

Public Document Pack

Mid Devon District Council

Scrutiny Committee

Monday, 21 May 2018 at 2.15 pm
Exe Room, Phoenix House, Tiverton

Next ordinary meeting
Monday, 18 June 2018 at 2.15 pm

Those attending are advised that this meeting will be recorded

Membership

Cllr F J Rosamond
Cllr Mrs H Bainbridge
Cllr Mrs F J Colthorpe
Cllr Mrs C P Daw
Cllr Mrs G Doe
Cllr Mrs S Griggs
Cllr T G Hughes
Cllr Mrs B M Hull
Cllr F W Letch
Cllr Mrs J Roach
Cllr T W Snow
Cllr N A Way

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 AND SUBSTITUTE MEMBERS**
To receive any apologies for absence and notices of appointment of substitute Members (if any).
- 2 **ELECTION OF VICE CHAIRMAN**
To elect a Vice Chairman for the Municipal Year 2018/19.
- 3 **DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT**
Councillors are reminded of the requirement to declare any interest, including the type of interest, and reason for that interest, either at this stage of the meeting or as soon as they become aware of that interest.
- 4 **PUBLIC QUESTION TIME**
To receive any questions relating to items on the Agenda from members of the public and replies thereto.

Note: A maximum of 30 minutes is allowed for this item.

5 **MEMBER FORUM**

An opportunity for non-Cabinet Members to raise issues.

6 **MINUTES OF THE PREVIOUS MEETING** (*Pages 5 - 12*)

Members to consider whether to approve the minutes as a correct record of the meeting held on 16 April 2018.

The Committee is reminded that only those members of the Committee present at the previous meeting should vote and, in doing so, should be influenced only by seeking to ensure that the minutes are an accurate record.

7 **DECISIONS OF THE CABINET**

To consider any decisions made by the Cabinet at its last meeting that have been called-in.

The decision of the Cabinet made on Thursday 10th May 2018 with regard to Crediton Office has been called in by the Chairman of the Scrutiny Committee and will be discussed at agenda item 15.

8 **CHAIRMAN'S ANNOUNCEMENTS**

To receive any announcements that the Chairman of Scrutiny Committee may wish to make.

9 **PARTNERSHIP WORKING GROUP UPDATE** (*Pages 13 - 26*)

To receive a report of the work of the Partnership Working Group.

10 **COUNCIL TAX REDUCTION SCHEME** (*Pages 27 - 50*)

To consider a briefing paper providing an update on the Council Tax Reduction Scheme from the Director of Finance, Assets and Resources as requested at the previous meeting.

11 **FORWARD PLAN** (*Pages 51 - 64*)

Members are asked to consider any items within the Forward Plan that they may wish to bring forward for discussion at the next meeting.

12 **SCRUTINY OFFICER UPDATE** (*Pages 65 - 70*)

To receive an update from the Scrutiny Officer with regard to his work to date.

13 **START TIME FOR MEETINGS**

To consider the start time of the meetings for the municipal year 2018-19.

14 **ACCESS TO INFORMATION - EXCLUSION OF THE 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) .

15 **THE FUTURE OF CREDITON OFFICE - CALL IN** (*Pages 71 - 158*)

To consider the decision of the Cabinet made on 10th May 2018 with regard to the sale/disposal of the Crediton Office.

The Chairman of the Scrutiny Committee has called in the following decision of the Cabinet: that subject to contract, to dispose of the Crediton office building to buyer 2 on the terms set out in paragraph 3.5 of the report for the following reasons:

1. the decision appears to have been made, not in haste, but without full recognition of the potential for:
 - further negotiations to take place with Crediton Town Council to see whether a more acceptable offer could be achieved. There is, despite the known financial pressures in local government, no deadline by which the decision had or has to be made - other than the need for a disposal to take place before the end of the 18-month protected period which applies to disposals of assets of community value in order to avoid a further moratorium.
 -
 - the central and valued location of the building to Crediton which, if it were to be transferred to Crediton Town Council, could sustain the well-being and social cohesion of the town
2. it is unclear how the Cabinet took into account the following Corporate Plan objectives:
 - working with local communities to encourage them to support

- themselves, including retaining and developing their local facilities and services
- working with town and parish councils

16 IDENTIFICATION OF ITEMS FOR THE NEXT MEETING

Members are asked to note that the following items are already identified in the work programme for the next meeting:

Note: - this item is limited to 10 minutes. There should be no discussion on items raised.

Stephen Walford
Chief Executive
Friday, 11 May 2018

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 **SCRUTINY COMMITTEE** held on 16 April 2018 at 2.15 pm

Present

Councillors

F J Rosamond (Chairman)
Mrs H Bainbridge, Mrs F J Colthorpe,
Mrs C P Daw, Mrs G Doe, T G Hughes,
Mrs B M Hull, F W Letch, Mrs J Roach and
T W Snow

Apologies

Councillors

Mrs A R Berry and N A Way

Also Present

Councillors

P J Heal and R F Radford

Also Present

Officers

Stephen Walford (Chief Executive), Jill May (Director of Corporate Affairs and Business Transformation), Kathryn Tebbey (Group Manager for Legal Services and Monitoring Officer), Stuart Noyce (Group Manager for Street Scene and Open Spaces), Sally Gabriel (Member Services Manager), Kevin Swift (Public Health Officer) and Sarah Lees (Member Services Officer)

149 **APOLOGIES AND SUBSTITUTE MEMBERS**

Apologies were received from Councillors Mrs A R Berry and N A Way. No substitutes had been provided.

150 **DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT**

There were no declarations of interest made under this item.

151 **PUBLIC QUESTION TIME**

Mr Nick Quinn, a local resident, asked a question in relation to item number 5, 'Minutes of the previous meeting'. He stated that this Committee had set up a Member working group to look at community engagement following the recent Residents Satisfaction Survey which showed that only 51% of residents trusted this Council and only 41% considered that MDDC acted on their concerns.

His question to the Chairman was, would this Committee please ask this working group to include in their remit, a review of the Performance and Risk reports which are regularly presented to the Cabinet and this Committee?

He further stated that nobody had picked up on the ongoing very poor performance in answering FOI requests. There was a legal requirement to answer every request in 20 working days but this was something which had not been fully achieved by the

Council in any of the last 12 months. He commented that the Council had been in breach of the legislation for a year. Already this year the Information Commissioner had issued 2 Decision Notices against the Council, both of which had criticised the handling of requests. This was a key avenue for residents wishing to inform themselves. No wonder resident satisfaction was so low.

The Chief Executive responded by stating that there had been some difficulties in recruiting to this area a backlog of work had built up. Staffing issues had now been resolved and it was expected that this backlog would be addressed and dealt with in the near future.

152 **MEMBER FORUM**

There were no issues raised under this item.

153 **MINUTES OF THE PREVIOUS MEETING**

The minutes of the last meeting were approved as a correct record and **SIGNED** by the Chairman.

154 **DECISIONS OF THE CABINET**

The Committee **NOTED** that none of the decisions made by the Cabinet on 5 April 2018 had been called in.

155 **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman stated that Sarah Lees would be clerking the meeting for today and that, until a new Member Services officer was in post, Sally Gabriel would clerk the Scrutiny Committee in the short term.

156 **CABINET MEMBER FOR THE WORKING ENVIRONMENT AND SUPPORT SERVICES (00:06:25)**

The Committee had before it, and **NOTED**, a report * from the Cabinet Member for the Working Environment and Support Services updating Members regarding the areas covered with her remit.

Unfortunately Councillor Mrs M E Squires had not been able to attend the meeting as she had been unwell, however the Chairman invited the Committee to consider the report in her absence and discussion followed with regard to the following areas:

Email policy

The policy currently stated that it was not possible for video footage recorded on a person's phone to be used as emailed evidence. It was explained that the policy was currently under review and would be updated to reflect current legislation. A report would be presented to the Cabinet shortly.

Staff survey

Group Managers were currently working on an action plan in relation to the results of the staff survey and this would be shared with Members in due course.

Constitution

It was stated that the Constitution needed to be updated and some errors needed correction. The Monitoring Officer replied by explaining that she had been working through it when time allowed but to focus on this would mean other important work in Legal Services falling behind. Her preference would be to have a leaner version of the Constitution but this ran the risk of not covering all circumstances. Work on the Constitution was time consuming but would be undertaken over the next few months and it was anticipated that a report would be brought before Members in the autumn.

Decent High Quality Housing

The Cabinet Member's report stated that the Council was doing good work in this area but it was felt that not enough was being done to broadcast this fact through the press although there had been some coverage on Facebook.

Action: The Chairman stated that this would be fed back to the Cabinet Member as a comment from the Committee.

Air Quality

More information was requested in relation to the Air Quality Action Plan which was the responsibility of Public Health and Regulatory Services and which was provided every four years to DEFRA. Members were reminded that the Action Plan was presented to the Community Policy Development Group in November 2017 and that all the information was in the paper presented to the Group. If Members had further questions in relation to this matter then they should contact the Cabinet Member.

Complaints

The Committee was informed that the updated position with regard to complaints would be presented to the Cabinet in the summer and that this would include a breakdown by department. The question was asked as to whether complaints that were subsequently withdrawn, or not upheld by the Housing Ombudsman for example, would factor in the complaints data presented to Members. The Chief Executive couldn't confirm whether complaints that were received and subsequently withdrawn by a complainant did appear in the annual statistics, but stated that if the Council received information where a complaint had been (only) partially dealt with before being registered as a complaint, then these would still be recorded as a complaint.

Action: Further clarity in relation to this should be sought from the Cabinet Member.

Note: * Report previously circulated; copy attached to the signed minutes.

157 MEMBER DEVELOPMENT UPDATE (00:25:25)

The Committee had before it, and **NOTED**, a report * from the Member Services Manager providing an update on the development opportunities provided to Members as per the action plan for the South West Charter for Member Development. The Chairman of the Member Development Group, Councillor P J Heal, was also in attendance to answer questions.

It was explained that in December 2017 an opportunity had arisen for the Council to work with other local authorities in the Devon Shared Member Development Service. Information had already been received regarding the Shared Service Leadership Programme and 3 Mid Devon Members had signed up to this with the programme commencing in May 2018.

Discussion took place regarding:

- A recent Dementia training event that Councillor Mrs J Roach had attended in Manchester which she had considered to be very worthwhile. She would be providing detailed feedback to the Member Services Manager as she felt much of the training was relevant to the way services were provided by the Council.
- Members Away Day to discuss the budget – concerns were raised as to why these appeared to be regularly cancelled at the last minute and that some Members worked hard to prepare for the events only to have them cancelled. It was explained that Members had been given a significant number of opportunities to input into the budget setting process either at Member Briefings or via any of the Policy Development Groups where briefings on the budget took place at least twice for each PDG to allow Members to feed in their ideas and thoughts. A Members briefing had also been held in Crediton. It was suggested that a Members Away Day be held much earlier on in the budget setting process for 2019/20. It was **AGREED** that something should go in the Members Weekly Information Sheet asking for Members feedback in relation to this and possible timings for the budget setting process next year.
- Possible future training events to include refresher Scrutiny training (to be opened up to all Members as substitutes were often sought) and Parish Chairmen training. It was **AGREED** that it might be more sensible to wait to do this after the election next May and as part of the new Member induction programme.
- It was important to keep all Members and staff up to date on the new regulations regarding Data Protection as often as possible.

Note: (i) * Report previously circulated; copy attached to the signed minutes.

(ii) Councillor P J Heal left the meeting after discussion of this item.

158 PLASTIC FREE DISTRICT (00:43:30)

At a previous meeting of the Committee, Members had discussed the possibility of becoming a plastic free District and requested that the Group Manager attend to discuss options for this, as well as school education and to outline what was currently being done.

The Group Manager for Street Scene and Open Spaces provided the Committee with the following information:

- Plastic collected from kerbside boxes in terms of tonnage had been 103.27 in 2014/15; this had increased to 714.90 in 2017/18.
- Following a sample of 200 households residual waste the following had been found for Mid Devon:
 - A significant amount of food waste of over 20%
 - Paper 10.8%
 - Mixed plastic 7.6%
- Of this residual waste sample 40% of the contents had been found to be recyclable or compostable through the existing scheme which equated to 55,000 tonnes across Devon.
- The Committee were referred to information in relation to Plastic Free Community Leaders, one of which was Plastic Free Coastlines, which promoted and supported Plastic free communities and was extended to non-coastline areas.
- 'Refill Devon' which was a practical campaign aimed at stemming the tide of single-use plastic.
- Waste education in school was chiefly provided by Devon County Council who took the lead using a company called Resource Futures. Nine waste education visits (workshops) were completed in Mid Devon primary schools between April 2017 and March 2018. This number had reduced last year when a charge was introduced. Waste Educators also worked in secondary schools. At present there was nothing specifically around plastics in the environment but there was a new workshop which schools could book called 'Wild Waste Walks, which focussed on ocean litter and involved children getting out and about in the school grounds, culminating in a litter pick or beach clean.

Discussion took place regarding:

- Plastic materials would not be rejected by the recycling collection teams if they were not spotless but half-filled containers with leftover food would be.
- The 'Any Bin Will Do' campaign which had been a recommendation of the Street Cleansing Service review which was aimed to give people more opportunities to get rid of waste. Also a trial had begun to have one bin in each town, one side of the bin for recycling and one side for general waste.
- It had not been possible to use 'pay back community groups' to help with litter collections as there were a lot of restrictions about the facilities they needed whilst they worked although the Council was happy to look at this again.
- The steps involved in the processing of plastic.
- China had brought in tighter regulations on accepting foreign waste/recyclable material. While the Council always used European processors, this policy decision by China has affected global market prices for various types of recyclable material. The price for plastic was starting to recover but prices for cardboard had been heavily affected.
- Companies selling takeaway cups were now more keen to make a cup that was re-useable or compostable and they were taking a more proactive approach as a reaction to national criticism.

- The Council had taken a decision not to provide more bins at the current time although these could be purchased by Town and Parish Councils if it matched the criteria in the policy.
- It was confirmed that with the operation of the new transfer station, it was expected that, as from the end of May, there would be no Mid Devon waste going to landfill. Residual waste would go to the 'Waste to Energy' plant in Exeter. It was anticipated that other Devon authorities would follow suit in due course.

159 **EFFECTIVENESS OF SCRUTINY (01:10:22)**

The Government had now provided a response to the 'Communities and Local Government Committee First Report of Session 2017-19 on the Effectiveness of Local Authority Overview and Scrutiny Committees'. The Standards Committee had requested that this response be considered by the Scrutiny Committee prior to any further discussion by them.

The Chairman of the Committee had outlined his views in a paper attached to the agenda and stated that he considered there were now 3 options before them:

- a. Wait for full guidance
- b. Establish a task group to give further consideration to the matter
- c. Consider the report at this meeting and provide a response with regard to each recommendation

During discussion a proposal to 'do nothing' until further guidance was issued by the Government was considered and subsequently withdrawn. A further proposal for the Monitoring Officer to consider each of the recommendations and bring a report to full Council imminently was also considered and subsequently withdrawn.

It was stated that Mid Devon District Council was already complying with many of the recommendations, for example, in relation to the Scrutiny Committee reporting to full Council and Cabinet Members only contributing to Scrutiny discussions as invited guests or when called upon to do so.

It was **AGREED** that the Monitoring Officer would take serious account of each of the points made in the Government's response paper and that this guidance would be factored into the planned Constitutional review. Having considered this, the review would provide greater clarification with regard to the Scrutiny function. However, a piecemeal approach was not always constructive in the short term therefore it was hoped a substantive document would be brought before Members once the Monitoring Officer had had an opportunity to conduct a thorough review.

160 **FORWARD PLAN (01:24:45)**

The Committee had before it, and **NOTED**, the Forward Plan *.

Consideration was given to the following:

- An informal meeting of the Scrutiny Committee would be held early in the new municipal year to draw up a work programme for 2018/19.
- Land for Affordable Housing could be considered as a possible Scrutiny topic.

- Greater clarification was needed with regard to the master planning process.
- The Hoarding Policy, Section 215 Notices were used for external untidy land.
- Greater Exeter Strategic Plan had been delayed as growth across the four districts was being looked at and further technical work needed to be done.

Note: * Forward Plan previously circulated and attached to the minutes.

161 **SCRUTINY OFFICER UPDATE (01:34:50)**

The Committee had before it and **NOTED** a briefing note * from the Scrutiny Officer updating them on the work being undertaken on their behalf.

The officer updated the Committee with the following information:

Road maintenance and repairs in Mid Devon

Vigorous contact had continued to be made with Devon County Council and Cllr N A Way had been involved in following issues up with various officers. An apology had been received from the County Council for the delay in responding but a further update had still not been provided. A reference number for the various queries had been obtained and this was already overdue in terms of getting a response. The Scrutiny Officer would continue to request a response through the appropriate channels. The Chief Executive confirmed that the Leader of the Council had also raised pot holes as a serious issue in Mid Devon at the Devon Local Government Steering Group in the previous week.

It was reported that Crediton Town Council held a Devon County Council Highways surgery once a month where they had recently been told that there was a policy to clear out the drains on the main roads once every 18 months and on estate roads once every 3 years.

Winter pressures

The Health and Adult Care Scrutiny report attached to the agenda had indicated that there had been some improvement in certain areas, for example, lower levels of delayed transfers of care compared to the previous winter. However, this was not felt to be the case by some Members of the Committee who were hearing different messages from constituents.

It was reported that Crediton Town Council were holding a Health and Well Being Day at the Boniface Centre on 25th April. This was would be a free event where Dr Jenner would be providing a talk on the state of the health in the area.

Anaerobic Digestion Working Group

The working group was awaiting comment from the Leadership Team, Environmental Health and Legal on the first draft of the report. It was anticipated that it would be brought before the Scrutiny Committee in June.

Brief discussion followed with regard to:

- The South West Scrutiny Network and the need to look at the topics other Scrutiny Committees were looking at to see if there were any similar issues of concern, for example, car parking fees.
- The need for the Economy PDG to keep a regular and proactive interest in all Broadband issues.
- The need for Cllrs Mrs J Roach and N A Way to consider any other areas of concern in relation to health and to bring these to the attention of the Committee and the Scrutiny Officer.

Note: * Report * previously circulated; copy attached to the signed minutes.

162 CHAIRMANS DRAFT ANNUAL REPORT (01:53:35)

The Committee had before it, and **NOTED**, a draft report * by the Chairman on the work of the Committee since May 2017. This report would be submitted to Council on 25 April 2018.

A brief discussion took place regarding previous comments made about the difference in the 'atmospheres' of the three principal Mid Devon towns. The Chairman of the Economy Policy Development Group stated that she would find out what was happening in relation to this as the matter had originally been referred to her PDG.

Note: * Report previously circulated; copy attached to the signed minutes.

163 IDENTIFICATION OF ITEMS FOR THE NEXT MEETING (01:55:22)

- Council Tax Reduction Scheme – what are the issues and what is being done to support people facing difficulties?
- Affordable housing and contributions from developers – what are the rules especially if developers wish to release themselves from this obligation?

In addition to this it was **AGREED** that a report be brought to the Committee after the first quarter of 2018/19 in relation to Mid Devon being a trial area for the retention of Business Rates. This was requested as soon as possible after June 2018.

(The meeting ended at 4.17 pm)

CHAIRMAN

Mid Devon District Council

Scrutiny Committee

Partnerships Report

May 2018

“The collaboration inherent in a partnership is more than a mere exchange – it is the creation of something new, of value, together.¹”

¹ Kanter, R.M. (1994) Collaborative advantage: the art of alliances. *Harvard Business Review* (July-August), pp. 96-108

1. Introduction

Previous shared work by Mid Devon District Council (MDDC) had resulted in sharing officers as opposed to sharing services. In the light of continued pressure on budgets it is likely that Councils will look to shared services in the future. It was therefore important that MDDC look at partnership models to see how they could apply. Business plans for all MDDC services were provided to the working group.

2. Initial Project Working Group Membership

Cllr Frank Rosamond (Chair)

Cllr Judi Binks

Cllr Nick Way

Cllr Heather Bainbridge

Cllr Bob Evans

Jill May, Director of Corporate Affairs and Business Transformation

Julia Stuckey (Secretary)

3. Project Outline

To come up with ideas to take forward over the next couple of years.

For Members to be clear about what forms of partnership working are available.

To investigate outsourcing to others.

To investigate selling services to others.

The approach would be to look at what other authorities are doing, to look at case studies and to share information that the authority already has access to.

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4. Definition of partnerships

Within the literature around partnerships there is a lot of debate on explaining exactly what we mean by partnership. Other words often used to explain partnership working include shared working, joined-up working, associations, joint ventures, and collaboration, to name a few. Research undertaken on the nature of partnerships suggests that we should be clear about the interchangeable terminology; that a partnership is what something is and collaboration or joined up working is what one does².

The World Health Organisation has provided a useful statement on partnerships as follows:

‘Partnership is a collaborative relationship between two or more parties based on trust, equality and mutual understanding for the achievement of a specified goal. Partnerships involve risks as well as benefits, making shared accountability critical.’³

Elsewhere an evidence review of partnerships was conducted in 2015 by What Works Scotland (2014-2017) a collaborative between The Scottish Government, the Economic and Social Research Council (ESRC), the University of Edinburgh and the University of Glasgow⁴. The review acknowledges it is a “complex process shaped by structural, cultural and social factors. Developing and sustaining effective partnership working is challenging in this context.”

The authors go on to state that “Evaluating partnerships is a highly challenging endeavour and to date there is very little evidence linking partnership working to improved outcomes.”

Nevertheless effective partnerships that are successful have clear aims, objectives, roles and responsibilities and are flexible and responsive in the way that they operate.

5. Partnership Features

The Working Party sourced a useful guide to effective partnerships ‘Good governance principles for partnership working’ produced by Audit Scotland (Appendix 1). It provides a list of features for when things are going well and not going so well. Good partnership behaviours and processes may include:

- Openness and a good conflict resolution process
- Flexibility
- An agreed decision-making process
- Clear roles and responsibilities

² The concepts of partnership and collaboration: Ros Carnwell and Alex Carson

³ Building a Working Definition of Partnership (African Partnerships for Patient Safety) World Health Organisation(WHO) 2009

⁴ Cook, A (2015) Partnership Working Across UK Public Services Edinburgh: What Works Scotland

- Outcome oriented based upon analysis of need
- Risk management
- Clear defined outcomes, objectives, targets and milestones
- Performance monitoring
- Delegated budget authority for partnership working
- Achievement of better outcomes through working together

The characteristics of good partnerships have been considered by the Organisation for Economic Co-operation and Development (OECD) whose aim is to promote policies that will improve the economic and social well-being of people around the world. The OECD provides a forum in which governments can work together to share experiences and seek solutions to common problems. The characteristics are described as follows:

“A partnership is an agreement to do something together that will benefit all involved, bringing results that could not be achieved by a single partner operating alone, and reducing duplication of efforts. A successful partnership enhances the impact and effectiveness of action through combined and more efficient use of resources; promotes innovation; and is distinguished by a strong commitment from each partner. To achieve sustained success it is essential that basic local parameters be created and agreed upon; equally essential are political will, resourcing, and the appropriation of funds.

Co-operation within a partnership is collaborative; it will be effective if the partners share a strategic vision, pursue compatible targets, and are all equal members in a predetermined organisational structure. The notion of ownership is often used in this context to describe the emotional binding of the institutions and persons involved, which should ideally be with the partnership and not with other, outside organisations. Thus the partnership should be able to bring together different actors in collaborative action as well as in collaborative efforts to effect change.⁵”

⁵ Successful partnerships – A guide (2006); OECD LEED forum on partnerships and local governance

6. Case studies – Local Authorities in the SW

| Partnership Name | Organisations Involved | Description | Financial Benefits | Status |
|--------------------------------------|------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|
| Devon Audit Partnership | Devon County Council, Plymouth City Council and Torbay Council | Shared internal audit function between Devon County, Plymouth City and Torbay Councils. It started in April 2009, has 36 audit staff and a budget of approx £1.5m. It is hosted by Devon County and governed as a joint committee | Estimated savings £800,000 | Ongoing - partnership has been extended until 31/03/17. the partners are reducing the budget by 10% per annum so the DAP are actively seeking new members |
| Devon Building Control Partnership | Teignbridge District Council, South Hams District Council and West Devon Borough Council | Joint Building Control Service | Estimated savings £300,000 | Ongoing |
| East Devon and South Somerset Shared | East Devon District Council and South Somerset District Council | Shared Chief Executive and Management team by | Circa £1m with further potential savings with sharing of further services | Ended |
| Joint Chief Executive | Teignbridge District Council and Torrridge District Council | Shared Chief Executive | half a CEO salary saved at each authority | Ended |
| South West Devon Districts | South Hams District Council and West Devon Borough Council | Started with Joint Chief Executive and shared Senior Management Team with underpinning shared services. They have then moved on to shared services across the board. Significant programme of transformation and significant reduction in staff | Estimated £6m since 2007 (reported in 2013) with a saving of circa £3.8m per annum until 2018 | Ongoing |

* Devon Audit partnership is an ongoing not-for-profit partnership

7. South Hams and West Devon visit

Members of the Partnership Working Group attended a meeting at South Hams and West Devon on 24 October 2016 to hear about their partnership.

In attendance from the Councils were Cllr John Tucker (Leader SHDC), Cllr Philip Sanders (Leader WDBC), Steve Jorden (Executive Director – Strategy and Commissioning, Head of Paid Service, SHWD), and Sophie Hosking (Executive Director, Service Delivery and Commercial Development, SHWD). The following points were discussed:

- When West Devon found themselves without a Chief Executive (theirs had gone to South Hams) the decision was made to share. There were a series of restructures which started with a combined 15 directors and resulted in a reduction to 7. Due to changes in pension law the Chief Executive then

decided to retire and at this point the decision was made not to replace but to appoint 2 Directors - Steve Jordan (Executive Director – Strategy and Commissioning, Head of Paid Service, SHWD), and Sophie Hosking (Executive Director, Service Delivery and Commercial Development, SHWD).

- I.E.S.I (pronounced easy, a company from the South East, owned by councils) was appointed to work on a restructure and appoint to the new posts. Following this all staff were offered voluntary redundancy. Impact behaviour assessments were undertaken by all staff and everyone that wanted to stay had to apply for a job. Posts were all new. The Leaders reported that this had been a tough time from a Members perspective. Both authorities had been 'family type' set ups and Members knew and trusted their officers. Members were reluctant to travel to joint meetings but it was clearly understood that the main driver was financial. The overall objective was to save (savings quoted as £8m) and the budget for the 2 authorities to be set until 2021.
- The Leaders considered that they had an agenda for growth and that silo working had been removed.
- Members were adamant that there would be no loss of sovereignty for each council. Both meeting structures operated independently and reports that required decisions were taken to both. To date both authorities have agreed on all decisions.
- The most difficult area to agree had been harmonisation of staff terms and conditions. The two authorities had different travel agreements and redundancy levels so these areas had to be sorted.
- From a customer point of view nothing had changed. They were moving towards online self-service as much as they could.
- As part of the restructure an admin function had been put in place that took care of all admin for all services. Officers, such as Planners or Environmental Health could then concentrate solely on the technical part of the job. The case management IT system allowed for multi skilling of staff.
- The first change was to systems and functions. Officers now hot desked (only 6 workstations per 10 employees) and worked from home at least 2 days a week. Hours worked at home could be at any time to suit the employee. Only the reception desk and customer support team (phones) were manned. If Members felt the need to talk to an employee rather than email they could SKYPE. Performance stats showed that productivity was greater. This had allowed the councils offices to become cost neutral as other space was rented out.
- Both Directors agreed that getting the IT right was crucial.
- The next stage, which was currently being worked on, was to put all services into a company, privately owned by both councils, to contract work. A business case was being drawn up for this. Staff would TUPE (Transfer of Undertakings (Protection of Employment) Regulations) and each council

would procure services from the company. Other councils would also be able to procure council services from them.

- With regard to funding the two councils did not break down costs on a day to day basis but had come to an agreement about how costs were split for example 60/40 on planning, 50/50 on IT.
- Both sides felt that the future for local authorities would be in commissioning services. For example, even if waste services were operating different schemes, they could still be managed by a central team.
- 30% of staff had left. It had been a tough time with a dip in performance. They were now coming out of this. There were queues for phone calls but they were no worse than in previous years, although perception was that it was worse. The Directors stressed the importance of Members being on side during this time. Staff surveys had shown concerns regarding capacity but staff had also said that they would recommend it as a place to work. The survey had a 67% response rate, which was high.
- Good relationships with the trade unions had helped.

In November 2017 a merger between the two councils was proposed however following resident consultation a majority vote in favour of the merger could not be reached by West Devon, despite South Hams earlier approving the proposal. The two councils do however continue to share services.

8. MDDC's current key partnerships

8.1 Exeter and the Heart Of Devon (EHOD):

- The Shared Economic Strategy has been adopted by all 4 local authorities and has won the national award from the Institute for Economic Development for the Most Innovative Strategy.
- Mid Devon is leading on the Business Transformation thematic which looks at better ways of supporting the business community, more effective procurement of business support, directly developing funding bids to enhance business support activities, and activities to make local authorities more commercially minded and self-sustaining.
- The Business Boost business support service ran successfully for a year, but has been superseded by the Growth Support Programme (GSP) which provides an almost identical service but costs a fraction of the price due to match funding that was drawn down to develop the project. Previously £25k per annum was spent on business support services, and this has been brought down to £11,250 to provide 3 years of the GSP service.
- EHOD has submitted a bid for broadband improvements and the group is working on a number of strategic economic projects to support business growth and an evolving future economy.

8.2 Better Business for All:

- Mid Devon District Council's Economic Development Officer is now the regional vice chair of the BBfA steering group.
- Mid Devon District Council led on a successful bid to bring Local Government Association advisor support into the group to explore commercial opportunities in regulatory services. The project was viewed as nationally significant and the findings are now being taken forward by a number of local authorities across the UK.
- The Heart of the South West (HotSW) BBfA group won the national award for best BBfA group, in part because of the work undertaken above.
- A project focused on regulatory service pricing harmonisation is ongoing, and continues to garner the support of the department for Business Energy and Industrial Strategy (BEIS).

8.3 Growth Hub:

- Now known as the Growth Support Programme (GSP), one of two bids submitted in 2016 was successful and brought over £1.2m of funding into the HotSW area to provide business support services.
- Mid Devon District Council has a seat on the Governance Board of the GSP representing the Devon district authorities.
- Cross over between partnerships is being developed, and an event is planned to be hosted by Mid Devon in April to better engage regulatory services with the GSP. This event is being funded by BEIS.

8.4 LEADER & Business Support:

- The Growth Economy & Delivery team continues to work closely with the business community.
- The LEADER programme is on target, and so far the team has supported 19 businesses with successful applications valued at over £400k.
- The team has been providing bespoke support to several key strategic businesses. However, as this work is ongoing and commercially sensitive, more detail cannot be provided.

8.5 Building Control Partnership (with North Devon)

- The partnership had delivered on the flexibility of operation that they wanted; Resourcing had improved due to bigger pool to call from; there were 6 surveyors and 1 administrator in South Molton and 4 surveyors plus 1.5 admin in Tiverton – and there was a virtual office. All documentation was received electronically or scanned into designated place and dealt with from there regardless of where people were based. There was software to manage workflow.
- Workload Savings were mainly on the surveying side rather than admin at the moment. They did not have a target for savings – it was clear in the business

plan that it was about making the service more robust rather than making savings, the savings had been a bonus.

- Advantages to Mid Devon specifically were in the amount of work - Building Control had been making a loss year on year but as a result of the partnership the MDDC staff were being used in North Devon area so funds were allocated appropriately. MDDC were going to break even or even make a small profit and North Devon had benefited from having staff resource.
- An issue that had arisen was that the entire team didn't have an equal level of IT ability.
- Some staff found adapting to this new way of working quite challenging, however training had been put in place.
- Objectives and reasons for doing it should be clearly laid out in a business case.

8.6 Devon Audit Partnership

- Business Case in 2009 set out objectives – reducing cost of provision; improving productivity and performance management; improving the ability to deliver the audit plan and react to additional work; providing greater potential for specialist audit skills; providing audit coverage for a wide geographical area in an effective manner (Devon County, Torbay, Plymouth, Torridge and Mid Devon).
- Achievements include a combined team (5 into 1) providing a greater resource pool to meet specialist and ad hoc demands; introduction of an electronic partnership wide audit management system; reduced costs to partners; maintained quality of service; retention and recruitment of quality staff.
- 'Not for profit' but commercially minded.
- Benefits to partners include reducing costs, sharing expertise, sharing results to develop best practice, flexibility and added value.

8.7 Greater Exeter Strategic Partnership

- Involves the adjoining district councils around Exeter and is focused upon land availability for future housing development and growth.

8.8 Garden Village Cullompton

- A successful bid by Mid Devon District Council has resulted in the granting of 'garden village' status to development east of Cullompton.

There are a number of other arrangements within departments that also can be considered e.g. Community Safety Partnership, Procurement, Member Development and Waste.

9. Conclusions

This project has run over a period of some two years, with officers who have now left the Council so some of the information in this report is now out of date however it has been included because these are the findings of the group. Partnership working is a large part of the way forward for all local authorities and this is an area which may well warrant revisiting in due course to see what developments have occurred and what opportunities have been taken.

10. Recommendations

That the information in this report is noted.

11. Appendices

Appendix 1 – Audit Scotland Good governance principles for partnership working 2011

| Key principles | Features of partnerships when things are going well | Features of partnerships when things are not going well |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Behaviours | | |
| <p>Personal commitment from the partnership leaders and staff for the joint strategy</p> <p>Understand and respect differences in organisations' culture and practice</p> | <p>Leaders agree, own, promote and communicate the shared vision</p> <p>Leaders are clearly visible and take a constructive part in resolving difficulties</p> <p>Be willing to change what they do and how they do it</p> <p>Behave openly and deal with conflict promptly and constructively</p> <p>Adhere to agreed decision-making processes</p> <p>Have meetings if required but focus of meetings is on getting things done</p> | <p>Lack of leader visibility in promoting partnership activities (both non-executive and executives)</p> <p>Be inflexible and unwilling to change what they do and how they do it</p> <p>Adopt a culture of blame, mistrust and criticism</p> <p>Complain of barriers to joint working and do not focus on solutions</p> <p>Take decisions without consulting with partners</p> <p>Have numerous meetings where discussion is about process rather than getting things done</p> |
| Processes | | |
| <p>Need or drivers for the partnership are clear</p> <p>Clear vision and strategy</p> <p>Roles and responsibilities are clear</p> <p>Right people with right skills</p> <p>Risks associated with partnership working are identified and managed</p> <p>Clear decision-making and accountability structures and processes</p> | <p>Roles and responsibilities of each partner are agreed and understood</p> <p>Strategies focus on outcomes for service users, based on analysis of need</p> <p>Have clear decision-making and accountability processes</p> <p>Acknowledge and have a system for identifying and managing risks associated with partnership working</p> <p>Agree a policy for dealing with differences in employment terms and conditions for staff and apply this consistently to ensure fairness</p> <p>Review partnership processes to assess whether they are efficient and effective</p> | <p>Roles and responsibilities of each partner are unclear</p> <p>Unable to agree joint priorities and strategy</p> <p>Lack of clarity on decision-making processes</p> <p>Partnership decision-making and accountability processes are not fully applied or reviewed regularly</p> <p>Risks are not well understood or managed through an agreed process</p> <p>Deal with differences in employment terms and conditions for staff on an ad hoc basis</p> |

Appendix 1 – Audit Scotland Good governance principles for partnership working 2011

| Key principles | Features of partnerships when things are going well | Features of partnerships when things are not going well |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Performance measurement and management | | |
| <p>Clearly defined outcomes for partnership activity</p> <p>Partners agree what success looks like and indicators for measuring progress</p> <p>Partners implement a system for managing and reporting on their performance</p> | <p>Understand the needs of their local communities and prioritise these</p> <p>Have a clear picture of what success looks like and can articulate this</p> <p>Have clearly defined outcomes, objectives, targets and milestones that they own collectively</p> <p>Have a system in place to monitor, report to stakeholders and improve their performance</p> <p>Demonstrate that the actions they carry out produce the intended outcomes and objectives</p> | <p>Prioritise their own objectives over those of the partnership</p> <p>Unable to identify what success looks like</p> <p>Fail to deliver on their partnership commitments</p> <p>Do not have agreed indicators for measuring each partner's contribution and overall performance or do not use monitoring information to improve performance</p> <p>Unable to demonstrate what difference they are making</p> |
| Use of resources | | |
| <p>Identify budgets and monitor the costs of partnership working</p> <p>Achieve efficiencies through sharing resources, including money, staff, premises and equipment</p> <p>Access specific initiative funding made available for joint working between health and social care</p> | <p>Integrate service, financial and workforce planning</p> <p>Have clear delegated budgetary authority for partnership working</p> <p>Identify, allocate and monitor resources used to administer the partnership</p> <p>Understand their service costs and activity levels</p> <p>Plan and allocate their combined resources to deliver more effective and efficient services</p> <p>Assess the costs and benefits of a range of options for service delivery, including external procurement</p> <p>Have stronger negotiating power on costs</p> <p>Achieve better outcomes made possible only through working together</p> | <p>Do not integrate service, financial and workforce planning</p> <p>Unable to identify the costs of administering the partnership</p> <p>Deliver services in the same way or change how services are delivered without examining the costs and benefits of other options</p> <p>Have duplicate services or have gaps in provision for some people</p> <p>Plan, allocate and manage their resources separately</p> <p>Fail to achieve efficiencies or other financial benefits</p> <p>Unable to demonstrate what difference the partnership has made</p> |

Appendix 2 - References

1. Kanter, R.M. (1994) Collaborative advantage: the art of alliances. *Harvard Business Review (July-August)*, pp. 96-108
2. Building a Working Definition of Partnership (African Partnerships for Patient Safety), World Health Organization (WHO) 2009
3. The concepts of partnership and collaboration: Ros Carnwell and Alex Carson
4. Cook, A (2015) Partnership Working Across UK Public Services Edinburgh: What Works Scotland.
5. Successful partnerships – A guide (2006); OECD LEED forum on partnerships and local governance

Other sources

Audit Scotland Good governance principles for partnership working 2011

Briefing report for the Scrutiny Committee – Council Tax Reduction Scheme (CTRS)

History of the CTRS

The Council introduced a CTRS on the 1/4/13 when the Government phased out the prevailing Council Tax Benefit Scheme (administered by the Dept. of Work & Pensions).

The Government's rationale was twofold; to reduce the level of benefit paid to working age claimants and to provide for a scheme to encourage more people in to work. The overall level of funding was reduced by 10% - this amounted to circa £5.1m in 2012/13 – so a £510k cut. This new scheme would only impact working age claimants (i.e. pensioners would be protected).

This new scheme saw a significant amount of joint working across the Devon Councils in order to produce a scheme that was broadly consistent across the County. All of the Councils agreed they wanted to introduce a cost neutral scheme.

As part of the new scheme design all Councils had to consult with residents who would be affected by it. Mid Devon wrote to all of recipients of the existing CTB scheme in order to inform them of the proposed new schemes criteria.

Running in parallel with this process the Housing Benefits Manager and Director of Finance, Assets & Resources ran a number of member briefings for both District Council Members and the local Town and Parishes.

The scheme that was finally introduced in April 2013 was agreed by the Cabinet in December 2012 (copy attached to briefing report) and is based on the following criteria and was estimated to affect circa 2,600 of our existing CTB claimants (working age):

- 1 - Everyone should pay something. All working age claimants will be required to pay a contribution towards their Council tax. This will restrict the level of support to 80% - i.e. the claimant will be required to pay 20% of their Council Tax charge.
- 2 - Limit the amount of Council tax support to a Band D charge. This change will affect 97 customers.
- 3 - Reduce the savings limit from £16,000 to £8,000. This change will affect 47 customers.
- 4 - Stop Second Adult Rebate. This will affect 18 customers.
- 5 - Additional support for exceptional cases of hardship.

This is a discretionary payment that will be used in exceptional cases to protect the most vulnerable customers and is included in the Council Tax and Business Rates discretionary relief framework.

Other Welfare Issues

Members should also be reminded that during the 5 years since the CTRS has been introduced a number of other welfare changes have been introduced and will have impacted upon residents in the Mid Devon area. For example (and this is not an exhaustive list):

Social sector size reductions, Benefit Cap, Welfare Assistance Cap, Local Housing Allowance, Universal Credit, etc.

2017/18

The CTRS has had a few changes since its introduction in April 2013. The most recently amended scheme was taken through Cabinet in November 2016 and is attached to this report.

For Members information as at the 24/2/18 we had 1,942 (working age) claimants of CTRS who were receiving £1,578,536 in CTR – i.e. circa £813 per claimant. In addition to this we had 29 Exceptional Hardship claims. With regard to helping residents who have been or are being impacted by the CTRS officers in both Revenues and our Housing Benefit Teams will refer individuals to our EH policy (again attached to this briefing paper) and will work with them to establish their ability to pay the reduced level of Council Tax levied and will offer payment arrangements that may be more suited to their financial situation.

In addition Members will also be aware of our ongoing contract with Wisermoney who offer financial advice and signposting help to all residents who engage with them. This can help residents maximise any wider benefit entitlement and offer help with financial planning/control with items such as utility bills and card payments.

Andrew Jarrett – Director of Finance, Assets & Resources

Localisation of Council Tax Benefit - Council Tax Support Scheme

Cabinet member: Councillor Neal Davey
Responsible Officer: Head of Finance

Reason for the report:

The Local Government Finance Bill, enacted on the 31 October 2012, provides for the localisation of council tax support by imposing a duty on billing authorities to make a local council tax support scheme by 31 January 2013. This replaces the current national Council Tax Benefit scheme.

RECOMMENDATION(S): Cabinet recommend that the Council:

- 1 – Adopt the Council Tax Support Scheme (CTSS) from 1 April 2013 – including the criteria set out in paragraph 4.3.
- 2 – Adopt the CTSS exceptional hardship framework – as set out in Appendix 3.
- 3 – Update the Council's constitution to allow determinations under the new CTSS (Section 13A(2)) to be made by Officers employed within the Revenues & Benefits Service.

Relationship to the Corporate Plan: The Council needs to ensure it has a formally approved scheme to grant the correct levels of Council Tax Support in accordance with its agreed policy in an accurate and timely manner.

Financial implications and risk assessment : There is a financial risk to the Council in creating a localised Council tax support scheme to replace council tax benefit for working age, these relate to:

- meeting the timescales, as failure to do so will result in the default scheme being imposed which will have costly implications and is likely to bring us into conflict with the major precepting authorities
- this is a demand led scheme that will be funded from a fixed grant payment
- forecasting demand, modelling caseload and predicting collection levels in order to give accurate data for budget and council tax setting for all major precepts.
- increased collection and recovery costs
- increased arrears and possible write offs

Legal implications: Section 13A(2) of the Local Government Finance Act 1992 Finance Bill, requires the Council to approve a local Council Tax Support Scheme. Schedule 1A to the 1992 Act provides further detail on the operation of the scheme; regulations prescribe classes of person who must be included in a scheme.

1.0 Introduction

1.1 This report updates Members on the progress of the design of a scheme for Mid Devon, the findings from the consultation exercise and details the work carried out on the equality impact assessment. The Cabinet now needs to consider; the final Council Tax Support Scheme (CTSS), the exceptional hardship policy and the delegated powers required to administer the new CTSS in practise under Section 13a of the Local Government Finance Act.

1.2 The current grant is approximately £5.1m but this is effectively spread across the preceptors as follows:

| | | £k |
|----------------------------|-------|--------------|
| Devon County Council | 71.3% | 3,636 |
| Mid Devon District Council | 11.6% | 593 |
| Police | 10.2% | 520 |
| Fire | 4.7% | 241 |
| Parish | 2.2% | <u>110</u> |
| | TOTAL | <u>5,100</u> |

1.3 Detailed reports have been presented to the Community Well Being PDG and the Cabinet in April, May and August outlining the new legislation and how the Council would implement it. In addition to these meetings, two all Member briefings were held to enable Members to ask more detailed questions surrounding these technical changes. The Cabinet meeting on the 2 August 2012 proposed a draft scheme prior to a consultation exercise commencing in early August.

1.4 The clear steer from the major precepting authorities has been they are looking for a “cost neutral” scheme (i.e. one that matches the reduction in funding). Although they do not have any actual right to veto as part of the consultation process, it is important that Councils obtain their agreement as they take a major financial burden in the cost of the scheme (in proportion to their share of council tax).

1.5 All Devon councils have worked together to reduce the burden of work, engage consultancy, share expertise, interpret the legislation and develop their schemes.

1.6 Extensive consideration has been given to the possible options. Further consideration has included not only to establishing levels of savings but also to ensure other principles of the scheme are met, such as creating incentives into work whilst protecting the most vulnerable.

1.7 The current national council tax benefit scheme has been in place for many years and is considered fair when considering the different make up of customers. Given the tight timescales the Devon project group recommended the new Council Tax Support Scheme should remain similar with some adjustments to the current Council Tax Benefit scheme to find the savings needed.

1.8 A draft scheme was presented to Cabinet on 12 August 2012 where approval was given for a consultation exercise to be carried out.

2.0 Consultation

2.1 An 8 week consultation took place on the draft Council tax support scheme from 6 August 2012 to 1 October 2012. This consultation was based on a draft scheme which proposed the following changes:

- Council tax support limited to 75%
- Limit support up to a Band D level
- Reduce the level of capital/savings to £6k
- Stop the Second Adult Rebate
- Introduce an exceptional hardship policy/fund

2.2 The Council received 1,009 responses to this consultation exercise. The three major areas of consensus identified from this exercise were, that many benefit claimants would experience financial hardship if they had to pay 25% of their Council Tax bill, many agreed that the capital allowance reduction was “unfair” and finally most supported the concept of an exceptional hardship fund. All of the feedback from the consultation exercise has been discussed at a number of meetings and has been used to shape the final scheme. See Appendix 1 for full details of Consultation and findings

2.3 As part of the requirements of preparing a scheme the Council is required to also consult with all the major precepting authorities prior to a draft scheme being published. As the major precepting authorities have been part of our Devon working group they have been consulted on the basis of aiming to develop a ‘cost neutral scheme’.

3.0 Financial Issues

2.1 In 2012/13 the Council estimates £5.1m will be awarded in Council Tax Benefit. This is currently funded, whatever the final payment level, by the Department for Work & Pensions.

3.2 To enable billing authorities to design a new scheme the Department of Communities and Local Government (DCLG) issued a Statement of Intent setting out the funding arrangements for the new scheme. This will be a fixed grant and the funding will be cut by 10% for 2013/14. However formal confirmation of this exact sum will not be received until mid/late December. It should be noted that this will be a specific grant in 13/14 but subsumed into Formula Grant from 14/15 onwards.

3.3 Design and detailed modelling of the new scheme took place based on this 10% reduction. At this point it should be remembered that the Government legislation protected pensioners from any reduction, which effectively more than doubles the potential amount that working age customers will have to pay, based on our existing caseload of Council Tax Benefit (CTB) claimants.

- 3.4 On 18 October the Government announced a further £100m “transitional funding” voluntary grant would be paid to councils who choose to design their scheme to ensure those who were previously receiving 100% CTB would pay no more the 8.5% of their council tax liability. There were other conditions included which meant the principles used for our consultation would not be permitted. This would provide a further £123k for Mid Devon.
- 3.4.1 Central Government appears to have offered this additional “one-off” funding as Ministers are concerned that many proposed schemes will impact on working age customers on low incomes. However, at this juncture it is worth noting that most Councils, identified this issue from the very outset when this new legislation was announced and very actively voiced their concerns. This point is well made in a pan-Devon letter signed by all of Devon Councils reiterating the very real concerns associated with the existing legislation and associated funding cut (see appendix 2).
- 3.5 The Council now has effectively 3 options. Do nothing, which means having a default position, i.e. the Council has to pay in accordance with existing CTB conditions but with £510k less funding, or accept the latest Government Grant or introduce its own CTSS. The financial effect of these 3 options are summarised in the table shown below.

3 options and associated cost

| | Default Scheme | Scheme with new Govt. funding | Council proposed CTSS |
|-------------------------|----------------|-------------------------------|-----------------------|
| Saving Required – 10% | £510k | £510k | £510k |
| Reduced Benefit | | (£229k) @ 8.5% | (£510k) @ 20% |
| Government Grant | (£123k) | (123k) | Nil |
| Budget shortfall | £387k | £158k | Nil |

Note: Reduced benefit in Council CTSS also includes the other changes, (See 4.3 B - D below)

General note – the above costs of both the default scheme and the revised option including the additional grant from Government and is based on the total cost to all of the major preceptors (including Mid Devon). Meetings are currently being convened between Devon County Council and some Districts to establish whether they are still maintaining their stance that the scheme must be “cost neutral”. Members will be updated on the progress of these meetings.

4.0 Final Scheme

4.1 The Council now proposes a means tested scheme based on the current Council Tax Benefit scheme that has a mechanism in place to account for the needs of different customers and families. For example:

- a disabled claimant would have a higher level of income disregarded as part of the calculation to give them more benefit
- a couple with children would have a higher level of income disregarded as part of the calculation compared to a couple without children

4.2 Pensioners are protected under the legislation being imposed on Councils when they determine their own local scheme.

4.3 Therefore, after taking account of feedback from the detailed consultation exercise in conjunction with the specific requirements of the imposed legislation and the significant cut in funding, the Council is proposing to implement a new CTSS on the 1 April 2013 with the following criteria:

A. Everyone should pay something All working age claimants will be required to pay a contribution towards their Council tax. This will restrict the level of support to 80% - i.e. the claimant will be required to pay 20% of their Council Tax charge.

B. Limit the amount of Council tax support to a Band D charge. This change will affect 97 customers.

C. Reduce the savings limit from £16,000 to £8,000 This change will affect 47 customers.

D. Stop Second Adult Rebate This will affect 18 customers.

E. Additional support for exceptional cases of hardship.

This is a discretionary payment that will be used in exceptional cases to protect the most vulnerable customers. See Appendix 3 which now forms part of the Council Tax and Business Rates discretionary relief framework.

4.4 By maintaining the core components of the current council tax benefit system (albeit with the above 5 changes) the Council are still preserving the means test in its current form, together with the protections and work incentives that have been refined over many years. The benefit system has been in place since the start of council tax (1993) and regulations have been developed and updated over this time and will have been subject to many legal challenges. It can therefore be assumed that, the current council tax benefit system is a robust and proven system

- 4.5 To appraise members of the potential impact on existing customers of the proposed scheme, the table below is included to provide a summary of the overall impact on current Council Tax Benefit claimants. Note 5,682 claimants (3,016 pensioners (53%) and 2,666 are working age (47%)).

| Weekly loss | Number of working age claimants | % |
|-----------------|---------------------------------|----|
| Less than £2.00 | 42 | 2 |
| £2.01 - £3.00 | 170 | 6 |
| £3.01 - £4.00 | 1,247 | 47 |
| £4.01 - £5.00 | 798 | 30 |
| £5.01 - £10.00 | 336 | 13 |
| £10.01 - £15.00 | 39 | 1 |
| £15.01 - £20.00 | 13 | |
| £20.01 - £25.00 | 7 | |
| £25.01 - £30.00 | 9 | |
| £30.01 - £35.00 | 2 | |
| £35.01 - £40.00 | 3 | |
| £40.01 - £45.00 | 0 | |
| Total | 2,666 | |

Note %'s subject to rounding.

- 4.6 In conjunction with the consultation exercise the Council has undertaken a detailed equality impact assessment, which is attached to this report as Appendix 4.
- 4.7 The new CTSS introduced in accordance with Section 13A(2) of the Local Government Finance Act 1992 contains the recommended Council Tax Support Scheme to apply from 1 April 2013 and is available under background papers and is available in hard copy form in the Member's Room. This policy document has been drawn up by ACS Independent Consultancy & Training Support and has been reviewed and approved by Plymouth City Council Legal Services. See link under background papers

5.0 Devon-wide CTSS

- 5.1 All the Devon Authorities have been working together to develop a Devon wide framework. All the Billing Authorities (excluding Teignbridge) have been developing schemes on the principle of aiming for it to be cost neutral, i.e. grant = forecasted benefit expenditure.
- 5.2 Teignbridge have always said that 'cost neutral' for them included taking account of the additional income that can be raised from changes under Council tax technical reforms.

- 5.3 Since the Government announced (16 October 2012) additional funding for Council tax support schemes, there appears to be a possible change of direction by at least two Authorities who are considering at this late stage to take the default approach and are planning to use the additional income from technical reforms to offset the shortfall in order to deliver a cost neutral scheme. If they take this approach then they do not need to consult with the major precepting authorities. However, Devon County Council has made it clear that they do not want additional income generated from technical reforms to be used in this way.
- 5.4 For some Authorities this is not an option (not withstanding the fact that the major preceptors aren't prepared to allow it to happen) as the potential additional income that could be generated from the council tax technical reforms would not cover the shortfall in benefit expenditure. Appendix 5 details what the Devon Authorities are currently recommending as their final schemes.

6.0 Next Stage(s)

- 6.1 There is still a significant amount of work to be undertaken in implementing this scheme which includes:
- Communication plan
 - Publicise new scheme on website.
 - Need to purchase new on-line benefit calculator to reflect our new scheme
 - New leaflets for pensioners & working age claimants as now 2 schemes.
 - Raise awareness of final scheme with Welfare Agencies
 - Updating procedures and training staff
 - Write out to customers affected – early January
 - In response to the above mailshot we would consider offering revised payment plans to those most affected by the change
 - Review bills, letters and associated documentation which need to be sent out in early March

7.0 New Funding

- 7.1 With major changes in Government legislation, Councils will sometimes receive “New Burdens” funding. The Government announced the level of this funding would be £84k for Mid Devon It is recommended that this funding is used to meet any new costs of implementing the CTSS and in addition designing new processes to help customers through this transition. However, it is worth noting that much of this sum is already committed to enable necessary computer system changes.
- 7.2 In addition to the above a Devon wide business case is being submitted to all the major precepting authorities to provide Billing Authorities with additional financial resource for recovery teams in order to protect the collection fund.

8.0 Other Welfare Implications

8.1 In addition to the implementation of the CTSS the Council will also have to consider other welfare changes such as; Social Sector size restrictions, Benefit CAP, Welfare Assistance Scheme which replaces Crisis Loans and Council Tax Technical Reforms all for 1 April 2013. This is a significant amount of change in a very tight timescale at what is normally an extremely busy time of the financial year. All these changes are reliant on software and certain key staff to ensure that this all happens successfully.

9.0 Conclusion

9.1 If the Council considers the need to make changes to its scheme in 2014/15, Members will need to make any subsequent recommendations, at the latest in May, in order to meet the timescales of having a new scheme in place by 31 January 2014. Even minor changes will still require the Council to consult on a draft scheme with both the major precepting authorities and the public.

9.2 However, what we won't know by then is the impact of how this scheme is "bedding down" or what the grant funding will be for the 2014/15 until much later in the year. Members may wish to make recommendation on reviewing the impact of our scheme in May 2013 on the basis of what we know at that time.

9.3 Ideally, in the longer term it would be better to develop a much simpler system, especially once Housing Benefit migrates to Universal Credit as for the majority, there will no longer be dual assessments. A completely new scheme will take much more time to develop and set up and therefore consideration on lead time and resources is needed to ensure this can be achieved. This would not be before 2017 when Universal Credit is fully implemented.

Contact for more Information: Andrew Jarrett 01884 234242 and Dawn Harris 01884 234372

Circulation of the Report: Cllr N Davey and Management Team

List of Background Papers:

- Full Equality Impact Assessment
- Joint Cabinet (5 April 2012) and Community Well Being Policy Development Group (29 May 2012) and Cabinet 2 August 2012
- Exceptional Hardship Policy
- Section 13A Policy – hard copy available in Members Room from the 15 November 2012 and copy on the website next to this report
- Letter from all Devon Authorities to LGA
- Letter from Plymouth City Council's Legal Service
- Full consultation analysis

29 NOVEMBER 2016

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

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

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

RECOMMENDATION(S):

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

That Cabinet subsequently approve;

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

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

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

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

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

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

1.0 Introduction

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

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

2.0 Proposed changes

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

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

2.3

To align with Housing Benefit

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

2.4

To align with Universal Credit

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

3.0 Consultation

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

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

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

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

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

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

4 Amendment to proposed changes

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

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

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

5.0 Financial Impact

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

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

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

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

6. Equalities Implications /Public Sector Duty

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

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

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

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

7 Further Reviews

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

8 Conclusion

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

Contact for more Information: Dawn Harris Benefit Manager 01884 234372

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

Mid Devon District Council



Council Tax Reduction Scheme
Exceptional Hardship Policy

November 2016

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1.0 Background

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

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

1.3 The main features of the policy are as follows:

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

2.0 Exceptional Hardship and Equalities

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

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

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

3.0 Purpose of this policy

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

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

4.0 The Exceptional Hardship Process

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

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

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

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

4.3 It cannot be awarded for the following circumstances:

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

5.0 Awarding an Exceptional Hardship Payment

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

5.2 When making this decision the Council will consider:

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

- 5.3 The above list is not exhaustive and other relevant factors and special circumstances will be considered.
- 5.4 An award of Exceptional Hardship does not guarantee that a further award will be made at a later date, even if the applicant's circumstances have not changed.
- 5.5 An Exceptional Hardship payment may be less than the difference between the Council Tax liability and the amount of Council Tax Reduction paid. The level of payment may be nil if the authority feels that, in its opinion, the applicant is not suffering 'exceptional hardship' or where the applicant has failed to comply with the Exceptional Hardship process.

6.0 Publicity

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

7.0 Claiming an Exceptional Hardship payment

- 7.1 An applicant must make a claim for an Exceptional Hardship award by submitting an application to the Council. The application form can be obtained via the telephone, in person at one of the Council offices and/or via the Council's website.
- 7.2 Applicants can get assistance with the completion of the form from the Revenues and Benefits Service or Customer Services at the Council.
- 7.3 The application form must be fully completed and supporting information or evidence provided, as reasonably requested by the Council. The form must be returned within one calendar month of its issue.
- 7.4 In most cases the person who claims the Exceptional Hardship award will be the person entitled to Council Tax Reduction. However, a claim can be accepted from someone acting on another's behalf, such as an appointee, if it is considered reasonable.

8.0 Changes in circumstances

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

9.0 Duties of the applicant and the applicant's household

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

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

10.0 The award and duration of an Exceptional Hardship Payment

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

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

11.0 Payment

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

12.0 Overpaid Exceptional Hardship Payments

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

13.0 Notification of an award

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

14.0 Appeals

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

15.0 Fraud

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

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

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

16.0 Complaints

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

17.0 Policy Review

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

MID DEVON DISTRICT COUNCIL – NOTIFICATION OF KEY DECISIONS

May 2018

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) |
|------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|---------------------------------------------------|-----------------------------------------------------------------------------------|--------------------------------------------------------|--------------------------------------------------------------------------|
| Bereavement Services Fees and Charges A review of fees and charges | Environment Policy Development Group Cabinet | 15 May 2018 14 Jun 2018 | Andrew Jarrett, Director of Finance, Assets and Resources Tel: 01884 234242 | Leader of the Council (Councillor Clive Eginton) | Open |
| Community Housing Fund Grant Policy To receive a report from the Housing Services Manager regarding the new Community Housing Fund Policy. | Homes Policy Development Group Cabinet Council | 22 May 2018 14 Jun 2018 27 Jun 2018 | Claire Fry, Group Manager for Housing Tel: 01884 234920 | Cabinet Member for Housing (Councillor Ray Stanley) | Open |
| Tenant Involvement Policy To consider a revised policy | Homes Policy Development Group Cabinet | 22 May 2018 14 Jun 2018 | Claire Fry, Group Manager for Housing Tel: 01884 234920 | Cabinet Member for Housing (Councillor Ray Stanley) | 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) |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------|-----------------------------------------|-------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| <p>Tenant Involvement Strategy To consider a revised strategy</p> | <p>Homes Policy Development Group Cabinet</p> | <p>22 May 2018 14 Jun 2018</p> | <p>Claire Fry, Group Manager for Housing Tel: 01884 234920</p> | <p>Cabinet Member for Housing (Councillor Ray Stanley)</p> | <p>Open</p> |
| <p>Housing Infrastructure Fund To consider a report regarding a bid for funding and other issues. The General Exception Rule (15) applies to this item as there is a need to accord with the timeline requirements of Homes England in relation to the infrastructure funding opportunity arising from a successful 'Housing Infrastructure Fund' bid. The Chairman of the Scrutiny Committee has been informed.</p> | <p>Cabinet</p> | <p>23 May 2018</p> | <p>Jenny Clifford, Head of Planning, Economy and Regeneration Tel: 01884 234346</p> | <p>Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)</p> | <p>Open</p> |
| <p>Single Equalities Policy and Equality Objective Report outlining the Council's statutory duties under the</p> | <p>Community Policy Development Group</p> | <p>29 May 2018</p> | <p>Jill May, Director of Corporate Affairs and Business Transformation Tel:</p> | <p>Cabinet for the Working Environment and Support Services</p> | <p>Open</p> |

| Title of report and summary of decision | Decision Taker | Date of Decision | Officer contact | Cabinet Member | Intention to consider report in private session and the reason(s) |
|-----------------------------------------------------------------------------------------------------------------|----------------|------------------|-------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| Equality Act 2010, and to seek Members' approval for the revised Single Equality Scheme and Equality Objective. | Cabinet | 14 Jun 2018 | 01884 234381 | (Councillor Margaret Squires) | |
| Revised Data Protection Policy To consider a revised policy | Cabinet | 14 Jun 2018 | Catherine Yandle, Group Manager for Performance, Governance and Data Security Tel: 01884 234975 | Cabinet for the Working Environment and Support Services (Councillor Margaret Squires) | Open |
| Records Management To consider a revised policy | Cabinet | 14 Jun 2018 | Catherine Yandle, Group Manager for Performance, Governance and Data Security Tel: 01884 234975 | Cabinet Member for Community Well Being (Councillor Colin Slade) | Open |
| Revised Freedom of Information Policy To consider a revised policy | Cabinet | 14 Jun 2018 | Catherine Yandle, Group Manager for Performance, Governance and Data Security Tel: 01884 234975 | 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) |
|----------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|----------------------------|------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| Tiverton Eastern Urban Extension Area A – Masterplanning - Land South of West Manley Lane To consider the consultation responses. | Cabinet | 14 Jun 2018 | Jenny Clifford, Head of Planning, Economy and Regeneration Tel: 01884 234346 | Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton) | Open |
| Revenue and Capital Outturn 2017/18 Presentation of the revenue and capital outturn figures for the 2017/18 financial year. | Cabinet | 14 Jun 2018 | Andrew Jarrett, Director of Finance, Assets and Resources Tel: 01884 234242 | Cabinet Member for Finance (Councillor Peter Hare-Scott) | Open |
| Annual Treasury Report Information regarding the treasury management performance for 2017/18 | Cabinet Council | 14 Jun 2018 27 Jun 2018 | Andrew Jarrett, Director of Finance, Assets and Resources Tel: 01884 234242 | Cabinet Member for Finance (Councillor Peter Hare-Scott) | Open |
| Revenues and Benefits Performance Report To consider the performance on Council Tax, Non Domestic Rates and Housing Benefit performance. | Cabinet | 14 Jun 2018 | Andrew Jarrett, Director of Finance, Assets and Resources Tel: 01884 234242 | Cabinet Member for Finance (Councillor Peter Hare-Scott) | Open |
| Cleaning Contractors To approve the outcome of the procurement exercise. | Cabinet | 14 Jun 2018 | Andrew Jarrett, Director of Finance, Assets and | Cabinet for the Working Environment 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) |
|----------------------------------------------------------------------------------------------------------------|--------------------|----------------------------|------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| | | | Resources Tel: 01884 234242 | Support Services (Councillor Margaret Squires) | |
| Tiverton Eastern Urban Extension Area B Masterplanning To consider the outcome of the tender process | Cabinet | 14 Jun 2018 | Jenny Clifford, Head of Planning, Economy and Regeneration Tel: 01884 234346 | Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton) | Part exempt |
| Custom and Self Build To consider a report discussing processes. | Cabinet | 14 Jun 2018 | Jenny Clifford, Head of Planning, Economy and Regeneration Tel: 01884 234346 | Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton) | Open |
| Annual Treasury Management Report To consider the outturn report | Cabinet Council | 14 Jun 2018 27 Jun 2018 | Andrew Jarrett, Director of Finance, Assets and Resources Tel: 01884 234242 | Cabinet Member for Finance (Councillor Peter Hare-Scott) | Open |
| Local Plan Examination Hearing | Cabinet | 14 Jun 2018 | Jenny Clifford, Head of Planning, | 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 the role of officers in the examination and hearing process. | Council | 27 Jun 2018 | Economy and Regeneration Tel: 01884 234346 | Economic Regeneration (Councillor Richard Chesterton) | |
| Greater Exeter Strategic Plan To consider a report of the Head of Planning, Economy and Regeneration regarding draft strategic plan. | Cabinet Council | 5 Jul 2018 29 Aug 2018 | Jenny Clifford, Head of Planning, Economy and Regeneration Tel: 01884 234346 | Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton) | Open |
| Town Centre Masterplan following public consultation To consider that masterplan. | Cabinet | 5 Jul 2018 | Jenny Clifford, Head of Planning, Economy and Regeneration Tel: 01884 234346 | Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton) | Open |
| Proposals for improvements to Tiverton Town Centre To receive a presentation on | Cabinet | 5 Jul 2018 | Andrew Jarrett, Director of Finance, Assets and Resources Tel: | Cabinet Member for Housing (Councillor Ray Stanley) | Fully exempt |

| 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) |
|----------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------|--------------------------------------------------|--------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| proposals for improvements to Tiverton Town Centre, seeking authority to go out to tender with a view to progress project work'. | | | 01884 234242 | | |
| Human Resources Strategy To consider the revised strategy | Cabinet | 5 Jul 2018 | Jane Cottrell, Group Manager for Human Resources Tel: 01884 234919 | Cabinet for the Working Environment and Support Services (Councillor Margaret Squires) | Open |
| Repairing Footpaths and Roads Policy | Environment Policy Development Group Cabinet Council | 10 Jul 2018 2 Aug 2018 29 Aug 2018 | Steve Densham, Development Services Manager Tel: 01884 234921 | Cabinet Member for Housing (Councillor Ray Stanley) | Open |
| Market Rights Policy A report proposing the adoption of a new Market Policy. | Economy Policy Development Group Cabinet | 12 Jul 2018 2 Aug 2018 | Adrian Welsh, Group Manager for Growth, Economy and Delivery Tel: 01884 234398 | Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton) | 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 | 29 Aug 2018 | | | |
| Tenancy Strategy To consider a report regarding the revised strategy. | Homes Policy Development Group Cabinet | 17 Jul 2018 2 Aug 2018 | Claire Fry, Group Manager for Housing Tel: 01884 234920 | Cabinet Member for Housing (Councillor Ray Stanley) | Open |
| Rechargeable Repairs To receive a report reviewing the Rechargeable Repairs Policy. | Homes Policy Development Group Cabinet | 17 Jul 2018 2 Aug 2018 | Mark Baglow, Group Manager for Building Services Tel: 01884 233011 | Cabinet Member for Housing (Councillor Ray Stanley) | Open |
| Gas Safety Policy To consider a report regarding the revised Gas Safety Policy. | Homes Policy Development Group Cabinet | 17 Jul 2018 2 Aug 2018 | Mark Baglow, Group Manager for Building Services Tel: 01884 233011 | Cabinet Member for Housing (Councillor Ray Stanley) | Open |
| Void Management Policy To receive a report from the Group Manager for Building Services presenting the revised Void Management Policy. | Homes Policy Development Group Cabinet | 17 Jul 2018 2 Aug 2018 | Mark Baglow, Group Manager for Building Services Tel: 01884 233011 | 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) |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|----------------------------------------|---------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------|-------------------------------------------------------------------|
| <p>ASB Policy and Procedures To receive a report from the Group Manager for Housing presenting the revised Anti-Social Behaviour Policy and Procedures.</p> | <p>Homes Policy Development Group Cabinet</p> | <p>17 Jul 2018 2 Aug 2018</p> | <p>Claire Fry, Group Manager for Housing Tel: 01884 234920</p> | <p>Cabinet Member for Housing (Councillor Ray Stanley)</p> | <p>Open</p> |
| <p>Asbestos Management Plan To receive a report from the Group Manager for Building Services presenting the Revised Asbestos Management Plan.</p> | <p>Homes Policy Development Group Cabinet</p> | <p>17 Jul 2018 2 Aug 2018</p> | <p>Mark Baglow, Group Manager for Building Services Tel: 01884 233011</p> | <p>Cabinet Member for Housing (Councillor Ray Stanley)</p> | <p>Open</p> |
| <p>Corporate Asbestos Policy To receive a report from the Group Manager for Building Services presenting the revised Corporate Asbestos Policy.</p> | <p>Homes Policy Development Group Cabinet</p> | <p>17 Jul 2018 2 Aug 2018</p> | <p>Mark Baglow, Group Manager for Building Services Tel: 01884 233011</p> | <p>Cabinet Member for Housing (Councillor Ray Stanley)</p> | <p>Open</p> |
| <p>Illegal Encampment Policy To receive a report regarding a policy regarding to Illegal Encampment</p> | <p>Community Policy Development Group Cabinet</p> | <p>24 Jul 2018 2 Aug 2018</p> | <p>Andrew Busby, Group Manager for Corporate Property and Commercial Assets Tel: 01884 234948</p> | <p>Cabinet Member for Community Well Being (Councillor Colin Slade)</p> | <p>Open</p> |

| Title of report and summary of decision | Decision Taker | Date of Decision | Officer contact | Cabinet Member | Intention to consider report in private session and the reason(s) |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------|--------------------------------------------------|-------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| | Council | 29 Aug 2018 | | | |
| Public Health Enforcement Policy 2 yearly review | Community Policy Development Group Cabinet | Before 31 Jul 2018 Before 31 Aug 2018 | Simon Newcombe, Group Manager for Public Health and Regulatory Services Tel: 01884 234615 | Cabinet for the Working Environment and Support Services (Councillor Margaret Squires) | Open |
| Annual Report of Complaints, Comments and Compliments To consider this annual report | Cabinet | 30 Aug 2018 | Jill May, Director of Corporate Affairs and Business Transformation Tel: 01884 234381 | Cabinet for the Working Environment and Support Services (Councillor Margaret Squires) | Open |
| Exe Valley Area of Outstanding Natural Beauty To consider the setting up of a partnership to explore an AONB for the Exe Valley and other issues. | Environment Policy Development Group Cabinet Council | 4 Sep 2018 27 Sep 2018 24 Oct 2018 | Adrian Welsh, Group Manager for Growth, Economy and Delivery Tel: 01884 234398 | Leader of the Council (Councillor Clive Eginton) | Open |

| Title of report and summary of decision | Decision Taker | Date of Decision | Officer contact | Cabinet Member | Intention to consider report in private session and the reason(s) |
|----------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|------------------------------------------------------|---------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| Economic Strategy To consider a new policy. | Economy Policy Development Group Cabinet Council | 6 Sep 2018 27 Sep 2018 24 Oct 2018 | Adrian Welsh, Group Manager for Growth, Economy and Delivery Tel: 01884 234398 | Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton) | Open |
| Neighbourhood Management Policy To receive a report from the Group Manager for Housing presenting the revised Neighbourhood Management Policy. | Homes Policy Development Group Cabinet | 11 Sep 2018 27 Sep 2018 | Claire Fry, Group Manager for Housing Tel: 01884 234920 | Cabinet Member for Housing (Councillor Ray Stanley) | Open |
| Customer Care Policy 3 yearly review | Community Policy Development Group Cabinet | 18 Sep 2018 27 Sep 2018 | Jill May, Director of Corporate Affairs and Business Transformation Tel: 01884 234381 | Cabinet for the Working Environment and Support Services (Councillor Margaret Squires) | Open |
| Community Engagement Strategy 2018 Report updating Members on progress made with the | Community Policy Development Group | 18 Sep 2018 | Jill May, Director of Corporate Affairs and Business Transformation Tel: | Cabinet Member for Community Well Being (Councillor Colin | 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) |
|--------------------------------------------------------------------------------|---------------------------------------------------|--------------------------------|---------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| Community Engagement Action Plan and to review the strategy and focus for 2018 | Cabinet | 27 Sep 2018 | 01884 234381 | Slade) | |
| Community Engagement Action Plan To consider a revised action plan | Community Policy Development Group Cabinet | 18 Sep 2018 27 Sep 2018 | Jill May, Director of Corporate Affairs and Business Transformation Tel: 01884 234381 | Cabinet for the Working Environment and Support Services (Councillor Margaret Squires) | Open |
| Vehicle Maintenance Contract To consider the maintenance contract. | Cabinet | 27 Sep 2018 | Stuart Noyce, Group Manager for Street Scene and Open Spaces | Leader of the Council (Councillor Clive Eginton) | Open |
| ICT Strategy Report regarding a review of the ICT Strategy | Cabinet | 25 Oct 2018 | Jill May, Director of Corporate Affairs and Business Transformation Tel: 01884 234381 | Cabinet Member for Community Well Being (Councillor Colin Slade) | Open |
| Medium Term Financial Plan To consider the MTFP. | Cabinet | 25 Oct 2018 | 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) |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|----------------------------|----------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------|-------------------------------------------------------------------|
| Draft 19/20 General Fund and Capital Programme To consider options available in order for the Council to set a balanced budget for 2019/20. | Cabinet | 25 Oct 2018 | Andrew Jarrett, Director of Finance, Assets and Resources Tel: 01884 234242 | Cabinet Member for Finance (Councillor Peter Hare-Scott) | Open |
| Treasury Management Strategy and Mid Year Review Report To consider a report of the Treasury performance during the first 6 months of the financial year. | Cabinet Council | 25 Oct 2018 19 Dec 2018 | Andrew Jarrett, Director of Finance, Assets and Resources Tel: 01884 234242 | Cabinet Member for Finance (Councillor Peter Hare-Scott) | Open |
| Information Security To consider a revised policy | Cabinet | 25 Oct 2018 | Catherine Yandle, Group Manager for Performance, Governance and Data Security Tel: 01884 234975 | Cabinet Member for Community Well Being (Councillor Colin Slade) | Open |
| Information Security Incident To consider a revised policy | Cabinet | 25 Oct 2018 | Catherine Yandle, Group Manager for Performance, Governance and Data Security Tel: 01884 234975 | Cabinet Member for Community Well Being (Councillor Colin Slade) | Open |

| Title of report and summary of decision | Decision Taker | Date of Decision | Officer contact | Cabinet Member | Intention to consider report in private session and the reason(s) |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------|-----------------------------------------|----------------------------------------------------------------|------------------------------------------------------------|-------------------------------------------------------------------|
| <p>Supply and Demand Policy To receive a report from the Group Manager for Housing presenting the revised Supply and Demand Policy.</p> | <p>Homes Policy Development Group Cabinet</p> | <p>13 Nov 2018 22 Nov 2018</p> | <p>Claire Fry, Group Manager for Housing Tel: 01884 234920</p> | <p>Cabinet Member for Housing (Councillor Ray Stanley)</p> | <p>Open</p> |
| <p>Severe Weather Emergency Protocol and Extended Winter Provision Protocol To receive a report from the Group Manager for Housing presenting an updated Severe Weather Emergency Protocol and Extended Winter Provision Protocol.</p> | <p>Homes Policy Development Group Cabinet</p> | <p>13 Nov 2018 22 Nov 2018</p> | <p>Claire Fry, Group Manager for Housing Tel: 01884 234920</p> | <p>Cabinet Member for Housing (Councillor Ray Stanley)</p> | <p>Open</p> |

Scrutiny Officer update 21st May 2018

1. Road Maintenance and repairs in Mid Devon

Further contact has been made by the Scrutiny officer with the Devon County Council (DCC) Governance team that are handling our request. The latest response is that DCC officers are dealing with the request and that 'the enquiry was passed to the Highways department to respond as a business as usual request'.

2. Partnership Working Group

This project has run over a period of some two years, with officers who have now left the Council. Some parts of the report are now historical and therefore included in the conclusion is a recommendation that we potentially revisit this subject to see what further developments have occurred. The report is on the agenda (item 9).

3. Anaerobic Digestion Working Group

The working group is awaiting comment from the Leadership team, Environmental Health and Legal on the first draft of the AD report. It is anticipated that it will be tabled at the Full Scrutiny meeting in June. It should be noted that the report concerns the process, regulation, health impact and business of anaerobic digestion and is not a report focussing on any specific concerns raised by residents around slurry pits.

4. Community Engagement Working Group

The working group will hold its first meeting on 6th June 2018. A draft scope is being developed in preparation for the meeting.

5. Summary of complaints to Council

The Chair has suggested it might be useful to look at what issues residents are concerned about in terms of Council's performance and services. An analysis of complaints, compliments and comments to Council may uncover any topics and/or themes that the Scrutiny Committee may wish to investigate further. Summaries for 2016/17 and 2017/8 are attached to help discussion.

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Summary of Comments processed from Apr 1 2016 to Mar 31 2017

| Service | Complaints | Compliments | Comments |
|------------------------|-------------------|--------------------|-----------------|
| Affordable Housing | 1 | 0 | 0 |
| Business Rates | 1 | 0 | 0 |
| Car Parks | 10 | 0 | 2 |
| Cemeteries | 1 | 0 | 0 |
| Community Alarms | 1 | 1 | 0 |
| Community Development | 0 | 0 | 1 |
| Council Tax Billing | 15 | 0 | 4 |
| Council Tax Recovery | 1 | 1 | 0 |
| Council Tax Reduction | 1 | 0 | 0 |
| Customer Services | 10 | 14 | 9 |
| Customer_Services | 7 | 1 | 0 |
| Dog Strays or Fouling | 2 | 1 | 0 |
| Electoral Register | 1 | 0 | 0 |
| Environmental Services | 2 | 2 | 1 |
| Fly Tipping | 1 | 2 | 1 |
| Garden Waste | 5 | 2 | 10 |
| Grass Cutting | 8 | 0 | 0 |
| High Hedges | 1 | 0 | 0 |
| Homelessness | 0 | 5 | 0 |
| Housing Benefits | 11 | 8 | 0 |
| Housing Repairs | 57 | 136 | 21 |
| Housing Tenancy | 38 | 8 | 0 |
| Human Resources | 1 | 0 | 0 |
| Leisure | 18 | 2 | 28 |
| Licensing | 1 | 0 | 0 |
| Markets | 1 | 0 | 0 |
| Parks and Flower Beds | 2 | 1 | 0 |
| Planning | 27 | 7 | 0 |
| Play Areas | 3 | 0 | 0 |
| Private Sector Housing | 1 | 0 | 0 |
| Property Services | 8 | 1 | 3 |
| Recycling | 50 | 23 | 14 |
| Refuse Collection | 37 | 12 | 7 |
| Street Cleansing | 1 | 0 | 2 |
| | 0 | 2 | 0 |
| Public Toilets | 0 | 0 | 1 |
| Totals | 324 | 229 | 104 |

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Summary of Comments processed from Apr 1 2017 to Mar 31 2018

| Service | Complaints | Compliments | Comments |
|--------------------------------|-------------------|--------------------|-----------------|
| Car Parks | 17 | 0 | 6 |
| Cemeteries | 2 | 0 | 0 |
| Community Alarms | 1 | 2 | 0 |
| Council Tax Billing | 9 | 0 | 3 |
| Council Tax Reduction | 1 | 0 | 0 |
| Customer Services | 11 | 12 | 8 |
| Customer_Services | 1 | 0 | 1 |
| Electoral Register | 4 | 0 | 0 |
| Environmental Services | 2 | 0 | 0 |
| Fly Tipping | 1 | 1 | 1 |
| Garden Waste | 17 | 2 | 76 |
| Grass Cutting | 6 | 4 | 2 |
| High Hedges | 1 | 1 | 0 |
| Homelessness | 1 | 3 | 1 |
| Housing Benefits | 13 | 0 | 0 |
| Housing Repairs | 55 | 46 | 59 |
| Housing Tenancy | 34 | 14 | 3 |
| Leisure | 11 | 0 | 5 |
| Licensing | 1 | 0 | 0 |
| Markets | 1 | 0 | 0 |
| Parks and Flower Beds | 0 | 8 | 3 |
| Planning | 17 | 5 | 0 |
| Planning - Development Control | 1 | 0 | 0 |
| Pollution incl Noise | 1 | 0 | 0 |
| Private Sector Housing | 2 | 0 | 1 |
| Property Services | 2 | 1 | 3 |
| Recycling | 22 | 13 | 13 |
| Refuse Collection | 25 | 12 | 11 |
| Street Cleansing | 3 | 0 | 0 |
| Trade Waste | 1 | 1 | 0 |
| Bulky Waste | 0 | 1 | 0 |
| ICT Services | 0 | 0 | 2 |
| Public Toilets | 0 | 0 | 1 |
| Community Housing support | 0 | 1 | 0 |
| Audit | 0 | 0 | 1 |
| Totals | 263 | 127 | 200 |

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