

Date: 28 February 2018

Dear Councillor,

Housing and Community Services Committee

A Meeting of the **Housing and Community Services Committee** will be held in the **Council Chamber**, on **Thursday, 08 March 2018 at 18:00**. You are requested to attend.

Yours faithfully,



Chief Executive

To:- **Conservative Group**

Councillor Hewlett (Chairman), Councillor Smith (Vice-Chairman) and Councillors Coe, Mrs Coyle, Grant, MacPherson, Murray and Mrs Wyatt

Labour Group

Councillors Rhind, Richards, Shepherd and Taylor

Independent / Non-Grouped Member

Councillor Tipping

AGENDA

Open to Public and Press

- 1** Apologies and to note any Substitutes appointed for the Meeting.

- 2** To receive the Open Minutes of the following Meetings:-

Housing and Community Services Committee 9th January 2018 Open Minutes **4 - 7**
Housing and Community Services Committee 1st February 2018 Open Minutes **8 - 10**

- 3** To note any declarations of interest arising from any items on the Agenda

- 4** To receive any questions by members of the public pursuant to Council Procedure Rule No.10.

- 5** To receive any questions by Members of the Council pursuant to Council procedure Rule No. 11.

- 6** Reports of Overview and Scrutiny Committee

- 7** CORPORATE PLAN 2016-21 PERFORMANCE REPORT (1 OCTOBER - 31 DECEMBER 2017) **11 - 31**

- 8** COMMUNITY PARTNERSHIP SCHEME **32 - 45**

- 9** CIVIL PENALTIES UNDER THE HOUSING AND PLANNING ACT 2016 **46 - 52**

- 10** COMMITTEE WORK PROGRAMME **53 - 56**

Exclusion of the Public and Press:

- 11** The Chairman may therefore move:-
That in accordance with Section 100 (A)(4) of the Local Government Act 1972 (as amended) the press and public be excluded from the remainder of the Meeting as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraph of Part I of the Schedule 12A of the Act indicated in the header to each report on the Agenda.
- 12** To receive the Exempt Minutes of the following Meetings:-
Housing and Community Services Committee 9th January 2018 Exempt Minutes
Housing and Community Services Committee 1st February 2018 Exempt Minutes
- 13** To receive any Exempt questions by Members of the Council pursuant to Council procedure Rule No. 11.
- 14** COMMUNITIES TEAM – SERVICE ASSISTANT

HOUSING AND COMMUNITY SERVICES COMMITTEE: SPECIAL - BUDGET

9th January 2018

PRESENT:-

Conservative Group

Councillor Hewlett (Chairman), Councillor Smith (Vice-Chairman) and Councillors Coe, Mrs Coyle, Grant, Mrs Hall, MacPherson, Muller and Mrs Wyatt

Labour Group

Councillors Rhind, Richards Shepherd and Taylor

HCS/60 **APOLOGIES**

Apologies for absence were received from Councillor Billings (Conservative Group)

HCS/61 **DECLARATIONS OF INTEREST**

Councillor Shepherd declared a personal interest in the grants to voluntary bodies element of Item 6 Service Base Budgets 2018 / 2019 by virtue of being on the board of trustees for the Citizens Advice South Derbyshire and Derby (CASDAD).

Councillor Hewlett declared a personal interest in the grants to voluntary bodies element of Item 6 Service Base Budgets 2018/2019 by virtue of being on the board of trustees for the Citizens Advice South Derbyshire and Derby (CASDAD).

Councillor Smith declared a personal interest in the grants to voluntary bodies element of Item 6 Service Base Budgets 2018/2019 by virtue of being on the board of trustees for Homestart.

Councillor Mrs Coyle declared a personal interest in the grants to voluntary bodies element of Item 6 Service Base Budgets 2018/2019 by virtue of being on the board of trustees for Sharpe's Pottery Heritage & Arts Trust Ltd.

Councillor Mrs Hall declared a personal interest in the grants to voluntary bodies element of Item 6 Service Base Budgets 2018/2019 by virtue of being on the board of trustees for South Derbyshire CVS and Community Arts Project ("People Express") Management Committee.

HCS/62 **QUESTIONS FROM MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO 10**

The Committee was informed that no questions from members of the public had been received. [Page 4 of 56](#)

HCS/63 **QUESTIONS FROM MEMBERS OF COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO 11**

The Committee was informed that no questions from Members of the Council had been received.

MATTERS DELEGATED TO COMMITTEE

HCS/64 **CHANGES TO THE HOUSING STOCK**

The Performance and Policy Manager presented the report to Committee.

Councillor Muller welcomed the report and the subsequent recommendations to invest funds into developing Carnegie House and Pear Tree Court.

RESOLVED:-

Members noted the changes to the housing stock identified in the report and the planned actions to deliver these.

HCS/65 **SERVICE BASE BUDGETS 2018/19**

The Strategic Director (Corporate Resources) presented the report to Committee, outlining the savings identified in certain budgets and the risks associated with the use of some reserves, growth within the District and the effects of the reduction in core funding.

The Director also confirmed that fee increases were being proposed for cemeteries, specifically for the reservation of plots which would also be in line with the auditor's recommendation.

Councillor Richards sought clarification on the use of the Earmarked Reserves for Swadlincote Woodlands under section 2.6 of the report, and requested that the required funds be made available to complete the project. The Director responded advising the amount of funds that would be required and the Councillor was joined by the Chairman and other Members in support of this proposal.

Members raised queries relating the strategic housing license fee for traveller sites and why this was the first increase in three years. The Director advised that fees and charges are set to meet the cost of service provision.

The Chairman was joined by Members in agreeing that grants to voluntary and community bodies be increased by 2% subject to approval by Finance and Management Committee.

RESOLVED:-

Members approved: [Page 5 of 56](#)

- 1) ***That the proposed revenue income and expenditure for 2018/19 for the Committee's Services, as detailed in Appendix 1 to the report, be referred to the Finance and Management Committee for approval.***
- 2) ***That the proposed fees and charges for 2018/19, as detailed in Appendix 3 to the report, were approved.***
- 3) ***That grants to voluntary and community bodies be increased by 2% in 2018/19 subject to approval by the Finance and Management Committee.***
- 4) ***That £15,000 of the Earmarked Reserves for Swadlincote Woodlands is made available to assist in completing an outstanding capital project.***

Abstention: Councillor Shepherd

HCS/66 **HOUSING REVENUE ACCOUNT BUDGET, FINANCIAL PLAN and PROPOSED RENT 2018/19**

The Strategic Director (Corporate Resources) presented the report to Committee, highlighting the key changes and possible effects of the statutory reduction of rent, reduction in the Supporting People Grant, Universal Credit and internal savings made through a restructure of Housing department.

Members sought clarification on housing stock in relation to the percentage of occupancies over five years, and information on rates of interest paid, to which the Director responded.

RESOLVED:-

- 1.1 ***That Council House Rents are reduced by 1% for Tenants with effect from 1st April 2018 in accordance with provisions contained in the Welfare Reform and Work Act 2016.***
- 1.2 ***That the proposed revenue income and expenditure for 2018/19, together with the 10-year Financial Plan for the Housing Revenue Account as detailed in Appendix 1, are considered and referred to the Finance and Management Committee for approval.***
- 1.3 ***That the HRA is kept under review and measures identified to mitigate the financial risks detailed in the report and to maintain a sustainable financial position.***

HCS/67 **LOCAL GOVERNMENT ACT 1972 (AS AMENDED BY THE LOCAL GOVERNMENT [ACCESS TO INFORMATION] ACT 1985)**

RESOLVED:-

That, in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended), the press and public be excluded from the remainder of the Meeting as it is likely, in view of the nature of the business to be transacted, for the nature of the proceedings, that there

would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

**TO RECEIVE QUESTIONS FROM MEMBERS OF THE COUNCIL
PURSUANT TO COUNCIL PROCEDURE RULE NO. 11**

The Committee was informed that no questions had been received.

HEALTH PARTNERSHIP MANAGER & PARK LIFE OFFICER

Members approved the recommendations in the report.

The Meeting terminated at 6.50pm.

COUNCILLOR J HEWLETT

CHAIRMAN

HOUSING AND COMMUNITY SERVICES COMMITTEE

1st February 2018

PRESENT:-

Conservative Group

Councillors Atkin (substituting for Councillor Hewlett), Coe, Mrs Coyle, Grant, MacPherson and Stanton (substituting for Councillor Smith)

Labour Group

Councillors Rhind, Shepherd, Southerd (substituting for Councillor Richards) and Taylor

HCS/70 **ELECTION OF CHAIRMAN**

In the absence of both the Chairman and Vice-Chairman, Members were asked for nominations for Chairman. Proposals naming Councillor Mrs Coyle and Councillor Rhind were received. The proposal that Councillor Rhind be Chairman of the Meeting was not supported by Committee.

RESOLVED:-

That Councillor Mrs Coyle be Chairman of the Meeting.

Abstentions: Councillors Rhind, Shepherd, Southerd and Taylor

HCS/71 **APOLOGIES**

Apologies for absence were received from Councillors Hewlett, Murray, Smith, Mrs Wyatt (Conservative Group) and Richards (Labour Group)

HCS/72 **MINUTES**

The Open Minutes of the Meeting held on 23rd November 2017 were noted and approved as a true record and signed by the Chairman.

HCS/73 **DECLARATIONS OF INTEREST**

Councillor Stanton declared a personal interest in Item 12 Service Assistant (Events) by virtue of his working relationship with the Events Team in the position of Chairman of the Council.

HCS/74 **QUESTIONS FROM MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO 10**

The Committee was informed that no questions from members of the public had been received.

HCS/75 **QUESTIONS FROM MEMBERS OF COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO 11**

The Committee was informed that no questions from Members of the Council had been received.

HCS/76 **REPORTS OF THE OVERVIEW AND SCRUTINY COMMITTEE**

There were no Overview and Scrutiny Reports to be submitted.

MATTERS DELEGATED TO COMMITTEE

HCS/77 **RATIFICATION OF THE ADOPTED AFFORDABLE HOUSING SUPPLEMENTARY PLANNING DOCUMENT**

The Strategic Housing Manager presented the report to Committee.

Members commended the report, in particular the aim of achieving a 30% affordable housing element, but drew attention to the fact that the actual percentage achieved to date was less. The Strategic Housing Manager assured Members that the aim was always 30% when negotiating with developers, the methodology involved and the other options available, depending on the type and/or location of the site in question.

Members also raised queries relating to retrospective development of low cost homes. The Strategic Housing Manager confirmed that a mixture of restrictive covenants, the freehold ownership status and the planning permission process effectively self-policed this area. The ability to meet the anticipated housing needs in the 20 year plan was also queried, but it was reported that, whilst challenging, the Council was currently on track to exceed the quota.

RESOLVED:-

1.1 Members approved the adopted South Derbyshire Affordable Housing Supplementary Planning Document (SPD), as set out in Appendix A to the report, replacing the 2008 Affordable Housing Guidance.

1.2 Members noted the content of the Affordable Housing Supplementary Planning Document, as appended to the report.

HCS/78 **COMMITTEE WORK PROGRAMME**

Councillor Rhind raised concern relating to the Community Partnership Grant Scheme item listed for the 8th March 2018 Meeting, given that the £250k sum had already been announced at Area Forum Meetings, prior to committee approval. The Strategic Director (Corporate Resources) confirmed that whilst references had been made to the above sum, it was still subject to approval by the Finance and Management Committee on the 15th February 2018 and the criteria and procedures, to be applied to the allocation of funds, were still to be approved by the Committee at its Meeting on the 8th March 2018.

RESOLVED:-

Members considered and approved the updated work programme.

HCS/79 **LOCAL GOVERNMENT ACT 1972 (AS AMENDED BY THE LOCAL GOVERNMENT [ACCESS TO INFORMATION] ACT 1985)**

RESOLVED:-

That, in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended), the press and public be excluded from the remainder of the Meeting as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

MINUTES

The Exempt Minutes of the Meeting held on 23rd November 2017 were received.

TO RECEIVE QUESTIONS FROM MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO. 11

The Committee was informed that no questions had been received.

SERVICE ASSISTANT (EVENTS) (Paragraph 1)

Members approved the recommendations in the report.

The Meeting terminated at 6.30pm.

COUNCILLOR MRS H COYLE

CHAIRMAN

REPORT TO:	HOUSING AND COMMUNITY SERVICES COMMITTEE	AGENDA ITEM: 7
DATE OF MEETING:	8th MARCH 2018	CATEGORY: DELEGATED
REPORT FROM:	LEADERSHIP TEAM	OPEN DOC:
MEMBERS' CONTACT POINT:	FRANK MCARDLE (EXT. 5702) KEVIN STACKHOUSE (EXT. 5811)	
SUBJECT:	CORPORATE PLAN 2016-21: PERFORMANCE REPORT (1 OCT – 31 DEC 2017)	
WARD (S) AFFECTED:	ALL	TERMS OF REFERENCE:

1.0 Recommendations

1.1 That progress against performance targets is considered.

2.0 Purpose of Report

2.1 To report progress against the Corporate Plan for the period 1 October to 31 December 2017 under the themes of People, Place, Progress and Outcomes.

3.0 Detail

3.1 The Corporate Plan 2016 – 2021 was approved following consultation into South Derbyshire's needs, categorising them under four key themes: People, Place, Progress and Outcomes. The Corporate Plan is central to our work – it sets out our values and vision for South Derbyshire and defines our priorities for delivering high-quality services.

3.2 This Committee is responsible for overseeing the delivery of the following key aims:

People

- *Enable people to live independently*
- *Protect and support the most vulnerable, including those affected by financial challenges.*
- *Use existing tools and powers and take appropriate enforcement action*
- *Increase levels of participation in sport, health, environmental and physical activities*
- *Develop the workforce of South Derbyshire to support growth*

Place

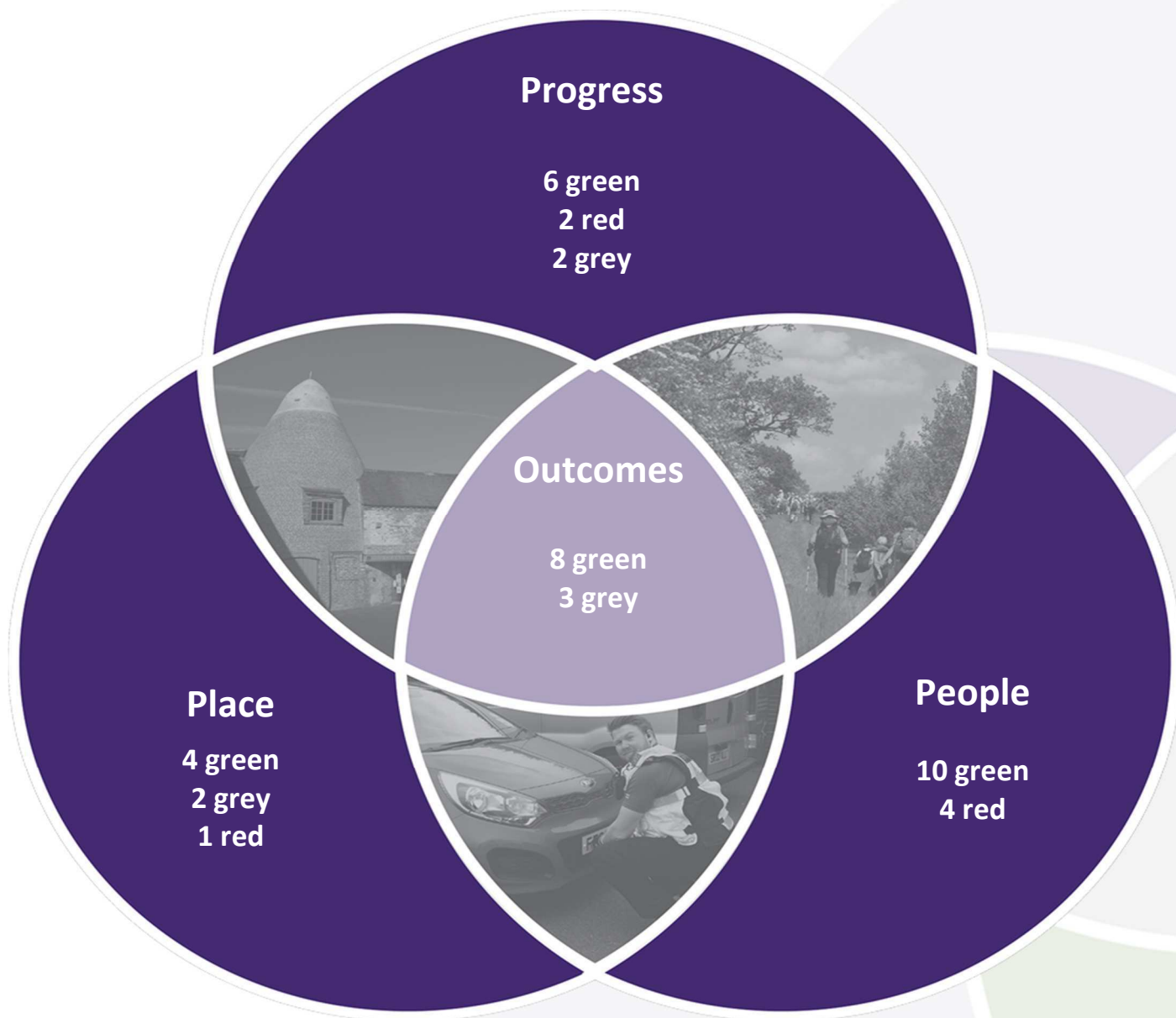
- *Facilitate and deliver integrated and sustainable housing and community infrastructure*
- *Help maintain low crime and anti-social behaviour levels in the District*
- *Support provision of cultural facilities and activities*

These aims are underpinned by outcomes including financial health, improved customer focus, good governance, enhanced environmental standards and maintaining a skilled workforce.

3.3 Of the 13 measures and projects under the jurisdiction of the Housing and Community Services Committee, six are showing green, six are red and one is grey.

3.4 More information can be found in the Performance Board in **Appendix A**. A detailed breakdown of performance for Housing and Community Services is available in the Successes and Action Plan documents (**Appendices B and C respectively**), while associated risks are contained in the risk registers in **Appendices D and E**.

4.0 Overall Council performance – Quarter three (October 1 to December 31, 2017)



Of the 42 strategic projects and measures for the Council, 28 are showing green, seven are red and seven are grey.

5.0 Financial and Corporate Implications

5.1 None directly.

6.0 Community Implications

6.1 The Council aspires to be an excellent Council in order to deliver service expectations to local communities. This report demonstrates how priorities under the People, Place, Progress and Outcomes themes contribute to that aspiration.

7.0 **Appendices**

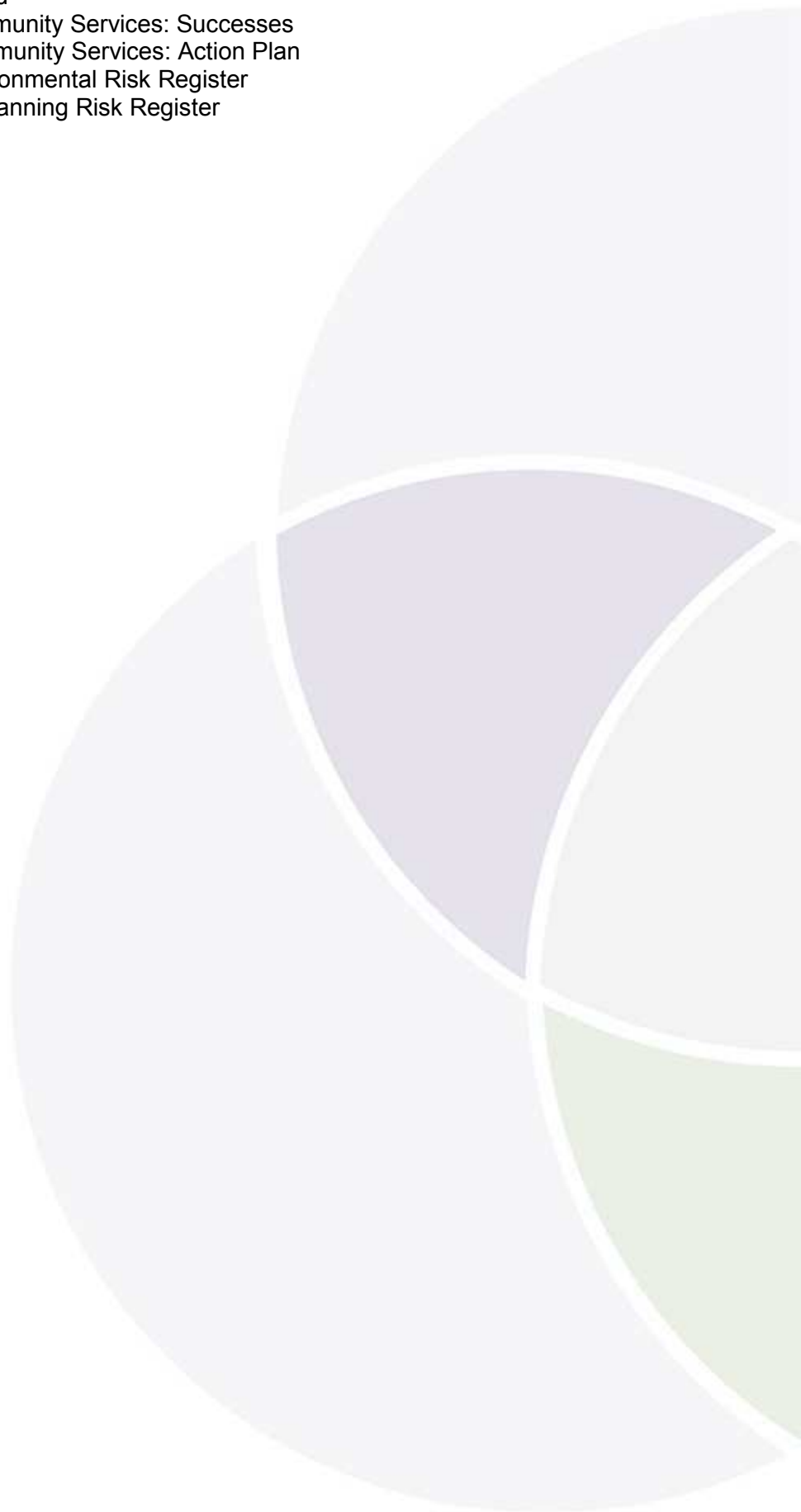
Appendix A – Performance Board

Appendix B – Housing and Community Services: Successes

Appendix C – Housing and Community Services: Action Plan

Appendix D – Housing and Environmental Risk Register

Appendix E – Community and Planning Risk Register



Theme	Aim	Project	Q2 progress	Q3 target	Q3 performance	Q3 detail
Outcomes	Maintain financial health	Generate ongoing revenue budget savings in the General Fund.	No update to the savings of £400,000 approved from Corporate Services in quarter one.	O1.1 Annual target of £850,000, as per the Medium Term Financial Plan. F&M	On track	Final budget for 2018/19 approved by Finance and Management Committee on December 15. Budget savings and additional income achieved - totals of £690k to-date. Effect of 100% Business Rates Pilot now being assessed.
Outcomes	Maintain proper Corporate Governance	Compile and publish an Annual Governance Statement in accordance with statutory requirements.	The Council's value for money opinion was given an 'except for' qualification.	O2.1 An unqualified value for money opinion in the Annual Audit Letter. F&M	Annual target	Annual target which was reported and dealt with in quarter two. No further reporting this year.
Outcomes	Enhance environmental standards	Demonstrate high environmental standards. Ensure continual compliance with ISO 14001 standard.	Annual senior management review completed. All non conformities closed.	O3.1 Prepare for and deliver external ISO14001 certification. E&DS	On track	External reaccreditation inspection is programmed for February 26-28.
Outcomes	Maintain a skilled workforce	Ensure ongoing training and development for individuals and groups of employees where applicable.	27% of staff had completed all mandatory training	O4.1 95% of all employees to complete mandatory training (annual target). F&M	Annual target	109 employees, or 35% of the workforce, have attended all mandatory courses. The outturn figure for each of the eight courses (six for staff and two extras for managers) is between 59% and 80%. More courses are scheduled for quarter four.
			N/A	O4.2 95% of all employees to have an annual performance appraisal (annual target). F&M	Annual target	N/A
Outcomes	Maintain customer focus	Develop a new website and provide functionality for greater transactional processing online	Website went live.	O5.1 Number of people viewing website on a mobile phone is >45% F&M	Mobile phone - 49.6% Desktop - 33% Tablet - 17.4%	This compares to desktop (44.32%), mobile (39.63%) and tablet (13.59%) before go live, showing the demand for a device responsive solution. Feedback continues to be positive.
		Develop a Social Media Strategy to provide easy and innovative options for residents to engage with the Council.	Audits of social media accounts carried out and usage analysed.	O5.2 Start to create Social Media Strategy and consult with stakeholders. F&M	On track	Extensive evidence base complete, enabling work to start on the strategy. Elected Members, departments and social media users all consulted. Action plan also being devised.
		Expand services in Customer Contact Centre and maintain facilities for face to face enquiries where required.	82%	O5.3 80% of telephone calls answered within 20 seconds. F&M	83.8%	Successfully went live with new in house CRM data base in December for Waste and Cleansing following the removal of Northgate CRM System as no longer PSN compliant.
			6.20%	O5.4 Call abandonment rate of <10%. (Number of visitors to Civic Offices to be recorded). F&M	4.2%	Contact Centre handled an additional 1,000 calls for waste and cleansing due to weather conditions in December. 19,101 calls were handled in quarter three. We also had 8,364 visitors to the Civic Offices.
		Deliver Equalities and Safeguarding action plan to demonstrate principles are embedded in service delivery.	Accreditation achieved to Safe Place Scheme and training undertaken.	O5.5 Achieve Dementia Friendly Community status. F&M	On track	Dementia Friendly Community Status achieved. This will help us to spread the word about the disorder to residents, partners and businesses. A partnership group has been formed, with an action plan driving activity. Dementia friendly films are being shown at locations across the District, with local school children also being engaged.
Outcomes	Continue to strengthen the ICT platform and ensure that ICT is able to support change and minimise business risks.	Three year review of ICT Strategy and adoption of action plan to 2020.	New IT and Digital Strategy approved by Committee.	O6.1 Strategy adopted. F&M	On track	As approved by the Finance and Management Committee in October 2017. First (stabilisation) phase of the strategy on-going until March 2018.
People	Enable people to live independently	Provide an efficient and well-targeted adaptation service (including Disabled Facilities Grants) and make better use of previously adapted dwellings.	90%	PE1.1 Percentage of adapted properties allocated on a needs basis is >90%. H&CS	83%	See Action Plan.
			100%	PE1.2 Percentage of residents satisfied with the quality of their new home is >88%. H&CS	96%	27 surveys returned during quarter three. 26 satisfied with the quality, one customer expressed dissatisfaction with the décor.
People		Maintain regular contact with tenants, with a focus on those identified as vulnerable.	275	PE2.1 Total number of tenancy audits completed (250 target). H&CS	286	827 completed during the year to date.
			95.45%	PE2.2 Number of successful introductory tenancies (target of 97%). H&CS	89.00%	See Action Plan.
People	Protect and help support the most vulnerable, including those affected by financial challenges	Process Benefit claims efficiently	14.3 days	PE2.3 Average time for processing new Benefit claims is <18 days. F&M	16.4 days	Impact of sickness absence on small processing team offset by offsite support.
			5.4 days	PE2.4 Average time for processing notifications of changes in circumstances is <8 days. F&M	6.8 days	Impact of sickness absence on small processing team offset by offsite support.
			0.20%	PE2.5 Meet Housing Benefit Subsidy Local Authority error target threshold set by DWP (<0.48%). F&M	0.30%	Casework reviews and corrections following 2016/17 subsidy audit.

		Provide a service for homeless applicants which is nationally recognised as delivering 'best practice'. Attain NPSS Bronze Standard for Homelessness by March 31, 2018.	Project progressed to further improve the housing options prevention service.	PE2.6 Prepare submission to NPSS. H&CS	See Action Plan	See Action Plan.
People	Use existing tools and powers to take appropriate enforcement action	Bring empty homes back into use.	Two completed (target of three)	PE3.1 Number of empty home intervention plans for dwellings known to be empty for more than two years (target is three). H&CS	Six completed	All interventions available have now been completed for properties on Ashby Road, Melbourne; Park Road, Church Gresley; Bretby Road, Newhall; Bernard Street, Woodville and Ashby Road, Woodville (two properties).
People	Increase levels of participation in sport, health, environmental and physical activities	Delivery of sport, health, physical activity and play scheme participations.	Rosliston = 55,588 (target = 60,000). Leisure centres = 259,799 (target = 170,404).	PE4.1 Throughput at Etwall Leisure Centre, Green Bank Leisure Centre and Rosliston Forestry Centre. Target for Rosliston = 40,000. Target for leisure centres = 170,404. H&CS	Rosliston 36,987. Leisure centres 249,667	See Action Plan.
		Tackle physical inactivity and develop/implement a Sport, Health and Physical Activity Strategy	Friday Night Project and Hilton Youth Group restarted, with health walks held across the District.	PE4.2 Deliver targeted physical activity programme. H&CS	On track	Examples of targeted work includes carpet Nordic walking and a dementia walk at Oakland Village, Walking for Health across the District, the Street Games project at Midway Community Centre and Hilton Youth Club.
People	Reduce the amount of waste sent to landfill	Minimise waste sent to landfill.	106 kgs (target - <120kgs)	PE5.1 Household waste collected per head of population is <110kgs. E&DS	92 kgs (target - <120kgs). Estimated figure.	Estimate to be confirmed due to limited data for December 2018. Should still be well within target. Figures for quarter two now confirmed.
			51.1% (target 53%)	PE5.2 >47% of collected waste recycled and composted. E&DS	47.6% (target - 47%). Estimated figure.	Estimate to be confirmed due to limited data for December 2018. Should be within target and may improve slightly. Figures for quarter two confirmed.
People	Develop the workforce of South Derbyshire to support growth.	Increase Council engagement to raise aspirations. Provide opportunities for young people to reach their potential.	Potential projects identified and workstreams driven towards the urban core.	PE6.1 Review working relationships with schools. H&CS	On track.	Ongoing relationship management with schools continues. The project is progressing with an external marketing campaign being developed. In addition there are a number of sub projects now in existence, with a RISE ambassador identified from within the local community.
Place	Facilitate and deliver a range of integrated and sustainable housing and community infrastructure.	Increase the supply and range for all affordable housing provision.	N/A	PL1.1 Increased supply of affordable homes. Annual target of >150. H&CS/E&DS	124 units delivered (year to date)	124 units delivered by Trent and Dove, Derwent Housing Association and Notts Community Housing during the year to date. Locations include Repton, Littleover, Chellaston and Boulton Moor.
		Deliver an adopted South Derbyshire Local Plan, parts 1 and 2, and key supplementary documents.	Consultation on proposed Main Modifications and Sustainability Appraisal undertaken.	PL1.2 Review consultation responses. E&DS	On track.	Local Plan Part 2 adopted on November 2. Design Guide Supplementary Planning Document (SPD) and Affordable Housing SPD adopted on November 16.
		Facilitate and deliver sustainable infrastructure.	Still awaiting information from the Government.	PL1.3 Consider the introduction of a Community Infrastructure Levy. E&DS	N/A	Elected members to be kept informed of progress in Q2 and Q4.
Place	Help maintain low crime and antisocial behaviour levels in the District.	Deliver a programme of proactive interventions to reduce environmental crime such as fly-tipping.	182 (target <180)	PL3.1 Downward trend in fly-tipping incidents. Quarterly target is <180. E&DS	Year to date - 511 (target is <540) Quarter three incidents - 150 (target - <180)	The observed reduction in December is suspected to be due to a shorter reporting month rather than a real reduction in incidents. This will only become clear when the statistics for January are issued.
		Review, publish and deliver the Safer South Derbyshire Community Safety Partnership Plan.	21 sessions, with 2,975 participants, held in urban parks over holidays.	PL3.2 Deliver hate crime campaign around Hate Crime Awareness Week. H&CS	On track.	Campaign delivered via social media, visits to local establishments and Catch a Coffee with a Copper event held in Swadlincote.
Place	Support provision of cultural facilities and activities throughout the District	Implement and manage the leisure facility capital build programme.	Plan completed and prioritised for capital developments at Green Bank Leisure Centre in Swadlincote.	PL5.1 Produce development plan for Etwall Leisure Centre. H&CS	See Action Plan	See Action Plan
Place	Deliver services that keep the District clean and healthy	Reduce contamination risk rating of land in South Derbyshire	1	PL6.1 Complete one contaminated land assessment. E&DS	1	Phase one review completed of a former sawmill in Repton Road, Bretby.
Progress	Work to attract further inward investment	Showcase development and investor opportunities in South Derbyshire.	Vacant commercial property bulletin prepared and published	PR1.1 Publish investor prospectus. E&DS	On track	Investor prospectus designed, printed and published.
Progress	Unlock development potential and ensure the continuing growth of vibrant town centres	Delivery of Swadlincote Townscape project, including Princess Diana Memorial Garden.	Delays caused by new terms and conditions being set and a change in approach with materials used.	PR2.1 Annual maintenance day held for Princess Diana Memorial Garden. E&DS	See Action Plan	See Action Plan.
		Increase attendance and participation at town centre events.	Five events delivered and supported, including 'Ay Up Me Duck' Day (target - 3)	PR2.2 Two events delivered and/or supported, including Christmas Lights Switch On. E&DS	7	Thousands attended Swadlincote International Food and Drink Festival (which attracted around 60 traders), Swadlincote Christmas Lights Switch On, two Magic Attic Townscape talks, Remembrance/Armistice Day and Victorian Market.

		Ensure the continuing growth of vibrant communities and town centres.	N/A	PR2.3 Vacant premises in Swadlincote town centre, Hilton and Melbourne (proxy). To be reported twice a year. E&DS	10 vacant units in Swadlincote Town Centre.	Swadlincote continues to be vibrant. Over the past 12 months we have seen a range of small independents opening, including Smart Accountants, Salts, Beauty Bubble, Studio C, The Little Florist and Matilda Bentley Bridal Ltd to name a few. Curly Magpie and Friends has expanded its offer by taking up space that had recently been vacated and The Vintage Kiosk has relocated to larger premises on the High Street in partnership with Simply Needlecraft Sewing Studio. Some doors have closed, including Mind and Brantanos, but both are now occupied by new tenants. Figures for Hilton and Melbourne to be reported at year end.
Progress	Work to maximise the employment, training and leisure uses of The National Forest by residents and increase the visitor spend by tourists.	Support the operation and development of the tourism sector.	11,666 (target 8,000)	PR3.1 Number of queries handled by Swadlincote Tourist Information Centre. Target is 5,000. E&DS	*Monitoring data not available for quarters three and four due to fundamental change in methodology statement caused by the introduction of new website and interruption in electronic publisher operation. Figures would not offer a like for like comparison.	Autumn and Winter edition of What's On published. Promotion of South Derbyshire and The National Forest at events such as Elvaston Wood Fair. Co-ordination of Heritage Open Days in South Derbyshire.
		Review and procure new management for Rosliston Forestry Centre.	Invitation to tender advertised and initial bids received	PR3.2 Select management contractor and prepare contract. H&CS	See Action Plan	See Action Plan.
		Work with Swadlincote TIC to attract evening visitors to the District's leisure, food and drink and retail offer.	Promotional leaflet 'Nightlife in South Derbyshire' designed	PR3.3 Undertake promotional initiative in the run up to Christmas. E&DS	On track	Second feature published in What's On guide. Late night shopping event held with Swadlincote Victorian Christmas Market and Carols Evening. In spite of the extreme cold conditions, all but a couple of traders turned up. The response to evaluation cards was overwhelmingly positive, although the reaction was more mixed on social media. This will be reviewed over the coming months.
Progress	Provide business support and promote innovation and access to finance, including in rural areas	Food businesses with the top hygiene rating of five.	85.20%	PR5.1 >81% food businesses which have a Food Hygiene Rating score of five. E&DS	84.50%	Improvements in food performance are indicative of the continuous work we do with our local food business community to support new businesses and provide support and guidance on hygiene conformance.
		Registered food businesses active in the District.	825	PR5.2 >810 registered food businesses active in the District. E&DS	829	Improvements in food performance are indicative of the continuous work we do with our local food business community to support new businesses and provide support and guidance on hygiene conformance.
		Guidance offered to businesses or people thinking of starting a business.	42 (target - 25)	PR5.3 Guidance offered to businesses or people thinking of starting a business (through the Business Advice Service). Target is 25. E&DS	61	'Thinking of Starting a Business?' workshop staged in Melbourne. Business Awards evening held to recognise local successes including: Ayva Pharma, Bright Side Vets, IG Elements and Willshee's.

Housing and Community Services Strategic and Service Success Areas Quarter 3, 2017/18



Appendix B



Legislation

Housing Plans

Preparations made for introduction of Personal Housing Plans for homeless applicants



96%

Target >88%

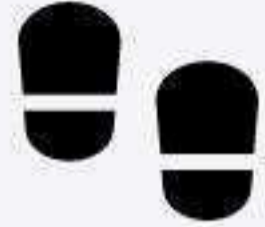
% of customers fairly or very satisfied with new home



286

Target - 250

Total number of tenancy audits completed



Programme

Physical activity

Carpet Nordic walking held at Oakland Village as part of targeted programme



249,667

Target - 170,404

Throughput at Etwall and Green Bank Leisure Centres

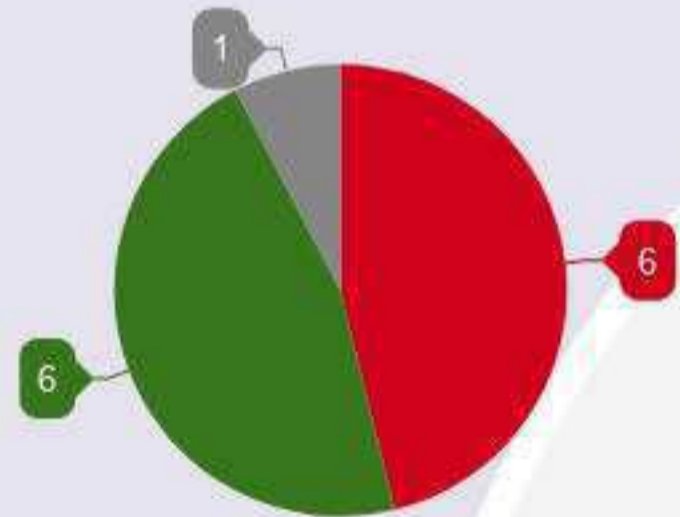


124

Affordable homes

124 affordable homes delivered across the District during the year to date.

H+CS Performance Overview



Red (46.15%) Green (46.15%) Grey (7.69%)



Streetwise

Project delivery

Street Games project delivered at Hilton Youth Club and Midway Community Centre



Empty homes

Intervention plans

Six empty home intervention plans completed, double the target of three.



Aspirations

RISE programme

Marketing campaign launched for RISE. Ambassador also chosen.



Hate crime

Campaign

Social media campaign delivered to promote Hate Crime Awareness Week

Appendix C



83.3%

% of adapted properties allocated on a needs basis

Target - >90%

Theme - People. Action – PE1.1 % of adapted properties allocated on a needs basis

Target - >90%

Performance - 83.3%

Trend - The out turn in quarter two was 90%, achieving the target

Background – The purpose of this indicator is to ensure, wherever possible, that previously adapted Council properties are matched to a customer in need. I.e. a wet floor shower or grab rail.

During quarters one and two, the target of allocating >90% of our adapted properties to customers in need was achieved. However, in quarter three, two of the 12 allocated properties were not let to customers in need of an adaptation.

In both cases we had a homeless duty to the customer and it was deemed that the two available properties were suitable for their needs.

Key actions underway – No action required.

Opportunities/risks: By utilising our existing adapted stock for new tenants there will be no additional spend required later in the tenancy to fit adaptations to assist the tenant to live safely and independently.



89%

% tenancies sustained after the introductory period

Target - 97%

Theme - People. Action - PE2.2 % tenancies sustained after the introductory period

Target - 97%

Performance - 89%

Trend - 95.45% in quarter two, narrowly below target

Background – Four tenancies failed in quarter three, compared to half of that number in quarter two. A total of 15 tenancies have failed during the year to date.

These are defined as follows:

IT held due to arrears - 6

Moved in with family - 1

Moved in with partner - 3

Moving out of area - 1

Termination (arrears) - 1

Notice of Seeking Possession (arrears) - 2

Moved to be near friends - 1

Key actions underway – Close monitoring continues to tackle low level arrears, reducing the number of failed introductory tenancies.

Cases affecting the target in quarter three will be revisited to ensure all pre-tenancy work, allocation and tenancy management processes contribute to increasing sustainability.

The Housing Services team will be involved in identifying high risk cases and implementing intensive housing management measures to reduce tenancy failure.

Opportunities/risks: Opportunities include continued improvement to this performance indicator, savings in officer time and reduced arrears.

Risks of continued failure include increased arrears and a higher probability of tenancy failure, leading to increased homelessness, voids and associated costs.



Theme - People. Action – PE2.6 Provide a service for homeless applicants which is nationally recognised as delivering 'best practice'. Attain NPSS Bronze Standard for Homelessness by March 31, 2018.

Target - Prepare submission to NPSS

Performance - Time and effort has instead been spent on readying ourselves for important legislative changes

Trend - A project was progressed to further improve the housing options prevention service in quarter two.

Key actions underway – The focus during quarter three has been about preparing for key legislative changes in April. Personal Housing Plans will be introduced by mid February.

Work is now resuming on the NPSS submission. A new IT system is currently being procured to administer enhanced levels of prevention services to homeless applicants.

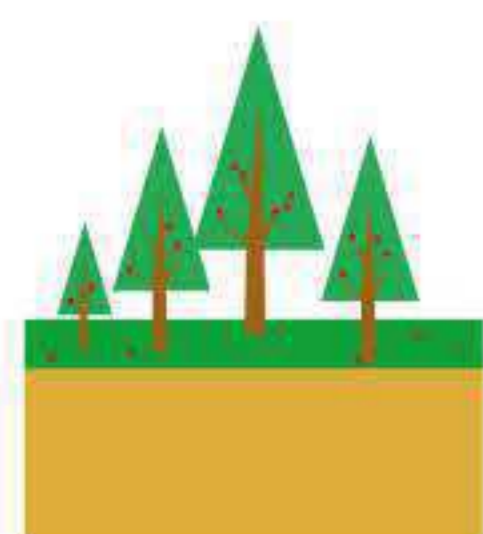
The bronze standard application will be submitted by the end of March 2018.

Opportunities/risks - The support NPSS provides to authorities covers a wide spectrum with a common goal; the improvement of front line housing and homelessness services to increase opportunities for the intervention and prevention of homelessness.

0

Prepare NPSS
Bronze
Standard for
Homelessness
submission

Target - 1



Theme - People. Action – PE4.1 Throughput at Etwall Leisure Centre, Green Bank Leisure Centre and Rosliston Forestry Centre.

Target - Rosliston Forestry Centre - 40,000. Leisure centres - 170,404

Performance - Rosliston Forestry Centre - 36,987. Leisure centres - 249,667

Trend - Quarter two performance saw 55,588 visitors to Rosliston Forestry Centre (target 60,000) and 259,799 to our leisure centres (target 170,404).

Background – Poor weather, particularly the icy and snowy conditions before Christmas, adversely affected the number of visitors to Rosliston Forestry Centre during quarter three.

The impact of facilities and management culture at our leisure centres is attracting strong participations, with targets regularly smashed throughout the year.

Key actions underway – A capital investment programme for Rosliston Forestry Centre has been agreed with the Forestry Commission.

We have a busy programme of events and activities ahead, including a packed programme during the February half term, which should prove popular over the last quarter of the year.

As stated elsewhere in this action plan, we are also going through the process of reviewing and procuring new management for the popular tourist attraction.

Opportunities/risks - Monthly performance meetings are held to identify opportunities and address risks. The development and implementation of a new strategy will also be crucial in ensuring the site continues to go from strength to strength.

36,987

Throughput at
Rosliston
Forestry
Centre

Target -
40,000



Produce development plan for Etwall Leisure Centre

Target - 1

Theme - People. Action – PL5.1 Implement and manage the leisure facility capital build programme

Target - Produce development plan for Etwall Leisure Centre.

Performance - Significant work undertaken, but not fully completed

Trend - Capital developments prioritised for Green Bank Leisure Centre in Swadlincote in quarter two.

Background – Etwall Leisure Centre has gone through a lot of exciting changes over recent times, thanks to a new extended gym, new classes studio and improved cycling studio. The aim of the development plan is to identify how we continue the momentum and further add to the offering of the site.

Key actions underway – Initial limited feasibility work has been done regarding a new pool, extended gym, external tennis courts and car park.

Progressing projects to conclusion is now dependent on the development plans of partner John Port School (which has recently become a trust) and the availability of finance. We're proactively exploring these avenues to gauge a way forward.

Opportunities/risks - Bringing the development plan to fruition will offer more variety and choice and support residents to get fit, healthy and active.

Although there is always a risk from a funding perspective, the Council and its partners are experienced in securing grants to realise aspirations.



Select management contractor and prepare contract for Rosliston Forestry Centre

Target - 1

Theme - Progress. Action – PR3.2 Review and procure new management for Rosliston Forestry Centre.

Target - Select management contractor and prepare contract

Performance - Options still under consideration

Trend - Invitation to tender advertised and initial bids received in quarter two.

Background – We are going through the process of procuring new management for Rosliston Forestry Centre.

Key actions underway – All bids have been received and evaluated. All potential options for the future of the popular tourist attraction are currently under review before a final decision is made.

Opportunities/risks - The 62 hectare site, with a mix of woodland and meadow, ponds and play areas, offers a perfect playground for visitors of all ages and physical abilities.

Our aim is to continue to balance the needs of the thousands of visitors attracted to the centre each year with the aim of achieving a sustainable economic business.

There are six actions for Housing and Community Services

Housing and Environmental Services Risk Register

Risk Code	Theme/aim	Risk description	Likelihood	Impact	Risk Treatment	Mitigating action	Responsible officer
HES1	Maintain Financial Health	Loss of income to the Housing Revenue Account through 1% rent reduction for general needs tenancies until 2021	Low	Major	Treat	<p>Revise all income policies and procedures to ensure they are fit for purpose</p> <p>Invest in I.T. solutions to maximise opportunities to collect income and support those in financial difficulty</p> <p>Look at opportunities to raise income through service charges and other charges</p> <p>Review rents/HRA viability and produce plan to mitigate</p>	Housing Services Manager
HES2	To protect the most vulnerable including those affected by anti-social behaviour and domestic abuse.	Loss of income to the Housing Revenue Account through roll out of Universal Credit	High	Major	Treat	<p>Increase % of direct debits.</p> <p>Direct named contact with DWP to address NSP issues.</p> <p>Invest in I.T. solutions to maximise opportunities to collect income and support those in financial difficulty</p> <p>Review Allocations Policy to take into account benefit entitlements to different client groups</p>	Housing Services Manager

HES3	Keep residents happy, healthy and safe	Loss of Supporting People funding for the supported housing service	Low	Severe	Treat	<p>Undertaken a full review of supported housing service to ensure financial viability</p> <p>Increase service delivery to private customers</p> <p>Utilise BCF funding to on spend to save initiatives that prevent health problems & hospital admissions</p> <p>Establish new protocol arrangements with existing accommodation based support providers and utilise prevention budget / second homes funding to secure bed spaces</p> <p>Explore new income streams working in collaboration with healthcare partners</p>	Strategic Housing Manager
HES4	Enable people to live Independently	Loss of Supporting People funding for the sheltered housing service	Low	Severe	Treat	<p>Undertaken a full review of supported housing service to ensure financial viability</p> <p>Increase service delivery to private customers</p> <p>Explore new income streams working in collaboration with healthcare partners</p>	Strategic Housing Manager
HES5	To protect the most vulnerable including those affected by anti-social behaviour and domestic abuse.	Increase in homeless applications / presentations as Universal Credit rolls out	High	Significant	Treat	<p>Review staffing requirements in light of the implementation of the Homelessness Reduction Act 2017</p> <p>Attain National Practitioner Support Service (NPSS) standard for Homeless Service</p> <p>Increase capacity within Housing Options service. More Housing related support to prevent tenancy failure.</p>	Strategic Housing Manager

HES6	To protect the most vulnerable including those affected by anti-social behaviour and domestic abuse.	Failure to fulfil our requirements relating to the statutory homeless duty	Low	Significant	Tolerate	Ensure policies and procedures are compliant with statute Ensure staff are well trained and briefed on changes to the Council's statutory obligations Review staffing requirements in light of the implementation of the Homelessness Reduction Act 2017	Strategic Housing Manager
HES7	Maintain Financial Health	Failure to follow Council procedures / policies leading to Ombudsman finding of 'maladministration'	Low	Significant	Tolerate	Ensure procedures are reviewed regularly and staff are well trained	Housing Services Manager
HES8	Achieve proper Corporate Governance	Failure to fulfil Resident Scrutiny statutory duty	Very Low	Significant	Treat	Ensure Resident Scrutiny Panel in place and undertakes regular reviews of services	Housing Services Manager
HES9	Achieve proper Corporate Governance	Failure to meet statutory deadlines when reporting performance and statutory information to Government agencies	Very Low	Significant	Treat	Ensure deadlines are met and that ownership for each reporting deadline is identified and project managed	Business Support Manager
HES10	Maintain a skilled workforce	Loss of IT Systems and lack of specialist IT knowledge in department	Very Low	Significant	Treat	Corporate IT disaster recovery plan is in place The Council has alternative options available with suppliers	Business Support Manager
HES11	Maintain financial health	Failure to deliver the planned maintenance	Medium	Significant	Treat	Ensure that skilled officers are in place to manage the contracts and contractors delivering this programme.	Repairs and Improvement Team Leader –

						Undertaking a review of the stock condition survey to inform the future capital programme	
HES11	Maintain financial health	Failure to deliver the new build programme	Medium	Significant	Treat	Ensure that skilled officers are in place to manage the contracts and contractors delivering this programme. Undertaking a review of the stock condition survey to inform the future central programme.	Repairs and Improvement Team Leader
HES12	Maintain financial health	Increase in the cost of contracts	Medium	Significant	Treat	Ensure procurement of goods and services deliver on the Council's objectives to deliver value for money. Evaluate the range of contract letting options to deliver good value for money. Consider efficiencies that can be achieved through better management of supply chains.	Repairs and Improvement Team Leader
HES13	Maintain a skilled workforce	Failure to recruit and retain staff	High	Significant	Treat	Ensure pay and conditions appropriately remunerates staff and ensure training and development opportunities are maximised Ensure existing staff are motivated and working within their remit.	Housing DMT
HES14	Facilitate and deliver a range of integrated and sustainable housing and community infrastructure	Achieving the maximum delivery of affordable homes with the resources/options for delivery available	Low	Significant	Treat	HCA grant programme 2017-21 (SOAHP) Negotiation of s106 on all new sites Support RP's through bidding process Acquisitions / delivery options report to Members Utilise Commuted Sums / RTB receipts	Strategic Housing Manager

						where possible and HRA reserves & headroom	
HES15	Facilitate and deliver a range of integrated and sustainable housing and community infrastructure	Insufficient supply of affordable homes to meet Council needs relating to allocations and homelessness	Medium	Significant	Treat	Up-to-date housing needs data. Ensure delivery of affordable units through planning gain. Work with HCA to deliver LA new builds in the future. Review Allocations Policy to reflect need and available stock.	Strategic Housing Manager
HES16	Deliver services that keep the District clean and healthy	Major incident (disease outbreak, pollution, severe weather)	Low	Significant	Tolerate	Backfill the staff resources with agency staff	Env Health Manager/ Direct Services Manager
HES17	Maintain financial health	Loss of revenue to the Food Safety Business/ Environmental permitting	Low	Severe	Tolerate	Main income streams are from export certificates. Volumes are entirely outside our control. Continue to support local exporting businesses	Env Health Manager
HES18	Achieve proper Corporate Governance	Legal challenge over statutory function in Environmental Health	Medium	Significant	Treat	Effective governance and review of officer decisions	Env Health Manager
HES19	Deliver services that keep the District clean and healthy	Failure to deliver minimum statutory service duties in Food Safety and Pollution Control	Low	Minor	Tolerate	Continuously keep under review and deploy available resources based on areas of highest potential failure	Env Health Manager
HES20	Deliver services that keep the District clean	Temporary loss of fuel supply at depot	Medium	Minor	Treat	Contingency suppliers in place	Direct Services Manager

HES21	Deliver services that keep the District clean and healthy	National loss of fuel supply	Low	Significant	Treat	Business continuity plan, comply with emergency planning guidance	Direct Services Manager
HES22	Deliver services that keep the District clean and healthy	Loss of vehicle fleet through theft or fire	Low	Significant	Treat	Local and national vehicle hire companies on list of suppliers	Direct Services Manager
HES23	Deliver services that keep the District clean and healthy	Loss of service delivery from contractors	Medium	Significant	Treat	Contingency plans in place to deliver service internally or back-up contractors available	Direct Services Manager
HES24	Maintain financial health	Loss of revenue	Low	Severe	Tolerate	Main income from commercial waste collections cannot compel customers to use our service	Direct Services Manager

Community and Planning Risk Register 2017-2018

Theme/aim	Risk description	Likelihood	Impact	Risk treatment	Mitigating action	Responsible officer
Outcomes/ Maintain Financial Health	Planning fees – income reduces to below set targets (DM1)	Low	High	Tolerate	Careful attention to forecasts/setting budgets and budget monitoring	Tony Sylvester
Outcomes/ Maintain Financial Health	Judicial review of Planning decisions (DM2)	Low	High	Treat	Weekly case review with all case officers for early identification of high-risk cases, legal opinion sought when necessary. Ongoing review of new statutory procedures, continued advice from Legal when required. Service review planned for 2017/18	Tony Sylvester
Outcomes/ Maintain Financial Health	Maladministration leading to injustice via LGO (DM3/BC4/PP2)	Very low	Low	Tolerate	Documented process of procedures Process training Close monitoring of report recommendations	Tony Sylvester
Outcomes/ Maintain Financial Health	Judicial Review of Building Control Decision (BC1)	Low	Low	Tolerate	Ongoing review of new statutory procedures, continued advice from counsel when required.	Tony Sylvester

Outcomes/ Maintain Financial Health	Loss of market share below sustainable level (BC2)	High	High	Transfer risk	Review marketing strategy. Investigate potential outsourcing of activity to a third party.	Tony Sylvester
Outcomes/ Maintain Financial Health	Negligence resulting in loss to personal property (BC3/DM4)	Low	High	Tolerate	Insurance Professional training Maintain sound procedures and act speedily to recover ground when mistakes are made.	Tony Sylvester
Outcomes/ Maintain Financial Health	Failure to collect financial contributions or to enforce the delivery of obligations within Section Agreements (DM5)	High	Very High	Treat	Implementation of new software and process review 2017/18.	Helen Frazer
Outcomes/ Maintain Financial Health	Poor application performance (DM7)	Medium	High	Treat	New planning officer structure in place, giving better capacity to monitor cases = optimum use of resources Quarterly monitoring of application performance	Tony Sylvester
Outcomes/ Maintain Financial Health	Lack of knowledge in department relating to specialist: IT solutions, Planning (DM8)	Medium	High	Treat	Specialist knowledge outside of service e.g. specialist knowledge within IT/corporately	Tony Sylvester
People/ Increase levels of participation in sport, health,	Reduction of council funding into Sport and Health service. Unable to source external funding to	High	High	Treat	Forward budget planning over a number of years. Lobby to maintain current funding contribution that	Hannah Peate

environmental and physical activities	service reserve fund being depleted for sources other than the sport and health service delivery. (SP1)					the Council makes towards the service and for an increased contribution if Elected Members want the current levels of service to be maintained. Continually seek external funding options	
Place/ Support provision of cultural facilities and activities throughout the District	Managing large capital projects (CS1)	Low	High	Treat		Ongoing dialogue with funders Support from internal and external specialists re legal, technical and financial issues Financial monitoring/attendance of CPAM meetings	Malcolm Roseburgh
Place/ Support provision of cultural facilities and activities throughout the District	Failure of contracts e.g. leisure centres (CS2)	Medium	High	Treat		Contracts in place or held over. Regular (monthly) contract monitoring meetings for main contracts Project Officer employed (RFC)	Malcolm Roseburgh
Place/ Support provision of cultural facilities and activities throughout the District	Memorial monuments falling causing injury (CS3)	Low	Medium	Treat		Informal checks undertaken and rolling programme of rolling checks reintroduced	Malcolm Roseburgh
Outcomes/ Maintain Financial Health	Accidents at play areas (CS4)	Low	High	Treat		Inspections carried out by staff. Insurance company inspect annually Park keepers on some sites	Malcolm Roseburgh

Place/ Support provision of cultural facilities and activities throughout the District	Dilapidation of Leisure/Community Facilities (CS5)	Low	Medium	Treat	Control measure in place: securing internal and external funding, supporting VCS and parish councils with funding, improving planned preventative maintenance, transferring assets where possible, improved monitoring	Malcolm Roseburgh
Place/ Support provision of cultural facilities and activities throughout the District	Failure of business plan for Rosliston Forestry Centre (CS6)	Medium	Medium	Treat	Monthly performance meetings Annual review of business plan Development and implementation of new strategy Increase involvement of Forestry Commission in business planning Contract transition arrangements underway	Malcolm Roseburgh
Place/ Support provision of cultural facilities and activities throughout the District	Urban core cemetery space running out (CS7)	High	Medium	Treat	Continued internal meetings with Planning and Property Services to identify land opportunities	Malcolm Roseburgh
Place/ Support provision of cultural facilities and activities	Failing Infrastructure at Rosliston Forestry Centre. (CS8)	High	High	Treat	Condition survey has identified extent of problem. Responsibility planned to pass to incoming contractor but cost likely to be expressed through value of management sum.	Malcolm Roseburgh

People/Protect and help support the most vulnerable, including those affected by financial challenges	Sustainability of the voluntary sector (CM1)	Very high	Medium	Treat	Service development proposal to continue community partnership scheme in future years. Continue partnership working with CVS.	Chris Smith
Place/Support provision of cultural facilities and activities throughout the District	Failure of Sharpe's Pottery Museum (CM2)	Medium	Medium	Treat	Councillor representation on board Attendance on board meetings by officers Support from Community Partnership Officer when required	Chris Smith

REPORT TO:	HOUSING AND COMMUNITY SERVICES COMMITTEE	AGENDA ITEM: 8
DATE OF MEETING:	8th MARCH 2018	CATEGORY: RECOMMENDED
REPORT FROM:	STRATEGIC DIRECTOR (SERVICE DELIVERY)	OPEN
MEMBERS' CONTACT POINT:	IAN HEY (01283) 228741 ian.hey@south-derbys.gov.uk	DOC:
SUBJECT:	COMMUNITY PARTNERSHIP SCHEME	REF:
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE: HCS

1.0 Recommendations

- 1.1 That Members agree the proposals for a scheme to distribute the £250,000 of Capital funding that has been identified within the Council's budget and confirmed at the Finance and Management Committee 15th February 2018.
- 1.2 That members confirm the requirement for 50% matched funding.
- 1.3 That Members agree to authorise delegated powers to the Community Partnership Scheme Grant Panel Members to award project development grants. These grants to cover professional fees and costs to secure planning permissions subject to a maximum single award of £2,000 and an overall maximum during 2018/19 of £20,000 (8% of the total grant pot).

2.0 Purpose of Report

- 2.1 As part of the annual financial planning cycle £250,000 has been identified to provide a capital grant programme for 2018/19. This report recommends a scheme for the distribution of the identified funding.
- 2.2 The report identifies criteria for application and a process to facilitate distribution of grants.
- 2.3 The report introduces project development grants that will enable organisations to pay for professional fees and planning costs, enabling them to apply for matched funding earlier.

3.0 Summary and Overview

- 3.1 A proposal for a scheme to distribute £250,000 of funding to the Voluntary Sector has been developed.
- 3.2 Criteria have been based upon the need to address the Council's aims and objectives as well as locally identified needs within the community.
- 3.3 It is proposed to use an amended version of the existing mechanisms to assess applications and administer grant payments.
- 3.4 It is proposed to allow a small proportion of the overall funding pot (max. £20,000, 8%) to be made available as development grants targeted at covering the costs of professional and planning fees incurred as part of project development.
- 3.5 Capital grants are targeted at larger projects. The minimum project size is to be maintained at £4,000.
- 3.6 Organisations will be allowed to apply for support towards a single project during any financial year. Development grants will be made to cover up to 100% of identified professional and planning costs subject to a maximum level of £2,000. Main grants will be offered for an amount between £1,000 and £25,000. The upper limit of £25,000 includes any development grant already secured by the organisation.

4.0 Detail

- 4.1 There continues to be a desire to support non-profit organisations within South Derbyshire with grants, as well as professional support, to identify and apply for additional funding from other sources. In line with this £250,000 of capital funding, targeted at the Voluntary Sector, has been identified that will allow the Council to support a number of projects during 2018/19.

Non-profit in the context of the Community Partnership Scheme refers to:

- Charities, Community Interest Organisations (CIO's), constituted community groups and clubs.
- Parish Councils for projects that are outside of their statutory duties.
- Community Interest Companies (CIC's) will be considered if all activities, as well as distribution of surplus, can be shown to be for community benefit. (Some CIC's, while using surpluses for community benefit, undertake activities that are not specifically for community benefit.)

- 4.2 Criteria for applications for grant funding are deliberately broad allowing applications from constituted non-profit organisations for capital projects that provide benefits for residents of South Derbyshire, addressing locally identified need. Organisations are required to identify how projects are consistent with the themes of the Corporate Plan and the Sustainable Community Strategy. Guidance notes for the scheme, attached at Appendix A, give a more detailed breakdown of the type of project that can be supported and relevant criteria.

- 4.3 Further to addressing local need a key criteria of the Community Partnership grant scheme is to attract additional funds into South Derbyshire in support of

the development of community infrastructure. This continues to be a key aim within Place in the corporate plan. Further to this the scheme has a requirement for matched-funding. At inception the scheme would provide a maximum contribution of 25% of eligible project costs. Recognising that the funding environment has changed, becoming more difficult, this was amended to a maximum of 50% of eligible costs, when the previous allocation of funds had been made available. It is proposed to continue with 50% as the matched-funding requirement for the scheme.

- 4.4 The Scheme will support a wide variety of projects and communities. In line with this organisations will be allowed to apply for support towards a single project during any financial year. This can be either a main grant or a development grant plus an application to the main grant for the same project once plans and permissions have been secured. (See 4.5 and 4.6 below.)
- 4.5 One of the areas that create delay in the implementation of projects within the non-profit sector is securing funding. Many funders do not now allow applications to be submitted until all relevant permissions re building and development have been secured. Securing funding to pay for professional fees such as architects and associated costs to secure permissions can add months to the implementation time of a project as many funders work on a 12-16 week turnaround.

It is proposed to allow a small proportion of the overall funding pot (max. £20,000, 8%) to be made available as development grants targeted at these costs.

Grant applications towards professional fees will still need to show that there is a local need for the main project and that appropriate consultation has been undertaken. It will also be necessary to show that the final project will contribute towards the strategic priorities of the Council.

- 4.6 The maximum grant that can be applied for towards professional fees and permissions is £2,000. Development grants will be made to cover up to 100% of identified professional and planning costs. Applications will be considered outside of the Council's Committee cycle to reduce delay to a minimum. To facilitate this it is requested that the Community Partnership Grant Scheme be given delegated powers to award these grants within the limits identified.
- 4.7 Main grants will be offered for an amount between £1,000 and £25,000. The upper limit of £25,000 includes any development grant already secured by the organisation. Receipt of a development grant does not guarantee success with an application for a capital grant once permissions have been received, each is considered on merit at the time of application.

5.0 Financial Implications

- 5.1 As detailed in the report

6.0 Corporate Implications

6.1 There are no other legal, personnel or other corporate implications apart from any covered in the report.

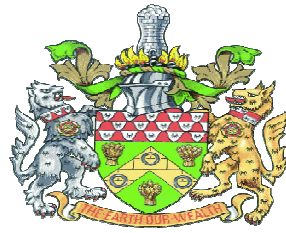
7.0 Community Implications

7.1 The purpose of the report is to enable grant funds to be distributed to support the development of capital projects within the community. It is expected that the allocation of grants from the Council will accelerate projects and allow the delivery of a number of community infrastructure projects within South Derbyshire.

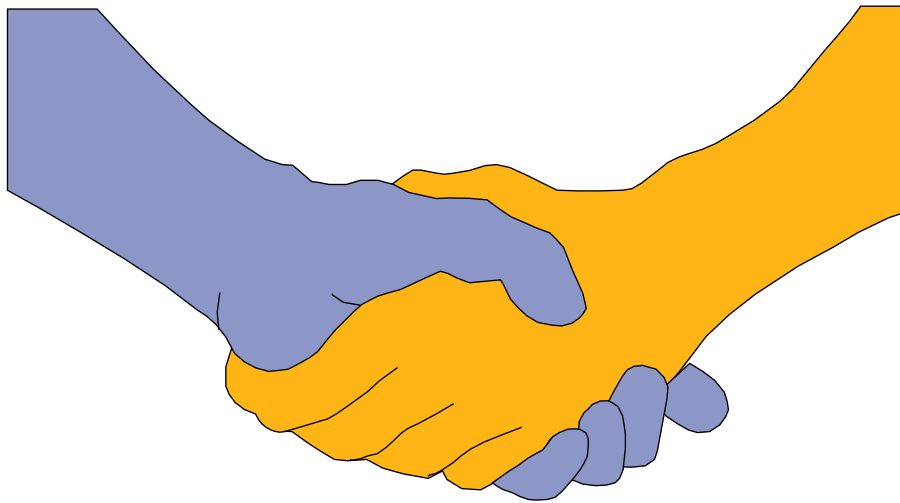
7.2 The delivery of community infrastructure is a key target within the Corporate Plan as it will have a direct impact on a wide range of service delivery directly within local communities.

8.0 Background Papers

8.1 None



**South
Derbyshire
District Council**



Community Partnership Scheme

2018/19

GUIDANCE NOTES

Community Partnerships Scheme**Guidance Notes****INDEX**

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COMMUNITY PARTNERSHIPS SCHEME

GUIDANCE NOTES

Introduction

There continues to be a desire to support non-profit organisations within South Derbyshire with capital grants, as well as professional support to identify and apply for additional funding from other sources. In line with this, £250,000 of funding targeted at the Voluntary Sector has been identified that will allow the Council to support a number of projects during 2018/19.

The purpose of these guidance notes is to assist organisations with understanding the grant criteria as applied by the District Council and to help them complete the application form.

1.0 What is the Community Partnership Scheme?

- The Community Partnership Scheme has been developed to provide support, advice and grant funding to community projects in South Derbyshire.
- It encourages self-help, joint working relationships and the fulfilment of community aspiration.
- It is designed to assist community groups with attracting external funds into South Derbyshire.

2.0 What do we offer?

- An initial meeting to discuss your project.
- Grants, as a contribution, to support the capital costs related to the delivery of your project. The scheme does not offer help towards day to day running (revenue) costs, which are ineligible.
- Development grants are also available for assistance towards an agreed value of professional fees associated with, for example, detailed designs as well as building and planning regulation approval related to construction projects. The aim of these grants is to remove barriers to the development of projects where other funders require approvals prior to applying for funds. (Grants awarded for this will contribute to the maximum level of funding, £25,000, that can be awarded to any one organisation within the year. Receipt of a development grant does not guarantee success with an application for a capital grant once permissions have been received, each is considered on merit at the time of application.)
- **Grants will normally be between 5% and 50% of total project cost, with a minimum of £1,000 and a maximum of £25,000.** The actual support

offered will depend upon a number of factors and these are outlined later in Section 4.0 of these guidance notes.

- We also provide further advice in conjunction with our partners on how best to develop your project, where to get other funding, what you need to do and guidance do it.

Organisations will normally only be allowed to receive one development grant and/or one main grant any financial year.

Note – the conditions above are those that will normally apply. The District Council reserves the right to amend the amount of grant aid in any particular case in exceptional circumstances. It must also be noted that all grants are subject to funds being available.

3.0 What type of projects do we support?

- We will support a wide variety of **capital** projects providing that they benefit communities within South Derbyshire.

Typical examples include:

- Community, heritage, environmental, arts and sports projects.
- The provision of new community buildings or refurbishment / improvement of existing community buildings.
- The purchase of major items of equipment.
N.B. individual items must cost a minimum of £4,000 to be eligible.
- Purchase of land.
N.B. With an application for a grant towards the cost of the acquisition of land or buildings, the authority may take advice as to the value of the property and a grant will not be given on expenditure in excess of the price recommended by an approved Valuer.
- Access improvements to buildings, particularly for people with disabilities.

N.B. Works to religious buildings are excluded except those that fulfil a substantially wider community role beyond the confines of the religious requirements. Any grant offer will include the requirement for wider community activity at the building and will need to be evidenced.

If you have a project in mind, ask if we will support it!

4.0 What you need to show and how your application will be judged

You will need to show that:

- The project relates to the corporate priorities of the District Council, as highlighted within the Corporate Plan 2016-2021. Projects should also address priorities from within the 2009-2029 Sustainable Community Strategy for South Derbyshire.
- Your project meets the needs and priorities of the community. You will need to show how you know this. Who have you asked during the development of the project?
- The community itself is committed to and is involved in the project. Are local people acting as volunteers within the project?
- There is a significant element of self-help and that the project can attract other grants. Have local people been involved with fundraising for the project?
- You need to demonstrate that you can support the running of the project. Do you have a plan that shows how this will happen?
- The project is realistic.
- The project provides value for money.

Additionally, when assessing your application we will look at:

- The management and finance of the organisation.
- Project planning and staffing.
- An analysis of need and impact.
- Commitment to equal opportunities within the project.
- Monitoring and evaluation proposals.
- The value of the applicant's contributions and that of other funding partners, including non-cash contributions, self help, business sponsorship, gifts in kind etc.
- A business plan for large projects.
- Funds already available within the organisation.
- Risk analysis appropriate to the size of your project.
- The extent to which an organisation serves an area outside the District and the extent to which, if any, the organisation receives grants from other sources.

N.B. Each application for funding shall be considered on its merits and judged on the information provided. The mechanism for assessing projects is attached to these Guidance Notes as Appendix 2.

5.0 Who Can Apply?

Any community organisation or partnership based or operating in South Derbyshire, providing they are operating on a non-profit basis, and have:

- A constitution or set of rules defining aims objectives and operational procedures.
- A bank or building society account with at least two joint signatures.
- Recently approved and signed accounts or for newly formed organisations, a business plan incorporating at least a 12-month financial forecast.

N.B. Individual applications and applications from Local Authorities and commercial organisations are not accepted. Similarly the scheme will not fund political or religious activities, equipment already purchased or work already started.

Non-profit in the context of the Community Partnership Scheme refers to:

- Charities, Community Interest Organisations (CIO's), constituted community groups and clubs.
- Parish Councils for projects that are outside of their statutory duties.
- Community Interest Companies (CIC's) will be considered if all activities, as well as distribution of surplus, can be shown to be for community benefit. (Some CIC's, while using surpluses for community benefit, undertake activities that are not specifically for community benefit.)

6.0 Project Development

The Council recognise that many funders for building based projects require the applicant to have secured all of the appropriate permissions prior applying for funds. The need to do this can markedly slow the progress of a project.

In order to speed up project development the Council will consider applications towards the cost of professional and planning application fees.

Grant applications towards professional fees will still need to show that there is a local need for the main project and that appropriate consultation has been undertaken. It will also be necessary to show that the final project will contribute towards the strategic priorities of the Council.

The maximum grant that can be applied for towards these fees is £2,000. Applications will be considered outside of the Council's Committee cycle to reduce delay to a minimum.

7.0 How to Apply?

- Simply phone Ian Hey on 01283 228741 for a preliminary discussion.
- Electronic versions of forms can be found on the South Derbyshire District Council website
- See the process plan for applications.

8.0 When to Apply

- Applications can be made at any time and will be considered at intervals that tie in with the Council's committee cycle. Please check with the Community Partnership Officer for precise details of deadlines and timetables, as it is likely that the cut-off will be one month before the panel.
- Unsuccessful applicants may be eligible to resubmit updated applications to future rounds of the scheme.

9.0 What Happens Next?

- Once your application has been submitted you will receive acknowledgement and a projected date for when a decision will be made. The length of time taken to process an application will depend upon at what point in the grant giving cycle the application is received. During this time you can progress your application with other grant funding organisations.
- Upon receipt of your application form an initial assessment will be undertaken of the project's eligibility for funding. This will be based upon Sections 2.0, 3.0 and 4.0 above.
- Following this initial assessment, a formal assessment will be undertaken by a panel consisting of Community Partnership Officer and five Councillors. This panel will score all the applications received by the relevant cut-off against the set criteria for this scheme. The panel will then make recommendations for support based on a number of factors, first and foremost the scores attained through the assessment process, but also judgements about the level of funds available, anticipated future demand and whether projects are time critical.
- The recommendations form the basis of a report, which goes before Councillors at the Housing and Community Services Committee. This committee makes the final decision about awards from the scheme.

- Following this all applicants are informed of the decision regarding their application. If successful, the letter will contain details about any conditions attached to the grant. If unsuccessful, the applicants will be offered an opportunity to discuss the decision further.

10.0 Conditions of the Grant

The District Council will offer grants with the following conditions:

1. The offer will be valid for a period of 12 months from the date of award. (This period may be extended subject to the applicant being able to demonstrate that the project has progressed and that there is the likelihood of success.)
2. Offers are based upon the submitted project and the commitment of the other partners and/or funders. Any subsequent changes in the details of the project and its finances will lead to a review of the assistance offered by the District Council.
3. Grant payments will generally be released upon receipt of invoices or independently certified completion reports, with the flexibility of staged or lump sum payments. The Council may agree to grant payments to support the project cash-flow. Each request for this will be considered on merit.
4. Payments will be made directly to a bank or specific project account in the name of the organisation. If the applicant is a new or small organisation the Council will consider working with an organisation such as South Derbyshire CVS who have the capacity to hold funds on behalf of other organisations.
5. An agreed review and monitoring process will be put in place to ensure that the aims and objectives of the project are met. Some projects may also have additional conditions applied to them, the extent of which will be agreed at an early stage.
6. Acknowledgement: the support of South Derbyshire District Council should be acknowledged on any literature specific to the project, in press articles or at the premises. The District Council can provide copies of logos.
7. A grant will only be approved in advance of the scheme being carried out.
8. Your organisation must agree to allow the District Council's officers to inspect your records on request, including your book of accounts.
9. It is a condition of any grant towards the purchase (or development) of recreational facilities, village halls, community centres etc that in the event of the land or buildings ceasing to be so used, or sold, or

appropriated for another purpose, the District Council reserves the right to claim a share of the proceeds or value as appropriate, based on the proportion of the District Council grant to the value of the land or building, subject to the overriding supervision of the Charity Commission where applicable.

10. If the application is made by an organisation registered for VAT purposes, grant will be paid only on amounts after deduction of VAT, and net amounts should therefore be shown on applications and claims.

11.0 How you can help

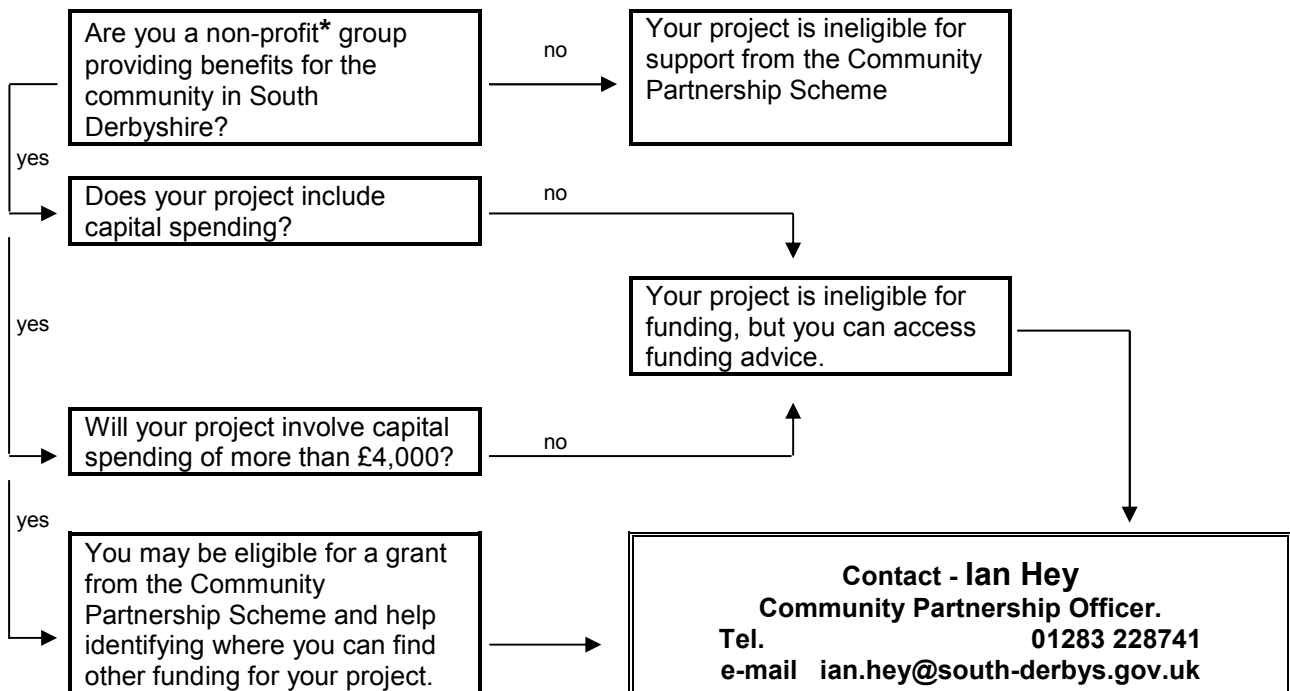
To enable us to process your application as quickly as possible we need your co-operation and it would be helpful if you could bear the following in mind.

- Complete the application form fully providing all relevant information. This will prevent any unnecessary delay in assessing your grant request.
- Don't forget to provide us with a daytime telephone number, as this will help us to resolve any queries as speedily as possible.
- Please update us if there are any changes in circumstances that may affect your application. It is essential that you let us know as soon as possible.

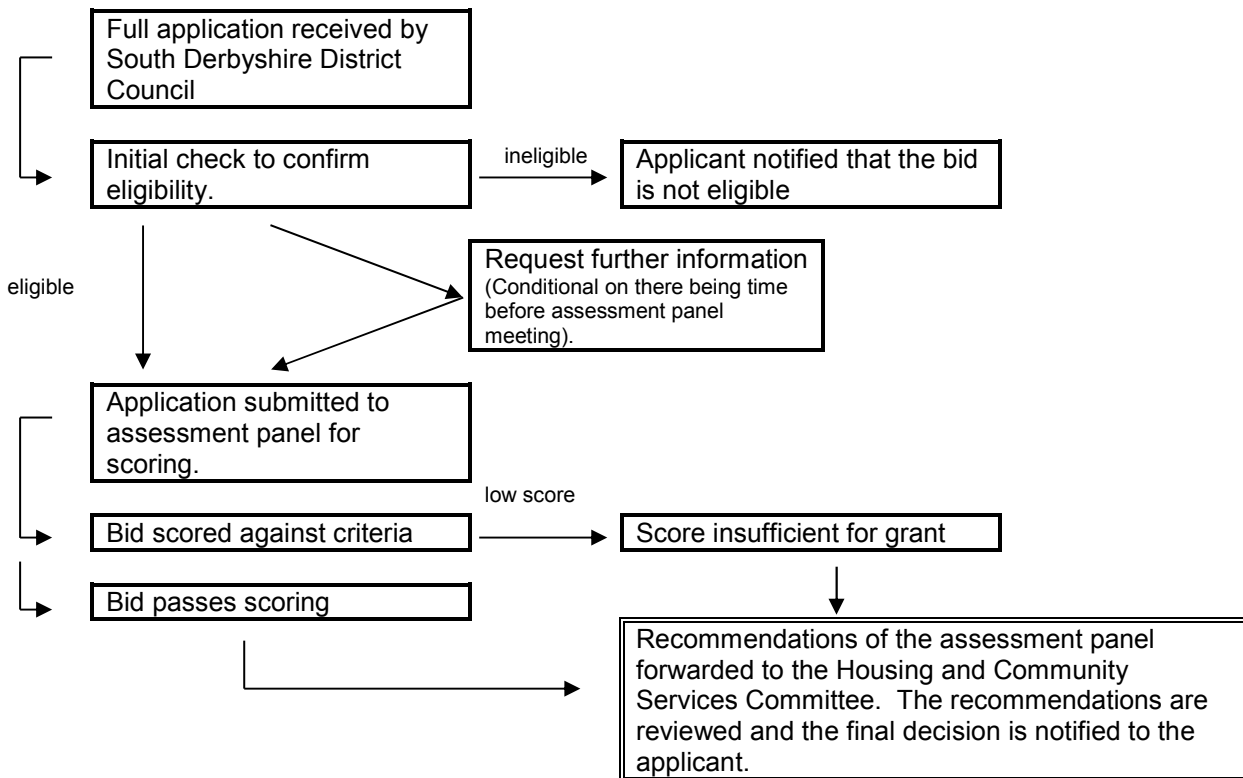
12.0 Further Information

If you wish to discuss any aspect of the information contained in these guidelines, or a potential project, then please contact Ian Hey on 01283 228741 or email ian.hey@south-derbys.gov.uk

South Derbyshire District Council Community Partnership Scheme



Appraisal Process



*Non-profit in the context of the Community Partnership Scheme refers to charities, constituted community groups (you have a set of agreed rules and procedures) and clubs. In the context of this scheme Parish Councils are also deemed to be non-profit groups able to apply for projects that are outside of the statutory duties placed upon them.

REPORT TO:	HOUSING AND COMMUNITY SERVICES COMMITTEE	AGENDA ITEM: 9
DATE OF MEETING:	8th MARCH 2018	CATEGORY: RECOMMENDED
REPORT FROM:	STRATEGIC DIRECTOR (SERVICE DELIVERY)	OPEN
MEMBERS' CONTACT POINT:	MATT HOLFORD – ENVIRONMENTAL HEALTH MANAGER	DOC:
SUBJECT:	CIVIL PENALTIES UNDER THE HOUSING AND PLANNING ACT 2016	REF:
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE: HCS02

1. Recommendations

- 1.1 That Members approve the proposed charging framework for the use of civil penalties for housing offences under the Housing and Planning Act 2016.

2. Purpose of Report

- 2.1 To advise members of the availability of a new civil penalty sanction for housing offences under the Housing and Planning Act 2016.
- 2.2 To seek approval from Members on the proposed use of the power within South Derbyshire and of the Councils proposed policy on the use of the power.

3. Background

- 3.1 The private rented sector is a rapidly expanding segment of the housing market in South Derbyshire. The number of people living in the private rented sector increased from 1,817 (5.5%) of the local housing market in 2001 to 5,459 (14.5%) in 2014 and is set to continue to increase. Rates of non-decency are higher in the private rented sector (23.5%) than the owner occupied sector (15.1%). An estimated 8% of private sector homes exhibit a Category 1 hazard, which is defined as posing a serious risk of harm to occupants – and this percentage is higher for private rented properties.
- 3.2 South Derbyshire District Council has a legal duty to ensure that the condition of the private sector stock, both rented and owner occupied, is compliant with the 2004 Housing Act. This function is delivered by the Private Sector Housing team within Environmental Health.
- 3.3 Most private landlords provide a valuable contribution to the housing market and behave responsibly. However, as demand for housing increases nationally, so a small number of private landlords have sought to exploit the increasing demand by knowingly renting out unsafe and substandard accommodation.

- 3.4 The business model of these landlords is to under-invest in their properties and to absorb the costs of criminal fines issued under the Housing Act as part of their normal business costs. Due to the relatively high profits offered through renting private sector properties and the relatively low fines on conviction for housing offences this has proved to be a lucrative, but immoral operating model.
- 3.5 The importance of the private rented sector means that we must do as much as we can to build confidence in this sector and to ensure that punitive measures with real teeth are in place to prevent poor practice.
- 3.6 The government has stated its intention to crack down on these landlords and disrupt their business model. The Housing & Planning Act 2016 introduced a range of measures to meet this commitment.

4. Housing and Planning Act 2016 ('the Act')

- 4.1 Part 2 of the Act introduces a range of new powers to deal with 'rogue landlords'. Section 126 and Schedule 9 of the Act introduces financial penalty as an alternative to prosecution under the 2004 Housing Act.
- 4.2 The Act enables local housing authorities to impose a civil penalty as an alternative to prosecution for the following offences under the Housing Act 2004:
 - Failure to comply with an Improvement Notice (section 30);
 - Offences in relation to licensing of Houses in Multiple Occupation (section 72);
 - Offences in relation to licensing of houses under Part 3 of the Act (section 95);
 - Offences of contravention of an overcrowding notice (section 139)
 - Failure to comply with management regulations in respect of Houses in Multiple Occupation (section 234).
- 4.3 The maximum civil penalty is £30,000. However, the amount of penalty must be determined by the local housing authority based on the specific circumstances in each case. In determining an appropriate level of penalty, local housing authorities should have regard to statutory guidance which sets out the factors to take into account when deciding on the appropriate level of penalty.
- 4.4 A civil penalty can only be imposed as an alternative to prosecution. The legislation does not permit local housing authorities to impose a civil penalty and then prosecute for the same offence.
- 4.5 The same criminal standard of proof is required for a civil penalty as for prosecution. This means that before seeking to apply a civil penalty the authority must satisfy itself that if the case were to be prosecuted in the magistrates' court, there would be a realistic prospect of conviction i.e. that the case can be proved 'beyond all reasonable doubt'.
- 4.6 Statutory guidance states that local housing authorities are expected to develop and document their own policy on when to prosecute and when to issue a civil penalty. If members are willing to approve the principle of the use of civil penalties, then the following section of the report outlines the policy the Council proposes to adopt in order to calculate such a penalty in any given case.
- 4.7 The Council already has a [Corporate Enforcement Policy](#) which was approved by Committee in November 2016 and is a public document. If members approve the principle of using civil penalties and the policy by which they are applied, then this will be included in a revised version of the Corporate Enforcement Policy.

5. Civil Penalty Calculation

- 5.1 There is no explicit guidance on how to calculate a penalty within the £30,000 maximum threshold. A number of urban authorities, for whom unfit private rented properties are a far greater problem in South Derbyshire, have developed a model which has been in use for the past year. This model has also been adopted by other councils in Derbyshire.
- 5.2 In order to provide consistency across the region and to enable the Council to offer a robust position in the event of an appeal, members are recommended to adopt the same model.
- 5.3 The proposed calculation process is described in Appendix 1. In summary it requires the investigating officer to firstly establish that the use of a civil penalty is proportionate to the offence; secondly to determine the scale of the offence having regard to culpability and harm; and finally to consider extenuating circumstances which need to influence the final penalty.
- 5.4 Under the terms of the existing Corporate Enforcement Policy (section 10), where an investigating officer has concluded that an offence should be dealt with by prosecution, this must be approved in writing by the Strategic Director (para 10.4). It is proposed that a similar process should be adopted for the decision to issue a civil penalty. The enforcement decision template described in para 10.2 of the Enforcement Policy will be adapted to accommodate this. At the same time a copy of the proposed penalty will be sent to the Legal Services team to ensure that they are also satisfied that the burden of proof of 'beyond all reasonable doubt' has been met.

6. Financial Implications

- 6.1 Minor beneficial. The private sector housing stock in South Derbyshire is generally good and we very rarely find ourselves having to serve legal notices on our landlords to achieve compliance with the Housing Act 2004. By way of illustration, over the past 3 years the Council has issued two legal notices which would have resulted in a civil penalty being issued. We do not therefore anticipate that this policy will generate significant income.
- 6.2 We would propose to reinvest any excess revenue generated from civil penalty sanctions into the housing renewal support service for the private sector stock.

7. Corporate Implications

- 7.1 The proposals align with the "People" Corporate Plan theme and specifically with aim PE3 "Use existing tools and powers to take appropriate enforcement action".

8. Community Implications

- 8.1 Beneficial.

9. Conclusion

- 9.1 The reports seeks Member approval to adopt new powers to issue civil penalties to landlords who fail to comply with housing law in the private rented sector. It also provides a framework by which any civil penalty sanctions will be calculated.
- 9.2 The implementation of the proposals will provide a new form of regulatory sanction which is likely to have a significant influence within the private sector landlord community.

9.3 The authority already has well tested checks and balances to ensure that our regulatory powers are used appropriately. By applying the same principles to the new powers we can be confident that they will be implemented in a balanced manner.

10. References

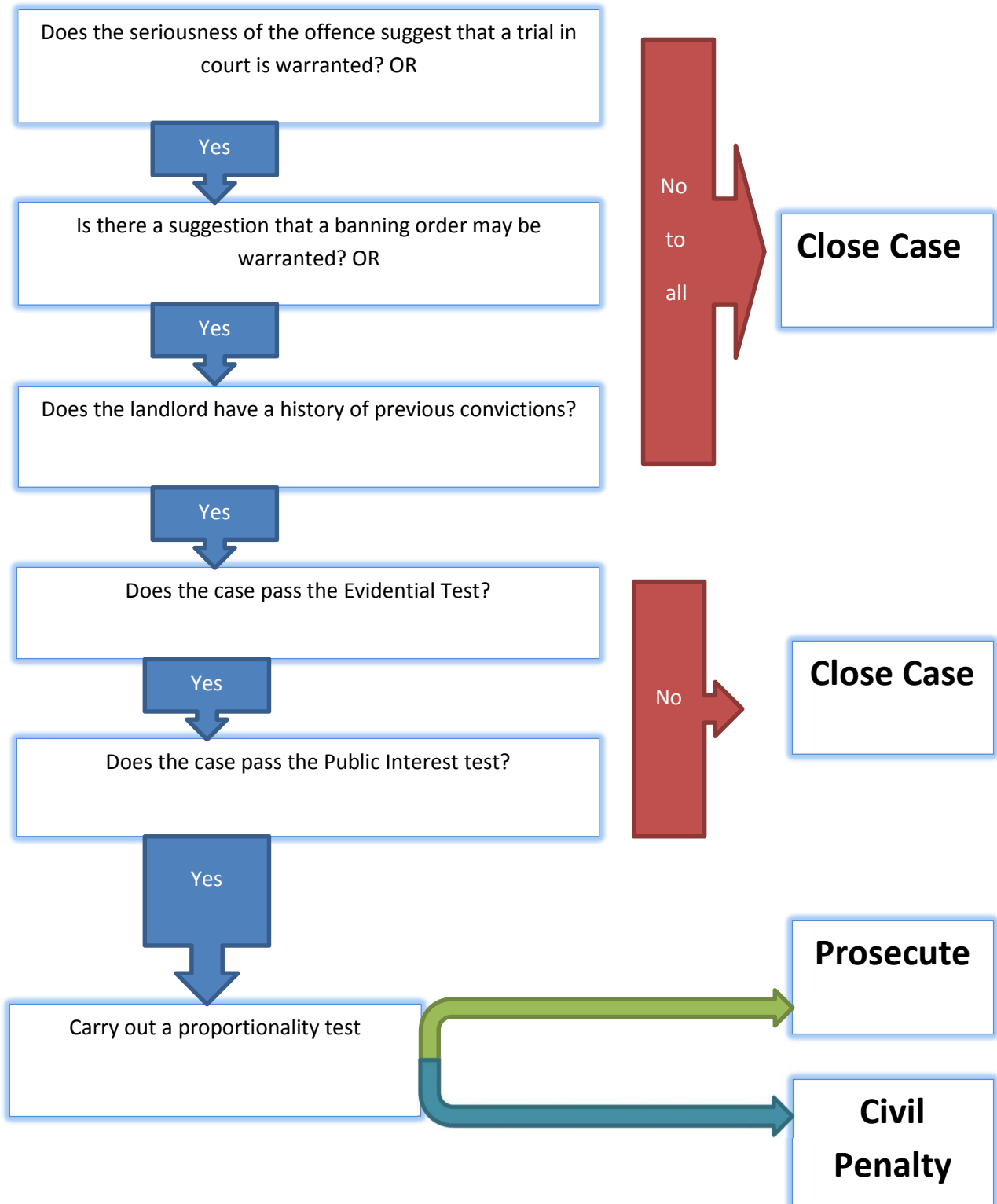
10.1 “Civil Penalties under the Housing and Planning Act 2016 – Guidance for Local Housing Authorities”, DCLG, April 2017.

10.2 South Derbyshire District Council Corporate Enforcement Policy, November 2016.

Appendix 1 - Calculation of Civil Penalty Charge

H&CS Committee 8th March 2018

Stage 1 – Determination of the Proportionality of use of a Civil Penalty



Stage 2: Calculation of Scale of Penalty Based on Culpability and Harm

What Describes the Culpability of the Offence?	Scale
Serious breach of legislation	Very High
History of failing to comply with legislation	High
Act or omission that a 'reasonable person' would not commit	Medium
Effort was made to comply which was insufficient	
Minor failings due to an isolated incident	Low

Note: Apply the highest score relevant to the case in question

What Describes the Harm of the Offence?	Scale
Serious adverse effect on individual or high risk of adverse effect.	Cat 1
Adverse effect, lesser than above. Medium risk of adverse effect, or low risk but of serious effect. Tenant seriously misled	Cat 2
Low risk of an adverse effect	Cat 3

Overall Liability Scale

Use the Culpability and Harm scales to calculate the overall scale of liability using the matrix below.

Culpability	Harm		
	Cat 1	Cat 2	Cat 3
Very High	6	5	4
High	5	4	3
Medium	4	3	2
Low	3	2	1

The range of the civil penalty which should be applied to the offence shall be determined from the Overall Liability Scale. The Standard Scale (Criminal Justice Act 1982) has been used as reference and converted below to provide a point scale within the range of the civil penalty.

Calculated Overall Liability Scale	Range of the Civil Penalty
Scale 1	£1 - £500
Scale 2	£501 - £1,000
Scale 3	£1,001 - £2,500
Scale 4	£2,501 - £7,000
Scale 5	£7,001 - £17,000
Scale 6	£17,001 - £30,000

Stage 3: Other Influencing Factors

The more of the following factors which apply to the case, the greater the weighting should be towards the **upper** end of the civil penalty scale:

- The offender has previous convictions. Regard needs to be paid to a) the nature of the offences to which the conviction relates and its relevance to the current offence; and b) the time that has been elapsed since the conviction
- The offence was committed whilst the offender was on bail
- There is clear evidence that the offence was motivated by financial gain
- The offender deliberately tried to conceal the illegal nature of the offence
- There is evidence of a wider or community impact associated with the offence
- The offender attempted to obstruct the investigation
- The offender has a record of providing substandard accommodation
- The offender refused or ignored free advice

The more of the following factors which apply to the case, the greater the weighting should be towards the **lower** end of the civil penalty scale (this is not an exhaustive list):

- The offender has no previous convictions or no relevant/recent convictions
- The offender took voluntary steps to remedy problem
- The offender provided a high level of co-operation with the investigation, beyond that which will always be expected
- The offender has previous history of a good record of maintaining property or is a member of an Accreditation scheme
- The offender has shown a history of co-operation with the regulatory authority and acceptance of responsibility

Having completed the civil penalty calculation the investigating officer must submit the proposal in the form of an enforcement decision template to the Strategic Director Service Delivery (or any other Strategic Director) with a clear explanation of the reasoning behind the final proposed figure for the civil penalty.

A copy of the enforcement decision template shall also be submitted to the Legal and Democratic Services Manager for legal approval before any civil penalty is issued.

The civil penalty shall only be issued following the approval of a Strategic Director.

REPORT TO:	HOUSING AND COMMUNITY SERVICES COMMITTEE	AGENDA ITEM: 10
DATE OF MEETING:	8th MARCH 2018	CATEGORY: DELEGATED
REPORT FROM:	STRATEGIC DIRECTOR (SERVICE DELIVERY)	OPEN
MEMBERS' CONTACT POINT:		DOC:
SUBJECT:	COMMITTEE WORK PROGRAMME	REF:
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE: G

1.0 Recommendations

1.1 That the Committee considers and approves the updated work programme.

2.0 Purpose of Report

2.1 The Committee is asked to consider the updated work programme.

3.0 Detail

3.1 Attached at Annexe 'A' is an updated work programme document. The Committee is asked to consider and review the content of this document.

4.0 Financial Implications

4.1 None arising directly from this report.

5.0 Background Papers

5.1 Work Programme.

Housing and Community Services Committee – 8th March 2018 Work Programme

Work Programme Area	Date of Committee meetings	Contact Officer (Contact details)
Reports Previously Considered By Last 3 Committees		
Corporate Plan 2016-21: Performance Report (1 July – 30 September 2017)	23 rd November 2017	Keith Bull Head of Communications (01283 228705)
Increasing Supply of Affordable Homes through Direct Acquisition and L.A. New Build Schemes – Options Report	23 rd November 2017	Eileen Jackson Housing Strategy Manager (01283) 595763
Sport England Funding Programmes	23 rd November 2017	Hannah Peate Sport and Health Partnership Manager (01283) 595973
Swadlincote Town Centre CCTV Replacement Project	23 rd November 2017	Chris Smith Communities Manager (01283) 595924
Changes To The Housing Stock	9 th January 2018	Martin Guest Interim Housing Services Manager (01283) 595940
Service Base Budgets 2018/19	9 th January 2018	Kevin Stackhouse Strategic Director (Corporate Services) (01283) 595811

Housing Revenue Account Budget, Financial Plan and Proposed Rent 2018/19	9 th January 2018	Kevin Stackhouse Strategic Director (Corporate Services) (01283) 595811
Adoption of Affordable Housing Supplementary Planning Document	1 st February 2018	Eileen Jackson Housing Strategy Manager (01283) 595763
Provisional Programme of Reports To Be Considered by Committee		
Corporate Plan 2016-21: Performance Report (1 October – 31 December 2017)	8 th March 2018	Keith Bull Head of Communications (01283 228705)
Community Partnership Grant Scheme: Criteria and Procedures	8 th March 2018	Ian Hey Community Partnership Officer (01283) 228741
Civil Penalties under the Housing and Planning Act 2016	8 th March 2018	Matt Holford Environmental Health Manager (01283) 595856
Allocations Policy and Choice-Based Lettings	26 th April 2018	Eileen Jackson Housing Strategy Manager (01283) 595763
Enhancements to the Housing Management System	26 th April 2018	Martin Guest Business Support Manager (01283) 595940

Review of Leaseholder Policy	26 th April 2018	Martin Guest Business Support Manager (01283) 595940
Review of the Disabled Facilities Grant Policy	26 th April 2018	Eileen Jackson Housing Strategy Manager (01283) 595763
Review of Housing Complaints Procedure	26 th April 2018	Martin Guest Interim Housing Services Manager (01283) 595940
South Derbyshire Playing Pitch Strategy	26 th April 2018	Hannah Peate Sport and Health Partnership Manager (01283) 595973
Safer South Derbyshire Partnership – Community Safety Partnership Plan 2018-21	26 th April 2018	Chris Smith Communities Manager (01283) 595924
Corporate Plan 2016-21: Performance Report (1 January – 31 March 2018)	2018/19	Keith Bull Head of Communications (01283 228705)
Swadlincote Woodlands Management Plan	2018/19	Malcolm Roseburgh Cultural Services Manager (01283) 5955774