

Public Document Pack

Mid Devon District Council

Cabinet

Thursday, 28 September 2017 at 2.15 pm
Exe Room, Phoenix House

Next ordinary meeting
Thursday, 26 October 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 - 10)

To receive the minutes of the meeting of 31 August 2017.

4. **Tenant Compensation Policy** (Pages 11 - 20)

Arising from a report of the Director of Operations, the Homes Policy Development Group had recommended that the revised Tenant Compensation Policy be approved.

5. **Recommendation from the Scrutiny Committee - Tiverton Town centre**

At its meeting on 11 September 2017, the Scrutiny Committee noted the number of policies and action plans which appeared to have been on-going for a number of years. In particular, in relation to Tiverton Town Centre, the Scrutiny Committee passed the following resolution:

Resolved to recommend to the Cabinet that it acts upon the action plans to improve the Tiverton Town Centre and Pannier Market that were approved in 2011.

(Briefing paper for information to follow).

6. **Discretionary Business Rates Relief Scheme** *(Pages 21 - 44)*

To consider a report of the Director of Finance, Assets and Resources introducing the Discretionary Rate Relief policy.

7. **Temporary Agency Staffing Contract** *(Pages 45 - 56)*

To consider a report of the Procurement Manager advising the cabinet on the results of the procurement for the provision of Temporary Agency staff.

8. **Strategic Leisure Partner for Fitness Equipment** *(Pages 57 - 66)*

To receive a report of the Director of Operations advising the Cabinet of the outcome to the procurement exercise to identify a suitable Strategic Leisure Partner.

9. **Financial Monitoring**

To receive a verbal report from the Director of Finance, Assets and Resources presenting a financial update in respect of the income and expenditure so far in the year.

10. **Performance and Risk** *(Pages 67 - 96)*

To consider a report of the Director of Corporate Affairs and Business Transformation providing Members with an update on the performance against the Corporate Plan and local service targets.

11. **Notification of Key Decisions** *(Pages 97 - 110)*

To note the contents of the Forward Plan.

12. **Access to Information - Exclusion of Press and Public**

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

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

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

13. **Lords Meadow Depot** (*Pages 111 - 140*)

To consider a report of the Director of Finance, Assets and Resources with regard to the Lords Meadow Depot in Crediton.

14. **Council Offices, Crediton** (*Pages 141 - 202*)

Following deferral of the item from a previous meeting, to consider a further report of the Director of Finance, Assets and Resources regarding the future use of the Crediton Office.

Stephen Walford

Chief Executive

Wednesday, 20 September 2017

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

proceedings is asked to advise the Chairman or the Member Services Officer in attendance so that all those present may be made aware that is happening.

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

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

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

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

Tel: 01884 234229

E-Mail: sgabriel@middevon.gov.uk

Public Wi-Fi is available in all meeting rooms.

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **CABINET** held on 31 August 2017 at 2.15 pm

Present

Councillors C J Eginton (Leader)
P H D Hare-Scott, C R Slade and
R L Stanley

Apologies

Councillor(s) R J Chesterton, K Busch and Mrs M E Squires

Also Present

Officer(s): Stephen Walford (Chief Executive), Andrew Jarrett (Director of Finance, Assets and Resources), Andrew Pritchard (Director of Operations), Jill May (Director of Corporate Affairs and Business Transformation), Jenny Clifford (Head of Planning, Economy and Regeneration), Mary Dolley (Principal Solicitor), Liz Reeves (Head of Customer Services) and Sally Gabriel (Member Services Manager)

39. **APOLOGIES**

Apologies were received from Cllrs: K I Busch, R J Chesterton and Mrs M E Squires.

40. **PUBLIC QUESTION TIME**

There were no members of the public present.

41. **MINUTES OF THE PREVIOUS MEETING (00-00-48)**

The minutes of the meeting held on 3 August 2017 were approved as a correct record and signed by the Chairman.

42. **DEVON DISTRICT COUNCIL'S JOINT SAFEGUARDING POLICY AND MDDC GUIDANCE AND PROCEDURES (00-01-37)**

Arising from a *report of the Director of Corporate Affairs and Business Transformation and Corporate Safeguarding Lead Officer, the Community Policy Development Group had recommended the Devon District Councils Joint Safeguarding Policy (Appendix A) and the MDDC guidance and procedures (Appendix B) be approved.

The Cabinet Member for Community Well-Being outlined the contents of the report stating that the purpose of the report was to update the previous policy. Minor amendments had been made with a review regarding the number of service safeguarding representatives across the Council to support the Child Protection and Safeguarding Officer, relevant training had been completed by representatives and all officers and Members would be required to review and adopt the updated policy.

RESOLVED that the recommendation of Policy Development Group be approved.

(Proposed by Cllr C R Slade and seconded by Cllr R L Stanley)

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

43. **UPDATE TO THE CORPORATE PLAN (00-02-43)**

The Cabinet had before it a * report of the Chief Executive regarding the aims within the Corporate Plan 2016-22 and seeking to ensure that the operational projects within the plan remained current.

The Chief Executive outlined the contents of the report stating that the current published Corporate Plan included under each priority, operational projects, the majority of which were time limited to the end of 2016/17. He stated that he had updated the priority activities for 2017/18; these would require approval by the Cabinet and Council. He hoped that he would be provided with delegated authority in consultation with the Leader to amend operational elements of the published plan in the future to ensure that an up to date version could be re-published as often as required, however no delegated authority would be sought over the policy and objectives within the plan.

Consideration was given to whether the priorities within the Corporate Plan could be achieved by May 2019 and some of the strategic risks which had been highlighted.

RECOMMENDED to Council that:

- a) The amendments to the operational section of the published Corporate Plan for 17/18 be noted and approved;
- b) Delegated authority be given to the Chief Executive in consultation with the Leader to amend the operational elements of the published plan to ensure that an up to date version could be (re)published as often as required

(Proposed by the Chairman)

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

44. **BID SUBMISSIONS TO HOUSING INFRASTRUCTURE FUND (00-08-18)**

The Cabinet had before it a * report of the Head of Planning, Economy and Regeneration informing Members of the current funding opportunities under the Housing Infrastructure Fund and seeking approval to pursue a bid for infrastructure projects in the district and to agree prioritisation of the projects to be submitted

The officer outlined the contents of the report stating that in July 2017 the Government launched its £2.3 billion Housing Infrastructure Fund to finance infrastructure to unlock housing delivery. She highlighted the two separate funding streams available, the Forward Funding stream available to upper tier Councils and the Marginal Viability Funding stream eligible for District and Unitary Councils. Two

projects would be put forward for funding by MDCC under the Marginal Viability element:

- (i) **Junction 28 of the M5 Motorway, Cullompton** which required funding to assist in capacity of the junction pending the delivery of strategic improvements. The proposed improvement would increase the junction's capacity through the creation of an additional lane over the bridge over the M5 to provide two lanes in each direction, the construction of a new footbridge and full signalisation of the junction. She explained that the County Council had submitted an expression of interest under a different funding stream to help deliver the shorter term improvements.
- (ii) **Northern element of the A361 junction east of Tiverton**, phase 1 of the scheme had a funding project in place and work was about to commence. Phase 2, (the overbridge and northern slips) was suitable for a funding bid.

She explained that bidders under the Marginal Viability Fund were asked to prioritise when submitting more than one scheme taking into account the degree of ambition for the scheme, value for money, the additional homes proposed, the strategic approach and deliverability. It was clear that the Junction 28 scheme could deliver more housing and economic growth opportunities and would match the strategic approach of the authority to growth as set out in the submitted Local Plan review; therefore it was proposed that this scheme would be highlighted within the bid as the priority.

Consideration was given to:

- Concerns of local Ward Members relating to the J28 proposal to ensure that sufficient regard was had to pedestrian access and cycle lanes
- The infrastructure required for development within Mid Devon
- The importance of both schemes

RESOLVED that:

- a) Delegated authority be given to the Head of Planning, Economy and Regeneration to submit a bid to the Housing Infrastructure (Marginal Viability) Fund to seek finance for the projects identified within the report; and
- b) The bid be prioritised to relate to improvements to Junction 28 of the M5

(Proposed by the Chairman)

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

45. **PROJECT MANAGEMENT FOR CULM GARDEN VILLAGE (00-23-01)**

The Cabinet had before it a * report of the Head of Planning, Economy and Regeneration advising Members on the results of the procurement of a project manager for the Culm Garden Village project.

The Head of Planning, Economy and Regeneration outlined the contents of the report highlighting the background of the Garden Village project explaining the need

for a dedicated project manager to continue the momentum of the scheme. She outlined the procurement process that had taken place and reported the expressions of interests and submissions received.

Consideration was given to the expertise required to progress the project.

RESOLVED that: the initial one year contract be awarded to Supplier 3 with an agreed annual cost of £66,000. The Contract had been awarded to the contractor with the highest combined quality/price score with 70% of the total score based on quality and 30% on price.

(Proposed by the Chairman)

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

46. **FINANCIAL MONITORING (00-27-57)**

The Cabinet had before it and **NOTED** a * report of the Director of Finance, Assets and Resources presenting financial monitoring information for the income and expenditure for the financial year 2017/18.

The Cabinet Member for Finance outlined the contents of the report stating that there was a projected deficit of £73k, a reduction of £57k since the annual variance of £130k was reported in June. Leisure income was down, but trading receipts had improved. Reserves and the HRA were in a good position and investment income was healthy.

Consideration was given to:

- The capital programme and the fact that Palmerston Park and the Exe Valley Leisure Centre extension should be completed by the end of the year
- Market Walk units

Note: *Report previously circulated copy attached to minutes

47. **ANNUAL REPORT ON COMPLAINTS, COMMENTS AND COMPLIMENTS (00-30-50)**

The Cabinet had before it a * report of the Head of Customer Services and ICT regarding her annual report on complaints, comments and compliments received in 2016/17.

The officer outlined the contents of the report highlighting the contact from customers in a variety of ways for all services. She explained that the 2015 data for calls answered was for all calls received and the 2016/17 data was to the call centre only. She informed the meeting that digital contacts had increased, especially payments online and that the biggest contact method was by email.

Consideration was given to:

- Calls logged that required action

- Complaints and how they were registered
- The Ombudsman's report
- The reduction in the number of visitors accessing council services in person at Phoenix House

RESOLVED that:

- a) The record of complaints, comments and compliments be noted.
- b) The recommendations for continued improvement on recording and responding to complaints be noted.

(Proposed by the Chairman)

Note: *Report previously circulated copy attached to minutes

48. **VINYL FLOORING RENEWAL CONTRACT 2017-2021 (00-37-53)**

The Cabinet had before it a * report of the Director of Operations advising Members of the outcome of the recent tender of the Vinyl Flooring Renewal 2017-2021 to council houses and to confirm the award of the contract.

The Cabinet Member for Housing outlined the contents of the report.

During the discussion it was necessary to pass the following resolution to exclude the press and public having reflected on Article 15, 15.02(d) (a presumption in favour of openness) of the Constitution. This decision was required because consideration of the matter in public may have disclosed information falling within one of the descriptions of exempt information in Schedule 12A to the Local Government Act 1972

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

Having discussed a number of business issues with regard to the tender process, the meeting moved back into open session.

RESOLVED that: the Vinyl Flooring Contract be awarded to Supplier A with a forecast annual budget of £200,000.

(Proposed by the Chairman)

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

49. **NOTIFICATION OF KEY DECISIONS (00-39-30)**

The Cabinet had before it and **NOTED**, its rolling plan* for September 2017.

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

50. **COUNCIL OFFICES, CREDITON**

This item had been deferred until the next meeting to allow for further information to be provided prior to a decision being made.

(The meeting ended at 3.04 pm)

CHAIRMAN

DECENT & AFFORDABLE HOMES PDG

12TH SEPTEMBER 2017

TENANT COMPENSATION POLICY – SHELTERED HOMES DECORATION

Cabinet Member: Cllr Ray Stanley

Responsible Officer: Director of Operations – Andrew Pritchard

Reason for Report: To advise members of the revised Tenant Compensation Policy

RECOMMENDATION(S): That the Cabinet adopts the revised Tenant Compensation Policy

Relationship to Corporate Plan: The Tenant Compensation Policy will manage requests for compensation in line with legal requirements and obligations.

Financial Implications: The financial liability for the implications that flow from this policy will be charged to the Housing Revenue Account.

Legal Implications: It will be necessary to ensure that the Tenant Compensation Policy addresses the legal obligations of the Council as a Landlord.

Risk Assessment: The scope of risk extends to the management of 3060 homes. for.

1.0 Introduction

1.1 The Tenant Compensation Policy is due for review, having last been reviewed in May 2015. Very little has changed in the way we deal with tenant compensation, and as such, only minor changes are proposed.

1.2 The proposed policy has been altered to reflect the information in the new Tenancy Agreement and reflect the format of the MDDC website.

1.3 The proposed policy includes further information to clarify the position on compensation claims for external areas including sheds, outhouses and garages.

1.4 The proposed policy clarifies the position on items damaged during planned demolition works.

1.5 The proposed policy is designed to be in line with the Rechargeable Repairs Policy, in order that there is fairness in terms of what we expect from our tenants, and what they should expect from us.

2.0 Tenant Consultation

2.1 The Housing 'Tenants Together' group have been consulted on this policy and their comments taken into consideration.

3.0 **Proposals**

3.1 There are no significant changes in the policy to propose, however, we propose that the reviewed policy is adopted.

4.0 **Implementation of the Tenant Compensation Policy**

4.1 Other than the change to the format of the policy, and clarification of key issues, the original Tenant Compensation Policy remains the same to ensure that our requests for compensation are dealt with and responded to consistently.

4.2 There are no additional resource implications as a direct result of this policy.

5.0 **Financial Context**

5.1 MDDC Responsive Repairs team make budgetary provision of £4000 per annum in order to settle eligible compensatory payments.

5.2 Within the annual budget there are sufficient monies to fund the current level of eligible compensation requests received each year.

Contact for more Information: Mark Baglow, Building Services Manager. Tel 01884 233011 or Andrew Pritchard, Director of Operations. Tel 01884 234950

Circulation of the Report: Management Team, Councillor Ray Stanley, Cabinet Member for Housing

Building Services

Tenant Compensation Policy – DRAFT

August 2017 v1.2

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1. Policy Statement

This policy will ensure that Mid Devon District Council (MDDC) has effective procedures in place to manage tenant compensation quickly and efficiently.

As a registered provider of social housing, we aim to provide our tenants with a high quality service at all times.

All complaints relating to service failure are investigated according to the procedures set out in our “Have Your Say” leaflet.

There may occasionally be cases when service standards have not been met and compensation for the tenant’s inconvenience or loss is the most appropriate and proportional course of action. In these cases, we recognise that the tenant may have a statutory right to compensation.

The council will publicise the Compensation Policy by including information for new tenants at sign-up, through advertising on our website and in our newsletters, and within the Tenants handbook.

We will review this policy on a bi-annual basis to ensure that its contents reflect current legislation and the latest examples of best practice in the field.

2. Policy Standards

a. Statutory compensation

This policy includes the statutory rights of our tenants to receive compensation, which includes:

- Home loss
- Disturbance payments
- The Right to Repair
- Compensation for tenants’ improvements

b. Discretionary Compensation

Any discretionary award for activities or lack of performance not included within the Tenant Statutory Right will be processed as a formal service request. If a tenant remains dissatisfied with the outcome of a service request, this can be reviewed through the MDDC Complaints Policy. Where a tenant accepts any compensatory or good will gesture payment, this will end the formal process.

3. Statutory Compensation

Legislation exists to financially compensate tenants in a number of situations.

a. Home Loss

The circumstances under which payments relating to Home Loss will be paid are set out in our Decant Policy.

b. Disturbance Payments

The circumstances under which disturbance payments will be paid are set out in our Decant Policy.

c. The Right to Repair

Tenants may be entitled to compensation for a listed range of certain repairs or maintenance problems affecting health, safety or security if MDDC's Housing Service twice fails to complete the repair within the prescribed timescales.

In order to qualify under this scheme, the estimated cost of the repair should be £250 or less, and should be included in those listed in the Council's Right to Repair Policy.

Compensation under the Right to Repair will not be payable when:

- The repair has been inspected and attended to within set service standards, and the tenant has been advised that the relevant parts are on order.
- The repair is classed as rechargeable to the tenant
- There was no access at the time of the pre-booked appointment to do the work
- The actual repair required was not as described by the tenant.

There is a flat rate award of £10 plus £2 per day, for each day thereafter that the repair remains outstanding after the second report has been raised, to a maximum of £50.

d. Compensation for Tenants' own Improvements

Tenants have a contractual right to claim compensation at the end of their tenancy for 'qualifying improvements' they have carried out to their home.

Qualifying improvements that may be eligible for compensation are:

- Bath

- Wash hand basin
- Toilet
- Kitchen sink
- Storage cupboards
- Kitchen work surfaces
- Central heating or water heating
- Thermostatic radiator valves
- Insulation of pipes, water tank or cylinder
- Double glazing, secondary glazing or other window replacement

The following guidelines will apply when determining whether compensation is payable:

- Introductory tenants will not qualify for compensation
- Tenants must have submitted three estimates from bona fide contractors and have received written permission from the Council prior to starting work
- The work must have been undertaken to an acceptable standard by a competent and qualified contractor
- All relevant statutory approvals, building regulations, planning permission etc. have been gained and documentary evidence as such is available
- When a claim for compensation for Tenants' Improvements has been received, the council will arrange an inspection by a surveyor and make an assessment based on the cost of the improvement, its estimated total life and the value of the residual life of the improvement to assess the payment that should be made
- Compensation will not be paid where a mutual exchange has taken place
- Compensation will only be paid at the end of the tenancy, and will be set against any sums that are owed to the council
- Compensation will not be payable where the tenancy is ended through a possession order obtained through the County Court
- Compensation will not be payable if a tenant has exercised their right to Buy or) or where the tenancy passes from joint to sole names (or vice versa)

- The maximum payable is £3,000 and the minimum is £50 in line with legislation

4. Circumstances where Claims for Compensation will not be met:

- The loss or damage is a result of routine failure of a building's component, fixture or fittings where MDDC Housing has not been negligent.
- Where non-availability of parts or materials prevents MDDC's Housing Service completing repairs within the published repair timescales, and the tenant has been kept fully informed.
- Where service failure is the result of extreme or unforeseen conditions (such as weather conditions) where the council has taken all reasonable steps to restore services or facilities under the prevailing conditions.
- Where service failure is due to interruptions in gas, electricity or water supplies as a result of the non-performance of utility companies, or through the action of the tenant.
- Where the loss or damage is the tenant's own fault, including the failure to report repairs in a timely manner or to keep appointments.
- Where loss or damage is as a result of the tenant not noticing or reporting a repair.
- Where a tenant is informed in advance of an appointment for destructive works i.e. renewal of bathroom suite, plastering works or re-roofing and the tenant chooses to leave items in the area, or leaves items uncovered that subsequently get damaged.
- Where the loss or damage arises from an alteration or repair which the tenant has arranged privately or carried out them self.
- Where the loss or damage is due to acts of negligence by a third party, for example, a visitor or contractor who is not acting on behalf of the council.
- Where MDDC has acted reasonably and complied with its legal and contractual liabilities.
- From loss or damage to personal possessions stored in a council garage, outhouse, porch or shed.

5. General

a. External Contractors Employed by MDDC

MDDC will ensure that all contractors carry Public Liability Insurance and they have a clear and appropriate Compensation and Complaints Policy.

Where a claim is made in respect of personal injury, damage to possessions or other financial loss alleged to have been caused by a council contractor's negligence, the council will not accept liability for the claim, but will refer the claim to the contractor themselves.

b. Home Contents Insurance

Tenants are encouraged to have home contents insurance to cover their personal belongings and cost of interior redecoration in the event of damage.

MDDC Housing officers will promote and encourage the tenant to take up contents insurance during their contact with tenants, especially at sign up stage.

Garage tenants should advise their neighbourhood officer if they store anything other than a vehicle in the garage, in order that they can be advised that garages are not guaranteed water tight or secure storage. Any vehicle stored in a garage should be taxed/SORNed and insured, regardless of whether the vehicle is in use or not.

Should tenants choose not to take a suitable home contents insurance policy, they take responsibility for replacing items and redecorating at their own cost.

c. Independent Housing Ombudsman

This Compensation Policy does not apply where a tenant has made a claim for compensation via the Independent Housing Ombudsman. In such cases MDDC, where appropriate, will pay compensation as directed by the Ombudsman.

d. Legal Proceedings

With the exception of statutory compensation, the policy does not apply where a tenant has commenced legal proceedings.

All offers of discretionary compensation are made on a 'Without Prejudice' basis.

e. Payment of Compensation

Compensation payments will be made within 30 days of the offer being accepted by the claimant

f. Rent Arrears and Other Debts

In cases where discretionary compensation is due to a tenant but their rent account is in arrears, the compensation will be offset against any rent or other housing related debt on the tenants rent account EXCEPT in

cases where compensation is being offered to reimburse a direct financial loss or expense incurred by the tenant (for example replacement of a damaged personal household article)

g. Appeals

Appeals by tenants against a decision related to the payment of compensation can be made using the MDDC complaints procedures

6. Policy Monitoring and Review

The Compensation Policy will be reviewed every two years and reported to MDDC's Homes Policy Development Group Committee for approval

7. Equality & Diversity

MDDC will ensure that this policy is applied fairly to all tenants. The council will not directly or indirectly discriminate against any person or group of people because of their race, religion, gender, marital status, sexual orientation, disability or other grounds set out in our Equality and Diversity Policy

This policy and any other related publications of MDDC Housing Service can be provided on request in other formats (e.g. in an alternative language, in Braille, on tape, in large print).

CABINET
28TH SEPTEMBER 2017

Locally Administered Discretionary Rate Relief

Cabinet Member(s): Cllr Peter Hare-Scott
Responsible Officer: Andrew Jarrett, Director of Finance, Assets & Resources

Reason for Report: To introduce a new Discretionary Rate Relief policy.

RECOMMENDATION: That the content of this report and the policy document in Appendix 1 be adopted by Mid Devon District Council.

Relationship to Corporate Plan: To aid and assist the local business community in the light of the 2017 Revaluation process.

Financial Implications: Fully Section 31 funded. Our scheme will maximise the financial benefit to the District's ratepayers, whilst attempting to keep within the financial boundary of the scheme's overall national funding package. It should be noted that any overspend will have to be met by the District Council, whilst any underspend will have to be returned to central government.

1 Introduction

- 1.1 The Government, in the Spring Budget of 2017, announced funding to local authorities to help those ratepayers who have had an increase in their rate bills due to the 2017 revaluation.
- 1.2 The Government has allocated £300 million nationally over the next four years.
- 1.3 Mid Devon District Council has been allocated the following funding to provide support under the scheme as follows:

2017/18 - £118,000
2018/19 - £57,000*
2019/20 - £24,000*
2020/21 - £3,000*

*The above projections are contained in the policy document Appendix 1 pages 7 and 8.
- 1.4 The Government will fund Mid Devon District Council and the major precepting authorities their share of lost income from the awards under this policy by way of a Section 31 grant.
- 1.5 Mid Devon District Council has been working together within a Devon-wide group to devise a suitable policy tailored to meet the financial and business needs of this authority's area. The Council has consulted with the major preceptors, Devon County Council, Police and Crime Commissioner for

Devon and Cornwall and the Devon and Somerset Fire and Rescue Service in relation to this scheme and has taken their comments into account when determining the eligibility criteria. This is in line with the grant determination issued by the Department of Communities and Local Government (DCLG) No.31/3071.

1.6 Each Council has modelled their scheme based on their own changes to the 2017 revaluation within their district to reduce and avoid the risk of overspending the Section 31 funding available.

1.7 The grant will have conditions attached to it as follows:

- Any relief awarded above the allocated grant amount will not receive full government funding.
- The grant must only be used to support ratepayers facing an increase in their bills following the 2017 revaluation.

2 The Council's policy

Introduction

2.1 Mid Devon District Council's policy is to ensure that support is provided to those businesses that have seen an increase in their bill due to the 2017 revaluation by way of a payment to reduce their business rates.

Initial lump sum payment

2.2 The Council will make an award of up to £1,000 maximum to those ratepayers who have had a 2% increase or more in rates payable in 2017 from the 2016 charge due to the revaluation process. Only those ratepayers who have had to pay more than £50.00 will receive Discretionary Rate Relief in accordance with this scheme.

Other qualifying criteria

2.3 Only occupied properties, occupied by the same ratepayer on 31st March 2017 and 1st April 2017, will be eligible.

2.4 Preceptors and other government bodies will be excluded.

2.5 The rateable value of each individual assessment must not be more than £200,000.

2.6 Non-local businesses (those businesses that predominantly have properties outside of the County of Devon) will not be eligible.

2.7 No schools will be eligible.

2.8 Medical premises such as doctors' surgeries or Health Service properties, private or public, will not be eligible.

- 2.9 The ratepayer must not be in receipt of Mandatory Rate Relief.
- 2.10 The qualifying ratepayer has to be paying more rates as specified above after taking account of all other relief entitlement.
- 2.11 The Section 31 payment will be adjusted based on an apportioned daily charge.
- 2.12 If there is a change to the ratepayers circumstances, where the property is vacated or the ratepayer ceases to be liable, or leaves the property empty, or if the ratepayer subsequently receives a reduction (such as small business rates relief), that reduces their bill.

Possible claimants		177
Maximum £1,000 paid to 69 properties	£	69,000.00
Plus a further 108 applicants paid up to £1,000	£	42,301.48
Total Discretionary Relief to be applied	£	111,301.48

Discretionary Applications

- 2.13 The Council will make available a proportion of the government funding for applications from any ratepayer where there has been an increase in the rateable value of the property on 1st April 2017 compared to 31st March 2017. These applications will go before the Section 151 Officer/Director of Finance, Assets and Resources for consideration on recommendation of the Revenues Manager.
- 2.14 Whilst any application will be considered, it must meet the criteria above and it must be shown that granting this relief will be of benefit to local council taxpayers.
- 2.15 The ratepayer must provide goods or services to the benefit of Mid Devon residents.
- 2.16 The ratepayer is suffering due to the increase in the rates payable or it will affect their ability to provide goods or services to the residents of Mid Devon.
- 2.17 The ratepayer must supply any documentation to support their application that the Revenues Manager and/or Section 151 Officer decide is required for them to make a decision.

Changes of Circumstances

- 2.18 Where a ratepayer has received a reduction under this policy, they will be required to notify the Council within 21 days of a change to their circumstances that will affect the amount of reduction they receive. A change would include, but is not limited to, a reduction in the 2017 rateable value of the property; vacating the property or leaving it empty; opening businesses outside of the Mid Devon area.

- 2.19 Failure to notify the Council of such a change may result in the amount of relief paid out under this policy being removed completely.

Award Period

- 2.20 The award of relief under this policy will be for a maximum of one year and only for the 2017/18 financial year (period 1.04.2017 – 31.03.2018).

Review of local scheme

- 2.26 The 2017/18 scheme will be reviewed by the Revenues Manager by the end of December 2017 and the Section 151 Officer reserves the right to vary the amount of any award as he sees appropriate so to do.
- 2.27 The eligibility criteria for year two will also be identified as part of the above review to ensure that it still best meets the needs of local ratepayers.
- 2.28 The funding from central government reduces each year based on the allocation shown in paragraph 1.3 of this report. Therefore future reliefs awarded to businesses meeting the criteria of the Council's scheme will be reduced accordingly.

3 Administering the scheme

- 3.1 Locally Administered Business Rates Relief awards must be applied for in writing by the ratepayer or an authorised employee where the ratepayer is a company. Applications will not be accepted from an agent or third party. There is no requirement to pay a fee to make an application.
- 3.2 The Council will identify entitlement to a lump sum payment and an application form will automatically be sent to those who may qualify. They will be required to confirm that they are in occupation of the premises and that they are a business wholly or predominantly based in Devon.
- 3.3 In order to qualify for relief each applicant will have to satisfy the current EU State Aid rules by signing a declaration stating that they are not in receipt of funding of more than 200,000 euros.
- 3.4 Applicants must notify the Council within 21 days of any change in their circumstances.
- 3.5 Discretionary payment awards under this policy will be referred to the Section 151 Officer on recommendation of the Revenues Manager for a decision whether to award any relief and if so, what amount.
- 3.6 Once the application is assessed the entitlement will be awarded by an officer of the Revenues section. There is no need to refer back to the Revenues Manager or the Section 151 Officer for confirmation of entitlement.
- 3.7 A revised business rates bill will then be issued.

- 3.8 Should the eligibility for relief change due to change in circumstances, an officer of the Council will be responsible for calculating a reduction in the award.

Publicity of reductions and reliefs

- 3.9 The Council will publicise this type of relief and all other reliefs through its website and other media to ensure ratepayers are aware of all the reliefs that they may be entitled to claim.

Right to appeal

- 3.10 If the ratepayer is not satisfied with the award decision they may request that their application be reviewed by the Section 151 Officer by writing, or e-mailing Revenues, stating their reasons for appeal.
- 3.11 Initially, appeals will be reviewed by the Revenues Manager so that any clerical errors can be corrected. Where an error has occurred this will automatically be corrected and a revised bill issued.
- 3.12 All appeals that have been determined correctly will be referred to the Section 151 Officer for review and a decision. The ratepayer will then be notified of the Section 151 Officer's decision.
- 3.13 There will be no further review of the decision by the Council once the Section 151 Officer has reconsidered the decision under point 3.12.

4 Equality impact assessment considerations:

Low risk

- 4.1 This equality impact assessment considers the impact of this policy on the relevant protected characteristics, as defined by the Equality Duty, which are:
- Age (including children and young people)
 - Disability
 - Gender reassignment
 - Pregnancy and maternity
 - Race
 - Religion or belief
 - Sex
 - Sexual orientation
 - Marriage or civil partnership status (in respect of the requirement to have due regard to eliminate discrimination)
- 4.2 This policy has a positive or neutral impact on all protected characteristics.
- 4.3 The protected characteristics which are positively impacted are local factor of community considerations; this is because the policy will reduce the outgoings through the rates bill of local businesses. When considering

discretionary applications, the Section 151 Officer will have the interests of local taxpayers and ratepayers in mind.

5 Related Policies/Strategies, Procedures and Legislation

5.1 Related policies

None

5.2 Legal Implications

Local Government Act 1988 – Section 47 as amended

6 Policy date for review

- 6.1 This policy will be reviewed by the Revenues Manager by 31st December 2017 to review its effectiveness in meeting the needs of local businesses who have suffered an increase in their rates bills, and also to decide the award eligibility criteria for 2018/19 financial year.

Contact for more Information: John Chumbley Revenues Manager (01884 234301 / jchumbley@middevon.gov.uk)

Circulation of the Report: Cllr Peter Hare-Scott, Section 151 Officer, Leadership Team, Legal and Audit

Policy for the granting of the Discretionary Business Rates Relief

Version Control

<i>Version</i>	<i>Version date</i>	<i>Revised by</i>	<i>Description</i>
1	June 2017	LM	Policy
2	June 2017	DA	Sign off
3	July 2017	LM	Amendments per LJ
4	August 2017	DA	Sign off
5	September 2017	LM	Amendments LJ

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1.0 Purpose of the Policy

- 1.1 The purpose of this policy is to determine the level of Discretionary Business Rates Relief to be granted to certain defined ratepayers within the Council's area.
- 1.2 The Local Government Finance Act 1988 and subsequent legislation allows the Council to grant discretionary relief for premises occupied by Charities and similar organisations that own or occupy them wholly or mainly for charitable purposes. Likewise, certain premises situated within a rural settlement area will be eligible for relief. Powers have also been granted under the Localism Act 2011, which allow for the granting of discretionary rate relief to any premises where the Council feels the granting of such relief would be of benefit to the local community.
- 1.3 In addition to the above, Central Government is keen that, in certain cases, assistance should be provided to businesses that have had increases in their rate liability due to the revaluation of premises in April 2017. In these cases, and where the Council meets Central Government guidelines, grants are available under section 31 of the Local Government Act 2003.
- 1.4 Whilst the Council is obliged to grant relief to premises, which fall within the mandatory category, the Council also has powers to grant discretionary relief and reductions to ratepayers, subject to certain criteria being met.
- 1.5 This document outlines the following areas:
- Details of the criteria for receiving an award under the Discretionary Business Rates Relief Scheme;
 - The Council's general policy for granting of all types of Discretionary Reliefs;
 - Guidance on granting and administering the reliefs;
 - European Union requirements including provisions for State Aid; and
 - The Council's Scheme of Delegation.
- 1.6 This document covers all aspects of the new Discretionary Business Rates Relief scheme which is available from 1st April 2017. Where businesses apply for relief they will be granted (or not granted) relief in line with the following policy.

2.0 Discretionary Relief – Legislative Background

Introduction

- 2.1 The original purpose of discretionary relief was to provide assistance where the property does not qualify for mandatory relief, or to ‘top’ up cases where ratepayers already receive mandatory relief.
- 2.2 Over recent years, and particularly since 2011, the discretionary relief provisions have been amended to allow authorities the flexibility to provide more assistance to businesses and organisations.
- 2.3 The range of bodies, which are eligible for discretionary rate relief, is wide and has been developed by both the Council and Central Government to address certain issues with business rates.
- 2.4 Unlike mandatory relief, ratepayers are obliged to make a written application to the Council. The Council will expect all businesses to make applications in such a format as is required (which may vary from time to time) and for the business to provide such information, evidence, certificates etc. as required in order to determine whether relief should be awarded.
- 2.5 The Council is obliged to consider carefully every application on its merits, taking into account the contribution that the organisation makes to the amenities within the authority’s area. There is no statutory appeal process or Tribunal against any decision made by the Council, although as with any decision of a public authority, decisions can be reviewed by Judicial Review. The authority will however, upon request, review decisions made. Details of the internal review process are given within this policy.
- 2.6 The granting of discretionary relief falls broadly into the following categories:
- a. Discretionary Relief – Charities who already receive mandatory relief;
 - b. Discretionary Relief – Premises occupied by organisations not established or conducted for profit whose main objects are charitable or are otherwise philanthropic or religious or concerned with education, social welfare, science, literature or the fine arts or premises occupied by organisations not established or conducted for profit and wholly or mainly used for purposes recreation;
 - c. Discretionary Relief – Granted under the Localism Act 2011 provisions;
 - d. Local Newspaper Relief (from 1st April 2017 for a period of two years);
 - e. Local Public House Relief (from April 2017 for a one year period);
 - f. Supporting Small Businesses Relief (from 1st April 2017 for a period of five years or until business pay their full rate charge or their transitional rate charge (calculated in accordance with the Non-Domestic Rating (Chargeable Amounts) (England) Regulations 2016); and
 - g. Discretionary Business Rates Relief Scheme (from 1st April 2017 for a period of up to four years).
- 2.7 This policy document purely covers the granting of awards under the Discretionary Business Rates Relief Scheme (2.6g. above) which covers a period from 1st April 2017 for up to four years. The decision to grant or not to grant discretionary relief is a matter purely for the Council. The Council’s policy for granting other reliefs can be found on the Councils website www.middevon.gov.uk

The Council’s general approach to granting Discretionary Relief

- 2.8 In deciding which organisations should receive discretionary rate relief, the Council has considered the following factors and priorities:

- a. That any award should support business, organisations and groups that help to retain services in the Council's area and not compete directly with existing businesses in an unfair manner;
 - b. It should help and encourage business, organisations, groups and communities to become self-reliant;
 - c. Awarding discretionary relief should not distort competition or significantly change the provision of services within the Council's area;
 - d. Local (Devon based) organisations will be looked at more favourably than national organisations. Where requested, the organisation will need to supply the Council with clear evidence of **all** financial affairs including, and most importantly, the amounts of monies raised, used and invested locally. This will be essential where the organisation is national in nature;
 - e. To enable appropriate organisations to start, develop or continue their activities, which deliver outcomes to the community and that also relate to the priorities of the Council, which, without granting discretionary relief they would be unable to do;
 - f. To assist the Council in delivering services which could not be provided otherwise;
 - g. To assist the Council to meet its priorities;
 - h. To ensure that the financial impact of awarding discretionary business rate relief is justified in terms of the local outcomes achieved by the organisation receiving it.
- 2.9 Where any reduction or remission is granted to a ratepayer under S49 Local Government Finance Act 1988 where hardship is proven to the Council, then there will be no requirement to grant Discretionary Rate Relief for that amount.
- 2.10 In certain cases, the order in which relief is granted is specified. Mandatory relief shall be granted in all cases where the criteria is met irrespective of whether discretionary relief can be granted or not.

The Council's approach to granting Government led Discretionary Relief schemes

- 2.11 Over the past few years, a number of schemes have been led by Central Government but without specific legislative changes. These are administered under S47 of the Local Government Finance Act 1988 and guidance is often provided. The Council is keen to support such initiatives especially where they are designed to help local businesses and will look to maximise both the reliefs given as well as maximising any grants receivable. However, the Council reserves the right to vary its approach where thought appropriate.
- 2.12 In the case of the Discretionary Business Rate Relief scheme, Central Government is keen that individual Councils develop their own scheme to meet local needs. Government has allocated funds to the Council using a particular methodology, but it has been keen to point out that this should have no bearing on the actual scheme adopted by the Council.

3.0 Effect on the Council's Finances

- 3.1 The granting of discretionary relief will, in the main, potentially involve a cost to the Council. Since the change to the funding for Non-Domestic Rating in April 2013, the effect of the relief is complex.
- 3.2 Any amounts granted prior to 1st April 2013 and continuing since that date will be included in the Council's baseline within the Business Rates Retention Scheme. Any amounts granted for similar cases after 1st April 2013, the costs of the relief will be borne in accordance with the Business Rates Retention Scheme share.
- 3.3 In March 2017, Central Government announced that it would make available a discretionary fund of £300 million over four years from 2017-18 to support those businesses that face the steepest increases in their business rates bills as a result of the revaluation. Government determined that Councils would be best placed to determine how this fund should be targeted and administered to support those businesses and locations within their area that are in the greatest need.
- 3.4 Where Central Government leads an initiative such as the Discretionary Business Rates Relief Scheme, grants are often made available. This is not automatic and Central Government will look to the Council to adopt any recommended criteria when granting in these areas to ensure that any grant is paid
- 3.5 Every authority within England is to be provided with a share of the fund to support their local businesses. This is to be administered through billing authorities' discretionary relief powers under section 47 of the Local Government Act 1988. The full effects of the financial allocation are shown below.
- 3.6 The allocation of monies to authorities and the methodology of the funding award is completely separate to the scheme itself and Government believes that local authorities are best placed to judge the particular circumstances of local ratepayers and direct the funding where it is most needed to support local economies.
- 3.7 The funding is not provided equally over the four-year period but in the following approximate proportions:
- Year 1 (2017/18) 58%
- Year 2 (2018/19) 28%
- Year 3 (2019/20) 12%
- Year 4 (2020/21) 2%
- 3.8 Councils will be compensated for any relief granted under section 31 of the Local Government Act 2003. The Government has decided that any underspend cannot be 'vired' from one year to the next.
- 3.9 A key criteria of reimbursement will be that all Billing Authorities will consult with major Precepting authorities when formulating their schemes.
- 3.10 The financial effects to the Council of the Discretionary Business Rates Relief Scheme are shown in the following table

Amount of discretionary fund awarded (£000s) – Mid Devon District			
2017-18	2018-19	2019-20	2020-21
118	57	24	3

- 3.11 The above is to be awarded up to the maximum level set by Central Government. It is possible for the Council to grant more relief than that allocated by grant. However, once the maximum grant level has been reached, any additional amount granted would be partly financed by the Council.

4.0 Discretionary Relief – EU State Aid requirements

- 4.1 European Union competition rules generally prohibit Government subsidies to businesses. Relief from taxes, including non-domestic rates, can constitute state aid. The Council must bear this in mind when granting discretionary rate relief.
- 4.2 Rate relief for charities and non-profit making bodies is not generally considered to be state aid, because the recipients are not in market competition with other businesses. However, where other bodies receive relief and are engaged in commercial activities or if they are displacing an economic operator or if they have a commercial partner, rate relief could constitute state aid.
- 4.3 Relief will be State Aid compliant where it is provided in accordance with the De Minimis Regulations (1407/2013)¹. The De Minimis Regulations allow an undertaking to receive up to €200,000 of De Minimis aid in a three-year period (consisting of the current financial year and the two previous financial years).
- 4.4 Where the relief to any one business is greater than the De Minimis level, then permission will need to be obtained from the European Commission. In such cases the matter will be referred to the Department for Communities and Local Government (DCLG) for advice and then referred back to the Council for consideration. It will be for the ratepayer to provide confirmation as to whether the State Aid provisions apply to them.
- 4.5 In all cases, where discretionary relief is to be granted or where liability is to be reduced, when making an application, ratepayers will be required to provide the Council with sufficient information to determine whether these provisions are applicable in their case.

¹ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2013:352:0001:0008:EN:PDF>

5.0 Administration of Discretionary Relief – General approach

- 5.1 The following section outlines the procedures followed by officers in granting, amending or cancelling discretionary relief and reduction. This is essentially laid down by legislation²

Applications and Evidence

- 5.2 All reliefs must be applied for. Application forms are produced by the Council both in hard copy and/or electronic format. The Council will specify how applications are to be received and this may vary from time to time.
- 5.3 Organisations are required to provide a completed application form plus any such evidence, documents, accounts, financial statements etc. necessary to allow the Council to make a decision. Where insufficient information is provided, then no relief will be granted. In some cases, it may be necessary for officers to visit premises and we would expect organisations claiming relief to facilitate this where necessary.
- 5.4 Applications should initially be made to the Revenues Section and will be determined in accordance with this policy.
- 5.5 **The Council will provide this service and guidance free of charge. Ratepayers are encouraged to approach the Council direct and NOT pay for such services through third parties. Applications will be accepted from Ratepayers only.**

Granting of relief

- 5.6 In all cases, the Council will notify the ratepayer of decisions made.
- 5.7 Where an application is successful, then the following will be notified to them in writing:
- The amount of relief granted and the date from which it has been granted;
 - If relief has been granted for a specified period, the date on which it will end;
 - The new chargeable amount;
 - The details of any planned review dates and the notice that will be given in advance of a change to the level of relief granted; and
 - A requirement that the applicant should notify the Council of any change in circumstances that may affect entitlement to relief.
- 5.8 Where relief is not granted then the following information is provided, again in writing:
- An explanation of the decision within the context of the Council's statutory duty; and
 - An explanation of the appeal rights (see below).
- 5.9 Discretionary relief is to be granted from the beginning of the financial year in which the decision is made. Since 1997 decisions can be made up to 6 months after the end of the financial year for which the application was made. In such cases, the Council *may* backdate its decision.
- 5.10 A decision to award discretionary relief and how much relief is given is normally only applicable to the financial year for which the application is made. However, the Council reserves the right to grant relief for any other period as appropriate. In relation to the Discretionary Business Rate Relief scheme, awards will, in the main be granted from 1st April 2017.

² The Non-Domestic Rating (Discretionary Relief) Regulations 1989

- 5.11 A fresh application for discretionary relief will be necessary for each financial year **or** at such time-period as the Council determines.

Variation of a decision

- 5.12 Variations in any decision will be notified to ratepayers as soon as practicable and will take effect as follows:
- Where the amount is to be increased due to a change in rate charge (excluding rateable value increases) or a change in the Council's decision which increases the award – this will apply from the date of the increase in rate charge or the date determined by the Council as appropriate;
 - Where the amount is to increase for any other reason it will take effect at the expiry of a financial year, and so that at least one year's notice is given;
 - Where the amount is to be reduced due to a reduction in the rate charge or liability including any reduction in rateable value, awarding of another relief or exemption this will apply from the date of the decrease in rate charge; and
 - Where the amount is to be reduced for any other reason, it will take effect at the expiry of a financial year, and so that at least one year's notice is given.
- 5.13 A decision may be revoked at any time, however, a one year period of notice will be given and the change will take effect at the expiry of a financial year unless relief has been awarded for a fixed period.

6.0 Scheme of Delegation

Granting, Varying, Reviewing and Revocation of Relief

- 6.1 All powers in relation to reliefs are given under the Local Government Finance Act 1988, the Local Government and Rating Act 1997, the Local Government Act 2003 and the Localism Act 2011. However section 223 of the Local Government Act 1992 allows for delegation of decisions by the Council to Cabinet, Committees, Sub-Committees or Officers.
- 6.2 The Council's scheme of delegation allows for the Revenues Manager to award, revise or revoke any discretionary relief applications. However, any application which is considered to be of a significant nature will be subject to consultation with the S151 Officer of the Council, and / or the relevant Executive member prior to final determination.
- 6.3 Applications that are refused will, on request, be reconsidered if additional supporting information is provided or the refusal is subsequently considered to be based on a misinterpretation of the application.

Reviews

- 6.4 The policy for granting relief will be reviewed annually or sooner where there is a substantial change to the legislation or funding rules. At such time, a revised policy will be brought before the relevant committee of the Council.

Appeals

- 6.5 Where the Council receives an appeal from the ratepayer regarding the granting, non-granting or the amount of any discretionary relief, the case will be reviewed by the Revenues Manager. Where a decision is revised then the ratepayer shall be informed, likewise if the original decision is upheld.
- 6.6 Where the ratepayer continues to be aggrieved by the decision, the case will be referred to the section 151 Officer for review. Where appropriate, cases of this nature may also be referred to the Executive member as appropriate.
- 6.7 Ultimately the formal appeal process for the ratepayer is Judicial Review although the Council will endeavour to explain any decision fully and openly with the ratepayer.

7.0 Consultation

- 7.1 The Council has consulted with the major preceptors in relation to this scheme and has taken their comments into account when determining the eligibility criteria. This is an essential part of the Discretionary Business Rates Relief Scheme and is in line with the grant determination issued by the Department of Communities and Local Government (DCLG) No.31/3071.
- 7.2 The grant determination states that a condition of the fund is that consultation is undertaken with 'relevant authorities'. Relevant authorities for the purposes of this scheme means:
- a. Any major Precepting authority; and
 - b. Any combined Authority.
- 7.3 In the case of the Council only the major Precepting authorities have been consulted namely:
- a. Devon County Council;
 - b. Police and Crime Commissioner for Devon and Cornwall; and
 - c. Devon and Somerset Fire and Rescue Service.

8.0 Decisions by the Council under this scheme

- 8.1 Decisions by the Council are made directly in line with the Scheme of Delegation as outlined within section 6 of this policy. Any decision to award relief under this scheme will follow the core principles of the Council's discretionary relief policy as defined by section 2.8.
- 8.2 It should be noted that, whilst the funding from Central Government for Discretionary Business Rate Relief Scheme is limited, the decision of the Council whether to award any relief under this scheme **cannot take account** of the level of any funding.

Discretionary Business Rate Relief Scheme– the Council's policy for granting discretionary relief.

- 8.3 The scheme is designed to assist ratepayers who have suffered increases in their rate liability as a result of the 2017 revaluation.
- 8.3.1 In assessing any potential entitlement to an award under this scheme, the Council will compare the following:
- i. The rate liability of the ratepayer as 31 March 2017 after any reliefs and reductions; and
 - ii. The rate liability of the ratepayer at 1 April 2017 taking into account any transitional relief, relief or reductions.
- 8.3.2 There are two parts to the scheme in which ratepayers will be considered:
- Part A – Formula based for financial years 2017/18 & 2018/19 only
 - Part B – Case by case for four years from 2017/18 until 2020/2021

Part A – Formula based criteria

- A Relief will be awarded where the calculation in 8.3.1 above would result in an increase of more than 2%.
- B Relief will be awarded where the calculation in 8.3.1 above results in an increase of at least £50.00 per annum. Relief will be paid up to a maximum of £1,000 (or a higher amount as approved by the S151 officer in conjunction with the Finance Portfolio Holder).
- C Relief will only be granted to premises that are liable for occupied rates. No relief will be awarded to unoccupied premises
- D Relief will only be granted where the rateable value is less than £200,000
- E Relief will only be granted to ratepayers who were in occupation at 31 March 2017 and in occupation on 1 April 2017 and for each day subsequent.
- F Ratepayers taking up occupation after 1 April 2017 will not be eligible for relief on the basis that new ratepayers would not have suffered from increases as a result of revaluation
- G Relief will be targeted to local businesses and not those businesses that are national or multinational in nature. Local businesses are, for the purpose of this scheme, those which have premises wholly or predominately in the Devon area.
- H Relief may be awarded for more than one premises as long as all other criteria are met.
- I Relief under Part A will not be awarded where:
- mandatory relief has been granted
 - the ratepayer is a public body
 - the ratepayer has been granted a reduction under S44a of the Local Government Finance Act 1988;

J Additional discretionary relief will not be awarded for rateable value increases after 1 April 2017

K Relief will not be awarded for premises which are wholly or mainly used for:

Private and Public Schools, Medical premises such as Health Service Properties
Private or Public will not generally be eligible for this type of relief although individual applications may be considered on a case by case basis.

Part B – Case by case basis

Where any ratepayer can demonstrate that they have experienced financial difficulties as a result of revaluation the council will consider these on a case by case basis. The Council will take into account:

- the amount of the increase in rate liability due to the revaluation;
- the amount of rates in relation to other business expenses and income of the business;
- the amount of reserves held by the business; and

the ability of the business to pay the increase

Applications for relief under this scheme

8.4 The Council is keen to identify ratepayers who may qualify for the relief and as such will look to encourage certain ratepayers to apply. The Council will look to simplify the application process wherever possible, but it will expect any ratepayers to provide such information as is required by the Council to support their application

Amount of Relief

8.5 The amount of relief under Part A is tapered and will be calculated as follows:

2017/18

Award = Increase in rate liability calculated in 8.3c LESS 2%. For the avoidance of doubt, relief will only be awarded where the ratepayer has an increase of at least 2%. The award will reduce the increase down to 2% with the proviso that the maximum award will be £1,000 and no award will be made if the increase would be less than £50.

2018/19

Award = 2017/18 award x 50% (for clarity this will be half of the relief awarded in 2017/18)

8.6 For 2017/18 and 2018/19 most of the funding will be given under part A but part of this will be retained to be used under part B (on a case by case basis). For 2019/20 & 2020/21 all of the funding will be granted under part B.

Variation and amendment of relief under the scheme

8.7 As with all reliefs, the amount of relief awarded under the Discretionary Businesses Rates relief scheme will be recalculated in the event of a change of circumstances. In effect, relief is calculated on a daily basis in line with the ratepayer's liability on that day. This will include, for example, a backdated change to the rateable value of the hereditament. This change of circumstances could arise during the year in question or during a later year.

- 8.8 The Non-Domestic Rating (Discretionary Relief) Regulations 1989 (S.I. 1989/1059) requires the Council to provide ratepayers with at least one year's notice in writing before any decision to revoke or vary a decision so as to increase the amount the ratepayer has to pay takes effect. Such a revocation or variation of a decision can only take effect at the end of a financial year. But within these regulations, the Council may still make decisions which are conditional upon eligibility criteria or rules for calculating relief which allow the amount of relief to be amended within the year to reflect changing circumstances.

9.0 Reporting changes in circumstances

- 9.1 Where any award is granted to a ratepayer, the Council will require **any** changes in circumstances which may affect the relief to be reported as soon as possible and in any event not more than 21 days from the happening of the event. This will be important where the change would result in the amount of the award being reduced or cancelled e.g. where the premises comes unoccupied or is used for a purpose other than that determined by the Council as eligible for relief.
- 9.2 Where a change of circumstances is reported, the relief will, if appropriate be revised or cancelled. Where any award is to be reduced, the Council will look to recover the amount from the date the change of circumstances occurred.
- 9.3 Where a change in circumstances is not reported and it is subsequently identified that it would have reduced the relief awarded, the Council reserve the right to remove any award completely.

10.0 Fraud

- 10.1 Where a ratepayer falsely applies for any relief or where the ratepayer provides false information, makes false representation, or deliberately withholds information in order to gain relief, prosecutions will be considered under the Fraud Act 2006.

CABINET
28 SEPTEMBER 2017

AGENDA ITEM: 8

TEMPORARY AGENCY STAFF CONTRACT AWARD

Cabinet Member: Cllr Mrs M E Squires
Responsible Officer: Chanelle Busby, Procurement Manager

Reason for Report: To advise Members on the results of the procurement for the provision of Temporary Agency staff

RECOMMENDATION: It is recommended that a contract be awarded to Supplier 1 for a period of 3 years with the option to extend for a further year.

Relationship to Corporate Plan:

Financial Implications: The total contract value (including extension options) for Mid Devon District Council was estimated at £1.8million excluding VAT. If Supplier 1 is awarded this contract based on our current volume of activity this will represent an annual saving of circa. £8k.

Legal Implications: The call-off terms and conditions had already been accepted by suppliers approved on the framework. As part of the procurement additional service levels were added in relation to response times and fulfilment rates which will need to be formally agreed as part of the pre-contract signing meeting. There is confidential and commercially sensitive information within the Part 2 report which accompanies this report. Any discussion of such information must only take place in Part 2 following the passing of the following resolution:

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

Risk Assessment: The risks are identified within the report at 6.0.

Equality Impact: The need to adhere to Equalities legislation is set out within the terms and conditions of the MSTAR2 Customer Agreement.

1.0 INTRODUCTION

1.1 Mid Devon District Council have procured a new contract for Temporary Agency Staff. Teignbridge District Council led the procurement on behalf of a number of public sector bodies in the Devon region who have committed to use this contract.

1.2 The Contracting Authorities are:

- Dartmoor National Park

- Mid Devon District Council
- North Devon District Council
- South Hams District Council/ West Devon Borough Council
- Teignbridge District Council
- Torridge District Council

1.3 It was the intention of the Councils to procure a flexible solution that will meet the needs for all temporary staff requirements for each of the Contracting Authorities, which includes interim and executive roles.

1.4 The Service involves providing temporary agency staff plus any associated personal protective equipment (PPE), as required.

2.0 BACKGROUND

2.1 The current contract is due to expire on the 17th November 2017, this was procured collaboratively with seven other contracting authorities and has been in place for four years.

2.2 Temporary labour resources are an appropriate part of the overall workforce planning for the Council and are typically used to:

- Cover planned and unplanned absence (e.g. various types of leave/sickness)
- Obtain temporary additional resources for specific projects
- Obtain specialised skills that are not available in-house for specific projects where a secondment is unavailable or acting up is not possible
- Additional resource to assist in seasonal/cyclical fluctuations
- Interim resource whilst full time posts are being recruited

2.3 **The Contracting Authorities annual expenditure on temporary agency staff for 2016/17 has been set out below.**

Contracting Authority	Total
Dartmoor	£39,408
Mid Devon	£279,359
North Devon	£479,115
South Hams / West Devon	£982,547
Teignbridge	£655,931
Torridge	£467,035
Total	£2,903,395

3.0 THE PROCUREMENT PROCESS

3.1 The procurement was conducted using a further competition under the ESPO framework 635F for Managed Services for Temporary Agency Resources (MSTAR2).

3.2 The Council's intention is to let a contract for three years with the option to extend for a further year.

4.0 TENDER STAGE

4.1 Tender documents were released through the e-tendering portal Supplying the South West on the 16th June 2017. Submissions were received on the 28th July 2017 from a total of 2 suppliers.

4.2 Eight suppliers chose not to submit a bid. Feedback obtained from the suppliers since the submission deadline has passed has indicated the following reasons for not participating in the procurement.

Organisation name	Explanation
Supplier 3	Unable to be competitive
Supplier 4	<p>Unable to be competitive</p> <p>Having carefully reviewed your requirements and spoken at length with our commercial and operations teams, we came to the conclusion that we are unfortunately unable to offer a competitive solution in this instance.</p> <p>We pride ourselves on delivering consultative, high-touch services and, owing to the projected spend in scope of this contract, we would not be able to do that without submitting an increased commercial offer, which would in turn cause us to become uncompetitive.</p>
Supplier 5	<p>My colleague worked on this opportunity but she is away until next week. I have checked our systems and her notes indicate it was due to your need/volume of requirements for drivers. We tend to utilise our supply chain for this type of worker rather than fill directly and on this basis, the opportunity was not commercially viable for us to pursue.</p>
Supplier 6	<p>On this occasion we reviewed the opportunity and decided that our limited footprint across the region meant it would not be an appropriate opportunity to pursue.</p> <p>Implementing technology across individual authorities and establishing a supply chain across such a geographical spread would also be very expensive and the volumes would not have delivered the required financial return.</p>

5.0 SUMMARY OF TENDER EVALUATION

5.1 Evaluation Criteria and Weightings

5.2 Any contract will be awarded on the basis of the most economically advantageous tender. The award criteria contained a mix of quality and commercial considerations.

5.3 The high level award criteria and weightings used for this procurement are set out below:

- Quality 40%
 - Service Delivery 16%
 - Candidates 10%
 - Systems / Technology 7%
 - Implementation 5%
 - Additional Benefits 2%

- Price 60%
 - Individual roles 28%
 - Inside IR35 10%
 - Outside IR35 10%
 - Commercial Questions 12%

5.2 Scoring Methodology

5.2.1 The scoring methodology used to evaluate the quality criteria was:

Response	Score	Definition
Unacceptable	0	Nil or inadequate response. Fails to demonstrate an ability to meet the requirement.
Poor	2	Response is partially relevant and poor. The response addresses some elements of the requirements but contains insufficient/limited detail or explanation to demonstrate how the requirements will be fulfilled
Satisfactory	5	Response is relevant and acceptable. The response addresses a broad understanding of the requirements but may lack details on how the requirement will be fulfilled in certain areas.
Good	8	Response is relevant and good. The response is sufficiently detailed to demonstrate a good understanding and provides details on how the requirements will be fulfilled.

Excellent	10	Response is completely relevant and excellent overall. The response is comprehensive, unambiguous and demonstrates a thorough understanding of the requirement and provides details of how the requirement will be met in full.
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5.2.2 The scoring methodology used to evaluate price was:

Lowest price submitted from all Quotes receives maximum % score. Other Applicants prices are scored in accordance with the following equation:

$$\% \text{ Score} = \frac{\text{Lowest Tendered price}}{\text{Tenderer's price}} \times \text{weighting for either tab 1, 2 or 3}$$

5.2.3 The scoring methodology used to evaluate the commercial questions was:

Response	Score	Definition
Unacceptable	0	Gives rise to major concerns regarding financial proposals (or no answer given)
Poor	2	Lacks conviction resulting in concern that the proposed approach is not practical and is unrealistic
Satisfactory	5	Offers some innovation to address financial matters
Good	8	Generally convincing, perceived to be realistic in most respects
Excellent	10	Excellent, convincing and realistic, offering benefits and exceeding expectations in respect of financial matters particularly where cost reduction and savings are concerned

5.3 Pricing

5.3.1 A breakdown of the pricing has been set out in the confidential Part 2 report which accompanies this report. This information must only be discussed following the passing of the resolution set out in “Legal Implications” above.

5.4 Scores and ranking

5.4.1 Evaluation was conducted individually by officers of the contracting authorities who then came together in a moderation meeting to review and agree final scores and comments.

5.4.2 The summary scores have been set out below:

List of Tenderers		Supplier 1	Supplier 2
Deliverables	Weighting	Weighted Score	Weighted Score
Total Price	60%	55.68	53.52
Total Quality	40%	30.15	25.75
Grand Total	100%	85.83	79.27
Rank		1	2

5.4.3 A detailed breakdown of the scoring has been set out in the confidential Part 2 report which accompanies this report. This information must only be discussed following the passing of the resolution set out in “Legal Implications” above.

6.0 PROJECT RISKS/ BENEFITS

6.1 Quality/service/products

6.1.1 A new element which shall be incorporated into the new contract will be the ability to use an online system for requesting assignments. This should lead to service efficiencies for internal staff. The new system will also enable better and improved reporting instantly from the system, with the ability to pull off standard reports as well as bespoke.

6.2 Commercial

6.2.1 The business case set out that some costs were outside of the control of the council and therefore would impact on annual spend.

6.2.2 Elements outside the control of the Council are:

- Statutory deductions e.g. pension and National Insurance (NI)
- Agency Worker Regulation legislation
- Minimum wage/living wage increases

6.2.3 Costs which have been incorporated into the new contract which will have a financial impact are the apprenticeship levy at 0.5% per worker and the NI rate of 13.8% which is the standard rate. Our current contract had an agreed NI level of 8.6% across the board and no applied apprenticeship levy. Taking these factors into account, this therefore has impacted on the costs of the new contract and is likely to see an increase of 3.41% in real terms.

6.2.4 To put this into context, if you were to strip out these two increases, the cost of the new contract would see a 0.54% decrease.

7.0 CONCLUSION

- 7.1 The outcome of the tender process shows **Supplier 1** as the winning bidder.
- 7.2 Approval is required from Cabinet for this contract to be formally awarded.
- 7.3 Following the decision, there will be a compulsory 10 day standstill period after which the contract will be awarded.
- 7.4 It is envisaged that the contract will start on 18th November 2017.

Contact for more Information:	Chanelle Busby, Procurement Manager 01884 234228 cbusby@middevon.gov.uk
Background papers:	None
File reference	None
Circulation of the Report:	Cllr. Squires, LT, Legal. Audit

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

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CABINET
28 SEPTEMBER 2017

AGENDA ITEM:

STRATEGIC LEISURE PARTNERSHIP CONTRACT AWARD

Cabinet Member: Cllr Colin Slade
Responsible Officer: Andrew Pritchard, Director of Operations

Reason for Report: To advise Members of the outcome to the procurement exercise to identify a suitable Strategic Leisure Partner.

RECOMMENDATION: It is recommended that a contract be awarded to Supplier 1 for a period of 5 years with the option to extend for a further 5 years.

Relationship to Corporate Plan:

Priority 3: Community

Aim 3 – Promote physical activity, health and wellbeing

- Ensure the financial sustainability of our Leisure Centres
- Introduce “Tramrails” across the District
- Work with schools and community groups to encourage young people to participate in sport and other physical activity
- Actively promote the facilities that are available in our District for health and wellbeing such as walking (footpaths, open spaces and parks) and cycle paths
- Work with partners such as Devon County Council, the National Health Service and other partners on the public health agenda to address health inequalities
- Develop cultural, sport, leisure and heritage facilities with activities that benefit the entire District

Financial Implications: See Part II

Legal Implications: The Strategic Leisure Partnership will be a legal agreement and subject to relevant due diligence. The initial term of the agreement will be 5 years, with an option to extend the agreement for a further 5 years (10 years in total).

Risk Assessment: The risks are identified within the report at 6.0.

Equality Impact: No equality issues identified for this report.

1.0 INTRODUCTION

1.1 The decision to invest in Exe Valley Leisure Centre had two capital elements; the investment in the building and an investment in gym equipment to deliver a new gym and dance studio.

1.2 This report deals specifically with the provision of gym equipment across the three leisure centres at Exe Valley, Lords Meadow and Culm Valley.

2.0 BACKGROUND

- 2.1 To date Mid Devon District Council has specified the equipment it requires and then either purchased using a framework agreement or tendered with a best and final offer securing the contract to supply.
- 2.2 The Exe Valley Leisure Centre extension represented an opportunity to look at an alternative model.
- 2.3 Across the three main leisure sites at Exe Valley, Lords Meadow and Culm Valley there is a mixture of purchased and leased gym equipment provided by a variety of manufactures.
- 2.4 Leisure is an ever changing market and being alive to changes in the industry is essential to deliver a sustainable leisure service. In acknowledging the need to purchase equipment for Exe Valley Leisure Centre there was an opportunity to change our approach to leisure procurement. That opportunity was to go to market for a Strategic Leisure Partner; a company who could commit to working with Mid Devon Leisure to keep them at the fore of emerging themes in the leisure industry as well as providing gym equipment. To make the offer more attractive the total spend on leisure equipment across Mid Devon's three sites was rolled together as a package to be delivered over the next 5 years. This is in line with the existing gym equipment replacement plan.
- 2.5 Rather than specify what Mid Devon Leisure wanted, the 'offer' to the market was for the potential partner to look at Mid Devon and design a gym(s) which reflected the very latest thinking.
- 2.6 To ensure the best value was driven from the process a round of dialogue took place; that dialogue allowed the potential partners to refine their designs, equipment range and price to best effect.

3.0 THE PROCUREMENT PROCESS

- 3.1 The procurement was conducted using a competitive procedure with negotiation under the Public Contract Regulations 2015.
- 3.2 The Council's intention is to let a contract for 5 years with the option to extend for a further 5 years.

4.0 TENDER STAGE

- 4.1 The opportunity was advertised in OJEU (notice number 2017/S 126-255847) and on Contracts Finder on the 4th July 2017.
- 4.2 Tender documents were made available immediately via the e-tendering portal 'Supplying the South West' and interested suppliers were required to express their interest and submit initial bids by the 14th August 2017.

- 4.3 A total of 18 expressions of interest were received within the required timescale; 5 subsequently submitted compliant first bids.
- 4.4 Initial evaluations were completed and a number of queries from the bids were raised for clarification and discussion.
- 4.5 All 5 suppliers attended negotiation meetings across two days (23rd and 24th August 2017) during which time they were asked to provide further details on some elements of their bid and given an opportunity to ask questions.
- 4.6 A revised specification and round two tender documents were sent to the 5 participating suppliers on the 4th September 2017 requesting responses by the 11th September 2017.
- 4.7 A total of 4 supplier submitted bids in round two. Feedback obtained from the supplier that failed to meet the submission deadline was that they had meant to submit a bid but failed to do so before the deadline. This unfortunately meant they were automatically excluded from the process.

5.0 SUMMARY OF TENDER EVALUATION

5.1 Evaluation Criteria and Weightings

- 5.2 The award criteria contained a mix of quality and commercial considerations.
- 5.3 The high level award criteria and weightings used for this procurement are set out below:

- Quality 70%
 - Proposed Equipment 40%
 - Design & Layout 15%
 - Maintenance & technical support 5%
 - Marketing Support 5%
 - Added Value 30%
 - References 5%
 (This reflects 100 % of the 70% attributed to quality)

- Price 30%

5.4 Scoring Methodology

5.4.1 The scoring methodology used to evaluate the quality criteria was:

Score 0	No response	No response	
Score 1	Extremely Weak	Very poor proposal/ response; does not cover the associated requirements, major deficiencies in thinking or detail, significant detail missing, unrealistic or impossible to implement and manage	Weak

Score 2	Very Weak	Poor proposals/ response; only partially covers the requirements, deficiencies in thinking or detail apparent, difficult to implement and manage	
Score 3	Weak	Mediocre proposal/ response, moderate coverage of the requirements, minor deficiencies in either thinking or detail, problematic to implement and manage	
Score 4	Fair- Below Average	Proposal/ response partially satisfies the requirements, with small deficiencies apparent, needs some work to fully understand it	Fair - Good
Score 5	Fair – Average	Satisfactory proposal/ response, would work to deliver all of the Authority's requirements to the minimum level	
Score 6	Fair – Above Average	Satisfactory proposal/ response, would work to deliver all of the Authority's requirements to the minimum level with some evidence of where the Applicant could exceed the minimum requirements	
Score 7	Good	Good proposal/ responses that convinces the Authority of its suitability, response slightly exceeds the minimum requirements with a reasonable level of detail	
Score 8	Strong	Robust proposal/ response, exceeds minimum requirements, including a level of detail or evidence of original thinking which adds value to the bid and provides a great deal of detail	Strong - Excellent
Score 9	Very Strong	Proposal/ response well in excess of expectations, with a comprehensive level of detail given including a full description of techniques and measurements employed	
Score 10	Outstanding/ Excellent	Fully thought through proposal/ response, which is innovative and provides the reader with confidence of the suitability of the approach to be adopted due to the complete level of detail provided	

5.4.2 The scoring methodology used to evaluate price was:

Lowest price submitted from all Quotes receives maximum % score. Other Applicants prices are scored in accordance with the following equation:

$$\% \text{ Score} = \frac{\text{Lowest Tendered price}}{\text{Tenderer's price}} \times \text{weighting (30\%)}$$

5.5 Pricing

5.5.1 A breakdown of the pricing has been set out in the Part II report which accompanies this report.

5.6 Scores and ranking

5.6.1 Evaluation was conducted by officers of the Council who came together in a moderation meeting to review and agree final scores and comments.

5.6.2 Of the 4 bids received on time, one failed to pass the minimum requirements set out within the tender. To ensure equipment availability and adherence to servicing standards the Council required the Strategic Leisure Partner to maintain a performance bond to financially compensate it where performance fell below the agreed standard. As the company was unwilling to provide this element of the contract they were excluded from the process.

5.6.3 The summary scores have been set out below:

List of Tenderers		Supplier 2	Supplier 1	Supplier 3
Deliverables	Weighting	Weighted Score	Weighted Score	Weighted Score
Total Price	30%	26%	30%	20%
Total Quality	70%	38%	55%	41%
Grand Total	100%	64%	85%	61%
Rank		2	1	3

5.6.4 A detailed breakdown of the scoring has been set out in the Part II report which accompanies this report.

6.0 RISKS

6.1 The decision to engage in a Strategic Leisure Partnership to drive out the best commercial deal contains a number of risks, namely:

6.1.1 The gym layouts and equipment mix represent the Strategic Partner's opinion of the best fit for Mid Devon Leisure when taking a view on emerging leisure trends. How the partnership would approach any subsequent change was part of the discussions during negotiations and formed an element of the revised tender submissions. Supplier 1 has committed to provide a sum to be drawn down during the life of the contract to mitigate the risk.

6.1.2 The legal agreement forming the Strategic Leisure Partnership needs to be agreed by both parties before equipment is ordered; that equipment has a lead time. Any delay in agreeing the Strategic Leisure Partnership will impact the delivery date for equipment to fit out Exe Valley Leisure Centre.

7.0 CONCLUSION

7.1 The outcome of the tender process shows **Supplier 1** as the winning bidder.

7.2 Approval is required from Cabinet for this contract to be formally awarded.

- 7.3 Following the decision, there will be a compulsory 10 day standstill period after which the contract will be awarded (subject to legal due diligence).
- 7.4 It is envisaged that the contract will start on 9th October 2017 with an order being placed then giving sufficient time for delivery of the kit in readiness for the opening of the new gym facility at Exe Valley Leisure Centre.

Contact for more Information:	
Background papers:	None
File reference	None
Circulation of the Report:	Cabinet

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

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**CABINET
28 SEPTEMBER 2017:**

AGENDA ITEM:

PERFORMANCE AND RISK FOR 2017-18

Cabinet Member Cllr Clive Eginton
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 2017-18 as well as providing an update on the key business risks.

RECOMMENDATION: That the Committee 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.

Equality Impact Assessment: No equality issues identified for this report.

1.0 Introduction

- 1.1 Appendices 1-5 provide Members with details of performance against the Corporate Plan and local service targets for the 2017-18 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 Appendix 7 shows the risk matrix for the Council.
- 1.5 All appendices are produced from the Corporate Service Performance And Risk Management system (SPAR).

2.0 Performance

Environment Portfolio - Appendix 1

- 2.1 Regarding the Corporate Plan Aim: **Increase recycling and reduce the amount of waste**: The Council is on track with **Residual household waste per household (measured in Kilograms)** in total until June of just under 99kg against a profiled target of 105kg. We are a little below target with the **% of household waste reused, recycled and composted** and the % tends to be lower later in the year due to the reduction in garden waste tonnage. However recycling income was above budget in July.
- 2.2 The transfer station is under construction at Carlu Close and should be in operation before the end of September.
- 2.3 **Number of Households on Chargeable Garden Waste**; sales/renewals exceeded the target of 9,000 by the end of June. We would expect the increase in numbers to slow now the peak growing season has passed but income is on budget for the year.
- 2.4 For trade waste we have lost a couple of significant customers but the loss of income has been offset by reduced landfill disposal charges.
- 2.5 Regarding the Corporate Plan Aim: **Reduce our carbon footprint**: We will be reporting the number of units sold to the National Grid as an indicator of the Council's fuel efficiency going forward when the figures are available as agreed.
- 2.6 Regarding the Corporate Plan Aim: **Protect the natural environment**: the Council launched **Litter Busters** in May since then they have cleared the Tiverton part of the A361, some villages and lots of fly tipping.

Homes Portfolio - Appendix 2

- 2.7 Regarding the Corporate Plan Aim: **Build more council houses**: No new **Council Houses** were completed in 2016/17 nor so far in 2017/18 however work has re-commenced on Birchen Lane and Palmerston Park.
- 2.8 Regarding the Corporate Plan Aim: **Facilitate the housing growth that Mid Devon needs, including affordable housing**: **23 empty homes** have been brought back into use against an annual target of 25 for 2017/18 so far which is excellent. **Number of Affordable Homes Delivered** was 26 for the first quarter of 2017/18, the first time target has been exceeded for over 2 years.
- 2.9 Regarding the Corporate Plan Aim: **Planning and enhancing the built environment**: The Local Plan is now at the Examination stage with preliminary hearings scheduled for September at Phoenix House.
- 2.10 **Percentage of Properties with a Valid Gas Safety Certificate (LGSR)**: 4 properties have expired certification, an increase of 1 from last month, 2 of

these are unoccupied, the other 2 are being pursued in accordance with our policy.

- 2.11 The **Rent Collected as a Proportion of Rent Owed** was 96.87% in July against a target of 100% however, **Rent Arrears as a Proportion of Annual Rent Debit** was 1.30%, against a target of 1%; this is still in the top quartile when compared with HouseMark. The impact of welfare reform is now being felt the service will be looking at ways to mitigate this in the Service Business Plan for next year. Over the next couple of years as the effects of the introduction of Universal Credit are finally felt we cannot expect to continue achieving collection rates of 100%.

Economy Portfolio - Appendix 3

- 2.12 Regarding the Corporate Plan Aim: **Attract new businesses to the District:** The last 12 months have seen a high volume of enquiries; the M5 corridor in particular is proving popular now that some of the larger employment land allocations have been unlocked. Businesses have grown into Mid Devon from surrounding local authority areas, parts of Wales, Somerset, and Peterborough.
- 2.13 Regarding the Corporate Plan Aim: **Focus on business retention and growth of existing businesses:** The target for the number of **Apprentice starts** is the government target of 2.3% of FTEs. We had 9 apprentices @ 31 March 2017 with 5 starters during 2016/17, we haven't had any new apprentices so far this year but several apprentices will be recruited at the start of the academic year; we are working closely with our local college on this.
- 2.14 Regarding the Corporate Plan Aim: **Improve and regenerate our town centres with the aim of increasing footfall, dwell-time and spend in our town centres:** for **Empty shops**, which are counted at the start of each quarter, the position has deteriorated from last year with only Cullompton having fewer empty units and Tiverton markedly more.
- 2.15 Regarding the Corporate Plan Aim: **Grow the tourism sector:** Tiverton Pannier Market has held another 4 successful Electric Nights events with 2 more planned for this year.
- 2.16 Other: The Local Plan is now at the Examination stage with preliminary hearings scheduled for September at Phoenix House. The draft Tiverton Town Masterplan is due to go before Cabinet in September prior to consultation.

Community Portfolio - Appendix 4

- 2.17 Regarding the Corporate Plan Aim: **Promote physical activity, health and wellbeing:** The GP referrals across the district; the 22 surgeries signed up since January have referred 61 people between them to the 3 Leisure Centres.

- 2.18 It was **AGREED** at the 1 August meeting that the Audit Team Leader be tasked to provide a performance indicator regarding other methods of improving health and wellbeing within the District: This is being pursued.
- 2.1 Other: **Compliance with food safety law** is 89%, which is just below the target i.e. 90%, of premises being rated 4 or above under the Food Hygiene Rating Scheme. Responsibility for compliance rests with the business; MDDC's responsibility is to carry out the food premises inspections that should be carried out (for A & B - High Risk premises) this is an annual figure for 2016/17 it was 100%.

Corporate - Appendix 5

- 2.19 The **working days lost due to sickness** is a little below target.
- 2.20 The **Response to FOI requests** is well below target. At present there is no dedicated member of staff, Customer First are holding onto things and recruitment for a replacement member of staff is expected later in the month.
- 2.21 The **Performance Planning Guarantee determined within 26 weeks** and **major applications determined within 13 weeks** were slightly below target but the other speed and quality measures are well above the required target.
- 2.22 The PIs for Customer First are generally on or above target except complaints resolved within timescales.

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 10 or more. (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 to Cabinet.

Contact for more Information: Catherine Yandle Group Manager for Performance, Governance and Data Security ext 4975

Circulation of the Report: Management Team and Cabinet Member

Corporate Plan PI Report Environment

Monthly report for 2017-2018
 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 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	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Actual to Date	Group Manager	Officer Notes
<u>Residual household waste per household (measured in Kilograms)</u>	94.50 (3/12)	374.20	420.00	32.80	63.57	98.59										98.59 (3/12)	Stuart Noyce	(April - July) Figures supplied by DCC one month behind reporting cycle. (LD)
<u>% of Household Waste Reuse, Recycled and Composted</u>	55.80% (3/12)	53.29%	53.0%	51.3%	52.6%	51.3%										51.3% (3/12)	Stuart Noyce	(July) Figures supplied by DCC one month behind reporting cycle. (LD)
<u>Net annual cost of waste service per household</u>		£56.37	£50.35	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	Stuart Noyce	
<u>Number of Households on Chargeable Garden Waste</u>	0 (4/12)	8,536	9,000	8,692	8,973	9,107	9,343									9,343 (4/12)	Stuart Noyce	
<u>% of missed collections reported (refuse and organic waste)</u>	0.03% (4/12)	0.04%	0.03%	0.04%	0.03%	0.03%	0.03%									0.03% (4/12)	Stuart Noyce	(July) Continue to remain on target (LD)
<u>% of Missed Collections logged (recycling)</u>	0.04% (4/12)	0.03%	0.03%	0.03%	0.03%	0.03%	0.03%									0.03% (4/12)	Stuart Noyce	(July) Continue to remain on target (LD)

Aims: Protect the natural environment

Performance Indicators

Title	Prev Year (Period)	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Actual to Date	Group Manager	Officer Notes
<u>Number of Fixed Penalty Notices (FPNs) Issued (Environment)</u>	2 (4/12)	10	5	9	10	13										13 (4/12)	Jan Norman	

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Corporate Plan PI Report Economy

Monthly report for 2017-2018
 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 PI Report Economy

Priorities: Economy

Aims: Attract new businesses to the District

Performance Indicators																		
Title	Prev Year (Period)	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Actual to Date	Group Manager	Officer Notes
Number of business rate accounts	2,868 (3/12)	2,930	2,975	2,933	2,936	2,942										2,942 (3/12)	John Chumbley, Andrew Jarrett	

Aims: Focus on business retention and growth of existing businesses

Performance Indicators																		
Title	Prev Year (Period)	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Actual to Date	Group Manager	Officer Notes
Number of Apprentice starts at MDDC	1 (4/12)	5	10	0	0	0	0									0 (4/12)	Jane Cottrell	

Aims: Improve and regenerate our town centres

Performance Indicators																		
Title	Prev Year (Period)	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Actual to Date	Group Manager	Officer Notes
Increase in Car Parking Vends	52,983 (4/12)	55,241		48,051	53,937	54,086	54,730									54,730 (4/12)	Andrew Jarrett	
The Number of Empty Shops (TIVERTON)	17 (2/4)	16	18	n/a	n/a		19	n/a	n/a	25	n/a	n/a	n/a	n/a	n/a	25 (2/4)	Adrian Welsh	(Quarter 11% of retail uni (JB)
The Number of Empty Shops (CREDITON)	7 (2/4)	7	8	n/a	n/a			n/a	n/a	8	n/a	n/a	n/a	n/a	n/a	8 (2/4)	Adrian Welsh	(Quarter 8 vacant units represent 6.8% of number retail uni (JB)
The Number of Empty Shops (CULLOMPTON)	10 (2/4)	8	8	n/a	n/a		11	n/a	n/a	9	n/a	n/a	n/a	n/a	n/a	9 (2/4)	Adrian Welsh	(Quarter 9 vacant units represent 10.5% of the total retail uni (JB)

Aims: Other

Performance Indicators																		
Title	Prev Year (Period)	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Actual to Date	Group Manager	Officer Notes
Funding awarded to support economic projects	£53,092 (1/4)	£61,842		n/a	n/a	£0	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	£0 (1/4)	Adrian Welsh	

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Corporate Plan PI Report Homes

Monthly report for 2017-2018
 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 PI Report Homes

Priorities: Homes

Aims: Build more council houses

Performance Indicators

Title	Prev Year (Period)	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Actual to Date	Group Manager	Officer Notes
Build Council Houses	0 (1/4)	0	13	0	0	0	0									0 (4/12)	Angela Haigh	

Aims: Facilitate the housing growth that Mid devon needs, including affordable housing

Performance Indicators

Title	Prev Year (Period)	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Actual to Date	Group Manager	Officer Notes
Number of affordable homes delivered (gross)	16 (1/4)	31	80	n/a	n/a	26	n/a	n/a		n/a	n/a		n/a	n/a		26 (1/4)	Angela Haigh	(Quarter 1) Please note 1 subject to verification, wa and Cornwall Housing A confirm if they had more completed in Cullompton
Deliver 15 homes per year by bringing Empty Houses into use	3 (4/12)	33	25	7	11	13	23									23 (4/12)	Simon Newcombe	

Aims: Other

Performance Indicators

Title	Prev Year (Period)	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Actual to Date	Group Manager	Officer Notes
Number of Successful Homelessness Prevention Cases	70 (1/4)	295	No Target - for information only			n/a		n/a		99		n/a	n/a					99 (1/4) /
% Decent Council Homes	100.00% (4/12)	100.00%	100.00%	99.93%	99.93%	99.97%	99.93%											99.93% (4/12) /
% Properties With a Valid Gas Safety Certificate	99.87% (4/12)	99.86%	100.00%	99.95%	99.64%	99.87%	99.82%											99.82% (4/12) /
Rent Collected as a Proportion of Rent Owed	97.77% (4/12)	100.18%	100.00%	93.76%	95.18%	96.25%	96.87%											96.87% (4/12) /
Current Tenant Arrears as a Proportion of Annual Rent Debit	1.08% (4/12)	0.60%	1.00%	0.93%	1.06%	1.16%	1.30%											1.30% (4/12) /
Dwelling rent lost due to voids	0.7% (4/12)	0.5%	no target - for information only	0.4%	0.5%	0.5%	0.5%											0.5% (4/12) /
Average Days to Re-Let Local Authority Housing	18.0days (4/12)	15.7days	16.0days	14.0days	13.9days	14.9days	14.1days											14.1days (4/12) /

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Corporate Plan PI Report Community

Monthly report for 2017-2018
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 PI Report Community

Priorities: Community

Aims: Promote physical activity, health and wellbeing

Performance Indicators

Title	Prev Year (Period)	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Actual to Date	Group Manager	Officer Notes
<u>GP Referrals</u>	n/a	n/a		18				22								22 (5/12)	Corinne Parnall	(August) Out of a possible 28 (CY)
<u>Introduce Trimtrails across the District</u>		0	1	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a		n/a	Simon Newcombe	

Aims: Other

Performance Indicators

Title	Prev Year (Period)	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Actual to Date	Group Manager	Officer Notes

Corporate Plan PI Report Community

Priorities: Community

Aims: Other

Performance Indicators

Title	Prev Year (Period)	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Actual to Date	Group Manager	Officer Notes
<u>Number of social media communications MDDC send out</u>	86 (4/12)	191	For information only	87	129	101	152									152 (4/12)	Liz Reeves	(July) No. of Facebook Posts Published = 81 No. of Tweets Tweeted = 71 (MA)
<u>Number of web hits per month</u>	9,389 (4/12)	28,543	***For information only***	30,041	32,545	28,620	28,208									28,208 (4/12)	Liz Reeves	
<u>Compliance with food safety law</u>	91% (5/12)	89%	90%	90%	90%	90%	89%	89%								89% (5/12)	Simon Newcombe	

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Corporate Plan PI Report Corporate

Monthly report for 2017-2018
 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 PI Report Corporate																
Priorities: Delivering a Well-Managed Council																
Aims: Put customers first																
Performance Indicators																
Title	Prev Year (Period)	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Actual to Date
<u>% of complaints resolved w/in timescales (10 days - 12 weeks)</u>	94% (4/12)	92%	90%	100%	96%	88%	83%									83% (4/12)
<u>Number of Complaints</u>	16 (4/12)	21	For information only	13	13	23	15									15 (4/12)
<u>New Performance Planning Guarantee determine within 26 weeks</u>	93% (1/4)	98%	100%	n/a	n/a	99%	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	99% (1/4)
<u>Major applications determined within 13 weeks (over last 2 years)</u>	51% (1/4)	74%	50%	n/a	n/a	47%	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	47% (1/4)
<u>Minor applications determined within 8 weeks (over last 2 years)</u>	(1/4)	76%	65%	n/a	n/a	79%	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	79% (1/4)
<u>Major applications overturned at appeal (over last 2 years)</u>	14% (1/4)	9%	10%	n/a	n/a	4%	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	4% (1/4)
<u>Minor applications overturned at appeal (over last 2 years)</u>	n/a	n/a	10%	n/a	n/a	0%	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	0% (1/4)
<u>Response to FOI Requests (within 20 working</u>	97% (4/12)	94%	100%	79%	85%	82%	80%									80% (4/12)

Corporate Plan PI Report Corporate																
Priorities: Delivering a Well-Managed Council																
Aims: Put customers first																
Performance Indicators																
Title	Prev Year (Period)	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Actual to Date
<u>days)</u>																
<u>Working Days Lost Due to Sickness Absence</u>	2.23days (4/12)	7.89days	7.00days	0.61days	1.25days	1.88days	2.54days									2.54days (4/12)
<u>Return on Commercial Portfolio</u>		8.6%	7.5%	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
<u>% total Council tax collected - monthly</u>	47.82% (5/12)	98.10%	98.50%	11.34%	20.61%	29.74%	38.73%	51.60%								51.60% (5/12)
<u>% total NNDR collected - monthly</u>	49.64% (5/12)	99.18%	99.20%	12.20%	19.88%	33.72%	40.57%	50.41%								50.41% (5/12)
<u>Number of visitors per month</u>	3,014 (3/12)	2,761	3,000	2,351	2,673	2,784										2,784 (3/12)
<u>Satisfaction with front-line services</u>	75.68% (3/12)	81.58%	80.00%	0.00%	0.00%	97.59%										97.59% (3/12)
<u>Increase Number of Digital payments</u>	17,622 (3/12)	69,567	70,960	5,927	11,973	17,839										17,839 (3/12)

Risk Report Appendix 6

Report for 2017-2018
Filtered by Flag: Include: * CRR 5+ / 15+
For MDDC - Services

Filtered by Performance Status: Exclude Risk Status: Low
Not Including Risk Child Projects records or Mitigating Action records

Key to Performance Status:

Risks: No Data (0+) High (15+) Medium (6+) Low (1+)

Risk Report Appendix 6

Risk: Affordable and Council Housing Demand Housing supply does not meet local demand or reflect demographic shifts like increased demand for single occupancy

Effects (Impact/Severity): • Increased costs for paying for private accommodation to house homeless
 • Increase in number of homeless people in Mid Devon

Causes (Likelihood): • Impact of economic downturn and reduced funding has reduced number of affordable housing units being built
 • Under-occupation in existing stock
 • Reduction in number of Right to Buys results in less HRA funding available for new builds

Service: Housing Services

Current Status: Medium (12)	Current Risk Severity: 4 - High	Current Risk Likelihood: 3 - Medium
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Service Manager: Claire Fry

Review Note: There is still a significant deficit between permissions granted and build-out rates

Risk Report Appendix 6

Risk: Asset Management • The Council may not be optimising its portfolio of assets

- Assets purchased without prior approval may not be supported by Council policies and systems
- Misuse of assets could have a financial impact to the Council
- Inadequate inventory records could invalidate insurance claims, disrupt the business continuity process and hide instances of theft
- Failure to maintain the Asset Management Strategy could result in an inefficient use of resources

Not making a commercial ROI

Effects (Impact/Severity): • Theft of stocks and stores

Causes (Likelihood): • Mismanagement of stocks and stores

Service: Property Services

Current Status:
Medium (12)

Current Risk Severity: 3 -
Medium

Current Risk Likelihood: 4 -
High

Service Manager: Andrew Busby

Review Note: Capital Asset Management Strategy 2016-2020 on the website

Risk: Car Parks Car Park Overcrowding

Effects (Impact/Severity):

Causes (Likelihood):

Service: Leisure Services

Current Status: No
Data

Current Risk Severity: 4 -
High

Current Risk Likelihood: 3 -
Medium

Service Manager: Darren Beer

Review Note:

Risk: Dangerous Equipment Risks associated with using powered equipment and machinery or that which has moving parts eg fans, woodworking machines, abrasive wheels. Also risks with using powered portable tools eg electric drill, off-hand grinders as well as manual tools eg knife, guillotine.

There are risks that some equipment may produce electromagnetic interference with pace-makers.

Effects (Impact/Severity): High if no PPE worn or risk assessments not followed

Causes (Likelihood): medium if procedures followed.

Service: Property Services

Current Status:
Medium (12)

Current Risk Severity: 4 -
High

Current Risk Likelihood: 3 -
Medium

Service Manager: Andrew Busby

Review Note:

Risk Report Appendix 6

Risk: Decline in National Macro-economics A decline in national macro-economics could result in level of influence by local government being limited and having little or no impact on local economic activity

Effects (Impact/Severity): High - Inability to meet Council objectives, customer requirements or financial commitments

Causes (Likelihood): High - no control over macro-economics but Council objectives and action plan currently in process to increase local economic activity

Service: Community Development

Current Status: Medium (12)	Current Risk Severity: 4 - High	Current Risk Likelihood: 3 - Medium
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Service Manager: John Bodley-Scott

Review Note:

Risk: Economic Development Service Failure to promote economic activity within the District will suppress the potential for new jobs and increased prosperity for residents

A continuing economic recession could jeopardise our ability to achieve corporate objective of 'A Thriving Economy'

Effects (Impact/Severity): - Inability to meet Council objectives

- A lack of inward investment

- Uncertain economic recovery, impact on employment and infrastructure development

Causes (Likelihood): - Decline in national macro-economics

Service: Community Development

Current Status: Medium (12)	Current Risk Severity: 4 - High	Current Risk Likelihood: 3 - Medium
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Service Manager: Adrian Welsh

Review Note: Economic Strategy currently being prepared which will focus the District Council's intervention in a more focused way and will also enable improved monitoring for this risk.

Risk: Evictions Tenants being evicted could become violent.

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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Service Manager: Claire Fry

Review Note:

Risk Report Appendix 6

Risk: Failure to deliver Transfer Station at Carlu Close Loss would relate to financial penalties for late delivery, loss of savings, increased mileage

Effects (Impact/Severity):

Causes (Likelihood):

Service: Property Services

Current Status: Medium (10)

Current Risk Severity: 5 - Very High

Current Risk Likelihood: 2 - Low

Service Manager: Andrew Busby

Review Note:

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: No Data

Current Risk Severity: 5 - Very High

Current Risk Likelihood: 1 - Very Low

Service Manager: Liz Reeves

Review Note:

Risk: Five Year Commercial Land supply Failure to identify a 5 year land supply will stunt economic growth

Effects (Impact/Severity):

Causes (Likelihood):

Service: Planning

Current Status: High (20)

Current Risk Severity: 5 - Very High

Current Risk Likelihood: 4 - High

Service Manager: Jenny Clifford

Review Note:

Risk Report Appendix 6

Risk: Five year housing land Supply Risk: Housing land supply. Inability to demonstrate the required 5 year housing land supply (+20%) until Local Plan Review approved

Effects (Impact/Severity): Effects (Impact /severity):

- Receipt of speculative housing applications in unplanned locations with less community benefit and less infrastructure / coordination compared with allocated sites.
- Objections
- Pressure on major application appeal performance (Government indicator of quality of decision making). Risk of intervention: loss of fee and less local control over major application decision making.

Causes (Likelihood): - Lack of sufficient housing completions, housing market conditions.

Service: Planning

Current Status: High (15)

Current Risk Severity: 3 - Medium

Current Risk Likelihood: 5 - Very High

Service Manager: Jenny Clifford

Review Note: Found to not have sufficient housing supply at appeal. Mitigation principally via new Local Plan once adopted. Close monitoring of applications, decisions and associated appeal performance.

Risk: Green Spaces Green Spaces - arborist team

Effects (Impact/Severity):

Causes (Likelihood):

Service: Grounds Maintenance

Current Status: Medium (10)

Current Risk Severity: 5 - Very High

Current Risk Likelihood: 2 - Low

Service Manager: Joe Scully

Review Note: Because of the nature of the work which can be in areas of limited access to emergency services and of a high risk all team members should be First Aid at Work (FAW)

Risk: H&S RA - Recycling Depot Operatives Risk assessment for role - Highest Risk scored - Vehicle Movements inside Depot

Effects (Impact/Severity):

Causes (Likelihood):

Service: Street Scene Services

Current Status: Medium (10)

Current Risk Severity: 5 - Very High

Current Risk Likelihood: 2 - Low

Service Manager: Stuart Noyce

Review Note: No incidents or further mitigating actions added.

Risk Report Appendix 6

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

Effects (Impact/Severity):

Causes (Likelihood):

Service: Street Scene Services

Current Status:
Medium (10)

Current Risk Severity: 5 -
Very High

Current Risk Likelihood: 2 -
Low

Service Manager: Stuart Noyce

Review Note: Annual review - No incidents or further mitigating actions added.

Risk: H&S RA - Street Cleansing Operative Risk assessment for role - highest risk from role - Risk of RTA from severe weather conditions

Effects (Impact/Severity):

Causes (Likelihood):

Service: Street Scene Services

Current Status:
Medium (10)

Current Risk Severity: 5 -
Very High

Current Risk Likelihood: 2 -
Low

Service Manager: Stuart Noyce

Review Note: Risk with control measures added

Risk: Hoarding Some tenants are known hoarders but we have policies in place and we do regular inspections.

Effects (Impact/Severity):

Causes (Likelihood):

Service: Housing Services

Current Status:
Medium (10)

Current Risk Severity: 5 -
Very High

Current Risk Likelihood: 2 -
Low

Service Manager: Claire Fry

Review Note:

Risk Report Appendix 6

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.
 - This will involve an increase in officer time in dealing with Homelessness prevention and early intervention.
 - Possible increase in temporary accommodation usage.

Causes (Likelihood): - Social and economic factors like the recession and mortgage repossessions increase the number of homeless.
 - Lack of private sector housing.

Service: Housing Services

Current Status: High (16)

Current Risk Severity: 4 - High

Current Risk Likelihood: 4 - High

Service Manager: Michael Parker

Review Note: It is likely that the new Homelessness Reduction Act 2017 will place additional responsibilities on the Council.

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

Service Manager: Claire Fry

Review Note:

Risk Report Appendix 6

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 (20)

Current Risk Severity: 5 - Very High

Current Risk Likelihood: 4 - High

Service Manager: Liz Reeves

Review Note: Increased awareness training for all staff and members, Information Security training calendar to ensure all year reminders.

Trialling systems to send phishing emails to staff as training tool.

Risk: Legionella Legionella

Effects (Impact/Severity):

Causes (Likelihood):

Service: Leisure Services

Current Status: Medium (10)

Current Risk Severity: 5 - Very High

Current Risk Likelihood: 2 - Low

Service Manager: Darren Beer

Review Note:

Risk: Local Plan Whether the Inspector will find the Plan unsound

Effects (Impact/Severity):

Causes (Likelihood):

Service: Planning

Current Status: High (15)

Current Risk Severity: 5 - Very High

Current Risk Likelihood: 3 - Medium

Service Manager: Jenny Clifford

Review Note: Some mitigation is possible important to be as well prepared for the hearing in September as possible.

Risk Report Appendix 6

Risk: Lone Working Risks associated with working alone (eg on site visits, call-outs, evening, weekend and emergency work and working from home).

Effects (Impact/Severity):

Causes (Likelihood):

Service: Property Services

Current Status:
Medium (12)

Current Risk Severity: 4 - High

Current Risk Likelihood: 3 - Medium

Service Manager: Andrew Busby

Review Note:

Risk: New Homes A low housing build rate would equal less affordable housing resulting in a reduction in potential New Homes Bonus

Effects (Impact/Severity): - Loss of Affordable Housing Income Section 106

- Failure to meet targets in Development Plan

- Potentially unallocated sites being developed as 5-year housing supply reduces

Causes (Likelihood):

Service: Planning

Current Status:
Medium (12)

Current Risk Severity: 4 - High

Current Risk Likelihood: 3 - Medium

Service Manager: Jenny Clifford

Review Note:

Risk: Pannier market general risk assessment General risk assessment for the market's day to day operation

Effects (Impact/Severity): Score of 5 as their appears to be a movement in the structure causing the glass doors to bow

Causes (Likelihood): Survey done, not weight bearing. Market manager is inspecting regularly.

Service: Pannier Market

Current Status:
Medium (10)

Current Risk Severity: 5 - Very High

Current Risk Likelihood: 2 - Low

Service Manager: Zoë Lentell

Review Note:

Risk Report Appendix 6

Risk: Phoenix Lane Car Park Increased difficulty in management of the facility while the Premier Inn is being built

Effects (Impact/Severity):

Causes (Likelihood):

Service: Property Services

Current Status:
Medium (10)

Current Risk Severity: 5 -
Very High

Current Risk Likelihood: 2 -
Low

Service Manager: Andrew Busby

Review Note: Enabling meeting with the contractor 24 July 2017

Risk: Plant Room Plant Room

Effects (Impact/Severity):

Causes (Likelihood):

Service: Leisure Services

Current Status:
Medium (12)

Current Risk Severity: 4 -
High

Current Risk Likelihood: 3 -
Medium

Service Manager: Darren Beer

Review Note:

Risk: Pool Inflatable Pool Activities

Effects (Impact/Severity):

Causes (Likelihood):

Service: Leisure Services

Current Status:
Medium (10)

Current Risk Severity: 5 -
Very High

Current Risk Likelihood: 2 -
Low

Service Manager: Darren Beer

Review Note:

Risk: Power Take Off (PTO)shaft use That the PTO shaft is not correctly guarded

Effects (Impact/Severity):

Causes (Likelihood):

Service: Grounds Maintenance

Current Status:
Medium (10)

Current Risk Severity: 5 -
Very High

Current Risk Likelihood: 2 -
Low

Service Manager: Joe Scully

Review Note: Locking mechanism on the universal joint must be engaged successfully before engaging the PTO. Safe systems of work item

Risk Report Appendix 6

Risk: Reputational damage cyber security impact of reputational damage through social media is a significant risk that warrants inclusion on the Authority's risk register.

Effects (Impact/Severity):

Causes (Likelihood):

Service: Communications

Current Status:
Medium (10)

Current Risk Severity: 5 -
Very High

Current Risk Likelihood: 2 -
Low

Service Manager: None

Review Note:

Risk: Reputational re Council Housing Stock Handling a disaster/mistake properly would prevent any reputation damage.

Effects (Impact/Severity):

Causes (Likelihood):

Service: Housing Services

Current Status:
Medium (10)

Current Risk Severity: 5 -
Very High

Current Risk Likelihood: 2 -
Low

Service Manager: Claire Fry

Review Note:

Risk: School Swimming Sessions School Swimming Sessions

Effects (Impact/Severity):

Causes (Likelihood):

Service: Leisure Services

Current Status:
Medium (10)

Current Risk Severity: 5 -
Very High

Current Risk Likelihood: 2 -
Low

Service Manager: Darren Beer

Review Note:

Risk: Stress The physical and mental well-being of Officers could be affected by work environment and pressures caused by work demands and work relationships.

Effects (Impact/Severity):

Causes (Likelihood):

Service: Housing Services

Current Status:
Medium (12)

Current Risk Severity: 3 -
Medium

Current Risk Likelihood: 4 -
High

Service Manager: Claire Fry

Review Note:

Risk Report Appendix 6

Risk: Swimming Lessons Swimming Lessons

Effects (Impact/Severity):

Causes (Likelihood):

Service: Leisure Services

Current Status:
Medium (10)

Current Risk Severity: 5 -
Very High

Current Risk Likelihood: 2 -
Low

Service Manager: Darren Beer

Review Note:

Risk: Swimming Pool Swimming pool & spectator walkway

Effects (Impact/Severity):

Causes (Likelihood):

Service: Leisure Services

Current Status:
Medium (10)

Current Risk Severity: 5 -
Very High

Current Risk Likelihood: 2 -
Low

Service Manager: Darren Beer

Review Note:

Risk: Tenants with Complex Needs As our housing stock shrinks, the proportion of such tenants will increase.

Effects (Impact/Severity):

Causes (Likelihood):

Service: Housing Services

Current Status:
Medium (12)

Current Risk Severity: 4 -
High

Current Risk Likelihood: 3 -
Medium

Service Manager: Claire Fry

Review Note:

Risk: Welfare Reform Act - Benefits Failure to implement and communicate the new benefits framework effectively could result in applications not being completed in time

Effects (Impact/Severity): If the changes from current benefits system to Universal Credit go ahead, the system will require greater staff resource

Causes (Likelihood): Will now happen

Service: Revenues - Benefits

Current Status: No
Data

Current Risk Severity: 4 -
High

Current Risk Likelihood: 3 -
Medium

Service Manager: Andrew Jarrett

Review Note:

Risk Report Appendix 6

Risk: Widespread fire in block of flats Fire in our multiple occupancy properties, could result in widespread damage, injury or even death

Effects (Impact/Severity):

Causes (Likelihood):

Service: Housing Services

Current Status: No Data	Current Risk Severity: 5 - Very High	Current Risk Likelihood: 2 - Low
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Service Manager: Mark Baglow

Review Note: The Corporate H & S Officer has now carried out Fire Risk Assessments in the common rooms at Broad Lane and Westfield Road.

Housing Caretakers inspect communal areas on a 5 week cycle, which includes checking fire exit doors and signage.

Any issues are reported to the relevant Neighbourhood Officer.

Risk: Workplace Welfare The provision of adequate welfare arrangements is important both in terms of complying with the law and keeping the workforce happy. People tend to perform better and be happier at their work if they are working in a safe and healthy environment.

Workplace welfare includes the working environment (such as ventilation, noise, temperature, lighting, humidity, space, workstations and seating), welfare facilities (provision of drinking water, rest room and sanitary facilities including toilets, wash basins and showers), workplace safety and housekeeping (cleanliness and waste disposal).

Effects (Impact/Severity):

Causes (Likelihood):

Service: Legal Services

Current Status: Medium (12)	Current Risk Severity: 4 - High	Current Risk Likelihood: 3 - Medium
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Service Manager: Kathryn Tebbey

Review Note: The risk is not well-related to Legal Services. The risk for Legal Services is from a constant high workload leading to burnout and stress. Some of this will be alleviated through improved systems, but this may prove insufficient mitigation.

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Risk Matrix

Report
For MDDC - Services
Current settings

Risk Likelihood	5 - Very High	No Risks	No Risks	1 Risk	No Risks	No Risks
	4 - High	No Risks	No Risks	2 Risks	1 Risk	2 Risks
	3 - Medium	No Risks	5 Risks	10 Risks	9 Risks	3 Risks
	2 - Low	3 Risks	17 Risks	27 Risks	30 Risks	17 Risks
	1 - Very Low	7 Risks	10 Risks	8 Risks	14 Risks	19 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

October 2017

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)
Air Quality To consider the formation of a new policy.	Community Policy Development Group	26 Sep 2017	Simon Newcombe, Public Health and Professional Services Manager Tel: 01884 234615	Cabinet for the Working Environment and Support Services (Councillor Margaret Squires)	Open
	Cabinet	26 Oct 2017			
	Council	13 Dec 2017			
Area B, Eastern Urban Extension, Tiverton To seek authority to tender for consultants to undertake the masterplanning exercise.	Cabinet	26 Oct 2017	Jenny Clifford, Head of Planning, Economy and Regeneration Tel: 01884 234346	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open
Tiverton Town Centre Masterplan Report of the Head of Planning and Regeneration	Cabinet	26 Oct 2017	Jenny Clifford, Head of Planning, Economy and Regeneration Tel: 01884 234346	Cabinet Member for Planning and Economic Regeneration (Councillor	Open

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Agenda Item 11.

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)
outlining the draft masterplan for consultation following deferral from the meeting on 11 May to allow for further consideration to take place.				Richard Chesterton)	
Strategic Land Issues To receive a report of the Director of Finance, Assets and Resources advising on responses to the Town Centre Masterplanning.	Cabinet	26 Oct 2017	Andrew Jarrett, Director of Finance, Assets and Resources Tel: 01884 234242	Cabinet Member for Housing (Councillor Ray Stanley)	Fully exempt <i>Financial and business issues</i>
Half Yearly Investment Performance and Review of Treasury Management Strategy Report regarding treasury performance during the first 6 months of the 2017/18 financial year.	Cabinet	26 Oct 2017	Andrew Jarrett, Director of Finance, Assets and Resources Tel: 01884 234242	Cabinet Member for Finance (Councillor Peter Hare-Scott)	Open
Medium Term Financial Plan Report producing an updated Medium Term Financial Plan taking into account the	Cabinet	26 Oct 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)
Council's key strategies.					
Draft 18/19 General Fund and Capital Programme Report considering options available in order for the Council to set a balanced budget for 2018/19	Cabinet	26 Oct 2017	Andrew Jarrett, Director of Finance, Assets and Resources Tel: 01884 234242	Cabinet Member for Finance (Councillor Peter Hare-Scott)	Open
Asbestos Surveying - Licensed and Unlicensed Removal 2017-2021 To consider the outcome of the tender process	Cabinet	26 Oct 2017	Andrew Pritchard, Director of Operations Tel: 01884 234950	Cabinet Member for Housing (Councillor Ray Stanley)	Open
Wireless Broadband update	Cabinet	26 Oct 2017	Adrian Welsh, Group Manager Growth, Economy and Delivery	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open
Local Enforcement Policy (post consultation) Report of the Head of Planning and Regeneration following the consultation	Cabinet Council	26 Oct 2017 13 Dec 2017	Jenny Clifford, Head of Planning, Economy and Regeneration Tel: 01884 234346	Cabinet Member for Planning and Economic Regeneration (Councillor Richard)	Open

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
process				Chesterton)	
Land for Affordable Housing 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	Director of Finance, Assets and Resources	Not before 27th Oct 2017	Andrew Jarrett, Director of Finance, Assets and Resources Tel: 01884 234242		Open
10 Year Management Plan for Open Spaces The Open Spaces Manager will put forward provisional plans for a framework of development for open spaces, play areas and cemeteries in the District.	Environment Policy Development Group Cabinet	7 Nov 2017 23 Nov 2017	Joe Scully, Operations Manager Tel: 01884 234339	Cabinet Member for the Environment (Councillor Karl Busch)	Open
Cemetery Works To receive a report detailing proposed works for the cemeteries in Tiverton and	Environment Policy Development Group	7 Nov 2017	Joe Scully, Operations Manager Tel: 01884 234339	Cabinet Member for the Environment (Councillor Karl Busch)	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)
Credition regarding concrete bases as foundations for headstones.	Cabinet	23 Nov 2017			
Market Rights Policy A report proposing the adoption of a new Market Policy. Page 101	Economy Policy Development Group Cabinet Council	9 Nov 2017 23 Nov 2017 13 Dec 2017	Alan Ottey, Tiverton Town Centre and Market Manager	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open
Amenity car parks A report presenting options for the use of Amenity Car Parks going forwards.	Economy Policy Development Group Cabinet	9 Nov 2017 23 Nov 2017	Andrew Jarrett, Director of Finance, Assets and Resources Tel: 01884 234242	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open
Mid Devon Destination Management Plan & Action Plan Report updating Members on the current impact	Economy Policy Development Group Cabinet	9 Nov 2017 23 Nov 2017	John Bodley-Scott, Economic Development Team Leader	Cabinet Member for Planning and Economic Regeneration (Councillor Richard)	Open

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
tourism has on Mid Devon's local economy and how we can develop the sector over the next 5 years.				Chesterton)	
Market Environmental Strategy To receive a report considering the Environmental Strategy for the Tiverton Pannier Market	Economy Policy Development Group Cabinet Council	9 Nov 2017 23 Nov 2017 13 Dec 2017	Adrian Welsh, Group Manager Growth, Economy and Delivery	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open
Severe Weather Emergency Protocol and Extended Winter Provision Protocol As a member of the Devon and Cornwall Housing Options Partnership (DCHOP) the Housing service recognises that local areas should try to prevent rough sleeping at any time of the year.	Homes Policy Development Group Cabinet	14 Nov 2017 23 Nov 2017	Michael Parker, Housing Options Manager Tel: 01884 234906	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)
However, the winter period can present the greatest risks to the health of rough sleepers. Therefore a protocol needs to be agreed with the other LAs in the County.					
Gas Safety Policy To consider a report regarding the revised Gas Safety Policy.	Homes Policy Development Group Cabinet	14 Nov 2017 23 Nov 2017	Mark Baglow, Building Services Manager Tel: 01884 233011	Cabinet Member for Housing (Councillor Ray Stanley)	Open
Tenancy Policy To consider a report regarding the revised Policy.	Homes Policy Development Group Cabinet	14 Nov 2017 23 Nov 2017	Claire Fry, Housing Services Manager Tel: 01884 234920	Cabinet Member for Housing (Councillor Ray Stanley)	Open
Tenancy Strategy To consider a report regarding the revised strategy.	Homes Policy Development Group Cabinet	14 Nov 2017 23 Nov 2017	Claire Fry, Housing Services Manager Tel: 01884 234920	Cabinet Member for Housing (Councillor Ray Stanley)	Open
Community Housing Fund	Homes Policy		Claire Fry, Housing	Cabinet Member	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)
Grant Policy To receive a report from the Housing Services Manager regarding the new Community Housing Fund Policy.	Development Group	14 Nov 2017	Services Manager Tel: 01884 234920	for Housing (Councillor Ray Stanley)	
	Cabinet	23 Nov 2017			
	Council	13 Dec 2017			
Rechargeable Repairs To receive a report reviewing the Rechargeable Repairs policy.	Homes Policy Development Group	14 Nov 2017	Mark Baglow, Building Services Manager Tel: 01884 233011	Cabinet Member for Housing (Councillor Ray Stanley)	Open
	Cabinet	23 Nov 2017			
Corporate Debt Recovery Policy To consider a revised policy.	Audit Committee	21 Nov 2017	Andrew Jarrett, Director of Finance, Assets and Resources Tel: 01884 234242	Cabinet Member for Finance (Councillor Peter Hare-Scott)	Open
	Cabinet	4 Jan 2018			
Tax Base Calculation Report detailing the statutory calculations necessary to determine the Tax Base for the Council Tax	Cabinet	23 Nov 2017	Andrew Jarrett, Director of Finance, Assets and Resources Tel: 01884 234242	Cabinet Member for Finance (Councillor Peter Hare-Scott)	Open
	Council	13 Dec 2017			
Council Tax Reduction	Cabinet	23 Nov 2017	Andrew Jarrett,	Cabinet Member	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)
Scheme Report regarding a scheme for 2018	Council	13 Dec 2017	Director of Finance, Assets and Resources Tel: 01884 234242	for Finance (Councillor Peter Hare-Scott)	
Greater Exeter Strategic Plan To consider a report of the Head of Planning, Economy and Regeneration regarding draft strategic plan.	Cabinet Council	23 Nov 2017 13 Dec 2017	Jenny Clifford, Head of Planning, Economy and Regeneration Tel: 01884 234346	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open
Insurance Tender To consider delegating authority to the Head of Finance, Assets and Resources in consultation with the Cabinet Member for Finance to decide the outcome of the insurance tender process due to time restrictions.	Cabinet	23 Nov 2017	Andrew Jarrett, Director of Finance, Assets and Resources Tel: 01884 234242	Cabinet Member for Finance (Councillor Peter Hare-Scott)	Open
Town and Parish Charter	Community		Jill May, Director of	Cabinet Member	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)
To undertake a four yearly review the Town and Parish Charter	Policy Development Group Cabinet	28 Nov 2017 4 Jan 2018	Corporate Affairs and Business Transformation Tel: 01884 234381	for Community Well Being (Councillor Colin Slade)	
Gypsies and Travellers Policy To receive a report regarding a policy for Gypsy and Travellers.	Community Policy Development Group Cabinet Council	28 Nov 2017 4 Jan 2018 21 Feb 2018	Simon Newcombe, Public Health and Professional Services Manager Tel: 01884 234615	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open
Corporate Anti Social Behaviour Policy 4 yearly review	Community Policy Development Group Cabinet	28 Nov 2017 4 Jan 2018	Andrew Pritchard, Director of Operations Tel: 01884 234950	Cabinet Member for Housing (Councillor Ray Stanley)	Open
Community Safety Partnership Plan 2 yearly review	Community Policy Development Group Cabinet	28 Nov 2017 4 Jan 2018	Andrew Pritchard, Director of Operations Tel: 01884 234950	Cabinet Member for Community Well Being (Councillor Colin Slade)	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)
<p>Town Centre Masterplan following public consultation</p> <p>To consider that masterplan.</p>	Cabinet	4 Jan 2018	Jenny Clifford, Head of Planning, Economy and Regeneration Tel: 01884 234346	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open
<p>ICT Strategy</p> <p>Report of the Head of Customer Services regarding review of the ICT Strategy</p>	Cabinet	4 Jan 2018	Liz Reeves, Head of Customer Services Tel: 01884 234371	Cabinet Member for Community Well Being (Councillor Colin Slade)	Open
<p>Vehicle Maintenance Contract</p> <p>To consider the maintenance contract.</p>	<p>Environment Policy Development Group</p> <p>Cabinet</p>	<p>9 Jan 2018</p> <p>1 Feb 2018</p>	Stuart Noyce, Waste and Transport Manager	Cabinet Member for the Environment (Councillor Karl Busch)	Open
<p>Bereavement Services Fees and Charges</p> <p>A review of fees and charges</p>	<p>Environment Policy Development Group</p> <p>Cabinet</p>	<p>9 Jan 2018</p> <p>1 Feb 2018</p>	Joe Scully, Operations Manager Tel: 01884 234339	Cabinet Member for the Environment (Councillor Karl Busch)	Open
<p>Economic Strategy</p>	Economy Policy		Adrian Welsh, Group Manager	Cabinet Member for Planning and	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)
To consider a new policy.	Development Group Cabinet Council	11 Jan 2018 1 Feb 2018 21 Feb 2018	Growth, Economy and Delivery	Economic Regeneration (Councillor Richard Chesterton)	
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	30 Jan 2018 1 Feb 2018	Liz Reeves, Head of Customer Services Tel: 01884 234371	Cabinet Member for Community Well Being (Councillor Colin Slade)	Open
Budget Report outlining options available in order for the Council to move towards a balanced budget for 2018/19	Cabinet Council	1 Feb 2018 21 Feb 2018	Andrew Jarrett, Director of Finance, Assets and Resources Tel: 01884 234242	Cabinet Member for Finance (Councillor Peter Hare-Scott)	Open
Capital Programme Report seeking Council approval for the 2018/19	Cabinet Council	1 Feb 2018 21 Feb 2018	Andrew Jarrett, Director of Finance, Assets and Resources Tel:	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)
Capital Programme			01884 234242		
National Non - Domestic Rates Report providing an update on the income generation and financial implications of the number of business rates properties in Mid Devon and requesting that the NNDR1 be approved.	Cabinet	1 Feb 2018	Andrew Jarrett, Director of Finance, Assets and Resources Tel: 01884 234242	Cabinet Member for Finance (Councillor Peter Hare-Scott)	Open
Policy Framework Report outlining the Policy Framework for the year	Cabinet Council	1 Feb 2018 21 Feb 2018	Stephen Walford, Chief Executive Tel: 01884 234201	Leader of the Council (Councillor Clive Eginton)	Open
Establishment Report outlining the overall structure of the Council	Cabinet Council	1 Feb 2018 21 Feb 2018	Jane Cottrell, Group Human Resources Manager Tel: 01884 234919	Cabinet for the Working Environment and Support Services (Councillor Margaret Squires)	Open

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
<p>Review of Bereavement Services</p> <p>To receive a report regarding a review of Bereavement Services, to include National Assisted Burials</p>	<p>Environment Policy Development Group</p> <p>Cabinet</p>	<p>6 Mar 2018</p> <p>10 May 2018</p>	<p>Joe Scully, Operations Manager Tel: 01884 234339</p>	<p>Cabinet Member for the Environment (Councillor Karl Busch)</p>	<p>Open</p>

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