exceptional Hardship payment by falsely declaring their circumstances, providing a false statement or evidence in support of their application, may have committed an offence under The Fraud Act 2006.

15.3 Where the Council suspects that such a fraud may have been committed, this matter will be investigated as appropriate and may lead to criminal proceedings being instigated.

16.0 Complaints

16.1 The Council's 'Compliments and Complaints Procedure' (available on the Council's website) will be applied in the event of any complaint received about this policy.

17.0 Policy Review

17.1 This policy will be reviewed on a regular basis and updated as appropriate to ensure it remains fit for purpose. However, a review may take place sooner should there be any significant changes in legislation.

CABINET

1st December 2016

Tax Base Calculation 2017/18

Cabinet Member: Cllr Peter Hare-Scott
Responsible Officer: Andrew Jarrett – Director of Finance, Assets and Resources.

Reason for Report: This paper details the statutory calculations necessary to determine the Tax Base for the Council Tax. The calculations made follow a formula laid down in Regulations.

RECOMMENDATION TO COUNCIL:

That the calculation of the Council's Tax Base for 2017/18 be approved in accordance with The Local Authorities (Calculation of Tax Base) (England) Regulations 2012 at **27,876.12** see Appendix 1.

Relationship to Corporate Plan:

1. This report sets out how the Tax Base is calculated for 2017/18. This calculation is then used as a basis to set the Council's budget for the forthcoming year.
2. This report is in line with the Council's Corporate Plan objectives.

Financial Implications: Mid Devon District Council is a Statutory Billing Authority and must set its Council tax each year. If it were not to set a Council Tax then the Authority and all Precepting authorities would be unable to raise money to pay for all the services they provide.

Legal Implications: This is a statutory function and is a legal requirement. The Council must now set its budget annually using Council Tax information as at 30th November each year in accordance with The Local Authorities(Calculation of Council Tax Base)(England) Regulations 2012 calculating the relevant amount by applying the formula set out in the above regulations.

Risk Assessment: If the Council fails to carry this duty out then the Council Tax cannot legally be set. In accordance with the LGF Act 2012 above and SI 2914 of 2012 The Local Authorities(Calculation of Council Tax Base)(England) Regulations 2012, The Council Tax Base calculation includes a deduction for the CTR scheme within its Tax Base calculation.

The calculation shows the estimated annual cost of the CTR scheme, shown as the number of Band D equivalents. For the 2017/18 year this is estimated as 2,372 Band D equivalent properties.

The Collection Rate calculation (A)

It is necessary to estimate a 'collection rate', which is the proportion of Council Tax due that will actually be paid. It is recommended that a collection rate of 98.0% be estimated for the year 2017/18, which is consistent with previous years.

Any variation from the collection rate of 98% is pooled in a collection fund, which is distributed in the next financial year to all precepting authorities.

Calculation of the relevant amount (B)

Number of Properties per Valuation Band

The starting point will be the total number of properties within Mid Devon set out in the Valuation List.

Less Exemptions

Properties are exempt from Council Tax under certain circumstances. The calculated tax base uses the information currently held in deciding the level of exempt properties that are likely to apply for 2017/18.

Add Appeals, new properties and deletions from the Valuation List

The Valuation Officer has dealt with the vast majority of Council Tax appeals to date and so no further allowance is believed to be necessary at this time. At the **3rd October 2016** we have estimated a net increase in properties within Mid Devon of **100** Band D properties to go live on or before 1st April 2017 and a further **200** during the financial year, totalling (300) This estimate is based on the current number of reports outstanding with the Valuation Officer; the actual bandings may differ when the properties are eventually entered into the Council Tax Valuation list.

Disabled Allowance (move down a Band)

Where a disabled resident has made structural alterations to their property to help with their disability or they use a wheelchair internally at the premises, the property is entitled to a reduction and is afforded by moving the property to the next lowest band. Existing Band A properties are also entitled to a reduction by reducing the 6/9ths charge down to 5/9ths Charge.

Less 25% Discounts

Single Persons Discounts

If only one person lives in the dwelling as their main residence then a discount of 25% is allowed.

Less 50% discount

A discount of 50% is allowed where two or more persons who can be disregarded for Council Tax purposes occupy the property, e.g. care workers.

Second homes now pay full Council tax.

Long Term Empties

After a three month free period no further discount is allowed.

50% premium after 2 years

If a property remains empty of furniture and residence for two years or more the Council will apply an additional 50% premium to the Council tax charge, so the Chargepayer will have to pay 150% of the Council Tax charge in in that area.

Estimated cost of the Council Tax Reduction Scheme (CTR)

Before we convert the properties to Net Band D equivalents we must reduce the total properties by the estimated cost of the CTR Scheme amount. This has been calculated in the following way:

Mid Devon's CTR scheme for 2017/18, is estimated to cost in the region of **£4.020m** based on the existing schemes criteria. The average Band D Council Tax charge for 2016/17 was £187.15; divide Mid Devon's proportional cost of the CTR scheme by the total Band D equivalents to arrive at **3046.70** properties equivalent to **2372** Band D properties for 2017/18. The total Band D equivalents for the other precepting authorities will be calculated proportionally. It should be noted that the 8 recommended changes to the CTR scheme for 2017/18, if implemented, have not been accounted for in the above calculation as this is an unknown factor at this time.

The cost of the CTR scheme must be reflected in the Tax Base calculation so the following calculation is carried out for each valuation band to arrive at the net chargeable Dwellings:

Calculation of the Relevant Amount

	2016/17	2017/18
Number of Properties per valuation list	35,056.00	35,384.00
Exemptions	-433.00	-413.00
Single Occupier and 25% Disregards	-2,696.75	-2744.00
50% Discount	-27.00	-35.50
100% exempt 3 months only	-70.50	-48.75
Additional LTE at 150%	+52.00	+66.00
Additional net new properties	+300.00	+300.00
58 properties Class D 50% loss	-29.00	-23.00
Annexes (new)	-6.50	-6.50
Chargeable Dwellings before CTR	32,145.25	32,479.25

Conversion to Band D equivalents

The net chargeable dwellings are then converted to Band D equivalents. This is carried out by multiplying the Net chargeable dwellings by the appropriate factor (A=6, B=7, C=8, D=9, E=11, F=13, G=15, H=18) for the band and dividing by that for Band D (9). The Table below details the Net Chargeable Dwellings converted to Band D equivalents.

The Tax Base is finally calculated by applying the collection rate to the total Band D equivalents when summarised below for the 2017/18 financial year. The properties within each band are as follows:

Band	Properties	CTR Properties	Revised Properties	Band D Equivalent
@	10.00	-6.90	3.10	1.72
A	5180.50	-1330.70	3849.80	2566.53
B	8263.00	-948.00	7315.00	5689.44
C	5995.50	-448.60	5546.90	4930.58
D	5644.50	-208.80	5435.70	5435.70
E	4223.00	-70.50	4152.50	5075.28
F	2216.75	-25.70	2191.05	3164.85
G	895.25	-7.00	888.25	1480.42
H	50.75	-0.50	50.25	100.50
	32,479.25	-3046.70	29,432.55	28,445.02

Therefore, in accordance with SI 2914 of 2012 the Tax Base is to be calculated as:
 Total relevant amounts (A) **28,445.02** X Estimated collection rate (B) (98%)

And Mid Devon District Council’s Council Tax Base for 2016/17 will be 27,876.12

Contact for more information: John F Chumbley 01884 234301

Background Papers: CTB1 and supporting documentation

File Reference: JFC/G/CTB1

Circulation of Report: Cabinet Member for Finance

APPENDIX 1

Calculation of the Tax Base

2017/18

Total Equivalent Dwellings

NOT BAND D EQUIVALENTS pre Annexes, CTR and New Properties

Parish	@	@	A	B	C	D	E	F	G	H	Total Properties	Total Band D EQUIVALENTS	Band D LCTS	Band D After LCTS	0.98 Collection								
Bampton	0.00	0.00	90.25	60.17	197.25	153.42	165.75	147.33	132.00	132.00	126.00	154.00	79.00	114.11	35.75	59.58	2.00	4.00	828.00	824.61	63.74	760.87	745.65
Bickleigh	0.00	0.00	7.25	4.83	7.00	5.44	12.00	10.67	12.75	12.75	30.00	36.67	20.00	28.89	11.50	19.17	0.00	0.00	100.50	118.42	7.31	111.11	108.88
Bow	0.00	0.00	23.50	15.67	144.50	112.39	126.75	112.67	139.00	139.00	42.00	51.33	29.75	42.97	5.00	8.33	3.75	7.50	514.25	489.86	41.77	448.09	439.13
Bradinch	1.00	0.56	44.75	29.83	248.00	192.89	255.00	226.67	118.50	118.50	120.25	146.97	39.00	56.33	24.75	41.25	1.00	2.00	852.25	815.00	74.95	740.05	725.25
Brushford	0.00	0.00	1.00	0.67	0.00	0.00	1.75	1.56	7.25	7.25	5.00	6.11	4.00	5.78	2.00	3.33	0.00	0.00	21.00	24.69	0.56	24.13	23.65
Burlescombe	1.00	0.56	42.25	28.17	82.00	63.78	55.25	49.11	84.25	84.25	57.50	70.28	23.00	33.22	9.50	15.83	0.00	0.00	354.75	345.19	20.20	324.99	318.49
Butterleigh	0.00	0.00	6.00	4.00	3.50	2.72	2.50	2.22	8.50	8.50	8.50	10.39	14.75	21.31	4.50	7.50	0.00	0.00	48.25	56.64	1.12	55.52	54.41
Cadbury	0.00	0.00	2.75	1.83	2.00	1.56	11.50	10.22	9.25	9.25	9.50	11.61	11.75	16.97	10.00	16.67	0.00	0.00	56.75	68.11	0.46	67.65	66.30
Cadeleigh	0.00	0.00	5.25	3.50	5.00	3.89	8.00	7.11	15.75	15.75	19.00	23.22	14.50	20.94	9.75	16.25	0.00	0.00	77.25	90.67	0.39	90.28	88.47
Chawleigh	0.00	0.00	26.25	17.50	55.50	43.17	50.25	44.67	56.75	56.75	53.50	65.39	21.75	31.42	5.00	8.33	1.00	2.00	270.00	269.22	17.58	251.64	246.61
Cheriton Bishop	0.00	0.00	23.00	15.33	39.75	30.92	41.75	37.11	52.25	52.25	72.25	88.31	38.50	55.61	9.75	16.25	1.00	2.00	278.25	297.78	13.99	283.79	278.11
Cheriton Fitzpaine	0.00	0.00	29.00	19.33	31.25	24.31	65.25	58.00	91.50	91.50	75.00	91.67	33.00	47.67	14.00	23.33	0.00	0.00	339.00	355.81	15.16	340.65	333.83
Clannaborough	0.00	0.00	3.75	2.50	6.50	5.06	1.00	0.89	4.00	4.00	2.00	2.44	5.50	7.94	3.00	5.00	0.00	0.00	25.75	27.83	0.84	26.99	26.45
Clayhanger	0.00	0.00	1.00	0.67	3.50	2.72	10.00	8.89	12.75	12.75	14.25	17.42	8.00	11.56	3.00	5.00	0.00	0.00	52.50	59.00	0.00	59.00	57.82
Clayhidon	0.00	0.00	9.25	6.17	5.75	4.47	15.75	14.00	34.00	34.00	53.75	65.69	56.75	81.97	15.75	26.25	0.00	0.00	191.00	232.56	8.97	223.59	219.11
Coldridge	0.00	0.00	10.25	6.83	20.25	15.75	36.75	32.67	27.50	27.50	34.25	41.86	22.25	32.14	5.75	9.58	0.00	0.00	157.00	166.33	6.07	160.26	157.06
Colebrooke	0.00	0.00	5.00	3.33	10.00	7.78	33.25	29.56	27.00	27.00	37.25	45.53	35.25	50.92	9.00	15.00	1.75	3.50	158.50	182.61	5.84	176.77	173.24
Compton	0.00	0.00	81.50	54.33	132.75	103.25	122.00	108.44	127.00	127.00	33.00	40.33	27.00	39.00	3.75	6.25	1.00	2.00	528.00	480.61	36.81	443.80	434.93
Crediton	2.25	1.25	697.00	464.67	987.50	768.06	716.00	636.44	530.50	530.50	302.75	370.03	85.25	123.14	22.00	36.67	0.00	0.00	3343.25	2,930.75	273.13	2,657.62	2,604.47
Crediton Hamlets	0.75	0.42	17.25	11.50	47.25	36.75	84.00	74.67	147.50	147.50	112.00	136.89	77.75	112.31	20.75	34.58	1.50	3.00	508.75	557.61	27.35	530.26	519.66
Cruwys Morchard	0.00	0.00	14.00	9.33	24.75	19.25	12.50	11.11	36.25	36.25	45.50	55.61	41.25	59.58	11.75	19.58	1.00	2.00	187.00	212.72	5.08	207.64	203.49
Culmpton	0.75	0.42	615.25	410.17	1278.25	994.19	757.50	673.33	695.50	695.50	373.00	455.89	82.75	119.53	37.50	62.50	5.00	10.00	3845.50	3,421.53	269.88	3,151.65	3,088.61
Culmstock	0.00	0.00	46.75	31.17	55.00	42.78	57.00	50.67	81.75	81.75	70.75	86.47	35.75	51.64	19.50	32.50	0.00	0.00	366.50	376.97	19.55	357.42	350.27
Down St Mary	0.00	0.00	10.00	6.67	28.50	22.17	23.00	20.44	26.75	26.75	25.25	30.86	26.50	38.28	10.00	16.67	0.00	0.00	150.00	161.83	5.32	156.51	153.38
Eggesford	0.00	0.00	2.00	1.33	7.25	5.64	9.75	8.67	5.00	5.00	4.50	5.50	3.50	5.06	1.00	1.67	0.00	0.00	33.00	32.86	1.02	31.84	31.20
Halberton	0.00	0.00	74.00	49.33	111.25	86.53	76.75	68.22	104.25	104.25	125.50	153.39	86.25	124.58	39.00	65.00	2.00	4.00	619.00	655.31	39.80	615.51	603.20
Hemyock	0.75	0.42	92.25	61.50	112.75	87.69	235.25	209.11	183.00	183.00	142.25	173.86	98.00	141.56	25.50	42.50	0.00	0.00	889.75	899.64	42.76	856.88	839.74
Hittisleigh	0.00	0.00	6.25	4.17	1.75	1.36	5.00	4.44	9.75	9.75	17.75	21.69	8.50	12.28	5.75	9.58	0.00	0.00	54.75	63.28	2.71	60.57	59.36
Hockworthy	0.00	0.00	3.75	2.50	2.00	1.56	13.25	11.78	13.50	13.50	15.25	18.64	16.75	24.19	7.50	12.50	1.00	2.00	73.00	86.67	1.31	85.36	83.65
Holcombe Rogus	0.00	0.00	14.75	9.83	22.25	17.31	46.75	41.56	27.50	27.50	36.00	44.00	38.75	55.97	16.00	26.67	2.00	4.00	204.00	226.83	7.37	219.46	215.07
Huntsham	0.00	0.00	4.50	3.00	5.00	3.89	6.75	6.00	16.50	16.50	14.25	17.42	12.25	17.69	2.00	3.33	0.00	0.00	61.25	67.83	2.72	65.11	63.81
Kennerleigh	0.00	0.00	0.00	0.00	0.75	0.58	0.75	0.67	7.50	7.50	13.75	16.81	6.00	8.67	4.00	6.67	0.00	0.00	32.75	40.89	1.49	39.40	38.61
Kentisbeare	0.00	0.00	23.75	15.83	50.00	38.89	57.75	51.33	86.00	86.00	88.25	107.86	56.00	80.89	8.50	14.17	1.00	2.00	371.25	396.97	14.37	382.60	374.95
Lapford	0.00	0.00	54.25	36.17	131.00	101.89	89.75	79.78	88.50	88.50	55.50	67.83	28.50	41.17	9.75	16.25	0.00	0.00	457.25	431.58	48.95	382.63	374.98
Loxbear	0.00	0.00	3.75	2.50	4.00	3.11	6.75	6.00	8.75	8.75	18.50	22.61	13.50	19.50	9.50	15.83	1.00	2.00	65.75	80.31	3.23	77.08	75.53
Morchard Bishop	0.00	0.00	39.75	26.50	53.00	41.22	67.00	59.56	103.75	103.75	98.25	120.08	40.75	58.86	19.50	32.50	0.00	0.00	422.00	442.47	24.56	417.91	409.55
Morebath	0.00	0.00	7.75	5.17	19.50	15.17	32.75	29.11	19.50	19.50	21.75	26.58	20.00	28.89	15.00	25.00	3.00	6.00	139.25	155.42	7.65	147.77	144.81
Newton St Cyres	0.00	0.00	28.50	19.00	61.75	48.03	71.25	63.33	54.75	54.75	76.00	92.89	46.00	66.44	25.50	42.50	1.50	3.00	365.25	389.94	29.09	360.85	353.64
Nymet Rowland	0.00	0.00	3.00	2.00	5.50	4.28	5.50	4.89	9.50	9.50	9.75	11.92	8.75	12.64	4.75	7.92	0.00	0.00	46.75	53.14	2.69	50.45	49.44
Oakford	0.00	0.00	22.75	15.17	11.75	9.14	33.00	29.33	30.00	30.00	26.75	32.69	26.50	38.28	18.25	30.42	1.00	2.00	170.00	187.03	9.99	177.04	173.50
Poughill	0.00	0.00	6.25	4.17	16.00	12.44	11.50	10.22	10.00	10.00	20.75	25.36	12.00	17.33	3.00	5.00	0.00	0.00	79.50	84.53	3.89	80.64	79.03
Puddington	0.00	0.00	1.50	1.00	8.75	6.81	7.00	6.22	27.50	27.50	29.00	35.44	7.75	11.19	2.75	4.58	0.00	0.00	84.25	92.75	3.99	88.76	86.98
Sampford Peverell	0.00	0.00	53.50	35.67	82.75	64.36	127.25	113.11	99.50	99.50	92.75	113.36	48.00	69.33	13.75	22.92	0.00	0.00	517.50	518.25	18.38	499.87	489.87
Sandford	0.00	0.00	27.25	18.17	96.25	74.86	110.50	98.22	91.00	91.00	109.75	134.14	48.00	69.33	28.75	47.92	0.00	0.00	511.50	533.64	30.03	503.61	493.54
Shobrooke	0.00	0.00	12.75	8.50	46.25	35.97	41.00	36.44	35.75	35.75	33.00	40.33	29.50	42.61	11.00	18.33	2.00	4.00	211.25	221.94	21.83	200.11	196.11
Silverton	0.00	0.00	52.75	35.17	226.50	176.17	188.75	167.78	129.75	129.75	135.50	165.61	59.50	85.94	42.25	70.42	0.75	1.50	835.75	832.33	49.66	782.67	767.02

Stockleigh English	0.00	0.00	2.50	1.67	0.00	0.00	3.50	3.11	3.00	3.00	6.75	8.25	7.00	10.11	1.00	1.67	1.00	2.00	24.75	29.81	0.09	29.72	29.12
Stockleigh Pomeroy	0.00	0.00	4.75	3.17	1.75	1.36	10.50	9.33	10.00	10.00	16.25	19.86	9.00	13.00	2.00	3.33	0.75	1.50	55.00	61.56	2.54	59.02	57.84
Stoodleigh	0.00	0.00	7.50	5.00	6.75	5.25	8.50	7.56	24.25	24.25	31.50	38.50	32.75	47.31	13.25	22.08	1.00	2.00	125.50	151.94	4.78	147.16	144.22
Templeton	0.00	0.00	2.75	1.83	8.50	6.61	7.75	6.89	7.25	7.25	14.75	18.03	12.50	18.06	4.75	7.92	0.00	0.00	58.25	66.58	0.70	65.88	64.57
Thelbridge	0.00	0.00	8.75	5.83	10.75	8.36	10.25	9.11	34.50	34.50	40.25	49.19	16.25	23.47	6.75	11.25	0.00	0.00	127.50	141.72	5.82	135.90	133.18
Thorverton	0.00	0.00	11.75	7.83	87.00	67.67	81.50	72.44	65.00	65.00	62.75	76.69	47.50	68.61	24.25	40.42	0.00	0.00	379.75	398.67	21.32	377.35	369.80
Tiverton	3.50	1.94	2416.25	1610.83	2862.00	2226.00	1485.25	1320.22	1138.50	1138.50	644.25	787.42	282.75	408.42	127.25	212.08	7.75	15.50	8967.50	7,720.92	832.51	6,888.72	6,750.94
Uffculme	0.00	0.00	221.75	147.83	300.00	233.33	184.25	163.78	251.00	251.00	162.75	198.92	72.75	105.08	35.50	59.17	3.00	6.00	1231.00	1,165.11	105.06	1,060.05	1,038.85
Upplowman	0.00	0.00	2.50	1.67	15.00	11.67	9.50	8.44	23.00	23.00	31.50	38.50	32.50	46.94	16.00	26.67	0.00	0.00	130.00	156.89	3.57	153.32	150.25
Upton Hellions	0.00	0.00	0.00	0.00	2.00	1.56	0.75	0.67	2.00	2.00	4.25	5.19	9.75	14.08	6.00	10.00	0.00	0.00	24.75	33.50	1.40	32.10	31.46
Washfield	0.00	0.00	9.25	6.17	14.00	10.89	13.25	11.78	29.00	29.00	36.50	44.61	24.00	34.67	18.00	30.00	1.00	2.00	145.00	169.11	5.52	163.59	160.32
Washford Pyne	0.00	0.00	1.50	1.00	3.00	2.33	3.50	3.11	11.50	11.50	9.50	11.61	6.00	8.67	3.00	5.00	0.00	0.00	38.00	43.22	1.17	42.05	41.21
Wembworthy	0.00	0.00	19.25	12.83	28.00	21.78	25.00	22.22	14.25	14.25	13.25	16.19	10.75	15.53	6.00	10.00	0.00	0.00	116.50	112.81	5.63	107.18	105.03
Willand	0.00	0.00	117.50	78.33	403.75	314.03	211.50	188.00	341.50	341.50	192.75	235.58	66.50	96.06	6.50	10.83	0.00	0.00	1340.00	1,264.33	91.91	1,172.42	1,148.97
Woolfardisworthy	0.00	0.00	3.00	2.00	10.25	7.97	4.00	3.56	11.25	11.25	17.25	21.08	16.25	23.47	0.75	1.25	1.00	2.00	63.75	72.58	3.10	69.48	68.09
Zeal Monachorum	0.00	0.00	4.25	2.83	18.50	14.39	28.00	24.89	39.00	39.00	31.75	38.81	22.75	32.86	8.00	13.33	1.00	2.00	153.25	168.11	3.44	164.67	161.38
Band Properties	10.00	5.6	5,180.50	3,453.7	8,263.00	6,426.8	5,995.50	5,329.3	5,644.50	5,644.5	4,223.00	5,161.4	2,216.75	3,202.0	895.25	1,492.1	50.75	101.5	32479.25	30,816.83	2,372.12	28,445.02	27,876.12
CTR properties	6.90		1,330.70		948.00		448.60		208.80		70.50		25.70		7.00		0.50		3,046.70				
Revised Properties	3.10		3,849.80		7,315.00		5,546.90		5,435.70		4,152.50		2,191.05		888.25		50.25		29,432.55				
Band D's	1.72		2,566.53		5,689.44		4,930.58		5,435.70		5,075.28		3,164.85		1,480.42		100.50	0.00	28,445.02				

CABINET 1 DECEMBER 2016

TIVERTON MEMORIAL GARDEN PROJECT

Cabinet Member(s): Cllr Richard Chesterton
Responsible Officer: Catherine Marlow, Conservation Officer

Reason for Report: To seek agreement for the continued work of the Tiverton War Memorial Project working group and its allocated financial resource.

RECOMMENDATION: That the Tiverton War Memorial Project be supported and that work is continued in securing a new war memorial installation and garden setting in Phoenix Lane, Tiverton

Relationship to Corporate Plan: Economy (improving and regenerating our town centres); Environment (protecting the natural environment).

Financial Implications: The project was allocated £20k by the former Chief Executive in early 2015. No additional MDDC money is being sought in this report.

Legal Implications: The land on which the project is proposed is owned by MDDC but is also adopted highway under the responsibility of DCC.

Risk Assessment: Should grant applications fail, the Council's £20,000 contribution to the project will be substantially lost as it has been allocated for professional fees and the war memorial piece.

1.0 Introduction

- 1.1 In late 2014 the previous Chief Executive requested that a project group be formed with a two-fold remit - to relocate the Burma Star memorial stone and create a new war memorial for Tiverton. Tiverton has a Burma Star memorial, a memorial to allied American troops in People's Park and a Memorial Hall built by public subscription after the First World War (which also contains a Remembrance Room with the names of those individuals who gave their lives). However, it has no stand-alone accessible war memorial to commemorate those who have died in all conflicts. The Burma Star stone is located in the small garden on the east side of Phoenix Lane. The garden is allocated within the Local Plan for redevelopment as part of larger regeneration and master planning proposals for Tiverton – policy TIV12 states that the (Burma Star) war memorial should be retained or relocated.
- 1.2 The project group consists of representatives of Mid Devon District Council, Devon County Council, Tiverton Town Council, the Burma Star Association and the Royal British Legion. A landscape designer has been commissioned to create ideas for the new memorial and the land around it.
- 1.3 In late 2017 the national Victoria Cross commemorative stone slab scheme will be delivering a slab in memory of Private Sage of Tiverton who was awarded his VC for an act of bravery in protecting his fellow soldiers from a

grenade. Private Sage survived his injuries and returned to live in Tiverton. The Town Council will receive this slab and it is proposed that the slab also be located in the same space as the new memorial and Burma Star stone.

2.0 Angel Hill site and move to Phoenix Lane

2.1 The location for the Burma Star stone and new memorial was initially a small triangle of land at the top of Angel Hill, Tiverton. Designs were formulated for this site. A public consultation was carried out in spring 2016 and the results identified that members of the public had concerns about the lack of tranquility and potential impact of traffic noise and fumes. The principle of a new war memorial for the town, which would commemorate the contributions of the people of the town in all wars, was welcomed by all but one contributor.

2.2 After consideration of the public consultation results and subsequent discussions the working group decided to move the project site to land on the west side of Phoenix Lane (see appended map). The advantages of this location are that it is in a pedestrianised space, has existing mature trees that can be retained and will contribute to the character of the site, will allow the creation of a more verdant scheme and a 'pocket park' feel which will replace the current garden on the east side, will provide a buffer / protection zone from future development for the two listed buildings to the west and north (one of which is listed grade II*) and will enable larger groups of people to gather for commemorative events. It is also felt that this location will help to create a much improved link from the Council offices and library (and eventual Premier Inn site) up to the town centre and introduce an area where people can remember our war dead, rest or think in a tranquil and pleasant garden environment.

2.3 The working group has been developing its ideas in conjunction with the urban designer in this new location for two months and draft designs are nearly ready for a second public consultation, planned for late November 2016.

3.0 Funding

3.1 The previous Chief Executive allocated a sum of £20,000 towards this project. No further funding is being sought from the Council in this report. A stage 1 submission for funding from Viridor Tax Credits has been passed and a stage 2 bid is being worked up for submission late December 2016. Other applications are being submitted to local groups who may wish to contribute to the project. The estimated total cost of the project is £80,000 - £100,000.

3.2 It is proposed that the project land is put forward for designation as 'Centenary Fields' land. This is a project that, in conjunction with the Royal British Legion, secures recreational land and spaces in perpetuity to honour the memory of those who lost their lives in the World War 1. If designated, this will create eligibility for future funding for the space. It will also provide permanent protection for the land from any subsequent change in status. Initial conversations with the Centenary Fields representative have been positive.

- 3.3 As part of the original public consultation exercise the working group asked for comments on a selection of preferred artists to be commissioned for the new memorial itself. The artist Charles Gurrey was chosen and has been formally invited to design and create the final memorial piece. The working group is keen to ensure that the finished piece is a fully integrated memorial in the garden space and is not simply a sculpture inserted into an unrelated context.
- 3.4 Procurement officers have been consulted at all stages and procurement rules will continue to be followed throughout the project.

4.0 Recommendation / Summary

- 4.1 This is a project that will enhance Phoenix Lane, mitigate the loss of the small garden on Phoenix Lane for future development, protect the setting of two listed buildings but most importantly, will create a fitting, accessible, legible and recognisable war memorial for Tiverton.
- 4.2 This report recommends that the working group's work and the project is supported by Cabinet.

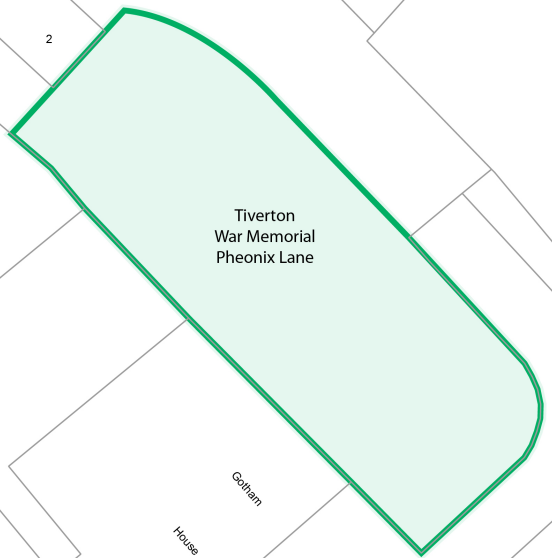
Contact for more Information: Catherine Marlow, 01884 234341, cmarlow@middevon.gov.uk

Circulation of the Report: Ward members (Cllr Sue Griggs, Cllr Chris Daw and Cllr Clarissa Slade), Working Group reps. (Cllr Brenda Hull and Cllr Dennis Knowles), Cllr Richard Chesterton (Planning Portfolio Holder), Cllr Ray Stanley (Tiverton Regeneration Group), Jenny Clifford (Head of Planning), Nick Sanderson (Head of Housing), Andrew Jarret (Director of Financial Services), Simon Johnson (Legal Services)

List of Background Papers: None

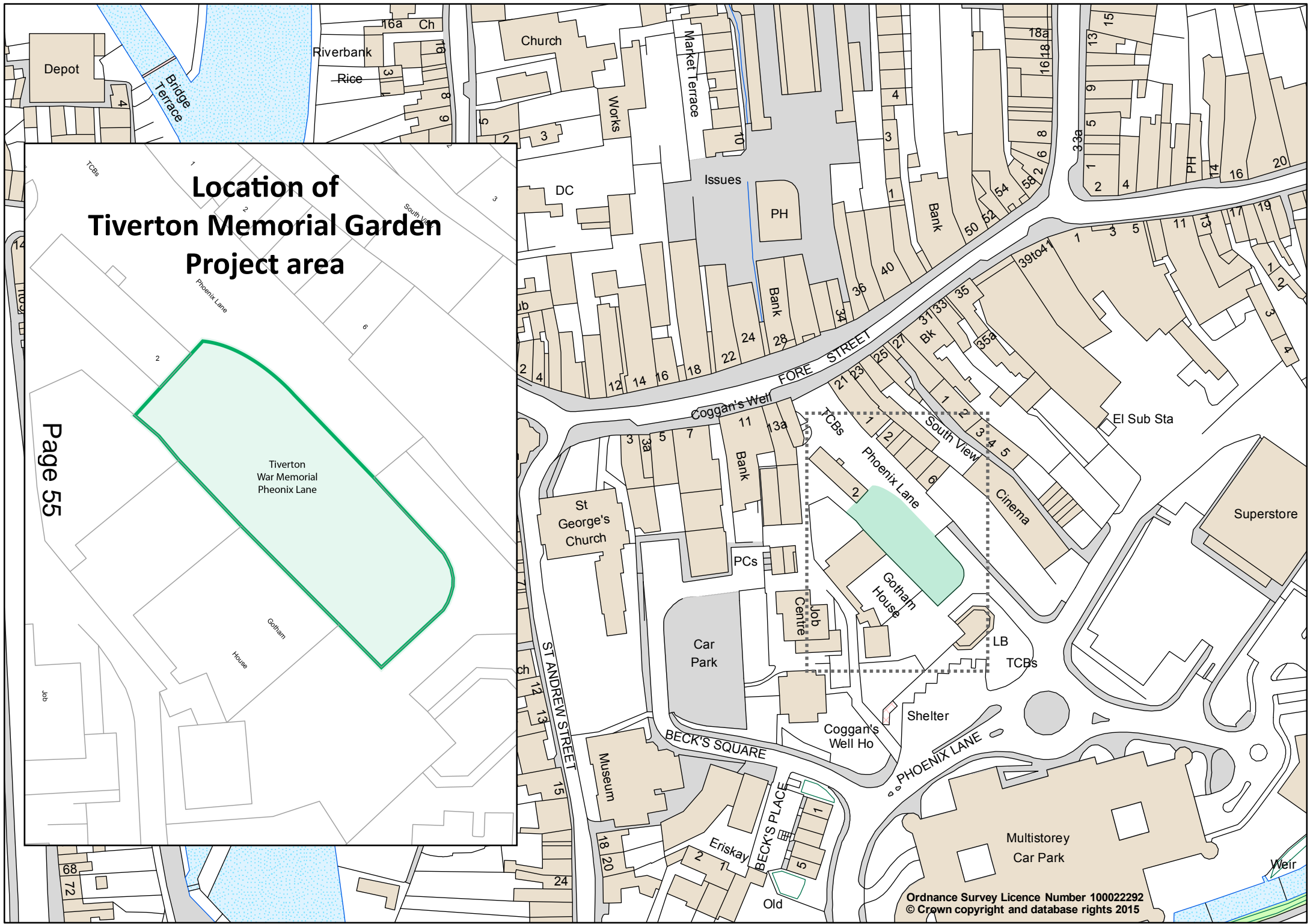
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Location of Tiverton Memorial Garden Project area



Tiverton
War Memorial
Phoenix Lane

Page 55



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CABINET
1 DECEMBER 2016

Review of Freedom of Information and Environmental Information Regulations Policy

Cabinet Member Cllr Margaret Squires
Responsible Officer Liz Reeves, Head of Customer Services

Reason for Report: To review and update the Freedom of Information Policy (FOI) and Environmental Information Regulations (EIR).

RECOMMENDATION: That Cabinet approve the updated policy.

Relationship to Corporate Plan: The Council has a duty to record and respond to FOI and EIR requests, to ensure that Mid Devon District Council is open and transparent.

Financial Implications: By undertaking a regular review of our FOI and EIR Policy, it will remain up-to-date and ensure we do not incur financial penalties for any breaches of the Data Protection Act.

Legal Implications: Failure to deal with FOI and EIR requests could lead to intervention from the Information Commissioner. Working practices must ensure that the Data Protection Act is followed and personal data is not included in responses.

Risk Assessment: The FOI and EIR Policy ensures good practice is maintained, reducing the risk of financial penalties or damage to our reputation, taking account of the most up-to-date professional advice that is available from the Information Commissioner.

1.0 Introduction

1.1 The Freedom of Information (FOI) Act 2000 has been in operation since 2005. Its purpose is to promote transparency and openness in public bodies.

1.2 This is done in two ways:

1.2.1 Any person may make a written request for information held by Mid Devon District Council and should receive a response within 20 working days.

1.2.2 The Council must make some standard information about themselves available through a [Publication Scheme](#).

1.2.3 Details of our publication scheme and disclosure log can be found on our website: <https://www.middevon.gov.uk/your-council/access-to-information/freedom-of-information/publication-scheme>

1.3 Requests for personal data cannot be provided under FOI/EIR. Personal data can be requested as a Subject Access Request (SAR).

2.0 Dealing with an FOI request

2.1 All FOI requests are acknowledged and responded to within 20 working days. The FOI request is checked to ensure the data can be provided. If the data is already available in one of our “open data” sets the applicant will be pointed to the data already available. All other requests are either provided as requested or refused if there is a relevant exemption.

2.2 It is important the FOI request only provides relevant data and does not break any Data Protection requirements on personal data.

2.3 At the end of each month a summary of all the FOI requests is published on our website in a disclosure log.

2.4 An internal review can be requested if the response took over 20 working days, if the exemption applied does not appear correct, the calculation of costs contravenes the Fees Regulations, the FOI/EIR requests has been mishandled.

3.0 Future Issues

3.1 The FOI and EIR Policy sets out what our citizens can expect from us and provides staff with the details they need to ensure they comply with this legislation.

3.2 Each service area has a member of staff who has been given the responsibility of co-ordinating FOI and EIR responses. Training and guidance is provided and an annual calendar of events for FOI, EIR, Data Protection and Information Security training is put together for staff and Members.

3.3 Good record management is key to responding to FOI, EIR and SAR requests and over the next 12 months the Information Management Officer and the Senior Information Risk Owner (SIRO) will be working with staff and Members in preparation for the introduction of the new General Data Protection Regulation (GDPR).

Contact for more information: Liz Reeves – Head of Customer Services
01884 234371 | lreeves@middevon.gov.uk

Circulation of the Report: Management Team, Members and relevant Service Managers

Mid Devon District Council

**Freedom of Information and Environmental
Information Regulations Policy**

Policy Number ICT 010

November 2016

Version Control Sheet

Title: Freedom of Information (FOI) and Environmental Information Regulations (EIR) Policy

Purpose: To detail the commitment of Mid Devon District Council to Freedom of Information and Environmental Information Regulations and to advise officers and Members, on the standards to be implemented.

Owner: Senior Information Risk Owner (SIRO)

Date: November 2016

Version Number: 2.0

Status: Final

Review Frequency: Every two years

Next review date: December 2018

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

Management Team

Cabinet Member

Document History

This document obtained the following approvals.

Title	Date	Version Approved
Management Team	14.11.16	1.0
Cabinet	1.12.16	1.0

Freedom of Information Policy

1. Introduction

Since 1st January 2005 all requests for information received by a public authority have had to be answered in accordance with the Freedom of Information (FOI) Act 2000 or the Environmental Information Regulations 2004 (EIR). The only exception to this is a request for personal information where the individual can request their own personal data, called a Subject Access Request (SAR). The main principle behind FOI legislation is that people have a right to know about the activities of public authorities, unless there is a good reason for them not to. Access to information helps the public hold public authorities to account for their actions and allows public debate to be better informed and more productive. Access to official information can also improve public confidence and trust if government and public sector bodies are seen as being open.

The FOIA confers rights of access for members of the public to information held by public authorities. The Act also places obligations on public authorities to proactively publish certain information and respond to requests for information in accordance with the legislation.

2. Scope

The Act covers all recorded information held by the council. Recorded information includes printed documents, computer files, letters, emails, photographs, and sound or video recordings. It is not limited to official documents and it covers, for example, drafts, emails, notes, recordings of telephone conversations, and CCTV recordings. Nor is it limited to information the council creates, so it also covers, for example, letters received from members of the public.

Meta-data, found within the properties of a document, is recorded information and therefore must be considered for release under the legislation. Information held on behalf of the council is also covered, even if it is not held on council premises.

Although individual councillors are not public authorities in their own right, information that they hold about council business or on behalf of the council falls within the scope of the Act and must also be considered for release.

Information held solely on behalf of another person, body or organisation is not covered by the legislation. An employee's purely private information is not covered, even if it is on a work computer or email account; nor is information that is stored solely on behalf of a trade union, or an individual councillor.

The council only has to provide information that is already held in recorded form in response to a request. The council is not obliged to create new information or find the answer to a question from an officer who may happen to know it.

3. Legal obligations under the Act

The council has two main obligations under the Act:

- To publish certain information proactively
- To respond to requests for information

In order to meet the requirement to publish information proactively, the council is required to maintain a publication scheme. This lists the information that is currently made available to the public, describes how such information can be accessed and any charges associated with providing this information.

The council will use the Information Commissioners Office (ICO) template for the publication scheme. This is in accordance with ICO guidance and means that the scheme does not need to be submitted for approval. The scheme will have to be reviewed annually and periodically, in accordance with changes made to the model scheme by the ICO.

Section 1 of the Act states:

- (1) Any person making a request for information to a public authority is entitled-
 - (a) To be informed in writing by the public authority whether it holds information of the description specified in the request, and
 - (b) If that is the case, to have that information communicated to him.

A request for information under the FOI and EIR is valid if it is made in writing and provides a name, and an address to which the requested information can be sent. Organisations as well as individuals can make requests, including newspapers, companies and campaign groups. Under the Act, a response must be issued within 20 working days, providing the requested information or stating the reason that it has been withheld.

The council must make staff, contractors and customers aware of how the Act may affect them. It should be made clear that the council cannot guarantee complete confidentiality of information. As a public body, the council must consider for release any information that is held if it is requested.

In addition, two codes of practice contain recommended good practice when applying the Act. The Section 45 code of practice gives recommendations for public authorities about their handling of requests. The section 46 covers good records management practice and the obligations of public authorities under the Public Records Acts to maintain their records in an ordered and managed way, so they can readily retrieve information when it is needed.

These codes of practice are not directly legally binding but failure to follow them is likely to lead to breaches of the Act. In particular there is a link between following part II of the section 45 code of practice and complying with section 16 of the Act in relation to advice and assistance.

Compliance with this policy is compulsory for all staff employed by the council. A member of staff who fails to comply with the policy may be subject to disciplinary action under the council's disciplinary policy.

Managers are responsible for ensuring that their staff are made aware of the existence and content of this policy.

4. Enforcement of the Act

FOI and EIR is regulated by the ICO, who provide guidance in relation to the Act and can issue decision notices that require the council to release previously withheld information. Under the provisions of section 54 of the Act, if the council fails to comply with a decision notice, the Commissioner may certify in writing to the court that the public authority has failed to comply with that notice. The court may inquire into the matter and, after hearing any witnesses who may be produced against or on behalf of, the public authority, and after hearing any statement that may be offered in defence, deal with the authority as if it had committed a contempt of court.

Destruction or concealment of information with the intention of preventing disclosure is a crime under section 77 of the Act. Depending on the nature of the incident, an authority or its individual members of staff could be charged with this offence. The penalty is a fine.

There are no financial or custodial penalties for failure to provide information on request or for failure to publish information. But you could be found in contempt of court for failing to comply with a decision notice, enforcement notice, or information notice. This could lead to a fine or, in theory, jail for a senior officer of the authority.

5. Environmental Information

The Environmental Information Regulations (EIR) 2004 create additional rights of access to environmental information. It is important that requests for environmental information are identified as such and dealt with in accordance with the appropriate legislation. The EIR operate broadly in the same way as the FOIA. The most significant differences relate to the circumstances under which information can be withheld. It is the role of the Information Management Assistant to determine whether the information requested falls within the scope of the EIR and to process the request appropriately.

6. Personal information

A member of the public is entitled to request third party personal information under the FOI. It is important to carefully balance the case for transparency and openness under the FOI against the data subject's right to privacy under the Data Protection Act 1998 (DPA). A decision will have to be made on a case-by-case basis whether the information can be released without breaching the data protection principles.

FOI does not give people a right of access to their own personal data. If a member of the public wants to see information that the council holds about them, they should

make a Subject Access Request under the DPA. For more information please refer to the separate Data Protection Policy (ICT 003).

7. Copyright and intellectual property rights

The council is not entitled to place any conditions or restrictions on access to information under the Act. The council is entitled to include a copyright notice with the information that is disclosed, bringing the requestors attention to any restrictions on redistribution of the requested information. This will enable the council to make a claim in the courts if the requestor or someone else uses the information in breach of copyright.

The ICO encourages public authorities to use to open government license provided by the National Archives. This describes any restrictions on redistribution and reuse of information provided.

8. Withholding information

An applicant does not need to provide a reason for wanting the information but justification must be made for refusing to disclose the information. When deciding whether to release information to the public there is a presumption in favour of disclosure. This means that disclosure of information should be the default position for the council. Information should only be withheld when there is a good reason to do so and it is permitted by the Act.

The Act contains several conditions under which the council is entitled to refuse information. These are described as exemptions and are contained within different sections of the Act itself. Requests can be refused for a number of reasons, including confidentiality, commercial interests, personal information and when there are statutory prohibitions on disclosure. It is the responsibility of the Information Management Assistant to decide whether information can be withheld and to provide written justification to the requestor within the formal response. Any appropriate exemptions will be quoted as will any associated public interest test. Please refer to Appendix 1 for a complete list of these exemptions.

The EIR contain exceptions under which environmental information can be withheld. Please refer to Appendix 1 for a complete list of these exceptions.

Information should only be disclosed under the Act if it would be disclosed to anyone else who asked for it. Information should be released under the Act as if it was being released to the world at large.

The FOIA itself does not prevent the council from voluntarily disclosing information outside the provisions of the Act.

9. Advice and assistance

The council is obliged to provide advice and assistance to members of the public who wish to request information. This obligation extends to assistance with the

formulation of a request, modifying a request to bring it in line with the 'appropriate limit' set out in section 12, and identifying the potential location of information that is not held by the council.

10. Costs

There is a limit to the amount of time a local authority can be asked to spend on a single request. This 'appropriate limit' is 18 hours and is set out in section 12 of the FOIA. The council is entitled to refuse a request if it is estimated that responding to the request will exceed this limit.

Mid Devon District Council is entitled to charge a fee against costs reasonably incurred when informing the requestor whether information is held and communicating that information. Such costs may include postage and photocopying but not locating or retrieving the information itself. Any fee charged must be calculated in accordance with the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 SI No. 3244.

It is the policy of Mid Devon District Council to provide information free of charge whenever possible. The Authority does retain the right to charge for particularly voluminous requests on a case by case basis.

11. Complaints procedure

If a member of the public is not satisfied with the response that they receive to a FOI Request, or believes the charges to be excessive, they are entitled to complain to the council and request that an internal review of the decision is conducted. Complaints can be submitted in writing to:

Information Management Assistant
Mid Devon District Council
Phoenix House
Phoenix Lane
Tiverton
Devon EX16 6PP
Email: foi@middevon.gov.uk

Complaints are to be passed to the Information Management Assistant who will then convene a review panel. The review panel will consist of the Senior Information Risk Owner (SIRO) or their nominated representative with relevant FOI and Data Protection knowledge and in contentious cases a member of Legal Services. The panel will review the way in which the request was handled and address any particular concerns that were referred to in the complaint. A formal response will be sent out detailing the outcome of the review. EIR reviews must be completed within 40 working days, FOI reviews have no statutory time limits but every effort would be made to complete the review within 40 working days.

If the requestor remains dissatisfied, they are entitled to complain directly to the Information Commissioner and request that he/she investigates the way in which

their request has been handled. The Commissioner may then decide to issue a decision notice which upholds, partially upholds or overturns the council's decision.

Either party can appeal a decision notice issued by the Information Commissioner to the Information Tribunal which will then either uphold the decision notice or substitute it with an amended or entirely new decision. This is the final point of appeal for FOI requests.

12. Identification of roles and responsibilities

The Information Management Assistant will be responsible for processing requests for information. This will include logging each request on the Freedom of Information system, coordinating the retrieval of requested information, determining what of the requested information should be released and issuing a formal response to the requestor.

They will also be responsible for maintaining the publication scheme and conducting an annual review of its contents. This will involve ensuring that the most recent versions of documents are available and that the information published is accurate and up to date.

At the end of each month a disclosure log of all FOI requests received and completed in the month is published on our website.

Service FOI Representatives will be nominated from each service area. FOI Reps will be responsible for the retrieval of requested information and providing it to the Information management Assistant. They will also be responsible for communicating any concerns or problems with the disclosure of the requested information.

All officers will have a responsibility under the Act to ensure that requests are identified and handled in accordance with the legislation. Officers will undertake appropriate training to ensure they are aware of these responsibilities.

Requests for information will be passed to the Information Management Assistant at the earliest opportunity and information requested under the Act will be retrieved in sufficient time for any exemptions to be considered and a response issued within the statutory twenty working day time limit.

13. Training and awareness

It is essential that all council officers and elected members are familiar with the requirements of the Act.

The SIRO will ensure that there is a training plan to raise awareness of the Act across the Council. Reference material and guidance is available on the Phoenix Portal (sharepoint) and regular updates are provided via the council's internal communications news- letter.

Training will be offered to councillors, this training will be specifically tailored to ways in which the Act applies to elected members in addition to more general guidance and information about the legislation.

The council's commitment to proactive publication will be communicated to the public through the website. This will include details of how a request can be submitted, advice about what information is already published and guidance about how to submit a request.

14. Performance measures

The Information Management Assistant will maintain records of all requests received and the response issued. Monthly statistics will be reported to Information Management Assistant's line manager and the SIRO, using the information collected on the Freedom of Information system. A disclosure log of all FOI and EIR requests is published on the website at the end of each month.

Open data is also published on the website, providing details of statistics that are regularly requested. Each data set includes details of what is contained and how frequently it will be updated.

15. Review of policy

This policy will be reviewed in 2018 in accordance with any changes made to relevant legislation and to ensure the policy reflects any changes required due to the implementation of the General Data Protection Regulations which come into effect in 2018.

16. Relationship with existing policies

This policy has been formulated in accordance with the following council documents:

- ICT 003 Data Protection Policy
- ICT 009 Records Management Policy

Compliance with this policy will also facilitate compliance with the Data Protection Act 1998 and the Environmental Information Regulations 2004.

Appendix 1

Exemptions under the FOIA

- Section 12 – Exceeds the appropriate limit for cost and time.
- Section 14 – Repeated or vexatious requests
- Section 21 – Information reasonably accessible by other means
- Section 22 – Information intended for future publication
- Section 23 – Security bodies
- Section 24 – Safeguarding national security
- Section 25 - Certificates under ss.23 and 24:supplementary provision
- Section 26 – Defence
- Section 27 – International relations
- Section 28 – Relations within the UK
- Section 29 – The economy
- Section 30 – Investigations
- Section 31 – Law enforcement
- Section 32 – Information contained in court records/transcripts
- Section 33 – Public audit
- Section 34 – parliamentary privilege
- Section 35 – Policy formulation
- Section 36 – Effective conduct of public affairs
- Section 37 – Communications with Her Majesty and the awarding of honours
- Section 38 – Health and safety
- Section 39 – Environmental information
- Section 40 – Personal information
- Section 41 – Information provided in confidence
- Section 42 – Legal professional privilege
- Section 43 – Public sector contracts, commercial interests
- Section 44 – Prohibitions on disclosure

Exceptions under the EIR

- Regulation 12(4)(a) – Information not held
- Regulation 12(4)(c) – Request formulated in too general a manner
- Regulation 12(4)(d) – Material in the course of completion
- Regulation 12(4)(e) – Internal communications
- Regulation 12(5)(a) – Internal relations, defence, national security or public safety
- Regulation 12(5)(b) – The course of justice and enquiries
- Regulation 12(5)(c) – Intellectual property rights
- Regulation 12(5)(d) – Confidentiality of proceedings
- Regulation 12(5)(e) – Confidentiality of commercial or industrial information
- Regulation 12(5)(g) – Protection of the environment

CABINET
1 DECEMBER 2016:

AGENDA ITEM:

PERFORMANCE AND RISK FOR THE SECOND QUARTER OF 2016-17

Cabinet Member Clive Eginton, Leader of the Council
Responsible Officer Director of Corporate Affairs & Business Transformation,
Jill May

Reason for Report: To provide Members with an update on performance against the corporate plan and local service targets for 2016-17 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 1-5 provide Members with details of performance against the Corporate Plan and local service targets for the 2016-17 financial year.
- 1.2 When benchmarking information is available it is included.
- 1.3 Appendix 6 shows the higher impact risks from the Corporate Risk Register. This includes Operational and Health & Safety risks where the score meets the criteria for inclusion. See 3.0 below.
- 1.4 All appendices are produced from the Corporate Service Performance And Risk Management system (SPAR).

2.0 Performance

Environment Portfolio - Appendix 1

- 2.1 The chargeable **garden waste** scheme remains above target; so far 8,533 bin permits have been sold, with 102 new customers in quarter 2.

- 2.2 Most of the PIs are above target with only 2 showing below target: **% of missed collections reported per quarter (recycling)**; this is only marginally under target. The figure is the same as quarter 1 and is an improvement on 2015/16; more detail has been added as a note on Appendix 1. **% of missed collections reported per quarter (refuse and organic waste)**; this is only marginally under target.
- 2.3 The **% of household waste reused, recycled and composted** continues to improve and has reached 56.2% which is a very good result.

Homes Portfolio - Appendix 2

- 2.4 Housing tenancy PI's have improved overall from the previous quarter, with only one, **Rent Arrears as a Proportion of Annual Rent Debit**, being slightly under target.
- 2.5 The PI for the **Average Days to Re-let** times has improved from the last quarter from 17.2 days to 15.6 days, which means the service is currently performing better than the target of 16 days.

Economy Portfolio - Appendix 3

- 2.6 In this first year for the Economy PDG, members are asked to continue to consider what targets they would like to monitor but existing metrics are included at Appendix 1.
- 2.7 It should be noted that for **empty shops** a favourable result is achieved when the actual is less than the target and that as they are counted at the start of the quarter Q3 is included.
- 2.8 The **funding to support economic projects** reflects MDDC's share of the Exeter & Heart of Devon business support funding (£53,092), the Devon Enabling Fund (£3,750) and LEADER funding (£541).
- 2.9 There will also be statistics to reflect the general state of MDDC's economy available from time to time.

Community Portfolio - Appendix 4

- 2.10 **Compliance with food safety law** is above target which means that 91% of premises were again rated 3 or above under the Food Hygiene Rating Scheme.

Corporate - Appendix 5

- 2.11 The **sickness** figures were below target for 2015/16. This has been the source of some considerable concern to Members.
- 2.12 The **Response to FOI requests** is remains above target compared to being 'well below target' for 2015/16 which was due to a vacancy.

2.13 The **Planning Performance Planning Guarantee determine within 26 weeks** was on target for Q2 at 100%.

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 6)

3.2 Appendix 7 shows the risk matrix for MDDC for this quarter. If risks are not scored they are included in the matrix at their inherent score which will be higher than their current score would be.

4.0 Conclusion and Recommendation

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

Contact for more Information: Catherine Yandle Audit Team Leader ext 4975

Circulation of the Report: Management Team and Cabinet Member

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Corporate Plan Quarterly PI Report Environment

Quarterly report for 2016-2017
Arranged by Aims
Filtered by Aim: Priorities Environment
For MDDC - Services

Key to Performance Status:

Performance Indicators:	No Data	Well below target	Below target	On target	Above target	Well above target
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* indicates that an entity is linked to the Aim by its parent Service

Corporate Plan Quarterly PI Report Environment										
Priorities: Environment										
Aims: Increase recycling and reduce the amount of waste										
Performance Indicators										
Title	Prev Year (Period)	Prev Year End	Annual Target	Q1 Act	Q2 Act	Q3 Act	Q4 Act	Actual to Date	Head of Service / Manager	Officer Notes
<u>Residual household waste per household (measured in Kilograms)</u>	225.63 (2/4)	424.08	421.00	95.36	185.36			185.36 (2/4)	Stuart Noyce	(Quarter 1 - 2) This figure is estimated as Devon County Council verify the information 1-2 months behind perf deadline. Recycling continues to rise so above target. (LD)
<u>% of Household Waste Reuse, Recycled and Composted</u>	52.2% (2/4)	50.6%	52.0%	55.9%	56.2%			56.2% (2/4)	Stuart Noyce	(Quarter 2) This figure is estimated. Devon County Council verify data 1-2 months after perf deadline. Performance is above annual target but is always

Corporate Plan Quarterly PI Report Environment											
Priorities: Environment											
Aims: Increase recycling and reduce the amount of waste											
Performance Indicators											
Title	Prev Year (Period)	Prev Year End	Annual Target	Q1 Act	Q2 Act	Q3 Act	Q4 Act	Actual to Date	Head of Service / Manager	Officer Notes	
										higher in first two 1/4s due to garden waste tonnage. (LD)	
<u>Net annual cost of waste service per household</u>		£60.88	£58.17	n/a	n/a	n/a		n/a	Andrew Jarrett, Stuart Noyce		
<u>Number of Households on Chargeable Garden Waste</u>	0 (2/4)	7,021	10,000	8,431	8,533			8,533 (2/4)	Stuart Noyce	(Quarter 2) Number of customers continues to increase and this figure does not include sack customers. Target based on £500k income target. (SN)	
<u>% of missed collections reported per Quarter (refuse and organic waste)</u>	0.02% (2/4)	0.02%	0.03%	0.03%	0.03%			0.03% (2/4)	Stuart Noyce	(Quarter 2) Non Rounded Actual 0.036%. A few issues with IT systems have led to no drivers notes. (LD)	
<u>% of Missed Collections logged per Quarter (recycling)</u>	0.08% (2/4)	0.12%	0.03%	0.04%	0.04%			0.04% (2/4)	Stuart Noyce	(Quarter 2) On target for this quarter. A few issues with IT systems have led to no drivers notes. (LD)	

Aims: Reduce our carbon footprint

Corporate Plan Quarterly PI Report Environment

Priorities: Environment

Aims: Reduce our carbon footprint

Performance Indicators

Title	Prev Year (Period)	Prev Year End	Annual Target	Q1 Act	Q2 Act	Q3 Act	Q4 Act	Actual to Date	Head of Service / Manager	Officer Notes
<u>To improve energy efficiency and continue to reduce consumption by 0.5% post degree day adjustment</u>		3.4%	0.5%	n/a	n/a	n/a		n/a	Andrew Busby	

Aims: Protect the natural environment

Performance Indicators

Title	Prev Year (Period)	Prev Year End	Annual Target	Q1 Act	Q2 Act	Q3 Act	Q4 Act	Actual to Date	Head of Service / Manager	Officer Notes
<u>Number of Fixed Penalty Notices (FPNs) Issued (Environment)</u>	8 (2/4)	21	No target - for information only.	2	3			3 (2/4)	Stuart Noyce	

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Corporate Plan Quarterly PI Report Homes

Quarterly report for 2016-2017
 Arranged by Aims
 Filtered by Aim: Priorities Homes
 For MDDC - Services

Key to Performance Status:

Performance Indicators:	No Data	Well below target	Below target	On target	Above target	Well above target
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* indicates that an entity is linked to the Aim by its parent Service

Corporate Plan Quarterly PI Report Homes										
Priorities: Homes										
Aims: Build more council houses										
Performance Indicators										
Title	Prev Year (Period)	Prev Year End	Annual Target	Q1 Act	Q2 Act	Q3 Act	Q4 Act	Head of Service / Manager	Officer Notes	
<u>Build Council Houses</u>		14	30	0	0			Nick Sanderson	(Quarter 2) 4 Houses to be built in Birchen Lane by the end of February 2017, and the remainder of 30 to be built by the end of August 2017. (NS)	
Aims: Facilitate the housing growth that Mid Devon needs, including affordable housing										
Performance Indicators										
Title	Prev Year (Period)	Prev Year End	Annual Target	Q1 Act	Q2 Act	Q3 Act	Q4 Act	Head of Service / Manager	Officer Notes	
<u>Deliver 15 homes per year by bringing Empty Houses into use</u>	4 (2/4)	8	15	2	5			Simon Newcombe, Tanya Wenham		
<u>Number of affordable homes delivered (gross)</u>	14 (2/4)	27	80	16	3			Angela Haigh	(Quarter 1 - 2) Quarter two saw the addition of three new shared ownership properties. (NS)	
Aims: Other										
Performance Indicators										
Title	Prev Year (Period)	Prev Year End	Annual Target	Q1 Act	Q2 Act	Q3 Act	Q4 Act	Head of Service / Manager	Officer Notes	
<u>Local Plan Review</u>	n/a	n/a		n/a	n/a	n/a		Jenny Clifford		
<u>Number of Successful Homelessness Prevention</u>	154 (2/4)	295	No Target - for information only	70	136			Angela Haigh		

Corporate Plan Quarterly PI Report Homes									
Priorities: Homes									
Aims: Other									
Performance Indicators									
Title	Prev Year (Period)	Prev Year End	Annual Target	Q1 Act	Q2 Act	Q3 Act	Q4 Act	Head of Service / Manager	Officer Notes
Cases									
<u>% Decent Council Homes</u>	99.35% (7/12)	100.00%	100.0%	100.0%	100.0%			Angela Haigh, Nick Sanderson	(September) On Target (SB)
<u>% Properties With a Valid Gas Safety Certificate</u>	99.95% (7/12)	99.86%	100.0%	99.9%	100.0%			Angela Haigh	(September) A single expired property. This is at Legal Stage. MDDC will seek a court injunction to enable access. This is the final month of the Rober Heath Heating contract. Subsequent data will relate to Servicing & Maintenance carried out by Liberty Gas Group Ltd. (WD)
<u>Rent Collected as a Proportion of Rent Owed</u>	99.20% (7/12)	99.74%	100.0%	97.3%	99.6%			Angela Haigh	(September) Performance remains just outside target and so I am not unduly concerned about performance against this indicator. (CF)
<u>Rent Arrears as a Proportion of Annual Rent Debit</u>	1.09% (7/12)	0.66%	1.0%	1.0%	1.0%			Angela Haigh	(September) Although outside target, performance remains in the top

Corporate Plan Quarterly PI Report Homes									
Priorities: Homes									
Aims: Other									
Performance Indicators									
Title	Prev Year (Period)	Prev Year End	Annual Target	Q1 Act	Q2 Act	Q3 Act	Q4 Act	Head of Service / Manager	Officer Notes
									quartile, which is good. The numbers of tenants in receipt of Universal Credit is increasing and this is likely to have an impact on our ability to collect rent going forward. (CF)
<u>Dwelling rent lost due to voids</u>	0.66% (7/12)	0.75%	no target - for information only	0.7%	0.6%			Angela Haigh	
<u>Average Days to Re-Let Local Authority Housing</u>	15.5days (7/12)	16.3days	16.0days	17.2days	15.6days			Claire Fry, Nick Sanderson	(September) On Target (MB)

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Corporate Plan Quarterly PI Report Economy

Quarterly report for 2016-2017
 Arranged by Aims
 Filtered by Aim: Priorities Economy
 For MDDC - Services

Key to Performance Status:

Performance Indicators:	No Data	Well below target	Below target	On target	Above target	Well above target
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* indicates that an entity is linked to the Aim by its parent Service

Corporate Plan Quarterly PI Report Economy

Priorities: Economy

Aims: Attract new businesses to the District

Performance Indicators										
Title	Prev Year (Period)	Prev Year End	Annual Target	Q1 Act	Q2 Act	Q3 Act	Q4 Act	Actual to Date	Head of Service / Manager	Officer Notes
<u>Number of business rate accounts</u>		2,872	No target - for information only.	2,868	2,880			2,880 (2/4)	John Chumbley	

Aims: Focus on business retention and growth of existing businesses

Performance Indicators										
Title	Prev Year (Period)	Prev Year End	Annual Target	Q1 Act	Q2 Act	Q3 Act	Q4 Act	Actual to Date	Head of Service / Manager	Officer Notes
<u>Number of Apprentices at MDDC</u>		13	9	14	13			13 (2/4)	Jill May	(Quarter 1) Government target proposed is 2.3% of FTEs (JM)

Aims: Improve and regenerate our town centres

Performance Indicators										
Title	Prev Year (Period)	Prev Year End	Annual Target	Q1 Act	Q2 Act	Q3 Act	Q4 Act	Actual to Date	Head of Service / Manager	Officer Notes
<u>Increase in Car Parking Vends</u>	n/a	n/a	No target - for information only.	129,488	159,929			159,929 (2/4)	Andrew Jarrett	(Quarter 1) The accountant noticed there was missing data in May and logged this with the supplier who

Corporate Plan Quarterly PI Report Economy

Priorities: Economy

Aims: Improve and regenerate our town centres

Performance Indicators

Title	Prev Year (Period)	Prev Year End	Annual Target	Q1 Act	Q2 Act	Q3 Act	Q4 Act	Actual to Date	Head of Service / Manager	Officer Notes
										confirmed there was a "driver error". (JN)
<u>Tiverton Town Centre Masterplan</u>	n/a	n/a		n/a	n/a	n/a		n/a	Jenny Clifford	
<u>The Number of Empty Shops (TIVERTON)</u>	16 (3/4)	16	18	18	17	18		18 (3/4)	John Bodley-Scott	
<u>The Number of Empty Shops (CREDITON)</u>	6 (3/4)	7	8	9	7	8		8 (3/4)	John Bodley-Scott	(Quarter 2) 7 out of 115 properties (JB)
<u>The Number of Empty Shops (CULLOMPTON)</u>	7 (3/4)	8	8	10	10	10		10 (3/4)	John Bodley-Scott	(Quarter 3) 10 out of 86 properties (JB)

Aims: Other

Performance Indicators

Title	Prev Year (Period)	Prev Year End	Annual Target	Q1 Act	Q2 Act	Q3 Act	Q4 Act	Actual to Date	Head of Service / Manager	Officer Notes
<u>Local Plan Review</u>	n/a	n/a		n/a	n/a	n/a		n/a	Jenny Clifford	
<u>Funding awarded to support economic projects</u>	n/a	n/a	No target - for information only	£53,092	£57,383			£57,383 (2/4)	None	(Quarter 2) Moved £3,750 from Q1 (CY)

Corporate Plan Quarterly PI Report Community

Quarterly report for 2016-2017
Arranged by Aims
Filtered by Aim: Priorities Community
For MDDC - Services

Key to Performance Status:

Performance Indicators:	No Data	Well below target	Below target	On target	Above target	Well above target
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* indicates that an entity is linked to the Aim by its parent Service

Corporate Plan Quarterly PI Report Community

Priorities: Community

Aims: Work with local communities to encourage them to support themselves

Performance Indicators

Title	Prev Year (Period)	Prev Year End	Annual Target	Q1 Act	Q2 Act	Q3 Act	Q4 Act	Actual to Date	Head of Service / Manager	Officer Notes
<u>£ Council Grants / Head of Population</u>	n/a	n/a	£1.48	n/a	n/a	n/a		n/a	John Bodley-Scott	

Aims: Promote physical activity, health and wellbeing

Performance Indicators

Title	Prev Year (Period)	Prev Year End	Annual Target	Q1 Act	Q2 Act	Q3 Act	Q4 Act	Actual to Date	Head of Service / Manager	Officer Notes
<u>Introduce Trimtrails across the District</u>	n/a	n/a	1	n/a	n/a	n/a		n/a	Jill May, Simon Newcombe	
<u>Total number of users is at least 900,000</u>	208,965 (1/4)	824,612	900,000	236,000				236,000 (1/4)	Jill May	
<u>Operational Recovery Rate</u>	83.76% (2/4)	85.15%	88%	84%	83%			83% (2/4)	Lee Chester	

Aims: Other

Corporate Plan Quarterly PI Report Community										
Priorities: Community										
Aims: Other										
Performance Indicators										
Title	Prev Year (Period)	Prev Year End	Annual Target	Q1 Act	Q2 Act	Q3 Act	Q4 Act	Actual to Date	Head of Service / Manager	Officer Notes
<u>Local Plan Review</u>	n/a	n/a		n/a	n/a	n/a		n/a	Jenny Clifford	
<u>Number of web hits per month</u>	0 (2/4)	0	For information only	27,980	29,245			29,245 (2/4)	Liz Reeves	
<u>Compliance with food safety law</u>	n/a	n/a	90%	91%	91%			91% (2/4)	Simon Newcombe	

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SPAR.net

Print Date: 08 November 2016
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Corporate Plan Quarterly PI Report Corporate

Quarterly report for 2016-2017

Arranged by Aims

Filtered by Aim: Priorities Delivering a Well-Managed Council
For MDDC - Services

Key to Performance Status:

Performance Indicators:	No Data	Well below target	Below target	On target	Above target	Well above target
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* indicates that an entity is linked to the Aim by its parent Service

Corporate Plan Quarterly PI Report Corporate										
Priorities: Delivering a Well-Managed Council										
Aims: Put customers first										
Performance Indicators										
Title	Prev Year (Period)	Prev Year End	Annual Target	Q1 Act	Q2 Act	Q3 Act	Q4 Act	Actual to Date	Head of Service / Manager	Officer Notes
Planning Applications: over 13 weeks old	26 (2/4)	40	45	37	39			39 (2/4)	Jenny Clifford	
New Performance Planning Guarantee determine within 26 weeks	97% (2/4)	97%	100%	93%	97%			97% (2/4)	Jenny Clifford	
Working Days Lost Due to Sickness Absence	3.68days (2/4)	8.12days	8.00days	1.71days	3.73days			3.73days (2/4)	Jill May	
% total NNDR collected - monthly	66.70% (7/12)	99.10%	99.20%	33.96%	61.48%			71.40% (7/12)	John Chumbley	
% of complaints resolved w/in timescales (10 days - 12 weeks)	100% (2/4)	93%	90%	94%	89%			89% (2/4)	Liz Reeves	(Quarter 2) Some services still need help using the system & 2 stage 2 complaints had 'disappeared' now found and should still be resolved within timescales. (RT)
Number of Complaints	39 (2/4)	95	For information only	106	75			75 (2/4)	Liz Reeves	(Quarter 2) Information from CRM report (RT)
Response to	90% (2/4)	87%	90%	95%	95%			95% (2/4)	Lynsey	

Corporate Plan Quarterly PI Report Corporate										
Priorities: Delivering a Well-Managed Council										
Aims: Put customers first										
Performance Indicators										
Title	Prev Year (Period)	Prev Year End	Annual Target	Q1 Act	Q2 Act	Q3 Act	Q4 Act	Actual to Date	Head of Service / Manager	Officer Notes
<u>FOI Requests (within 20 working days)</u>									Chilcott, Liz Reeves	

Risk Report Appendix 6

Report for 2016-2017
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 6

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

Effects (Impact/Severity):

Causes (Likelihood):

Service: Street Scene Services

Current Status:
Medium (5)

Current Risk Severity: 5 -
Very High

Current Risk Likelihood: 1 -
Very Low

Head of Service: Stuart Noyce

Review Note: Risks largely restricted to trained/professional EH or PSH officers therefore overall status remains low

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: Risks largely restricted to trained/professional EH or PSH officers therefore overall status remains low

Risk Report Appendix 6

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

Current Status: Medium (5)	Current Risk Severity: 5 - Very High	Current Risk Likelihood: 1 - Very Low
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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: Car Park Car Park Overcrowding

Effects (Impact/Severity):

Causes (Likelihood):

Service: Leisure Services

Current Status: High (20)	Current Risk Severity: 5 - Very High	Current Risk Likelihood: 4 - High
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Head of Service: Jill May

Review Note:

Risk: Chemicals Staff using chemicals incorrectly.

Effects (Impact/Severity):

Causes (Likelihood):

Service: Leisure Services

Current Status: No Data	Current Risk Severity: 5 - Very High	Current Risk Likelihood: 2 - Low
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Head of Service: Lee Chester

Review Note:

Risk Report Appendix 6

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: No Data	Current Risk Severity: 5 - Very High	Current Risk Likelihood: 1 - Very Low
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Head of Service: 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: No Data	Current Risk Severity: 5 - Very High	Current Risk Likelihood: 1 - Very Low
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Head of Service: Andrew Jarrett

Review Note: Cabinet have recently agreed to invest in CCLA

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: No Data	Current Risk Severity: 5 - Very High	Current Risk Likelihood: 1 - Very Low
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Head of Service: Andrew Jarrett

Review Note: Strategy is approved by Cabinet annually. 2015 Audit found no issue with this

Risk Report Appendix 6

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: No Data	Current Risk Severity: 5 - Very High	Current Risk Likelihood: 1 - Very Low
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Head of Service: Liz Reeves

Review Note:

Risk: Electrical testing Failure to carry out periodic electrical testing could result in the risk of electrocution or fire.

Effects (Impact/Severity):

Causes (Likelihood):

Service: Housing Services

Current Status: Medium (10)	Current Risk Severity: 5 - Very High	Current Risk Likelihood: 2 - Low
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Head of Service: Nick Sanderson

Review Note:

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
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Head of Service: Liz Reeves

Review Note:

Risk Report Appendix 6

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: Liz Reeves

Review Note:

Risk: H&S RA - Recycling Depot Operatives Role risk assessment - Highest Risk scored

Effects (Impact/Severity):

Causes (Likelihood):

Service: Street Scene Services

Current Status: No
Data

Current Risk Severity: 5 - Very
High

Current Risk Likelihood: 2 -
Low

Head of Service: Stuart Noyce

Review Note: RA Review

Risk: H&S RA - Refuse Driver/Loader Risk Assessment for Role - Highest risk from role RA. - Risk of RTA from sever weather conditions

Effects (Impact/Severity):

Causes (Likelihood):

Service: Street Scene Services

Current Status: No
Data

Current Risk Severity: 5 - Very
High

Current Risk Likelihood: 2 -
Low

Head of Service: Stuart Noyce

Review Note: Annual Review of Risk Assesment

Risk Report Appendix 6

Risk: H&S RA - Street Cleansing Operative Job Role Risk Assessment

Effects (Impact/Severity):

Causes (Likelihood):

Service: Street Scene Services

Current Status: Medium (10)

Current Risk Severity: 5 - Very High

Current Risk Likelihood: 2 - Low

Head of Service: Stuart Noyce

Review Note: Risk with control measures added

Risk: Homelessness Insufficient resources to support an increased homeless population could result in failure to meet statutory duty to provide advice and assistance to anyone who is homeless.

Effects (Impact/Severity): • Dissatisfied customers and increase in complaints
• An investigation by DCLG
• Legal costs

Causes (Likelihood): • Social and economic factors like the recession and mortgage repossessions increase the number of homeless.

Service: Housing Services

Current Status: High (16)

Current Risk Severity: 4 - High

Current Risk Likelihood: 4 - High

Head of Service: Nick Sanderson

Review Note:

Risk: Impact of Welfare Reform and other emerging National Housing Policy Changes to benefits available to tenants could impact upon their ability to pay. Other initiatives could impact upon our ability to deliver our 30 year Business Plan.

Effects (Impact/Severity):

Causes (Likelihood):

Service: Housing Services

Current Status: High (15)

Current Risk Severity: 5 - Very High

Current Risk Likelihood: 3 - Medium

Head of Service: Nick Sanderson

Review Note:

Risk Report Appendix 6

Risk: Inadequate gas appliance maintenance and certification Failure to maintain service of our gas appliances on an annual basis could result in death and prosecution

Effects (Impact/Severity):

Causes (Likelihood):

Service: Housing Services

Current Status: Medium (10)

Current Risk Severity: 5 - Very High

Current Risk Likelihood: 2 - Low

Head of Service: Nick Sanderson

Review Note:

Risk: Information Security Inadequate Information Security could lead to breaches of confidential information, damaged or corrupted data and ultimately Denial of Service. If 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: High (15)

Current Risk Severity: 5 - Very High

Current Risk Likelihood: 3 - Medium

Head of Service: Liz Reeves

Review Note: this should be reviewed 6 monthly, corporate risk is high. Constant checks are in place and firewall etc. but risk of cyber attack constant

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 Report Appendix 6

Risk: Lone Working Lone Working of centre employees

Effects (Impact/Severity):

Causes (Likelihood):

Service: Leisure Services

Current Status:
Medium (10)

Current Risk Severity: 5 - Very High

Current Risk Likelihood: 2 - Low

Head of Service: Jill May

Review Note:

Risk: Noise Risk of hearing damage and headaches from high noise levels above 85 decibels and nuisance noise eg Printers, fans.

Effects (Impact/Severity):

Causes (Likelihood):

Service: Street Scene Services

Current Status:
Medium (5)

Current Risk Severity: 5 - Very High

Current Risk Likelihood: 1 - Very Low

Head of Service: Stuart Noyce

Review Note: No change

Risk: Plant Rooms plant rooms

Effects (Impact/Severity):

Causes (Likelihood):

Service: Leisure Services

Current Status: No Data

Current Risk Severity: 5 - Very High

Current Risk Likelihood: 1 - Very Low

Head of Service: Jill May

Review Note:

Risk: Pool Activities Pool Activities

Effects (Impact/Severity):

Causes (Likelihood):

Service: Leisure Services

Current Status: No Data

Current Risk Severity: 5 - Very High

Current Risk Likelihood: 2 - Low

Head of Service: Lee Chester

Review Note:

Risk Report Appendix 6

Risk: St Andrew Street A staircase in the new development does not meet current building regulations due to conservation requirements.

Effects (Impact/Severity):

Causes (Likelihood):

Service: Housing Services

Current Status: High (15)

Current Risk Severity: 5 - Very High

Current Risk Likelihood: 3 - Medium

Head of Service: Nick Sanderson

Review Note: The staircase has to remain in position, no further issues reported from the housing team. We will continue to monitor and will take action where possible and permitted.

Risk: Vehicles, Transport, Driving Risk of collisions with other moving or stationary vehicles, cycles and/or pedestrians.

Effects (Impact/Severity):

Causes (Likelihood):

Service: Street Scene Services

Current Status: Medium (5)

Current Risk Severity: 5 - Very High

Current Risk Likelihood: 1 - Very Low

Head of Service: Stuart Noyce

Review Note: No change

Risk: Widespread fire in block of flats Failure to carry out adequate fire risk assessments on our multiple occupancy properties, could result in widespread fire and death

Effects (Impact/Severity):

Causes (Likelihood):

Service: Housing Services

Current Status: Medium (10)

Current Risk Severity: 5 - Very High

Current Risk Likelihood: 2 - Low

Head of Service: Nick Sanderson

Review Note:

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Risk Matrix

Report
For MDDC - Services
Current settings

Risk Likelihood	5 - Very High	No Risks	No Risks	No Risks	No Risks	No Risks
	4 - High	No Risks	No Risks	2 Risks	4 Risks	2 Risks
	3 - Medium	No Risks	2 Risks	8 Risks	10 Risks	5 Risks
	2 - Low	2 Risks	7 Risks	28 Risks	12 Risks	6 Risks
	1 - Very Low	4 Risks	9 Risks	7 Risks	19 Risks	10 Risks
		1 - Very Low	2 - Low	3 - Medium	4 - High	5 - Very High
		Risk Severity				

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MID DEVON DISTRICT COUNCIL – NOTIFICATION OF KEY DECISIONS

December 2016

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)
<p>Local Enforcement Plan</p> <p>A Plan setting out the approach and policies towards planning enforcement within the district</p>	<p>Cabinet Council</p>	<p>5 Jan 2017 22 Feb 2017</p>	<p>Jenny Clifford, Head of Planning and Regeneration Tel: 01884 234346</p>	<p>Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)</p>	<p>Open</p>
<p>Building Control Partnership between Mid Devon District Council and North Devon District Council</p> <p>To receive a report of the Head of Planning and Regeneration regarding the proposed partnership.</p>	<p>Cabinet</p>	<p>5 Jan 2017</p>	<p>Jenny Clifford, Head of Planning and Regeneration Tel: 01884 234346</p>	<p>Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)</p>	<p>Open</p>
<p>Proposed Greater Exeter Strategic Plan</p> <p>Report of the Head of</p>	<p>Cabinet Council</p>	<p>5 Jan 2017 22 Feb 2017</p>	<p>Jenny Clifford, Head of Planning and Regeneration Tel: 01884 234346</p>	<p>Cabinet Member for Planning and Economic Regeneration</p>	<p>Open</p>

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)
Planning and Regeneration requesting consideration of a propoosal for a joint strategic plan for the Greater Exeter Area				(Councillor Richard Chesterton)	
Broadband Update Report of the Director of Finance, Assets and Resources regarding a proposed joint venture.	Cabinet	5 Jan 2017	Andrew Jarrett, Director of Finance, Assets and Resources Tel: 01884 234242	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Fully exempt
Options for the Town Hall Tiverton To receive a report of the Head of Housing and Property Services considering options with regard to the disposal and future management of the Town Hall.	Cabinet	5 Jan 2017	Nick Sanderson, Head of Housing and Property Services Tel: 01884 234960	Cabinet Member for Housing (Councillor Ray Stanley)	Fully exempt
Regulation of Investigatory Powers To consider the annual review of the policy.	Community Policy Development Group	29 Nov 2016	Jill May, Director of Corporate Affairs and Business Transformation Tel: 01884 234381	Cabinet for the Working Environment and Support Services (Councillor	Open

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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)
	Cabinet	5 Jan 2017		Margaret Squires)	
<p>Land for Affordable Housing</p> <p>To acquire land (in consultation with the Cabinet Member for Housing) for the provision of affordable housing (under the scheme of delegation) at Waddeton Park, Post Hill, Tiverton</p>	Head of Housing and Property Services	Not before 2nd Jan 2017	Nick Sanderson, Head of Housing and Property Services Tel: 01884 234960		Open
<p>Masterplan - Area B Tiverton Eastern Urban Extension</p> <p>Report of the Head of Planning and Regeneration requesting the Cabinet to consider consultation drafts</p>	Cabinet	5 Jan 2017	Jenny Clifford, Head of Planning and Regeneration Tel: 01884 234346	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open
<p>Special Purpose Vehicle (Property) (2)</p> <p>To receive a report of the Director of Finance, Assets and Resources providing an update to the report to</p>	Cabinet	5 Jan 2017	Andrew Jarrett, Director of Finance, Assets and Resources Tel: 01884 234242	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)
Cabinet on 27 October 2016					
Gypsies and Travellers Policy To receive a report of the Head of Housing and Property Services regarding a policy for Gypsy and Travellers.	Environment Policy Development Group Cabinet Council	10 Jan 2017 2 Feb 2017 22 Feb 2017	Nick Sanderson, Head of Housing and Property Services Tel: 01884 234960	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open
Decant Policy (update) To receive a report from the Head of Housing and Property Services outlining some minor changes to the Decant Policy.	Homes Policy Development Group Cabinet	17 Jan 2017 2 Feb 2017	Nick Sanderson, Head of Housing and Property Services Tel: 01884 234960	Cabinet Member for Housing (Councillor Ray Stanley)	Open
Tiverton Town Centre Action Plan and Market Strategy To receive a report from the Head of Communities and Governance regarding the Town Centre Action Plan	Economy Policy Development Group Cabinet	19 Jan 2017 2 Feb 2017	Jenny Clifford, Head of Planning and Regeneration Tel: 01884 234346	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open

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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)
Community Engagement Strategy 2016-17 Report updating Members on progress made with the Community Engagement Action Plan (2015-16) and to review the strategy and focus for 2016-17.	Community Policy Development Group Cabinet	31 Jan 2017 2 Mar 2017	Liz Reeves, Head of Customer Services Tel: 01884 234371	Cabinet Member for Community Well Being (Councillor Colin Slade)	Open
Town and Parish Charter To undertake a four yearly review the Town and Parish Charter	Community Policy Development Group Cabinet	31 Jan 2017 2 Mar 2017	Jill May, Director of Corporate Affairs and Business Transformation Tel: 01884 234381	Cabinet Member for Community Well Being (Councillor Colin Slade)	Open
Community Engagement Action Plan To receive information regarding the action plan.	Community Policy Development Group Cabinet	31 Jan 2017 2 Mar 2017	Liz Reeves, Head of Customer Services Tel: 01884 234371	Cabinet Member for Community Well Being (Councillor Colin Slade)	Open
Devolution - Mid Devon and the Heart of the South West Proposition Report of the Chief Executive	Cabinet Council	2 Feb 2017 22 Feb 2017	Stephen Walford, Chief Executive	Leader of the Council (Councillor Clive Eginton)	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)
setting out the possible devolution process for recommendation to Council					
Health and Safety Policy Report of the Health and Safety Officer regarding a revised policy	Community Policy Development Group Cabinet	31 Jan 2017 2 Mar 2017	Jill May, Director of Corporate Affairs and Business Transformation Tel: 01884 234381	Cabinet for the Working Environment and Support Services (Councillor Margaret Squires)	Open
Strategic Land Issues To receive a report of the Head of Housing and Property Services advising on responses to the Town Centre Masterplanning to include expressions of interest and the potential for acquiring a new site for depot redevelopment.	Cabinet	2 Feb 2017	Nick Sanderson, Head of Housing and Property Services Tel: 01884 234960	Cabinet Member for Housing (Councillor Ray Stanley)	Fully exempt <i>Financial and business issues</i>
Policy Framework Report of the Chief Executive requesting endorsement of the Policy Framework for the	Cabinet Council	2 Feb 2017 22 Feb 2017	Stephen Walford, Chief Executive	Leader of the Council (Councillor Clive Eginton)	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)
year.					
Establishment Report of the Director of Corporate Affairs and Business Transformation outlining the overall structure of the Council showing the management and deployment of officers	Cabinet Council	2 Feb 2017 22 Feb 2017	Jill May, Director of Corporate Affairs and Business Transformation Tel: 01884 234381	Cabinet for the Working Environment and Support Services (Councillor Margaret Squires)	Open
National Non Domestic Rates Report of the Director of Finance, Assets and Resources providing Members with an update of the income generation and financial implications of the number of business Rate properties in Mid Devon and to approve the NNDR1 (estimated income to be generated in 2017/18 from business rates).	Cabinet	2 Feb 2017	Andrew Jarrett, Director of Finance, Assets and Resources Tel: 01884 234242	Cabinet Member for Finance (Councillor Peter Hare-Scott)	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>Budget</p> <p>Report of the Director of Finance, Assets and Resources providing the proposals for the General Fund and the Housing Revenue Account for the year 2017/18.</p>	<p>Cabinet</p> <p>Council</p>	<p>2 Feb 2017</p> <p>22 Feb 2017</p>	<p>Andrew Jarrett, Director of Finance, Assets and Resources Tel: 01884 234242</p>	<p>Cabinet Member for Finance (Councillor Peter Hare-Scott)</p>	<p>Open</p>
<p>Capital Programme</p> <p>Report of the Director of Finance, Assets and Resources with regard to the Capital Programme.</p>	<p>Cabinet</p> <p>Council</p>	<p>2 Feb 2017</p> <p>22 Feb 2017</p>	<p>Andrew Jarrett, Director of Finance, Assets and Resources Tel: 01884 234242</p>	<p>Cabinet Member for Finance (Councillor Peter Hare-Scott)</p>	
<p>Communication Strategy Action Plan</p> <p>Report of the Head of Customer Services reviewing the Communication Strategy</p>	<p>Cabinet</p>	<p>2 Mar 2017</p>	<p>Liz Reeves, Head of Customer Services Tel: 01884 234371</p>	<p>Cabinet for the Working Environment and Support Services (Councillor Margaret Squires)</p>	<p>Open</p>
<p>ICT Strategy</p> <p>Report of the Head of Customer Services regarding a review of the ICT</p>	<p>Cabinet</p>	<p>2 Mar 2017</p>	<p>Liz Reeves, Head of Customer Services Tel: 01884 234371</p>	<p>Cabinet Member for Community Well Being (Councillor Colin Slade)</p>	<p>Open</p>

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)
Strategy					
Empty Homes Strategy To receive a report from the Head of Human Resources and Development on the Strategy regarding Empty Homes.	Homes Policy Development Group Cabinet	14 Mar 2017 30 Mar 2017	Jill May, Director of Corporate Affairs and Business Transformation Tel: 01884 234381	Cabinet Member for Housing (Councillor Ray Stanley)	Open
Private Sector Housing Renewal Policy To receive a report from the Head of Housing and Property Services reviewing the existing policy.	Homes Policy Development Group Cabinet	14 Mar 2017 30 Mar 2017	Jill May, Director of Corporate Affairs and Business Transformation Tel: 01884 234381	Cabinet Member for Housing (Councillor Ray Stanley)	Open
Ageing Well Strategy Report of the Head of Communities and Governance regarding a new strategy.	Community Policy Development Group Cabinet Council	28 Mar 2017 30 Mar 2017 26 Apr 2017	Jill May, Director of Corporate Affairs and Business Transformation Tel: 01884 234381	Cabinet Member for Community Well Being (Councillor Colin Slade)	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>Pay Policy</p> <p>Report of the Director of Corporate Affairs and Business Transformation complying with the legislative requirements of the Localism Act 2011 relating to senior pay, in particular the role of the Chief Executive and senior staff.</p>	<p>Cabinet</p> <p>Council</p>	<p>30 Mar 2017</p> <p>26 Apr 2017</p>	<p>Jill May, Director of Corporate Affairs and Business Transformation Tel: 01884 234381</p>	<p>Leader of the Council (Councillor Clive Eginton)</p>	<p>Open</p>
<p>Treasury Management Strategy Statement and Annual Investment Strategy 2017/18</p> <p>Report of the Director of Finance, Assets and Resources requesting agreement of the proposed Treasury Management Strategy and Annual Investment Strategy for 2017/18.</p>	<p>Cabinet</p>	<p>30 Mar 2017</p>	<p>Andrew Jarrett, Director of Finance, Assets and Resources Tel: 01884 234242</p>	<p>Cabinet Member for Finance (Councillor Peter Hare-Scott)</p>	<p>Open</p>