CABINET
9 AUGUST 2022

PERFORMANCE AND RISK REPORT

Cabinet Member	Cllr Bob Deed, the Leader of the Council
Responsible Officer	Matthew Page, Corporate Manager for People, Performance & Waste.

Reason for Report: To provide Members with an update on performance against the corporate plan and local service targets for 2022-23 as well as providing an update on the key business risks.

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

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

Financial Implications: There are no direct financial implications arising from this report. However, if performance is not at the expected or desired level then resources may need to be reviewed or redirected to enable more focused performance.

Budget and Policy Framework: Produced in accordance with the Risk Management Strategy.

Legal Implications: There are no direct legal implications arising from this report. However, if performance is not at satisfactory levels, the risk of legal challenge arising increases.

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

Equality Impact Assessment: Customer feedback can help the council identify any groups of people who may potentially be experiencing a less satisfactory level of service when compared to the majority of our customers. When reviewing performance and making recommendations on priorities, the council should be minded to consider how services might impact on different sections of the community.

Impact on Climate Change: A number of performance indicators are either directly or indirectly related to our corporate ambition to reduce carbon emissions. Monitoring the performance of these can help evaluate the impact of Council interventions as well as guide future decisions on spend and investment.

1.0 Introduction

1.1 Appendices 1-5 provide Members with details of performance against the Corporate Plan and local service targets for quarter 1 in the financial year of 2022-23.

1.2 Appendix 6 shows the higher impact risks from the Corporate Risk Register. This includes Operational and Health & Safety risks where the score meets the criteria for inclusion. See 3.0 below.

1.3 All appendices are produced from the Corporate Service Performance and Risk Management system (SPAR).

1.4 When benchmarking information is available it is included.

2.0 Performance

Environment Appendix 1A

2.1 Regarding the Corporate Plan Aim: To increase recycling and reduce the amount of waste.

The number of households with chargeable garden waste collections remains above target with an additional 431 new customers compared to May 2021. The percentage of missed collections reported is on target at 0.02%.

The Local Authorities work together under the banner of the Devon Authorities Strategic Waste Committee. Devon is consistently in the top 5 two tier authorities in the country in terms of recycling and the new metric of carbon impact is also showing Devon to be at the cutting edge of waste management practices.

When the Devon Authorities are measured against other counties in respect of total waste collected per person (recycling and residual waste together) the county has not faired so well. A reduction in waste growth is at the core of the Devon Authorities Strategic Waste Strategy towards a more sustainable future. Promoting recycling, limiting volume of residual waste to 180L per household and reducing the frequency of collections will contribute to the government's objective of recycle 65% of household waste by 2035 and Devon's objective to recycle at least 60% of household waste by 2025 as well as supporting our journey to reduce our carbon footprint.

A full member briefing was provided on the 5 July to outline a soft enforcement and communication plan to ensure a smooth transition to three weekly bin collections on the 10 October 2022. A number of different questions arose from this which included how residents would request an additional bin or seagull sacks if these were merited.

A comprehensive list of Frequently Asked Questions is being compiled with all residents being written to ahead of their bin being received over the coming weeks. A short update paper will be taken to cabinet regarding the implementation of three weekly collections on the 9 August 2022.

2.2 Since May 2022, the Environment and Enforcement team have dealt with 74 abandoned vehicle reports. Six of these vehicles were removed and disposed

of by vehicle recovery contractors, with the remainder being moved by the registered keeper or subsequently being taxed and classified as road legal. This has seen significant savings to the service in relation to costs for recovery of caravans and trailers.

2.3 Significant progress has been made in enabling MDDC to issue penalty notices in relation to littering from vehicles. The team now have access to the Traffic Penalty Tribunal who have agreed to allow MDDC to utilise their online portal for issuance of these penalty notices. This has saved the service £6800, which was the quoted cost of having our handheld software updated to allow issuance via that means.

2.4 The service is now in a position to implement body worn video (BWV) cameras for health & safety purposes. The Environment and Enforcement Manager was successful in acquiring funding from the Police and Crime Commissioners office for three quarters of the cost in relation to this. Procurement are currently working on securing these devices via Procurement Services (ESPO), and a direct award to Reveal Media Ltd in relation to this. The devices will be user operated and therefore, will not be recording unless activated by the user when engaged in a confrontational situation.

2.5 Littering patrols are being conducted in all of our major communities. There will be a review into MDDC littering policy to determine if it meets the criteria defined by Defra. A further review into the proportionality element of our littering policy will be undertaken, this will ensure it is suitable for the Mid Devon area and its residents.

2.6 Mid Devon have 83 play areas (including skate parks and BMX track) in its direct control. The number of Play Area leased to Parish and Town Council is 17, there are a further 3 pending and the lease-in of land for 1 further site is to be taken over by the Parish Council on expiration. There are 3 closed sites with no equipment. It is anticipated that the total will reduce to 81 during the current year and further as the process to transfer to Town and Parishes (and other organisations) continues. Around 2000 inspections are undertaken annually.

<u>Climate Change Appendix 1B</u>

2.7 Monitoring the Council's carbon footprint is measured in tonnes of carbon dioxide equivalent (tCO_2e) and based on the Global Warming Potential (GWP) of different greenhouse gases over a 100-year period in compassion to carbon dioxide (CO_2).

2.8 Carbon Footprint assessments were carried out by the University of Exeter using internationally accepted methods. Net emissions are calculated based on reductions in greenhouse gas emissions linked to e.g. the generation of renewable energy. Net emissions will be estimated in retrospect for 2018-2019.

Table 3 - Mid Devon District Council – Carbon Footprint

Year	Gross (tCO2e)	Net (tCO2e)

Year	Gross (tCO2e)	Net (tCO2e)
Apr 2018 - Mar 2019	20,372	(TBC)
Apr 2019 - Mar 2020	19,754	19,439
Apr 2020 - Mar 2021	19,407	19,122

Homes Portfolio - Appendix 2

2.9 Regarding the Corporate Plan Aim: Deliver Housing

Housing delivery against the Local Plan is monitored annually as part of the Annual Monitoring report published by Forward Planning and on the Government's DELTA system.

2.10 Regarding the Corporate Plan Aim: Council Housing

Repairs performance KPIs % of emergency repairs completed on time is currently at 100%, the % of urgent repairs completed on time is currently 99% and the % of routine repairs completed on time is currently 99% for quarter 1. The % of complaints responded on time is 100%

Economy Portfolio - Appendix 3

2.11 Regarding the Corporate Plan Aim: Improve and regenerate our town centres

The government launched its UK Shared Prosperity Fund (UKSPF) Prospectus in April 2022 as part of its Levelling Up agenda.

The Government has allocated £1,064,159 to Mid Devon spread over a three year period. This is subject to the Government approving our Investment Strategy. In addition £20,000 of government funding has been made available to prepare an Investment Plan to inform expenditure decisions with regard to the Shared Prosperity Fund allocation. In year one a minimum of 10% is to be spent on capital projects. Similarly in year two a minimum of 13% is to be spent on capital, rising to a minimum of 20% in the last year.

4% (£42,566.36) of the UKSPF allocation can be spent on administration which leaves £1,021,592.64 for project delivery.

A breakdown of the allocation is prescribed by Government as follows:

Allocation		Revenue		Capital	(At Least)
Year	Total	%	Amount	%	Amount
22-23 (15%)	£153,238.90	90%	£137,915.01	10%	£15,323.89
23-24 (27%)	£275,830.01	87%	£239,972.11	13%	£35,857.90
24-25 (58%)	£592,523.73	80%	£474,018.98	20%	£118,504.75
Total	**£1,021,592.64**				

Lead authorities will be able to use funding in 2022/23 and 2023/24 for 'Communities and Places' and 'Supporting Local Businesses'. The 'People and Skills' interventions will commence in 2024/25, with lead authorities expected to collaborate with other stakeholders and tiers of local government.

Mid Devon District Council continues to enjoy 98% occupancy in its own units.

Community Portfolio - Appendix 4

2.11 Referrals under the NHS Cardiac Rehab phase 3 programmes at the leisure centres remain well above target. The Escape Pain programme funding from the NHS has ceased however patients were offered discounted rates to continue with the programme the participants decided to stop attending the programme. The NHS has funding for the Prevention of Falls programme and Leisure are looking into getting an instructor trained to deliver the programme. To note with the reduction in face to face appointments with GP's Leisure has seen a decline in referrals.

Corporate - Appendix 5

2.12 Recruitment and retention remains challenging given the rate of inflation rising,
sometimes changing career leads to exciting opportunities and new people can
bring fresh perspectives, ideas and expertise however when people move on employers can lose knowledge, experience and institutional memory. The workforce statistics all remain favourable with the exception of staff turnover which is at 4.09% for quarter 1.

As unemployment rates decline and job market confidence rises, employee turnover is more likely to increase. There is the added impact of growing inflation, energy price increases and increase in fuel prices and wider national industrial action across England as workers are seeking higher pay rises to deal with the cost of living may impact on service delivery. A second jobs fair event took place on 20 July 2022 in the Pannier Market, the free event was designed to help local residents looking for employment by bring businesses together to promote a range of jobs / careers that are available across the district.

2.13 The Response to FOI requests have been 99% in the first quarter.

2.14 Council Tax percentage rate collected on a monthly basis is currently at 28.75%
in quarter 1, the National Non Domestic Rate (NNDR) is collected on a monthly
basis at 41.11 % in quarter 1.

3.0 Risk

Some risk scores have increased due to the Covid 19 pandemic especially as regards financing, homelessness and the economic outlook.

3.1 The Corporate risk register is regularly reviewed by Corporate Managers and Leadership Team and updated as required.

3.2 Risk reports to committees include strategic risks with a current score of 10 or more in accordance with the Risk and Opportunity Management Strategy. (Appendix 6)

3.3 Operational risk assessments are job specific and flow through to safe systems of work. These risks go to the Health and Safety Group biannually with escalation to committees where serious concerns are raised.

4.0 Summary of current high risk status from SPAR

4.1 The risks below are extracted from the SPAR the Corporate Service Performance and Risk Management system however the mitigation for each of these high risks can be found in the attached appendices.

4.2 Risk: Cyber Security

Inadequate Cyber Security could lead to breaches of confidential information, damaged or corrupted data and ultimately Denial of Service if the Council fails to have an effective ICT security strategy in place, there is a significant risk of monetary penalties and fines, and legal action by affected parties.

ICT have replaced the firewalls and upgraded anti-malware software and implemented new broadband. ICT will be rolling out Microsoft Office 365 it is a cloud based platform which allows for greater collaborative working across the business providing a huge benefit with the move to a hybrid working style.

4.3 Risk: Homes for Ukraine Scheme failing should the host relationship breakdown and re-matching is not an option.

The council has a homelessness duty there would be an increase in the need for our homelessness service to find suitable alternative safe temporary accommodation at a cost to the authority and that may be a distance from the location of the original hosting arrangement due to availability pressures.

4.4 Risk: Overall Funding Availability

This risk concerns changes to Revenue Support Grant, Business Rates, New Homes Bonus and other funding streams in order to finance ongoing expenditure needs.

The core funding elements only change on an annual basis. The 2023/24 budget process has begun with an initial review of the budget shortfall based on latest understanding of cost pressures and funding assumptions. The current cost of living / inflation pressure are adding additional pressure on the budget, both in-year and in future years. All options identified will be Cabinet and PDG's in the autumn 2022.

4.5 Risk: Reduced Funding

Budget Cuts are subject to continuing budget reductions. If the Council concentrates on short term cost savings, the adverse long term impact of decisions may well be increased.

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4.6 Risk: Resourcing Risk

If the Council fails to recruit and/or retain sufficient, suitable staff it may not be able to maintain essential and/or statutory services.

All local authorities including Mid Devon have a considerable challenge as we face the current cost of living crisis to recruit and retain our most vital asset; our people.

4.7 Risk: SPV 3 Rivers Developments Ltd

Failure of the company is a potential risk, dependent upon economic factors and the company's success in the marketplace commercially. For MDDC the impacts would be an inability of the company to service and repay the loan from the Council; the Council not receiving the forecast additional income; and the company not supporting the corporate objectives which underlie its existence.

New HM Treasury regulations preventing out of District investment will clearly restrict the future development abilities. Discussion relating to the new issue are ongoing.

5.0 Conclusion and Recommendation

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

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Circulation of the Report: Leadership Team and Cabinet Member