



**COTSWOLD  
DISTRICT COUNCIL**

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# **CABINET AGENDA**

**Monday 2nd September 2019, 6.00 pm**

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**Council Chamber, Trinity Road, Cirencester,**

# NOTES

## (i) Questions Arising on the Agenda

If any Member has any questions regarding either (a) an update/progress report on a specific item contained in the Minutes of the previous Meeting or (b) a report contained within the Agenda, he/she is requested to give advance notice of such question to the Director/Officer originating the report or to an Officer of the Democratic Services Section so that a full response can be made available either prior to, or at, the Meeting. If no such advance notification is given, a full response to any question cannot be guaranteed at the Meeting.

With specific regard to the Minutes of previous Meetings, Members' attention is drawn to Council Procedure Rule 17.1 which provides that, once the Minutes have been signed, Members may ask questions to ascertain what progress has been made on a particular matter referred to in the Minutes, but may not make any other statement or generate discussion on the Minutes.

## (ii) Mobile Phones/Pagers

All mobile phones/pagers should be **SWITCHED OFF OR SET TO SILENT MODE BEFORE** the start of the Meeting.

## (iii) Recording of Proceedings

The public proceedings of Council, Cabinet and Committee Meetings may be recorded, which includes filming, as well as audio recording. Photography is also permitted.

As a matter of courtesy, if you intend to record any part of the proceedings, please let the Committee Administrator know before the start of the Meeting.

Recording/filming should not be disruptive or distracting to the good order and conduct of the Meeting. To assist with this, an area of the Meeting venue will be designated from which proceedings can be recorded/filmed, and 'roaming' around the venue while recording is not permitted. The Chair will exclude anyone whose behaviour is disruptive.

Recording/filming should only be of Members and Council Officers, and not any members of the public (unless they are formally addressing the Meeting or unless specific permission has been given by those individuals).

For further information, please read the Notices displayed inside and outside the Meeting venue and/or speak with the Committee Administrator.

## (iv) Committee Administrator

If any Member has any general questions about the Meeting or the associated agenda papers, or is unable to attend, he/she is asked to contact Ben Amor on 01285 623236 who will be the Committee Administrator responsible for the Meeting.

### Distribution:

All Members of the Cabinet  
(Councillors Rachel Coxcoon, Tony Dale, Andrew Doherty, Mike Evemy, Jenny Forde, Joe Harris, Mark Harris, Lisa Spivey, Clive Webster)

All other Councillors for information



**Nigel Adams**  
Head of Paid Service

22<sup>nd</sup> August 2019

# CABINET: 2<sup>ND</sup> SEPTEMBER 2019

## AGENDA

- (1) **Apologies**
- (2) **Declarations of Interest**
  - (1) To receive any declarations of interest from Members under:-
    - (i) the Code of Conduct for Members; and/or
    - (ii) Section 106 of the Local Government Finance Act 1992 (any Councillor who has Council Tax payments remaining unpaid for at least two months must declare an interest and not participate in any matter affecting the level of Council Tax or arrangements for administering the Council Tax).
  - (2) To receive any declarations of interest from Officers under the Code of Conduct for Officers.
- (3) **Minutes** - To confirm the Minutes of the Meeting of the Cabinet held on 1<sup>st</sup> July 2019.
- (4) **Public Questions** - Council Procedure Rule 10 - Not more than fifteen minutes allowed for written questions to be put by Local Government electors within the Cotswold District on any matter in relation to which the Council has any power or duties or which affects the district, and which falls within the Terms of Reference of the Cabinet.

The following question has been submitted by Mr. David Fowles of Poulton to Councillor Joe Harris, Leader of the Council:-

*'Given the following:*

*a) that the leader of the Council was pivotal in the decision to move the times of Council and Cabinet meetings to 6.00pm ( without full consultation ) to enable greater engagement with the public*

*b) that when in opposition he was fiercely critical of the fact that there were only ever 4 Council meetings.*

*c) that several member and public questions, to say nothing of the rest of the Council agenda had items that demanded his input.*

*d) that it was the first Council meeting of the new administration and there was an important item on the agenda - the climate emergency to which members of the public had come to hear the debate.*

*Cllr. Harris gave his apologies and we were informed that he was away on Council business.*

*Could he explain what Council business was more important than him attending a diarised Council meeting and where he in fact was?*

*Surely there is nothing more important as leader than attending his own Council and Cabinet meetings?*

*Could he also explain why it was not possible for a member of his recently expanded Cabinet to attend in his place?*

*Would he apologise for the discourtesy his absence showed to both elected members and members of the public?*

*Would he commit to always attending in the future?'*

Note:

The above question was submitted by the time by which responses are guaranteed to be provided to the questioner at least 24 hours before the Cabinet Meeting (by virtue of the Council's Procedure Rules). Details of the response(s) will be provided to all Members of the Cabinet either in advance of, or at, the Cabinet Meeting.

- (5) **Member Questions** - Council Procedure Rule 11 - Not more than fifteen minutes allowed for written questions to be put by Members on any matter in relation to which the Council has any power or duties or which affects the district, and which falls within the Terms of Reference of the Cabinet.
- (6) **Leader's Announcements** (if any)

## **Items for Consideration and Decision**

- (7) **Disabled Facilities Grant Policy**
- (8) **Temporary Accommodation Placement Policy**
- (9) **Flexible Homelessness Support Grant**
- (10) **2019/20 Business Rates Revaluation Discretionary Rate Relief Scheme**
- (11) **Funding for Climate Change Manager**
- (12) **Summary Finance / Service Performance Report 2019/20 (Quarter 1)**
- (13) **Review of Cotswold District Council's Hackney Carriage Table of Fares**
- (14) **Launch Date for Waste Service**
- (15) **Future Joint Waste Partnership and Waste Management Provision**

## **Other Matters**

- (16) **Issue(s) Arising From Overview and Scrutiny and/or Audit** (if any)
- (17) **Other Business** - Such other business that, in the opinion of the Chair, is urgent.

(18) **Exclusion of the Public and Press**

To consider, and if so agreed, to

RESOLVE that under Section 100A(4) of the Local Government Act 1972 the public and Press be excluded from the Meeting for the following item of business on the grounds that it involves likely disclosure of exempt information as defined in paragraph (3) of Part I of Schedule 12A to the said Act (Information relating to financial or business affairs) and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information concerned.

**Item of Exempt Business  
for Consideration and Decision**

(19) **Cirencester Property**

(END)

COTSWOLD DISTRICT COUNCIL

CABINET

1 JULY 2019

Present:

Councillor Joe Harris - Chair

Councillors -

Rachel Coxcoon  
Tony Dale  
Andrew Doherty  
Mike Every

Jenny Forde  
Mark Harris  
Lisa Spivey  
Clive Webster

Observers:

Councillors

Stephen Andrews  
Tony Berry

Juliet Layton  
Richard Norris

CAB.1 OPENING WELCOME

The Leader welcomed Councillors, Officers and members of the public to the first meeting of the Cabinet under the new Administration.

CAB.2 DECLARATIONS OF INTEREST

There were no declarations of interest.

CAB.3 MINUTES

Given the change in Cabinet membership following the May elections, it was

**RESOLVED that the Minutes of the Meeting of the Cabinet held on 21 March 2019 be noted.**

**Record of Voting - for 9, against 0, abstentions 0, absent 0.**

CAB.4 PUBLIC QUESTIONS

The Head of Paid Service explained that two public questions had been submitted for the Meeting but that, due to their content and with the agreement of the questioner, they would be presented to the Council Meeting on 3 July 2019

CAB.5 MEMBER QUESTIONS

No Member questions had been received.

**CAB.6**     LEADER'S ANNOUNCEMENTS

The Leader thanked the Members of Cabinet for having 'hit the ground running' to start the work of the new administration. He also thanked Officers for ensuring a smooth transition from a Conservative to a Liberal Democrat administration.

The Leader explained that the new Cabinet would be looking to deliver on new and/or refreshed key priorities relating to affordable social rented housing; tackling social isolation; and climate change. In this connection, work would be discontinued on the existing Corporate Plan, and a new version would be presented to the Council at the earliest opportunity.

**CAB.7**     THE PREPARATION OF A STATEMENT OF COMMON GROUND FOR GLOUCESTERSHIRE

In introducing the report, the Cabinet Member for Development Management, Landscape and Heritage drew attention to progress made by the Gloucestershire Strategic Planning Leaders' Board in respect of the creation of a strategic planning framework for the County to 2050 and beyond; and the recommended preparation of a Statement of Common Ground (SoCG) - a non-statutory document - for subsequent adoption by each of the constituent authorities and relevant partner organisations.

It was explained that working in the context of a SoCG would help ensure effective, co-ordinated spatial planning for the long-term future of Gloucestershire through collective working to prepare a strategic framework for the County to 2050 and beyond, which would avoid duplication of effort, potential conflicts and deliver cost efficiencies through joint commissioning.

The Cabinet Member thanked the Forward Planning Manager for having produced the report at short notice, and expressed his support for the Council to 'sign up' to the process, given its importance in terms of the spatial strategy.

The Forward Planning Manager highlighted the risks of not joining other councils in Gloucestershire in this approach, and reminded Members that the Council had a duty to co-operate and work with other partners such as the LEP and County Council.

In summary, the Cabinet Member confirmed that the statement was a live document and allowed Councils and the County to ensure that opportunities and challenges up to 2050 were acknowledged and agreed. He also emphasised the importance of the document having regard to the period of its next Local Plan, namely 2030-41.

**RESOLVED that the Council works in partnership with the five other Local Planning Authorities in Gloucestershire, Gloucestershire County Council and the GFirst Local Enterprise Partnership to develop a Strategic Planning Framework for Gloucestershire, to 2050 and beyond, via the preparation of a 'Statement of Common Ground'.**

**Record of Voting - for 9, against 0, abstentions 0, absent 0.**

CAB.8 SUMMARY FINANCE/SERVICE PERFORMANCE REPORT, INCLUDING FINANCIAL OUTTURN - 2018/19 END OF YEAR

The Cabinet received a report summarising overall performance for the Council, with particular focus on progress towards achieving the Council's top tasks, and efficiency measures and an update in regards to the Council's financial position including revenue outturn and budget variances; and capital expenditure, capital receipts and use of reserves.

It was noted that this would be the last report which incorporated the targets within, and performance against, the previous Corporate Plan. A new Plan would be prepared, and performance indicators would also be reviewed.

The Chief Finance Officer introduced the item and identified key aspects - Publica had delivered well for the Council and an underspend had been reimbursed; waste vehicles needed to be replaced; the green waste service had been well received and subscribed; planning fees had under-achieved, although this was not totally unexpected given the relatively recent Local Plan adoption; pooled funds and income was above target; pay and display machines had been replaced and could now accept contactless payments; and, although delayed, work on electric vehicle charging points was progressing.

In response to various questions, the following points were highlighted:-

- The delay with installing electric charging points was out of the Council's control and was due to the need to establish a robust and compliant procurement framework.
- Whilst the overall roll-out of Broadband had been largely a success, there remained coverage problems in parts of the District. Officers were seeking clarification as to how the remaining issues with Broadband coverage could be addressed.
- Affordable, social rented and shared ownership houses had been provided throughout the District.
- A report on scanning documents within the Planning service would be presented to a future Cabinet meeting.

The Deputy Leader thanked the Chief Finance Officer and her officers for the work on the Council's finances and supported the use of the 2018/19 underspend as recommended.

**RESOLVED** that service and financial performance for Quarter 4 of 2018/19 be noted.

**RECOMMENDED**, to Council, that the 2018/19 underspend be allocated as set out in paragraphs 2.32 and 2.33 of the circulated report, i.e. £490,000 to the Council Priorities Fund, and £1,362 into the Council General Fund.

**Record of Voting - for 9, against 0, abstentions 0, absent 0.**



CAB.9 ISSUE(S) ARISING FROM OVERVIEW AND SCRUTINY AND/ OR AUDIT (IF ANY)

The Leader explained that neither Committee had yet met, but when issues arose these would be fed back to Cabinet. He would seek to work with the Chairs of those Committees to ensure the smooth running of the challenge process.

CAB.10 OTHER BUSINESS

The Chair determined that the following matter should be considered as an urgent item as the tender sums were not known at the time of agenda despatch; and a decision could not await the next scheduled meeting due to the time required for the provision of equipment in the new recycling vehicles and in order not to delay vehicle delivery.

CAB.11 CONTRACT WAIVER - RECYCLING VEHICLE TECHNOLOGY

Cabinet approval was sought to waive Contract Rules to enable the award the contract for fitting the new recycling vehicles with tracking systems, 360 degree cameras, load weight indicators and vision sensors. Funding had already been approved for these items and the costs were within budgetary provision.

The Cabinet Member for Waste, Flooding and Environmental Health explained that as such technologies could only be provided by the company who were building the vehicles, the process had not been subject to an open tender process and, as a result, a contract waiver was required. While such waivers were usually dealt with by the Council's S.151 Chief Finance Officer and the Monitoring Officer, as the contract value was more than £100,000, Cabinet agreement was required.

The circulated report set out the rationale behind the contract waiver request, the detailed technology specification, and the breakdown of costs involved (the latter information falling within an exempt classification due to its commercially sensitive nature).

**RESOLVED that Cabinet agrees the Contract Waiver attached as Appendix 'A' to the circulated report and the allocation of £136,923 from the existing capital already set aside within the Medium Term Financial Strategy for vehicle procurement.**

The Meeting commenced at 6.00 p.m. and closed at 6.38 p.m.

Chair

(END)



Council name	<b>COTSWOLD DISTRICT COUNCIL</b>
Name and date of Committee	<b>CABINET – 2<sup>ND</sup> SEPTEMBER 2019</b>
Report Number	<b>AGENDA ITEM 7</b>
Subject	<b>DISABLED FACILITIES GRANT POLICY</b>
Wards affected	ALL
Accountable member	Councillor Jenny Forde, Cabinet Member for Health, Well-being and Public Safety Email: jenny.forde@cotswold.gov.uk
Accountable officer	Jon Dearing Group Manager for Resident Services Tel: 01285 623304 Email: jon.dearing@publicagroup.uk
Summary/Purpose	To seek Cabinet approval for the implementation of the Disabled Facilities Grant Policy.
Annexes	Annex 'A' - The Updated Policy Annex 'B' - Equality Impact Assessment
Recommendation/s	<p>(a) <b><i>That Cabinet adopts the updated Policy, including the provision of discretionary grants (subject to the availability of funding and under the Regulatory Reform Order 2002) in relation to:-</i></b></p> <ul style="list-style-type: none"><li>(i) <b><i>Top-up to Mandatory Scheme;</i></b></li><li>(ii) <b><i>Dual Residency of a Disabled Child;</i></b></li><li>(iii) <b><i>Relocation Grant;</i></b></li><li>(iv) <b><i>Excessive Contribution;</i></b></li><li>(v) <b><i>Safe, Warm and Well;</i></b></li><li>(vi) <b><i>Making Homes Dementia Friendly;</i></b></li></ul> <p>(b) <b><i>that the Group Manager for Resident services be given delegated authority to approve such discretionary grants.</i></b></p>
Corporate priorities	The Corporate Plan is in preparation.
Key Decision	YES

Exempt	NO
Consultees/ Consultation	The Council has a statutory duty to provide Disabled Facilities Grants.

## 1. BACKGROUND

- 1.1 The Council has a statutory duty to provide Disabled Facilities Grants (DFGs) for the adaptations of properties to enable disabled people to remain living as independently as possible in their own homes, irrespective of tender.
- 1.2 The legislative framework for DFGs is provided by the Housing Grants, Construction and Regeneration Act 1996. The Act explicitly covers mandatory DFGs, offering assistance to older and disabled people once the recommendation have fulfilled the criteria of an adaptation being 'necessary and appropriate' and 'reasonable and practical'. All applicants have to satisfy a 'Test of Resources; which is a financial assessment that determines whether they will have to contribute towards a grant.
- 1.3 The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (RRO) gave local housing authorities the power to adopt discretionary policies with regard to housing interventions to promote independent living and wellbeing and give greater flexibility. In 2008 a number of changes were made to the way the DFG were administered and could be used which included the relation and removal of the ring-fence allowing DFG monies to be used more flexibly to help keep people safe and well at home and to reduce the bureaucracy in the grant's administration.
- 1.4 Since the introduction of the Better Care Fund (BCF) in 2016, capital funding for DFG is now paid directly to the upper tier authorities, but the statutory duty continues to sit with the local housing authority. Currently the upper tier authorities have to allocate funding to their respective housing authorities as directed by Government.
- 1.5 The Care Act reforms introduced in April 2018 focus on wellbeing, prevention and delaying the need for social care. In support of these principles, the 2018 Spending Review included over £500 million for 2019/20 for DFGs, encouraging Councils to adopt policies that embrace the BCF.
- 1.6 The DFG Policy needs to evolve if it is to remain relevant. The DFG should no longer be a stand-alone service but part of a package of provisions to help people remain independent.

**1.7** The aims of Part 2 of this Policy, Discretionary DFGs, are:-

- To improve the lives of people with disabilities to meet their care and mobility needs by enabling them to live independently with privacy and dignity.
- To allow more effective use of the BCF, cutting out bureaucracy and increasing flexibility, contributing to the aims of the fund.
- To reduce the domiciliary and residential care by allowing people with disabilities to live more independently in their homes.

**1.8** To provide advice, information and support regarding the adaption of properties to meet accessibility needs and provide a framework of assistance to vulnerable groups.

## **2. FINANCIAL IMPLICATIONS**

**2.1** Funding is provided by way of the Better Care Fund and is ring-fenced for Disabled Facilities Grants and therefore must be spent on disabled or other similar adaptations such as dementia friendly environments.

**2.2** For 2018/19 the total funding allocation for the Council was £1,084,547 (if required for the stated purposes). The County Council released £668,920 to Cotswold District Council, leaving £415,627 available if the need arose within the District. Any balance from across the Districts is used on County-wide initiatives. As at the beginning of March 2019, the Council had awarded £526,261 of its grant funding

**2.3** The Council's total allocation for 2019/20 is £1,170,291 of which the County has released £750,000.

## **3. LEGAL IMPLICATIONS**

Under the Housing Grants, Construction and Regeneration Act 1996 the Council has a duty to administer the Disabled Facilities Grant. Under the Regulatory Reform Order 2002, the Council is given discretionary powers on the utilisation of the Grant.

## **4. RISK ASSESSMENT**

What risks do the data and decisions in this report pose to the business/Council? How big are they? What proportionate actions are you taking to manage them?

## **5. EQUALITIES IMPACT (IF REQUIRED)**

EIA completed

**6. CLIMATE CHANGE IMPLICATIONS (IF REQUIRED)**

None.

**7. ALTERNATIVE OPTIONS**

The Council has a statutory duty to provide Disabled Facilities Grants (DFGs).

**8. BACKGROUND PAPERS**

None



# **Disabled Facilities Grant Policy Document**

**Author:** Business Service Manager  
**Responsible Officer:** Group Manager (Customer Services)  
**Date:** March 2019  
**Version:** 01  
**Review Date:** June 2020

<b>Contents</b>	<b>Page(s)</b>
Part 1: Mandatory Disabled Facilities Grants	3 – 4
Part 2: Discretionary Disabled Facilities Grants	3 – 8
Part 3: General Requirements & Grant Conditions	8 – 15
Complaints	15 – 16
Declaration of Interests	16

Review Date:	Amendment Log:	Officer:

## **PART I: MANDATORY DISABLED FACILITIES GRANTS**

### **I Introduction**

1.1 Cotswold District Council, in its role as a local housing authority, is under a statutory duty by virtue of the provisions of the Housing Grants, Construction and Regeneration Act 1996 (the Act) to provide Disabled Facilities Grants (DFGs) for private sector and housing association residential adaptations where the appropriate legislative conditions are met.

1.2 The purposes for which a DFG may be given are set out in the Act and can be summarised as follows:

- Facilitating Access – grant may be given for works to remove or overcome any obstacles which prevent the disabled person from moving freely into and around the dwelling, access to the garden and enjoying use of the dwelling and facilities or amenities within it.
- Making a Dwelling or Building safe – grant may be given for certain adaptations to the dwelling or building to make it safe for the disabled person and other persons residing with them. This may include the provision of lighting where safety is an issue or for adaptations designed to minimise the risk of danger where a disabled person has behaviour problems.
- Access to a room usable for sleeping – grant may be given for the provision of a room usable for sleeping where adaptation of an existing room in a dwelling (upstairs or downstairs) or the access to that room is unsuitable. Where the disabled person shared a bedroom with a spouse or partner a grant may be given to provide a room of sufficient size so that normal sleeping arrangements can be maintained.
- Access to a bathroom – grant may be given for the provision of, or access to, a WC, washing, bathing and/or showering facility.
- Facilitating preparation and cooking of food – grant may be given to re-arrange or enlarge a kitchen to improve the manoeuvrability for a wheelchair and to provide specially modified or designed storage units, work top area etc. Where most of the cooking and preparation of meals is done by another household member, it would normally be appropriate to carry out full adaptations to the kitchen. However, it might be appropriate to carry out certain adaptations that enable the disabled person to perform minor functions in the kitchen, such as preparing light meals or hot drinks.
- Heating, lighting and power – a grant may be given to provide or improve the existing heating system in the dwelling to meet the disabled person's needs. A grant will not be given to adapt or install heating in rooms, which are not normally used by the disabled person. The installation of central heating will only be considered where the well-being and mobility of the disabled person would otherwise be adversely affected. Provision is also made under the section for the adaptation of heating, lighting and power to make them suitable for use by the disabled person.
- Dependant Residents – grant may be given for works to enable a disabled occupant better access around the dwelling in order to care for another disabled person who normally resides there whether or not they are related to the disabled person. Such works could include adaptations to a part of the dwelling to which the disabled person would not normally need access but which is used by the person to whom they are providing care and therefore it is reasonable for such works to be carried out.



- Common parts – grant may be given for works to facilitate access to a dwelling through common parts of a building.
- 1.3 In order to approve DFG's officers of the Authority will work primarily with the Occupational Therapy (OT) Service at Gloucestershire County Council and the Councils Trusted Assessors.
- 1.4 The OT/Trusted Assessor will make referrals to Cotswold District Council recommending work to be carried out which is necessary and appropriate to meet the needs of their client. The Authority will approve grants if, amongst other things, it is satisfied that the work is reasonable and practicable to carry out.
- 1.5 Although the provision of mandatory DFG's is covered by the Act and the Authority must comply with the legislation, this document sets out the policy that will be applied by the Authority in the provision of DFG's with regard to matters not covered by the legislation.

## **2 Amount of Mandatory DFG**

- 2.1 The maximum amount of mandatory grant that the Authority can pay for any single grant application is set by Order and is currently £30,000. This amount is reduced by any contribution assessed as payable by the grant applicant. (Paragraph 12 outlines means tested contribution)

## **PART 2: DISCRETIONARY DISABLED FACILITIES GRANTS**

### **3 Introduction**

- 3.1 In addition to providing mandatory DFG's the Authority have the power to offer discretionary financial assistance by virtue of the Regulatory Reform (Housing Assistance) (England & Wales) Order 2002. Using these powers, Cotswold District Council has agreed to offer discretionary DFG's for owner occupier and/or private sector residential adaptations in certain specific circumstances.

### **4 Top-Up to Mandatory Scheme**

- 4.1 Although the maximum amount of grant available for a mandatory DFG is currently £30,000 Cotswold District Council has agreed through this policy to potentially provide an additional maximum amount of up to £30,000 as a discretionary top-up where circumstances are such that the cost of work exceeds £30,000 (either as a result of unforeseen works or the extent of the original work that is recommended to the Council). This type of assistance will only be offered as a top up for schemes that fall within the mandatory grant headings as previously described in 2.1.
- 4.2 When determining any application or discretionary assistance the Authority will consider any agreed Gloucester County Council funding, plus the ability of the application to self-fund any identified additional costs through the test of resources (means test). Subject to this assessment discretionary award will potentially make up the difference between the

maximum grant and the cost of eligible works (up to a maximum of £30,000). Any discretionary top-up will be repayable on the eventual sale of the subject property and will be recorded as a Land Registry charge.

- 4.3 Any discretionary top-up will only be considered having regard to the amount of resources the Authority has at the time. If it does not have sufficient resources left to deal with other referrals that have been passed to the Authority by the Occupational Therapist or Trusted Assessor at the time, the Authority reserves the right not to approve any discretionary top-up.

## **5 Dual residency of a disabled child**

- 5.1 In cases where families separate and a court order provides that residency of the subject disabled child is split between the mother and fathers (or other designated guardian) the Authority may consider the award of discretionary DFG to one property. The proposed adaptations will only be considered for discretionary assistance if they fall within those headings normally applied to mandatory schemes as detailed in section 1.2.

- 5.2 Mandatory DFG can only be provided to the 'sole or main residence' of the disabled applicant and in circumstances covered by this section it would be assumed that one party would apply for mandatory grant on the basis that the child occupies the subject property as their sole or main residence. The main residence will be determined by which party receives child benefit. This property may or may not be within the Cotswold District although the Authority would only be liable for mandatory grant to any property within its boundaries.

- 5.3 The Authority will consider the details of any court order and specifically the allocation of time spent with each parent in determining eligibility for assistance. No specific percentage split is proposed by this policy as each case will be reviewed on its own merits. Factors to be considered include the specific details of any order, likely time to be spent at each property, whether the child will stay overnight at the subject property and for what period.

- 5.4 In determining the works that might be considered as eligible for assistance the Authority will consider the suitability of the subject property for adaptation, the complexity and scope of the adaptations required and any observations or referral made by the Occupational Therapist.

- 5.5 Any assistance provided under this heading will be up to a maximum award of £30,000 inclusive of any fees, such as surveyors; but will not be subject to any form of means testing. Any award will be repayable to the Authority if the subject property is sold within 10 years of the certified date (the date the eligible works are completed). The award amount will be recorded as a Land Registry charge. Any decision by the Authority to recover Discretionary Grant payments will be based on the same criteria applied to mandatory grant recovery. The factors that would be considered in such circumstances are set out in Section 12 of this document. Situations outside of these prescribed circumstances would be considered on their own merits following the receipt of written representations from the grant applicant.

5.6 Any discretionary award will only be considered having regard to the amount of Resources the Authority has at the time. If the Authority does not have sufficient resources left to deal with other mandatory referrals that have been passed to the team by the Occupational Therapist's or Trusted Assessor's at the time, the Council reserves the right not to approve any discretionary assistance.

## **6 Relocation Grant**

6.1 A relocation grant may be available to an applicant who owns or privately rents their property if adaptations to their current home through DFG are determined not to be feasible or reasonable and they are considering relocation to a property they intend to purchase.

6.2 Applicants must be 18 or over on the date of application is made and, in the case of a disabled child, the parent(s) would make the application. Any application must be supported by a recommendation from the Occupation Therapist or Trusted Assessor.

6.3 The Authority's Trusted Assessor or the OT must be satisfied that the proposed property already meets the needs of the disabled person without further adaption or are satisfied that it can be adapted at a reasonable cost.

6.4 Applicants must be relocating within the Cotswold District. Consideration may be given to a move within Gloucestershire but this would require the approval of the relevant district/borough council, whether or not adaptations are required and the scale of any adaptations before a relocation grant can be considered.

6.5 A grant may be made available towards specific relocation expenses, which includes estate agent fees, legal costs, and removal costs.

6.6 The cost of the relocation grant together with the cost of any adaptations required to the new property must demonstrate value for money, whether the move is within Cotswold District Council or to another district/borough council in Gloucestershire.

6.7 Applications must be submitted prior to the relocation, grants cannot be paid retrospectively. Assistance will not be given toward the purchase price of a new property.

6.8 The Authority will require two quotations from independent contractors that realistically reflect the cost of the works/service provided.

6.9 All applicants will be required to complete the move within 12 months from the date of approval of their application. Any payment made will be made either directly to the service/work provider or to the grant applicant. Valid invoices or receipts must be provided prior to payment.

6.10 If on sale of the applicant's existing property a net equity of more that £10,000 is released, the Relocation Grant will only fund the physical removal costs.

6.11 If the move is aborted through the fault of the applicant then costs will not be paid and

any costs already paid will be reclaimed from the applicant.

- 6.12 Funding for Relocation Grants will be sought from the Council's revenue earmarked.
- 6.13 Any Relocation Grant will only be considered having regard to the amount of resources the Authority has at the time. If the Authority does not have sufficient resources, the Council reserves the right not to approve any discretionary assistance.

## **7 Excessive Contribution**

- 7.1 Where applicants have a contribution to make according to the outcome of the prescribed test of resources, they may provide written evidence to the Council, from an Independent Financial Advisor of their inability to raise sufficient funds to cover their own contribution. In these circumstances the Council will consider approving discretionary grant aid if that is the only option for enabling the agreed works to proceed. The Council may seek further advice before determining the application.

## **8 Safe, Warm and Well**

- 8.1 This assistance is for owner occupiers or private tenants (who have a full repairing responsibility in their tenancy) over the age of 65, or those with chronic or severe health conditions affected by poor housing conditions that need to undertake essential repairs to their home in order to remain safe and healthy.
- 8.2 Example of relevant conditions includes:
- Arthritis (osteo and rheumatoid, requiring regular treatment and review)
  - Cardiovascular disease (such as heart disease or stroke)
  - Respiratory disease (such as chronic bronchitis, severe asthma, emphysema or chronic pulmonary disease)
- 8.3 Eligible works for this purpose will be determined as a Category 1 (serious) or significant Category 2 (other) hazards as determined by the Housing Act 2004, which affects the ability of the property to be safe, wind and weather proof. Examples of work may include:
- Heating repairs or replacement
  - Works to prevent falls
  - Roof repairs
- 8.4 Any associated fees such as technical surveys, obtaining proof of title etc. will be included within the assistance given. All properties will be subject to inspection and assessment by the Council or its agent.

## **9 Making Homes Dementia Friendly**

- 9.1 This assistance will provide aids and adaptations in the home designed to enable people with a diagnosis of dementia to manage their surroundings and retain their independence.
- 9.2 Applicants must be owner occupiers or private tenants with a clinical diagnosis of dementia and referred by a General Practitioner, Dementia Support Worker or other relevant health

professional, confirming the works which are necessary and appropriate to support them to retain their independence. Examples of work may include:

- Contrasting coloured hand rails
- Thermostatic taps
- Lighting and door signage

### **PART 3: GENERAL REQUIREMENTS & GRANT CONDITIONS**

The following general requirements and conditions will apply to both mandatory and discretionary DFG's.

#### **10 Applications for Grant**

##### **10.1 Definition of disabled person**

10.2 For the purposes of the legislation relating to DFG's a person is defined as being disabled if:

- their sight, hearing or speech is substantially impaired;
- they have a mental disorder or impairment of any kind; or
- they are physically substantially disabled by illness, injury, impairment present since birth or otherwise

10.3 A person aged 18 or over is taken to be disabled if:

- they are registered as a result of any arrangements made under section 29(1) of the National Assistance Act 1948; or
- they are a person for whose welfare arrangements have been made under that section or might be made under it.

10.4 A person aged under 18 is taken to be disabled if:

- they are registered in a register of disabled children to maintain under the Children Act 1989; or
- in the opinion of the social services authority they are a disabled child as defined for the purposes of Part III of the Children Act 1989.

##### **10.2 Applicant's criteria**

10.2.1 The Authority cannot consider an application for a mandatory or discretionary DFG unless it is satisfied that:

- the applicant has or proposes to acquire an owner's interest in every area of land on which the relevant works are to be carried out; or

- the applicant is a tenant of the dwelling where the relevant works are to be carried out

10.2.2 An owner's application for a DFG must be accompanied by an owner's certificate which will certify that the applicant has or proposes to acquire an owner's interest and that they intend that the disabled occupant will live in the dwelling as their only or main residence throughout the period of five years following completion of the works.

10.2.3 A tenant's application for a DFG must be accompanied by a tenant's certificate which will certify that the application is a tenant's application and that the applicant intends that the disabled occupant (whether that is the applicant or someone in the applicant's household) will live in the dwelling as their only or main residence throughout a period of five years following completion on the works.

10.2.4 A tenant's application should be accompanied by an owner's certificate from the person who at the time of application is the landlord under the tenancy. The Authority can waive this where it is not reasonable in the circumstances to request a certificate.

10.2.5 Private tenants must obtain their landlords written permission for the subject works before a DFG can be approved. Where a landlord withholds this permission for the works to be undertaken a grant cannot be approved. Any DFG approved would not normally include any element of reinstatement.

10.2.6 Occupiers of houseboats and park homes must provide an 'occupiers certificate' certifying the intention of the disabled occupier to occupy the qualifying houseboat or park home as his only or main residence throughout the grant conditions period (5 years from the certified date). Any such certificate must also be accompanied by a 'consent certificate' from each person who owns the mooring or land on which the houseboat or park home is stationed or who owns the houseboat or park home.

## **11 Cost of Work**

11.1 The Authority uses public money to fund the provision of both mandatory and discretionary DGFs and as such it must take into account value for money.

11.2 When officers schedule the work to be carried out, they will ensure it meets the needs of the applicant but at the same time they will only prepare a basic specification. If grant applicants wish to have a higher or more complex specification that costs more, they will have to pay the difference themselves.

- 11.3 Two quotes for the cost of work will be obtained. The grant will usually be approved on the basis of the cheapest quote unless there are extenuating circumstances. Where the applicant wants to use a contractor that will cost more than the quote that is deemed acceptable by the authority, the applicant will have to pay the difference direct to the contractor. The Authority will notify the contractor that the client will have to make a contribution and advise them of the value of the contribution.

## **12 Means Tested Contributions/Successive Applications**

- 12.1 Applicants for DFG's will be required to complete a test of resource form (means test) to determine whether any contribution is to be paid towards the cost of works. The Council will undertake such means tests in line with the prevailing statutory provisions in force at the point of application. At present parents of disabled children and young person are not subject to a test of resources. In the majority of cases a Preliminary Test of Resources will be undertaken prior to the provision of an OT/Trusted Assessor referral to provide the prospective application with any early indication of their likely contribution. Such preliminary tests will not be applied in urgent cases or where the OT/Trusted Assessor is aware that the client is in receipt of a passport benefit. The recipient of a passport benefit (such as housing benefit, income support, guaranteed pension credit, etc.) will automatically be assessed as having a NIL contribution toward any grant award and will receive full grant.
- 12.2 If an applicant has an assessed contribution toward any application any payment of this contribution is made to the contractor on completion of the works. If the level of contribution is high the council may require evidence that the applicants have the resources in place to fund their contribution and that they may wish to seek independent financial advice on how they might raise the necessary funds.
- 12.3 In circumstances where an applicant has a degenerative condition and where it is likely the additional adaptations may be required over time it should be noted that there is no restriction for further grant applications at a later date. Any contribution paid by an applicant toward an initial application will be deducted from any future assessed contribution if the second application is made within a prescribed period (10 years for own occupiers and 5 years for tenants)
- 12.4 This provision means that it may be in the interest of applicants to proceed with a grant application even if their assessed contribution is higher than the likely cost of works, leading to the award of a 'nil grant' approval. In such circumstances the applicant must proceed to complete the subject works to a satisfactory standard. If a second application is submitted within the prescribed period the cost of the

previously completed works will be deduced from any assessed contribution the applicant might have.

### **13 Grant Approval**

13.1 The Council is required to approve or refuse the grant within 6 months of a valid grant application being made. A valid application is deemed to be made when the following documentation is submitted:

- A completed application form
- The appropriate certification as detailed above together with proof of ownership or tenancy
- The appropriate evidence of financial resources in order that the Council can undertake the Test of Resources
- The appropriate number of quotes

The Council is required to consult with and obtain confirmation from the OT/Trusted Assessor that the works which are the subject of the application are necessary and appropriate to meet the needs of the disabled occupant.

13.2 Officers from the Council will work with prospective grant applicants to ensure the appropriate documentation is in place to make a valid application.

13.3 The Council will not usually approve an application for grant where the relevant work has already begun. It can approve however, if it is satisfied that there were good reasons for beginning the works before the application was approved. Any grant offer may be reduced to reflect the works undertaken prior to approval.

### **14 Payment of Grant**

14.1 The legislation requires the Council to pay the grant on condition that the work has been carried out to its satisfaction. It also states that it is able to pay the contractor direct where it has advised the grant applicant prior to the grant being approved that this would be the method of payment. Only in exceptional circumstances will a payment be made to a third party.

14.2 The Council will inspect the works once completed and if in their opinion the work has been done satisfactorily will pay the contractor direct to the value of the grant. Any other payments that the grant application is responsible for must be made by the application.



14.3 If the Council is not satisfied with the standard of work it will retain the grant money until such time as any work issues have been resolved at which point it will pay the contractor or if the applicant is still not satisfied, it will pay the applicant.

#### **14.1 Entitlement to a grant ceases**

14.2.1 Where a grant applicant ceases to be entitled to a grant before completion of the works the legislation states that the Council cannot pay any grant or any further instalments (as the case may be) after that date. If the grant applicant makes an owner's application he ceases to be entitled to a grant when he ceases to have a qualifying owner's interest or ceases to have the intention specified in the owner's certificate which accompanied the grant application. If the grant applicant makes a tenant's application he ceases to be entitled to a grant when he ceases to be a qualifying tenant of the dwelling or if the landlord ceases to have the intention specified in the owner's certificate submitted with the application.

14.2.2 The Council has the right under the legislation to demand any instalment that has already been paid to be repaid forthwith together with interest from the date on which it was paid until repayment. The Council will consider each case on its own merits in deciding whether to recover any such payments.

#### **14.3 Changes in circumstances**

14.3.1 In some cases there is a change in circumstances after the grant has been approved that affects the payment of grant. These circumstances (which are prescribed in the legislation) are as follows:

- where the works cease to be necessary or appropriate to meet the needs of the disabled occupant;
- the disabled occupant ceases to occupy the dwelling; or
- the disabled occupant dies.

14.3.2 In such circumstances, the legislation states that the Council can take such action as appropriate and may decide:

- that no grant shall be paid or as the case may be, no further instalments shall be paid;
- that the works or some of them should be completed and the grant or an appropriate proportion of it paid; or
- that the application should be re-determined in the light of the new circumstances.

#### **14.4 Cases in which a grant may be recalculated, withheld or repaid**

14.4.1 The Council is entitled to refuse to pay a grant or any further instalment of grant which remains to be repaid or make a reduction in the amount of grant in the following circumstances:

- The Council ascertains that the amount of grant was approved on the basis of inaccurate or incomplete information and exceeds that which the grant applicant was entitled
- The Council ascertain that without their knowledge the eligible works were started before the application was approved
- The works are not completed within 12 months
- The cost of works is less than the estimated expense upon which the grant was calculated
- The work has been carried out by a contractor who was not one of the contractors who originally quoted for the work

#### **14.5 Repayment in case of Compensation**

14.5.1 It is a condition of the grant that the applicant takes reasonable steps to pursue any relevant claim and to repay the grant so far as appropriate out of the proceeds of such a claim. A claim is:

- 1) an insurance claim or legal claim against another person in respect of damages to the premises to which the grant relates, or
- 2) a legal claim for damages in which the cost of the works to premises to which the grant relates is a part of the claim, and a claim is a relevant claim to the extent that the works to make good the damage or the cost of which is claimed are works to which the grant relates

14.5.2 In the event of a breach of this condition the applicant shall on demand pay to the Council the amount of grant so far as relating to any such works together with compound interest from such date as may be determined, calculated at such reasonable rates the Council may determine.

14.5.3 The Council may determine not to make such a demand or to demand a lesser amount. The assumption is that the amount will be demanded in full however on representations from the applicant, the Council will consider each case on its own merits.

#### **14.6 General Provisions**

4.6.1 Where work has commenced but grant entitlement has ceased and where the Council has decided that the works or some of them should be completed and the grant or an appropriate proportion of it is paid the council will arrange to make good the work so that the property is safe, secure and water-tight.

14.6.2 This may not include carrying out such work as finishing internal surfaces and plumbing any new facilities (unless these are the only facilities in the property) for example. Any work over and above making the property safe, secure and water-tight would have to be paid for by the applicant or some other appropriate person.

#### **14.7 Deferring Grant Payment**

14.7.1 The Council has the discretion to defer any payment of an approved grant for a period of up to 12 months from the date of grant approval. Any such decision must be set out within the grant approval notice.

#### **15 Grant conditions following completion**

15.1 There are certain grant conditions that run for a period of time following the completion of the grant (the grant condition period). These conditions will run from the certified date i.e. the date at which the Council has certified that the works have been carried out to its satisfaction. The application of such conditions will only apply if the grant application has an owner's interest in the subject property and will remain in place for 10 years from the certified date.

#### **15.2 Repayment in cases of disposal of the premises**

15.2.1 The Council has resolved that it will demand repayment by the applicant of such part of the grant that exceeds £5,000, (but may not demand an amount in excess of £10,000) where the work must also have increased the habitable floor area of the property and is satisfied that it is reasonable in all circumstances to do so.

15.2.2 If a grant recipient is of the opinion exemptions may be appropriate then they will be required to submit written representations to the Council setting out their case in full. The decision on whether to waive either all or a proportion of the grant recovery will be made by the Group Manager for Customer Services, Revenues and Housing Support Services.

15.2.3 This condition to repay will be a legal local land charge and is binding on any person who is for the time being an owner of the dwelling or building and will apply for 10 years following practical completion.

15.2.4 If in the event of death of the grant recipient during the 10 year period the charge will only be reclaimed in the property is sold in that period.

## **16 Installation of Equipment and Maintenance**

16.1 Typically the type of equipment that will be covered by a mandatory DFG includes (this is not an exhaustive list):

- Stair lifts
- Ceiling track hoists
- Through floor lifts
- Rise and fall showering tables that are electrically powered
- Rise and fall baths that are electrically powered
- Wash and dry toilets

16.2 Where the provision of equipment is funded by a mandatory DFG it is the responsibility of the applicant to take out the necessary insurances and maintenance agreements to ensure the equipment is properly maintained.

16.3 If a grant is made for replacement of defective/obsolete equipment it will not be approved if it can be shown that the equipment can be repaired at a reasonable cost in comparison to renewal. In such cases the costs of the repairs will fall to the householder.

## **17 Contractual Relationships**

17.1 Following the referral from the Occupational Therapist officers from Cotswold District Council will schedule the works that are required. The schedule of works will form the basis upon which the contractors quote. As referred to above at paragraph 8.3 the grant applicant will need to obtain two quotes.

17.2 Whilst work is being undertaken officers will wherever possible visit the property to ensure that the work is being undertaken as per the specification and when the work is completed, the officer will carry out a final inspection to ensure it has been completed satisfactorily.

17.3 Grant applicants must be aware however, that the Council is in no way responsible for the work of the contractor and that there are no contractual obligations between the contractor and Cotswold District Council.

17.4 The purpose of the final inspection is simply to protect the public purse. All contractual relationships with respect of the carrying out of the work are between the grant applicant and the contractor.

17.5 If there is a dispute between the grant applicant and the contractor, the council will not be able to get involved unless by some act or default the Council has caused the issue which has led to the dispute.

## **18 Complaints**

18.1 Where applicants are dissatisfied with the service they have received (including where a grant has been refused) they should contact the Business Service Manager at the main Council address. If the matter is not resolved to the applicants' satisfaction they can make a formal complaint via the councils adopted Complaints procedure.

18.2 If after receiving the Council's response the complainant is still dissatisfied, they can write to the Local Government Ombudsman.

## **19 Declarations of Interests**

19.1 All officers and Trusted Assessors involved within the assessment and administration of the grant will complete an annual declaration of interest.

***The Council has a zero tolerance approach to fraud and works hard to protect the public purse. All applications will be checked and verified to confirm eligibility and works carried out will be inspected to ensure they comply with the criteria for funding***

## Equality Impact Assessment

This guidance has been produced to help the service managers undertake equality impact assessments, which will help us find out how the services we deliver affect different groups of people and in what ways. By undertaking an impact assessment, we are able to:

- Take into account the needs, experiences and circumstances of groups of people are affected by our services.
- Identify any inequalities people may experience.
- Think about the other ways in which we can deliver our services which will not lead to inequalities.
- Develop better policy-making, procedures and services.
- Become more accountable to the people that we serve.

The council expects the officer responsible for the service to undertake equality impact assessments themselves. They are completed on any new or amended policies or any changes to service delivery and team structures, that will have a significant impact upon staff or the community. You should never consider doing an Impact Assessment on your own, it is much better to have several people talking through the assessment; more people will bring more thoughts to the table! **Remember it should be an integral part of policy development not a last minute thought!**

As recent case law as has highlighted, it is very important that EIA's are completed before decisions are made. Councillors and officers need to have all the information available to consider prior to making decisions, otherwise decisions can be overturned by courts. When writing an important report for Councillors to consider this EIA must accompany that report to raise Councillor awareness of the implications of the decision they are making.

Whilst completing an EIA form you will provide evidence of how you have considered how the 'protected characteristics' may be impacted upon by this decision. In line with the General Equality Duty (Equality Act 2010) the Council must, in the exercise of its functions, have due regard for the need to:

- a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

The act specifies a number of groups known as protected characteristics, they are;

- Age
- Disability
- Gender Reassignment
- Race
- Religion or belief
- Gender
- Sexual Orientation
- Marriage and Civil Partnership
- Pregnancy and Maternity

Government guidance also identifies the following groups that commonly experience barriers to participation and should be considered when completing EIAs:

- People with mental health conditions
- People with learning difficulties and disabilities
- Gypsies and travellers
- People undergoing, considering or have undergone gender reassignment
- Asylum seekers
- Refugees
- People with caring responsibilities
- People on low income or benefits
- Staff



### Completing the form

The following table will help you decide what information you need to put within each section of the form and what information and evidence you need to gather:

1. Persons responsible for this assessment	Details of the person/people completing the assessment – remember this is best done as a group rather than an individual
2. Name of the policy, service, strategy, procedure or function:	
3. Briefly describe it aims and objectives	It will help to ask: <ul style="list-style-type: none"> <li>• Why is the policy needed?</li> <li>• What does the authority hope to achieve by it?</li> <li>• How will the authority ensure that it works as intended?</li> <li>• Who are the current customers and impacts on them?</li> </ul> This is not always easy and a discussion will probably be needed between those who define the policy and those who implement it.
4. Are there any external considerations? (e.g. Legislation/government directives)	Is the policy/service being changed due to government legislation, budget cuts etc.
5. What evidence has helped to inform this assessment?	Identify what evidence is available and set it out here. This includes evidence from involvement and consultation. Identify where there are gaps in the evidence. Include in action plan
6. Please specify how intend to gather evidence to fill any gaps identified above:	Provide details where there are gaps in the evidence base and specify the action you intend to take to fill these gaps. For example; What additional involvement and consultation will be needed and how will it be undertaken? Include in action plan.
7. Has any consultation been carried out?	Provide details of any consultation that has been undertaken, who this involved and what the outcome was. Have you identified any barriers to your service? Alternatively provide information on any planned consultation.
8. What level of impact either directly or indirectly will the proposal have upon the general public / staff?	Consider the level of impact of the policy in respect of the protected characteristics and/or staff to which the policy is relevant.
9. Considering the available evidence, what type of impact could this function have on any of the protected characteristics?	Based on the evidence and consultation think about the impact upon each characteristic <ol style="list-style-type: none"> <li>Negative – it could disadvantage and therefore potentially not meet the General Equality duty;</li> <li>Positive – it could benefit and help meet the General Equality duty;</li> <li>Neutral – neither positive nor negative impact/not sure</li> </ol> Provide reasons behind this impact and mitigating options (include in action plan).
10. Action plan	You must monitor implementation of the action plan until all of the actions are complete. It needs to include any action that has been identified – evidence requirements, consultation needed or options for mitigating any impact. What resources are required? Please add additional lines where necessary.
11. Is there is anything else that you wish to add?	Use this box to record anything else that you have thought about that you have not recorded anywhere else on the assessment form.
Declaration	Includes sign-off by the responsible officer, line manager and

If you need help at any point or have any questions please contact:

Cheltenham;

Cotswold and West Oxfordshire;

Forest of Dean; Corporate Support Team – [corporatesupport@fdean.gov.uk](mailto:corporatesupport@fdean.gov.uk) or 01594 812607



**Equality Impact Assessment Form**

**1. Persons responsible for this assessment:**

Names: Mandy Fathers	Telephone: 01285 623571
Date of assessment: 12 March 2019	Email: mandy.fathers@publicagroup.uk

**2. Name of the policy, service, strategy, procedure or function:**

Disabled Facility Grant Policy (DFG)  
Part existing (updated) and part new (which includes discretionary under the Regulatory Reform Order 2002) RRO

**3. Briefly describe it aims and objectives**

Explain the statutory process for the provision of mandatory DFG's and creating more flexibility with the fund to enable the council to address wider preventative issues that cannot be covered using the mandatory DFG by using the RRO

**4. Are there any external considerations? (e.g. Legislation/government directives)**

Legislation : Housing Grants, Constructions and Regeneration Act 1996 and the Regulatory Reform Order 2002.

**5. What evidence has helped to inform this assessment?**

Source		If ticked please explain what
Demographic data and other statistics, including census findings	<input checked="" type="checkbox"/>	To show we have an aging population
Recent research findings including studies of deprivation	<input checked="" type="checkbox"/>	Research material from Alzheimer's Society, Lightbulb partnership, other LA's policies/findings
Results of recent consultations and surveys	<input checked="" type="checkbox"/>	Consultation with the County Council on implementing a RRO



Results of ethnic monitoring data and any equalities data	<input type="checkbox"/>	
Anecdotal information from groups and agencies within Gloucestershire	<input checked="" type="checkbox"/>	Gloucestershire DFG forum group
Comparisons between similar functions / policies elsewhere	<input checked="" type="checkbox"/>	
Analysis of audit reports and reviews	<input checked="" type="checkbox"/>	Recent internal audits have been considered when reviewing the policy
Other:	<input checked="" type="checkbox"/>	Best practise and policy information from 'Foundations'

6. Please specify how intend to gather evidence to fill any gaps identified above:

Through the monitoring of the policy and implementation of the works we will be able to gather data on those who utilise the service (which could include ethnic and equalities).

7. Has any consultation been carried out?

Yes/

Details of Consultation:

We have a duty to consult with the County Council . The County determined that the Council's s151 officer should review the policy prior to recommendations being made to elected members.

If NO please outline any planned activities

N/A

8. What level of impact either directly or indirectly will the proposal have upon the general public / staff? (Please quantify where possible)

Level of impact	Response
NO IMPACT – The proposal has no impact upon the general public/staff	<input type="checkbox"/>
LOW – Few members of the general public/staff will be affected by this proposal	<input checked="" type="checkbox"/>
MEDIUM – A large group of the general public/staff will be affected by this proposal	<input type="checkbox"/>



HIGH – The proposal will have an impact upon the whole community/all staff

Comments: e.g. Who will this specifically impact? Disabled households (physical & mental disability)

9. Considering the available evidence, what type of impact could this function have on any of the protected characteristics?  
*Negative – it could disadvantage and therefore potentially not meet the General Equality duty;*  
*Positive – it could benefit and help meet the General Equality duty;*  
*Neutral – neither positive nor negative impact / Not sure*

	Potential Negative	Potential Positive	Neutral	Reasons	Options for mitigating adverse impacts
Age – Young People		✓			
Age – Old People		✓			
Disability		✓			
Sex – Male			✓		
Sex – Female			✓		
Race including Gypsy and Travellers			✓		
Religion or Belief			✓		
Sexual Orientation			✓		
Gender Reassignment			✓		
Pregnancy and maternity			✓		
Geographical impacts on one area			✓		
Other Groups			✓		
<b>Rural considerations:</b> ie Access to services; leisure facilities, transport; education; employment; broadband.			✓		

10. Action plan (add additional lines if necessary)



Action(s)	Lead Officer	Resource	Timescale

11. Is there is anything else that you wish to add?

**Declaration**

I/We are satisfied that an equality impact assessment has been carried out on this policy, service, strategy, procedure or function and where an negative impact has been identified actions have been developed to lessen or negate this impact. We understand that the Equality Impact Assessment is required by the Council and that I/we take responsibility for the completion and quality of this assessment.

Completed By:	Mandy Fathers	Role:	Business Manager : Operations	Date:	12.3.19
Line Managers signature:		Date:		Date:	
Reviewed by Corporate Equality Officer Group (Forest Only):		Date:		Date:	

Please forward an electronic copy to;  
Cheltenham;  
Cotswold and West Oxfordshire;

Forest of Dean; Corporate Support Team – [corporatesupport@fdean.gov.uk](mailto:corporatesupport@fdean.gov.uk).



Council name	<b>COTSWOLD DISTRICT COUNCIL</b>
Name and date of Committee	<b>CABINET – 2<sup>ND</sup> SEPTEMBER 2019</b>
Report Number	<b>AGENDA ITEM 8</b>
Subject	<b>TEMPORARY ACCOMMODATION PLACEMENT POLICY</b>
Wards affected	ALL
Accountable member	Councillor Lisa Spivey, Cabinet Member for Housing and Homelessness Email: lisa.spivey@cotswold.gov.uk
Accountable officer	Jon Dearing Group Manager for Resident Services Tel: 01285 623304 Email: jon.dearing@publicagroup.uk
Summary/Purpose	To seek Cabinet approval for the introduction and implementation of a Temporary Accommodation Placement Policy.
Annexes	<b>ANNEX 'A'</b> - The Temporary Accommodation Placement Policy <b>ANNEX 'B'</b> - Equality Impact Assessment
Recommendation/s	<b><i>That Cabinet approves the introduction of the Temporary Accommodation Placement Policy, as set out in Appendix 'A'.</i></b>
Corporate priorities	The Corporate Plan is in preparation.
Key Decision	NO
Exempt	NO
Consultees/ Consultation	.

## **1. BACKGROUND**

- 1.1** Due to the shortage of suitable affordable temporary accommodation within the District, homeless customers who are accommodated under the Council's interim duty pursuant to section 188 of the Housing Act 1993 (as amended) may initially be placed in emergency accommodation, including bed and breakfast and short-term shared or self-contained accommodation.
- 1.2** Although the Council now owns a property in Ashcroft Road, Cirencester for such placements (and is actively looking for other suitable property elsewhere in the District) there is sometimes still a requirement to place households into temporary accommodation outside of the District due to limited suitable availability. In order to determine suitability of accommodation, the Council is required to have regard to the needs of the household and to safeguard the welfare of any children. Failure to meet these requirements brings the risk of costly legal challenges resulting in court orders requiring specific placements and compensation.
- 1.3** This policy is therefore focused on how the Council procures and uses temporary accommodation in meeting its statutory obligations to homeless people in light of the 2nd April 2015 judgement of the Supreme Court
- 1.4** The Supreme Court judgement on *Nzolameso -v- City of Westminster* (2015) recommended that local authorities produce, approve and publish policies on procuring and allocating temporary accommodation.
- 1.5** The circumstances of the Supreme Court case were - Ms Nzolameso, a single mother of 5 children, had lived in London since 2000 in the private Rented Sector (PRS); Ms Nzolameso was subject to a benefit cap in 2012 and consequently unable to afford her rent; she was evicted in 2012; Ms Nzolameso made a homelessness application to Westminster Council and was found to be unintentionally homeless; she was offered a 5 bedroom property in Milton Keynes due to the shortage of affordable accommodation in Westminster, but rejected the offer as it was too far from her children's school, her GP and support network.
- 1.6** The Supreme Court Judgement stated that local authorities are obliged to:-
- "Secure accommodation within their district, insofar as is reasonably practicable".
  - "Secure accommodation that is as close as possible to where they were previously living".
- 1.7** The recommended Policy seeks to address these issues.

**2. FINANCIAL IMPLICATIONS**

There are no direct additional resource implications presented by the recommendations

**3. LEGAL IMPLICATIONS**

The Supreme Court Judgement on Nzolameso -v- City of Westminster (2015) recommended that local authorities produce and publish a policy on procuring and allocating temporary accommodation. The Court also recommended that the policy be up-to-date and should be democratically approved by members.

**4. RISK ASSESSMENT**

**4.1** There is a reputational risk to the Council if it does not have a policy which will provide robust guidelines to the Council for procuring and allocating temporary accommodation.

**4.2** The policy will help ensure decisions are properly evidenced and therefore more robust and resistant to challenge.

**5. EQUALITIES IMPACT (IF REQUIRED)**

Equalities Analysis is attached as Annex B

**6. CLIMATE CHANGE IMPLICATIONS (IF REQUIRED)**

None

**7. ALTERNATIVE OPTIONS**

The introduction of this Policy will help the Council meet the recommendations of the Supreme Court.

**8. BACKGROUND PAPERS**

None



# **TEMPORARY ACCOMMODATION PLACEMENT POLICY**

## **1. Summary**

- 1.1 This document sets out Cotswold District Council's policy for the placement of customers in temporary accommodation, both inside and outside of the Cotswold's district. It covers both interim placements made under Section 188 of the Housing Act 1996, as amended, while enquiries are made into a customer's homeless application and longer-term temporary accommodation placements for customers owed the main housing duty under Section 193 of the Housing Act 1996. (HA)
- 1.2 The purpose of this policy is to ensure that the Council prioritises customers who have the greatest need to be in or close to a particular location, or need to move away from a particular location for safety reasons.

## **2 Introduction**

- 2.1 The HA 1996 (as amended by the Homelessness Act 2002, the Localism Act 2011 and the Homelessness Reduction Act 2017) sets out the statutory obligations relating to the assistance to be given to customers threatened with homelessness or actually homeless; this includes the provision of temporary accommodation.
- 2.2 In accordance with Section 2018 HA 1996 and Chapter 17 of the Homelessness code of guidance, so far as reasonably practicable, the Council will seek to accommodate customers in the Cotswold district . The Council will consider the suitability of the accommodation offered, taking into account the personal circumstances of each individual customer. However, due to a shortage of available and affordable housing locally and rising rental costs in the private rented sector, a limited few maybe placed outside the district.
- 2.3 If no temporary accommodation is available within the district, the Council will provide temporary accommodation out of the district. This will be in an area with access to services and within reasonable travelling distance to the Cotswold district; however, there may be rare cases where there is simply no suitable temporary accommodation available and customers may be placed further away on an emergency basis.
- 2.4 When determining whether it is reasonably practicable to secure accommodation in the district, the cost of the accommodation will be a relevant and proper consideration.
- 2.5 The Local Housing Allowance (LHA) rate is used to work out how much a Housing Benefit or the Housing Element of Universal Credit a customer will receive to pay their rent. LHA rates depend on who lives in the household, and the area a customer is making their claim in. These areas are called Broad Rental Market Areas (BRMA) and Cotswold District Council is part of Gloucester, South Warwickshire and West Wiltshire BRMA's.
- 2.6 If a customer is placed into a shared facility private sector accommodation (including bed and breakfast accommodation) they will only be entitled to the area appropriate one-bedroom LHA rate set at 1 April 2011.



2.7 If a customer is placed into self-contained private sector accommodation they are entitled to 90% of the area appropriate LHA rate for the property size set at 1 April 2011. In April 2017, the Government removed an additional £60 management fee subsidy. The Council continues to pay this subsidy; however, it is covered by the Flexible Homelessness Support Grant.

2.8 The Welfare Reform Act 2012, the Welfare Reform and Work Act 2016 and changes to government policy have resulted in less affordable rented housing been built. This continues to impact negatively on the supply of family sized accommodation. This means some customers may be in temporary accommodation for significant periods of time.

2.9 This policy operates alongside the following strategies and policies of The Cotswold District Council:

- Preventing Homelessness Strategy
- Housing Allocations Policy

2.10 This policy complies with:

- Part VII of the Housing Act 1996, as amended
- The Homelessness (Suitability of Accommodation) Order 1996
- Equality Act 2010
- Homelessness (Suitability of Accommodation) (England) Order 2012
- Homelessness Code of Guidance for Local Authorities 2018
- The Homelessness (Review Procedures) Regulations 2018
- 

### **3 Policy Aims**

3.1 To set out the rights of review for customers relating to interim and temporary accommodation.

3.2 To set out the factors that the Council will take into account when offering suitable interim and temporary accommodation.

3.3 To set the criteria that the Council will consider when prioritising customers for temporary accommodation within the district.

### **4 Temporary Accommodation Offers and Refusals**

4.1 Due to the shortage of suitable affordable temporary accommodation in the district, homeless customers who are accommodated under the Council's interim duty pursuant to s188 of the Housing Act 1993 may initially be placed in emergency accommodation, including bed and breakfast and short-term shared or self-contained accommodation while enquiries are carried out. This accommodation may be outside of the district. If the Council decides it has a duty to house a customer, the Council will move them to longer-term self-contained accommodation as soon as suitable accommodation becomes available.

- 4.2 Wherever possible, the Council will avoid placing families with dependent children, pregnant women, and young people aged 16/17 in bed and breakfast accommodation. Where no other suitable accommodation exists and such placements are necessary, the Council will endeavour to move these customers as soon as more suitable self-contained accommodation is available but will always aim for this to be within six weeks.
- 4.3 Customers placed into temporary accommodation are responsible for paying the rent charge, any utilities at the accommodation and any Council Tax liability. If customers require assistance to pay their rent charge they are responsible for making a housing benefit claim if they are eligible.
- 4.4 Where the Council decides that customers housed under s188 of the Housing Act 1996 are not owed the main housing duty, they will be required to leave the accommodation. The notice period is usually 14 days for single customers and 28 days for families or vulnerable customers. However, consideration will be given to the individual circumstance of each customer.
- 4.5 Customers will be given one offer of suitable interim or longer-term temporary accommodation and they will be asked to accept straight away. Customers may also be expected to move from one temporary accommodation to another at short notice. There is no obligation on the Council to allow customers to view the accommodation prior to accepting an offer. The individual circumstances of a customer will be considered when making an offer of temporary accommodation.
- 4.6 If a customer rejects an offer, they will be asked to provide their reasons for refusal. This applies to customers to whom the Council has an interim duty to accommodate under S188 of the housing Act 1996 and those to whom the Council has accepted the main housing duty under s196 of the Housing Act 1996. The Council will consider the reasons given and undertake further enquiries as necessary. This process may not necessarily be completed in writing. If the Council accepts the reasons for refusal and agrees the offer is unsuitable, the offer will be withdrawn and a further offer will be made.
- 4.7 Where a customer refuses suitable interim (s118) accommodation, which may include out of district placements and the Council does not accept the reasons for refusal, no further accommodation will be offered. This would result in the council's interim duty being discharged and a customer will be required to make their own arrangements. There is no right of review against the suitability of accommodation offered to customers under s188 (interim duty) although they can apply for judicial review through the courts. Customers to whom the Council has accepted the main housing duty under s193 have a right to request a review of the suitability of accommodation, pursuant to s202 of the Housing Act 1996.
- 4.8 If a customer is entitled to and exercises their right to a review of the Council's offer of temporary accommodation but did not move into the accommodation, they will only be accommodated during the review period in exceptional circumstances. This is a discretionary decision. Each case will be considered on an individual basis; taking into account the overall merits of the review request, any new information or evidence that may alter the original decision, the personal circumstances of the customer and the potential impact of the loss of accommodation. Should the outcome of the review determine that the original offer was

suitable and the customer did not move into the accommodation offered, the s193 duty will be discharged. If the customer moved into the accommodation and requested a review but the outcome determined that the original offer was suitable, the s193 duty will remain. If discretion was granted and the customer is accommodated in other accommodation or they are already in longer-term temporary accommodation, they will be required to vacate the property. This will be within 28 days of receiving the review decision letter and advised that no further assistance will be provided. Should the outcome determine that the original offer was unsuitable, then alternative accommodation will be offered and the s193 duty will remain.

4.9 In circumstances when the customer has no right to a review the interim duty will be discharged. If the customer is already resident in temporary accommodation they will be required to vacate the property. Interim accommodation is usually provided under licences excluded from the Protection Eviction Act 1977. Therefore the Council will provide reasonable notice to the customer and do not need to apply for a possession order from the court. The customer will still be entitled to receive a decision on their homeless application and so the temporary accommodation duty could be reactivated if the main housing duty is later owed.

4.10 In accordance with the Homelessness Code of guidance, customers in temporary accommodation under the interim duty (s188) are subject to the relief duty (s189b); this means that the Council should help customers to secure accommodation for themselves. In the event that the relief duty is brought to an end following a customer refusing a final accommodation or part 6 offer, and the customer requests a review as to the suitability of the accommodation offered, the s18(1) duty will continue until a decision on the review has been notified to the customer.

## **5 Suitability of Accommodation – Factors to Consider**

5.1 When offering temporary accommodation, the Council will consider the suitability of accommodation, taking into account the following factors:

- The temporary accommodation available in the district: Temporary accommodation will be offered in the district if suitable accommodation is available. This will allow a customer to maintain any established links with services or social/support networks. However, there may be circumstances when there is a lack of suitable temporary accommodation or there are higher priority customers awaiting accommodation in the district and therefore out of district temporary accommodation will be used to meet the Council's duty.
- Size and condition of the property: Temporary accommodation must provide adequate space and room standards for the customer and be fit to occupy. If self-contained accommodation is provided customers may typically be expected to use a living room as a bedroom, depending on an assessment of individual circumstances. If there are any concerns raised regarding the condition of the temporary accommodation these will be raised with the accommodation provider to investigate and resolve. The quality of the decoration/furniture, the layout/type of accommodation, provision of parking and access to a garden are not in themselves acceptable reasons for refusal.

- Access to local support links: The Council will consider what local transport links are available to customers so that they can continue to access their support networks. Further consideration will be given as to whether a customer or a member of their household can drive and has access to a vehicle. The Council will consider the proximity to schools, public transport, primary care services, and local services in the area in which the accommodation is located.
- Health factors: The Council will consider health factors, such as ability to manage the stairs, care and support provided by other statutory agencies or the need to access any specialist medical services that are only available in the district. If the customer or a member of their household provides medical information that was not available during the initial assessment, the customer must submit this within 24 hours. The impact on health of occupying certain accommodation may be subject to an assessment by an independent medical advisor. The key test in determining the impact of any medical issues is whether the condition itself makes the housing offered unsuitable. For example problems such as asthma, diabetes or epilepsy would be unlikely to make a property unsuitable as these problems would persist in any sort of accommodation. Medical needs that have a reliance on specialist services provided locally will be considered when providing temporary accommodation and will be one of the criteria that would be taken into account for priority for accommodation in the district.
- Caring responsibilities: The Council will consider significant caring responsibilities for people who are not part of the customer's household and the need to reach people who are being cared for. Proof of receipt of carers allowance or attendance allowance will be required.
- Education: Attendance at local schools will not be considered a reason to refuse accommodation, however it is recognised that the education of children is an important factor when considering the suitability of accommodation. Priority will be given to special education needs and students who are close to taking public examinations in determining property for in-district placements. Customers can also contact the local education authority to discuss whether they are entitled to any assistance with transport costs.
- Welfare and safeguarding of children (children Act 2004): All decisions made will take account of the welfare and safety of children who are part of the household.
- Employment: The Council will consider the need of customers who are in paid employment to reach their normal workplace from the temporary accommodation that is provided. This will apply to those that have access to a car and those that rely on public transport.
- Any risks associated with living in a particular area (e.g. domestic abuse): Consideration will always be given if a customer needs to be moved to a particular location or cannot remain in a particular location because of a risk to safety.
- Equality Act 2010: The Council will take into consideration circumstances covered by the Equality Act in relation to any specific needs of the customer or their household.

- Any special circumstances: The Council will consider any other circumstance described by the customer when making an offer of suitable temporary accommodation.

## 6 Criteria for Prioritising Placements

6.1 As the district faces pressure to accommodate customers, it will be increasingly necessary to make decisions about the suitability of placements in and out of the district. The Council will balance the needs of individual customers and balance these against the type and location of temporary accommodation available. In some cases, temporary accommodation outside of the district may be more sustainable for a customer in the long-term. For example, a lower rent could allow a customer to better meet their household and living costs and reduce the risk of accruing rent arrears.

6.2 Priority for in-district accommodation will be given to certain customers whose circumstances indicate that they would best be housed as close to the district as possible. These include:-

- Customers with a severe and enduring health condition requiring intensive and specialist medical treatment that is only available in the district.
- Customers who are in receipt of a significant package and range of health care options that cannot be easily transferred.
- Customers with a severe and enduring mental health problem who are receiving psychiatric treatment and aftercare provided by community mental health services and have an established support network where a transfer of care would severely impact on their wellbeing.
- Customers with a child registered on the Child Protection register in Gloucestershire or families who have high social needs who are linked into local health services and where it is confirmed that a transfer to another area would impact on their welfare.
- Customers with a child with special educational needs who is receiving education or educational support in the district, where change would be detrimental to their wellbeing.
- Customers with a child over the age of 14 who is enrolled in public examination courses in the district and with exams to be taken within a year. If in-district accommodation is not available, the Council where practicable will seek to place such customers within reasonable travelling distance of their school or college.
- Customers who have a longstanding arrangement to provide care and support to another family member in the district who is not part of the household and would be likely to require statutory health and social support if the care ceased.
- Any other special circumstances will also be taken into account.

6.3 Where practicable, the Council will endeavour to place a customer who works in paid and settled employment within a reasonable travelling distance. For consideration, a customer

should be working a minimum of 16 hours per week for a single person or a lone parent and 20 hours per week for a couple. Maternity leave will be taken into account where the requisite hours were routinely worked prior to maternity leave and there is an intention to return to work. The customer would have been employed continuously for more than six months.

## Equality Impact Assessment

This guidance has been produced to help the service managers undertake equality impact assessments, which will help us find out how the services we deliver affect different groups of people and in what ways. By undertaking an impact assessment, we are able to:

- Take into account the needs, experiences and circumstances of groups of people are affected by our services.
- Identify any inequalities people may experience.
- Think about the other ways in which we can deliver our services which will not lead to inequalities.
- Develop better policy-making, procedures and services.
- Become more accountable to the people that we serve.

The council expects the officer responsible for the service to undertake equality impact assessments themselves. They are completed on any new or amended policies or any changes to service delivery and team structures, that will have a significant impact upon staff or the community. You should never consider doing an Impact Assessment on your own, it is much better to have several people talking through the assessment; more people will bring more thoughts to the table! **Remember it should be an integral part of policy development not a last minute thought!**

As recent case law as has highlighted, it is very important that EIA's are completed before decisions are made. Councillors and officers need to have all the information available to consider prior to making decisions, otherwise decisions can be overturned by courts. When writing an important report for Councillors to consider this EIA must accompany that report to raise Councillor awareness of the implications of the decision they are making.

Whilst completing an EIA form you will provide evidence of how you have considered how the 'protected characteristics' may be impacted upon by this decision. In line with the General Equality Duty (Equality Act 2010) the Council must, in the exercise of its functions, have due regard for the need to:

- a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

The act specifies a number of groups known as protected characteristics, they are;

- Age
- Disability
- Gender Reassignment
- Race
- Religion or belief
- Gender
- Sexual Orientation
- Marriage and Civil Partnership
- Pregnancy and Maternity

Government guidance also identifies the following groups that commonly experience barriers to participation and should be considered when completing EIAs:

- People with mental health conditions
- People with learning difficulties and disabilities
- Gypsies and travellers
- People undergoing, considering or have undergone gender reassignment
- Asylum seekers
- Refugees
- People with caring responsibilities
- People on low income or benefits
- Staff

### Completing the form

The following table will help you decide what information you need to put within each section of the form and what information and evidence you need to gather:

1. Persons responsible for this assessment	Details of the person/people completing the assessment – remember this is best done as a group rather than an individual
2. Name of the policy, service, strategy, procedure or function:	
3. Briefly describe it aims and objectives	It will help to ask: <ul style="list-style-type: none"> <li>• Why is the policy needed?</li> <li>• What does the authority hope to achieve by it?</li> <li>• How will the authority ensure that it works as intended?</li> <li>• Who are the current customers and impacts on them?</li> </ul> This is not always easy and a discussion will probably be needed between those who define the policy and those who implement it.
4. Are there any external considerations? (e.g. Legislation/government directives)	Is the policy/service being changed due to government legislation, budget cuts etc.
5. What evidence has helped to inform this assessment?	Identify what evidence is available and set it out here. This includes evidence from involvement and consultation. Identify where there are gaps in the evidence. Include in action plan
6. Please specify how intend to gather evidence to fill any gaps identified above:	Provide details where there are gaps in the evidence base and specify the action you intend to take to fill these gaps. For example; What additional involvement and consultation will be needed and how will it be undertaken? Include in action plan.
7. Has any consultation been carried out?	Provide details of any consultation that has been undertaken, who this involved and what the outcome was. Have you identified any barriers to your service? Alternatively provide information on any planned consultation.
8. What level of impact either directly or indirectly will the proposal have upon the general public / staff?	Consider the level of impact of the policy in respect of the protected characteristics and/or staff to which the policy is relevant.
9. Considering the available evidence, what type of impact could this function have on any of the protected characteristics?	Based on the evidence and consultation think about the impact upon each characteristic <ol style="list-style-type: none"> <li>a) Negative – it could disadvantage and therefore potentially not meet the General Equality duty;</li> <li>b) Positive – it could benefit and help meet the General Equality duty;</li> <li>c) Neutral – neither positive nor negative impact/not sure</li> </ol> Provide reasons behind this impact and mitigating options (include in action plan).
10. Action plan	You must monitor implementation of the action plan until all of the actions are complete. It needs to include any action that has been identified – evidence requirements, consultation needed or options for mitigating any impact. What resources are required? Please add additional lines where necessary.
11. Is there is anything else that you wish to add?	Use this box to record anything else that you have thought about that you have not recorded anywhere else on the assessment form.
Declaration	Includes sign-off by the responsible officer, line manager and

If you need help at any point or have any questions please contact:

Cheltenham;

Cotswold and West Oxfordshire;

Forest of Dean; Corporate Support Team – [corporatesupport@fdean.gov.uk](mailto:corporatesupport@fdean.gov.uk) or 01594 812607



**Equality Impact Assessment Form**

**1. Persons responsible for this assessment:**

Names: Mandy Fathers	Telephone: 01993 861232
Date of assessment: 11.6.19	Email: mandy.fathers@publicagroup.uk

**2. Name of the policy, service, strategy, procedure or function:**

Temporary Accommodation Placement Policy  
This is a new Policy

**3. Briefly describe it aims and objectives**

To introduce a Temporary Accommodation Placement policy to assist the Council is making decisions about placing homeless households into affordable temporary accommodation.  
The Supreme court judgement on Nzolameso –v- City of Westminster (2015) recommended that local authorities produce and publish policies on allocating temporary accommodation. This report and policy will ensure that the Council meets the requirements set out in this judgement and will formalise the Council's current practise.

**4. Are there any external considerations? (e.g. Legislation/government directives)**

Legislation : The Housing Act 1996 (as amended). The Homelessness Reduction Act 2017. The Homelessness Code of Guidance  
The Supreme Courts 2015 judgement in respect of Ms Nzolameso –v- City of Westminster

**5. What evidence has helped to inform this assessment?**

Source	If ticked please explain what
Demographic data and other statistics, including census findings	<input checked="" type="checkbox"/>

Recent research findings including studies of deprivation	<input type="checkbox"/>
Results of recent consultations and surveys	<input type="checkbox"/>
Results of ethnic monitoring data and any equalities data	<input checked="" type="checkbox"/>
Anecdotal information from groups and agencies within Gloucestershire	<input checked="" type="checkbox"/>
Comparisons between similar functions / policies elsewhere	<input checked="" type="checkbox"/>
Analysis of audit reports and reviews	<input checked="" type="checkbox"/>
Other:	<input checked="" type="checkbox"/>

6. Please specify how intend to gather evidence to fill any gaps identified above:

n/a

7. Has any consultation been carried out?

No: consultation is not a requirement

41

If NO please outline any planned activities

N/A

8. What level of impact either directly or indirectly will the proposal have upon the general public / staff? (Please quantify where possible)

Level of impact	Response
NO IMPACT – The proposal has no impact upon the general public/staff	<input type="checkbox"/>
LOW – Few members of the general public/staff will be affected by this proposal	<input checked="" type="checkbox"/>
MEDIUM – A large group of the general public/staff will be affected by this proposal	<input type="checkbox"/>
HIGH – The proposal will have an impact upon the whole community/all staff	<input type="checkbox"/>

Comments: e.g. Who will this specifically impact? Those who the Council do not hold a housing obligation to.

9. Considering the available evidence, what type of impact could this function have on any of the protected characteristics?  
*Negative – it could disadvantage and therefore potentially not meet the General Equality duty;*  
*Positive – it could benefit and help meet the General Equality duty;*  
*Neutral – neither positive nor negative impact / Not sure*

	Potential Negative	Potential Positive	Neutral	Reasons	Options for mitigating adverse impacts
Age – Young People			✓		
Age – Old People			✓		
Disability			✓		
Sex – Male			✓		
Sex – Female			✓		
Race including Gypsy and Travellers			✓		
Religion or Belief			✓		
Sexual Orientation			✓		
Gender Reassignment			✓		
Pregnancy and maternity			✓		
Geographical impacts on one area			✓		
Other Groups			✓		
<b>Rural considerations:</b> ie Access to services; leisure facilities, transport; education; employment; broadband.		✓			

10. Action plan (add additional lines if necessary)

Action(s)	Lead Officer	Resource	Timescale

11. Is there is anything else that you wish to add?

n/a
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**Declaration**

I/We are satisfied that an equality impact assessment has been carried out on this policy, service, strategy, procedure or function and where an negative impact has been identified actions have been developed to lessen or negate this impact. We understand that the Equality Impact Assessment is required by the Council and that I/we take responsibility for the completion and quality of this assessment.

Completed By:	Mandy Fathers	Role:	Business Manager : Operations	Date:	11.6.19
* Line Managers signature:				Date:	
Reviewed by Corporate Equality Officer Group (Forest Only):				Date:	

Please forward an electronic copy to;

Cheltenham;

Cotswold and West Oxfordshire;

Forest of Dean; Corporate Support Team – [corporatesupport@fdean.gov.uk](mailto:corporatesupport@fdean.gov.uk).



Council name	<b>COTSWOLD DISTRICT COUNCIL</b>
Name and date of Committee	<b>CABINET – 2<sup>ND</sup> SEPTEMBER 2019</b>
Report Number	<b>AGENDA ITEM 9</b>
Subject	<b>FLEXIBLE HOMELESSNESS SUPPORT GRANT</b>
Wards affected	ALL
Accountable member	Councillor Lisa Spivey, Cabinet Member for Housing and Homelessness Email: lisa.spivey@cotswold.gov.uk
Accountable officer	Jon Dearing Group Manager for Resident Services Tel: 01285 623304 Email: jon.dearing@publicagroup.uk
Summary/Purpose	To consider the planned expenditure of the Flexible Homelessness Support Grant.
Annexes	None
Recommendation/s	<b><i>That Council be recommended to use its Flexible Homelessness Support Grant in accordance with the proposals set out in paragraph 1.5 of this report and with the specific expenditure detailed within the Financial Implications section.</i></b>
Corporate priorities	The Corporate Plan is in preparation.
Key Decision	YES
Exempt	NO
Consultees/ Consultation	Legislation

## 1. BACKGROUND

- 1.1 From 1st April 2017 the Government removed the Temporary Accommodation Management Fee from the Housing Benefit system. This was in line with the government announcement, in the 2015 Spending Review and Autumn Statement, that the subsidy for the temporary management fee paid from the Department of Work and Pensions to Local Authorities on a household basis would end from 2017/18.
- 1.2 The Council had very minimal expenditure in this area of Housing Benefit and therefore has benefited from this additional funding; which is ring-fenced to activities that will prevent or relieve homelessness. Funding was provided for two years (2017/18 and 2018/19) with additional funding being available for 2019/20. The funding allocations are included below.

Council	2019/20 Grant Allocation	2017 – 2018 Surplus	Total Available Grant Funding
Cotswold DC	£50,559	£67,539	£118,098
Forest of Dean DC	£40,000	£67,539	£107,539
West Oxfordshire DC	£134,522	£119,246	£253,768

- 1.3 It is therefore proposed that the Flexible Homelessness Support Grant is utilised to further assist us in managing the property side of Housing; so we can maximise the options available to us in terms of emergency, temporary and longer-term accommodation. The need for this approach is illustrated by the high waiting lists; high numbers of long-term empty dwellings; and the volumes/costs associated with emergency accommodation provision.
- 1.4 This report proposes pooling funding with Forest of Dean DC (FoDDC) and West Oxfordshire DC (WODC) in order to maximise the impact of the funds available. As explained in the Financial Implications section, WODC has received a larger allocation than CDC and FoDDC. WODC will therefore contribute an equal share and utilise their excess grant in relation to a WODC specific project. However, the way in which the joint service operates means that all three Councils will benefit from all learning from all strands of activity.
- 1.5 These proposals are aimed addressing the lack of available accommodation in the three partner Districts. There are limited options and significant costs associated with the provision of emergency accommodation within the Districts, as well as a shortage of longer-term accommodation; particularly within the private rented sector. The Partner Projects are therefore to put in place two dedicated joint officers (on two year fixed term contracts) and a joint Private Sector Rental Fund. The specific objectives of each of these aspects are as follows:-

- 1.5.1 Housing Property Manager** (Joint post). This Officer's principal responsibilities will be securing and managing emergency accommodation; liaising with Registered Providers to ensure timely move-on from temporary accommodation and minimisation of void periods; reduction of the number of long-term empty properties; and management of any resultant bought/leased residential property.
- 1.5.2 Private Rented Sector Officer** (Joint post). This Officer's principal responsibilities (reporting to the above Property Manager post) will be designing and implementing a private sector placement policy that is workable for the Councils and the sector; liaison with Private Rented Sector (PRS) landlords and agents; and management of the new PRS Fund (see below).
- 1.5.3 PRS Fund.** There will be a modest budget for each Council to fund provision (loan) of cash deposits, fees and payments of rent in advance; as well as payments to help households make their new accommodation liveable. This Fund will be managed by the PRS Officer (see above), who will be responsible for securing repayment and recycling of these 'loans' to ensure that the Councils maximise the value of this budget.
- 1.6** Any surplus would be ring-fenced to support activities that would prevent or relieve homelessness; including investigating alternative accommodation options and investing in pre-prevention activities. Your text here.

## **2. FINANCIAL IMPLICATIONS**

- 2.1** The level of funding allocated to each of the three Housing partner Councils (CDC, WODC & FoDDC) for 2019/20 is as follows:-  
CDC: £50,559;  
FoDDC: £40,000;  
WODC: £134,522.
- 2.2** It is proposed that the three partner councils each provide £40,000 per annum towards a pooled budget of £120,000 per annum, to be utilised for the continuation of the following:-
- £43,500 per annum to fund the continuation of a joint Housing Property Manager.
  - £37,500 per annum to fund the extension of a joint Private Rented Sector Liaison Manager.
  - £39,000 per annum (or adjusted amount if above resource costs are adjusted) to fund the extension of a joint PRS Fund (to be fully utilised, in equal shares per Council, by 31st March 2020).
- 2.3** The total (maximum) expenditure in relation to the partner projects will therefore be £120,000 over the one year funding period; which means that the grant will be fully utilised for the prevention of homelessness and there will be no funding contribution requirement from any of the partner councils.
- 2.4** NB: As West Oxfordshire District Council's allocation significantly exceeds those of Cotswold and Forest of Dean District Councils, the WODC excess grant will be utilised in relation a WODC specific project. Please ensure that you send this report to the Section 151 Officer

**3. LEGAL IMPLICATIONS**

3.1. None

**4. RISK ASSESSMENT**

There is a reputational risk to the Council if it does not effectively use this grant funding to prevent homelessness.

**5. EQUALITIES IMPACT (IF REQUIRED)**

None

**6. CLIMATE CHANGE IMPLICATIONS (IF REQUIRED)**

None

**7. ALTERNATIVE OPTIONS**

The proposals aim to address the lack of accommodation in all three partner Districts. There are limited options and costs associated with the provision of emergency accommodation in the Districts.

**8. BACKGROUND PAPERS**

None





Council name	<b>COTSWOLD DISTRICT COUNCIL</b>
Name and date of Committee	<b>CABINET – 2<sup>ND</sup> SEPTEMBER 2019</b>
Report Number	<b>AGENDA ITEM (10)</b>
Subject	<b>2019/20 BUSINESS RATES REVALUATION DISCRETIONARY RATE RELIEF SCHEME</b>
Wards affected	Various
Accountable member	Councillor Mike Every, Deputy Leader of the Council and Cabinet Member for Finance Email: <a href="mailto:mike.every@cotswold.gov.uk">mike.every@cotswold.gov.uk</a>
Accountable officer	Jon Dearing Group Manager for Resident Services Tel: 01285 623304 Email: <a href="mailto:jon.dearing@pubicagroup.uk">jon.dearing@pubicagroup.uk</a>
Summary/Purpose	To approve an updated discretionary rate relief scheme for 2019/20 under Section 47 of the Local Government Act 1988.
Annexes	<b>Annex 'A' - Scheme Rules</b>
Recommendation/s	<b><i>a) That the updated discretionary rate relief scheme for the 2019/20 financial year be approved, with relief being awarded at 7.5% of the increase over £1,800 since 31<sup>st</sup> March 2017 (as detailed in this report);</i></b> <b><i>b) that the Group Manager for Resident Services be given delegated authority to award discretionary rate relief under the updated scheme</i></b>
Corporate priorities	The Corporate Plan is in preparation.
Key Decision	No
Exempt	No
Consultees/ Consultation	Billing Authorities.

## **1. BACKGROUND**

- 1.1** As a result of the revaluation of all business premises and changes to levels of some mandatory reliefs in 2017, the Government announced some new reliefs, and changes to some existing mandatory reliefs, which it expected billing authorities to award using their discretionary powers.
- 1.2** As part of the Budget on 8<sup>th</sup> March 2017, the Chancellor announced three measures to assist businesses facing increases in rates as a result of the revaluation, all of which were to be implemented using existing relief powers under Section 47 of the Local Government Finance Act 1988:-
- 1.2.1** a £1,000 discount for qualifying public houses with rateable values under £100,000.
- 1.2.2** a scheme to cap increases for small businesses that will lose some or all of their Small Business Rate Relief or Rural Rate Relief.
- 1.2.3** a discretionary fund of £300m to be established nationally, payable over four years, to enable billing authorities to support those facing the steepest increases in their business rates.
- 1.3** At its Meeting on 20th April 2017, the Cabinet approved changes to its discretionary rate relief policy to reflect the above, with applications under items (i) and (ii) being delegated to Officers. Awards under item (iii) were applied automatically in line with the parameters agreed by the Cabinet.
- 1.4** The scheme to grant £1,000 discount for qualifying public houses has now ended. The scheme to cap increases for small businesses (item (ii) above) remains in place, and applications will continue to be determined by Officers.
- 1.5** The billing authorities have reviewed the scheme/qualifying criteria, and an updated scheme is attached at Appendix 'A' for Members' consideration and approval.
- 1.6** The Council will be compensated for lost Business Rates caused by the award of reliefs, by way of a grant payment from the Government. This grant payment allows reliefs of up to £74,000 to be awarded during the financial year (2019/20) in respect of applications under item (iii) above. Against this background, it is recommended that such relief awards be set at 7.5% of the increase over £1,800 since 31<sup>st</sup> March 2018. If this was applied, total awards would amount to £73,193.

## **2. FINANCIAL IMPLICATIONS**

- 2.1** The reliefs should be fully funded by the Government so, unless relief awards exceed the limit of £74,000 for 2019/20 imposed by the Government, there will be no impact on the level of Business Rates income. Therefore, the impact on Council Tax Payers should be neutral.
- 2.2** Officers have carried out an exercise to identify businesses which may qualify for relief. The criteria for the recommended scheme are contained in Appendix 'A' but, in summary, the ratepayer must have faced an increase of in excess of £1,800 from 31<sup>st</sup> March 2017.
- 2.3** To minimise administration costs, it is proposed that no application process is undertaken; awards will be made in line with the adopted scheme and notice of the award places the onus on the business to contact the Council within 28 days if they believe they do not qualify under State Aid rules.
- 2.4** Awarding relief of 7.5% of the increase over £1,800 since 31<sup>st</sup> March 2017 will result in awards totalling £73,193.

## **3. LEGAL IMPLICATIONS**

The scheme complies with legislation.

## **4. RISK ASSESSMENT**

The key risks associated with this scheme relate to ensuring that all eligible businesses are awarded relief.

## **5. EQUALITIES IMPACT (IF REQUIRED)**

No effect on protected groups identified

## **6. CLIMATE CHANGE IMPLICATIONS (IF REQUIRED)**

Not applicable.

## **ALTERNATIVE OPTIONS**

In reviewing the scheme the Billing Authorities evaluated the most effective option to put forward for consideration including qualifying criteria.

## **BACKGROUND PAPERS**

None

## 2019 Local Discretionary Relief

In the budget in March 2017, the Chancellor announced a £300 million pot to be distributed to billing authorities over a 4 year period. Billing authorities have to devise their own scheme to help businesses with rateable values under £200,000. The relief is funded by S31 grant and is subject to State Aid rules. Billing Authorities must consult with major preceptors about the scheme.

A scheme has been devised across the County with billing authorities agreeing the principal qualifying criteria. The scheme solely for the 2019/20 year at this point allows for local variations.

Some of the grant will be retained initially, to allow for changes to rateable values and retrospective applications in respect of the 2018/19 scheme. Ratepayers may apply for discretionary reliefs up to 6 months after the end of the financial year the application relates to.

A change in ratepayer or the property becoming empty terminates entitlement to this discretionary relief.

Any dispute over the amount awarded will be considered by the Cabinet Member with responsibility for Finance.

### Qualifying Criteria

- i) The ratepayer must be in occupation on 31/03/2017. No relief will be awarded to those taking up occupation on or after 01/04/2017.
- ii) All other mandatory reliefs must have been applied for prior to an application for Local Discretionary Relief being considered.
- iii) The 2017 RV must be under £200,000. (This is based on the original funding allocation methodology).
- iv) A better buy calculation will be carried out to ensure no-one is disadvantaged if they are already in receipt of other spring budget reliefs.
- v) Where a property is formed following a split or merger after 31/03/2017 but qualified before the split or merger a new calculation will be carried out.
- vi) Officers will identify businesses entitled to relief. An application form will not be required. When an award is made a letter will be sent regarding State Aid limits demanding that the ratepayer inform the Council within 28 days if they believe they will exceed the limit.
- vii) Increases to the 2017 RV only will not affect the award.
- viii) Recalculations will be made where reductions in RV for either the 2010 or 2017 RV are made.

**Exclusions**

- i) Relief will not be awarded to precepting bodies (i.e. County, District or Parish Councils).**
- ii) Awards will not be made to banks, building societies or other major financial institutions.**
- iii) Awards will not be made to multi-national businesses or large chains.**
- iv) Awards will not be made to the NHS.**
- v) Awards will not be made to charities.**



Council name	<b>COTSWOLD DISTRICT COUNCIL</b>
Name and date of Committee	<b>CABINET - 2<sup>ND</sup> SEPTEMBER 2019</b>
Report Number	<b>AGENDA ITEM (11)</b>
Subject	<b>FUNDING FOR CLIMATE CHANGE MANAGER</b>
Wards affected	All
Accountable member	Cllr. Rachel Coxcoon - Cabinet Member for Planning Policy, Climate change and Energy Email: <a href="mailto:Rachel.coxcoon@cotswold.gov.uk">Rachel.coxcoon@cotswold.gov.uk</a>
Accountable officer	Claire Locke Group Manager - Commissioning Tel: 01285 623427 Email: <a href="mailto:Claire.locke@publicagroup.uk">Claire.locke@publicagroup.uk</a>
Summary/Purpose	To secure funding for a shared Climate Change Manager post to deliver a Climate change Strategy and action plan for the Council.
Annexes	None
Recommendation/s	<p><b>a) Cabinet agrees to a contract variation and funding of £60,000 to Publica for a new Climate Change Manager post to deliver against the Council's Climate Change declaration, the £60,000 funding to cover a two year period only.</b></p> <p><b>b) Funding for the post be sourced from the Council Priorities Fund and, as this is not a permanent source of funding, the post be advertised for a fixed period of 2 years.</b></p> <p><b>c) The longer-term requirement for the post be reviewed within the two year period and be incorporated within the Council's budget setting process as appropriate.</b></p>
Corporate priorities	To address the Council's commitment to tackle climate change and become net carbon zero in its own operations as identified in the emerging Corporate Plan.
Key Decision	No
Exempt	No
Consultees/ Consultation	None

## **1. BACKGROUND**

- 1.1. In July 2019 the Council declared a state of climate emergency, and committed to carbon and energy targets.
- 1.2. This will feature as a new priority within the emerging Corporate Plan and constitutes new work for the Council which is currently only supported by a shared part time Energy and Resources Project Officer.

## **2. MAIN POINTS**

- 2.1. If the Council wishes to deliver its ambitious targets to address climate change, this new body of work will require officer resources as there is no spare capacity within Publica to deliver this work on the Council's behalf.
- 2.2. It is likely a team of officers will be required to deliver actions and the resource implications will be considered as this work is taken forward so that the most appropriate roles are created; however, it is clear at this early stage that a Manager role will be required to provide leadership and develop and deliver the action plan.
- 2.3. Agreement is therefore sought to part fund this role, to be shared equally with West Oxfordshire District Council. As this is new work not currently set out in the Agreement with Publica, a contract variation would be required to be completed and additional funding will need to be allocated to Publica by the Council.

## **3. FINANCIAL IMPLICATIONS**

- 3.1. The delivery of an action plan will be a long term project and therefore it is proposed to create a two year fixed term role initially. The total cost, including on-costs is estimated at between £44,000 - £56,000 per annum, with the cost to the Council if two partners fund this role is likely to be a maximum of £28,000.
- 3.2. There is no funding within the Council's base budget for this role. The post will therefore be funded from the Council Priorities Fund earmarked reserve.

## **4. LEGAL IMPLICATIONS**

- 4.1. None

## **5. RISK ASSESSMENT**

- 5.1. This represents a growth in budget; however, failure to fund this role will mean the Council will be unable to deliver against its climate change reduction targets.
- 5.2. Creating a shared post delivered through Publica mitigates the costs to the Council and ensures future actions are delivered in a joined up way providing all partners with the benefits of shared knowledge, cost share and economies of scale in purchasing.

## **6. EQUALITIES IMPACT (IF REQUIRED)**

Not relevant.

**7. CLIMATE CHANGE IMPLICATIONS (IF REQUIRED)**

7.1. As detailed above.

**8. ALTERNATIVE OPTIONS**

8.1. The Council could wait until an action plan is developed before allocating staff resources; however, that will slow the delivery of the action plan.

8.2. The Council could decide not to allocate any staff resources but this will mean it cannot deliver against its Climate Change targets.

**9. BACKGROUND PAPERS**

9.1. None

(END)





Council name	<b>COTSWOLD DISTRICT COUNCIL</b>
Name and date of Committee	<b>CABINET - 2<sup>ND</sup> SEPTEMBER 2019</b>
Report Number	<b>AGENDA ITEM (12)</b>
Subject	<b>SUMMARY FINANCE/SERVICE PERFORMANCE REPORT – 2019/20 QUARTER ONE</b>
Wards affected	All
Accountable member	All relevant Cabinet Members
Accountable officer	All Group Managers
Summary/Purpose	To summarise overall service performance for the Council. To provide information on the Council's financial position including revenue outturn and budget variances; and capital expenditure, capital receipts and use of reserves.
Annexes	Annex A - Performance indicator report Annex B - Revenue Summary and Variances Annex C - Summary of gross capital expenditure
Recommendation/s	<b><i>That Cabinet reviews, and challenges as appropriate, service and financial performance for Quarter 1 of 2019/20.</i></b>
Corporate priorities	A new Corporate Strategy/Plan is in preparation
Key Decision	No
Exempt	No
Consultees/ Consultation	None

## 1. BACKGROUND

- 1.1. Each quarter, the Council monitors its progress towards achieving its aim and priorities, service delivery and financial performance. Following the elections in May, the Council's new administration has commenced preparatory work on a new Corporate Strategy for 2019-2023. While the new Strategy is in development, the focus of this report will be on service delivery and financial performance.

## 2. MAIN POINTS

- 2.1. Overall, services performed well (measured by performance indicators), with over 80% of indicators achieving their targets or achieving their targets 'within tolerance'. In terms of financial performance, there was an under-spend against the budget of £8,697 (see section 2.3).
- 2.2. **Performance against all indicators**
- 2.2.1. Eighty-two per cent of performance indicators achieved their targets or achieved their targets 'within tolerance'.

Table 1 - Summary of Performance - All PIs

	2017/18 Q1		2018/19 Q1		2019/20 Q1	
Status	Total	% <sup>1</sup>	Total	% <sup>1</sup>	Total	% <sup>1</sup>
On target or exceeded	23	82.1	22	81.5	21	75.0
Within tolerance	3	10.7	2	7.4	2	7.1
Below target	2	7.1	3	11.1	5	17.9
Total	28		27		28	
No target/no data	0		1		5	

<sup>1</sup> Figures have been rounded and may not add up to 100%

- 2.2.2. During the quarter, there were some notable performances including:
- (EVS 1) Percentage of household waste sent for reuse, recycling and composting (Actual: 63.54%, Target: 62%).  
The District achieved a high combined recycling rate, a similar performance to the previous year, and one of the best Q1 performances since 2009/10. Furthermore, the amount of residual waste per household was relatively low at 90kg per household (Target: 94kg) in comparison to recent years' performances.
  - (RB 6) Speed of processing housing benefit new claims (Actual: 13.6 days; Target: 18 days).  
The service continues to deal with the complex cases, for example claimants in emergency accommodation and supported accommodation, or with severe disabilities.

The Department for Work and Pensions' (DWP) recently published statistics shows that the Council's average speed to process a new claim was 16 days in 2018/19, well below the average for all shire districts at 20 days, and all English Councils at 21 days. Furthermore, the service has significantly reduced its average days to process a change of circumstance from 9.4 days in 2018-19 Q1 to 4.3 days in 2019-20 Q1.

- (LLP 1) Percentage of land charge searches received and despatched within 10 working days (Actual: 100%; Target: 90%).

Following the resolution of some technical issues in the previous year, as well as the implementation of some improvements in processes, the service has been able to regain its previous level of service delivery.

**2.2.3.** Four indicators fell short of their targets - one in each of the following services: Building Control, Customer Services, Leisure and Museums, and Housing Support. The indicators that fell short of their targets were:

- (ERS 7) Percentage of Building Regulation full plans applications vetted within 21 days (Actual: 72.9%; Target: 85%).

The service experienced capacity issues during Q1; attempts to recruit to a vacant post have been repeatedly unsuccessful, and we are now re-advertising the post as a development post. There appears to be a national shortage which has resulted in increased competition with the private sector.

- (LC15) Number of visitors to museums and galleries (Actual: 10,638; Target: 12,965).

Overall, the Museum is still attracting a large number of visitors. In December 2018, work commenced on the refurbishment of the front galleries as part of the Heritage Lottery funded Stone Age to Corinium project. It was anticipated that the building works and closure of some galleries would have an impact on visitor numbers. So far, Phase I of the project - the discovery centre - has been completed and is being used as a temporary reception and shop whilst major structural works take place. The delivery of the project is on schedule for the end of March 2020.

- (RHS 7) Number of households living in Emergency Accommodation for over 28 days (Actual: 2; Target: 0).

One couple and one single person had been in emergency accommodation over 28 days at the end of June 2019. The couple had an unsuccessful match to a property with Bromford, and so alternative arrangements are being sought, including private rented accommodation. The single disabled person is still waiting to be matched to a property; and social services have since been involved in the case. Both cases have specific needs and requirements in order to re-house them.

- (CS 1) Percentage of telephone calls answered within 20 seconds (Actual: 54.05%; Target: 70%).

During Q1, the new Customer Relationship Management software (Salesforce) for Customer Services was implemented. The new platform will underpin all our services and help to deliver more customer focussed solutions.

Some advisors were involved in user acceptance testing, and all advisors received training prior to 'go live' which has taken capacity out of the service. As expected, performance will be affected while the system beds in, and evolves with further enhancements and tweaks.

A second round of training will be required as the service reviews some of the processes that have been amended during the initial stage. As additional functionality is enabled such as the auto integration of phone calls and emails, we should start seeing improvements in performance.

- 2.2.4. The service performance report is attached at **Annex A**.
- 2.2.5. Senior Management Team will continue to ensure that action is taken to improve performance where appropriate.

### 2.3. **Financial Performance (Revenue)**

- 2.3.1. The Council's approved budget for 2019/20 set a net revenue budget for the year of £13,792,349, with a budgeted use of General Fund of £164,313.
- 2.3.2. The figures in this report represent the position against the profiled budget, as at 30<sup>th</sup> June 2019, i.e. the end of Q1. A commentary against the major variances is detailed below.
- 2.3.3. At the end of June, the Council had spent £6,649,946 against its profiled net budget of £6,658,644. This equates to a small underspend for the first quarter against profiled budget of £8,697.

#### Income

- 2.3.4. The Council's chargeable Green Waste service continues to perform well. The majority of income is generated at the start of the year, with the service beginning on 1st April and the fee entitling users a service up until 31<sup>st</sup> March of the following year. Subscribers to the service have generated £605,000 for the first quarter, against an annual target of £624,000. It is estimated that by the end of Q2 the budget for the income target for the year will have been exceeded due to the popularity of this service.
- 2.3.5. Car Park income is marginally above budget at the end of Q1. Income for the year is at a similar level to 2018/19, achieving £505,000 against a profiled budget of £490,000 for the quarter.
- 2.3.6. Planning application fee income underachieved in 2018/19 by £250,000. Results for the first quarter seem to show a continuation of that pattern, with income of £246,000 against a profiled budget for the quarter of £305,000. While income is difficult to predict, it does form a large income stream to the Council. The position will need to be monitored and reviewed as part of the budget setting process. Pre-application advice continues to perform well.
- 2.3.7. Building Control fee income is currently on budget – generating £82,000 of income in the first quarter of the year.
- 2.3.8. During 2018/19 the Council saw a diversification of its investment portfolio, away from traditional 'cash' deposits. As a result, the Council invested additional resources into a mixture of property funds and income funds. These investments proved successful during 2018/19 and the positive returns have continued into 2019/20. The Council's pooled funds have returned an average of 4% in Q1. Based upon Q1 figures, returns look positive and the Council would hope to generate a small surplus in excess of its budget.

## Expenditure

- 2.3.9.** The majority of the Council's staffing resource is supplied under contract from Publica. The Publica contract sum for 2019/20 is £9,153,140. Publica invoice the Council according to its agreed contract sum for the first 11 months of the year, with a reconciliation to the actual cost of the contract at the end of the year, as part of the March 2020 contract sum. Any variations or changes in the service provision required during the year are agreed between Publica and the Council's Chief Finance Officer, in line with decisions taken by the Council.
- 2.3.10.** At the end of Q1, Publica expenditure on Council services exceeded budget by around £30,000. Publica will be addressing this overspend during the year.
- 2.3.11.** The Council's Environmental Services (grounds maintenance, domestic waste collection, recycling collections, etc.) are provided by Ubico Ltd. Ubico invoices the Council 'on-budget' for the first 11 months of the year. These are the costs currently showing within this report; however the Council receives monthly feedback on its contract costs and the forecast outturn position. At the end of Q1, Ubico predicts that costs will be in line with the 2019/20 budget, which includes provision for the additional costs of hire vehicles repairs and maintenance resulting from the age of some of the vehicle fleet which is current being replaced.
- 2.3.12.** The first quarter of the year has seen the Council spend more than its capital allocation for recycling receptacles (of £55,000). An overspend of £72,000 currently sits in the revenue account. Any further purchases (that are not part of the service redesign) will worsen this position. Orders for the receptacles were placed at the end of the last financial year in light of advice from WRAP on risks related to the UK's departure from the EU. Specific government grant paid to the Council for "Brexit" actions will be applied to part-fund these costs and reduce the over-spend in the revenue budget.
- 2.3.13.** In May 2019, the Council opened the newly refurbished 'Croft' (Ashcroft Road) Emergency Accommodation. In getting the property ready for use, the Council has incurred costs of £8,000 for servicing and upgrading the fire alarm and security alarm systems within the building, for which no budget had been set-aside.
- 2.3.14.** The Council sets aside monies each year to establish a reserve to fund the all-out District and Parish/Town Council elections every four years, and any by-elections held. The true position on both the revenue budget and the accumulated reserve will not be known until the election accounts have been finalised. In any event, the annual contribution to the election reserve will be reviewed as part of the budget process for 2020/21.
- 2.3.15.** The Council's Animal and Pest Control Service is delivered in partnership with West Oxfordshire District Council, and delivered by Ubico. As part of the shared service agreement, the Council was due a refund based upon its 2018/19 contract sum. The calculation of the refund was not included in the 2018/19 figures and was only received in Q1 2019/20. The Council has therefore benefitted with a credit of £68,000 in the current year.
- 2.3.16.** A full list of all cost centres and budget variances is attached to this report at **Annex B.**

## **2.4. Capital Activity**

- 2.4.1.** The Council has received 34 referrals for Disabled Facilities Grants [DFGs] during the period April to June 2019. There are currently 60 DFG cases on-going, of which three are for children. Of the 60 on-going cases, three are older than 12 months, but are expected to be completed in Q2. Those cases which involve complex adaptations, such as extensions or major alterations due to medical needs can take time to complete due to the specialist nature of the works. The Council's funding provides essential adaptations for disabled residents to enable them to remain at home and live independently and safely. Common adaptations include the installation of stair lifts, through-floor lifts, ramps, level access showers, wash/dry toilets and ground-floor extensions. The maximum DFG is £30,000 with an additional £20,000 available in exceptional cases.
- 2.4.2.** The Council is taking forward a number of projects aimed at increasing car parking capacity in Cirencester:
- 2.4.3.** A planning application has been submitted for parking for permit holders at the Rugby Club site. A decision is anticipated in Q2. Subject to approval, works to develop the parking facilities will commence shortly thereafter.
- 2.4.4.** A design competition with the short listed three architects providing designs which will be subject to public consultation will take place in July for the new Waterloo decked car park. Intrusive surveys of the Waterloo site are continuing at the request of Historic England. Once a design has been selected, it will be developed and a Planning application can then be submitted. Subject to all the relevant consents, development should start in 2020.
- 2.4.5.** Car park improvement works are planned for Rissington Road car park, Bourton-on-the-Water. These works have been delayed due to drainage issues. The installation of an electric vehicle charging point [EVCP] is also being considered as part of this refurbishment.
- 2.4.6.** Procurement for Electric Vehicle Charging Points [EVCPs] is currently being concluded with the evaluation of tenders. A report will be submitted to Cabinet in October seeking a decision on the funding model for the installation of EVCPs that Members wish to follow. A mini tender can then be conducted for the installation of EVCPs in key locations with funding allocated from this earmarked capital.
- 2.4.7.** There are various projects underway in ICT to keep our network infrastructure secure and up-to-date. The rolling replacement programme of laptops and devices continues, with a number of laptops scheduled to be replaced later in the year. Future planned work includes the replacement of storage infrastructure, network upgrades, firewall replacement and improved internet connectivity.
- 2.4.8.** Demolition works on the site of the Old Memorial Hospital are scheduled to commence during Q2. Works are planned to be completed by Christmas providing no unforeseen issues arise. Demolition of this site will create capacity for additional parking spaces. This site would be considered for more strategic development longer-term within the context of the Cirencester Masterplan.
- 2.4.9.** The delivery of the waste service has been reviewed. Service changes will enhance the existing service provision, recycling performance and reflect the changing demands due to housing growth and changes in quantities of recyclable materials. Procurement work for 16 new recycling vehicles and five food waste vehicles has been completed, and orders placed. Container orders have also been

placed for food caddies and improved cardboard sacks to complement the new service.

**2.4.10.** The Corinium Museum 'Stone Age to Corinium' project is progressing well. The majority of the more invasive structural work changes are now complete.

**2.4.11.** Details of the approved capital programme and expenditure is attached at **Annex C**.

## **2.5. Capital receipts and disposals**

**2.5.1.** During Q1, the Council disposed of a small patch of land at 'The Sherry', Temple Guiting. The land was sold at auction for a price of £45,000 after costs (compared to the auctioneers guide price of £15,000-£20,000).

## **2.6. Risks**

**2.6.1.** The **Corporate Risk Register** was updated by the risk owners during July and August 2019 and reviewed by the Joint Management Team (comprising the Councils' statutory officers and the Publica Directors) on 13 August 2019. Any risk scoring 15 or above is considered a 'primary' risk.

**2.6.2.** At the end of Q1, there were three primary risks on the register:

- If the Local Government settlement over the medium term is unfavourable then the Council's savings targets may need to increase – the Medium Term Financial Strategy was approved by Council in February 2019; and includes an estimate of the likely impact of the changes to local government funding from 2020/21 onwards which provides the Council with the context in which to take decisions. The Government has announced that there will be a one year Spending Review for 2020/21, to be completed by the end of September. It is unclear if the Fairer Funding Review and changes to the Retained Business Rate Scheme will be implemented in 2020/21 or delayed.
- If unavoidable budget pressures exceed provision within the MTFS then the Council may need to find additional income or savings, or use its reserves, otherwise there may be pressures on services or tax levels and agreed budget targets will not be achieved – the likelihood was increased from 'probable' to 'almost certain' to reflect the increased risk associated with the change to the waste service. The expected financial impact of the change in waste service has been included in the MTFS. Officers have been working with Ubico to understand the scale of the additional costs of the new service from 2020/21. A report will be presented to Council setting out revised estimates. There are elements such as fleet numbers and tonnages which are based on estimates and may be subject to change which could further increase costs.

In addition, the Council has announced a Climate Emergency and financial resources will be required to enable the Council to take action. The financial impact will be included within the next update of the MTFS and budget proposals for 2020/21. Any in-year expenditure will be funded from earmarked reserves.

- If Ubico is unable to deliver services to the required standard then it could damage the Council's reputation and result in additional costs for the Council – the likelihood was increased from 'possible' to 'probable'. The waste fleet has deteriorated before expected resulting in high levels of breakdown, and as a consequence is impacting on residents and increasing service costs. The fleet is being re-procured as part of a new service.

- 2.6.3.** One new risk was added to the register with a moderate (Amber) risk rating:
- If the Government does not provide adequate funding to the Council to enable the Council to fulfil new expectations of the Council's role in preparations for the UK exit from the EU, there could be negative implications on the Council's reputation or the Council's finances - the Secretary of State has written to the Council setting out his expectations of the role the Council should fulfil in preparations for the UK leaving the EU.
- 2.6.4.** In this connection, the Council received Government funding of some £17,000 in 2018/19 and just under £17,500 recently. A further similar amount is expected shortly.
- 2.6.5. Service Risk Registers** were updated by risk owners to reflect changes to risk ratings. At the end of Q1, there were no primary risks to report.
- 2.7. Publica Contract Variations**
- 2.7.1.** No Publica contract variations were required in the first quarter.
- 2.8. Local Government Ombudsman Annual Review for 2018/19**
- 2.8.1.** The Annual Review Letter 2019 for Cotswold District Council sets out the complaints that were made against the Council in 2018/19, as well as the outcome of those complaints. In total, the LGO received four complaints/enquiries about this Council, three of which related to Planning and Development. In the previous year, we received 13 complaints/enquiries, of which nine related to Planning and Development.
- 2.8.2.** Four decisions were made by the LGO in 2018/19 - two complaints were closed after initial enquiries; one complaint was referred back to the Council for a local resolution; and one complaint, relating to the way the Council handled questions on a planning matter, was investigated in detail. The LGO upheld the latter complaint, concluding that although the Council had responded to the complainant in detail, it had not answered specific questions on a planning matter. The LGO is satisfied that the Council has implemented the recommended remedy to provide a response to the complainant's questions and 'to remind all Council staff of their duties to comply with the Council's constitution, and draw particular attention to their professional responsibilities to respond thoroughly to queries'.



## **2.9. Health and Safety**

- 2.9.1.** In the past, reports on health and safety matters have been considered by the Council's Joint Consultative Committee. With the formation of Publica and the transfer of the majority of Council employees into the company, it is now appropriate that these matters are considered as part of the quarterly performance reports.
- 2.9.2.** The Council's Head of Paid Service is the "responsible person" under the regulatory reform fire safety order (2005).
- 2.9.3.** There were no reportable incidents during the quarter which required the Health and Safety Executive to be notified.
- 2.9.4.** There were two recorded incidents in the quarter.
- A member of staff felt anxious and reported chest pains. A first aider was called and the member of staff was accompanied to hospital by a colleague. It was concluded that the member of staff had suffered a panic attack.
  - A member of staff had an accident in a toilet block in a council owned building resulting in some cuts and swelling to legs but did not require any treatment.
- 2.9.5.** The planned activities of the service include:
- The Council's H&S policies will be updated in July/August 2019;
  - Fire Risk Assessments for all Council-owned buildings in Cirencester are currently being carried out, the results of which will be reported to the responsible person.

## **2.10. Overview and Scrutiny Committee**

- 2.10.1.** This summary performance report will be reviewed by the Overview and Scrutiny Committee at its Meeting on 3rd September 2019; and any comments from that Committee will be reported to the Cabinet.

## **3. FINANCIAL IMPLICATIONS**

- 3.1.** As described in sections 2.3, 2.4 and 2.5 of the report

## **4. LEGAL IMPLICATIONS**

- 4.1.** None

## **5. RISK ASSESSMENT**

As described in section 2.6

## **6. EQUALITIES IMPACT (IF REQUIRED)**

- 6.1.** Not required

## **7. CLIMATE CHANGE IMPLICATIONS (IF REQUIRED)**

- 7.1.** Not required

**8. ALTERNATIVE OPTIONS**

**8.1.** None

**9. BACKGROUND PAPERS**

**9.1.** None

(END)

# Performance Report 2019/20 Q1



Performance Report 2019/20 Q1

**Report Type:** PIs Report

**Generated on:** 08 August 2019

PI Status		Long Term Trends		Short Term Trends	
	Alert		Improving		Improving
	Warning		No Change		No Change
	OK		Getting Worse		Getting Worse
	Unknown				
	Data Only				

## Responsible OUs 1.0 Business Support Services; Finance

PI Code & Short Name	Q1 2017/18			Q1 2018/19			Q1 2019/20					Level of concern	Concern Status	Assigned To	
	Value	Target	Status	Value	Target	Status	Value	Target	Status	Long Trend	Short Trend				Note
BSS 1 Percentage of invoices (undisputed) for commercial goods and services paid within 30 days of receipt	98.53%	90%		97.05%	90%		99.45%	90%					No concerns		Lisa Bolster

## Responsible OUs 1.0 Business Support Services; ICT

PI Code & Short Name	Q1 2017/18			Q1 2018/19			Q1 2019/20					Level of concern	Concern Status	Assigned To	
	Value	Target	Status	Value	Target	Status	Value	Target	Status	Long Trend	Short Trend				Note
BSS 2 Percentage uptime for IT servers and network equipment							99.995%	99.800%					No concerns		Elisabeth Butler

## Responsible OUs 4.0 Environmental & Regulatory Services

PI Code & Short Name	Q1 2017/18			Q1 2018/19			Q1 2019/20					Level of concern	Concern Status	Assigned To	
	Value	Target	Status	Value	Target	Status	Value	Target	Status	Long Trend	Short Trend				Note
ERS 1 Licences processed under the Licensing Act 2003 within statutory timescales as a percentage of those issued	100.00%	90.00%		100.00%	100.00%		100.00%	100.00%				All 7 applications were processed within statutory timescales	No concerns		Donna Puddy

99

PI Code & Short Name	Q1 2017/18			Q1 2018/19			Q1 2019/20			Long Trend	Short Trend	Note	Level of concern	Concern Status	Assigned To
	Value	Target	Status	Value	Target	Status	Value	Target	Status						
ERS 3 % of food premises that are 'poor performing' that receive follow up action	100.00%	90.00%		100.00%	90.00%		75.00%	90.00%				Historically, the service has achieved 100% compliance with all follow up actions being carried out within the required timescales. In Q1, eight premises required follow up action; six were carried out within the required timescale. An Officer attempted to visit one premise on several occasions but could not gain access. The other 'miss' was due to human error. All staff attend monthly monitoring meetings and have been reminded to prioritise workloads accordingly. All eight premises have now received the necessary action	No concerns		Donna Puddy
ERS 4 % of high risk notifications (including food poisoning outbreaks, anti-social behaviour, contaminated private water supplies, workplace fatalities or multiple serious injuries, dangerous structures) assessed within one day	100.00%	90.00%		100.00%	90.00%		100.00%	90.00%				There were 2 notifications, both related to potentially dangerous structures	No concerns		Donna Puddy
ERS 9 Number of fly tips collected				50			90						No concerns		Donna Puddy
ERS 10 Number of reported flytips visited by ERS				27			24						No concerns		Donna Puddy
ERS 11 The number of flytips visited where formal enforcement action (Fixed Penalty Notices, Simple Cautions or Prosecution) action takes place				1			1					1 FPN was served	No concerns		Donna Puddy

#### Responsible OUs 4.0 Environmental & Regulatory Services; Building Control

PI Code & Short Name	Q1 2017/18			Q1 2018/19			Q1 2019/20			Long Trend	Short Trend	Note	Level of concern	Concern Status	Assigned To
	Value	Target	Status	Value	Target	Status	Value	Target	Status						
ERS 7 (PSH 3) Percentage of market share retained by Building Control	60.27%	50.00%		61.66%	50.00%		59.46%	50.00%					No concerns		Donna Puddy

PI Code & Short Name	Q1 2017/18			Q1 2018/19			Q1 2019/20			Long Trend	Short Trend	Note	Level of concern	Concern Status	Assigned To
	Value	Target	Status	Value	Target	Status	Value	Target	Status						
ERS 8 (PSH 4) Percentage of full plans Building Regulations applications vetted within 21 days of deposit	91.55%	85.00%		88.89%	85.00%		72.92%	85.00%				A lower level of performance was achieved due to capacity issues. We have attempted to recruit to a vacant post which has proved repeatedly unsuccessful. There appears to be a shortage and therefore there is greater competition with Approved Inspectors. The post is now being re-advertised as a development position	Some concerns		Donna Puddy

**Responsible OUs** 5.0 Environmental Services; Flood Management

PI Code & Short Name	Q1 2017/18			Q1 2018/19			Q1 2019/20			Long Trend	Short Trend	Note	Level of concern	Concern Status	Assigned To
	Value	Target	Status	Value	Target	Status	Value	Target	Status						
EVS 5 Percentage of planning applications which are referred to the Flood Engineering team that are reviewed within the two week period for initial comments				N/A	95.00%		98.00%	95.00%				53 out of 54 planning applications were reviewed within the two week period	No concerns		Laurence King; Donna Puddy

**Responsible OUs** 5.0 Environmental Services; Parking Services

PI Code & Short Name	Q1 2017/18			Q1 2018/19			Q1 2019/20			Long Trend	Short Trend	Note	Level of concern	Concern Status	Assigned To
	Value	Target	Status	Value	Target	Status	Value	Target	Status						
EVS 6 Percentage of toilets achieving a satisfactory standard at inspection time for maintenance and cleanliness				90.00%	85.00%		93.00%	85.00%					No concerns		Maria Wheatley

**Responsible OUs** 5.0 Environmental Services; Waste Management

PI Code & Short Name	Q1 2017/18			Q1 2018/19			Q1 2019/20			Long Trend	Short Trend	Note	Level of concern	Concern Status	Assigned To
	Value	Target	Status	Value	Target	Status	Value	Target	Status						
EVS 1 (NI 192) (Cumulative) Percentage of household waste sent for reuse, recycling and composting	62.21%	62.00%		63.51%	62.00%		63.54%	62.00%				The composting rate was 42.59%, the dry recycling rate was 20.46% and the re-use rate was 0.49%. We achieved a similar performance to the previous year; the composting rate was down marginally on the previous year, while dry recycling was up marginally. Overall, a good performance	No concerns		Scott Williams

69

PI Code & Short Name	Q1 2017/18			Q1 2018/19			Q1 2019/20					Level of concern	Concern Status	Assigned To	
	Value	Target	Status	Value	Target	Status	Value	Target	Status	Long Trend	Short Trend				Note
EVS 2 (NI 191) Residual household waste per household (kg)	96.0	94.0		97.0	94.0		90.0	94.0					No concerns		Scott Williams
EVS 3 Number of all kerbside collections missed per 100,000 collections				120.5	150		76.09	150					No concerns		Joanna Lafford

### Responsible OUs 8.0 Leisure & Tourism

PI Code & Short Name	Q1 2017/18			Q1 2018/19			Q1 2019/20					Level of concern	Concern Status	Assigned To	
	Value	Target	Status	Value	Target	Status	Value	Target	Status	Long Trend	Short Trend				Note
LC 15 (CuS 38) Number of visitors to museum or galleries	13154	13100		11732	14263		10638	12965				Work commenced in December 2018 to refurbish the front galleries as part of the Heritage Lottery funded Stone Age to Corinium project. It was anticipated that the building works and closure of some galleries would have an impact on visitor numbers until the works phase is completed in March 2020. Phase I of the project - the discovery centre - has been completed and is being used as a temporary reception and shop whilst major structural works take place	Some concerns		Martin Holland
LC 20 (Cumulative) Number of visits to the three leisure facilities managed by SLM	159,356	157,636		155,918	160,381		154,450	160,970				A similar performance to Q1 of the previous year. Both Bourton Leisure and Chipping Campden Leisure have had steady growth and good membership numbers. Due to competition, Cirencester Leisure reduced its gym membership prices last year, which has helped to boost footfall; in addition, swimming lessons have shown growth	No concerns		Martin Holland

### Responsible OUs 9.0 Planning and Strategic Housing; Development Management

PI Code & Short Name	Q1 2017/18			Q1 2018/19			Q1 2019/20					Level of concern	Concern Status	Assigned To	
	Value	Target	Status	Value	Target	Status	Value	Target	Status	Long Trend	Short Trend				Note
PSH 2 Speed of decision for major development within the assessment period	92.31%	60.00%		86.15%	60.00%		77.27%	60.00%					No concerns		Mike Napper
PSH 3 Quality of decisions based on proportion of major decisions that are overturned at appeal	2.06%	10.00%		4.94%	10.00%		1.35%	10.00%					No concerns		Mike Napper

PI Code & Short Name	Q1 2017/18			Q1 2018/19			Q1 2019/20			Long Trend	Short Trend	Note	Level of concern	Concern Status	Assigned To
	Value	Target	Status	Value	Target	Status	Value	Target	Status						
PSH 4 Speed of decision for non-major development within the assessment period	82.27%	70.00%		85.01%	70.00%		84.32%	70.00%					No concerns		Mike Napper
PSH 5 Quality of decisions based on non-major planning decisions that are overturned at appeal	51%	10.00%		42%	10.00%		41%	10.00%					No concerns		Mike Napper

### Responsible OUs 10.0 Revenues, Housing Support & Customer services

PI Code & Short Name	Q1 2017/18			Q1 2018/19			Q1 2019/20			Long Trend	Short Trend	Note	Level of concern	Concern Status	Assigned To
	Value	Target	Status	Value	Target	Status	Value	Target	Status						
RHS 2 (RB 6) (Cumulative) Speed of processing: New Housing Benefit claims (days)	15.0	14.0		16.7	18.0		13.6	18.0				The number of new claims is reducing as a result of the implementation of Universal Credit full service. However, the Council is still responsible for the more complex cases e.g. emergency accommodation/supported accommodation, severe disabilities	No concerns		Mandy Fathers

70

PI Code & Short Name	Q1 2017/18			Q1 2018/19			Q1 2019/20			Long Trend	Short Trend	Note	Level of concern	Concern Status	Assigned To
	Value	Target	Status	Value	Target	Status	Value	Target	Status						
RHS 3 (RB 2) (Cumulative) Time taken to process Housing Benefit/Council Tax Support change events (days)	7.13	6		9.37	5		4.3	5				There has been no change in the volumes we are receiving including data from employers via the DWP which require checking and the manual update of claimants' records to ensure that we assess claims using up to date information; however, we have implemented a solution to ensure that both those cases that are reaching the target date are prioritised and dealt with as well as the new cases coming in. Furthermore, we were able to get support from an external service on demand	No concerns		Mandy Fathers
RHS 5 (RB 4) (Cumulative) Percentage of council tax collected	30.72%	30.00%		30.79%	29.00%		31.00%	29.00%				The MHCLG has recently published council tax in year collection rates for 2018-19 which indicates that the Council continues to maintain a high collection rate at 98.8% in comparison to Shire Districts at 97.9% and England at 97%. The service will continue to recover council tax on previous years' debt throughout the year	No concerns		Mandy Fathers
RHS 6 (RB 5) (Cumulative) Percentage of non-domestic rates collected	30.58%	31.00%		33.51%	29.00%		32.35%	29.00%				The MHCLG has recently published NNDR in year collection rates for 2018-19. The Council achieved a collection rate of 98.0%, close to Shire Districts at 98.4%, and England at 98.3%. The service will continue to recover business rates on previous years' debt throughout the year	No concerns		Mandy Fathers
RHS 7 (Snapshot) Number of households living in Emergency Accommodation for over 28 days				0	0		2	0				One couple and one single person had been in emergency accommodation over 28 days at the end of June 2019. Following unsuccessful match to a property at Bromford for the couple, a meeting with a private landlord has been scheduled. The single disabled person is still waiting to be matched to a property; social services is now involved. Both cases have specific needs/requirements in order to re-house them	No concerns		Caroline Clissold
RHS 8 (Snapshot) Number of households living in Emergency Accommodation for under 28 days				2	6		1	6					No concerns		Caroline Clissold



**Responsible OUs 10.0 Revenues, Housing Support & Customer services; Community Alarm**

PI Code & Short Name	Q1 2017/18			Q1 2018/19			Q1 2019/20			Long Trend	Short Trend	Note	Level of concern	Concern Status	Assigned To
	Value	Target	Status	Value	Target	Status	Value	Target	Status						
RHS 11 The number of people we helped to remain living independently in their own homes – Installing Careline (Total)				860			873						No concerns		Paula Massey
RHS 12 The number of people we helped to remain living independently in their own homes – Installing Careline (New installs)				28			43						No concerns		Paula Massey

**Responsible OUs 10.0 Revenues, Housing Support & Customer services; Customer Services**

PI Code & Short Name	Q1 2017/18			Q1 2018/19			Q1 2019/20			Long Trend	Short Trend	Note	Level of concern	Concern Status	Assigned To
	Value	Target	Status	Value	Target	Status	Value	Target	Status						
CS 1 % of telephone calls answered within 20 seconds	72.24%	70.00%		72.52%	70.00%		54.05%	70.00%				The new CRM (Salesforce) system for Customer Services was implemented for the three partner sites in May/June. Some advisors were involved in user acceptance testing, and all staff received training prior to implementation which has taken capacity out of the service. Furthermore, not all the functionality has been implemented; the team is beginning to get to grips with the new system while enhancements and tweaks are on-going. A second round of training is now due as we review some of the processes that have been amended during the initial stage. We should start to see improvements in performance as more functionality is added to the system	Some concerns		Sarah Cantwell
CS 2a Customer Satisfaction rate for users of the Council (%) - in person (F2F)							94%					This is for your information only. The Transformation Team devised a trial survey that started in November 2018 for some channels, and improvements to the system are still on-going. Advisors hand out cards for completion - 87 customers completed the card during the quarter; 94% were satisfied or very satisfied with their experience	No concerns		Gemma Moreing

72

73

PI Code & Short Name	Q1 2017/18			Q1 2018/19			Q1 2019/20					Level of concern	Concern Status	Assigned To		
	Value	Target	Status	Value	Target	Status	Value	Target	Status	Long Trend	Short Trend				Note	
CS 2b Customer Satisfaction rate for users of the Council (%) - telephone (advisor)							97%			?	?	?	For information only. The automated telephone survey went live on the 4th June 2019. Advisors offer to put callers through to a very short survey (provided by Gov Metric) at completion of their enquiry 372 customers completed the survey; 97% were satisfied or very satisfied with their experience	No concerns		Gemma Moreing
CS 2c Customer Satisfaction rate for users of the Council (%) - telephone (services)							94%			?	?	?	For information only. The automated telephone survey went live on the 4th June 2019. Advisors offer to put callers through to a short survey (provided by Gov Metric) at completion of their enquiry 384 customers completed the survey; 94% were satisfied or very satisfied with their experience	No concerns		Gemma Moreing
CS 2d Customer Satisfaction rate for users of the Council (%) - web							18%			?	?	?	For information only. Users of the Council's website are invited to leave feedback via a tab (hotjar) that appears at the side of each web page. During the quarter, only 45 users completed the survey; 18% were satisfied or very satisfied. A refresh of the Council's website has been identified as a project in the Transformation Programme	No concerns		Gemma Moreing
CS 3 % of complaints responded to within 10 working days (council wide)	100.00%	90.00%		100.00%	90.00%		100.00%	90.00%					Just four complaints for the quarter	No concerns		Sarah Cantwell

### Responsible OUs 10.0 Revenues, Housing Support & Customer services; Land Charges

PI Code & Short Name	Q1 2017/18			Q1 2018/19			Q1 2019/20					Level of concern	Concern Status	Assigned To	
	Value	Target	Status	Value	Target	Status	Value	Target	Status	Long Trend	Short Trend				Note
LLP 1 Percentage of land charge searches received and dispatched within ten days	99.25%	90.00%		98.83%	90.00%		100.00%	90.00%					No concerns		Michaela Salter

**Cotswold District Council - Revenue Budget Monitoring Summary**

Q1 budget monitoring - 1st April 2019 to 30th June 2019

Service Group	Original Budget	Profiled Budget	Actual Spend	(Under) /
	[full-year]	Q1	Q1	Over Budget
Environmental & Regulatory Services	427,863	117,070	102,224	(14,847)
Business Support Services - Finance, HR, Procurement	950,150	502,998	511,353	8,355
ICT, Change & Customer Services	1,797,518	496,037	445,848	(50,190)
Land, Legal & Property	677,152	228,671	219,591	(9,080)
Partnership Managing Director and 2020 Programme Costs	182,677	378,886	378,757	(129)
Revenues & Housing Support	261,128	62,340	78,151	15,811
Environmental Services	3,631,969	1,203,445	1,226,768	23,322
Leisure & Communities	1,627,272	155,951	146,879	(9,071)
Planning & Strategic Housing	1,177,665	271,685	280,214	8,528
Democratic Services	970,095	467,990	510,576	42,586
Retained/Corporate Council Services	2,088,860	2,773,569	2,749,586	(23,983)
<b>Cost of services</b>	<b>13,792,349</b>	<b>6,658,644</b>	<b>6,649,946</b>	<b>(8,697)</b>

**Environmental & Regulatory Services**

Q1 Budget Outturn - 1st April 2019 to 30th June 2019

<b>Cost Centre</b>	<b>Budget Q1</b>	<b>Actual Q1</b>	<b>(Under) / Over Budget</b>
BUC001 Building Control - Fee Earning Work	(39,206)	(41,261)	(2,055)
BUC002 Building Control - Non Fee Earning Work	13,295	12,696	(599)
BUC003 Dangerous Structures	625	890	265
<b>Building Control total</b>	<b>(25,286)</b>	<b>(27,675)</b>	<b>(2,389)</b>
EMP001 Emergency Planning	6,519	2,259	(4,260)
ESM001 Environment - Service Management	26,399	22,481	(3,918)
PSH002 Private Sector Housing - Condition of Dwellings	1,250	423	(827)
PSH005 Home Energy Conservation	831	0	(831)
REG002 Licensing	11,971	11,412	(559)
REG006 Caravan Sites - Itinerates	0	0	0
REG007 Caravan Sites - Licensed	0	0	0
REG009 Environmental Protection	39,179	33,145	(6,033)
REG013 Pollution Control	26,291	31,659	5,368
REG016 Food Safety	29,385	28,277	(1,108)
REG021 Statutory Burrials	280	0	(280)
STC011 Abandoned Vehicles	250	240	(10)
<b>Public Protection total</b>	<b>142,356</b>	<b>129,898</b>	<b>(12,458)</b>
<b>Total</b>	<b>117,070</b>	<b>102,224</b>	<b>(14,847)</b>

**Business Support Services - Finance, Audit, HR and Procurement**

Q1 Budget Outturn - 1st April 2019 to 30th June 2019

<b>Cost Centre</b>	<b>Budget Q1</b>	<b>Actual Q1</b>	<b>(Under) / Over Budget</b>
SUP009 Accountancy	139,155	143,570	4,415
SUP011 Creditors	19,500	17,466	(2,034)
SUP012 Debtors	10,253	8,478	(1,774)
SUP035 Insurances	9,188	9,235	47
SUP042 Business World Support and Hosting	25,253	22,269	(2,984)
<b>Finance total</b>	<b>203,348</b>	<b>201,018</b>	<b>(2,330)</b>
SUP010 Internal Audit	54,659	54,428	(231)
SUP402 Glos. Counter Fraud Unit	26,220	26,673	454
SUP403 CDC Counter Fraud	250	0	(250)
<b>Audit and Counter Fraud</b>	<b>81,128</b>	<b>81,101</b>	<b>(27)</b>
SUP003 Human Resources	115,676	114,161	(1,515)
SUP019 Health & Safety	23,927	23,428	(499)
SUP020 Training & Development	11,640	17,776	6,136
SUP013 Payroll	32,467	31,672	(795)
<b>HR Support &amp; Payroll total</b>	<b>183,711</b>	<b>187,037</b>	<b>3,326</b>
SUP033 Central Purchasing / Procurement	34,811	42,197	7,387
<b>Procurement total</b>	<b>34,811</b>	<b>42,197</b>	<b>7,387</b>
<b>Total</b>	<b>502,998</b>	<b>511,353</b>	<b>8,355</b>

**Business Support Services - ICT, Change and Customer Services**

Q1 Budget Outturn - 1st April 2018 to 30th June 2018

<b>Cost Centre</b>	<b>Budget Q1</b>	<b>Actual Q1</b>	<b>(Under) / Over Budget</b>
SUP017 Business Improvement/Transformation	27,052	26,851	(201)
SUP021 Business Continuity Planning	4,362	0	(4,362)
SUP023 Freedom of Information Act	2,663	2,643	(20)
TMR001 Street Naming	(2,488)	(6,367)	(3,880)
	<b>31,589</b>	<b>23,126</b>	<b>(8,463)</b>
ADB411 Moreton-in-Marsh, Offices	8,216	(372)	(8,589)
SUP401 FOH - Trinity Road	128,226	124,043	(4,183)
COM420 FOH - Moreton	25,446	24,065	(1,380)
COM421 Moreton - Stock Trading a/c	(3,278)	(1,732)	1,546
	<b>158,610</b>	<b>146,004</b>	<b>(12,606)</b>
SUP005 ICT	223,196	194,907	(28,289)
SUP031 Application Support	82,642	81,811	(832)
	<b>305,839</b>	<b>276,718</b>	<b>(29,121)</b>
<b>Total</b>	<b>496,037</b>	<b>445,848</b>	<b>(50,190)</b>

**Land, Legal & Property**

Q1 Budget Outturn - 1st April 2019 to 30th June 2019

<b>Cost Centre</b>	<b>Budget Q1</b>	<b>Actual Q1</b>	<b>(Under) / Over</b>
ADB401 Trinity Road, Offices	85,640	50,008	(35,631)
ADB412 Moreton-in-Marsh, Offices - Maintenance	10,809	7,548	(3,261)
CUL411 Corinium Museum - Maintenance	10,338	11,822	1,484
ENA401 Housing Enabling Properties	(2,423)	3,699	6,121
FIE425 22/24 Ashcroft Road	22,691	27,070	4,378
<b>Asset Management total</b>	<b>127,055</b>	<b>100,147</b>	<b>(26,909)</b>
LLC001 Local Land Charges	(36,494)	(18,266)	18,229
<b>Land Charges total</b>	<b>(36,494)</b>	<b>(18,266)</b>	<b>18,229</b>
SUP004 Legal	55,471	54,146	(1,325)
SUP025 Property Services	82,640	83,564	924
<b>Legal &amp; Property total</b>	<b>138,110</b>	<b>137,710</b>	<b>(401)</b>
<b>Total</b>	<b>228,671</b>	<b>219,591</b>	<b>(9,080)</b>

**Partnership Managing Director and Transformation Programme Costs**

Q1 Budget Outturn - 1st April 2018 to 30th June 2018

<b>Cost Centre</b>	<b>Budget Q1</b>	<b>Actual Q1</b>	<b>(Under) / Over</b>
COR01+ Transformation and 2020 change projects	358,647	358,697	50
SUP026 Chief Executive	20,239	20,059	(180)
<b>Total</b>	<b>378,886</b>	<b>378,757</b>	<b>(129)</b>

**Revenues & Housing Support**

Q1 Budget Outturn - 1st April 2019 to 30th June 2019

<b>Cost Centre</b>	<b>Profiled Budget Q1</b>	<b>Actual Q1</b>	<b>(Under) / Over Budget</b>	
HBP001	Rent Allowances	(29,198)	(29,789)	(591)
HBP005	Benefit Fraud Investigation	0	59	59
	<b>Benefits total</b>	<b>(29,198)</b>	<b>(29,730)</b>	<b>(532)</b>
HOM001	Homelessness	18,942	17,126	(1,816)
HOM005	Homelessness Hostel Accommodation	(8,875)	4,145	13,020
HOM499	Homelessness Reserve	6,353	6,353	0
PSH001	Private Sector Housing Grants	7,040	7,915	875
	<b>Housing Management total</b>	<b>23,460</b>	<b>35,539</b>	<b>12,079</b>
LTC001	Council Tax Collection	42,214	52,015	9,801
LTC002	Council Tax Support Administration	0	(2,679)	(2,679)
LTC011	NNDR Collection	10,799	11,295	496
PUT001	Concessionary Travel	3,961	3,125	(835)
SUP014	Cashiers	9,231	8,495	(736)
SUP028	Security Carriers	1,874	92	(1,782)
	<b>Revenues total</b>	<b>68,078</b>	<b>72,343</b>	<b>4,264</b>
	<b>Total</b>	<b>62,340</b>	<b>78,151</b>	<b>15,811</b>



## Environmental Services

Q1 Budget Outturn - 1st April 2019 to 30th June 2019

Cost Centre	Budget Q1	Actual Q1	(Under) / Over Budget
CPK401 Car Parks	(154,171)	(164,010)	(9,839)
CPK402 Car Parks - Maintenance	8,931	2,340	(6,592)
CPK413 Car Parks - Tetbury The Chippings	(3,731)	(12,967)	(9,236)
CPK414 Car Parks - Chipping Campden	0	(8,532)	(8,532)
CPK499 Car Parking Reserve	21,047	21,047	0
<b>Car Parking total</b>	<b>(127,924)</b>	<b>(162,121)</b>	<b>(34,198)</b>
CCC001 Climate Change	3,664	3,637	(27)
<b>Climate change total</b>	<b>3,664</b>	<b>3,637</b>	<b>(27)</b>
CCM001 Cemetery, Crematorium and Churchyards	32,519	34,328	1,809
CCM402 Cemeteries - Maintenance	4,069	727	(3,342)
HLD410 Waste - Cleansing	39,825	41,308	1,483
HLD411 Waste - Cemeteries	211	(4,485)	(4,696)
REG003 Animal Control	6,648	(71,212)	(77,860)
REG019 Public Conveniences	66,087	57,912	(8,175)
RYC001 Recycling	446,156	574,702	128,546
RYC002 Green Waste	(106,184)	(77,456)	28,728
STC001 Street Cleaning	382,914	385,610	2,696
WST001 Household Waste	500,904	491,400	(9,504)
WST004 Bulky Household Waste	977	(4,300)	(5,277)
WST401 Refuse-Stow Fair	2,782	2,900	118
WST402 South Cerney Depot, Packers Leaze	(67,731)	(68,359)	(628)
<b>Environmental Services Client</b>	<b>1,309,178</b>	<b>1,363,075</b>	<b>53,897</b>
FLD401 Land Drainage	18,527	22,325	3,798
FLD402 Flood Defence	0	(148)	(148)
<b>Flooding total</b>	<b>18,527</b>	<b>22,177</b>	<b>3,650</b>
<b>Total</b>	<b>1,203,445</b>	<b>1,226,768</b>	<b>23,322</b>

## Leisure & Communities

Q1 Budget Outturn - 1st April 2019 to 30th June 2019

Cost Centre	Budget Q1	Actual Q1	(Under) / Over Budget
COM401 Health Policy	6,101	6,179	78
COM402 Community Liaison	24,065	24,279	214
COM403 Youth Participation	23,164	18,980	(4,183)
COM405 Health Development	25,193	24,788	(404)
GBD001 Community Welfare Grants	36,303	26,357	(9,946)
<b>Community Liaison</b>	<b>114,825</b>	<b>100,583</b>	<b>(14,242)</b>
CCR001 Community Safety (Crime Reduction)	4,958	6,264	1,307
SUP002 Consultation, Policy & Research	21,138	21,683	545
<b>Community Safety</b>	<b>26,096</b>	<b>27,947</b>	<b>1,852</b>
CUL413 Northleach Resouce Centre	2,213	0	(2,213)
CUL415 Corinium Museum - HLF Project	(100,000)	(99,745)	255
REC410 Cirencester Leisure Centre and SLM contract cos	5,522	13,504	7,981
REC413 Ciren - Dryside	0	(4,415)	(4,415)
REC419 Cirencester Leisure - Maintenance	8,213	13,750	5,538
REC430 C Campden - Centre Management	61,510	60,907	(603)
REC459 Bourton - Maintenance	7,005	0	(7,005)
<b>Leisure Management</b>	<b>(15,538)</b>	<b>(15,999)</b>	<b>(461)</b>
TOU001 Tourism Strategy and Promotion	3,568	3,541	(26)
TOU401 Accommodation Guide	0	(188)	(188)
TOU402 Partnership Grants	27,000	27,000	0
TOU403 Cotswold Tourism Partnership	0	1,929	1,929
TOU404 Discover England Fund - Project	0	2,064	2,064
<b>Tourism Policy</b>	<b>30,568</b>	<b>34,347</b>	<b>3,780</b>
<b>Total</b>	<b>155,951</b>	<b>146,879</b>	<b>(9,071)</b>

## Planning & Strategic Housing

Q1 Budget Outturn - 1st April 2019 to 30th June 2019

Cost Centre	Budget Q1	Actual Q1	(Under) / Over Budget
DEV001 Development Control - Applications	(144,187)	(113,914)	30,273
DEV002 Development Control - Appeals	31,788	10,460	(21,328)
DEV003 Development Control - Enforcement	45,259	44,923	(336)
DEV004 Development Advice	80,721	80,122	(599)
DEV401 Planning Advice For Land Charges	2,726	2,706	(20)
DEV499 Development Services Holding Account	(26,726)	(26,726)	0
<b>Development Management</b>	<b>(10,419)</b>	<b>(2,429)</b>	<b>7,990</b>
PLP005 Heritage & Design	37,414	29,906	(7,508)
<b>Heritage &amp; Conservation</b>	<b>37,414</b>	<b>29,906</b>	<b>(7,508)</b>
PLP002 Local Development Framework	124,489	129,577	5,088
PLP401 Fwd Plan work for Dev Con	4,007	4,078	70
PLP499 Local Development Framework Reserve	0	(1,233)	(1,233)
PSM001 Planning - Service Mgt. and Support Services	1,101	4,364	3,263
<b>Planning Policy</b>	<b>129,597</b>	<b>136,786</b>	<b>7,188</b>
HAD001 Housing Advice	68,487	63,365	(5,122)
HOS001 Housing Strategy	40,691	44,320	3,628
HOS002 Housing Partnerships	5,915	5,871	(44)
HOS499 Housing Enabling Reserve	0	2,396	2,396
<b>Strategic Housing</b>	<b>115,093</b>	<b>115,951</b>	<b>858</b>
<b>Total</b>	<b>271,685</b>	<b>280,214</b>	<b>8,528</b>

**Democratic Services**

Q1 Budget Outturn - 1st April 2019 to 30th June 2019

<b>Cost Centre</b>	<b>Budget Q1</b>	<b>Actual Q1</b>	<b>(Under) / Over Budget</b>
DRM005 Committee Services	40,825	46,716	5,891
DRM008 Corporate Subscriptions	18,980	16,849	(2,131)
<b>Committee Services total</b>	<b>59,805</b>	<b>63,564</b>	<b>3,759</b>
ELE* Elections	237,111	269,502	32,391
<b>Elections total</b>	<b>237,111</b>	<b>269,502</b>	<b>32,391</b>
SUP018 Press & PR/Communications	12,421	10,771	(1,650)
SUP024 Postal Services	9,683	10,402	718
<b>Communications</b>	<b>22,105</b>	<b>21,172</b>	<b>(932)</b>
DRM001 Democratic Representation and Management	28,652	30,230	1,577
DRM003 Councillors Allowances	66,792	68,806	2,014
DRM004 Servicing Council	5,248	1,885	(3,362)
<b>Member Support total</b>	<b>100,692</b>	<b>100,921</b>	<b>229</b>
SUP022 Print & Design	48,277	55,417	7,140
<b>Print &amp; Design total</b>	<b>48,277</b>	<b>55,417</b>	<b>7,140</b>
<b>Total</b>	<b>467,990</b>	<b>510,576</b>	<b>42,586</b>

**Retained Services - Management, Corporate Income & Expenditure, Directors**

Q1 Budget Outturn - 1st April 2019 to 30th June 2019

<b>Cost Centre</b>	<b>Budget Q1</b>	<b>Actual Q1</b>	<b>(Under) / Over Budget</b>
FIE030 Interest and Investment Income	(144,417)	(160,161)	(15,744)
FIE010 Interest payable and Similar Charges	16,750	0	(16,750)
FIE410 Commercial Properties - General	9,547	26,897	17,350
FIE* Commercial Properties - summary	(204,594)	(201,429)	3,165
OOE200 Parish Council Precepts	2,379,943	2,379,943	(0)
<b>Corporate Income &amp; Expenditure total</b>	<b>2,057,229</b>	<b>2,045,250</b>	<b>(11,979)</b>
NDC401 Discretionary Pension Payments	358,813	357,034	(1,779)
SUP032 Strategic Directors	53,042	52,529	(513)
COR005 Corporate Finance	16,811	9,685	(7,126)
COR007 External Audit Fees	13,958	13,957	(1)
COR008 Bank Charges	15,266	20,608	5,342
COR400 Savings and Growth Items	7,858	0	(7,858)
COR401 Publica Group	389,237	389,167	(70)
<b>Corporate Management and Directors total</b>	<b>854,985</b>	<b>842,980</b>	<b>(12,005)</b>
<b>Total</b>	<b>2,912,213</b>	<b>2,888,230</b>	<b>(23,983)</b>

<b>2019/20 Summary of budgets and expenditure Q1</b>				
<b>Project</b>	<b>Budget for the year</b>	<b>Expenditure</b>	<b>Other Committed Expenditure</b>	<b>Comments</b>
	<b>£</b>	<b>£</b>	<b>£</b>	
Disabled Facilities Grants [Better Care Fund]	700,000	127,835	173,734	There are currently 60 DFG cases with committed/approved expenditure of £173,734.
ICT Infrastructure	438,646	12,784		Replacement equipment and software costs will see this budget spent as the year progresses.
Replacement and upgrade of Civica income mgt. and Idox/Uniform systems (ICT)	250,000	0	0	Work is underway to scope these projects, with work on the replacement systems expected to begin later in the year.
Car Park Improvements	245,417	0	150,000	Funding of £150,000 for Rissington Road has been committed but not yet spent due to delays with drainage. Costs will increase if it is agreed that EVCPs are installed as part of the refurbishment.
Replace pay and display machines	125,000	0	0	This budget will be spent later in the year when existing machines reach end of life.
Recycling and waste vehicles	1,233,399	155,855	0	Procurement of replacement refuse and garden waste vehicles will be undertaken in Q2/3 and it is anticipated all funding will be spent by year end.
Waste Receptacles	55,000	55,000	0	This is routine expenditure on replacement waste containers such as wheeled bins, black boxes and sacks.
Waste Service Review	4,500,000	0	2,702,000	Procurement of 16 x recycling and 5 x food waste vehicles has been completed and orders placed for vehicles totalling £2,330,000. Funding of £137,000 has also been allocated for vehicle technology. Container orders have also been placed for food caddies and improved cardboard sacks totalling £235,000.
Electric vehicle charging points	450,000	0	0	A report will be submitted to Cabinet in October seeking a decision on the funding model for the installation of EVCPs that Members wish to follow. A mini tender can then be conducted for the installation of EVCPs in key locations with funding allocated from this earmarked capital.
Community Projects Fund	207,344	18,684	33,278	The scheme continues to attract interest from local communities, with frequent enquiries, and further commitments agreed in 2019-20

(Continued over the page):

**2019/20 Summary of budgets and expenditure Q1**

<b>Project</b>	<b>Budget for the year £</b>	<b>Expenditure £</b>	<b>Other Committed Expenditure £</b>	<b>Comments</b>
Cirencester Parking – Rugby Club	320,000	0	0	A Planning application has now been submitted for parking for permit holders on this site. A decision is anticipated In Q2. Subject to approval, works to develop the car park will proceed without delay.
Cirencester Parking – Waterloo Decked Car Park	1,875,000	0	0	A design competition, with the short listed three architects providing designs which will be subject to public consultation, will take place in July. Intrusive surveys of the Waterloo site are continuing at the request of Historic England. Once a design has been selected, it will be developed and a Planning application can then be submitted. Subject to all the relevant consents, development should start in 2020.
Property Purchase - Cirencester	2,183,020	2,183,020	0	The Purchase of 27/27A Dyer Street was completed in Q1
OMH Demolition and Development	700,000	0	500,000	Planning permission has now been granted and final quotes for the demolition and resurfacing are being prepared. Work is planned to commence in the Autumn and should be completed by Christmas subject to not coming up against any unforeseen issues.
Corinium Museum HLF "Stone Age to Corinium"	1,066,237	189,695	876,305	Work is progressing well on this ambitious project. A lot of the invasive and structural work is now largely complete. This project is funded by multiple partners and the Council will be invoiced for its contribution as the work progresses.
Cirencester Leisure Centre - Gym and Studio Expansion	1,200,000	0	0	This project has not yet been developed. The Council is talking with its leisure contractor (SLM) to develop the scheme.
Rural Broadband	500,000	0	0	This scheme is dependent on a bigger scheme being agreed with the County Council.
Planning documents & scanning solution	200,000	0	0	The scope of this project is being reviewed in light of the needs from other Council services/Publica.
Other projects *	364,566	2,585	0	Other capital projects include a number of small value schemes and schemes where retention money is due to contractors upon agreement of the final account.
	<b>16,613,629</b>	<b>2,745,458</b>	<b>4,435,317</b>	



Council name	<b>COTSWOLD DISTRICT COUNCIL</b>
Name and date of Committee	<b>CABINET - 2<sup>ND</sup> SEPTEMBER 2019</b>
Report Number	<b>AGENDA ITEM (13)</b>
Subject	<b>REVIEW OF COTSWOLD DISTRICT COUNCIL'S HACKNEY CARRIAGE TABLE OF FARES</b>
Wards affected	All
Accountable member	Cllr. Andrew Doherty - Cabinet Member for Waste, Flooding and Environmental Health Email: <a href="mailto:andrew.doherty@cotswold.gov.uk">andrew.doherty@cotswold.gov.uk</a>
Accountable officer	Michelle Bignell, Service Leader (Licensing and Business Support) Environmental and Regulatory Services Tel: 01285 623440 Email: <a href="mailto:michelle.bignell@publicagroup.uk">michelle.bignell@publicagroup.uk</a>
Summary/Purpose	To consider the Officer recommendations regarding a proposal by Cotswold District Taxi Trade Association (CDTTA) to review the Hackney Carriage (taxi) table of fares.
Annexes	Annex A - National rankings for taxi fares in Gloucestershire Annex B - Copy of consultation letter Annex C - CDTTA proposal
Recommendation/s	<b><i>(a) Cotswold District taxi fares be increased in accordance with the recommendations shown in Annex C;</i></b> <b><i>(b) Subject to the decision in respect of recommendation (a), delegated authority be given to the Licensing Service Leader to carry out the necessary advertising requirements to comply with section 65 of the Local Government (Miscellaneous Provisions) Act 1976; and</i></b> <b><i>(c) Subject to there being no substantive amendments being made following formal advertising, delegated authority be given to the Licensing Service Leader (in consultation with the Chair of the Planning and Licensing Committee) to adopt the proposed fares.</i></b>
Corporate priorities	Hackney Carriage vehicles play an active part in our community and provide vital transport links for many groups such as the elderly and tourists as well as supporting many areas such as economic growth, tourism and the night time economy.
Key Decision	No
Exempt	No



Consultees/ Consultation	All of Cotswold District Council's licensed Hackney Carriage Drivers were written to, and a consultation ran between 10 <sup>th</sup> June and 7 <sup>th</sup> July 2019
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## 1. BACKGROUND

- 1.1. Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 permits the council to set the maximum fares for hackney carriage vehicles (taxis) licensed by it.
- 1.2. The last hackney carriage fare review for the Cotswold District was undertaken in 2008.
- 1.3. A request from the trade was lodged for the current hackney carriage table of fares to be reviewed and this report seeks approval from Cabinet to revise the current table of fares for hackney carriage vehicles (taxis).

## 2. MAIN POINTS

- 2.1. In May 2019, a petition was received that had been circulated by one of Cotswold District Council's licensed hackney carriage drivers and was supported by the necessary 10% of the trade to request a review of the current table of fares.
- 2.2. The validity of the proposal in the petition was questioned; however, the Licensing team acknowledged that the Cotswold District was one of the cheapest areas nationally in relation to taxi fares and that it had been a considerable amount of time since the last review (2008). **Annex A** shows a national comparison for Gloucestershire Councils and the dates of the last reviews.
- 2.3. The Licensing team ran a consultation with all licensed hackney carriage drivers (113) within the Cotswold District for 28 days to ask for proposals to be given as to what fares the drivers deemed fair. Several points were made that the fares needed to be:
  - Proportionate with regards to a review not having been carried out for over 10 years
  - Fair to customers of the Cotswold District area
  - Taking into account the position of the Cotswold District in relation to other Councils within Gloucestershire and nationally
- 2.4. A copy of the consultation letter is attached at **Annex B**.
- 2.5. In July 2019, the Cotswold District Taxi Trade Association (CDTTA) was resurrected. This group was made up of members of the trade and all drivers were informed of this and the proposed meetings within their consultation letter. 3 meetings were held which were attended by a small amount of drivers but were supported by more that could not attend due to work commitments.
- 2.6. During the consultation, 3 responses were received - 2 from independent sources and 1 from the CDTTA.
- 2.7. The Licensing team circulated the CDTTA proposal to the 2 independent sources (who had not attended the trade meetings) and they were fully supportive of this proposal. Their proposals were withdrawn.

- 2.8. A copy of the CDTTA proposal is attached at **Annex C**.
- 2.9. Of 113 licensed drivers, 18 supported the joint proposal. This amounts to 20% of the trade (it should be noted that not all of the 113 drivers would be able to comment on the consultation due to historic licensing - 'Dual' driver licences, which permit both hackney carriage and private hire work, were issued prior to 2018 and those who conduct solely private hire work were not permitted to feed back into the consultation as they do not work with a fitted meter and pre-book their work).
- 2.10. The current table of fares is:

TO BE DISPLAYED PROMINENTLY IN EACH HACKNEY CARRIAGE

COTSWOLD DISTRICT COUNCIL

**TABLE OF FARES**

The proprietor or driver of a Hackney Carriage shall be entitled to demand and take for the hire of the carriage the rate or fare prescribed by the following table, the rate or fare being calculated by distance unless the hirer expresses at the commencement of the hiring to engage by time.

Tariff 1	For the first 1540 yards <u>or part thereof</u>	£2.80
	For each subsequent 80 yards <u>or part thereof</u>	£0.10
Tariff 2	For the first 1540 yards <u>or part thereof</u>	£3.20
	For each subsequent 88 yards <u>or part thereof</u>	£0.13
Tariff 3	For the first 1540 yards <u>or part thereof</u>	£5.60
	For each subsequent 80 yards <u>or part thereof</u>	£0.20

- Tariff 1** For hirings between 7am and 10pm, Monday to Saturday.  
**Tariff 2** For hirings between 10pm and 7am Monday to Saturday, all day Sunday and all day on Bank Holidays.  
**Tariff 3** For hirings from 10pm on Christmas Eve and all hirings on Christmas Day and Boxing Day; for hirings from 6pm on New Year's Eve through to 11.59pm on New Year's Day.

<u>ADDITIONAL CHARGES</u>	<u>FOR EACH HIRING</u>
a. Waiting time applicable to all 3 tariffs	£0.25 per minute <u>or part thereof</u>
b. Extra charge for each passenger above two	£0.10
c. Extra Luggage charge:-	
For each package carried outside	£0.10
For each bicycle or perambulator	£0.10
d. Soiling charge	£50.00

CONDITIONS OF HIRING

1. The carriage of packages, bicycles, perambulators is at the driver's discretion.
2. Animals, intoxicated or troublesome persons carried at the driver's discretion.
3. Cheques will only be accepted with the prior consent of the driver and a handling charge of 50p may be levied if the total metered charge is less than £5.00.

The proposed table of fares is:

- Tariff 1** for the first 1120 yards or part thereof £3.20  
For the subsequent 640 yards or part thereof £0.80  
**Tariff 2** for the first 1120 yards or part thereof £3.70  
For the subsequent 640 yards or part thereof £0.90  
**Tariff 3** for the first 1120 yards or part thereof £6.40  
For the subsequent 640 yards or part thereof £1.60

**Additional Charges**

- Waiting to all 3 tariffs £0.30 per minute or part thereof  
Extra charge for each passenger above two £0.15  
Extra luggage charge for each package carried outside £0.15, for each bicycle or perambulator £0.30

Soiling charge valet costs (excluding loss of earnings) £60

- 2.11. The proposed table of fares would result in a 2 mile journey (the national average), on Tariff 1, of £6.20. The current rate is £5.27. Please see **Annex A** for national ranking based on this proposal.
- 2.12. It would remain the decision of the driver whether they charge the meter price or if they wish to charge less than the meter.

### **3. FINANCIAL IMPLICATIONS**

- 3.1. There are no direct financial implications for the Council arising from this report.
- 3.2. All drivers would be required to recalibrate their meters with the new rate and submit a calibration certificate to the licensing department. This would be their cost to meet.

### **4. LEGAL IMPLICATIONS**

The authority for the council to fix fares for hackney carriages is given under Section 65 of the Local Government (Miscellaneous Provisions) Act 1976. When a council makes or varies a table of fares, it must publish in one local newspaper a notice setting out the table of fares, or variations to the table, specifying the period (not less than 14 days) within which, objections to the table or variations can be made. A copy of the proposed tariff must be available at the council's offices for the public to inspect, free of charge, at all reasonable hours. If there are no objections, the table, or variation, will come into effect on the expiration date of the period specified in the notice.

### **5. RISK ASSESSMENT**

There is not a direct right of appeal against the fares set by a Local Authority; however, any party that is dissatisfied by the fares could seek a judicial review against the Council.

### **6. ALTERNATIVE OPTIONS**

- 6.1. Alternative resolutions to the proposed decision are:
  - a) Not to make any changes to the current fares
  - b) Make alternative changes to the current fares to those recommended by the Cotswold District Taxi Trade Association (CDTTA)

(END)

**Annex A – National rankings for taxi fares in Gloucestershire**

Council	2 mile fare *	Ranking Nationally (363 Councils)	Date last reviewed	Ranking based on new proposal
Cheltenham	£7.40	8	2019	8
Cotswold	£5.35 (£6.20 proposed)	284	2008	132 **
Forest of Dean	£6.27	103	2011	103
Gloucester City	£6.00	157	2018	158
Stroud	£7.00	21	2018	21
Tewkesbury	£5.85	190	2011	191

\*2 mile journey is an average distance for a hackney carriage (taxi)

\*\* it should be noted that there are 27 Councils where £6.20 is the 2 mile fare. These are Argyll and Bute, Birmingham, Braintree, Chichester, Daventry, Derby, East Cambridgeshire, Folkestone and Hythe, Horsham, Ipswich, Mendip, Northampton, Portsmouth UA, Rochford, Runnymede, Solihull, Southampton, Southend on Sea, Spelthorne, St Albans, Stratford upon Avon, Taunton Deane, Teignbridge, Waverley, West Oxford, Winchester, Wycombe

**Reply to :** Mrs Michelle Bignell  
Tel : 01285 623000  
Email: [ERS@publicagroup.uk](mailto:ERS@publicagroup.uk)

**Council Offices**  
Trinity Road,  
Cirencester,  
Gloucestershire.  
GL7 1PX  
Tel: 01285 623000  
[www.cotswold.gov.uk](http://www.cotswold.gov.uk)



Date

\*Applicant name and address\*

Dear Applicant title and surname

## **HACKNEY CARRIAGE FARE REVIEW 2019**

### **Request for review of current table of fares**

I am writing to inform you that I have received a request from members of the Cotswold District taxi trade to review the current fares and charges tariff. This has been supported by over 10% of the trade as required by the Cotswold District Council Hackney Carriage and Private Hire Licensing Policy.

It is important that you take part in this consultation and reply to me by email at [ers@publicagroup.uk](mailto:ers@publicagroup.uk) or by writing to me at the above address.

I currently have concerns over the validity of the proposal that I have received, but fully support a review as it has been a considerable amount of time since the last review, I would ask that:

- 1) If you have any proposals concerning a fare increase please advise me in writing. Please return this with any supporting information e.g. statistics covering the cost of fuel, insurance and general running costs since the last fare increase. These proposals should take into account tariff's 1,2,3 and the applicable times for those tariff charges to be in operation, also include any proposals in respect of extra charges for each hiring. E.g. Baggage, waiting times etc.
- 2) If you do not wish to see a fare increase or changes in extra charges please reply to me with the reasons for not requiring these changes.

All proposals will be collated and referred to the Licensing Committee for a decision at a later date.

It is important that I receive your input into this matter and any responses should be returned to me no later than **5pm on Friday 5 July 2019**.

Due to the dual driver licences being issued to Private Hire drivers prior to 2011, if you hold a dual badge (HACKDL) but carry out private hire work, your proposals will not be accepted.

### **Cotswold District Council Taxi Trade Association**

This consultation letter has been sent to all licensed taxi drivers who are licensed by Cotswold District Council (113 drivers).

**Reply to :** Mrs Michelle Bignell  
Tel : 01285 623000  
Email: [ERS@publicagroup.uk](mailto:ERS@publicagroup.uk)

**Council Offices**  
Trinity Road,  
Cirencester,  
Gloucestershire.  
GL7 1PX  
Tel: 01285 623000  
[www.cotswold.gov.uk](http://www.cotswold.gov.uk)



**COTSWOLD**  
DISTRICT COUNCIL

As we are a vast geographical area and it is difficult for all drivers to communicate to each other, I have been approached by a group of drivers in Cirencester to communicate that they would like to resurrect the Cotswold District Council Taxi Trade Association. This will be an independent group and the Council will not be involved in its operation or management. It can be a useful group to discuss issues and can also be a way of communication between the Council and the trade (the secretary can email the Council and vice versa

with any communications to pass on to the trade). Two meetings have been arranged on the following dates and times:

- **Thursday 13 June at 3.30pm, Porters Bar, 34 Castle Street, Cirencester GL7 1QH**
- **Thursday 13 June at 5pm, Porters Bar, 34 Castle Street, Cirencester GL7 1QH**

These meetings will be held to elect a new Committee and to discuss the fare review and to agree a proposal to submit to Cotswold District Council.

It is recognised that this may not be convenient to the drivers based in the North Cotswolds. A further meeting will be held for the trade members that are not able to make this meeting to meet the newly elected Chair of the Association on **Thursday 20 June at 12pm at the Councils Offices, High Street, Moreton in Marsh GL56 0LW** to discuss the outcomes of the previous meetings.

I will be present at these initial meetings to offer advice on the fare review.

If you are able to attend any of the meetings, or are unable to but would like to be part of this association, please email Lee Green at [info@a2btaxisofcirencester.com](mailto:info@a2btaxisofcirencester.com) who will be collating an email distribution list ahead of the meeting to pass on to the elected secretary for future correspondence.

Please note that everyone has their own right to reply individually to the consultation but can still attend the meetings.

Please email or call me on (01285) 623000 if you have any queries regarding the contents of this letter.

Yours faithfully

**Michelle Bignell (Mrs)**  
**Service Leader (Licensing)**  
**Environmental and Regulatory Services**

E-mail – Fare Proposal

Dear Sirs / Madam

I write on behalf of the Cotswold District Taxi trade Association (CDTTA) to propose an increase in the current rates and charges that have been set by Cotswold District Council for Hackney Carriage Drivers. The CDTTA are concerned that the rates and charges that we currently adhere to are not aligned to the increased costs that are associated with delivering the service we provide and therefore require review.

The Council will be aware that the current rates have been set for over 11 years. Since the current pricing structure was implemented, the price of fuel has almost doubled, the cost of insurance has risen dramatically, garage bills and wear and tear costs have increased along with the general costs of living (estimated at 26% increase over the last decade). In addition, the Council has recently determined that vehicles used as taxis must comply with a 5 year age limit. As a consequence, my associates will experience increased vehicle purchase costs. In our opinion, the above supports the need for a review and increase of the current hackney carriage fares for the Cotswold district.

The CDTTA have discussed this matter and have agreed that the rates and charges detailed below are fair and reasonable and we now invite the Council to accept and implement them within 28 days of receipt of this letter.

**Tariff 1** for the first 1120 yards or part thereof £3.20

For the subsequent 640 yards or part thereof £0.80

**Tariff 2** for the first 1120 yards or part thereof £3.70

For the subsequent 640 yards or part thereof £0.90

**Tariff 3** for the first 1120 yards or part thereof £6.40

For the subsequent 640 yards or part thereof £1.60

**Additional Charges**

Waiting to all 3 tariffs £0.30 per minute or part thereof

Extra charge for each passenger above the two £0.15

Extra luggage charge for each package carried outside £0.15, for each bicycle or perambulator £0.30

Soiling charge valet costs (excluding loss of earnings) £60

As I am sure you will be aware the number of Hackney carriages in the Cotswolds has dropped over the last few years and with a rate increase I would hope that it would become more appealing to more drivers to become Hackney carriage drivers to be able to serve the local communities better.

If I can be of any further assistance please do not hesitate to contact me.

Kind regards



Council name	<b>COTSWOLD DISTRICT COUNCIL</b>
Name and date of Committee	<b>CABINET - 2<sup>ND</sup> SEPTEMBER 2019</b>
Report Number	<b>AGENDA ITEM (14)</b>
Subject	<b>LAUNCH DATE FOR WASTE SERVICE</b>
Wards affected	All
Accountable member	Cllr. Andrew Doherty - Cabinet Member for Waste, Flooding and Environmental Health Email: <a href="mailto:andrew.doherty@cotswold.gov.uk">andrew.doherty@cotswold.gov.uk</a>
Accountable officer	Claire Locke - Group Manager - Commissioning Tel: 01285 623427 Email: <a href="mailto:Claire.locke@publicagroup.uk">Claire.locke@publicagroup.uk</a>
Summary/Purpose	To manage the risks associated with launching a new waste service.
Annexes	None
Recommendation/s	<b>That Cabinet considers the risks and benefits associated with delaying the planned launch date for the waste service from 4<sup>th</sup> November until March 2020, and agrees to this delay.</b>
Corporate priorities	To meet customers' needs, provide a high level of service, and protect the environment through waste reduction and maximising recycling.
Key Decision	No
Exempt	No
Consultees/ Consultation	Ubico Limited Gloucestershire County Council as Waste Disposal Authority



## **1. BACKGROUND**

In December 2018 Council agreed to a new waste service, which was embedded in the MTFs, with some amendments to service design in February 2019. The new service will include:

- Retained weekly food waste collection
- Retained fortnightly refuse collection
- Change to separated food and garden waste collection
- Change from a weekly to a fortnightly garden waste service
- Addition of materials that can be recycled at the kerbside
- Provision of new cardboard recycling sack and additional large food waste caddy.

## **2. MAIN POINTS**

- 2.1.** Initially a launch date of 4<sup>th</sup> November 2019 was planned which provided for launch as soon as possible to replace rapidly deteriorating recycling fleet, allowed for the anticipated lead time for new vehicles and was sufficiently in advance of Christmas to avoid bank holiday disruption.
- 2.2.** Due to some delays in test vehicles being available from manufacturers there were delays in a decision on the type of vehicle which would be the most efficient and safe for the planned operation. There were then further delays in procurement to ensure the correct vehicle specification was ordered. Whilst it is anticipated new recycling vehicles will be received before 4<sup>th</sup> November, current lead times suggest the food waste vehicles will be delayed by 2 weeks, which means they would not be ready operationally until 4 - 5 weeks after service launch.
- 2.3.** Contingencies have been considered and whilst it is unlikely that 7.5t food waste vehicles would be available for hire, alternative vehicles could be used; however, this will be less efficient and may result in food being tipped and then shoveled at the transfer station which is not ideal but is feasible in the short term.
- 2.4.** There is a strong desire from both the Council and Ubico to have an in-cab system installed and operational in advance of any new service launch. This type of system will dramatically reduce the likelihood of missed collections and allow any service problems to be quickly logged and corrected which will greatly improve the service to customers. Experience on other contracts has shown that a launch without this type of system can lead to high levels of missed collections and prolonged service failures. An in-cab system is now being procured, the specification for which has been agreed jointly by the other Ubico partner Councils. This should provide economies of scale and means that should the other Councils wish to procure the system Ubico will be engaged with the same system across all contracts, not multiple systems which would be inefficient. Due to the time involved in gaining consensus across multiple partners and delays in procurement due to workload, there is a risk the in-cab system will not be in place for a November launch date.
- 2.5.** Changes to the service will incorporate current and planned property growth and a rebalancing of rounds, to ensure rounds can be completed on a daily basis. This will require some day changes for some customers. This round rezoning needs to

be loaded onto the Council's Bartec system so that customer services can view the collection days for each customer. This is a considerable amount of work. If the launch is delayed it is feasible that Salesforce can be further developed to hold this information removing the need for the Bartec system. This would avoid the need for the Bartec system to be uploaded now and then the information to be transferred at a later date to Salesforce.

- 2.6. There have been concerns raised about the lack of planning and resources for the communication of the new service. A delay in launch will enable more time to appropriately resource and plan essential communications to residents.
- 2.7. A delay in launch would be beneficial as it would eliminate or greatly reduce the risks highlighted above. A delay into the winter months is not advised as there is a further risk of disruption from bank holidays around Christmas, challenges from the excess waste presented immediately after Christmas and an increased risk of service disruption from snow and ice. A delay until March is therefore recommended and would coincide with Garden waste licence renewal.

**Some risks of a delayed launch have been identified and are summarized below:**

- 2.8. Feasibility - the separated collection of food and garden waste enabled GCC to change the processing contracts for these materials. Dialogue with GCC has confirmed that both the transfer and processing of combined waste materials can now continue until the end of March at the County Council's cost.
- 2.9. Container orders - food caddies have already been ordered and, unfortunately, despite enquiries these cannot be stopped. Caddies were due to be stickered and have leaflets placed inside them by the manufacturer. This will not now be feasible as the caddies will need to be stored through the winter and leaflets and stickers will deteriorate. Alternatives are being explored but this will increase costs by up to £15,000.
- 2.10. Overall cost to delay service - the significant impact is the continued provision of a weekly garden waste service. However, continuing to collect food and garden waste combined mitigates the cost increase. The Council is currently experiencing increased costs predominantly from an aging refuse fleet and a risk will remain that costs are higher than predicted until new vehicles are received. New recycling vehicles can be utilised as soon as they are delivered so this will mitigate the risk from the deteriorating existing fleet.

### **3. FINANCIAL IMPLICATIONS**

The 2019/20 budget for the Ubico contract is £6 million, including £236,000 to reflect additional costs in relation to the aging vehicle fleet. Ubico have considered the impact of the delay and forecast that services can be delivered within the existing £6 million budget envelope. The 2019/20 budget is also expected to be sufficient to fund the additional £15,000 as set out in paragraph 2.9.

### **4. LEGAL IMPLICATIONS**

- 4.1. None

**5. RISK ASSESSMENT**

- 5.1. The delay in launch significantly reduces the project risks, whilst launching in November presents significant risks of service disruption, and consequent negative impacts on the customer and the reputation of the Council.
- 5.2. The delay should result in a service which is within budget; however, failure to delay launch may result in additional costs such as overtime and additional fleet hire, which exceed current budget allocations.

**6. EQUALITIES IMPACT (IF REQUIRED)**

Not relevant.

**7. CLIMATE CHANGE IMPLICATIONS (IF REQUIRED)**

- 7.1. Whilst there will be a continued weekly collection of garden waste, the impact of this is mitigated as there will be no requirement for separate food waste collections between November - March. The continued combined processing of food and garden waste does not offer the environmental benefits of separated processing but this is short term and must be weighed against the risks set out in this report.

**8. ALTERNATIVE OPTIONS**

- 8.1. The Council could decide to retain the original launch date of 4<sup>th</sup> November and accept the risks.

**9. BACKGROUND PAPERS**

- 9.1. None

(END)



Council name	<b>COTSWOLD DISTRICT COUNCIL</b>
Name and date of Committee	<b>CABINET - 2<sup>ND</sup> SEPTEMBER 2019</b>
Report Number	<b>AGENDA ITEM (15)</b>
Subject	<b>FUTURE JOINT WASTE PARTNERSHIP AND WASTE MANAGEMENT PROVISION</b>
Wards affected	ALL
Accountable member	Cllr. Andrew Doherty - Cabinet Member for Waste, Flooding and Environmental Health Email: <a href="mailto:Andrew.doherty@cotswold.gov.uk">Andrew.doherty@cotswold.gov.uk</a>
Accountable officer	Claire Locke Group Manager - Commissioning Tel: 01285 623427 Email: <a href="mailto:claire.locke@publicagroup.uk">claire.locke@publicagroup.uk</a>
Summary/Purpose	To seek agreement to end the current formal Gloucestershire Joint Waste Committee and form a Waste Partnership to facilitate continued joint working. To gain agreement to withdraw from the Joint Waste Team and request that Publica provide future management of waste functions through a shared contract management service.
Annexes	None
Recommendation/s	<b>That Council be recommended to:-</b> <b>a) Allow the Joint Waste Committee to end on 13th December 2019;</b> <b>b) Support the formation of a structured but less formal Joint Waste Partnership, the detail of which may be subject to a further report in due course;</b> <b>c) Withdraw from the Joint Waste Team on 13th December 2019 and request that Publica provide the waste management function from 14<sup>th</sup> December 2019;</b> <b>d) Put in place a contract variation between the Council and Publica to obligate Publica to provide services as set out in this report and to increase the Publica contract sum by £53,240 to fund the Officer posts which will transfer to Publica from the Joint Waste Team through the TUPE process to facilitate recommendation (c) above.</b>
Corporate priorities	The Partnership will contribute to the priority in the emerging Corporate Plan to reduce Carbon and the environmental impact of the Council's operations.
Key Decision	YES

Exempt	NO
Consultees/ Consultation	Affected staff will be subject to TUPE consultation once a decision on the future of the Joint Waste Team has been made.

## 1. BACKGROUND

- 1.1. In April 2013 the Gloucestershire Joint Waste Committee (GJWC) was formed with Gloucestershire County Council (GCC), Cotswold District Council (CDC), Cheltenham Borough Council (CBC) and Forest of Dean District Council. Staff from the in-house waste teams at each authority TUPEd into the Joint Waste Team (JWT), which is administered by GCC. Tewkesbury Borough Council (TBC) joined in 2014. Since then efforts have been made to encourage Stroud District Council and Gloucester City Council to join. To-date they have not done so but have attended JWC meetings as non-partners for a number of years but run their own in-house waste management teams.
- 1.2. On 6th December 2018 Cheltenham Borough Council provided written notice of its intention to leave the Gloucestershire Joint Waste Committee. Under the terms of the Inter Authority Agreement (IAA) that governs the GJWC, CBC must provide 12 months' notice, meaning that it will cease to be a member of the committee from 13th December 2019.
- 1.3. CBC's departure triggers the Termination provisions within the IAA as summarised below. This provides an opportunity for all partners to review their position and the benefits they would seek to gain from any future joint arrangements.
- 1.4. If an Exiting Notice is served (as CBC has done) then the GJWC is dissolved in 12 months' time. Where 2 or more of the remaining partners do not want the agreement to be terminated then they can serve a Continuance Notice on all of the other partners no later than 3 months before the dissolution date.
- 1.5. The GJWC continues to provide the functions and services set out in the IAA between the date of the Exiting Notice and the dissolution date.

## 2. FUTURE OPTIONS

- 2.1. There has been significant discussion both at the Joint Waste committee and informally between officers and Members regarding the future of the Joint Waste Committee and team. Based on discussions to-date it is clear that all the partner authorities, including Cheltenham, Stroud and Gloucester City are keen to work together but there is no support for a continuation of the current Committee arrangement. There would be no value in Cotswold District Council seeking a continuation of the Committee as Cheltenham has already formally withdrawn leaving only four partners remaining and Tewkesbury have informally stated they do not wish to continue. There would be little value in a committee that represented a maximum of three partners of the seven in the County. The Forest of Dean and Gloucestershire County Councils have yet to make a formal statement but both have indicated an informal partnership is likely to be their preferred option.

**2.2.** The focus is therefore on what arrangement, if any, should replace the Committee following termination and what delivery model should be used for waste management.

**2.3.** Consultants 'Local Partnerships' were jointly commissioned to explore the Committee's activities, performance and future options. Lead officers and Members from each Council were interviewed to understand what had worked well and had not worked well through the Committee structure and aspirations for the future. The report is available on request from the Committee Services Team

Some of the key points raised were:

- The fact that not all authorities are part of the Joint Waste Committee has limited the effectiveness of the Committee. There is a desire for a less formal partnership that all authorities would join.
- The lack of shared decision making – the Committee has made few joint decisions.
- The Committee has delivered neither significant change nor innovation but it has not been resourced to do so. Whilst it has an ambitious Business Plan, the resources allow for little beyond day to day business as usual waste management activities.
- An intelligent client function is required to manage contractors.
- The current arrangement created issues with conflict of interest with the Joint Waste Team representing both the District and County Councils.
- Powers as Waste Collection and Waste Disposal authorities are delegated to the Committee - some Councils want to take those powers back.
- There is a desire to share infrastructure such as transfer stations.
- The Committee has delivered some qualitative benefits but there have not always been tangible financial benefits on which to build a business case to encourage Gloucester and Stroud to join the Committee.
- The envisaged benefits of shared decision making have not been realised.
- A partnership would still be strategic but control would be maintained by the individual Councils. It may work better as all seven authorities are likely to join whereas the Committee only included five partners.
- Focus should be on joint campaigns not trying to do everything the same.

**2.4.** The Local Partnerships report sets out the advantages and disadvantages of the options to cease a partnership arrangement, continue the commitment or create a less formal partnership.

Termination

**2.5.** The termination process requires existing functions to be transferred back to each partner authority; together with the break up and reassignment of staff within the JWT (who would either TUPE transfer to the various partners or go through a redundancy process). The staffing situation is complicated by the fact that certain JWT staff support more than one partner authority. A final set of accounts will have to be prepared and any contracts commissioned by GCC on behalf of the districts, transferred to the relevant partners.

- 2.6. Each partner authority will then become responsible for delivering the waste management functions currently provided by the JWT. This risks a duplication of effort and resources, and a loss of the coordination that has been built up through the GJWC, so careful consideration is needed for the future delivery model.

#### A Future Partnership

- 2.7. The Report has provided a valuable focus for discussions which have indicated that there is a will from all partners to have a structured partnership but without the formal committee structure. The desire is for a partnership to deliver communications, promotional campaigns and joint procurement (i.e. aligning fleet and containers) and therefore clear objectives will be required to ensure these benefits are achieved.
- 2.8. There is a shared view that to successfully deliver this some element of joint role needs to remain to administer the Partnership and coordinate joint initiatives. Without this shared role, it is unlikely joint working will fulfill its potential as none of the authorities have spare capacity to undertake this coordination role. That said there is a concern that this role will not add sufficient value and will not result in any tangible savings. Ubico have also put forward a proposal to deliver coordination and administration of a Partnership; however, the Local Partnerships report advises against this approach. Work to consider this is therefore ongoing and options to explore external funding for this role on a two year fixed term basis are being explored so that the benefits can be reviewed overtime. As the best option for the delivery of a coordination role has not been concluded, a further report will be brought to Cabinet in October/November if there are any budgetary implications.

#### Waste Management Provision

- 2.9. The decisions on the Committee and the Joint Waste Team are separate but related. The Team could continue when the Committee ends; however, as highlighted in paragraph 2.1 above, Cheltenham and Tewkesbury have stated they do not wish to be part of a Joint service, so the only other potential partners are Gloucestershire County Council and Forest of Dean District Council.
- 2.10. If the Committee ceases, the Council could consider the following options for managing its waste service:

**Cotswold Team** - An individual waste team providing waste management just within the District.

**Publica Team** - A joint Publica Waste team providing waste management services across Forest of Dean District Council, Cotswold District Council and West Oxfordshire District Council.

**Retained Joint Waste Team** - A Gloucestershire Joint Waste Team (but without the Committee structure) – only viable if both Forest of Dean District Council and Gloucestershire County Council agree.

**Outsourcing** - Outsourcing the waste management function to a third party.

### Cotswold Team

- 2.11.** An individual Cotswold waste team will increase current service costs, lacks resilience and misses opportunities for joint working. Within the Joint Waste Team, the Council benefits from access to a range of skills and the resilience provided by a bigger team. The estimated additional cost of a Cotswold team would be in the region of £40,000 - £50,000.
- 2.12.** The benefit of this model is the service would be entirely focused on the District's priorities. However, in the other models this can be achieved through clear priority setting, business planning and performance management. There would be a loss in resilience, a breadth of expertise, joint working and the benefits of learning best practice although this may be achieved in part through a Joint Partnership. There would be no opportunities for efficiency savings and as indicated above annual revenue costs would rise.

### Publica Team

- 2.13.** A Joint Publica team would share resources, manage costs and build resilience. It would offer the opportunity to deliver joint initiatives and procurement and cross boundary working. The Publica Commissioning function is currently being redesigned to offer a more modern, innovative and adaptive structure based on the functions that Publica need to deliver to meet the Councils needs, rather than being based on historical service structure. The relevant Joint Waste Team staff would be integrated into this new structure as part of the TUPE process.
- 2.14.** A joint contract management function would build contract management expertise whilst providing a locality based service focused entirely on the needs of that District Council. There would however be resilience across the structure avoiding the single point of failure issues that arise from small individual teams.
- 2.15.** The contract management function would deliver services for the Cotswold, Forest of Dean and West Oxfordshire Councils initially. The change is simply that the Waste management function currently undertaken by the JWT would transfer across to Publica.
- 2.16.** Effort will need to be made to ensure strong links remain with GCC, to coordinate the Waste Collection Authority and Waste Disposal Authority roles.
- 2.17.** This model provides the opportunity to expand a Contract Management function to other partners with relative ease, this would offer particular benefits within existing Counties of Gloucestershire and Oxfordshire and for authorities that receive services from Ubico or Biffa but would not be limited to these.
- 2.18.** The Joint Publica service would be delivered at no additional cost. Each authority would pay an appropriate apportionment of costs so that no council is subsidising the other. The current Council contribution, to Gloucestershire County Council, to fund its share of the Joint Waste Team will be reallocated to fund the additional Publica contract cost.



### Retained Joint Waste Team

- 2.19.** The continuation of a Gloucestershire Joint Waste Team would share resources but its efficiency and resilience will be dependent of the number of other Districts/County willing to pursue this model. It should be noted that without both Forest of Dean District Council and Gloucestershire County Council agreeing to this option this model will not be available to the Council. It is unlikely a continuation of the Joint Waste Team will be agreed but is included here as it remains an option at this stage.

### Outsourcing

- 2.20.** Outsourcing the service externally to a third party is likely to be an expensive option and may result in a loss of local knowledge. Without procuring an external Waste Management service it is hard to estimate costs but this is likely to be the most expensive option increasing annual revenue costs by at least £50,000 per year without any improvements to capacity or service.

### Summary

- 2.21.** Based on the likelihood that there will be a maximum of three partners in Gloucestershire wishing to remain in the Joint Waste Team and there are no guarantees that both Gloucestershire County Council and Forest of Dean District Council will wish to do so, and an in-house or outsourced service will be more expensive than the current service provision, it is recommended that the service is transferred to Publica. Publica would propose to deliver a shared contract management function for Cotswold, Forest of Dean and West Oxfordshire District Councils which would build resilience whilst managing service costs, effectively replacing the Joint Waste Team with a Publica shared contract management team.

## **3. FINANCIAL IMPLICATIONS**

- 3.1.** Cotswold District Council currently pays £53,240 per annum to Gloucestershire County Council for the waste management function. In addition, a contribution of £12,000 per annum is made towards the Joint Waste Team Head of Service who provides strategic management and supports the Joint Waste Committee.
- 3.2.** If a coordinating shared role is agreed to administer the Joint Partnership and coordinate activities such as promotional campaigns, and funding cannot be secured by grant or other funding award, the Council would need to contribute towards the costs. This could be wholly or partially funded from the saving in £12,000 contribution towards the Head of Service role. However as this has not yet been concluded, it will be the subject of a future report if necessary.
- 3.3.** If the Council elected to continue with the Joint Waste Team it is likely its staff costs will increase, as not all other partners are likely to remain in the partnership. It is possible the Joint Waste Team may just consist of Gloucestershire County Council funded staff and Cotswold District Council funded staff (with Forest of Dean District Council yet to make a decision). Even with changes to roles, i.e. making the Head of Service role a part time function, there is a risk it will cost this Council in excess of £10,000 a year more and, depending on the number of partners, this cost increase could be considerably higher.

- 3.4. If Publica administers this function there will be no cost increases; and some cost savings are anticipated by bringing together in-house and externally delivered services which will be more efficient. A future service design is currently being developed by Publica to ensure good contract management capability and an identified point of contact in each locality for Members. Savings from these changes have not yet been calculated.
- 3.5. If the Joint Waste Team is disbanded, staff in the Team, who are all currently employed by Gloucestershire County Council, would either TUPE to the authority they undertake most work for, or, if there is no continuation of their role, they would be made redundant. In this case the authorities who fund the post being made redundant would be liable for the redundancy costs. The detail of any redundancy costs are not yet known and cannot be calculated until all councils have taken a decision on the future of the Joint Waste Team. That said, no redundancy costs are anticipated for this Council.

#### **4. LEGAL IMPLICATIONS**

- 4.1. The Council can issue a Continuation Notice if it wishes to continue with the Joint Waste Committee. If two or more Councils issue a Continuation Notice the Committee would be reformed. There is no clear indication at this stage that another council intends to issue a continuation notice.
- 4.2. Decisions on the Joint Waste Committee and Joint Waste Team are separate but related decisions.
- 4.3. The transfer of staff will be subject to TUPE and the Councils must ensure they comply with these provisions.
- 4.4. The new Partnership will be informal but structured with clear objectives and a work plan. It will not however be subject to a formal Inter Authority Agreement like the formal Joint Waste Committee. If there is a shared coordinating role developed there will need to be an agreement to manage/govern this but that will be covered by a future report, if necessary.

#### **5. RISK ASSESSMENT**

- 5.1. This Council will need to take a decision before the decisions of all other partners is known and therefore the full cost implications of each option can be calculated. Should the costs exceed the provisional sums included in this report, a further report will be considered by the Council.
- 5.2. Reforming the Joint Waste Committee without sufficient partners would make the partnership inefficient and create little value.
- 5.3. Ceasing all structured partnership working countywide is likely to result in duplication of effort and resources, increased cost and multiple messages to the public as no one district authority has the spare resources to coordinate messages and campaigns on behalf of all partners.
- 5.4. Continuing the Joint Waste Team without sufficient partners is likely to increase costs for the Councils who are included.

- 5.5. All partners need to make a decision in September/October so that the decision can be reported to the Joint Waste Committee on 8<sup>th</sup> October 2019. If this Council decides to instruct Publica to provide their Waste management function, staff consultation would commence regarding new proposed structures within the Publica Commissioning Group, affecting existing Publica employees and existing Joint Waste Team employees who would transfer into the Publica Commissioning team.

**6. EQUALITIES IMPACT (IF REQUIRED)**

- 6.1. The proposed changes will impact on staff employed within the Joint Waste Team who would be subject to the TUPE Provisions (Transfer of Undertakings (Protection of Employment) Regulations). Their rights and any impacts on individuals resulting from the transfer will be fully considered and consulted on as part of the TUPE process.
- 6.2. There should be no impact on customers as a result of these changes.

**7. CLIMATE CHANGE IMPLICATIONS (IF REQUIRED)**

Staff working across multiple sites will need to travel; however, the carbon impact of shared working is being actively mitigated through smart working (remote working, teleconferencing etc.). The environmental impact on contract management functions will be fully considered as part of the Climate Change strategy and action plan which is currently being developed.

**8. ALTERNATIVE OPTIONS**

- 8.1. As set out in the body of the report.

**9. BACKGROUND PAPERS**

- 9.1. The following documents have been identified by the author of the report in accordance with section 100D.5(a) of the Local Government Act 1972 and are listed in accordance with section 100 D.1(a) for inspection by members of the public:
- Cabinet Report – 3<sup>rd</sup> November 2011 – Formation of the Joint Waste Committee in Gloucestershire and associated minutes
- 9.2. These documents are available on the Council's website.

(END)