

## **The Council's Vision:**

To enable people to live, work and prosper in West Somerset

### **CABINET**

**Meeting to be held on 4 September 2013 at 4.30 pm**

**Council Chamber, Williton**

### **AGENDA**

1. **Apologies for Absence**

2. **Minutes**

Minutes of the Meeting of Cabinet held on 7 August 2013 to be approved and signed as a correct record – **SEE ATTACHED.**

3. **Declarations of Interest**

To receive and record declarations of interest in respect of any matters included on the agenda for consideration at this meeting.

4. **Public Participation**

The Leader to advise the Cabinet of any items on which members of the public have requested to speak and advise those members of the public present of the details of the Council's public participation scheme.

For those members of the public wishing to speak at this meeting there are a few points you might like to note.

A three-minute time limit applies to each speaker and you will be asked to speak before Councillors debate the issue. There will be no further opportunity for comment at a later stage. Your comments should be addressed to the Chairman and any ruling made by the Chair is not open to discussion. If a response is needed it will be given either orally at the meeting or a written reply made within five working days of the meeting.

5. **Forward Plan**

To approve the latest Forward Plan published on 21 August 2013 – **SEE ATTACHED.**

6. **Cabinet Action Plan**

To update the Cabinet on the progress of resolutions and recommendations from previous meetings – **SEE ATTACHED.**

7. **Discretionary Housing Payments Use of Additional Funding**

To consider Report No. WSC 114/13, to be presented by Councillor D J Westcott, Lead Member for Community and Customer – **SEE ATTACHED.**

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The purpose of the report is to advise cabinet of the receipt of additional funding from Central Government provided to mitigate the disproportionate impact on those affected by the removal of the spare room subsidy in remote and isolated communities and to propose a scheme for positive use of those funds for local residents.

### **8. Empty Homes Enforcement Policy**

To consider Report No. WSC 112/13, to be presented by Councillor K H Turner, Lead Member for Housing, Health and Wellbeing - **SEE ATTACHED.**

The purpose of the report is for Cabinet to consider the attached Somerset West Private Sector Housing Partnership (partnership) Empty Homes Enforcement Policy. Cabinet agree an approach to provide funding for high level enforcement action on empty properties should this become a necessity.

### **9. Unlawful Evictions Policy**

To consider Report No. WSC 113/13, to be presented by Ian Timms, Corporate Manager, Housing, Welfare and Economy - **SEE ATTACHED.**

The purpose of the report is to advise Cabinet of the Somerset West Private Sector Housing Partnership (partnership) Unlawful Evictions Policy and the current issues around unlawful evictions. To request that cabinet recommend it's adoption to council.

### **10. Update on Health and Wellbeing Board and Representation on West Somerset Health Forum**

To consider Report No. WSC 118/13, to be presented by Councillor K H Turner, Lead Member for Housing, Health and Wellbeing - **SEE ATTACHED.**

The purpose of the report is to update Cabinet on the current situation with regards to the Health and Wellbeing Board and progress to address the Health and Wellbeing Strategy objectives and to propose that Councillor Keith Turner be the council's official representative on the West Somerset Health Forum.

### **11. Corporate Performance and Budget Monitoring 2013/14 – Quarter 1**

To consider Report No. WSC 121/13, to be presented by Councillor T Taylor, Leader and Councillor K Kravis Lead Member for Resources and Central Support - **SEE ATTACHED.**

The purpose of the report is to provide Members with an update on progress in delivering the corporate priorities, performance of council services including budgetary information and customer satisfaction covering the period from 1<sup>st</sup> April 2013 to 30<sup>th</sup> June, 2013.

**COUNCILLORS ARE REMINDED TO CHECK THEIR POST TRAYS**

## **The Council's Vision:**

To enable people to live, work and prosper in West Somerset

## **The Council's Corporate Priorities:**

- Local Democracy:  
Securing local democracy and accountability in West Somerset, based in West Somerset, elected by the people of West Somerset and responsible to the people of West Somerset.
- New Nuclear Development at Hinkley Point  
Maximising opportunities for West Somerset communities and businesses to benefit from the development whilst protecting local communities and the environment.

## **The Council's Core Values:**

- Integrity
- Respect
- Fairness
- Trust

## RISK SCORING MATRIX

Report writers score risks in reports uses the scoring matrix below

**Risk Scoring Matrix**

<b>Likelihood</b>	5	Almost Certain	Low (5)	Medium (10)	High (15)	Very High (20)	Very High (25)
	4	Likely	Low (4)	Medium (8)	Medium (12)	High (16)	Very High (20)
	3	Possible	Low (3)	Low (6)	Medium (9)	Medium (12)	High (15)
	2	Unlikely	Low (2)	Low (4)	Low (6)	Medium (8)	Medium (10)
	1	Rare	Low (1)	Low (2)	Low (3)	Low (4)	Low (5)
			1	2	3	4	5
			Negligible	Minor	Moderate	Major	Catastrophic
<b>Impact</b>							

<b>Likelihood of risk occurring</b>	<b>Indicator</b>	<b>Description (chance of occurrence)</b>
1. Very Unlikely	May occur in exceptional circumstances	< 10%
2. Slight	Is unlikely to, but could occur at some time	10 – 25%
3. Feasible	Fairly likely to occur at same time	25 – 50%
4. Likely	Likely to occur within the next 1-2 years, or occurs occasionally	50 – 75%
5. Very Likely	Regular occurrence (daily / weekly / monthly)	> 75%

- Mitigating actions for high ('High' or above) scoring risks are to be reflected in Service Plans, managed by the Group Manager and implemented by Service Lead Officers;
- Lower scoring risks will either be accepted with no mitigating actions or included in work plans with appropriate mitigating actions that are managed by Service Lead Officers.

**CABINET****MINUTES OF THE MEETING HELD ON 7 AUGUST 2013****AT 4.30 PM****IN THE COUNCIL CHAMBER, WILLITON****Present:**

Councillor T Taylor ..... Leader

Councillor K V Kravis  
Councillor C Morgan  
Councillor A Trollope-Bellew  
Councillor D J WestcottCouncillor K M Mills  
Councillor S J Pugsley  
Councillor K H Turner**Members in Attendance:**Councillor H J W Davies  
Councillor B Heywood  
Councillor E MayCouncillor G S Dowding  
Councillor A F Knight  
Councillor K J Ross**Officers in Attendance:**Chief Executive (A Dyer)  
Corporate Director (B Lang)  
Section 151 Officer (S Campbell)  
Corporate Manager Housing, Welfare and Economy (I Timms)  
Principal Accountant (S Plenty)  
Major Projects Manager (J Holbrook)  
Meeting Administrator (K Kowalewska)**CAB25      Apologies for Absence**

No apologies for absence were received.

**CAB26      Minutes of the Meeting held on 3 July 2013**

(Minutes of the Meeting of Cabinet held on 3 July 2013 - circulated with the Agenda.)

**RESOLVED** that the Minutes of the Meeting of Cabinet held on 3 July 2013 be confirmed as a correct record.**CAB27      Declarations of Interest**

Members present at the meeting declared the following personal interests in their capacity as a Member of a County, Parish or Town Council:

Name	Minute No.	Member of	Action Taken
Councillor D Westcott	All	Watchet	Spoke and voted
Councillor K H Turner	All	Brompton Ralph	Spoke and voted
Councillor H J W Davies	All	Somerset County Council	Spoke

In addition, the following interest was declared

Name	Minute No.	Description of interest	Personal or Prejudicial	Action Taken
Councillor C Morgan	CAB32	Resident of Shurton	Personal	Spoke and voted

**CAB28 Public Participation**

No member of the public had requested to speak.

**CAB29 Forward Plan**

(Copy of latest Forward Plan published 29 July 2013 – circulated with the Agenda.)

The purpose of this item was to approve the latest Forward Plan published 29 July 2013.

**RESOLVED** that the latest Forward Plan published 29 July 2013 be approved.

**CAB30 Cabinet Action Plan**

(Copy of the Action Plan – circulated with the Agenda.)

Councillor K H Turner provided a verbal update on the Williton Regeneration Forum and confirmed that he was a Council representative on the Forum and would attend when required to.

**RESOLVED (1)** that CAB16 – Minutes of the Meeting held on 5 June 2013 regarding the Williton Regeneration Forum be deleted as actioned.

**RESOLVED (2)** that CAB21 – Business Case to contribute funding for Watchet CCTV be carried forward.

**RESOLVED (3)** that CAB24 – Minehead Vision Manager Business Plan – Request for Seaside Strategy Funding be deleted as actioned.

**CAB31 Corporate Performance Report – April to March 2012/13**

(Report No. WSC 97/13, circulated with the Agenda.)

The purpose of the report was to provide Members with an update on progress in delivering the corporate priorities, performance of council

services including budgetary information and customer satisfaction covering the period from 1 April 2012 to 31 March 2013.

The Lead Member for Resources and Central Support presented the element of the report that related to the budgetary information and reported on the Council's underspend of £557,588 during the 2012/2013 financial year. She drew Members' attention to the main reasons for the variances and advised that when setting the budget careful consideration of the causes of any underspend was necessary.

The Lead Member further advised that not as many earmarked reserves had been used as originally calculated, and therefore this would be addressed in the near future as some of the reserves may no longer be relevant. A report on earmarked reserve proposals would be presented to a future meeting of Cabinet.

In reply to a request for figures for the following categories of savings pertaining to the total variance figure : one-off savings not carried forward; early savings in the Medium Term Financial Plan (MTFP), and savings not in the MTFP which would be carried forward, the Section 151 Officer agreed to provide all Members with this information.

The Leader presented the part of the report that related to performance and advised that the report made due reference to the questions, comments and concerns raised by Scrutiny Committee when this matter was considered at its meeting held on 15 July 2013.

During the discussion of this item the following points were raised:

- The planning application for the delivery of 20 affordable homes in Townsend Farm, Carhampton would be considered at either the August or September Planning Committee.
- Key task 10.2.4 – Councillor K M Millis reported that she would be receiving monthly up to date car parking income figures, and confirmed that the income was up by £2,000 to date in respect of 2013/14.
- Key task 3.1.2 – The Corporate Manager Housing, Welfare and Economy advised that a comprehensive report on the economic development and tourism service had been presented to Members of Scrutiny, hence the task had been discharged. He also informed that a general review and sort-out of tasks would be undertaken.
- The Chief Executive confirmed that officers would be dealing with the resolutions of the Scrutiny Committee and report back accordingly.
- A report on grounds maintenance and public conveniences devolution update had recently been reviewed by Scrutiny.

Councillor K H Turner advised that the Council's Licensing Officer was on long term sick leave and drew attention to the fact that 100% of customers were satisfied or very satisfied with the licensing service in 2012/13. Cabinet Members commended the officers in the environmental health and licensing team for the impressive and hard

work that was being undertaken in continuing to provide an efficient licensing service.

Cabinet also took the opportunity to congratulate the planning team for attaining the best performance figures in the country for their timed response to planning applications.

The Leader proposed the recommendations in the report which were seconded by Councillor K V Kravis.

**RESOLVED (1)** that the process in delivering the corporate priorities for 2012/13 be noted.

**RESOLVED (2)** that the performance against Group and Service indicators, including the Budget Monitoring indicators, be noted.

**RESOLVED (3)** that performance of the Environmental Health and Licensing and Planning Teams, as referred to above, be commended

**CAB32 Hinkley Point C Connection Project – Legal Support**

(Report No. WSC 98/13, circulated with the Agenda.)

The purpose of the report was to advise Cabinet of the procurement process that was being completed regarding legal support to be provided to the Councils (West Somerset, Sedgemoor District, Somerset County, North Somerset, South Gloucestershire and Bristol City) during the forthcoming phases of the Development Consent Order project proposed by National Grid for the Hinkley Point C Connection Project. In addition to recommend that Pinsent Masons LLP be appointed under Government Procurement Services Legal Services Framework Agreement [ref: RM919], (“the Framework Agreement”) run by Sedgemoor District Council for the Provision of Legal Support to provide advice to the Councils named above.

The Lead Member for Environment - Hinkley presented this item and outlined the details in the report, he then went on to propose the recommendation contained in the report which was duly seconded by Councillor A H Trollope-Bellew.

In response to a question regarding the number of towers/pylons proposed to be erected in West Somerset, the Major Projects Manager advised that the current estimate was that it would be in the region of four to six and that further clarification would be available following the next stage of the consultation when National Grid would provide detailed proposals on pylon design, height etc.

**RESOLVED** that the procurement process be noted and that Pinsent Masons LLP be appointed under Government Procurement Services Framework Agreement [ref: RM919], (“the Framework Agreement”) run by Sedgemoor District Council for the Provision of Legal Support to provide legal support in connection with the Hinkley Point C Connection Project Development Consent Order for West Somerset, Sedgemoor



District, Somerset County, North Somerset, South Gloucestershire and Bristol City Councils.

**CAB33      Business Case to Support Funding for ICT System Upgrade**

(Report No. WSC 100/13, circulated with the Agenda.)

The purpose of the report was to obtain Cabinet's agreement to recommend to Council to approve a supplementary estimate to fund a capital bid which was withdrawn from this year's program to support the upgrade of the Building Control, Environmental Health and Gazetteer systems.

The Lead Member for Resources and Central Support presented the report in detail and advised that the Oracle upgrade was absolutely essential as it affected a number of service areas and without it these services would not be delivered. The Lead Member explained the reasons for removing this particular project from the 2012/13 capital programme, and she pointed out that during the setting of the 2013/14 IT budget the implications of the joint working project with Taunton Deane Borough Council had been taken into consideration.

The Lead Member then went on to propose the recommendation in the report which was seconded by Councillor C Morgan.

The Corporate Director advised that as the works needed to be undertaken as soon as possible, it may be necessary for this matter to be considered as an urgent item by full Council on 14 August 2013.

**RESOLVED** that it be recommended to Council to approve a supplementary estimate of £11,000 to provide funding for the upgrade of the systems database.

The meeting closed at 5.07 pm



7  
Weekly version of Forward Plan published on 21 August 2013

Forward Plan Ref / Date proposed decision published in Forward Plan	Date when decision due to be taken and by whom	Details of the proposed decision	Documents and background papers to be available to decision maker	Does the decision contain any exempt information requiring a resolution for it to be considered in private and what are the reasons for this?	Contact Officer for any representations to be made ahead of the proposed decision
FP/13/9/01  13/02/2013	4 September 2013  By Councillor D Westcott – Lead Member for Community and Customer	Title: Consideration of nomination/s received under the Community Right to Bid Legislation  Decision: To approve listing		No exempt / confidential information anticipated	Bruce Lang, Corporate Director 01984 635200
FP/13/9/02  3/06/2013	4 September 2013  By Councillor K H Turner – Lead Member Housing Health & Wellbeing	Title: Empty Homes Enforcement Policy  Decision: To adopt the policy		No exempt / confidential information anticipated	Ian Timms, Group Manager Housing, Welfare and Economy 01984 635271
FP/13/9/03  3/06/2013	4 September 2013  By Councillor K H Turner – Lead Member Housing Health & Wellbeing	Title: Unlawful Evictions Policy  Decision: To adopt the policy		No exempt / confidential information anticipated	Ian Timms, Group Manager Housing, Welfare and Economy 01984 635271
FP/13/9/04  25/09/2012	4 September 2013  By Councillor T Taylor – Leader of Council and Councillor K V Kravis – Lead Member Resources & Central Support	Title: <b>Corporate Performance &amp; Budget Monitoring Report 2013-14 – Quarter 1</b>  Decision: to provide Members with an update on progress in delivering corporate priorities, performance of council services including budgetary information and customer satisfaction.		No exempt / confidential information anticipated	Bruce Lang, Corporate Director 01984 635200

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FP/13/9/05 4/07/2013	4 September 2013 By Councillor C Morgan – Lead Member for Environment – Hinkley Point	Title: Hinkley Point Decision: to consider key issues relating to Hinkley Point		No exempt / confidential information anticipated	Andrew Goodchild, Planning Manager 01984 635245
FP/13/09/06 4/07/13	4 September 2013 By Councillor K Turner – Lead Member for Housing, Health and Wellbeing	Title: Update on Health & Wellbeing Board and Representative on Outside Body Decision: To note the update		No exempt / confidential information anticipated	Ian Timms, Group Manager Housing, Welfare and Economy 01984 635271
FP/13/09/10 01/08/13	4 September 2013 By Councillor D Westcott – Lead Member for Community and Customer	Title: Proposal for use of additional funding received for Discretionary Housing payment Decision: To consider the proposal		No exempt / confidential information anticipated	Ian Timms, Group Manager Housing, Welfare and Economy 01984 635271
FP/13/10/01 25/09/2012	2 October 2013 By Councillor K V Kravis – Lead Member Resources & Central Support	Title: <b>Allocation of Section 106 funds held – Quarter 2</b> Decision: to make proposals for the allocation of monies secured through planning obligations to individual schemes, and to update members with the current funding position.		No exempt / confidential information anticipated	Ian Timms, Group Manager Housing, Welfare and Economy 01984 635271
FP/13/10/03 13/02/2013	2 October 2013 By Councillor D Westcott – Lead Member for Community and Customer	Title: Consideration of nomination/s received under the Community Right to Bid Legislation Decision: To approve listing		No exempt / confidential information anticipated	Bruce Lang, Corporate Director 01984 635200

<b>Forward Plan Ref / Date proposed decision published in Forward Plan</b>	<b>Date when decision due to be taken and by whom</b>	<b>Details of the proposed decision</b>	<b>Documents and background papers to be available to decision maker</b>	<b>Does the decision contain any exempt information requiring a resolution for it to be considered in private and what are the reasons for this?</b>	<b>Contact Officer for any representations to be made ahead of the proposed decision</b>
FP/13/10/04 06/06/2013	2 October 2013  By Councillor C Morgan – Lead Member for Environment – Hinkley	Title: West Somerset Council's Response to National Grid Stage 4 Consultation  Decision: To agree Council's response to the consultation		No exempt / confidential information anticipated	Andrew Goodchild, Planning Manager 01984 635245
FP/13/10/06 4/07/2013	2 October 2013  By Councillor C Morgan – Lead Member for Environment – Hinkley Point	Title: Hinkley Point  Decision: to consider key issues relating to Hinkley Point		No exempt / confidential information anticipated	Andrew Goodchild, Planning Manager 01984 635245
FP/13/10/07 29/07/13	2 October 2013  By Councillor K V Kravis – Lead Member Resources & Central Support	Title: Sale of Assets (Land known as leisure land and former Aquasplash site)  Decision: Agree preferred bidders		Report will contain information that is deemed to be commercially sensitive	Adrian Dyer, Chief Executive 01984 635212
FP/13/10/08 25/07/2013	2 October 2013  By Councillor K V Kravis – Lead Member Resources & Central Support	Title: Classification of Earmarked Reserves		No exempt / confidential information anticipated	Adrian Dyer, Chief Executive 01984 635212
FP/13/10/09 21/08/13	2 October 2013  By Councillor K Turner – Lead Member for Housing, Health and Wellbeing	Title: Somerset Homelessness Strategy  Decision: To advise members of the Strategy and request it's adoption		No exempt / confidential information anticipated	Ian Timms, Group Manager Housing, Welfare and Economy 01984 635271
FP/13/10/10 21/08/13	2 October 2013  By Councillor K Turner –	Title: Homefinder Somerset Common Allocations Policy 2013		No exempt / confidential information anticipated	Ian Timms, Group Manager Housing, Welfare and Economy

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	Lead Member for Housing, Health and Wellbeing	Decision: To note the changes to the policy as required by changes in legislation			01984 635271
FP/13/11/01 13/02/2013	6 November 2013  By Councillor D Westcott – Lead Member for Community and Customer	Title: Consideration of nomination/s received under the Community Right to Bid Legislation  Decision: To approve listing		No exempt / confidential information anticipated	Bruce Lang, Corporate Director 01984 635200
FP/13/11/02 4/07/2013	6 November 2013  By Councillor C Morgan – Lead Member for Environment – Hinkley Point	Title: Hinkley Point  Decision: to consider key issues relating to Hinkley Point		No exempt / confidential information anticipated	Andrew Goodchild, Planning Manager 01984 635245
FP/13/11/03 01/07/13	6 November 2013  By Councillor K Turner – Lead Member for Housing, Health and Wellbeing	Title: Review of Low Cost Home Ownership Scheme  Decision: To consider the review of the Low Cost Home Ownership Scheme		No exempt / confidential information anticipated	Ian Timms, Group Manager Housing, Welfare and Economy 01984 635271
FP/13/12/01 23/11/2012	4 December 2013  By Councillor K V Kravis – Lead Member Resources & Central Support	Title: <b>Review of Financial Regulations [FR2]</b>  Decision: to offer comment on the Financial Regulations.		No exempt / confidential information anticipated	Bruce Lang, Corporate Director 01984 635200
FP/13/12/02 23/11/2012	4 December 2013  By Councillor T Taylor – Leader of Council and Councillor K V Kravis – Lead Member Resources & Central Support	Title: <b>Corporate Performance &amp; Budget Monitoring Report 2013-14 – Quarter 2</b>  Decision: to provide Members with an update on progress in delivering corporate priorities, performance of council services		No exempt / confidential information anticipated	Bruce Lang, Corporate Director 01984 635200

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		including budgetary information and customer satisfaction.			
FP/13/12/03 13/02/2013	4 December 2013  By Councillor D Westcott – Lead Member for Community and Customer	Title: Consideration of nomination/s received under the Community Right to Bid Legislation  Decision: To approve listing		No exempt / confidential information anticipated	Bruce Lang, Corporate Director 01984 635200
FP/13/12/04 4/07/2013	4 December 2013  By Councillor C Morgan – Lead Member for Environment – Hinkley Point	Title: Hinkley Point  Decision: to consider key issues relating to Hinkley Point		No exempt / confidential information anticipated	Andrew Goodchild, Planning Manager 01984 635245
FP/14/1/01 18/01/2013	8 January 2014  By Councillor K V Kravis – Lead Member Resources & Central Support	Title: <b>Fees and Charges</b>  Decision: to propose levels of fees and charges for the period 1 April 2014 to 31 March 2015 (in some cases fee increases will be implemented earlier, this will be stated in the relevant sections of the report).		No exempt / confidential information anticipated	Section 151 Officer
FP/14/1/02 18/01/2013	8 January 2014  By Councillor K V Kravis – Lead Member Resources & Central Support	Title: <b>Allocation of Section 106 funds held – Quarter 3</b>  Decision: to make proposals for the allocation of monies secured through planning obligations to individual schemes, and to update members with the current funding position.		No exempt / confidential information anticipated	Ian Timms, Group Manager Housing, Welfare and Economy 01984 635271
FP/14/1/03	8 January 2014	Title: <b>Draft Capital Programme</b>		No exempt / confidential	Section 151 Officer

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18/01/2013	By Councillor K V Kravis – Lead Member Resources & Central Support	<p><b>2013-14 and Capital Strategy</b></p> <p>Decision: to present the draft Capital Programme 2013/14 and draft Capital Strategy for recommendation to Council.</p>		information anticipated	
FP/14/1/04 13/02/2013	8 January 2014 By Councillor D Westcott – Lead Member for Community and Customer	<p>Title: Consideration of nomination/s received under the Community Right to Bid Legislation</p> <p>Decision: To approve listing</p>		No exempt / confidential information anticipated	Bruce Lang, Corporate Director 01984 635200
FP/14/1/05 4/07/2013	8 January 2014 By Councillor C Morgan – Lead Member for Environment – Hinkley Point	<p>Title: Hinkley Point</p> <p>Decision: to consider key issues relating to Hinkley Point</p>		No exempt / confidential information anticipated	Andrew Goodchild, Planning Manager 01984 635245
FP/14/2/01 18/01/2013	5 February 2014 By Councillor K V Kravis – Lead Member Resources & Central Support	<p>Title: <b>Annual Budget &amp; Council Tax Setting 2014-15</b></p> <p>Decision: to provide Members with all the information required for Council to approve the revenue budget and capital programme for 2014/15 for recommendation to Council.</p>		No exempt / confidential information anticipated	Section 151 Officer
FP/14/2/02 18/01/2013	5 February 2014 By Councillor T Taylor – Leader of Council	<p>Title: <b>Draft Corporate Plan for 2014-15</b></p> <p>Decision: to introduce the draft West Somerset Council Corporate Plan 2014/15 for recommendation to Council.</p>		No exempt / confidential information anticipated	Adrian Dyer, Chief Executive 01984 635212



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FP/14/2/03  13/02/2013	5 February 2014  By Councillor D Westcott – Lead Member for Community and Customer	Title: Consideration of nomination/s received under the Community Right to Bid Legislation  Decision: To approve listing		No exempt / confidential information anticipated	Bruce Lang, Corporate Director 01984 635200
FP/14/2/04  4/07/2013	5 February 2014  By Councillor C Morgan – Lead Member for Environment – Hinkley Point	Title: Hinkley Point  Decision: to consider key issues relating to Hinkley Point		No exempt / confidential information anticipated	Andrew Goodchild, Planning Manager 01984 635245
FP/14/3/01  1/03/2013	5 March 2014  By Councillor T Taylor – Leader of Council and Councillor K V Kravis – Lead Member Resources & Central Support	Title: <b>Corporate Performance &amp; Budget Monitoring Report 2013-14 – Quarter 3</b>  Decision: to provide Members with an update on progress in delivering corporate priorities, performance of council services including budgetary information and customer satisfaction.		No exempt / confidential information anticipated	Bruce Lang, Corporate Director 01984 635200
FP/14/3/02  19/03/2013	5 March 2014  By Councillor D Westcott – Lead Member for Community and Customer	Title: Consideration of nomination/s received under the Community Right to Bid Legislation  Decision: To approve listing		No exempt / confidential information anticipated	Bruce Lang, Corporate Director 01984 635200
FP/13/3/03  4/07/2013	5 March 2014  By Councillor C Morgan – Lead Member for	Title: Hinkley Point  Decision: to consider key issues relating to Hinkley Point		No exempt / confidential information anticipated	Andrew Goodchild, Planning Manager 01984 635245

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	Environment – Hinkley Point				
FP/14/4/01  19/03/2013	2 April 2014  By Councillor K V Kravis – Lead Member Resources & Central Support	Title: <b>Allocation of Section 106 funds held – Quarter 4</b>  Decision: to make proposals for the allocation of monies secured through planning obligations to individual schemes, and to update members with the current funding position.		No exempt / confidential information anticipated	Ian Timms, Group Manager Housing, Welfare and Economy 01984 635271
FP/14/4/02  19/03/2013	2 April 2014  By Councillor D Westcott – Lead Member for Community and Customer	Title: Consideration of nomination/s received under the Community Right to Bid Legislation  Decision: To approve listing		No exempt / confidential information anticipated	Bruce Lang, Corporate Director 01984 635200
FP/14/9/03  4/07/2013	2 April 2014  By Councillor C Morgan – Lead Member for Environment – Hinkley Point	Title: Hinkley Point  Decision: to consider key issues relating to Hinkley Point		No exempt / confidential information anticipated	Andrew Goodchild, Planning Manager 01984 635245
FP/14/5/01  23/05/2013	7 May 2014  By Councillor D Westcott – Lead Member for Community and Customer	Title: Consideration of nomination/s received under the Community Right to Bid Legislation  Decision: To approve listing		No exempt / confidential information anticipated	Bruce Lang, Corporate Director 01984 635200
FP/14/5/02  4/07/2013	7 May 2014  By Councillor C Morgan – Lead Member for Environment – Hinkley	Title: Hinkley Point  Decision: to consider key issues relating to Hinkley Point		No exempt / confidential information anticipated	Andrew Goodchild, Planning Manager 01984 635245

Forward Plan Ref / Date proposed decision published in Forward Plan	Date when decision due to be taken and by whom	Details of the proposed decision	Documents and background papers to be available to decision maker	Does the decision contain any exempt information requiring a resolution for it to be considered in private and what are the reasons for this?	Contact Officer for any representations to be made ahead of the proposed decision
	Point				
FP/14/6/01 23/05/2013	June 2014	<p>Title: <b>Cabinet Appointments on Outside Bodies</b></p> <p>Decision: to appoint representatives to serve on outside bodies for the period to the Annual Meeting in 2014 (except where specific periods are stated).</p>		No exempt / confidential information anticipated	Bruce Lang, Corporate Director 01984 635200
FP/14/6/02 23/05/2013	June 2014  By Councillor D Westcott – Lead Member for Community and Customer	<p>Title: Consideration of nomination/s received under the Community Right to Bid Legislation</p> <p>Decision: To approve listing</p>		No exempt / confidential information anticipated	Bruce Lang, Corporate Director 01984 635200
FP/14/6/03 4/07/2013	June 2014  By Councillor C Morgan – Lead Member for Environment – Hinkley Point	<p>Title: Hinkley Point</p> <p>Decision: to consider key issues relating to Hinkley Point</p>		No exempt / confidential information anticipated	Andrew Goodchild, Planning Manager 01984 635245
FP/14/7/01 23/05/2013	July 2014  By Councillor K V Kravis – Lead Member Resources & Central Support	<p>Title: <b>Allocation of Section 106 funds held – Quarter 1</b></p> <p>Decision: to make proposals for the allocation of monies secured through planning obligations to individual schemes, and to update members with the current funding position.</p>		No exempt / confidential information anticipated	Ian Timms, Group Manager Housing, Welfare and Economy 01984 635271
FP/14/7/02	July 2014	Title: <b>Corporate Performance &amp; Budget Monitoring Report</b>		No exempt / confidential information anticipated	Bruce Lang, Corporate Director

Forward Plan Ref / Date proposed decision published in Forward Plan	Date when decision due to be taken and by whom	Details of the proposed decision	Documents and background papers to be available to decision maker	Does the decision contain any exempt information requiring a resolution for it to be considered in private and what are the reasons for this?	Contact Officer for any representations to be made ahead of the proposed decision
23/05/2013	By Councillor T Taylor – Leader of Council and Councillor K V Kravis – Lead Member Resources & Central Support	<p><b>2013-14 – Quarter 4</b></p> <p>Decision: to provide Members with an update on progress in delivering corporate priorities, performance of council services including budgetary information and customer satisfaction.</p>			01984 635200
FP/14/7/03 23/05/2013	July 2014 By Councillor K V Kravis – Lead Member Resources & Central Support	<p>Title: <b>Review of Financial Regulations [FR2]</b></p> <p>Decision: to offer comment on the Financial Regulations.</p>		No exempt / confidential information anticipated	Bruce Lang, Corporate Director 01984 635200
FP/14/7/04 23/05/2013	July 2014 By Councillor K V Kravis – Lead Member Resources & Central Support	<p>Title: <b>Medium Term Financial Plan Update</b></p> <p>Decision: to present the updated Medium Term Financial Plan.</p>		No exempt / confidential information anticipated	Section 151 Officer 01984 635253 01823 355482
FP/14/7/05 23/05/2013	July 2014 By Councillor D Westcott – Lead Member for Community and Customer	<p>Title: Consideration of nomination/s received under the Community Right to Bid Legislation</p> <p>Decision: To approve listing</p>		No exempt / confidential information anticipated	Bruce Lang, Corporate Director 01984 635200
FP/14/7/06 4/07/2013	July 2014 By Councillor C Morgan – Lead Member for Environment – Hinkley Point	<p>Title: Hinkley Point</p> <p>Decision: to consider key issues relating to Hinkley Point</p>		No exempt / confidential information anticipated	Andrew Goodchild, Planning Manager 01984 635245

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FP/13/8/01 25/07/2013	August 2014 By Councillor T Taylor – Leader of Council and Councillor K V Kravis – Lead Member Resources & Central Support	Title: <b>Corporate Performance &amp; Budget Monitoring Report 2013-14 – Quarter 4</b>  Decision: to provide Members with an update on progress in delivering corporate priorities, performance of council services including budgetary information and customer satisfaction.		No exempt / confidential information anticipated	Bruce Lang, Corporate Director 01984 635200
FP/14/8/02 25/07/2013	August 2014 By Councillor D Westcott – Lead Member for Community and Customer	Title: Consideration of nomination/s received under the Community Right to Bid Legislation  Decision: To approve listing		No exempt / confidential information anticipated	Bruce Lang, Corporate Director 01984 635200

Note (1) – Items in bold type are regular cyclical items.

Note (2) – All Consultation Implications are referred to in individual reports.

The Cabinet comprises the following: Councillors T Taylor, K V Kravis, K M Mills, C Morgan S J Pugsley, A H Trollope-Bellew, K H Turner and D J Westcott.

The Scrutiny Committee comprises: Councillors K J Ross, R Lillis, M J Chilcott, M O A Dewdney, G S Dowding, J Freeman, P N Grierson, B Heywood and P H Murphy.



### CABINET ACTION PLAN

Date/Minute Number	Action Required	Action Taken
CAB21 – Business Case to Contribute Funding for Watchet CCTV	<b>RESOLVED</b> that it be recommended to Council to approve a supplementary estimate of a maximum of £10,000 as the Council's contribution to the funding package for the provision of a public space CCTV system in Watchet, subject to Watchet Town Council's financial support and agreement to the proposal.	To be considered at the Council meeting to be held on 18 September 2013





*Report Number:* WSC114/13  
*Presented by:* Cllr D Westcott – Lead Member for Customer and Community  
*Author of the Report:* Paul Lamb, Principal Benefits Officer  
*Contact Details:*  
*Tel. No. Direct Line* 01984 635224  
*Email:* pslamb@westsomerset.gov.uk

*Report to a Meeting of:* Cabinet Committee  
*To be Held on:* 4<sup>TH</sup> September 2013  
*Date Entered on Executive Forward Plan Or Agreement for Urgency Granted:* 1<sup>st</sup> August 2013

## DISCRETIONARY HOUSING PAYMENTS USE OF ADDITIONAL FUNDING

### 1. PURPOSE OF REPORT

- 1.1 To advise cabinet of the receipt of additional funding from Central Government provided to mitigate the disproportionate impact on those affected by the removal of the spare room subsidy in remote and isolated communities.
- 1.2 To propose a scheme for positive use of those funds for local residents.

### 2. CONTRIBUTION TO CORPORATE PRIORITIES

- 2.1 The report links to Corporate Objective 2 “Maximise the funding opportunities from Central Government”. The report aims to make best use of the additional sums received.
- 2.2 This additional sum will assist in ensuring the council can help local residents and in doing so deliver our vision.

### 3. RECOMMENDATIONS

- 3.1 Cabinet recommend to council the proposed approach to the use of these additional funds.

### 4. RISK ASSESSMENT (IF APPLICABLE)

#### Risk Matrix

Description	Likelihood	Impact	Overall
The council cannot spend the additional funds due to a lack of clarity on how to do that	4	4	16
Agree an approach through council to spend the sums allocated	2	3	6
The council has inadequate capacity to ensure the spend is delivered	3	4	12

<i>Focus existing resources on delivery of the funding Ensure that residents are aware of its availability through publicity</i>	3	3	9
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The scoring of the risks identified in the above table has been based on the scoring matrix. Each risk has been assessed and scored both before the mitigation measures have been actioned and after they have.

## **5. BACKGROUND INFORMATION**

- 5.1 Lord Freud, the Minister for Welfare Reform, wrote to local authority Chief Executives on 30 July 2013 to announce that an extra £5 million will be added to the Discretionary Housing Payment (DHP) fund. This is specifically aimed at helping the 21 least densely populated areas in Great Britain. This funding is aimed at avoiding a disproportionate impact on those affected by the removal of the spare room subsidy in remote and isolated communities where the geography means that the potential remedies are less readily available; work, alternative accommodation, people looking for lodging etc.
- 5.2 On the same day the Department for Work and Pensions issued circular S6/2013. The circular confirmed that West Somerset Council had been allocated an additional £81,850 from the £5 million fund.
- 5.3 WSC90/13 updated Scrutiny committee on the current DHP scheme adopted by full Council which appears to be working well. It is fair, transparent and ensures that the additional support goes to those with genuine need. This additional funding provides an opportunity to provide further transitional assistance to residents and evolve that scheme.
- 5.4 It is proposed to use this one off payment to evolve the scheme. The proposal is that the additional £81,850 and £23,000 of the main DHP fund (detailed in circular S1/2013) are paid to all claims affected by the removal of the spare room subsidy in West Somerset. This would be backdated to 1st April 2013. This will be on the basis of a ranking system described in the following paragraphs.
- 5.5 To deliver the scheme WSC must ensure that it complies with the circular S6/2013. This advises that the funding “is to avoid a disproportionate impact on those affected by the removal of the spare room subsidy in remote and isolated communities where the geography means that the potential remedies are less readily available; work, alternative accommodation, people looking for lodging etc.”
- 5.6 To achieve this we have reviewed data relating to each parish and scored them according to its population density provided by the 2011 census. The parishes have then been ranked and placed into quartiles based on their scores for population density. Each quartile has a different rate of award ranging from 80% for the least densely populated areas to 50 % for the most densely populated.
- 5.7 The amount awarded will therefore be a set percentage of the reduction, and will in effect be used as a form of transitional protection for the removal of the spare room subsidy in West Somerset during 2013/14.
- 5.8 Details of the impact on each parish are contained in Appendix A of this report.

## **6. FINANCIAL/RESOURCE IMPLICATIONS**

- 6.1 The money for this will come from the Government's contribution to the Authority's Discretionary Housing Payment fund.

- 6.2 Any unspent Discretionary Housing Payment grant must be returned to Government. It is therefore vital that the Authority maximises the award of Discretionary Housing payments.
- 6.3 This will minimise the impact of welfare reform, and maximise income for some of the most vulnerable people in our community. This is currently a one off and applies in 13/14 only.

## **7. SECTION 151 OFFICER COMMENTS**

- 7.1 This proposal utilises the Government contribution to the Authority's Discretionary Housing Payment fund. The money cannot be used for any other purpose, and any unspent money returned. The money must be spent by 31<sup>st</sup> March 2014.
- 7.2 There is no net financial cost to the Authority from this proposal.

## **8. EQUALITY & DIVERSITY IMPLICATIONS**

**Members need to demonstrate that they have consciously thought about the three aims of the Public Sector Equality Duty as part of the decision making process.**

The three aims the authority **must** have due regard for:

- Eliminate discrimination, harassment, victimisation
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

- 8.1 Members should refer to the original impact assessment within WSC 30/13.
- 8.2 This report aims to address needs of vulnerable individuals particularly those in rural localities. This characteristic is recognised by WSC as a significant local issue.

## **9. CRIME AND DISORDER IMPLICATIONS**

- 9.1 There are none associated with this report that can be identified.

## **10. CONSULTATION IMPLICATIONS**

- 10.1 The Community Policy Advisory Group considered the proposed use of the funds at their meeting on August 20<sup>th</sup>. They supported the proposal to use the money through ranking all parishes into groups and applying a set rate to each of those 4 groups. This is in line with the content of this report.
- 10.2 There has been no consultation with the wider community as the timing of the announcement means that WSC needs to adopt an approach to spending the funding with relative speed. This is due to it being time limited to 31<sup>st</sup> March 2014. However we have attempted to address known concerns raised through the adoption of the original scheme and anecdotal evidence of the effects on individuals through work with partner agencies.

## **11. ASSET MANAGEMENT IMPLICATIONS**

- 11.1 There are no direct implications for this report to the council's assets.

## **12. ENVIRONMENTAL IMPACT IMPLICATIONS**

- 12.1 There are no known implications associated with this report.

**13. LEGAL IMPLICATIONS**

- 13.1 Discretionary Housing Payments must be administered in accordance with The Discretionary Financial Assistance Regulations 2001 (SI2001/1167) and the subsequent amendment regulations

## Appendix A

Parish name	No Claims	Population Density	Ranking	Quartile	Discount restriction	Total annual	DHP "buffer" awarded
Bicknoller	1	0.5	6	3	60%	£677.85	<b>£406.71</b>
Brompton Ralph	0	0.2	3	2	70%	£0.00	<b>£0.00</b>
Brompton Regis	2	0.1	2	1	80%	£1,455.89	<b>£1,164.71</b>
Brushford	3	0.5	6	3	60%	£2,488.15	<b>£1,492.89</b>
Carhampton	16	0.8	9	3	60%	£13,925.73	<b>£8,355.44</b>
Carhampton (Blue Anchor)	0	0.8	9	3	60%	£0.00	<b>£0.00</b>
Clatworthy	1	No Data	1	1	80%	£641.16	<b>£512.92</b>
Crowcombe	3	0.4	5	3	60%	£1,984.08	<b>£1,190.45</b>
Cutcombe (Wheddon Cross)	2	0.1	2	1	80%	£1,424.96	<b>£1,139.97</b>
Dulverton	14	0.4	5	3	60%	£9,949.72	<b>£5,969.83</b>
Dunster	7	0.9	10	3	60%	£5,633.44	<b>£3,380.06</b>
East Quantoxhead	0	0.1	2	1	80%	£0.00	<b>£0.00</b>
Elworthy	0	No Data	0	1	80%	£0.00	<b>£0.00</b>
Exford	4	0.2	3	2	70%	£3,301.10	<b>£2,310.77</b>
Exmoor (Simonsbath)	0	0.02	1	1	80%	£0.00	<b>£0.00</b>
Exton	0	0.1	2	1	80%	£0.00	<b>£0.00</b>
Holford	1	0.2	3	2	70%	£665.82	<b>£466.07</b>
Huish Champflower	0	0.1	2	1	80%	£0.00	<b>£0.00</b>
Kilve	0	0.9	10	3	60%	£0.00	<b>£0.00</b>
Luccombe	0	0.1	2	1	80%	£0.00	<b>£0.00</b>
Luxborough	2	0.1	2	1	80%	£2,719.88	<b>£2,175.90</b>
Minehead	59	10.6	12	4	50%	£45,591.01	<b>£22,795.51</b>

Parish name	No Claims	Population			Discount	Total annual restriction	DHP "buffer" awarded
		Density	Ranking	Quartile			
Minehead Without (Bratton)	0		0	1	80%	£0.00	<b>£0.00</b>
Monksilver	1	0.4	5	3	60%	£648.95	<b>£389.37</b>
Nettlecombe	0	0.1	2	1	80%	£0.00	<b>£0.00</b>
Oare	0	No Data	0	1	80%	£0.00	<b>£0.00</b>
Old Cleeve (Old Cleeve)	0	0.8	9	3	60%	£0.00	<b>£0.00</b>
Old Cleeve (Roadwater)	4	0.8	9	3	60%	£3,321.47	<b>£1,992.88</b>
Old Cleeve (Washford)	12	0.8	9	3	60%	£9,735.94	<b>£5,841.56</b>
Porlock	6	0.3	4	2	70%	£5,256.86	<b>£3,679.80</b>
Sampford Brett	0	0.7	8	3	60%	£0.00	<b>£0.00</b>
Selworthy & Minehead Without	4	0.2	3	2	70%	£2,969.90	<b>£2,078.93</b>
Skilgate	1	No data	0	1	80%	£0.00	<b>£0.00</b>
Stogumber	6	0.3	4	2	70%	£5,134.35	<b>£3,594.05</b>
Stogursey	5	0.6	7	3	60%	£4,315.53	<b>£2,589.32</b>
Stringston	0	No data	0	1	80%	£0.00	<b>£0.00</b>
Timberscombe	4	0.4	5	3	60%	£3,899.98	<b>£2,339.99</b>
Treborough	0	No data	0	1	80%	£0.00	<b>£0.00</b>
Upton	0	0.1	2	1	80%	£0.00	<b>£0.00</b>
Watchet	35	11.1	13	4	50%	£25,812.66	<b>£12,906.33</b>
West Quantoxhead	0	0.6	7	3	60%	£0.00	<b>£0.00</b>
Williton	40	2.2	11	4	50%	£33,040.85	<b>£16,520.43</b>
Winsford	1	0.1	2	1	80%	£1,147.90	<b>£918.32</b>
Withycombe	2	0.2	3	2	70%	£1,266.53	<b>£886.57</b>
Withypool & Hawkridge	2	0.1	2	1	80%	£0.00	<b>£0.00</b>
Wootton Courtenay	0	0.2	3	2	70%	£0.00	<b>£0.00</b>
<b>Total</b>						<b>£187,009.71</b>	<b>£105,098.79</b>

<b>Quartile Criteria</b>	<b>Quartile</b>	<b>% award</b>
Population density 0.1 or less	1	80%
Population density between 0.2 - 0.3	2	70%
Population density between 0.4 - 0.9	3	60%
Population density 1 or greater	4	50%

### **Funding method**

Circular S6/2013	£81,850.00
Circular S1/2013 (Part)	£23,000.00
<b>Total</b>	<b>£104,850.00</b>

### **Allocation of Circular S1/2013 to date**

Net paid to date	£13,075.10
Committed	£13,356.28
Proposed for this report	£23,000.00
<b>Remaining balance</b>	<b>£19,021.62</b>





## Appendix A

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Bicknoller	1	0.5	6	3	60%	£677.85	<b>£406.71</b>
Brompton Ralph	0	0.2	3	2	70%	£0.00	<b>£0.00</b>
Brompton Regis	2	0.1	2	1	80%	£1,455.89	<b>£1,164.71</b>
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Brompton Ralph	0.2	3	2	70%	£0.00	<b>£0.00</b>
Brushford	0.5	6	3	60%	£2,488.15	<b>£1,492.89</b>
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Huish Champflower	0.1	2	1	80%	£0.00	<b>£0.00</b>
Kilve	0.9	10	3	60%	£0.00	<b>£0.00</b>
Luccombe	0.1	2	1	80%	£0.00	<b>£0.00</b>
Luxborough	0.1	2	1	80%	£2,719.88	<b>£2,175.90</b>
Minehead	10.6	12	4	50%	£45,591.01	<b>£22,795.51</b>
Minehead Without (Bratton)		0	1	80%	£0.00	<b>£0.00</b>
Monksilver	0.4	5	3	60%	£648.95	<b>£389.37</b>
Nettlecombe	0.1	2	1	80%	£0.00	<b>£0.00</b>
Oare	No Data	0	1	80%	£0.00	<b>£0.00</b>
Old Cleeve (Old Cleeve)	0.8	9	3	60%	£0.00	<b>£0.00</b>
Old Cleeve (Roadwater)	0.8	9	3	60%	£3,321.47	<b>£1,992.88</b>

Old Cleeve (Washford)	0.8	9	3	60%	£9,735.94	<b>£5,841.56</b>
Porlock	0.3	4	2	70%	£5,256.86	<b>£3,679.80</b>
Sampford Brett	0.7	8	3	60%	£0.00	<b>£0.00</b>
Selworthy & Minehead Without	0.2	3	2	70%	£2,969.90	<b>£2,078.93</b>
Skilgate	No data	0	1	80%	£0.00	<b>£0.00</b>
Stogumber	0.3	4	2	70%	£5,134.35	<b>£3,594.05</b>
Stogursey	0.6	7	3	60%	£4,315.53	<b>£2,589.32</b>
Stringston	No data	0	1	80%	£0.00	<b>£0.00</b>
Timberscombe	0.4	5	3	60%	£3,899.98	<b>£2,339.99</b>
Treborough	No data	0	1	80%	£0.00	<b>£0.00</b>
Upton	0.1	2	1	80%	£0.00	<b>£0.00</b>
Watchet	11.1	13	4	50%	£25,812.66	<b>£12,906.33</b>
West Quantoxhead	0.6	7	3	60%	£0.00	<b>£0.00</b>
Williton	2.2	11	4	50%	£33,040.85	<b>£16,520.43</b>
Winsford	0.1	2	1	80%	£1,147.90	<b>£918.32</b>
Withycombe	0.2	3	2	70%	£1,266.53	<b>£886.57</b>
Withypool & Hawkridge	0.1	2	1	80%	£0.00	<b>£0.00</b>
Wootton Courtenay	0.2	3	2	70%	£0.00	<b>£0.00</b>
<b>Total</b>					<b>£187,009.71</b>	<b>£105,098.79</b>

Quartile Criteria	Quartile	% award
Population density 0.1 or less	1	80%
Population density between 0.2 - 0.3	2	70%
Population density between 0.4 - 0.6	3	60%
Population density 1 or greater	4	50%

#### Funding method

Circular S6/2013	£81,850.00
Circular S1/2013 (Part)	£23,000.00
<b>Total</b>	<b>£104,850.00</b>

#### Allocation of Circular S1/2013 to date

Net paid to date	£13,075.10
Committed	£13,356.28
Proposed for this report	£23,000.00
<b>Remaining balance</b>	<b>£19,021.62</b>





*Report Number:* WSC112/13

*Presented by:* Cllr Keith Turner, Lead Member for Housing, Health & Wellbeing

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*Report to a Meeting of:* Cabinet

*To be Held on:* 4<sup>th</sup> September 2013

*Date Entered on Executive Forward Plan Or Agreement for Urgency Granted:* 3 June 2013

## EMPTY HOMES ENFORCEMENT POLICY

### 1. PURPOSE OF REPORT

Cabinet consider the attached Somerset West Private Sector Housing Partnership (partnership) Empty Homes Enforcement Policy. Cabinet agree an approach to provide funding for high level enforcement action on empty properties should this become a necessity.

### 2. CONTRIBUTION TO CORPORATE PRIORITIES

- 2.1 This report will contribute to Corporate Objective 2 which is to " Maximise the funding opportunities from Central Government" and the associated target to increase New Homes Bonus

### 3. RECOMMENDATIONS

- 3.1 Cabinet recommend to Council approval of the Somerset West Private Sector Housing Partnership Empty Homes Enforcement Policy attached as appendix A of this report.
- 3.2 To agree the approach to funding this policy outlined in section 6 of this report; should appropriate action need to be taken.

### 4. RISK ASSESSMENT (IF APPLICABLE)

#### Risk Matrix

Description	Likelihood	Impact	Overall
<i>There is no formal adopted policy framework to take action against owners who do not want to bring their property back into use. The properties will continue to deteriorate.</i>	4	3	12
<i>Adopt the policy to give clear guidance on when to use powers</i>	3	2	6

The scoring of the risks identified in the above table has been based on the scoring matrix. Each risk has been assessed and scored both before the mitigation measures have been actioned and after they have.

## **5. BACKGROUND INFORMATION**

- 5.1 The Somerset West Private Sector Housing Partnership (SWPSHP) is a partnership between Sedgemoor District Council, Taunton Deane Borough Council and West Somerset Council to deliver private sector housing services. The local authorities work closely together to ensure consistency across the three Districts and to deliver financial and other benefits to those who live and/or work in the Somerset West area.
- 5.2 As part of the commitment to work together the three Councils have fashioned a product called SWeLT (Somerset West Landlords and Tenants services). SWeLT is a collaboration of the Housing Options teams in the three Districts, the SWPSHP staff, Taunton Association for the Homeless (TAH) and Bridgwater YMCA. SWeLT is responsible for overseeing the Empty Homes - Enforcement Policy and the resources required to support it.
- 5.3 One of the key areas in which the three partner authorities and SWeLT are seeking to work collaboratively and consistently is in the approach to empty properties. Central Government has for a number of years encouraged local authorities to take action to bring empty properties back into use and has strengthened the powers available to Local Authorities to assist with this through the Housing Act 2004.
- 5.4 For the purposes of this report, a property which has been empty for in excess of six months is considered to be an 'empty property'
- 5.5 As of the 30<sup>th</sup> June 2013, there were 1,217 empty properties across the Somerset West of which 266 were located in West Somerset. These are scattered across all parts of the district.
- 5.6 There are a number of reasons why a property may be left empty;
- The property may be in need of major repairs or refurbishment and the owner may not have the necessary resources to make the property habitable
  - There may be problems accessing the property or planning restrictions which restrict occupancy of the property
  - The owner may be trying to sell the property and may be prepared to leave the property empty whilst they wait for the right price
  - There may be a complicated ownership situation involving family inheritance
  - The owner may be having difficulty in finding a new tenant/owner or may have been unable to obtain a mortgage or/freeholder consent to let the property.

There are numerous other reasons which are listed in the Policy.

- 5.7 What happens to empty properties is not only of concern to those who own them but also to owners of neighbouring properties and the community. This is particularly true of properties which are not maintained and are in poor neglect. In this council area with need for properties high every empty property is a wasted resource.
- 5.8 Bringing empty properties back into use can:
- Save officer time for a number of agencies currently dealing with calls and complaints; enabling those resources to be more effectively used in other areas
  - Reduce the need to build more much needed new homes
  - Attract additional funding for Local Authorities in the form of the New Homes Bonus.
  - Ensure as much housing stock as possible is available to local people

- 5.9 The Policy sets out the partner Council's intent to take all reasonable steps to identify those properties that are empty. The Housing Act 2004 (S237) allows Local Authorities access to Council Tax records on properties that are registered as empty in order that it can take steps to bring them back into use.
- 5.10 In the first instance, the partnership will attempt to encourage the owner to bring the property back into use by offering advice and support. This may include advice and support on letting and managing a property, signposting to lettings and management organisations, using the voluntary Landlord Accreditation scheme or details on empty property loans through Wessex Home Improvement Loans.
- 5.11 If the owner, having been offered the advice and information above, still does not want to bring the property back into use the partnership will consider using the Council's appropriate enforcement powers to bring the property back into use.
- 5.12 Examples of these enforcement powers include:
- Empty Dwelling Management Orders (EDMO) – enables a Local Authority to take control of and manage a property that has been empty for some time (Housing Act 2004 s132)
  - Prohibition Order – Enables a Local Authority to prohibit the use of a property or part of a property. This would normally only be taken where repairs are too expensive or the property cannot be satisfactorily repaired (Housing Act 2004 s20 and 21)
  - Local Government (Miscellaneous Provisions) Act 1982 s29 – enables a Local Authority to secure a property that is open to access from the public.
- 5.13 The partnership would be adhering to the principles of transparency, accountability, proportionality and consistency. The partnership will not pursue enforcement action where to do so would be disproportionate. This will be considered alongside the benefits to the wider community that will arise from ensuring properties do not remain empty in circumstances that are unjustified.
- 5.14 Tackling empty properties will not come without cost implications. This will be both in officer's time and to undertake works in default or to manage/purchase the property. Funding would need to be found from existing budgets or through supplementary estimates to finance such schemes; the average cost for works in default which includes remedial repairs or boarding up a premises range from £1,000 to £45,000. To purchase a property could be in the region of £150,000 to £250,000.

## **6. FINANCIAL/RESOURCE IMPLICATIONS**

- 6.1 There is currently no specific budget allocated for the powers identified in section 5.12 above. As the authority would hope to use these powers as a last resort it seems appropriate that supplementary estimates are sought on case by case basis.
- 6.2 This approach will publicise the property through a report to council or cabinet and ensure that members endorse and are aware of the powers being utilised.
- 6.3 In producing the 14/15 budget consideration will be given to inclusion of funds within the budget for the higher cost actions. This will be dependent on member's views as to how they wish the policy to be applied. However due to the council's financial situation this may of course not be viable.

- 6.4 Lower cost options such as boarding up and garden clearance to deal with pest infestations will be actioned through the use of existing revenue budgets.

## **7. SECTION 151 OFFICER COMMENTS**

- 7.1 Authorities are encouraged to get empty homes back into occupation through the payment of New Homes Bonus.
- 7.2 As mentioned above funds for this are not included within the current budget and would require a supplementary estimate. This should be done on a case by case basis, assessing whether the expenditure is justified in light of any income likely to be generated (eg rental or New Homes Bonus).

## **8. EQUALITY & DIVERSITY IMPLICATIONS**

**Members need to demonstrate that they have consciously thought about the three aims of the Public Sector Equality Duty as part of the decision making process.**

The three aims the authority **must** have due regard for:

- Eliminate discrimination, harassment, victimisation
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

- 8.1 The Equality Impact Assessment is attached as appendix B of this report. The broad thrust of this assessment is that the decision made in line with the policy are not able to be categorised as effecting one specific protected characteristic.
- 8.2 As stated in this report where significant action is proposed funding will be needed. It is suggested that at that time a detailed assessment should be made of individual circumstance and enhanced assessments attached.
- 8.3 It should also be noted that in applying this type of policy the nature of the property owner is taken into account. All decisions will therefore include consideration against protected characteristics.

## **9. CRIME AND DISORDER IMPLICATIONS**

- 9.1 An empty property left unoccupied and not maintained will, over time, impact on its surroundings including neighbouring properties whose condition and value might be adversely affected. Empty properties are at risk from being broken into or attract squatters and, in some cases, might become a target of arson.
- 9.2 Empty properties are generally recognised as potentially causing of calls or complaints to local authorities, Police and Fire services. The policy will attempt to target these properties and bring them back into use minimising the risk.

## **10. CONSULTATION IMPLICATIONS**

- 10.1 The policy has been discussed with the Housing Policy Advisory Group at it`s meeting in July 2013. As part of the debate members noted that the current approach to bringing empty properties into use was broadly through persuasion or provision of loans. Whilst this caused some success longer term empties were causing frustration and so it was felt appropriate that this policy be considered by cabinet and council.
- 10.2 The policy approach has been consulted upon with partner organisations.

**11. ASSET MANAGEMENT IMPLICATIONS**

- 11.1 The main implication would be if properties were acquired through use of these proposed powers. If that occurred the council would need to have a clear plan to manage the asset. This could include for example immediate onward sale of a property that had been acquired through a compulsory purchase process.

**12. ENVIRONMENTAL IMPACT IMPLICATIONS**

- 12.1 As stated in sections above properties affect villages and localities where they become dilapidated.

**13. LEGAL IMPLICATIONS**

- 13.1 The council is not required statutorily to have a specific policy on these issues. However when attempting to use these powers it is seen as good practice to adopt a policy and this report outlines that process.
- 13.2 Adoption of this policy would provide a transparent approach to tackling empty properties. The enforcement powers would be applied proportionately to the properties that have been empty for the longest period.



## **Empty Property – Enforcement Policy**

### **1.0 Introduction**

- 1.1 The Somerset West Private Sector Housing Partnership (SWPSHP) is a partnership between Sedgemoor District Council, Taunton Deane Borough Council and West Somerset Council to deliver private sector Housing Services. The Local Authorities work closely together to ensure consistency across the three Districts and to deliver financial and other benefits to those who live and /or work in the Somerset West area.
- 1.2 As part of the commitment to work together the three Councils have fashioned a product called SWeLT (Somerset West Landlords and Tenants services). SWeLT is a collaboration of the Housing Options teams in the three Districts, the SWPSHP staff, and Taunton Association for the Homeless (TAH). SWeLT is responsible for overseeing the Empty Property – Enforcement Policy and the resources required to support it.
- 1.3 One of the key areas in which the three partner authorities and SWeLT are seeking to work collaboratively and consistently is in the approach to empty properties. Central Government has for a number of years encouraged Local Authorities to take action to bring empty properties back into use and has strengthened the powers available to Local Authorities to assist with this through the Housing Act 2004.
- 1.4 For the purposes of this Policy a property which has been empty for in excess of 6 months is considered to be an ‘empty property’.
- 1.5 There are sometimes good reasons for properties being left empty but there are considerably more empty properties than is justified by the workings of the housing market and properties are often left empty for longer than may be considered reasonable.
- 1.6 There are a number of reasons why a property may be left empty including:
- The property may be in need of major repairs or refurbishment and the owner may not have the necessary resources to make the property habitable
  - There may be problems with accessing the property; or planning restrictions which restrict the occupancy of the property
  - The owner may be having difficulty in finding a new tenant/owner or may have been unable to obtain a mortgage or/freeholder consent to let the property
  - The owner may be trying to sell the property and may be prepared to leave the property empty whilst they wait for the right price
  - The owner may be unwilling to consider leasing or letting the property
  - The owner may be temporarily away and intending to live in the property in the future
  - There may be a complicated ownership scenario involving family inheritance or the owner may not be aware of the property’s existence, for example where property records are not kept
  - The owner may not appreciate the business case for bringing the empty property back into use
  - The property may have been acquired solely for speculative investment purposes and the owner is not concerned that the property is empty

- The property may be owned by a development company with redevelopment plans
- The property may be joined to a business and the business owner does not want to let it

1.7 What happens to empty properties is not only of concern to those who own them. A property left unoccupied and not maintained will, over time, impact on its surroundings including neighbouring properties whose condition and value might be adversely affected. Empty properties are at risk from being broken into or attract squatters and, in some cases, might become a target of arson. They are frequently the cause of calls or complaints to local authorities, police and fire services.

1.8 Bringing empty properties back into use can:

- Save officer time for a number of agencies currently dealing with calls and complaints; enabling those resources to be more effectively used in other areas
- Reduce the need to build more much needed new homes
- By reusing existing building fabric, be more environmentally sustainable than building new homes
- Improve the local area by preventing housing from becoming unkempt and unsightly
- Act as a catalyst for wider regeneration by building confidence in the property market and the local area generally
- Contribute towards more effective use of existing resources
- Attract additional funding for Local Authorities in the form of the New Homes Bonus

1.9 The only truly effective way to reduce the negative impact of an empty property and to gain the benefits above is to ensure it is occupied. In the view of the partnership, it is in the public interest that empty properties are brought back into use.

## **2.0 The Current Picture**

2.1 As of the 28<sup>th</sup> June 2013 there were 1,240 empty homes across Sedgemoor, Taunton Deane and West Somerset. Of these, 478 were in Sedgemoor, 496 in Taunton Deane and 266 in West Somerset. The map provides a pictorial snap shot of the current position. The properties are plotted from the Empty Property database.

2.2 As of the 8<sup>th</sup> July 2013, there were 4,821 residents applying for social housing on Homefinder Somerset, 3,655 in Taunton Deane and 1,218 in West Somerset. Empty properties can provide a valuable resource to house local people as there is not the available land to rehouse the volume of people looking for decent affordable homes.

## **3.0 Identification and Approach**

3.1 The partnership, and each local authority within it, will take all reasonable steps to identify those properties that are empty.

3.2 The Housing Act 2004 (s237) allows Local Authorities to use information provided for the purpose of Council Tax to identify properties that are registered as empty in order that it can take steps to bring them back into use.



- 3.3 In addition, local authority officers and other interested parties will be encouraged to report empty properties to the partnership's Empty Homes Officer including:
- Housing/Neighbourhood Officers
  - Building Control surveyors
  - Conservation Officers
  - Environmental Health Officers
  - Other Local Authority staff
  - District, Town and Parish Councillors
  - The Fire Service and The Police Authority
  - Those employed by partner agencies and local voluntary organisations
  - The general public (through the use of both telephone and online reporting options)
- 3.4 Where a property is identified as potentially empty, the partnership will enter the property onto the Empty Property database. The partnership will seek to contact the owner to explain the circumstances. The timescale for making contact is dependent upon a number of factors including the risk that the property poses to the community. (Timescales are in place due to the volume of empty properties in relation to the staff resources available.) If appropriate, the owner will be offered advice and support to enable them to bring the property back into use. This may include:
- Advice and support on letting and managing a property
  - Signposting to lettings and management organisations
  - Access to Rent Deposit schemes operated by the partnership or local voluntary organisations
  - Details of Rent in Advance options
  - Details on the Landlord Accreditation Scheme
  - Empty Homes low cost recyclable Loans
- 3.5 The partnership will outline the financial benefits to the owner of bringing the property back into use by consideration of potential income, savings on maintaining and securing an empty property, increased value that will result from the occupancy of a property and, conversely, the depreciation in value if the property is not maintained and occupied.
- 3.6 If the owner, having been offered the advice and information still does not want to bring the property back into use the partnership will consider using its enforcement powers.
- 4.0 Enforcement Action**
- 4.1 The partnership has agreed the following principles in relation to enforcement activity:
- Transparency
  - Accountability
  - Proportionality
  - Consistency

- 4.2 The partnership will not pursue enforcement action where to do so would be disproportionate. This will be considered alongside the benefits to the wider community that will arise from ensuring homes do not remain empty in circumstances that are unjustified.
- 4.3 The partnership will not use enforcement powers until all other avenues to encourage the owner to bring the property back into use have been exhausted. The partnership will, however, want to see that the owner is taking proactive steps to bring the property back into use and that progress is being made in this respect.
- 4.4 Enforcement action will be considered where the owner is not engaging in finding a solution to bring the property back into use.
- 4.5 The partnership will use the most appropriate enforcement action to provide the desired result which ultimately is to bring the property back into use and occupied. It is acknowledged that taking enforcement action is not without cost and therefore a cost benefit analysis will be undertaken and a business case made before taking enforcement action. With limited budgets, the partnership will generally take enforcement action in those cases which will deliver the greatest impact. This is likely to include those properties which are:
- dangerous and pose a risk to the public
  - most in need by those unable to access the housing market
  - having the biggest impact on surrounding neighbours
- 4.6 The partnership will communicate its intentions clearly taking account of the needs of the owner, making them aware of the advice and support that can be provided to help them to bring the property back into use, the enforcement powers that are available and the action the Partnership may take including timescales and processes.
- 4.7 Once the owner of the property has been advised of the intention to take enforcement action there will be a period during which the owner can consider their options and appeal against the proposed action being taken. Details of the complaints and appeals processes will be provided at the outset. Equally, any enforcement action will be open to review in the light of changed circumstances at any stage of the enforcement process.
- 4.8 The partnership will undertake enforcement action as promptly and efficiently as possible in order to minimise delays. All action taken will be proportional to the circumstances of the individual case and the extent and impact of empty homes at the time.
- 4.9 Any properties considered for enforcement action will firstly be considered by the SWeLT Board (Somerset West landlords and Tenants services) prior to any action being taken. An exception to this will be where urgent action needs to be taken to protect the health, safety and welfare of the community. For example securing the building where it is in a prominent location and there is a risk of arson or injury which may occur should someone enter.
- 4.10 The partnership through the SWeLT Board will seek to ensure cases are dealt with in a consistent manner. Regular reviews will be undertaken by the SWeLT Board to ensure the effectiveness of enforcement activity. All Officers undertaking enforcement action will be suitably trained, qualified and authorised so as to ensure that they are fully competent to undertake their enforcement duties.

## 5.0 **Enforcement Powers**

5.1 The Housing Act 2004 and associated Acts gives local authorities powers to make sure properties are safe and suitable to live in. The following powers can be applied to empty properties:

- Powers of entry – allows an authorised officer to enter a property, after giving 24 hours' notice. If an officer is refused entry or obstructed they can apply to the Magistrates Court for a warrant to enter allowing them to force entry if necessary (Housing Act 2004 s239)
- Power to require information – allows the service of a notice asking for certain information (e.g. the name of the owner). This allows a Local Authority to act to improve an empty property using other powers described (Housing Act 2004 s235)
- Hazard Awareness Notice – enables a Local Authority to inform an owner that a hazard exists and identifies the need to carry out repairs or alterations (Housing Act 2004 s28)
- Improvement Notices – enables a Local Authority to require remedial works to improve conditions within the accommodation (Housing Act 2004 s11 and 12)
- Emergency Remedial Action – enables an authorised officer to enter a property to carry out remedial works. If an owner fails to carry out works to the standard specified in a notice, the Local Authority may carry out remedial works and place a charge on the property (Housing Act 2004 s40)
- Empty Dwelling Management Order (EDMO) – enables a Local Authority to take control of and manage a property that has been empty for some time (Housing Act 2004 s132)
- Prohibition Order – enables a Local Authority to prohibit the use of a property or part of a property. This would normally only be taken where repairs are too expensive or the property cannot be satisfactorily repaired (Housing Act 2004 s20 and 21)

5.2 Other legislation to be considered when dealing with empty properties includes:

- Local Government (Miscellaneous Provisions) Act 1982 s29 – enables a Local Authority to secure a property that is open to access
- Buildings Act 1984 s77 and 78 – enables a Local Authority to require an owner to make a property safe or allow emergency action to be taken to make it safe
- Environmental Protection Act 1990 – enables premises in such a state as to be prejudicial to health or a nuisance to be made secure from access by trespassers or hazardous material to be removed.
- Town and Country Planning Act 1990 s215 – enables a Local Authority to take action to address unsightly external appearance
- Housing Act 1985 s265 – enables a Local Authority to demolish a property that cannot be satisfactorily repaired (derelict properties)

## 6.0 **Improvement Notices**

- 6.1 When a dilapidated empty property is identified the Local Authority can serve Improvement Notices on an owner ordering remedial work to be done. The notice will vary depending upon the work necessary and the Local Authority can enforce repair works (Housing Act s11 & 12). Where an owner remains unwilling to undertake works, the Local Authority can do so and reclaim the costs from the owner.
- 6.2 If there is an imminent risk of harm to persons and to others' residential premises the Local Authority can take Emergency Remedial Action (Housing Act 2004 s40).

## **7.0 Enforced Sale Procedure**

- 7.1 The Enforced Sale Procedure enables sale to be forced at auction to enable recovery of costs incurred in dealing with an empty property. The procedure is:
- Request to owner to carry out remedial work (Improvement Notice, Housing Act 2004 s11 and 12)
  - Works in default carried out by the Local Authority following non-compliance
  - Legal charge attached to the title of the property
  - Application to HM Registry to enforce sale (Law of Property Act 1925)

## **8.0 Compulsory Purchase Orders (CPO)**

- 8.1 The Housing Act 2004 gives Local Authorities the power to apply to compulsory purchase empty properties to bring them into use where there is a proven housing need. This option may be pursued where owners are reluctant to take action to bring a property back into use, where they cannot be traced or where a property has been empty for a long time and is causing a nuisance or danger to the public. A CPO is only sought as a last resort where other actions have failed.
- 8.2 The CPO procedure can be very lengthy especially if objections are received. It is advisable to take photographic evidence of the condition of the property and damage being caused to neighbouring properties and the surrounding area in order to demonstrate negative impact. In addition it will be necessary to prove attempts were made to work with the owner on a voluntary basis and that the human rights of the owner are not being contravened.

## **9.0 Back to Back Sale**

- 9.1 This is a transaction that immediately follows a CPO and involves selling the property as quickly as possible to another buyer in order to recover the costs. In many cases, the buyer will be a social housing provider enabling the property to be offered to someone in housing need. Alternatively, sealed bids can be invited from private buyers. Attempts would be made to secure a purchaser before taking action to CPO a property, thereby reducing the risk to the Local Authority and enabling it to recoup the money spent in taking the action and in purchasing the property.

## **10.0 Empty Dwelling Management Orders (EDMOs)**

- 10.1 The 2004 Housing Act enables Local Authorities to secure occupation of long term empty properties by applying for an EDMO. There are two types of order – Interim EDMO and Final EDMO. They allow the Local Authority to secure occupation and

proper management of privately owned houses and flats where the following conditions apply:

- The dwelling has been unoccupied for at least six months
- There is no reasonable prospect the dwelling will be occupied in the near future
- There is a reasonable prospect the dwelling will be occupied if an EDMO is made
- The Local Authority has complied with its duties in seeking to make an EDMO including any matters that may be prescribed in regulation

- 10.2 An Interim EDMO must be approved by a Residential Property Tribunal before it can have effect. Once approved it usually lasts for a maximum 12 month period but can be extended. With an Interim EDMO the local authority cannot arrange occupation of the dwelling without seeking the owner's consent. This means the owner has a final opportunity to reach an agreed solution. If an agreement cannot be reached, an Interim EDMO can be revoked and replaced with a Final EDMO.
- 10.3 The making of a final EDMO does not require approval of the Tribunal. Once in force an EDMO lasts for a fixed period of no more than 7 years. The Local Authority does not require the owner's consent to grant occupation rights under a Final EDMO.
- 10.4 Properties will revert to owners on an agreed date or sooner if the owner so requires as long as due notice is given and arrangements to repay any reasonable costs incurred by the Local Authority are settled. The Local Authority has the right to possession of the property whilst the EDMO is in force (enabling it to undertake the management of the property) but does not acquire a legal interest or estate.
- 10.5 The Local Authority must notify the property owner of its intention to apply for an EDMO and ascertain the intentions of the owner in respect of the future use of the property. If an EDMO is the most appropriate course of action, the Local Authority must seek the authorisation of the Residential Property Tribunal which must be satisfied there is no reasonable prospect of the property being occupied in the near future and there is a reasonable prospect of securing the properties occupation.
- 10.6 An EDMO will not be approved if:
- the property has been empty for less than 6 months
  - the property is the principal home of an absent owner or is a second home or holiday home
  - the property is undergoing repair or renovation or is awaiting planning or building regulation approval
  - the property is being marketed for sale
  - the owner has died within a specified time period
- 10.7 To obtain a Final EDMO the proposed order must be served on the owner and representations invited. A Management Scheme is required which must set out how the dwelling will be managed with details of any work the local authority proposes to carry out with expenditure estimates, open market rent and proposed rent (where different) and how and when any surplus income will be passed on to the owner.
- 10.8 All income and expenditure must be accounted for and facilities for inspecting accounts must be made available. The rent collected must be used to offset the expenditure incurred by the Local Authority and any surpluses must be paid to the owner on expiry of the order. The Local Authority cannot recover any deficit from the owner unless this

forms part of any agreement reached with the owner in respect of the early revocation of the order or if the deficit relates to a service charge.

- 10.9 Owners may seek revocation at any time. A Local Authority may seek revocation if;
- it fails to secure occupation of the property
  - the dwelling will be occupied following revocation
  - the dwelling is to be sold
  - the Final EDMO is replacing an Interim EDMO
  - the EDMO interferes with the rights of a third party
  - there are other circumstances the Local Authority considers appropriate
- 10.11 If there are tenants in occupation the consent of the owner would be required before revocation and the Local Authority may refuse revocation if the property is likely to remain unoccupied.
- 10.12 A person affected may appeal to a Residential Property Tribunal against;
- The decision of the Local Authority to make a Final EDMO
  - The terms of the Final EDMO (including the terms of the management scheme) or terms of the Interim EDMO (relating to payment of rent/compensation)
  - The decision of the Local Authority to vary/revoke or refuse to vary/revoke an EDMO
  - The decision of the Local Authority not to pay compensation or the level of compensation
- 10.13 The Local Authority may work in partnership with a social housing provider or other agency to manage properties for which it has taken responsibility through the EDMO process.

## **11 Resources**

- 11.1 Both the financial and staffing resources required by the various agencies involved in the enforcement of empty properties will be overseen by the SWeLT Board. The SWeLT Board will make the various recommendations to the Local Authority concerned in whose area the property is situated in order to ensure that the proper departments are involved such as the Legal team and elected Members.
- 11.2 The Local Authority will seek to recover all of its costs where possible in bringing empty properties back into use.
- 11.3 Funding will be made available for empty homes loans with the level dependent on the financial position of a Local Authority. This funding can be used to finance costs of capital related enforcement activity. If more funding is required for empty homes loans or enforcement activity, this will be considered alongside other housing priorities. The extent of enforcement activity will be determined by the resource available to fund revenue and capital related elements of the activity.
- 11.4 Officers will work closely with Finance and Legal Teams prior to taking enforcement action to ensure that the Local Authority is not subjected to unnecessary risk and, where responsibility for taking enforcement action falls within the remit of another department (e.g. dangerous structures) - Environmental Health Officers will liaise with these departments as appropriate.

Impact Assessment undertaken on:	Somerset West Private Sector Housing Partnership – Empty Homes Enforcement Policy	Date undertaken: 2 <sup>nd</sup> August 2013
<p>Scope: identification of</p> <p>1. Protected groups /employees affected</p> <p>2. Summary of evidence and data used</p>	<p>Age; Disability; Pregnancy and Maternity; Race; Sex (Gender); Orientation</p> <p>Full consultation has taken place through direct contact with stakeholders and partner agencies and stakeholder workshops.</p> <p>The initial draft was drawn up following consultation with officers responsible for;</p> <ul style="list-style-type: none"> <li>• Private Sector Housing</li> <li>• Housing Options from all three partner authorities</li> <li>• Council Solicitors from all three partner authorities</li> <li>• Elected Members</li> <li>• Taunton Association for the Homeless</li> <li>• Private Sector Landlords</li> <li>• Empty Homes Agency</li> <li>• Homes and Community Agency</li> </ul> <p>Sources of information used in this analysis included:</p> <ul style="list-style-type: none"> <li>• Housing Act 2004</li> <li>• Council Tax data</li> <li>• Somerset West Private Sector Housing Partnership Empty Homes database.</li> <li>• Complaint trends through recorded records</li> <li>• Housing market assessment</li> <li>• Estate Agents</li> </ul>	
Key findings	<p>Many owners of empty properties could come from a range of the protected groups. The policy is designed to take action against any owner who has a long term empty and after informal advice, chooses not to bring an empty property back into use.</p> <p>There is no evidence to suggest that the policy would discriminate as any action is based on probability and sets out quite clearly how action would be taken and in what form.</p>	
Mitigation - what will be done to reduce the impacts identified	<p>The policy puts in place a transparent approach to tackling empty homes. The policy applies to all protected groups affected.</p> <p>The policy complies with the Enforcement Concordat and to the principles of transparency, accountability, proportionality, and consistency.</p> <p>The criteria for selecting empty homes enforcement action is set out in the policy and is also governed by the Housing Act 2004.</p>	

	The partner Councils have a written and published complaints procedure should someone feel that they have not been fairly treated with regard to their complaint.
Will be reviewed on	2 <sup>nd</sup> August 2014
Signed off by	Officer: Strategic Housing Manager Management Team



*Report Number:* WSC113/13  
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*Report to a Meeting of:* Cabinet  
*To be Held on:* 3<sup>rd</sup> September  
*Date Entered on Executive Forward Plan Or Agreement for Urgency Granted:* 3<sup>rd</sup> June 2013

## UNLAWFUL EVICTIONS POLICY

### 1. PURPOSE OF REPORT

- 1.1 To advise Cabinet of the Somerset West Private Sector Housing Partnership (partnership) Unlawful Evictions Policy and the current issues around unlawful evictions. To request that cabinet recommend it's adoption to council.

### 2. CONTRIBUTION TO CORPORATE PRIORITIES

- 2.1 No direct links associated with this report.

### 3. RECOMMENDATIONS

- 3.1 Cabinet agree the Somerset West Private Sector Housing Partnership Unlawful Evictions Policy attached as Appendix A of this report and recommend it's adoption to Council.

### 4. RISK ASSESSMENT (IF APPLICABLE)

#### Risk Matrix

Description	Likelihood	Impact	Overall
The lack of a clear policy will hamper the authority when dealing with unlawful evictions.	3	3	9
<i>Adopt and apply the policy proportionately</i>	1	3	3
The Policy is not adopted by all of the partner Councils increasing the risk of a mixed message to landlords across the partnership area	3	3	9
<i>Ensure each council is aware of the risks</i> <i>Adopt the policy to mitigate the issue</i>	1	3	3

The scoring of the risks identified in the above table has been based on the scoring matrix. Each risk has been assessed and scored both before the mitigation measurers have been actioned and after they have.

## **5. BACKGROUND INFORMATION**

- 5.1 The Somerset West Private Sector Housing Partnership (SWPSHP) is a partnership between Sedgemoor District Council, Taunton Deane Borough Council and West Somerset Council to deliver private sector housing services. The local authorities work closely together to ensure consistency across the three Districts and to deliver financial and other benefits to those who live and/or work in the Somerset West area.
- 5.2 As part of the commitment to work together, the three Councils have fashioned a product called SWeLT (Somerset West Landlords and Tenants services). SWeLT is a collaboration of the Housing Options teams in the three Districts, the SWPSHP staff, Taunton Association for the Homeless (TAH) and Bridgwater YMCA. SWeLT is responsible for overseeing the Unlawful Evictions Policy and the resources required to support it.
- 5.3 One of the key areas in which the three partner authorities and SWeLT are seeking to work collaboratively and consistently is in the approach to unlawful evictions. Central Government and Shelter has for a number of years been encouraging local authorities to take action on what they term 'Rogue Landlords.'
- 5.4 There are currently a number of factors such as decreases in housing benefit allowance, a perceived improvement in the housing market, anticipation of EDFE related work force are resulting in increased rents and a number of landlords evicting tenants without following due procedure. In some instances unlawfully evicting the tenants has been through naivety, in other instances, short circuiting the process because it is cumbersome, expensive and time consuming.
- 5.5 Evidence is showing a steady increase from a 2010 baseline of 1 or 2 per year. The partnership has evidence of one a month over the last twelve month. The current trend is for tenants to inform the housing advice service that they have been unlawfully evicted once they are established in a new tenancy.
- 5.6 The staff in Legal Services, Housing Options and Private Sector Housing are authorised to act upon unlawful evictions but there is no transparent Policy which sets out how the local authority will coordinate such action. The lack of a Policy can create a reluctance to take action. A clear policy will ensure that where action is necessary appropriate steps through an adopted process can be taken.

### **Current position**

- 5.7 There is no cohesive Policy across the three Councils to take a consistent approach in tackling unlawful evictions. Many landlords have multiple portfolios across a number of Districts and if the landlord commits an offence in one of the Districts it is important to establish the facts and ensure he/she does not commit the same offence in another partner District. This has the benefit of cost effectiveness by reducing additional staff input in tackling the property with the same landlord elsewhere. Successful intervention whether it is tackled informally or through prosecution can be publicised to assist or to warn landlords.
- 5.8 There are several pieces of legislation that the local authority can use;
- Protection from Eviction Act 1977 – The law makes it an offence to:
    - Do acts likely to interfere with the peace or comfort of a tenant or anyone living with him or her; or
    - Persistently withdraw or withhold services for which the tenant has a reasonable need to live in the premise as a home.
  - Protection from Harassment Act 1977 – Generally prohibits harassment.
  - Criminal Law Act 1977 - This act provides that if someone enters a person's home using or threatening to use violence they are committing a criminal offence.

- 5.9 Harassment can be defined as any act by a landlord, the landlords' agent, or any other person acting on behalf of the owner, which deliberately unsettles a person's home life. This will include; persistent withdrawal of services, withholding keys, failure to carry out repairs and threats and/or physical violence.
- 5.10 Unlawful eviction is where the landlord has unlawfully deprived a tenant of all or part of the home or where any other person forces or attempts to force a tenant to leave the accommodation without following the correct legal procedure and serving the proper notice.
- 5.11 In all cases of alleged harassment or unlawful eviction the partnership will actively consider a formal caution or prosecution on behalf of the customer. In considering the options, the partnership will have regard to the seriousness of the alleged incident of unlawful eviction or harassment, and where a formal caution is refused; prosecution will usually commence having regard to the strength of evidence obtained and the severity of the offence and circumstances of the case.
- 5.12 The Council's will adhere to the 'Statement of Enforcement Policy' and seek to do so in a firm but fair, open, consistent and helpful way following the principles of the Enforcement Concordat.
- 5.13 There will be a staged approach to enforcement wherever possible to ensure solutions are sought through education, co-operation and agreement. Mediation and negotiation, formal cautions and prosecution will also be available.
- 5.14 The Policy sets out the roles and responsibilities of various departments and agencies in investigating unlawful eviction and harassment. It is important that all concerned are fully familiar with their roles as any breakdown in communication could lead to a prosecution being unsuccessful.

## **6. FINANCIAL/RESOURCE IMPLICATIONS**

- 6.1 The implications of applying this policy will be largely associated with use of existing staff resources. There may also be occasions where legal assistance is required and this will be sought through the council's partnership with Mendip.

## **7. SECTION 151 OFFICER COMMENTS**

- 7.1 The Section 151 Officer has reviewed this report and has no comment to make.

## **8. EQUALITY & DIVERSITY IMPLICATIONS**

**Members need to demonstrate that they have consciously thought about the three aims of the Public Sector Equality Duty as part of the decision making process.**

The three aims the authority **must** have due regard for:

- Eliminate discrimination, harassment, victimisation
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

- 8.1 An equality Impact Assessment is attached as Appendix B of this report. This finds that vulnerable individuals may emanate from many of the groups with protected characteristics. The essence of the policy is to address harassment, discrimination and victimisation of these groups. Members should note this in considering the policy for adoption.

## **9. CRIME AND DISORDER IMPLICATIONS**

- 9.1 The provision of a clear Policy for unlawful eviction and/or harassment will reduce the risk of antisocial behaviour which could arise from for example the tenant being unlawfully prevented from entering their dwelling due to the landlord changing the locks. Harassment can lead to antisocial behaviour as there is the potential risk of aggravation and physical violence. The Policy makes it clear that this is not acceptable and the steps to be taken for a successful prosecution.

## **10. CONSULTATION IMPLICATIONS**

- 10.1 Consultation took place with Taunton Deane Borough Council and West Somerset Council, including the relevant Council Solicitors and staff such as the Housing Options services. Members of the SWeLT Board were involved including Taunton Association for the Homeless.
- 10.2 The Housing Policy Advisory Group considered the policy at it`s meeting in July and agreed that it be put forwards for consideration by cabinet and council.

## **11. ASSET MANAGEMENT IMPLICATIONS**

- 11.1 None associated with the council`s assets.

## **12. ENVIRONMENTAL IMPACT IMPLICATIONS**

- 12.1 None noted associated to this report.

## **13. LEGAL IMPLICATIONS**

- 13.1 The council currently has powers to deal with unlawful evictions but does not have a bespoke policy.
- 13.2 This report provides a specific policy which will assist the council in discharging it`s duties in a transparent and consistent manner.



## **Somerset West Landlord & Tenant Services Unlawful Eviction Policy**

**2013**

**NB**

**17.2 needs contact number and email address**

**The reporting form needs a Council name prior to giving to respondent**



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## 1.0 Summary

- 1.1 The Policy will comply with the enforcement concordat of the partnership; described below.
- 1.2 The Somerset West Private Sector Housing Partnership is a partnership between Sedgemoor District Council, Taunton Deane Borough Council and West Somerset Council to deliver Private Sector Housing Services. The Partnership Manager is also the Private Sector Housing Manager at Sedgemoor.
- 1.3 There are a small number of private landlords or their agents with properties in the Somerset West Area who do not conduct themselves within the requirements of the legislation relating to private rented accommodation. These landlords sometimes resort to using unlawful practices of eviction and/or harassment.
- 1.4 Unlawful eviction is normally prevented through mediation with the landlord; however, there are occasions when the landlord continues to harass the tenant even after issuing a valid notice to quit.
- 1.5 The voluntary Landlord Accreditation Scheme promotes responsible behaviour and does include a condition/clause to cover harassment but this is only effective for dealing with landlords registered with the scheme and is unlikely to have much impact on those landlords most prone to this type of behaviour as they are the least likely to be members of the scheme.
- 1.6 Considering the fact that these practices exist within the Somerset West Area, the Councils, through the partnership, have agreed to be proactive and take a stance against unlawful eviction and/or harassment and offer support, advice and assistance to customers in this situation. The Councils will prosecute any landlord or their agent where it is deemed appropriate to do so.
- 1.7 The purpose of the policy is to identify and ensure a fast, clear and co-ordinated response in cases of harassment and unlawful eviction. The Councils will work in partnership with its customers, landlords and partner agencies to ensure that the practice of unlawful eviction and harassment is eradicated within the Somerset West Area.

## 2.0 Policy Statement

- 2.1 Somerset West Area Councils will encourage best practice within the rented sector by working closely with responsible individual landlords, landlord groups



and letting agents and by providing information and support. The Councils will also take a proactive approach to supporting the rights of residents and tenants in relation to unlawful eviction and/or harassment. This will include the possible prosecution of any person, organisation or agency who are acting unlawfully.

- 2.2 The Councils will, however, also recognise the rights as well as the responsibility of landlords and will actively encourage all tenants to observe their legal obligations as tenants.
- 2.3 In all cases the Councils will adhere to its 'Service Criteria' in cases of unlawful eviction and/or harassment (see Appendix 1)

### **3.0 Strategic context**

- 3.1 This policy and its key components have been developed to reflect local, sub-regional and national housing strategies and policies. The future priorities for the Somerset West Area form part of each district's Corporate Priority Plans, Housing Strategies, Crime and Disorder Strategies, Private Sector Housing Policy and the Somerset West Private Sector Housing Renewal Policy.
- 3.2 The policy is integral to the priorities, aims and objectives set out in the Somerset West Landlord & Tenant scheme by providing a consistent approach in tackling unlawful eviction and ensuring tenants within the private rented sector are safer from unlawful harassment. The policy will also deliver priorities contained within the County-wide Homelessness Strategy ensuring that vulnerable tenants have access to a range of good quality housing that is professionally managed and maintained.

### **4.0 Introduction to the policy**

- 4.1 The law protects people living in residential properties against unlawful eviction and/or harassment. It does this in two ways: by making unlawful eviction and/or harassment a criminal offence, and by enabling someone who is being unlawfully evicted and/or harassed to claim damages through the civil courts.
- 4.2 Local Authorities have the power to take legal proceedings for offences of unlawful eviction and/or harassment. If the evidence justifies it, they can carry out investigations and prosecute if they believe an offence has been committed. In extreme cases of harassment, and where the property is in poor condition, a local authority also has powers under the Housing Health & Safety Rating System (HHSRS) to take enforcement action to secure improvements to the condition of the property.
- 4.3 The law also allows the tenant to seek redress for damages and injunctive relief privately, which may get the tenant back into the property.



## 5.0 The problem locally

- 5.1 There are some private landlords (or their agents) with properties in the Somerset West Area who do not conduct themselves within the requirements of the legislation relating to private rented accommodation, most notably the 'Protection from Eviction Act, 1977'.
- 5.2 These landlords may issue a 'notice to quit' that is not legally valid and/or encourage their tenants to leave through a variety of means (persistent calling at the property, threat to change the locks and in the extreme case physically removing a tenant from a property by force).
- 5.2 Some tenants are not aware of their rights and may end up leaving the property without any support or advice.
- 5.4 It is therefore difficult to assess the frequency of tenant harassment and unlawful eviction and it is likely that many cases go unreported or are resolved prior to the need to take prosecution action against a landlord (either by the tenant themselves or with support from other agencies). It is envisaged that most people experiencing this sort of problem would present at either the one of the Councils Housing Option teams or to other advice agencies such as the Citizens Advice Bureau.
- 5.5 In 2009/10 Housing Advice services received 40 cases across the partnership of people needing advice regarding unlawful eviction and/or landlord harassment. In the last twelve months, the same teams estimate that they have been aware of approximately 50 cases which usually follow as a result of a tenant reporting issues of disrepair at the property.
- 5.6 Among some landlords there appears to be an attitude to react this way in order to avoid the legal process which means expense. It is not known how many cases other agencies receive as no figures are centrally collated and recorded. However, the local Citizens Advice Bureau has confirmed that they often represent clients in relation to these issues.

## 6.0 Relevant legislation

6.1 Legislation that deals with activities involved in unlawful eviction and harassment are:-

- **The Protection from Eviction Act 1977.** The law makes it an offence to:
  - do acts likely to interfere with the peace or comfort of a tenant or anyone living with him or her; or
  - persistently withdraw or withhold services for which the tenant has a reasonable need to live in the premises as a home.

6.2 It is an offence to do the things described above intending, knowing, or having reasonable cause to believe, that they would cause the tenant to leave their home, or stop using part of it, or stop doing the things a tenant should normally expect to be able to do. It is also an offence to take someone's home away from them unlawfully.

- **Criminal Law Act 1977.** This act provides that if someone enters a person's home using or threatening to use violence they are committing a criminal offence.
- **Protection from Harassment Act 1977** generally prohibits harassment.

## 7.0 Definitions

### 7.1 *What is Harassment?*

7.2 Harassment can include any act by a landlord, the landlord's agent, or any other person acting on behalf of the owner, which deliberately unsettles a person's home life. This will include:

- Persistent withdrawal of services
- Withholding keys
- Antisocial behaviour by the landlords agent
- Demand for excessive repairs
- Failure to carry out repairs
- Repairs which are not completed
- Threats and physical violence

### 8.0 *What is Unlawful Eviction?*

8.1 A landlord's right to get his or her property back from a residential tenant is only enforced through the courts. Unlawful eviction is when the landlord, the landlords agent or someone acting on their behalf, unlawfully deprives a tenant of all or part of the home or where any other person forces or attempts to force a tenant to leave the accommodation without following the correct legal procedure and serving the proper notice.

## 9.0 Scope of the Policy

9.1 The Councils in the partnership are charged with the delegated power to investigate and prosecute under the provisions of the Protection from Eviction Act 1977. The power to prosecute is a matter delegated to the legal officer of the relevant council.

- 9.2 In terms of the requirements and needs of the tenant, consideration will need to be made to the ability of the tenant to obtain damages and/or injunctive relief (this is important as this will get the tenant back in the property where a criminal prosecution will not do this).
- 9.3 Local authorities can only take criminal proceedings (to distinguish from civil proceedings which the tenant brings himself with or without assistance) (i.e. contracted advocate).
- 9.4 The local authority will advise tenants to obtain independent legal advice in the case of civil prosecutions.
- 9.5 Prosecutions will be brought on behalf of the Councils in the name of the Councils solicitor, on the instructions of the delegated officer and line manager of the relevant Council. The action taken will be guided by and relevant to the financial constraints of the relevant Council or by powers delegated from the Chief Executive. The Councils solicitor is obliged to consider and review the decision to prosecute in accordance with the criteria set down in the Code of Conduct for Crown Prosecutors. The Solicitors Regulation Authority requires observance of this code by all prosecutors.
- 9.6 Referrals may be made in certain circumstances to the local Police who will review the circumstances when taking a prosecution for other related factors that might include theft of residential occupier's belongings, criminal damage, assault or protection from harassment.

## 10.0 Specific Principles

- 10.1 In all cases of unlawful eviction and/or harassment of a residential occupier the partnership will actively consider recommending a formal caution or prosecution following consultation with the Council's solicitor. In coming to this decision between the two options, the partnership and legal representative will have regard to the seriousness of the alleged incident of unlawful eviction or harassment, and where a formal caution is refused; prosecution will usually commence having regard to the issues outlined in the following section.

## 11.0 Issues to be taken into account

- 11.1 In deciding whether a case is suitable for the application of a caution or prosecution the Authority will take a number of issues into account, and these are outlined below;-
- Strength of evidence obtained
  - The severity of the offence and the circumstances of the case
  - Voluntary disclosure
  - Social factors

- Vulnerable persons

11.2 A case will not be deemed unsuitable for a prosecution or caution simply because the landlord or their agent has allowed or is about to allow a displaced residential occupier back into a property.

## **12.0 Enforcement**

12.1 The Councils will adhere to the 'Corporate Enforcement Policy' and seek to do so in a firm but fair, open, consistent and helpful way. Any enforcement action will be compliant with relevant legislation and guidelines in line with the principles of good enforcement outlined in the Enforcement Concordat. All investigations into alleged reports of unlawful eviction and/or harassment will follow best professional practice and the requirements of:

- The Human Rights Act 1998
- The Regulation of Investigatory Powers Act 2000
- The Police and Criminal Evidence Act 1984 (PACE)
- The Criminal Procedures and Investigations Act
- The Code for Crown Prosecution

12.2 The partnership will investigate non-compliance with statutory requirements and the Councils will take firm action, including prosecution where appropriate, against those who breach or fail to fulfil their legal obligations.

## **13.0 Enforcement options**

13.1 The partnership regards enforcement from a holistic view whilst encompassing all actions that can be taken to achieve compliance with a statutory requirement. They have a staged approach to enforcement wherever possible to ensure solutions are initially sought through education, co-operation and agreement. Where this is not successful, formal action may be necessary, which may ultimately lead to prosecution or other summary action. The following options will be available:

- Mediation & negotiation
- Formal Cautions
- Prosecution

## **14.0 Information to consider for prosecution**

14.1 When considering which cases to prosecute consideration will be given to:

- The merits of each case

- The code of practise for Crown Prosecutors
- The Criminal Procedure and Investigations Act 1996

14.2 Any case will need to meet both the **Evidential Test** and also the **Public Interest Test** (see Appendix 2) in that if there is sufficient **evidence** of a suitable quality to give a realistic prospect of conviction, consideration will also be given as to whether a prosecution will serve the **public interest**. A prosecution may take place unless public interest criteria are against it.

## 15.0 Roles & Responsibilities

- 15.1 The Councils are ultimately responsible for ensuring that any case of unlawful eviction and/or harassment will be investigated and where appropriate, will take any necessary action which may also involve prosecution. The partnership is responsible for preparing the case for prosecution to the relevant officer/line manager of the Council in whose area the alleged offence took place.
- 15.2 All staff in the partnership and partner Councils are responsible for adhering to the policy and for reporting any matters where they suspect unlawful eviction and/or harassment may be taking place.
- 15.3 Partner agencies have a responsibility to advise and assist customers and to refer relevant cases to the partnership (Appendix 3 – Referral Form). Landlords and their agents have a duty to comply with relevant legislation and to operate in a responsible and professional manner.

## 16.0 Complaints

- 16.1 All complaints of harassment/ unlawful eviction will receive the highest level response from officers in accordance with the policy

## 17.0 Review

- 17.1 This policy will be reviewed annually to ensure it meets its aims and objectives and compliments the priorities contained within the supporting policies and strategies.
- 17.2 A copy of the policy and procedures can be obtained upon request from the address below or by visiting the Councils website at: [www.swpshp.org](http://www.swpshp.org)  
If you require further copies of this policy or a copy in large print, in Braille, on tape or in a language other than English, please call **Insert**

## Appendix 1 – Service Criteria

### Service criteria in dealing with cases of unlawful eviction and/or harassment

- Aims to mediate and negotiate in cases of serious landlord and tenant disputes in the rented housing sector
- Where mediation fails or is inappropriate the Councils may decide to pursue an investigation which may lead to a criminal prosecution under the **Protection from Eviction Act 1977**

#### The Councils will deal with cases of: -

1. Unlawful eviction of tenants by private and registered social landlords or people acting on their behalf
2. Serious cases of harassment of tenants by their landlord or people acting on their behalf. Serious could be violence, threats of violence, abusive, discriminatory, aggressive or intimidatory behaviour
3. Disconnection of essential services (water, gas, electricity) by the landlord or person acting on their behalf
4. Cases of harassment where the tenant(s) involved may be vulnerable e.g. elderly tenants, tenants with mental or physical health problems
5. In cases of racial, sexual or other discriminatory issue relating to point 2 and 3 above referral will be made to the Police. The Police will always be made aware of violence associated as per point 2 and the reason for local authority involvement.

Any enquiries over general terms and conditions of tenancy, bonds, contracts, rent increases or other civil matters will be dealt with through the relevant local authorities Housing Advice Service who are responsible for providing this service on behalf of the Councils.

## Appendix 2 – Public Interest Test

<u>PUBLIC INTEREST</u> <u>PRO PROSECUTION</u>	<u>ANTI PROSECUTION</u>
<ul style="list-style-type: none"> <li>• Violence, actual or threatened, including threatening behaviour</li> </ul>	<ul style="list-style-type: none"> <li>• Offence committed due to genuine mistake/misunderstanding</li> </ul>
<ul style="list-style-type: none"> <li>• Premeditated offence/on-going harassment, i.e. where landlord has previously received warnings.</li> </ul>	<ul style="list-style-type: none"> <li>• Minor loss or harm due to a single incident, especially if caused by misjudgement.</li> </ul>
<ul style="list-style-type: none"> <li>• Victim vulnerable/put in considerable fear/suffered personal attack.</li> </ul>	<ul style="list-style-type: none"> <li>• Long delays between commission and trial unless:               <ul style="list-style-type: none"> <li>- serious delay is partly due to defendants complex offence</li> <li>- due to prosecuting authority</li> </ul> </li> </ul>
<ul style="list-style-type: none"> <li>• Discriminatory motivation – racial, sexual or disability</li> </ul>	<ul style="list-style-type: none"> <li>• Vulnerable defendant               <ul style="list-style-type: none"> <li>- unless serious offence /possibility of repetition</li> <li>- Risk to witness</li> <li>- Defendant has put right the loss or harm caused.</li> <li>- Possible motives of complainant including delay in making complaint</li> </ul> </li> </ul>
<ul style="list-style-type: none"> <li>• Relevant previous convictions</li> </ul>	
<ul style="list-style-type: none"> <li>• Grounds for believing offence likely to be repeated, i.e. previous complaints received</li> </ul>	
<ul style="list-style-type: none"> <li>• Widespread offence in the area and prosecution likely to act as a disincentive.</li> </ul>	
<ul style="list-style-type: none"> <li>• Help ensure person can remain in their home</li> </ul>	





**Appendix 3 - Report of Unlawful Eviction and/or Harassment**

Please complete this form to report any possible cases of unlawful eviction and/or harassment for investigation and possible prosecution by the Councils Legal Department.

<b>Details of referring agency</b>	
<b>Details of aggrieved person(s)</b>	
<b>Details of Landlord</b>	
<b>Details of Tenancy</b>	
<b>Other relevant information</b>	
Contact Name	
Address (incl postcode)	
Telephone	
Tenancy Address (incl postcode)	
Current address (if different than above)	
Telephone	
Is Landlord/Lady a company? If yes, company name	
Type of tenancy	
Tenancy start date	
Type of Notice issued? Eviction date	
Any shared facilities with Landlord/Lady? Any rent arrears?	
Reason for harassment, if known	
Are there any witnesses?	
Is any person's safety at risk? If yes, please give name(s) and reason	
Have the Police been informed? If yes, please state any involvement	
<b>Events to date</b>	
<b>Customer's authority for disclosure of information</b>	
Signed (Referring Officer).....	
Dated submitted to (Insert LA NAME) .....	
Thank you for bringing this matter to our attention. Please submit the completed form to the <b>Councils</b> Solicitor (Legal & Democratic Services) at the address given below.	



Impact Assessment undertaken on:	Somerset West Private Sector Housing Partnership – Unlawful Evictions Policy	Date undertaken: 2 <sup>nd</sup> August 2013
<p>Scope: identification of</p> <p>1. Protected groups /employees affected</p> <p>2. Summary of evidence and data used</p>	<p>Age; Disability; Pregnancy and Maternity; Race; Sex (Gender); Orientation</p> <p>Full consultation has taken place through direct contact with stakeholders and partner agencies and stakeholder workshops.</p> <p>The initial draft was drawn up following consultation with officers responsible for;</p> <ul style="list-style-type: none"> <li>• Private Sector Housing</li> <li>• Housing Options from all three partner authorities</li> <li>• Council Solicitors from all three partner authorities</li> <li>• Elected Members</li> <li>• Taunton Association for the Homeless</li> <li>• Private Sector Landlords</li> </ul> <p>Sources of information used in this analysis included:</p> <ul style="list-style-type: none"> <li>• Protection from Eviction Act 1977</li> <li>• Protection from Harassment Act 1977</li> <li>• Criminal Law Act 1977</li> <li>• Complaint trends through recorded records</li> <li>• Housing market</li> </ul>	
Key findings	<p>Collectively there is evidence beyond doubt that alleged unlawful evictions and harassment have taken place. Tenants have presented themselves to the partner Council's claiming they have been either unlawfully evicted or harassed. Many of the tenants have been considered vulnerable as they are the group which Housing Options have a duty for.</p> <p>There is anecdotal evidence to show increasing rents in the partnership area. This is leading to rent arrears. Landlords not familiar with the housing legislation have been serving incorrect notices and for those who are aware of the laws, are instead taking things into their own hands.</p> <p>Tenants regardless of age etc. are sometimes afraid to disclose that they have been unlawfully evicted for reasons of repercussions by the landlord.</p>	
Mitigation - what will be done to reduce the impacts identified	<p>The policy puts in place a transparent approach to tackling alleged unlawful evictions. The policy applies to all protected groups affected.</p> <p>The policy complies with the Enforcement Concordat and to the principles of transparency, accountability, proportionality, and consistency.</p> <p>All complaints will be thoroughly investigated and a decision made to prosecute. The decision is made by the Council's Solicitor based upon all of</p>	

	<p>the evidence supplied and if it is in the public interest. The 'Public Interest Test' is used as a fair balance to the validity of the need for a prosecution and is published in the Policy.</p> <p>The partner Councils have a written and published complaints procedure should someone feel that they have not been fairly treated with regard to their complaint.</p>
Will be reviewed on	2 <sup>nd</sup> August 2014
Signed off by	<p>Officer: Strategic Housing Manager</p> <p>Management Team</p>

*Report Number:* WSC 118/13  
*Presented by:* Cllr Keith Turner  
*Author of the Report:* Ian Timms Corporate Manager Housing, Welfare and Economy  
*Contact Details:*  
*Tel. No. Direct Line* 01984 635271  
*Email:* itimms@westsomerset.gov.uk  
  
*Report to a Meeting of:* Cabinet  
*To be Held on:* Wednesday 4<sup>th</sup> September 2013  
*Date Entered on Executive Forward Plan Or Agreement for Urgency Granted:* 4<sup>th</sup> July 2013

## UPDATE ON HEALTH AND WELLBEING BOARD AND REPRESENTATION ON WEST SOMERSET HEALTH FORUM

### 1. PURPOSE OF REPORT

- 1.1 To update Cabinet on the current situation with regards to the Health and Wellbeing Board and progress to address the Health and Wellbeing Strategy objectives.
- 1.2 To propose that Councillor Keith Turner be the council's official representative on the West Somerset Health Forum.

### 2. CONTRIBUTION TO CORPORATE PRIORITIES

- 2.1 There are no clear links to specific objectives from this report.

### 3. RECOMMENDATIONS

- 3.1 Cabinet note the situation with regards to the Health and Wellbeing board and ensure that any appropriate actions are factored into the service plans for 2014/15 and beyond.
- 3.2 Cabinet agree that Councillor Keith Turner is the council's official representative on the West Somerset Health Forum.

### 4. RISK ASSESSMENT (IF APPLICABLE)

#### Risk Matrix

Description	Likelihood	Impact	Overall
Council does not address priorities of the Health and Wellbeing Strategy causing preventative approach to be uncoordinated	3	3	9
<i>Develop clear action plan and approach to delivery in West Somerset area. Include plan in service plans.</i>	2	3	6

The scoring of the risks identified in the above table has been based on the scoring matrix. Each risk has been assessed and scored both before the mitigation measures have been actioned and after they have.

## **5. BACKGROUND INFORMATION**

- 5.1 This report is intended to provide an update to report 119/12 considered by members at the council meeting on September 19<sup>th</sup> 2012.
- 5.2 The background to the changes relating to the inclusion of Health and Wellbeing as a function of delivery in councils are fully explained in that report so will not be repeated in the body of this report.
- 5.3 In terms of delivering the agenda the County Council is required to set up a Health and Wellbeing Board and create an associated strategy to deliver identified actions. This board has a mixed composition of elected representatives, senior officers of various organisations and independent representation from Health Watch who have equal voting rights. The board also has the option to agree other representatives which in Somerset includes five district council representatives.
- 5.4 The board has been operating for approximately 18 months in a shadow form and has been working on its strategy plus a range of associated activities. Due to the late availability of the regulations relating to this board combined with the county council elections the first formal meeting was on July 25<sup>th</sup> 2013. The board is now fully constituted being a public meeting of the County council subject to the full range of requirements that any meeting of councils must meet.
- 5.5 The board is supported by the executive officers team who assist the board in developing delivery plans, identification of relevant issues and identifying priorities.
- 5.6 The approach that has been adopted by the board is that rather than inventing a range of groups to deliver its priorities it will seek to ensure that it uses existing mechanisms. This will essentially involve influencing existing groups and organisation to focus their work on the priorities within the strategy. This approach is intended to ensure that the existing structural arrangements are used to best advantage.
- 5.7 There will of course be times where new teams may be required to tackle issues. Where this occurs the intention is to take a focused task and finish type approach to the delivery of priorities. Any new group would therefore be of short duration.
- 5.8 The board in confirming full district council representation has recognised the key role that we play locally in the delivery of Health and wellbeing priorities. The district councils have a strong relationship with the community and local organisations. This enables us to ensure that we enhance or augment whatever activity is currently going on in West Somerset.
- 5.9 In looking at how best we can deliver in West Somerset we have taken a view that much can be achieved through strong links to the two local GP federations. This approach aims to join together the collective efforts of the preventative and treatment arms of this new Health System. There also need to be strong links made into the wider health organisations such as the community hospitals. This approach will bring together all of those individuals and organisations that can influence and deliver improvements in West Somerset.
- 5.10 In terms of what groups already exist there is a strong well established West Somerset Health Forum which meets quarterly at Minehead Hospital. This group has many of the

individuals and organisations within it that will be needed to deliver on this agenda. It is therefore an important group in the overall delivery of the Health and Wellbeing strategy.

- 5.11 West Somerset Councillors do already attend this group acting independently to ensure there is link to the Council. Whilst this has been extremely helpful we believe that nominating a formal representative to that group will mean that we can strengthen the link to the Health and Wellbeing board. This will ensure that our board representative is as fully informed as possible about the local issues that require attention. This of course does not preclude other councillors attending but does build on their existing contribution to the forum.
- 5.12 In turn this should ensure that at the local level we can focus action on specific issues. We intend to combine the information gained from the forum with work we are undertaking with partner organisations to establish an action plan. This work is following the principles that are outlined above in that we do not wish to invent new groups to tackle issues. We are also trying to ensure that the overall wide strategic aims of the board are delivered locally.
- 5.13 The work to create an action plan is on-going and will be reported back to the council either through specified service plan actions in 2014/15 or informally through Policy Advisory Groups.

## **6. FINANCIAL/RESOURCE IMPLICATIONS**

- 6.1 We are adopting an approach that limits the impact mainly to staff resources. It may be that in future the council wishes to create budget commitments to projects or actions but this of course will be subject to appropriate decision making mechanisms.

## **7. SECTION 151 OFFICER COMMENTS**

- 7.1 The Section 151 Officer has reviewed this report and has no comment to make.

## **8. EQUALITY & DIVERSITY IMPLICATIONS**

**Members need to demonstrate that they have consciously thought about the three aims of the Public Sector Equality Duty as part of the decision making process.**

The three aims the authority **must** have due regard for:

- Eliminate discrimination, harassment, victimisation
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

- 8.1 In using the existing networks we are seeking to be inclusive. As we develop clearer action plans we will evaluate how they impact on groups with the protected characteristics and seek to address any inequalities that occur.

## **9. CRIME AND DISORDER IMPLICATIONS**

- 9.1 There are no implications associated with this report.

## **10. CONSULTATION IMPLICATIONS**

- 10.1 The report indicates the ongoing commitment to partnership work that will enable delivery of the strategy aims. This in essence places consultation both informal and formal at the centre of this work.

**11. ASSET MANAGEMENT IMPLICATIONS**

11.1 There are no known implications from this report to the council's assets.

**12. ENVIRONMENTAL IMPACT IMPLICATIONS**

12.1 There are no known links to this report at this stage.

**13. LEGAL IMPLICATIONS**

13.1 There are no specific matters of concern related to this report.

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*Report Number:* WSC 121/13  
*Presented by:* Cllr T Taylor, Leader of the Council,  
 Cllr K V Kravis, Lead Member for Resources  
*Author of the Report:* Sam Rawle, Scrutiny & Performance Officer, Steve Plenty,  
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*Report to a Meeting of:* Cabinet  
*To be Held on:* 4<sup>th</sup> September, 2013  
*Date Entered on Executive Forward Plan* 25/9/12  
*Or Agreement for Urgency Granted:*

## **CORPORATE PERFORMANCE REPORT APRIL – JUNE 2013/14**

### **1. PURPOSE OF REPORT**

- 1.1 The purpose of this report is to provide Members with an update on progress in delivering the corporate priorities, performance of council services including budgetary information and customer satisfaction covering the period from 1<sup>st</sup> April 2013 to 30<sup>th</sup> June, 2013.

### **2. CONTRIBUTION TO CORPORATE PRIORITIES**

- 2.1 Although not contributing to the actual delivery of the corporate priorities this report is crucial to monitoring the progress being made in achieving their delivery.

### **3. RECOMMENDATIONS**

- 3.1 That Cabinet notes the progress in delivering the corporate priorities for the first quarter of 2013/14 and recommends any mitigating actions where there are concerns over their delivery.
- 3.2 That Cabinet notes the performance against Group and Service Indicators, including the Budget monitoring indicators, and recommends any mitigating actions where there is concern that performance is not on track.

### **4. RISK ASSESSMENT (IF APPLICABLE)**

#### **Risk Matrix**

<b>Description</b>	<b>Likelihood</b>	<b>Impact</b>	<b>Overall</b>
The key risk is that the Council fails to manage its performance and use the subsequent information to inform decisions and produce improved services for customers	Possible (3)	Major (4)	Medium (12)

<i>The mitigation for this will be the continued strong leadership from Lead Members and CMT to ensure that performance management remains a priority</i>	Unlikely (1)	Major (4)	Possible (4)
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The scoring of the risks identified in the above table has been based on the scoring matrix. Each risk has been assessed and scored both before the mitigation measures have been actioned and after they have.

## **5. BACKGROUND INFORMATION**

- 5.1.1 Monitoring our performance is a key element in the Council's Performance Management Framework. This will be the fourth year following the introduction of the current process of utilising service plans as part of the Council's operational principles. The reporting arrangements focus on performance against the Corporate Plan and Group Service Plans. This ensures that we remain focused and stay on track to deliver what we set out to do.
- 5.1.2 During 2013/14, the number of strategic priorities have been reduced from six to two; these being Local Democracy and New Nuclear Development at Hinkley Point. The two priorities are supported by 7 objectives and 22 key tasks. The objectives and key tasks are delivered through the four Group Service Plans. Appendix A of this report details how the Council is progressing in their delivery.
- 5.1.3 The quarterly performance report at Appendix A has been divided into 4 sections in order to reflect the 4 Group Service Plans –
- Housing, Economy & Welfare
  - Environment & Community
  - Corporate Services
  - Corporate Management
- 5.1.4 Each Group section has been further sub-divided into two parts:
- Progress reporting against corporate plan objectives and associated key tasks;
  - Performance against a set of key Group & Service Indicators

## **5.2 Performance Summary and Response to Missed Targets/Milestones**

- 5.2.1 At the start of each group section, Members will note that an additional page has been added to provide an overview of each group's performance for the quarter. This includes performance indicators and key actions where targets/milestones have been missed and the response to this from the relevant Group Manager.

## **5.3 Scrutiny Committee 19<sup>th</sup> August 2013**

The Scrutiny Committee at its meeting on the 19<sup>th</sup> August, 2013 considered this report. During the course of the debate the following issues were raised relating to the performance section of the report:

- Members noted that the issues regarding mortgage availability around the Council's Low Cost Home Ownership Scheme were due mainly to lenders being concerned over the restrictions. It was suggested that if the properties were sold then the profit could be put into affordable housing.
- The Lead Member for Regeneration and Economic Growth confirmed that she was in receipt of some data relating to the parking service and would make the information available once the data was complete.



- Councillor P Murphy thanked all those involved in the superb work undertaken to deliver the Goviers Lane railway crossing.
- Noted that some targets were subject to seasonal variations and could improve as the year progressed.
- With regard to KPI 25 Abandoned call rate % - it was believed that 12% for the first quarter should not be considered below target.
- KPI 21, number of unique visitors to the Council website - it was believed that the target should be higher.
- The Committee wished to thank the staff involved with Payment of Creditors and Land Charges for their performance exceeding the target.
- The Chief Executive confirmed that a staff survey would be undertaken this year.

Members noted the capacity needed in order to respond to Freedom of Information (FOI) requests. The Scrutiny and Performance Officer advised that she would update members on the sources of FOI requests received by the Council, after the meeting.

In response to the possibility that the performance report might be re-formatted the Committee made the following suggestions:

- To compare like for like i.e. current quarterly targets with the previous year's quarterly targets.
- Targets relating to the Hinkley project are not included until the project becomes relevant again
- Ensure that red targets are clearly explained
- To keep targets realistic and up to date with changing events

Concern was raised regarding whether there were a set criteria used to determine the status (red, amber or green) of a target. In response the Chief Executive suggested that perhaps a report could go to the Scrutiny Committee that sets out any criteria used in the past, what the criteria were and whether the criteria were appropriate; if no criteria were in place then perhaps the Scrutiny Committee may wish to introduce a clear set of criteria.

**RESOLVED (1)** that the progress in delivering the corporate priorities for 2013/14 be noted;

**RESOLVED (2)** that the performance against Group and Service Indicators, including the budget monitoring indicators, and recommends any mitigating actions where there is concern that performance is not on track.

## 5.4 **FINANCE INFORMATION**

### 5.4.1 **Summary Position – Revenue**

Resources	Annual Budget £	Predicted Spend 2013-14 £	Variance £
Performance against Budget	4,974,615	4,970,313	(4,302)

#### 5.4.2 Detailed Position – Revenue (by Group)

Group	Annual Budget £	Predicted Spend 2013-14 £	Variance £
Housing, Economy & Welfare	877,959	847,651	(30,308)
Environment & Community	2,510,827	2,543,143	32,316
Corporate Services	1,413,858	1,408,308	(5,550)
Corporate Management	171,971	171,211	(760)
<b>TOTAL</b>	<b>4,974,615</b>	<b>4,970,313</b>	<b>(4,302)</b>

#### 5.4.3 Major Variances

##### Housing, Economy & Welfare

Licensing – Underspend on salaries and increased fees in respect of taxi licences  
 Environmental Health Staff – Underspend on salaries  
 Housing and Council Tax Benefit – General Underspend  
 Revenue Staff – Underspend on salaries

##### Environment & Community

Customer Services – Underspend on salaries due to EDF secondment  
 Development Control – Increased application fees and receipt of National Grid PPA monies  
 Building Control – Reduced application fees, regularisation certificates  
 Public Conveniences – General Overspend  
 Open Spaces – Underspend on salaries and external agency contributions received  
 Waste – General contract overspend and Container Supplies not included in original budget  
 Street Cleansing – Saving on bin emptying contract

##### Corporate Services

Elections – Increase in canvasser expenses  
 Corporate & Democratic Core – Lower predicted bank charges  
 Finance – Vacant post not filled, lower bailiff fees and past service costs

##### Corporate Management

No major variances

#### 5.4.4 Detailed Position – Capital (by Group Manager)

Group Manager	Scheme	Annual Budget 2013-14 £	Predicted Spend 2013-14 £	Variance £
Ian Timms	Clanville Housing	0	200,000	200,000
Ian Timms	Disabled Facilities Grants	96,000	96,000	0
Ian Timms	Disposal - Seaward Way Housing Land	50,000	80,000	30,000
Ian Timms	Disposal – Seaward Way Leisure Land	0	25,000	25,000
Ian Timms	Disposal – Aquasplash Site	50,000	50,000	0
Ian Timms	Disposal – Simonsbath Site	5,000	5,000	0
Ian Timms	Disposal – Townsend Farm	5,000	5,000	0
Ian Timms	Decent Homes	84,000	84,000	0
Steve Watts	East Wharf Warehouse	30,000	3,000	(27,000)

Steve Watts	Roughmoor – CCTV *	6,500	6,500	0
Steve Watts	Car Parks Resurfacing *	2,000	2,000	0
Steve Watts	Watchet Harbour	25,000	25,000	0
Steve Watts	Quay Street Cliffs	7,000	7,000	0
Steve Watts	Dulverton Mill Leat	10,000	10,000	0
Steve Watts	Coast Protection	5,000	2,000	(3,000)
Steve Watts	Public Conveniences	50,000	50,000	0
Steve Watts	Replacement Lanterns	2,000	2,000	0
Steve Watts	PCN Hand Computer	2,500	0	(2,500)
Steve Watts	Beach Rake	8,000	9,083	1,083
Steve Watts	Watchet CCTV	0	10,000	10,000
Steve Watts	Blue Anchor Hotel – Coast Protection	0	11,000	11,000
Steve Watts	TASK Financial System	50,000	50,000	0
Steve Watts	Hardware Replacement	65,000	65,000	0
Steve Watts	Backup Solution	18,000	15,000	(3,000)
Steve Watts	MS Exchange Upgrade	5,700	5,700	0
Steve Watts	2003 Domain Upgrade	7,000	7,000	0
Steve Watts	Microsoft Licence	13,636	13,636	0
	<b>TOTAL</b>	<b>597,336</b>	<b>838,919</b>	<b>241,583</b>

\* Budget virement to be completed in order to fund the installation of railings at Watchet Harbour.

#### 5.4.5 Forecast Reserves

Opening Reserves (Unaudited) £	Budget Variances £	Reserves at 31 March 2014 £
<b>(991,420)</b>	<b>(4,302)</b>	<b>(995,722)</b>

#### 5.4.6 Salary Costs

Salaries	2013-14 Budget £	2013-14 Predicted Outturn £	Variance £
Authority Total	2,617,727	2,486,504	(131,223)
Employers Additional Pension	160,000	160,000	0
<b>Total</b>	<b>2,777,727</b>	<b>2,646,504</b>	<b>(131,223)</b>

### 5.5 Business Rate Retention

5.4.1 At a meeting of Cabinet held on 8<sup>th</sup> June 2013 a number of recommendations from Scrutiny Committee were approved regarding the monitoring of the impact that the new Non-Domestic Rate Retention Scheme was having on the Councils financial position. These included: -

- An updated estimate of the amount to be retained (table 1)
- An updated Medium Term Financial Plan (table 2)
- An aged debtor report in respect of unpaid Non-Domestic Rates (table 3)

**Summary of Draft NNDR1 Form 2013/14 – Table 1**

	<b>Jan. 13</b>	<b>Jun. 13</b>
<b>Gross Yield</b>	<b>£14,543,929</b>	<b>£14,387,966</b>
Less Deductions:		
Refunds	-£2,000,000	-£1,850,000
Write-Off's	-£100,000	-£100,000
Mandatory Relief	-£1,670,351	-£1,682,244
Discretionary Relief	-£203,372	-£205,405
Other Deductions	-£183,001	-£143,727
<b>Net Yield</b>	<b>£10,387,205</b>	<b>£10,406,590</b>
Amounts Retained		
Government (Central) Share (50%)	£5,193,603	£5,203,295
WSC Share (80% of 50%)	£4,154,882	£4,162,636
SCC Share (18% of 50%)	£934,848	£936,593
D & S F & R Share (2% of 50%)	£103,872	£104,066
	<b>£10,387,205</b>	<b>£10,406,590</b>
<b>WSC Retained</b>	<b>£4,154,882</b>	<b>£4,162,636</b>
Tariff to Government (fixed amount)	-£2,922,502	-£2,922,502
Gross Retention	£1,232,380	£1,240,134
WSC Baseline Funding (fixed amount)	-£1,050,663	-£1,050,663
Net Retention	£181,717	£189,471
50% Levy Payment to Government	-£90,859	-£94,736
<b>NET AMOUNT RETAINED BY WSC</b>	<b>£90,859</b>	<b>£94,736</b>

5.5.2 As can be seen from the table above the gross yield has reduced by £155,963 which is mainly as a result of successful appeals. To avoid double counting a corresponding reduction has been reflected in the estimated refunds total. The other significant change concerns a revised downward estimate of the net reduction in the rate base as a result economic decline and growth. This is reflected in the 'Other Deductions' row.

5.5.3 It should be emphasised that this calculation still relies very heavily on estimates of the amount of successful appeals and natural changes in the rate base.

## **5.6 Medium Term Financial Plan (MTFP)**

5.6.1 The summary MTFP below takes account of changes that have been instigated since the budget meetings in February 2013 together with an analysis in the notes to the table.

**Medium Term Financial Plan (Updated) – Table 2**

	2013/14		2014/15		2015/16	
	At Feb 13	At Jul 13	At Feb 13	At Jul 13	At Feb 13	At Jul 13
<b>EXPENDITURE</b>						
Net Expenditure	5,354,029	5,351,379 <sup>1</sup>	5,221,465	5,113,851 <sup>4</sup>	5,325,816	5,172,095 <sup>5</sup>
Savings Target	(379,414)	(379,414)	(54,529)	(54,529)	(196,161)	(194,016)
<b>TOTAL Net Expenditure</b>	<b>4,974,615</b>	<b>4,971,965</b>	<b>5,166,936</b>	<b>5,059,322</b>	<b>5,129,655</b>	<b>4,978,079</b>
<b>INCOME</b>						
Council Tax	1,772,613	1,772,613	1,836,427	1,836,427	1,900,702	1,900,702
Rev Support Grant	1,579,297	1,579,297	1,210,808	1,210,808	982,121	1,089,727 <sup>6</sup>
CT Support Admin Grant	272,850	272,850	272,000	272,000	272,000	272,000
New Homes Bonus	383,956	383,956	444,956	444,956	647,956	647,956
Possible NHB top-slice	0	0	0	0	0	(259,182) <sup>7</sup>
NNDR Retention	1,232,380	1,240,134	1,832,452	1,832,452	1,832,452	1,832,452
NNDR Levy	(90,859)	(94,736)	(390,859)	(390,859)	(390,859)	(390,859)
CT Grant to Parishes	(110,262)	(110,262)	(112,467)	(112,467)	(114,717)	(114,717)
CT Support New Burdens	32,680	32,680	59,659	59,659	0	0
Efficiency Support Grant	0	23,156 <sup>2</sup>	0	0	0	0
<b>TOTAL Income</b>	<b>5,072,655</b>	<b>5,099,688</b>	<b>5,152,976</b>	<b>5,152,976</b>	<b>5,129,655</b>	<b>4,978,079</b>
(Surplus)/ Deficit	(98,040)	(127,723)	13,961	(93,653)	0	0
To Earmarked Reserves	202,343	202,343	159,659	159,659	100,000	100,000
From Earmarked	(88,038)	(88,038)	(12,500)	(12,500)	0	0
<b>Rev reserve balance b/fwd.</b>	<b>1,115,517</b>	<b>991,421<sup>3</sup></b>	<b>1,099,252</b>	<b>1,004,839</b>	<b>938,132</b>	<b>951,333</b>
<b>Rev reserve balance c/fwd.</b>	<b>1,099,252</b>	<b>1,004,839</b>	<b>938,132</b>	<b>951,333</b>	<b>838,132</b>	<b>851,333</b>

5.6.2 **Notes:**

1

Net expenditure as at Feb 13	5,354,029
Minor closing adjustments	(2,650)
<b>Net expenditure as at Jul 13</b>	<b>5,351,379</b>

2

<b>Additional one off Efficiency Support Grant</b>	<b>23,156</b>
--	---------------

3

	<b>(Feb 13)</b>	<b>(Jul 13)</b>
General Fund B/Fwd.	934,877	934,877
Deficit before use of reserves	(230,760)	(49,294)
Use of earmarked reserves	411,400	105,838
<b>General Fund C/Fwd.</b>	<b>1,115,517</b>	<b>991,420</b>

4

Net Expenditure as at Feb 13	5,221,465
Adjustment as at (1) above	(2,650)
Adjustment to interest saving to remove double counting	15,000
Adjustment to MRP assuming asset sales	(72,000)

Correction to payroll costs (overstated)	(11,656)
Pay rise capped to 1%	(33,326)
Reduction in audit fee	(2,982)
<b>Net Expenditure as at Jul 13</b>	<b>5,113,851</b>

5

Net expenditure as at Feb 13	5,325,816
Adjustments as above	(107,614)
Correction to payroll costs (overstated)	(11,947)
Pay rise capped to 1%	(34,160)
<b>Net Expenditure as at Jul 13</b>	<b>5,172,095</b>

6

RSG in 2014/15	1,210,808
LGA Assumed reduction in RSG (18.9%)	(228,687)
RSG in 15/16 as at Feb 13	982,121
Revised ss per CSR announcement of 10% reduction	(121,081)
<b>RSG in 15/16 as at Jul 13</b>	<b>1,089,727</b>

7

New Homes Bonus 15/16	647,956
<b>Possible 40% reduction following CSR announcement</b>	<b>(259,182)</b>

## 5.7 Business Rates – Outstanding Liabilities

**Business Rates Liabilities @ 30 June 2013 – Table 3**

Year	Total Net Liability	Costs Raised	Gross Amount Collectable	Write Offs	Net Amount Collectable	Balance	% O/S
<b>2000-08</b>	£116,811,432	£21,497	£116,832,929	£373,405	£116,459,524	£18,007	0.015%
<b>2009</b>	£7,609,229	£4,311	£7,613,540	£81,196	£7,532,344	£6,607	0.087%
<b>2010</b>	£8,499,501	£4,059	£8,503,560	£47,419	£8,456,141	£25,956	0.305%
<b>2011</b>	£9,391,071	£3,374	£9,394,445	£67,893	£9,326,552	£72,611	0.773%
<b>2012</b>	£10,536,779	£3,160	£10,539,939	£5,779	£10,534,160	£230,583	2.188%
	<b>£152,848,012</b>	<b>£36,401</b>	<b>£152,884,413</b>	<b>£575,692</b>	<b>£152,308,721</b>	<b>£353,764</b>	<b>0.231%</b>
<b>2013</b>	£11,707,085	£0	£11,707,085	£0	£11,707,085	£7,957,276	67.970%
	<b>£164,555,097</b>	<b>£36,401</b>	<b>£164,591,498</b>	<b>£575,692</b>	<b>£164,015,806</b>	<b>£8,311,040</b>	<b>5.067%</b>

5.7.1 The balance outstanding for the years 2000 – 2012 is £353,764 which is £42,123 less than the figure at 31<sup>st</sup> March 2013 of £395,887.

## 5.8 Discretionary Housing Payment Scheme & Council Tax Reduction Discretionary Scheme

5.8.1 At Full Council on the 27<sup>th</sup> March, 2013 the policies for Discretionary Housing Payment and Council Tax Reduction Scheme were approved. On consideration of the report, it was confirmed that expenditure under the schemes would be monitored as part of the quarterly service plan monitoring.

	Discretionary Housing Payment Scheme	Council Tax reduction Discretionary Scheme
Annual Budget 2013/14	£68,453	£22,500
Expenditure to 30/6	£19,914.22	£1,262.38
Number of Awards	41	13

## **6. FINANCIAL/RESOURCE IMPLICATIONS**

6.1 Contained within the body of the report.

## **7. SECTION 151 OFFICER COMMENTS**

7.1 Contained within the body of the report.

## **8. EQUALITY & DIVERSITY IMPLICATIONS**

**Members need to demonstrate that they have consciously thought about the three aims of the Public Sector Equality Duty as part of the decision making process.**

The three aims the authority **must** have due regard for:

- Eliminate discrimination, harassment, victimisation
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

## **9. CRIME AND DISORDER IMPLICATIONS**

9.1 None directly in this report.

## **10. CONSULTATION IMPLICATIONS**

10.1 None directly in this report.

## **11. ASSET MANAGEMENT IMPLICATIONS**

11.1 None directly in this report.

## **12. ENVIRONMENTAL IMPACT IMPLICATIONS**

12.1 None directly in the report.

## **13. LEGAL IMPLICATIONS**

13.1 None directly in this report.







# Performance Monitoring Report 2013/14

**April 2013 to June 2013 - Quarter 1**



# **Housing, Economy & Welfare Group**

## **Service Plan Performance Report April-June 2013/14 Update**

- **Corporate Plan Key Actions – Quarterly Progress Report**
- **Group & Service indicators – Quarterly Performance**



## Housing, Economy & Welfare Group

### Performance Indicator

Out of 12 indicators due for this quarter, 100% are on target.

### Key Action Summary

There are 34 key actions associated with this service plan of which:

- 4 (10%) are completed (green)
  - 19 (49%) are on-track (green)
  - 7 (18%) are of concern (amber)
  - 2 (23%) not due to start (blank)
- with no information available for a further 7 (Key Task 5.2 & 5.3)

Of concern (amber) = 7 – Key Action 2.2.4 – Affordable housing scheme at Seaward Way stalled awaiting developer response re: site prep.  
Key Actions 5.1.1-5.1.6 All affected by the funding delay re: New Nuclear Development at Hinkley

### Group Performance Summary for Quarter 1 - Highlights

#### Economic Regeneration and Tourism

A very successful Business Conference was held at Foxes Academy Minehead on the 7<sup>th</sup> June which was attended by over 75 participants.

By the end of the quarter 41 business mentors had been recruited and 40 businesses are receiving support.

63 businesses had benefited from attending IT specific training sessions.

Cool Tourism Project was officially launched in Dunster this quarter.

Following a successful bid to LARC the Porlock App was launched in June at Porlock Visitor Centre. The app provides a new opportunity for Porlock Vale businesses to promote their destination, goods and services.

The First West Somerset Job Fair took place in April to showcase employment opportunities within the district and to allow for employers to meet potential candidates to fill employment opportunities. Over 100 participants attended.

#### Housing Enabling

Significant preparation time spent on the first West Somerset Housing Fair which took place at West Somerset Community College on 25<sup>th</sup> July. Some challenges around Clanville Grange in Minehead and mortgage availability for people interested in purchasing under the Council's Low Cost Home Ownership scheme

Some really good progress made with individual schemes, including a Planning Application submission for Townsend Farm in Carhampton and in excess of 60 affordable homes currently on site and in various stages of development.

Successful Homes and Communities Agency funding bid supported for the YMCA which, subject to planning approval, should see the Beach Hotel in Minehead converted into an exciting mix of supported housing and Social Enterprise in partnership with the College.

### **Revenues and Benefits**

The team has continued work with the implementation of a raft of welfare reforms which became effective from the 1<sup>st</sup> April, 2013. These related to additional bedrooms, local housing allowance, benefit cap and the council tax reduction scheme. A new discretionary housing payment scheme has been implemented to assist customers affected by the abolition of council tax benefit and the introduction of the local council tax reduction scheme. These are major changes for our residents and subsequently the number of enquiries to the team rose significantly in the early part of the quarter period. This caused a slight increase in processing times but in terms of the way it has been implemented the team has done a great job. There was a significant increase in the number of applications for Discretionary Housing Payment and Additional Council Tax Rebate this quarter which was to be expected given the recent major changes. Fraud sanctions were up in quarter one as a result of the refocus of resources following the scrutiny task and finish review.

### **Private Sector Housing**

Some complex cases have pushed up the average time (22 weeks) for Disabled Facilities Grants to be delivered but this is being mitigated through close working with the Home Improvement Agency.

The Landlord Accreditation scheme is picking up in West Somerset following promotion of the scheme by staff who can see the benefits of the SWeLT partnership and the value it can offer in being proactive in preventing homelessness. Plans are in place to introduce a Tenant Passport scheme late in the year and funding has been released to West Somerset Community College using the partnership shared funds to extend Tenant Accreditation into West Somerset.

The number of long term empty homes continues to fall in West Somerset. Negotiations on long term empties in Dulverton and Williton are drawing to a conclusion. Empty homes brought back into use provide a valuable income resource for local authorities through the New Homes Bonus. In addition removing an eyesore and can provide accommodation for clients on the Council's Housing Needs list.

### **Environmental Health and Licensing**

The environmental protection team have continued to deal with reactive complaints concerning noise nuisance and a wide variety of other issues. The private water supply sampling work is on schedule along with partnership work in private sector housing. The food inspections are behind schedule at the moment as the 2 qualified food officers are continuing to cover licensing work. A consultant was used during Q1 to catch up with this area of work. Licensing work has included renewals for all private hire and hackney carriage vehicles and drivers and renewals for harbour moorings along with 84 temporary event notices. Challenges include covering the workload during the busy summer months when staff are on leave.

### **Local development Framework**

The Strategic Housing Market area Assessment work to support the core strategy was completed. Local Plan next phase of consultation was agreed at council. The consultation will commence in quarter 2 this is a significant milestone in the process. This consultation will support the production of the final document for submission to the government.

**Housing Options**

Two new Mortgage Rescues were started as part of the government sponsored scheme; one is close to completion for Q2. Challenges included significant workload from one or two challenging households. We are helping more homeless persons with private renting solutions; we believe the Homefinder Somerset system assists by helping us challenge unrealistic expectations for social housing in this district.

## Housing & Economy

### Priority: Local Democracy

Objective 1:

**Local democracy and accountability remains within West Somerset by establishing a resilient operating model that is financially sustainable and delivers effective, efficient services**

KEY TASK 1.4 Ensure that savings and income increases identified for the Medium Term Financial Plan for 2013/14 are achieved		Milestone	Action Status
<b>Housing and Economy savings - Achieve savings of £67,116 as a proportion of the overall savings from the WSC budget</b>			
Key Action 1.4.20 Planning Policy - External specialist support not required (£28,000) Ensure that savings have been removed from the budget book	<u>Qtr 1 Update</u> Savings of £28,000 have been removed from budget book	<b>1<sup>st</sup> April 2013</b>	Green (completed)
Key Action 1.4.21 Housing - Reduction in prevention budget (£6000) Ensure that budget has been reduced and monitor budget throughout the year	<u>Qtr 1 Update</u> Savings of £6000 have been removed from budget book Budget will be monitored throughout the year	<b>1<sup>st</sup> April 2013</b>	Green (on track)

<p>Key Action 1.4.22 Re-tender contract for dog warden service Ensure that budget has been reduced by identified saving (£11,700) Ensure customer information (via customer services and website) are aware that the rodent &amp; pest control service is no longer subsidised and are signposted to SDK as the approved contractor.</p>	<p><u>Qtr 1 Update</u></p> <p>Saving has been removed from budget book. Reduction achieved by the re-negotiation of the combined Dog warden/pest control service provided by SDK. Also In discussions with TDBC regarding a joint tendering proposal.</p> <p>Website information amended regarding the provision of a pest control service and and customer services aware of the changes.</p>	<p><b>1<sup>st</sup> April 2013</b></p>	<p>Green (completed)</p>
<p>Key Action 1.4.23 Licensing - Staff costs - reduction in hours (£6220) Ensure that the staffing budget has been reduced</p>	<p><u>Qtr 1 Update</u></p> <p>Staffing budget has been reduced by £6220 in line with action</p>	<p><b>1<sup>st</sup> April 2013</b></p>	<p>Green (completed)</p>
<p>Key Action 1.4.24 Benefits - Reduce external processing capacity (£6000) Ensure that budget has been reduced and monitor budget throughout the year</p>	<p><u>Qtr 1 Update</u></p> <p>Budget reduced by £6000 and monitoring is being carried out. Budget spend is less than 25% for quarter one ie on track Budget will be monitored throughout the year</p>	<p>1<sup>st</sup> April 2013</p>	<p>Green (on track)</p>
<p>Key Action 1.4.25 Staff costs - reduction in hours (£6525) Ensure that the staffing budget has been reduced</p>	<p><u>Qtr 1 Update</u></p> <p>Staffing budget in Housing options has been reduced by £6525</p>	<p>1<sup>st</sup> April 2013</p>	<p>Green (completed)</p>



**Objective 2:**  
**Maximise the funding opportunities from Central Government**

<b>KEY TASK 2.1</b>		<b>Milestone</b>	<b>Action Status</b>
<b>Enable and support new housing schemes to increase housing availability within West Somerset</b>			
Key Action 2.1.1 Undertake a review of planning decisions and their effect on increasing supply and report findings to Housing PAG.	<u>Qtr 1 Update</u> This work will not commence till the autumn	30 <sup>th</sup> January 2014	Blank
Key Action 2.1.2 Prepare submission documentation and produce final Local Plan Publication draft for endorsement by council and submission to the Government Inspector	<u>Qtr 1 Update</u> Finalised Strategic Housing Market assessment. Council agreed policies and documentation as basis for consultation. This round of consultation will commence in quarter 2 and will be used to produce the publication draft	31 <sup>st</sup> March 2014	Green (on track)
Key Action 2.1.3 Through partnership with the rural housing project carry out 4 housing need surveys to aid in identification of new housing sites for inclusion in the joint work plan	<u>Qtr 1 Update</u> Six Parishes have been surveyed Carhampton & Withycombe –to support Townsend farm. To support work with the Crown estates in site identification Dunster , Old Cleeve, Treborough and Luxborough.	31 <sup>st</sup> March 2014	Green (on track)
<b>KEY TASK 2.2</b>		<b>Milestone</b>	<b>Action Status</b>
<b>Facilitate the delivery of 80 affordable homes within the West Somerset area by 31st Mar 2014</b>			
Key Action 2.2.1 Facilitate the delivery of 33 additional affordable homes at Silvermead, Alcombe	<u>Qtr 1 Update</u> Development is on site and progressing well. For management reasons, Magna will be taking possession of the dwellings in batches between March and June 2014	31 <sup>st</sup> March 2014	Green (on track)

Key Action 2.2.2 Facilitate the delivery of 5 additional affordable homes at Crowcombe	<u>Qtr 1 Update</u> All ground works have now been completed on site. Build-work due to commence on 29 <sup>th</sup> July with properties expected to be completed by Christmas 2013	31 <sup>st</sup> March 2014	Green (on track)
Key Action 2.2.3 Facilitate the delivery of 20 additional affordable homes at Townsend Farm in Carhampton	<u>Qtr 1 Update</u> Planning permission submitted and validated in July. It is hoped that this will be decided at August Planning Committee. It is anticipated that purchase of the site by Hastoe will take place within 1 month of Planning Approval being granted	31 <sup>st</sup> March 2014	Green (on track)
Key Action 2.2.4 Facilitate the delivery of 19 additional affordable homes at Seaward Way in Minehead	<u>Qtr 1 Update</u> Stalled awaiting developer to respond regarding site preparation costs	31 <sup>st</sup> March 2014	Amber (concern)
Key Action 2.2.5 Facilitate the delivery of 2 additional affordable homes in Watchet	<u>Qtr 1 Update</u> The Mill Street scheme is almost complete with many of the open market units associated with the development currently being marketed. Site should be completed by the end of the Summer	31 <sup>st</sup> March 2014	Green (on track)
Key Action 2.2.6 Facilitate the delivery of 5 affordable homes to rent at Watery Lane in Williton	<u>Qtr 1 Update</u> Development is currently on site. Magna are due to sign contracts with Summerfield shortly. First press release for the scheme was released in July	31 <sup>st</sup> March 2014	Green (on track)
Key Action 2.2.7 Facilitate the delivery of an additional 4 affordable homes for sale at Watery Lane in Williton	<u>Qtr 1 Update</u> Development is currently on site. There is already a great deal of interest in the 4 Low Cost Housing Option units and it is anticipated that the first one will be reserved by the end of July. First press release for the scheme was released in July	31 <sup>st</sup> March 2014	Green (on track)

**Objective 4:****The economic opportunities that arise from the development and associated activities are maximised**

<b>KEY TASK 4.1 Work with key partners and EDF Energy to support businesses and the local working age community to gain economic benefits from the development in terms of contracts awarded to local suppliers and increased employment opportunities</b>		<b>Milestone</b>	<b>Action Status</b>
Key Action 4.1.1 Develop and improve knowledge of the business sector through acquisition of a database of businesses, surveys and targeted communications.	<u>Qtr 1 Update</u> Database was acquired and has been added to through local knowledge. Reported detail to Economic Development PAG. Data being used to address training need and plan future actions.	Quarterly	Green (on track)
Key Action 4.1.2 Provide business support to West Somerset businesses, by delivering and supporting a range of business support programmes including mentoring, start-up and specific sector skills training.	<u>Qtr 1 Update</u> Mentors continue to be recruited and assigned to businesses (40 mentors / 41 businesses) Business Start-up courses successfully run in West Somerset (over 15 participants) Coastal Communities bid submitted on behalf of Porlock Micro-brewery Project	Quarterly	Green (on track)
Key Action 4.1.3 Building the supply chain In the food and drink Sector to enable businesses to be Hinkley ready	<u>Qtr 1 Update</u> Successful Food & Drink – Meet the Buyer Event held In April (15 sellers / 52 buyers) Agreed further programme of work to include further information such as leaflet and web links. Business support and reviewing business ability to expand and meet demand. Funding bid has been submitted related to visit Exmoor to provide further events.	Quarterly	Green (on track)

<b>KEY TASK 4.2 Work with key partners and EDF Energy to provide suitable access to skills, training and employment opportunities to benefit local residents and ensure that local businesses have the access to the skilled workforce that they require</b>		<b>Milestone</b>	<b>Action Status</b>
Key Action 4.2.1 Work with EDF Energy via their jobs brokerage programme and WSCC training programmes to maximise the employment opportunities for WS residents during the construction phase of HPC	<u>Qtr 1 Update</u> West Somerset Job Fair held (100 attended – 10 gained employment, 1 into Voluntary work, 10 supported with CV, 2 registered with Somerset Skills & Learning Job Club, 2 starting full-time training in Sept.)	Quarterly	Green (on track)
Key Action 4.2.2 Work with our most disadvantaged communities to provide access to mentoring, training and employment opportunities. Target this activity at the long term unemployed to ensure they are able to access employment and training opportunities offered by the project or to other employers who may have lost employees to the project.	<u>Qtr 1 Update</u> Flexible training fund launched (aimed at removing barriers to the most disadvantaged seeking employment / training opportunities) through press information and links to training providers. FIT to work application will focus on a range of groups that require addressing.	Quarterly	Green (on track)
Key Action 4.2.3 Work with pre-employment providers and others to ensure that adequate provision is provided in West Somerset and gaps in support are covered in our most disadvantaged areas	<u>Qtr 1 Update</u> Pre-employment mapping undertaken and Pre-employment Sub- Group established with key organisations. Gaps in provision being scoped to enable relevant targeting by the Fit to Work Budget and form the basis for other funding bids.	Quarterly	Green (on track)

<b>KEY TASK 4.3 Work with tourism partners to mitigate the negative effects of the development and take advantage of any opportunities created.</b>		<b>Milestone</b>	<b>Action Status</b>
Key Action 4.3.1 Support the Hinkley Tourism Partnership to ensure it maximises the opportunities in partnership with other key Tourism partners through the provision of a clear strategy and action plan	<u>Qtr 1 Update</u> Euro Intereg Project <b>Cool Tourism project</b> (partners SCC, ENPA, SDC, Norfolk < Essex, Kent, Pas de Calais, Somme) officially launched in Dunster. Set up Hinkley Tourism Partnership steering group.	Quarterly	Green (on track)
Key Action 4.3.2 Drive up the quality of our tourism provision to ensure that the offer is fit for purpose and can compete with other areas to attract visitors, through providing appropriate training and supporting modern marketing and promotion techniques	<u>Qtr 1 Update</u> Delivered Joint Marketing with North Devon plus for visit Exmoor mobile website. Working on refresh of Visit Exmoor Website and content ahead of relaunch.	Quarterly	Green (on track)

## Priority: NEW NUCLEAR DEVELOPMENT AT HINKLEY

### Objective 5:

**The availability of housing supply within West Somerset is increased to mitigate the extra demands linked to Hinkley Point workers**

KEY TASK 5.1 Using the Hinkley Point Housing Fund to provide 100 additional bed spaces in the West Somerset area by 31st Mar 2014		Milestone	Action Status
Key Action 5.1.1 Submit a bid for use of the Hinkley housing fund to the Planning Obligations Board detailing the proposed interventions to deliver the key task.	<u>Qtr 1 Update</u> Hinkley Bids prepared but will need to be reviewed as and when access to the fund is available	30 <sup>th</sup> June 2013	Amber (concern)
Key Action 5.1.2 Facilitate the delivery of 15 bed spaces by housing associations in priority areas through Implementation of their Downsizing Policies	<u>Qtr 1 Update</u> Currently assessing ways of promoting the scheme which can work prior to access to funding and enhanced when the fund becomes available	31 <sup>st</sup> March 2014	Amber (concern)
Key Action 5.1.3 Support and enable Magna to deliver a portfolio of Garage Sites delivering 38 bed spaces	<u>Qtr 1 Update</u> Scheme would have required some HCA funding in addition to the Hinkley funding. It is unlikely now that it could be delivered using Hinkley Funding to due Magna's contractual obligations to build them out before March 2015. Planning Approval has been granted on all sites and schemes have been submitted to the HCA for consideration if there is slippage funding within the current contracts	31 <sup>st</sup> March 2014	Amber (concern)
Key Action 5.1.4 Work with the PCT and Bridgwater YMCA to deliver a minimum of 4 bed spaces in Summerland Road, Minehead.	<u>Qtr 1 Update</u> Continuing efforts to engage with PCT (now PROPCO as responsible organisation) prior to funds being available	31 <sup>st</sup> March 2014	Amber (concern)

Key Action 5.1.5 Work with private developers to maximise opportunities in conjunction with the fund to bring forward both open market and affordable homes on sites in <ul style="list-style-type: none"> <li>• Watchet 120 bed spaces</li> <li>• Williton 50</li> </ul>	<u>Qtr 1 Update</u> Continuing to negotiate. One site in Williton brought forward and another early Planning Submission in Watchet expected during the Summer	31 <sup>st</sup> March 2014	Amber (concern)
Key Action 5.1.6 Provide empty property grants and advice to deliver an additional 30 bed spaces over and above the requirements of Key task 5.3	<u>Qtr 1 Update</u> Unable to offer enhanced grants until access to the Hinkley Fund is possible	31 <sup>st</sup> March 2014	Amber (concern)

<b>KEY TASK 5.2</b> <b>To work with landlords and owners of empty properties to return 55 back into use across West Somerset with priority on the eastern area parishes</b>		<b>Milestone</b>	<b>Action Status</b>
Key Action 5.2.1 Deliver 25 empty properties in The Quantock panel area	<u>Qtr 1 Update</u> No information available	31 <sup>st</sup> March 2014	
Key Action 5.2.2 Deliver 10 empty properties back into use within the Exmoor panel area.	<u>Qtr 1 Update</u> No information available	31 <sup>st</sup> March 2014	
Key Action 5.2.3 Deliver 20 empty properties back into use within Minehead and Dunster Panel areas	<u>Qtr 1 Update</u> No information available	31 <sup>st</sup> March 2014	

<b>KEY TASK 5.3 To work with landlords and owners to bring 400 properties up to the Decent Homes Standard making them available for use across the West Somerset area</b>		<b>Milestone</b>	<b>Action Status</b>
Key Action 5.3.1 In partnership with Wessex Home improvement Loans deliver 15 low interest loan products	<u>Qtr 1 Update</u> No information available	31 <sup>st</sup> March 2014	
Key Action 5.3.2 Delivering 40 Disabled Facilities Grants	<u>Qtr 1 Update</u> No information available	31 <sup>st</sup> March 2014	
Key Action 5.3.3 Improving 50 privately rented properties to the minimum standard	<u>Qtr 1 Update</u> No information available	31 <sup>st</sup> March 2014	
Key Action 5.3.4 Delivering the remaining 295 properties through other mechanisms	<u>Qtr 1 Update</u> No information available	31 <sup>st</sup> March 2014	

**Objective 6:**

**The development at Hinkley Point is carried out in accordance with the approved plans and ensuing that the council actively monitors the development and responds to any complaints received in a timely and sound manner**



KEY TASK 6.2 To monitor and publicise Noise and Air Quality Data on the Councils website to enable communities affected to access data and, following the agreed complaints procedure, to respond appropriately to issues which arise from development activity.		Milestone	Action Status
Key Action 6.2.1 Monitor Noise levels and Air quality at agreed sites. Publicise data through council website	<u>Qtr 1 Update</u> Noise levels and air quality are monitored on a monthly basis and data published on the council's website	From April 2013	Green (on track)
Key Action 6.2.2 Address any complaints received relating to these issues and take mitigating action where appropriate.	<u>Qtr 1 Update</u> The site is currently mothballed while strike price negotiations occur. There are some general issues about siting of monitoring which are being addressed.	From April 2013	Blank

KEY TO ACTIONS:	
Action not achieved within target date/milestone.	Red
There are concerns/issues that may mean that the action will not be achieved/within the target date/timescale	Amber
Action completed or on target to be achieved within the target date/milestone	Green
Blank – Milestone not due	Blank

# Service Plan Monitoring - Section 3 Performance measures for day-to-day delivery

## Group: Housing, Economy & Welfare

Group Manager: Ian Timms

Code	Description	2012/13		2013/14					Status	Comment
		Actual	Target	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Target		
<b>Group Indicators</b>										
KBI 41	Forecast variance from annual net budget (£)	(£189,782)		(£30,308)						
Budget (£) 877,959										
Actual Spend as at 30/6/13 (£) 216,588										
KPI 43	Number of days sickness per employee (FTE)	6.14 dys	5.75dys	1.72dys				5.75dys	<b>GREEN (Above Target)</b>	
KPI 44	Group % of PDR's undertaken	100%	100%	<b>Annual Indicator</b>		<b>not due</b>		100%		
<b>Key Service Indicators</b>										
<b>Housing Options</b>										
KBI 42	Forecast variance from annual net budget (£)	(£66,814)		£218						
Budget (£) 233,771										
Actual Spend as at 30/06/13 (£) 106,308										
KPI 45	Number of households making homeless applications (Lower Is Better)	140	170	43				195	<b>GREEN (Above Target)</b>	Annual Target. Q1 - 37 applications this time last year.
KPI 46	% of homeless applications accepted as statutory homeless (Lower Is Better)	17.73%	20%	6%				23%	<b>GREEN (Above Target)</b>	Annual Target. Q1 - 21% this time last year.

## Service Plan Monitoring - Section 3 Performance measures for day-to-day delivery

### Group: Housing, Economy & Welfare

Group Manager: Ian Timms

Code	Description	2012/13		2013/14					Comment	
		Actual	Target	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Target		Status
KPI 47	Number of homelessness events prevented. (Higher Is Better)	30	46	24				42	GREEN (Above Target)	Annual Target. Q1 - 11 this time last year.
KCI 41	% of customers who are satisfied or very satisfied with the service	76%	75%	Annual Indicator			not due	90%		Corporate Annual Satisfaction Survey
<b>Housing Enabling</b>										
KBI 43	Forecast variance from annual net budget (£)	Nil		Annual Indicator			not due			
KCI 42	% of partners with whom we work who are satisfied or very satisfied with the service	100%	75%	Annual Indicator			not due	75%		Exit Survey with partners
<b>Private Sector Renewal</b>										
	Forecast variance from annual net budget (£)	£7,960		£10						
Budget (£) 55,206										
Actual Spend as at 30/6/13 (£) 10,015										
KPI 51	The total number of properties made decent in the private sector through informal or formal action.	400	800	Annual Indicator			not due	200		
KPI 52	Disabled Facilities Grant: Average time taken end to end to complete adaptation work	18 dys	18 dys	Annual Indicator			not due	16 dys		

# Service Plan Monitoring - Section 3 Performance measures for day-to-day delivery

## Group: Housing, Economy & Welfare

Group Manager: Ian Timms

Code	Description	2012/13		2013/14					Comment	
		Actual	Target	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Target		Status
KCI 43	% of customers who are satisfied or very satisfied with the private sector housing service	100%	75%	Annual Indicator			not due	75%		
<b>Environmental Health</b>										
KBI 47	Forecast variance from annual net budget (£)	(£43,086)		(£7,282)						Salary and Travelling Expenses Saving
Budget (£) 163,391										
Actual Spend as at 30/06/13 (£) 37,375										
KPI 54	EH: Average time taken to respond to initial request for service (days)	1 dy	4 dys	1.5dy				4 dys	<b>GREEN (Above Target)</b>	
KPI 56a	EH: % of requests completed within stated service standard (60 days)	93%	80%	87%				75%	<b>GREEN (Above Target)</b>	
KCI 44	% of customers who are satisfied or very satisfied with the Environmental Health service	100%	80%	Annual Indicator			not due	80%		
<b>Licensing</b>										
KBI 51	Forecast variance from annual net budget (£)	£13,979		(£10,248)						Salary Saving and Increased Taxi Licence Fees
Budget (£) (£64,548)										

# Service Plan Monitoring - Section 3 Performance measures for day-to-day delivery

## Group: Housing, Economy & Welfare

Group Manager: Ian Timms

Code	Description	2012/13		2013/14					Status	Comment
		Actual	Target	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Target		
Actual Spend as at 30/06/13(£) (£19,834)										
KPI 59	% of licenses issued on time	98%	90%	93%				90%	<b>GREEN (Above Target)</b>	
KCI 47	% of customers who are satisfied or very satisfied with the Licensing service	100%	70%	<b>Annual Indicator</b>			<b>not due</b>	70%		
<b>Benefits</b>										
KBI 122	Forecast variance from annual net budget (£)	(£67,924)		(£11,905)						General Underspend
Budget (£) 166,089										
Actual Spend as at 30/06/13(£) (£63,314)										
KBI 3	% of 'Local Authority' error against overall expenditure <b>(Lower Is Better)</b>	0.12	<0.48	0.13				<0.48	<b>AMBER (On Target)</b>	
KPI 5	Average processing times for new claims <b>(Lower Is Better)</b>	18.14	16.5	21.14				22	<b>GREEN (Above Target)</b>	
KPI 6	Average processing times for changes of circumstances <b>(Lower Is Better)</b>	6.75	5.5	7.14				9	<b>GREEN (Above Target)</b>	
<b>Revenues</b>										
KBI 5	Forecast variance from annual net budget (£)	£2,666		(£5,678)						General Underspend

## Service Plan Monitoring - Section 3 Performance measures for day-to-day delivery

### Group: Housing, Economy & Welfare

Group Manager: Ian Timms

Code	Description	2012/13		2013/14					Status	Comment
		Actual	Target	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Target		
Budget (£) 140,720										
Actual Spend as at 30/06/13 (£) 42,980										
KPI 10	% of Council Tax collected in the year	97.50%	98.2%	30%				98.2%	AMBER (On Target)	Annual Target
KPI 12	% of Business Rates collected in the year	98.00%	98.00%	32%				98.00%	AMBER (On Target)	Annual Target

# **Environment & Community Group**

## **Service Plan Performance Report April-June 2013/14 Update**

- **Corporate Plan Key Actions – Quarterly Progress Report**
- **Group & Service indicators – Quarterly Performance**



## Environment, Community & Customer Group

### Key Service Performance Indicator

Out of 15 indicators due for this quarter, 87% are on target.  
Below Target Indicators this quarter:

- Customer Access - % abandoned calls
- Building Control - % of applications completed within agreed timescales

### Key Action Summary

There are 34 key actions associated with this service plan of which:

- 3 (9%) are completed (green)
- 20 (59%) are on-track (green)
- 4 (11%) are of concern (amber)
- 6 (18%) have missed their deadline (red)
- 1 (3%) not due to start (blank)

### **Key Actions**

Missed milestones (red) = 6

Key Actions 3.1.1 / 3.1.2 / 3.1.3 / 3.1.4 / 3.1.5 / 3.1.6 – All these actions are related to the New Nuclear Development at Hinkley Point and are dependent on the commencement of Phase 2 earthworks on the main site

Of concern (amber) = 4 – Key Actions 1.4.40 & 1.4.48 – unlikely to meet the target saving

Key Action 3.2.1 – dependent on the Community Impact Mitigation fund process going live

Key Action 7.1.2 – Concern that negotiations with landowners could possibly become protracted

### **Group Performance Summary for Quarter 1**

The **Community Team** completed the improvements to the Blenheim Gardens bandstand and the volunteer gardening scheme is now up and running.

Work was also undertaken with colleagues to support the planning and grant decision processes for the Planning Obligations Group and one nomination for Assets of Community Value was processed.



Support was provided to the WS Advice Bureau to lead a partnership application for funding. £205,000 was successfully gained to change the way advice is delivered in the district and provide access to services such as for mental health that were no longer accessible within the area. Support is also being provided with the delivery of the oral history project in Stogursey that needs to be completed by March 2014.

A place has been secured on the Special Interest Groups for the LEP in relation to social enterprise development. This is the first direct link to the LEP that WSC has.

Provided community need evidence to support s106 negotiations for the planning team and input into the Health & Wellbeing area.

The **Grounds Maintenance** and **Estates** teams converted the two disabled units at the Carousel PCs into unisex pcs and included a baby change unit in the left hand cubicle. Further sand clearance took place in March (the week before Easter) and on Friday 4<sup>th</sup> May in preparation for the Bank Holiday.

Two of the three storage units under the Quay West upper boat park have now been let out to local boat owners for storage purposes. The remaining unit is remaining with WSC for our own storage.

An agreement for the VIC was signed to enable the MDT Visioning manager to use the vacant facility for exhibitions during July/Aug/September.

A three-year lease was signed by Creatives Club Community Interest Company who will be placing three containers on the East Wharf, Watchet.

The Blue Anchor Hotel coast protection scheme progresses and 75 gabion baskets that were used for the temporary repairs of a partial collapse of a wall adjacent to the River Parrett in Bridgewater have been obtained for the temporary strengthening of the cliff face. Meanwhile work is on-going to pull together plans, grant applications and cost estimates for a more permanent scheme that could commence in April 2014. The Goviers Lane pedestrian railway crossing scheme achieved a 'Commended' Award in the Community section of the annual Institute of Civil Engineers Project awards in June 2013.

The **Development Management** team remained strong in the 'other' and 'minor' categories with 100% of applications dealt with 'in time' within the 'other' category and 95% in the 'minor' category. Only 1 out of 4 applications in the 'major' category during quarter 1 was dealt with 'in time' – this related to the redevelopment at Butlins. The three overtime applications were the Williton Supermarket and two residential developments at Doniford Road, Williton and Higher Marsh Farm, Dunster both of which suffered delays during the negotiation and conclusion of the associated Section 106 agreements. Overall, the Council remains well above the Governments 'special measures' limited of 30% having determined 67% of Major applications 'in time' over the last 2 years. Income relating to planning application is well above target and income from pre-application charges and section 106 monitoring are both 'on track'.

The **Major Projects** team continued to work within a Service Level Agreement (SLA) that requires WSC to achieve agreed Performance Standards in discharging planning conditions associated with the Site Preparation Works at Hinkley Point. As part of this agreement WSC had to be formally reviewed twice. The last formal review took place in April 2013 and WSC continued to meet all of its objectives during Quarter 1.

A Development Consent Order (DCO) was issued by the Secretary of State on the 19th March for a new nuclear power station at Hinkley Point. The Major Projects Team have now started to determine applications for the discharge of requirements (akin to planning conditions) prior to works commencing onsite. WSC is fully complying with the timescales and procedure for the discharge of requirements, as set out in Schedule 14 of the DCO.

The Planning Obligations Board for the Hinkley Point C Site Preparation Works did not meet during Quarter 1 due to the Community Impact Mitigation Fund not being available to allocate until Phase 2 Main Earthworks commence on the main Hinkley site. The Board has agreed to reconvene when there is some further certainty regarding the progress of the wider Hinkley project.

The **Community Safety** Officer has continued to engage with the wider Somerset Community Safety Partnership. Work to formalise the Partnership merger continues and is being led by SCC. A banded level of Partners/Officers is now in operation based on Gold, Silver and Bronze colours and a schedule of meetings in place.

In respect of CCTV the Minehead enhancement is concluded and negotiations with ADT over levels of compensation for the delays in delivering this project are being finalised. The proposed Watchet CCTV system is being worked up and funding is in place to meet the capital costs of this work. The fly tipping enforcement initiative continues through the Waste Partnership and West Somerset Council is leading a County wide drive to combat fly tipping and illegal waste issues. Work to date has included publicity, training for Officers, the preparation of a template prosecution file and the production of "evidence boxes" for use by Officers and the acquisition of covert CCTV equipment. WSC has been compensated £500 in connection with this.

The work associated with Hinkley Point is currently suspended.

The **Parking Services** team has been under some pressure due to staff absences but support has been provided. The recently introduced shoppers permit scheme is proving to be popular and 265 permits have been sold up to this period. Monitoring of these permits is demonstrating that North Road car park in Minehead, Williton car park and Anchor Street car park in Watchet are the most popular areas. The overall income was in line with the budget projections and is possibly linked to the improvement in weather conditions.

The extended agreement for maintaining the parking meters at Minehead sea front and in the WSR Station car park on behalf of SCC is working well with no problems arising. WSC continues to work with NSL regarding cash collection from these machines and assisting where possible.

Safety inspections and life buoy replacements were carried out with remedial work where required at Blue Anchor, Minehead and Watchet.

Street name sign reports of damage and repairs are regularly being received and the list is prioritised. Some work has been put on hold due to staff absences but this is being addressed as quickly as possible.

The **Building Control** team continue to deliver exemplary customer service across the whole district, as evidenced by the customer feedback received. The budget is slightly below expectations and reasons could include increased competition from private sector Approved Inspectors for a diminishing workload to lower than anticipated level of projects commencing on site this quarter. The BC Manager is looking to pro-actively market the service within the existing time and resource constraints.

A number of changes to the Building Regulations came into force in April 2013. The BC service now has greater flexibility over agreeing levels of service and inspection regimes with individual customers. The BC manager is in discussions with Magna, National Trust and Crown Estate for potential future partner working arrangements in line with the LABC partner application scheme.

Internal procedures have been established so that the BC team can be more proactive in dealing with Unauthorised Building works in the district. The objective is to change the perception of the building control role as an 'enabling' role rather than an enforcing role.

The **Information Technology** team has completed the introduction of Windows 7 and Office 2010. This work has laid the foundations for the upgrade of the Exchange Server and Easylink to be completed. The agreement with Microsoft has allowed Staff and Members to take up the exceptional offer to purchase Office 2013 for under £9.

The annual IT Health check had been initially reported with no major vulnerabilities. However in April the Cabinet Office took a 'Zero Tolerance' approach to the PSN Code of Connection. The PSN replaces the GCSx Code of Connection. This has resulted in the team having to focus attention on fixing the identified issues to ensure that the Connection Audit is approved.

A new updated Payment system has been implemented and the Authority will soon be able to take Chip & Pin Payments.

The **Customer Services** team has had a busy quarter. This is traditionally the busiest time of the year due to the Council tax bills going out in April. In addition to this, as there have been significant changes to the benefit system the public were calling to request clarification and further information.

This is reflected in the abandoned call rate which for this quarter is 12% compared to the previous 8%. A customer services staff member provides administrative support to car parking services for one day per week and even with a strict one person on leave at any one time, it can still prove difficult at times.

# ENVIRONMENT

## Priority: Local Democracy

### Objective 1:

Local democracy and accountability remains within West Somerset by establishing a resilient operating model that is financially sustainable and delivers effective, efficient services

KEY TASK 1.4 Ensure that savings and income increases identified for the Medium Term Financial Plan for 2013/14 are achieved		Milestone	Action Status
<b>Environment &amp; Community savings - Achieve savings of £122,904 as a proportion of the overall savings from the WSC budget</b>			
Key Action 1.4.40 Rent of space (D&S F&R) (£4000)	<u>Qtr 1 Update</u> Contract due to be signed in July. Sept to Move in therefore income will be less than expected ~ £2500 (of the annual £4.5k rent) expected.	Sept 2013	Amber (concern)
Key Action 1.4.41 Minehead TC contribution towards cost of plants (£3000)	<u>Qtr 1 Update</u> £3000 paid to WSC by Minehead Town Council as a contribution towards cost of planting .	<b>April 2013</b>	Green (Completed)
Key Action 1.4.42 Staff costs - car parking managers post deleted -(part yr in 2012/13 & part in 2013/14) (£8304)	<u>Qtr 1 Update</u> Removed from Budget	<b>April 2013</b>	Green (Completed)
Key Action 1.4.43 Savings identified other than the permanent closure of public toilets (£22,000)	<u>Qtr 1 Update</u> Part year savings from the Veolia contract re-negotiation (£22k in 2012/13 & 322k in 2013/14) Veolia contract savings of £23k minus WSC expenses of £4k (for 6 months) Veolia contract savings of £25k (£15k discount + £10 fly-tip budget not required as absorbed into contract (for 6 months)	March 2014	Green (Completed)

Key Action 1.4.44 Closure of 5 public toilets (36,000)	<u>Qtr 1 Update</u> A summary of the savings to date will be available at the end of Qtr 2	Dec 2013	Blank
Key Action 1.4.45 National increase in planning application fees (£16,500)	<u>Qtr 1 Update</u> £126.5k Budget for 2013/14 (including the predicted increase) April-June income of £67.45k is above target. Due to a large application received in Qtr 1 and a further one expected in Qtr 2.	<b>April 2013</b>	Green (on track)
Key Action 1.4.46 Introduction of pre-application advice fees (£20,000)	<u>Qtr 1 Update</u> Qtr income from pre-Application fees is £4458. £20k prediction did not take into account VAT component, but still broadly on track for the year	Dec 2013	Green (on track)
Key Action 1.4.47 Section 106 Administration fees (£10,000)	<u>Qtr 1 Update</u> Qtr 1 income from S 106 admin fees is £2.5k	<b>April 2013</b>	Green (on track)
Key Action 1.4.48 5% increase in fees and charges (£3100)	<u>Qtr 1 Update</u> Income from fees (applications & inspections) is generally down on previous year. Competition from Private Inspectors/companies having an impact	<b>April 2013</b>	Amber (concern)

## Priority: NEW NUCLEAR DEVELOPMENT AT HINKLEY

### Objective 3:

**Communities in West Somerset can access and understand the process for accessing funding opportunities provided for by the development at Hinkley Point and are supported in delivering funded projects and initiatives**

KEY TASK 3.1 Develop a process for communities and organisations to access and bid for funding, maximising the potential investment in West Somerset from Hinkley Point related funding by May 2013		Milestone	Action Status
Key Action 3.1.1 Develop and publish an agreed Application Form for the community impact mitigation fund with the joint Planning Obligations Board	<u>Qtr 1 Update</u> A draft application form has been agreed by the joint Planning Obligations Board (POB) on the 22 <sup>nd</sup> January 2013. However it has not been published yet as the joint POB have made a decision to postpone the publication until monies are available (subject to the commencement of Phase 2 earthworks on the main site).	<b>April 2013</b>	Red (milestone missed)

Key Action 3.1.2 Develop and publish an agreed Expression of Interest Form for the community impact mitigation fund with the joint Planning Obligations Board	<u>Qtr 1 Update</u> A draft Expression of Interest (Eol) form has been agreed by the joint Planning Obligations Board on the 22 <sup>nd</sup> January 2013. However it has not been published yet as the joint POB have made a decision to postpone the publication until monies are available (subject to the commencement of Phase 2 earthworks on the main site).	<b>April 2013</b>	Red (milestone missed)
Key Action 3.1.3 Develop and publish an agreed Funding Strategy for the community impact mitigation fund with the joint Planning Obligations Board	<u>Qtr 1 Update</u> A draft Funding Strategy has been agreed by the joint Planning Obligations Board on the 22 <sup>nd</sup> January 2013. However it has not been published yet as the joint POB have made a decision to postpone the publication until monies are available (subject to the commencement of Phase 2 earthworks on the main site).	<b>April 2013</b>	Red (milestone missed)
Key Action 3.1.4 Develop and publish an agreed set of Frequently Asked Questions for the community impact mitigation fund with the joint Planning Obligations Board	<u>Qtr 1 Update</u> A draft Frequently Asked Questions document has been agreed by the joint Planning Obligations Board on the 22 <sup>nd</sup> January 2013. However it has not been published yet as the joint POB have made a decision to postpone the publication until monies are available (subject to the commencement of Phase 2 earthworks on the main site).	<b>April 2013</b>	Red (milestone missed)
Key Action 3.1.5 Develop and publish an agreed set of Guidance Notes for the community impact mitigation fund with the joint Planning Obligations Board (POB)	<u>Qtr 1 Update</u> A draft set of Guidance Notes has been agreed by the joint Planning Obligations Board on the 22 <sup>nd</sup> January 2013. However it has not been published yet as the joint POB have made a decision to postpone the publication until monies are available (subject to the commencement of Phase 2 earthworks on the main site).	<b>April 2013</b>	Red (milestone missed)
Key Action 3.1.6 Develop and publish an agreed set of principles for the operation of the Board with the joint Planning Obligations Board	<u>Qtr 1 Update</u> A draft set of principles has been agreed by the joint Planning Obligations Board on the 22 <sup>nd</sup> January 2013. However it has not been published yet as the joint POB have made a decision to postpone the publication until monies are available (subject to the commencement of Phase 2 earthworks on the main site).	<b>April 2013</b>	Red (milestone missed)

<b>KEY TASK 3.2</b> <b>Improve the community's understanding of the funding available from WSC and Somerset Community Foundation through production of a communications strategy by July 2013</b>		<b>Milestone</b>	<b>Action Status</b>
Key Action 3.2.1 Develop and operate an agreed communications strategy with the joint Planning Obligations Board	<u>Qtr 1 Update</u> A draft Communications Strategy has been progressed and presented to the Board on two occasions. This strategy will be finalised and operating when the Community Impact Mitigation (CIM) Fund process goes live.	July 2013	Amber (concern)
Key Action 3.2.2 Development and maintain the Councils website, hosting the funding information and outputs from Key Task 3.1	<u>Qtr 1 Update</u> The Major Projects Team, Communications teams and the website editor have produced draft webpages which have been uploaded (but are currently hidden from public view) until such time that the CIM Fund goes live.	March 2013	Green (on track)
Key Action 3.2.3 Work with key affected communities to advise explain process for accessing funding opportunities	<u>Qtr 1 Update</u> All parish and town councils in the Quantock area have been met and information regarding the CIM funding has been shared. This is an on-going process as is the database of enquiries management. Hinkley CIM updates are a standing item at the Voluntary Sector Forums	Sept 2013	Green (on track)

<b>KEY TASK 3.3</b> <b>To support the community during the bidding process, maximising the number of successful bids and potential investment in West Somerset.</b>		<b>Milestone</b>	<b>Action Status</b>
Key Action 3.3.1 Work with key affected communities to identify priorities for funding, along with identifying and help source match funding, for presentation to the Planning Obligations Board	<u>Qtr 1 Update</u> Where there are project ideas that can be developed these are being worked up. The lottery funded oral history project in Stogursey being one, the advice project for all WS being another. Strategic work is also being completed to encourage co-ordination of ideas and plans so the community get the widest possible benefit. All delays are being communicated and other opportunities followed up including the database of enquiries where if funding is identified that fits any of the projects discussed the lead contact is notified and support to access the funding is offered.	March 2014	Green (on track)

Key Action 3.3.2 Support appropriate bids from communities in West Somerset for funding at the Planning Obligations Board	<u>Qtr 1 Update</u> WSC has a Community Development Officer in place who is able to support appropriate bids from communities in West Somerset when the Community Impact Mitigation (CIM) Funding becomes available.	March 2014	Green (on track)
Key Action 3.3.3 Present recommendations from the Planning Obligations Board to Cabinet / Council for approval	<u>Qtr 1 Update</u> Proposals for the Economic Development allocations have been successfully presented to Cabinet/Full Council for approval.	March 2014	Green (on track)

<b>KEY TASK 3.4</b> <b>By July 2013 develop a programme of investment within West Somerset for the leisure funding provided directly to the council from the development at Hinkley Point</b>		<b>Milestone</b>	<b>Action Status</b>
Key Action 3.4.1 Develop, using existing evidence, an investment programme for the leisure contribution	<u>Qtr 1 Update</u> Somerset Action Sports Partnership (SASP) Major Sports Facilities Strategy (March 2013) and the SASP Playing Pitch Assessment Report (March 2013), were endorsed, by Cabinet on 3.7.13 to provide a rationale for the Council supporting, in principle, bids for funding being made by local community and voluntary groups for sports and recreation facilities.	September 2013	Green (on track)
Key Action 3.4.2 Identify and secure match funding opportunities for the leisure contributions and submit proposals to the WSC Planning Obligations Group	<u>Qtr 1 Update</u> To be actioned	November 2013	Green (on track)
Key Action 3.4.3 Present funding allocations to Cabinet / Council for approval	<u>Qtr 1 Update</u> WSC has the resources in place to present funding allocations to Cabinet/Council for approval when the Leisure Contribution (£750,000) becomes available.	January 2014	Green (on track)



## Objective 6:

**The development at Hinkley Point is carried out in accordance with the approved plans and ensuring that the council actively monitors the development and responds to any complaints received in a timely and sound manner**

KEY TASK 6.1 By May 2013 to establish and maintain thereafter a programme of site visits to Hinkley Point and associated development sites to ensure that the development is carried out in accordance with the approved plans		Milestone	Action Status
Key Action 6.1.1 To make at least one planned / un-planned visit to Hinkley Point and associated development sites every 2 months	<u>Qtr 1 Update</u> Regular site visits are taking place at the main Hinkley Site. The current slow down on site means that the frequency of these visits may reduce throughout the rest of 2013 and will increase again once the site remobilises.	March 2014	Green (on track)
Key Action 6.1.2 To monitor compliance with planning conditions / requirements and obligations through regular meetings / observations	<u>Qtr 1 Update</u> The Major Projects team continued to work within a Service Level Agreement (SLA) that requires WSC to achieve agreed Performance Standards in discharging planning conditions associated with the Site Preparation Works at Hinkley Point. As part of this agreement WSC had to be formally reviewed twice. The last formal review took place in April 2013 and WSC continued to meet all of its objectives.  The Major Projects Team have now started to determine applications for the discharge of requirements (akin to planning conditions) prior to works commencing onsite. WSC is fully complying with the timescales and procedure for the discharge of requirements, as set out in Schedule 14 of the DCO.	March 2014	Green (on track)
Key Action 6.1.3 Investigate and respond proactively to complaints received in relation to the development being carried out at Hinkley Point within 10 working days	<u>Qtr 1 Update</u> The Major Projects Team has procedures in place to investigate and respond proactively to complaints received in relation to Hinkley Point. However, due to the relative low level of work currently being carried out on site no complaints have been received.	March 2014	Green (on track)

<b>KEY TASK 6.3</b> <b>By March 2015, working with partners to implement a range of community safety initiatives raising awareness of the development project, its potential impacts and preventative measures.</b>		<b>Milestone</b>	<b>Action Status</b>
Key Action 6.3.1 Deliver a range of projects that ensure the community are aware of the impacts of the new build and identify measures to mitigate those impacts.	<u>Qtr 1 Update</u> The Community Safety Officer has been involved in a number of shared projects with colleagues from Sedgemoor and the blue light services which have included an education awareness campaign concerning the night Time Economy and an initiative which is ready for delivery to local licensees offering a range of training opportunities aimed at mitigating an influx of workers who are not skilled in the ways of our licensed premises.	March 2014	Green (on track)
Key Action 6.3.2 Ensure partnership structures are in place and sufficiently robust to facilitate positive partnership activity, this Includes: - Partnership workshops - Continued involvement with the ESLAG (emergency Services And Local Authorities Group) - Engagement with EDFE through regular one-to-ones	<u>Qtr 1 Update</u> The ESLAG meetings and the one to ones were continued until May when the project was paused. However, an ESLAG meeting is scheduled for October. The Main Site Neighbourhood Forum meetings have also been attended. Any actions that have ensued from any of these meetings have been completed.	March 2014	Green (on track)

**Objective 7:**

**The effects on the environment by working with partners to positively respond to opportunities to enhance the environment in the affected communities using secured funding within Section 106 agreements are mitigated**

<b>KEY TASK 7.1</b> <b>By July 2013 develop a programme of investment within West Somerset for the ecology funding provided directly to the council from the development at Hinkley Point</b>		<b>Milestone</b>	<b>Action Status</b>
Key Action 7.1.1 Using data supplied from EDF Energy develop a range of sites suitable for the provision of ecology mitigation	<u>Qtr 1 Update</u> A report has been produced by consultants Arup outlining a range of sites potentially suitable for the provision of mitigation for ecology (notably Barbastelle Bats). This was based on data supplied by Arup, work undertaken utilising GIS and site visits.	June 2013	Green (on track)
Key Action 7.1.2 Negotiate with landowners to identify a preferred option for the provision of ecology mitigation	<u>Qtr 1 Update</u> This will be carried out throughout the Autumn/Winter 2013 and the Major Projects Team are working to the September 2013 milestone. However, the team are aware that negotiations with landowners could possibly become protracted.	September 2013	Amber (concern)
Key Action 7.1.3 Present funding allocations to WSC Planning Obligations Group / Cabinet / Council for approval	<u>Qtr 1 Update</u> WSC has the resources in place to present funding allocations to Cabinet/Council for approval.	January 2014	Green (on track)

<b>KEY TASK 7.2</b> <b>To actively work with Somerset County Council to ensure that they develop a clear programme of investment within West Somerset for the contributions where the County Council is the initial recipient from the development at Hinkley Point</b>		<b>Milestone</b>	<b>Action Status</b>
Key Action 7.2.1 Work with SCC and partner organisations such as AONB service to understand and, where appropriate, influence funding allocations to ensure that mitigation is delivered in favour of affected communities in West Somerset	<u>Qtr 1 Update</u> WSC has maintained strong links with SCC officers and continue to be involved in discussions regarding funding allocations and mitigation across department s and disciplines.	March 2014	Green (on track)

<p><b>Key Action 7.2.2</b> To monitor SCC spend and outcomes in West Somerset area to ensure that communities most affected receive funding as appropriate</p>	<p><u>Qtr 1 Update</u> WSC has a dedicated Hinkley Point Finance officer and continues to monitor spend with WSC. The officer works closely with colleagues at SCC.</p>	<p>March 2014</p>	<p>Green (on track)</p>
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<b>KEY TO ACTIONS:</b>	
Action not achieved within target date/milestone.	Red
There are concerns/issues that may mean that the action will not be achieved/within the target date/timescale	Amber
Action completed or on target to be achieved within the target date/milestone	Green
Blank – Milestone not due	

## Service Plan Monitoring - Section 3 Performance Measures for day-to-day delivery

### Group: Environment and Community

Group Manager: Steve Watts

Code	Description	2012/13		2013/14						Comment
		Actual	Target	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Target	Status	
<b>Group Indicators</b>										
KBI 80	Forecast variance from annual net budget (£)	(£95,610)		£32,316						
Budget (£) 2,510,827										
Actual Spend as at 30/06/13 (£) 861,340										
KPI 82	Number of days sickness per employee (FTE)	4.6dys	5.75dys	1.41dys				5.75dys	<b>GREEN (Above Target)</b>	
KPI 83	Group % of PDR's undertaken	100%	100%	<b>Annual Indicator</b>			<b>not due</b>	100%		
<b>Key Service Indicators</b>										
<b>Street Cleansing</b>										
KBI 82	Forecast variance from annual net budget (£)	(£1,302)		(£15,405)						Saving on Bin Emptying Contract
Budget (£) 436,000										
Actual Spend as at 30/06/13 (£) 63,887										
KBI 83	Cost per household		£24.89	<b>Annual Indicator</b>			<b>not due</b>			
KPI 103	% of service requests actioned within 5 working days	93%	85%	98%				85%	<b>GREEN (Above Target)</b>	

## Service Plan Monitoring - Section 3 Performance Measures for day-to-day delivery

### Group: Environment and Community

Group Manager: Steve Watts

Code	Description	2012/13		2013/14						Comment
		Actual	Target	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Target	Status	
KCI 81	No of complaints	7	17	3				20	GREEN (Above Target)	20 is the Annual Target
<b>Waste &amp; Recycling</b>										
KBI 84	Forecast variance from annual net budget (£)	(£8,250)		£47,364						General Overspend on Contract & Container Supply Not Included Within The Original Budget
Budget (£) 990,880										
Actual Spend as at 30/6/2013 (£) 260,419										
KBI 85	Cost per household		£47.19	Annual Indicator			not due			
KPI 87	Time taken to restore missed collections	99%	100%	99%				100%	AMBER (On Target)	
KPI 86	% of waste recycled and composted (NI 192)	44.07%	50%	41.00%				50%	AMBER (On Target)	Annual Target.
KPI 88	Fly-tipping: % removed within 48 hrs	88%	75%	86%				75%	GREEN (Above Target)	
KPI 90	Fly-tipping: No of incidents	78	Target not set	21				Target not set		Q1 - 41 incidents same time last year 12/13. Improving trend.
KCI 82	Waste & Recycling: No of complaints	8	23	0					GREEN (Above Target)	Annual Target
<b>Car Parking</b>										

## Service Plan Monitoring - Section 3 Performance Measures for day-to-day delivery

### Group: Environment and Community

Group Manager: Steve Watts

Code	Description	2012/13		2013/14						Comment
		Actual	Target	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Target	Status	
KBI 108	Forecast variance from annual net budget (£)	(£9,738)		£4,882						Lower Than Predicted Car Park Fees
Budget (£) (283,750)										
Actual Spend as at 30/06/13 (£) (£47,503)										
KBI 86	Income against budget projection (£)			£7,393						
<b>Development Control</b>										
KBI 91	Forecast variance from annual net budget (£)	(£31,560)		(£43,810)						Increased Application Fees, National Grid PPA Monies
Budget (£) 60,530										
Actual Spend as at 30/06/13 (£) 58,111										
KBI 92	Income against budget projection			(£38,153)						
KBI 93	Average cost per planning application processed			<b>Annual Indicator</b>						
KPI 90a	% of major planning applications determined within 13 weeks.	75%	75%	<b>no applications received</b>				75%		<b>No major applications received in quarter 1.</b>

## Service Plan Monitoring - Section 3 Performance Measures for day-to-day delivery

### Group: Environment and Community

Group Manager: Steve Watts

Code	Description	2012/13		2013/14						Comment
		Actual	Target	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Target	Status	
KPI 90b	% of minor planning applications determined within 8 weeks	95%	80%	95%				80%	<b>GREEN (Above Target)</b>	
KPI 90c	% of other planning applications determined within 8 weeks	99%	95%	100%				95%	<b>AMBER (On Target)</b>	
KCI 86	% of customers satisfied with the service received	96%	85%	<b>Annual Indicator</b>			<b>not due</b>	85%		<b>Service Exit Survey</b>
<b>Building Control</b>										
KBI 95	Forecast variance from annual net budget (£)	£12,783		£12,627						Reduced Application Fees, Regularisation Certificates
Budget (£) 19,121										
Actual Spend as at 30/06/13 (£) 8,885										
KBI 96	Income against budget projection (£)			£7,370						
KPI 92	% of applications determined within agreed timescale (3 dys)	100%	95%	81%				95%	<b>RED (Below Target)</b>	
KPI 93	% of inspections carried out on day requested	100%	95%	100%				95%	<b>GREEN (Above Target)</b>	
KPI 94	Dangerous Structures: % of incidents responded to within 24 hrs	100%	95%	100%				95%	<b>GREEN (Above Target)</b>	
KCI 87	% of customers satisfied with the service received	97%	85%	<b>Annual Indicator</b>			<b>not due</b>	85%		<b>Corporate Annual Satisfaction Survey</b>



## Service Plan Monitoring - Section 3 Performance Measures for day-to-day delivery

### Group: Environment and Community

Group Manager: Steve Watts

Code	Description	2012/13		2013/14						Comment
		Actual	Target	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Target	Status	
<b>Community Safety</b>										
KBI 54	Forecast variance from annual net budget (£)	(£3,564)		£993						
Budget (£) 36,067										
Actual Spend as at 30/06/13 (£) 10,769										
NEW	Total hours performed by the CCTV volunteers			308				Target not set		New Indicator for 2013. A target has not been set for this indicator. Because the activity is based on volunteers, it is difficult to set a target.
KPI 62	The total number of evidence packages produced using material captured by CCTV	94	75	29				90	AMBER (On Target)	
<b>Customer Access</b>										
KBI 14	Forecast variance from annual net budget (£)	(£24,740)		(£20,239)						Vacant Post Due To EDF Secondment
Budget (£) 139,239										
Actual Spend as at 30/06/2013 (£) 28,554										
KPI 25	Abandoned call rate %	6.8%	>5%	12%				>5%	RED (Below Target)	This is the busiest quarter of the year due to Council Tax bill going out, coupled with this has been the Welfare Reform changes which has put extra demands on our customer service advisors.
KPI 21	Number of unique visitors to Council website	87,343	60,000	24,044				60,000	GREEN (Above Target)	Annual Target

## Service Plan Monitoring - Section 3 Performance Measures for day-to-day delivery

**Group: Environment and Community**

**Group Manager: Steve Watts**

Code	Description	2012/13		2013/14						Comment
		Actual	Target	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Target	Status	

**Key:**

KBI - Budget/Cost Indicator

KPI - Performance/Process Indicator

KCI - Customer Satisfaction Indicator

# **Corporate Services Group**

## **Service Plan Performance Report April-June 2013/14 Update**

- **Corporate Plan Key Actions – Quarterly Progress Report**
- **Group & Service indicators – Quarterly Performance**



## Corporate Services Group

### Key Service Performance Indicator

Out of 2 indicators due in this quarter, 100% are on target.

### Key Action Summary

There are 8 key actions associated with this service plan of which:

- 6 (75%) are completed
- 2 (25%) are on-track

## Group Performance Summary for Quarter 1

### Finance

The Statement of Accounts for 2012/13 were closed by the statutory deadline of 30<sup>th</sup> June and posted on the Authority's website by this date. This was an achievement in itself, due to reducing numbers within the Finance Team, however given the fact that the audit process commenced on Monday 8<sup>th</sup> July, it was also necessary to provide Grant Thornton (our auditors) with a set of working papers to assist their work, and this can also be seen as an achievement.

### Real Time Information

From 6 April 2013 employers started reporting PAYE information to HM Revenue & Customs (HMRC) in real time. You may have seen this referred to as Real Time Information - or RTI.

This means that employers have to now:

- send details to HMRC every time they pay an employee, at the time they pay them
- use payroll software to send this information electronically as part of their routine payroll process

In order to be prepared for this change it was necessary to take several actions beforehand to prepare for operating PAYE in real time, which are set out below:

- Get/update your software or use a payroll provider
- Check employee data is correct
- Check you are registered for PAYE Online

- Include new information in your payroll records
- Action if you pay your employees via BACS
- Be ready to update HMRC with your latest payroll data
- Start reporting your payroll information
- Know where to go for extra help

It can be confirmed that West Somerset is complying with what needs to be done on a monthly basis in respect of RTI.

### **Payment of Creditors**

There is a Performance Indicator in respect of the percentage of invoices paid within 30 days.

In respect of the 1<sup>st</sup> Quarter (April – June 2013) a total of 719 invoices were paid of which 698, or 97.08%, were paid within the 30 days period. For information, the target in respect of the 2012-13 financial year was set at 90%.

### **Land Charges**

Turnaround time for land searches was 96% in 5 days against a target of 90%. The number of searches for the same time last year has increased from 175 to 188 with a corresponding increase in income from £16,592.55 to £18,018.75.

### **Scrutiny**

Scrutiny reviews on the impact of the new business rate retention scheme and the section 106 & planning obligations were completed this quarter with the findings and recommendations reported to Scrutiny Committee and Cabinet. The joint steering group leading on the countywide scrutiny review of flooding met twice this quarter to finalise their findings and recommendations following the Flood Summit held in March. The joint approach to this work has been recognised by winning the Centre for Public Scrutiny's Annual Award in the 'Working Together Category'. The Committee received an informative presentation from the Directors of Minehead EYE in April.

### **Member Services**

During this quarter, 98% of the 103 reports produced were sent out with their respective agendas which is above the target of 90% and an improvement on the previous quarter's figure of 92%.

94% of minutes of the 18 meetings held during the quarter were placed on the Council's web-site within 7 working days compared to 67% for the previous quarter and although this had been skewed due to the inability to download onto the web-site for a two week period, still represents an excellent improvement.

The team produced display materials to promote the Councils Vision, Priorities and Values around West Somerset House and have introduced appropriate references on all agendas to underline the message.

### **Human Resources**

In addition to regular duties, the officer continues to provide valuable support to payroll, health and safety and the production of Grapevine and in this quarter undertook the administration of the successful Armed Forces event held at West Somerset house on 24<sup>th</sup> June, 2013.

### **Legal Services**

During the quarter there were 21 referrals under the Mendip partnership arrangement, including lease renewals, Section 106 legal agreements and contract work.

At the end of June, Roy Pinney left Mendip for a new role at Taunton Deane and this provides an opportunity to thank Roy for his excellent work under the contract with West Somerset over the last few years. Mendip have put in place arrangements to ensure that the Council's legal work can still be delivered under the terms of the partnership agreement.

### **Corporate Support**

The Local Land and Property Gazetteer(LLPG) is measured nationally over 8 measures, each of which can be graded from Gold, Silver, Bronze, Achieved National Standard or below national standard with the lowest rating for any particular measure becoming the overall rating for the LLPG. The LLPG for West Somerset is currently rated at silver, the highest of all the Somerset authorities.

In this quarter, 29 complaints were received- compared to 35 for the same quarter last year – with 90% being responded to within 20 days compared to a figure of 77% for the first quarter of last year. The target is that 85% of complaints should be dealt with within 20 days.

The majority of responses from the annual customer satisfaction survey have been received during this quarter and work has been ongoing to input and analyse the data for senior managers and members to consider in during the second quarter.

### **Freedom of Information**

In this quarter there were 94 requests under Freedom of Information compared to 102 for the same quarter last year with 96% being responded to within 20 days compared to last year's figure of 84%.

### **Elections**

The administration of the West Somerset element of the Somerset County Council elections were successfully undertaken with all aspects of the poll having met the nationally set performance standard required. It is understood that the first ward result declared in West Somerset was the first declared result in the whole of the country!

This quarter has also seen the start in earnest of the work needed to prepare for the implementation of the new Individual Electoral Registration process which is going to be a significant challenge for the service over the next 12 months and beyond. An initial report highlighting the timescales and issues was submitted to the Corporate Management Team and will be reported to the Corporate Policy Advisory Group in August.

### **PR and Media**

The Corporate Director continues to provide the first point of contact role and has been well supported by the relevant service areas as required and particularly from the PR officer from Taunton Deane who has been actively leading on this matter in respect of the partnership project.

### **Standards**

During this quarter three complaints were received and considered under the new Standards regime process. In all three cases it was concluded that no further action be taken on the basis that there had been no breach of the code on conduct in these particular instances. Certain learning points were, however, referred to the Council to assist with the smooth running of meetings, particularly when attended by significant numbers of members of the public.

The Standard Advisory continue to monitor the new regime in terms of participating in dealing with individual complaints as well as maintaining an overview of the whole process. The committee also continued to monitor the responses from individual councillors to comply with the registration of interests requirements under the Localism Act. The committee also endorsed a Probity in Planning guide to be used by the Council when training its planning Committee members.

### **Efficiencies and Performance**

Whilst the officer has continued to support the performance management framework and the Corporate Policy Advisory Group, the majority of focus has been on the West Somerset/Taunton Deane Joint Management and Shared Services project which has gathered increasing momentum over this quarter and is referred to in the Corporate Management Service Plan summary

# CORPORATE SERVICES

## Priority: Local Democracy

### Objective 1:

Local democracy and accountability remains within West Somerset by establishing a resilient operating model that is financially sustainable and delivers effective, efficient services

KEY TASK 1.4 Ensure that savings and income increases identified for the Medium Term Financial Plan for 2013/14 are achieved		Milestone	Action Status
<b>Corporate Services savings - Achieve savings of £115,421 as a proportion of the overall savings from the WSC budget</b>			
Key Action 1.4.30 Health & Safety - cease annual subscription to technical indexes (£6000) Ensure that savings have been removed from the budget book	<u>Qtr 1 Update</u> £6000 has been removed from Budget book – cost centre 4305-50163	<b>April 2013</b>	Green COMPLETED
Key Action 1.4.31 Staff costs -PR/Media post deleted (£41,125) Ensure that savings have been removed from the budget book	<u>Qtr 1 Update</u> £41,125 has been removed from Budget Book – cost centre 4312-50182	<b>April 2013</b>	Green COMPLETED
Key Action 1.4.32 Reduction in the number of audits (£10,000) Ensure that budget has been reduced and monitor budget throughout the year	<u>Qtr 1 Update</u> £10,000 has been removed from Budget Book - cost centre 4305-50153 Internal Audit plan reflects the reduction	<b>April 2013</b>	Green COMPLETED



Key Action 1.4.33 Reduction in LGA subscriptions (£598) Ensure that budget has been reduced	<u>Qtr 1 Update</u> £598 has been removed from Budget Book – cost centre 4305-50162	<b>April 2013</b>	Green COMPLETED
Key Action 1.4.34 Reduction in cost of private health care scheme (£1500 Ensure that budget has been reduced and monitor budget throughout the year)	<u>Qtr 1 Update</u> £1500 has been removed from Budget Book – cost centre 4306-50190	<b>April 2013</b>	Green COMPLETED
Key Action 1.4.35 Reduction in staff training (£5000) Ensure that budget is reduced and monitor budget throughout the year	<u>Qtr 1 Update</u> £5000 has been removed from Budget Book – cost centre 4306-50109 Budget will need to be monitored throughout the year	<b>April 2013</b>	Green On-Track
Key Action 1.4.36 Staff costs -Group Manager post replaced part-time (£11,198) Ensure that budget is reduced and monitor budget throughout the year	<u>Qtr 1 Update</u> £11,198 has been removed from Budget Book – cost centre 4363 50182	<b>April 2013</b>	Green COMPLETED
Key Action 1.4.37 Reduction in cost of financial management system (£40,000) Ensure that budget is reduced and monitor budget throughout the year	<u>Qtr 1 Update</u> £40,000 has been removed from Budget Book Work is still underway on the financial management system – in-house hosting and training but the predicted savings are still expected.	<b>April 2013</b>	Green On-Track

<b>KEY TO ACTIONS:</b>	
Action not achieved within target date/milestone.	Red
There are concerns/issues that may mean that the action will not be achieved/within the target date/timescale	Amber
Action completed or on target to be achieved within the target date/milestone	Green
Blank – Milestone not due	

## Service Plan Monitoring - Section 3 Performance Measures for day-to-day delivery

### Group: Corporate Services

Group Manager: Bruce Lang

Code	Description	2012/13		2013/14					Comment	
		Actual	Target	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Target		Status
<b>Group Indicators:</b>										
KBI 1	Forecast variance from annual net budget (£)	(£86,732)		(£5,550)						
Budget (£) 1,413,858										
Actual Spend as at 30/06/13 (£) 296,576										
KPI 1	% of staff in the group who responded that are satisfied/very satisfied working for the Council	100%	90%	Annual Indicator		not due	90%			
KPI 3	Number of days sickness per employee (FTE)	14.15	5.75	0.14 dys			5.75	GREEN (Above Target)	This is an annual target. The quarter figures are reported on a cumulative basis.	
KPI 4	Group % of PDR's undertaken	100%	100%	Annual Indicator		not due	100%			
<b>Key Service Indicators</b>										
<b>Electoral Services</b>										
KBI 10	Forecast variance from annual net budget (£)	(£3,229)		£4,775						Increased Canvasser Expenses
Budget (£) 48,703										
Actual Spend as at 30/06/13 (£) 2,413										
KPI 17	% Turnout for local elections	22%	45%	Annual Indicator		not due				
KPI 16	Form A's returned after personal visits & before internal checks.	92%	90%	Annual Indicator		not due				

## Service Plan Monitoring - Section 3 Performance Measures for day-to-day delivery

### Group: Corporate Services

Group Manager: Bruce Lang

Code	Description	2012/13		2013/14						Comment
		Actual	Target	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Target	Status	
<b>Finance</b>										
KBI 127	Forecast variance from annual net budget (£)	(£21,986)		(£32,007)						Vacant Post, Lower Bailiff Fees and Reduced Past Service Costs
Budget (£) 459,152										
Actual Spend as at 30/06/13 (£) 100,571										
KPI 132	% of invoices for commercial goods or services paid within 30 days of receipt	97.30%	90%	97.08%				90%	<b>GREEN (Above Target)</b>	
KPI 133	Number of invoices received	3255		719						<b>No target set - provides context for KPI 132.</b>

# **Corporate Management**

## **Service Plan Performance Report April-June 2013/14 Update**

- **Corporate Plan Key Actions – Quarterly Progress Report**
- **Group & Service indicators – Quarterly Performance**



## Corporate Management

### Key Service Performance Indicator

Out of 2 indicators due in this quarter, 100% are on target.

### Key Action Summary

There are 9 key actions associated with this service plan of which:

- 7 (80%) are on-track (green)
- 1 (10%) actions are of concern (amber)
- 1 (10%) are not due to start (blank)

### **Key Actions**

Of concern (amber) = 1

Key Action 1.1.2 – Options for service delivery will not be detailed in the partnership business case but will form part of the proposed phase 2 and 3 regarding shared services

### **Group Performance Summary for Quarter 1**

The partnership project with Taunton Deane Borough Council progressed at a pace during this quarter with much background work undertaken to prepare a bid to the Government's Transformation Challenge Fund which had to be submitted in July and therefore effectively prepared for sign off by the end of June. On a similar timescale draft reports and member briefings were prepared to enable both councils to be in a position to formally consider approving to move towards having a joint Chief Executive at respective full Council meetings in July. The Joint Project Board on which all member of CMT sit, met 3 times during this period to oversee this work and the project as a whole to ensure that the various deadlines were met. Communications have become increasingly important as the project progresses and several editions of 'Project News' were circulated to all staff and members as well as press releases issued as and when necessary.

A process for monitoring the impact of the introduction of the new Business Rate Retention Scheme was agreed by Scrutiny Committee and subsequently approved by Cabinet, the key elements of which are embodied within the quarterly performance report.

CMT also continued to undertake its less glamorous role of ensuring the proper management of the council on a day to day basis. A quarterly review of its governance responsibilities confirmed that CMT had been exercising due diligence in terms of monitoring key performance and process issues.

## CORPORATE MANAGEMENT

### Priority: Local Democracy

#### Objective 1:

Local democracy and accountability remains within West Somerset by establishing a resilient operating model that is financially sustainable and delivers effective, efficient services

KEY TASK 1.1 Research and evaluate alternative options for the future structure of the council where local democracy and accountabilities remain within the district		Milestone	Action Status
Key Action 1.1.1. Research/evaluate other possible models/options to 1.2 to meet objective	<u>Qtr 1 Update</u> Work on a plan B is progressing and a paper will be presented to members at the end of September. Different service delivery models will be reviewed as part of the WSC/TDBC Joint Management and shared services project. When shared services are reviewed (phase 3 of the proposal) different service delivery options will be considered.	End Sept 2013	Green (on track)
Key Action 1.1.2. Present any identified options to full Council for consideration	<u>Qtr 1 Update</u> The partnership business case will not include specific proposals but provides assurance that all delivery options will be considered when service reviews are undertaken as part of Phase 3	Oct 2013	Amber (concern)

<b>KEY TASK 1.2</b> <b>Working with Taunton Deane Borough Council to draft a business case for the commissioning or sharing of services, management and staff</b>		<b>Milestone</b>	<b>Action Status</b>
Key Action 1.2.1 Preparation of detailed business case for joint management arrangements	<u>Qtr 1 Update</u> A bid application has been prepared and submitted to CLG on 11 <sup>th</sup> July for transformation funding. Joint Chief Executive proposals submitted to WSC & TDBC Councils in July. Business case being prepared and due to be available for an external assurance review –first week of Sept then to Scrutiny and Full Council at both WSC & TDBC	End Sept 2013	Green (on track)
Key Action 1.2.2 Preparation of Strategic business case for high level joint service arrangements	<u>Qtr 1 Update</u> The Business case being drafted will include details about the proposals for shared services. A joint WSC/TDCB service workshop was held in May 2013. Joint meetings have been held for the key services and some initial quick wins identified as a result. Service profiles have been drafted for all WSC & TDBC services, including information about the staffing structure, what the service delivers, Performance information, budget, contracts & ICT systems	End Sept 2013	Green (on track)
Key Action 1.2.3 Business cases from 1.2.1 and 1.2.2 presented to full council for approval	<u>Qtr 1 Update</u> The business case is still on schedule to be presented to full council in October 2013.	Oct 2013	Green (on track)
<b>KEY TASK 1.3</b> <b>Implement any actions agreed as a result of any decisions taken in regard to collaboration or commissioning for the provision of services</b>		<b>Milestone</b>	<b>Action Status</b>
Key Action 1.3.1 If 1.2.1 business case approved (joint management),, undertake necessary actions to implement with effect from 1/4/14	<u>Qtr 1 Update</u> The business case (including joint management) is still on schedule to meet the March 2014 milestone and current indications are that joint senior management will be in place by March 2014. The timelines are also dependent on the outcome of the transformation funding bid submission.	Oct 2013 to March 2014	Green (on track)
Key Action 1.3.2 If 1.2.2 business case approved commence work on detailed business case for joint services	<u>Qtr 1 Update</u> The business case (including shared services) is still on schedule to meet the March 2014 milestone and current indications are that some quick wins could be implemented sooner than March 2014. The timelines are also dependent on the outcome of the transformation funding bid submission.	Oct 2013 to March 2014	Green (on track)



Key Action 1.3.3 Undertake any other actions, as agreed, in respect of 1.3.2	<u>Qtr 1 Update</u> Awaiting completion of 1.3.2	Oct 2013 to March 2014	Blank
<b>KEY TASK 1.4</b> <b>Ensure that savings and income increases identified for the Medium Term Financial Plan for 2013/14 are achieved</b>		<b>Milestone</b>	<b>Action Status</b>
<b>Corporate Management :</b>			
Key Action 1.4.10 Regularly monitor progress and report to members throughout the year <b>£305,441</b> Total savings	<u>Qtr 1 Update</u> £160k savings confirmed as of end of quarter 1. Also additional income identified from grounds maintenance/assets of £7.5k Corporate PAG receive savings updates throughout the year	July 2013 Oct 2013 Jan 2014	Green (on track)

## Objective 2: Maximise the funding opportunities from Central Government

KEY TASK 2.3 Understand the impact that business rate retention has on the Medium Term Financial Plan, monitor regularly and report this impact to members		Milestone	Action Status
Key Action 2.3.1 Establish a process to monitor the current gross yield and subsequent net yield of business rates and the impact on the amounts retained and paid to major precepting authorities	<u>Qtr 1 Update</u> Report detailing the monitoring process was presented to Scrutiny and Cabine and subsequently approved. Regular monitoring will be undertaken as part of the finance report component of the quarterly performance report.	<b>June 2013</b>	Green (completed)
Key Action 2.3.2 Produce quarterly monitoring reports for consideration by members	<u>Qtr 1 Update</u> Regular monitoring will be undertaken as part of the finance report component of the quarterly performance report.	July 2013 Oct 2013 Jan 2014	Green (on track)

### KEY TO ACTIONS:

Action not achieved within target date/milestone.	Red
There are concerns/issues that may mean that the action will not be achieved/within the target date/timescale	Amber
Action completed or on target to be achieved within the target date/milestone	Green
Blank – Milestone not due	

## Service Plan Monitoring - Section 3 Performance Measures for day-to-day delivery

### Group: Corporate Management

Responsible Officer: Adrian Dyer

Code	Description	2012/13		2013/14				Target	Status	Comment
		Actual	Target	Qtr 1	Qtr 2	Qtr 3	Qtr 4			
<b>Group Indicators</b>										
KBI 141	Forecast variance from annual net budget (£)	(£1,015)		(£760)						
Budget (£) 171,971										
Actual Spend as at 30/06/13 (£) 42,423										
KPI 141	% of staff in the group who responded that are satisfied/very satisfied working for the Council	100%	85%	Annual Indicator		not due	85%		Staff Survey planned for 2013/14.	
KPI 143	Number of days sickness per employee (FTE)	5.54	5.75	0			5.75	GREEN (Above Target)	This is an annual target. The quarter figures are reported on a cumulative basis.	
KPI 144	Group % of PDR's undertaken	100%	100%	Annual Indicator		not due	100%			
<b>Service Indicators</b>										
<b>Corporate Management</b>										
KPI 158	Overall Staff satisfaction	94%	90%	Annual Indicator		not due	90%		Staff Survey planned for 2013/14.	
KPI 160	Number of days sickness per FTE (whole organisation)	5.54	5.75	1.31 dys			5.75 dys	GREEN (Above Target)	The annual target for this indicator is 5.75 days. The measure is per employee.	
KCI 145	% of customers satisfied with the Council	73%	82%	Annual Indicator		not due	82%			
KCI 146	% of customers that think that the Council is delivering value for money	76%	75%	Annual Indicator		not due	75%			

## Service Plan Monitoring - Section 3 Performance Measures for day-to-day delivery

### Group: Corporate Management

Responsible Officer: Adrian Dyer

Code	Description	2012/13		2013/14						Comment
		Actual	Target	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Target	Status	
KCI 147	% of people who would consider they are treated with respect and consideration	91.40%	90%	Annual Indicator			not due	90%		
	Number of complaints received by the Ombudsman	3	7	Annual Indicator			not due	7		

**Key:**

KBI - Budget/Cost Indicator

KPI - Performance/Process Indicator

KCI - Customer Satisfaction Indicator