



CABINET

11 June 2015

A meeting of the CABINET will be held on Thursday, 18th June, 2015, 6.00 pm in Committee Room 1 Marmion House, Lichfield Street, Tamworth

A G E N D A

NON CONFIDENTIAL

1 Apologies for Absence

2 Minutes of the Previous Meeting (Pages 1 - 4)

3 Declarations of Interest

To receive any declarations of Members' interests (pecuniary and non-pecuniary) in any matters which are to be considered at this meeting.

When Members are declaring a pecuniary or non-pecuniary interest in respect of which they have dispensation, they should specify the nature of such interest. Members should leave the room if they have a pecuniary or non-pecuniary interest in respect of which they do not have a dispensation.

4 Question Time:

To answer questions from members of the public pursuant to Executive Procedure Rule No. 13

5 Matters Referred to the Cabinet in Accordance with the Overview and Scrutiny Procedure Rules

None

6 Quarter Four 2014/15 Performance Report (Pages 5 - 58)
(Report of the Leader of the Council)

7 Write Offs (Pages 59 - 66)
(The Report of the Portfolio Holder for Operations and Assets)

- 8 Capital Outturn Report 2014/15** (Pages 67 - 88)
(The Report of the Portfolio Holder for Operations and Assets)
- 9 Local Council Tax Reduction Scheme 2016/17** (Pages 89 - 124)
(The Report of the Portfolio Holder for Operations and Assets)
- 10 Delivery of Corporate Property Repairs, Compliance works and Capital Works through Solihull Framework, Agreement** (Pages 125 - 128)
(The Report of the Portfolio Holder for Operations and Assets)
- 11 Insurance Tender 2015** (Pages 129 - 134)
(Report of the Portfolio Holder for Operations and Assets)
- 12 ASB, Crime and Policing Act 2014 Implementation** (Pages 135 - 164)
(Report of the Portfolio Holder for Communities and Public Health)

Yours faithfully



Chief Executive

People who have a disability and who would like to attend the meeting should contact Democratic Services on 01827 709264 or e-mail committees@tamworth.gov.uk preferably 24 hours prior to the meeting. We can then endeavour to ensure that any particular requirements you may have are catered for.

To Councillors: D Cook, R Pritchard, S Claymore, S Doyle, and M Thurgood.



MINUTES OF A MEETING OF THE CABINET HELD ON 23rd APRIL 2015

PRESENT: Councillor D Cook (Chair), Councillors R Pritchard, S Claymore, S Doyle and M Thurgood

The following officers were present: Anthony E Goodwin (Chief Executive), Andrew Barratt (Director - Assets and Environment), Robert Mitchell (Director - Communities, Planning and Partnerships) and Matthew Bowers (Head of Planning and Regeneration)

130 APOLOGIES FOR ABSENCE

None

131 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 2nd April 2015 were approved and signed as a correct record.

(Moved by Councillor R Pritchard and seconded by Councillor M Thurgood)

132 DECLARATIONS OF INTEREST

There were no Declarations of Interest.

133 QUESTION TIME

None

134 MATTERS REFERRED TO THE CABINET IN ACCORDANCE WITH THE OVERVIEW AND SCRUTINY PROCEDURE RULES

None

135 THE DESIGNATION OF TOWN WALL A LOCAL NATURE RESERVE

The Report of the Portfolio Holder for Communities and Public Health to request that Members approve the designation of Town Wall as a Local Nature Reserve was considered.

RESOLVED: That Cabinet endorsed the designation of Town Wall as a Local Nature Reserve, subject to receipt of a letter of endorsement from Natural England.

(Moved by Councillor D Cook and seconded by Councillor R Pritchard)

136 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED: That members of the press and public be now excluded from the meeting during consideration of the following item on the grounds that the business involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended).

This motion was not made therefore item 137 was heard in public.

(Moved by Councillor D Cook and seconded by Councillor S Claymore)

137 BUSINESS IMPROVEMENT DISTRICT

The Report of the Portfolio Holder for Economy and Education seeking Members approval to progress a Business Improvement District for Tamworth Town Centre and Ventura Park was considered.

RESOLVED: That

1. Cabinet endorsed the allocation of £22,000 for undertaking a feasibility study into a Town Centre Business Improvement District initially from the town centre reserve budget PM1603X0156 and the Council commits officer time to support the development of the BID and associated conditions;
2. agreed that the Portfolio Holder for Economy and Education and the Director of Communities, Planning and Partnerships will represent the Council on the Shadow Board and;
3. agreed that a further report be considered upon completion of the feasibility study where the Council will consider its ability to contribute to the next phase and the willingness of businesses to contribute or agree to cover the Councils costs should a BID ballot be successful.

(Moved by Councillor S Claymore and seconded by Councillor R Pritchard)

Leader

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THURSDAY, 18 JUNE 2015

**REPORT OF THE LEADER OF THE COUNCIL
QUARTER FOUR 2014/15 PERFORMANCE REPORT**

EXEMPT INFORMATION

Not applicable

PURPOSE

This report aims to provide Cabinet with a performance health-check

RECOMMENDATIONS

That Cabinet endorse the contents of this report

EXECUTIVE SUMMARY

This report looks at

1. High level corporate plan projects/programmes,
2. Key Service Performance Indicators,
3. Impact of welfare benefit reform,
4. Performance management framework,
5. Corporate risks,
6. Sustainability Strategy,
7. Financial health check

OPTIONS CONSIDERED

Not applicable

RESOURCE IMPLICATIONS

There are none

LEGAL/RISK IMPLICATIONS BACKGROUND

There are none

SUSTAINABILITY IMPLICATIONS

There are none

BACKGROUND INFORMATION

REPORT AUTHOR

John Day

LIST OF BACKGROUND PAPERS

APPENDICES

Quarter Four 2014/15 Performance Report

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1. High level corporate plan projects/programmes

Corporate Priority
1.To Aspire and Prosper in Tamworth

Corporate Project/Programme	Milestone/Measure of Success	Latest update	Due Date	Completed
Cultural Quarter Project	Business case	A business case has been completed.		Yes
	Heritage Lottery Fund external funding bid	A bid to the Heritage Lottery Fund for £900k will be considered by them in June 2015.		Yes
	Single Local Growth Fund external funding bid	£2.95m has been awarded by central government from the Single Local Growth Fund. A report went to Cabinet on 19th February 2015 to consider the outcome and its implications		Yes
Growth and Regeneration Plan	Business support	A new GBSLEP Growth Hub is in development.		Yes
	People: Skills and employment	Working with schools and employers to promote skills development. Unemployment in Tamworth has reduced significantly and work will continue with employment groups to further this trend.		Yes
	Place: town centre employment sites housing	The Gateways project at Ladybridge has started and is progressing well. 'Pinchpoint' works at Upper Gungate and Aldergate are nearing		Yes

Corporate Project/Programme	Milestone/Measure of Success	Latest update	Due Date	Completed
	transport	completion. The College relocation project is ongoing.		
Improve the green environment including management and maintenance of local nature reserves, open spaces and parks, and to provide an efficient waste collection service	The waste collection service delivers further efficiencies throughout the year that complement opportunities created by the new energy from waste disposal facility.	The changes in the way organic waste is collected were introduced in the summer.	30-Sep-2014	Yes
	Achieving a gold award in the "Heart of England in Bloom" competition, and receiving acknowledgement in the national Britain in Bloom judging	Tamworth achieved a gold award for the fifth year running in the Heart of England in Bloom competition.	31-Oct-2014	Yes
	Works to make Broad Meadow accessible and completion of the LNR designation	Work commenced on site on 5th January 2015, was completed by 31st March 2015 and was given LNR designation on 9th April 2015.	31-Mar-2015	Yes
	Town Wall gaining designation as a Local Nature Reserve by March 2014	The issue regarding land ownership is now resolved, a report was presented to Cabinet on 23rd April 2015 and LNR designation is expected by 31st August 2015.	31-Aug-2015	No
Local Plan	1. Consultation draft	Completed. A pre-submission draft of the Local Plan went to Council on 8th October 2014. Six weeks consultation will follow this; following which a submission will be made to The Secretary of State.		Yes
	2. Submission document			Yes
	3. Examination	Examination commences in June		No

Corporate Project/Programme	Milestone/Measure of Success	Latest update	Due Date	Completed
		2015.		
	4. Adopted Local Plan			No

Corporate Priority
2. To be healthier and safer in Tamworth

Corporate Project/Programme	Milestone/Measure of Success	Latest update	Due Date	Completed
Healthy Tamworth	Formal establishment of Steering group	Completed	30-Apr-2014	Yes
	Development of the delivery framework	Completed	30-Jun-2014	Yes
	Community engagement completed	The Website has been established and ABCD commissioned.	30-Apr-2015	Yes
Housing Regeneration – Kerria and Tinkers Green	Decant commences	Regeneration of Tinkers Green and Kerria Centre is progressing in accordance with project plan. The bungalows at Cottage Walk have been demolished. The decanting of tenants from Hastings Close is progressing well and successful consultation with residents has been undertaken for both areas. Outcomes from the consultation will be utilised in master planning exercise along with technical data. Further work with architects is progressing and financial modelling is underway.	31-Jul-2014	Yes
	Consultation complete	Regeneration of Tinkers Green and	31-Aug-2014	Yes

Corporate Project/Programme	Milestone/Measure of Success	Latest update	Due Date	Completed
		<p>Kerria Centre is progressing in accordance with project plan.</p> <p>The bungalows at Cottage Walk have been demolished.</p> <p>The decanting of tenants from Hastings Close is progressing well and successful consultation with residents has been undertaken for both areas. Outcomes from the consultation will be utilised in master planning exercise along with technical data.</p> <p>Further work with architects is progressing and financial modelling is underway</p>		
	Outline planning permission submitted	Complete; Outline planning permission submitted	28-Feb-2015	Yes
Implementation of the new Allocations Policy	Implementation plan in place	Implementation of the Council's new allocations policy is underway with training of staff completed and IT systems updated and tested. Letters have been sent to all existing applicants to enable re-banding to take place. Successful delivery of the implementation to be completed in line with project milestones.	30-Apr-2014	Yes
	IT Systems updated	Implementation of the Council's new allocations policy is underway with training of staff completed and IT	31-Dec-2014	Yes

Corporate Project/Programme	Milestone/Measure of Success	Latest update	Due Date	Completed
		systems updated and tested. Letters have been sent to all existing applicants to enable re-banding to take place. Successful delivery of the implementation to be completed in line with project milestones.		
	New policy implemented and publicised	The new allocations policy is implemented and running successfully.	28-Feb-2015	Yes
To ensure all regulatory functions provided by the Council are delivered in a transparent, consistent and fair manner to promote public safety and to minimise the burden to businesses.	A reduction in workplace accident investigations	Work is ongoing throughout the year.		Yes
	Air Quality Improved	Work is ongoing throughout the year.		Yes
	All Licensing applications processed in a timely fashion, with any appeals dealt with in a professional manner	Work is ongoing throughout the year.		Yes
	All planned food and health and safety inspections completed	Work is ongoing throughout the year.		Yes
	Statutory nuisance investigations/actions completed within acceptable timescales	Work is ongoing throughout the year.		Yes

Corporate Priority
3. Approachable, Accountable and Visible

Corporate Project/Programme	Milestone/Measure of Success	Latest update	Due Date	Completed
Budget / Council Tax Setting – Key Budget milestones completed in line with the	Executive Board (additional) meetings timetabled	Completed	31-Jul-2014	Yes
	Budget Consultation Process reviewed	Completed	31-Aug-2014	Yes
	Budget Process approval	Approved by Cabinet 21/8/14	30-Sep-2014	Yes

Corporate Project/Programme	Milestone/Measure of Success	Latest update	Due Date	Completed
agreed timetable	Budget Consultation results to CMT / EB	Circulated to CMT 2nd October 2014. Due for Cabinet consideration 23rd October 2014	31-Oct-2014	Yes
	Circulation of Revised recharges to CMT/ADs/Managers for review/challenge	Draft Recharges discussed at CMT 1 December 2014 (& then circulated to CMT 1 December 2014)	31-Oct-2014	Yes
	Consideration of Initial Capital Programme proposals by CMT/EB	Initial Capital Programme considered by EMT on 7 November 2014 (following ASG / CMT consideration)	31-Oct-2014	Yes
	Consideration of Initial Policy Changes by CMT/EB	Draft Policy Changes considered by EMT on 7 November 2014 (following CMT consideration)	31-Oct-2014	Yes
	Approval of Council Taxbase	Council Taxbase approved by Cabinet 27 November 2014	30-Nov-2014	Yes
	Base Budget forecast to CMT/EB	Draft Base Budget Forecasts 2015/16 to 2019/20 approved by Cabinet 27 November 2014	30-Nov-2014	Yes
	Council Members Budget Workshop (instead of 1 Joint Budget Scrutiny Committee)	Budget workshop held 4 December 2014	30-Nov-2014	Yes
	Joint Budget Scrutiny Committee	Joint Scrutiny Committee (Budget) reviewed the Draft MTFS proposals at the meeting on 27 January 2015	30-Jan-2015	Yes
	Approval of Budget by Council	MTFS approved by Council on 24 February 2015	28-Feb-2015	Yes
	Council Tax Leaflet published		28-Feb-2015	Yes
Treasury Management Policy & Prudential Indicators / Limits reported & set	Treasury Management Strategy approved by Council on 24 February	28-Feb-2015	Yes	

Corporate Project/Programme	Milestone/Measure of Success	Latest update	Due Date	Completed
		2015		
	Completion of Statutory Returns to ODPM (Revenue Estimates / Budget Requirement / capital estimates	CTR1 returned 26 February 2015, CER form returned 8 April 2015, RA forms returned 10 April 2015	18-Apr-2015	Yes
Corporate Information Security Development	Development of security policies and procedures	The Records Management Policy was approved by Cabinet in September 2014. The policy is now being distributed on Netconsent.		Yes
	Information security training	Training is to be provided in the following areas: Information security and management, Data protection, Freedom of information. and included in the corporate training matrix being compiled by Human Resources for delivery in 2015/16.		Yes
	Management of vendors and suppliers	This is an ongoing activity throughout the year.		Yes
	Review security monitoring tools, particularly in line with obligations defined by the Government Code of Connection	Anti virus is now installed and configured. The gold tool is still being reviewed for further exploitation.		Yes
	Risk assessment and response to incident	This is an ongoing activity throughout the year.		Yes
Customer Service and Access	Agreement of strategy at Corporate Management Team	Agreed at CMT on 14th July 2014.	14-Jul-2014	Yes

Corporate Project/Programme	Milestone/Measure of Success	Latest update	Due Date	Completed
Strategy	'Quick win' action plan agreed by Corporate Management Team	Agreed at Corporate Management Team on 8th September 2014.	31-Aug-2014	Yes
	Action plan developed for delivery of strategy	Action plan completed.	31-Oct-2014	Yes
	£50k savings achieved by 31st March 2016		31-Mar-2016	No
	£100k savings achieved by 31st March 2017.		31-Mar-2017	No
	80% of customer contact dealt with by Customer Services Centre by March 2017.		31-Mar-2017	No
	E-mail enquiries increased from 12,500 a year to 25,000 a year by March 2017		31-Mar-2017	No
	Face to face interactions reduced from 91,720 to 17,000 a year by March 2017.		31-Mar-2017	No
	Self service processes increased from 1 to 5,000 by March 2017		31-Mar-2017	No
	Telephone calls into Tamworth Borough Council reduced from 30,000 per year to 5,000 per year by March 2017.		31-Mar-2017	No
	Text messages sent out increased from 2,000 a year to 5,000 a year by March 2017		31-Mar-2017	No
	The number of hits on website increased from 597,000 a year.		31-Mar-2017	No
Elections 2014		All milestones completed	22-May-2014	Yes
Implementation of Self Serve - Human Resources/ Payroll Module	Scope project	The project is now scoped.	31-Aug-2014	Yes
	pilot		30-Jun-2015	No
	Proof of concept		31-Jul-2015	No
Individual Electoral Registration	Publication of revised register in England	Completed	17-Feb-2014	Yes
	EROs to conduct delayed 2013 canvass period. Information	Completed	28-Feb-2014	Yes

Corporate Project/Programme	Milestone/Measure of Success	Latest update	Due Date	Completed	
	to be published to keep public informed Oct 2013 - Feb 2014				
	New software installation to support IER and electoral process going forward Feb - April 2014	Completed	30-Apr-2014	Yes	
	Seconded post to be filled to assist process April 2014 ongoing		30-Apr-2014	Yes	
	Data-matching underway on the final pre-IER register EROs write-out to those on the final pre-IER register to assure them that they are confirmed as registered under the new system, or to invite them to supply their personal identifiers	Confirmation Live Run completed 14 July 2014.		31-Jul-2014	Yes
	Electoral Commission public awareness campaign goes live across England, Scotland and Wales in time to support the write-out and other registration activity undertaken by electoral registration officers.	National and Local advertising campaign started in July 2014		31-Jul-2014	Yes
	IER goes live; new applicants will be registered under IER.			31-Jul-2014	Yes
	Rolling registration continues March to Sept 2014			09-Oct-2014	Yes
	Publication of revised register. Estimated project will be complete by December 2015			31-Dec-2014	Yes
Legal Spend Review	Initial approach made to external service providers	Completed		31-Dec-2013	Yes
	Options looked at to decide the most appropriate source of legal support	Completed		31-Jan-2014	Yes
	Meetings with stakeholders to discuss operation of service	Completed		28-Feb-2014	Yes
	Meeting with Lichfield Legal Services to explore larger shared service option	Completed		31-Mar-2014	Yes

Corporate Project/Programme	Milestone/Measure of Success	Latest update	Due Date	Completed
	Scheme of Delegation Report for approval to enter shared service agreement	Completed	25-Aug-2014	Yes
	Draft shared service agreement to be agreed	Final draft of agreement reached with Birmingham City Council. Lichfield District Council are not taking part at this point in time.	28-Aug-2014	Yes
	Ongoing co-ordination through legal services of legal spend across TBC	Proposals taken to heads of service meeting. and implemented with services.	29-Aug-2014	Yes
	Roll out of shared service to stakeholders	Heads of service have taken on board instruction of legal services through legal to control spending.	29-Aug-2014	Yes
Maximisation of income/collection Council Tax, Non-Domestic Rates, Debtors and Mortgages. Improved cash flow and local collection targets achieved – including monitoring of the impact of Welfare Benefit Reform.	In year % collection of Debtors – 95%	Debtors Very good performance for the year: Collection rate for 2014/15 financial year of 98% achieved – ahead of target by 3% Debts over 6 months old are £90k – £10k better than target of £100k		Yes
	In year % collection of Council Tax – 97.5%	Council Tax Another very good performance for the year – yet again, in challenging times: Collection rate for 2014/15 financial year of 97.7% achieved – ahead of target by 0.2% Court costs income is ahead of target by £66k at £288k Arrears for 2013/14 slightly behind		Yes













Corporate Project/Programme	Milestone/Measure of Success	Latest update	Due Date	Completed
		target at 52.3% compared to target of 53%		
	In year % collection of Non-Domestic Rates – 98%	<p>NNDR</p> <p>Exceptional performance for the year:</p> <p>Collection rate for 2014/15 financial year of 98.7% achieved – ahead of target by 0.7%</p> <p>Court costs income is ahead of target by £1k at £11k</p> <p>Arrears for 2013/14 ahead of target at 62.2% compared to target of 40%</p>		Yes
Monitor the effects of changes to Benefits regulations & their impact on the collection & recovery of Council Tax and Monitoring of arrangements for localisation of Non-domestic rates	In year % collection of Debtors – 95%	<p>Debtors</p> <p>Very good performance for the year:</p> <p>Collection rate for 2014/15 financial year of 98% achieved – ahead of target by 3%</p> <p>Debts over 6 months old are £90k – £10k better than target of £100k</p>		Yes
	In year % collection of Council Tax – 97.5%	<p>Council Tax</p> <p>Another very good performance for the year – yet again, in challenging times:</p> <p>Collection rate for 2014/15 financial year of 97.7% achieved – ahead of target by 0.2%</p> <p>Court costs income is ahead of target by £66k at £288k</p> <p>Arrears for 2013/14 slightly behind</p>		Yes

Corporate Project/Programme	Milestone/Measure of Success	Latest update	Due Date	Completed
		target at 52.3% compared to target of 53%		
	In year % collection of Non-Domestic Rates – 98%	NNDR Exceptional performance for the year: Collection rate for 2014/15 financial year of 98.7% achieved – ahead of target by 0.7% Court costs income is ahead of target by £1k at £11k Arrears for 2013/14 ahead of target at 62.2% compared to target of 40%		Yes
Provision of financial advice, assistance and business support for Directorates & budget managers & preparation of monthly financial performance management reports for CMT & Quarterly for Cabinet	Bank Reconciliation completed within 10days (Payments Account) / 15 days (General Account) of period end	Bank Reconciliation completed within 13 days (General Account) for March / 6 days (Payments Account) for March 2015		Yes
	Ledgers closed down within 5 working days of period end	Financial ledger (efinancials) and Collaborative Planning budget setting & monitoring updated as at 31 March 2015 on 2 April 2015		Yes
	Spending maintained within approved budget and without significant underspends – target range of up to 5% underspend.	Provisional Outturn financial healthcheck to be reported to CMT / Cabinet June 2015		No
To complete the Final Accounts process with an unqualified audit opinion	Preparation of Draft Accounts by 30th June	Final accounts prepared & provided to External Auditors and Audit & Governance Committee on 26 June 2014	30-Jun-2014	Yes
	Completion of Statutory Returns to ODPM (Revenue Out-turn	Completed	30-Jul-2014	Yes







Corporate Project/Programme	Milestone/Measure of Success	Latest update	Due Date	Completed
	/ Capital Out-turn / WGA return) by 30th July			
	Approval by Audit & Governance Committee by statutory deadline of 30th September	Approved by Audit & Governance Committee on 25th September 2014	30-Sep-2014	Yes
	Publication by statutory deadline of 30th September	Completed	30-Sep-2014	Yes
	Publication by statutory deadline of 30th September	Completed	30-Sep-2014	Yes

2. Key Service Performance Indicators











Assets and Environment Key Service Performance Indicators 2014/15

Performance Indicator	2013/14	2014/15	Status	Short Trend	Annual Target 2014/15	Comments
	Value	Value				
Monitor the local air quality in Tamworth, taking any necessary action as dictated by the results	Yes	Yes			Yes	
Work with other public sector organisations to offer co-location in strategic council premises	Yes	Yes			Yes	
Deliver 100% of the Housing Capital Programme	100%	100%			100%	
The number of 0 and 2 star rated businesses	52	53				
The percentage of planned interventions undertaken	100%	100%			100%	
Percentage of household waste sent for reuse, recycling and composting (Tamworth)	53.60%	51.70%			50.00%	A fall of around 2% in the recycling figure was predicted as part of the changes to the organic waste collection service that were introduced in September 2014.













Communities Planning and Partnerships Key Service Performance Indicators 2014/15

Performance Indicator	2013/14	2014/15	Status	Short Trend	Annual Target 2014/15	Comments
	Value	Value				
Processing of planning applications: Major applications (Tamworth)	61.53%	58.25%			60.00%	Two major applications were considered during the fourth quarter of 2014/15. The applications related to Darwell Park (Ref 0401/2014) and Pennine way (Ref 0365/2014). Both of these applications were determined at Planning committee and took 18 weeks 1 day and 14 weeks 2 days respectively. Extensions of time were agreed with the applicants in respect of both these applications
Processing of planning applications: Minor applications (Tamworth)	78.20%	80.20%			65.00%	29 minor applications were processed in the fourth quarter of 2014/15. 22 of these applications were determined within 8 weeks. Out of the remaining 7 applications 5 had extensions of time agreed with the applicant and 2 were determined in around 16 weeks. All decisions were delegated
Processing of planning applications: Other applications (Tamworth)	96.92%	95.79%			80.00%	During the fourth quarter of 2014/15. 44 decisions were made for other developments. 41 were made within 8 weeks. The remaining 3 decisions were made after 8 weeks. One related to a house extension which took between 13 and 16 weeks, one related to an advertisement and took between 13 and 16 weeks and the final one related to a listed building application. An extension of time was agreed for the listed building



Performance Indicator	2013/14	2014/15	Status	Short Trend	Annual Target 2014/15	Comments
	Value	Value				
						application.
The number of partners delivering services in response to agreed issues - Amington	94	32			27	
The number of partners delivering services in response to agreed issues - Belgrave	33	31			27	
The number of partners delivering services in response to agreed issues- Glasgote	73	30			27	
The number of partners delivering services in response to agreed issues - Stonydelph	39	33			27	
Percentage of working age population claiming Job Seekers Allowance	1.7%	0.7%			1.5%	
Percentage of total rateable value of commercial floor space that is unoccupied	8.7%	4.71%			8.25%	
Percentage change in rateable value of commercial buildings	-1%	0.4%			1%	
20 new jobs created in existing organisations per annum directly attributable to interventions under the Contract (BDS – Infrastructure Support for business and third sector)		17		N/A	20	Due to the nature of work involved in 'new jobs created' This PI's figures will fluctuate each month. We are not concerned this PI is slightly down as BDS have continued to support start up's and other businesses and cannot always directly influence job creation. We accept there might be a slight delay in job creation figures but expect this to be rectified over the life of the contract.
10 first-time business start ups over two years with information broken down by sector and level of support provided (BDS – Infrastructure Support for business and third sector)		4		N/A	10	Due to Blue Orchid already providing this service in Tamworth we negotiated that this PI would not be met until Year 2 of the Contract. Therefore BDS have exceeded the agreement for Year 1.
Total Attendance Overall - Assembly Rooms	25,883	39,491			50,000	
Customer Satisfaction - Assembly Rooms	98%	99%			96%	
Visitor Numbers (Outdoor Events)	89,700	102,275			74,000	

Performance Indicator	2013/14	2014/15	Status	Short Trend	Annual Target 2014/15	Comments
	Value	Value				
Total Number of visits/usages - Tamworth Castle	43,037	42,114			47,000	
Trip Advisor Rating - Tamworth Castle	4.5	4.5			4.5	
Burglary Dwelling	182	207			182	There has been an increase this year which is in contrast to year on year falls over the last 5 years which have been achieved against a backdrop of recessions, high unemployment and austerity. One of the main factors for the increase has been the prevalence of active prolific offenders who are managed through the joint police/probation Integrated Offender Management (IOM) team. The police have recently set up a weekly crime strategy meeting for local police managers, IOM staff and the Head of community safety is also invited to provide that link with the resources in the community safety hub.
Incidents of Anti-Social Behaviour	1,916	2,049			1,916	The anticipated increase did occur and we finished the year over target which is set against year on year reductions for the last five years. The ongoing increase in reported incidents of mini motos, quad bikes etc mainly on our network of paths/cycle ways connecting the estates of Belgrave, Glascote, Stonydelph and Amington has continued which is largely responsible for the increase. The police have primacy for any enforcement action and the community safety hub has and will assist them in an effort to resolve these issues.
Serious Violence	52	49			32	We did not achieve our ambitious reduction target based on 2012/13 final outturn, however we did achieve a slight reduction on last year's final figure. There are no trends or patterns to the violence with still the absence of















Performance Indicator	2013/14	2014/15	Status	Short Trend	Annual Target 2014/15	Comments
	Value	Value				
Less Serious Violence	489	555			489	<p>weapons or gangs. A multi agency violence task group is being set up to have a more focused approach to reduce the incidents. Violence is occurring across the 3 main areas, night time economy in the town centre, estate residential violence and domestic related. In the last 12 months we have commissioned the services of an early intervention worker for domestic abuse which may have encouraged more victims to report the assaults to the police which will increase the incidents of violence.</p> <p>We did not achieve our ambitious reduction target based on 2012/13 final outturn. There are no trends or patterns to the violence with still the absence of weapons or gangs. A multi agency violence task group is being set up to have a more focused approach to reduce the incidents. Violence is occurring across the 3 main areas, night time economy in the town centre, estate residential violence and domestic related. In the last 12 months we have commissioned the services of an early intervention worker for domestic abuse which may have encouraged more victims to report the assaults to the police which will increase the incidents of violence.</p>
Serious Acquisitive Crime	442	557			478	<p>There has been an increase this year which is in contrast to year on year falls over the last 5 years which have been achieved against a backdrop of recessions, high unemployment and austerity. One of the main factors for the increase has been the prevalence of active prolific offenders who are managed through the joint police/probation Integrated Offender Management (IOM)</p>

Performance Indicator	2013/14	2014/15	Status	Short Trend	Annual Target 2014/15	Comments
	Value	Value				
Violence with injury	541	604			521	team. The police have recently set up a weekly crime strategy meeting for local police managers, IOM staff and the Head of community safety is also invited to provide that link with the resources in the community safety hub. We did not achieve our ambitious reduction target based on 2012/13 final outturn. There are no trends or patterns to the violence with still the absence of weapons or gangs. A multi agency violence task group is being set up to have a more focused approach to reduce the incidents. Violence is occurring across the 3 main areas, night time economy in the town centre, estate residential violence and domestic related. In the last 12 months we have commissioned the services of an early intervention worker for domestic abuse which may have encouraged more victims to report the assaults to the police which will increase the incidents of violence.
The number of reported concerns - Children	27	29			25	
The number of reported concerns - Adults	26	40			30	
Total 16+ attending organised activity across the Borough	143,577	185,880			135,000	
Total under 16 attending organised activity across the Borough	110,407	140,847			105,000	
The occupancy levels of Town Centre retail outlets	87%	N/A	N/A	N/A	91%	There were insufficient resources to carry out the survey in quarter four; Local Plan submission, pre hearing meeting and preparation for hearing sessions took priority.
Net additional homes provided (Tamworth)	50	61			170	Gross completions for the year 2014/15 were 64 units, with 3 losses, giving a net figure of 61. This marks the











Performance Indicator	2013/14 Value	2014/15 Value	Status	Short Trend	Annual Target 2014/15	Comments
						<p>fourth year in a row of completions lower than the planned target of 170. The Council's role in providing new homes is setting the right environment for house building by producing an up to date and sound Local Plan and the approval planning applications for sustainable development.</p> <p>Without the availability of large housing allocations it can be difficult to bring forward large amounts of additional housing. The current supply within Tamworth is predominantly made up of small application sites, the only remaining large site is Anker Valley, which now has planning permission, it is expected completions for this site will start to come through by 2016/17, but possibly a small number in 2015/16.</p> <p>The new Local Plan has now been submitted for examination and it expected to be adopted by quarter three 2015/16, this will set out the specific supply of housing within the borough for the next 15 years.</p> <p>Planning & Regeneration will continue to work with the development industry in a productive manner to bring forward more housing within Tamworth.</p> <p>Despite the low completion rate, there still remains a supply of smaller applications sites; however progress by the house building industry has been slowed to bring forward these applications to completion. There are currently 406 dwellings with planning permission and a</p>

Performance Indicator	2013/14	2014/15	Status	Short Trend	Annual Target 2014/15	Comments
	Value	Value				
						further 58 under construction. It is clear there is a supply of houses with planning permission, but perhaps for non planning reasons, the deliver of these sites has been delayed.
Number of affordable homes delivered (gross) (Tamworth)	7	42			34	<p>Affordable completions for the year 2014/15 were 42 units. The Council's role in providing new homes is setting the right environment for house building by producing an up to date and sound Local Plan and the approval planning applications for sustainable development.</p> <p>Planning & Regeneration will continue to work with the development industry in a productive manner to bring forward more housing within Tamworth.</p> <p>Despite the low total completion rate for all housing, there has been a significant increase in affordable houses delivered, exceeding the annual target and the highest level since 2010/11. The principal factor in this increase is the Council's collaborative approach with housing associations to deliver a number of 'garage sites' within Tamworth: Council owned land delivered in partnership.</p>





Finance Key Service Performance Indicators 2014/15

Performance Indicator	2013/14	2014/15	Status	Short Trend	Annual Target 2014/15	Comments
	Value	Value				
Percentage of Non-domestic Rates Collected	98.50%	98.70%			98.00%	
% of Council Tax collected	97.60%	97.70%			97.50%	
Achievement of an unqualified audit opinion on the financial statements	Yes	Available October 2015			Yes	
Spending maintained within approved budget and without significant underspends	-7.12%	-12.72%			-5%	
Number of material final account audit adjustments	0	Available October 2015		N/A	0	
Orders closed down within 5 working days of period end	1.33	1.08			5	
Bank Reconciliation completed within 10 days (Payments Account)	6.83	5			10	
Bank Reconciliation completed within 15 days (General Account) of period end	14.17	14.75			15	
Debtors current year collection	94.9%	98%			95%	

Housing and Health Key Service Performance Indicators 2014/15

Performance Indicator	2013/14	2014/15	Status	Short Trend	Annual Target 2014/15	Comments
	Value	Value				
Average number of days taken to re-let local authority housing (Standard Empty Homes)	15.92	16.33			16	16 days remained a challenging target. Over the last three years void turnaround has fallen by around 50%. 'Best in class comparators' for, top quartile performance is still around 21 days so Tamworth is still voted the most improved landlord with regard to void turnaround. Despite significant challenges with decanting tenants at Tinkers Green, end of year performance was 16.3. With the tolerances on covalent (1%) this shows outside of target. Rent loss has consistently reduced as time counted is from the date keys are handed in to the tenancy commenced date. If it was keys in to keys out then the target would be less than 7 days. Overall this is a solid performance and the target seeks to challenge an already much improved figure.
Percentage of offensive graffiti removed within 48 hours	100%	100%			100%	
The percentage of customers satisfied with the "Finding a Home" Service	94.42%	95.33%			80%	
Overall percentage of tenant satisfaction with the responsive repairs service provided by Mears	89.71%	93.76%			85%	
Percentage of all responsive repairs completed within target	97.96%	98.02%			97%	

Legal and Democratic Key Service Performance Indicators 2014/15

Performance Indicator	2013/14	2014/15	Status	Short Trend	Comments
	Value	Value			
Number of Standard Searches carried out	1,329	1,410			
The number of exempt items presented to meetings	46	36			
Percentage of Household Enquiry Forms returned				N/A	At present the Government's IER/HEF registration does not provide reports for monitoring of performance indicators. However, it is anticipated that next year, when it will be a more normal canvass, that such information will be available.
Percentage of Individual Elector Registration Forms returned				N/A	At present the Government's IER/HEF registration does not provide reports for monitoring of performance indicators. However, it is anticipated that next year, when it will be a more normal canvass, that such information will be available.









Technology and Corporate Programmes Key Service Performance Indicators 2014/15

Performance Indicator	2013/14	2014/15	Status	Short Trend	Annual Target 2014/15	Latest Note
	Value	Value				
Percentage of incidents fixed by ICT	87.89%	90.34%			70%	
Incidents Responded within SLA	94.12%	92.95%			90%	
Incidents Resolved within SLA	98.06%	97.06%			90%	
ICT Backups	91.8%	89.96%			100%	This KPI is measured on full backups and a number have not completed fully, although still backed up all data. Data also copied off site within reciprocal data hosting arrangement with partner (Walsall MBC)
Service Availability	99.85%	99.28%			99%	
Freedom of Information Requests Responded To Within legislative timescales	94.41%	96.19%			100%	A number of more complex requests have gone over target
ICT Support Desk - Percentage of calls answered within 15 seconds	93.54%	90.51%			92%	Currently running with one vacancy on the ServiceDesk pending a full service review
ICT Support Desk - Percentage of calls abandoned	2.6%	3.59%			3%	Currently running with one vacancy on the ServiceDesk pending a full service review
ICT Service Desk - Outstanding Incidents	59	132				
LLPG Quality	5	5			5	

Transformation and Corporate Performance Key Service Performance Indicators 2014/15

Performance Indicator	2013/14	2014/15	Status	Short Trend	Annual Target 2014/15	Latest Note
	Value	Value				
Working Days Lost Due to Sickness Absence	10.51	8.64			8.50	
Number of accidents to employees reported	32	34				
Number of accidents to non-employees reported	20	13				
Number of HSE notifications/interactions	2	4				
Number of violent/threatening incidents	5	12				
The number of hits on the website	596,933	1,133,618				
Average time spent on the website	3.27	3.37				
SocITM Website score	1	1			4	The site was judged against top 10 tasks (as defined by Socitim) which included items such as report a missed bin, report a bonfire problem and digital engagement via Twitter. The assessment was also judged using the 'recycle for Tamworth' site built by Lichfield which seemed to have caused the Socitim assessor some confusion. A plan for further development of the Council's website is well underway which takes account of the feedback as well as ensuring that more of the 'top task' forms are available online. In addition, new sites such as the Castle and the Active Tamworth web sites were launched after the Socitim assessment.
The number of payroll errors	23	30				

Key to symbols

PI Status		Performance compared to last reporting period	
	Not at target		Improving
	Close to target		No Change
	At, or above, target		Getting Worse
	Unknown		
	Data Only PI (No target set)		

3. Impact of Welfare Benefit Reform on Council services

Quarterly updates are presented to monitor the impact of welfare benefit reform changes on Council services including customer demand via customer services monitoring of calls/contacts together with the financial impact of collection and demand for benefits and effect on income streams such as rent, council tax and business rates.

Benefits

DHP claim budget has been fully spent at £113k with 350 successful claims from 524 applications (compared to 253 successful claims from 421 applications at March 2014).

Live caseload figures are 275 lower than 2013/14 – currently 6,798 (7,073 at March 2014) with a 2.5 week backlog (3.5 weeks as at 31 March 2014) of claims still to be processed which will increase this figure.

NNDR

Reminders (754 at 31 March 2015) are higher than 2013/14 levels (658 at 31 March 2014) although summons, liability orders and Enforcement Agent referrals are lower.

Another exceptional performance for the year meant the Revenues team achieved a collection level for 2014/15 of 98.7%, compared to the target of 98%. Court costs income achieved was ahead of target by £1k at £11k.

Collection of arrears for 2013/14 was ahead of target at 62.2% compared to target of 40%.

Council Tax

Reminders etc. are lower than 2013/14 levels although Enforcement Agent referrals are higher (2,070 referrals as at March 2015 compared to 1,613 at March 2014).

A very good performance for the year, in challenging times, meant the Revenues team achieved a collection level for 2014/15 of 97.7%, compared to the target of 97.5%. Court costs were ahead of target (projected to exceed budgeted income by £66k).

Collection Fund – the estimated surplus is £28k for the year with a LCTS projected underspend of £43k (total £71k).

Customer Services

Visits to Marmion House / Council Tax, Housing Benefit & Rent enquiries – at the latest update, visits in the year to March 2015 were significantly lower than compared to 2013/14.

Council tax enquiries & payments were 66% lower (at 3781) with Rent enquiries & payments 18% lower (at 3272). Housing Benefit enquiries (at 9210) were 17% lower than in 2013/14.

Housing

Due to an excellent performance for the year by the Housing Income team, total Rent arrears (excluding former tenants) at 31st March 2015 are £358k compared to £412k at 31st March 2014 – a reduction of £54k (compared to a £66k increase as at 31st March 2014).

Total arrears (including garages, former tenants etc.) are £1.35m at 31st March 2015, compared to £1.31m at 31st March 2014, an increase of £44k (compared to a £125k increase between 31st March 2013 and 31st March 2014).

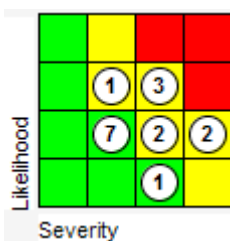
Total arrears (including garages, former tenants etc.) were £1.31m at 31 March 2014 compared to 31 March 2013 - £1.18m (£125k higher).

There were 28 evictions during 2014/15 compared to 22 during 2013/14.

4. Corporate Risk register

The Corporate Risk register is reviewed and updated by the Corporate Management Team.

There are currently sixteen risks on the Corporate Risk Register, none of which are high risks and the “heat map” below indicates the current position of their risk status



5. Performance Management Framework

Activity in quarter four 2014/15 saw:

- Approval of the budget by Council,
- Corporate Plan/ Annual Review approval by Cabinet,
- Key directorate service performance indicators for 2014/15 decided
- Most business plans received and available on Covalent.

6. Sustainability Strategy

Medium Term Financial Strategy 2014-2019 Monitoring, April 2015

Following the introduction of the Sustainability Strategy, work has been underway on the strands included within it. The strategy contains a number of workstreams – led by CMT members - which all contribute to the organisation working in the most efficient way, providing the best services we can, while working towards reducing the shortfall in our budgets in coming years.

Corporate Management Team (CMT) review the most up-to-date budget forecasts on a quarterly basis, and discuss the delivery of the Sustainability Strategy and our Medium Term Financial Strategy (MTFS):

General Fund MTFS 2015/16-2019/20	2014/15 £'000	2015/16 £'000	2016/17 £'000	2017/18 £'000	2018/19 £'000	2019/20 £'000
Projected Balances per MTFS Council February 2014	(3,232)	(1,968)	(500)	1,374	3,294	5,213
Revised Stress Tested: Central Case Forecast- April 2015	(3,831)	(3,685)	(2,544)	(505)	1,420	3,673

The forecast has been updated to include:

- a) the projected outturn contained within the MTFS (as at Period 9);
- b) Policy changes approved by Council in February 2015 as part of the MTFS;
- c) Updated Local Government Finance Settlement grant indications following release of final allocations in February 2015;
- d) any known changes to the savings targets included within the current MTFS;
- e) updated impact on new homes bonus and council tax income from expected housing developments - arising from discussions / joint working with Planning and Strategic Housing;

- f) Revised Business Rates income forecasts;
- g) Other strategic changes e.g. Pensions lump sum discount, LEP funding.

When the 3 year MTFs for the General Fund was approved by Council in February 2014, the forecast MTFs shortfall was c.£1.8m per annum from 2017/18. Following the updates considered by CMT the Central Case forecast now identifies a surplus of £0.5m over 3 years with a shortfall of c.£2m p.a. from 2018/19;

Changes approved following service reviews in the following areas have been included:

- a) Removal of 1 Cabinet Member & changes to SRA payable to Chair Licensing & Chair Audit & Governance Committees from 2015/16 - saving £12k p.a.
- b) Senior Management Review – savings target of £200k from 2017/18;
- c) Events – Voluntary Contributions to be requested (income target of £10k p.a.);
- d) CPP Business Support Service Review – saving £10k p.a. from a reduction in 0.4 FTE (Business Support Admin.);
- e) Community Safety Service Review – additional funding for 2 years of £15k p.a.
- f) Community Development Service Review – saving £45k p.a. from a reduction in 1 FTE (Head of Service);
- g) Revenues & Benefits Service Review – Saving £30k p.a. from a reduction in 1 FTE (Benefits Advisor).

Achievement of further savings is dependent on the outcomes of ongoing service reviews or workstream actions.

With regard to the Housing Revenue Account, an improved position is forecast:

HRA MTFS 2015/16-2019/20	2014/15 £'000	2015/16 £'000	2016/17 £'000	2017/18 £'000	2018/19 £'000	2019/20 £'000
Projected Balances per MTFS Council February 2014	(4,315)	(1,395)	(1,265)	(1,286)	(1,492)	(1,492)
Revised:						
Revised Projected Balances - April 2015	(4,847)	(1,775)	(1,304)	(1,229)	(1,403)	(1,403)

This follows inclusion of the technical adjustment and the reduced cost of the Housing Regeneration projects following preparation of the updated build programme.

7. Financial Health check Report

Provisional Outturn Period 12, March 2015

Executive Summary

This section of the report summarises the main issues identified at the end of March and is the 'best estimate' of the projected outturn at this time though subject to the final account audit procedures.

The information included in some cases is based on the likely estimated outturn for 2014/15.

These are subject to final confirmation as guidance and information becomes available and could potentially vary significantly from the estimates included – by up to £200k.

Details relating to the summary including Directorate commentaries will be available from Corporate Accountancy.

General Fund

Revenue

GENERAL FUND	Budget £000	Predicted Outturn £000	Variance £000
Chief Executive	-	15	15
Executive Director Corporate Services	511	388	(123)
Director of Finance	439	(67)	(506)
Director of Technology & Corporate Programmes	32	53	21
Solicitor to the Council	713	657	(56)
Director of Transformation & Corporate Performance	280	355	75
Director of Communities, Planning & Partnerships	2,999	2,744	(255)
Director of Housing & Health	1,144	1,114	(30)
Director of Assets & Environment	3,014	2,711	(303)
Total	9,132	7,970	(1,162)

- The projected full year position identifies a projected favourable variance against budget of £1.16m or 12.72% (£849k or 9.30% reported at period 11).
- This projection has highlighted several budget areas for concern (detailed at **Appendix A**).
- There was a balance of £43k remaining in the General Contingency Budget at the end of March 2015.

Main Variances for the year:

Additional Income

Planning Fees	£(168)k
Commercial Rents	£(64)k
Levy returned GBSLEP	£(197)k (£81k 2013/14, £116k est 2014/15)
Cont. from reserves	£(118)k
Outside Car Parks	£(67)k
Council tax court costs	£(60)k

Underspends

Pensions	£(68)k
Contingency	£(43)k
Vacancy allowance	£(50)k
Levy payment (net)	£38k
Benefits	£(118)k
Joint Waste	£(72)k
Other	£(173)k

Capital

GENERAL FUND	Budget £000	Predicted Outturn £000	Variance £000	Reprofile £000	Outturn £000
Director of Technology & Corporate Programmes	123	34	(89)	89	-
Director of Transformation & Corporate Performance	30	5	(25)	25	-
Director of Communities, Planning & Partnerships	3,149	133	(3,016)	627	(2,389)
Director of Housing & Health	162	40	(122)	122	-
Director of Assets & Environment	897	369	(528)	448	(80)
Contingency	340	-	(340)	340	-
TOTAL GENERAL FUND	4,701	581	(4,120)	1,651	(2,469)

- The provisional outturn on capital schemes spend is £0.58m (£0.69m projected at period 11) compared to a full year budget of £4.701m (this includes re-profiled schemes from 2013/14 of £1.365m).
- At this point it is proposed that £1.65m should be re-profiled into 2015/16 (£1.56m projected at period 11) which will be subject to Cabinet approval.
- A summary of Capital expenditure by Directorate can be found at **Appendix B**.

Balances

Balances on General Fund are projected to be in the region of £4.535m at the year-end from normal revenue operations (£4.222m projected at Period 11) compared to £3.831m projected within the 2015/16 budget report – additional balances of £704k.

The change in the predicted out-turn variance since that predicted at period 11 (an improvement of £311k) has been investigated and significant items identified that make up this change are listed and tabled later in this report.

Members should be aware that any unplanned call on the above balance could adversely affect our ability to resource activity within the current medium term financial plan.

Update following Completion of NNDR3 return

Further to the above provisional outturn position, an updated position is outlined below following finalisation of the NNDR3 return (signed off and returned on 20 May 2015) and its impact on the 2014/15 outturn.

A significant issue was the level of business rate appeals and the Council has included a provision in the Business Rates Collection Fund of £3.8m (£1.0m in 2013/14) with this Authority's share of the Local Business Rates Retention scheme being 40% - £1.5m (£0.4m in 2013/14). The total rateable value of appeals outstanding on the 31st March 2015 was £61.7m (£21.7m in 2013/14).

The increase since 2013/14 is due to a large increase in appeal submissions in the last month of the financial year resulting from a deadline for appeal applications of 31st March 2015 - as any appeals received after 31 March will not be backdated to either the 2005 or 2010 rating list. In addition, there was a significant decision made at a recent valuation tribunal regarding an appeal relating to GP Surgeries and Health Centres.

It has been recognised nationally that a proportion of these appeals will be of an opportunistic / speculative nature which has been recognised in the provision estimate – which will be subject to the outcome of the review process carried out by the Valuation Office.

Impact for 2014/15 Outturn

Prior to the finalisation of NNDR3 the projected outturn forecast was an underspend of £1.16m - £704k additional balances when compared to the projected year end balances contained within the MTFS approved in February 2015.

When the 2014/15 budget was set it included the effects of the 2014/15 NNDR1 forecast business rates outturn on the levy calculation. A levy budget of £145k was included to pay over the surplus to the Greater Birmingham and Solihull Local Enterprise Partnership (GBSLEP) – the provisional outturn at Period 12 identified a payment of £358k due to the increased level of business rates forecast for the year.

A range of appeal scenarios were modelled – ranging from an appeal provision of £4.8m to £2.0m with the most likely model resulting in an appeal provision for Tamworth which will have to increase to c.£3.8m in 2014/15 from c.£1m in 2013/14. This will mean

that the Council will not pay over any levy to the GBSLEP for 2014/15 but will also not be in a safety net position.

As a result of the increased appeals provision, there will be no levy payment – resulting in additional balances of c.£300k. Closing GF balances at 31 March 2015 will be c.£4.8m compared to £3.8m projected within the MTFS – additional balances of c.£1m (the majority of which is windfall income / reduced levy).

When the NNDR1 for 2014/15 was completed, net business rates income was forecast at £31.8m (basis of 2014/15 budget) – the NNDR3 outturn identifies net business rates income of £30.2m - a reduction of £1.6m (net of the increased appeal levels).

MTFS impact 2015/16 – 2016/17

The increase in the appeal provision will impact on the collection fund surplus (we assumed a surplus of £700k in the MTFS for Tamworth’s share) but will also impact on the other preceptors and government.

It will not directly affect the 2015/16 budget – as once NNDR1 is approved in January, then those precepts are set (for budget setting purposes).

However, it will affect the 2016/17 budget setting process as the deficit on the collection fund will need to be addressed – this will need to be financed from the c.£1m additional balances currently projected for 2014/15 (subject to audit).

It should be noted that as a high level of appeals has been assumed within the provision, as a consequence future appeals should be lower and contributions from future NNDR receipts should increase. It is likely to be a timing issue with appeals paid in advance which should balance out over the medium term.

The position will continue to be closely monitored – appeals and void levels. Should there be an improvement by January 2016 when we need to complete NNDR1 for 2016/17, then the situation may improve (as the VO process the appeals and potentially remove the speculative submissions).

Housing Revenue Account

Revenue

HOUSING REVENUE ACCOUNT	Budget £000	Predicted Outturn £000	Variance £000
Director of Housing & Health	3,989	3,708	(281)
Director of Assets & Environment	-	(5)	(5)
HRA Summary	(3,004)	(4,256)	(1,252)
Total	985	(553)	(1,538)

- The projected full year position identifies a favourable variance against budget of £1.53m (£1.075m reported at period 11). Individual significant budget areas reflecting the variance are detailed at **Appendix A**.
- The information included, in some cases, is based on the likely estimated outturn for 2014/15.

Main Variances for the year:

Contribution to Repairs	-£(667)k	Responsive Repairs underspend
Provision for Bad Debts	-£(298)k	increased due to welfare reforms & escalation of arrears.
Contingency	-£(100)k	
Reserves	-£(76)k	returned to balances
Rent	-£(65)k	
Other	-£(324)k	

Capital

HOUSING REVENUE ACCOUNT	Budget £000	Predicted Outturn £000	Variance £000	Reprofile £000	Outturn £000
Director of Housing & Health	2,612	1,654	(958)	975	17
Director of Assets & Environment	4,774	3,318	(1,456)	1,326	(130)
HRA Contingency	100	-	(100)	-	(100)
TOTAL HOUSING REVENUE ACCOUNT	7,486	4,972	(2,514)	2,301	(213)
TOTAL	12,187	5,553	(6,634)	3,952	(2,682)

- The provisional outturn on programmed capital schemes is projected to be £4.972m (£5.139m projected at period 11) compared to a budget of £7.486m. It is also proposed that £2.301m be re-profiled into 2015/16 (£2.114m at period 11) in relation to delayed schemes, which will be subject to Cabinet approval.

Total Capital Programme

- The provisional outturn on programmed capital schemes is projected to be £5.553m (£5.829m projected at period 11) compared to a budget of £12.187m. It is also proposed that £3.952m be re-profiled into 2015/16 (£3.674m at period 11) in relation to delayed schemes, which will be subject to Cabinet approval.
- A summary of Capital expenditure by Directorate can be found at **Appendix B**.

Balances

Balances on the Housing Revenue Account are projected to be in the region of £6.034m at the year-end (£5.571m projected at period 11) compared to £4.846m projected within the 2015/16 budget report – additional balances of £1.188m.

The change in the predicted out-turn variance since that predicted at period 11 (an improvement of £455k) has been investigated and significant items identified that make up this change are listed and tabled later in this report.

The additional balances will be required to provide additional funds for uncertainties that could affect the Council in the forthcoming years.

General Fund – Main Variances

Cost Centre	Account Code	Year To Date Position Sub Total	Year To Date Position Budget	Year To Date Position Variance	Comment
Community Development	Actuarial Strain Payments	21,899	0	21,899	Unbudgeted costs following service review offset by savings across the directorate.
Development Control	Fees & Charges Planning App	(311,892)	(143,460)	(168,432)	There have been a number of major applications submitted during the financial year including outline applications for the golf course, reserved matter applications for Pennine Way etc. This has resulted in a substantial increase in planning activity and associated fees.
Tamworth Golf Course	Other Expenses	75,652	34,430	41,222	offset by underspends elsewhere
	Consultants Fees	266,514	286,260	(19,746)	offsets overspends elsewhere
	Contribution From Reserves	(304,476)	(278,690)	(25,786)	offsets overspends
Golf Course (In House)	Salaries	26,955	93,120	(66,165)	Following a decision made by Cabinet on 11th September the golf course closed on 30th September in order to manage the financial risk.
	Payments For Temporary Staff	27,156	0	27,156	
	Refund Of Fees	21,190	0	21,190	
	Green Fees - 18 Hole	(39,427)	(65,260)	25,833	
	Green Fees - 9 Hole	(29,333)	(80,230)	50,897	
	Green Fees - 5 Day Season	(15,393)	(26,230)	10,837	
	7 Day Season	(27,886)	(35,040)	7,154	
Golf Course (Maintenance Of Grounds)	Salaries	29,669	66,960	(37,291)	Following a decision made by Cabinet on 11th September the golf course closed on 30th September in order to manage the financial risk.
	Equipment Hire	17,783	38,500	(20,717)	
Assembly Rooms Bar	Bar Sales	(38,969)	(59,230)	20,261	This under recovery against bar takings has been fully offset by favourable variances on ice cream and catering income and savings on supplies and services.
Commercial Property Management	Rents	(1,705,103)	(1,641,000)	(64,103)	Based on current occupancy levels - situation has been closely monitored throughout the year.

Cost Centre	Account Code	Year To Date Position Sub Total	Year To Date Position Budget	Year To Date Position Variance	Comment
Marmion House	Contribution-Common Services	(63,616)	(121,790)	58,174	Additional income expected through Agile Working Project which has not been achieved in year but is still subject to on-going negotiations.
Outside Car Parks	Short Stay Car Parking	(914,921)	(848,000)	(66,921)	Based on current increased occupancy levels - situation closely monitored for the remainder of the year.
Cemeteries	Contribution To Reserves	53,133	0	53,133	Balance transferred to Retained Fund at year end. Fees were increased in January 2014 in line with Cabinet report which has resulted in additional income.
Public Spaces	Salaries	1,159,306	1,189,390	(30,084)	Underspend the result of vacant posts throughout the year
	Vacancy Allowance	0	(59,470)	59,470	Vacancy allowance overspent as full or nearly full establishment of staff
Page 46 TBC Highways Maintenance	Maintenance Highway Related Assets	116,679	102,540	14,139	Figures from County re actual spend limited to end of September. Estimates included for the works completed October to March based on list of jobs released.
	Maintenance Of Water Courses	66,385	148,580	(82,195)	Works on de-silting the A5 balancing ponds not complete at year end due to the weather. This is offset by a corresponding variance on the release of the Retained Fund to pay for this works.
	Contribution To Reserves	91,724	0	91,724	Any underspends on this cost centre will be transferred to the A5 Balancing Ponds retained fund at the year end
	Maintenance Of Roads (HRA)	92	46,320	(46,228)	Figures from County re actual spend limited to end of September. Estimates included for the works completed October to March based on list of jobs released.
	Management Agreement	51,720	73,170	(21,450)	Figures from County re actual spend limited to end of September. Estimates included for the works completed October to March based on list of jobs released.
	Contribution From Reserves	(63,141)	(115,070)	51,929	Funding from the retained fund not required in year as works on de-silting the A5 balancing ponds not complete at year end due to the weather. There is a corresponding variance on the costs of the works.
Joint Waste Arrangement	Specific Contingency	0	34,150	(34,150)	Specific contingency budget not expected to be used - budgets will be monitored closely

Cost Centre	Account Code	Year To Date Position Sub Total	Year To Date Position Budget	Year To Date Position Variance	Comment
					throughout the year.
	Miscellaneous Contributions	(38,274)	0	(38,274)	TBC share of bulky waste income - figure not known till year end once Lichfield has pulled them together.
Corporate Finance	Pensions	246,190	313,990	(67,800)	2014/15 saving arising from pre-payment of pension lump sum
	Specific Contingency	0	43,000	(43,000)	Remaining budget not required
Corporate Finance	Vacancy Allowance	0	50,000	(50,000)	Offsetting budgeted savings target on service cost centres
	NNDR Levy Payments	357,888	145,080	212,808	Increased levy contribution due to higher Section 31 grant level forecast (50% levy)
	Government Grants	(324,714)	(150,000)	(174,714)	Higher Section 31 grant level forecast (offset by increased levy) plus windfall income
	Contribution From Reserves	(117,887)	0	(117,887)	£23.5k Write back to balances per Cabinet plus £94k Capital Financing
	Fees & Charges	(197,498)	0	(197,498)	2013/14 & 2014/15 Returned LEP Levy (£81,184 & £116,314)
Council Tax	Court Costs	(288,298)	(229,730)	(58,568)	Additional Income achieved above budget
Electoral Process	Contribution To Reserves	38,921	0	38,921	Gov't grant to IER retained fund
	Canvassers Fees	44,873	13,550	31,323	Additional costs re IER
	Government Grants	(60,610)	(21,530)	(39,080)	Adjusted gov't grant received re implementation IER
Benefits	Provision For Bad Debts	123,481	180,000	(56,519)	FAWP Bad Debt Provision position @ end March
	Rent Allowances	11,325,948	11,222,320	103,628	Expenditure to end March
	Non-HRA Rent Rebates	142,522	80,050	62,472	
	Council Tenant Rent Rebates	10,771,388	11,540,740	(769,352)	
	Contribution To Council Tax Benefit	(34,450)	0	(34,450)	Net recoverable OVPs identified to be charged to collection fund
	Council Tenant Grant	(10,484,235)	(11,351,700)	867,465	Based on DWP Estimated Final Claim
	Private Tenant Grant	(11,022,342)	(10,984,660)	(37,682)	
	Non-HRA Rent Rebate	(84,953)	(65,320)	(19,633)	

Cost Centre	Account Code	Year To Date Position Sub Total	Year To Date Position Budget	Year To Date Position Variance	Comment
	Grant				
	Discretionary Housing Payment Grant	(113,054)	0	(113,054)	Based on DHP Final Claim
	Overpayment Private Tenant	(575,514)	(335,310)	(240,204)	OVPs identified
	Overpayment Council Tenant	(427,093)	(297,120)	(129,973)	OVPs identified
	PT Overpayment Recovery	142,709	0	142,709	Offsetting OVPs
	CT Overpayment Recovery	106,792	0	106,792	Offsetting OVPs
Benefits Administration	Vacancy Allowance	0	(30,740)	30,740	Vacancy Allowance Savings Target

Significant variances identified resulting in the increase in net under-spend of £311k

Cost Centre	Account Code	Year To Date Position Variance	Period 11 Predicted Outturn	Change In Predicted Outturn P11 To P13	Comment
Tamworth Golf Course	Other Expenses	41,222	0	41,222	Offset by underspends elsewhere
Marmion House	Expenditure From Reserves	91,407	0	91,407	FAWP BRF
	Contribution From Reserves	(91,407)	0	(91,407)	
Outside Car Parks	Short Stay Car Parking	(66,921)	(35,000)	(31,921)	Based on current increased occupancy levels.
Joint Waste Arrangement	Refuse Joint Arrangements	(27,788)	10,160	(37,948)	TBC share of bulky waste income - figure not known till year end once Lichfield has pulled them together.
	Miscellaneous Contributions	(38,274)	0	(38,274)	
Corporate Finance	Contribution From Reserves	(117,887)	0	(117,886)	£23.5k Write back to balances per Cabinet plus £94k Capital Financing

Electoral Process	Contribution To Reserves	38,921	0	38,921	Gov't grant to IER retained fund
	Canvassers Fees	31,323	0	31,323	Additional costs re IER
	Government Grants	(39,080)	0	(39,079)	Adjusted gov't grant received re implementation IER
Benefits	Provision For Bad Debts	(56,519)	0	(56,518)	FAWP Bad Debt Provision position @ end March
	Rent Allowances	103,628	(664,271)	767,899	Expenditure to end March
	Council Tenant Rent Rebates	(769,352)	(879,169)	109,816	
	Private Tenant Grant	(37,682)	670,193	(707,875)	Based on DWP Estimated Final Claim
Other Minor Variances		(178,000)	49,000	(271,000)	

Housing Revenue Account – Main Variances

Page 49	Cost Centre	Account Code	Year To Date Position Sub Total	Year To Date Position Budget	Year To Date Position Variance	Comment
General - Operations	Contents Insurance		65,740	95,740	(30,000)	Insurance contribution to excess fund
	House Conditions Survey		17,220	60,500	(43,280)	AMS completed and stock condition arrangements being planned
	Contribution To Reserves		50,500	0	50,500	Stock Condition survey retained fund and Insurance contribution to excess fund
Income Management	Other Supplies And Services		0	40,000	(40,000)	Budget earmarked to mitigate impact of universal credit which didn't come in until March 2015 and then only for single persons claiming JSA
H R A Summary	Contribution To Repairs A/C		3,450,867	4,117,600	(666,733)	Multiple contracts of which the Planned Maintenance, gas contract and Misc. budget are underspent by £30K, £48K and £115K respectively. The Responsive Repairs contract is £441K underspent and discussions are ongoing in relation to potential overcharging picked up through robust contract management
	Provision For Bad Debts		171,905	470,000	(298,095)	Budget increased due to potential impact of

				welfare reforms and escalation of arrears. There is still a very real potential as we prepare for Universal Credit but presently bad debt is being contained by robust and effective arrears recovery management
Specific Contingency	0	100,000	(100,000)	No issues currently identified which would require a call on this budget
Contribution From Reserves	(76,000)	0	(76,000)	MFS reserved funds no longer required as dispute has been resolved
Rents	(18,227,671)	(18,162,700)	(64,971)	Rent income is currently exceeding budget due to void levels being lower than budgeted. However the forecast is reducing month on month due to right to buy sales and properties being vacated pending demolition prior to regeneration

Significant variances identified resulting in the increase in net under-spend of £455k

Page 50	Cost Centre	Account Code	Year To Date Position Variance	Period 11 Predicted Outturn	Change In Predicted Outturn P11 To P13	Comment
	H R A Summary	Contribution To Repairs A/C	(666,733)	(300,000)	(366,733)	Multiple contracts of which the Planned Maintenance, gas contract and Miscellaneous budget are underspent by £30K, £48K and £115K respectively. The Responsive Repairs contract is £441K underspent and discussions are on-going in relation to potential overcharging picked up through robust contract management
	Other Minor Variances		(864,000)	(775,000)	(89,000)	

Capital Programme Monitoring

GENERAL FUND	Budget £000	Predicted Outturn £000	Variance £000	Reprofile £000	Outturn £000	Comments
Director of Technology & Corporate Programmes						
Replacement It Technology	20	19	(1)	2	-	Corporate Radios now live & project complete. Remaining budget to be utilised in support of agile working/thin clients
EDRMS (Electronic Document Records Management System)	79	16	(63)	63	-	Now live in Housing but HR Implementation put on hold until next year - remaining budget requested to be re-profiled.
Gazetteer Development	24	-	(24)	24	-	Linked to CRM project - to be utilised to fund Data Manipulation Tool but not likely to be spent this year therefore requested to be re-profiled
TOTAL	123	34	(89)	89	-	
Director of Transformation & Corporate Performance						
Website	22	3	(19)	20	-	Budget required for improvements linked to Customer Services strategy
HR / Payroll System	7	3	(4)	5	-	Budget earmarked for development of the HR side of the system
TOTAL	30	5	(25)	25	-	
Director of Communities, Planning & Partnerships						
Castle Hlf	90	58	(32)	-	(32)	Scheme completed Sept 30 final claim submitted to HLF

GENERAL FUND	Budget £000	Predicted Outturn £000	Variance £000	Reprofile £000	Outturn £000	Comments
Assembly Rooms Development	2,432	79	(2,353)	-	(2,353)	Phase 1 complete. Report to Cabinet in February 2015 identified new project timescales. The 2014/15 budget will be underspent and funds returned to balances prior to the new scheme commencing in 2015/16.
Castle Mercian Trail	350	-	(350)	350	-	HLF have requested further information and revisions to the bid which will mean resubmitting it later in 2015/16
Gateways	277	-	(277)	277	-	The County Council have started the works to the Ladybridge and designs to complete the route from the town centre to Ventura are being developed for implementation in 2015/16. Phase two between the Station and the town is also being designed for spend later in the programme with the potential to start in 2015/16.
Castle Repairs		(4)	(4)		(4)	
TOTAL	3,149	133	(3,016)	627	(2,389)	
Director of Housing & Health						
Private Sector Coalfields Fund	162	40	(122)	122	-	Waterloo scheme finished releasing approx. £32k for grants programme. Review of grants on-going so will need to reprofile approx. £122k funding to 2015/16
TOTAL	162	40	(122)	122	-	
Director of Assets & Environment						

GENERAL FUND	Budget £000	Predicted Outturn £000	Variance £000	Reprofile £000	Outturn £000	Comments
Disabled Facilities Grant	405	234	(171)	171	-	Due to the late start of the new County wide HIA contract and some resource issues at the new HIA some cases will not be approved in the current financial year. At 31st March 2015 it is estimated that there will be approximately £300,000 worth of referrals being processed by the HIA for approval.
CCTV Camera Renewals	17	11	(6)	5	-	Part of planned enhancement and upgrades to existing systems - need to reprofile approx.. £5,100 due to delays caused by the completion of the service review.
Streetscene Service Delivery enhancements	30	-	(30)	30	-	Delays in the full implementation of the new CRM system - future agile service delivery dependant on delivery of scheme. Reprofile to 2015/16
Designate New Cemetery Land	21	20	(1)	-	(2)	Scheme complete - retention payment still to be paid in June 2015
Wigginton Park Section 106	54	-	(54)	54	-	Working to deliver items from the Wigginton Park Management Plan - will need to reprofile funds into 2015/16
Marmion House Agile Working	78	-	(78)	-	(78)	Project to be included in a new capital scheme for 2015/16 programme.
Broadmeadow Nature Reserve	162	104	(58)	58	-	Access Road Contract will be completed. Additional £25k funding secured from Derbyshire Environmental Trust. Will need to reprofile some funding to 2015/16 to be able to complete future works from the management plan and HLS agreement.

GENERAL FUND	Budget £000	Predicted Outturn £000	Variance £000	Reprofile £000	Outturn £000	Comments
Public Open Space Section 106	123	-	(123)	123	-	Project group established - list of works currently be considered will need to profile to 2015/16
BMX Track	7	-	(7)	7	-	Balance of external funding held for future works
TOTAL	897	369	(528)	448	(80)	
GF Contingency	50	-	(50)	50	-	No spend anticipated - to be reprofiled and included in 2015/16 Capital Programme.
Cont-Return On Investment	160	-	(160)	160	-	No spend anticipated - to be reprofiled and included in 2015/16 Capital Programme.
sig-Hra	130	-	(130)	130	-	Cabinet Nov 2013 approved use for Works in Default Scheme. Details of scheme being worked up likely to slip into 2015/16.
TOTAL	340	-	(340)	340	-	
GENERAL FUND TOTAL	4,701	581	(4,120)	1,651	(2,469)	

HOUSING REVENUE ACCOUNT	Budget £000	Predicted Outturn £000	Variance £000	Reprofile £000	Outturn £000	Comments
Director of Housing & Health						
Gas Cent Heating Upgrade & Renewals 2012	749	675	(74)	74	-	Morrison have advised they are completing around 9 boiler swops per week and on track to spend most of this year's budget. They will however need to reprofile about £74k into 2015/16
Gas Heating Belgrave	319	325	6	-	5	Gas main installation completed following a slow take up of tenants arranging for gas meter to be fitted Morrison on track to complete this spend this year's budget and project to be fully completed next year
Carbon Monoxide Detectors	102	13	(89)	89	-	Program of installation started 06.10.14 and anticipated spend is £95k Mears confirm on track to complete work up to budget figure for this year and project to be completed next year.
Tinkers Green Project	567	579	12	-	12	Phase 2 of decant complete and commenced CPO process to acquire other properties. 1 RTB property acquired on 27/03/15.
Kerria Estate Project	538	61	(477)	477	-	Project focus initially on Tinkers Green but commenced CPO process to acquire additional properties.
Regeneration General	336	-	(336)	336	-	Report to Cabinet Feb 2015 to agree Acquisitions Policy and way forward.
TOTAL	2,612	1,653	(959)	975	17	-
Director of Assets & Environment						
Structural Works	110	79	(31)	31	-	Works are on site but not completed to a point of invoice at year end.
Bathroom Renewals 2012	834	792	(42)	42	-	All identified bathrooms will have been completed with a saving. Carry forward to address disabled showers at year end.

HOUSING REVENUE ACCOUNT	Budget £000	Predicted Outturn £000	Variance £000	Reprofile £000	Outturn £000	Comments
Kitchen Renewals 2012	969	839	(130)	50	(80)	All identified kitchens will have been completed. Average jobs costs have reduced resulted in a saving at year-end. Carry forward £50k to cover additional kitchens identified by the repairs team outside the stock condition data.
High Rise Lift Renewals 2012	393	15	(378)	378	-	Delays in dealing with leasehold consultation will result in project being delayed until Spring 2015
Fire Upgrades To Flats 2012	553	-	(553)	553	-	Consultation under way with residents, scheme will not commence in 2014/15
Thomas Hardy Court Heating Replacement	500	476	(24)	24	-	Final payment may be delayed due to delays caused by the utility companies installing the gas main and gas meter. Full budget will be required. Carry forward, works on site but not complete at year end.
Roofing High-Rise 2012	43	-	(43)	43	-	Delays in leaseholder consultation will delay project until spring 2015
Roofing Overhaul & Renewal 2012	147	148	1	-	1	Minor overspend on receipt of final invoice for works completed March 2015
Fencing/Boundary Walls 2012	32	32	-	-	-	Project complete
Window & Door Renewals 2012	303	318	15	-	14	Area based programme, sufficient work identified to take up estimated full spend at year end however, minor underspend once all works completed.
High Rise Balconies	60	-	(60)	60	-	Project now being linked with other structural works and unlikely to commence until spring 2015.
External and Environmental Works	353	261	(92)	92	-	Sufficient works identified to take up full spend. New schemes identified by TCG will be deferred until 2015/16. However 2 Schemes on site but not complete at year-end.

HOUSING REVENUE ACCOUNT	Budget £000	Predicted Outturn £000	Variance £000	Reprofile £000	Outturn £000	Comments
Disabled Adaptations	255	202	(53)	53	-	There will be insufficient budget to fund the current waiting list - some works will have to be deferred until 2015/16. Will need to reprofile £50k in to 2015/16 for works not completed in year
Capital Salaries 2012	162	149	(13)	-	(13)	Provisional outturn based on latest estimates of staffing costs
CDM Fees 2012	10	9	(1)	-	(1)	Tendered fee will be due in full at year end.
HRA Agile Working	51	-	(51)	-	(51)	Project to be included in a new capital scheme for 2015/16 programme.
TOTAL	4,774	3,318	(1,456)	1,326	(130)	-
HRA Contingency	100	-	(100)	-	(100)	No spend anticipated -no requirement to reprofile as separate budget included in 2015/16 Capital Programme.
TOTAL	100	-	(100)	-	(100)	-
HOUSING REVENUE ACCOUNT TOTAL	7,486	4,972	(2,514)	2,301	(213)	-

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18 June 2015

REPORT OF THE PORTFOLIO HOLDER FOR OPERATIONS AND ASSETS

WRITE OFFS

EXEMPT INFORMATION

None

PURPOSE

That Members endorse the amount of debt written off for the previous financial year.

RECOMMENDATIONS

To provide Members with details of write offs from 01 April 2014 to 31 March 2015.

EXECUTIVE SUMMARY

The Heads of Service are responsible for the regular review of debts and consider the need for write off and authorise where necessary appropriate write offs in line with the Corporate Credit Policy. The first part of this report shows the position for the last financial year. Further updates will continue to be produced on a quarterly basis.

Type	01/04/14-30/03/15
Council Tax	£34,306.50
Business Rates	£179,657.79
Sundry Income	£32,454.87
Housing Benefit Overpayments	£60,930.16

A revised approach to the calculation of Business Rates bad debt has been developed which involves a review of all of the outstanding debts to ascertain whether they are likely to be collectable. This has then been used to determine the balance to apply the usual aged debtor percentage.

Business Rates	
Bad Debt provision	£756,224.72
Less amount written off to date under delegated powers	£179,657.79
Amount remaining	£576,566.93

OPTIONS CONSIDERED

Not applicable

RESOURCE IMPLICATIONS

There are no new financial implications arising from this report. As the write offs detailed have already been approved in line with the Corporate Credit Policy/Financial regulations and have been reported to members where appropriate.

LEGAL/RISK IMPLICATIONS BACKGROUND

Not applicable

SUSTAINABILITY IMPLICATIONS

Not applicable

BACKGROUND INFORMATION

This forms part of the Council's Corporate Credit Policy and effective management of debt. The Council is committed to ensuring that debt write offs are kept to a minimum by taking all reasonable steps to collect monies due. There will be situations where the debt recovery process fails to recover some or all of the debt and will need to be considered for write off in accordance with the schemes of delegation prescribed in the Corporate Credit Policy.

The Council views such cases very much as exceptions. Before writing off debt, the Council will satisfy itself that all reasonable steps have been taken to collect it and that no further recovery action is possible or practicable. It will take into account the age, size and types of debt together with any factors that it feels are relevant to the individual case.

Debt Write Off

Authorisations are needed to write off debt:

Authority	Account Value
Head of Revenues	up to £1,000
Chief Officer (or authorised delegated officer)	£1,001 - £5,000
Executive Director Corporate Services	£5,001 - £10,000
Cabinet	over £10,000

These limits apply to each transaction.

Bad Debt Provision

The level of the provision must be reviewed jointly by the unit and Accountancy on at least a quarterly basis as part of the management performance review, and the table below gives the mandatory calculation.

Where the debt is less than 6 months old it will be written back to the service unit.

Debt Outstanding Provision (net of VAT)	
Between 6 and 12 months old	50%
Between 12 and 24 months old	75%
Over 24 months old	100%

The financial effects of providing for Bad Debts will be reflected in the Council's accounts at Service Unit level.

REPORT AUTHOR

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LIST OF BACKGROUND PAPERS

Corporate Credit Policy - effective management of debt

APPENDICES

Appendices A to D give details of write offs completed for Revenues and Benefits Services for 01 April 2014 to 31 March 2015

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Appendix A- Council Tax

Summary of Council Tax Write Offs 01/04/2014-31/03/2015											
Date of Write Off	Director of Finance (to 30/11/13) Head of Revenues (from 01/12/13)			Director of Finance	Executive Director Corporate Services	Remitted	Credit Write Off	Reversed Write Off	Total	No. of Accounts (Write Off Only)	Reason(s)
	(£0.00-£75.00)	(£75.01-£500.00)	(£500.01-£1,000.00)	(£1,000.01-£5,000)	(£5,000.01-£10,000.00)						
10/03/2015		£1,082.49	£1,266.60	£12,713.57					£15,062.66	13	Insolencies
31/03/2015		£2,740.86	£5,411.68						£8,152.54	17	Absconded- no trace
"		£685.82	£1,540.22						£2,226.04	6	Deceased
"		£798.83	£521.85						£1,320.68	4	Uneconomic to pursue- prison
Q4 Totals	£0.00	£5,308.00	£8,740.35	£12,713.57	£0.00	£0.00	£0.00	£0.00	£26,761.92	40	
Q1 Totals (B/F)	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	(£32.32)	0	(£32.32)
Q2 Totals (B/F)	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	0	£0.00
Q3 Totals (B/F)	£5,417.92	£1,027.40	£1,253.02	£0.00	£0.00	£0.00	£0.00	£0.00	(£121.44)	54	£7,576.90
Overall Total	£5,417.92	£6,335.40	£9,993.37	£12,713.57	£0.00	£0.00	£0.00	£0.00	(£153.76)	94	£34,306.50

Appendix C- Sundry Income

Summary of Sundry Income Write Offs 01/04/2014-31/03/2015											
Date of Write Off	Director of Assets & Environment (£0.00-£999.99) (£1,000.00-£5,000.00)		Director of Transformation & Corporate Finance (up to £5,000.00)	Director of Finance (up to £5,000.00)	Director Communities, Planning & Partnerships (up to £5,000.00)	Director Housing & Health (up to £5,000.00)	Executive Director Corporate Services (£5,000.01-£10,000.00)	Cabinet (£10,000.01 +)	Total	No. of Accounts	Reason(s)
06/03/2015	£1,929.00								£1,929.00	2	Dissolved company
"	£221.08								£221.08	1	Statute barred
"	£1,080.00								£1,080.00	2	Uneconomic to pursue
11/03/2015					£393.61				£393.61	1	Uneconomic to pursue
17/03/2015								£24,159.67	£24,159.67	2	Insolvency
24/03/2015	£233.57								£233.57	6	Uneconomic to pursue
"	£478.92								£478.92	1	Statute barred
"	£416.66								£416.66	2	Absconded
25/03/2015						£2,542.36			£2,542.36	14	Uneconomic to pursue
"						£1,000.00			£1,000.00	1	Bankrupt
Q4 Totals	£4,359.23	£0.00	£0.00	£0.00	£393.61	£3,542.36	£0.00	£24,159.67	£32,454.87	32	
Q1 Totals (B/F)	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	0	
Q2 Totals (B/F)	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	0	
Q3 Totals (B/F)	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	0	
Overall Total	£4,359.23	£0.00	£0.00	£0.00	£393.61	£3,542.36	£0.00	£24,159.67	£32,454.87	32	

Appendix D- Housing Benefit Overpayments

Summary of Benefit Overpayment Write Offs 01/04/2014-31/03/2015									
Date of Write Off							Total	No. of Accounts	Reason(s)
	(£0.00-£75.00)	(£75.01-£500.00)	(£500.01-£1,000.00)	(£1,000.01-£2,000)	(£2,000.01-£10,000.00)	(£10,000.01 and Over)			
30/01/2015	£220.46	£935.92					£1,156.38	11	less than 2 wks due to death
"		£113.14	£557.97				£671.11	5	not financially viable
"		£128.27					£128.27	4	< £40 o/s
"	£35.00						£35.00	1	court costs
"	£53.12	£231.20					£284.32	5	discretionary housing payment
"	£191.95	£168.79	£590.00	£1,200.73			£2,151.47	8	LA department error
"		£1,111.12					£1,111.12	4	statute barred
"		£323.57					£323.57	2	absconded debtor
28/02/2015	£72.20						£72.20	3	less than £40 outstanding
"	£115.00						£115.00	3	court costs
"	£22.75	£401.37					£424.12	4	less than 2 wks due to death
"	£4.29						£4.29	4	uneconomical to pursue
"	£73.64	£667.75		£1,111.56			£1,852.95	6	LA department error
"		£103.39					£103.39	1	absconded debtor
"		£1,576.96					£1,576.96	5	not financially viable
"			£725.68				£725.68	1	bankrupt
31/03/2015	£185.83	£180.65	£2,784.06		£8,073.50		£11,224.04	14	LA department error
"	£13.00						£13.00	6	uneconomical to pursue
"	£62.56	£642.40					£704.96	5	less than 2 wks due to death
"	£65.87						£65.87	3	less than £40 outstanding
"	£73.70						£73.70	2	statute barred
"	£31.19	£395.00					£426.19	2	discretionary housing payment
Q4 Totals	£1,220.56	£6,979.53	£4,657.71	£2,312.29	£8,073.50	£0.00	£23,243.59	99	
Q1 Totals (B/F)	£1,793.79	£2,980.46	£1,236.91	£1,835.13	£0.00	£0.00	£7,846.29	230	
Q2 Totals (B/F)	£1,026.97	£2,326.47	£5,873.00	£1,339.36	£0.00	£0.00	£10,565.80	117	
Q3 Totals (B/F)	£1,248.82	£4,066.59	£0.00	£1,205.74	£0.00	£12,753.33	£19,274.48	65	
Overall Total	£5,290.14	£16,353.05	£11,767.62	£6,692.52	£8,073.50	£12,753.33	£60,930.16	511	

CABINET

18 June 2015

Report of the Portfolio Holder for Operations and Assets

CAPITAL OUTTURN REPORT 2014/15

PURPOSE

To advise Members on the final outturn of the Authority's Capital Programme for 2014/15 (subject to audit confirmation) and to request formal approval to re-profile specific programme budgets into 2015/16.

This report is a key decision due to expenditure in excess of £100,000 requiring approval.

RECOMMENDATIONS

That Cabinet:

- 1. receive the final outturn position of the 2014/15 capital programme as summarised in Appendix A;**
- 2. approve for each of the projects detailed in Appendix B the re-profiling of the budget into the Authority's Capital Programme 2014/15 (total £3.952m);**

RESOURCE AND VALUE FOR MONEY IMPLICATIONS

There are no additional financial implications from this report as all scheme budgets detailed for re-profiling into 2015/16 have already been committed against available capital resources.

There is a medium risk associated with this report due to the level of requests for re-profiling of budgets into next financial year. For the majority of the projects requesting re-profiling approval, measures have been put in place to address ongoing issues, commitments have been placed with suppliers to provide the service/ goods, or the works have been completed since 31st March 2015.

As capital funding is very limited for 2015/16 the Capital Programme will also need to be closely monitored.

EXECUTIVE SUMMARY

Progress on the Capital Programme is reported quarterly to Cabinet and monitored on a monthly basis by the Corporate Management Team with project managers providing project progress information and a predicted outturn. The outturn for the 2014/15 capital programme identifies an underspend of £6.634m against the approved budget of £12.187m (actual spend £5.553m - no change since Provisional Outturn). However, it has been requested that **£3.952m** (as detailed in **Appendix B**) of scheme spend be re-profiled into 2015/16 (£2.848m 2014/15). This will result in an overall underspend of £2.682m for the 2014/15 Capital Programme.

The outturn on General Fund Capital Schemes (including contingency) spend is £581k (£686k projected at period 11) compared to a full year budget of £4.701m resulting in an underspend of £4.120m with **£1.651m** to be re-profiled into 2015/16 (£1.556m at period 11) (£1.365m 2014/15) meaning that the actual under spend is £2.469m which can be returned to capital resources. This relates mainly to the grant funded Castle HLF scheme (£32k) together with the Assembly Rooms redevelopment (£2.353m) and Agile Work Projects (£78k) with funding committed for updated schemes included in the 2015/16 capital programme,

The outturn on Housing Revenue Account (HRA) capital schemes (including contingency) spend is £4.972m (£5.139m projected at period 11) compared to a budget of £7.486m resulting in an underspend of £2.514m with **£2.301m** to be re-profiled into 2015/16 (£2.114m at period 11) (£1.483m 2014/15) in relation to delayed schemes meaning that the actual underspend against budget is £213k. This can be returned to capital resources.

The request for budgets totalling £3.952m (£2.848m in 2013/14) to be re-profiled into 2015/16 is mainly due to the following schemes:

General Fund		
Scheme / Area	£'000	Comment
EDRMS (Electronic Document Records Management System)	63.0	Now live in Housing but HR Implementation put on hold until next year - remaining budget requested to be re-profiled.
Castle Mercian Trail	350.0	HLF have requested further information and revisions to the bid which will mean resubmitting it later in 2015/16
Gateways	277.4	The County Council have started the works to the Ladybridge and designs to complete the route from the town centre to Ventura are being developed for implementation in 2015/16. Phase two between the Station and the town is also being designed for spend later in the programme with the potential to start in 2015/16.
Private Sector Coalfields Fund	121.9	Waterloo scheme finished releasing approximately £32k for grants programme. Review of grants ongoing so will need to re-profile 122k funding to 2015/16
Disabled Facilities Grant	171.1	Due to the late start of the new County wide HIA contract and some resource issues at the new HIA some cases will not be approved in the current financial year. At 31st March 2015 it is estimated that there will be approximately £300,000 worth of referrals being processed by the HIA for approval.
Wigginton Park Section Section 106	54.3	Working to deliver items from the Wigginton Park Management Plan - will need to re-profile funds into 2015/16
Broadmeadow Nature Reserve	57.9	Access Road Contract will be completed. Additional £25k funding secured from Derbyshire Environmental Trust. Will need to re-profile some funding to 2015/16 to be able to complete future works from the management plan and HLS agreement.
Public Open Space Section 106	123.2	Project group established - list of works currently be considered will need to profile to 2015/16

Gf Contingency	50.0	No spend anticipated - to be re-profiled and included in 2015/16 Capital Programme.
Contingency -Return On Investment	160.0	No spend anticipated - to be re-profiled and included in 2015/16 Capital Programme.
PSIG -HRA	130.0	Cabinet Nov 2013 approved use for Works in Default Scheme. Details of scheme being worked up likely to slip into 2015/16.
Housing Revenue Account		
Scheme / Area	£'000	Comment
Gas Central Heating Upgrade & Regeneration	73.7	Morrison advise they are completing around 9 boiler swops per week and on track to spend most of this year's budget. They will however need to re-profile about £74k into 2015/16
Carbon Monoxide Detectors	89.1	Program of installation started 06.10.14 and due to this delay the project will slip into 2015/16
Kerria Estate Project	476.7	Project focus initially on Tinkers Green but commenced CPO process to acquire additional properties.
Regeneration General	336.0	Report to Cabinet Feb 2015 to agree Acquisitions Policy and way forward.
High Rise Lift Renewals	377.7	Delays in dealing with leasehold consultation will result in project being delayed until Spring 2015
Fire Upgrades To Flats	552.9	Consultation under way with residents, scheme will not commence in 2014/15
High Rise Balconies	60.0	Project now being linked with other structural works and unlikely to commence until spring 2015.
External and Environmental Works	92.2	Sufficient work identified to take up full spend. New schemes identified by TCG will be deferred until 2015/16. However 2 Schemes on site but not complete at year-end.

Disabled Adaptations	53.1	There will be insufficient budget to fund the current waiting list - some works will have to be deferred until 2015/16. Will need to re-profile £50k in to 2015/16 for works not completed in year
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As detailed in the scheme comments, some measures have been put in place for the future – however, certain projects will require close monitoring during 2015/16.

Appendix A provides a summary of the capital programme outturn. Individual project information is provided in **Appendix B** (including specific project comments provided by project managers). Managers have highlighted that there have been issues which have delayed completion of certain projects. Cabinet are requested to review details of each project which requires approval in order for the budget to be carried forward for inclusion in the 2015/16 Capital Programme. A brief commentary on the outturn information has also been provided by managers and these are shown for your perusal in **Appendix C**.

Appendix A

Capital Programme 2014/2015 – Outturn Summary

	Total Approved Budget 2014/15	Actual Spend 2014/2015	Variance	Re-profile to 2015/16	Final Variance 2014/15
	£'000	£'000	£'000	£'000	£'000
GENERAL FUND					
Director of Technology & Corporate Programmes	123	34	(89)	89	-
Director of Transformation & Corporate Performance	30	5	(25)	25	-
Director of Communities, Planning & Partnerships	3,149	133	(3,016)	627	(2,389)
Director of Housing & Health	162	40	(122)	122	-
Director of Assets & Environment	897	369	(528)	448	(80)
Contingency	340	-	(340)	340	-
TOTAL GENERAL FUND	4,701	581	(4,120)	1,651	(2,469)
HOUSING REVENUE ACCOUNT					
Director of Housing & Health	2,612	1,654	(958)	975	17
Director of Assets & Environment	4,774	3,318	(1,456)	1,326	(130)
HRA Contingency	100	0	(100)	0	(100)
TOTAL HOUSING REVENUE ACCOUNT	7,486	4,972	(2,514)	2,301	(213)
GRAND TOTAL	12,187	5,553	(6,634)	3,952	(2,682)

Appendix B

	Total Approved Budget 2014/15 £000	Actual Spend £000	Variance £000	Request to Re- profile to 2015/16 £000	Final Variance 2014/15	Comments
GENERAL FUND						
Director of Technology & Corporate Programmes						
Replacement It Technology	20.2	18.5	(1.6)	1.6	0.0	Corporate Radios now live & project compete. Remaining budget to be utilised in support of agile working/thin clients
EDRS (Electronic Document Records Management System)	78.6	15.6	(63.0)	63.0	0.0	Now live in Housing but HR Implementation put on hold until next year - remaining budget requested to be re-profiled.
Gazetteer Development	24.0	0.0	(24.0)	24.0	0.0	Linked to CRM project - to be utilised to fund Data Manipulation Tool but not likely to be spent this year therefore requested to be re-profiled
Total	122.8	34.1	(88.6)	88.6	0.0	

	Total Approved Budget 2014/15 £000	Actual Spend £000	Variance £000	Request to Re- profile to 2015/16 £000	Final Variance 2014/15	
Director of Transformation & Corporate Performance						
Website	22.4	2.7	(19.7)	19.7	0.0	Budget required for improvements linked to Customer Services strategy
HR / Payroll System	7.4	2.6	(4.8)	4.8	0.0	Budget earmarked for development of the HR side of the system
Total	29.8	5.3	(24.5)	24.5	0.0	

	Total Approved Budget 2014/15 £000	Actual Spend £000	Variance £000	Request to Re- profile to 2015/16 £000	Final Variance 2014/15	
Director of Communities, Planning & Partnerships						
Castle Hlf	89.9	57.8	(32.1)	0.0	(32.1)	Scheme completed Sept 30 final claim submitted to HLF
Assembly Rooms Development	2,432.2	79.4	(2,352.8)	0.0	(2,352.8)	Phase 1 complete. Report to Cabinet in February 2015 identified new project timescales. The 2014/15 budget will be underspent and funds returned to balances prior to the new scheme commencing in 2015/16.
Castle Mercian Trail	350.0	0.0	(350.0)	350.0	0.0	HLF have requested further information and revisions to the bid which will mean resubmitting it later in 2015/16
Gateways	277.4	0.0	(277.4)	277.4	0.0	The County Council have started the works to the Ladybridge and designs to complete the route from the town centre to Ventura are being developed for implementation in 2015/16. Phase two between the Station and the town is also being designed for spend later in the programme with the potential to start in 2015/16.
Castle Repairs	0.0	(4.3)	(4.3)	0.0	(4.3)	
Total	3,149.5	132.9	(3,016.6)	627.4	(2,389.2)	

	Total Approved Budget 2014/15 £000	Actual Spend £000	Variance £000	Request to Re- profile to 2015/16 £000	Final Variance 2014/15	
Director of Housing & Health						
Private Sector Coalfields Fund	161.9	40.0	(121.9)	121.9	0.0	Waterloo Scheme finished releasing approx. £32k for grants programme. Review of grants ongoing so will need to re-profile approx. £122k funding to 2015/16
Total	161.9	40.0	(121.9)	121.9	0.0	

	Total Approved Budget 2014/15 £000	Actual Spend £000	Variance £000	Request to Re- profile to 2015/16 £000	Final Variance 2014/15	
Director of Assets & Environment						
Disabled Facilities Grant	405.3	234.2	(171.1)	171.1	0.0	Due to the late start of the new County wide HIA contract and some resource issues at the new HIA some cases will not be approved in the current financial year. At 31st March 2015 it is estimated that there will be approximately £300,000 worth of referrals being processed by the HIA for approval.
Cctv Camera Renewals	16.5	11.4	(5.1)	5.1	0.0	Part of planned enhancement and upgrades to existing systems - need to re-profile approx. £5,100 due to delays caused by the completion of the service review.
Streetscene Service Delivery Enhancements	30.0	0.0	(30.0)	30.0	0.0	Delays in the full implementation of the new CRM system - future agile service delivery dependant on delivery of scheme.re-profile to 2015/16
Designate New Cemetery Land	21.2	19.6	(1.6)	0.0	(1.6)	Scheme complete - retention payment still to be paid in June 2015
Wigginton Park Section Section 106	54.3	0.0	(54.3)	54.3	0.0	Working to deliver items from the Wigginton Park Management Plan - will need to re-profile funds into 2015/16
Repair To River Bank Castle Pg	0.0	0.0	0.0	0.0	0.0	Budget now included in Gateway Project CY2811
Marmion House Agile Working	78.0	0.0	(78.0)	0.0	(78.0)	Project to be included in a new capital scheme for 2015/16 programme.

	Total Approved Budget 2014/15 £000	Actual Spend £000	Variance £000	Request to Re- profile to 2015/16 £000	Final Variance 2014/15	
Broadmeadow Nature Reserve	161.6	103.7	(57.9)	57.9	0.0	Access Road Contract will be completed. Additional £25k funding secured from Derbyshire Environmental Trust. Will need to re-profile some funding to 2015/16 to be able to complete future works from the management plan and HLS agreement.
Public Open Space Section 106	123.2	0.0	(123.2)	123.2	0.0	Project group established - list of works currently be considered will need to profile to 2015/16
Bmx track	6.6	0.0	(6.6)	6.6	0.0	Balance of external funding held for future works
Total	896.7	368.9	(527.8)	448.2	(79.6)	

	Total Approved Budget 2014/15 £000	Actual Spend £000	Variance £000	Request to Re- profile to 2015/16 £000	Final Variance 2014/15	
Contingency						
Gf Contingency	50.0	0.0	(50.0)	50.0	0.0	No spend anticipated - to be re-profiled and included in 2015/16 Capital Programme.
Cont-Return On Investment	160.0	0.0	(160.0)	160.0	0.0	No spend anticipated - to be re-profiled and included in 2015/16 Capital Programme.
Psig-Hra	130.0	0.0	(130.0)	130.0	0.0	Cabinet Nov 2013 approved use for Works in Default Scheme. Details of scheme being worked up likely to slip into 2015/16.
Total	340.0	0.0	(340.0)	340.0	0.0	
Total General Fund	4700.7	581.2	4119.5	1650.6	2468.8	

	Total Approved Budget 2014/15 £000	Actual Spend £000	Variance £000	Request to Re- profile to 2015/16 £000	Final Variance 2014/15	
HOUSING REVENUE ACCOUNT						
Director of Housing & Health						
Gas Cent Htng Upgrade & Ren 2012	749.0	675.3	(73.7)	73.7	0.0	Morrison advise they are completing around 9 boiler swaps per week and on track to spend most of this year's budget. They will however need to re-profile about £74k into 2015/16
Gas Heating Belgrave	319.4	324.9	5.5	0.0	5.5	Gas main installation completed following a slow take up of tenants arranging for gas meter to be fitted Morrison on track to complete this spend this year's budget and project to be fully completed next year
Carbon Monoxide Detectors	102.4	13.3	(89.1)	89.1	0.0	Program of installation started 06.10.14 and due to this delay the project will slip into 2015/16.
Tinkers Green Project	567.2	578.7	11.5	0.0	11.5	Phase 2 of decant complete and commenced CPO process to acquire other properties. 1 RTB property acquired on 27/03/15.
Kerria Estate Project	537.6	60.9	(476.7)	476.7	0.0	Project focus initially on Tinkers Green but commenced CPO process to acquire additional properties.
Regeneration General	336.0	0.0	(336.0)	336.0	0.0	Report to Cabinet Feb 2015 to agree Acquisitions Policy and way forward.
Total	2,611.6	1,653.1	(958.5)	975.5	17.0	

	Total Approved Budget 2014/15 £000	Actual Spend £000	Variance £000	Request to Re- profile to 2015/16 £000	Final Variance 2014/15	
Director of Assets & Environment						
Structural Works	110.0	78.7	(31.3)	31.3	0.0	Works are on site but not completed to a point of invoice at year end.
Bathroom Renewals 2012	833.9	791.6	(42.3)	42.3	0.0	All identified bathrooms will have been completed with a saving. Carry forward to address disabled showers at year end.
Kitchen Renewals 2012	969.1	839.5	(129.6)	50.0	(79.6)	All identified kitchens will have been completed. Average jobs costs have reduced resulted in a saving at year-end. Carry forward £50k to cover additional kitchens identified by the repairs team outside the stock condition data.
High Rise Lift Renewals 2012	392.6	14.9	(377.7)	377.7	0.0	Delays in dealing with leasehold consultation will result in project being delayed until Spring 2015
Fire Upgrades To Flats 2012	552.9	0.0	(552.9)	552.9	0.0	Consultation under way with residents, scheme will not commence in 2014/15
Enhancements To Flats 2012	0.0	(0.9)	(0.9)	0.0	(0.9)	
Thomas Hardy Court Heating Replacement	500.0	476.3	(23.7)	23.7	0.0	Final payment may be delayed due to delays caused by the utility companies installing the gas main and gas meter. Full budget will be required. Carry forward, works on site but not complete at year end.

	Total Approved Budget 2014/15 £000	Actual Spend £000	Variance £000	Request to Re-profile to 2015/16 £000	Final Variance 2014/15	
Roofing High-Rise 2012	43.0	0.0	(43.0)	43.0	0.0	Delays in leaseholder consultation will delay project until spring 2015
Roofing Overhaul & Renewal 2012	146.8	148.1	1.3	0.0	1.3	Minor overspend on receipt of final invoice for works completed March 2015
Fencing/Boundary Walls 2012	31.6	31.6	0.0	0.0	0.0	Project complete
Window & Door Renewals 2012	303.3	317.5	14.2	0.0	14.2	Area based programme, sufficient work identified to take up estimated full spend at year end however, minor underspend once all works completed.
High Rise Balconies	60.0	0.0	(60.0)	60.0	0.0	Project now being linked with other structural works and unlikely to commence until spring 2015.
External and Environmental Works	353.3	261.2	(92.1)	92.1	0.0	Sufficient work identified to take up full spend. New schemes identified by TCG will be deferred until 2015/16. However 2 Schemes on site but not complete at year-end.
Disabled Adaptations	254.8	201.7	(53.1)	53.1	0.0	There will be insufficient budget to fund the current waiting list - some works will have to be deferred until 2015/16. Will need to re-profile £50k in to 2015/16 for works not completed in year
Capital Salaries 2012	162.0	149.4	(12.6)	0.0	(12.6)	Provisional outturn based on latest estimates of staffing costs
Cdm Fees 2012	9.7	9.1	(0.6)	0.0	(0.6)	Tendered fee will be due in full at year end.
HRA Agile Working	51.2	0.0	(51.2)	0.0	(51.2)	Project to be included in a new capital scheme for 15/16 programme.

	Total Approved Budget 2014/15 £000	Actual Spend £000	Variance £000	Request to Re- profile to 2015/16 £000	Final Variance 2014/15
Total	4,774.2	3,318.7	(1,455.5)	1,326.1	(129.4)

	Total Approved Budget 2014/15 £000	Actual Spend £000	Variance £000	Request to Re- profile to 2015/16 £000	Final Variance 2014/15	
HRA Contingency						
HRA Contingency	100.0	0.0	(100.0)	0.0	(100.0)	No spend anticipated -no requirement to re-profile as separate budget included in 2015/16 Capital Programme.
	100.0	0.0	(100.0)	0.0	(100.0)	
Total Housing Revenue	7485.8	4971.8	2514.0	2301.6	212.4	
Grant Total	12,186.5	5,553.0	(6,633.5)	3,952.1	(2,681.4)	

Appendix C

Commentaries received from Managers as part of the outturn process are detailed below:

General Fund
Director of Technology & Corporate Programmes:
<p>The outturn for the directorate is total spend of £34k against budgets of £123k. Several Schemes are still in progress and it is requested that £89k be re-profiled into 2015/16</p> <p>Significant re-profile requests are:- ERDMS £63K, Gazetteer Development £24k</p>
Director of Transformation & Corporate Performance:
<p>The outturn for the directorate is total spends of £5k against budgets of £30k. It is requested that £25k is re-profiled into 2015/16</p> <p>Significant re-profile requests are:- Website £22k</p>
Director Of Communities, Planning & Partnerships:
<p>The outturn for the directorate is total spend of £133k against budgets of £3.149m. resulting in an underspend of £3.016m. It is requested that £627k of this is re-profiled into 2015/16 resulting in a underspend of £2.389m.</p> <p>This underspend is mainly due to the Assembly Rooms project. A report to Cabinet in February 2015 identified new timescales and the underspend of £2.353m will be returned to balances prior to the new scheme commencing in 2015/16.</p> <p>Commentaries received from managers with regards to the major re-profile requests are as follows:-</p> <p>Castle Mercian Trail - £350k</p> <p>The Heritage Lottery Fund has requested further information and revisions to the bid which will mean resubmitting it later in 2015/16.</p> <p>Gateways - £277k</p> <p>The County Council have started the works to the Ladybridge and designs to complete the route from the town centre to Ventura are being developed for implementation in 2015/16. Phase two between the Station and the town is also being designed for spend later in the programme with the potential to start in 2015/16.</p>

Director of Housing & Health:

The outturn for the directorate is total spend of £40k against budgets of £162k. It is requested that the balance of £122k is re-profiled into 2015/16.

Commentaries received from managers with regards to the re-profile requests are as follows:-

Private Sector Coalfields Fund - £122k

Waterloo Scheme finished releasing £32k for grants programme. Review of grants ongoing so will need to re-profile £122k funding to 2015/16.

Director Of Assets & Environment:

The outturn for the directorate is total spend of £369k against budgets of £897k. It is requested that £448k is re-profiled into 2015/16 resulting in an underspend of £80k. This underspend is against the Marmion House Agile Working budget which has been included in a new scheme for the 2015/16 programme.

Commentaries received from managers with regards to the re-profile requests are as follows:-

Disabled Facilities Grant - £171k

Due to the late start of the new County wide HIA contract, and some resource issues at the new HIA, some cases will not be approved in the current financial year. At 31st March 2015 it is estimated that there will be approximately £300k worth of referrals being processed by the HIA for approval.

Wigginton Park Section 106 – £54k

Working to deliver items from the Wigginton Park Management Plan - will need to re-profile funds into 2015/16

Broadmeadow Nature Reserve - £58k

Access Road Contract will be completed. Additional £25k funding secured from Derbyshire Environmental Trust. Will need to re-profile some funding to 2015/16 to be able to complete future works from the management plan and HLS agreement.

Public Open Space Section 106 - £123k

Project group established - list of works currently being considered. Will need to profile to 2015/16

Contingency

There has been no spend against the General Fund Contingency budgets of £340k and it is requested that this is re-profiled into 2015/16.

Commentaries with regard to re-profile requests are:-

General Fund Contingency - £50k

No spend anticipated - to be re-profiled and included in 2015/16 Capital Programme.

Return on Investment - £160k

No spend anticipated - to be re-profiled and included in 2015/16 Capital Programme.

Private Sector Improvement Grant - £130k

Cabinet Nov 2013 approved use for Works in Default Scheme. Details of scheme being worked up likely to slip into 2015/16.

HRA**Director of Housing & Health:**

The outturn for the directorate is total spend of £1.654m against budgets of £2.612m. It is requested that £975k is re-profiled into 2015/16.

Commentaries received from managers with regards to the re-profile requests are as follows:-

Gas Cent Heating Upgrade & Renewals - £74k

Morrisons advise they are completing around 9 boiler swops per week and on track to spend most of the budget. They will however need to re-profile about £74k into 2015/16.

Carbon Monoxide Detectors - £89k

Program of installation started October and due to this delay the project will slip into 2015/16.

Kerria Estate Project - £477k

Project focus initially on Tinkers Green but commenced CPO process to acquire additional properties.

Regeneration General - £336k

Report to Cabinet Feb 2015 to agree Acquisitions Policy and way forward.

Director Of Assets & Environment:

The outturn for the directorate is total spend of £3.318m against budgets of £4.774m. It is requested that £1.326m is re-profiled to 2015/16 resulting in an underspend of £130k.

This underspend of £129k is due to £80k on Kitchen Renewals and £51k on HRA Agile Working.

Commentaries received from managers with regards to the re-profile requests are as follows:-

Kitchen Renewals - £50k

All identified kitchens will have been completed. Average jobs costs have reduced resulting in a saving at year-end. Carry forward £50k to cover additional kitchens identified by the repairs team outside the stock condition data.

High Rise Lift Renewals - £378k

Delays in dealing with leasehold consultation will result in project being delayed until Spring 2015.

Fire Upgrades To Flats - £553k

Consultation under way with residents, scheme will not commence in 2014/15

High Rise Balconies - £60k

Project now being linked with other structural works and unlikely to commence until spring 2015.

External and Environmental Works - £92k

Sufficient work identified to take up full spend. New schemes identified by TCG will be deferred until 2015/16. However two schemes on site but not complete at year-end.

Disabled Adaptations - £53k

There will be insufficient budget to fund the current waiting list - some works will have to be deferred until 2015/16. Will need to re-profile £50k in to 2015/16 for works not completed in year

Contingency

There has been no spending against the HRA contingency budget. This results in an underspend of £100k for 2014/15 as a budget has been included in the 2015/16 capital programme and there is no requirement for re-profile.

CABINET

18TH JUNE 2015

REPORT OF THE PORTFOLIO HOLDER FOR OPERATIONS AND ASSETS

PROPOSED LOCAL COUNCIL TAX REDUCTION SCHEME FROM 1ST APRIL 2016

EXEMPT INFORMATION

This proposal is not exempt information for the purposes of Part 1 of Schedule 12 (A) to the Local Government Act 1972

PURPOSE

That Cabinet consider any changes to the 2014 Local Council Tax Reduction Scheme consultation questionnaire (attached **Appendix 4**), to inform the consultation process due to take place between July and September 2015 in relation to the 2016/17 Local Council Tax Reduction Scheme.

RECOMMENDATIONS

That Cabinet

- 1) **endorse the attached consultation questionnaire in relation to the 2016/17 scheme and advise on any amendments that they wish to make to the consultation to be undertaken between July and September 2015;**
- 2) **give consideration to the exclusion of child maintenance as income and endorse this inclusion within the 2016/17 and future years' questionnaire and consultation process;**
- 3) **endorse the ongoing alignment of applicable amounts with the Housing Benefit scheme from April 2016;**
- 4) **identify any other areas to be included in the 2015/16 on line questionnaire**

EXECUTIVE SUMMARY

This report details the key issues arising from the Local Council Tax Reduction Scheme.

The Welfare Reform Act abolished Council Tax Benefit from 1 April 2013. It was replaced by a new Local Council Tax Reduction Scheme for working age customers. A national scheme of regulations was introduced for pensioners, which mirrors the Council Tax Benefit Scheme.

Each year the public are consulted on the proposed scheme for the following financial year. An on line consultation will be made available between July-September 2015 and all stakeholders, as well as members of the public, will be encouraged to give their views.

Grant funding was reduced and is distributed by the Department for Communities and Local Government rather than the Department for Work and Pensions. Current outturn on the 2014/15 scheme is estimated to be £4.156m of which the Authority's share is £453k (10.9% of the impact on the Collection Fund). At inception, the scheme design was modelled to ensure that the Authority complied with the Central Government requirement to achieve a 10% reduction in benefit cost but without increasing the burden of cost to the Council Tax Payer. However, grant funding is expected to reduce further in future years and future years' projections outlined below indicate an ongoing reduction in grant funding to the Authority. The following table highlights the grant funding compared to scheme costs without any changes to the scheme:

Estimate	2013/14	2014/15	2015/16	2016/17
Cost (10.9%) Est Outturn	£487k	£453k (Est)	£449k	£449k
Grant	£508k	£439k	£370k	£335k
Variance (Surplus)/ Deficit	£(21)k	£14k	£79k	£114k
Cum Variance (Surplus) / Deficit	£(21)k	£(7)k	£72k	£186k

The impact of grant funding and expenditure is closely monitored on a regular basis to identify whether the scheme is achieving its objectives but also highlighting cost burdens to the Medium Term Financial Strategy. The current maximum level of award under the existing scheme is 75% for most working age claimants. Current financial modelling indicates that although grant levels are reducing the scheme maxima should not be changed for the 2016/17 scheme consultation as it would add further potential hardship to claimants - this position is under regular review. Members should be aware of the impact of the Central Government Grant reductions when formulating the scheme for 2016/17 to inform the consultation process as any subsequent changes to the scheme governance arrangements would require a new consultation exercise.

The continued inclusion of child maintenance as income has previously been raised by Members. At the Council meeting on 18th December 2014, a motion was made to

make the following amendments for the scheme from 1st April 2015; That recommendation 4 be deleted and replaced with a new recommendation 4 with the exclusion of child maintenance as income.

That motion was not passed due to governance issues in respect to amendment to the scheme without due consultation. It was agreed that as part of the scheme consultation for 2016/17 the consultation process would include a specific item within the questionnaire: provision for the exclusion of Child Maintenance as income within the scheme, following a review of the outturn and implications of changes on the financial position, as it is a material change to the existing scheme. The financial impact to the Authority on the scheme is estimated to be approximately £2k (10.9% share) on the current caseload.

In addition the alignment of the scheme with applicable amounts for the Housing Benefit scheme (currently indicated at 1% annual increase by DWP) should continue to be considered. This is not a legislative requirement for those of working age, but a decision for this Council. The financial impact of this is not likely to be material as the increase in applicable amounts will be offset by increased income and state benefits received. This will also prevent confusion between schemes and reduce administrative burdens. Furthermore, it reflects cost of living rises allowed by the Government.

OPTIONS CONSIDERED

The current scheme for most working age customers bases an award on a maximum of 75% of their Council Tax liability. Those who receive a Severe Disability Premium, or who have a disabled child and those who receive War Widows/War Disability Pension or Armed Forces Compensation Scheme payments have their awards calculated on 100% of their liability.

Pensioners also continue, under The Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012, to have their awards based on 100% of their Council Tax liability.

A two month public consultation on the scheme from April 2015 was held between 15 July and 15 September 2014. Although the consultation was widely publicised, only 77 responses were received.

There was a continued high level of endorsement for four out of the ten policies and the details of these are outlined below:

- Level of support for pensioners, severely disabled and in receipt of a Severe Disability Premium, claimants with disabled children and claimants receiving a War Disablement or War Widows Pension or Armed Forces Compensation Scheme payments;
- Protecting working age claimants who attract a Severe Disability Premium;
- *Including maintenance payments as income*;
- Working age claimants who are not protected should pay at least 25% of their Council Tax bill.

Furthermore, five out of the ten policies received a 'moderate' level of support with between 50-74% agreeing that they were reasonable. They are;

- Council Tax Reduction is limited to a maximum of 75% of a Band D property for working age claimants;
- The ongoing removal of Second Adult Rebate for working age claimants
- Childcare costs are included as an outgoing and subtracted from a claimant's overall net income;
- Child Benefit is not taken into account as income;
- Non dependant charges of £5 if the non dependant does not work and £10 if the non dependant is employed.

One received 'some' support. This was Policy 6 under which claimants were able to protect £16k in savings and still receive a means tested reduction of their Council Tax bill.

RESOURCE IMPLICATIONS

Council Tax Benefit Subsidy awarded for 2012/13 was £5.38m. The current scheme was modelled on delivering an estimated benefit reduction in the region of £700k for 2013/14, necessitated by grant cuts of 10% and protection for Pensioners and other vulnerable groups. The final amount awarded for 2013/14 was £4.4m and £4.2m for 2014/15.

Latest figures confirm that £4.1m has so far been awarded in Local Council Tax Reduction (LCTR) for 2015/16, to both working age and pensioner customers. The live working age caseload has reduced by approximately 11% since April 2013, which is attributable to customers finding employment and becoming financially self sufficient and contributes to the lesser amount now awarded.

Should Cabinet decide to consult on a proposal to exclude maintenance as income from April 2016 for working age claimants, the overall Council Tax Reduction Scheme awards would increase by approximately £18.5k per annum for 77 claimants from that date (£2k of which would be financed by the Authority.)

If Cabinet decide to consult on a proposal to change the scheme so that most working age customers' awards are based on a maximum of 70% of their Council Tax liability (rather than 75% at present), this would mitigate the deficit from grant reductions as indicated by an estimated £10k to the Authority. Cabinet may also wish to consider whether or not to continue to protect those who receive a Severe Disability Premium, or who have a disabled child and those who receive War Widows/War Disability Pension or Armed Forces Compensation Scheme payments who currently have their awards calculated on 100% of their liability. If vulnerable groups are no longer protected, Council Tax Reduction awards for the protected groups would decrease by £107k, giving a saving of approximately £12k to the Authority (10.9% of overall saving).

Financial Summary

	2012/13	2013/14	2014/15	2015/16	2016/17

	Estimate £'000	Actual £'000	Actual £'000	to date £'000	Estimated £'000
Council Tax Benefit	5,404				
Estimated Scheme Cost	4,685	4,470	4,156	4,122	4,121
Estimated Saving (incl Protection)	719				
Cost to TBC (10.9%)	511	487	453	449	449
TBC Grant rec'd *	516	508	439	370	335
Variance (Surplus) / Deficit	(5)	(21)	14	79	115
Extrapolation for Collection Fund	(48)	(189)	126	723	1,051
* includes SFA Grant Reduction (projected for 2016/17)			(13.50%)	(15.70%)	(9.70%)
SFAS - Settlement Funding Assessment					

LEGAL/RISK IMPLICATIONS BACKGROUND

The Department for Communities and Local Government have confirmed that consultation on the scheme is not required annually if it is not amended. However, it is good practice to consult annually, to gauge fresh views on the policy. However, should a scheme have any proposed amendments, consultation is mandatory.

Appendix 1 confirms the public consultation results for 2014/15, gauging views on each of the current policy elements of the scheme.

Section 13 A(2) and Schedule 1A of the Local Government Finance Act 1992 as well as Schedule 1A, paragraph 16 of the Local Government Finance Act 2012 legislate that the scheme must be agreed annually by full Council.

Full Equality Impact Assessments were considered and taken into account when the scheme was initially finalised and agreed.

SUSTAINABILITY IMPLICATIONS

Funding for the replacement of the previous Council Tax Benefit scheme was changed from AMEY (unrestricted reimbursement of Council Tax Benefit Subsidy) to DEL (restricted, pre allocated grant figure). The Council must be aware that there must continue to be a contingency if, for instance, a major local employer goes into administration.

BACKGROUND INFORMATION

The Welfare Reform Act 2012

http://www.legislation.gov.uk/ukpga/2012/5/pdfs/ukpga_20120005_en.pdf

The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Regulations) 2012

http://www.legislation.gov.uk/uksi/2012/2885/pdfs/uksi_20122885_en.pdf

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LIST OF BACKGROUND PAPERS

Local Council Tax Reduction Scheme 2013/14 Report, presented to Council on 13th

December 2012 <http://democracy.tamworth.gov.uk/mglIssueHistoryHome.aspx?IId=2548>

Local Council Tax Reduction Scheme 2014/15 Report, presented to Council on 17th

December 2013 <http://democracy.tamworth.gov.uk/mglIssueHistoryHome.aspx?IId=3849>

Local Council Tax Reduction Scheme 2015/16 Report, presented to Council on 16th

December 2014 <http://democracy.tamworth.gov.uk/mglIssueHistoryHome.aspx?IId=5259>

APPENDICES

Public Consultation Results 2014/15

Council Tax Reduction Caseload Summary

Council Tax Reduction Expenditure Summary

2014 Local Council Tax Reduction Scheme Questionnaire

Appendix 1

Appendix 2

Appendix 3

Appendix 4



Local Council Tax Reduction Scheme Consultation Summary Report 2014

Produced by  Staffordshire
County Council

On behalf of  Tamworth
Borough Council

DOCUMENT DETAILS

This document has been produced on behalf of Tamworth Borough Council by the Staffordshire County Council Insight Team



Title	Localisation of Council Tax Consultation Summary Report
Date created	September 2014
Description	The purpose of this document is to provide Tamworth Borough Council with the consultation results on their proposals for localising their Council Tax Benefit Scheme.
Produced by	Alice Walters, Research Officer, Insight Team, Staffordshire County Council Tel: 01785 278150 email: alice.walters@staffordshire.gov.uk
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Geographical coverage	Tamworth Borough
Format	PDF and Publisher files
Status	Final (Version 1)
Usage statement	This product is the property of Tamworth Borough Council. If you wish to reproduce this document either in whole, or in part, please acknowledge the source and the author(s).
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I. EXECUTIVE SUMMARY

The degree of endorsement for the policies was varied, with most support being received for Policy 1, which provides total protection for pensioners and those working age claimants classed as severely disabled. Least endorsement was received to Policy 6. Under this policy, claimants can protect up to £16,000 in savings and still receive support with their Council Tax bill.

There was a 'high'* level of endorsement for four out of the ten policies and the details of these are outlined below:

- Supporting pensioners, working age people classed as severely disabled, claimants with disabled children and claimants receiving a War Pension or Armed Forces Compensation Scheme with up to a 100% rebate (Policy 1).
- Protecting claimants who are eligible for Severe Disability Premium. They can receive a reduction for up to 100% off their Council Tax bill (Policy 9).
- Including maintenance payments as income when calculating a Working Age claimant's Council Tax Reduction entitlement (Policy 8).
- Working Age claimants (not protected) have to pay at least 25% of their Council Tax bill (Policy 2).

Furthermore, five out of the ten policies received a 'moderate' level of support with between 50-74% agreeing that they were reasonable. One received 'some' support. This was Policy 6 under which claimants were able to protect £16,000 in savings and still receive support towards their Council Tax bill.

The results must be considered in the context of the respondents. The majority of respondents were residents of Tamworth (86%), who did not receive a Council Tax reduction (81%). The majority had also not been impacted by the changes. 62% had experienced a low or very low impact to the changes since April 2013.

Over one third of respondents (38%) had experienced either a medium or high impact to the changes. Whilst it is not advisable to undertake statistical analysis on their responses (as their numbers were relatively low) it is important to acknowledge that they may have a different perspective. Their commentaries are documented throughout this report and these can provide an indication of possible impacts.

It would be advisable for these to be supplemented by localised data. This for example could include looking at the local levels of arrears and bailiff referrals linked to non payment of Council Tax following the introduction of changes. This information would enable a deeper understanding of the possible impacts of reform.

*Where the 'level of support' is quoted within this report, this is defined as:

Low: 0% - 24% agree the proposal to be reasonable

Some: 25% - 49% agree the proposal to be reasonable

Moderate: 50% - 74% agree the proposal to be reasonable

High: 75% - 100% agree the proposal to be reasonable

2.1 INTRODUCTION AND METHODOLOGY

Since April 2013, Tamworth Borough Council has administered a Local Council Tax Reduction Scheme for those of working age on behalf of the Government. The Government still provides funding for localised schemes but since April 2013 it has been reduced.

In 2012 there was a public consultation to gauge views about the locally proposed scheme from April 2013. At that time, Tamworth Borough Council pledged to review its local council tax reduction scheme during its second year of operation.

As part of this review, a consultation ran between 15th July 2014 and 15th September 2014 and residents and the voluntary sector were encouraged to share their views through an online survey.

This report has been produced by Staffordshire County Council on behalf of Tamworth Borough Council and brings together analysis and key themes of all responses received.

2.2 RESPONDENT PROFILE

A total of 77 respondents completed the online survey, a considerably smaller group when compared with the number of respondents who took part in the consultation last year (828). To this end, comparisons can not be drawn between the results of the two.

A full respondent profile can be found in Appendix I, but some key points include:

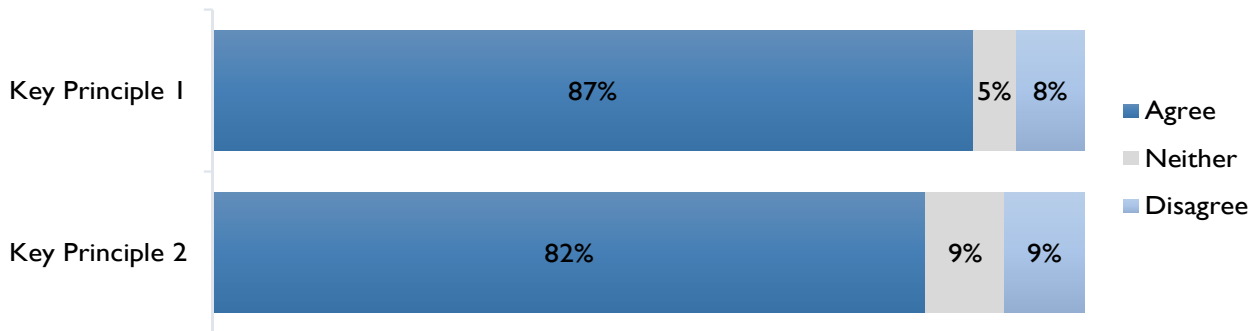
- 86% of respondents identified themselves as a resident of Tamworth.
- 9 respondents were Council Tax Reduction claimants with a further 3 being friends or relatives of a Council Tax Reduction claimant.
- 42% were from households with full or part-time workers and 18% had one or more dependent children living with them.
- The respondent group consisted of largely older people with almost a third aged 55-64 years. When comparing with the district profile breakdown by age from the most recent Mid Year Estimates it is clear that those aged 18– 34 were under-represented while those aged 55 and above were over-represented. More detail can be found in Appendix I.
- 3 respondents were responding on behalf of a voluntary organisation.

3. RESULTS - KEY PRINCIPLES

Respondents were invited to state to what extent they agreed or disagreed with the following two key principles:

Key Principle 1: Every household with working age members should pay something towards their Council Tax bill

Key Principle 2: The Local Council Tax Reduction Scheme should encourage people to work



As the graph above illustrates, there was a high level of support from each of the two key principles with 87% of respondent agreeing with Key Principle 1 and 82% agreeing with Key Principle 2. In both cases, over 50% of respondents stipulated that they were in strong agreement.

4. RESULTS - POLICIES

Respondents were invited to state to what extent they felt the following policies were reasonable or not reasonable and to offer any comments to explain why they felt that way:

Local Council Tax Reduction Scheme Policy 1

Pensioners receive support for up to 100% of their Council Tax bill as they are protected by the Government under a national scheme. Tamworth also protect working age claimants classed as severely disabled and in receipt of a Severe Disability Premium, claimants with disabled children and claimants receiving a War Pension or Armed Forces Compensation Scheme payment in the Local Council Tax Reduction Scheme. This means that pensioners, claimants classed as severely disabled, claimants with disabled children and claimants receiving a War Pension or Armed Forces Compensation Scheme payment are the only claimants that can receive support for up to 100% of their Council Tax bill. All other working age claimants pay something towards their Council Tax bill.



88% of respondents felt that this policy was reasonable and this was reinforced through the additional comments, “we should support those in our community who are unable to work due to age or disabilities” , “claimants who are severely disabled or with disabled children should be protected under the scheme” and “it is

pleasing to see the elderly protected by the government safeguards”.

However, it was posed by several respondents that rather than roll out a standard approach across the district, cases should be considered at an individual level, “not all pensioners should automatically be protected as some may have greater capacity to contribute towards their council tax” and that the “circumstances of the individual play a big part of what you should receive, not a blanket amount”. One respondent suggested that “maybe pensioners should be means tested as some earn more than I do.”

Local Council Tax Reduction Scheme Policy 2

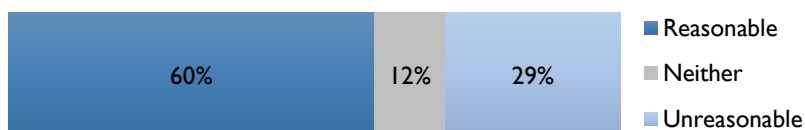
All working age claimants that are not protected have to pay at least 25% of their Council Tax bill.



While there was a high level of support for this policy with around three-quarters of respondents agreeing that it was reasonable, it was interesting to see how diverse the opinions were of those who felt this proposal was unreasonable. While there were a number of comments stipulating that it was “unreasonable if someone on a low income has to pay at least 25% of Council Tax” and “morally wrong to expect them to contribute to Council Tax when it means depriving them and their children of food”, there were also some suggestions that “25% is not really enough”, and that all working age claimants “should be made to pay more than 25%”.

Local Council Tax Reduction Scheme Policy 3

Council Tax Reduction is limited to the level that is given for a smaller house. Tamworth limit the maximum support offered based on 75% of the Council Tax bill for a Band D property, even if the claimant lives in a property with a higher banding than D. This means that any working age claimant who lives in a property with a banding higher than D has their reduction calculated as if they lived in a Band D property.



There was moderate support for this policy with 60% of respondents stating that they felt it was reasonable. Additional comments were fairly small in numbers and showed mixed views. Some used it as an opportunity to emphasise their position of support, “they should pay based on the property they occupy”, “if they can afford to purchase a large house in the first place, they should have less reduction”. While others, who disagreed with the policy, expressed that this would be another exercise which will benefit the rich and penalise the “many downtrodden, overtaxed and overworked ‘lower class’”, “tax breaks for the richer people, none for the poorest”.

Other respondents who felt that this was not a reasonable policy, were more mindful of individual circumstance, “it may be that some unfortunate people are in a large house, can’t move and are being penalised” and that “at times of difficulty it would be wrong to drive people from their homes. There are good reasons why people were previously assessed as needing full council tax relief.”

One respondent suggested that “Council Tax should be based on the person and not on the size of the property” .

Local Council Tax Reduction Scheme Policy 4

Before April 2013, some customers were not entitled to Council Tax Benefit in their own right because their own income was too high or they had too much in savings. However, they could claim a Second Adult Rebate, for a reduction of up to 25% off their bill, because they had another adult living with them who was on a low income. From April 2013, Second Adult Rebate was removed under the Local Scheme. This means that all those of Working Age who were previously entitled to a Second Adult Rebate have to pay 100% of their Council Tax bill. (Second Adult Rebate can still be claimed by pensioners as it is in the national rules).



There was moderate support for this policy, and while very few additional comments were made, those who did felt that if people were earning a certain amount of money, then it was considered reasonable to expect them to pay the full amount,

- *“Why should liable people who have the means to pay get a discount?”*
- *“If joint income is high then they should pay total charge”.*
- *“When there are 2 or more incomes in the household then the full amount should be paid unless the income falls”.*

One respondent suggested that *“maternity leave should be considered”* while another felt that *“pensioners should not be exempt - it is completely unfair to protect wealthy pensioners, and this should be income based rather than age-based”*.

Local Council Tax Reduction Scheme Policy 5

We disregard child care costs when calculating Council Tax Reduction. This does not contribute to any reductions but provides an incentive for parents to stay in work or return to work.

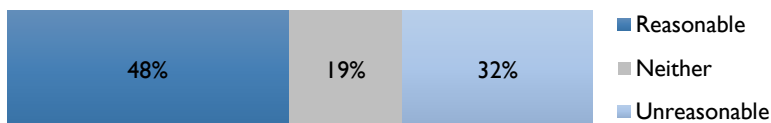


While there was moderate support shown for this policy, the additional comments highlighted that some respondents did not understand how the policy would provide an incentive for parents to stay in or return to work since *“child care costs are a significant household bill for many families”*:

- *“The expense of child care must be taken into consideration...or am I misunderstanding this?”*
- *“I don't really understand this. To disregard child care costs is to disregard the most major outgoing of these people you are seeking to incentivise to work! Why should these be disregarded?”*
- *“The main disincentive for working parents not to work is the high cost of child care”*
- *“It doesn't provide an 'incentive', it forces the desperate to take up low paid and exploitative work”*

Local Council Tax Reduction Scheme Policy 6

Claimants are able to have savings of up to £16,000 and still receive support towards their Council Tax Bill.



There was some support for this policy, with just under half of respondents agreeing that it was reasonable to have savings and still receive support towards their Council Tax Bill. However, almost a third of the respondent group did not agree with this policy and the majority of additional comments were made by this group:

- “You should support yourself to some extent if you have any savings above £5,000” .
- “If you have savings then they should be used first”.
- “People with full time jobs probably don’t have savings of £16K”.
- “Any support should be for those who REALLY need it”.

One respondent suggested whether “ it would be possible to have a **sliding scale** for the savings calculation, rather than a fixed £16000?”.

Local Council Tax Reduction Scheme Policy 7: Child Benefit is not included as income when calculating a claimant’s Council Tax Reduction entitlement.



There was a moderate level of support for this policy, with 70% of respondents agreeing that it should not be included since “Child Benefit is for the use of the child, not to finance local government”.

The additional comments section saw several respondents voicing their opinions of why they felt this was unreasonable and why they felt that it was more appropriate to include Child Benefit in the calculations:

- “Many people are paid too much Child Benefit, with the attitude that more children equals more money!”
- “Child benefit should be included in total family income. It is income!”
- “It is income paid by the tax payer”

Local Council Tax Reduction Scheme Policy 8: We include maintenance payments as income when calculating a Working Age claimant's Council Tax Reduction entitlement.



There was a high level of support for this policy and it was felt fair that this was included in calculations since *“maintenance is supposed to count towards living costs, Council Tax is a cost of living...”*

However, it was recognised by several respondents that there are many cases where maintenance payments are not made consistently, *“it is difficult for some single parents to get maintenance payments from former partners”*. With this in mind, some said that they would only support the proposal *“if the maintenance is guaranteed and not intermittent”* and *“if somebody is supposed to pay but doesn't then that shouldn't count”*.

One respondent felt very strongly against this policy, stating that *“this is basically taxing children. Child Maintenance is paid AFTER taxation for the upkeep of children.”*

Local Council Tax Reduction Scheme Policy 9: If a Working Age person receives Disability Living Allowance, a Care Component may be added if they require help with day to day tasks or if they need frequent personal care. A lower, middle or higher rate is paid depending on the care needs of the claimant. Single claimants that receive a middle or higher rate Care Component are classed as severely disabled and can attract a Severe Disability Premium too, as long as no one lives with them and no one receives a Carers Allowance for looking after them. Couples can also receive this premium as long as they both are eligible for a middle or higher rate Care Component, no one lives with them and no one receives a Carers Allowance for looking after either of them.

A Severe Disability Premium is also payable if a Working Age person (and their partner if they have one) receives a Personal Independence Payment at the Enhanced Daily Living rate and no one lives with them and no one receives a Carers Allowance for looking after them.

Claimants who are eligible to Severe Disability Premium can receive a Reduction for up to 100% of their Council Tax bill.



There was a high level of support for this policy with respondents identifying that *“this is a very vulnerable group and needs the most protection”* and agreeing that *“we need to support vulnerable people in our society”*.

While one respondent stated that *“as they are unable to work I think this would be very reasonable in the circumstances”*, another commented that *“one should not presume that all with a disability have insufficient income”* and therefore *“the level of reduction should depend on income”*.

Local Council Tax Reduction Scheme Policy 10: Any non-dependants living in a Working Age claimant's household are expected to contribute towards the Council Tax bill. If the non-dependant is not working then their contribution would be £5 per week. If the non-dependant is working then their contribution would be £10 per week.



There was a moderate level of support for this policy with 71% agreeing that this was reasonable. *“non dependants utilise the same services as others so should pay their full contribution”, “everyone needs to contribute”*. However, several comments were made about *“Council Tax being payable on the property not on individuals living in that property”* with this policy being cited as *“mixing the two”*.

Some respondents expressed some caution, one stated that *“it should depend on financial circumstances of the family”* while another commented that *“it depends on the non-dependent's income. This would be significant for some people on low wages or low benefits - so you need to consider their income, rather than put in a flat rate.”* One respondent voiced a concern about how the payment would be collected, *“do not expect the householder to demand payment.”*

5. RESULTS - IMPACTS OF THE CHANGES

Respondents were asked a series of questions to ascertain how they feel the changes implemented from April 2013 have impacted on both their individual circumstances as well as some of the key groups. This section displays the results from these questions.

Does your household receive Council Tax Reduction?



Just 16% (12) respondents live in a household which receives Council Tax Reduction and consequently, as the graph below shows, the impacts felt on individual financial situations have been low for almost two-thirds of the respondent group.

What level of impact have the changes had on you and your household?



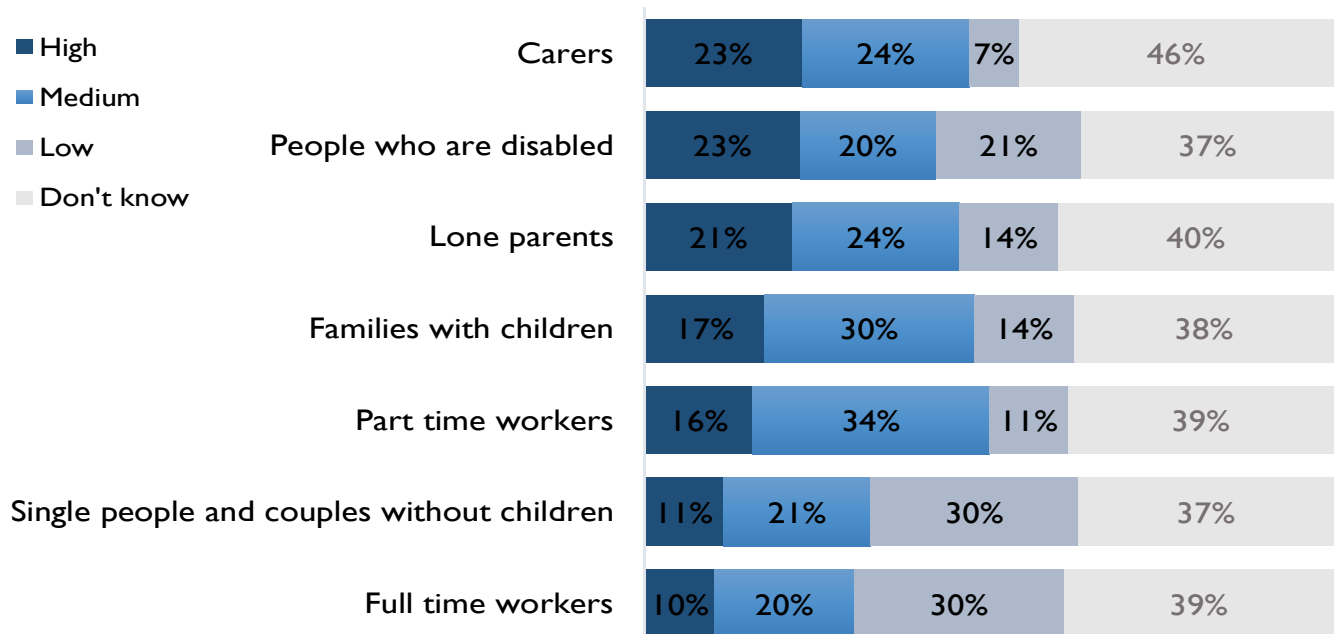
Additional comments made by respondents included some personal concerns:

- *"I am on maternity leave this should be taken into consideration as my income is half what it would be".*
- *"Less money to spend on children as maintenance money is taken into account".*

As well as considerations for others in more difficult situations than themselves:

- *"I pay my full Council Tax bill with no rebate so this has not affected me but I have seen the difficulties it has caused to single parent families".*
- *"Most are now in debt and have had attachments to their benefits making them even poorer than previously. Great going! Rich get richer poor get into poverty."*
- *"My concern is with those families who are dependent on benefits because they are in low paid and exploitative work or are unemployed through no fault of their own. It seems wrong to take more money away from them when the wealthiest people in society, many of whom contributed to the financial crash in 2007 are seeing their wealth increase substantially."*

Please tell us whether you think the changes had a high, medium or low impact on each of these groups.



The graph above illustrates how a sizeable proportion of the respondents were unable to assess how the changes had impacted on certain groups, acknowledging that they “have no knowledge of their income changes or personal lives”.

However, those who have provided answers felt that carers, people who are disabled and lone parents are more likely to feel high level impacts from the changes, while full time workers, single people and couples without children are more likely to feel much lower impacts.

When asked whether they felt there could be any other groups affected by these changes, the following answers were given:

- “Older people prior to pension age living on part time earnings”
- “Part time workers are often on zero hours contracts and if they do not get enough hours of work they cannot claim benefit for the shortfall and so cannot pay rent /mortgage so could lead them to becoming homeless and unable to pay Council Tax”
- “Unemployed, long term sick, low-income workers (more now than ever)”

Further additional comments included:

- “Some family difficulties where parents aren't working but a young person gets their first job, however good learning curve for the young persons future, everything costs someone something.”
- “For ALL people on benefits already struggling to feed themselves and family this change took away vital money and hence food from their plates. Low-income workers sometimes struggle as much as those on benefits and thus will increasingly find they cannot justify working and resort back to benefits curtailing any progress they might make in life.”.
- “I am retired but believe that instead of council tax being capped by government and making councils introduce reduction schemes, the Council should be able raise the necessary saving of £700k in other ways”
- “These sort of changes only normally affect the people with work, have worked before retirement or those with no children. People on benefits or with large numbers of children that do not want to work are normally the ones that benefit most as they never have to pay a penny towards their Council Tax!”
- “This is called Council Tax reduction but it seems that more people will have to pay”.

6. APPENDIX I: RESPONDENT PROFILE

Are you a resident of Tamworth?

Survey responses		
	No's	%
Yes	65	86%
No	11	14%

Does your name appear on the Council Tax bill for household?

Survey responses		
	No's	%
Yes	66	89%
No	7	9%
Don't know	1	1%

Are you submitting your views as....

Survey responses					
	No's	%		No's	%
Voluntary organisation	3	4%	A friend of a Ctax Reduction claimant	1	1%
Community group	0	0%	Nationally or locally elected member	1	1%
Housing Association	1	1%	Partner organisation	1	1%
Private landlord	9	12%	Resident of Staffordshire	38	49%
A Ctax Reduction claimant	9	12%	None of these	12	16%
A relative of a Ctax Reduction claimant	2	3%	Other	4	5%

Does your household receive any of the following benefits?

Survey responses		
	No's	%
Attendance Allowance	0	0%
Carers Allowance	3	4%
Child Benefit	13	17%
Child Tax Credit	2	3%
Disability Living Allowance/ Personal Independence	7	9%
Housing Benefit	5	6%
Income Support	0	0%
Job Seekers Allowance	1	1%
Employment and Support Allowance	1	1%

Do any of the following describe your household?

Survey responses		
	No's	%
A family with one or two dependant children	14	18%
A family with three or more dependent children	2	3%
A lone parent household	3	4%
A household with full and/or part-time workers	32	42%
A household that includes someone who is disabled	5	6%
A single person household or a couple without children	10	13%
None of these	16	21%

Do you regularly provide unpaid support caring for someone?

Survey responses		
	No's	%
Yes	14	20%
No	55	80%

What is your age?

	Survey		Tamworth MYE 2013
	No's	%	%
18-24	2	3%	10%
25-34	5	6%	17%
35-44	15	19%	18%
45-54	17	22%	18%
55-64	24	31%	16%
65-74	13	17%	13%
75+	1	1%	8%

Are you male or female?

	Survey responses		Tamworth MYE 2013
	No's	%	%
Female	35	46%	51%
Male	41	54%	49%

What is your ethnicity?

	Survey responses		Tamworth 2011 Census comparison
	No's	%	%
White British	71	93%	95%
White-Other	2	3%	2.3%
Prefer not to say	2	3%	N/A
Other	1	1%	2.7%

Do you consider yourself to have a disability?

	Survey responses		Tamworth 2011 Census comparison
	No's	%	%
Yes	17	23%	18%
No	56	75%	82%
Prefer not to say	2	3%	N/A

Are you receiving a Retirement Pension or Pension Credit?

Survey responses		
	No's	%
Yes	19	26%
No	52	71%
Prefer not to say	2	3%

What type of disability do you have?

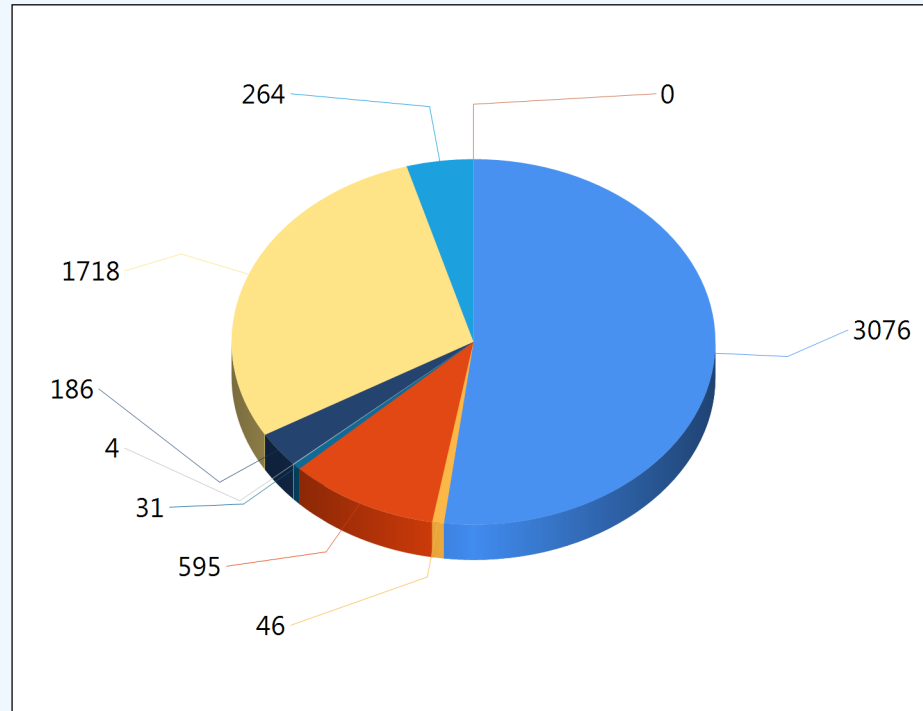
Survey responses		
	No's	%
Communications	0	0%
Hearing	3	18%
Learning	0	0%
Mental Health	2	12%
Mobility	3	18%
Physical	5	29%
Visual	3	18%
Other	1	6%

What is your relationship status?

Survey responses		
	No's	%
Single	19	26%
Married	47	64%
Living as a couple	6	8%
Civil Partnership	1	1%
None of these	1	1%
Prefer not to say	0	0%

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CTS Caseload as of 27.05.2015

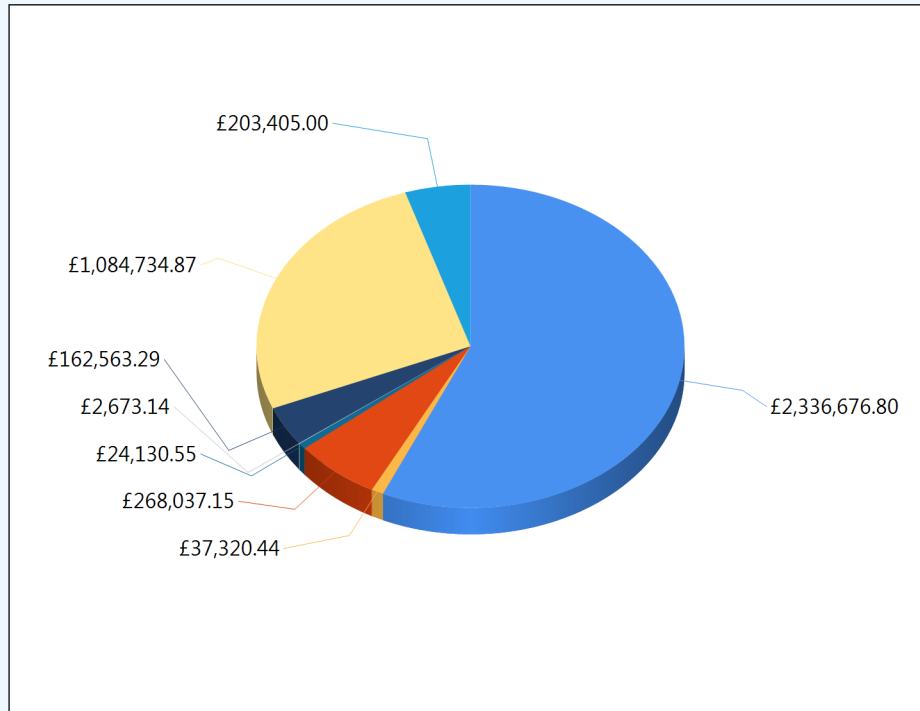


Group Legend

- Elderly
- Working Age-Non-Passported-Disabled Child Premium
- Working Age-Non-Passported-Other
- Working Age-Non-Passported-Severe Disability
- Working Age-Non-Passported-War Pensioners
- Working Age-Passported-Disabled Child Premium
- Working Age-Passported-Other
- Working Age-Passported-Severe Disability
- Working Age-Passported-War Pensioners

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CTS Expenditure as of 2015-2016



- Group Description**
- Elderly
 - Working Age-Non-Passported-Disabled Child Premium
 - Working Age-Non-Passported-Other
 - Working Age-Non-Passported-Severe Disability
 - Working Age-Non-Passported-War Pensioners
 - Working Age-Passported-Disabled Child Premium
 - Working Age-Passported-Other
 - Working Age-Passported-Severe Disability

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Local Council Tax Reduction Scheme Consultation

Since April 2013, Local Authorities have administered a Local Council Tax Reduction scheme for those of Working Age, on behalf of the Government. A scheme with national rules continues for pensioners, which is also delivered by Local Authorities.

The Government still provides funding for localised schemes, but since April 2013 it has been reduced. In 2012 there was a public consultation to gauge views about the locally proposed scheme from April 2013.

We would again like your views of the scheme, in order to finalise it from April 2015.

This survey is open from 15th July 2014 to 15th September 2014. It gives details of the current Local Council Tax Reduction Working Age Scheme which will continue to enable us to achieve the reductions we need to make. We would like your views on the scheme so please take the time to fill in this survey. Your feedback will be used to help shape the final Local Council Tax Reduction Scheme.

Q1 Are you answering this survey as...?

- An individual
- An organisation representing a community

Q1a If you are answering this survey as an organisation, which group/membership does your organisation represent?

Principles

Q2 To what extent do you agree with the following principle?

Every household with working age members should pay something towards their Council Tax Bill.

- | | | | | |
|--------------------------|--------------------------|----------------------------|--------------------------|--------------------------|
| Strongly agree | Agree | Neither agree nor disagree | Disagree | Strongly disagree |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Q3 To what extent do you agree with the following principle?

The Local Council Tax Reduction Scheme should encourage people to work.

Strongly agree

Agree

Neither agree nor disagree

Disagree

Strongly disagree

Our scheme

Local Council Tax Reduction Scheme Policy 1

Pensioners receive support for up to 100% of their Council Tax bill as they are protected by the Government under a national scheme. We also protect working age claimants classed as severely disabled and in receipt of a Severe Disability Premium, claimants with disabled children and claimants receiving a War Pension or Armed Forces Compensation Scheme payment in the Local Council Tax Reduction Scheme. This means that pensioners, claimants classed as severely disabled, claimants with disabled children and claimants receiving a War Pension or Armed Forces Compensation Scheme payment are the only claimants that receive support for up to 100% of their Council Tax bill. All other working age claimants pay something towards their Council Tax bill.

Q4 How reasonable do think this is?

Very reasonable

Reasonable

Neither reasonable nor unreasonable

Unreasonable

Very unreasonable

Q4a Please use the space below for any comments you may have.

Local Council Tax Reduction Scheme Policy 2

All working age claimants that are not protected have to pay at least 25% of their Council Tax bill.

Q5 How reasonable do think this is as a way of contributing to the reductions that need to be made?

Very reasonable

Reasonable

Neither reasonable nor unreasonable

Unreasonable

Very unreasonable

Q5a Please use the space below for any comments you may have.

Local Council Tax Reduction Scheme Policy 3

Council Tax Reduction is limited to the level that is given for a smaller house. We limit the maximum support offered based on 75% of the Council Tax bill for a Band D property, even if the claimant lives in a property with a higher banding than D. This means that any claimant who lives in a property with a banding higher than D has their Reduction calculated as if they lived in a Band D property.

Q6 How reasonable do think this is as a way of contributing to the reductions that need to be made?

- | | | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| Very reasonable | Reasonable | Neither reasonable nor unreasonable | Unreasonable | Very unreasonable |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Q6a Please use the space below for any comments you may have.

Local Council Tax Reduction Scheme Policy 4

Before April 2013, some customers were not entitled to Council Tax Benefit in their own right because their own income was too high or they had too much in savings. However, they could claim a Second Adult Rebate, for a reduction of up to 25% off their bill, because they had another adult living with them who was on a low income.

From April 2013, Second Adult Rebate was removed under the Local Scheme. This means that all those of Working Age who were previously entitled to a Second Adult Rebate have to pay 100% of their Council Tax bill. (Second Adult Rebate can still be claimed by pensioners as it is in the national rules).

Q7 How reasonable do you think this is as a way of contributing to the reductions that need to be made?

- | | | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| Very reasonable | Reasonable | Neither reasonable nor unreasonable | Unreasonable | Very unreasonable |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Q7a Please use the space below for any comments you may have.

5 Local Council Tax Reduction Scheme Policy

We disregard child care costs when calculating Council Tax Reduction. This does not contribute to any reductions but provides an incentive for parents to stay in work or return to work.

Q8 How reasonable do you think this is?

Very reasonable	Reasonable	Neither reasonable nor unreasonable	Unreasonable	Very unreasonable
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Q8a Please use the space below for any comments you may have.

Local Council Tax Reduction Scheme Policy 6

Claimants are able to have savings of up to £16,000 and still receive support towards their Council Tax Bill.

Q9 How reasonable do you think this is?

Very reasonable	Reasonable	Neither reasonable nor unreasonable	Unreasonable	Very unreasonable
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Q9a Please use the space below for any comments you may have.

Local Council Tax Reduction Scheme Policy 7

Child Benefit is not included as income when calculating a claimant's Council Tax Reduction entitlement.

Q10 How reasonable do you think this is?

Very reasonable	Reasonable	Neither reasonable nor unreasonable	Unreasonable	Very unreasonable
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Q10a Please use the space below for any comments you may have.

Local Council Tax Reduction Scheme Policy 8

We include maintenance payments as income when calculating a Working Age claimant's Council Tax Reduction entitlement.

Q11 How reasonable do you think this is?

Very reasonable	Reasonable	Neither reasonable nor unreasonable	Unreasonable	Very unreasonable
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Q11a Please use the space below for any comments you may have.

Local Council Tax Reduction Scheme Policy 9

If a Working Age person receives Disability Living Allowance, a Care Component may be added if they require help with day to day tasks or if they need frequent personal care. A lower, middle or higher rate is paid depending on the care needs of the claimant. Single claimants that receive a middle or higher rate Care Component are classed as severely disabled and can attract a Severe Disability Premium too, as long as no one lives with them and no one receives a Carers Allowance for looking after them. Couples can also receive this premium as long as they both are eligible for a middle or higher rate Care Component, no one lives with them and no one receives a Carers Allowance for looking after either of them.

A Severe Disability Premium is also payable if a Working Age person (and their partner if they have one) receives a Personal Independence Payment at the Enhanced Daily Living rate and no one lives with them and no one receives a Carers Allowance for looking after them.

Claimants who are eligible to Severe Disability Premium can receive a Reduction for up to 100% of their Council Tax bill.

Q12 How reasonable do you think this is?

Very reasonable	Reasonable	Neither reasonable nor unreasonable	Unreasonable	Very unreasonable
-----------------	------------	-------------------------------------------	--------------	----------------------

-
-
-
-
-

Q12a Please use the space below for any comments you may have.

Local Council Tax Reduction Scheme Policy 10

Any non-dependants living in a Working Age claimant's household are expected to contribute towards the Council Tax bill. If the non-dependant is not working then their contribution would be £5 per week. If the non-dependant is working then their contribution would be a £10 per week.

Q13 How reasonable do you think this is as a way of contributing to the reductions that need to be made?

- | | | | | |
|--------------------------|--------------------------|-------------------------------------------|--------------------------|--------------------------|
| Very reasonable | Reasonable | Neither
reasonable nor
unreasonable | Unreasonable | Very
unreasonable |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Q13a Please use the space below for any comments you may have.

Impact of the changes

Q14 Does your household receive Council Tax Reduction?

- Yes No Don't know

Q14a What impact have the changes from April 2013 had on your financial situation, or the financial situation of those communities you represent?

- | | | | | |
|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| Very high | High | Medium | Low | Very low |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Q14b Please use the space below for any comments you may have.

Q15 We are aware that some groups of people were more affected than others when the Local Council Tax Reduction Scheme was introduced in April 2013. We have identified a few groups that were affected by these changes. Please tell us whether you think the changes had a high, medium or low impact on each of these groups.

	High	Medium	Low	Don't know
Families with children	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lone parents	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Part time workers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Full time workers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
People who are disabled	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Single people and couples without children	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Q16 Please tell us about any other groups who may be affected by the changes.

Q17 How were the groups you have told us about affected by the changes? If you are answering as an organisation, please tell us how these changes have affected the group(s) you represent.

Q18 If you are answering as an organisation, please tell us how these changes have impacted on the services you provide?

About you

Q20 Are you a resident of Tamworth?

- Yes No

Q21 Are you submitting your views as....(tick all that apply)

- | | | |
|-------------------------------------------------|-------------------------------------------------------------------------|-------------------------------------------------------------------|
| <input type="checkbox"/> Voluntary organisation | <input type="checkbox"/> A relative of a Council Tax Reduction claimant | <input type="checkbox"/> Resident of Staffordshire |
| <input type="checkbox"/> Community group | <input type="checkbox"/> A friend of a Council Tax Reduction claimant | <input type="checkbox"/> Resident outside of [Insert LA district] |
| <input type="checkbox"/> Housing Association | <input type="checkbox"/> Nationally or locally elected member/MP | <input type="checkbox"/> None of these |
| <input type="checkbox"/> Private landlord | <input type="checkbox"/> Partner organisation | <input type="checkbox"/> Other |

If other, please specify _____

Q22 Does your name appear on the Council Tax Bill for your household?

- Yes No Don't know

Q23 Does your household receive any of the following benefits? (tick all that apply)

- | | | |
|-----------------------------------------------|------------------------------------------------------------------------------------|-----------------------------------------------------------|
| <input type="checkbox"/> Attendance Allowance | <input type="checkbox"/> Child Tax Credit | <input type="checkbox"/> Income Support |
| <input type="checkbox"/> Carers Allowance | <input type="checkbox"/> Disability Living Allowance/Personal Independence Payment | <input type="checkbox"/> Job Seeker Allowance |
| <input type="checkbox"/> Child Benefit | <input type="checkbox"/> Housing Benefit | <input type="checkbox"/> Employment and Support Allowance |

Q24 Would you say that any of the following describes your household?

- | | |
|-------------------------------------------------------------------------|---------------------------------------------------------------------------------|
| <input type="checkbox"/> A family with one or two dependant children | <input type="checkbox"/> A household that includes someone who is disabled |
| <input type="checkbox"/> A family with three or more dependant children | <input type="checkbox"/> A single person household or a couple without children |
| <input type="checkbox"/> A lone parent household | <input type="checkbox"/> None of these |
| <input type="checkbox"/> A household with full and/or part-time workers | |

Q25 Do you regularly provide unpaid support caring for someone?

- Yes No

Monitoring Questions

Giving the following information is optional but it will help us to use the information you have provided more effectively.

Q26 Are you male or female?

- Female Male Prefer not to say

Q27 What is your age?

- 18-24 35-44 55-64 75+
 25-34 45-54 65-74 Prefer not to say

Q28 What is your ethnic origin?

- Asian or Asian British Mixed Heritage Prefer not to say
 Black or Black British White - British Other
 Chinese White - Other

Q29 Do you consider yourself to have a disability or long term health condition?

- Yes No Prefer not to say

Q29a If yes, please specify

- Communication Hearing Learning Mental health
 Mobility Physical Visual Other

If other, please specify

Q30 Are you receiving a Retirement Pension or Pension Credit?

- Yes No Prefer not to say

Q31 What is your relationship status?

- Single Married None of these
 Living as a couple Civil Partnership Prefer not to say

Thank you for completing this survey

What happens next?

When the consultation is complete, we will consider all the responses before asking Cabinet and then full Council to finalise Tamworth's Local Council Tax Reduction Scheme from April 2015.

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18TH JUNE 2015

**REPORT OF THE
Portfolio Holder for Operations & Assets**

**DELIVERY OF CORPORATE PROPERTY REPAIRS, COMPLIANCE WORKS AND
CAPITAL WORKS THROUGH SOLIHULL FRAMEWORK AGREEMENT**

EXEMPT INFORMATION
NON CONFIDENTIAL/ CONFIDENTIAL

PURPOSE
<ul style="list-style-type: none"> ● To set out for Cabinet the benefits of procuring corporate property repairs, compliance works and capital works through the Solihull Metropolitan Borough Council framework agreement.

RECOMMENDATIONS
<ul style="list-style-type: none"> ● It is recommended that Cabinet approve Tamworth Borough Council joining the Solihull Metropolitan Borough Council framework agreement for a period of 5 years for the delivery of repairs, compliance works and capital works in relation to its corporate and investment property portfolio. ● That authority is granted to the Director of Assets & Environment to enter into a suitable contractual arrangement to facilitate delivery of this framework. ● Terminate compliance contract for corporate and investment properties and deliver through SMBC framework agreement. ● That any savings generated on repairs and maintenance and the compliance works estimated to be in the region of £44k through the use of the framework are reinvested in the in the property portfolio.

EXECUTIVE SUMMARY
<p>The Council currently spends in the region of £200,000 on repairs and maintenance of its corporate and investment property, a further £30,000 is spent on compliance works which include asbestos and Legionella testing. In addition to this there is a potential for circa. £250,000 of capital expenditure in relation to agile working subject to Cabinet approval releasing this project from contingency; this is within the scope of the tender.</p> <p>The current repairs contract with Mitie Property Services which was let in 2010 using the National Schedule of Rates (NSR) came to an end in March and there is now a need to procure a new contractual arrangement. The compliance contract has been let until March 2018 but is with the same Contractor on the Solihull framework.</p> <p>Having reviewed our options it has been identified that there is an opportunity to buy</p>

in to a framework agreement established by Solihull Metropolitan Borough Council working with Graham Environmental Services. The contract has been procured through an OJEU tender process and allows for all UK Local Authorities to join. Graham Environmental Services currently undertake our compliance works and are still under contract for these services. The contract has been let on an 'open book' basis with an element of contract management being provided by Solihull Metropolitan Borough Council.

As a relatively small property owner, with a relatively low level of spend each year our contracts have not proven to be particularly attractive to the market and we have struggled to get a balance between value for money and contractors with sufficient capacity and skills diversity to meet our needs, by being part of a larger framework agreement we are able to benefit from the wider economies of scale and have the services of a contractor with sufficient capacity and range to be responsive to our needs and demands.

Under the arrangement Tamworth Borough Council would retain the overall management of the works completed on its property so would retain control of the expenditure and response times.

To establish value for money a basket of typical repairs has been produced and costed using the rates being paid to our current supplier and the rates payable under the Solihull framework agreement. The works costs were calculated as being 31% less expensive under the Solihull framework; there is however a management fee applied of 12% of the total works cost but even after applying this we would see savings in the region of 22%, it is proposed that these savings would be reinvested back in to the repairs and maintenance of the corporate and investment property portfolio. It is unlikely that we could achieve this level of saving if we were to procure the works independently. The additional investment through savings would allow us to address some of the known backlog of repairs; in particular the industrial estates in Amington would benefit from additional investment in roofing and estate works in order to increase their income generating longevity. The savings from this agreement would also go some way to allowing routine planned preventative works to take place. It is unlikely that even at this level of saving all of the backlog and planned preventative works could be completed.

The 12% fee payable to Solihull covers a repairs reporting and handling service, including out of hours, it also provides a detailed property repairs database; this is something that if we were to take on ourselves would require significant levels of investment in IT software and in administration costs.

OPTIONS CONSIDERED

- Procure a single contract in-house – In order to be considered a viable contract for larger suppliers the contract period and contract values would need to meet the threshold for OJEU procurement. It is unlikely that we could achieve the sort of rates being achieved under the Solihull framework, it would require considerable input from our own limited resources in terms of both the tender process and the ongoing management. There is also the risk that larger suppliers would be reluctant to tender due to the low values and low margins.
- Procure multiple smaller contracts in-house – Whilst it is likely that we would be able to procure a series of smaller contracts to deliver our repairs it is unlikely that we would achieve the sort of rates that are being achieved under the Solihull framework. The management of smaller contractors is more

onerous and past experience has shown that smaller contractors are not always able to provide adequate resources.

- Deliver works on a job by job basis – whilst it would be possible to obtain quotations through in-tend on a job by job basis this would not be cost effective, would result in significant delays and would create a significant administrative burden.

RESOURCE IMPLICATIONS

- No additional staffing resource would be required.
- Minimal resource would be required in the contract establishment, procurement have already advised and some legal advice would be required.
- After taking account of fees payable to Solihull the overall cost of the works would be less than being paid under the current contract, this would allow us to complete more work for the same money.
- No additional budget will be required.
- All savings, estimated at £44k based on repairs and maintenance budgets identified above, will be reinvested in the property portfolio so there will be no savings returned to reserves for the reasons stated above..

LEGAL/RISK IMPLICATIONS BACKGROUND

- The contract has been properly procured through the OJEU process and is already well established and in use by a number of Local Authorities.
- There are robust contract management processes in place to manage the delivery and performance aspects of the contract.
- Buying in to a framework takes some of the control out of our hands, to mitigate this a clear management agreement with Solihull has to be established.
- There are greater external forces that can influence the ongoing contractual relationship than would be the case if we had a contractor of our own. The contract and management agreement are robust and will allow us to monitor and manage this.

SUSTAINABILITY IMPLICATIONS

This is a long term arrangement so will allow for longer term planning, the lower rates will allow for higher levels of spend on works and we will get more for our money. The contractor is co-located with Solihull and there are operatives in the vicinity at all times reducing travel times, costs and emissions.

BACKGROUND INFORMATION

- The current contract for repairs is with Mitie.
- The current contract for compliance works is with Graham Environmental Services.
- The Solihull frameworks agreement has been reviewed by the Procurement Officer and his advice is that there is no reason why Tamworth Borough Council can't legitimately be a party to the agreement.

REPORT AUTHOR

Paul Weston, Head of Asset Management

LIST OF BACKGROUND PAPERS

None

APPENDICES

None

CABINET

THURSDAY, 18 JUNE 2015

REPORT OF THE PORTFOLIO HOLDER FOR OPERATIONS AND ASSETS

INSURANCE TENDER 2015

PURPOSE

This report is to advise Cabinet that the Authority's insurance requirements will be tendered during 2015, to seek endorsement of the contract brief and to request approval to delegate authority to the Director of Finance to award the contracts.

Following the process Cabinet will receive a report with the results of the re-marketing exercise.

This is a Key Decision as the value of the contract will exceed £100,000 in the financial year.

RECOMMENDATIONS

That Cabinet:

- 1. Endorse the contract brief for the procurement of Insurance contracts;**
- 2. Delegate authority to the Director of Finance to award the contracts to the successful insurers following any negotiation with the insurers to finalise the contracts;**
- 3. Approve the continual use of the current insurance Reserves for self-insurance liabilities.**
- 4. Confirm that Terrorism cover is not required;**
- 5. Endorse that part of any premium reductions achieved are utilised to establish funds, at an appropriate level, to cover the potential future impact on revenue budgets of increased excesses.**

EXECUTIVE SUMMARY

The Council last went to the market for insurance in 2010/11 when a long term agreement (LTA) for all cover was placed with Zurich Municipal Insurance.

The re-marketing of the insurance is carried out using a risk based approach to minimise costs and provide appropriate cover.

Tenders will be requested at both current and increased levels of self-insurance by obtaining quotes using various levels of excess. The period of LTA will be varied over number of years so quotes will be requested for 3 plus 2 year and 5 year periods. A summary of the tender specification is attached at **Appendix A**.

Key areas to note:

- Significant savings were achieved on the last exercise in 2010 resulting in the current premium rates being very competitive.
- By increasing self- insurance levels the premium rates will optimise the total amount of funds required for Insurance.
- Increased levels of self-insurance will require reserves to 'smooth' the impact of losses incurred over a number of years.
- The general insurance market is currently considered to be in a 'hardening' state which indicates that there is upward pressure on premium rates.
- The claims experience over the last 10 years shows improvements however there have been a number of high value claims on the property policies which could generate upward pressure on premium rates.
- The Council will need to consider its terrorism cover requirements.

To provide access to a wide range of insurers, and to have access to the most effective policy profile we are working with the insurance broker Marsh Ltd.

The insurance portfolio will go to the market via the Intend (electronic procurement) system, with the assistance of our brokers and, due to the value of the contract, it will require an OJEU notice.

To ensure that the Council can obtain the most advantageous premium rates, and ensure cover is in place by the renewal date of 1st October 2015, it is requested that delegated powers are given to the Director of Finance to accept the successful Insurance Tender.

On recent reviews terrorism cover has not been requested. This will be reviewed in conjunction with our brokers taking into account the cost compared to the risk involved. At this point it is recommended that the current policy continue and terrorism cover is not required.

OPTIONS CONSIDERED

The adoption of self-insurance through the use of policy excesses can provide savings. This is achieved by the application of effective risk management working practices to reduce the value and number of claims. They are used for claims that are relatively small and can provide greater local flexibility when handling claims and reduce the 'pound swapping' element included in insurance premiums.

Options will be requested and reviewed at both current and increased levels of self-insurance by obtaining quotes using various levels of excess - in order to determine the optimum level of self-insurance (excess levels) compared to premiums paid.

The current Insurance Reserves, currently £557,059, will be reviewed to ensure that they are set at a level that will accommodate any increases in excess levels that will provide an economic advantage. Any increase is required to be funded by reductions in premiums, if available, and built up over a number of years.

The period of LTA will be varied over number of years so quotes will be requested for 3 plus 2 year and 5 year periods.

RESOURCE IMPLICATIONS

The Insurance budget for the next 5 years within the Medium Term Financial Strategy is estimated at £2,364,150, the process adopted in this exercise will seek to ensure that this is not exceeded, and where possible reduced.

LEGAL/RISK IMPLICATIONS BACKGROUND

The only mandatory insurance policy required is Fidelity Guarantee. Insurance cover enables the adverse cost of Risk financing to be spread over a number of years and lessens the financial impact on revenue funds. This will ensure that the Authority is able to deliver the full range of intended services during the period.

SUSTAINABILITY IMPLICATIONS

The financing of risk using insurance policies ensures that there is minimal impact on the delivery of services.

BACKGROUND INFORMATION

None

REPORT AUTHOR

Roger Bennett, Operations Accountant, extension 246

LIST OF BACKGROUND PAPERS

Corporate Governance portfolio, Members' book item, Insurance review 2002/03, 27/09/02.
Corporate Governance portfolio, Members book item, banking and insurance market testing, 22/11/04
Cabinet, Insurance renewal, 19/12/05
Leaders book report November 2010

APPENDICES

Appendix A Summary Tender Specification

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Insurance Marketing Specification summary

Tamworth Borough Council will be presenting to the Market its full portfolio of insurance requirements; these will be grouped in 6 LOTS. A schedule of these policies and their associated LOT number is attached as schedule 1.

Following the revised procurement rules issued in February 2015, the competition with negotiation procedure has been selected as the method to use.

Tenders are requested for expiring cover and alternatives for varying levels of excess and long-term agreements for 3 plus 2 years and 5 years.

For clarification, each LOT will be evaluated on 60% price and 40% Core cover, additional cover and Claims handling. The 40% will be further analysed by; 22% on core cover, 5% additional cover, 2% each for added value services and additional benefits, and 9% claims handling.

The **insured perils** required by each element of the LOT are **Mandatory**. The scoring will also require that the bidders achieve a minimum of 50% for each element of the LOT they bid for, for the core cover and the claims handling elements. **This will be the minimum requirement for tenders to be considered and to progress to any subsequent negotiation stage.** The exception to this will be where the bidder can demonstrate that the cover required has been included in another element e.g. officials indemnity may extend to cover professional indemnity.

Tenderers are also requested to provide any details of additional discounts/benefits that may be available should they be awarded multiple LOTS.

The Council reserves the right to award the contract at the end of the initial stage without negotiation.

Schedule 1
POLICY SUMMARY-

Details of expiring covers as below.

LOT	DESCRIPTION	INFORMATION/COVER REQUIRED
Lot 1-Property	General Properties and Housing including Theft	As Data provided General Properties fire, subterranean fire lightning, explosion (full), aircraft, riot civil commotion, malicious damage earthquake, storm, flood, escape of water theft and full impact Housing Properties fire, lightning, explosion (full), aircraft, riot civil commotion, malicious damage earthquake, storm, flood, escape of water full impact and subterranean fire Deductible Expiring GBP 10,000 / Theft GBP 1,000
	Business interruption	As Data provided Perils as Material Damage Deductible - NIL
	Money	As data provided. Deductible - NIL
	All Risks	As data provided Deductible – variable per items
	Works In Progress	As data provided Contract Limit GBP 1,000,000 Deductible - £500 subsidence £1,000
	Industrial and Commercial properties	As data provided fire, lightning, explosion (full), aircraft, riot civil commotion, earthquake, storm, flood Deductibles storm/flood £100 Malicious persons/own vehicle £250
	Leaseholders	Householders comprehensive cover for leaseholders building Deductible - NIL s
	Fidelity Guarantee	Limits as per data provided. Deductible - NIL
	Computer	Accidental damage including breakdown to Computer Suite Equipment whilst at the premises Other Computer Equipment as specified Deductibles vary per item

Lot 2 Casualty	Employers Liability	£20M Limit of Liability - Deductible £5,000
	Public and Products Liability	£20M Limit of Liability - Deductible £5,000
	Officials Indemnity	£1M Limit of Liability - Deductible £1,000
	Public Health	£1M Limit of Liability - Deductible £1,000
	Libel and slander	£1M Limit of Liability - Deductible Nil
	Land charges	£5M Limit of Liability - Deductible £1,000
	Professional Indemnity	£1M Limit of Liability – Deductible £5,000
Lot 3	Motor	Comprehensive Deductible £500
Lot 4	Personal Accident & Travel	As Data - Deductible Nil
Lot 5	Engineering insurance and inspection	As Data - Deductible £100
Lot 6	Employment Practices Liability	Limit £100,000 - Deductible Nil

THURSDAY, 18 JUNE 2015

REPORT OF THE PORTFOLIO HOLDER FOR COMMUNITIES AND PUBLIC HEALTH

ASB, CRIME AND POLICING ACT 2014 IMPLEMENTATION

EXEMPT INFORMATION

N/A

PURPOSE

To review and agree the operating processes for the use of Community Protection Notices, Public Space Protection Orders and Community Trigger as defined in the ASB, Crime and Policing Act 2014

RECOMMENDATIONS

That Member's approve:

1. The processes outlined to implement the legislation
2. The level of Fixed Penalty to be set at the maximum permissible within the legislation (currently £100 reduced to £85 for prompt payment)

EXECUTIVE SUMMARY**COMMUNITY PROTECTION NOTICES**

An authorised person can issue a Community Protection Notice (CPN) to an individual aged 16 or over, or a body, including a business, if they are satisfied on REASONABLE grounds that:

- The conduct of the individual or body is having a detrimental effect on the quality of life of those in the locality
- The conduct is of a persistent nature and
- The conduct is unreasonable

The notice imposes the requirement to:

- Stop doing specified things
- Do specified things
- Take reasonable steps to achieve specified results

The only requirements that can be imposed are those that are reasonable to:

- Prevent the detrimental effect from continuing or recurring
- Reduce the detrimental effect or reduce the risk of its continuance or recurrence

There is little guidance to support the Act, however some of the case law from Statutory Nuisance may be relevant along with the Town & Country Planning Act 1990 s.215 Best practice Guide on detriment to amenity.

Detrimental effect – The act does not say the detriment has to be serious or significant, but clearly it should not be trivial. In deciding whether the behaviour is having a detrimental effect on the quality of life of those in the locality, issuing officers should consider speaking to potential victims to understand the wider harm to individuals and the community.

Persistent or continuing - Decisions on whether behaviour is persistent should be taken on a case by case basis by issuing officers. Where an individual is storing rubbish in their garden for many months, proving persistence may be simple, but there may be cases where behaviour is continuing over a very short time period. An example could be where an individual is playing loud music in a park. If the officer had asked the individual to stop the music and they had refused, this could be considered continuing in nature and a CPN could be used.

Unreasonable - The issuing officer must also make a judgement on whether the behaviour is unreasonable. For instance, a baby crying in the middle of the night may well be having a detrimental effect on those living next door and is likely to be persistent in nature. However, it would not be reasonable to issue the parents with a CPN as there is not a great deal they can do to control or affect the behaviour.

In relation to conduct on, or affecting premises it can be served on a particular person who; owns, leases, occupies, controls, operates or maintains the premises. Where a body is issued with a CPN, it should be issued to the most appropriate person. In the case of a small business, it could be the shop owner whereas in the case of a major supermarket it could be the store manager. **The issuing officer will have to be able to prove that the person issued with the CPN can be reasonably expected to control or affect the behaviour.**

Where premises are involved a person in a position to manage or control the premises may be held liable. Thus, for example, any person de facto in a position to control a noisy party may be held liable. Also, a landlord or managing agent could be held liable for the behaviour of tenants.

There is not a bar to using CPN's where the issue could fall within statutory nuisance and, to the contrary, parliament may now be said to have considered this position and chosen to enable the use of a CPN in such circumstances.

TYPES OF BEHAVIOUR THAT A CPN MIGHT BE USED TO TACKLE

The CPN is designed to be a broad ranging tool to deal with nuisance behaviour. The act deliberately does not stipulate the types of behaviour that can be considered to give authorities freedom to tackle all behaviour that is detrimental to the local community's quality of life. It puts victims at the heart of the response to anti-social behaviour, and gives the flexibility needed to deal with any given situation. Use of a CPN may well come out of an ongoing investigation of a complaint under another piece of legislation, or may be the primary tool for tackling the problem. Informal attempts to resolve the problem will usually have been undertaken before proceeding down the CPN route and can be considered in conjunction with Public Space Protection Orders.

The following list is intended to be indicative and not exhaustive as a potential use for CPNs:

Escaping/dangerous dogs	Smokers' litter not being cleared	Running a business from home causing nuisance
Unruly gardens	Excessive littering from licensed premises	Car repairs in the street
Rave organisers	Unlicensed scrapyards	Cars for sale on grass verges
Boy racer organisers	Businesses not keeping frontages free of litter	Neighbour nuisance
Noisy parties	Dilapidated buildings	Street gangs
Noise in a public place		Invasive non-native plant species
Flytipping/build up of litter		
Mini motos		

The notice can only be issued when:

- A written warning has been given that the notice will be issued unless the conduct ceases to be detrimental
- The officer is satisfied that despite having had enough time to deal with the matter the conduct is still having an effect

Delegation

Tamworth Borough Council has previously delegated authority to the appropriate Director in order to deal with ASB and environmental protection matters. These Officers may need to consider further delegations to others such as:

- Community safety/ASB officers
- Housing officers
- Neighbourhood Services/Community Wardens
- Environmental Protection officers
- Planning Enforcement officers
- Licensing officers
- Trading Standards (Staffordshire)

Police

Staffordshire Police are delegated to issue of CPN warnings and notices and will work with the Tamworth Community Safety Partnership to implement a memorandum of understanding for the use of the powers.

Registered providers

Registered providers can request the power to issue CPN for estates that are their responsibility – for both their tenants and those who are not their tenants. Delegation will be agreed locally.

The detailed CPN process map and notes are contained as Appendix 1a and Appendix 1b.

PUBLIC SPACE PROTECTION ORDERS

A Public Space Protection Orders (PSPO) is a measure to stop individuals or groups committing ASB in public places. The local authority will identify the area that is to be covered by the order – known as the 'restricted area'.

The PSPO can:

- Prohibit specified things being done in the area

- Require specified things to be done in the area

The prohibitions or requirements can be framed so that they:

- Apply to all persons, or only persons in specified categories, or to all persons except those in specified categories
- Apply at all times, or only at specified times, or at all times except those specified
- Apply in all circumstances, or only in specified circumstances, or in all circumstances except those specified

The following conditions must be met before making the order:

- Activities carried out in a public place within the local authority’s area have a detrimental effect on the quality of life of those living in the locality **OR**
- It is likely that activities will be carried out in a public place within the area that will have such an effect

The effect, or likely effect of the activities:

- Is, or is likely to be, of a persistent or continuing nature **OR**
- Is, or is likely to be, such as to make the activities unreasonable *and* justifies the restrictions imposed by the order

Identification of Potential PSPO

This will come from a variety of routes – including, but not exclusively:

- Partnership problem solving – daily meetings, hotspots, intelligence
- Recorded complaints from the public
- Public consultation
- Elected members
- Residents Groups
- Neighbourhood meetings
- Recorded crime (Staffordshire Police)
- Review of existing bye-laws
- Issues resulting from the management of public open space

The process to be followed is below. Responsibility for overseeing this process will vary depending upon the focus of the PSPO.

Types of Behaviour That a PSPO May Be Used to Tackle

The following list is intended to be indicative and not exhaustive:

Vagrancy	Legal highs – sale	Verge parking
Rough sleeping	of/taking of	Parking outside schools
Street drinking	Boy racers	Swimming in dangerous areas
Urinating and defecating	Skateboards	Ball games
Prostitution	Mini motos	Grazing of horses
Kerb crawling	Congregating in car parks	Litter
Dogging	Cars for sale	Disposable BBQs
Begging	Vehicle nuisance	Flytipping
Placing yourself to beg	Buskers	Cycling in pedestrian areas
Fishing	Dog fouling	Illegal encampments
Fly posting	Unruly dogs	
Distribution of literature		

Metal detecting	Dog prohibited	Aggressive Charity Collectors (Chuggers)
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It is important that the PSPO is used proportionately and that it is not seen to be targeting behaviour of the children/young people where there is a lack of tolerance and understanding by local people. Consideration must also be given to the Equality Act when setting out restrictions or requirements.

When making a PSPO, the impact on other areas and the level to which displacement is likely to occur should be included.

The detailed PSPO process map and notes are contained as Appendix 2a and Appendix 2b.

FIXED PENALTY NOTICES

Within the CPN process and for breach of PSPO, the legislation permits local authorities to set a maximum fixed penalty of £100 with a lower amount for payment within 14 days.

The (current) maximum level of penalty of £100 is proposed for use by Tamworth Borough Council with an early payment of £85 if paid within 14 days.

Tamworth Borough Council Environmental Management will issue ALL FPNs for breach of CPN or PSPO utilising current processes and this will be monitored in the M3 back office system. Income from the issue of Fixed Penalty Notices will be retained by Tamworth Borough Council with all partners will be subject to internal robust agreements.

The legislation is silent on the manner in which such income should be utilised. In the interim a separate budget line will be created for monitoring and transparency purposes, with a view to ensuring the financial costs of enforcement are as cost neutral as possible.

COMMUNITY TRIGGER

The purpose of the community trigger is to give victims and communities the right to request a review of their case and bring agencies together to take a joined up, problem solving approach to find a solution.

The relevant bodies in an area (Police, District Council, Clinical Commissioning Group and providers of social housing) must carry out an ASB case review if someone makes an application for a review and the local threshold for a review is met. For Staffordshire the local threshold is the national standard which is three qualifying incidents within a six month period. The incidents are required to amount to "behaviour causing harassment, alarm or distress to members or any member of the public" The report of any community triggers will be reported to Staffordshire police via 101 and any relevant partners in the area concerned will be notified.

Investigations based on the report made will be taken to the Tamworth Vulnerability Partnership (TVP), who meet weekly with all relevant partners. The TVP would then assess the report and decide whether the threshold has been met. The harm, or the

potential for harm to be caused to the victim, is an important consideration in determining whether the threshold is met because those who are vulnerable are likely to be less resilient to anti-social behaviour.

Where the TVP decides that the threshold has not been met the complainant(s) must be informed within five days of the decision being made who should also be told of their right of appeal. The appeal will be heard by the Staffordshire police lead for ASB. The fact that the threshold has not been met will not preclude the TVP from case managing and to appropriately action agencies to resolve the issues.

Where the TVP decides that the threshold has been met they will act as the case review forum. The TVP may make recommendations to other agencies. The legislation places a duty on a person who carries out public functions to have regard to those recommendations. This means that they are not obliged to carry out the recommendations, but that they should acknowledge them and may be challenged if they choose not to carry them out without good reason. The recommendations are likely to take the form of an action plan to resolve the anti-social behaviour. Whenever possible, the TVP should involve the victim in devising the action plan to help ensure it meets the needs of the victim.

The complainant(s) have a right of appeal against how the case review was carried out and any of the recommendations. It is recommended that the chair of the community safety partnership undertakes this role.

The community trigger is not a complaints process and is not intended to replace organisations' own complaints procedures. It should be made clear to victims of ASB that they will still have the opportunity to complain to organisations such as the Ombudsman or Independent Police Complaints Commission if they are unhappy about the service they have received from an individual officer or agency.

The Council must publish our Community Trigger procedure, this will be on our website. This will include the above information, the single point of contact (county wide agreement will be Staffordshire police) and information as to how to notify agencies about a Community Trigger.

There is a requirement to publish certain data namely;

- The number of applications for Community Triggers received
- The number of times the threshold was not met
- The number of anti socials behaviour case reviews carried out, and
- The number of anti socials behaviour case reviews that resulted in case reviews

This data is published by Staffordshire police broken down by each local authority district.

OPTIONS CONSIDERED

The process has been consulted on and fully endorsed by all relevant departments and Tamworth Police

RESOURCE IMPLICATIONS

The process and level of resource will be reviewed in April 2016 dependent on service demand and other internal reviews.

LEGAL/RISK IMPLICATIONS BACKGROUND

The process has been reviewed by the Legal Support officer as part of the ASB group and is compliant with Tamworth Borough Council governance arrangements. Risk factors are mitigated by the use of partnership meetings and case conferences to ensure that any prosecutions arising from use of the powers will be fully discussed and budgets identified.

In all cases a evidence determination sheet will be completed as outlined in the process – see **Appendix 3a and Appendix 3b**

Finance – fixed penalty receipts to be accounted for separately, and can only be utilised to support the legislative process

SUSTAINABILITY IMPLICATIONS

BACKGROUND INFORMATION

The ASB, Crime and Policing Act 2014 became law on 20th October 2014.

Tamworth Borough Council have approved a corporate approach to the implementation of the Act and use of powers contained within in by all departments, Police and wider Community Safety partners.

Approval for the process of implementation was endorsed by Cabinet on Thursday 12 March 2015.

This reports outlines the specific processes for the use of Community Protection Notices, Public Space Protection Orders and Community Trigger.

REPORT AUTHOR

Jo Sands, Neighbourhood Services Manager

LIST OF BACKGROUND PAPERS

ASB, Crime and Policing Act 2014: Reform of anti-social behaviour powers – Statutory Guidance for frontline professionals
ASB Crime and Policing Act 2014

APPENDICES

Appendix 1a – CPN Process
Appendix 1b – CPN Process Flowchart
Appendix 2a – PSPO Process
Appendix 2b – PSPO Process Flowchart
Appendix 3a – CPN determination sheet
Appendix 3b – PSPO determination sheet

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Tamworth Community Safety Partnership – CPN PROCESS

STAGE 1 - ISSUING A COMMUNITY PROTECTION WARNING

Delegated officers/Police may issue a Community Protection Warning providing that they have believe the tests for issue have been met.

The issue of a warning will be:

- By use of a standard template written notice (whilst on Patrol)¹
- By use of a standard template electronic warning forwarded to the recipient

The Warning must detail reason for the concern and a date by which the person must comply.

The usual rules of evidence will apply and the officer must have evidence capable of proving the offence – this will be provided on the summary test of evidence sheet. It is likely that any CPN will be evidenced with some or all of the following, log sheets, witness statements, officer evidence, CCTV, photographs etc. **Breach of a CPN is a criminal offence so needs to be proved beyond all reasonable doubt.**

Copies of the warning will be returned to Tamworth Borough Council, Environmental Management, 159B Sandy Way, Amington, Tamworth, B77 4ED

Or by email environmentalmanagement@tamworth.gov.uk

Each warning will be entered onto the M3 enforcement system

A report will be completed each week and returned to the ASB officer for update to the central ASB spreadsheet and discussion at morning briefings.

The issuing department/Police will be required to monitor compliance with the warning and record all evidence as appropriate.

¹ There may be occasions (eg noisy parties) where the officers feel an immediate issue of a verbal warning is required to immediately desist. A warning will be issued on the stationery provided, a note made in the personal note book and the copy of the note returned to the Business Support Team, Environmental Management as soon as practical. This may also apply when the ASB concern is only applicable to the issuing agency (eg littering, dirty gardens)

Tamworth Community Safety Partnership – CPN PROCESS

STAGE 2 - ISSUE OF COMMUNITY PROTECTION NOTICE

A CPN can **only** be served following the service and breach of a Warning Notice.

Prior to service of CPN, the lead department/agency must arrange for consultation with the Tamworth Community Safety Partnership via morning briefings and/or the Joint Operations Group to discuss implications of the issue of a CPN.²

The case conference will also include a decision on the sanction for possible breach of the CPN and agreement on the agency who will arrange court procedures.

If the Behaviour is still continuing and with agreement the Lead Officer will draft the Community Protection Notice.

- The Notice must contain the type of behaviour to be addressed
- The Length of time given for the behaviour to change (Review Period; 7, 14, 21 or 28days).

All CPNs will be recorded on the Tamworth Borough Council M3 enforcement system and must be signed by the nominate Lead Officer of each department/agency

Once signed, the Notice should be served upon the perpetrator. The following methods of service will qualify:

- By handing it to the perpetrator (preferable)
- By hand delivering it through the door of the property
- By posting it to the property
- Scanned and signed Notice emailed to perpetrator and recognised individual or company email address with delivery receipt.

The Lead Officer should then record the delivery method, time and date on the enforcement system as proof of service.

Any person issued a CPN has 21 days to appeal against it. A CPN that is appealed does not come into effect until the appeal is heard, in order to avoid any confusion with a breach – when the CPN is issued it will have a start date of 21 days after issue. This will ensure that if someone breaches they cannot tell the court that they intended to appeal.

² *In situations where the behaviour requires immediate actions (after issue of a warning), the Police or delegated agency can issue a CPN with authorisation from the relevant lead officer or the Tamworth Borough Council lead delegated officer. A notice will be issued on the stationery provided, a note made in the personal note book and the copy of the note returned to the Business Support Team, Environmental Management as soon as practical. This may also apply when the ASB concern is only applicable to the issuing agency (eg littering, dirty gardens)*

Appeals

Anyone issued with a CPN has the opportunity to appeal it in a magistrates' court. An appeal can be made on the grounds that the test was not met because:

- **the behaviour did not take place.** Officers will have collected evidence to place **beyond any reasonable doubt** that the behaviour occurred. However, in cases where the officer has relied on witness statements alone, they should consider the potential for this appeal route and build their case accordingly.
- **the behaviour has not had a detrimental effect on the quality of life of those in the locality.** Again, the importance of witness statements and any other evidence that the behaviour in question is having a negative impact on those nearby should be collected to ensure this defence is covered.
- **the behaviour was not persistent or continuing.** In some cases, judging persistence will be straightforward. However, in cases where a decision to issue a CPN is taken more quickly, officers should use their professional judgement to decide whether this test is met and may need to justify this on appeal.
- **the behaviour is not unreasonable.** In many cases, individuals, businesses or organisations that are presented with evidence of the detrimental impact of their behaviour will take steps to address it. Where they do not, they may argue that what they are doing is reasonable. In deciding whether behaviour is unreasonable, officers should consider the impact the behaviour is having on the victim, whether steps could be taken to alleviate this impact and whether the behaviour is necessary at all.
- **the individual cannot reasonably be expected to control or affect the behaviour.** In issuing the CPN, the officer must make a judgement as to whether the individual or business or organisation can reasonably be expected to do something to change the behaviour. The officer should be prepared to justify this decision in court if required.

Other reasons:

- **Any of the requirements are unreasonable.** Requirements in a CPN should either prevent the anti-social behaviour from continuing or recurring, or reduce the detrimental effect or reduce the risk of its continuance or recurrence. As such, it should be related to the behaviour in question.

Tamworth Community Safety Partnership – CPN PROCESS

- **There is a material defect or error with the CPN.** This ground for appeal could be used if there was a failure to comply with a requirement in the Act, such as a failure to provide a written warning before issuing a CPN.
- **The CPN was issued to the wrong person.** This could be grounds for appeal if the CPN was posted to the wrong address or the wrong person was identified in a business or organisation.

The person issued with the CPN must appeal within **21 days** of issue. Where an appeal is made, any requirement included under section 43(3)(b) or (c), namely a requirement **to do** specified things or take reasonable steps to achieve specified results, is **suspended** until the outcome of the appeal. However, requirements **stopping** the individual or body from doing specified things under section 43(3)(a) **continue** to have effect.

STAGE 3 – PENALTY ON BREACH OF CPN

The Act allows the offence of breaching the CPN to be discharged with a Fixed Penalty Notice. This will be the case for minor infringement of a CPN. Each local authority, when making this decision, must ensure that it is proportionate and in line with their Enforcement Policy.

When we are taking someone to court for breach of a CPN it is important that we are able to demonstrate that we have tried to resolve the breach.

Where an individual, business or organisation fails to comply with the terms of a CPN, a number of options are available for the issuing authority. **It is envisaged that the two most common sanctions that will be used are FPN's and/or Prosecution for breach.**

A decision will be made by after failure to comply with the warning and based on evidence and consultation on a daily/weekly basis at the ASB Hub meetings

Fixed penalty notices (Section 52):

- Depending on the behaviour in question, the issuing officer could decide that a fixed penalty notice (FPN) would be the most appropriate sanction.
- In making the decision to issue a FPN, the officer should be mindful that if issued, payment of the FPN would discharge any liability to conviction for the offence.
- In order to allow the individual time to pay the FPN, no other associated proceedings can be taken until at least 14 days after the issue.
- Fixed Penalties of £100 should be issued for a breach where agreed. Any subsequent breaches should be dealt with by summons or arrest.

Warning notices will be recorded on M3 and FPNs will be issued using the same system with linked jobs, enabling record of payment to be made.

Remedial action by Tamworth Borough Council (Section 47):

Prior to taking remedial action, it needs to be considered that the act allows for the court to order works to be undertaken. The court making an order would potentially be less onerous on the Council and may be preferable and the ASB Hub may decide to progress directly to court for prosecution based on risk based evidence and request mandatory Court sanctions.

- If an individual or body fails to comply with a CPN issued by the council, the council may take remedial action to address the issue. Works can only be carried out on land that is open to the air.
- For premises other than land open to the air, a defaulter must be issued with a notice specifying the works, the estimated cost (no on costs can be charged) and inviting their consent.

Tamworth Community Safety Partnership – CPN PROCESS

- If works are carried out, the defaulter must be issued with a notice detailing the works carried out and the cost of the works (no on costs).
- The Council can recover its costs subject to an appeal.
- Where the CPN has been issued by the police or a social landlord, but they believe remedial action is an appropriate sanction, they should approach the council to discuss the best way to move forward. For instance, the social landlord could undertake the work on behalf of the council.
- If it is decided that remedial action is the best way forward, the council (or the other agency in discussion with the council) should establish what works are required to put the situation right.

Prosecution or failing to Comply with a CPN (Section 48):

Failure to comply with the requirements of a CPN is an offence that can be prosecuted in the Magistrates' Court. Sanctions are by way of a fine of up to scale 4 for an individual or up to £20,000 for a body. As such, a person suspected of having committed such an offence could be arrested. It is envisaged that arrests will not be commonplace in relation to a CPN. **The Court may also impose the sanctions below.**

Remedial orders (Section 49):

On conviction for an offence of failing to comply with a CPN, the prosecuting authority may ask the court to impose a remedial order and/or a forfeiture order. This could be for a number of reasons, for instance:

- The matter may be deemed so serious that a court order is warranted;
- Works may be required to an area that requires the owner's or occupier's consent and this is
- not forthcoming; or
- The issuing authority may believe that forfeiture or seizure of one or more items is required as a result of the behaviour (for instance, sound making equipment).

A remedial order may require the defendant:

- to carry out specified work (this could set out the original CPN requirements); or
- to allow work to be carried out by, or on behalf of, a specified local authority. Where works are required indoors, the defendant's permission is still required. But this does not prevent a defendant who fails to give that consent from being in breach of the court's order.

Tamworth Community Safety Partnership – CPN PROCESS

Where remedial action is taken by a council under section 47 or 49 the individual has the opportunity to appeal on the grounds that the cost of the work being undertaken on their behalf is disproportionate.

Forfeiture orders (Section 50):

Following conviction for an offence under section 45, the court may also order the forfeiture of any item that was used in the commission of the offence. This could be spray paints, sound making equipment or a poorly socialised dog where the court feels the individual is not able to manage the animal appropriately (re-homed in the case of a dog). Where items are forfeited, they can be destroyed or disposed of appropriately.

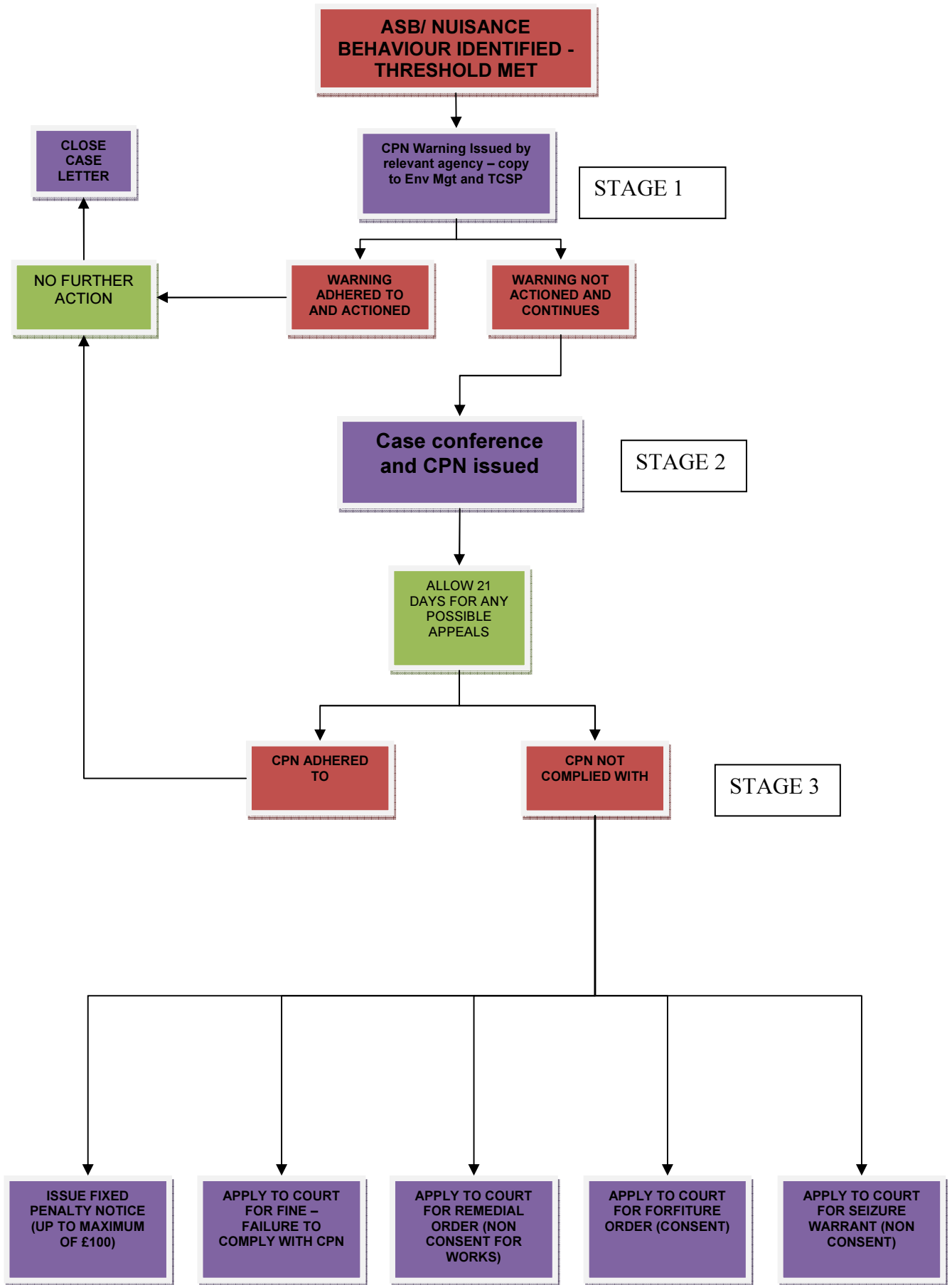
Seizure (Section 51):

In some circumstances, the court may issue a warrant authorising the seizure of items that have been used in the commission of the offence of failing to comply with a CPN. In these circumstances, an enforcement officer may use reasonable force, if necessary, to seize the item or items.

Failure to comply with any of the requirements in the court order constitutes contempt of court and could lead to a custodial sentence. If an individual is convicted of an offence under section 48, they may receive up to a level 4 fine (up to £20,000 in the case of a business or organisation).

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TAMWORTH COMMUNITY SAFETY PARTNERSHIP CPN PROCESS



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TAMWORTH COMMUNITY SAFETY PARTNERSHIP – PSPO PROCESS

STAGE 1 - IDENTIFICATION OF POTENTIAL PSPO

This will come from a variety of routes – including, but not exclusively:

- Partnership problem solving – daily meetings, hotspots, intelligence
- Recorded complaints from the public
- Public consultation
- Elected members
- Residents Groups
- Neighbourhood meetings
- Recorded crime (Staffordshire Police)
- Review of existing bye-laws
- Issues resulting from the management of public open space

The process to be followed is below. Responsibility for overseeing this process will vary depending upon the focus of the PSPO.

It is important that the PSPO is used proportionately and that it is not seen to be targeting behaviour of the children/young people where there is a lack of tolerance and understanding by local people. Consideration must also be given to the Equality Act when setting out restrictions or requirements.

When making a PSPO, the impact on other areas and the level to which displacement is likely to occur should be included.

OVERSEEING THE PROCESS

The officers who will contribute to that the process and from whom evidence will be gathered, will vary depending upon the type of behaviour to be addressed but will include (but not exhaustive):

- Tamworth Community Safety Partnership (TCSP) officers
- Neighbourhood Services Officers
- Community Wardens
- Streetscene
- Environmental Health Officers
- Housing Officers
- Police officers
- Ward Councillors
- Community Groups
- Destination Tamworth (Town Team)
- Relevant Tamworth Borough Council departments
- Townsafe member (PABCIS)
- Chamber of Commerce
- Trading Standards
- Residents in the area proposed
- Businesses in the are proposed
- Staffordshire Highways
- The owner of the land (if not the Council)

TAMWORTH COMMUNITY SAFETY PARTNERSHIP – PSPO PROCESS

The TCSP will collate and share all record all complaints, obtain crime evidence, ensure that the tests are met and produce appropriate risk assessments.

Tamworth Police (via the Chief Inspector) will be a statutory consultee in all cases.

Information must include:

- A map of the defined area that is subject of the PSPO
- Explain the activities that are having the detrimental effect
- Explain the sanctions available on breach
- Specify the period of time the PSPO will be in effect for (maximum 3 years before review)

The evidence will be presented with a recommendation to move draft a PSPO and proceed to consultation or not based on the evidence.

STAGE 2 - AUTHORISATION FOR PUBLIC CONSULTATION

A summary of the problems and proposed draft PSPO (where applicable) will be presented by the nominated Portfolio Holder (ASB) at Cabinet who will agree to the consultation process being undertaken.

This should include a copy of the determination sheet to ensure the relevant tests are met.

The relevant Cabinet report will be presented by the originating department who will lead on implementation.

CONSULTATION

The consultation that is undertaken will depend on the location and the particular issues to be addressed. The consultation will be proportionate but not excessive. At least 28 days will be allowed for the consultation process.

The consultation on the draft PSPO will be via

- Press release to the newspapers
- Tamworth Borough Council website
- Social Media
- Notices in the relevant area
- Via Ward Councillors

Details on how to appeal against the proposed PSPO will be included in all communications,

PROCESS TO APPROVE PSPO IMPLEMENTATION

The decision will be taken by elected members in the most expedient manner. Proposed process Tamworth Borough Council:

TAMWORTH COMMUNITY SAFETY PARTNERSHIP – PSPO PROCESS

- Cabinet to approve (or not) the public consultation on draft PSPO based on evidence received
- Evidence of appeal (or not) from the consultation to be presented at Scrutiny Committee to endorse PSPO or refer back to TCSP to consider appeals
- Portfolio Holder to sign off PSPO under Delegated Authority powers

All reports will include relevant risk assessments, equality impact assessments, enforcement options and financial implications (including signage and publicity costs and long term maintenance liability for any fixed assets)

STAGE 3 - PUBLIC NOTIFICATION OF NEW PSPO

The processes used will vary from case to case but will ensure the following principles are followed in accordance with regulation:

- The publicity is proportionate and cost effective
- It takes account of the different languages spoken in the area

General publicity may include:

- Press release
- Council website
- Residents' newsletters (where appropriate)
- Leaflets (where appropriate)
- Social media

All notices must contain the prescribed information:

- A map of the defined area that is subject of the PSPO
- Explain the activities that are having the detrimental effect
- Explain the sanctions available on breach
- Specify the period of time the PSPO will be in effect for
- Details and time limits for appeals

The lead responsible officer will issue a final letter to all Partner Agencies and the source of the original referral (if a private person) informing them of the implementation of the PSPO and its terms.

APPEALS

From the date the PSPO becomes active, those with an interest in the defined area, such as, Local Residents or members of the Public who regularly use the defined area, have the right to appeal.

Any appeal must be made in directly to the High Court. And on the grounds that the Local Authority has failed In its consultation process or that the two required grounds have not been met.

TAMWORTH COMMUNITY SAFETY PARTNERSHIP – PSPO PROCESS

Any appeal must be made within 6 weeks (42 days ending on a Sunday) of the PSPO becoming live.

All appeals should be directed to the Lead Officer for appropriate action.

STAGE 4 - ENFORCING THE PSPO

The power to enforce the PSPO will be given to under the following agencies when requested and agreed memorandum of understanding and delegation:

- Police officers
- PCSOs
- Designated Council officers (inc Housing)
- Designated RSL officers (if appropriate)
- Trading Standards Officers (if appropriate)

It will be for the Council delegated officer to ensure that the PSPO is effectively enforced. This Head of Service together with the Chief Executive and other members of the Corporate Management Team are the Council's Proper Officers for PSPO enforcement and can delegate other officers accordingly.

In enforcing a PSPO, it is an offence for a person, without reasonable excuse, to:

- do anything that the person is prohibited from doing by a PSPO other than consume alcohol (** **see below**)
- fail to comply with a requirement to which the person is subject under a PSPO.

Where any person is in breach of PSPO or is requested to desist from consuming alcohol forthwith and **fails** to comply: **

- Staffordshire Police will secure a Witness Statement in an agreed form and pass to Tamworth Borough Council (Neighbourhood Services) for recording.
- TBC officers will complete a (prescribed incident ticket) and return to TBC Environmental Management

For a first offence, an officer duly authorised by Tamworth Borough Council will issue a **Fixed Penalty Notice** to the person concerned.

Where a Fixed Penalty Notice is issued and paid within the timeframe prescribed, no further action will be taken and the offence will have been discharged. Where a Fixed Penalty Notice is not duly paid, the Council will consider all of the recovery options open to it in accordance with the Law and its Corporate Enforcement Policy.

TAMWORTH COMMUNITY SAFETY PARTNERSHIP – PSPO PROCESS

Should any person found in breach of a PSPO or fail to desist drinking alcohol in a PSPO controlled drinking zone by an authorised Council officer or from Staffordshire Police for a **second** time within any **six month** period, a duly authorised officer from Tamworth Borough Council will consider issuing a **formal prosecution** against the individual in accordance with the Law and the Council's Corporate Enforcement Policy.

Those who are found to be breaching the PSPO will be given the opportunity to discharge the offence by way of a Fixed Penalty Notice. The arrangements for doing this will be agreed locally:

- The level of the FPN will be £100
- Agreement will be reached with Staffordshire Police about issuing FPN on behalf of the Council and how this will be done

Notwithstanding any failure to comply PSPO restrictions, Staffordshire Police retain all other prevailing powers to deal with anti-social behaviour and public order offences.

**** Alcohol Restrictions**

In the case of an alcohol restriction PSPO the person will be requested to desist drinking in the first instance. The officer(s) providing the request will use their discretion about confiscation and disposal of alcohol.

Where any person is requested to desist from consuming alcohol forthwith and immediately complies, Staffordshire Police will verify the details of the person and pass them to Tamworth Borough Council for recording. A warning letter will be sent to the person which will contain suitable narrative.

Although it is only an offence to continue drinking alcohol in a controlled drinking zone when told not to do so by an authorised officer, who, in the case of the proposed PSPO would be a Police Officer, Staffordshire Police and the Police and Crime Commissioner have been very clear that they would adopt a zero tolerance approach to anyone caught consuming alcohol in the controlled drinking zone. Tamworth Police will be fully consulted on this approach.

VARIATIONS

The Local Authority can choose to vary the PSPO at any time within its' lifespan. Should variations be required, the Lead Officer must repeat stages 1 – 3. Once completed, the varied terms should be assimilated into any public notices as per stage 3.

EXISTING ORDERS

There are a number of current orders which will be replaced by the PSPO:

TAMWORTH COMMUNITY SAFETY PARTNERSHIP – PSPO PROCESS

- Designated Public Place Order – Alcohol Restricted Zones
 - Town Centre
 - Amington
- Tamworth Borough Council (2012) Dog Control Orders:
 - Fouling of land
 - Dogs on lead at all times
 - Dog on lead by request
 - Dogs prohibited
- Gating Orders
 - Maldale
 - Ludgate

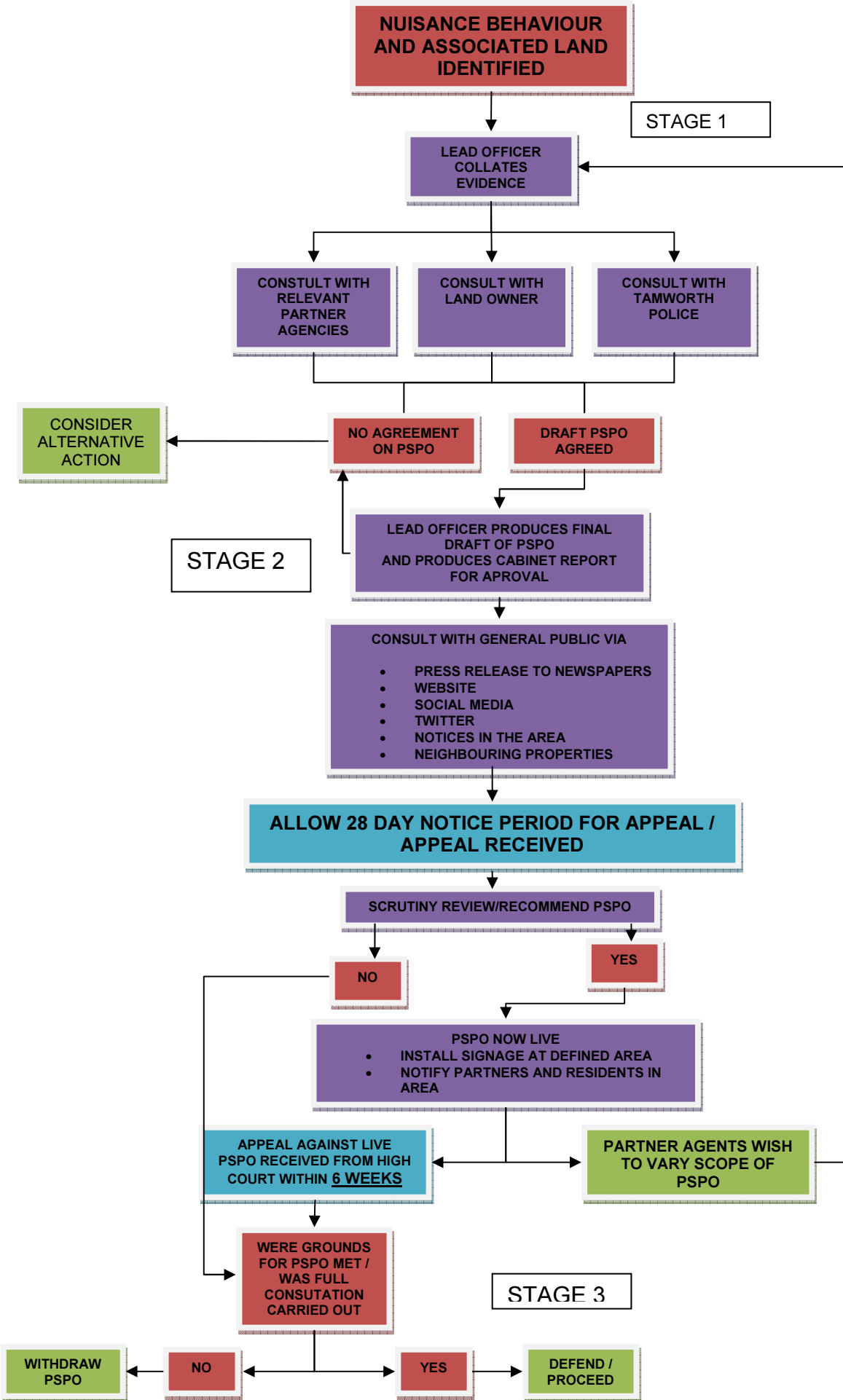
There is the ability to replace existing orders with a PSPO at commencement. Alternatively they can continue for 3 years when they will transfer over to a PSPO.

Each local area will decide whether:

- To leave as the current order and allow to move over in 3 years
- To replace immediately with PSPO
- To discharge the existing order as no longer needed

These orders will be reviewed as per the agreed process before 20 October 2017.

Tamworth Community Safety Partnership PSPO Flow Chart



Tamworth Community Safety Partnership PSPO Flow Chart

Antisocial Behaviour, Crime & Policing Act 2014

**Tamworth Community Safety Partnership
CPN Test Evidence Summary**

Complainant Name and Address		
Subject Name and Address		
Date:	Officer	Reference

Criteria *	Evidence	Criteria met
Detrimental effect on Quality of Life of those in locality AND	Alleged: Evidenced: <i>[Witness statements, impact statement(s), pictures, video's, Police evidence etc]</i>	Y / N
Persistent or continuing AND	Alleged: <i>[some behaviours could have a compressed time frame if easy to control and have been approached and requested to stop, but continue.]</i> Evidenced: <i>[History of occurrence, continued after initial approach]</i>	Y / N
Are the Actions unreasonable	Alleged: <i>[Normal / unavoidable, actions taken to prevent nuisance, deliberate/malicious intent]</i> Evidenced: <i>[Need to show necessary and proportionate]</i>	Y / N
Dealing with/Issuing on Correct/most appropriate person	<i>Over 16.</i> <i>Can you prove they can be reasonably expected to control or affect the behaviour</i>	Y / N

All criteria* MUST be satisfied

	Evidence summary	Indicative of Offence
Visits made	<i>Summary of the number of visits, time of day, duration of visits and evidence gained</i>	
Matron/monitoring installed/digital evidence	<i>Summary of Matron/other monitoring, pictures, video's, CCTV</i>	
Evidence from reliable 3 rd parties	<i>Police, Social Landlords, Council officers, public</i>	

Other relevant factors	<i>History of problems, malice/deliberate actions, unwillingness to engage or vulnerable victims</i>
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Criteria* Met Y / N	Summary of Evidence/Test met <i>Brief summary of decision</i>
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Antisocial Behaviour, Crime & Policing Act 2014
Tamworth Borough Council
PSPO Test Evidence Summary.

Address Complainant:	
Address subject:	

Date:	Officer:	M3 Ref
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Criteria *	Evidence	Criteria met
Activities carried out in a public place within the local authority's area have a detrimental effect on the quality of life of those living in the locality OR	Alleged: Evidenced: <i>[Witness statements, impact statement(s), pictures, video's, Police evidence etc]</i>	Y / N
It is likely that activities will be carried out in a public place within the area that will have such an effect		
Persistent or continuing	Alleged: <i>[some behaviours could have a compressed time frame if easy to control and have been approached and requested to stop, but continue.]</i> Evidenced: <i>[History of occurrence, continued after initial approach]</i>	Y / N
Are the Activities unreasonable	Alleged: <i>[Normal / unavoidable, actions taken to prevent nuisance, deliberate/malicious intent]</i> Evidenced: <i>[Need to show necessary and proportionate]</i>	Y / N
Justifies the restrictions imposed by the order	<i>Does the order justify the restrictions</i>	Y / N

All criteria* MUST be satisfied

	Evidence summary	Indicative of Offence
Visits made	<i>Summary of the number of visits, time of day, duration of visits and evidence gained</i>	

Matron/monitoring installed/digital evidence	<i>Summary of Matron/other monitoring, pictures, video's, CCTV</i>	
Evidence from reliable 3 rd parties	<i>Police, Social Landlords, Council officers, public</i>	

Other relevant factors	<i>History of problems, malice/deliberate actions, unwillingness to engage or vulnerable victims</i>
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Criteria* Met	Summary of Evidence/Test met
Y / N	<i>Brief summary of decision</i>